

## Prince William Sound Regional Citizens' Advisory Council

Board of Directors Meeting May 5-6, 2022


Valdez Convention Center - 314 Clifton Drive in Valdez

Zoom link for meeting audio and presentations <https://pwsrccac.zoom.us/j/81704424912>

Or participate via teleconference: 1-888-788-0099 Meeting ID: 817 0442 4912

### Final Agenda

#### Thursday, May 5, 2022

8:15	A	Call to Order & Roll Call <ul style="list-style-type: none"> <li>Welcome – President Robert Archibald</li> <li>Introductions/Director reports on activities since the last meeting</li> </ul>
8:25	B	1-0 Approve Agenda
8:30	C	4-1 PWSRCAC Director Appointments
8:35	D	1-1 Approve Minutes of January 27-28, 2022, Regular Board Meeting 1-2 Approve Minutes of March 8, 2022, Special Board Meeting
8:40	E	Public Comment Period, limit five minutes per person
8:55	F	<u>Internal Opening Comments</u> <i>(Please limit to general information not contained in Agenda)</i> <ul style="list-style-type: none"> <li>Technical Committee Updates (SAC, IEC, OSPR, TOEM, &amp; POVTS)</li> <li>PWSRCAC Board Sub Committee Updates (Legislative, Governance &amp; Finance)</li> </ul>
9:30		BREAK
9:45	G	Alyeska / SERVS Activity Report and Introduction and Remarks from Danika Yeager, Alyeska Interim President
10:55		BREAK
11:10	H	<u>External Opening Comments</u> <i>(Please limit to general information not contained in Agenda)</i> <ul style="list-style-type: none"> <li>PWSRCAC Ex-Officio Members</li> <li>Trans Alaska Pipeline System Shippers, Owner Companies, and Pilots</li> </ul>
12:00		BREAK – boxed lunch provided for those at the meeting.
1:00	I	PWSRCAC Volunteer Recognition – Robert Archibald & Donna Schantz
1:05	J	4-2 Resolution Recognizing Patience Andersen Faulkner – Robert Archibald
1:10	K	4-13 Resolution Recognizing Anil Mathur – Robert Archibald
1:15	L	Approval of FY2023 Budget
1:35	M	<u>Consent Agenda</u> <ul style="list-style-type: none"> <li>3-1 Approval of Resolution Designating PWSRCAC Check Signers</li> <li>3-2 Approval of FY2023 C-Plan Contractor Pool &amp; Contract Authorization</li> <li>3-3 Approval of FY2023 LTEMP Contract Authorization</li> <li>3-4 Approval of FY2023 Storage Tank Maintenance Review Contract Authorization</li> <li>3-5 Approval PWSRCAC/Alyeska Contract Compliance Verification Report</li> </ul>
1:40	N	4-3 Geographic Response Planning for the Copper River Delta & Flats – Jeremy Robida with Sierra Fletcher of Nuka Research & Planning Group, LLC
2:20		BREAK
2:35	O	Update on ADEC SPAR Topics of Interest – Tiffany Larson, ADEC SPAR Director
3:05	P	Nomination of Officers & Executive Committee Members-at-Large
3:10	Q	4-14 Annual Board Required Document Completion – Ashlee Hamilton
3:15		BREAK
3:25	R	Executive Session to Discuss: <ul style="list-style-type: none"> <li>4-5 Annual Technical Committee member appointments</li> <li>Update on the Council's work to monitor tank vent damage at the VMT</li> <li>Update on Council's Request for Adjudicatory Hearing on ADEC's Decision on the Secondary Containment Liner Testing Requirements for the VMT</li> </ul>
5:00		RECESS
		Shaded Items Require Board Action

**Anyone experiencing COVID 19 symptoms should not attend this meeting in person.**



Agenda may change without prior notice

Times are provided as a guideline only

Councils' public proceedings are routinely recorded and may be disseminated to the public by PWSRCAC or the news media

***Citizens promoting environmentally safe operation of the Alyeska terminal and associated tankers***

**Friday, May 6, 2022**

8:15	A	Call to Order & Roll Call
8:20	B	Report on Executive Session
8:30	C	Election of Officers & Executive Committee Members-at-Large <i>(results to be announced by the morning break)</i>
8:40	D	4-6 Presentation: LTEMP 2021 Sampling Results & Interpretations – Austin Love with Dr. Morgan Bender, Owl Ridge Natural Resource Consultants, Inc.
9:25	E	4-7 Dispersants Use Position Update – Danielle Verna and Betsi Oliver
10:00	F	4-8 Annual Board Committee Appointments – Donna Schantz
10:15		<b>BREAK</b>
10:30	G	4-9 Federal & State Government Affairs Update – Joe Lally with Gene Therriault & Roy Jones
11:05	H	4-10 Presentation & Overview of Marine Exchange of Alaska – Alan Sorum with Captain Steve White, MXAK
11:45	I	4-11 Approval of IRS Form 990 – Gregory Dixon
12:00		<b>LUNCH</b> <i>boxed lunch provided for those at the meeting.</i>
		4-4 Acceptance of AVTEC Ship Handling Coursework – Alan Sorum with Robert Thomas of AVTEC
1:00	J	4-12 FY2022 Community Outreach Update – Betsi Oliver
1:30	K	President's Report to the Board
1:40	L	Executive Director's Report to the Board
1:55	M	Financial Manager's Report to the Board
2:05	N	Consideration of Consent Agenda Items
2:20	O	Closing Comments
2:45	P	ADJOURN

Shaded Items Require Board Action

**Additional items provided for information only:**

- PWSRCAC Name Roster *(Board Members only)*
- PWSRCAC Expense Reimbursement Form
- 2-1 List of Commonly Used Acronyms
- 2-2 Budget Status Report
- 2-3 Director Attendance Record
- 2-4 Committee Member Attendance Record
- 2-5 List of Board Committee Members
- 2-6 PWSRCAC One-Page Strategic Plan
- 2-7 List of Board and Executive Committee Actions
- 2-8 PWSRCAC Organizational Chart
- 5-1 May 2022 Program/Project Status Report

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***Citizens promoting environmentally safe operation of the Alyeska terminal and associated tankers***

PRINCE WILLIAM SOUND  
REGIONAL CITIZENS' ADVISORY COUNCIL  
MINUTES  
REGULAR BOARD MEETING  
January 27 and 28, 2022  
(Virtual)

**Members Present**

Robert Archibald	City of Homer
Amanda Bauer	City of Valdez
Robert Beedle	City of Cordova
Ben Cutrell	Chugach Alaska Corporation
Wayne Donaldson	City of Kodiak
Patience Andersen Faulkner	Cordova District Fishermen United
Mako Haggerty	Kenai Peninsula Borough
Luke Hasenbank	Alaska State Chamber of Commerce
Melvin Malchoff	Port Graham Corporation
Dorothy Moore	City of Valdez
Bob Shavelson	Oil Spill Regional Environmental Coalition
Rebecca Skinner	Kodiak Island Borough
Angela Totemoff	Tatitlek Corporation & Tatitlek Village IRA Council
Michael Vigil	Chenega Corp. & Chenega IRA Council
Kirk Zinck	City of Seldovia

**Members Absent**

Mike Bender	City of Whittier
Nick Crump	Prince William Sound Aquaculture Corporation
Patrick Domitrovich	City of Seward
Elijah Jackson	Kodiak Village Mayors Association

**Ex-Officio Members Present**

Allison Natcher	Alaska Dept. of Environmental Conservation
CDR Patrick Drayer	USCG MSU Valdez
Torri Huelskoetter	US EPA
Lee McKinley	Alaska Dept. of Fish & Game
Reid Olson	Bureau of Land Management
Scott Pegau	Oil Spill Recovery Institute
Phillip Johnson	US Department of the Interior
Catherine Berg	NOAA

**Committee Members Present**

Steve Lewis	POVTS Committee
Jim Herbert	OSPR Committee

Davin Holen  
John Kennish  
Cathy Hart  
Savannah Lewis

SA Committee  
SA Committee  
IE Committee  
IE Committee

**Staff Members Present**

Donna Schantz  
Joe Lally  
KJ Crawford  
Walt Wrede  
Brooke Taylor  
Gregory Dixon  
Ashlee Hamilton  
Jennifer Fleming  
Betsi Oliver  
Linda Swiss  
Alan Sorum  
Austin Love  
Amanda Johnson  
Jeremy Robida  
Roy Robertson  
Danielle Verna  
Nelli Vanderburg  
Hans Odegard  
Jaina Willahan

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

**Others Present**

Andres Morales  
Mike Day  
Weston Branshaw  
Kate Dugan  
Suzanne Cunningham  
Commissioner Jason Brune  
Anna Carey  
Mo Radotich  
Melissa Woodgate  
Tiffany Larson  
Seth Robinson  
Becky Spiegel  
Emma Pokon  
Diane Munson  
Graham Wood  
Laura Achee

Alyeska Pipeline Service Company  
Alyeska Pipeline Service Company  
Alyeska Pipeline Service Company  
Alyeska Pipeline Service Company  
Alyeska Pipeline Service Company  
Alaska Dept. of Environmental Conservation  
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Jenny Benda	Alaska Dept. of Environmental Conservation
Craig Hyder	Marathon Petroleum
Marc Bayer	Marathon Petroleum
Monty Morgan	Polar Tankers
Angelina Fuschetto	Crowley Alaska Tankers
Mark Curtis	Crowley Alaska Tankers
Rob Kinnear	Hilcorp
Chris Merten	Alaska Tanker Company
Lori Nelson	Hilcorp
Diane Dunham	Hilcorp
Eileen Oliver	Bureau of Land Management
Steve Weeks	Bureau of Land Management
Joe Levesque	Levesque Law Group, legal counsel
Paul Twardock	Prince William Sound Stewardship Foundation
Gene Therriault	Council's State Legislative Monitor
Bill Driskel	Independent Consultant
Jim Payne	Payne Environmental Consultants, Inc
Liz Bowen	U.S. Geological Survey
Brenda Ballachey	U.S. Geological Survey
Sierra Fletcher	Nuka Research and Planning Group, LLC
Liz Mering	Cook Inletkeeper
John Beath	John Beath Environmental
Sarah Backes	John Beath Environmental
Breck Tostevin	Nielsen Koch, & Grannis PLLC
LJ Barrett	KBBI AM 890 Public Radio, Homer
Leonardo Wassilie	Salmonberry Tribal Associates
Julien Atrilinguk Jacobs	Citizen
Rick Steiner	Citizen

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

**Thursday, January 27, 2022**

### **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 January 27 and 28, 2022, via Zoom video conference. President Robert Archibald called the meeting to order at 8:30 a.m. on January 27 and welcomed everyone to the meeting.

A roll call was taken. The following 13 Directors were present at the time of the roll call, representing a quorum for the conduct of business: Archibald, Bauer, Beedle, Cutrell,

Donaldson, Haggerty, Hasenbank, Malchoff, Moore, Shavelson, Skinner, Vigil, and Zinck. (Patience Andersen Faulkner joined the meeting shortly thereafter at 8:38 a.m., followed by Angela Totemoff at 9:17 a.m.)

Introductions and Directors' reports followed.

*(Patience Andersen Faulkner joined during Director Reports at approximately 8:38 a.m. 14 Directors present.)*

Archibald welcomed the new staff members Ashlee Hamilton (Financial Manager), KJ Crawford (Director of Administration), and Jaina Willahan (Administrative Assistant, Anchorage office). Dorothy Moore acknowledged the 100<sup>th</sup> birthday of Valdez resident Gloria Day and pointed out that the Day family formerly held title to the land on which the Valdez Marine Terminal presently sits. The community would recognize this milestone birthday and its significance to Valdez and Alaska later in the day.

### **1-0 AGENDA**

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

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

### **1-1 MINUTES**

Amanda Bauer **moved to approve the minutes** of the Regular Meeting of the Board of Directors of September 16 and 17, 2021. Mako Haggerty **seconded** and the **minutes were approved as presented**.

### **1-2 MINUTES**

Amanda Bauer **moved to approve the minutes** of the Special Board Meeting of October 15, 2021. Michael Vigil **seconded** and the **minutes were approved as presented**.

### **PUBLIC COMMENTS**

Rick Steiner thanked the Council for maintaining its vigilance over oil transportation in Prince William Sound. He outlined his proposal to reduce the incidents of ships and specifically TAPS tankers from striking whales in Prince William Sound. He asked the Council to move the proposal into its queue for a future project. The proposal requests TAPS tanker owners to voluntarily adopt reasonable mitigation measures to limit whale strikes by its tankers.

Steiner also asked the Council to reconfirm and/or push Alyeska to suspend loading/unloading operations at the Valdez Marine Terminal (VMT) during tsunami alerts to avoid problems such as those experienced in Peru during a recent tsunami from a massive underwater volcanic eruption off the coast of Tonga.

Paul Twardock of the Prince William Sound Stewardship Foundation introduced the foundation and its various areas of focus in Prince William Sound that may be of interest to the Council.

## **INTERNAL OPENING COMMENTS – PWSRCAC TECHNICAL COMMITTEE UPDATES**

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

Chair Jim Herbert thanked all the committee members for their efforts and specifically recognized Jerry Brookman, who had attended over 118 meetings over many years, and Gordon Scott who had been a volunteer and committee member since the beginning of PWSRCAC.

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

- The committee, along with the other technical committees, was kept informed about ADEC's regulatory reform efforts. There would be a presentation by Sierra Fletcher of Nuka Research and Planning Group later in the agenda.
- 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 had accepted a few exercise reports, including the 2021 Annual Drill Monitoring Report which was on the agenda for acceptance at this Board meeting.
- The committee was updated on area and regional planning efforts for the Alaska Regional Plan, and the Prince William Sound, Arctic and Western Alaska, and Inland Alaska Area Contingency Plans.
- The committee was updated on the c-plan reviews and amendments:
  - As to the Valdez Marine Terminal C-Plan, the committee reviewed the December 2021 decisions issued by ADEC regarding the integrity of the secondary containment liner at the terminal. The committee supports the filing of a Request for Adjudicatory Hearing. This topic would be discussed further during this Board meeting.
  - As to the Prince William Sound Tanker C-Plan, the committee was updated on the plan renewal. A presentation would be made to the Board on this subject later in the agenda.

- A draft of the Copper River Delta and Flats whitepaper will go to the committee at its next meeting and a final version should be ready for Board acceptance at the Board's May meeting.
- The Port Valdez Weather Buoy project team met to discuss the direction of the contracting process for the ongoing buoy data analysis project. The project team recommended entering a sole source contract with Rob Campbell, Ph.D., through the Prince William Sound Science Center, as they were pleased with his report for the first year's update. One item of interest Herbert pointed out was that the pulse of atmospheric pressure that came over Prince William Sound from the recent underwater volcanic eruption off the coast of Tonga was recorded in a timely fashion on the VMT weather buoy.
- An RFP was issued for the Out-of-Region Equipment Survey. Nuka Research and Planning was selected as the contractor. A contract was being drafted and work should begin in mid-February.
- The fishing vessel training will likely be a hybrid program for the fleet again for 2022, consisting of an online eight-hour HAZWOPER training followed by a two-day, on-water exercise in the various communities beginning in Kodiak in April.
- Wildlife training for a portion of Homer and Seward fleets will take place at the end of March in Homer. Shortly after that Dr. Randall will conduct a sea otter training in Anchorage for those interested in becoming part of the pool of trained responders, helping with sea otters specifically, that would be activated should there be an event.

Jim Herbert thanked Nelli Vanderburg and all staff who assist the committee.

#### **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.

- The committee reviewed the draft report for the project titled Review of the EPA NESHAP-OLD Air Quality Rule by John Beath Environmental. The conclusions of that report indicate that Alyeska is already adequately controlling the emissions of hazardous air pollutants from the Valdez Marine Terminal (VMT). The committee has recommended the report be accepted as final by the Board and that the Council send a letter to the EPA supporting Alyeska's appeal of the EPA's 2020 rule. John Beath Environmental would present their report later during this Board meeting.
- Recommendations pertaining to the maintenance of Crude Oil Tank 7 were sent to Alyeska on December 1, 2021. The recommendations were provided by the

Council's contractor Taku Engineering after they conducted a site visit of the inside of Tank 7 on November 10, 2021. The site visit and recommendations are part of the Council's current Tank 7 and Tank 94 Maintenance Review project. To date, Alyeska had not responded to the recommendations, but Council staff and Alyeska staff have been working towards a response.

- The committee continued to monitor Alyeska's implementation of spill prevention related recommendations resulting from the April 12, 2020 oil spill from the VMT. During the December 9, 2021 TOEM Committee meeting, Alyeska staff reported that all the recommendations had been completed (a significant milestone). However, Alyeska continued to work on mitigating lingering contamination from that 2020 oil spill.
- The committee had been contemplating a PFAS-related VMT project for a few years. In October 2021, the committee was made aware of proposed Alaska legislation that could involve PFAS at the VMT, such as the thousands of gallons of aqueous film forming foam (AFFF) stored for firefighting at the VMT. The TOEM and LAC committees have agreed to monitor that pending legislation and will recommend a course of action to the Board regarding PFAS use at the VMT.
- The committee reviewed the December 2021 decision issued by the ADEC's SPAR Director Tiffany Larson regarding the integrity of the secondary containment liner at the VMT. Based on information currently available, the committee supports the Board's appeal of ADEC's decision through a Request for Adjudicatory Hearing. This issue was scheduled for further discussion at this Board meeting.

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

Vice Chair Savannah Lewis reported that the Information and Education Committee (IEC) had had three regular meetings and two project team meetings since the Board's September meeting.

The committee's focus since September was as follows:

- Project 3500 - Community Outreach: During ADEC's regulatory reform efforts, staff members attended city council meetings, sent information to member entities and other stakeholders, and encouraged the public to submit comments on the proposed reforms. Outreach Coordinator Betsi Oliver exhibited the Council's booth at the Alaska Association of Harbormasters and Port Authorities conference and the Alaska Municipal League conference. Oliver also presented virtually to the University of Alaska Fairbanks' Water Environmental Research Center and students at Prince William Sound Community College in Valdez. Oliver also organized the Alaska Center of the Environment oil spill prevention and response track, which was scheduled for February in a virtual format. Lastly, the Tsunami Bowl high school

marine science quiz competition will be in person this year in Seward. Jim Herbert and Cathy Hart have volunteered to be judges. However, the high level of COVID-19 cases has caused some to reconsider.

- Project 3530 - Youth Involvement: Since the last Board meeting, several Youth Involvement projects from spring and summer 2021 were completed. Youth Involvement projects are operated by partner organizations and the Council provides small amounts of funding to ensure oil spill prevention and response components are included in their marine science content. These included three trainings for teachers to build their skills to teach students about spill prevention – two with the Prince William Sound Community College and one with the Chugach National Forest. All courses offered teachers credit. High school students from Cordova and Valdez participated in a field program learning about the Copper River watershed from upriver through the marine environment. At the Center for Alaskan Coastal Studies in Homer they were able to engage students in person as campers and interns, as well as develop a series of video virtual field trips. In Cordova, sixth graders participated in several in-depth sessions about the history of the *Exxon Valdez* oil spill (EVOS), and in Valdez, sixth graders developed video projects exploring a component of EVOS history of their choice.

The committee approved five new Youth Involvement projects for summer 2022.

- Project 3610 - Website and Web Presence: The committee reviewed analytics for the Council's websites (pwsrca.org and the committee extranet). The committee also reviewed performance of online ads paid for through the Google Ads Grant and recent campaign tracking. Highlights were available in the committee's status report at: [www.tinyurl.com/IECwebstats](http://www.tinyurl.com/IECwebstats). This annual review helps the committee plan for evaluating future projects and areas for improvement. A more detailed report was available from Council staff member Amanda Johnson.
- Project 3903 - Internship: Intern Rosie Brennan did extensive outreach to those most likely to use the Council's lesson bank, including teachers, homeschool educators, librarians, and educational organizations. The hands-on lessons include ecosystem science, oil science, social science, math, art, and literature as part of the Council's K-12 education materials engaging youth with the history of the EVOS, stewardship, and spill prevention and response concepts. Brennan created a report for IEC detailing short and long-term outreach and education that the Council can employ to improve usability of and engagement with the lesson bank. Brennan has also added recently developed lesson plans to the lesson bank. Brennan's internship will end soon and she will provide a final report of her work to IEC. She will be representing the United States on the Olympic Ski Team in February.

- Project 3410 - Fishing Vessel Training Community Outreach: Alyeska has announced its dates for spring SERVS fishing vessel training in Seward, which is the next community in rotation for the Council to host its public outreach program. Planning was underway for safely hosting the community to observe and learn about the SERVS system and fishing fleet training.
- Project 6560 - Peer Listener: The committee accepted the proposal from Purpose Driven Consulting to conduct phase one of the Peer Listener project to conduct research about current best practices used around the state and nation to support peer-to-peer mental health support, specifically as it relates to disaster recovery. This research will be used to inform updates to the Peer Listener Training program. The research phase will be complete in June 2022.
- Other: The committee approved a conference attendance request for Cathy Hart to attend the virtual NTEN conference in March. The agenda is available at nten.org. IEC is also looking for a new committee member.

*(Angela Totemoff joined the meeting during the IEC report at approximately 9:17 a.m. 15 Directors present.)*

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

Chair Davin Holen mentioned PWSRCAC intern Rosie Brennan and her dedicated work with the committee's projects and wished her well in Beijing in February as a member of the US Olympic cross-country ski team. Holen went on to give a brief overview of his work experience and credentials, explained the committee's purview and work, and updated the Board on the committee's activities since the September Board meeting:

- Long Term Environmental Monitoring Program (LTEMP): All the 2021 LTEMP field samples (mussels, sediments, and passive sampling devices) were chemically analyzed for oil contamination. Through the Council's request for proposals (RFP) process, the committee identified two contractors, Owl Ridge Natural Resource Consultants and Payne Environmental Consultants, Inc., and recommended that the Council work with both contractors to interpret and report on the 2021 LTEMP data.

The committee accepted the Oil Spill Executive Summary report on the April 12, 2020, oil spill at the Valdez Marine Terminal (VMT) and recommended the Board accept the report as final at this Board meeting. The associated peer-reviewed, journal-styled report was not accepted for publication by two journals, Environmental Science & Technology and Marine Pollution Bulletin. However, the plan was for the detailed report to be formatted into a Council-style report so that information would be available for future use.

The committee accepted a proposal by Dr. Lizabeth Bowen and others to conduct additional transcriptomics research on mussels collected with regard to the April 12, 2020 oil spill from the VMT. The committee recommended the Board fund that proposal (agenda Item 4-1) at this Board meeting. One of the key objectives of that research is to identify a set of mussel genes that can be used to specifically monitor the environmental impacts of Alaska North Slope crude oil.

- Dispersants Use Position Update Project: The Dispersant Use Position Update project team met in late October to kick off the project. Elise DeCola from Nuka Research and Planning provided the team with a summary of the project goals and deliverables. In mid-January Nuka provided an initial, draft report summarizing the science, policy, and regulatory framework for dispersants use in the EVOS region. The report contained draft position statements on the use of dispersants the Council could consider adopting. The project team and the committee will review the report and draft position statements prior to a workshop for Board members to be held on March 10, 2022. The workshop will be an opportunity to provide input on the Council's position update. Board members were encouraged to participate and reach out to staff with questions.
- Winter Marine Bird Survey Project: The second year of winter marine bird surveys were anticipated to take place in late February or early March, weather dependent. The surveys will be conducted by staff from the Prince William Sound Science Center onboard the R/V *New Wave* and will follow the same transects as the first year to produce comparable data. A contract with the Prince William Sound Science Center to complete the surveys was recently finalized.
- Forage Fish Survey Project: The committee accepted the report provided by Dr. Scott Pegau summarizing the results of the forage fish surveys in Prince William Sound conducted in June 2021. The report would be presented to the Board at this meeting for consideration and final acceptance.
- Marine Invasive Species Project: The Council's invasive species interns monitored for invasive green crab in Cordova and Valdez monthly from May through September 2021. No green crabs were found. Data collected during the monitoring, including information on native species captured in the traps, were submitted to the Alaska Department of Fish and Game. To monitor for invasive tunicates and other fouling organisms, the interns deployed and retrieved ten PVC panels in both the Cordova and Valdez harbors in June and September. Photos and data were submitted to the Smithsonian Environmental Research Center's Plate Watch website.

The plankton samples collected in Port Valdez last summer were currently being analyzed by contractors at the Smithsonian Environmental Research Center. The



analysis was delayed slightly due to a backorder of PCR supplies brought on by the pandemic. A draft report with initial results of the analysis was anticipated in March 2022.

- Oxygenated Hydrocarbon Project Update: The oxygenated hydrocarbons project moved forward with Alyeska's cooperation and support to collect samples from the Ballast Water Treatment Facility at the VMT. Following concerns expressed by Alyeska last fall on the intent of the project and the COVID protocols in place at the time, the Council provided an updated scope of work and proposed sampling design. Alyeska agreed their staff would collect the samples and coordinate with Council staff on shipping the samples to contractors at the University of New Orleans. The Council has provided Alyeska a sampling protocol and collection bottles. The first complete sampling event occurred in January. A contract with the University of New Orleans to analyze the samples was recently finalized.

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

Chair Steve Lewis thanked the POVTS Committee members and Council staff assigned to the committee and alluded to the vast amount of expertise within the POVTS members and support staff.

Lewis commented that the local shipping operations of tankers and tugs at the VMT had generally operated normally since the last Board meeting. The global news was the push by shipping companies worldwide to attain zero emissions, with a major emphasis in Europe and Asia. The goal has been brought forward by some shippers to attain zero emissions by 2040. While the US shippers have remained mostly quiet, Crowley Maritime has created a corporate subsidiary for sustainability and has set zero carbon goals for their company, and Foss Maritime is building electric tugs that will be put into service in the West Coast docking and escort industry. Lewis pointed out that the POVTS Committee (through his efforts as editor and those of staff member Nelli Vanderburg, publisher) and has created a POVTS "News" bulletin which the committee publishes approximately every six to eight weeks that is a summary of worldwide shipping news. Those interested in learning more may contact Nelli Vanderburg to be added to the circulation list.

He went on to outline the efforts of the POVTS Committee since the last Board meeting:

- Project 8012 (\$39,500): Line Throwing Device Trials: The Board accepted the final report titled PWSRCAC Emergency Towline Deployment Practical Trials at their September meeting. The POVTS Committee later asked the Executive Director to authorize a continuation of the project to produce an informational video of the trials using existing footage. This project extension was approved by the Executive Director in an amount not to exceed \$15,000. The video is currently being produced and the committee anticipated it would be available before the May Board meeting.

- Project 8013 (\$12,500): AIS/Radar Whitepaper: After POVTS and the Executive Committee accepted the AIS/Radar Whitepaper in August 2021, staff started working with the Legislative Affairs Committee (LAC) and the Council's legislative monitor to craft a cover letter to legislators explaining PWSRCAC's concerns with the condition of the radar system in Prince William Sound. That letter was recently completed and sent to legislators and the USCG in December 2021. The letter indicates the need for a replacement of the radar system, not just maintenance on an obsolete system. Senators Murkowski and Sullivan and Congressman Young have all advocated for the need for a strong radar system in Prince William Sound. It was unclear at the time of this Board meeting if or when there might be an allocation to achieve this.
- Project 8014: (\$30,000) USCG Basic/Advanced Emergency Ship Handling Training Course: This project by AVTEC to produce USCG-approved training courses in Emergency Ship handling is roughly 50% complete. The committee reviewed the initial work products and looks forward to the course completion by the May meeting.
- Two examples of international impact of PWSRCAC technical studies:  
Project Title: Rescue Tugboat Best Available Technology Assessment  
Project Number: 8010  
Completed March 2021 by Glosten

The trade publication *International Tug and Salvage* published a feature article on the Council's Rescue Tug BAT project. The committee is pursuing the purchase of reprints of the article for use in PWSRCAC's outreach efforts.

Later in 2021, the Australian Maritime Safety Authority (AMSA) published a Request for Quotation (RFQ) seeking design and specifications for a new build rescue tug. Noteworthy is that this AMSA RFQ directly referenced PWSRCAC's tug BAT efforts in its background section in the statement of requirements and that Glosten was subsequently asked to prepare a proposal.

This reflects the POVTS Committee's success in promoting the Council's project goal of influencing the use of best practices and technology by the maritime industry.

In response to a question by Mako Haggerty about autonomous ships, Lewis gave a general overview of what information and knowledge he had to date on autonomous vessels and shipping. He pointed out that there is a lot of information that neither he nor the committee knows at this point in time, but it is something the committee will be monitoring for the future.

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

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

Chair Dorothy Moore reported that the Legislative Affairs Committee (LAC) met four times since the September Board meeting and focused on the following committee activities:

#### Activities Since the Last Board Meeting:

- Transitioning of staff assigned to the committee.
- The committee welcomed Gene Therriault as the Council's new state legislative monitor.
- The committee reviewed and approved an AIS/radar informational package that was ultimately submitted to Alaska's congressional delegation.
- The committee reviewed and approved proposed amendments to the Oil Spill Liability Trust Fund (OSLTF) bill that were ultimately submitted to Sen. Sullivan.
- The committee received a briefing on draft regulations to implement the Vessel Incidental Discharge Act (a bill that LAC has worked on for several years).
- The committee received briefings from staff about ADEC's regulatory reform effort; something the committee contacted legislators about in prior years.
- The committee received briefings from staff about several developing state issues of concern that had the potential to become legislative priorities, and the committee spent time reviewing and discussing potential state legislative priorities for the upcoming session.

#### LAC Priorities Going Forward

- The next LAC meeting was scheduled for February 2.
- The committee would be moving to its twice monthly meeting schedule while the Legislature is in session.
- The committee will focus on refining its state legislative briefing sheets, objectives, and strategy during the next few meetings.
- As of this meeting, the top state legislative priority appeared to be the long-term sustainability of the state's Spill Prevention and Response Division (SPAR). The committee continued to be concerned about consequences if there is another major oil spill.

- The committee will focus on raising the refined fuel surcharge and passage of the “reverse sweep” to secure funds designated for the SPAR Division that were “swept” into the state’s Constitutional Budget Reserve.
- On the federal side, the committee would continue to work with Roy Jones, the Council’s federal legislative monitor, to assist as needed with securing funds for new and updated radar systems in Prince William Sound and the proposed amendments to the OSLTF bill.

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

Chair Luke Hasenbank reported that the Board Governance Committee (BGC) met once since the September Board meeting. At that meeting, the committee completed its periodic review of the organization’s Bylaws. Hasenbank went on to report the following:

- The most significant Bylaw changes recommended by the committee had already been approved by the Board at recent meetings. Any remaining changes identified by the committee were relatively minor and would be brought to the Board at the May meeting.
- BGC was planning its next meeting for some time in February. At that meeting, the Committee will develop a work plan for the coming year. The plan will likely include a review of certain Board policies that need to be updated, a review of the roles and responsibilities of officers, and other topics authorized in the BGC charter.
- He encouraged Board members to provide input to the committee on governance issues they would like the committee to review and encouraged all Board members to attend committee meetings.
- On behalf of the committee, he welcomed the new Director of Administration, KJ Crawford, to the staff (replacing Walt Wrede) and looked forward to working with her on governance issues.

### **FINANCE COMMITTEE**

Treasurer Wayne Donaldson reported that Ashlee Hamilton was recently promoted to the Council’s Financial Manager position and Gregory Dixon had moved to part time and was assisting with the transition of the financial manager’s work and duties.

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

- At its November meeting, the committee reviewed the September 30, 2021 interim financial statements. The committee also reviewed the Agreed-Upon Procedures

report from BDO. Expenses for travel, lobbying and non-contractual revenue were minimal in FY2021; however, the committee decided to continue the review of expenses in FY2021 to highlight expenditures in areas previously audited by Alyeska. There were no exceptions noted in the report.

Gregory Dixon provided an overview of the ADP payroll system and insurance updates, and Donna Schantz provided an in-depth update on the status of staff vacancies and the transition process.

The committee also received an update on options for new accounting software as the current bookkeeping software was being phased out. The committee briefly discussed the process for research contributions in lieu of contracts and requested documentation of how research contributions are administered.

- During its January meeting, Ashlee Hamilton reviewed the December 31, 2021 (mid-year) financial statements with the committee and Gregory Dixon reviewed four options for replacing the accounting software. A budget modification was on the Consent Agenda under Item 3-2 at this Board meeting to facilitate purchase, training, design and implementation of a new accounting system, which was slated to be in place by July 1, 2022.

The committee received draft Research Contribution Guidelines that will be reviewed again at a subsequent meeting.

Donna Schantz updated the committee on the staff transition process.

In response to a question from OSPR Committee Chair Jim Herbert about whether the new accounting system will be able to access historical financial information of the organization, Gregory Dixon explained that PWSRCAC's historical financial information would be available for retrieval but not transferred to the new system because of the additional expense involved which may not be worth the time and effort. PWSRCAC will simply keep the old system and access to the data available for historical purposes and retrieval.

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

President Archibald announced the Council had just learned that Board member Elijah Jackson was unable to attend this meeting because he had suffered an injury a few days prior while performing an official duty in his hometown of Ouzinkie. Archibald sent the Board's best wishes to Jackson for his speedy recovery.

*Break: 10:04 a.m. – 10:14 a.m.*

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

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

Allison Natcher, ADEC's Interagency Coordination Unit Manager with the Prevention and Technical Support Group, stated that she was available to answer questions during the meeting, but Commissioner Brune would update the Council on the SPAR budget and other ADEC topics the following day.

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

(No report.)

**U.S. FOREST SERVICE**

(No report.)

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

(No report.)

**OIL SPILL RECOVERY INSTITUTE (OSRI)**

Dr. Scott Pegau updated the Board on some ongoing OSRI projects that would be of interest to PWSRCAC.

- OSRI was working on a Cook Inlet oil spill trajectory project and specifically the operational circulation model that is now in place. OSRI will be running a 20-year hindcast. OSRI has already collected the physical oceanography data for the area and the goal is to find out how well NOAA's current operational model will predict the circulation in that area.
- Cook Inlet bird habitat module for the Environmental Sensitivity Index (ESI) maps. The ESIs are out of date and there is information missing. He said it was doubtful NOAA would get funding to update the ESIs anytime soon. He urged the Council to press legislative staff to prioritize funding to do this because accurate ESIs were important in oil spill response. OSRI is trying to update a single component at a time. The first one they will do will be the bird habitat in NOAA's Environmental Response Management Application (ERMA). Similarly, OSRI is looking at shoreline classification and shore zone data to replace the old ESI shoreline classification.
- Remote learning project. OSRI is building a Science of Oil Spill course that can be used at many different levels.
- A consortium project to build a remote operated vessel for oil spill response. The hope is to have it in Fairbanks to do testing and then bring to Valdez.

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

(No report.)

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

Torri Huelskoetter had no specific comments but was available to answer questions.

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

Regional Environmental Officer Phillip Johnson announced that he would be retiring on February 25, 2022. He reported that the DOI had physically moved offices into the same building as the USF&W Regional Office on Tudor Road in Anchorage.

He reported that he is currently chair of the Alaska Regional Response Team's Cultural Resources Committee. That committee was reactivated and had met three times within the last year or so. He is also chair of the Wildlife Protection Committee. That committee updated the Wildlife Protection Guidelines for Alaska and those guidelines may be found online.

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

CDR Patrick Drayer reported that the radars in Prince William Sound were operational the same as they were last fall. He had received a copy of PWSRCAC's letter sent to the Alaska congressional delegation about the radar situation. He had not had any inquiries as a result of that communication. He had nothing further to report specific to the Council's interest but would be available for questions throughout the meeting.

### **NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA)**

(No report.)

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

Reid Olson from BLM's Fairbanks office reported that there had been no visits to the Valdez Marine Terminal by BLM personnel since BLM's last report at the Board's September meeting because of COVID-19 protocols.

Olson reported that BLM continues to monitor compliance of TAPS under the Alaska Native Hire Program. For 2022, and depending on pending pandemic safety protocols, BLM plans the following:

- To follow up on the inspections of Tank 7 (recently put back into service) at the VMT and Tank 94 (when it is returned to service).
- Complete an annual assessment and concurrence with the VMT C-plan.
- Track the VMT oil spill exercises completed.
- Attend the oil spill exercise planning meetings, the VMT coordination workgroup meetings, the Prince William Sound Area Committee meetings, the Alaska Regional Response Team meetings, the VMT major oil spill exercises and attend one or more oil spill equipment inspections at the VMT.

Jim Herbert asked whether Edison Chouest Offshore (ECO) was meeting its TAPS Alaska Native Hire requirements and what the specific percentage of ECO's workforce was Alaska Native. BLM's Eileen Oliver reported that ECO, along with three other Alyeska contractors, were not meeting their Alaska Native Hire goals as of the 4<sup>th</sup> quarter 2021. This was COVID-19 driven to some extent but also because the 4<sup>th</sup> quarter was historically not a busy time of year for those contractors, making the goal harder to meet. BLM met with Alyeska in November to discuss this issue. Alyeska has asked each of those contractors to submit a corrective action plan to meet their 20% goal and is monitoring those contractors, as is BLM.

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

(No report.)

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

##### **CROWLEY ALASKA TANKERS**

Angelina Fuschetto conveyed Paul Manzi's greetings and regrets for not being able to attend this meeting.

Fuschetto reported that Crowley Alaska Tankers (Crowley) continued to be busy. The *California* and the *Washington* continued to operate in the TAPS trade and the *Oregon* was operating in the Gulf of Mexico and the East Coast.

In 2021, Crowley moved over 24.1 million barrels of oil out of Prince William Sound with no incidents which she credited to their crews.

Fuschetto reported that Crowley was deep into planning the 2022 Prince William Sound Shippers exercise which was tentatively scheduled for the week of May 17-19. At the present time they were planning for a hybrid drill, with some key personnel in person in Valdez and some virtual. The plans were having to be flexible to accommodate various contingencies as needs may warrant.

Crowley was also pursuing its plan of trading into Cook Inlet. That plan had already been sent out for public review. They were also planning for their out-of-service and UWILD (under-water-in lieu-of-drydock) inspections on the *California* and the *Washington* in the summer. Those inspections would be done on the West Coast.

On wider company news, Fuschetto reported that construction had begun on Crowley's all-electric powered tug in Alabama, which should be available in 2023, and should have global capability with zero emissions and will operate in San Diego. It will be the first of its kind in North America. Crowley's subsidiary in Australia had just started work on a fuel storage facility that will be providing fuel storage and management services for US defense systems.



She announced that there would be a new branding for the company coming in 2022, with changes to the Crowley Alaska logo and colors.

### **CONOCOPHILLIPS/POLAR TANKERS**

Monty Morgan reported that in 2021 Polar Tankers transported 89 loads totaling (68.2 million barrels) from the VMT without incident. This included the two foreign flagged exports.

The Polar *Discovery* and the Polar *Enterprise* did their shipyards in Singapore. The *Discovery* was unable to have its ballast water treatment system (BWTS) installed because of COVID-19 issues in the shipyards, but the *Enterprise* was fitted. The USCG issued Polar Tankers a waiver for the *Discovery* until her next scheduled shipyard. Polar Tankers was hoping to have the *Enterprise's* BWTS commissioned by the week following this Board meeting.

At the present time, the Polar *Resolution* was in Singapore having its BWTS installed. When the Polar *Resolution* returns to Alaska, the Polar *Endeavour* will go to Singapore for its BWTS installation. The Polar *Adventure* will go to the shipyard in October, tentatively a shipyard in Portland, OR. Morgan noted that the *Adventure* was the first of Polar's fleet to have its BWTS installed, and it had been operating flawlessly since installation.

Polar Tankers completed its bridge training in Seward, consisting of two classes with approximately 15 junior officers and some senior officers.

Morgan reiterated his announcement at the September meeting that he would be retiring this year and announced that Andrea West of Cordova had been named as his replacement. She will be in Valdez in March and will shadow Morgan until he leaves in June and finally retires in September.

Morgan responded to Rick Steiner's concern for whales and whale strikes during the Public Comment period and stated that Polar Tankers always has a heightened awareness of whales in areas where it operates. He pointed out that Polar Tankers is part of the voluntary speed reduction compliance district in Southern California (slowing speed to 10 knots and keeping a vigilant watch for whales in California). He also noted that there is a whale restriction zone at the mouth of the Straits of Juan de Fuca which Polar Tankers always complies with. He assured the Council that if there were restriction zones in Prince William Sound, Polar Tankers would comply with them.

As to the Prince William Sound Tanker C-Plan renewal, Morgan stated Polar Tankers was hopeful ADEC would issue an approval by January 31, 2022 (the expiration of the existing plan). If not, Polar Tankers had a request for extension ready to be submitted, even though there was no provision in regulation to extend the c-plan.

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

Chris Merten gave an overview of Alaska Tanker Company's (ATC) activities. He reported that ATC completed 56 voyages and loaded 58.7 million barrels of cargo in 2021. It was a good year operationally, but COVID-19 was and still is a big concern. Merten expressed appreciation to the Valdez public health nurses for their efforts to keep crews safe from COVID-19.

Merten reported the *Legend* completed a shipyard in July, and ballast water treatment systems (BWTS) were installed and commissioned on all three ATC vessels.

Merten stated that ATC was willing to talk about whale strike reduction and prevention measures and pointed out that ATC also participates in NOAA's speed reduction zones in Southern California, like Polar Tankers. He welcomed the opportunity to discuss similar measures for the areas where ATC operates in Prince William Sound/Alaska.

The *Explorer* will have its shipyard in 2022. It was still in the planning stages but would likely be in a Far East shipyard sometime in June/July timeframe. This will be the first 2-1/2 to 3-year dry docking for an ATC ship. All the ATC ships in the TAPS trade have now reached 15 years of age where UWILD inspections are no longer allowed.

### **HARVEST ALASKA MIDSTREAM**

Rob Kinnear reported that Hilcorp loaded 64 million barrels through the VMT on approximately 61 vessel loads, 56 of those were through ATC and another five through chartered foreign flagged ships. The last foreign flagged vessel used was the *Los Angeles Spirit* in June 2021. The shipyard on the *Explorer* will take it out of availability for some time, so Hilcorp expects to do one or two more foreign flagged charters in 2022.

As to the *Stena Suede* incident report (which was requested by several Board members at the last Board meeting), Kinnear reported that Northern Marine Management had prepared a summary report for release to PWSRCAC through Executive Director Schantz.

POVTS Chair Steve Lewis congratulated all the shippers for smooth operations in 2021 and particularly during some rough winter weather. He thanked Kinnear for following up on the *Stena Suede* incident report. He also thanked all the shippers for keeping the Council and the committees apprised of their plans for their aging vessels and how they will meet zero carbon emissions goals in the near future through industry and regulatory actions to come.

### **MARATHON**

Craig Hyder said he would keep his opening comments brief because Marathon's Marine Vice President Mark Bayer would be giving an overview of operations later at this meeting.

Hyder reported 35 loads and 10.5 million barrels were transported from the VMT by Marathon in 2021. The big challenges to operations were mainly COVID-19, the same as

other shippers, but along the West Coast Marathon did not see much of an operational challenge last year because of the exceptional COVID-19 protocols that Marathon's Marine group and its vessel owners developed together.

Hyder reported that Marathon's Prince William Sound exercise was cancelled when the health department shutdown all travel into Valdez because of COVID-19 issues. At that point there was not enough time to pivot to a full virtual platform, so they developed an alternative drill strategy in conjunction with the USCG, ADEC and PWSRCAC so that Marathon could complete its drill credit for the year. Marathon committed to sponsor five alternative strategies that it would open up to other industry and agency participants:

- ICS 300 training. Two classes were scheduled with EMSI. At the request of PWSRCAC these classes will be based on a Prince William Sound scenario. Next class will be March 1, 2022.
- A Regional Stakeholder Committee (RSC) Workshop (virtual) with RSC members based on a scenario that they develop. The workshop will include the pre-meeting with the RSC and the Unified Command meeting with the RSC. It will be videotaped so that members can see what the process is, how all the interactions are accomplished and who is involved. Roy Robertson of PWSRCAC staff is helping with this. No date has been set yet.
- An oil spill wildlife permitting workshop for the Alaska regulatory criteria. They have had five meetings to date with personnel from Marathon, ADF&G, USF&W, NOAA, Hilcorp, Alyeska, and ADEC. The online portion of the workshop is scheduled for March 31, classes are open to all agency personnel and stakeholders, and it will be recorded and will have the ability to be shared. The second portion will be an actual wildlife carcass video training on carcass recovery that can be used throughout Alaska.
- TRG software for incident action plan. Training for agency and industry personnel on how to use the software, understand the processes within the software and how they relate to each other.

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

(No report.)

*Break: 11:10 a.m. – 11:20 a.m.*

#### **ALYESKA/SERVS ACTIVITY REPORT**

Alyeska's Emergency Preparedness and Response Director Andres Morales presented the Alyeska/SERVS activity report for 2021. He prefaced his remarks with comments about managing risk in all aspects of life from work environment to COVID-19 situations. He

acknowledged that Alyeska had not had its best year in 2021 from a safety standpoint (with a 0.57% recordable incident rate) and this had been discussed internally within his team and the company. They were looking at ways to manage risk better where they could.

### **VMT Operations:**

- **Operations:** *(As of 12/31/2021)*

	<u>YTD 2021</u>
○ Tankers Loaded	223
○ Tankers Escorted	226
○ Barrels Loaded	167,054,966

	<u>Since start up</u>
○ Tankers Loaded	23,076
○ Tankers Escorted	14,402
○ Barrels Loaded	17,621,751,320

- **Safety:** *(As of 12/31/2021)*

○ Days away from work cases	1
○ TAPS Combined Recordable Rate %	0.57

- **Environment:** *(As of 12/31/2021)*

○ Spill Volume (Gallons)	412.66
○ Number of Spills	13

### **COVID-19 Response & Prevention:**

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

- Screening process.
- Travel guidance.
- Site specific isolation and evacuation plans.
- Communication plan.

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

- All offices are open.
- Vaccinations and boosters continue to be provided to the TAPS workforce:
  - 59.8% of TAPS workforce are vaccinated.
  - Company goal of 65% of TAPS workforce.

### **Fishing Vessel Availability by Port** (end of 4<sup>th</sup> quarter 2021):

<u>Port</u>	<u>Tier 1</u>	<u>Tier 2</u>
Valdez	17	16
Cordova	24 + (7 Rapid Resp.)	101
Whittier	6	21
Seward		23
Homer		44
Kodiak		34
<b>Totals</b>	<b>54</b>	<b>239</b>

## 2022 Contingency Plan Activities:

- VMT Contingency Plan minor Amendment 2021-32021-3:
  - Application package submitted 12/8/2021.
  - ADEC Amendment Approval received 12/14/2021 (30-day clock begins for publishing extension (1/13/2022).
  - Alyeska request for publishing extension (1/5/2022).
  - Minor Amendment publishing to be complete by 1/20/2022.
- Article 4 changes.
- VMT C-Plan internal audit (Spring/Summer).

## 2022 VMT/PWS Training & Exercises:

- Quarterly exercises for Emergency Towing, Tethered Escorts, and Rapid Response Vessel Call-Out Drills.
- Polar Tanker Exercise 3/22 – 3/25.
- 7 Port of Valdez GRS deployments and Harbor Basins (completed Condition of Approval 3A)
- Valdez Duck Flats & Solomon Gulch Hatchery Deployments (2 each).
- 16 Current Buster 8/Crucial Skimmer Task Force Training Exercises.
- 8 Tug Open Water U & J Booming Training Exercises.
- VMT Tabletop /Drainage 51 Equipment Deployment (complete Condition of Approval 3C).

## 2021 VMT/PWS Training & Exercises:

- **2022 Upcoming Activities:**
  - 2022 Spring Fishing Vessel Training:

<u>Port</u>	<u>On Water Days</u>
Kodiak	3/11 – 4/03
Homer	4/06 – 4/8, 4/10
Seward	4/13 – 4/14

Whittier	4/18 – 4/20
Cordova	4/23/ - 4/29
Valdez	5/02 – 5/05

- VMT Equipment Deployment #1, Winter Tactics 3/23/2022.
- Crowley PWS Tanker Exercise with GRS Deployment 5/17 – 5/19/2022.
- VMT Tabletop with Equipment Deployment #2 10/12/2022.

## **2022 Valdez Projects**

- Replace sulfuric acid tank with HDPE tank.
- Tank 93- Internal API 653 Inspection.
- Tank 94- Internal API 653 Inspection.
- West BTT- Repair and Coat.
- OSRB 5 (Mineral Creek)- Construction.

Amanda Bauer thanked Morales for allowing PWSRCAC's Austin Love and contractor Taku Engineering access to do an inspection of Tank 7. She asked what timeline PWSRCAC might expect for a response from Alyeska to the written recommendations PWSRCAC made as a result of that inspection. Morales stated that Alyeska's System Integrity and Engineering team was still reviewing the information and have been interacting with PWSRCAC staff regularly. He did not have details but was hopeful PWSRCAC would receive a response sometime this winter but did not yet have a timeline. He commended the Systems Integrity and Engineering Team for making access possible to PWSRCAC's staff and contractor.

Robert Beedle asked whether Alyeska was able to complete its 2021 projects. Morales stated that most of the projects were completed but some were moved back because of COVID impacts, availability of personnel, as well as supply line impacts on the availability of parts, etc. Morales said he was expecting more impacts in 2022, particularly because of transportation of materials and parts, etc.

Jim Herbert asked whether Alyeska was hiring or if its workforce was stable compared to the national turnover of employees and lack of qualified applicants. Morales stated that Alyeska's turnover was mostly the result of retirements, and he was not having problems either posting positions or getting qualified applicants. Delays in hiring were mostly due to COVID impacts that made the hiring process a little more difficult.

Dorothy Moore asked about snow loads in Valdez and their impacts. Morales said he did not anticipate any impacts from the snow or Alyeska's ability to clear it.

Bauer thanked Morales for Alyeska's help on the oxygenated hydrocarbon project and specifically the efforts Morales put in to get the project moving forward. She also asked if

Alyeska was considering outsourcing various parts of its business, such as SERVS to MSRC. Morales stated that in his personal experience these ideas are floated every few years and the company will look at whether there are areas of the business that Alyeska could do more efficiently, externally. He confirmed Alyeska was looking into this companywide at the present time. While he was not unduly concerned or anticipate any large changes, in the process of exploring ideas in the past they have been surprised with how some things can be done differently. A recent example would be dispersant application that has been moved to a more nationwide profile.

Archibald thanked Morales for his help with the oxygenated hydrocarbon project. Morales also gave kudos to PWSRCAC staff and said it was a good meeting-in-the-middle issue. Alyeska was pleased to find a way forward and there was a lot of people doing good work on both sides.

In response to a question from Archibald about the status of management of the Admin Sump spill operations and oversight recommendations, Morales stated that changes had been made in the automatic monitoring and preventative maintenance terminal-wide -- and in some cases company-wide. He stated that currently Alyeska was mostly in a monitoring response mode to make sure there is not additional outflow because some sheening has been observed after high water events, melt-off or rain events. That monitoring would probably go on for some time. Procedures have all been updated and work orders were in place to implement those changes, but he did not have, on hand at that time, the status of the actual implementation of all those changes.

Archibald also asked about Alyeska's response to PWSRCAC's recommendations on the cathodic protection system and the secondary containment liner. Morales confirmed that his team had looked at those recommendations and simply needed to put together the feedback. He did not have any other details at that time.

Archibald asked whether PWSRCAC's recommendations on Tank 7 were addressed before the tank was returned to service. Morales did not have that information at that time. PWSRCAC's Austin Love stated that PWSRCAC would be meeting on February 14 with Alyeska's Integrity Management Group and they will respond on the Tank 7 recommendations at that time.

