ALASKA REGIONAL RESPONSE TEAM Meeting Summary May 16, 2019 Fairbanks, AK

Sign-in sheets are available <u>here</u>. The agenda is available <u>here</u>.

Presentations and Background Information from the meeting are available online:

Review of Actions Since Last Meeting & Statewide Planning Committee Update

Area Committees Discussion

- Alaska Regional Response Team Charter,
- Science and Technology Charter,
- Cultural Resources Committee Charter,
- Wildlife Protection Committee Charter

Tribal Participation Presentation and Discussion

- https://alaskarrt.org/Home/Documents/12371,
- https://www.rrt10nwac.com/TribalTools.aspx)

Area Committee Reports

State-of-the-Science of Dispersants and Dispersed Oil in U.S. Arctic Waters

Safety Briefing, Introductions, Opening Remarks

Mr. Marc Randolph, U.S. Coast Guard (USCG) Alaska Regional Response Team (ARRT) Coordinator, welcomed the meeting attendees and conducted introductions. The ARRT tri-chairs—Mr. Mark Everett, (USCG); Mr. Calvin Terada, U.S. Environmental Protection Agency (EPA); and Ms. Denise Koch, Alaska Department of Environmental Conservation (ADEC)—welcomed all attendees to the meeting and offered opening remarks. Ms. Mary Goolie, EPA ARRT Coordinator, and Mr. Craig Ziolkowski, ADEC ARRT Coordinator, and meeting facilitators assisted with introductions.

Review of Actions since Last Meeting

Mr. Everett provided a review of the ARRT's actions, activities, and informational items since the last meeting, held in Anchorage, Alaska, in March 2019. Mr. Everett highlighted some of the major topics of discussion at the National Response Team (NRT)-RRT Co-Chairs meeting held April 30- May2, 2019. The ARRT Committees chairpersons also provided a brief report on actions and planned activities. Please see the above presentation for the summary of actions.

Statewide Planning Committee Update

Ms. Goolie and Mr. Ziolkowski provided a summary of the Statewide Planners Summit held on May 14, 2019, in Fairbanks, Alaska. LCDR Matt Hobbie, USCG Sector Anchorage, also addressed the importance of the meeting to improve efficiency in planning by reducing redundancy in work and streamlining plan content. He briefed ARRT on the planners' concept of a 'sponsor model' in which one area committee or another organization may volunteer to address an issue and then share the product with the other area

committees. The goal of conducting work in this manner is to reduce duplication of effort between multiple area committees or other parties. Mr. Terada inquired how the on-scene coordinators (OSCs) would be incorporated in future planning discussion; the agency planners responded that a meeting is planned, potentially for the summer.

ARRT Committee Discussion

Mr. Terada introduced a discussion on the work of the ARRT and its committees. This discussion was intended to prompt ARRT members to deliberate what the purpose of ARRT committees should be as the ARRT is considering potential re-structuring of how it conducts work and business. In general, there were no decisions made during the discussion; however, major points and questions are summarized below.

- Should the ARRT have standing committees, even when no work is currently assigned to the committee?
- Should the ARRT maintain the current standing committees, realign to correspond with the NRT committees, or realign with Area Committees?
- Science and Technology Committee (STC) In lieu of the ARRT assigning a current task to the STC, the tri-chairs have asked that the STC keep the ARRT apprised of findings and work that may be of interest to the ARRT. Ms. Catherine Berg, STC Chair, stated that this resulted in monthly STC calls. These have been valuable to the STC members; however, she noted that the STC has some uncertainty as to whether they are actually meeting the ARRT needs.
- Wildlife Protection Committee They have recently been active in providing an update to the Wildlife Protection Guidelines (WPG) in accordance with the new Regional Contingency Plan (RCP) and Area Contingency Plans (ACP). They have not received recent direction from the ARRT, but are functioning in accordance with an established purpose of maintaining the WPG. The current committee is proposing to remain active to conduct annual review of the WPG, similar to the model used for the area committees and annual review of the ACPs. Committee chairperson, Dr. Phil Johnson, U.S. Department of the Interior, emphasized that efficiency is essential: one statewide wildlife committee versus one per area committee.
- Cultural Resources Committee The committee has been inactive for several years, due to a
 lack of necessary or assigned work (i.e., the Alaska Implementation Guidelines have not required
 an update). Dr. Johnson and Judy Bittner, Alaska State Historic Preservation Office, have recently
 stood-up the committee to coordinate a training for historic properties specialists.
- There is general concern and awareness of the "dilemma of the same ten people." (A few people are tasked with a substantial workload, often filling multiple job descriptions to accomplish the necessary work.)
- A strategic plan is needed for planning, including the listing, prioritization, and scheduling of the contingency plans and associated references and tools that support the contingency plans.
- The ARRT should determine if or how the "Task Force Model" of assigning a specific task to a small ARRT work group would relate or compare to the proposed Area Committee Sponsorship Model.

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The ARRT tri-chairs requested that the Statewide Planning Committee (SPC) incorporate these points in their draft of a revision to the ARRT Charter.

ARRT Committee Discussion

Ms. Goolie gave a presentation on federally recognized tribes and other tribal organizations and their potential role in response, the ARRT, and area committees. She initiated a discussion with the objective of identifying steps for including tribes and tribal organization in response and planning. Through the discussion, members agreed that the <u>ARRT Guidelines for Coordination and Consultation with Federally Recognized Tribes</u> should be updated to include language on the new RCP, ACPs and the area committees.

No additional assignments of specific actions were made because of the discussion; however, major comments and several recommendations are summarized below.

- Ms. Sierra Fletcher, Nuka Research, noted that approximately half of the comments received on the food safety document came from people representing tribal organizations.
- Ms. Karen Pletnikoff, Aleutian Pribilof Islands Association, remarked that her organization is a tribal consortium and she appreciates the ARRT recognizing it as having a potential role in response and planning, as they exist to assist tribes and tribal members.
- Ms. Pletnikoff requested that the ARRT adopt language in its plans or guidance that states a
 tribe may designate anyone to represent the tribe as an ARRT member (not necessarily a tribal
 elected official).
- Recommendation: The ARRT should develop a single-page summary describing the potential
 role of tribes. A second flyer should be developed describing the role of regional and village
 corporations. This would be useful to the tribal organizations and agencies in order to improve
 engagement and inclusion.
- Recommendation: The ARRT should renew practice of an annual ARRT newsletter to tribes.
- Recommendation: The ARRT should look to the Region 10 RRT/Northwest Area Committee's tribal tools and best practices, and 'Alaskan-ize' and incorporate these as appropriate.
- Recommendation: The ARRT should include multiple agencies in updating the ARRT Guidelines for Coordination and Consultation with Federally Recognized Tribes, similar to the original drafting.
- Recommendation: Public comment and input is critical to the revision process of the tribal guidance.

Area Committee Reports

Prince William Sound Area Committee

CDR Michael Franklin, Marine Safety Unit Valdez (MSU Valdez) Federal OSC (FOSC), reviewed the recent activities of the Prince William Sound Area Committee. The area committee is meeting on May 21, 2019. The Administrative Subcommittee is working to validate the contact information in the ACP and targeting completion of the next version of the ACP in fall 2019. CDR Franklin also highlight key cases

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and enforcement. Mr. Tom DeRuyter, Southeast State OSC (SOSC), spoke on the behalf of Geoff Merrell, SOSC, who was unable to attend and agreed with CDR Franklin's report.

Southeast Alaska Area Committee

CAPT Steve White, USCG Sector Juneau FOSC, presented on recent activity in Southeast Alaska and the Southeast Alaska Area Committee. The area committee is meeting on August 13, 2019, and is working to recruit members. On April 3, 2019, USCG and ADEC met with Canadian counterparts regarding the CANUSDIX Joint Contingency Plan. USCG, ADEC, and several other agencies participated in a full-scale exercise at Hecla Mine in Hawk Inlet. In Glacier Bay, the National Park Service worked with ADEC and USCG in a boom deployment exercise. Mr. DeRuyter remarked on the value of the recent Southeast Alaska exercises, particularly the development of relationships and partnerships between the participating organizations.

Arctic and Western Alaska Area Committee

LCDR Hobbie spoke on the Arctic and Western Alaska Area Committee. They are working to develop a Geographic Response Strategy (GRS) validation process, an exercise and training calendar and to establish work groups on Government Initiated Unannounced Exercises (GUIEs), unmanned aerial systems (UAS), and stakeholder engagement. The next area committee meeting is November 19, 2019, in Anchorage, AK. The ACP Version 2018.1 is anticipated in November 2019.

CDR Mark Kuperman, USCG Sector Anchorage, reported on the Marine Safety Task Force, a summer-season surge operation tasked with inspecting bulk oil facilities throughout Western Alaska in influence enforcement number. They plan to identify aging infrastructure in need of attention and seek improved engagement with the facility operators and the communities.

Mr. Tom DeRuyter, SOSC, added that the exercise and training calendar is an effort to improve coordination between government agencies and to identify and prioritize agency participation in industry exercises.

- **Request for ARRT Support: Support to the unmanned aerial systems work group and the Intentional Wellhead Ignition work group.
- **Recommendation for Follow-up: Mr. Gary Sonnenberg, U.S. Forest Service (USFS), remarked that that UAS are not allowed to be possessed or operated, or to land, in areas designated as wilderness; however, this restriction may be waived with the establishment of a Memorandum of Understanding for their use. The ARRT should coordinate with the UAS work group and USFS to explore this option further.

Alaska Inland Area Committee

Mr. Matt Carr, EPA FOSC, and Tom DeRuyter, ADEC SOSC, reported on the recent activities of the Alaska Inland Area Committee. The area committee is working on an update to the ACP, with a target date of completion in early 2020. The tentative date for next area committee meeting is the last week of January 2020.

They also reported to the ARRT that Alaska Oil and Gas Conservation Commission (AOGCC) is investigating the issue of subsidence of North Slope oil wells, which has caused two releases from impacted wellheads. The AOGCC has stated that BP Exploration Alaska has not demonstrated that additional wells are not also at risk of subsidence related problems.