*Lunch Recess: 11:55 a.m. - 1:00 p.m.*

## **CONSENT AGENDA**

### **3-1, 3-2**

The consent agenda consisted of two items: 3-1 and 3-2. Briefing sheets were included in the meeting notebook for each item.

Amanda Bauer **moved to approve the consent agenda** as presented. Wayne Donaldson **seconded**.

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

- **3-1 RESOLUTION DESIGNATING PWSRCAC CHECK SIGNERS**  
Adoption of resolutions provided by First National Bank Alaska to update the list of authorized individuals to sign checks and conduct financial transactions on PWSRCAC's account.
- **3-2 BUDGET MODIFICATION AND DELEGATION OF AUTHORITY FOR NEW ACCOUNTING SYSTEM**  
Approval of FY2022 budget modification in the amount of \$60,000 to hire an outside consultant to assist with the design, implementation, and training of a new accounting system; and delegation of authority to the Executive Committee to enter into a contract with the selected contractor to develop and implement the Council's new accounting system, at an amount not to exceed \$60,000.00.

#### **4-1 REPORT ACCEPTANCE: IMPACTS FROM THE APRIL 2020 VMT SPILL**

This agenda item was introduced by Project Manager Austin Love and sought Board acceptance of a report titled "Mussel Oiling and Genetic Response to the April 2020 Valdez Marine Terminal Spill: Executive Summary" by Dr. Lizabeth Bowen, William B. Driskell, James R. Payne, Austin Love, Eric Litman, and Brenda Bailachey. The report summarized work the Council conducted to monitor the environmental impacts of the April 12, 2020 oil spill from the Valdez Marine Terminal (VMT).

Dr. Lizabeth Bowen of the project team presented an overview of the key results of that monitoring and the recommendations for further related work. A copy of the report was included with a briefing sheet under Item 4-1 in the meeting notebook.

Austin Love thanked Diana Bouchard from Alyeska, who helped Love with sampling, SAC members, Alyeska, and the scientific team of Dr. Liz Bowen, William Driskell, Jim Payne, Eric Litman, and Brenda Bailachey who went above and beyond on the work they did on this project.

Amanda Bauer **moved to accept** the report titled "Mussel Oiling and Genetic Response to the April 2020 Valdez Marine Terminal Spill: Executive Summary" by Dr. Lizabeth Bowen, William B. Driskell, James R. Payne, Austin Love, Eric Litman, and Brenda Ballachey, dated August 20, 2021, as meeting the terms and conditions of Contract #951.21.05 and research contribution #951.21.07, and for distribution to the public. Dorothy Moore **seconded** and the **motion passed** without objection.



#### **4-2 COMMENTS ON PROPOSED CHANGES TO ADEC PREVENTION REQUIREMENTS**

This agenda item, introduced by Project Manager Linda Swiss, sought Board approval of the Council's comments to ADEC's regulatory review of Article 4 of 18 AAC 75 and the department's proposed changes to those regulations. The proposed changes were the result of ADEC's public scoping process conducted in 2019-2021. The 90-day public comment period on the draft regulation proposal began November 1, 2021. The comment period would end on January 31, 2022.

Sierra Fletcher of Nuka Research and Planning Group presented an overview of PWSRCAC's comments. A briefing sheet and a copy of PWSRCAC's draft comments were included in the meeting notebook under Item 4-2.

Project Manager Linda Swiss gave kudos to PWSRCAC's Director of Communications Brooke Taylor for composing and presenting the Council's comments in a simple and understandable way that could be shared with PWSRCAC's members and others in the region. She also commended Taylor and PWSRCAC's Outreach Coordinator Betsi Oliver for the extraordinary outreach they made to the Council's member communities and others. Swiss also thanked Sierra Fletcher of Nuka Research and Planning Group and attorney Breck Tostevin who also contributed to this review work, as well as all PWSRCAC staff members (Jeremy Robida, Roy Robertson, Joe Lally and Donna Schantz) who worked on the project.

Brooke Taylor praised all who worked on the outreach messages to the Council's member entities, and the coordination and joint efforts of Cook Inlet Regional Citizens Advisory Council.

Executive Director Schantz raised the question of whether there was a requirement for ADEC to state its rationale or justification for looking at changes to regulations. ADEC's Graham Wood stated that, to his knowledge, there is not a requirement for the department to provide justification or findings but it does have to respond to comments.

Amanda Bauer **moved to approve** of PWSRCAC's "Comments on Proposed Changes to Oil Prevention Requirements in the Regulations of the Alaska Department of Environmental Conservation" to be submitted to the Alaska Department of Environmental Conservation by the date due of January 31, 2022. Michael Vigil **seconded** and the **motion passed** without objection.

*Break: 2:14 p.m. – 2:24 pm.*

#### **4-3 REPORT ACCEPTANCE: EPA NESHAP-OLD AIR QUALITY RULE**

This agenda item sought acceptance of a report by John Beath Environmental (JBE) titled "2020 Updates to 40 CFR 63, Subpart EEEE – National Emissions Standards for Hazardous Air Pollutants for Organic Liquids Distribution (Non-Gasoline): A Review of the Appeal by

Alyeska Pipeline Service Company". This agenda item also sought Board approval for Council staff to send a letter to the EPA supporting Alyeska's appeal of the 2020 NESHAP-OLD Air Quality Rule. A briefing sheet and a copy of the report were included in the meeting notebook under Item 4-3.

The overall purpose of the project and the report was to inform the Council as to whether it should support Alyeska in its appeal of the 2020 NESHAP-OLD Rule and to submit the Council's determination to the EPA or the United States Court of Appeals in its decision regarding Alyeska's appeal.

Project Manager Austin Love introduced the report and thanked those who worked on the project, including the TOEM Committee, PWSRCAC staff, as well as John Beath of the JBE team.

John Beath and JBE's Project Manager Sarah Backes presented an overview of the project and the team's findings. JBE's results support Alyeska's arguments that the new EPA rule will not reduce emissions. Additionally, implementing the rule at this time could lead to an increase in hazardous air pollutants (HAPs) emissions.

POVTS Chair Steve Lewis pointed out that the increase in cooperation by Alyeska for the project and sampling, etc., was a big step forward in Alyeska's willingness to allow access to the VMT for these purposes. Historically, when PWSRCAC had to do sampling for vapor recovery at the Ballast Water Treatment Facility (BWTF) in the 1990s, PWSRCAC was flatly denied sampling access at the VMT and told that such access would never be allowed. He thanked Alyeska for its change in stance and its willingness to participate in this research.

Austin Love added that JBE would help with the letter to the EPA if the Council chose to go in that direction and that PWSRCAC may have another opportunity to comment later if and when the EPA issues the revised rule.

Amanda Bauer **moved to accept** the report "2020 Updates to 40 CFR 63, Subpart EEEE – National Emissions Standards for Hazardous Air Pollutants for Organic Liquids Distribution (Non-Gasoline): A Review of the Appeal by Alyeska Pipeline Service Company" by John Beath Environmental as meeting the terms and conditions of Contract 5057.21.01 and for distribution to the public. Ben Cutrell **seconded** and the **motion passed** without objection.

Amanda Bauer **moved to authorize** Council staff to prepare and send a letter to the EPA supporting Alyeska's appeal of the 2020 NESHAP-OLD Air Quality Rule. Ben Cutrell **seconded** and the **motion passed** without objection.

#### **4-4 REPORT ACCEPTANCE: 2021 DRILL MONITORING ANNUAL REPORT**

Project Manager for Drill Monitoring Roy Robertson provided a briefing on the 2021 Drill Monitoring Annual Report which summarized the drills and exercises attended by

PWSRCAC staff in 2021. Staff requested Board acceptance of this annual report. Robertson pointed out that COVID-19 protocols prevented PWSRCAC staff from observing as many drills and exercises as in the past, but they had managed to observe six drills. A briefing sheet and a copy of the report were included in the meeting notebook under Item 4-4.

Amanda Bauer **moved to accept** the 2021 Annual Drill Monitoring Report. Michael Vigil **seconded** and the **motion passed** without objection.

#### **4-5 REPORT ACCEPTANCE: FORAGE FISH SURVEY**

This agenda item sought Board acceptance of a final report titled “2021 Prince William Sound Forage Fish Observations” by Dr. Scott Pegau of the Prince William Sound Science Center. Dr. Pegau conducted aerial surveys of forage fish throughout Prince William Sound in June 2021 to identify locations where forage fish congregate and may be impacted by a spill. A briefing sheet and a copy of Dr. Pegau’s report were included in the meeting notebook under Item 4-5. Project Manager Danielle Verna introduced the agenda item and Dr. Scott Pegau presented an overview of the report and his findings.

Amanda Bauer **moved to accept** the report titled “2021 Prince William Sound Forage Fish Observations” by Dr. Scott Pegau of the Prince William Sound Science Center, dated September 21, 2021, as meeting the terms and conditions of Council Contract 9511.21.01 and for distribution to the public. Mako Haggerty **seconded** and the **motion passed** without objection.

#### **EXECUTIVE SESSION**

A break was scheduled on the agenda at this juncture, followed by an executive session and a recess of the open session until the following day. For purposes of logistics and economies of time, the Board took the following action:

Amanda Bauer **moved to go into executive session** after the scheduled break to discuss:

- An update on the Council’s Request for Adjudicatory Hearing on ADEC’s Decision on the Secondary Containment Liner Testing Requirements for the VMT; and
- The annual review of the Executive Director’s job description and performance goals.

At the conclusion of the executive session, this meeting will be in recess until 9 a.m. the following day. In addition to all Board members, the following were invited to join the Board in executive session: all committee chairs, legal counsel Joe Levesque, contractor Breck Tostevin, and staff members Donna Schantz, Joe Lally, Linda Swiss, Austin Love, Alan Sorum, Brooke Taylor, KJ Crawford, Ashlee Hamilton, Gregory Dixon, Jennifer Fleming, Roy Robertson, and Jeremy Robida. Michael Vigil **seconded**. The **motion passed** by unanimous consent.

**Recess:** The open meeting recessed for the day at 3:46 p.m. to reconvene at 9:00 a.m. the following day.

**Friday, January 28, 2022**

**CALL BACK TO ORDER**

President Archibald called the meeting back to order at 9:00 a.m. on January 28, 2022. A roll call was taken. There were 11 Directors present at the time of the call back to order: Archibald, Bauer, Beedle, Cutrell, Haggerty, Hasenbank, Malchoff, Moore, Skinner, Vigil, and Zinck. Bob Shavelson joined the meeting later at 10:18 a.m., followed by Wayne Donaldson at 10:20 a.m.

**REPORT ON EXECUTIVE SESSION**

President Archibald reported that no action was taken during the executive session. The Board discussed PWSRCAC's Request for Adjudicatory Hearing in response to ADEC's decision on evaluation and testing of the secondary containment systems at the VMT and legal counsel Joe Levesque discussed the adjudicatory process and procedures. The Board also discussed the following recommended actions:

Mako Haggerty **moved** to express support for the January 18, 2022 Executive Committee decision to authorize the Executive Director to file a request for an adjudicatory hearing on the VMT C-Plan in response to ADEC's decision related to the secondary containment liner at the VMT and the authorization of \$50,000 for this effort, recognizing that additional funds may need to be allocated in future budgets. Robert Beedle **seconded** and a roll call vote was taken:

Robert Archibald	Yes.
Amanda Bauer	Yes.
Robert Beedle	Yes.
Ben Cutrell	Yes.
Mako Haggerty	Yes.
Luke Hasenbank	Yes.
Melvin Malchoff	Yes.
Dorothy Moore	Yes.
Rebecca Skinner	Yes.
Michael Vigil	Yes.
Kirk Zinck	Yes.

The **motion passed** unanimously (11 in favor; 0 opposed).

Mako Haggerty **moved** to delegate authority to Executive Director Donna Schantz, President Robert Archibald, and Vice President Amanda Bauer to act on behalf of the full Board during discussions related to the Council's adjudicatory hearing request, with the

understanding that any substantive decisions will be brought to the Board for approval. Michael Vigil **seconded** and **a roll call vote was taken:**

Robert Archibald	Yes.
Amanda Bauer	Yes.
Robert Beedle	Yes.
Ben Cutrell	Yes.
Mako Haggerty	Yes.
Luke Hasenbank	Yes.
Melvin Malchoff	Yes.
Dorothy Moore	Yes.
Rebecca Skinner	Yes.
Michael Vigil	Yes.
Kirk Zinck	Yes.

The **motion passed** unanimously (11 in favor; 0 opposed).

#### **UPDATE ON OPERATIONS OF MARATHON PETROLEUM**

Capt. Mark Bayer, Marine Operations Director for Marathon Petroleum introduced himself and made a presentation to the Board on Marathon's operations and its TAPS fleet operating in Cook Inlet and Prince William Sound.

#### **UPDATE ON THE SPAR DIVISION BUDGET AND OTHER ADEC TOPICS**

Commissioner Jason Brune updated the Board on the status of the SPAR Division's budget and other ADEC topics. He prefaced his remarks by stating that ADEC had received 16 comments in response to the department's proposed changes to c-plan regulations, but he was precluded from commenting on the proposed changes or the comments received until after the public comment period closed on January 31. Likewise, he was also precluded from commenting on the appeals received from Alyeska and PWSRCAC on ADEC's decision on the secondary containment liner testing requirements at the VMT because those appeals were pending.

Commissioner Brune went on to speak about the SPAR Division's budget. He reported that there were no cuts made in this year's budget, including cuts to personnel. He reiterated his plan to increase funding for SPAR that he outlined to the Council at previous meetings, i.e., to increase future oil production to increase the amounts going into the SPAR's prevention account (\$0.04 per barrel) and the response account (\$0.01 per barrel). He stated that the production projections indicate that new fields will come online in the future and therefore more production would mean more money for SPAR. Meanwhile, in the absence of that immediate increase in oil production, he has supported an increase in the refined fuel surcharge from .95 cents to 1.5 cents which would provide stability to SPAR

for more than a decade at the current funding levels. He reiterated that there would be no cuts to personnel this year.

He explained the “sweep” of \$8 million from SPAR’s prevention account which was replaced with \$1.3 million in general funds. He reiterated a commitment he made to SPAR Director Tiffany Larson when she took over the division that if she felt SPAR needed more positions he would advocate for that additional funding. At present, the Commissioner stated Larson was comfortable with the level of funding that SPAR has currently.

The Commissioner spoke of ADEC’s handling of contaminated sites that are the responsibility of the federal government of which there were a significant number both on state lands and Alaska Native Claims Settlement Act (ANCSA) lands. He recognized that contaminated site issues were not necessarily germane to PWSRCAC’s purview, but the existence of those sites and how to deal with them was germane to SPAR’s budget and therefore of interest to PWSRCAC. The contamination occurred when the federal government was the owner of the lands and, despite attempts to get cleanup action from the responsible federal parties during the Obama, Trump and now Biden administrations, the State of Alaska has heard nothing. Letters have been sent from Governor Dunleavy as well as from himself on behalf of ADEC to the responsible federal parties requesting them to outline the extent of the contamination, develop a plan to cleanup of those sites and ultimately clean them up. To date, ADEC had received no response from those federal parties. So, on December 17, 2021, ADEC filed approximately 500 notices of intent to sue to the Department of the Interior (DOI) for lack of action on those lands and for failing to do what is required of them by law on the 504 contaminated sites on ANCSA lands. The DOI has responded that they are not responsible for any of those sites. Brune noted that the DOI has 60 days from the filing date of December 17 to come up with a plan or to cure. It was his hope that DOI would meet that deadline. In the absence of that, he stated that ADEC is prepared to force the federal government to clean up these sites and had hired experienced outside counsel to do so.

He reported he had received a letter from Rick Steiner regarding the oil spill that occurred in Peru following the massive underwater volcanic eruption off the coast of Tonga. Steiner advocated disconnecting tankers at berth at the VMT during a tsunami warning. Commissioner Brune agreed with Steiner and stated that if Alaska did not heed the lessons learned around the world from procedures for oil production/tanker loading during tsunamis, then it was in danger of repeating them. Steiner had encouraged the Commissioner to discuss with Alyeska and Marathon Oil the procedures that are in place when there are tsunami warnings and to ensure the procedures are followed. He confirmed he had touched base with Alyeska and Marathon Oil and he let them know that when there are tsunami warnings, they are required to shut down loading, drain their loading arms and prepare to disconnect the loading tanker from the berth, as well as other procedures for personnel to follow such as rally points, notifications, etc. Brune thanked

Steiner for that suggestion and said he made sure those operating in Alaska's waters know what the tsunami procedures are.

Mako Haggerty raised concern about PFAS issues which are another drain on ADEC/SPAR's budget, noting that the budget is going down while the burden is going up. Commissioner Brune acknowledged that PFAS issues had taken a lot of his time since coming into ADEC. He pointed out that the responsibility for cleanup goes to the responsible party and when it came to budgets for PFAS cleanup much is paid for by the Department of Transportation (DOT). The Federal Aviation Administration (FAA) requires Aqueous Film Forming Foam (AFFF) to be on hand at every airport because it is effective in saving lives and property in the event of an aviation disaster. AFFF contains PFAS and creates contaminated sites because it is required to be tested on an annual basis. Brune pointed out that he and former ADOT Commissioner MacKinnon had decided not to test every year for that reason and because so many Alaska communities have grown up around airports and their drinking water is at risk of contamination. ADEC has identified potential contaminated airport sites, tested those sites and the results are on ADEC's website. He pointed out that PFAS is ubiquitous throughout the environment at landfills and other areas, not only at airports. He said they were closely monitoring the EPA's action plan on PFAS and are committed to following it. He pointed out some states have several toxicologists on staff to draw on; Alaska has one.

Amanda Bauer thanked the Commissioner for coming to the Council's Board meetings more than any other ADEC commissioner in the past. She asked the Commissioner to explain how he considered the funds coming to SPAR from the general fund to be better for SPAR's budget than those from a dedicated fund. He stated that he preferred having \$1.3 million coming from general funds than having to make \$1.3 million worth in cuts. He pointed out that SPAR does so much more than hydrocarbon-related work, such as sulfolene, PFAS, asbestos, and other contaminated sites work that, in his opinion, it should be funded from general funds. It should diversify the funding stream for SPAR and not just rely on the dedicated funds coming from the refined fuels surcharge and the 5 cents/barrel from the prevention and response fund. He pointed out that ADEC has increased dedicated funding through the refined fuel surcharge and there is some sustainability there, but in the absence of the Legislature taking that action on the adjustment, having the general fund monies was better than having to make \$1.3 million worth of cuts or continuing the trend knowing that the budget was reliant only on that funding stream and having to make more cuts in future years.

Bauer countered that it was difficult to understand about taking the dedicated funds for other things and putting them into the general budget and then giving SPAR general funds anyway. She also said she was not sure the oil producers knew that when they were giving a 5 cents/ barrel to a dedicated oil spill prevention/response fund that it would be taken by the state and used for whatever the state wanted. In her opinion, she said it should be returned to SPAR and dedicated for the purpose of oil spill prevention and response. She

expressed concern that there was not enough urgency to finding other ways besides the general fund to get additional revenue to SPAR. Brune responded that he had met with every member of the House and Senate subcommittees for Finance when he was in Juneau that week; he had told his own agency finance committee that he supported the increase in the refined fuel surcharge, and he met with Rep. Josephson and told him the same. With respect to industry having paid the 5 cents/barrel thinking it would go to SPAR for oil spill prevention/response, he said he did not disagree with Bauer, but he could not control what was swept or not swept into the general fund. The fact was it was swept into the general fund and now SPAR is replacing the deficit that it would have had with general fund dollars and he does not have to make seven or eight more personnel cuts this year. He said he understood Bauer's concern, but SPAR was at a consistent level of funding for this year and he viewed that as a positive position to be in. Bauer stated she hoped there was an urgency to address SPAR funding and that it is not passed on to the next commissioner.

Jim Herbert expressed concern about staffing levels, the loss of experienced personnel and loss of institutional knowledge. Herbert urged the department to fill positions with personnel based in Valdez. Commissioner Brune stated that his emphasis had been on retention of personnel since coming into ADEC. There was 25% turnover in personnel when he came into the office which he found unacceptable and made a point to improve that. He stated that everyone at ADEC deserved an annual evaluation and development training within the agency. He stated that all ADEC directors are required to have funds in their budgets for training. This past year the retention rate had increased to 80+% and the turnover was down to 17%. As to the Valdez positions, he said he recognized that the proximity to TAPS and its operations was very important. He asked SPAR Director Larson to address the Valdez staffing issues.

Larson stated that within SPAR the discussion on staff retention had been that it was important to have enough staff in a region to respond in real time to a release of oil balanced with the importance of having filled positions. The feedback from staff indicated that the department's move to statewide recruitment allowed them to have a career path at ADEC versus simply a position. They now have more opportunity at ADEC and they have options. The department has assessed the minimum personnel it needs to have in a specific region to handle response capabilities, which Larson described as "critical mass" staffing. Any staff above that number would be recruited statewide for the reasons previously stated.

Herbert asked how the Governor's plan to have ADEC take over wetlands management would impact ADEC's other activities and where the funds would come from to do that. Commissioner Brune stated that ADEC has committed that it would not impact ADEC's other activities. The process for state takeover of primacy of wetlands management was started and then stopped in 2013/2014 when oil prices fell. The department is now re-engaging with that process. The Legislature has already given statutory approval. ADEC will start with 28 positions this year and increase to 32. They will be working with the EPA,



which encourages the state to take over primacy of the program as it has with other federal programs such as the air and water quality. He did not see that it would impact other ADEC operations adversely; rather it will grow the department up to 503 positions.

Executive Director Schantz reminded the Council and the Commissioner that there was a \$9.4 million appropriation from the SPAR response fund in 2019 to deal with PFAS testing and remediation. Those funds have not and are not being recouped from the responsible parties at this time and PWSRCAC is concerned that there will be future drains on the SPAR response fund to deal with PFAS. She also pointed out that PWSRCAC had been working hard on SPAR's behalf to get the Legislature to pass the increase in the refined fuel surcharge. While acknowledging Commissioner Brune's stated support for the refined fuel surcharge increase and his meeting with individual members of the House Finance Committee, Schantz asked the Commissioner to instill a sense of urgency within the Finance Committee, if he was not already doing so, to get the increase passed because it would take at least a year after passage before SPAR would see any of that increase going into its response fund account.

Commissioner Brune stated he had made it clear to legislators that ADEC supported the refined fuel surcharge increase. He reminded the Board that SPAR had a \$1.3 million deficit for this current year that would be met with general fund dollars. Next year, if production did not increase and as CPI rises and other increases occur, that amount likely would go up. He said he absolutely realizes the urgency of the need to pass the legislation to bring sustainability to SPAR and he had made that clear when he met with Rep. Josephson and the Finance Committee.

As to Schantz's concern about the use of the response fund for PFAS, Commissioner Brune noted that both the \$5 million that was appropriated from the response fund for the Wrangell dump contamination and the more recent \$9.4 million for PFAS were both appropriated by a previous administration before he took office. Neither of those sites had an identifiable responsible party against who SPAR could recover costs. He also noted that of the \$9.4 million appropriation, SPAR had spent less than \$1.5-2 million to date, recognizing that is not recoverable. He pointed out that SPAR has a statutory responsibility to recover from responsible parties if it works on those issues so he has made it a priority to limit the amount of money spent and what it is being used on. He noted, however, that the Legislature can appropriate what it wants and how it is spent, but he is being careful using those funds while he is still head of the agency. He said he saw it eventually lapsing back to the response fund when the five years is up. SPAR Director Larson added that SPAR controls what is spent by going through all the invoices and only authorizing and approving that which was approved in the scope of that appropriation and its intent.

PWSRCAC's state legislative monitor Gene Therriault pointed out that the fiscal note to HB104, which included the refined fuels surcharge adjustment, did not include language indicating that ADEC was supportive of the change. Commissioner Brune stated that had

had discussions with the Governor's legislative office over the past two years and he was told that there is support for the adjustment. He clarified, however, that he was not saying that there is support for the entire motor fuels tax because he did not have that discussion with them, but currently the refined fuel surcharge adjustment is a component of HB104. He stated that he had let Rep. Josephson know that if there was a standalone bill with the adjustment in it, he was on the record as supporting that increase and he would fight to get it signed, although ultimately it is the Governor's choice whether to sign a bill or not, but he committed to advocating for its signing if the increase from .95 cents to 1.05 cents occurred in a standalone bill.

Therriault went on to ask whether there was an expectation from the federal government that a certain level of effort would be maintained by the state to run programs where there is an infusion of some federal funding. Commissioner Brune pointed out that there are no primacy programs within SPAR. The funding that SPAR gets from the federal government is for brownfields, contaminated sites, and other things, but there is not the same level of accountability that one would see in an air or water primacy program. SPAR Director Larson stated that SPAR's federal dollars are mainly through MOUs (memorandums of understanding) and efforts that SPAR is going to make on behalf of the Department of Defense that are high priority for the year. Brownfields is the only program that has a threshold of staff effort, which is set at a maximum of 50% of staff time.

President Archibald pointed out that a \$1.3 million infusion of general funds to SPAR does not make up for the \$8 million reverse sweep and it is disheartening to PWSRCAC. He pointed out that SPAR is gathering more responsibilities with less money, and PWSRCAC sees SPAR's balance sheet going into the red in the not-too-distant future. He emphasized that PWSRCAC has been and will continue to be a staunch advocate for SPAR's budget in any way it can because the Council recognizes the importance of maintaining employees who have that institutional knowledge or what a prevention and response plan is. He emphasized that SPAR must maintain that expertise and that it was incumbent upon Brune as Commissioner, the Governor, and the public to maintain that expertise within the division, but without funding SPAR was not going to be able to do its job.

On the tsunami issue and the risks of oil production/loading tankers during a warning, Archibald said he hoped all the agencies were talking to each other because the problem that arose in Peru was people were talking but the information was not getting to the right people.

Commissioner Brune wrapped up his remarks by assuring the Board that the tsunami warning issues were important to him and his team and that he personally called Marathon and Alyeska on those issues. As to the sweep, he pointed out that he had no control over that; the Legislature made that choice. He also added that if SPAR is not doing something that PWSRCAC thinks is important, then SPAR needs to hear that. He reminded the organization that January 31 was the deadline for comments on the regulatory reform

proposal and he hoped that the final regulation changes would be issued by the fall of 2022.

*(Bob Shavelson and Wayne Donaldson joined the meeting during the previous discussion at 10:18 a.m. and 10:20 am, respectively - 13 Directors present.)*

*Break: 10:40 a.m. – 10:50 a.m.*

#### **4-6 UPDATE ON THE PRINCE WILLIAM SOUND TANKER C-PLAN RENEWAL**

Project Manager Linda Swiss updated the Board on the status of the renewal of Prince William Sound Tanker Oil Discharge Prevention and Contingency Plan (Tanker C-Plan). The Tanker C-Plan was approved on February 1, 2017 and was set to expire on January 31, 2022. A detailed briefing sheet with the history of the development of the Tanker C-Plan, the present issues, and PWSRCAC's review goals was included in meeting notebook under Item 4-6.

OSPR Committee's Jim Herbert pointed out the significant role that PWSRCAC plays in giving feedback to ADEC and Alyeska on c-plans and it was important work.

President Archibald gave kudos to Swiss and the project team for their work on this project.

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

#### **4-7 APPROVAL OF LTEMP RESEARCH CONTRIBUTION**

This agenda item sought Board approval to provide the U.S. Geological Survey (USGS) with a research contribution of \$75,555 to genetically analyze blue mussel samples obtained from Port Valdez to monitor the environmental impacts of the April 12, 2020 oil spill at the VMT.

As explained by Project Manager Austin Love the transcriptomics study that was conducted in 2019 and 2020, was originally a pilot study, but then the April 12, 2020 oil spill occurred at the VMT which provided a unique opportunity to further test the utility of transcriptomics to monitor the environmental impacts of the VMT and tankers. The original pilot study was completed and culminated in a report to the Board titled "Using Mussel Transcriptomics for Environmental Monitoring in Port Valdez, Alaska: 2019 and 2020 Pilot Study Results." That report was accepted by the Board at its May 2021 meeting. This agenda item sought funding for additional spill-related work which was designed to try and identify a set of genes in blue mussels that specifically respond to exposures to Alaska North Slope crude oil – as opposed to genes known to respond to generic oil exposure.

By making this contribution versus entering into a contract, the Council would avoid paying overhead costs of 51.25%.

A briefing sheet and the follow-on transcriptomic analysis proposal from the same research team as the pilot study was included in the meeting notebook under Item 4-7.

Amanda Bauer **moved** that PWSRCAC provide the USGS with a research contribution of \$75,555 to genetically analyze blue mussel samples obtained to monitor the environmental impacts of the April 12, 2020 oil spill at the VMT. Mako Haggerty **seconded** and the **motion passed** without objection.

#### **4-8 LTEMP FY2022 CONTRACT APPROVAL**

This agenda item requested Board approval of contracts for work to interpret and report on the oil chemistry and laboratory results of the 2021 Long Term Environmental Monitoring Program (LTEMP) samples. The scope of work for this year was put through the Council's competitive request for proposal (RFP) process as a best practice to solicit competitive bids. (The RFP process occurs approximately every five years.) As outlined in the briefing sheet under Item 4-8 in the meeting notebook, Payne Environmental Consultants had been the consultant performing the work through the RFP process since 2002. The last time the scope of work was put out for competitive bid was in 2015.

As earlier reported by SAC Chair David Holen, the committee met on January 14, 2022, and identified two contractors, Owl Ridge Natural Resources Consultants and Payne Environmental Consultants, to do the work under the RFP, and the committee recommended the Board approve a contract with Owl Ridge Natural Resource Consultants, Inc., to complete the scope of work in Contract 951.21.06, and with Payne Environmental Consultants, Inc., to support Owl Ridge's work at a total cost not to exceed \$77,000.00.

This agenda item also sought Board approval of a budget modification to add to more money for contract expenses under this project. The budget modification was needed to cover costs not accounted for when the FY2022 LTEMP budget was originally approved. As originally approved, the FY2022 LTEMP budget included a total of \$147,720 for contract expenses and a portion of that funding was planned to be used to fund this work. However, that funding was also planned to be used on LTEMP work related to genetic testing (transcription) on mussel samples. Since the LTEMP budget was passed, the scope of work for the transcription part of LTEMP was expanded (as recommended by Scientific Advisory Committee) and subsequently costs for that part of LTEMP became higher than originally budgeted. To cover the costs of the expanded transcription work and this scope of work, a budget modification was needed to add additional funding for LTEMP.

Robert Beedle questioned where the additional funds would come from. Executive Director Schantz stated that the funds would ultimately come from the Council's contingency fund. She pointed out, however, that the Board had already approved sizeable expenditures at this meeting that would also be coming from the contingency fund. Staff will review all the additional contingency fund expenditures after this Board meeting as well as other unexpended funds that might be returned to the contingency balance.

Amanda Bauer **moved to authorize** a budget modification, adding \$53,880.00 to Project 9510-Long Term Environmental Monitoring Program. Robert Beedle **seconded** and the **motion passed** without objection.

Amanda Bauer **moved to authorize** 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 \$77,000.00. Michael Vigil **seconded** and the **motion passed** without objection.

#### **4-10 INCIDENT REPORT UPDATE FOR 2021**

Project Manager Assistant Nelli Vanderburg presented a summary of incidents reported to PWSRCAC which occurred in the year 2021. Incident reports include oil spills, fires, malfunctions causing shutdowns, navigational closures, and tanker or escort incidents. The presentation included terminal and tanker statistics.

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

*Lunch Break: 11:55 a.m. – 1:00 p.m.*

#### **4-9 APPROVAL OF PWSRCAC'S ANNUAL LONG RANGE PLAN**

Director of Programs Joe Lally presented the Council's Five-Year Long Range Plan for fiscal years 2023-2027 for approval by the Board. A workshop was held prior to this Board meeting on January 25, 2022, where the projects were discussed and recommendations were developed for final Board approval. Lally thanked everyone who worked on the LRP process this year. Special thanks were extended to Cathy Hart for her leadership during the process.

Dorothy Moore **moved to approve** PWSRCAC's Five-Year Long Range Plan for Fiscal Years 2023-2027 as developed and finalized for consideration by the Board at the January 26, 2022 Long Range Plan work session. Amanda Bauer **seconded** and the **motion passed** without objection.

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

President Archibald spoke about the toll that COVID-19 and its variants had over the past two years on everybody and particularly the toll on the mental and physical wellbeing of health care workers.

He noted the sudden rise of inflationary pressures on all aspects of the US economy and the rise in the price of oil to \$90 for Alaska North Slope crude on that day's market which was good news for the State of Alaska and Alyeska.

He cautioned that ADEC's SPAR budget was not healthy or stable and that it would need shoring up. All these and other pressures would require PWSRCAC to stay vigilant and tough on the issues that ensure the safe transportation of oil from the VMT.

He thanked PWSRCAC staff for their endurance during this pandemic period, handling day-to-day operations in an efficient and effective way and a professional manner, all while on a virtual platform. They interviewed applicants for four staff positions during the same time period and it had consumed much staff time. The process was successfully completed and resulted in the hiring of Ashlee Hamilton in the position of Finance Manager, KJ Crawford as Director of Administration, and Jaina Willahan as Administrative Assistant in the Anchorage office.

He thanked Gregory Dixon and Walt Wrede for their dedication to PWSRCAC and its mission and wished them well in their retirements and future endeavors.

He advised the Council to take its experience from the past and learn from it, whether good or bad, and then stay engaged in the present, without fear of asking the hard questions or pushing a little harder.

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

A written Executive Director's Report was previously provided to the Board in advance of the meeting. Executive Director Schantz briefly reviewed some of that report and updated other items.

She noted the passing of Administrative Assistant Natalie Novik on October 13, 2021. Schantz recognized Natalie's efforts and the pride she had in her work with PWSRCAC, as well as her extraordinary life and involvement in strong oil spill prevention and response capabilities since volunteering to clean up oil spills in the 1970s in Brittany, France.

Schantz spoke of her top goals of maintaining relationships with industry and regulators and to do what she could to ensure that PWSRCAC's advice is professional and technically sound and is presented in a manner that is well received. She commended the team of staff and volunteers for the great work that they all do. She noted some of the organization's top accomplishments took dedication, patience and perseverance that sometimes took decades to achieve.

Her focus over the past three months had been the regulatory reform effort which involved a lot of work to get the comments together, the outreach efforts and a lot of people working together to get it all accomplished.

As to SPAR funding, she opined that House Bill 104, which contained the refined fuel surcharge adjustment, and was not well supported last session or the session before, and would be unlikely to go anywhere in this session now that the price of gas at the pump was

up. PWSRCAC will be looking for other solutions, but time is of the essence to get something passed this legislative session.

The filing of a request for adjudicatory hearing on the secondary containment liner decision by ADEC was a new priority for staff added at this meeting. Schantz pointed out that PWSRCAC does not take these filings lightly and it was only the second time in the Council's history it saw a need to do so. She pointed out that concern for the integrity of the secondary containment liner at the VMT had been a concern to PWSRCAC for at least 20 years and it was too important an issue for the organization not to have a seat at the table during those discussions that may lead to a revised decision by ADEC. She said staff would be doing outreach on this subject to get letters of support and she encouraged member entities to share the information that Brooke Taylor sent out on the topic and to even add a letter of their own.

She welcomed the new staff members. She noted that a smooth transition from the departing staff to the incoming staff as well as the transition to the new accounting system was a high priority for her in the coming months. In addition, a constant priority was ensuring that the organization's financial and administrative practices were being followed and that there was an accurate record of activities. She said the entire management team and support staff would be meeting together to go over the duties as part of the transition process and to review staff roles, administrative processes and procedures.

She recognized Project Manager Assistant Hans Odegard for taking over the information technology system duties which were previously handled by Gregory Dixon. She reported that the Bookkeeper position remained unfilled and she would be working with the management team to look at that job description and possibly revising it so it best supports the organization's support needs.

She was encouraged by the "Navigating Work and Life Challenges in Pandemic Times" sessions she had participated in with Steve March and she hoped it would help with keeping the team focused. She encouraged more Board members to take advantage of the next session which she would schedule shortly.

She reported that staff continued to plan for an in-person May Board meeting in Valdez. ATC has asked if PWSRCAC would be interested in hosting a joint reception at that time. A decision was yet to be made because of the fluid COVID-19 situation and the logistics of getting people together safely.

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

Ashlee Hamilton introduced herself to the Board and her experience and reported on some of the projects that she would be working on in the months ahead. Her first project will be putting together and finalizing the 2022-2023 budget. Her second project will be

heading implementation of the new accounting system and software, along with Gregory Dixon. She thanked Dixon for staying on staff to assist her with the transition.

#### **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 1:55 p.m., on a **motion made** by Amanda Bauer and **seconded** by Robert Beedle and **passed** by unanimous consent.

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Secretary



**Prince William Sound Regional Citizens' Advisory Council  
Special Board of Directors Meeting Minutes  
March 8, 2022**

**Members Present:** Patience Andersen Faulkner (10:15am), Robert Archibald, Amanda Bauer, Robert Beedle, Mike Bender, Nick Crump, Ben Cutrell, Patrick Domitrovich (10:40am), Wayne Donaldson, Mako Haggerty, Melvin Malchoff, Dorothy Moore, Bob Shavelson, Rebecca Skinner, Angela Totemoff, Michael Vigil, Kurk Zinck.

**Members Absent:** Luke Hasenbank and Elijah Jackson

**Staff Present:** KJ Crawford, Gregory Dixon, Jennifer Fleming, Ashlee Hamilton, Joe Lally, Austin Love, Hans Odegard, Betsi Oliver, Roy Robertson, Jeremy Robida, Donna Schantz, Alan Sorum, Linda Swiss, Brooke Taylor, Nelli Vanderburg

**Others Present:** Breck Tostevin, Allison Natcher (ADEC), Joe Levesque

**1. Call to Order and Roll Call:** President Archibald called the meeting to order at 10:00am. A roll call was taken, and the following 15 directors were present representing a quorum for the conduct of business: Archibald, Bauer, Beedle, Bender, Crump, Cutrell, Donaldson, Haggerty, Malchoff, Moore, Shavelson, Skinner, Totemoff, Vigil, and Zinck.

**2. Approve Agenda:** Vigil moved to approve the agenda as presented. Bauer seconded. Archibald asked for amendments or objections; hearing none, the agenda was approved.

**3. Public & Opening Comments:** Archibald asked for comments from the public. Schantz explained that just prior to this meeting she received a call from Andres Morales at Alyeska alerting PWSRCAC of damage to a number of the vents atop the crude oil storage tanks at the Valdez Marine Terminal due to excess snow and ice buildup. The damage has resulted in vapors venting to the atmosphere and multiple tanks being taken out of service (unavailable for inventory). Schantz stated she will follow up with Morales later today and relay any updates to the Board.

**4. Approval of FY2022 Budget Modifications:** Hamilton explained that staff is seeking Board approval of a number of [proposed budget modifications](#) totaling \$100,551. These modifications seek to move money from expenses to the contingency fund and, if approved, would bring the contingency fund to \$211,881. Hamilton explained that these modifications were identified during a recent staff review of the FY2022 financial statements. She noted a majority of these changes

are linked to travel or project work not occurring due to COVID-19. Archibald asked if there were any questions on this item.

Moore moved to approve the FY2022 budget modifications as listed on the provided sheets totaling \$100,551, bringing the contingency fund to \$211,881. Totemoff seconded. Archibald asked for questions/objections; hearing none, the budget modifications were approved.

**5. Rescind Temporary Travel Restrictions:** Schantz explained that staff is seeking approval to rescind the temporary travel restrictions put in place due to COVID-19. She noted that the original restrictions put in place in April 2020 were amended in April 2021 and were reduced to include a suspension of all in-person meetings. The revised restrictions also stated that all travel would be considered on a case by case basis based on up to date COVID-19 advisories and would need prior approval by the Board or Executive Committee. Schantz stated those are the two restrictions that would be rescinded. Schantz noted that the next agenda item considers holding the upcoming May board meeting in-person in Valdez and for that to happen, these restrictions would need to be lifted.

Archibald opened the floor for questions or comments. Malchoff noted the restrictions in place for Port Graham, stating it is too much of a hassle for him to travel. Upon return, he would have to test, quarantine for 7 days, and then test again before being able to leave his home. For now, he will choose to take the meeting telephonically.

Moore spoke in favor of lifting the restrictions noting it will be up to the individuals to do what they are comfortable doing. Totemoff agreed and stressed the need to continue offering a virtual option for participation. Haggerty agreed.

*Patience Andersen Faulkner joined the meeting at 10:15am.*

Moore moved to rescind all Temporary COVID-19 Travel Restrictions in their entirety. Cutrell seconded. Archibald asked for objections; hearing none, the travel restrictions were rescinded.

**6. Council May 5-6, 2022 Board meeting and associated events:** Schantz explained that staff is seeking guidance on holding the May 5-6 PWSRCAC Board meeting in-person in Valdez. She stated she believes there is great value to meeting in person but wants to be realistic when putting precautions in place to meet safely. If it's not safe to meet without putting extensive mitigations in place, then it's not safe to meet in person. She noted that regardless with how the Board votes today, staff will always provide a video/telephonic option. Schantz outlined the proposed mitigation practices outlined in option two of the survey sent to the Board.

Archibald reviewed the results of the survey with the Board and voiced his support for option two. He asked if there was any discussion.

*Patrick Domitrovich joined the meeting at 10:40am.*

The group discussed enforcement of the proposed safety mitigations and believes a sort of “social contract” is enough to request for attendees to follow the safety mitigation measures put in place for the meeting. Regarding masking, it was suggested that masks are allowed to be removed only when eating or speaking into the microphone for optimal clarity.

Totemoff moved to hold the May meeting in person with the following COVID-19 safety mitigations in place: mask wearing required, except when eating or speaking into the microphone; social distancing of a minimum of three feet encouraged; hand sanitization stations placed at convenient locations; commonly touched surfaces disinfected daily; lunch served via boxed lunch and drinks individually packaged; and, clearly state on meeting agenda and announcements that anyone experiencing COVID-19 symptoms should not attend the meeting in-person. Beedle seconded. Archibald asked for discussion.

Vigil spoke in favor of the motion and suggested temperature checks of attendees be considered. Beedle spoke in favor of the motion as well, but suggested consulting with medical professionals before adding other mitigations. Zinck spoke against the motion, specifically the requirement of masks. He does not want to put staff in the role of enforcement. He would like the safety mitigations to be in place as written in option two with masks “strongly encouraged.” Crump agreed with Zinck’s sentiments. No amendments to the motions were made.

A roll call vote was taken, as follows:

Robert Archibald	Yes.
Amanda Bauer	Yes.
Robert Beedle	Yes.
Mike Bender	Yes.
Nick Crump	No.
Ben Cutrell	Yes.
Patrick Domitrovich	Yes.
Wayne Donaldson	Yes.
Patience Andersen Faulkner	Yes.
Mako Haggerty	No.
Melvin Malchoff	Yes.
Dorothy Moore	Yes.

Bob Shavelson	Yes.
Rebecca Skinner	Yes.
Angela Totemoff	Yes.
Michael Vigil	Yes.
Kirk Zinck	No.

The motion passed with 14 affirmative votes.

## **7. Executive Session to:**

Vigil moved to go into Executive Session to discuss the secondary containment adjudicatory hearing project, to deliver the Executive Director's annual evaluation, and to discuss the process for future executive director evaluation. Moore seconded.

*The Board entered into executive session at approximately 11:00am. The following were asked to join the Board in executive session: Donna Schantz, Joe Lally, Linda Swiss, Alan Sorum, Brooke Taylor, KJ Crawford, Ashlee Hamilton, Gregory Dixon, Jennifer Fleming, Breck Tostevin (Legal Counsel), and Joe Levesque (Legal Counsel).*

**8. Report on Executive Session and Resulting Actions:** Coming out of Executive Session, Archibald reported that the Board was briefed by legal counsel on the VMT secondary containment adjudicatory hearing progress.

Haggerty moved to approve an FY 2022 budget modification of \$75,000 from the Contingency Fund to Project 6512 Secondary Containment Adjudicatory Hearing, for costs associated with legal counsel and technical expert consultation; and, authorized expenditures for attorney and expert fees related to the Secondary Containment Adjudicatory Hearing, delegating authority to XCOM to approve individual contracts for experts. The Board expectation is that staff will provide updates to the Board in an attempt to manage expenses. Bauer seconded. Archibald asked for objection; hearing none, the motion was approved.

Archibald also reported that the Board delivered the Executive Director's evaluation while in Executive Session. He explained that Schantz received a score of 4.59 out of 5 on her evaluation.

Bauer moved to give Schantz a 5.5% pay raise effective immediately and to extend her contract for another year. Beedle seconded. Archibald asked for objection; hearing none, the action was approved.

Finally, Archibald reported that the Board discussed standing up an ad hoc committee to evaluate the overall executive director evaluation process. This committee will be stood up in May of this year. Cutrell, Beedle, Skinner, and Bauer

have volunteered to serve on this committee, with the help of staff. Staff will add the creation of this committee to the May 5-6, 2022 Board meeting agenda to open the committee for other volunteers to serve.

**9. Closing Comments:** Archibald asked the group for any closing comments. Fleming reminded the Board of the upcoming Dispersant workshop taking place later in the week. She encouraged directors to take the pre-workshop questionnaire in preparation for this event.

Haggerty stated that he is so proud to be a part of this organization and thankful to have Schantz at the helm. He noted it has been unusually busy these last couple of years and commended her management of the organization, and ability to keep everyone up to speed and well informed. Haggerty thanked Schantz for her leadership.