<u>Special Topic: State-of-the-Science of Dispersant and Dispersed Oil in U.S.</u> Arctic Waters

Mr. Doug Helton, National Oceanic and Atmospheric Administration, presented on the findings final report on the State-of-the-Science of Dispersants and Dispersed Oil (DDO) in U.S. Arctic Waters. He noted that there are differences in ecosystem and areas of potential dispersant use in the Arctic. He also spoke on the findings on the risks to workers, the public, and subsistence users – particularly the difficulty in attributing symptoms to the DDO versus general work stress and the lack of data. He also highlighted that there has been very little research on food safety; particularly in regards to the very high consumption rates of local populations in the Arctic. Please see his presentation (hyperlink above) for the summary of the reports and https://crrc.unh.edu/dispersant_science for the full reports.

Public Comments

Ms. Pletnikoff was the only attendee who requested to offer public comments. She requested and thanked the ARRT for their consideration of inclusion of tribal consortia in membership and involvement in the ARRT and ARRT tribal consultation guidance. She recommended that, in consideration of a greatly reduced participation of tribal staff at the Alaska Forum on the Environment 2020, ARRT should focus its outreach efforts at the Alaska Tribal Conference on Environmental Management and the Bureau of Indian Affairs Providers Conference. She also recommended that the USCG develop a single-page summary on the Marine Safety Task Force and how village facilities can be in compliance with regulations.

Concluding Comments and Remarks

Representatives of the ARRT member agencies and the OSCs offered closing comments and remarks, and the meeting adjourned.

Upcoming Meetings

- Prince William Sound Area Committee meeting: May 21, 2019, in Cordova, AK
- Southeast Alaska Area Committee meeting: August 13, 2019, in Juneau, AK
- ARRT Meeting: January 30, 2020, in Anchorage, AK, at the BP Energy Center.

Follow-up Subjects and Assignment of Tasks

- 1. **SPC** will prepare an initial draft revision of the ARRT Charter. SPC will include a proposal for reorganization of committees/working groups as part of the charter revision. **(Mr. Everett lead)**
- TBD task force will review and update the guidance for tribal coordination and participation (Task Force activation and member TBD, Mr. Terada lead)

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- 3. Coordinate with the Arctic and Western Alaska Area Committee UAS work group and USFS to explore development of a MOU regarding UAS operations in USFS wilderness areas (**Assignment TBD**)
- 4. Closed task: Dr. Kinner's request for assistance from ARRT on developing outreach and communication tools is no longer active.

Requests for ARRT Support:

- Arctic and Western Alaska Area Committee: Request for ARRT Support on the UAS work group. Specifically, assistance is needed facilitating input from National Marine Fisheries Service and U.S. Fish and Wildlife Service regarding the science of wildlife interactions as well as FAA for appropriate airspace management during response activities.
- 2. Arctic and Western Alaska Area Committee: Request for support for the Intentional Wellhead Ignition work group. Specifically, assistance and input is needed from the ARRT STC.

Participant Summary:

Member Agency	Present	Not Present
Alaska Department of Environmental Conservation	•	
Department of Agriculture	•	
Department of Commerce	•	
Department of Defense		•
Department of Energy		•
Department of Health and Human Services		•
Department of the Interior	•	
Department of Justice		•
Department of Labor		•
Department of State		•
Department of Transportation	•	
Environmental Protection Agency	•	
Federal Emergency Management Agency	•	
General Services Agency		•
U.S. Coast Guard	•	
Non-member Organizations in Attendan	ce	
Alaska Chadux Corporation		
Alaska Clean Seas		
Aleutian Pribilof Islands Association		

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Association of Village Council Presidents		
Cook Inlet Regional Citizens' Advisory Council		
Cook Inlet Spill Response Inc.		
North Slope Borough		
Nuka Research and Planning Group, LLC		
Prince William Sound RCAC		
State of Alaska, Alaska Department of Fish and Game		
State of Alaska, Department of Natural Resources,		
State of Alaska, Division of Homeland Security and Emergency Management		
U.S. Department of Homeland Security, Cybersecurity and Infrastructure Security Agency		
U.S. Department of Interior, Fish and Wildlife Service		
U.S. Department of Justice, ESF #13 (Bureau of Alcohol, Tobacco and Firearms)		
University of Alaska Fairbanks		
Yukon River Inter-tribal Watershed Council		

ALASKA RRT REVIEW OF ACTIONS SINCE LAST MEETING

Tri-Chair and Committee Reports May 16, 2019

TRI-CHAIR REPORT: SINCE LAST MEETING (6 MARCH 2019 - ANCHORAGE)

- Statewide Planning Committee
- Annual ESA Compliance Report

Relevant Agreements

- CANUSDIX19 2-4 April (Annex)
- Arctic Council EPPR videos for community assistance

NRT

- NRT member meetings
- Exxon-Mobil review: dispersants

NRT-RRT Co-Chairs meeting

- State of Science Dispersant & Dispersed Oil Studies
- Waters of the US (WOTUS)
- Response to Dielectric Oil Spills
- R&D Update: Alt. Response Tech & Remote Sensing
- Area Contingency Plan/Planning
- National Environmental Compl Subcommittee

SCIENCE & TECHNOLOGY COMMITTEE

- "The Use of Dispersants in Marine Oil Spill Response" (2019) was recently published. Citation: National Academies of Sciences, Engineering, and Medicine 2019. The Use of Dispersants in Marine Oil Spill Response. Washington, DC: The National Academies Press. https://doi.org/10.17226/25161.
- UNH-CRRC completed its report on "State-of-the-Science for Dispersant Use (DDO) in Arctic Waters". https://crrc.unh.edu/dispersant_science
- OSRI awarded a study proposal by C.J. Beegle-Kraus to research the toxicity of oil spill herders.
- Rick Bernhardt has been collaborating with NOAA's Air Resources Laboratory to develop an In Situ burn smoke plume model. (This capability hasn't existed nationwide since NIST stopped supporting ALOFT circa 2010.)
- NRT NEC recently posted a new set of ESA Section 7 consultation guidance documents and tools to the NRT website.

WILDLIFE PROTECTION COMMITTEE

- The WPC is preparing a draft revision to the Wildlife Protection Guidelines (former Annex G of the Unified Plan) for public comment in early August 2019.
- The revised guidelines will follow the ACP table of contents structure and include new and updated content.

CULTURAL RESOURCES COMMITTEE

- DOI is working with the National Park Service and State Historic Preservation Officer to develop training for Historic Properties Specialists and Cultural Resource Specialists - scheduled for late October 2019 in Anchorage.
- We are also exploring the potential for additional course offerings in Alaska.

STATEWIDE PLANNING COMMITTEE: STATEWIDE PLANNERS SUMMIT 5/14/2019

Summit Goals and Purpose

- Foster statewide Area Committee planner communication & networking
- Focus on unity of effort for maximum efficiency and efficacy
- Define roles and responsibilities across Statewide Planning
- Encourage Statewide consistency in plans, references & tools
- Share planning best practices across plans

STATEWIDE PLANNERS SUMMIT AGENDA

Agenda Topics Introduction and Purpose (15 minutes) Facilitator Statewide Planning Committee Members Mary G. and Marc R. Mary G. and Marc R. Statewide Planning Summit Attendees ARRT vs Area Committee Planning Products Matt Hobbie [RCP(planners)/ACP(responders)] Addressing excluded data (Orphan Annexes/ExoPLANets) Avoidance of redundancy across RCP/ACPs Incorporation of SERC/LEPC into AC & APCs · Alignment of Statewide efforts on ACP Administration Addressing Excluded Data (60 minutes) Liza S. & Clara C. Overview of RCP/ACP content and excluded data Mary Goolie References & Tools Model Wildlife Protection Guidelines Example Craig Ziolkowski Liza Sanden Sensitive Areas Proposal Leadership of References and Tools (60 minutes) Craig Ziolkowski · Identify leaders; Identify helpers; Process Questions: Connection to revision cycle; Natural Resource Trustees: Expectations? Duration and Frequency? SERC/ LEPC/TERC Connections (45 minutes) Jereme Altendorf Connection to Area Committees and ACPs, Attendance at SERC/LEPCA ACP Administration (90 minutes) Mary Goolie Planning Cycle ACP Review and Approval Process Style Guide Sponsor Model Prototype ADEC ACP Webpages Area Committee Planner Best Practices Forum (30 minutes) Clara Crosby Alaska Inland Mary Goolie Arctic and Western Alaska Byron Hayes

Matt Hobbie

Rachel Foote

Prince William Sound

Southeast Alaska



Article I ESTABLISHMENT

<u>Section 1, Authority.</u> The Alaska Regional Response Team is established under the *National Oil and Hazardous Substances Pollution Contingency Plan* (a.k.a. National Contingency Plan or NCP), Title 40 Code of Federal Regulations Part 300.115 (40 CFR 300.115).

<u>Section 2, Designation.</u> Hereafter in this charter, the Alaska Regional Response Team is referred to as the "ARRT."

Article II MISSION

The ARRT provides (1) the regional mechanism for development and coordination of preparedness activities before a response action is taken and for coordination of assistance and advice to the On-Scene Coordinator (OSC)¹/Remedial Project Manager (RPM) during such response actions; and (2) guidance to Subarea Committees to ensure inter-area consistency and consistency of individual Subarea Contingency Plans (SCPs) and consistency of individual SCPs with the Regional Contingency Plan (RCP) and the National Contingency Plan (NCP). The Alaska Federal/State Preparedness Plan for Response to Oil and Hazardous Substance Discharges/Releases (Unified Plan) serves as the RCP and, in conjunction with the ten SCPs, serves as the Area Plan; and provides the mechanism to coordinate Federal and State emergency response plans. These Federal and State emergency response activities are mandates in the NCP and are coordinated with the National Incident Management System (NIMS) and the National Response Frameworks (NRF).

Article III RESPONSIBILITIES 2

Section 1, Standing RRT.

(a) Regional planning and coordination of preparedness and response actions is accomplished through the ARRT. In the case of a discharge of oil, preparedness activities will be carried out in conjunction with Unified Plan, as appropriate. The ARRT agency membership parallels that of the NRT, as described in §300.110, but also includes state [, tribal,] and local representation. The ARRT provides:

(1) The appropriate regional mechanism for development and coordination of preparedness activities before a response action is taken and for coordination of

¹ For the purposes of this Charter, references to "OSCs" for ARRT preparedness activities includes both Federal and State OSCs; references to "OSCs" for incident-specific ARRT activities refer to Federal OSCs.