**10. Adjourn:** Beedle moved to adjourn. The meeting adjourned at 12:19pm.

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Secretary



**PWSRCAC**  
**Acronym List**  
 Updated July 10, 2019

<b>AAC</b>	Alaska Administrative Code
<b>ABS</b>	American Bureau of Shipping
<b>ACMP</b>	Alaska Coastal Management Program
<b>ACS</b>	Alaska Clean Seas
<b>ADEC</b>	Alaska Department of Environmental Conservation
<b>ADF&amp;G</b>	Alaska Department of Fish and Game
<b>ADNR</b>	Alaska Department of Natural Resources
<b>AIMS</b>	Alaska Incident Management System
<b>AMOP</b>	Arctic & Marine Oil Spill Program (Technical Seminar)
<b>ANC</b>	Anchorage
<b>ANS</b>	Alaska North Slope or Aquatic Nuisance Species
<b>ANSTF</b>	Aquatic Nuisance Species Task Force
<b>ANWR</b>	Arctic National Wildlife Reserve
<b>AOOS</b>	Alaska Ocean Observing System
<b>APSC</b>	Alyeska Pipeline Service Company
<b>ARRT</b>	Alaska Regional Response Team
<b>AS</b>	Alaska Statute
<b>ATC</b>	Alaska Tanker Company
<b>ATOM</b>	Alyeska Tactical Oil Spill Model
<b>AVTEC</b>	Alaska Institute of Technology (formerly Alaska Vocational Technical Center)
<b>BAT</b>	Best Available Technology
<b>BBL</b>	Barrel (42 Gallons = 1 bbl)
<b>BGC</b>	Board Governance Committee (PWSRCAC Committee)
<b>BTEX</b>	Benzene, Toluene, Ethylbenzene, Xylene
<b>BLM</b>	Bureau of Land Management
<b>BOO</b>	Barge of Opportunity
<b>BMPP</b>	Best Management Practices Plan
<b>BP</b>	British Petroleum or bollard pull
<b>BTT</b>	Biological Treatment Tanks
<b>BWT(F)</b>	Ballast Water Treatment (Facility)
<b>C-Plan</b>	Contingency Plan
<b>CAA</b>	Clean Air Act

<b>CAOS</b>	Coastal Alaska Observing System
<b>CDFU</b>	Cordova District Fishermen United
<b>CERCLA</b>	Comprehensive Environmental Response, Compensation and Liability Act
<b>CFR</b>	Code of Federal Regulations
<b>CIP</b>	Community Impacts Planning
<b>CIRCAC</b>	Cook Inlet Regional Citizens Advisory Council
<b>CISPRI</b>	Cook Inlet Spill Prevention and Response, Incorporated
<b>CMT</b>	Crisis Management Team
<b>COA</b>	Condition of Approval
<b>COSRS</b>	Community Oil Spill Response System
<b>COTP</b>	Captain of the Port (USCG)
<b>CWA</b>	Clean Water Act
<b>DAF</b>	Dissolved Air Flotation
<b>DEIS</b>	Draft Environmental Impact Statement
<b>DES</b>	Division of Emergency Services
<b>DMR</b>	Discharge Monitoring Report
<b>DNV</b>	Det Norske Veritas – Norwegian Quality Assurance consultant
<b>DOI</b>	U.S. Department of the Interior
<b>DOT</b>	U.S. Department of Transportation
<b>DPS</b>	Dynamic Positioning System
<b>DR&amp;R</b>	Dismantling, Removal and Restoration
<b>DTTS</b>	Disabled Tanker Towing Study
<b>DWT</b>	Deadweight ton
<b>ECO</b>	Edison Chouest Offshore
<b>EIA</b>	Environment Impact Assessment
<b>EIS</b>	Environmental Impact Statement
<b>EOC</b>	Emergency Operations Center
<b>EPA</b>	U.S. Environmental Protection Agency
<b>EPFR</b>	Emergency Prevention Preparedness and Response
<b>ERB</b>	Emergency Response Building
<b>ERP</b>	Emergency Response Plan
<b>ERV</b>	Emergency Response Vessel
<b>ETT</b>	Enhanced Tractor Tug
<b>EVOS</b>	Exxon Valdez Oil Spill

<b>EVOSTC</b>	Exxon Valdez Oil Spill Trustees Council
<b>FBU</b>	Fairbanks Business Unit, Alyeska
<b>FLIR</b>	Forward-looking infrared
<b>FOIA</b>	Freedom of Information Act
<b>FOSC</b>	Federal On-Scene Coordinator
<b>FV</b>	Fishing Vessel
<b>FWPca</b>	Federal Water Pollution Prevention and Control Act
<b>GAO</b>	U.S. Government Accountability Office
<b>GIS</b>	Geographic Information System
<b>GOA</b>	Gulf of Alaska
<b>GPS</b>	Global Positioning System
<b>GRS</b>	Geographical Response Strategies
<b>HAPs</b>	Hazardous Air Pollutants
<b>HAZWOPER</b>	Hazardous Waste Operation and Emergency Response
<b>HERO</b>	Hinchinbrook Entrance Response Options
<b>IAP</b>	Incident Action Plan
<b>IAP2</b>	International Association of Public Participation
<b>ICCOPR</b>	Interagency Coordinating Committee on Oil Pollution Research
<b>IC</b>	Incident Command
<b>ICS</b>	Incident Command System
<b>IEC</b>	Information & Education Committee (PWSRCAC Committee)
<b>IMO</b>	International Maritime Organization
<b>IMT</b>	Incident Management Team
<b>IOSC</b>	International Oil Spill Conference
<b>IRIC</b>	Initial Response Incident Commander
<b>ISAC</b>	Invasive Species Advisory Committee
<b>IWWS</b>	Industrial Waste Water System
<b>JIC</b>	Joint Information Center
<b>JPO</b>	Joint Pipeline Office
<b>LEPC</b>	Local Emergency Planning Committee
<b>LAC</b>	Legislative Affairs Committee (PWSRCAC Committee)
<b>LIO</b>	Legislative Information Office
<b>LOSC</b>	Local On-Scene Coordinator
<b>LRP</b>	Long Range Plan
<b>LTEMP</b>	Long Term Environmental Monitoring <del>Program</del> Project



<b>MAC</b>	Multi-stakeholder Agency Committee
<b>MARPOL</b>	International Convention for Prevention of Pollution from Ships
<b>MEPC</b>	Marine Environmental Protection Committee (IMO)
<b>MIS</b>	Marine Invasive Species
<b>MMS</b>	Minerals Management Service
<b>MOA</b>	Memorandum of Agreement
<b>MOU</b>	Memorandum of Understanding
<b>MSO</b>	Marine Safety Office
<b>MSDS</b>	Material Safety Data Sheets
<b>MSU</b>	Marine Safety Unit
<b>NDBC</b>	National Data Buoy Center
<b>NEPA</b>	National Environmental Policy Act
<b>NESHAP-OLD</b>	National Emission Standard for Hazardous Air Pollutants - Organic Liquid Distribution
<b>NIIMS</b>	National Interagency Incident Management System
<b>NIS</b>	Non-Indigenous Species
<b>NISA</b>	National Invasive Species Act
<b>NOAA</b>	National Oceanographic & Atmospheric Administration
<b>NOBOB</b>	No Ballast on Board
<b>NPDES</b>	National Pollutant Discharge Elimination System
<b>NPREP</b>	National Preparedness & Response Exercise Program
<b>NRDA</b>	Natural Resource Damage Assessment
<b>NSF</b>	National Science Foundation
<b>OCC</b>	Operations Control Center
<b>OHMSETT</b>	Oil and Hazardous Materials Simulate Environmental Test Tank
<b>OMS</b>	Oil Movements and Storage
<b>OPA 90</b>	Oil Pollution Act of 1990
<b>OSC</b>	On-Scene Coordinator
<b>OSLTF</b>	Oil Spill Liability Trust Fund
<b>OSRB</b>	Oil Spill Response Barge
<b>OSPR</b>	Oil Spill Prevention and Response Committee (PWSRCAC Committee)
<b>OSREC</b>	Oil Spill Region Environmental Coalition
<b>OSRI</b>	Oil Spill Recovery Institute
<b>OSRL</b>	Oil Spill Response Limited
<b>OSRO</b>	Oil Spill Response Organization

<b>OSRV</b>	Oil Spill Response Vessel
<b>PAH</b>	Polycyclic Aromatic Hydrocarbon
<b>POD</b>	Physical Oceanography Data
<b>POVTS</b>	Port Operations and Vessel Traffic System (PWSRCAC Committee)
<b>PPE</b>	Personal Protective Equipment
<b>PRAC</b>	Primary Response Action Contractor
<b>PRT</b>	Prevention and Response Tug
<b>PS</b>	Pump Station
<b>PV</b>	Power Vapor
<b>PWS</b>	Prince William Sound
<b>PWSAC</b>	Prince William Sound Aquaculture Corporation
<b>PWSC</b>	Prince William Sound College
<b>PWSEDD</b>	Prince William Sound Economic Development District
<b>PWSRAS</b>	Prince William Sound Risk Assessment Study
<b>PWSRCAC</b>	Prince William Sound Regional Citizens' Advisory Council
<b>PWSSC</b>	Prince William Sound Science Center
<b>PWSTA</b>	Prince William Sound Tanker Association
<b>RC</b>	Response Center or Response Coordinator (SERVS)
<b>RCAC</b>	Regional Citizens' Advisory Council
<b>RCM</b>	Reliability Centered Maintenance
<b>RFAI</b>	Request for Additional Information
<b>RFI</b>	Request for Information
<b>RFP</b>	Request for Proposal
<b>RFQ</b>	Request for Qualifications
<b>RMROL</b>	Realistic Maximum Response Operating Limitations
<b>RPG</b>	Response Planning Group
<b>RP</b>	Responsible Party
<b>RPOSC</b>	Responsible Party's On-Scene Coordinator
<b>RPS</b>	Response Planning Standard
<b>RRT</b>	Regional Response Team
<b>RSC</b>	Regional Stakeholders Committee
<b>SAC</b>	Scientific Advisory Committee (PWSRCAC Committee)
<b>SCAT</b>	Shoreline Cleanup Assessment Team
<b>SERC</b>	State Emergency Response Commission (or) Smithsonian Environmental Research Center

<b>SERVS</b>	Ship Escort/Response Vessel System
<b>SETAC</b>	Society of Environmental Toxicology and Chemistry
<b>SOS</b>	Seldovia Oil Spill Response
<b>SOSC</b>	State On-Scene Coordinator
<b>SPAR</b>	Spill Prevention and Response (A division within ADEC)
<b>SPO</b>	State Pipeline Coordinator's Office
<b>SRP</b>	Scientific Response Plan
<b>ST</b>	Strike Team
<b>SWAPA</b>	Southwest Alaska Pilots Association
<b>TAG</b>	Technical Advisory Group
<b>TAPS</b>	Trans Alaska Pipeline System
<b>TF</b>	Task Force
<b>TOEM</b>	Terminal Operations & Environmental Monitoring (PWSRCAC Committee)
<b>TOO</b>	Tanker of Opportunity
<b>TROG</b>	Total Recoverable Oil and Grease
<b>TVCS</b>	Tanker Vapor Control System
<b>UC</b>	Unified Command
<b>UP</b>	Unified Plan
<b>USCG</b>	United States Coast Guard
<b>USF&amp;WS</b>	United States Fish & Wildlife Service
<b>VBU</b>	Valdez Business Unit, Alyeska
<b>VDZ</b>	Valdez
<b>VERP</b>	Prince William Sound Vessel Escort & Response Plan
<b>VEOC</b>	Valdez Emergency Operations Center
<b>VIDA</b>	Vessel Incidental Discharge Act
<b>VMT</b>	Valdez Marine Terminal
<b>VOCs</b>	Volatile Organic Compounds
<b>VOO</b>	Vessel of Opportunity
<b>VTC</b>	Vessel Traffic Center
<b>VTs</b>	Vessel Traffic System
<b>XCOM</b>	PWSRCAC Executive Committee

As of March 23, 2022

Prince William Sound Regional Citizens' Advisory Council  
Budget Status Report -- FY 2022

	Budget			Actual and Commitments			Remaining	
	Original	Modifications	Revised	Actual	Commitments	Total	Amount	Percent
<b>INCOME</b>								
Alyeska Contract	\$3,716,244.00		\$3,716,244.00	\$3,716,243.65		\$3,716,243.65	\$0.35	0.0%
Interest Income			\$0.00	\$502.77		\$502.77	(\$502.77)	0.0%
Grants		\$20,000.00	\$20,000.00			\$0.00	\$20,000.00	100.0%
In-Kind Donations	\$22,800.00		\$22,800.00			\$0.00	\$22,800.00	100.0%
Book Royalties and Sales			\$0.00	\$28.62		\$28.62	(\$28.62)	0.0%
Miscellaneous			\$0.00	\$2,431.84		\$2,431.84	(\$2,431.84)	0.0%
<b>Total Income</b>	<b>\$3,739,044.00</b>	<b>\$20,000.00</b>	<b>\$3,759,044.00</b>	<b>\$3,719,206.88</b>	<b>\$0.00</b>	<b>\$3,719,206.88</b>	<b>\$39,837.12</b>	<b>1.1%</b>
<b>EXPENSES</b>								
<b>Programs and Projects</b>								
3100--Public Information	\$1,505.00	(\$600.00)	\$905.00	\$785.00	\$0.00	\$785.00	\$120.00	13.3%
3200--Observer Newsletter	\$6,000.00		\$6,000.00	\$3,882.78	\$0.00	\$3,882.78	\$2,117.22	35.3%
3300--Annual Report	\$7,400.00	(\$2,900.00)	\$4,500.00	\$2,793.00	\$0.00	\$2,793.00	\$1,707.00	37.9%
3410--Fishing Vessel Outreach Pilot	\$15,000.00		\$15,000.00	\$5,680.00	\$0.00	\$5,680.00	\$9,320.00	62.1%
3500--Community Outreach	\$48,800.00	(\$10,000.00)	\$38,800.00	\$11,389.19	\$0.00	\$11,389.19	\$27,410.81	70.6%
3530--Youth Involvement	\$45,750.00	(\$23,000.00)	\$22,750.00	\$9,935.00	\$12,590.00	\$22,525.00	\$225.00	1.0%
3600--Public Communications Program	\$1,699.00	(\$750.00)	\$949.00	\$449.00	\$0.00	\$449.00	\$500.00	52.7%
3610--Website Presence BAT	\$7,080.00		\$7,080.00		\$0.00	\$0.00	\$7,080.00	100.0%
3620--Connecting With Our Communities		\$15,000.00	\$15,000.00	\$1,406.25	\$13,300.00	\$14,706.25	\$293.75	2.0%
3903--Youth Internship	\$3,300.00	(\$800.00)	\$2,500.00	\$1,500.00	\$1,000.00	\$2,500.00	\$0.00	0.0%
4000--Program and Project Support	\$1,609,573.00	(\$1,925.00)	\$1,607,648.00	\$1,157,962.52	\$0.00	\$1,157,962.52	\$449,685.48	28.0%
4010--Digital Collections Program	\$7,850.00		\$7,850.00	\$3,475.00	\$85.00	\$3,560.00	\$4,290.00	54.6%
4400--Federal Government Affairs	\$51,600.00		\$51,600.00		\$0.00	\$0.00	\$51,600.00	100.0%
4410--State Government Affairs	\$30,000.00	\$2,700.00	\$32,700.00	\$19,770.00	\$8,000.00	\$27,770.00	\$4,930.00	15.1%
4500--DR&R Research		\$5,000.00	\$5,000.00		\$1,500.00	\$1,500.00	\$3,500.00	70.0%
5000--Terminal Operations Program	\$15,000.00		\$15,000.00	\$1,120.00	\$2,958.00	\$4,078.00	\$10,922.00	72.8%
5056--Tank 8 Internal Inspection Review	\$11,000.00	\$8,136.00	\$19,136.00	\$4,456.00	\$14,680.00	\$19,136.00	\$0.00	0.0%
5057--APSC Appeal of Air Quality Rule	\$60,000.00	(\$14,950.00)	\$45,050.00	\$45,050.00	\$0.00	\$45,050.00	\$0.00	0.0%
5081--Crude Oil Tank 7 + BWT Tank 94	\$96,000.00	(\$20,912.00)	\$75,088.00	\$13,911.00	\$61,177.00	\$75,088.00	\$0.00	0.0%
5640--ANS Crude Oil Properties	\$5,000.00		\$5,000.00		\$0.00	\$0.00	\$5,000.00	100.0%
5640--ANS Crude Oil Properties Donated								
Services	\$22,800.00		\$22,800.00		\$0.00	\$0.00	\$22,800.00	100.0%
6000--Spill Response Program	\$10,800.00	(\$800.00)	\$10,000.00	\$970.20	\$2,871.00	\$3,841.20	\$6,158.80	61.6%
6510--State Contingency Plan Reviews	\$85,000.00		\$85,000.00	\$39,408.75	\$30,601.00	\$70,009.75	\$14,990.25	17.6%

3/23/2022 9:52 AM

As of March 23, 2022

Prince William Sound Regional Citizens' Advisory Council  
Budget Status Report -- FY 2022

	Budget			Actual and Commitments			Remaining	
	Original	Modifications	Revised	Actual	Commitments	Total	Amount	Percent
6511--History of Contingency Planning	\$50,000.00	(\$25,000.00)	\$25,000.00	\$5,000.00	\$0.00	\$5,000.00	\$20,000.00	80.0%
6512--Adjudicatory Hearing		\$50,000.00	\$50,000.00	\$22,705.83	\$2,700.00	\$25,405.83	\$24,594.17	49.2%
6530--Weather Data/Sea Currents	\$14,400.00	(\$4,000.00)	\$10,400.00		\$400.00	\$400.00	\$10,000.00	96.2%
6531--Port Valdez Weather Buoys	\$42,500.00		\$42,500.00	\$18,839.21	\$24,400.00	\$43,239.21	(\$739.21)	(1.7%)
6531--Port Valdez Weather Buoys City of Valdez Grant Funds	\$8,700.00		\$8,700.00	\$5,100.47	\$0.00	\$5,100.47	\$3,599.53	41.4%
6531--Port Valdez Weather Buoys Donation	\$20,000.00		\$20,000.00	\$15,000.03	\$0.00	\$15,000.03	\$4,999.97	25.0%
6534--Cape Hinchinbrook Weather	\$500.00		\$500.00		\$0.00	\$0.00	\$500.00	100.0%
6536--Analysis of Weather Buoy Data	\$15,000.00		\$15,000.00		\$14,216.00	\$14,216.00	\$784.00	5.2%
6540--Copper River Delta/Flats GRS History	\$20,000.00		\$20,000.00	\$18,000.00	\$2,000.00	\$20,000.00	\$0.00	0.0%
6560--Peer Listener Training	\$35,000.00		\$35,000.00	\$2,000.00	\$7,750.00	\$9,750.00	\$25,250.00	72.1%
7000--Oil Spill Response Operations Program	\$1,050.00		\$1,050.00		\$0.00	\$0.00	\$1,050.00	100.0%
7030--Contracted Fleet Readiness			\$0.00		\$0.00	\$0.00	\$0.00	0.0%
7050--Out of Region Equipment Survey		\$29,200.00	\$29,200.00	\$6,000.00	\$23,145.00	\$29,145.00	\$55.00	0.2%
7520--Preparedness Monitoring	\$33,500.00		\$33,500.00	\$671.40	\$15,000.00	\$15,671.40	\$17,828.60	53.2%
8000--Maritime Operations Program	\$12,000.00		\$12,000.00	\$8,000.00	\$0.00	\$8,000.00	\$4,000.00	33.3%
8012--Line Throwing Device Trials		\$39,500.00	\$39,500.00	\$29,500.00	\$10,000.00	\$39,500.00	\$0.00	0.0%
8013--AIS/Radar Whitepaper		\$12,500.00	\$12,500.00	\$7,500.00	\$5,000.00	\$12,500.00	\$0.00	0.0%
8014--USCG Basic/Advanced Emergency Ship	\$30,000.00		\$30,000.00	\$27,500.00	\$2,500.00	\$30,000.00	\$0.00	0.0%
9000--Environmental Monitoring Program	\$12,100.00	(\$11,300.00)	\$800.00	\$2,474.24	\$0.00	\$2,474.24	(\$1,674.24)	(209.3%)
9110--Spatial Variability of Marine Birds	\$40,400.00	\$9,250.00	\$49,650.00	\$9,250.00	\$40,400.00	\$49,650.00	\$0.00	0.0%
9510--Long Term Environmental Monitoring Program	\$154,980.00	\$53,880.00	\$208,860.00	\$84,430.90	\$5,404.00	\$89,834.90	\$119,025.10	57.0%
9511--Herring/Forage Fish Survey	\$46,300.00		\$46,300.00	\$3,800.00	\$15,000.00	\$18,800.00	\$27,500.00	59.4%
9512--Oxygenated Hydrocarbons	\$70,400.00		\$70,400.00	\$7,000.00	\$63,400.00	\$70,400.00	\$0.00	0.0%
9513--Hydrocarbon Sensor	\$4,700.00		\$4,700.00		\$0.00	\$0.00	\$4,700.00	100.0%
9520--Marine Invasive Species	\$56,870.00	(\$2,195.00)	\$54,675.00	\$9,319.61	\$45,370.00	\$54,689.61	(\$14.61)	0.0%
9550--Dispersants	\$32,000.00	\$15,070.00	\$47,070.00	\$18,665.00	\$28,405.00	\$47,070.00	\$0.00	0.0%
<b>Subtotals</b>	<b>\$2,841,557.00</b>	<b>\$121,104.00</b>	<b>\$2,962,661.00</b>	<b>\$1,624,700.38</b>	<b>\$453,852.00</b>	<b>\$2,078,552.38</b>	<b>\$884,108.62</b>	<b>29.8%</b>

3/23/2022 9:52 AM

As of March 23, 2022

Prince William Sound Regional Citizens' Advisory Council  
Budget Status Report -- FY 2022

	Budget			Actual and Commitments			Remaining	
	Original	Modifications	Revised	Actual	Commitments	Total	Amount	Percent
<b>Board of Directors</b>								
1350--Information Technology	\$2,000.00	(\$1,000.00)	\$1,000.00	\$381.21	\$0.00	\$381.21	\$618.79	61.9%
2100--Board Administration	\$120,941.00	(\$1,600.00)	\$119,341.00	\$91,157.16	\$0.00	\$91,157.16	\$28,183.84	23.6%
2150--Board Meetings	\$92,500.00	(\$30,500.00)	\$62,000.00	\$15,520.68	\$0.00	\$15,520.68	\$46,479.32	75.0%
2200--Executive Committee			\$0.00		\$0.00	\$0.00	\$0.00	0.0%
2220--Governance Committee			\$0.00		\$0.00	\$0.00	\$0.00	0.0%
2222--Finance Committee			\$0.00		\$0.00	\$0.00	\$0.00	0.0%
2700--Legislative Affairs Committee		\$5,400.00	\$5,400.00		\$0.00	\$0.00	\$5,400.00	100.0%
<b>Subtotals</b>	<b>\$215,441.00</b>	<b>(\$27,700.00)</b>	<b>\$187,741.00</b>	<b>\$107,059.05</b>	<b>\$0.00</b>	<b>\$107,059.05</b>	<b>\$80,681.95</b>	<b>43.0%</b>
<b>Committees and Committee Support</b>								
2250--Committee Support	\$176,407.00	(\$50,850.00)	\$125,557.00	\$100,262.11	\$0.00	\$100,262.11	\$25,294.89	20.1%
2300--Oil Spill Prevention & Response	\$1,600.00	(\$1,600.00)	\$0.00		\$0.00	\$0.00	\$0.00	0.0%
2400--Port Operations & Vessel Traffic System	\$1,600.00	(\$1,600.00)	\$0.00		\$0.00	\$0.00	\$0.00	0.0%
2500--Scientific Advisory Committee	\$1,600.00	(\$1,600.00)	\$0.00		\$0.00	\$0.00	\$0.00	0.0%
2600--Terminal Operations & Environmental Monitoring	\$1,600.00	(\$1,600.00)	\$0.00		\$0.00	\$0.00	\$0.00	0.0%
2800--Information and Education Committee	\$1,600.00	(\$1,101.00)	\$499.00	\$499.00	\$0.00	\$499.00	\$0.00	0.0%
<b>Subtotals</b>	<b>\$184,407.00</b>	<b>(\$58,351.00)</b>	<b>\$126,056.00</b>	<b>\$100,761.11</b>	<b>\$0.00</b>	<b>\$100,761.11</b>	<b>\$25,294.89</b>	<b>20.1%</b>

3/23/2022 9:52 AM

As of March 23, 2022

Prince William Sound Regional Citizens' Advisory Council  
Budget Status Report -- FY 2022

	Budget			Actual and Commitments			Remaining	
	Original	Modifications	Revised	Actual	Commitments	Total	Amount	Percent
<b>General and Administrative</b>								
1000--General and Administrative	\$515,477.00	\$13,750.00	\$529,227.00	\$375,629.52	\$4,440.00	\$380,069.52	\$149,157.48	28.2%
1050--General and Administrative--Anchorage	\$138,803.00		\$138,803.00	\$119,681.50	\$17,853.00	\$137,534.50	\$1,268.50	0.9%
1100--General and Administrative--Valdez	\$180,180.00		\$180,180.00	\$112,646.94	\$17,608.00	\$130,254.94	\$49,925.06	27.7%
1300--Information Technology	\$106,390.00	\$70,000.00	\$176,390.00	\$107,521.73	\$0.00	\$107,521.73	\$68,868.27	39.0%
<b>Subtotals</b>	<b>\$940,850.00</b>	<b>\$83,750.00</b>	<b>\$1,024,600.00</b>	<b>\$715,479.69</b>	<b>\$39,901.00</b>	<b>\$755,380.69</b>	<b>\$269,219.31</b>	<b>26.3%</b>
<b>Subtotals</b>	<b>\$4,182,255.00</b>	<b>\$118,803.00</b>	<b>\$4,301,058.00</b>	<b>\$2,548,000.23</b>	<b>\$493,753.00</b>	<b>\$3,041,753.23</b>	<b>\$1,259,304.77</b>	<b>29.3%</b>
<b>Contingency (Current Year Budget)</b>	<b>\$100,000.00</b>	<b>\$111,881.00</b>	<b>\$211,881.00</b>			<b>\$0.00</b>	<b>\$211,881.00</b>	<b>100.0%</b>
<b>Total Expenses</b>	<b>\$4,282,255.00</b>	<b>\$230,684.00</b>	<b>\$4,512,939.00</b>	<b>\$2,548,000.23</b>	<b>\$493,753.00</b>	<b>\$3,041,753.23</b>	<b>\$1,471,185.77</b>	<b>32.6%</b>
<b>Increase (Decrease) in Net Assets</b>	<b>(\$543,211.00)</b>	<b>(\$210,684.00)</b>	<b>(\$753,895.00)</b>	<b>\$1,171,206.65</b>	<b>(\$493,753.00)</b>	<b>\$677,453.65</b>	<b>(\$1,431,348.65)</b>	<b>189.9%</b>

## PWSRCAC Director Attendance Record

May 2022

(Attendance recorded through March 8, 2022 Special Board Meeting)

<b>Board Member</b> <i>(date appointed)</i>	<b>Overall Attendance</b> <i># attended / # missed</i>	<b>Last 3 Mtgs.*</b> <i># attended / # missed</i>	<b>Term Expires</b>
Archibald, Robert <i>(May 2015)</i>	37/1	2/1	5/23
Bauer, Amanda <i>(May 2012)</i>	52/1	3/0	5/23
Beedle, Robert <i>(May 2013)</i>	44/4	2/1	5/24
Bender, Mike <i>(Sept. 2015)</i>	33/4	2/1	5/24
Crump, Nick <i>(May. 2021)</i>	4/2	1/2	5/23
Cutrell, Ben <i>(Jan. 2020)</i>	13/0	3/0	5/24
Domitrovich, Patrick <i>(May 2021)</i>	3/3	1/2	5/23
Donaldson, Wayne <i>(Jan. 2015)</i>	37/2	3/0	5/23
Haggarty, Mako <i>(May 2015)</i>	29/7	3/0	5/23
Hasenbank, Luke <i>(May 2016)</i>	27/7	1/2	5/24
Herschleb, Curtis <i>(to be seated May 2022)</i>	0/0	0/0	5/24
Jackson, Elijah <i>(May 2021)</i>	4/2	2/1	5/23
Kodiak Island Borough <i>(to be seated May 2022)</i>	0/0	0/0	5/24
Malchoff, Melvin <i>(Sept. 2016)</i>	19/11	3/0	5/24
Moore, Dorothy <i>(Jan. 2007)</i>	78/1	3/0	5/24
Shavelson, Bob <i>(Sept. 2014)</i>	46/5	2/1	5/24
Totemoff, Angela <i>(May 2021)</i>	5/1	2/1	5/23
Vigil, Michael <i>(Sept. 2015)</i>	28/9	3/0	5/24
Kirk Zinck <i>(May 2019)</i>	17/1	3/0	5/23

\* PWSRCAC policy states that member groups will be notified in writing if their appointed Board member misses three consecutive Board meetings.

Note: Overall attendance includes all voting meetings (quarterlies and special Board teleconferences), but does not include non-voting meetings (e.g. LRP, budget workshops or Board retreats).



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# PRINCE WILLIAM SOUND

## REGIONAL CITIZENS' ADVISORY COUNCIL

### PWSRCAC Committee Member Attendance Record

Port Operations and Vessel Traffic Systems (POVTS)			
Committee Member	Overall	Last 3 mtgs	Term Expires
Robert Archibald (Director)	21/0	3/0	5/22
Amanda Bauer (Director) (Vice Chair)	33/6	2/1	5/22
Steve Lewis (Chair)	17/0	3/0	5/23
Max Mitchell	1/0	1/0	5/22
Gordon Terpening	11/1	3/0	5/22

Oil Spill Prevention and Response (OSPR)			
Committee Member	Overall	Last 3 mtgs	Term Expires
Robert Beedle (Director)	33/13	2/1	5/23
Mike Bender (Director)	24/11	1/2	5/22
Jerry Brookman	118/6	1/2	5/22
Dave Goldstein	70/21	2/1	5/22
Jim Herbert (Chair)	48/0	3/0	5/23
John LeClair (Vice Chair)	75/27	3/0	5/23
Gordon Scott	67/72	0/3	5/23
Skye Steritz	4/3	1/2	5/23

Terminal Operations & Environmental Monitoring (TOEM)			
Committee Member	Overall	Last 3 mtgs	Term Expires
Amanda Bauer (Director) (Chair)	52/8	3/0	5/22
Harold Blehm	48/9	3/0	5/23
Matt Cullin	16/7	2/1	5/22
Mikkel Foltmar	30/12	2/1	5/23
Steve Goudreau	27/14	1/2	5/23
Tom Kuckertz	34/8	3/0	5/23
George Skladal (Vice Chair)	130/11	3/0	5/22
Patrick Tomco	6/8	1/2	5/23

Ratios are # meetings present/ # of absences

<b>Scientific Advisory Committee (SAC)</b>			
<b>Committee Member</b>	<b>Overall</b>	<b>Last 3 mtgs</b>	<b>Term Expire</b>
Sarah Allan	74/7	2/1	5/22
Wei Cheng	43/5	3/0	5/23
Wayne Donaldson (Director)	61/5	3/0	5/23
Roger Green	140/19	2/1	5/23
Davin Holen (Chair)	53/4	3/0	5/22
John Kennish	132/12	3/0	5/23
Dorothy Moore (Director)	119/9	2/1	5/23
Debasmita Misra	55/50	0/3	5/22

<b>Information &amp; Education Committee (IEC)</b>			
<b>Committee Member</b>	<b>Overall</b>	<b>Last 3 mtgs</b>	<b>Term Expires</b>
Patience Anderson Faulkner (Director)	68/15	3/0	5/23
Trent Dodson (Chair)	25/23	3/0	5/23
Jane Eisemann (Vice Chair)	73/10	3/0	5/23
Cathy Hart	64/21	2/1	5/23
Andrea Korbe	27/19	1/2	5/23
Ruth E. Knight	68/8	3/0	5/24
Savannah Lewis <i>*since recomittal date</i>	35/0*	3/0	5/23
Kate Morse	48/27	1/2	5/24

**Ratios are # meetings present/ # of absences**

## **Current List of Board Committee Members**

As of March 2022

### **Executive Committee**

- Robert Archibald, President
- Amanda Bauer, Vice President
- Wayne Donaldson, Treasurer
- Bob Shavelson, Secretary
- Rebecca Skinner, Member-at-Large
- Ben Cutrell, Member-at-Large
- Robert Beedle, Member-at-Large

### **Board Governance Committee**

- Luke Hasenbank (Chair)
- Dorothy Moore
- Patience Andersen Faulkner
- Mike Bender
- Robert Beedle

### **Finance Committee**

- Wayne Donaldson (Treasurer)
- Robert Archibald
- Rebecca Skinner
- Mako Haggerty
- Angela Totemoff

### **Long Range Planning Committee**

- Robert Archibald
- Amanda Bauer
- Patience Andersen Faulkner
- Elijah Jackson
- Davin Holen (SAC Chair)
- Amanda Bauer (TOEM Chair)
- Trent Dodson (IEC Chair)
- Jim Herbert (OSPR Chair)
- Steve Lewis (POVTS Chair)
- Cathy Hart (IEC)

### **Legislative Affairs Committee**

- Dorothy Moore
- Robert Archibald
- Rebecca Skinner
- Mako Haggerty
- Robert Beedle
- Angela Totemoff
- Kirk Zinck

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**Prince William Sound Regional Citizens' Advisory Council**  
**One-Page Strategic Plan**

**Mission Statement:** Citizens promoting the environmentally safe operation of the Alyeska terminal and associated tankers

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**Core Purpose:** Citizen oversight to prevent oil spills, minimize environmental impacts and promote response readiness

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**Core Values**

- Represent the interests of our stakeholders by providing an effective voice for citizens
  - The foundation of PWSRCAC is volunteerism
  - Promote vigilance and combat complacency
  - Organizational transparency and integrity through truth and objectivity
  - Foster environmental stewardship
- 

**Overarching Goals and Objectives** (see pages 14-16 for a more complete list of objectives)

- **Compliance with OPA90 and Alyeska contractual requirements.**
  - ❖ Annual re-certification and funding
  - ❖ Maintain regional balance
  - ❖ Link projects and programs to OPA90 and Alyeska contract
- **Continue to improve environmental safety of oil transportation in our region.**
  - ❖ Monitor and review development of, and compliance with, laws and regulations
  - ❖ Pursue risk-reduction measures and promote best available technologies and best practices
  - ❖ Monitor operations and promote a safe and clean marine terminal
  - ❖ Monitor and review the condition of the tanker fleet/maritime operations
  - ❖ Monitor and promote the safe operation of all Alyeska/SERVS-related on-water assets
  - ❖ Monitor and review environmental indicators
  - ❖ Promote and facilitate effective research for scientific, operational and technical excellence
- **Develop and maintain excellent external and internal communication.**
  - ❖ Advocate for government and industry measures to improve the environmental safety of oil transportation
  - ❖ Maintain and improve relationships with government, industry and communities
  - ❖ Be the model for citizen oversight and provide support for other citizens' advisory groups
  - ❖ Ensure availability of PWSRCAC information
  - ❖ Work to improve availability of information to PWSRCAC from industry sources
- **Achieve organizational excellence.**
  - ❖ Effective short and long term planning, with clear and measurable goals for projects
  - ❖ Fiscally responsible, efficient, and easily understood financial procedures and reporting
  - ❖ Committed to continuous improvement
  - ❖ Recognize people as the most important asset of the organization
  - ❖ Recruit and develop knowledgeable and committed Board members, volunteers and staff
  - ❖ Strong volunteer structure and support for volunteers

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# PWSRCAC BOARD AND EXECUTIVE COMMITTEE ACTIONS

Meeting Date Action Item



**PRINCE WILLIAM SOUND**  
REGIONAL CITIZENS' ADVISORY COUNCIL

Board	3/8/2022	<b>Approval of FY2022 Budget Modifications:</b> The Board approved the proposed FY2022 budget modifications as listed on the provided sheets totaling \$100,551, bringing the contingency fund to \$211,881. Are these modifications in place?	<b>File Code</b> (if any)	<b>Responsible</b> Hamilton	<b>Disposition</b> Done
Board	3/8/2022	<b>Rescind Temporary Travel Restrictions:</b> The Board approved rescinding the temporary COVID-19 travel restrictions in their entirety. Have the temporary restrictions been rescinded?	<b>File Code</b> (if any)	<b>Responsible</b> Crawford	<b>Disposition</b> Done
Board	3/8/2022	<b>Council May 5-6, 2022 Board meeting and associated events:</b> The Board approved holding the May 2022 Board meeting in-person with the following COVID-19 safety mitigations in place: Mask wearing required except when eating/drinking or speaking into a microphone; social distancing of a minimum of three feet encouraged; hand sanitization stations placed at convenient locations; commonly touched surfaces disinfected daily; lunch served via boxed lunch and drinks individually packaged; and clearly state on meeting agenda and announcements that anyone experiencing symptoms of COVID-19 should not attend the meeting. Are members made aware of this action?	<b>File Code</b> (if any)	<b>Responsible</b> Fleming	<b>Disposition</b> Done
Board	3/8/2022	<b>Secondary Containment Adjudicatory Hearing Project:</b> The Board approved an FY 2022 budget modification of \$75,000 from the Contingency Fund to Project 6512 Secondary Containment Adjudicatory Hearing, for costs associated with legal counsel and technical expert consultation; and, authorize expenditures for attorney and expert fees related to the Secondary Containment Adjudicatory Hearing, delegating authority to XCOM to approve individual contracts for experts. The Board expectation is that staff will provide updates to the Board in an attempt to manage expenses. Are these steps in place?	<b>File Code</b> (if any)	<b>Responsible</b> Lally	<b>Disposition</b> Done
Board	3/8/2022	<b>Executive Director Annual Evaluation:</b> The Board approved a 5.5% pay increase effective immediately and approved extending the Executive Director's contract for one year. Are these steps in place?	<b>File Code</b> (if any)	<b>Responsible</b> Hamilton	<b>Disposition</b> Done
Board	1/27/2022	<b>Resolution Designating PWSRCAC Check Signers:</b> The Board approved the adoption of resolutions provided by First National Bank Alaska to update the list of authorized individuals to sign checks and conduct financial transactions on PWSRCAC's account. Is this process in place?	<b>File Code</b> (if any)	<b>Responsible</b> Hamilton	<b>Disposition</b> Done



# PWSRCAC BOARD AND EXECUTIVE COMMITTEE ACTIONS

Meeting Date Action Item



**PRINCE WILLIAM SOUND**  
REGIONAL CITIZENS' ADVISORY COUNCIL

Board	1/27/2022	<b>Budget Modification and Delegation of Authority for New Accounting System:</b> The Board approved FY2022 budget modification in the amount of \$60,000 to hire an outside consultant to assist with the design, implementation, and training of a new accounting system; and delegation of authority to the Executive Committee to enter into a contract with the selected contractor to develop and implement the Council's new accounting system, at an amount not to exceed \$60,000. Are these steps in place?	<b>File Code</b> (if any)		<b>Responsible</b> Hamilson	<b>Disposition</b> Pending
Board	1/27/2022	<b>Report Acceptance: Impacts from the April 2020 VMT Spill:</b> The Board accepted the report titled "Mussel Oiling and Genetic Response to the April 2020 Valdez Marine Terminal Spill: Executive Summary" by Elizabeth Bowen, William B. Driskell, James R. Payne, Austin Love, Eric Litman, and Brenda Ballachey, dated August 20, 2021, as meeting the terms and conditions of Contract 951.21.05 and research contribution 951.21.07, and for distribution to the public. Is this report in place?	<b>File Code</b> (if any)	951.431.210820.2020VMTspill	<b>Responsible</b> Love	<b>Disposition</b> Done
Board	1/27/2022	<b>Comments on Proposed Changes to ADEC Prevention Requirements:</b> The Board approved PWSRCAC's "Comments on Proposed Changes to Oil Prevention Requirements in the Regulations of the Alaska Department of Environmental Conservation" to be submitted to the Alaska Department of Environmental Conservation by the date due of January 31, 2022. Have these comments been submitted?	<b>File Code</b> (if any)	600.105.220128.ADECRegRefrmCmts	<b>Responsible</b> Swiss	<b>Disposition</b> Done
Board	1/27/2022	<b>Report Acceptance: EPA NESHAP-OLD Air Quality Rule:</b> The Board accepted the report "2020 Updates to 40 CFR 63, Subpart EEEE – National Emissions Standards for Hazardous Air Pollutants for Organic Liquids Distribution (Non-Gasoline): A Review of the Appeal by Alyeska Pipeline Service Company" by John Beath Environmental as meeting the terms and conditions of Contract 5057.21.01, and for distribution to the public. Has the report been distributed?	<b>File Code</b> (if any)	557.431.220113.JBEneshapVMT	<b>Responsible</b> Love	<b>Disposition</b> Done
Board	1/27/2022	<b>Comments to EPA on NESHAP OLD:</b> The Board directed staff to prepare and send a letter to the EPA supporting Alyeska's appeal of the 2020 NESHAP-OLD Air Quality Rule. Has the letter been sent?	<b>File Code</b> (if any)	557.105.220307.EPAnespapAPSC	<b>Responsible</b> Love	<b>Disposition</b> Done
Board	1/27/2022	<b>Report Acceptance: 2021 Annual Drill Monitoring Report:</b> The Board accepted the 2021 Annual Drill Monitoring Report. Is this report in place?	<b>File Code</b> (if any)	752.431.220127.DrillMon2021	<b>Responsible</b> Robertson	<b>Disposition</b> Done
Board	1/27/2022	<b>Report Acceptance: Forage Fish Survey:</b> The Board accepted the report titled "2021 Prince William Sound Forage Fish Observations" by Dr. Scott Pegau of the Prince William Sound Science Center, dated September 21, 2021, as meeting the terms and conditions of Council Contract 9511.21.01, and for distribution to the public. Is this report in place?	<b>File Code</b> (if any)	900.431.220921.PegauForageRpt	<b>Responsible</b> Verna	<b>Disposition</b> Done

# PWSRCAC BOARD AND EXECUTIVE COMMITTEE ACTIONS

Meeting Date Action Item



**PRINCE WILLIAM SOUND**  
REGIONAL CITIZENS' ADVISORY COUNCIL

Board	1/27/2022	<b>Adjudicatory Hearing on ADEC's Decision on the Secondary Containment Liner Testing Requirements for the Valdez Marine Terminal:</b> The Board approved an expression of support for the January 18, 2022 Executive Committee decision to authorize the Executive Director to file the request for an adjudicatory hearing on the VMT C-Plan in response to ADEC's decision related to the secondary containment liner, and the authorization of \$50,000 for this effort recognizing that additional funds may need to be allocated in future budgets. Is this action in place?	<b>File Code</b> (if any)	<b>Responsible</b> Schantz	<b>Disposition</b> Done
Board	1/27/2022	<b>Adjudicatory Hearing on ADEC's Decision on the Secondary Containment Liner Testing Requirements for the Valdez Marine Terminal:</b> The Board delegated authority to Executive Director Donna Schantz, President Robert Archibald, and Vice President Amanda Bauer to act on behalf of the full Board during discussions related to the Council's adjudicatory hearing request, with the understanding that any substantive decisions will be brought to the Board for approval.	<b>File Code</b> (if any)	<b>Responsible</b> Schantz	<b>Disposition</b> Done
Board	1/27/2022	<b>Approval of LTEMP Research Contribution:</b> The Board approved that PWSRCAC provide the United States Geological Survey with a research contribution of \$75,555 to genetically analyze blue mussel samples obtained to monitor the environmental impacts of the April 12, 2020 oil spill at the Valdez Marine Terminal. Is this contribution in place?	<b>File Code</b> (if any)	<b>Responsible</b> Love	<b>Disposition</b> Done
Board	1/27/2022	<b>LTEMP FY2022 Contract Approval:</b> 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. Are these steps in place?	<b>File Code</b> (if any)	<b>Responsible</b> Love	<b>Disposition</b> Done
Board	1/27/2022	<b>Approval of PWSRCAC's Annual Long Range Plan:</b> The Board approved PWSRCAC's Five-Year Long Range Plan for Fiscal Years 2023-2027 as developed and finalized for consideration by the Board at the January 26, 2022 Long Range Plan work session. Is the plan in place?	<b>File Code</b> (if any)	<b>Responsible</b> Lally	<b>Disposition</b> Done
XCOM	1/18/2022	<b>Acceptance of Emergency Towing Arrangements on Tank Vessels Project Memorandum:</b> The Board accepted the project memorandum titled "Emergency Towing Arrangements on Tank Vessels" dated January 10, 2022 by Glosten. Is this report in place?	<b>File Code</b> (if any)	<b>Responsible</b> Sorum	<b>Disposition</b> Done

# PWSRCAC BOARD AND EXECUTIVE COMMITTEE ACTIONS

Meeting Date Action Item



**PRINCE WILLIAM SOUND**  
REGIONAL CITIZENS' ADVISORY COUNCIL

XCOM	1/18/2022	<b>Approval of In-State Travel:</b> The Executive Committee approved in-state travel for Jim Herbert and Cathy Hart to attend the February 4-6, 2022, Alaska Tsunami Oceans Sciences Bowl in Seward at an estimated cost of \$900 per traveler. Has the travel taken place?	<b>File Code</b> (if any)	<b>Responsible</b> Fleming	<b>Disposition</b> Done - trip canceled
XCOM	1/18/2022	<b>ADEC Decision Regarding Liner Testing Requirements:</b> The Executive Committee authorized the Executive Director to file a request for an adjudicatory hearing on the VMT C-Plan in response to ADEC's December 22, 2021 decision related to the secondary containment liner; and authorized an initial fund transfer in FY2022 of \$50,000 from the contingency fund to a new project for this effort, recognizing that additional funds will need to be allocated in future budgets. Is this in place?	<b>File Code</b> (if any)	<b>Responsible</b> Schantz	<b>Disposition</b> Done
XCOM	1/18/2022	<b>Agenda for Upcoming PWSRCAC Board Meeting:</b> The Executive Committee approved the agenda for the PWSRCAC Board meeting, January 27-28, 2022, as amended. Has the agenda been distributed?	<b>File Code</b> (if any)	<b>Responsible</b> Fleming	<b>Disposition</b> Done
XCOM	12/16/2021	<b>Approval of Contract Change Order with John Beath Environmental:</b> The Executive Committee approved a budget modification from the contingency fund to project 5057 EPA 2020 NESHAP-OLD Air Quality Rule in an amount of \$5,850; and approved a contract change order for contract # 5057.21.01 with John Beath Environmental in the amount of \$5,850, bringing the total amount of the contract to an amount not to exceed \$45,050 for work to develop comments on the NESHAP-OLD Air Quality Rule. Is this budget modification and contract change order in place?	<b>File Code</b> (if any)	<b>Responsible</b> Love	<b>Disposition</b> Done
XCOM	12/16/2021	<b>POVTS Member Appointment:</b> The Executive Committee appointed Max Mitchell to the POVTS Committee with a term set to expire at the May 2022 annual Board meeting. Is this appointment in place?	<b>File Code</b> (if any)	<b>Responsible</b> Vanderburt	<b>Disposition</b> Done
XCOM	12/16/2021	<b>Planning and Process for Executive Director Evaluation:</b> The Executive Committee approved a recommendation to the full Board in January 2022 to stand up a committee to re-evaluate the Executive Director evaluation process. Has the Board been made aware of this recommendation?	<b>File Code</b> (if any)	<b>Responsible</b> Schantz	<b>Disposition</b> Done
Board	10/15/2021	<b>Correction to FY2022 Budget Modifications:</b> The Board amended the September 17, 2021 Board action by approving the FY2022 budget modifications as listed in the provided sheet, with the corrected revised contingency in the amount of \$286,946. Is this amendment in place?	<b>File Code</b> (if any)	<b>Responsible</b> Dixon	<b>Disposition</b> Done

# PWSRCAC BOARD AND EXECUTIVE COMMITTEE ACTIONS

Meeting Date Action Item



**PRINCE WILLIAM SOUND**  
REGIONAL CITIZENS' ADVISORY COUNCIL

Board	10/15/2021	<b>Contract Increase for State Legislative Monitor Contract:</b> The Board amended the September 16, 2021 Board action by increasing the amount of the state legislative monitor contract by \$1,700 per year, and authorizing 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 \$25,700 per year. Is this contract in place?	<b>File Code</b> (if any)	<b>Responsible</b> Wrede	<b>Disposition</b> Done
Board	10/15/2021	<b>Updated June 30, 2021 Audited Financial Statements:</b> The Board amended the September 16, 2021 Board action by accepting the updated June 30, 2021 audited financial statements as presented.	<b>File Code</b> (if any)	<b>Responsible</b> Dixon	<b>Disposition</b> Done
Board	9/16/2021	<b>Contract Approval:</b> Crude Oil Tank 7 and BWT Tank 94 Maintenance Review: The Board authorized 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. Is this contract in place?	<b>File Code</b> (if any)	<b>Responsible</b> Love	<b>Disposition</b> Done
Board	9/16/2021	<b>CONTRACT APPROVAL: STATE LEGISLATIVE MONITOR:</b> The Board authorized 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. Is this contract in place? (See 10/15/2021 Special Board Meeting for more information.)	<b>File Code</b> (if any)	<b>Responsible</b> Wrede	<b>Disposition</b> Done
Board	9/16/2021	<b>REPORT ACCEPTANCE: FIELD TRIALS OF MESSENGER LINE-THROWING DEVICES:</b> The Board accepted 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. Is this report in place?	<b>File Code</b> (if any)	<b>Responsible</b> Sorum	<b>Disposition</b> Done
Board	9/16/2021	<b>FY2021 AUDIT ACCEPTANCE:</b> The Board accepted the June 30, 2021, audited financial statements and audit report as presented. Are these documents in place?	<b>File Code</b> (if any)	<b>Responsible</b> Dixon	<b>Disposition</b> Done
Board	9/16/2021	<b>REPORT ACCEPTANCE: MARINE WINTER BIRD SURVEY:</b> The Board accepted 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. Is this report in place?	<b>File Code</b> (if any)	<b>Responsible</b> Verna	<b>Disposition</b> Done

# PWSRCAC BOARD AND EXECUTIVE COMMITTEE ACTIONS

Meeting Date Action Item



**PRINCE WILLIAM SOUND**  
REGIONAL CITIZENS' ADVISORY COUNCIL

Board	9/16/2021	<b>CONTRACT APPROVAL: DETERMINING CONCENTRATION AND COMPOSITION OF OXYGENATED HYDROCARBONS FROM THE VALDEZ MARINE TERMINAL:</b> The Board authorized 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. Is this contract in place?	<b>File Code</b> (if any)	
			<b>Responsible</b>	<b>Disposition</b>
			Verna	Done
Board	9/16/2021	<b>REPORT ACCEPTANCE: A SUMMARY OF DISPERSANTS RESEARCH:</b> The Board accepted 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. Is this report in place?	<b>File Code</b> (if any)	955.431.210501.ResearchSum17-21.pdf
			<b>Responsible</b>	<b>Disposition</b>
			Oliver/Verna	Done
Board	9/16/2021	<b>REPORT ACCEPTANCE: PORT VALDEZ WEATHER BUOY DATA ANALYSIS:</b> The report accepted 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. Is this report in place?	<b>File Code</b> (if any)	653.431.210802.PtVdzWxBuoyData
			<b>Responsible</b>	<b>Disposition</b>
			Sorum	Done
Board	9/16/2021	<b>REPORT ACCEPTANCE: HISTORY OF CONTINGENCY PLANNING:</b> The Board accepted the following documents written by Nuka Research and Planning Group: "Prince William Sound Tanker Oil Discharge Prevention & Contingency Plan: Summary (1995-2020)" (August 10, 2021); "Prince William Sound Tanker Oil Discharge Prevention & Contingency Plan: Compendium of Event Summaries (1995-2020)" (August 10, 2021); and "Prince William Sound Tanker Plan History Timetable." Are these documents in place?	<b>File Code</b> (if any)	651.431.210810.TankerPlanHistory
			<b>Responsible</b>	<b>Disposition</b>
			Swiss	Done
Board	9/16/2021	<b>PROPOSED AMENDMENT TO PWSRCAC BYLAWS:</b> The approved 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 "Division of Homeland Security and Emergency Management, Alaska Department of Military and Veterans Affairs." Are these amendments in place?	<b>File Code</b> (if any)	
			<b>Responsible</b>	<b>Disposition</b>
			Fleming	Done
Board	9/16/2021	<b>PWSRCAC LONG RANGE PLANNING:</b> The Board approved the protected project list for the upcoming Long Range Planning process as presented in Attachment A to Item 4-8 briefing sheet. Is this document in place?	<b>File Code</b> (if any)	
			<b>Responsible</b>	<b>Disposition</b>
			Lally	Done
Board	9/16/2021	<b>APPROVAL OF FY2022 BUDGET MODIFICATIONS:</b> The Board approved 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. Are these modifications in place?	<b>File Code</b> (if any)	
			<b>Responsible</b>	<b>Disposition</b>
			Dixon	Done

# PWSRCAC BOARD AND EXECUTIVE COMMITTEE ACTIONS

Meeting Date Action Item



**PRINCE WILLIAM SOUND**  
REGIONAL CITIZENS' ADVISORY COUNCIL

Board	9/16/2021	<b>COUNCIL JANUARY 2022 EVENTS:</b> The Board authorized a deviation from the Board-approved regular meeting schedule by holding the January 26-28, 2022, PWSRCAC events virtually.	<b>File Code</b> (if any)	<b>Responsible</b> Fleming	<b>Disposition</b> Done
XCOM	9/9/2021	<b>Council January 2022 Event:</b> The Executive Committee approved sending a recommendation to the Board that the January 2022 Board of Directors meeting be held virtually. Has the Board been made aware of this recommendation?	<b>File Code</b> (if any)	<b>Responsible</b> Fleming	<b>Disposition</b> Done
XCOM	9/9/2021	<b>Agenda for Upcoming PWSRCAC Board Meeting:</b> The Executive Committee approved the agenda for the virtual PWSRCAC Board meeting, September 16-17, 2021, with amendments outlined by staff.	<b>File Code</b> (if any)	<b>Responsible</b> Fleming	<b>Disposition</b> Done
XCOM	8/12/2021	<b>Acceptance of Alaska Ocean Observing System Grant:</b> The Executive Committee accepted the \$20,000 grant from the Alaska Ocean Observing System for purchase and installation of Conductivity, Temperature, Depth (CTD) sensors for use in Port Valdez, contingent upon staff review for the final grant documentation. Is this grant in place?	<b>File Code</b> (if any)	<b>Responsible</b> Sorum	<b>Disposition</b> Done
XCOM	8/12/2021	<b>Contract Approval - Marine Bird Winter Survey Project:</b> The Executive Committee approved a sole source contract with the Prince William Sound Science Center to conduct Project 9110 - Prince William Sound Marine Winter Bird Survey at tan amount not to exceed \$40,400. Is this contract in place?	<b>File Code</b> (if any)	<b>Responsible</b> Verna	<b>Disposition</b> Done
XCOM	8/12/2021	<b>Report Acceptance: Vessel Traffic Services, Use of Automatic Identification System and Radar:</b> The Executive Committee accepted the report titled "Vessel Traffic Services, Use of Automatic Identification System and Radar" by C-Core dated July 1, 2021 as meeting the terms and conditions of contract number 8013.21.01, with direction to staff to forward the report to the Alaska Delegation and others. Is this report in place?	<b>File Code</b> (if any) 801.431.210701.CCoreVTSais	<b>Responsible</b> Sorum	<b>Disposition</b> Done
XCOM	6/16/2021	<b>Approval of Contract with John Beath Environmental, LLC:</b> The Executive Committee approved a contract with John Beath Environmental, LLC, for for an amount not to exceed \$39,200, to execute Council project #5057.21.01. Is this contract in place?	<b>File Code</b> (if any)	<b>Responsible</b> Love	<b>Disposition</b> Done