² Except bracketed portions, the following text is excerpted from 40 CFR 300.115 of the NCP which discusses Regional Response Teams. Note that the terms Unified Plan and Subarea Contingency Plans (SCPs) have been inserted at all references to Regional Contingency Plans and Area Contingency Plans.

assistance and advice to the OSC/RPM during such response actions; and

- (2) Guidance to Subarea Committees as appropriate, to ensure inter-area consistency and consistency of individual SCPs with the Unified Plan and NCP.
- (b) The two principal components of the RRT mechanism are a standing team, which consists of designated representatives from each participating federal agency, state governments, and local governments (as agreed upon by the states); and incident-specific teams formed from the standing team when the RRT is activated for a response. [See Section 2 for information on the incident-specific team. State and local government and federally recognized tribe participation may be limited to subject matter or geography in which they have an interest.]
- (c) The standing team's jurisdiction corresponds to the standard federal regions, except for Alaska, Oceania in the Pacific, and the Caribbean area, each of which has a separate standing RRT. The role of the standing RRT includes communications systems and procedures, planning, coordination, training, evaluation, preparedness, and related matters on a region-wide basis. It also includes coordination of Area Committees for these functions in areas within their respective regions, as appropriate.
- (d) The representatives of EPA and the USCG shall act as co-chairs of the ARRT except when the ARRT is activated for a specific incident.
- (e) Federal ARRT members or their representatives should provide OSCs/RPMs with assistance from their respective federal agencies commensurate with agency responsibilities, resources, and capabilities within the region. During a response action, the members of the ARRT should seek to make available the resources of their agencies to the OSC/RPM as specified in the Unified Plan and SCP.
- (f) ARRT members should nominate appropriately qualified representatives from their organizations to work with OSCs in developing and maintaining SCPs.
- (g) The standing ARRT shall recommend changes in the regional response organization as needed, revise the Unified Plan as needed, evaluate the preparedness of the participating entities and the effectiveness of SCPs for the federal response to discharges and releases, and provide technical assistance for preparedness to the response community. The ARRT should:
- (1) Review and comment, to the extent practicable, on local emergency response plans or other issues related to the preparation, implementation, or exercise of such plans upon request of a local emergency planning committee;
- (2) Evaluate regional and local responses to discharges or releases on a continuing basis, considering available legal remedies, equipment readiness, and coordination among responsible public agencies and private organizations, and recommend improvements;
- (3) Recommend revisions of the NCP to the NRT, based on observations of response operations;
- (4) Review OSC actions to ensure that the Unified Plan and SCPs are effective;
- (5) Encourage the state and local response community to improve its preparedness for response;

- (6) In accordance with any applicable laws, regulations, or requirements, conduct advance planning for use of dispersants, surface washing agents, surface collecting agents, burning agents, bioremediation agents, or other chemical agents in accordance with subpart J of this part;
- (7) Be prepared to provide response resources to major discharges or releases outside the region;
- (8) Conduct or participate in training and exercises as necessary to encourage preparedness activities of the response community within the region;
- (9) Meet at least twice annually to review response actions carried out during the preceding period, consider changes in the Unified Plan, and recommend changes in the SCPs.
- (10) Provide letter reports on ARRT activities to the NRT [once a year, no later than January 31, or as directed by the NRT or in accordance with NRT guidance]. At a minimum, reports should summarize recent activities, organizational changes, operational concerns, and efforts to improve state and local coordination; and
- (11) Ensure maximum participation in the national exercise program [(N-PREP)] for announced and unannounced exercises.
- (h) Whenever there is insufficient national policy guidance on a matter before the ARRT, a technical matter requiring solution, a question concerning interpretation of the NCP, or a disagreement on discretionary actions among ARRT members that cannot be resolved [by joint agreement of the co-chairs] at the regional level, it may be referred to the NRT, described in §300.110, for advice. For matters that cannot be resolved by the co-chairs, any ARRT agency may refer the matter to their NRT counterpart.

Section 2. Incident-Specific RRT.

- (a) The role of an incident-specific RRT is determined by the operational requirements of the response to a specific discharge or release. Appropriate levels of activation and/or notification of the incident-specific RRT, including participation by state and local governments, shall be determined by the designated RRT chair for the incident, based on the Unified Plan. The incident-specific RRT supports the designated OSC/RPM. The designated OSC/RPM directs response efforts and coordinates all other efforts at the scene of a discharge or release.
- (b) When the ARRT is activated for response actions, the chair shall be the member agency providing the federal OSC/RPM.
- (c) The ARRT may be activated by the chair as an incident-specific response team when a discharge or release:
- (1) Exceeds the response capability available to the OSC/RPM in the place where it occurs;
- (2) Transects state boundaries;
- (3) May pose a substantial threat to the public health or welfare of the United States or the