# PWSRCAC BOARD AND EXECUTIVE COMMITTEE ACTIONS

Meeting Date Action Item



**PRINCE WILLIAM SOUND**  
REGIONAL CITIZENS' ADVISORY COUNCIL

XCOM	6/16/2021	<b>Council December 2021 and January 2022 Events:</b> The Executive Committee decided to hold the December 2021 Volunter Workshop virtually, with no Volunteer Party and Science Night, and January 2022 events in-person with conditions to be decided upon later this year. Have the PWSRCAC staff and volunteers been made aware of these decisions?	<b>File Code</b> (if any)	<b>Responsible</b> Fleming	<b>Disposition</b> Done
Board	5/21/2021	<b>Approval of FY2022 Budget:</b> The Board adopted the FY2022 budget as presented during the budget workshop on May 19, 2021, and as described in the Proposed FY2022 Budget Book dated April 27, 2021, including the adjustments outlined during the workshop (total income is (\$3,739,044, total expenses are \$4,182,255, contingency is \$100,000, and net assets used are \$543,211). Is this budget in place?	<b>File Code</b> (if any)	<b>Responsible</b> Dixon	<b>Disposition</b> Done
Board	5/21/2021	<b>Approval of FY2022 C-Plan Contractor Poll &amp; Contractor:</b> The Board authorized individual contracts with Attorney Breck Tostevin; Nuka Research & Planning Group, LLC.; Polaris Applied Sciences, Inc.; and Shannon & Wilson for professional services with the aggregate total not to exceed the amount approved for 651 Contingency Plan Review in the Final FY2022 budget, and delegated authority to the Executive Director to enter into individual contracts with these selected consultants. Are these contracts in place?	<b>File Code</b> (if any)	<b>Responsible</b> Swiss	<b>Disposition</b> Done
Board	5/21/2021	<b>Approval of FY2022 LTEMP Contractors:</b> 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.	<b>File Code</b> (if any)	<b>Responsible</b> Love	<b>Disposition</b> Done
Board	5/21/2021	<b>Board Committee Appointments:</b> The Board appointed Patience Andersen Faulkner and Luke Hasenbank to the Board Governance Committee and Patience Andersen Faulkner to the Long Range Planning Committee. Are these appointments in place?	<b>File Code</b> (if any)	<b>Responsible</b> Fleming	<b>Disposition</b> Done
Board	5/21/2021	<b>Amicus Curiae</b> Brief In Support Of The Appeal of RCA Order P-19-017: The Board delegated authority to the Executive Committee to approve amendments to the amicus curiae brief that was approved by the Board at the January 2021 meeting to incorporate components of the Regulatory Commission of Alaska's Order 17. The amicus curiae brief is in support of the City of Valdez's Appeal of the Regulatory Commission of Alaska's ruling relating to the disclosure of Hilcorp/Harvest Alaska's financial information. Is the Executive Committee aware of this action?	<b>File Code</b> (if any)	<b>Responsible</b> Lally	<b>Disposition</b> Done
Board	5/6/2021	<b>Director Appointments:</b> The Board approved the confirmation of the two-year terms of the selected representatives for each of the member entities as follows: R. Archibald (Homer); W. Donaldson (Kodiak); K. Zinck (Seldovia); P. Domitrovich (Seward); A. Bauer (Valdez); M. Haggerty (Kenai Peninsula Borough); N. Crump (PWSAC); and, A. Totemoff (Tatitlek Corp & IRA Council). Are these appointments in place?	<b>File Code</b> (if any)	<b>Responsible</b> Fleming	<b>Disposition</b> Done

# PWSRCAC BOARD AND EXECUTIVE COMMITTEE ACTIONS

Meeting Date Action Item



**PRINCE WILLIAM SOUND**  
REGIONAL CITIZENS' ADVISORY COUNCIL

Board	5/6/2021	<b>Election of Officers and Executive Committee Members-At-Large:</b> The Board elected the following: Archibald as President; Bauer as Vice President; Donaldson as Treasurer; Shavelson as Secretary; and Skinner, Cutrell and Beedle as Members-at-Large. Are these appointments in place?	<b>File Code</b> (if any)	<b>Responsible</b> Fleming	<b>Disposition</b> Done
Board	5/6/2021	<b>Resolution Designating PWSRCAC Check Signers:</b> The Board adopted the resolutions provided by First National Bank Alaska to update the list of authorized individuals to sign checks and conduct financial transactions on PWSRCAC's accounts. Is the resolution in place?	<b>File Code</b> (if any)	<b>Responsible</b> Dixon	<b>Disposition</b> Done
Board	5/6/2021	<b>Approval of FY2021 Budget Modifications:</b> The Board approved the proposed budget modifications reducing expenses by \$121,160. Are these modifications in place?	<b>File Code</b> (if any)	<b>Responsible</b> Dixon	<b>Disposition</b> Done
Board	5/6/2021	<b>Approval of Amendments to Policy 106 Pertaining to Executive Session:</b> The Board approved the proposed amendment to Board Policy 106 as recommended by the Board Governance Committee. Are these changes in place?	<b>File Code</b> (if any)	<b>Responsible</b> Fleming	<b>Disposition</b> Done
Board	5/6/2021	<b>Approval of Amendments to Policy 604 Pertaining to Employee Pay Dates:</b> The Board approved the proposed amendments to Board Policy 604 changing the semi-monthly pay dates from the 8th and the 22nd of each month to the 10th and the 24th, to take effect the first payroll of June 2021. Are these changes in place?	<b>File Code</b> (if any)	<b>Responsible</b> Fleming	<b>Disposition</b> Done
Board	5/6/2021	<b>Approval of Technical Committee Appointments:</b> The Board made the following two-year technical committee appointments W. Donaldson, J. Kennish, W. Chang, D. Moore, and R. Green to SAC; H. Blehm, M. Foltmar, S. Goudreau, T. Kuckertz and P. Tomco to TOEM; J. Herbert, J. LeClair, G. Scott and S. Steritz to OSPR; C. Chambers, and S. Lewis to POVTS, and, T. Dodson, J. Eisemann, C Hart, A. Korbe, S. Lewis, and P. Faulkner to IEC. Are these appointments in place?	<b>File Code</b> (if any)	<b>Responsible</b> Vanderburg &	<b>Disposition</b> Done
Board	5/6/2021	<b>Contract Approval for Smithsonian Environmental Research Center:</b> The Board authorized a contract with Smithsonian Environmental Research Center (SERC) for work to be performed under the 920 Marine Invasive Species Project FY2021 budget, at an amount not to exceed \$46,450. Is this contract in palce?	<b>File Code</b> (if any)	<b>Responsible</b> Love	<b>Disposition</b> Done



# PWSRCAC BOARD AND EXECUTIVE COMMITTEE ACTIONS

Meeting Date Action Item



**PRINCE WILLIAM SOUND**  
REGIONAL CITIZENS' ADVISORY COUNCIL

Board	5/6/2021	<b>Approval of Contract Compliance Verification Report:</b> The Board accepted the PWSRCAC/Alyeska Annual Contract Compliance Verification Report. Is the report in place?	<b>File Code</b> (if any) 100.109.210310.ContrComplRpt	<b>Responsible</b> Dixon	<b>Disposition</b> Done
Board	5/6/2021	<b>Review of Cathodic Protection Systems at the Valdez Marine Service:</b> The Board accepted the report titled "Review of Cathodic Protection Systems at the Valdez Marine Terminal" by Keith Boswell of National Pipeline Services as meeting the terms and conditions of Contract 5998.19.02, with direction to staff to forward the report to Alyeska and state and federal regulators accompanied by a cover letter summarizing the findings and recommendations with request for appropriate action. Are these steps in place?	<b>File Code</b> (if any) 500.431.210414.NPScpVMT 500.105.210614.AlyeskaCPS	<b>Responsible</b> Love	<b>Disposition</b> Done
Board	5/6/2021	<b>Crude Oil Storage Tank 8 Maintenance Review:</b> The Board accepted the report titled "Crude Oil Storage Tank 8 Maintenance Review" by William Mott of Taku Engineering, dated April 2021, as meeting the terms and conditions of Contract 5056.20.01, with direction to staff to forward the report to Alyeska and state and federal regulators accompanied by a cover letter summarizing findings and recommendations with requests for appropriate action. Are these steps in place?	<b>File Code</b> (if any) 500.431.210401.TakuTank8Maint 500.105.210614.AlyeskaTank8	<b>Responsible</b> Love	<b>Disposition</b> Done
Board	5/6/2021	<b>Rescue Tugboat Best Available Technology Assessment:</b> The Board accepted the report titled "Best Available Technology Assessment for the Hinchinbrook Entrance ETB" by Glosten as meeting the terms and conditions of Contract 8010.21.01 and allowing distribution of the report to the public. Are these steps in place?	<b>File Code</b> (if any) 801.431.210421.GlostenHEetvBAT	<b>Responsible</b> Sorum	<b>Disposition</b> Done
Board	5/6/2021	<b>Web-Based Regional Stakeholder Committee Project:</b> The Board accepted the Web-Based Regional Stakeholder Committee Resources project, led by contractor Nuka Planning and Research as having met all the contractual terms set forth in the contract.	<b>File Code</b> (if any) <a href="https://www.pwsrac.org/rsc/">https://www.pwsrac.org/rsc/</a>	<b>Responsible</b> Robida	<b>Disposition</b> Done
Board	5/6/2021	<b>Approval of IRS Form 990:</b> The Board authorized the Executive Director to sign form 990 on behalf of PWSRCAC and submit it to the IRS on or before May 15, 2021. Has the form been filed?	<b>File Code</b> (if any)	<b>Responsible</b> Dixon	<b>Disposition</b> Done
Board	5/6/2021	<b>Coping with Technological Disasters Guidebook &amp; Appendices:</b> The Board accepted the document titled "Coping with Technological Disasters: A User Friendly Guidebook" Version 4 and the 11 associated appendices, titled as Appendices A-K, as final and to be distributed publicly. Are these documents in place?	<b>File Code</b> (if any) 656.431.210501.CopeTechDstrsR4	<b>Responsible</b> Love	<b>Disposition</b> Done

# PWSRCAC BOARD AND EXECUTIVE COMMITTEE ACTIONS

Meeting Date Action Item



**PRINCE WILLIAM SOUND**  
REGIONAL CITIZENS' ADVISORY COUNCIL

Board	5/6/2021	<b>LTEMP 2020 Sampling Results &amp; Interpretations Report Approval:</b> The Board accepted the reports titled "Long Term Environmental Monitoring Program: 2020 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. Is this report in place?	<b>File Code</b> (if any)	951.431.210401.2020AnnualRpt	<b>Responsible</b>	<b>Disposition</b>
					Love/Verna	Done
Board	5/6/2021	<b>Port Valdez Mussel Transcriptomics Monitoring Report Approval:</b> The Board accepted the report titled "Using Mussel Transcriptomics for Environmental Monitoring in Port Valdez, Alaska 2019 and 2020 Pilot Study Results" dated February 17, 2021, as meeting the terms and conditions of Contract 951.21.06 and for distribution to the public. Is this report in place?	<b>File Code</b> (if any)	951.431.210217.MusslTrnscripRpt	<b>Responsible</b>	<b>Disposition</b>
					Love/Verna	Done
Board	5/6/2021	<b>Scheduling of September 2021 Board Meeting:</b> The Board approved a deviation from the Board-approved regular meeting schedule by holding the September 16-17, 2021 PWSRCAC Board meeting virtually, shifting the rotation of the annual community meeting so that the September 2022 meeting is held in Seward, and delegated authority to the Executive Committee to make decisions regarding future in-person Council events. Are these steps in place?	<b>File Code</b> (if any)		<b>Responsible</b>	<b>Disposition</b>
					Fleming	Done
Board	5/6/2021	<b>Annual Board Committee Appointments:</b> The Board made the following appointments: Donaldson (Treasurer and chair) A. Totemoff, Skinner, Haggerty and Archibald to the Finance Committee; Bauer, E. Jackson, Archibald, the five chairs of the technical committees, and C. Hart to the Long Range Planning Committee; Moore, Beedle and Bender to the Board Governance Committee; and, Moore, Skinner, Zinck, Beedle, Haggerty, Archibald, and A. Totemoff to the Legislative Affairs Committee. Are these appointments in place?	<b>File Code</b> (if any)		<b>Responsible</b>	<b>Disposition</b>
					Fleming	Done
XCOM	4/27/2021	<b>Revised Temporary COVID 19 Travel Restrictions:</b> The Executive Committee approved rescinding the Temporary Travel Restrictions on Board Travel Policies (the 700 series) approved by the Executive Committee on April 30, 2020, with the following exceptions and guidance: a) The suspension of in-person meetings remains in effect until lifted by the Board or the Executive Committee. b) Individual Board or committee member travel to conferences, business meetings, trainings, or other Council-related business will be approved by the Board or the Executive Committee on a case by case basis, with careful consideration given to the individual circumstances of each request and the most recent and relevant CDC, state, and local travel advisories and mandates. Are these amendments in place?	<b>File Code</b> (if any)		<b>Responsible</b>	<b>Disposition</b>
					Wrede	Done
XCOM	4/27/2021	<b>Scheduling for September 2021 Board Meeting:</b> The Executive approved sending a recommendation to the Board to hold the September 2021 meeting virtually, and requested that the Board delegate authority to the Executive Committee to make the decision on future in-person Council events. Are these steps in place?	<b>File Code</b> (if any)		<b>Responsible</b>	<b>Disposition</b>
					Fleming	Done

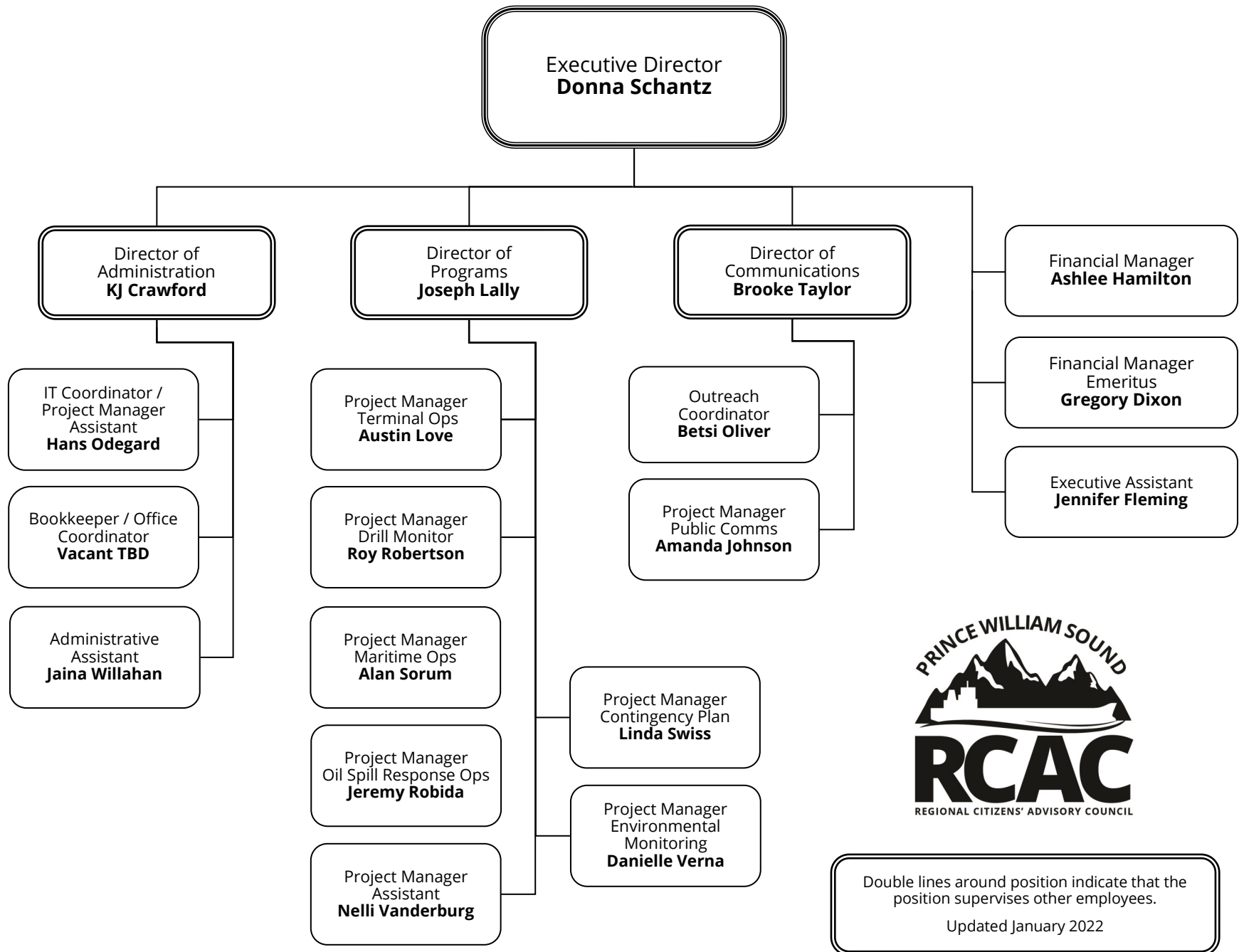
# PWSRCAC BOARD AND EXECUTIVE COMMITTEE ACTIONS

Meeting Date Action Item



**PRINCE WILLIAM SOUND**  
REGIONAL CITIZENS' ADVISORY COUNCIL

XCOM	4/27/2021	<b>Agenda for Upcoming PWSRCAC Board Meeting:</b> The Executive Committee approved the agenda for the PWSRCAC Board meeting teleconference scheduled for May 6-7, 2021, as amended. Has the agenda been distributed?	<b>File Code</b> (if any)	<b>Responsible</b> Fleming	<b>Disposition</b> Done
Board	4/2/2021	<b>Contract increase and budget Modification for Project 8010 Rescue Tugboat Best Available Technology Assessment:</b> The Executive Committee approved a contract increase and change order with Glosten for project 8010 Rescue Tugboat Best Available Technology Assessment in the amount of \$2,745, bringing the total contract amount to \$66,220, and authorized a budget modification from the contingency fund to project 8010 to cover this increase. Are these steps in place?	<b>File Code</b> (if any)	<b>Responsible</b> Sorum	<b>Disposition</b> Done
Board	4/2/2021	<b>Reinstatement of Environmental Monitoring Project Manager Position:</b> The Board approved reinstating the Environmental Monitoring Project Manager position into the operating budget and organizational chart and authorized the Executive Director to temporarily waive Policy 618 that addresses the Cost of Living differential paid to Valdez-based to include Cordova. Are these steps in place?	<b>File Code</b> (if any)	<b>Responsible</b> Lally	<b>Disposition</b> Done
Board	4/2/2021	<b>Executive Director Annual Evaluation:</b> The Board extended the Executive Director's contract for one year, and awarded her a \$2,000 bonus to be paid from the FY2021 budget. Are these steps in place?	<b>File Code</b> (if any)	<b>Responsible</b> Dixon	<b>Disposition</b> Done
XCOM	3/1/2021	<b>Field Trials of Messenger Line Throwing Devices Contract Approval:</b> The Executive Committee approved a sole source contract with Glosten for Project 8012 - Field Trials of Messenger Line Throwing Devices for a total cost of \$73,500. Is this contract in place?	<b>File Code</b> (if any)	<b>Responsible</b> Sorum	<b>Disposition</b> Done



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**Consent Item Briefing for PWSRCAC Board of Directors – May 2022**

**ACTION ITEM**

**Sponsor:** Ashlee Hamilton, Financial Manager  
**Project number and name or topic:** 100 - General Administration Financial Management

1. **Description of agenda item:** Staff is requesting that the Board of Directors adopt resolutions updating the persons authorized to sign checks and transact other business on the organization's account at First National Bank Alaska (FNBA). Staff is requesting that the Board of Directors pass bank-provided resolutions to update PWSRCAC's signature cards with FNBA. Those authorized to sign checks on behalf of PWSRCAC will include the Board Officers (president, vice president, secretary, and treasurer), the Executive Director (Donna Schantz), the Director of Administration (KJ Crawford), the Director of Programs (Joe Lally), and one to two other Board members who reside in the Anchorage area. Having Board members who reside in the Anchorage area authorized to sign checks is helpful in order to obtain signatures in a timely manner and to save costs, as this avoids having to mail checks back and forth outside of the Anchorage area to obtain signatures. The resolution will also provide for the Financial Manager to receive bank information, but not approve any transactions.
2. **Why is this item important to PWSRCAC:** Bank authorizations need to reflect current Board members and staff. To maintain adequate internal controls, we require that checks written on the main checking account have two signatures and if the amount of the check is \$15,000 or more, one of those signers must be a Board member.
3. **Action Requested of the Board of Directors:** Adopt the resolutions provided by First National Bank Alaska to update the list of authorized individuals to sign checks and conduct financial transactions on PWSRCAC's account.
4. **Alternatives:** None proposed.
5. **Attachments:** None.

**Consent Agenda Briefing for PWSRCAC Board of Directors – May 2022**

**ACTION ITEM**

**Sponsor:** Linda Swiss

**Project number and name or topic:** 651/Contingency Plan Review

1. **Description of agenda item:** In January 2010, the Board approved a process where contractors are selected to provide technical advice on contingency plan reviews every five years. The method involves a full competitive bid process through a Request for Qualifications (RFQ). An evaluation team made up of staff and volunteers review and rank submittals to the RFQ, and contractors are selected to provide expert advice. Each contractor selected verifies on an annual basis their availability to provide expert advice to the PWSRCAC.

Since FY1998, work on projects related to oil spill prevention and response plans (c-plans) has been managed using pre-qualified contractors. The primary project manager administers the contracts, and the c-plan project team discusses specific activities and makes recommendations for action to be taken. Pre-identifying technical experts/contractors for use in PWSRCAC's review of c-plans and various issues associated with the plans is a timesaving, cost-effective process.

Pre-qualified technical experts for Project 651/Oil Spill Prevention and Response Planning were previously selected and approved to provide services for a five-year period. These experts include:

- (1) Attorney Breck Tostevin
- (2) Nuka Planning and Research, LLC.
- (3) Polaris Applied Sciences, Inc.

2. **Why is this item important to PWSRCAC:** The tanker and facility c-plan approval process includes important actions that could potentially impact every member organization, as c-plans outline response and prevention activities that a spiller will be required to undertake to protect our region's shorelines in the event of a spill. Review of c-plans is a major task for PWSRCAC as outlined in both the PWSRCAC/Alyeska contract and OPA 90. Having adequate expertise readily available to perform plan reviews and tasks related to the plans, a process that is often driven by external deadlines, is key to PWSRCAC fulfilling its plan review mission. It is important to be prepared and have the expertise and resources readily available to address issues as they arise.

The Prince William Sound Tanker Oil Discharge Prevention and Contingency Plan (Tanker C-Plan) was renewed in January 2022 and expires in 2027. The Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan (VMT C-Plan) was renewed in November 2019 and expires in 2024.

## Approval of FY2023 C-Plan Contractor Pool & Contract Authorization 3-2

3. **Previous actions taken by the Board on this item:** The concept of a C-Plan Contractor pool has been conducted by PWSRCAC since 1997, was formally approved in 2010 and 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 Linda Swiss for additional information.

<b><u>Meeting</u></b>	<b><u>Date</u></b>	<b><u>Action</u></b>
Board	May 2017	Approved individual contracts with Brendan Environmental, E-Tech Environmental, Harvey Consulting, Nuka Research and Planning, Pegasus Environmental for professional services with the aggregate total not to exceed the amount approved for 651 Contingency Plan Review in the FY2018 budget, and delegate authority to the Executive Director to enter into individual contracts with selected consultants.
Board	Sept 2017	Approved individual contracts with Sharry Miller and 152 Degrees West Environmental Services with the aggregate total not to exceed the amount approved for 651 Contingency Plan Review in the FY2018 budget
Board	May 2018	Approved individual contracts with Harvey Consulting, Integrity Environmental, Nuka Research and Planning, and Shannon & Wilson for professional services with the aggregate total not to exceed the amount approved for 651 Contingency Plan Review in the FY2019 budget, and delegate authority to the Executive Director to enter into individual contracts with selected consultants.
Board	May 2019	Approved individual contracts with Harvey Consulting, Integrity Environmental, Nuka Research and Planning, and Shannon & Wilson for professional services with the aggregate total not to exceed the amount approved for 651 Contingency Plan Review in the FY2020 budget, and delegate authority to the Executive Director to enter into individual contracts with selected consultants.
Board	May 2020	Approved individual contracts with, Integrity Environmental, Nuka Research and Planning, Polaris Applied Sciences, Shannon & Wilson, and 152 Degrees West Environmental Services for professional services with the aggregate total not to exceed the amount approved for 651 Contingency Plan Review in the FY2021 budget, and delegate authority to the Executive Director to enter into individual contracts with selected consultants.
XCOM	July 2020	Approved Attorney Breck Tostevin to the selected contingency plan contractor list, and delegate authority to the Executive Director to enter into an individual contracts with the pre-approved selected consultants with the aggregate total not to exceed \$80,000.
Board	May 2021	Approved individual contracts with Attorney Breck Tostevin, Nuka Research and Planning, Polaris Applied Sciences, and Shannon & Wilson for professional services with the aggregate total not to exceed the amount approved for 651 Contingency Plan Review in the FY2023 budget, and delegate authority to the Executive Director to enter into individual contracts with selected consultants.

4. **Summary of policy, issues, support, or opposition:** In the past, Board members have expressed concerns regarding PWSRCAC's use of pre-qualified experts/consultants. In 2010, the OSPR Committee addressed this process and made the following recommendation, which was approved by the Board at the January 2010 meeting:

**Process for Contingency Plan Contractor Selection:** Advertise Request for Qualifications (RFQ) for contingency plan contractor technical support every five (5) years. Selected contractors will be included on a list of qualified contingency plan



## Approval of FY2023 C-Plan Contractor Pool & Contract Authorization 3-2

contractors and will be valid for a five-year term. Interested contractors are welcome to submit qualifications at any time to be considered for inclusion on the list of qualified contractors. The list of qualified contingency plan contractors will be submitted to the Board for approval at the next Board meeting following OSPR Committee recommendation. An annual letter will be submitted to contractors on the list to confirm availability and any other changes.

The Board has recognized that the current RFQ method appears to be the most time-efficient, cost-saving process identified for managing the c-plan review process and related tasks.

5. **Committee Recommendation:** The OSPR Committee approved the pre-selected contractors for FY2023.

6. **Relationship to LRP and Budget:** Project 651 - Contingency Plan Review is in the approved FY2023 budget and annual work plan. The proposed FY2023 budget for project 651 is \$120,000 with \$80,000 allocated for contracts. Please refer to the approved FY2023 budget for the most up-to-date amount.

7. **Action Requested of the Board of Directors:** Authorize individual contracts with Attorney Breck Tostevin; Nuka Research and Planning Group, LLC.; and Polaris Applied Sciences, Inc. for professional services, with the aggregate total not to exceed the amount approved for 651 Contingency Plan Review in the final FY2023 budget, and delegate authority to the Executive Director to enter into individual contracts with selected consultants.

## 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.

## Consent Item Briefing for PWSRCAC Board of Directors – May 2022

**ACTION ITEM**

**Sponsor:** Austin Love and the Terminal Operations and Environmental Monitoring Committee

**Project number and name or topic:** 5081 – Storage Tank Maintenance Review

1. **Description of agenda item:** This agenda item requests Board approval of a contract with Taku Engineering LLC for work associated with the Council's Storage Tank Maintenance Review project focused on the inspection and repair of Ballast Water Tank 93. The specific action for the Board's consideration includes:

- Authorize a sole source contract negotiation and execution with Taku Engineering LLC for work to complete the Council's Storage Tank Maintenance Review project focused on the inspection and repair of Ballast Water Tank 93 at an amount not to exceed \$60,000.

Taku Engineering has been selected twice through the Council's competitive bid, request for proposals (RFP) process, once in 2020 and again in 2021, for work that is essentially the same as that which would be performed through this project – the main difference being each iteration of the project involved different storage tanks. Taku Engineering provides the Council with unparalleled expertise pertaining to the maintenance of the storage tanks at the Valdez Marine Terminal and has successfully executed their work with the Council since 2020.

2. **Why is this item important to PWSRCAC:** The Oil Pollution Act of 1990 instructs the Council to "monitor those aspects of terminal facilities' and crude oil tankers' operations and maintenance which affect or may affect the environment in the vicinity" of the Valdez Marine Terminal (VMT). This project is focused on monitoring the maintenance of storage tanks at the terminal. In 2022, ballast water storage Tank 93 is undergoing scheduled, comprehensive, internal inspection and repair. That internal inspection and repair work is essential in order to prevent a spill from Tank 93, which can store about 500,000 barrels of oil-contaminated water. These comprehensive tank inspections typically occur every 10-20 years and provide an opportune time to review not only the results of the internal inspections, but also other important tank-maintenance aspects that have occurred since each tank's last internal inspection. Tank 93's last internal inspection occurred in 2012. This project generally involves conducting a third party, technical review of the work that's been done to maintain Tank 93 since its last internal inspection, as well as the results of its 2022 internal inspection, and identifying recommendations that could improve the maintenance of this tank.

## Approval of Storage Tank Maintenance Review Contract Authorization 3-4

### 3. **Previous actions taken by the Board on this item:**

<u>Meeting</u>	<u>Date</u>	<u>Action</u>
XCOM	9/18/06	Tank Weld Issues at Alyeska's VMT: The Board of Directors approved and directed that 1) Contractor Susan Harvey will complete her report; 2) A PWSRCAC project team will be formed to review the Harvey report. The Board will receive the report simultaneously with the project team; 3) Alyeska & regulators will receive a copy of the report after the project team review & possible revision; and 4) it is anticipated that the final report be submitted to the Board for approval at its January meeting.
Board	5/2/07	Tank Integrity Issues Report: The Board of Directors accepted the four reports on tank integrity issues prepared by Harvey Consulting, LLC, on Tanks 55, 5, 16 and 93 as meeting the terms and conditions of the contract 505.2007.01 and for public distribution; and referral of the reports to the TOEM Committee for further review and any additional follow-up.
XCOM	2/9/12	VMT Tank 5 Report Approval: The Executive Committee approved the report titled "Valdez Marine Terminal Crude Oil Storage Tank 5" dated January 25, 2012 by HCLLC, and directed staff to provide the report to ADEC requesting that the inspection waiver granted for Tank 5 be reconsidered.
XCOM	4/28/15	Tank 13 Internal & External Inspection Review: The Executive Committee approved the report titled, VMT Crude Oil Tank 13 Inspection Review, completed by Harvey Consulting, LLC, for distribution to industry, regulatory, and public stakeholders and to be posted and available for download on the PWSRCAC website.
XCOM	6/26/15	Tank 13 Internal & External Inspection Review: The Executive Committee approved the revised report, VMT Crude Oil Tank 13 Inspection Review, completed by Harvey Consulting, LLC, for distribution to industry, regulatory, and public stakeholders and to be posted and available for download on the PWSRCAC webpage.
Board	7/31/15	Tank 14 Internal & External Inspection Review: The Executive Committee approved the report titled "VMT Crude Oil Tank 14 Inspection Review" by Harvey Consulting, LLC, for distribution.
Board	5/21/20	Approval of FY2020 Contract and Budget Modification for Project 5056 Tank 8 Internal Inspection Review: The Board authorized a budget modification adding \$56,233 to the Tank 8 Internal Inspection Review Project 5056 in the FY2020 PWSRCAC budget; and authorizing the Executive Director to enter into a contract with Taku Engineering LLC., for work to review the inspection and repair of Tank 8, at an amount not to exceed \$71,233.
Board	5/6/2021	Crude Oil Storage Tank 8 Maintenance Review: The Board accepted the report titled "Crude Oil Storage Tank 8 Maintenance Review" by William Mott of Taku Engineering, dated April 2021, as meeting the terms and conditions of Contract 5056.20.01, with direction to staff to forward the report to Alyeska and state and federal regulators accompanied by a cover letter summarizing findings and recommendations with requests for appropriate action.
Board	9/16/2021	Contract Approval: Crude Oil Tank 7 and BWT Tank 94 Maintenance Review: The Board authorized 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.

### 4. **Summary of policy, issues, support or opposition:** None.

### 5. **Committee Recommendation:** The TOEM committee's recommendation regarding this request will be provided to the Board at or prior to the Board meeting.

6. **Relationship to LRP and Budget:** Project 5081 – Storage Tank Maintenance Review is included in the proposed FY2023 budget with \$60,000 allocated for use on a contract for professional services, such as the one being presented here.
7. **Action Requested of the Board of Directors:** Authorize sole source contract negotiation and execution with Taku Engineering LLC for work to complete the Council's Storage Tank Maintenance Review project focused on the inspection and repair of Ballast Water Tank 93 at an amount not to exceed the amount included in the Board approved FY2023 budget.
8. **Alternatives:** None recommended.
9. **Attachments:** None.



**Consent Agenda Briefing for PWSRCAC Board of Directors – May 2022****ACTION ITEM**

**Sponsor:** Donna Schantz & Gregory Dixon  
**Project number and name or topic:** 100 – Annual Alyeska Contract  
 Compliance Verification Report

1. **Description of agenda item:** Staff is seeking approval of the annual contract compliance verification report required by the FY2010 audit settlement between Alyeska and PWSRCAC.
2. **Why is this item important to PWSRCAC:** The 2010 Audit Settlement Agreement between PWSRCAC and Alyeska states that PWSRCAC will have its Executive Director and Financial Manager annually review the organization's compliance with the terms and conditions of the contract with Alyeska and will report the results of this review to the PWSRCAC Board. Gregory Dixon, Financial Manager Emeritus, co-authored this report with the Executive Director because he served as Financial Manager during FY2021.
3. **Previous actions taken by the Board on this item:** A version of the Contract Compliance Verification report has been completed annually and approved by the Board since May 2013.
4. **Summary of policy, issues, support, or opposition:** Since 2012, the Council has had its financial statement auditor perform additional agreed upon procedures to help in validating contract compliance. The Finance Committee has reviewed the results of the BDO agreed-upon procedures report at its meeting on April 12, 2022.
5. **Committee Recommendation:** The Finance Committee reviewed a draft copy of the FY2021 PWSRCAC/Alyeska Contract Compliance Verification report prepared by Donna Schantz, Executive Director, and Gregory Dixon, Financial Manager Emeritus, at its meeting on April 12, 2022. The Finance Committee recommends that the full Board of Directors approve the report.
6. **Relationship to LRP and Budget:** None.
7. **Action Requested of the Board of Directors:** Accept the PWSRCAC/Alyeska Annual Contract Compliance Verification Report.
8. **Attachments:** Annual Contract Compliance Verification Report to be provided under separate cover. *(Board members only.)*



<b>Briefing for PWSRCAC Board of Directors – May 2022</b>
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**ACTION ITEM**

**Sponsor:** Board of Directors

**Project number and name or topic:** Board of Directors' 2022 Appointments

1. **Description of agenda item:** Several Directors' terms expire in May 2022. This briefing sheet outlines the nominations received from PWSRCAC member organizations.

<b>Member Organization</b>	<b>Director with Term Expiring in 2020</b>	<b>Director Nominated by Member Organization</b>
Alaska State Chamber of Commerce	Luke Hasenbank	Luke Hasenbank
Chenega IRA Council / Chenega Corporation	Michael Vigil	Michael Vigil
Chugach Alaska Corporation	Ben Cutrell	Ben Cutrell
City of Cordova	Robert Beedle	Robert Beedle
City of Valdez	Dorothy Moore	Dorothy Moore
City of Whittier	Mike Bender	Mike Bender
Cordova District Fishermen United	Patience Andersen Faulkner	Curtis Herschleb
Kodiak Island Borough	Rebecca Skinner	Aimee Williams
Oil Spill Region Environmental Coalition	Bob Shavelson	Bob Shavelson
Port Graham Corporation	Melvin Malchoff	Melvin Malchoff

2. **Why is this item important to PWSRCAC:** Two-year terms and regular confirmations of individuals on the Board of Directors are mandated by the PWSRCAC Bylaws.
3. **Action Requested of the Board of Directors:** Confirm the two-year terms of the selected representatives for each of the member entities listed above.
4. **Attachments:** None.

**Briefing for PWSRCAC Board of Directors – May 2022**

**ACTION ITEM**

**Sponsor:** Robert Archibald, Board President  
**Project number and name or topic:** Resolution Recognizing Patience Andersen Faulkner

1. **Description of agenda item:** The Board of Directors is asked to consider a resolution recognizing Patience Andersen Faulkner, as she is retiring from the Board after 24 years of service. PWSRCAC has a practice of recognizing Board members that have served 10 years or more by resolution upon their retirement.
2. **Why is this item important to PWSRCAC:** It is important to recognize volunteers who have contributed more than a decade of service to the Council's mission of "Citizens promoting environmentally safe operation of the Alyeska terminal and associated tankers."
3. **Action Requested of the Board of Directors:** Approve the resolution recognizing Patience Andersen Faulkner for her 24 years of service to the Council.
4. **Alternatives:** None.
5. **Attachments:** Proposed resolution recognizing Patience Andersen Faulkner to be provided under separate cover.

## Briefing for PWSRCAC Board of Directors – May 2022

**ACTION ITEM**

**Sponsor:** Jeremy Robida and the Oil Spill  
Prevention and Response (OSPR)  
Committee

**Project number and name or topic:** 6540 - Geographic Response Planning  
for the Copper River Delta and Flats

1. **Description of agenda item:** The Board is being asked to accept the white paper entitled, “Geographic Response Planning for the Copper River Delta and Flats,” which captures the current state and history of developing sensitive area protection strategies for the Copper River Delta and Flats region. The white paper author, Sierra Fletcher, with Nuka Research and Planning Group will provide a presentation on this topic to the Board.

2. **Why is this item important to PWSRCAC:** The “Copper River Delta and Flats GRS Plan” (CRDF plan) was created in 1999, and until 2018, had been included in the Prince William Sound Area Contingency Plan. When all Alaska Area Contingency Plans underwent a major format change in 2018, Council staff noticed that the CRDF plan was no longer included in the PWS Area Contingency Plan. The 136-page CRDF plan captured protection strategies, maps, and other relevant logistical information to help aid in oil recovery and in protecting the Copper River Delta vicinity. The CRDF plan was constructed via a workgroup process, which was put in motion because of legal challenges to the 1995 tanker contingency plan by Cordova citizens who feared a tanker spill would impact the Copper River Delta and Flats region. This project was developed through the OSPR Committee to better understand the history of developing this CRDF plan and analyze what content is still relevant today. Knowing that the Copper River Delta and Flats region is a unique and ecologically rich area deserving of pre-planning attention, the Council would like the PWS Area Committee to once again address protection strategies in Area planning documents.

3. **Previous actions taken by the Board on this item:**

<u>Meeting</u>	<u>Date</u>	<u>Action</u>
Board	1/28/2021	Approve Project 6540 – Copper River Delta and Flats GRS History in the amount of \$20,000 to commence in FY2021. Authorize a budget modification from the contingency fund in the amount of \$20,000.

4. **Summary of policy, issues, support, or opposition:** None.

5. **Committee Recommendation:** This white paper was reviewed and discussed at the February 19, 2022, OSPR Committee meeting, and a short presentation on white paper findings was provided by Nuka Research and Planning. The OSPR Committee recommends Board acceptance.

## Geographic Response Planning for the Copper River Delta & Flats 4-3

6. **Relationship to LRP and Budget:** Project 6540 – Copper River Delta/Flats GRS History is in the approved FY2022 budget and annual workplan.

### 6540--Copper River Delta/Flats GRS History

As of March 23, 2022

#### FY-2022 Budget

Original	\$20,000.00
Modifications	
Revised Budget	<u>\$20,000.00</u>

#### Actual and Commitments

Actual Year-to-Date	\$18,000.00
Commitments (Professional Services)	<u>\$2,000.00</u>
Actual + Commitments	<u>\$20,000.00</u>

Amount Remaining	<u>\$0</u>
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7. **Action Requested of the Board of Directors:** Accept the white paper titled, "Geographic Response Planning for the Copper River Delta and Flats," by Nuka Research as meeting the terms and conditions of contract 6540.22.01, and for distribution to the public.
8. **Alternatives:** No alternatives are being suggested by the Project Manager or the OSPR Committee.
9. **Attachments:** White paper titled, "Geographic Response Planning for the Copper River Delta and Flats," by Nuka Research.

# GEOGRAPHIC RESPONSE PLANNING FOR THE COPPER RIVER DELTA AND FLATS

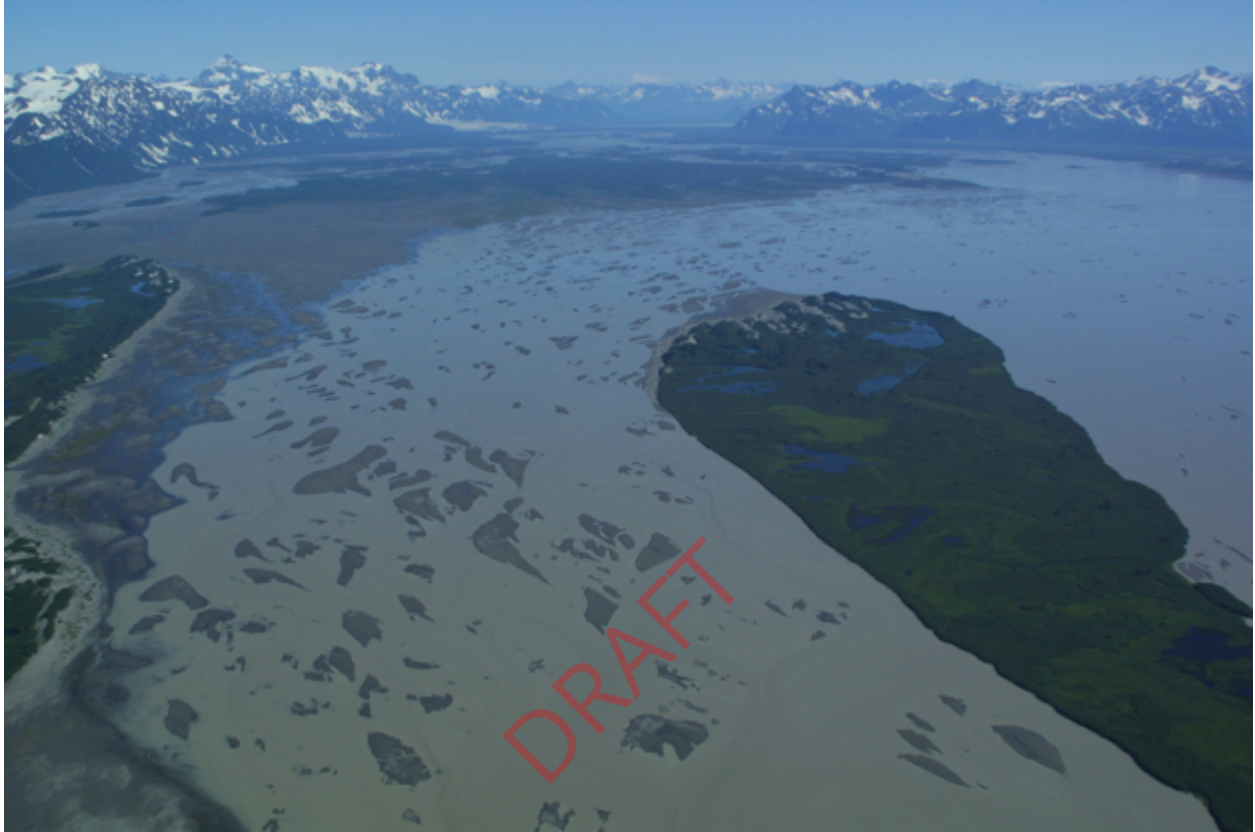
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DRAFT

Report to Prince William Sound  
Regional Citizens' Advisory Council  
**March 2022**

Sierra Fletcher, Breck Tostevin, and Tim Robertson





***Mouth of the Copper River, 2004 (photo: Tim Robertson)***

The opinions expressed in this PWSRCAC-commissioned report are not necessarily those of PWSRCAC.

## Acronyms

ACP	Area Contingency Plan
ADEC	Alaska Department of Environmental Conservation
APSC	Alyeska Pipeline Services Company
BPOSC	BP Oil Shipping Company
CDFU	Cordova District Fishermen United
COA	Conditions of Approval
COTP	Captain of the Port
CRD&F	Copper River Delta and Flats
CRD&F Plan	Copper River Delta and Flats GRS (document resulting from Settlement Agreement)
DOI	U.S. Department of Interior
EPA	U.S. Environmental Protection Agency
GOA	Gulf of Alaska
GRS	Geographic Response Strategy
MOA	Memorandum of Agreement
NOAA	National Oceanic and Atmospheric Administration
OPA 90	Oil Pollution Act of 1990
OSRO	Oil Spill Removal Organization
PRAC	Primary Response Action Contractor
PWG	Project Work Group
PWS	Prince William Sound
PWSRCAC	Prince William Sound Regional Citizens' Advisory Council
RCP	Regional Contingency Plan
RPG	Response Planning Group
SCP	Subarea Contingency Plan
TAPS	Trans Alaska Pipeline System
Tanker C-plan	Prince William Sound Tanker Oil Discharge Prevention and Contingency Plan
UFA	United Fisherman for Alaska
USCG	U.S. Coast Guard

## Executive Summary

Prince William Sound Regional Citizens' Advisory Council (PWSRCAC) contracted Nuka Research and Planning Group, LLC and Nielsen Koch, PLLC to review the history of the development of geographic response strategies (GRS) for the Copper River Delta and Flats (CRD&F) area east of Prince William Sound. This area hosts numerous species, cultural sites, and important fisheries. It is also a challenging operational area, with high energy beaches, shallow tidal waters and changing channels, barrier islands, and braided river drainages.

The CRD&F was the focus of a 1995–1998 effort by the Cordova District Fishermen United (CDFU) and United Fishermen of Alaska to improve response planning for the area. A CRD&F-specific response plan was developed in 1998–1999 due to a contentious set of proceedings around the first approval under new regulations of a State-mandated oil spill response plan for Trans Alaska Pipeline System tankers transiting Prince William Sound. The CRD&F Plan document was adopted into the government response plan for Prince William Sound and vicinity in 1999, as had been agreed in a legal settlement among the fisheries organizations, oil shippers, and Alaska Department of Environmental Conservation (ADEC). However, the CRD&F Plan was left out of later versions of government plan and is no longer included in any response plans accessible today.

While much of the information in the 1999 CRD&F Plan duplicates information in current versions of both government and company response plans today, there are also many suggestions based on local knowledge of the area that are not currently available to responders. No CRD&F GRS were ever developed through the statewide process that also began in the late 1990s. That process resulted in the development of hundreds of GRS along most of the coast of Alaska that were adopted into government response plans.

Based the research conducted for this project and our own experience with the issues, the authors conclude that:

1. Response strategies identified for the CRD&F should be improved upon and made available to responders there.
2. The CRD&F Plan has information that is potentially as useful as other GRS and should be included in the statewide process for testing and improving GRS in the future or added to the Prince William Sound (PWS) Tanker Plan.
3. Caution should be taken regarding the incorporation of materials by reference within important plan documents.
4. Local knowledge is critical to safe operations in the CRD&F and opportunities should be sought to ensure the CRD&F is adequately covered in the PWS Area Contingency Plan and Alyeska Pipeline Service Company's (APSC) Ship Escort/Response Vessel system (SERVS) fishing vessel trainings.



5. The Gulf of Alaska Agreements between today's shippers and APSC should be shared with ADEC, CDFU, and PWSRCAC

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## Contents

1. Introduction and Background .....	1
2. Adjudication Regarding the Copper River Delta & Flats (1995–1999) .....	6
3. CRD&F Plan (1999) .....	13
4. Prince William Sound GRS Workgroup (2000–2009) .....	18
5. Copper River Delta & Flats Exercises .....	24
6. Recommendations for Future Consideration.....	27
8. Conclusion .....	30
Bibliography.....	31
Appendix A: Summary Timeline .....	A-1
Appendix B: Geographic Delineations in Response Regulations .....	B-1

## List of Tables

Table 1.	1998 settlement agreement .....	10
Table 2.	Summary of exercises .....	26
Table B-1.	Regulatory roles and response areas.....	B-3

## List of Figures

Figure 1.	Map .....	5
Figure 2.	Areas designated in CRD&F Plan .....	15
Figure 3.	Example tactical deployment map .....	16
Figure 4.	Potential GRS sites from workgroup process .....	20
Figure 5.	Photos from 2004 overflight .....	21
Figure 6.	Two sites recommended for GRS at end of workgroup .....	22
Figure 7.	Example "GRS" from ADEC website .....	23
Figure B-1.	Regulatory roles and response areas.....	B-4

# GEOGRAPHIC RESPONSE PLANNING FOR THE COPPER RIVER DELTA AND FLATS

## White Paper

March 2022

### 1. Introduction and Background

This white paper describes the development of geographic response strategies (GRS) for the Copper River Delta and Flats (CRD&F). The purpose of this project was to capture the history of developing GRS strategies in the CRD&F vicinity and characterize the current status of information related to maximizing response preparedness for this sensitive region.

Nuka Research and Planning Group, LLC and Nielsen Koch, PLLC developed this white paper under contract to the Prince William Sound Regional Citizens' Advisory Council (PWSRCAC). The authors' own recollections guided the review of documents kept by PWSRCAC and Nuka Research. Individuals involved in past efforts were contacted in effort to fill gaps that could not be resolved through document research alone, but given the passage of time, these participants' recollections did not provide additional insights beyond those contained in the documents themselves.

#### Importance of the Copper River Delta and Flats Region

Reaching the Pacific Ocean just southeast of Prince William Sound (PWS), the Copper River has the distinction of being one of the largest rivers on the Pacific coast of North America that has not been significantly altered by dams, levees, riprap, irrigation diversions, sewers, or heavy industry (Christensen et al, 2000). The area is recognized for its productive fisheries, wildlife habitat, and cultural heritage.

The Copper River ecosystem spans some two million acres, from the peaks and glaciers of the Wrangell and St. Elias Mountains, some of the highest in North America, to the Gulf of Alaska. Its watershed is 18% glaciated, contributing to the largest sediment load—69 million tons per year—of all rivers in Alaska. These glacial sediments, visible in the satellite image used in Figure 1, spread into a 35-mile-wide alluvial fan along the Pacific coast, forming the area referred to as the delta and flats. This area is “the productive interface between the marine environment and the coastal rain forest” (ADFGc, 2021) and noted as

“one of the most biologically rich areas in the country” (The Nature Conservancy, 2007), as well as “globally significant to the conservation of biodiversity” (Cline, 2005). The CRD&F is one of seventeen State Critical Habitat Areas in Alaska, created to protect particularly rich habitats (ADFGa, 2021). The beaches, aquatic habitats, and barrier island bars provide productive foraging and breeding areas to a great diversity of land and marine mammal species (ADFGc, 2022). Photography, flightseeing, guided bear and moose hunts, and other charter tours are an integral part of the Cordova economy (Cordova Chamber, 2021).

Each spring, an estimated 12 million shorebirds, the largest gathering of shorebirds in the western hemisphere, stop along the shores of the Copper River Delta on their way to more northern nesting grounds. Late summer and fall bring the southward migration of shorebirds, waterfowl, cranes, raptors, and passerines (ADFGc, 2021). The CRD&F is designated as being of hemispheric importance by the Western Hemisphere Shorebird Reserve Network, as a “key site for shorebirds throughout their range” (WHSRN, 2021). It is also recognized as a Global Priority Important Bird Area by BirdLife International and Audubon (Audubon, 2021).

Home to the Eyak, Chugach Region People, Tlingit, and Athabascan peoples for more than 10,000 years (Native Village of Eyak, 2022), both traditional and contemporary economies depend upon the Copper River's continued health, particularly as related to subsistence, personal use, recreational, and commercial salmon fishing. “The Copper River system supports large runs of five species of Pacific salmon and their associated commercial fisheries. Copper River kings (chinook) and red (sockeye) salmon are highly prized for their quality and early arrival in west coast markets” (ADFGb, 2021). The fishery averages “\$20 million/year in direct revenue to over 500 fishing permit holders, and another \$20 million in processing and other secondary economic benefits” (Ecotrust, 2011). Personal use of the fisheries is valued in excess of \$1.5 million (Holland, 2015). Resident and non-resident sport fisheries bring in over \$5 million (Holland, 2015) and in addition provide “an important boost to the retail sector of the economy including hotels, restaurants, tackle shops, and other businesses” (Lang, 2010). “Subsistence harvest, commercial fishing, and sustainable tourism... are the lifeblood of most local residents and are directly dependent on the area's rich natural environment” (Cline, 2005).

## Regulatory Context

Two types of oil spill response planning are required by the U.S. and State of Alaska statutes and regulations: (1) operator plans submitted by regulated entities under either state or federal planning requirements and (2) government response plans, developed and maintained by the Alaska Department of Environmental Conservation (ADEC), U.S. Coast Guard (USCG), and the U.S. Environmental Protection Agency (EPA). For any given area, both types of plans must be aligned so that there is clarity for all involved about the organization, management, and implementation of a response if an oil spill occurs.

This section provides a brief overview of the plan requirements and regulatory requirements related to identifying or planning for the protection of sensitive areas.

## *State of Alaska Oil Discharge Prevention and Contingency Regulations*

In 1990, following the *Exxon Valdez* oil spill of 1989, Alaska enacted a statute that established requirements for spill prevention and response plans for vessels and facilities statewide.<sup>1</sup> The new law required separate planning for different elements of the Trans Alaska Pipeline System (TAPS), from the oil and gas operations on the North Slope to the tankers moving oil out of Prince William Sound. (Within PWSRCAC's responsibilities, this includes separate plans for the Valdez Marine Terminal and crude oil shipments through Prince William Sound.)

ADEC regulations require that operator contingency plans address sensitive area protection in two ways: response strategies must be described that show how there is sufficient equipment personnel, and other resources to prevent oil from entering an environmentally sensitive area or area of public concern<sup>2</sup> and a section that identifies specific sensitive areas and areas of public concern that "may suffer an impact from a spill of the applicable response planning standard volume" along with site-specific strategies for protection. The regulations list specific items that need to be provided regarding sensitive areas:

- Identification of specific sites based on mapped predictions of how a spill would spread (including consideration of local conditions and variability),
- Planned protection measures for identified sites,
- Effect of seasonal conditions on site sensitivity,
- Discussion of toxicity effects and persistence (based on type of product), and
- How sites will be prioritized.

The above required information *may* be incorporated into the operators' plan by referencing a subarea plan.<sup>3</sup> Referencing GRS approved as part of the area planning process has become common in Alaska operator plans. However, decisions by the area planning committees – discussed below – do not alleviate this regulatory requirement on plan holders.

ADEC approved the first Prince William Sound Tanker Oil Discharge Prevention and Contingency Plan (Tanker C-Plan) in 1995, under then-new regulations from the law passed in 1990 (DeCola and Robertson, 2018). The plan has been revised through subsequent renewals and amendments since then, with the most recent approval in January 2022.

### *Area Response Planning and Sensitive Area Protection*

The requirement to have government response plans in place around the country also dates to legislation passed after the *Exxon Valdez* oil spill. From the 1990s until 2018,

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<sup>1</sup> 18 AAC Chapter 75 (Article 4)

<sup>2</sup> 18 AAC 75.445(d)(4) and 18 AAC 75.425(e)(1)(F)(v)

<sup>3</sup> 18 AAC 75.425(e)(3)(j)

Alaska's government response plans consisted of one Unified Plan and 10 subarea plans. In 2018, the structure changed so Alaska now has an Alaska Regional Contingency Plan (RCP) and four Area Contingency Plans (ACP). These plans are designed to meet both state and federal regulatory requirements for government response planning. Although the plan documents have changed, the basic state and federal requirements governing them have not. They are maintained by ADEC, USCG, and EPA.

Federal Regional and Area Contingency Plans were established in 33 U.S.C. 1321(j)(4) as part of the Oil Pollution Act of 1990 (OPA 90), with later details added in the National Oil and Hazardous Substances Pollution Contingency Plan regulations at 42 U.S.C. Part 300 (specifically 40 CFR § 300.210). Federal statute requires, among other things, that those responsible for Area Contingency Plans must,

*Work with State, local, and tribal officials to enhance the contingency planning of those officials and to assure preplanning of joint response efforts, including appropriate procedures for mechanical recovery, dispersal, shoreline cleanup, protection of sensitive environmental areas, and protection, rescue, and rehabilitation of fisheries and wildlife, including advance planning with respect to the closing and reopening of fishing areas following a discharge.* (Emphasis added; see 33 U.S.C. 1321(j)(4)(B))

Alaska's government planning requirements are established in statute by AS 46.04.210.<sup>4</sup> The statute requires that the plan "take into consideration" any operator plans approved by the state under AS 46.04.030.<sup>5</sup> Aside from referencing operator plans which *do* have requirements regarding sensitive area protection, as discussed above, Alaska does not have specific requirements related to the identification or protection of sensitive areas in the state statutes regarding government response planning.

For Prince William Sound, the geography of the former subarea was largely unchanged by the 2018 transition of planning areas, but the plan document itself changed significantly in format and organization under the first promulgation of the PWS ACP (Wood, 2018).

ADEC, USCG, and EPA first promulgated the PWS Subarea Plan in July 1997, with new versions in 2005 and 2014. The PWS ACP, following the current format, was promulgated in 2018, with an update in 2020.<sup>6</sup>

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<sup>4</sup> State statute refers to "Alaska Regional Contingency Plans" which is the same name now used for the overall government plan, but the state statute actually describes government response plans for specific areas (or, previously, subareas) identified in regulations.

<sup>5</sup> AS 46.04.2001

<sup>6</sup> With the change of subareas to areas, a single inland area was created for Alaska. While the former PWS Subarea included some inland areas, today the PWS Area only includes coastal and marine areas. This means that while the former PWS Subarea Plan was the responsibility of ADEC, USCG, and EPA, responsibility for today's PWS ACP is shared only by ADEC and USCG. (ADEC and EPA share the Inland ACP.)



*Figure 1. Copper River Delta and Flats, with locations identified that are mentioned in this document (Google Earth image)*



## 2. Adjudication Regarding the Copper River Delta & Flats (1995–1999)

The first time the shippers' Tanker C-Plan was reviewed under post-*Exxon Valdez* laws, in 1995, there was disagreement about the potential for the CRD&F region to be affected by an oil spill from a TAPS-trade tanker and the shippers' responsibility to be prepared for a response there. These issues were among several that remained unresolved at the time the Tanker C-Plan was approved, which ADEC did in October 1995. To address these unresolved issues, ADEC added several conditions of approval (COA) at the conclusion of the plan review process. The shippers, individuals, City of Cordova, Kodiak Island Borough, and two fisheries organizations requested adjudicatory hearings in objection to ADEC's action (Johnson, 1998).

This section explains the process and participants, key issues and milestones, and settlement agreement related to the CRD&F. The primary outcome was the development of a localized response plan for the CRD&F region that was incorporated into the PWS Subarea Contingency Plan in 1999. Appendix A provides a summary timeline of key events referenced.

### Parties

In 1995, there were 21 companies who were "plan holders" of the first PWS Tanker C-Plan(s) under the new statute and regulations.<sup>7</sup> The companies worked together through an entity called the Response Planning Group (RPG) for the purpose of submitting common plan documents to meet Alaska regulations. Representatives of BP, Arco Marine, Inc., and SeaRiver Maritime, Inc. signed on behalf of the shippers (signatories were Roger Gale, Hersh Kohut, and Gus Elmer, respectively).

The Cordova District Fishermen United (CDFU) and United Fishermen for Alaska (UFA) were among several parties requesting adjudicatory hearings at the conclusion of the 1995 Tanker C-Plan review. Jerry McCune and Theo Matthews signed on behalf of those organizations, respectively.

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<sup>7</sup> ARCO Marine, Inc.; Atlantis Agency Corporation; Cambridge Tankers, Inc.; Chevron Shipping Company; First Shipmour Associates; Fourth Shipmour Associates; Intercontinental Bulktank Corporation; Interocean Management Corporation; Interocean Tanker Corporation; Juneau Tanker Corporation; Marine Transport Lines, Inc.; OMI, Inc.; Overseas Bulktank Corporation; First United Shipping Corporation; SeaRiver Maritime; Second Shipmour Associates, Inc.; Second United Shipping Corporation; Keystone Shipping; Third Shipmour Associates, Inc.; Third United Shipping Corporation; and Tesoro Alaska Petroleum Company.



ADEC, as the regulating agency, was a direct participant in the negotiations that were eventually resolved in a settlement agreement. Commissioner Michele Brown signed the agreement (McCune et al., 1998).

The USCG was not a signatory on the settlement agreement but chaired a workgroup that developed the CRD&F-specific response plan that was eventually incorporated into the PWS Subarea Plan.

PWSRCAC was not a signatory, nor part of the workgroup that developed the CRD&F Plan, but closely monitored the issue, conducted its own analyses, and provided extensive comments.

## Issues

ADEC's 1995 Findings Document responds to comments related to a potential response in the CRD&F region. The following CRD&F-related issues were addressed there:

### **1. Is Alyeska Pipeline Service Company required to respond to a spill in the CRD&F region?**

Yes. While state law does not explicitly require *Alyeska* to respond to a spill outside the definition of Prince William Sound that is captured in AS 46.04.030(q), the *vessel operators* are still required to respond to a spill that occurs outside defined PWS boundaries (18 AAC 75.327). The PWS shippers meet this obligation through a statement of contractual terms with Alyeska that covers state waters to just outside Hinchinbrook Entrance and through the *Gulf of Alaska agreement* which ensures their access to Alyeska's resources for the rest of the Captain of the Port Zone (ADEC, 1995). This issue is explained further in Appendix B.

### **2. Do the plan holders need to provide a response and protection strategy for the CRD&F as an environmentally sensitive area and area of public concern?**

CDFU and UFA contended that the contingency plans must require fully planned, pre-positioned response for the CRD&F region as an environmentally sensitive area under ADEC's regulations because it is located within the Prince William Sound region of operation (Johnson, 1998).

ADEC's findings document states that,

*Commentors have asserted that the Copper River Delta and Flats are an environmentally sensitive area and an area of public concern. The Department is in agreement with this assertion. However, the Department has determined after review of the applicable provisions of state law, that the plan holders would only be required to provide a response and protection strategy for the Copper River Delta and Flats if the Department determined there exists a significant probability of oil reaching this area from a spill that may in the vicinity of the normal vessel route. Since the Department cannot make a reasoned case for such an event, the Department will not require additional analysis for protection/response in the Copper River Delta and Flats other than the already completed identification of a graphical resource database. (ADEC, 1995, p. 26)*

The Deciding Officer in his prehearing rulings rejected the legal contentions of CDFU concerning the necessity for a fully planned, pre-positioned response in a plan holder's region of operation irrespective of whether an area is likely to be affected by a discharge.

In its final 1995 plan approval, ADEC required in COA 8 that the PWS plan holders perform and submit oil spill trajectory analyses for two hypothetical spill events inside state waters to determine the likelihood of oil impacting the Copper River Delta or Flats. On May 29, 1996, the RPG submitted two technical documents responding to 1995 COA 8.

However, ADEC concluded that the plan holders' submittal did not satisfy COA 8 because the submitted information was insufficient to establish the likelihood of the CRD&F area being oiled. ADEC then required, as part of the 1998 contingency plan renewal application, additional modeling, as well as response strategies for locations such as Hawkins Island Cutoff that could prevent oil migration from the central sound to the CRD&F. That decision was the subject of a subsequent adjudicatory hearing request that was granted by ADEC Commissioner Michele Brown.

At the later hearing, the Deciding Officer heard testimony on the CRD&F issue during the adjudicatory hearing and upheld ADEC's decision imposing COA 8 to determine the likelihood of impacts to the CRD&F and ADEC's subsequent decision concerning the plan holders' submission not meeting the requirements of COA 8.

**3. Do the plan holders need to demonstrate how they will protect an environmentally sensitive area (or area of public concern) before oil reaches them?**

ADEC's 1995 Findings Document states that, "The State is not requiring advance planning for the Copper River area. However, the Department will inquire with the USCG to ascertain if adequate protection and response capability has been shown as part of the federal OPA-90 contingency plan approval for state waters east of Point Whitedshed"<sup>8</sup> (ADEC, 1995).

## Settlement Agreement

Rather than continue to address potential spill trajectories, the Shippers agreed to develop GRS for those areas for incorporation into the Prince William Sound Subarea Plan. On March 3, 1998, ADEC issued a public notice that it was amending COA 8 to conform to this Copper River Settlement Agreement process. On April 22, 1998, ADEC issued a decision removing 1995 COA 8 from the 1995 Plan Approval in lieu of the Copper River Settlement Agreement (Chapple, 1998).

The 1995 COA 8 focused on resolving disagreements about the likelihood of oil moving to the CRD&F region from the shipping route within PWS. This question was essentially never

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<sup>8</sup> The Findings Document also makes clear that regardless of what is required in the plan, plan holders "are obligated to clean up a spill whenever it goes in state waters" (ADEC.1995, p. 27).

resolved since the agreement reached shifted the focus entirely to developing and testing a CRD&F-specific response plan.

The Settlement Agreement was signed by the ADEC Commissioner and representatives of UFA, CDFU, and BP Oil Shipping Company (BPOSC), Sea River Maritime, and ARCO Marine Inc. in February 1998. The agreement addressed two general topics: (1) developing an oil spill response plan for the CRD&F region and (2) dismissing the pending COA, challenges, and claims in the then-ongoing adjudicatory hearing process.

While the Settlement Agreement itself had no expiration date, it was written to be very specific and clear about when requirements were met. For example, the agreement required that a CRD&F-specific plan be developed and provided to the Subarea Committee, but the signatories could not commit to its *adoption* into the Subarea Contingency Plan, meaning adoption and retention of the CRD&F Plan is not considered a term of the Settlement Agreement itself.

Table 1 below identifies and discusses the outcome of each requirement in the Settlement Agreement related to an actual response there (the Agreement also described the process for concluding the 1995 COA 8 and legal appeal then underway) (McCune et al., 1998). It is assumed that since the parties involved agreed to put forward the completed CRD&F Plan to the Subarea Committee, that some of these details, such as the decision-making process used by the group, were conducted as agreed. There is no evidence to the contrary and a later checklist was identified in PWSRCAC's archives noting the status of all items as of 2000.<sup>9</sup> These assumptions are stated in Table 1.

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<sup>9</sup> This document can be found in PWSRCAC's document management system as: 651.410.000208.TKRcplAgreem.pdf. It is referenced in text as CDFU et al., 2000.

**Table 1. 1998 settlement agreement requirements related to development of a CRD&F oil spill response plan**

Settlement Agreement Requirement	Status Today
1) The CRD&F Plan will be developed under and will conform with the National Response System contingency planning process, including area specific response strategies and tactics for onshore, nearshore, and open water designed to protect, contain, and clean up oil spills for the CRD&F between Cape Suckling and Hook Point.	Partial – the plan does include the information mentioned, but the process differed from the area (subarea) planning process. The primary difference is that the resource agencies were not involved.
2) The Plan will include a full description of the physical environment (geology, oceanography, weather, currents, marine and shoreline habitat, and biology, etc.). Information will be gathered from a review of relevant literature and interviews with appropriate state and federal agencies, local government bodies, and stakeholders.	Yes – though it is not clear if they conducted interviews with agencies. (See note above that the resource agencies were not involved.)
3) Shippers have awarded a contract to a qualified environmental consultant to develop the draft CRD&F Plan within nine months of signing this agreement. Shippers will bear all costs related to the project contractor up to plan submission to the Area Committee.	Yes (CDFU et al., 2000)
4) Shippers agree to retain a commercial fisherman appointed by CDFU at \$200.00 per/day to serve as a consulting subcontractor to the project contractor.	Yes (CDFU et al., 2000)
5) A Project Work Group (PWG) comprised of a representative from CDFU, USCG, ADEC, City of Cordova, and two Shippers will direct the contractor and approve the draft CRD&F Plan. The PWG will be chaired by the USCG.	Yes (CDFU et al., 2000)
6) All PWG decisions shall be by consensus. Unresolved issues or disputes will be brought before the PWS Sub-Area Plan Committee for resolution.	Yes (CDFU et al., 2000)
7) PWG will meet in Cordova at appropriate times during plan development. All meetings shall be open to the public except for portions of such meetings that may be held in	Unconfirmed, but no evidence of a deficiency.

Settlement Agreement Requirement	Status Today
executive session. The PWG shall establish working procedures at the first meeting.	
8) Upon completion and approval of the draft CRD&F Plan by the PWG, the plan will be submitted to the PWS Sub-Area Planning Committee for acceptance as an addendum to the PWS Sub-Area Contingency Plan. Shippers will support a public review of the draft CRD&F Plan during the acceptance process as an addendum to the PWS Sub-Area Contingency Plan.	Yes, it was adopted in June 1999. Seven organizations submitted comments, including PWSRCAC (Berg, 2000b).
9) CRD&F Plan will address both mechanical and non-mechanical response techniques including a framework for a decision-making process for use of dispersants and in-situ burning. However, before adopting non-mechanical techniques the unique resources of this sensitive area must be considered.	Unclear. The final CRD&F Plan addresses only mechanical recovery. From review of PWSRCAC comments on the draft plan it is understood that language on non-mechanical response that was redundant with the overall Subarea Plan at the time was likely removed (Devens, 1999).
10) CRD&F Plan techniques will be developed based on <u>appropriate SERVUS equipment that will be located in Cordova</u> to begin an immediate small scale initial response effort. This will be followed by rapid delivery of response resources from PWS and other industry and governments stockpiles worldwide to implement a large-scale spill response.	Yes, while it is not entirely clear what this should constitute, equipment is still stored in Cordova. (Further details on this equipment cache can be found in SERVUS Technical Manual, section LP-5, table 12.5-28.)
11) In response to a TAPS spill that threatens the CRD&F, Shippers will mobilize SERVUS equipment (up to 100% if directed by Unified Command), out-of-region, and/or other resources identified in the CRD&F Plan. The Gulf of Alaska Agreement between Alyeska Pipeline Service Company and Shippers to release all SERVUS equipment at the request of the Unified Command for use in the CRD&F will not be modified without prior consultation with CDFU and DEC.	This is captured in the 1999 Gulf of Alaska agreement. That agreement notes the limitation on changes to its contents as stated here (BPOSC and Alyeska, 1999). All current PWS plan holders are understood to be signatories to this agreement, but this should be confirmed.  <b>2000 checklist notes this as the only "ongoing" item (CDFU et al., 2000).</b>
12) Shippers will work with SERVUS to train a sufficient number of shallow water boat operators in Cordova to	Unknown what was done at the time exactly, but the SERVUS Fishing Vessel

Settlement Agreement Requirement	Status Today
provide for an immediate small scale initial response in CRD&F.	Program includes participants in Cordova and periodic trainings, etc. These trainings do address sensitive area protection tactics and equipment.
13) Upon acceptance of the CRD&F Plan as an addendum to the PWS Sub-Area Contingency Plan, Shippers will amend the PWS Tanker Oil Discharge Prevention and Contingency Plan to provide a cross-reference to the CRD&F Plan and recognize it as an applicable response guide for the CRD&F.	Yes, completed as of 2000 (CDFU et al., 2000), but the reference is no longer in the Tanker C-Plan.
14) Within one year after acceptance of the Draft CRD&F Plan, one field deployment drill will be executed to assess plan viability. The plan will be amended to incorporate drill findings. Thereafter, drills will be conducted under the guidance of USCG and DEC as co-chairs of the Area Planning Committee in accordance with Coast Guard Guidelines.	Exercise completed in 2000. See Section 6.
15) Upon acceptance of the Draft Plan addendum the response techniques developed in the Plan will be incorporated into the overall SERVS training schedule. SERVS annual training in Cordova will include one day of field training to exercise elements of shallow water response techniques.	See fishing vessel exercises conducted in 2001-2003, Section 6. This item is indicated to be completed (CDFU et al., 2000) but it is not clear if was intended to be sustained.
16) SERVS wildlife training will be provided to Cordova based Core Fleet responders and modified to consider species unique to the CRD&F.	Noted as complete in unattributed 2000 checklist (CDFU et al., 2000).

### 3. CRD&F Plan (1999)

The CRD&F Plan developed as per items #1–10 of the Settlement was adopted into the PWS Subarea Plan in June 1999 (Berg, 2000b).

#### Overview of CRD&F Plan

The document resulting from the settlement and eventually adopted into the PWS Subarea Plan is called the "Copper River Delta & Flats GRS" (hereafter, for clarity, "CRD&F Plan"). At the time it was developed, GRS were very new in Alaska and the CRD&F Plan has much more information – and was developed through a somewhat different process – compared to what later became the standard "GRS" format and process used in Alaska (see Section 5).

The CRD&F Plan is 136 pages initially incorporated into the PWS Subarea Plan as "Change 1" in a new Part G. The document provides wide-ranging information, from suggestions about safety and anchoring options to the resources of the USCG's Pacific Strike Team located in California. The document is organized in four sections, with an additional background section: Response, Resources, Hazmat, and Sensitive Areas (the Hazmat section notes only that a hazmat response is unlikely).

#### Information Replicated Elsewhere in Current Documents

Most of the information in the CRD&F Plan is currently housed in the PWS ACP or Tanker C-Plan and associated Alyeska/SERVS Technical Manual. This information includes:

- Facilities in the Cordova area (potential meeting spaces, airport/airstrips, boat ramps) [See PWS ACP 9241.12 – the Cordova Community Profile]
- Contacts (federal and state On-Scene Coordinators, other agencies, fishing organizations, media, Native organizations, weather service, local emergency managers) [See PWS ACP 9241.12, 9210, 9220.9]
- Logistics and communications (transportation, lodging, food access, clothing needs, heavy lift equipment operators, salvage companies) [See PWS ACP 5420.2; 9241.12]
- Response equipment local to PWS, from elsewhere in Alaska, and from as far away as Lower 48 resources that could be mobilized by the Pacific Strike Team [See PWS ACP 5210, SERVS Technical Manual, PWS Tanker Plan]
- Sensitive species and seasonal considerations [See PWS ACP 4640, though note that this primarily references other resources including Alyeska's Graphical Resource Database and Environmental Sensitivity Index maps]
- Presence of water intakes (sources of freshwater) in the area [discussed in PWS ACP 4640.6]
- Response strategies [See: Alyeska/SERVS Technical Manual]



- Fishing vessel types active in the area [See: Alyeska/SERVS Technical Manual]

The SERVS Technical Manual describes the current response and decontamination tactics. The PWS ACP has information about sensitive resources which mentions the "Copper River Delta" many times. The PWS ACP also includes the Cordova Community Profile.

## Information Unique to the CRD&F Plan

The CRD&F Plan includes two primary topics that are unique to this document: (1) operational considerations and discussion of wind/tide/current interactions in the region that would inform an oil spill response there (these discussions also note the potential presence of cultural sites) and (2) detailed response strategies for seven areas that are essentially GRS, although a different template and process were used from what was later adopted as the standard for all other GRS's developed throughout the state.

### *Operational Considerations*

The CRD&F Plan, developed with input from – and because of the concerns of – local fishermen, includes information useful to responders planning a response in the area. It discusses safety considerations, the potential movement of oil, potential oil collection points on shore, viability of anchoring, and the importance of collecting oil before it reaches the barrier beaches and tidal areas if at all possible.

*Determining response strategies in the CRD&F requires that its remote geography, high winds, heavy seas, nearshore surf zones, the barrier island front, and large stretches of protected/shallow waters in the river delta zones be carefully assessed.*  
(p. G-133, CRD&F Plan)

This information is found in the Subsection B (Response Strategy) of the Response Section (pages G-2 through G-3 of the CRD&F Plan) and the Background section (page G-133, quote above).

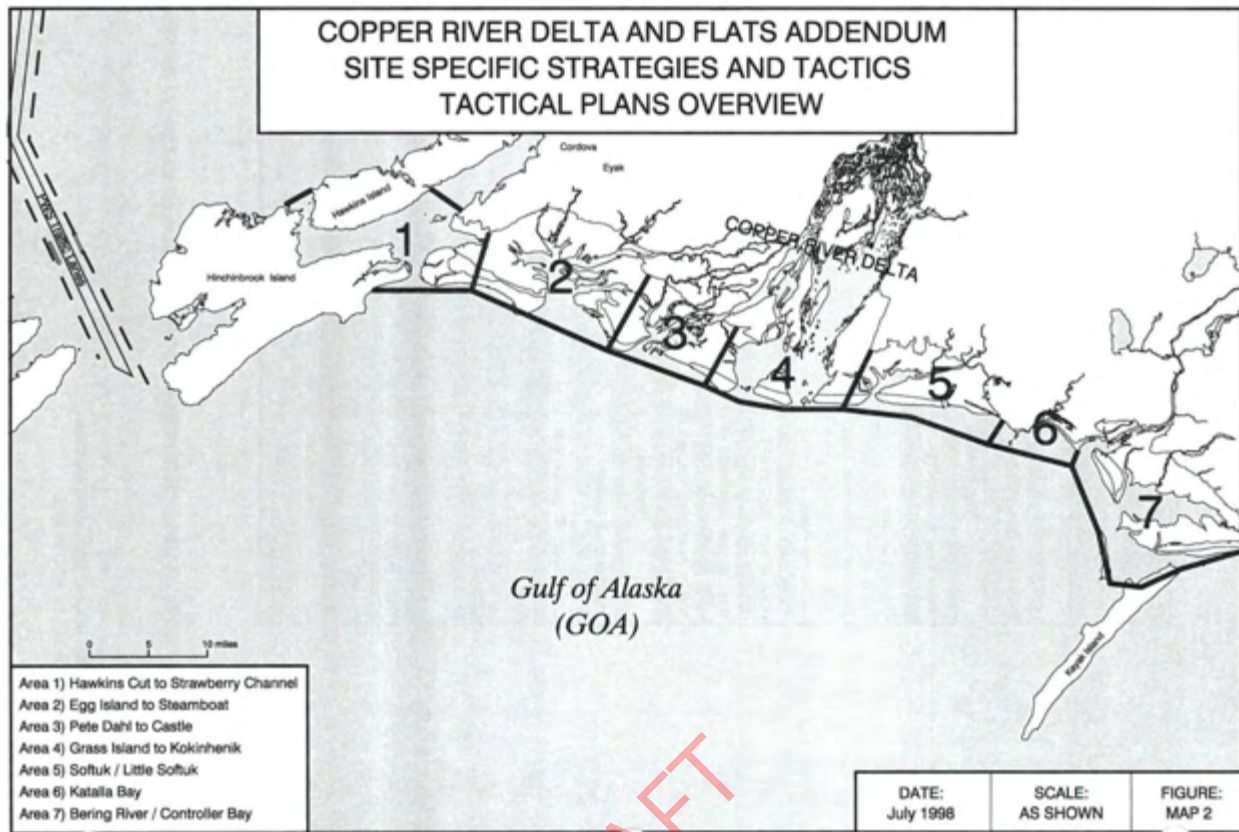
### *Site-specific Strategies*

The CRD&F Plan breaks the region into seven areas from Hawkins and Hinchinbrook Islands to Kayak Island (see Figure 2):

- Area 1: Hawkins Cut to Strawberry Channel
- Area 2: Egg Island to Steamboat
- Area 3: Pete Dahl to Castle
- Area 4: Grass Island to Kokinhenik
- Area 5: Sofuk/Little Softuk
- Area 6: Katalla Bay
- Area 7: Bering River/Controller Bay

As shown below, the sites do not attempt to prioritize areas for response but cover the whole CRD&F area.



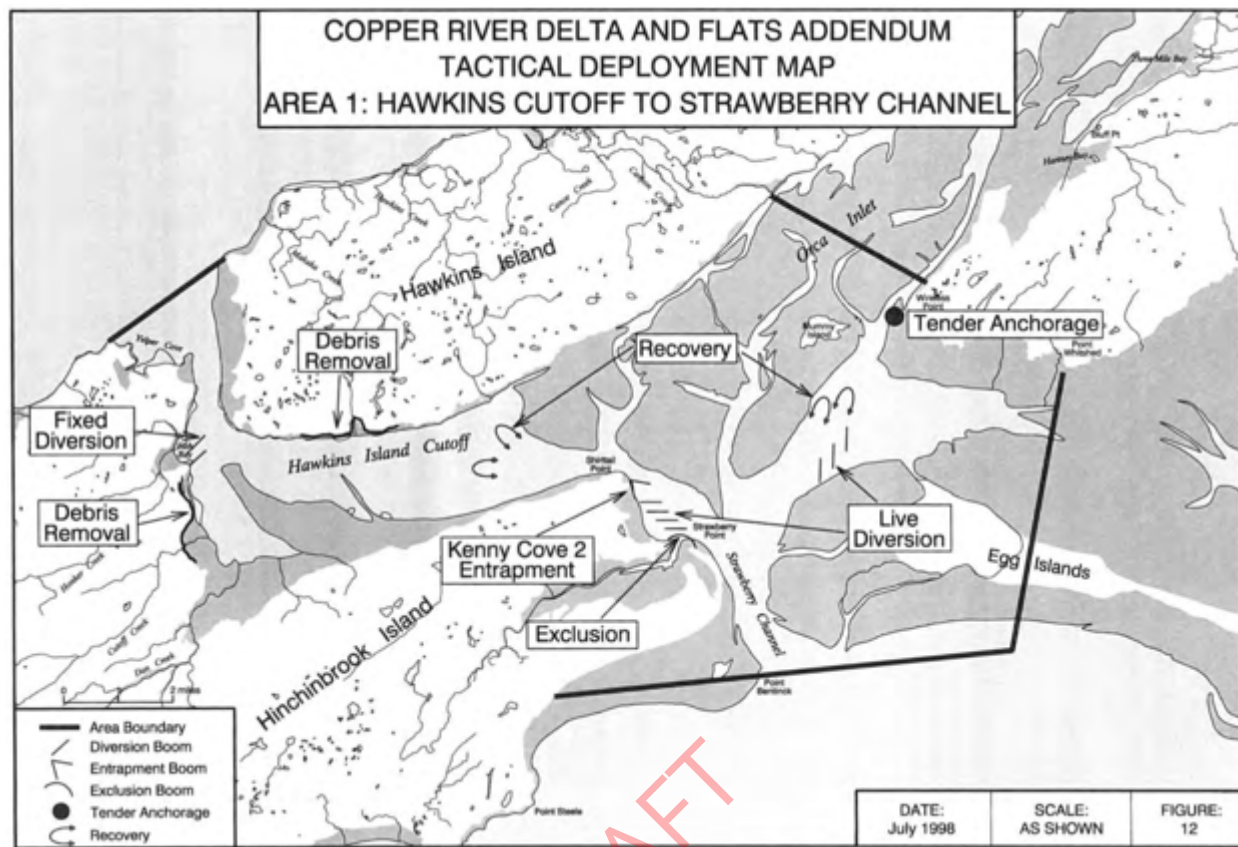


*Figure 2. Seven areas for which site-specific strategies were developed in the CRD&F Plan (excerpted from the final version adopted as Change 1 into the PWS SCP in 1999, p. G-32)*

For each of the seven areas, the CRD&F Plan includes:

- A description of site conditions including operational considerations such as tides and currents, as well as potential anchorages
- Sensitive sites
- Natural collection points and debris accumulation sites
- Suggested site-specific strategies and associated tactics
- Numbers and types of vessels and equipment necessary to implement and sustain the suggested tactics.

Tactical deployment maps are shown for each area as well. The maps and accompanying tables of equipment and vessels needed for deployment contain most of the information that is presented in the typical GRS format used elsewhere in PWS and Alaska. See example map in Figure 3.



**Figure 3. Example "tactical deployment map" for Area 1 in CRD&F Plan (excerpted)**

### Comments on Plan and Process

The CRD&F Plan was delivered to the Subarea Committee, circulated for public review and comment, and then incorporated into the Subarea Plan with some modifications based on these comments. Under the Subarea model, it was the responsibility of ADEC, EPA, and USCG as subarea Tri-chairs, to ultimately accept the document and move to incorporate it into the plan.

In comments on the draft CRD&F Plan, PWSRCAC praised some elements and critiqued others. Suggested improvements included: (1) providing more direct information about the source of equipment, vessels, and personnel to implement the plan, including what would be available in region or need to come from elsewhere; (2) adding more detailed communications planning; (3) removing information on sensitive resources and non-mechanical response that was redundant with the rest of the PWS Subarea Plan; and (4) conducting regular training in the region and revising strategies based on lessons learned from those exercises. Recommendations for future drills and exercises were included based on each issue identified, including requests for more specificity regarding where equipment would come from and how it would be delivered to the area (Devens, 1999).

It is clear that many of PWSRCAC's comments were addressed in the final version of the CRD&F in 1999, as noted by the Tri-chairs of the PWS Subarea Plan which acknowledge that the "overall subarea planning process" was not followed during development of the CRD&F Plan but that this was impossible due to the stipulations of the Settlement Agreement. The Tri-chairs note that the Alaska Regional Response Team agrees with the recommendation of the Tri-chairs as of June 1999 to proceed in publishing the CRD&F Plan as Change 1 to the PWS Subarea Plan, with an intent to prepare a subsequent revision that would be called "Change 2" through the normal subarea plan preparation and review process (Lautenberger et al., 1999). A key difference between the process used for developing the CRD&F Plan and the area planning process is that it did not include the U.S. Department of the Interior (DOI) trustee agencies or the National Oceanic and Atmospheric Administration (NOAA). As a result, DOI did not endorse the use of these GRS to respond to oil spills or hazardous substance releases in the CRD&F (this fact is noted in the Introduction to the CRD&F Plan document).

## Status Today

The information in the CRD&F Plan is not available to responders today through current documents. The CRD&F Plan was still present in full within the PWS Subarea Plan promulgated as of 2005, which also added a section on GRS for the rest of Prince William Sound that had been developed by that time (see Section 4). As of the 2018 PWS Subarea Plan, however, the full CRD&F Plan was no longer included.<sup>10</sup> There was a section titled, "CRD&F GRS Information," but it only stated, "Part 5 is included for information purposes, however, final GRSs have not yet been completed for this region." There was no Part 5 of the document, only a web link that is no longer functional as of this report. Given that the document describes the CRD&F "information" as not yet complete, it is likely that this was an outdated reference to the GRS that were under consideration as part of the PWS GRS Workgroup discussed in the next section.

The current PWS ACP (March 2020, Version 2018.1) states, "The PWS Area has been divided into five Geographic Response Zones (Figure G-1-1). The Copper River Delta Flats Zone strategies were developed through a separate Work Group process and are not included in this document. The Copper River Delta Flats GRS are considered a separate annex to the PWS Area Contingency Plan at this time." There is no listed reference in the table of contents and this language appears to have been transferred (along with the rest of the GRS section of the document) from the 2014 version when the Subarea Plan format was changed to the new ACP format in 2018. As of this report, therefore, the CRD&F Plan is alluded to but not directly referenced or included in full in the Area Plan.

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<sup>10</sup> The promulgation letter is dated 2014, but the plan version of the Subarea Plan that was superseded by the ACP is 2018.

## 4. Prince William Sound GRS Workgroup (2000–2009)

Concurrent with the CRD&F settlement process, an effort was underway to develop GRS for sensitive areas throughout Alaska (PWS Oil Spill Recovery Institute et al., 1998). A workgroup process and GRS template were developed and eventually implemented from Southeast Alaska to the Arctic (ADEC, 2021a) to provide consistency for this process and finished products. The development of GRS in the CRD&F area via this process and template was considered, but official GRS were not developed. In the GRS section of ADEC's website today, the CRD&F region is noted as being separate zone from PWS. The CRD&F Plan is not there, only two small charts showing sensitive resources without suggested tactics or other details in a typical GRS (ADEC, 2021b).

ADEC issued a COA with its approval of the 1999 Tanker C-Plan requiring GRS development in PWS and outer Kenai Peninsula coast. This is described in a May 2000 memo to the PWSRCAC Board:

*The State's public review of the 1998 PWS tanker contingency plans (C-Plans) that started in mid-October 1998, ended on November 2, 1999, with ADEC's issuance of conditional plan approvals. Condition of Approval (COA) 3 required participation by the planholders in a PWS Geographic Response Strategies (GRS) Work Group. As required by COA 3, GRSs will be developed in PWS and along the outer Kenai Peninsula coast. While a schedule and process for the outer Kenai is yet to be set, the end result will be GRSs throughout the RCAC region from the Copper River to Kodiak.*

*The PWS work group held its formative meeting on March 28 [2000]. Members discussed the draft Memorandum of Agreement (MOA) that will guide the process, GRS zones dividing PWS into workable response planning segments, and initial sites in the NE Zone that could be selected to allow SeaRiver to concurrently develop GRS sites as part of its drill. (Banta, 2000)*

The PWS GRS Workgroup Memorandum of Agreement (MOA) was signed in May 2000 by representatives from ADEC, USCG, PWSRCAC, and the five PWS shippers (Alaska Tanker Company, SeaRiver Maritime Company, Tesoro Maritime Company, Chevron Shipping Company LLC, and ARCO Marine). The four zones mentioned in the MOA remain today as four quadrants dividing PWS (CRD&F is shown as a fifth zone on the ADEC website, as it was also referenced in the Subarea Plan).

Considering the MOA for this process in contrast to the Settlement terms discussed above, it is noted that the PWS GRS Workgroup:

1. Explicitly describes a process for identifying sites based on the likelihood of protecting the area, sensitivity, and degree of public concern (including processes for public review and input). *By contrast, the CRD&F Plan identified potential strategies along the entire stretch of coast.*

2. A Sensitive Areas Working Group inclusive of the resource agencies will conduct the planning process to select sites for site-specific strategies, including site surveys. The following are listed as "interested parties" to the MOA: U.S. Forest Service, U.S. Department of Interior, National Oceanographic Atmospheric Administration, Alaska Department of Fish & Game, and Alaska Department of Natural Resources. *By contrast, the resource agencies were not involved in the CRD&F Plan development.*
3. Commits to the site identification and development of 20 individual GRS sites to satisfy the COA from the 1998 Tanker C-Plan review.
4. Excludes the CRD&F: in proposing to divide the PWS Subarea into geographic zones, the MOA identifies four quadrants in PWS proper with a note that, "A fifth zone runs from 60 26.3' N and 145 53.0'W east to Icey Bay [sic] and is not the subject of this effort" (Dietrick et al., 2002). *Discussion during the MOA notes that, "The shippers wanted it clear that they didn't need to do any work under COA 3 on that zone, and others wanted it to be clear that it was a zone in the PWS Subarea" (PWS GRS WG, 2000a). So, the CRD&F was initially excluded from the PWS GRS Workgroup process.*

Despite the fourth item, above, the PWS GRS Workgroup did eventually broach developing GRS for the CRD&F. The reason they chose to address CRD&F when it had been excluded from the MOA is not clear from review of available meeting summaries. In some Workgroup documentation reviewed for this report, only the four zones in PWS proper are included, while in others, seven potential GRS sites in CRD&F are identified for development (See Figure 4). The seven potential GRS sites identified through this Workgroup process are more geographically-specific than the seven gridded areas in the CRD&F Plan described in Section 3.

A PWS GRS Resource Matrix dated August 1, 2001, includes seven potential GRS sites in the CRD&F Zone (PWS GRS Resource Matrix, 2001). The seven sites remain as "potential" in an index map of PWS GRS in 2003, with a note in a June 2003 PWS GRS Workgroup meeting summary that the resource agencies will add more information to the matrix for the CRD&F sites (Kwietniak et al., 2003). By November of that year, hand-written notes from a Tactics Group (of the PWS GRS Workgroup) note that overflights are needed in order to develop tactics (Banta, 2003).<sup>11</sup> The overflights took place in 2004 (see Figure 6 photos from Tim Robertson).

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<sup>11</sup> Document is from PWSRCAC archives, with notes from the files of Joe Banta.



■ GREEN: GRS is final and adopted into Subarea Contingency Plan.  
■ YELLOW: GRS is approved by Workgroup but not yet adopted into subarea contingency Plan.  
■ RED: Site is selected for GRS development, GRS is in draft form for review by Workgroup members.

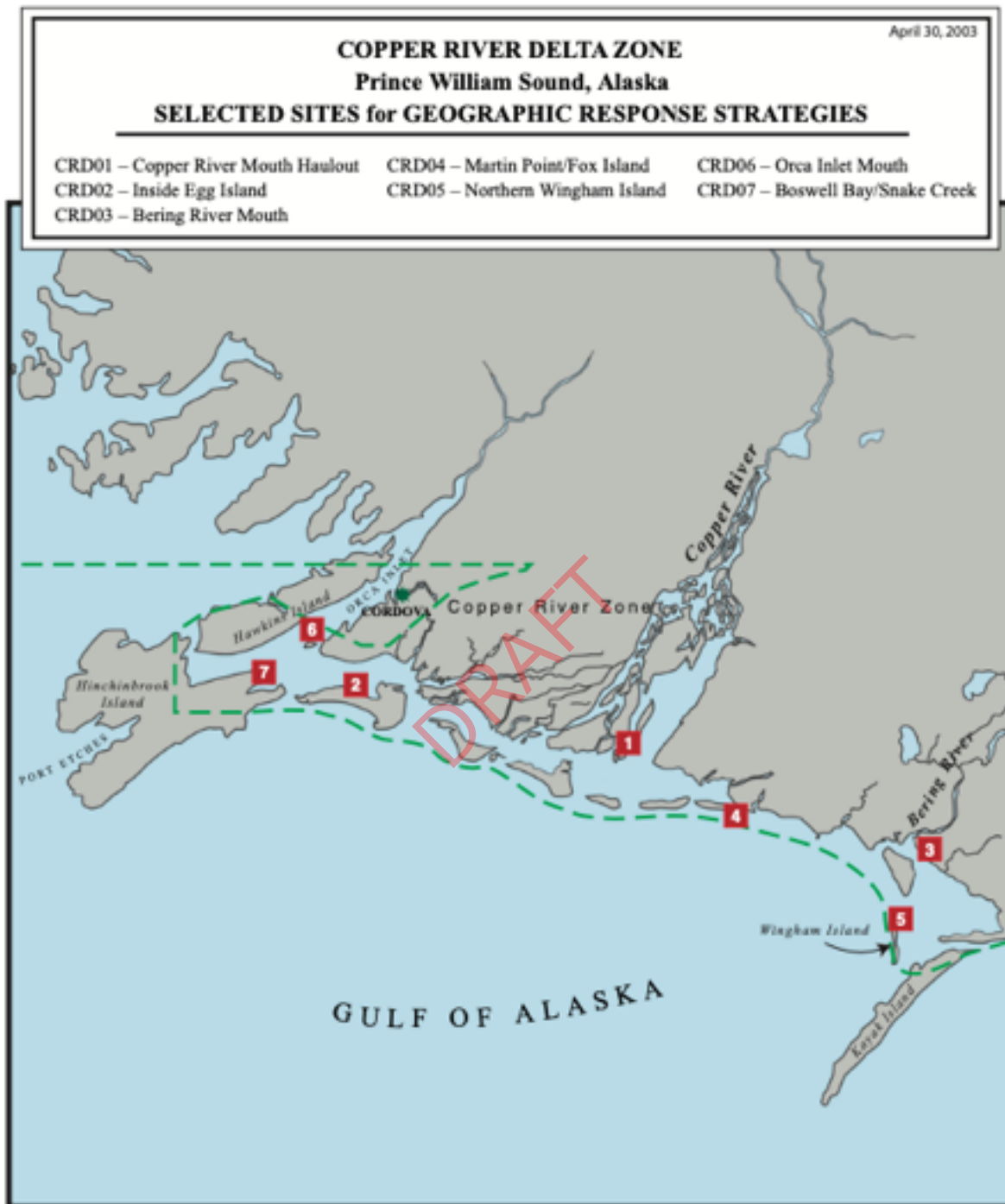


Figure 4. Potential GRS in the Copper River Zone, excerpted from March 9, 2005 meeting agenda and materials of the PWS GRS Workgroup (these are the same sites that had been identified in a 2001 resource matrix)



***Copper River Mouth***



***Inside Egg Island***



***Boswell Bay/Snake Creek***



***Orca Inlet***



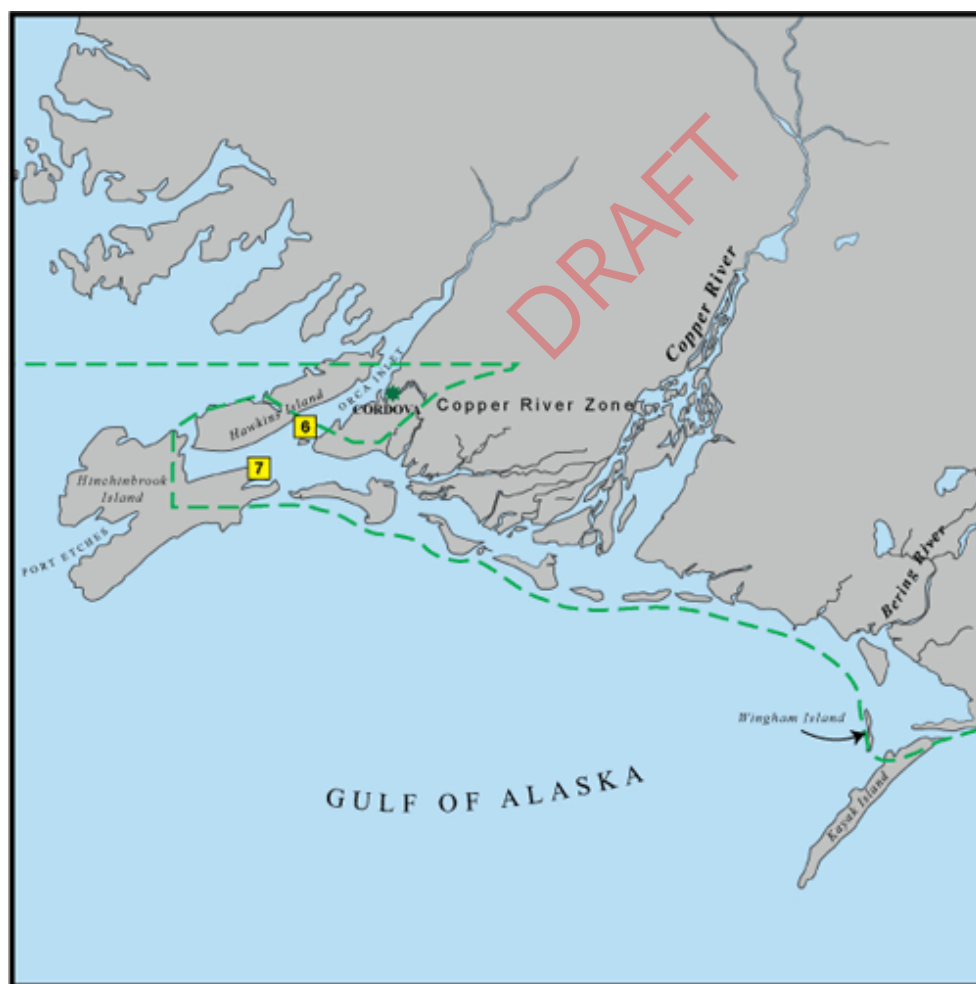
***Fox Island***



***Bering River Mouth***

***Figure 5. Select photos from 2004 overflight; photos are taken approximately 2–3 hours past low tide in Cordova, illustrating the high energy conditions and shallow waters that characterize the CRD&F area (Tim Robertson)***

Despite the efforts described here, the PWS GRS Workgroup did not ever develop GRS for the CRD&F. On-the-ground site surveys planned for the summer of 2004 were never conducted due to scheduling conflicts with commercial fishing openers. After the Tactics Group – a subgroup of the PWS GRS Workgroup – reviewed the overflight photos and considered input from SERVS, the Tactics Group decided in November 2004 to recommend that the best strategy for the protection of this area would be to continue to develop the tactics already present in the CRD&F Plan (Kotula et al., 2004). By March 2005, however, the full PWS GRS Workgroup ended up concluding that only two of the sites, Boswell Bay and the Mouth of Orca Inlet, were viable for site-specific strategies. The Tactics Group was directed to "rework" the tactics for Boswell Bay (it is not clear if this refers to the CRD&F Plan or not) and review exercise reports to consider tactics for Orca Inlet (Kwietniak et al. 2005). Figure 6 shows these two sites, which remain on the ADEC website as of December 2021, but with only chartlets showing sensitive resources. No evidence was found that tactics were developed.



*Figure 6. Two remaining sites recommended for GRS in the Copper River Zone at conclusion of GRS process*



ADEC's website as of December 2021 captures the status of GRS for the Copper River Zone as follows:

*The workgroup selected 2 sites from the list of candidate sites for GRS development. The map shows the GRS selected sites, while the site selection matrix and site selection key summarize the resources at risk for each site. The site selection process took into consideration environmental sensitivity, risk of being impacted from a waterborne spill, and feasibility of successfully protecting the site with existing technology. (ADEC, 2021b)*

Two documents labeled as GRS (CRD-06: Orca Inlet and CRD-07: Boswell Bay/Snake Creek) are also posted on the ADEC website for the Copper River Zone GRS (ADEC, 2021b). However, these documents are not actually GRS, but chartlets that identify some sensitive resources near those two locations without tactics or other information that would comprise a GRS. Both are dated in 2003, concurrent with the general timing of when the resource information was being compiled as part of the PWS GRS Workgroup. See Figure 7 for the PWS-CRD-06 Orca Inlet example.

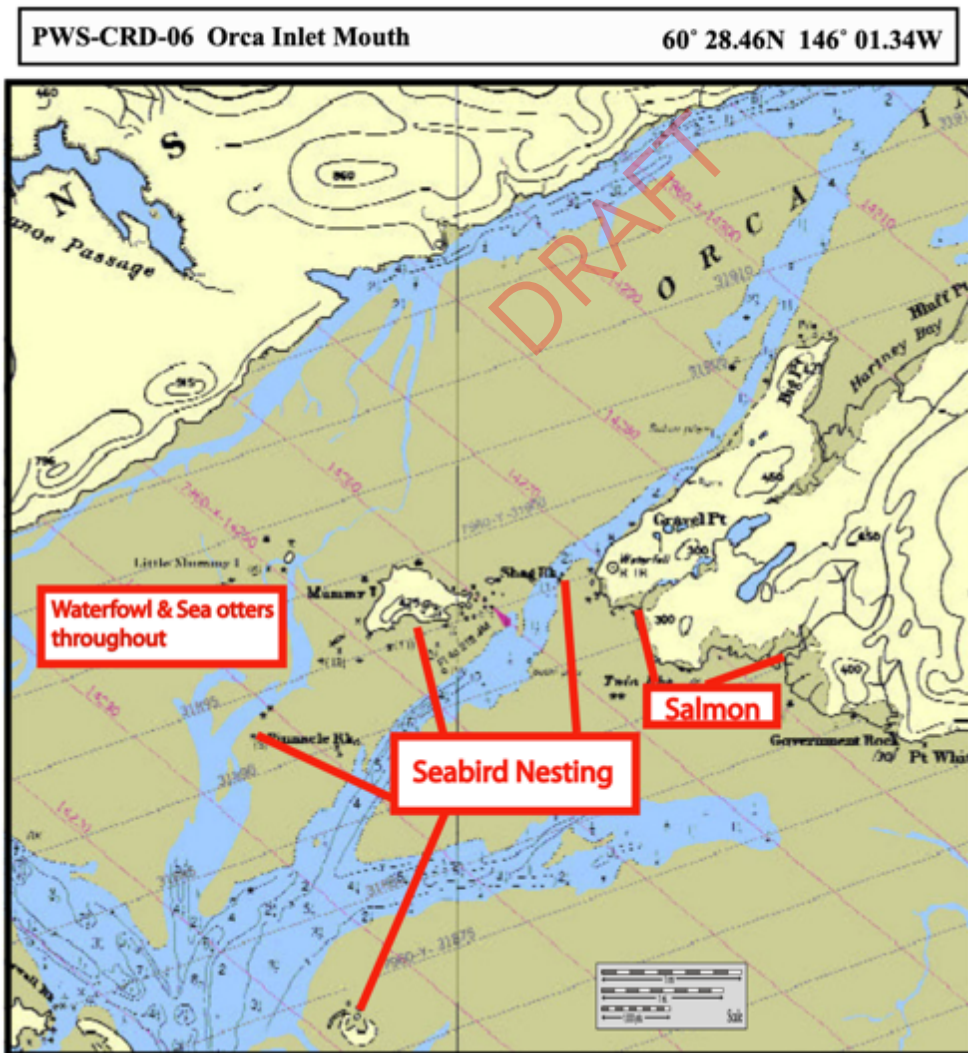


Figure 7. One of two CRD&F "GRS" on ADEC website as of December 2021

## 5. Copper River Delta & Flats Exercises

Item #14 of the Settlement Agreement required that, "Within one year after acceptance of the Draft CRD&F Plan, one field deployment drill will be executed to assess plan viability. The plan will be amended to incorporate drill findings."