environment, or to regionally significant amounts of property; or

- (4) Is a worst case discharge, as described in §300.324. The Unified Plan shall specify detailed criteria for activation of the ARRT.
- (d) The ARRT may be activated during any discharge or release upon a request from the OSC/RPM, or from any ARRT representative, to the chair of the ARRT. Requests for ARRT activation shall later be confirmed in writing. Each representative, or an appropriate alternate, should be notified immediately when the ARRT is activated.
- (e) During prolonged removal or remedial action, the ARRT may not need to be activated or may need to be activated only in a limited sense, or may need to have available only those member agencies of the ARRT who are directly affected or who can provide direct response assistance.
- (f) On incident-specific teams, participation by the ARRT member agencies should relate to the technical nature of the incident and its geographic location. When the ARRT is activated for a discharge or release, agency representatives shall meet at the call of the chair and may:
- (1) Monitor and evaluate reports from the OSC/RPM, advise the OSC/RPM on the duration and extent of response, and recommend to the OSC/RPM specific actions to respond to the discharge or release;
- (2) Request other federal, state, or local governments, or private agencies, to provide resources under their existing authorities to respond to a discharge or release or to monitor response operations;
- (3) Help the OSC/RPM prepare information releases for the public and for communication with the NRT;
- (4) If the circumstances warrant, make recommendations to the regional or district head of the agency providing the OSC/RPM that a different OSC/RPM should be designated; and
- (5) Submit pollution reports to the NRC and/or NRT as significant developments occur.
- (g) At the regional level, a Regional Response Center (RRC) may provide facilities and personnel for communications, information storage, and other requirements for coordinating response. The location of each RRC should be provided in the Unified Plan.
- (h) When the ARRT is activated, affected states may participate in all ARRT deliberations. State government representatives participating in the ARRT have the same status as any federal member of the ARRT.
- (i) Federally recognized tribes may serve on the incident-specific RRT when matters under consideration affect their respective tribe's natural resource interests. These representatives should be the same as those serving on the standing RRT.
- (j) The ARRT can be deactivated when the incident-specific ARRT chair determines that the OSC/RPM no longer requires ARRT assistance.
- (k) Notification of the ARRT may be appropriate when full activation is not necessary.

However, in some instances ARRT members should be kept posted of significant developments.

(I) Provide status updates regarding responses to the District 17 Chairs of the Joint Response Team (JRT) for international bilateral agreements with Canada or Russia and the District 17 representative to the multilateral Arctic Council oil spill agreement, especially if the incident is expected to grow beyond regional capabilities.

<u>Section 3, Jurisdiction.</u> The geographic boundaries of the ARRT include the state of Alaska and all waters of the Exclusive Economic Zone (EEZ).

Article IV STRUCTURE/MEMBERSHIP

<u>Section 1, Structure.</u> The ARRT will consist of the member entities and working groups established by the ARRT to address and resolve specific issues.

<u>Section 2, Composition.</u> The ARRT is comprised of a membership identified in the National Contingency Plan, Title 40 CFR 300.115.

<u>Section 3, Representation.</u> The ARRT membership parallels that of the NRT, as described in 40 CFR 300.110 and includes, state and local representation.

- (a) To represent a wide range of public resource management and protection interests the ARRT will have one representative for each of the following groups:
- 1. U.S. Coast Guard, Co-chair
- 2. U.S. Environmental Protection Agency, Co-chair
- 3. State of Alaska
- 4. U.S. Department of Agriculture
- 5. U.S. Department of Commerce
- 6. U.S. Department of Defense
- 7. U.S. Department of Energy
- 8. Federal Emergency Management Agency
- 9. General Services Administration
- 10. U.S. Department of Health and Human Services
- 11. U.S. Department of the Interior
- 12. U.S. Department of Justice
- 13. U.S. Department of Labor
- 14. U.S. Department of Transportation
- (b) Tribal membership: Federally recognized tribes may arrange for representation with the ARRT. See *ARRT Guidelines for Coordination & Consultation With Federally-Recognized Tribes* for further information.
- (c) State/Local membership: States are encouraged to participate actively in all RRT activities. Each state governor is requested to assign an office or agency to represent the state on the appropriate RRT; to designate representatives to work with the RRT in developing the Regional Contingency Plan; to plan for, make available, and coordinate state resources; and to serve as the contact point for coordination of response with local government agencies, whether or not represented on the RRT. The state's ARRT representative should keep the State Emergency Response Commission (SERC),

described in §300.205(d), apprised of ARRT activities and coordinate ARRT activities with the SERC. Local governments are invited to participate in ARRT activities as provided by state law or as arranged by the state's representative.

<u>Section 5, Participating Entities.</u> Each participating entity should designate one member and at least one alternate member to the ARRT. All member entities may also provide additional representatives as observers to meetings of the ARRT.

- (a) Member entities whose regional subdivisions do not correspond to the standard federal regions may designate additional representatives to the standing ARRT to ensure appropriate coverage of the standard federal region.
- (b) In order for the ARRT to best support OSCs, it is recommended that member entities should not double task ARRT members with OSC responsibilities if possible.
- (c) ARRT member entities should designate representatives and alternates from their organizations as resource personnel for ARRT activities, including ARRT work planning, and membership on incident-specific teams in support of the OSCs/RPMs.

<u>Section 6, Appointment and Term of Office.</u> Each member entity representative of the ARRT will be designated by their respective agency for an indefinite period of time. These designations shall be made in writing.

<u>Section 7, Resignation.</u> A member may resign at any time by written notice to the co-chair(s). The resigning member's entity should designate a suitable replacement.

<u>Section 8, Participation.</u> Although not every ARRT activity requires every agency to participate, all members are welcome to participate in every scheduled ARRT meeting, incident-specific activation, notification, and exercise. In addition, participation in workgroups is expected as needed. If a representative fails to effectively participate in the work of the ARRT, the co-chair(s) should discuss the issue with the representative and their member agency and take appropriate action.

<u>Section 9, ARRT Alternate Member Representative.</u> An ARRT member entity may appoint a regular alternate representative to represent their affiliation at regular ARRT meetings. Unless limited by the appointing agency, alternate members are considered as fully-invested representatives of their agency.

<u>Section 10, ARRT Chair.</u> Title 40 Code of Federal Regulations Part 115(c) designates representatives of the Environmental Protection Agency (EPA) and U.S. Coast Guard (USCG) as Co-chairs of the ARRT, except when the ARRT is activated. When the ARRT is activated, for response actions, the chair will be the member agency providing the federal OSC.

<u>Section 11. ARRT Coordinator.</u> The specific duties of the ARRT Coordinators change over time and will be defined in a separate document as agreed to by the agencies providing the coordinators.

Article V MEETINGS

Section 1, Frequency. ARRT work requirements often outstrip resources available. This

requires sensitivity to the demands and fiscal limitations of ARRT member agencies and their representatives and active management of expectations, throughput, and scheduling. Ideally, the ARRT will meet at least three times a year, approximately in the winter (e.g., last week of January), spring (e.g. third week of May), and fall (e.g., last week of September). To the maximum extent practicable, ARRT meetings should be scheduled to coincide with subarea committee meetings (scheduled by the OSCs) to enable and encourage reciprocal attendance. The date, time, and place shall be agreed upon, in consultation with ARRT members, at least three months in advance, listed in the biennial work plan, and posted by the co-coordinators to the ARRT web page or other venue as determined by the co-chairs. The ARRT co-chairs may convene special sessions as needed for specific issues. Any ARRT member may ask the co-chairs to convene a meeting.

<u>Section 2, Location.</u> The ARRT will rotate meeting locations among Anchorage, Juneau and possibly other Alaskan cities based on needs of the region, availability of funds, and logistics complexity.

<u>Section 3, Format.</u> ARRT meetings shall be open to the public. When Security Sensitive Information is planned for discussion, such meetings shall be closed to the public to safeguard the material in accordance with Title 40 Code of Federal Regulations Part 1520.

Section 4, Records. The ARRT shall keep a meeting summary that is publicly posted by the ARRT Coordinators, or other venue as determined by the ARRT. The summary will include a list of ARRT members present and other attendees, noting ARRT absentees along with subjects covered, points of discussion, decision, assignments, action items, and any other pertinent information. The meeting summary shall be reviewed by the cochair(s) prior to distribution to the ARRT members and must be redacted of any Sensitive Security Information in accordance with Title 49 Code of Federal Regulations Part 1520. A copy of the meeting summary shall be circulated to the ARRT members within one month of the meeting. Within 30 days of receipt of the initial meeting summary, ARRT members shall review and may provide comments to the ARRT Coordinators. These comments will either be used to amend or append the meeting summary and are subject to discussion, if necessary, at the next ARRT meeting.

All meeting summaries and other records or documents of the ARRT are maintained by either the U.S. Coast Guard or the U.S. Environmental Protection Agency and will be posted on the ARRT public website.

<u>Section 5, Annual Leadership Summit.</u> To the extent practicable based on demand and availability of resources, the ARRT Leadership Team (co-chairs, co-coordinators, and State ADEC reps) should meet annually to strategize ARRT priorities, plans, and projects.

Article VI WORK PLAN AND WORK FLOW

<u>Section 1, Work Plan.</u> The ARRT should be guided by a biennial work plan that has been generated by the ARRT Coordinators with input and assistance from interested ARRT member agencies/entities and presented as a draft to the entire ARRT for discussion.

<u>Section 2, Work Plan Amendments.</u> Amendments to the work plan should be made annually or as needed.

<u>Section 3, Work Plan Contents.</u> The biennial work plan will focus on ARRT activities including, but not limited to, scheduled meetings, major exercises, preparedness products, policy creation/revision, training, and lessons learned.

<u>Section 4, Work Plan Review.</u> Progress on the biennial work plan shall be reviewed at each ARRT meeting.

Article VII WORKGROUPS

<u>Section 1, Establishment.</u> The ARRT may establish workgroups for specific issues as needed. Workgroups may be chartered. Workgroup categories include:

- (a) Committees with standing representation established for a specific purpose or a range of related issues, generally more long term in duration.
- (b) Task Forces designed for specific issues with short term duration intended.

<u>Section 2, Membership.</u> Composition of committees and workgroups should include representatives of ARRT agencies/entities with jurisdiction and/or expertise pertaining to the focus of the committee/workgroup.

<u>Section 3, Leadership.</u> Each committee/workgroup will have a member(s) designated as its chairperson(s). The chairperson(s) is/are responsible to the ARRT for the conduct of the committee/workgroup and its progress.

<u>Section 4, Other Participants.</u> Committee/workgroup members may invite participation by other agency and/or stakeholder entities that may have subject matter expertise and/or interests in committee/workgroup activities to provide advice and input to the committee/workgroup.