The shippers held an exercise in April 2000 to demonstrate shallow water response tactics from the CRD&F Plan. The exercise was planned by the same group that developed the CRD&F Plan, as well as PWSRCAC and SERVS (Berg, 2000a). ADEC requested in a letter before the exercise that CDFU, UFA, and PWSRCAC be included in the pre-exercise planning on Days 1 and 2, and that on Day 3 the exercise must complete validation of the response strategies in the CRD&F Plan to meet the requirements of the settlement (Hahn, 2000).

The exercise was planned for Area #1 in the CRD&F Plan (see Figure 3), including the Nearshore Barge 500-2, *Krystal Sea* landing craft, 30–35 fishing vessels, and four SERVS work boats, as well as 4,300 feet of boom, mini-barges, skimming systems, and a cold-water deluge system. Five of the seven tactics described for Area #1 in the CRD&F Plan were to be demonstrated, including shallow water recovery with a U-boom, containment with a Current Buster, different types of booming configurations, and entrapment and cold-water deluge. Exercise participants included: SERVS, contracted fishing vessels (Tier 1 and 2), SeaRiver Maritime, Alaska Chadux, USCG (including from the Pacific Strike Team), and members of the RPG (Stewart, 2003).

Following the exercise, the RPG submitted a letter to the PWS Subarea Committee Tri-chairs documenting the completion of the exercise. The letter explained that the exercise, "was conducted under challenging weather conditions often experienced in the area, demonstrating exemplary professionalism and expertise by fishermen, SERVS, Chadux and the Coast Guard." It also explained that there was a debrief of all involved (including also ADEC, PWSRCAC, and the shippers), at which, "The drill was seen by all participants to have met its objectives including validation of response tactics" (Berg, 2000b).

The PWSRCAC exercise report notes that weather conditions<sup>12</sup> prevented activity in the intended area and instead the tactics were tested within Orca Inlet near Cordova. The intended tactics were deployed, except for exclusion booming which "encountered difficulties with wind and anchoring" and was never established. The report states, "The fact that the exercise was not undertaken on the flats perhaps limited the ability to assess adequately their effectiveness, though working in a shallow, narrow channel with strong wind and current did exemplify some flats conditions" (Jones, 2000a).

The PWSRCAC exercise report also mentions how well the different groups involved were able to work together. It identifies some lessons learned, one of which was to shorten the lengths of boom used for fixed deflection to prevent entrainment and anchor dragging in

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<sup>12</sup> "Wind 20–30 with higher gusts SE. Sea, short wind-driven waves. Tide: Low." (Jones, 2000)

the strong currents. A concluding participant comment noted that, "You should know that where we did the exercise is where we go to get out of the weather" (Jones, 2000a).

## Subsequent Exercises in the CRD&F

While annual SERVS fishing vessel trainings happen in the Cordova vicinity (typically Nelson Bay) along with other drill and exercise activity, only three additional exercises were identified and confirmed through the present that were focused on the CRD&F.

Two exercises were focused on Boswell Bay. In addition to the exercise described above, a 2000 Boswell Bay fishing vessel deployment (noted in Jones, 2000b) was conducted, but PWSRCAC's observer was unable to reach Cordova to observe the exercise due to poor flight conditions. In 2001, another exercise in Boswell Bay tested exclusion booming across the mouth of the bay. PWSRCAC documentation noted this proved "extremely difficult because of the tidal currents" (Jones, 2001).<sup>13</sup>

A 2003 exercise packet for an exercise on Area #2 Egg Island/Steamboat was identified during research for this project. The exercise packet cites objectives of exercising tactics in the CRD&F Plan (Stewart, 2003). However, there is no record of this exercise in the PWSRCAC annual drills report (Jones, 2003).

A 2004 exercise focused on Pete Dahl Slough to Castle Island in CRD&F. This was a more limited exercise than the 2000 deployment, focused on deploying both shallow-water recovery with a U-boom configuration and exclusion and live diversion booming (plus demobilization). The PWSRCAC exercise report explains that there were conflicts with fishing openers underway at the time and both time and tide restrictions meant that not all equipment made it to the area. Dynamic diversion boom was deployed at the Pete Dahl Slough entrance and U-boom collection practiced in that area. Deployment of exclusion booming planned for Castle Island Slough was prevented by tide conditions (Jones, 2004).

The 2004 exercise report highlights the importance of local knowledge to operate safely in the area.

*It cannot be emphasized how vital local knowledge is to a response on the flats. Each of the fishermen involved in this exercise had course lines visible in electronic plotters and followed them very carefully to arrive at the exercise site. In traveling out, on each side of the boat, observers could see ripples over shallow bars as the current came in. These same plot lines are necessary to reach any of the other areas on the flats as well. As an idea of how much water moves in and out of the flats, while we had to follow the narrow channels on the way out, returning at about the full high tide, the boats could cross the whole flats on a straight line toward the channel to Cordova. As a result of ocean storms, high tidal currents, changes in river flows from the north and other factors, these channels are changing constantly, yearly, monthly sometimes even daily. Any chart of the area would serve only as a guideline and not really provide for safe course lines on*

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<sup>13</sup> PWSRCAC did not observe Day 2 of the exercise in which other tactics were to be tested (Jones, 2001).

*the flats. Through the Cordova District Fisherman United, fishermen develop yearly charts and makers [sic] for channels but even these can change. (Jones, 2004, p 7)*

A current of 4.6 to 5 knots was observed while monitoring the boom configuration that was deployed, causing entrainment (Jones, 2004).

Table 2 summarizes the exercises identified through research for this project, in terms of the seven areas identified in the CRD&F Plan. No exercises of potential GRS via the PWS GRS Workgroup process are known to have been conducted in the CRD&F, though there was a 2003 GRS deployment on the *other* side of Hawkins Island at Canoe Passage which resulted in modifications to the GRS there (Jones and Parkin, 2003).

**Table 2. Summary of CRD&F exercises**

Area	Description	Exercise
Area #1	Hawkins Cut-off/Strawberry Channel	Fishing vessel deployments in Boswell Bay (2000, 2001) "Settlement exercise" targeted this area in 2000, but was conducted farther north into Orca Inlet
Area #2	Egg Island/Steamboat	2003 exercise packet identified; exercise unconfirmed
Area #3	Pete Dahl/Castle	2004 exercise
Area #4	Grass Island to Kokinkenik	None
Area #5	Softuk/Little Softuk	None
Area #6	Katalla Bay	None
Area #7	Bering River/Controller Bay	None

## 6. Recommendations for Future Consideration

The two-fold purpose of this project was to document the past and identify potential recommendations for any future action that may be warranted. The following recommendations are provided by the authors based on this effort. They reflect the authors' assessment that the intent of the settlement should be carried forward but with updated information that has been *developed* with the benefit local knowledge and *maintained* somewhere that will be useful to responders if a spill occurs.

**1. Response strategies identified for the CRD&F should be improved upon and made available to responders.**

The limited exercises conducted in the CRD&F did demonstrate the feasibility of deploying different booming strategies there, even though challenges arose and modifications were suggested (which is not uncommon when a GRS is tested). Additional tactics for this highly sensitive but highly exposed, shallow area could also be developed such as deploying snare (sorbent) material ahead of a spill. This recommendation relates closely to recommendation 2, as anything developed should be integrated into the statewide planning and GRS process.

**2. The CRD&F Plan has information that is potentially as useful as other GRS and should be included in the statewide process for testing and improving GRS in the future or added to the PWS Tanker Plan.**

While the GRS on the ADEC website today may well represent the conclusion of the PWS GRS Workgroup, there are suggestions in the CRD&F Plan that could be useful for responders today. Upon accepting the CRD&F Plan, the Subarea Committee stated the intent that it would be updated in the future. "At this phase in the process, we have decided to proceed with the publication of Change 1 to the PWS SCP, with appropriate comments incorporated. We are fully aware that the CRDF addendum has areas that could be enhanced; however, we felt that the basic geographic response strategy provides useful guidance to spill responders and constitutes a step forward in the overall response planning process" (Lautenberger et al., 1999).

The CRD&F Plan was developed with local knowledge of conditions, and there is some experience through exercises with deployment there. As with any GRS that has not been tested, they represent the best guess of experts at the time (even when a GRS is tested, the results represent the outcome in the weather and tide conditions on that day). The exercise reports referenced in this report also include key suggestions and lessons learned that were never adopted. While they were not informed by the resource agencies, information on the Site Specific Strategies and Tactics (beginning on p. G-35 of the CRD&F Plan) may still be used to inform planning or deployments to protect sensitive resources that occur throughout the area. These areas should be revisited by those knowledgeable about the area today,



and ideally tested so they can be improved upon in the future. CRD&F GRS should be included in any GRS development or refinement process undertaken in PWS using the CRD&F Plan and review of lessons learned from exercises as starting point, with the addition of local knowledge.

One of the settlement requirements was that the CRD&F Plan would be incorporated by reference into the PWS Tanker Plan after being accepted by the Subarea Committee. If GRS for CRD&F are not updated through the area planning process, then it is logical that it should be done by the shippers to implement the intent of the Settlement Agreement signed.

**3. Caution should be taken regarding the incorporation of materials by reference within important plan documents.**

While lengthy volumes can be cumbersome and the inclination to reference materials on websites or incorporate them by reference is understandable, it can also raise challenges in maintaining and updating information.

The CRD&F Plan, developed as part of a legal settlement at the end of a contentious process, was ultimately lost from Alaska's oil spill response plans, along with the intent at the time of its adoption that it would be revised and improved. Today, there is a statement in the PWS ACP that, "The Copper River Delta Flats GRS are considered a separate annex to the PWS Area Contingency Plan at this time" (p. 350, March 2020 version). No such annex is mentioned in the table of contents nor included in the document though.

The CRD&F Plan should be reviewed during the next PWS ACP update for relevant information or perhaps reviewed via a smaller focused sub work group. In addition to this review of this past GRS work, other local information such as the Cordova Community Profile and information about sensitivity and logistics provided throughout the ACP should also be reviewed for accuracy and any required updates.

**4. Local knowledge is critical to safe operations in the CRD&F and opportunities should be sought to ensure the CRD&F is adequately covered in the PWS ACP and SERVS fishing vessel trainings.**

This statement of the obvious is intended to highlight the importance of local input throughout the process described in this report: fishermen brought information about how oil might move in or to CRD&F in different conditions, critical suggestions about operating safely, and a willingness to deploy and test oil spill response tactics with their vessels (demonstrated today through the ongoing SERVS Fishing Vessel Program). Local knowledge should also be actively engaged in ensuring that information in the PWS ACP about Cordova logistics and the CRD&F operations generally is as complete and current as possible. This could also include creating a mechanism for fishermen to share regularly updated information on changing channels. Sustaining local interest in providing this kind of input is just as important

when there has *not* been the kind of significant oil spill that triggered UFA and CDFU to engage in the Tanker C-Plan review process in 1995.

The annual fishing vessel training in Cordova is one opportunity to gain input and apply the fishing vessel operators' own experience to inform sensitive area protection strategies for the CRD&F. This would be a way to capture insights into changes over the previous year in channels and currents and heighten awareness of safety limitations for all involved.

**5. The Gulf of Alaska Agreements between today's shippers and APSC should be shared with ADEC, CDFU, and PWSRCAC.**

The Settlement Agreement included the requirement that the provision of the Gulf of Alaska Agreement regarding the CRD&F area should not be updated without notifying ADEC and CDFU. Since the signatories of that document have changed over time, the agreement should be shared to verify that the language has not changed.

As this agreement is associated with meeting federal regulations, there is no requirement that it be shared as part of the kind of public plan review process that is required in state regulations. However, obtaining and reviewing this type of information enables PWSRCAC to meet its mandate in federal statute to review "for the terminal facilities and the adequacy of oil spill prevention and contingency plans for crude oil tankers, operating in Prince William Sound" 33 U.S.C. § 2732(d)(6). Not only does this apply to federal vessel response plans, which cover the whole Captain of the Port Zone, but the statute also defines the tankers of concern to PWSRCAC as those "calling at the terminal facilities for the purpose of receiving and transporting oil to refineries, operating north of Middleton Island and bound for or exiting from Prince William Sound" [33 U.S.C. 2732(m)(2)].<sup>14</sup>

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<sup>14</sup> Middleton Island is in the Gulf of Alaska and visible in Figure 2 due to the state waters surrounding it.

## 8. Conclusion

Following the trauma of the *Exxon Valdez* oil spill, there was a clear determination by two groups that depend on Copper River-area fisheries to ensure a robust level of planning for an oil spill response in that area. Through the public review and comment process required in then-new ADEC regulations, ADEC's implementation of those regulations, and eventual adjudication process, an outcome occurred that, if not perfect, achieved a document and intent for ongoing exercise and training designed to provide that robust planning. This was intended as a first-step effort, but the second step was never completed. While the challenges to responding in the area are numerous and safety paramount, there is still an opportunity to carry forward the intent of the 1995 demands by maximizing local input to the current area planning process and including GRS for the CRD&F area in ongoing training, testing, and prioritization efforts of the shippers and agencies.

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## Appendix A: Summary Timeline

Copper River Delta & Flats Summary Timeline			
YEAR	CRD&F Settlement Process	PWS GRS Workgroup	Exercises in CRD&F
1995	Tanker C-plan Approval requires analyses of probability of oiling CRD&F. CDFU and UFA appeal.		
1996			
1997	Trajectory analyses submitted by shippers are rejected by ADEC. Appeal proceeds.		
1998	Shippers, CDFU, UFA, and ADEC sign Settlement Agreement to develop and test CRD&F Plan.		
1999	CRD&F Plan completed per Settlement Agreement and adopted into PWS Subarea Plan.	ADEC requires shippers to develop GRS as part of approval of 1998 Tanker C-plan.	
2000	Exercise held as part of Settlement Agreement that ended up in Orca Inlet due to rough weather.	PWS GRS Workgroup forms according to the emerging Alaska GRS template and process.	<u>See Settlement column.</u> In addition, a fishing vessel exercise was held in Boswell Bay.
2001		Though initially excluding CRD&F, PWS GRS Workgroup identifies 7 potential GRS sites there.	Fishing vessel exercise held in Boswell Bay to test exclusion booming.
2002	<div> <p><i>The only Settlement Agreement requirement that is not time-bound is the commitment that the Gulf of Alaska Agreement provision related to CRD&amp;F will not be revised without consultation with CDFU and ADEC.</i></p> </div>		
2003		GRS sites in CRD&F remain as "potential" with intent to develop more resource information and tactics.	Exercise packet identified for Egg Island/Steamboat exercise, but event could not be confirmed.
2004		Aerial photos of CRD&F taken for the purpose of developing tactics.	Exercise held in Pete Dahl Slough/Castle Island region.
2005		PWS GRS Workgroup decides just 2 sites are viable for site-specific strategies, but GRS are not developed.	

## B-Appendix B: Geographic Delineations in Response Regulations

The CRD&F is adjacent to, but not within, Prince William Sound itself, yet is within the Prince William Sound Captain of the Port (COTP) Zone and the Prince William Sound Area (for Area Contingency Planning purposes).<sup>15</sup> See Figure B-1.

There are three layers of requirements established for TAPS-trade tankers in federal and state law with varying geographic implications:

- U.S. Coast Guard regulations require tankers that are making a U.S. port call or flagged to the U.S. to have an approved vessel response plan for each Captain of the Port Zone through which it will travel (33 CFR 155.1030).
- Alaska statute requires a vessel transporting oil in state waters to have an approved oil discharge prevention and contingency plan, as described above [AS 46.04.030(c)]. (PWS and CRD&F are within state waters.)
- In an additional provision in Alaska law, TAPS-trade tankers must contract with the spill response organization of the "common operating agent" of the TAPS right-of-way lease holders. In the latter case, the definition of "Prince William Sound in the same section of statute excludes CRD&F (see Table 1) [AS 46.04.030(q)].

In practice, APSC's SERVS is the response organization in all three of these overlapping or adjacent areas. While Alaska statute requires Alyeska, as the common operating agent of TAPS lease-holders, to respond for the first 72 hours of a spill within PWS as defined in statute at AS 46.04.030(q), the Gulf of Alaska (GOA) Agreement gives the shippers access to SERVS for response in the GOA Response Area. The GOA Response Area is the rest of the COTP Zone outside state waters, except around the CRD&F, where state waters are included as part of the GOA Response Area. The GOA Agreement defines the CRD&F as the state waters between Point Whithed and Cape Suckling (BPOSC and APSC, 1999). Point

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<sup>15</sup> For the purpose of preparing a regional master plan as required at AS 46.04.210, the Prince William Sound region is defined as, "that area south of 63°30' N. latitude, west of the region described in (1) of this subsection, and east of the region described in (3) of this subsection, including adjacent shorelines and state waters, and having as its seaward boundary a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the territorial sea is measured" [18 AAC 75.495(a)(2)].

Whitshed is about 6 miles southwest of Cordova while Cape Suckling is east of Kayak Island. See Table B-1 and Figure B-1.

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**Table B-1. Alyeska/SERVS roles and response areas**

<b>Role of Alyeska/SERVS</b>	<b>Area of Response (including/excluding CRD&amp;F)</b>	<b>Citation</b>
<b>USCG-approved Oil Spill Removal Organization (OSRO)</b>	Within PWS COTP Zone, including CRD&F and extending out to 200 nautical miles	Oil Pollution Act of 1990
<b>ADEC-approved Primary Response Action Contractor (PRAC)</b>	Within or potentially affecting state waters, including CRD&F  Statute also requires certain response equipment to be located within the "region of operation" based on the same regions defined for regional master planning, which includes CRD&F	AS 46.04.035: AS 46.04.030(c)  AS 46.04.020(a);  AS 46.04.030(k)(3)  18 AAC 75.495(a)(2)
<b>Response organization of the Common Operating Agent of TAPS Lease Holders</b>	Within Prince William Sound (excluding CRD&F)  "all marine waters within the boundary line established at Cape Puget, southeasterly to Cape Cleare, along Montague Island to Zaikof Point, easterly to Cape Hinchinbrook, along Hinchinbrook Island to Point Bentinck, and easterly to Point Whittshed"	AS46.04.030(q)  AS 46.04.020(g)

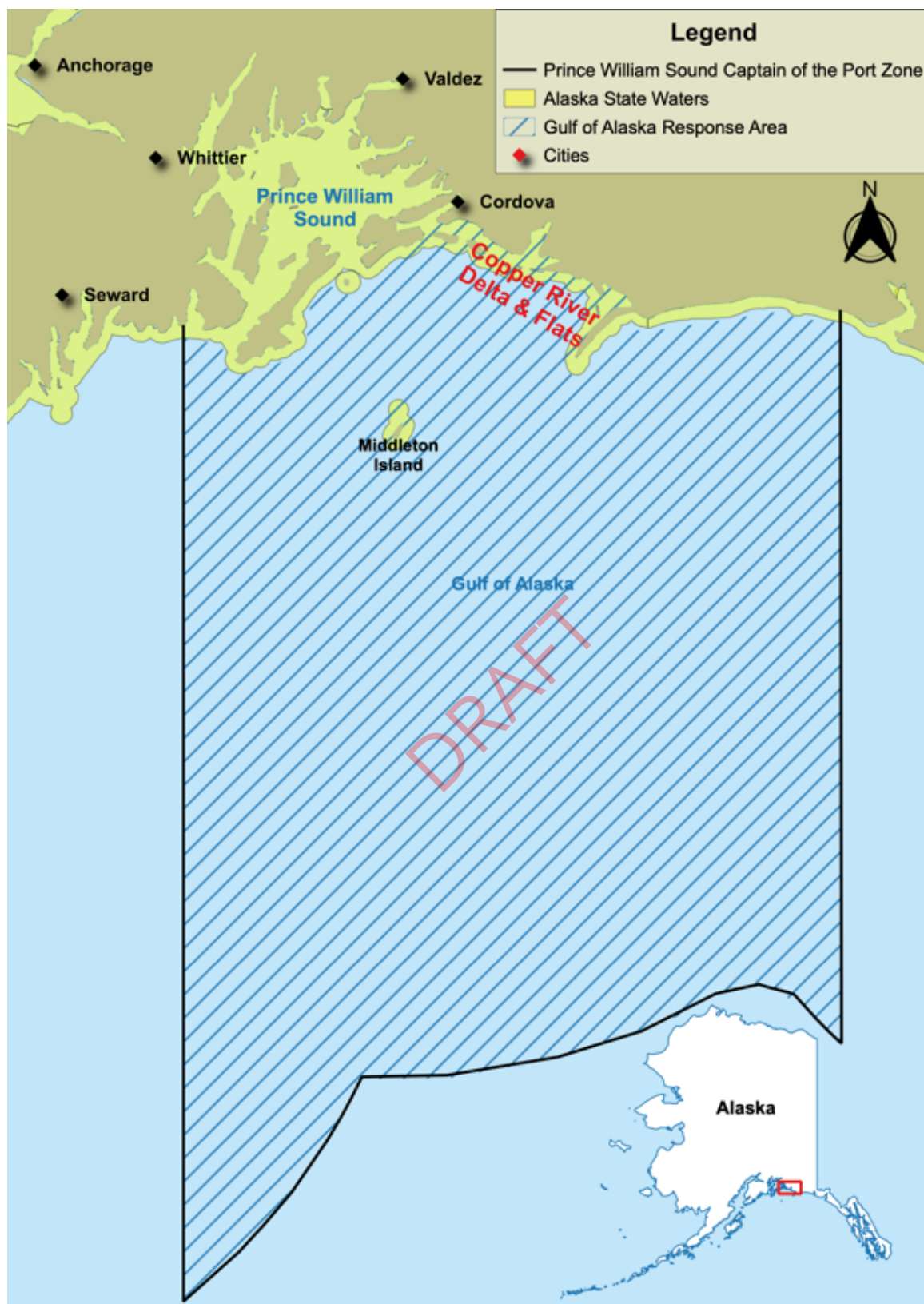


Figure B-1. Prince William Sound Captain of the Port Zone, Gulf of Alaska Response Area, and CRD&F

## Briefing for PWSRCAC Board of Directors – May 2022

**ACTION ITEM**

**Sponsor:** Alan Sorum and the Port Operations and Vessel Traffic Systems (POVTS) Committee

**Project number and name or topic:** 8014 – USCG Approved Basic and Advanced Emergency Ship Handling Courses

1. **Description of agenda item:** The Board is being asked to accept coursework developed by the AVTEC Maritime Training Center as meeting the terms of their contract with the Council. This coursework was developed with AVTEC through project 8014 - USCG Approved Basic and Advanced Emergency Ship Handling Courses to better prepare mariners for real life situations, close an existing knowledge gap, and open career pathways to critical infrastructure positions within the maritime industry.

2. **Why is this item important to PWSRCAC:** Due to ever changing International Maritime Organization (IMO) training guidelines and federal regulations it has become increasingly challenging to become a credentialed mariner. This is especially true for mariners crossing the threshold into officer licensure. Both ship handling courses developed by AVTEC will be USCG approved and will meet the new USCG and IMO requirements for officer licensing. There are no courses like this available in Alaska and the project's simulator scenarios are based on activities occurring in Prince William Sound. AVTEC worked previously with the Council to develop a high-resolution navigation database for the Sound.

Exceptional ship handling skills is mission critical to the safety and success of any maritime organization. Good ship handling makes for more efficient operation and ultimately mitigates related emergencies. Being proficient at maneuvering a ship ensures that the mariner is much less likely to be involved in an incident, and if they are, they will be better prepared to respond to emergency situations.

This project promotes the safe operation of marine vessels in Alaska and beyond. New mariners transitioning into Mate or Master officer positions on unlimited tonnage tankers are now required to take these classes.

3. **Previous actions taken by the Board on this item:**

<u>Meeting</u>	<u>Date</u>	<u>Action</u>
Board	1/28/2021	Approved Annual Long Range Plan.
Board	5/6/2021	Approved FY2022 Budget.

4. **Summary of policy, issues, support, or opposition:** None.

## Acceptance of AVTEC Ship Handling Coursework 4-4

5. **Committee Recommendation:** Captain Robert Thomas of the AVTEC Maritime Training Center made a presentation on the project to the POVTS Committee on March 14, 2022. The Committee was pleased with the final coursework and recommends the Board accept this work as meeting the terms and conditions of the AVTEC contract.
6. **Relationship to LRP and Budget:** Project 8014 – USSCG Basic/Advance Emergency Shiphandling Courses is in the approved FY2022 budget and annual workplan.

### 8014--USCG Basic/Advanced Emergency Ship

As of March 23, 2022

#### FY-2022 Budget

Original	\$30,000.00
Modifications	
Revised Budget	<u>\$30,000.00</u>

#### Actual and Commitments

Actual Year-to-Date	\$27,500.00
Commitments (Professional Services)	<u>\$2,500.00</u>
Actual + Commitments	<u>\$30,000.00</u>
Amount Remaining	<u>\$0</u>

7. **Action Requested of the Board of Directors:** Accept the coursework developed by the AVTEC Maritime Training Center as meeting the terms and conditions of contract 8014.22.01 with the Council.
8. **Alternatives:** None.
9. **Attachments:** AVTEC-AMTC Project Report Letter

Links to:

- [Basic Shiphandling Task Assessments](#)
- [Advanced Shiphandling Task Assessments](#)
- [Basic Shiphandling Simulation Exercise Worksheets](#)
- [Advanced Shiphandling Simulation Exercise Worksheets](#)



## Prince William Sound Regional Citizens' Advisory Council

### Final Report for Contract No. 8014.22.1, USCG Basic and Advanced Ship Handling Training

#### Executive Summary:

This was a project to complete Basic Shiphhandling and Advanced Shiphhandling courses during FY 2022. The goal of the project was to develop courses for Basic and Advanced Shiphhandling that would be assessment based to better prepare mariners for real life situations, including emergency ship maneuvering. The goal was to develop simulations that utilized the PWS area in training and preparing mariners.

#### Narrative Report

##### **Steps taken prior to starting work on the deliverables:**

After receiving notification that AVTEC had received approval for their proposal to develop “Basic Emergency Shiphhandling” and “Advanced Emergency Shiphhandling” courses, Robert Thomas, as the new acting Department Head of Maritime reviewed the proposal and scope of work proposed. During this review, it was determined that the proposal as originally submitted was unclear to some extent and by the title of the proposal, impossible to accomplish. AVTEC had proposed in the title to develop “Basic Emergency Shiphhandling” and “Advanced Emergency Shiphhandling” courses that would be both STCW and USCG approved. Elsewhere in the proposal AVTEC switched between calling the training “Basic Shiphhandling” and “Advanced Shiphhandling” courses and “Basic Emergency Shiphhandling” and “Advanced Emergency Shiphhandling” courses.

However, “Basic Emergency Shiphhandling” and “Advanced Emergency Shiphhandling” courses do not exist in either the STCW or USCG scheme of training courses. What does exist and could be approved as meeting STCW and USCG standards were “Basic Shiphhandling” and “Advanced Shiphhandling” courses. While some schools do indeed offer both Basic Emergency Shiphhandling and Advanced Emergency Shiphhandling courses, none of them are STCW or USCG approved as there are no current standards or requirements for these courses.

Realizing this discrepancy in the proposal that was submitted, AVTEC contacted the PWSRCAC staff to discuss this discrepancy and a proposed solution. Because of the detailed nature of the Deliverables focusing on USCG approval of STCW and USCG approved courses, our proposal was to move forward with approved Basic Shiphhandling and Advanced Shiphhandling courses. This recommendation was made after discussions with the previous Maritime Department Head to determine what he had intended in the original proposal. After discussions with PWSRCAC staff we proceeded along this path. It was determine to focus the simulations in PWS or at least Alaska waters, to make the courses as Alaska centered as possible.

##### **Deliverable A:**

Deliverable A involved the development of two STCW and USCG approved courses: Basic Shiphhandling and Advanced Shiphhandling.

The work product for this deliverable was a completed Course Syllabus.



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Work commenced on this deliverable on 1 July 2021 and was completed on 15 October 2021.

PWSRCAC staff were advised of the completion of this deliverable on October 18, 2021, and PDF files include the Course Syllabus and the Instruction Manual were delivered on October 20, 2021.

No difficulties were encountered during the development stage of this deliverable.

Both the Course Syllabus and the Instruction Manual were developed using the IMO Model courses 7.03: Officer in Charge of a Navigational Watch; as well as the appropriate NVIC's promulgated by the United States Coast Guard governing training for Officer in Charge of a Navigational Watch (NVIC 12-14 (CH-4) and NVIC 13-14 (CH-4) as well as the training requirements for Master or Chief Mate on Vessels of 3,000 GT or more (NVIC 10-14 (CH-2) and Master or Chief Mate on Vessels of 500 GT or More and Less than 3,000 GT (NVIC 11-14 (CH-3)).

Addition professional publications, including The American Practical Navigator (Bowditch); Naval Shiphandling by Crenshaw; and others were used as references and resources for developing the curriculum.

#### **Deliverable B:**

Deliverable B: Deliverable B involved development of the simulation-based assessments and, if appropriate, a written final exam for students.

The work product for this deliverable was the completed course assessments and exams.

After a staff review, it was determined that the most effective assessment methodologies for these courses would be a simulator assessment and written exam for the Basic Shiphandling course and a simulator assessment only for the Advanced Shiphandling course. Work commenced on this deliverable on 18 October 2021. This deliverable was completed on 25 January 2022 and the appropriate documentation was forwarded to the PWSRCAC staff.

#### **Deliverable C:**

Deliverable C: Deliverable C was submission of both courses to the United States Coast Guard for approval.

The work product for this deliverable was the application to the United States Coast Guard for course review and approval for these two courses.

Work on this deliverable was started on 4 January 2022.

The deliverable for the Basic Shiphandling portion of this project was completed on 27 January 2022.

The deliverable for the Advanced Shiphandling portion of this project was completed on 31 January 2022.

#### **Deliverable D:**



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Deliverable D; Deliverable D was a final written report, including an executive summary and a virtual presentation in PowerPoint format to the Council Board of Directors at an agreed upon meeting time.

The work product for this deliverable was the final report (this document) and the presentation to the Council Board of Directors.

Work on this deliverable was started in October of 2021 to gather the factual information in a timely manner for a complete and detailed report.

**Final Comments:**

The final product, once approved by the National Maritime Center will be a Basic Shiphandling and Advanced Shiphandling course that meets the IMO and USCG requirements for these two training courses with a focus on working in Alaskan waters.

And while technically, this project is now officially completed, from AVTEC's perspective, it will not be totally completed until we receive Coast Guard approval for these two courses. Occasionally, in spite of our research and work, the Coast Guard identifies areas of the curriculum that need further development or clarification. Should that occur with these two courses, AVTEC will continue to work on the curriculum until we have both courses approved.

CAPT Robert V. Chadwell  
Alaska Maritime Training Center  
AVTEC



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## Briefing for PWSRCAC Board of Directors – May 2022

**ACTION ITEM**

**Sponsor:** Administration

**Project number and name or topic:** Committee Member Appointments

1. **Description of agenda item:** This agenda item is to request that the Board support the volunteer membership of the committees by the appointment of applicants to a two-year term to the committees listed below:

**Scientific Advisory Committee (SAC)**

Davin Holen	Renewal
Sarah Allan	Renewal
Debu Misra	Renewal
Ana Aguilar-Islas	New

Note: The committee consists of nine members including renewals and new members.  
Directors on SAC: Dorothy Moore, Wayne Donaldson

**Terminal Operations and Environmental Monitoring Committee (TOEM)**

Matt Cullin	Renewal
George Skladal	Renewal

Note: The committee consists of eight members including renewals.  
Directors on TOEM: Amanda Bauer

**Oil Spill Prevention and Response Committee (OSPR)**

Jerry Brookman	Renewal
Dave Goldstein	Renewal

Note: The committee consists of eight members including renewals.  
Directors on OSPR: Robert Beedle, Mike Bender

**Port Operations and Vessel Traffic Systems (POVTS)**

Gordon Terpening	Renewal
Max Mitchell	Renewal

Note: The committee consists of five members including renewals and new members.  
Directors on POVTS: Amanda Bauer, Robert Archibald

**Information and Education Committee (IEC)**

Ruthie Knight	Renewal
Kate Morse	Renewal

Note: The committee consists of eight members including renewals.  
Directors on IEC: With Patience Andersen Faulkner's resignation, a Director is not currently assigned to IEC. Per PWSRCAC Bylaws, one or more Directors shall be assigned to each standing committee.

2. **Why is this item important to PWSRCAC:** Maintaining a strong committee membership has been a high priority for PWSRCAC. The committees are an integral component of PWSRCAC's work and require strong volunteer membership.
3. **Summary of policy, issues, support or opposition:** Selection criteria for committee members includes: 1) experience or background in a technical field; 2) having a stake in safe oil transportation and/or terminal operations; 3) residents of the EVOS region given preference; 4) objectivity; 5) special skills or expertise; and 6) must be a resident of the State of Alaska with the intention of remaining a resident. Additionally, at least one Board member shall serve on each PWSRCAC standing committee.
4. **Committee Recommendation:** The committee chairs and staff will discuss the seating of these members at the meeting during the executive session.
5. **Relationship to LRP and Budget:** Committee expenses tend to increase with the size of the committee but have always been an important part of the PWSRCAC budget. In the past, the Board supported limiting committee members to eight plus Board members.
6. **Action Requested of the Board of Directors:**
  - a) Elect committee members to two-year terms on their respective committees; and
  - b) Assign a Director to serve on IEC.
7. **Alternatives:** None proposed.
8. **Attachments:** The meeting attendance for the last three years for all committee members is in section 2-4 of the meeting packet. Applications for new members are provided to Board members only [upon request](#).

**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.

## Presentation: LTEMP 2021 Sampling Results and Interpretations 4-6

<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



## Presentation: LTEMP 2021 Sampling Results and Interpretations 4-6

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 PEGI 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 PEGI 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 PEGI 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 PEGI, 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 PEGI 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.

## Presentation: LTEMP 2021 Sampling Results and Interpretations 4-6

### 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.

## Briefing for PWSRCAC Board of Directors – May 2022

**INFORMATION ITEM**

**Sponsor:** Danielle Verna & Betsi Oliver

**Project number and name or topic:** 9550 Dispersant Use Position Update

1. **Description of agenda item:** This is an information item to provide the Board an update on the ongoing project to review and consider updating the Council's position on the use of dispersants in the event of an oil spill in our region. This project was initiated in fall 2020, followed by several meetings of the project team and Scientific Advisory Committee to frame the project and review the latest research on dispersants. A facilitated workshop for Board members was held on March 10, 2022, to discuss the regulatory framework and science of dispersants. The outcomes of that workshop and the next steps of the project will be provided in this update, including opportunities for Board members to continue to engage and provide input on a draft position statement.

2. **Why is this item important to PWSRCAC:** Under the Oil Pollution Act of 1990 (OPA 90), PWSRCAC is authorized to participate in the development of plans and policy guidelines used in oil spill response. Chemical dispersant use has been a longstanding controversial topic. The use of dispersants may impact the health of marine resources and human health. The use of dispersants also may compete with mechanical response for time and resources. PWSRCAC has invested significant effort to sponsor dispersants research, review and keep records of dispersants research, and keep track of relevant regulations and policies governing dispersants use in our region.

The Council's current dispersants use position was confirmed in 2006 and does not support the use of dispersants in our region. Since then, much more scientific research on dispersants has been conducted and many lessons resulted from using dispersants during major spills such as the 2010 Deepwater Horizon. This project to review and potentially update the Council's 2006 dispersants use position and supporting documentation is timely due to how much more is known about dispersants today.

3. **Previous actions taken by the Board on this item:** Only actions that have occurred since 2001 are noted here. All historic actions pertaining to this agenda item are available for review upon request, including the previous Council positions from 1998 and 1993.

<u>Meeting</u>	<u>Date</u>	<u>Action</u>
Board	2/22/01	Approved the report on dispersant effectiveness tests by Adam Moles of Auke Bay Labs.
XCOM	6/22/01	Approved report "The Effectiveness of Corexit 9527 and 9500 in Dispersing Fresh, Weathered, and Emulsion of Alaska North Slope Crude Oil Under Subarctic Conditions."
XCOM	5/3/02	Approved the report titled, "A Review of Literature Related to Oil Spill Dispersants Especially Relevant to Alaska" by Dr. Merv Fingas.
XCOM	5/30/02	Approved the paper "Dispersants: Many Questions, Few Answers" for distribution at the 2002 AMOP.
XCOM	7/25/02	Approved "A White Paper on Oil Spill Dispersant Field Testing" by Dr. Merv Fingas.

## Dispersants Use Position Update 4-7

XCOM	10/9/03	Approved the report titled "Review of Monitoring Protocols for Dispersant Effectiveness" by Dr. Merv Fingas.
XCOM	10/28/03	Approved the October 6, 2003 SAC position on Dispersant use.
XCOM	12/15/05	Approved the report titled "Dispersants, Salinity and Prince William Sound."
XCOM	2/7/06	Approved the report titled "A Review of Emulsification Tendencies and Long-term Petroleum Trends of Alaska North Slope (ANS) Oils and the White Paper on Emulsification of ANS Crude Oil Spilled in Valdez."
Board	5/2/06	Approved PWSRCAC Dispersant Use Statement.
XCOM	6/13/06	Approved the reported "Observers' Report: MMS Cold Water Dispersants Test conducted at the OHMSETT testing facility, February 28-March 3, 2006."
XCOM	12/11/06	Approved the report "Field Notes and Critical Observations from the OHMSETT Heavy Oil Dispersant Trials, October 13-16, 2003."
Board	1/22/09	Approved the dispersants literature surveys "A Review of Literature Related to oil Spill Dispersants 1997-2008", "A Review of Literature Related to oil Spill Dispersants Especially Related to Alaska 2002-2003," and the Solidifiers Literature Review titled "A Review of Literature Related to oil Spill Solidifiers 1990-2009."
Board	9/16/10	Approved the issue paper on the use of dispersants in the BP Deepwater Horizon spill.
Board	9/15/11	Approve contracting with University of Southern Maine not to exceed \$70,000 for work on the toxicology of chemical dispersants in Alaska whales.
Board	9/15/11	Approve contracting with the Skidaway Institute of Oceanography at a cost of \$14,520 for work on the uptake and effects of dispersed oil droplets by zooplankton.
Board	5/3/12	Approved contracting with Spill Science for a comprehensive monitoring program for a cost of \$48,000.
Board	7/23/12	Approve contracting with NJIT for \$183,100 for dispersed oil biodegradation.
Board	5/2-3/13	Accept DFO final report on dispersed oil effects on salmon, cod, and herring.
Board	5/2-3/13	Accept final report on hydrocarbon uptake by spot shrimp from Dick Lee of the Skidaway Institute of Oceanography.
Board	1/23/14	Accept "Analysis of Oil Biodegradation Products" by Merv Fingas.
XCOM	4/16/15	Approve comments to EPA on Subpart J, Dispersants.
Board	5/17/16	Approved the report titled "Toxicology of Chemical Dispersants in Alaskan Whales"
Board	5/2016	Accept Dispersants SMART Monitoring Protocol document.
Board	3/7/17	Authorized a contract with Merv Fingas for the development of a comprehensive synthesis of dispersants research in an amount not to exceed \$65,000.
Board	5/3/18	Accepted the report titled "A Review of Literature Related to Oil Spill Dispersants, June 2017" by Merv Fingas of Spill Science, and the general version of the report titled "A Review of Literature Related to Oil Dispersants, September 2017" by Elise DeCola of Nuka Research & Planning Group, LLC.
XCOM	6/14/18	Approved report titled "A Review of Literature Related to Human Health and Oil Spill Dispersants."
Board	9/16/21	Accepted report titled "A Summary of Dispersants Research: 2017-2021" by Merv Fingas of Spill Science.

4. **Summary of policy, issues, support, or opposition:** In June 2020, a U.S. District Court Judge ruled that the Clean Water Act imposes on the EPA a mandatory duty to maintain an up-to-date oil spill response plan that reflects current science and technology. In August 2021, the court ruled that the EPA violated that duty since the relevant regulations have not been updated in more than 25 years. The EPA must now update and finalize its regulations, which includes the use of dispersants, by May 31, 2023. In July 2021, the EPA released a final rule on monitoring requirements for use of dispersants in Subpart J of the National Oil and Hazardous Substances Pollution Contingency Plan effective January 2022.

PWSRCAC provided extensive comments during the Alaska Regional Response Team planning effort to establish new policy for use of dispersants in state waters, which was adopted in January 2016 and presented to the Board by Linda Swiss in May 2016.

There appears to be strong support in updating the Board's position based on new information and science, based on the fairly high ranking this project received by the Board in the Long Range Planning process (rank 5 out of 17).

5. **Committee Recommendation:** Not applicable; this is an information item only.

6. **Relationship to LRP and Budget:** Project 955 – Dispersants is in the approved FY2022 budget and annual workplan.

**9550--Dispersants**

**As of March 23, 2022**

**FY-2022 Budget**

Original	\$32,000.00
Modifications	\$15,070.00
Revised Budget	<u>\$47,070.00</u>

**Actual and Commitments**

Actual Year-to-Date	\$18,665.00
Commitments (Professional Services)	\$28,405.00
Actual + Commitments	<u>\$47,070.00</u>
Amount Remaining	<u>\$0</u>

7. **Action Requested of the Board of Directors:** There is no action requested of the Board of Directors at this time. Additional work sessions to discuss the dispersants position update will be held prior to the September Board meeting for Board members, SAC members, and the project team. Board members are encouraged to attend. The dates and topics for these work sessions will be communicated at this meeting.

8. **Attachments:** None.

**Briefing for PWSRCAC Board of Directors – May 2022****ACTION ITEM****Sponsor:** Board of Directors**Project number and name or topic:** 210 – Board Committee Appointments

1. **Description of agenda item:** Appointments are made annually to four of the standing Board and ad hoc committees; the Finance Committee, the Long Range Planning Committee (LRPC), Board Governance Committee (BGC), and Legislative Affairs Committee (LAC). The Board is also asked to create a one-time Executive Director Evaluation Committee. The purpose of this agenda item is to solicit interest and appoint members to the following committees:

**Executive Director Evaluation Review Committee:** At its March 8, 2022 special meeting, the Board approved establishing an ad hoc committee to review the annual Executive Director evaluation process. At that meeting, Directors Ben Cuttrell, Robert Beedle, Rebecca Skinner, and Amanda Bauer expressed interest in serving on this committee. The purpose of this agenda item is to gauge interest from other Board members and to appoint at least three members to this committee. Estimated time commitment is 3-4 meetings, and this task should be completed by the end of the year.

**Finance Committee:** By resolution, the Finance Committee must be seated at the time the operating budget is adopted. The committee will be comprised of the newly elected Treasurer, who shall chair the committee, and at least three members of the Board of Directors. The most recent Finance Committee was comprised of Wayne Donaldson (Treasurer), Robert Archibald, Rebecca Skinner, Angela Totemoff, and Mako Haggerty. Once appointed, the Finance Committee will be charged with: reviewing interim financial reports and proposed budgets; meeting with the independent auditor at least annually to review the scope of each year's annual audit and the findings of such audit; meeting with PWSRCAC's management and financial staff to review internal controls and to develop additional interim reporting methods to assist the Board; and assisting staff and/or auditors with the drafting of the annual financial statements and notes. Estimated time commitment is 4-5 meetings per year.

**Long Range Planning Committee:** The Board-approved the annual process for long range planning and budgeting. The process begins with the appointment of Board members to the LRPC in May each year. At least three members of the Board of Directors are desired to serve on the committee, as well as the chairs of all five technical committees. The most recent LRPC was comprised of Directors Amanda Bauer, Patience Andersen Faulkner, Elijah Jackson, and the five technical committee chairs. In addition, IEC member Cathy Hart was appointed by the Executive Committee to serve as Chair of the most recent LRPC. Estimated time commitment is

5-6 meetings per year, including the December and January in-person workshops. The Long Range Planning Committee is an ad hoc Committee and as such is not included as a Standing Committee in PWSRCAC bylaws.

**Board Governance Committee:** BGC is responsible for the organizational health and effectiveness of the Board. Its responsibilities include Board development, which includes training new Board members, as well as ongoing development of Board job descriptions. The BGC is also responsible for annually reviewing the Council's bylaws and practices and recommending any changes it deems appropriate related to Board structure or operations. By way of example, the BGC should periodically review the manner in which meetings are conducted, the responsibilities of the Board officers, and the use of both standing and ad hoc committees. The BGC shall assist the President of the Board by recommending action in appropriate circumstances on issues regarding individual Board members, including their participation or lack thereof with regard to Council's activities. Per its Charter, the BGC shall consist of at least three Board members. The most recent BGC was comprised of Dorothy Moore, Patience Andersen Faulkner, Mike Bender, Luke Hasenbank, and Robert Beedle. Estimated time commitment is 3-5 meetings per year, as needed.

**Legislative Affairs Committee:** The LAC monitors developments in the Alaska State Legislature and on a federal level, recommends action to be taken to the full PWSRCAC Board of Directors, and, as directed by the Board, communicates PWSRCAC positions to lawmakers. The Committee's work is supported by outside contractors to monitor state and federal matters. LAC should consist of at least three Board members. The most recent Legislative Affairs Committee was comprised of Dorothy Moore, Angela Totemoff, Mako Haggerty, Robert Beedle, Robert Archibald, Rebecca Skinner, and Kirk Zinck. Estimated time commitment is one meeting every other week during the legislative season. In addition, two Board members are budgeted to travel to Juneau and Washington, D.C., for legislative outreach visits (pending any COVID-19 travel restrictions).

2. **Why is this item important to PWSRCAC:** Members of the Board of Directors have a responsibility to oversee various tasks of the Council. It is important that each of these committees be staffed with Board member appointees annually to ensure sufficient Board participation and direction.

3. **Action Requested of the Board of Directors:** Appoint Board members to the following committees:

- Executive Director Evaluation Review Committee (at least three Board members).
- Finance Committee (Treasurer and at least three Board members).
- Long Range Planning Committee (at least three Board members), the five technical committee chairs and consideration of approving volunteer Cathy Hart.
- Board Governance Committee (at least three Board members).
- Legislative Affairs Committee (at least three Board members).

4. **Alternatives:** None proposed.
5. **Attachments:**
  - A. Excerpts from PWSRCAC bylaws on Standing Committees
  - B. Resolution 03-03 Creating the Finance Committee
  - C. Board Governance Committee Charter



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### **Excerpts from PWSRCAC Bylaws Regarding Standing Committees**

3.18.1 Creation of Committees. The Board may designate and appoint one or more standing or temporary committees, including an Executive Committee, from its own number and invest such committees with such powers as it may see fit, subject to such conditions as may be prescribed by the Board, these Bylaws and applicable law. The designation and appointment of any such committee and the delegation of authority thereto shall not relieve the Board or any individual Director of any responsibility imposed by law. The Board may also designate and appoint one or more standing or temporary committees that may include persons other than Directors, but it shall not delegate to any such committee any authority or responsibility imposed on the Board by law, the articles of incorporation or these Bylaws. Members may be appointed to the standing committees, other than the Executive Committee, by the Executive Committee or by Board poll. Such appointments shall be ratified at the next meeting of the full Board.

#### **3.18.2 Authority Standing of Committees.**

3.18.2.1 Executive Committee. The Executive Committee shall be composed of the officers of the corporation other than the Executive Director and a member at large and may include two additional members at large from the board of directors. Subject to limitations on authority imposed by the Board, the Executive Committee shall have and may exercise all of the authority of the Board, except that no such committee shall have the authority to (1) amend the Articles of Incorporation, (2) adopt a plan of merger or consolidation with another corporation, (3) authorize the sale, lease, exchange or mortgage of all or substantially all of the property and assets of the corporation, (4) authorize the voluntary dissolution of the corporation or revoke proceedings therefore, (5) adopt a plan for the distribution of the assets of the corporation, (6) amend these Bylaws, or (7) approve or substantially modify the corporation's budget and/or contractual commitments.

3.18.2.2 Board Governance Committee. The Board Governance Committee is responsible for the organizational health and effectiveness of the Board. Its responsibilities include Board development, which includes training new Board members, as well as ongoing development of Board position job descriptions. The Board Governance Committee also is responsible for annually reviewing the Council's Bylaws and practices and recommending any changes it deems appropriate related to Board structure or operations. By way of example, the Board Governance Committee should periodically review the manner in which meetings are conducted, the responsibilities of the Board officers, and the use of both standing and ad hoc committees. The Board Governance Committee shall adopt and abide by a Charter approved by the Board. The Board Governance Committee shall assist the President of the Board and chairs of the Council's committees, recommending action in appropriate circumstances, in issues regarding individual Board Members, including their participation or lack thereof with regard to council's activities.

3.18.2.3 Finance Committee. The responsibility of the Finance Committee is to assist the Board in carrying out its fiduciary responsibility to oversee the financial affairs of the organization and the annual independent audit of the Council's finances. The duties of the Finance Committee may include review and / or recommendation to the Board regarding acceptance or amendment of interim financial reports and proposed budgets. The Finance Committee will meet with the independent auditor at least annually to review the scope of the annual audits and audit findings, review internal controls, annual financial statements, the IRS Form 990, and review and provide guidance on risk management, insurance policies, property management, procurement, contracting policies, insurance, fiscal ethics and compliance programs, and overall fiscal governance. The Finance Committee shall be appointed to one-year terms by the Board at the May Board meeting or at the time the budget is adopted. The Committee shall be comprised of the Treasurer, who shall chair the Committee and at least three members of the Board of Directors. (Resolution 03-03).

3.18.2.4 Legislative Affairs Committee. The responsibility of the Legislative Affairs Committee is to advise the Board on state and federal legislative matters directly related to the PWSRCAC mission and its duties as set forth in the Oil Pollution Act of 1990 (OPA 90) and the contract with Alyeska Pipeline Service Company. The responsibilities of the Legislative Affairs Committee may include advising the Board on legislative priorities, relevant legislation and regulations, administrative actions, and department budgets. The Committee may produce informational materials on legislative priorities that educate and inform, make recommendation to the staff on administrative actions that advance legislative priorities, and participate in legislative visits to Juneau and Washington D.C. Committee members shall serve one-year terms and shall be appointed by the Board at the May Board meeting. The Committee shall be comprised of at least four Board members.

##



**Regional Citizens' Advisory Council** / "Citizens promoting environmentally safe operation of the Alyeska terminal and associated tankers."

In Anchorage: 3709 Spenard Road / Anchorage, Alaska 99503 / (907) 277-7222 / FAX (907) 277-4523

In Valdez: P.O. Box 3089 / 339 Hazelet Avenue / Valdez, Alaska 99686 / (907) 835-5957 / FAX (907) 835-5926

### RESOLUTION 03-03

#### MEMBERS

Alaska State  
Chamber of  
Commerce

Alaska Wilderness  
Recreation & Tourism  
Association

Chugach Alaska  
Corporation

City of Cordova

City of Homer

City of Kodiak

City of Seldovia

City of Seward

City of Valdez

City of Whittier

Community of  
Chenega Bay

Community of  
Tahitiak

Cordova District  
Fishermen United

Kenai Peninsula  
Borough

Kodiak Island  
Borough

Kodiak Village Mayors  
Association

Oil Spill Region  
Environmental  
Coalition

Prince William Sound  
Aquaculture  
Corporation

**WHEREAS**, Article 3.18.1 of the Bylaws of the Prince William Sound Regional Citizens' Advisory Council provides for the creation of committees by resolution of the Board of Directors; and

**WHEREAS**, the Board of Directors has determined that the creation of a Finance Committee will assist them in their fiduciary responsibility of overseeing the financial affairs of the organization.

**NOW, THEREFORE, BE IT RESOLVED** that a Finance Committee shall be created;

**FURTHER RESOLVED**, that the Finance Committee shall be comprised of the of the Treasurer who shall chair the committee and at least three members of the Board of Directors;

**FURTHER RESOLVED**, that the members of the Finance Committee shall be appointed to one-year terms by the Board of Directors at the May board meeting or the time the budget is adopted;

**FURTHER RESOLVED**, that the Finance Committee shall be charged with:

- (a) Reviewing interim financial reports and proposed budgets and making recommendations to the Board for acceptance or changes to the reports and budgets;
- (b) Meeting with the independent auditor at least annually to review the scope of each year's annual audit and the findings of such audits;
- (c) Meeting with PWSRCAC's management and financial staff to review internal controls and develop additional interim reporting methods to assist the Board;
- (d) Assisting staff and/or auditors with the drafting of the annual financial statements and notes.

President

Date: 9/25/03

Secretary

## **Board Governance Committee Charter**

### **Prince William Sound Regional Citizens' Advisory Council**

**Purpose.** The Board Governance Committee is responsible for the organizational health and effectiveness of the Board.

**Responsibilities.** The Board Governance Committee has the following responsibilities, as established by the Council Board:

- Adopt and abide by a Charter approved by the Board.
- Annually review the Council's Bylaws and practices, and recommend any changes it deems appropriate related to Board structure or operations. By way of example, the Board Governance Committee should periodically review the manner in which meetings are conducted, the responsibilities of the Board officers, and the use of both board-only standing and ad hoc committees.
- Board development recommendations, which includes training for new Board members, as well as ongoing development of Board position job descriptions.
- Assist the President of the Board and chairs of the Council's committees, recommending action in appropriate circumstances, in issues regarding individual Board Members, including their participation or lack thereof with regard to council's activities.

**Membership, Quorum, and Terms of Service.** The Governance Committee consists of at least three Board members appointed in accordance with Sec. 3.18.1 of the Council Bylaws.

Committee members are appointed annually. The Committee selects its own Chair annually from among the members of the Committee. A quorum consists of three members.

**Accountability.** The Governance Committee is accountable to the Board of Directors.

**Responsible Staff Person.** The Executive Director, or his or her designee, is responsible for the administration of the work of the Governance Committee.



## Briefing for PWSRCAC Board of Directors – May 2022

**INFORMATION ITEM**

**Sponsor:** Joe Lally and the Legislative Affairs Committee

**Project number and name or topic :** 4400 and 4410 – Federal and State Government Affairs Update

1. **Description of agenda item:** Staff and the Council's legislative monitors Roy Jones and Gene Therriault will report on developments and prospects in Washington, D.C., and Juneau related to PWSRCAC legislative priorities.
2. **Why is this item important to PWSRCAC:** Many issues of vital importance to the Council and its mission are debated and decided in Juneau and Washington, D.C. The Legislative Affairs Committee works to advance legislative priorities that are consistent with our mission, OPA 90, and our contract with Alyeska Pipeline Service Company.
3. **Previous actions taken by the Board on this item:** LAC was created by the Board in 1991 and has operated ever since.
4. **Summary of policy, issues, support, or opposition:** Not applicable.
5. **Committee Recommendation:** Not applicable.
6. **Relationship to LRP and Budget:** The monitoring of federal and state legislative affairs is in the approved FY2022 budget with a combined budget total of \$57,000.
7. **Action Requested of the Board of Directors:** None, item is for information only.
8. **Attachments:** None.

## Briefing for PWSRCAC Board of Directors – May 2022

**INFORMATION ITEM**

**Sponsor:** Alan Sorum

**Project number and name or topic:** Presentation by Captain Steve White,  
Executive Director of the Marine  
Exchange of Alaska

1. **Description of agenda item:** Captain Steve White, Executive Director of the Marine Exchange of Alaska (MXAK), will brief the Board about his organization, their marine safety mission, and areas where MXAK has common interests with the Council.

2. **Why is this item important to PWSRCAC:** Founded in 2001, Marine Exchange of Alaska (MXAK) is a nonprofit organization dedicated to saving lives, property, and protecting the environment by preventing maritime disasters. MXAK has developed a vast maritime safety network which provides maritime domain awareness using cutting-edge technology, extensive experience, and strong partnerships. Many of their marine safety interests and goals overlap with those of the Council.

MXAK is responsible for installing and maintaining more than 60 weather stations, as well as developing Alaska's most comprehensive vessel tracking system, with over 150 Automatic Identification System (AIS) receivers positioned across the state. There is potential to collaborate with the MXAK on future weather-related projects, and the Council has previously shared expenses with them to conduct maintenance work at the Cape St Elias weather station.

Data gathered from marine safety sites is made available on PacTracs, a customizable display system designed to provide mariners with accurate information needed to make informed decisions. The Council subscribes to this service and has used it extensively during marine related incidents in the past.

3. **Previous actions taken by the Board on this item:** Not applicable.

4. **Summary of policy, issues, support, or opposition:** Not applicable.

5. **Committee Recommendation:** Not applicable.

6. **Relationship to LRP and Budget:** None.

7. **Action Requested of the Board of Directors:** None, item is for information only.

8. **Attachments:** None.

<b>Briefing for PWSRCAC Board of Directors – May 2022</b>
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**ACTION ITEM**

**Sponsor:** Gregory Dixon, Financial Manager  
Emeritus

**Project number and name or topic:** FY2021 Form 990 (Return of Organization  
Exempt from Income Tax)

1. **Description of agenda item:** Review and approve filing of the FY2021 Form 990, required by the Internal Revenue Service (IRS) on or before May 15, 2022. Gregory Dixon, Financial Manager Emeritus, completed this filing because he served as Financial Manager during FY2021.
2. **Why is this item important to PWSRCAC:** Because of its tax-exempt status, PWSRCAC is required to submit a Form 990 annually, which provides financial and other information to the IRS. Once submitted, the form becomes public information. Failure to file the form in a timely and accurate manner may result in the loss of PWSRCAC's tax-exempt status.
3. **Previous actions taken by the Board on this item:** The Board has approved submission of the Form 990 annually since 2010.
4. **Summary of policy, issues, support or opposition:** Because the Board of Directors is responsible for the financial affairs of PWSRCAC, directors should review information on Form 990 prior to submission. Part VI, Section A of the form requires PWSRCAC describe the process by which the Finance Committee and Board of Directors review the form before it is sent to the IRS. In addition to the financial information on the form, there is information about the organization's activities and governance policies, and the Board should ensure that this information is correct.
5. **Committee Recommendation:** The Finance Committee will review the draft form and recommend action on it prior to the Board meeting.
6. **Action Requested of the Board of Directors:** Authorize the Executive Director to sign the Form 990 on behalf of PWSRCAC and submit it to the IRS on or before May 15, 2022.
7. **Alternatives:** None recommended.
8. **Attachments:** A draft copy of the Form 990 will be made available to Board members only at the meeting for review. Once the Form is approved and submitted, it will be made available on PWSRCAC's main website, [www.pwsrcac.org](http://www.pwsrcac.org).



## Briefing for PWSRCAC Board of Directors – May 2022

**INFORMATION ITEM**

**Sponsor:** Betsi Oliver & IEC

**Project number and name or topic:** 3500-Community Outreach

1. **Description of agenda item:** FY2022 Community Outreach Update.
  
2. **Why is this item important to PWSRCAC:** Community outreach helps the Council achieve its mission by sharing its work with constituents and requesting feedback from member entities and citizens. Although outreach has looked different over the past two years, it has not stopped. This is an update about community outreach activities, both virtual and in-person, provided by the Council over the past year.
  
3. **Previous actions taken by the Board on this item:** None.
  
4. **Summary of policy, issues, support, or opposition:** According to OPA 90 and our contract with Alyeska, community outreach fulfills the following requirements:  
OPA 90:
  - Provides regional balance, broadly representative of communities and interests in the region.
  - Provides advice to regulators on the federal and state levels.
  - Provides advice and recommendations on policies, permits, and site-specific regulations relating to the operation and maintenance of terminal facilities and crude oil tankers.
  - Provides advice and recommendations on port operations, policies, and practices.
  - Fosters partnerships among industry, government, and local citizens.Alyeska Contract:
  - Provides local and regional input, review, and monitoring of Alyeska's oil spill response and prevention plans and capabilities, environmental protections capabilities, and the actual and potential environmental impacts of the terminal and tanker operations.
  - Increases public awareness of subjects listed above.
  
5. **Committee Recommendation:** IEC reviews updates on Community Outreach efforts at each committee meeting. This is an informational item to the Board only; no action is recommended by the committee at this time.
  
6. **Relationship to LRP and Budget:** Project 3500 – Community Outreach is in the approved FY2022 budget and annual work plan.

**As of March 23, 2022**

Original	\$48,800.00
Modifications	<u>(\$10,000.00)</u>
Revised Budget	<u>\$38,800.00</u>

Actual Year-to-Date	\$11,389.19
Commitments (Professional Services)	
Actual + Commitments	\$11,389.19

Amount Remaining	<u>\$27,410.81</u>
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8. **Attachments:** None.



[www.pwsrcac.org](http://www.pwsrcac.org)

Citizens promoting the environmentally safe operation of the Alyeska terminal and associated tankers.

**Members:**

Alaska State  
Chamber of Commerce

Chugach Alaska  
Corporation

City of Cordova

City of Homer

City of Kodiak

City of Seldovia

City of Seward

City of Valdez

City of Whittier

Community of Chenega

Community of Tatitlek

Cordova District  
Fishermen United

Kenai Peninsula  
Borough

Kodiak Island Borough

Kodiak Village Mayors  
Association

Oil Spill Region  
Environmental Coalition

Port Graham  
Corporation

Prince William Sound  
Aquaculture Corporation

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**Anchorage**

3709 Spenard Rd, Ste 100  
Anchorage, AK 99503  
O: (907) 277-7222  
(800) 478-7221

**Valdez**

P.O. Box 3089  
130 S. Meals, Ste 202  
Valdez, AK 99686  
O: (907) 834-5000  
(877) 478-7221

**Resolution 22-02**

**Recognizing and Expressing Appreciation for Anil Mathur's  
Contributions to the Safe Transportation of Oil in Prince William Sound  
and Throughout the West Coast**

**WHEREAS**, Anil Mathur, President & CEO of Alaska Tanker Company (ATC), announced his retirement in 2020, after almost two decades of quality service and focus on safety; and,

**WHEREAS**, during Anil Mathur's tenure, ATC transported over 1,916 million barrels of oil without any spills to sea, logged 23 million human-hours with only one lost time injury (a fractured finger); and

**WHEREAS**, Anil Mathur prioritized a mindfulness culture at ATC based on safety and well-being, supported by neuroscience, to overcome complacency and distraction, and improve safety performance and accountability; and,

**WHEREAS**, in addition to other accolades, Anil Mathur received the United Seamen's Service 2019 Admiral of the Ocean Sea Award, the AFL-CIO 2013 Labor-Management Award, the American Society of Safety Engineers' 2010-2011 President's Award, and was named the "CEO who gets it" by the National Safety Council in 2005; and,

**WHEREAS**, Anil Mathur put extensive time and effort into establishing and improving relationships with stakeholders, such as the Council, striving to find common ground within the shared goals; and,

**WHEREAS**, Anil Mathur proactively invited the Council to attend and participate in ATC's annual Quality/Safety Management Review meetings, and learn about the systems used to ensure no accidents, no harm to people, and no damage to the environment; and,

**WHEREAS**, Anil Mathur never missed an opportunity to share safety culture in memorable ways, such as explaining the "swiss cheese model" of accident causation and his view that in order to have world-class performance you have to change the mindset, skillset, and toolset; and,

**WHEREAS**, Anil Mathur, and ATC under his leadership, exemplified the working relationship and values we all strive for – keeping our economy going in the absolute safest way possible for the sake of the environment, our communities and local economies, and those working within the oil transportation industry; and,

**WHEREAS**, the hard work, dedication, and teamwork of everyone at ATC during Anil Mathur's tenure showcased their commitment to each other and to the entire west coast of the United States and Canada.

**NOW, THEREFORE BE IT RESOLVED**, that the Prince William Sound Regional Citizens' Advisory Council commends and expresses gratitude to Anil Mathur for his many years of dedication and commitment to the safe transportation of crude oil throughout the region of Prince William Sound and the Gulf of Alaska; and,

**BE IT FURTHER RESOLVED**, that the Prince William Sound Regional Citizens' Advisory Council's staff and volunteers wish Anil Mathur all the best in his retirement, with the hope that his curiosity and open-minded perspective will continue such that the friendships that have been built along the way will be strengthened, and new friendships realized.

**PASSED AND APPROVED** by the Prince William Sound Regional Citizens' Advisory Council on this 5<sup>th</sup> day of May, 2022.

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Robert Archibald  
President

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Bob Shavelson  
Secretary

## Briefing for PWSRCAC Board of Directors – May 2022

**INFORMATION ITEM**

**Sponsor:** Ashlee Hamilton, Financial Manager

**Project number and name or topic:** Annual Code of Conduct  
Acknowledgement, Statement of  
Residency, and Conflict of Interest  
Disclosure

1. **Description of agenda item:** Each year Board members are asked to acknowledge PWSRCAC's Code of Conduct, complete a Statement of Residency, and complete the Conflict of Interest and Transactions with Interested Parties form. This requirement is stated in PWSRCAC's policies or bylaws. The Conflict-of-Interest form is used to identify financial interests Board members, or their close relatives may have in Alyeska Pipeline Service Company or any of Alyeska's owner companies. The Transactions with Interested Parties form is used to identify financial interests Board members, or their close relatives may have with vendors doing business with PWSRCAC and is the basis for some of the information provided on the annual Form 990 submitted to the Internal Revenue Service. [Social media guidelines](#) are included with the Code of Conduct. Other Board approved policies and procedures referenced in these documents are referenced on [www.pwsrcac.net](http://www.pwsrcac.net).

2. **Why is this item important to PWSRCAC:** Conducting business according to standards set by the PWSRCAC Board enhances the Council's overall credibility and effectiveness as an organization. The Statement of Residency is a requirement stated in the bylaws. The Conflict of Interest and Disclosure forms help ensure Board members do not have a financial stake in Alyeska and that business transactions in general are conducted in an ethical and legal fashion.

3. **Previous actions taken by the Board on this item:**

<u>Meeting</u>	<u>Date</u>	<u>Action</u>
XCOM	2/1999	Directed legal counsel to draft language for a conflict-of-interest bylaw change for the March meeting.
Board	3/1995	Amended bylaws to include a conflict-of-interest statement.
Board	2/1992	Approved policy 101, conflict of interest statement.
Board	5/2011	Approved a consolidated conflict of interest form to be signed annually by Board members.
Board	9/2013	Briefed on content of review by council lawyer for information including recommendation that requirement of form extend to all volunteers.

4. **Summary of policy, issues, support or opposition:** An explanatory memo prepared by Council attorney Joe Levesque summarizing conflict of interest issues is attached.

5. **Committee Recommendation:** Not Applicable.

6. **Relationship to LRP and Budget:** Not Applicable
7. **Action Requested of the Board of Directors:** Each board member is asked to complete these forms. No formal board action is required. Staff are available to answer specific questions members may have about these forms.
8. **Alternatives:** Not applicable.
9. **Attachments:**
  - A: Code of Conduct and Board Statement of Residency
  - B: Conflict of Interest and Transactions with Related Parties Disclosures
  - C: Memo from Joe Levesque dated July 9, 2013, regarding Conflicts of Interest

**Prince William Sound Regional Citizens' Advisory Council  
Code of Conduct and Board Statement of Residency**

**Introduction**

The strength of the Prince William Sound Regional Citizens' Advisory Council (PWSRCAC) lies in its broad representation of the citizens who reside in the region affected by the 1989 Exxon Valdez oil spill. It provides a forum for melding their diverse views into an objective analysis of the issues related to the organization's mission, which enables the organization to speak with a strong voice on behalf of those citizens.

Member entities, Directors, committee volunteers, and staff are all critical elements in this process. Their sincere commitment to PWSRCAC's mission and established process are essential to maintaining credibility. The organization thrives on the enthusiasm of highly motivated individuals who critically assess developments and bring opinions and recommendations to the committees and the Board of Directors.

Persons who are appointed, volunteer, or are hired to serve the organization are expected to conduct themselves as outlined herein.

**Mission**

The organization's mission, approved by its Board of Directors is *Citizens promoting the environmentally safe operation of the Alyeska terminal and associated tankers.*

**Definitions for terms used herein:**

Committee volunteer: A member of a PWSRCAC committee created by the Board under Sec. 3.18.2.3 of the PWSRCAC bylaws who is not also a Director.

Director: An individual appointed by a member entity to the PWSRCAC Board of Directors

Member entity: A Class I member of PWSRCAC as defined in Sec. 2.2.1 of the PWSRCAC bylaws.

Staff member: A person employed by the Council who works for a wage or salary, but is not a professional services contractor.

**Legal Compliance**

PWSRCAC's Board, staff, and volunteers shall comply with all applicable laws and regulations.

**Organizational Conduct**

Concerns regarding issues that affect the environmentally safe operation of the terminal or tankers will be promptly relayed to the Board, staff, or appropriate committee, along with the individual's assessment and recommendation.

**PWSRCAC  
CONFLICT OF INTEREST  
and  
TRANSACTIONS WITH RELATED PARTIES  
DISCLOSURES  
For the period May 2022 to June 2023**

This document contains two forms required to be completed and signed by members of the Board of Directors of the Prince William Sound Regional Citizens' Advisory Council.

Part 1 is a conflict-of-interest disclosure and signature required by the PWSRCAC bylaws.

Part 2 is a questionnaire regarding transactions with related parties needed for our annual Form 990 filed with the Internal Revenue Service.



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**PART 1: CONFLICT OF INTEREST**

NAME

REPRESENTING

The information to be furnished below is required pursuant to Section 3.20(D) of the PWSRCAC bylaws. Section 3.20D requires Directors to declare in writing all personal and member financial ties to Alyeska Pipeline Service Company or members of the Alyeska consortium excluding normal commercial purchases of petroleum products.

List any such interest in the space provided. The information to be listed does not require a showing of the amount of financial interest. In the event any of the required information, including holdings placed in trust, is not known to you but is known to another person, you should request that other person to submit the information on your behalf and should report such request.

The interest, if any, of a spouse, minor child, partner, and any organization (other than the Council) in which you serve as an officer, director, trustee, partner, or employee must be reported in this statement as your interest. If that information is to be supplied by others, it should be so indicated.

The information is required to be submitted pursuant to the bylaws will be kept on file at the offices of the Prince William Sound Regional Citizens' Advisory Council and made available for public inspection at reasonable hours.

Applicable period: May 2022 to June 2023

**If this is an original statement**, report in spaces provided the information applicable as of the date of this statement. **If this is a supplementary statement** submitted to keep your statement current throughout your relationship with the Council, indicate in spaces provided the changes or additions to the information previously reported in each block.

**Note:** Exclude interest in bank deposits, U.S. government bonds, insurance policies, savings and loan associations, credit unions, similar financial institutions, and diversified investment trusts.

**Financial Interests.** List all financial interests you have, whether through a pension or retirement plan, shared income or other arrangement as a result of any current or prior employment or business or professional association, in Alyeska Pipeline Service Company, or one or more of the owner companies in Alyeska; and list all financial interests you have through the ownership of stock, stock options, bonds, securities, or other arrangements, including trusts, in Alyeska Pipeline Service Company, or one or more of the owner companies in Alyeska. Exclude certain types of interests specified under previous note.

Name of Organization	Kind of Organization	Nature of Interest (i.e., stocks)

**Information Requested of Other Persons.** If any information is to be supplied by other persons (e.g., trustee, attorney, accountant, or relative), please indicate the name and address of such persons, the date upon which you requested that information be supplied, and the nature of subject matter involved. If none, write NONE.

Name and Address	Date of Request	Subject Matter

**I CERTIFY** that the statements I have made are true, complete, and correct to the best of my knowledge and belief. **I UNDERSTAND** that if during the period of my appointment any changes to the information provided herein are appropriate, I must promptly file an amended statement and I must also report any new financial interests acquired during this period. **I ALSO CERTIFY** that I am a resident of the State of Alaska, and, in addition, I am currently familiar with the bylaws of the Council governing my responsibilities and conduct as applied to the duties I am assigned.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

PART 2

TRANSACTIONS WITH INTERESTED PARTIES QUESTIONNAIRE

Name: \_\_\_\_\_

Representing: \_\_\_\_\_

This annual questionnaire must be completed and signed by Directors, officers, key employees, and other persons with substantial influence over financial decisions of PWSRCAC. The responses include not only a description of relationships that could result in reportable transactions, but also the amount(s,) if any occurred.

1. FUTURE BUSINESS TRANSACTIONS: The following is a list of all entities:
- (a) In which I have a financial interest (directly or indirectly) through business, family members, or investment, which, during the year, may have a transaction or arrangement for the purchase of goods and services or payment of compensation, with PWSRCAC or with any entity or individual with which PWSRCAC has an interest.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- (b) In which I am an officer, Director, manager, or influential person, if I anticipate that such organizations will do business with the PWSRCAC in the coming fiscal year.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Please describe the nature, dates, and amounts of each business transaction that you anticipate will occur. Respond N/A if you have no transactions to disclose:

Transaction Nature	Dates	Amount

2. LOANS, GRANTS, OR AWARDS: Describe any loan(s) to or from you or an entity in which you or your family have a financial interest and the PWSRCAC. Include the purpose of the loan, original principal amount, and balance due. Enter N/A, if none.

(a)

Loan, Grant, or Award	Purpose	Original Amount	Balance Due

- (b) List the name of any person related to you (including you) who received a grant or award or other assistance from PWSRCAC during the year. Enter N/A if none.

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3. TRANSACTIONS IN THE PAST YEAR: The following is a description of all business transactions involving the PWSRCAC in the past year (1) in which I had a financial interest (direct or indirect) or (2) that involved an entity or organization in which I hold a position as an officer, Director, manager, or other influential person.

Provide a brief description of each transaction and a description of your interest in the transaction. Enter N/A if you have no transactions to disclose.

Transaction with	Description	Amount	Date

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Signature of interested party

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Date

Generally, these concerns will be referred to the committee that advises the Board on such matters. When required, emergency committee meetings and/or Board meetings will be called to expedite action.

The Board, staff, and volunteers will objectively consider all such concerns relayed to them.

Members of the organization assume an obligation to the citizens of the region to include their fellow members in the deliberation process.

Individuals who wish to be active on their own regarding issues that come before the Council must in good faith first work to resolve such issues through the PWSRCAC process. This may include working with Alyeska, shipping companies, other oil transportation industry companies, and regulatory agencies.

Individuals who wish to then take independent action on such issues may do so, but only after advising the appropriate committee, if applicable, and addressing the Executive Committee. This will assist the organization in responding to questions concerning the individual's effort.

Council concurrence in such efforts is not mandatory and Council approval of the action being taken by the individual should not be implied. The mere mention of an individual's connection to PWSRCAC may imply Council concurrence; therefore, personal points of view should not reference PWSRCAC unless the individual's relationship to PWSRCAC is widely known. Statements acknowledging that the individual's concern were expressed to the Council, but that the Council chose not to take a position on the issue, or took a different position, is another way of emphasizing that the views are personal only.

Inasmuch as unilateral actions can undermine Council positions, individuals are encouraged to address their concerns through the PWSRCAC process.

### **Personal and Professional Conduct**

In their dealings as representatives of the organization, PWSRCAC's Board, staff, and volunteers shall act professionally, with honesty, integrity, and openness.

They will:

- Conduct themselves in a professional and civil manner at all times as a representative of PWSRCAC;
- Treat the Board, staff, and volunteers, and members of the public, with respect at all times, regardless of an individual's opinion, ethnicity, race, organization association, sexuality, age, disability, or religion;
- Demonstrate esteem and deference even in the face of disagreement or differences of opinion;
- Under no circumstance during PWSRCAC meetings, functions, or events engage in or threaten to engage in any verbal physical attack or on any other individual;

- Commit to communicate their ideas and points of view clearly and allow others to do the same without interruption;
- Not use language (written or verbal) that is abusive, threatening, obscene, or slanderous, including profanities, insults, or other disparaging remarks or gestures;
- Not use derogatory language about an individual's organizational association, ethnicity, race, sexuality, age, disability, or religion;
- Take responsibility for their own actions, and work to fulfill the roles and responsibilities as specified in the PWSRCAC bylaws;
- Seek to present information truthfully, and not knowingly misrepresent, mischaracterize, or misquote information received from others;
- Truly listen to and hear other points of view;
- Practice the art of being able to disagree without being disagreeable; and
- "Do their homework" to make the best possible effort to understand the issues before the organization.

### **Social Media Conduct**

PWSRCAC's Board, staff, and volunteers who use social media shall act in accordance to the Board-approved Social Media Policy and accompanying guidelines.

### **Conflict of Interest Disclosure**

Pursuant to Section 3.20(d) of the PWSRCAC bylaws each Board representative shall declare in writing on a form provided by PWSRCAC all personal and member financial ties to Alyeska Pipeline Service Company or members of the Alyeska consortium excluding normal commercial purchases of petroleum products.

### **Transactions with Interested Parties Questionnaire**

Additionally, PWSRCAC's Board, staff, and volunteers shall declare in writing on a form provided by PWSRCAC all transactions with other parties that have financial ties to PWSRCAC.

### **Acknowledgement** *Required for Board, Staff Members, and Committee Volunteers*

I (*print name*) \_\_\_\_\_ have read the PWSRCAC Code of Ethics and understand the expectations outlined herein. I will strive in good faith to comply with them.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

### **Statement of Residency**

*Required for Board Members Only*

Pursuant to Section 2.4 of the PWSRCAC bylaws, each Board representative shall be a resident of the State of Alaska. A resident is a person who is physically present in Alaska with the intent to remain indefinitely and make a home here and who has maintained a domicile

in Alaska for the 12 consecutive months immediately preceding his or her appointment to the Board and is not claiming residency, or obtaining benefits under a claim of residency, in another state, territory, or country.

By signing below, I affirm that I am an Alaska resident as defined herein.

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*Board Member Signature*

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*Date*



## LEVESQUE LAW GROUP, LLC


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### MEMORANDUM

TO: Steve Rothchild, Administrative Deputy Director  
Prince William Sound Regional Citizens' Advisory Council

FROM: Joseph N. Levesque 

DATE: July 9, 2013

RE: Conflicts of Interest  
Our File No. 474-1

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### Introduction

You have requested that I provide you a legal definition of "conflict of interest," and a sampling of examples illustrating potential "conflicts of interest." In reviewing this Memorandum, you will note that there is no easy definition of "conflict of interest," especially in Alaska, where everyone seems to be related to or know everyone to some degree.<sup>1</sup> For example, while many people concern themselves with real potential "conflicts of interest," others imagine various types of potential "conflicts of interest." Therefore, the important points to remember are to use common sense and to self-disclose any potential "conflicts of interest."

#### **A. General Definition**

For directors of nonprofit corporations, there exists a potential conflict of interest whenever a director holds a personal stake in the outcome of a particular issue that the board must decide. Conflicts of interest arise when a board member's personal interest in the outcome of an issue is sufficiently great that affects, and is therefore in "conflict"

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<sup>1</sup> See, *Getting ethics right – it's harder than you think*, The Foraker Group, [www.forakergroup.org/index.cfm/print/Resources/President's-Letter/Focus/545](http://www.forakergroup.org/index.cfm/print/Resources/President's-Letter/Focus/545), accessed 7/9/2013, Attachment A.

Steve Rothchild  
July 9, 2013  
Page | 2

with, his or her duty to make decisions on behalf of the organization solely for the purpose of furthering and serving the organization's interests.

## **B. The Origin and Types of Conflicts of Interest**

Directors of nonprofit corporations are fiduciaries, and as such, owe fiduciary duties to the organization that they serve. One of these is the *duty of loyalty*, which requires directors to base their management decisions on the organization's best interests, as opposed to the director's personal interests, or the interests of the director's associates. It is from this duty of loyalty that a director's obligation to avoid conflicts of interest originates. A director faithfully executes this obligation by doing everything reasonably possible to avoid conflicts of interest. This obligation is set forth clearly in the Prince William Sound Regional Citizens' Advisory Council ("PWSRCAC") bylaws, which state at Section 3.20:

Council members with a financial interest shall ensure that it does not conflict with the fair and impartial conduct of his or her council duties.

A director may face numerous types of potential conflicts of interest through his or her tenure on a nonprofit corporation's board of directors. The classic situation that creates a potential conflict of interest, and the one that appears to be the primary focus of the PWSRCAC bylaws and the organization's self-disclosure requirements, occurs when a financial benefit may flow from an official board action to a director, or to the director's associates. Another situation that commonly creates potential conflicts of interest for nonprofit board members occurs when one or more possible outcomes of official board decision may have an effect upon another person or entity to which a board member also owes a duty of loyalty, such as a different nonprofit.

However, the fact that there exists a *potential* conflict of interest does not mean that a *true* conflict of interest exists at all. There are countless situations that may appear to one person as being a clear conflict of interest, but to others as presenting no conflict at all. A director's duty of loyalty to his or her organization, and the director's related obligation to avoid conflicts of interest, requires that the director to take every reasonable step to avoid conflicts.

For PWSRCAC directors, this means that directors must *disclose* to the Board the existence of any potential conflicts of interest, and to permit the Board to decide, according to the procedures set forth at 3.20(F) in its Bylaws, whether a conflict exists, and whether the best interests of the organization require that the conflicted member abstain from participating in the resolution of a particular issue.

Steve Rothchild  
July 9, 2013  
Page | 3

### C. Financial Conflicts of Interest

The class of potential conflicts of interest that is most often discussed is financial in nature. Financial conflicts of interest appear to be the primary focus of the PWSRCAC Bylaws. Although the Bylaws discuss potential financial conflicts of interest in more general terms, it appears that Part 1 of the organization's self-disclosure forms focus exclusively on the identification of ties between directors and Alyeska Pipeline Service Company, or Alyeska's owners (BP, ConocoPhillips, ExxonMobil, and Koch). However, it is important to note that PWSRCAC Board members have a duty to disclose other potential financial conflicts of interest implicated by board decision-making.

For PWSRCAC, a potential for financial conflicts of interest arises whenever a director is asked to participate in a board's decision-making process, the outcome of which could result in the flowing of a financial benefit from the organization to the director, a family member, or to a close associate. Accordingly, Section 3.20(C) of the Bylaws generally prohibits Board members from holding financial interests that "conflict[] with the fair and impartial conduct of his or her duties."

PWSRCAC directors must notify the Board's presiding officer that there may exist a potential conflict of interest whenever the director realizes that an issue that has come before the Board has the potential to result in financial gain, for the director, the director's family, or for any person or other entity to which the director is closely associated. The director must notify the presiding officer as soon as the director becomes aware that the potential conflict exists.

The provision of this notice does not always mean that the director is disqualified from participating in the resolution of the issue that gives rise to the potential conflict. Section 3.20(F) does provide that members may not vote "on any question in which the member has a **direct** financial interest." However, that Section makes it clear that it is up to the presiding officer to make an initial ruling as to whether the potential conflict of interest is sufficient to require a director's exclusion from an official vote. As an added check, the presiding officer's determination may be overridden by a simple majority of other directors. It is the fact that the Board was made aware of the potential conflict, and was permitted the opportunity to meaningfully weigh the potential conflict against the best interests of the organization, that is most important.

### D. Examples of Direct Financial Conflicts of Interest

1. Board member A has decided to accept a position as CEO of the organization on whose board she serves. The current bylaws do not permit an individual to be employed by the organization and to serve as a director at the same time. Board member B introduces a motion to amend the bylaws to permit employees to serve as board members. Board Member A has a direct financial interest in the outcome of the motion, and may not vote on the issue.

Steve Rothchild  
July 9, 2013  
Page | 4

2. The board of directors has issued an RFP for a company to provide it with legal services. A firm that is owned by the spouse of a board member responds to the RFP. There is the appearance that the board member has a direct financial interest in awarding the contract to the spouse's firm, and therefore, may not vote on the issue.
3. A Nonprofit Organization's purpose includes the monitoring of ACME's business practices. The organization's monitoring results in significant increased operating costs for ACME, which reduces the dividend distributions to its shareholders. One of the organization's board members inherits ACME stock from a deceased relative. The board member now has a direct financial interest in the outcome of any business decisions that may affect ACME's net profits, has a direct financial interest in the outcome of these issues, and therefore, may not vote on them.
4. A Nonprofit Organization's purpose includes the monitoring of ACME's business practices. The organization is considering a new method of monitoring ACME, which would likely result in significant increased operating costs for the company and a very significant reduction in the amount that ACME's retired employees will receive in their monthly pension checks. One board member is an ACME retiree, and receives a pension from the company. That board member has a direct financial interest in the outcome of the organization's decision regarding the new monitoring practices, and therefore may not participate in any vote on the issue.

**E. Examples of Indirect Financial Conflicts of Interest**

1. A Nonprofit Organization's purpose includes the monitoring of ACME's business practices. One board member has a child whose husband works for ACME. The organization's board is deciding whether to take an official action that the board member suspects may cause ACME to downsize the department in which the child's husband works. The board member has an indirect financial interest in the outcome of the issue, and must disclose that interest to the board before participating in the decision-making process.
2. A Nonprofit Organization has issued an RFP for a company to supply its office equipment and administrative materials. One company that responds is owned by one of the director's best friends. The director very likely has an indirect financial interest in the outcome of the contract's award, and must disclose this potential conflict to the board's presiding officer before participating in any board action related to it.

Steve Rothchild  
July 9, 2013  
Page | 5

#### **F. Associational Conflicts of Interest**

Although PWSRCAC Bylaws focus on potential financial conflicts of interest, the organization's directors must also take steps to avoid potential associational conflicts of interest. These would most generally arise if a PWSRCAC director sits on multiple boards, or owes a duty of loyalty to some other corporate or membership entity that stands to be affected by PWSRCAC's activities.

As with potential financial conflicts of interest, any director who suspects that a potential board outcome could have an effect on another organization to which the director owes a fiduciary duty, must disclose that potential conflict to the presiding officer as soon as possible. This ensures the Board's ability to determine whether the best interests of the organization require that the potentially conflicted member abstain from participating in the decision-making process regarding the action at issue.

#### **G. Examples of Associational Conflicts of Interest**

1. A Nonprofit Organization has for years held its annual retreat in Oceantown, because Major Airlines had a hub there, which made it the most inexpensive and convenient forum. The annual retreat was a significant source of income to Oceantown. One of the organization's directors also sits on the Oceantown Citizens' Community Development Squad. Recently, Major Airlines relocated its regional hub to Mountaintown, making Oceantown no longer the most inexpensive and convenient forum for the annual retreat, and now the board is considering whether to relocate the annual meeting to Mountaintown. The director has a potential associational conflict of interest, and must disclose it to the board's presiding officer before participating in any board action related to the relocation of the retreat from Oceantown to Mountaintown.

#### **H. What Must Be Disclosed in PWRSCAC's Disclosure Form**

Parts 1 and 2 of PWSRCAC's Standard Disclosure Form require that directors identify and list only some of the many potential sources for conflicts of interest. Part 1 relates only to a director's ties to Alyeska Pipeline Service Company and to its owners. Directors are required to disclose not only their own personal financial ties, but also the ties of their spouses, children, partners, and other organizations for which the director serves as an employee, director, trustee, or fiduciary.

This would include, but is not limited to:

- Any financial ties that the director has to Alyeska, or to its owners.
- The financial ties that the director's spouse and children have to Alyeska, or to its owners.



Steve Rothchild  
July 9, 2013  
Page | 6

- The financial ties that any organization for which the director serves as employee, officers, director, trustee, or partner has to Alyeska, or to its owners, including, for example:
  - Pension, retirement and shared income plans.
  - Income or financial benefit derived from current or former employment with Alyeska and/or its owners.
  - Income resulting from former business conducted with Alyeska and/or its owners.
  - Income resulting from a professional association doing business with Alyeska and/or its owners (for example, the fact that a director was previously employed by a union, and receives a retirement from the union that is supported by the business it conducts with Alyeska and/or Alyeska's owners).
  - Ownership of stock, stock options, bonds, or securities in Alyeska and/or Alyeska's owners.
  - Status as the beneficiary of a trust that is funded by Alyeska and/or its owners, or some other entity that has done or currently does business with Alyeska and/or its owners.

Part 2 is used for the organization's required reporting to the IRS, and requires directors to identify both past and potential future transactions between PWSRCAC and any other entity, in which the director held, or holds, some financial interest. Unlike Part 1, Part 2 does require directors to identify the amount of all covered past transactions, as well as any known balances for upcoming transactions.

### **Conclusion**

PWSRCAC directors are required to disclose the existence of any and all potential conflicts of interest to the Board before participating in any official action related to the potential conflict. It is clear that the determination of whether a potential conflict is sufficient to warrant a director's exclusion from participation in official Board action is difficult. However, not all potential conflicts necessitate exclusion. PWSRCAC Bylaws make it clear that directors are absolutely forbidden from participating in official Board actions that may affect a director's direct financial interests. However, it is up to the presiding officer, and the Board at large, to determine whether a direct financial conflict of interest exists, or whether the best interests of the organization require that a potentially conflicted director is excluded from participating in any decision-making process related to a particular issue. The important consideration is that the Board was

Steve Rothchild

July 9, 2013

Page | 7

informed of the conflict or potential conflict, and was therefore capable of rendering a decision regarding an issue that in all respects represented and furthered PWSRCAC's best interests.

I remain available to discuss this matter with you. Please do not hesitate to contact me if you have any questions whatsoever or require additional information.



## Getting ethics right - it's harder than you think

When Foraker introduced its first class, Board Roles and Responsibilities, questions peaked when we got to the discussion on conflicts of interest. In hindsight, I may have been too cavalier in my assessment of conflicts. I would simply say: "this is Alaska, everything is a conflict of interest - get over it." But seriously, compared to many places, we do have the opportunity to address conflicted interest more than almost anywhere else in the country. We know one another here - and Alaskans aren't afraid to speak up when they see a conflict.

All corporations have the legal duty to avoid conflicts of interest. However, because of their civic and charitable missions, nonprofit corporations, specifically 501 (c)(3), (c)(4), and (c)(6) organizations, should exceed the law's expectations to maintain the public's trust. Conflicts in our sector come in two basic forms. One occurs when an individual of influence (a board member or an executive) or an immediate family member could receive financial benefit from the nonprofit they serve. The second occurs when an individual could experience mixed loyalties while serving two or more organizations. If the interest of one organization runs counter to that of the second, it's virtually impossible to serve each fairly. Both these examples represent conflict of interest, and both are real life dilemmas for many Alaskans serving on nonprofit boards and staff.

### ***The conflict of personal financial benefit***

This type of conflict recently received attention in Washington D.C. from a Senate oversight committee. The Senate's concern focused on families that created charitable foundations and then paid themselves generous stipends to serve on the board or staff. That's considered "self-dealing" and we're not immune to it here in Alaska. Consider the case of former Fairbanks Mayor Joe Hayes and his wife. They formed a faith-based nonprofit, served on its board with close friends, then received federal funds which they used for personal benefit. The result was a perfect storm for conflicts of interest.

Other examples of conflicts from financial benefit include:

- Serving on the board and as paid staff for the same organization - it's not illegal, but it's also not considered a "best practice" because of the inherent conflicts for that individual.
- Approving service contracts to the company of a board member without transparency in reaching that decision, including full disclosure and abstention in the vote by the board member.
- Lobbying by a board member for a family member to receive a paid staff position.

We've also run across cases when individuals start a nonprofit as a way to secure personal employment. Often these folks are entrepreneurs who want little from their nonprofit experience than personal financial gain. They naively assume that getting money from the government or a foundation is easy. Eventually they either starve when they can't get the funds they expected, or too often, use inappropriate methods to get what they want. Such individuals are best advised not to start nonprofits. They should more appropriately create a for-profit corporation and then pay themselves whatever they wish. In our sector, no employee or board member should have the capacity to set their salary or any benefit without total openness and fairness. In the rare occasion where a nonprofit board provides financial reimbursement for board service, as is the practice in some rural nonprofits, those decisions should be made with full disclosure including benchmarking the compensation to like-sized organizations with similar missions.

### ***The conflict of dual loyalty***

This type of conflict is best understood by example. John Smith serves on the board of Nonprofit A, which has adopted a certain position on an issue. John then attends a meeting as a director of Nonprofit B and votes for a



position that is opposite to that of Nonprofit A. Another example - Judy Brown serves on a board debating an economic development opportunity. Judy also works for a corporation that could either benefit or be harmed by the outcome of the organization's position. Both John and Judy find themselves in a conflict of dual loyalty.

The challenge of avoiding a conflict of dual loyalty is especially difficult in our villages. From the beginning, villages had tribal organizations. With statehood, many created city governments. With the adoption of ANCSA, most created village corporations. These organizations all need board members to govern them. In a community of a few hundred people, half of whom can be under 18, there's little way to avoid dual loyalties.

When multiple organizations in one small community have conflicting interests, maybe the answer lies in collaboration among the city, the tribe and the corporation to assure board members don't get caught in the web of dual loyalty. Another solution is to operate with a great degree of transparency. For example, try to avoid executive sessions. To ensure pure motives, even when dealing with personnel issues, it may be in the best interest of boards to conduct as much of their decision-making as they can in public. That's how to demonstrate they conducted business in the interest of the organization, not any individual or family.

### ***No organization is immune from conflict of interest***

Our donors often keep us honest. But we all have seen examples when even sophisticated donors seem to stop thinking when they work with charitable nonprofits. Remember the 1992 United Way of America scandal? I do. I was teaching a class there the week the news broke and helped to organize efforts to force the resignation of CEO Bill Aramony. Bill was a tremendous leader. Had he retired when he turned 65 in 1987 - as many of his friends encouraged him to do - he would no doubt have been memorialized as the man who not only built the United Way system, but moved the nonprofit sector toward a higher level of professionalism. However, because he stayed around too long and along with his staff and board did not pay attention to obvious conflicts of interest, he was forced to retire to a federal penitentiary and a life of shame and embarrassment.

Aramony had built one of the strongest nonprofits in America by recruiting a tremendous staff. However, toward the end of his career he would not listen to some of these very bright and ethical people if they did not agree with him. He also recruited one of the most influential boards in America. He had the CEO's of UPS, American Express, IBM, USA Today, Hospital Corporation of America, United Airlines, The NFL, etc., etc. etc. He had the leaders of the Communications Workers of America and the AFL-CIO. When the scandal occurred, he even had a board member named Gates, before he was a billionaire. One could think that so much corporate power would observe and confront questionable behavior - but that wasn't the case. This lack of reaction to obvious conflicts has damaged our entire sector for 16 years. When it comes to conflicts of interest and ethics, the United Way of America scandal taught us to take nothing for granted.

### ***What we learned from the United Way of America case***

When the scandal occurred, I was asked to serve on the new Ethics Committee as United Way worked to rebuild its credibility. We recruited some of the country's leading law schools, Wharton and Harvard, to advise us on doing ethics right. We learned that every organization should develop and annually review a Code of Ethics and a Conflicts of Interest policy. In fact, under IRS regulations boards must now, through either Bylaws or formal policy, adopt a Conflicts of Interest policy. While a Code of Ethics isn't required by law, it is a "best practice" and assures donors that people associated with the organization use their contributions to fulfill the mission, not enhance themselves.

BUT MOST IMPORTANT, we learned we must work to develop an ethical environment for staff and board members. That means conducting numerous discussions on people's perception of ethical behavior and conflicts of interest - maybe adding open discussions at most meetings.

What I also learned was that while each of us may think we are ethical and without conflict, others may see us differently. The reality is that both ethics and conflicts are perceptions, not absolutes. The only way to ensure that we all act ethically or that we are handling our conflicts of interest appropriately is to consistently ask those around

us to be honest in what they see. While this sounds simple, it is very, very hard for most of us to provide such candid advice to our friends or supervisors - it's even harder for us to accept. None of us wants to be called on unethical behavior or a conflict of interest. While it is not easy, it's what we must do to maintain the trust of those who depend on us to improve their lives - and those who provide the financial and volunteer support to fulfill our mission. Good leaders surround themselves with people who speak the truth, even if it is hard for all involved.

The law is clear - conflicts of interest should be avoided. However because of our "two degrees of separation" here in Alaska, we face potential conflicts every day. Add to that the limited number of Alaskans who are available to serve on boards, and conflicts can be very difficult to avoid. In our smaller communities, many residents are related by blood or marriage. It's almost inevitable that board members will find themselves making decisions that could benefit them or an immediate family member. Literally no way exists for some organizations to conduct business without conflicts. The answer, as I emphasized above, is to make decisions after open and transparent discussion - and to fully disclose conflicts when they exist.

The Foraker Group encourages everyone in the sector to assume responsibility for maintaining the public's trust. We do that by adopting policies and practices that promote a high standard of ethical behavior and especially by avoiding conflicts of interest. Only then can we be sure we truly serve our communities, not ourselves. We have examples of Conflicts of Interest policies and Codes of Ethics. We'll share them with any organization - just call 907-743-1200.

[\[ Back to Regular View \]](#)



**The Foraker Group**, 161 Klewin Street, Suite 101; Anchorage, AK 99508  
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# PRINCE WILLIAM SOUND REGIONAL CITIZENS' ADVISORY COUNCIL

May 2022

## Status Report

As of March 17, 2022

### 3100 – Public Information Program

**Objectives:** Inform general public, member entities, and agency and industry partners of PWSRCAC projects. Support legal requirements for ongoing updates to the public.

**Accomplishments since last report:** Staff continues to inform the general public and others about PWSRCAC's projects and mission through publications and online presence.

### 3300 – Annual Report

**Objectives:** Prepare and publish PWSRCAC's Annual Report each year to inform the general public, member entities, and agency and industry partners of PWSRCAC projects and activities; and support legal requirements for ongoing updates to the public.

**Accomplishments since last report:** Work to create the content and design for the 2020-2021 report was completed. The report has been posted to the Council's website and printed copies have been distributed.

### 3410 – Fishing Vessel Program Community Outreach

**Objectives:** For bringing the realities of oil spill response tactics, equipment, and planning to life for citizens within the Exxon Valdez oil spill region communities, the fishing vessel community outreach program is a perfect venue. Each fall and spring SERVS holds its fishing vessel program training in the following communities: Cordova, Valdez, Whittier, Seward, Homer, and Kodiak. The on-water portion of the training, in partnership with Alyeska/SERVS, shows real-time capabilities of oil spill response equipment and tactics. This project contracts a local tour boat that will allow interested students, members of the public, and media to observe and learn about oil spill response.

**Accomplishments since last report:** At the time of writing this briefing, an event in Seward is scheduled for April 14. The Council is partnering with Alyeska and Major Marine Tours to provide a 2-hour cruise, free for the public, to observe the on-water exercises of the fishing fleet SERVS training.

### 3500 – Community Outreach Program

**Objectives:** Increase awareness of PWSRCAC and increase communications with member organizations and communities in the Exxon Valdez oil spill region.

**Discussion:** A blend of virtual and in-person outreach as some live conferences and events resume. A key effort has included encouraging public comment on ADEC's regulatory reform package; comments are due January 31, 2022.

**Accomplishments since last report:**

- Email and call-in campaign to member entities and other interested parties regarding the ADEC regulatory reform public comment period that ended January 31, 2022.

- Alaska Forum on the Environment was held virtually February 7-11, 2022. Two sessions organized by PWSRCAC as part of the Oil Spill Prevention & Recovery Track ranked #1 and #3 for most attended.
- Tsunami Bowl National Ocean Sciences Bowl quiz competition was held in Seward. The Cordova team came in second! (Juneau-Douglas won.) PWSRCAC sponsored the event as usual, although unfortunately, no volunteers were able to participate as judges this year due to ongoing concerns about health and safety related to the COVID-19 pandemic.

### 3530 – Youth Involvement

**Objectives:** Select proposals for youth activities, in collaboration with partner agencies and organizations throughout the Exxon Valdez oil spill region. Coordinate activities to facilitate hands-on learning about topics related to the Council's mission. Where appropriate and feasible, participate in mission-relevant youth activities.

**Accomplishments since last report:** Three projects completed their final reporting requirements:

- In Summer 2021, eight teachers spend six days in PWS with a Chugach National Forest ranger, with content about integrating place-based education and citizen engagement into the classroom, EVOS history, and impacts of citizen engagement. Teachers created lesson plans as an assignment after the field program, which have been provided to PWSRCAC. Thanks to Alaska Geographic for coordinating this program.
- Center for Alaskan Coastal Studies (CACS) developed a series of virtual field trips made up of multiple short video segments, written classroom/homeschool lessons, nature exploration activities, and live Q&A session with CACS staff. Several segments featured topics related to the Council's mission. Ten classes from our region participated in these field trips at no cost thanks to Council funds.
- Also at Center for Alaskan Coastal Studies, a summer high school intern supported invasive species monitoring in Homer Harbor and assisted with summer educational programs and camps in summer 2021. Youth from oil impacted communities were able to participate in the camps, which included an oil impacts component, at no cost thanks to Council funds.

### 3600 – Public Communications Program

**Objectives:** This program disseminates information and increases awareness through the Observer newsletter and the Council's online presence. This program helps publicize information generated from the Council's technical committee projects. Project results and information will be disseminated in a format that is easily understood by the general public.

**The Observer:** The Public Communications Project Manager attended the Nonprofit Technology Conference in March. Agenda: <https://www.nten.org/ntc/> This event was held online due to the pandemic. Please contact Amanda Johnson for more information about this conference.

### 3610 – Web Best Available Technology

**Objectives:** This project helps ensure the Council's websites and web presence uses the best and most up-to-date technology available by funding new features, repairs, and upgrades to the Council's websites. This includes regular maintenance and technical upgrades as well as upgrades to such aspects as user experience and branding.

**Current projects:** Staff is implementing security upgrades and preparing for a technical upgrade.

**Website data:** Website usage for [www.pwsrcac.org](http://www.pwsrcac.org) is tracked through Google Analytics for information such as numbers of visitors, location of visitors, how visitors found the site, which pages are visited most often, how much time is spent on particular pages, whether visitors were engaged enough to visit more than one page and much more.

Hot topics from 9/10/2021 to 12/9/2021 (other than home page).

1. Columbia Glacier
2. Improvements in oil transportation since 1989
3. Regulatory Reform
4. Personal stories from EVOS
5. History of EVOS
6. Alaska oil spill laws and regulations opened for public review
7. Fishing Vessel Training
8. About Staff
9. Alaska Oil Spill Lesson Bank
10. January Board of Directors meeting

Please contact Project Manager Amanda Johnson if you would like more details.

### 3620 – Connecting with Our Communities

**Objectives:**

1. Contract with a public relations firm to work with the Council to develop a long-term communications and public image strategy.
2. Develop Council image, messaging, and voice, as well as contemporary ways to communicate who we are to the public within the EVOS region and beyond.
3. Implement the strategy and evaluate its effectiveness in the short run. Make changes as necessary and implement for the long term.

**Accomplishments since last report:** As of the writing of this status update, the media training deliverable has been scheduled for Friday, April 8. Staff are working with the contractor, Helvey Communications, to plan and implement the training and complete all remaining contract work by the end of the fiscal year.

### 3903 – Youth Internship

**Objectives:** Coordinate with regional secondary and/or higher education institutions to recruit students for internships, coordinate with other committees to help support students' education goals while meeting appropriate PWSRCAC project needs.

**Accomplishments since last report:** If budgeted for FY2023, a new intern will be recruited in the fall for a spring semester term.

### 5000 – Terminal Operations Program

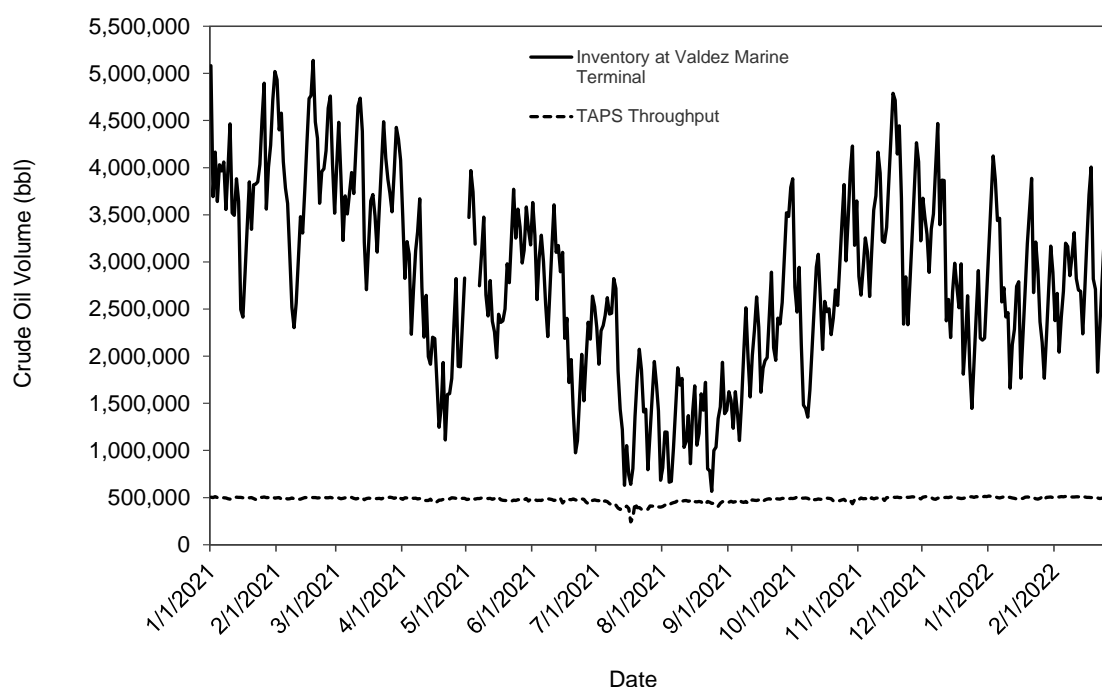
**Objectives:** The goal of the Terminal Operations and Environmental Monitoring Program is to prevent hazardous liquid spills and minimize the actual and potential environmental impacts associated with the operation and maintenance of the Valdez Marine Terminal.

**Accomplishments since last report:** Monitored spills associated with operation and maintenance of the terminal, crude oil laden tanker ship tug escorts, 2021 VMT projects, and water quality of effluent discharged from BWTF and sewage treatment facility. TOEM Committee members and Council staff met with staff from Geosyntec Consultants to discuss a report regarding a model that estimates oil leaking through damages (i.e., holes, cracks) in the East Tank Farm's secondary containment liner. Geosyntec provided recommendations to improve the model and report. TOEM members and staff implemented Geosyntec's recommendations by revising the model and report. The TOEM Committee reviewed the updated report in February 2022 and recommended that the Board accept the report as final and ready for public distribution.

**Attachments:** Graphs depicting a variety of data related to the operation and environmental impacts of the Valdez Marine Terminal.

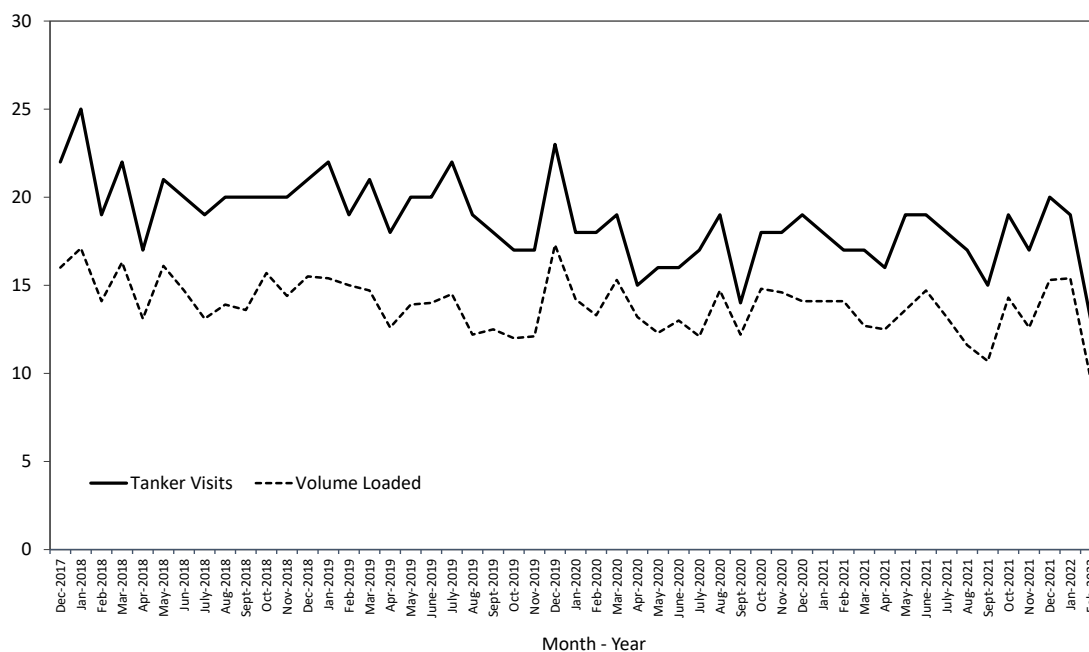
### 2021 Daily Oil Inventory at the Valdez Marine Terminal and Trans-Alaska Pipeline Throughput

(Source: Alaska Department of Revenue - Tax Division, <http://tax.alaska.gov/programs/oil/production.aspx>)



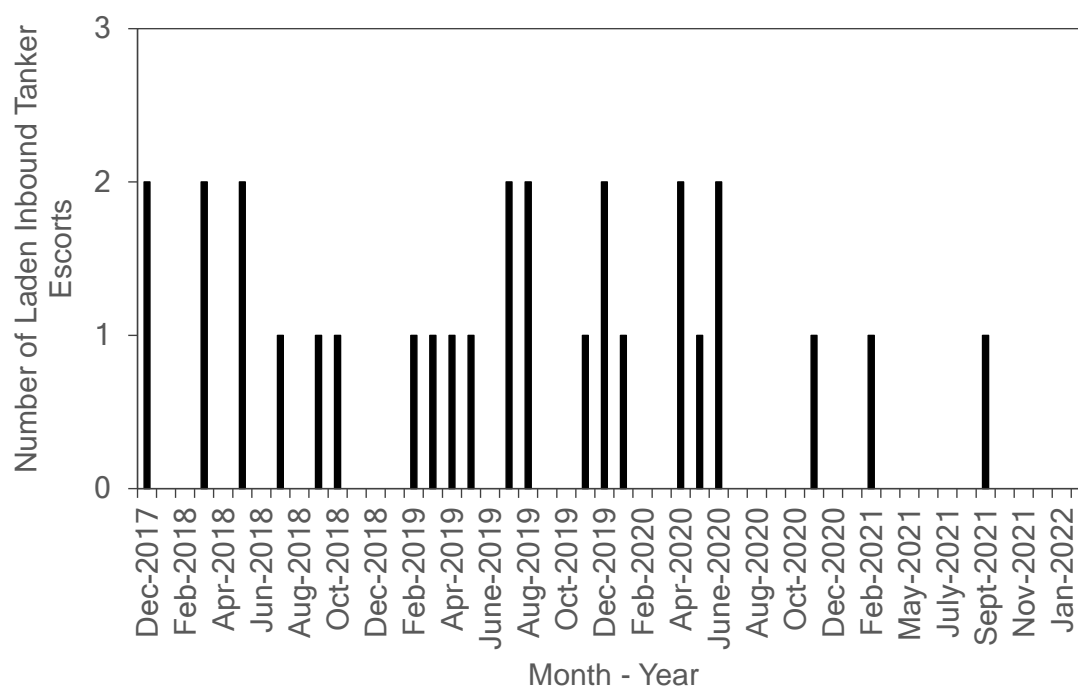
### Number of tanker visits and crude oil volume loaded onto ships from VMT.

(Source: Alyeska Pipeline Service Company. Partitioned by VMT vessel arrival date).



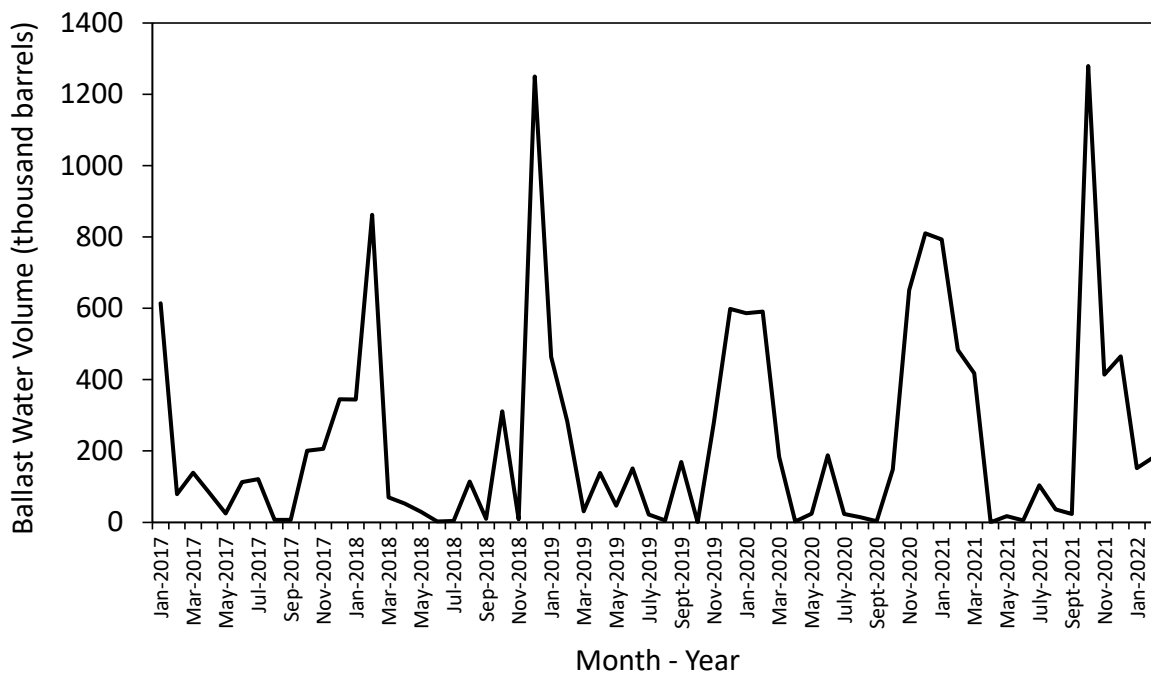
### Inbound, laden tanker escorts to VMT.

(Source: Alyeska Pipeline Service Company. Partitioned by VMT vessel arrival date)



### Monthly ballast water deliveries to Ballast Water Treatment Facility from tanker ships

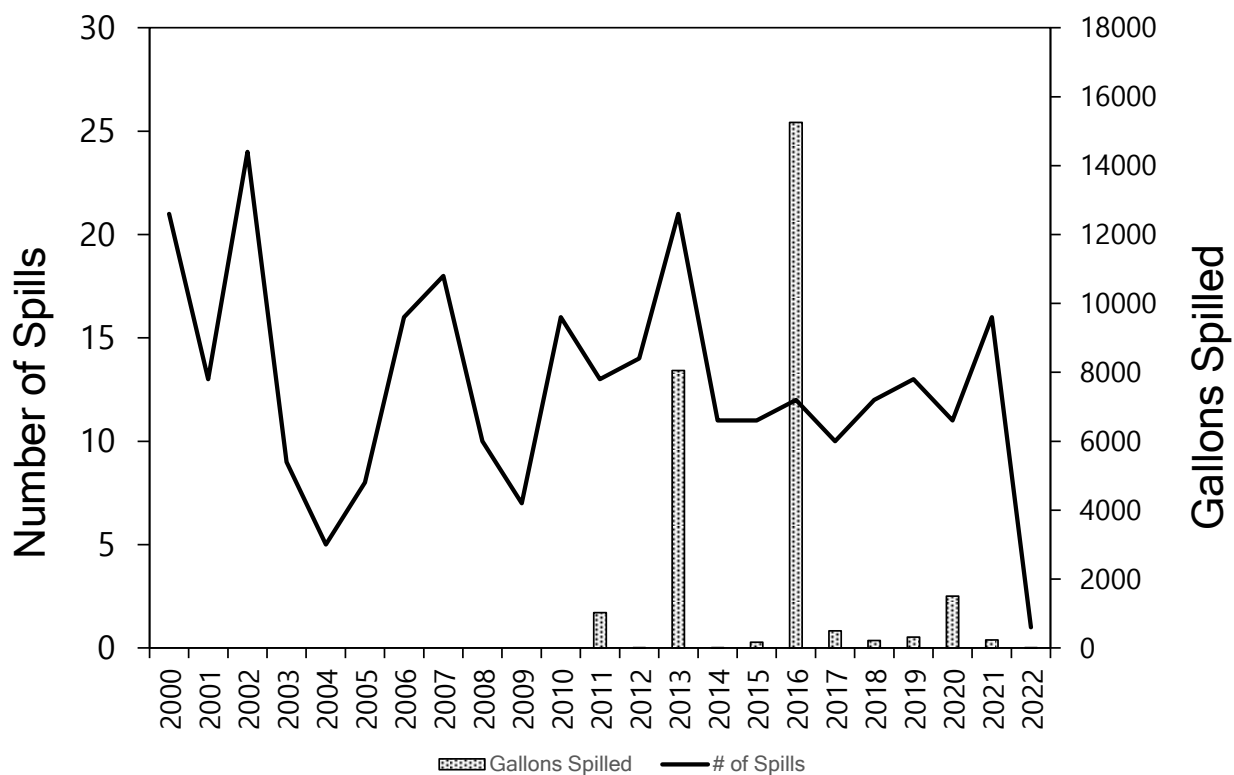
(Source: Alyeska Pipeline Service Company. Partitioned by VMT vessel arrival date, current through February 2021.)



### Annual spills associated with the operation and maintenance of the VMT.

This chart shows all spills, of all types (e.g., hydraulic fluid, crude oil, lube oil, ballast water, PFAS-fire foam), to containment or to the environment (i.e., land or water)

(Source: Alyeska Pipeline Service Company)





#### 5056 – Tank 8 Internal Inspection Review

**Overall Goal:** The FY2021 goal of this project was to review the records and procedures used to maintain the integrity of Tank 8, in order to ensure the risk of a spill from this large oil storage tank are minimized. The FY2022 goal of this project is to ensure that the design of Tank 8's new floor and cathodic protection system (scheduled for installment in 2023) are aligned with industry best practices and designed to protect the tank bottom for the life of the structure.

**Accomplishments since last report:** Taku Engineering (the Council's contractor for this project) requested a list of Tank 8 information from Alyeska on December 14, 2021. Alyeska provided some but not all of the requested Tank 8 information on January 10, 2022. Taku Engineering preliminarily reviewed information received on January 10. Alyeska staff are working to provide the outstanding Tank 8 information.

#### 5057 – Alyeska's Appeal of EPA's July 2020 Air Quality Rule (NESHAP OLD): Establishing a Council Position

**Overall Goal:** This project will entail the review of an EPA air quality rule that is applicable at the Valdez Marine Terminal and review Alyeska's subsequent appeal stating that certain parts of the new rule should not go into effect because those particular provisions would adversely affect the operation and maintenance of the terminal.

**Accomplishments since last report:** John Beath Environmental (the Council's contractor for this project) completed their final report and presented its key results during the January 2022 Board meeting. The Board accepted the report as final and approved of sending a letter to the EPA in support of Alyeska's appeal.

A Council-letter was sent to the EPA supporting Alyeska's appeal of the July 2020 NESHAP-OLD rule. With that, this project is complete.

#### 5081 – Crude Oil Tank 7 and Ballast Water Tank 94 Maintenance Review

**Overall Goal:** This project would entail performing a technical review of the maintenance of crude oil storage Tank 7 and ballast water storage Tank 94 at the Valdez Marine Terminal. Both Tank 7 and Tank 94 are scheduled to undergo comprehensive internal inspections in 2021. The last time Tank 7 underwent a similar internal inspection was in 2008, and Tank 94's last internal inspection occurred in 2012. The 2021 internal inspections of both tanks will result in a large amount of new information pertaining to the past, current, and future maintenance of each storage tank. Additionally, since their last internal inspections were done back in 2008 and 2012, Alyeska has gathered and maintained other information, such as cathodic protection system testing records and external inspection results pertinent to the maintenance of Tanks 7 and 94. The new information generated from the 2021 internal inspections and the other, older information must all be considered to continue to safely maintain each of these tanks. This project is necessary to ensure that Alyeska is using industry best practices and considering all the pertinent information in the decisions they make to safely maintain both tanks, now and in the future.

**Accomplishments since last report:** On February 21, 2022 Council staff and staff from Taku Engineering met with staff from Alyeska to discuss the preliminary Tank 7 recommendations the Council sent to Alyeska on December 1, 2021.

Council, Taku Engineering, and Alyeska staff are working to organize a Tank 94 site visit at the end of March 2022.

Alyeska staff are working to provide outstanding requested information pertaining to Tank 7 and 94. Council staff have requested that the Tank 7 information be prioritized since that tank was put back into service in January 2022, while Tank 94 is still out of service.

#### 5640 – ANS Crude Oil Properties

**Objectives:** This project entails analyzing the physical and chemical properties of Alaska North Slope crude oil and interpreting how those properties would impact the effectiveness of oil spill response measures including mechanical recovery, in-situ burning, and dispersants.

**Accomplishments since last report:** Environment and Climate Change Canada's oil lab continued to perform chemical and physical analyses on the November 2019 Alaska North Slope Crude Oil sample (this was long delayed due to the lab's COVID-19 restrictions).

#### 6000 – Oil Spill Response Program

**Objectives:** Through this program, PWSRCAC develops positions and recommendations on oil spill response technologies; reviews state and federal contingency plans (c-plans) and plan-related issues; promotes compliance, enforcement, and funding of existing environmental regulations; and promotes the incorporation of local knowledge of sensitive areas into contingency planning.

**Accomplishments since the last report:**

##### Regional and Area Planning:

**Alaska Regional Response Team (ARRT):** General information on the ARRT can be found [HERE](#), and meeting summaries and presentations can be found [HERE](#).

The ARRT met on February 17, 2022 in Anchorage. The following agenda topics of interest to PWSRCAC include:

- Area contingency planning 101 and the role of the Area Committees
- Indigenous Knowledge & Science in Decision-Making
- BSEE Development of Response Information for Offshore Oil Spills in Area Contingency Plans

**Alaska Regional Contingency Plan:** The ARRT tri-chairs (USCG, EPA, ADEC) recently signed Version 2 of the Regional Contingency Plan available [HERE](#).

**Prince William Sound Area Contingency Plan (PWS ACP):** The next PWS Area Committee meeting is scheduled for April 5, 2022 in Cordova. The PWS ACP is expected to go out for public comment sometime in the near future.

**Arctic and Western Alaska Area Contingency Plan (AWA ACP):** PWSRCAC informal comments were submitted on the AWA ACP in August.

##### **AWA Admin Subcommittee:**

- The AWA ACP plans to update its plan in 2022 which will be available for public comment sometime in the summer/fall of 2022.

- A workgroup will be formed to look at risk assessment for the coastal zone. The workgroup will identify the worst-case discharge which will be used to help drive the Preparedness for Response Exercise Program (PREP). The risk assessment will also help prioritize Geographical Response Strategies (GRS) for validation and future training, pre-deployment of equipment, etc.
- The next update to the plan will include Unmanned Aerial Systems (UAS) protocols. Rather than the protocols being a separate reference document, the information will be incorporated into the ACP.
- USCG and ADEC are working on updating and finalizing the GRS update process.
- An update to salvage and marine firefighting information will be added to the ACP by a civilian expert.

**ADEC Public Review of updates to 18 AAC Chapter 75:** ADEC posted its Notice of Proposed Changes to Oil Pollution Prevention Requirements in the Regulations of Alaska Department of Environmental Conservation on November 1, 2021 available [HERE](#). Comments were due on January 31, 2022.

Approximately 50 comments were received from the public including individuals, organizations, Native councils, legislators, industry, agencies, and cities and boroughs. Cities that provided feedback included Kotzebue, Homer, Kenai, Seldovia, Valdez, and Kodiak; boroughs that sent in comments included Kenai Peninsula Borough, Kodiak Island Borough, and North Slope Borough. Comments can be viewed [HERE](#).

**BP-Hilcorp Transaction:** On December 14, 2020, the Regulatory Commission of Alaska (RCA) issued an Order Granting Applications Subject to Conditions regarding the transfer of TAPS assets (including the Valdez Marine Terminal) from BP Pipelines to Harvest Alaska. PWSRCAC plans to submit an amicus curiae brief in support of the City of Valdez appeal to the RCA's March and December 2020 orders allowing Hilcorp/Harvest Alaska to keep financial information confidential and granting the transfer of BP's assets to Hilcorp. PWSRCAC is waiting to see if the Alaska Supreme Court accepts the City of Valdez appeal.

## 6510 – Contingency Planning Project

**Objectives:** The purpose of this project is to monitor, review, and comment on state and federal c-plans for the Valdez Marine Terminal and the Trans Alaska Pipeline System tankers that transit Prince William Sound. Reviewing c-plans is a major task for PWSRCAC as outlined in both the PWSRCAC/Alyeska contract and OPA 90.

The Prince William Sound Tanker Oil Discharge Prevention and Contingency Plan (PWS Tanker C-Plan) and associated vessel response plans for Alaska Tanker Company, Andeavor, Crowley Alaska Tankers, Hilcorp North Slope, and Polar Tankers (last renewed on February 1, 2017) will expire in 2022. Alyeska Pipeline Service Company (Alyeska) Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan (VMT C-Plan) was last renewed on November 15, 2019, and will expire in 2024.

### Accomplishments since last report:

**Prince William Sound Tanker C-Plan (PWS Tanker C-Plan):** The PWS Tanker C-Plan was approved on January 31, 2022. Conditions of approval were issued covering:

- Removal of reference to vessel of opportunity to match intended category of vessel;
- Requirement to exercise vessel decontamination services;
- Updates to fishing vessel numbers;
- Requirement to provide quarterly reports for crew training and exercises; and
- Requirement to include signed statement between Primary Response Action Contractor.

**Valdez Marine Terminal C-Plan (VMT C-Plan):**

**VMT Coordination Workgroup:** The VMT Coordination Group met on March 17, 2022 and addressed updates to the workgroup charter.

**Requests for Informal Review/Requests for Adjudicatory Hearing:** On December 22, 2021, the Director of the Spill Prevention and Response (SPAR) Division of ADEC issued a decision on separate requests for informal reviews by both Alyeska and PWSRCAC on ADEC's November 15, 2019 approval of the VMT C-Plan. The requests for informal review focused on the secondary containment liner at the VMT.

On January 21, 2022, both Alyeska and PWSRCAC filed separate requests for adjudicatory hearings on the December 22, 2021 decision. The decision whether to grant an adjudicatory hearing is up to the Commissioner of ADEC, Jason Brune. Since filing the requests, Council staff and attorneys have been working on the steps leading to Commissioner Brune's decision. Those steps include the presentation of various arguments by the Council, Alyeska, and ADEC's SPAR Division to the Commissioner as well as to the Office of Administrative Hearings (OAH). The role of OAH is to provide Commissioner Brune with an independent recommendation on whether or not a hearing should be granted.

On March 11, 2022, ADEC Commissioner Jason Brune decided:

- To vacate the SPAR Director's decision issued on December 22, 2022.
- To remand the decision back to the SPAR Director to issue a new decision on the informal review.
- To deny PWSRCAC's and Alyeska's requests for adjudicatory hearing pending a new decision by the SPAR Director.

The adjudicatory hearing activities on the VMT C-Plan are being tracked under project 6512 – Secondary Containment Adjudicatory Hearing.

### 6511 – History of Contingency Planning

**Objectives:** The purpose of this project is to take a long-term view of contingency planning in Alaska spanning over 30 years since the *Exxon Valdez* spill. This project will document where progress has been made and where protections have decreased through the established regulatory record. The first phase of this project is focused on the Prince William Sound tankers and the second phase will focus on the Valdez Marine Terminal. The final report from each phase will capture the evolution of contingency planning in Alaska by identifying key issues, themes, and trends over time.

**Accomplishments since last report:** The report was approved by the Board on January 27, 2022. The report is in the final stages of minor editing and will be posted on the PWSRCAC website in the near future.

### 6530 – Weather Data / Sea Currents Project

**Objectives:** This project studies wind, water current, and other environmental factors near the Valdez Marine Terminal, in Prince William Sound, and in the Gulf of Alaska. Weather conditions affect the safe navigation of vessels and aids the ability to prevent, respond to, contain, and clean up an oil spill. Accurate weather data for the region supports research and decision making in areas like oil spill response, traffic management, vessel performance specification, and contingency planning.

**Accomplishments since last report:** The Council's two weather stations are operating normally, and we have had no maintenance issues with them. AOOS has offered the Council a grant of \$20,000 to install a Conductivity, Temperature, and Depth (CTD) sensor in Port Valdez. A meeting was held with NOAA Cooperative Observer Program (COOP), PWS Science Center and staff on March 14th to coordinate the installation of the sensor at the Port Valdez tide gauge.

#### 6531 – Port Valdez Weather Buoys

**Objectives:** This project originally assembled and deployed, and continues to maintain two buoys which measure ocean currents and common weather parameters in Port Valdez. The first buoy is installed near Jackson Point [61.0910°N 146.3811°W]. The second buoy is installed at the Valdez Duck Flats [61.1201°N | 146.2914°W]. The Prince William Sound Science Center (PWSSC) partners with the Council to facilitate this project.

The Oil Pollution Act of 1990 requires the Council to study wind and water currents and other environmental factors in the vicinity of the terminal facilities which may affect the ability to prevent, respond to, contain, and clean up an oil spill.

The Council's Board of Directors has long advocated that robust weather monitoring systems be located in the vicinity of the Valdez Marine Terminal (VMT). This includes proposals to install ultrasonic anemometers at the loading berths and a weather station at the VMT. The Council's Board passed a resolution expressly requesting a weather station be employed at the terminal on January 22, 2016.

Weather is a significant factor in the management of safe crude oil transportation through Prince William Sound. Some of these concerns include marine safety, tanker escort operations, oil spill contingency planning, containment boom design, and safe loading of oil tankers.

**Accomplishments since last report:** Funding for this project was included in the AOOS five-year program planning proposal. One of their priorities is to improve marine safety and there is an interest in weather-related projects.

In a related effort, AOOS has offered a \$20,000 grant to the Council to install a CTD sensor in Port Valdez. Information from this sensor would become part of the Physical Oceanographic Real-Time System (PORTS) site for Port Valdez.

Staff received notification from the SERVS duty office last week that the Valdez Duck Flats weather buoy was off station and nearing the SERVS dock on March 3<sup>rd</sup>. With help from the City of Valdez harbor staff, staff retrieved the buoy and towed it to the boat harbor for safekeeping. Staff's theory is that extreme force from a sheet of ice dragged the buoy off the flats. On Friday, March 4<sup>th</sup>, staff member Alan Sorum worked with former Board members Thane and Sharry Miller and their boat Kingfisher to re-set the buoy in place using existing anchor and ground tackle. Thank you to Thane and Sharry Miller, and to the City of Valdez harbor staff for their quick thinking and availability and help to get the buoy back in place.

#### 6534 – Cape Hinchinbrook Weather Surveillance

**Overall Goal:** Working cooperatively with the Prince William Sound Science Center (PWSSC), this project seeks to provide improved observations of weather and wave conditions seen at the Hinchinbrook

Entrance to Prince William Sound. The primary focus of this effort will be the eastern portion of the Entrance that encompasses the established vessel traffic lanes that pass by Cape Hinchinbrook.

Initially, this project will be focused on securing a land use permit from the U.S. Coast Guard and U.S. Forest Service at Cape Hinchinbrook. The follow-on project will be the installation of an upland weather station and supporting equipment at the Cape. This equipment will provide observations of standard meteorological variables, wind speed and direction, temperature, humidity, and barometric pressure at the Cape. Power to the equipment installed on the uplands will be provided by solar panels and a wind generator. Data generated by the equipment will be telemetered out via cellular modem link to the Naked Island communications site.

Once the site is established, additional instruments may be considered, including an X-band (8.0 to 12.0 GHz) wave radar and a subsurface moored wave gauge.

**Accomplishments since last report:** The project was included in the current long-range planning process and the funding request is for potential permit fees needed to secure a land use permit from the Coast Guard. Establishment of a weather station at Cape Hinchinbrook will be proposed once a permit is secured.

Funding for this project was included in the AOOS five-year program planning proposal. One of their priorities is improving marine safety and there is an interest in weather-related projects.

Staff continues to work with the 17<sup>th</sup> Coast Guard District on permitting for the weather station.

This project was deferred to an off-year in the FY 2023 long range planning process.

#### 6536 – Analysis of Weather Buoy Data

**Objectives:** In 2019, PWSRCAC was able to install two weather buoys in Port Valdez, one in the vicinity of the Valdez Marine Terminal and the other near the Valdez Duck Flats. The buoys are expected to collect weather data for at least five years. This series of projects will take the data collected in each of the five years and perform an analysis to determine any weather trends throughout the year and seasonally. The analysis includes current and wind direction and speed information, wave direction and heights, and other pertinent information that can be obtained from the weather data.

**Accomplishments since last report:** A contract with the Prince William Sound Science Center has been established and a project team meeting was held February 15, 2022, with Dr. Rob Campbell to kick the project off. This project is now underway.

#### 6540 – History of Copper River Delta Flats GRS

**Objective:** The purpose of this project is to develop a white paper that captures the history of developing geographic response strategies (GRS) in the Copper River Delta and Flats (CRDF) area. GRSs are pre-built response strategies used to protect pre-identified sensitive areas in the event of an oil spill. Considering CRDF is part of the Prince William Sound Area Contingency Plan (PWS ACP), this information would be applicable to this plan. The white paper would document the significance of protecting this valuable, fragile ecosystem, and explain the current status of the GRSs.



**Accomplishments since last report:** The final white paper has been drafted and reviewed by the OSPR Committee. It is being brought the Board for acceptance at this meeting (May 5-6, 2022). The OSPR Committee recommends Board acceptance of this white paper.

#### 6560 – Peer Listener Training

**Objectives:** Review and assess the Peer Listener Training and similar programs nationwide to ascertain current best practices. The resulting report will inform the Council's decisions about how to revise the Peer Listener Training program, the associated manual (an appendix of "Coping with Technological Disasters: A User-Friendly Guidebook"), and the train the trainer program going forward.

**Accomplishments since last report:** Contractor Purpose Driven Consulting is proceeding with the research phase of this project. Their work includes a literature review, a review of similar programs nationwide for best practices, and a depth review of the Council's existing program, including stakeholder interviews. Their review, expected to be completed in June, will inform Phase II of the project to update the Council's 30-year-old Peer Listener program. Phase II was originally budgeted for this fiscal year, but the remainder of the funds are now being requested as part of a FY2023 balanced budget, as work will start on that after the research phase has completed.

When the Peer Listener program was created shortly after the Exxon Valdez oil spill, it was cutting edge for its forward-thinking way of addressing community mental health and disaster recovery. Over thirty years later, it is timely to conduct a carefully researched update. Other programs specific to supporting communities after oil spills do not exist, except where they are direct descendants of PWSRCAC efforts, such as in the Gulf of Mexico.

#### 7000 – Oil Spill Response Operations Program

**Objective:** This program encompasses monitoring and reporting on the activities related to the operational readiness of the oil spill response personnel, equipment, and organization of the TAPS shipping industry. The program also encompasses monitoring actual oil spill incidents within our region and evaluation of overall response readiness. Additionally, the program includes the planning and implementation of PWSRCAC's Incident Response Plan.

**Accomplishments since last report:** Staff members Swiss and Robida attended several meetings (via Zoom) related to Area and Regional planning. Given the "sponsorship" model that Area planners are working under, it's become important for staff to keep track of what other Area planners are discussing and working on, since this work is subject to being picked up and incorporated into other plans. Following what work is in motion has been challenging at times; these specific process concerns have also been relayed to Area Planning leadership. Meetings attended included the Inland Area Contingency Plan meeting on 2/15, the AK Regional Response Team meeting on 2/17, and the Arctic Western Alaska (AWA) Geographic Response Strategies (GRS) sub-committee meeting on 2/22. Upcoming meetings ahead of the May Board meeting include the standing monthly Arctic Western Alaska Administrative sub-committee meeting and Prince William Sound Area Contingency Plan meeting on 4/2. Robida has been specifically tracking efforts under the AWA GRS sub-committee to recommended changes to how the state manages GRSs, how updates are conducted, and how GRSs are vetted and tested. Again, given the sponsorship model, it's anticipated that these changes originating out of the AWA will affect the greater state GRS program.

Staff members Robida, Robertson, and Lally, along with PWSRCAC Board President Robert Archibald, and OSPR volunteer Dave Goldstein, attended an ICS 300 course put on by Marathon Petroleum. This was a three-day course, and all earned their ICS 300 certification after successfully completing the course test. Marathon was expected to do the 2020 large scale PWS Tanker exercise in 2021, but COVID derailed these plans. In lieu of the exercise, various workshops and trainings are (or were already) being conducted instead. These include(d) two different sessions of ICS 300, an upcoming Regional Stakeholder's Committee event slated for 4/13, work done alongside wildlife subject matter experts and Trustee Agencies on a wildlife related training video, training on the Incident Action Plan (IAP) software which Alyeska/SERVS uses to manage the paperwork side of the response, and some media and crisis communications training.

The California Dept of Fish and Wildlife, Office of Oil Spills and Response, is hosting a technology conference that's focused on low visibility oil detection, night operations, and general low visibility themes. This is a free webinar on April 12, but participants need to register in advance. Go to <https://wildlife.ca.gov/OSPR>, and then look for technology conference linked under the "OSPR News" section. Staff member Robida (and likely others) plan to participate in the conference, and information has been shared with the OSPR committee, Alyeska /SERVS, ADEC, and the PWS shippers.

#### **7030 – Contracted Fleet Vessel Readiness Verification / Staff-Led Dock Walk**

**Objective:** Contracted vessels serve a vital role in the Prince William Sound tanker and Valdez Marine Terminal contingency plans because almost all of the response tactics and logistical needs described in these plans require contracted vessels and their trained crews in some fashion. Approximately 300 vessels are on contract and these vessels are split up into three different "tiers" based on the type of vessel, how quickly they can respond, the number of crew onboard, etc. SERVS checks vessel availability via phone calls to vessel captains to ensure that vessel counts as a whole and by tier are appropriate and meeting contingency planning assumption minimums. This information is reported to ADEC on a quarterly basis. The project goal is to compare this paper availability report against what is physically seen when walking the docks. Past similar project work has raised concerns about vessels self-reporting as "available" when actual on-the-ground observation suggests otherwise. This year's staff-led effort will focus on Port Valdez during the winter months, when this question of availability has historically been of greatest concern.

**Accomplishments since last report:** Staff conducted two "dock walks" in the Port of Valdez, using 3<sup>rd</sup> and 4<sup>th</sup> quarter 2021 availability reporting reports obtained from ADEC, and compared what a given vessel's self-reported availability was listed as, against what was observed in the field. Tier I vessels generally appeared response ready over both quarters, but there were some concerns about the number of Tier II vessels found on dry dock, and the large volume of snow that's been accumulating over winter which is blocking access to these vessels. The report was discussed with OSPR and approved on 2/9/2022 with the expectation that the report be distributed to Alyeska/SERVS and the regulatory community; it was transmitted as of 3/10/22. Recommendations concerning snow removal and the Tier II vessels in question, along with other recommendations were included in the report.

#### **7050 – Out of Region Equipment Survey**

**Objective:** The project will identify "out-of-region" spill response equipment that's available to cascade into PWS and/or the Gulf of Alaska vicinity. This is equipment that is called for via planning assumptions to support a large spill response effort and outfit nearshore recovery task forces beyond what is already available from the SERVS inventory. This project will document who owns this equipment,



discuss the formal equipment sharing/purchase relationships that are already in place between the various PWS shippers and the greater worldwide Oil Spill Removal Organization (OSRO) community, as well as any governmental equipment sources such as the USCG or Navy Supervisor of Salvage (NAVSUPSALV). The project will also address timing and logistical information related to movement of such equipment.

**Accomplishments since last report:** The previous status report for the Board noted that the RFP for this project was expected to be posted in early December and selecting and awarding a contract for this project was anticipated by mid- January.

Nuka Research and Planning was selected for this work. Project work began as anticipated in early February and continues as we speak. The first of several progress reports was recently received and work is moving along on the discussed schedule. Results and a presentation on the project are expected at the September Board meeting. Tim Robertson is the principal investigator for this effort under Nuka.

## **7520 – Preparedness Monitoring**

**Objectives:** PWSRCAC's Drill Monitoring program falls under a broader program called Oil Spill Response Operations. Objectives for the Drill Monitoring program are to promote oil spill response operational readiness within the EVOS region by observing, monitoring, and reporting on spill response drills, exercises, and training; to provide citizens, regulatory agencies, and responders (Alyeska and the shippers) with independent observations and recommendations to improve preparedness; and provide citizen oversight. Tasks to be completed include:

- Monitor and report on regular oil spill drills and training exercises at the VMT and throughout the Exxon Valdez oil spill region to citizens, the Board, industry, and regulatory agencies.
- Provide quarterly recommendations to the PWSRCAC Board of Directors.
- Keep PWSRCAC's standing committees (OSPR, TOEM, POVTS, IEC, and SAC) informed.
- Produce an annual report on effectiveness and progress of the regularly monitored drills and exercises.
- Continue developing and implementing staff training for drill monitoring.

### **Recent Exercises**

#### **Cordova Rapid Response Vessel Unannounced Exercise – March 12, 2022**

SERVS conducted and unannounced open water response exercise with five of their contracted Cordova rapid response vessels on March 12. The initial callout was sent at approximately 0700 and the vessels met the tug Ingot and Barge OSRB-3 in Orca Bay near Canoe Passage. The four vessels took turns towing the Current Buster 8 with the tug and barge, while the fifth vessel filled the role of safety vessel. The exercise went well and ended early in the afternoon.

#### **Andeavor and Marathon PWS Shipper's Exercise – Canceled**

This exercise was postponed in 2020 due to Covid-19 and was rescheduled to October 2021. Alaska's Covid-19 surge was at its highest point in October, so the decision was made to cancel this exercise and replace it with a series of workshops and trainings for the response community focusing on Prince William Sound. Two workshops are in the process of being planned, one for wildlife response and one for the Regional Stakeholder Committee. There were also two ICS-300 trainings held in February and March 2022, and IAP application training.

### **Upcoming Drills and Exercises**

- VMT Winter Tactics Deployment Exercise, March 23, 2022

- Crowley Alaska Tankers Annual Tanker Exercise – May 17-19, 2022
- VMT Scenario 4 Exercise – October 12, 2022

## 8000 – Maritime Operations Program

**Objectives:** This program reviews port organization, operations, incidents, and the adequacy and maintenance of the Coast Guard Vessel Traffic System, and coordinates with the Port Operations and Vessel Traffic Systems (POVTS) Committee. Major program components include participation with the Valdez Marine Safety Committee (VMSC), monitoring changes to the tanker escort system, reviewing Best Available Technology documents for the tanker escort system and the Vessel Emergency Response Plan (VERP), participating in monthly SERV/PWSRCAC and ADEC/PWSRCAC communication meetings, and supporting maintenance for the NOAA weather stations.

**Accomplishments since last report:** Staff completed work with the LAC Committee to develop a white paper on use of AIS and radar equipment in the Sound. PWSRCAC contracted with C-CORE to develop a White Paper describing world class standards for Best Available Technology. PWSRCAC attached this white paper to a letter that was sent to the Alaska Congressional Delegation in December 2021 requesting that the Coast Guard's three radar systems get replaced in Prince William Sound.

The Maritime Ops Project Manager will be making a presentation about the Port Valdez metocean-weather buoys to the Prince William Sound Area Committee on April 5, 2022.

The idea of sponsoring a workshop on shiphandling actions taken in the lead up to a tsunami are being discussed by the POVTS Committee, City of Valdez, Dr. Bretwood Higman and staff that would involve vessel operators, local, state and federal agencies, and subject matter experts. This might be proposed as a project for inclusion in the PWSRCAC Long Range Planning process.

Work is underway to procure and install a CTD (conductivity, temperature, depth) sensor at the Port Valdez tide gauge located at the Kelsey Dock. This project is funded by a grant from the Alaska Ocean Observing System.

## 8012 – Field Trials of Messenger Line Throwing Devices and Video

**Objectives:** This project will evaluate the effectiveness of line throwing devices identified as being best available technology in the 2020 report, "Tanker Towline Deployment BAT Review." Field trials of this equipment will underscore best techniques in their use and will improve user experiences with the equipment. Results will be used to develop a set of recommended practices that will be shared with industry. A final report on the project findings will be presented to the Council.

Oil tankers operating in Prince William Sound are required to carry emergency towing equipment. The availability of this equipment can allow a stricken tanker to be towed safely to a place of refuge, where further action can be taken to stabilize the vessel. A key action that must occur in the use of one of these towing systems is to successfully make the final connection between the tow package messenger line and the vessel to be towed. Passing messenger lines to stricken vessels can be done by hand, heaved or thrown aboard, projected by mechanical means, or picked out of the water. Weather is often a factor in vessel casualties and retrieving a line can be difficult and dangerous in poor weather.

This last year, the Council contracted the maritime research firm Glosten to evaluate the technologies available to pass or deploy messenger lines to vessels in distress to determine what constitutes best

available technology (BAT), and then using a similar approach, compare currently used line handling technologies with alternatives identified by the consultant. The final report, "Tanker Towline Deployment BAT Review," has been well received and should prove useful in the future.

**Accomplishments since last report:** Field work and the final report have been completed and the project final report was accepted by the Board.

A contract has been completed to develop a video presentation with On Point Outreach that details the projects outcomes. There was significant photo and video documentation of the trials. The first phase of the video project, the story board and outline, has been completed. On Point Outreach is now compiling materials for the video.

#### **8013 – Vessel Traffic System Use of AIS and Radar White Paper**

**Objectives:** The Council has invited proposals to produce a white paper to evaluate, compare, and contrast the utilization of Automatic Identification System (AIS) and land-based radar in Vessel Traffic System operations. The selected contractor will ascertain and review research papers and literature related to this topic; summarize findings of this technology review; prepare a white paper on the subject of AIS and radar use; identify gaps in the research on this topic; and provide recommendations for future research. The final work product of this effort is a report detailing the results.

In its efforts to encourage legislators and the Coast Guard to replace the radar systems used in Prince William Sound, there will need to be accurate resources available that describe the issue well and are based on quality researched facts. This project is intended to provide this resource document.

**Accomplishments since last report:** Working with members of POVTS, LAC and staff, C-CORE has completed the white paper. The Executive Committee has accepted the white paper for distribution. A cover letter and the white paper were sent to the Alaska Delegation on December 30, 2021.

#### **8014 – USCG Basic and Advanced Emergency Ship Handling Training**

**Objectives:** AVTEC - Alaska Maritime Training Center (AMTC) is working to develop simulator intensive Basic and Advanced Emergency Ship Handling courses that meet the International Maritime Organization (IMO) training guidelines and are U.S Coast Guard (USCG) approved. These courses will better prepare mariners for real life situations, including emergency ship maneuvering. Much of this training will be assessment-based and will utilize AMTC's full mission bridge simulator. Most simulations will take place in Prince William Sound using the enhanced vessel database developed by AMTC.

Council will contract with AVTEC faculty to develop and implement these courses, including gaining USCG course approval. Through this work, AVTEC will be able to help close the existing knowledge gap and get people certified to fill critical infrastructure positions within the maritime industry. This project promotes the safe operation of marine vessels in Alaska and beyond.

**Accomplishments since last report:** AVTEC-AMTC provided the course materials and made a presentation on the project to the POVTS committee. The committee was well pleased with the work completed and is recommending the Board accept the work as meeting the terms of the contract with AVTEC.

Staff at AVTEC-AMTC are holding open their simulator facility for tours to be conducted during the September Board meeting in Seward.

#### 9000 – Environmental Monitoring Program

**Objectives:** Coordinate projects developed and overseen by the Scientific Advisory Committee and obtain scientific knowledge and technical information with regard to issues related to the actual and potential environmental impacts of the Valdez Marine Terminal and associated crude oil tankers. The notable tasks to be accomplished under this program are as follows:

- Project manager to attend at least one technical scientific conference
- Plan and complete budgeted environmental monitoring and scientific research projects
- Conduct PWSRCAC Science Night

**Accomplishments since last report:** Projects managed under this program continue to be planned and executed successfully.

#### 9110 – Monitoring Spatial Variability of Marine Birds During Winter in PWS Tanker Escort Zone

**Objectives:** Provide up-to-date information on winter marine bird density and distribution throughout the Prince William Sound tanker transit zone, including under-surveyed areas such as the open waters and adjacent bays in and around Port Valdez, Valdez Arm, Tatitlek Narrows, Port Fidalgo, and Port Etches. Here are the notable tasks to be accomplished under this project:

- Perform winter bird surveys in Prince William Sound for three consecutive years
- Analyze data obtained during winter bird surveys
- Report the results of the analysis
- Make winter bird survey maps readily available for use by spill response managers

**Accomplishments since last report:** A contract was signed with the Prince William Sound Science Center to perform the second year of winter marine bird surveys. The surveys were successfully completed in early March 2022.

#### 9510 – Long-Term Environmental Monitoring Project

**Objectives:** Comprehensively monitor the actual and potential environmental impacts related to the Valdez Marine Terminal and associated crude oil tankers and provide the Council with information about the presence and effects of hydrocarbons generated by the terminal facility and associated tankers. Here are the notable tasks to be accomplished under this project:

- Obtain environmental samples in Port Valdez: marine sediments, mussels, and passive sampling devices
- Analyze environmental samples
- Interpret and report results of sample analysis
- Present analytical findings to the PWSRCAC Board of Directors
- Maintain Environmental Monitoring Project plan

**Accomplishments since last report:** Dr. Liz Bowen of the United States Geological Survey began lab work to analyze mussels collected after the April 12, 2020 oil spill in order to identify a comprehensive list of genes that can be used to specifically understand how spilled Alaska North Slope crude oil impacts the physiological functions of those mussels. Dr. Morgan Bender from Owl Ridge Natural Resources Consultants began interpreting the oil-chemistry lab results from the mussels, marine

sediments, and passive sampling devices collected in Port Valdez in 2021. Dr. Bender and the Owl Ridge team also began organizing the past and current LTEMP data in order to prepare it for public availability through the Alaska Ocean Observing System (AOOS) data portal. Dr. Jim Payne and Bill Driskell from Payne Environmental Consultants are advising Dr. Bender on her work.

#### 9511 – Herring and Forage Fish Surveys

**Objectives:** Monitor schools of herring and other forage fish species to identify areas in the Sound where they tend to concentrate. Here are the notable tasks to be accomplished under this project:

- Conduct aerial surveys of forage fish in Prince William Sound
- Analyze aerial survey data and report on the results
- Make aerial survey maps readily available for use by spill response managers

**Accomplishments since last report:** A report on the June 2021 forage fish surveys was presented to the Board at the January 2022 meeting. That contract has been closed. A contract for the fourth and final year of surveys anticipated for June 2022 will be initiated with the Prince William Sound Science Center this spring.

#### 9512 – Determining Concentration and Composition of Oxygenated Hydrocarbons from the VMT

**Objectives:** The goal of this project is to determine the types and amount of oxygenated hydrocarbons that are released from the Ballast Water Treatment Facility at the Valdez Marine Terminal. The notable tasks to be accomplished under this project are as follows:

- Collect monthly water samples from the Ballast Water Treatment Facility following discharge of oily ballast water by tankers
- Analyze the samples to determine the chemical composition and concentration of oxygenated hydrocarbons
- Interpret and report findings of the analysis and prepare the report for publication in a peer-reviewed journal
- Produce recommendations on future research to understand the fate, transport, and toxicity of oxygenated hydrocarbons in the marine environment

**Accomplishments since last report:** The Council and Alyeska have reached an agreement to carry out sample collection at the Ballast Water Treatment Facility (BWTF) in support of this project. Alyeska staff are collecting the samples and Council staff will deliver the samples to the contractor for analysis. A contract has been signed with the University of New Orleans to analyze and report on the results of samples collected at the BWTF. Sample collection is ongoing and it is expected to take several months to complete twelve sampling events.

#### 9513 – Hydrocarbon Sensor Monitoring of Valdez Marine Terminal Impacts in Port Valdez

**Objectives:** Measure the concentration of hydrocarbons in the marine waters of Port Valdez on a continuous basis to support real-time or rapid assessment of the hydrocarbons generated by the Valdez Marine Terminal and associated tankers. The notable tasks to be accomplished under this project are as follows:

- Install a hydrocarbon sensor on the Council's weather buoy adjacent to the Valdez Marine Terminal
- Collect and review data acquired by the sensor and make the data publicly available online
- Perform annual maintenance on the sensor

**Accomplishments since last report:** Council staff have met with the University of Alaska Anchorage (UAA) and the Prince William Sound Science Center to discuss a plan to deploy the sensor on the Valdez weather buoy. UAA will be donating use of the sensor to the Council.

#### 9520 – Marine Invasive Species

**Objectives:** Understand and minimize the environmental impacts of invasive species potentially arriving in the PWSRCAC region from tanker ballast water and hull fouling. Here are the notable tasks to be accomplished under this project:

- Obtain plankton samples in Port Valdez at three sites: the small boat harbor, Valdez Container Terminal, and Valdez Marine Terminal
- Perform metagenetic analysis on plankton samples to identify variability in the plankton community between locations and through time, and identify any nonindigenous species
- Interpret and report results of plankton metagenetic analysis
- Conduct monitoring of invasive crab and tunicate species in Valdez and Cordova

**Accomplishments since last report:** Council interns from Cordova and Valdez will check settlement plates in their respective harbors for invasive species in March. They are preparing outreach presentations for their local high school science classes to share what they learned during the internship.

Contractors at the Smithsonian Environmental Research Center and Moss Landing Marine Laboratory have analyzed the plankton samples collected during 2021 and have drafted a report of the results to present to SAC.

#### 9550 - Dispersants

**Objectives:** This project entails reviewing and potentially updating the Council's current position regarding the use of dispersants in the event of an oil spill in our region. The current position states that the Council does not support the use of dispersants for spill response in Prince William Sound. This project would also involve updating Council documents that are used to technically support and educate the public about the Council's official dispersant use position.

**Accomplishments since last report:** The contractor, Nuka Research, drafted an initial report summarizing the science and regulatory framework of dispersants. The report was presented to the project team and SAC for review and discussion.

A facilitated workshop was held on March 10 for Board members to discuss dispersants science, dispersants application in Alaska, and possible position statements the Council could consider. A summary of the workshop and a plan for next steps in the project will be provided at the May Board meeting.