<u>Section 5, Meetings.</u> Each committee/workgroup, once established, shall meet as needed to fulfill its goals.

Article VIII ARRT ADMINISTRATIVE PROCEDURES FOR MEETINGS

<u>Section 1, Agenda.</u> The ARRT co-coordinator(s) will draft an agenda with input from ARRT members for approval by the ARRT co-chairs. An agenda will be made publicly available at least 14 calendar days prior to each meeting. Each agenda will detail the meeting time, meeting place, and agenda items. Press releases prior to the meetings are favored and an agenda will specify teleconference capabilities with details for open meetings. Agendas shall also be posted to the ARRT public website as early as practicable.

<u>Section 2, Rules.</u> The following is a non-inclusive list of procedural meeting rules to be followed by Alaska ARRT:

Rule 1, Public Comment: During meetings open to the public, the ARRT shall allow the general public an opportunity to comment during a prescribed public comment period. When a group of persons have the same comment or would address the

ARRT, the co-chair(s) shall ask that group to choose a spokesperson to address the ARRT.

Rule 2, Closed Sessions: ARRT Co-chair(s) may call a special closed session of the ARRT. Closed sessions may be called for the purpose of discussing SSI, specific security issues, or litigation issues involving the ARRT. A record of a closed session shall be kept by the co-chair(s), and the co-chair(s) may cause a redacted record of the session to be made available to the public.

Rule 3, Presiding Officer(s): The ARRT co-chair(s) are the presiding officers of the ARRT. Recognizing the often competing virtues of inclusiveness and efficiency, the right of the presiding officers to decide, discuss, or table an issue shall not be abridged.

Rule 4, Alternate Co-chair(s): The co-chair(s) will each designate an alternate co-chair to act as the presiding officer in their absence.

Rule 5, Limiting Power: Activities performed by the ARRT and its workgroups under this charter will be consistent with applicable federal and state laws and respective regulations, and will be subject to the availability of duly appropriated funds.

Article IX WEBSITE ADMINISTRATION

Saction 1. Use. As funding allows, the ARRT shall have an Internet site with a public side for general information sharing and a password protected private side for official use only.

Article X CHARTER ADOPTION AND AMENDMENTS

<u>Section 1. Charter Adoption and Amendments.</u> This charter and any future amendments to it will be approved by the ARRT co-chairs.

Attested By:

Mark L. Everett
U.S. Coast Guard District 17

Co-Chair, Alaska RRT

ate Chris Field

EPA Region 10

Co-Chair, Alaska RRT

Kristin Ryan

State of Alaska

Department of Environmental Conservation

Director, Spill Prevention & Response Division

Alaska Regional Response Team

Oil and Hazardous Substance Contingency Planning & Response

SCIENCE AND TECHNOLOGY COMMITTEE CHARTER

Purpose of the Committee: The Alaska Regional Response Team's (ARRT), Science and Technology (S&T) Committee provides a forum for the ARRT to fulfill its National Contingency Plan (NCP) delegated responsibilities in Science and Technology. Specifically the NCP, 40 CFR 300.115(i)(6) states "In coordination with Area Committees and in accordance with applicable laws, regulations or requirements, conduct advance planning for use of dispersants, surface washing agents, surface collecting agents, burning agents, bioremediation agents or other chemical agents in accordance with subpart J of the NCP."

<u>Committee Activities:</u> The committee will accomplish its purpose through three approaches.

First, the committee will act as the ARRT's interface with the National Response Team's Science and Technology Committee; coordinate efforts and disseminate information from the S&T to ARRT members; and formulate requests for information or advance planning for response technologies to the S&T from the ARRT.

Second, at the request of the ARRT, prepare and/or revise guidelines to support streamlined approvals, including pre-approvals, as appropriate, for response technologies in accordance with the NCP. Guideline development will be done in coordination with the Subarea planning committees. Guidelines can be for oil or hazardous substances; be applicable statewide or unique to a subarea; and be formalized in either the Unified Plan or subarea plans.

Third, at the request of the ARRT, the Committee may coordinate and support R&D needs, identification, prioritization, and information transfer as needed. Also, the committee may review, provide recommendations, and endorse relevant R&D efforts and protocols to further enhance spill response capabilities in Alaska.

<u>Committee Representation:</u> The committee is comprised of representatives from agencies which conduct, sponsor, or have expertise in response—related research and development and have NCP responsibilities on the RRT for preplanning and incident specific authorization for use of non-mechanical response methods. These agencies include: USCG, EPA, ADEC, DOC/NOAA, and DOI. Other ARRT agencies and non-ARRT member agencies may be invited to participate in committee meetings, as appropriate to the particular issues and subjects being discussed by the committee. The committee representatives will make decisions by consensus on what recommendations

will be forwarded to the ARRT for further consideration. Each committee member shall be responsible for coordinating appropriate coordination/consultation within their respective constituency.

<u>Committee Leadership:</u> The committee will be led by members of USCG/EPA/ADEC, and reflect agency roles found in the Unified Command Response Structure and the leadership of the Subarea Planning Committees. All three agencies will actively participate in all Science & Technology Committee deliberations and activities. For the purposes of developing guidelines, the USCG and ADEC will champion those issues related to the "Coastal Zone" as co-chairs. The EPA and ADEC will champion those issues related to the Inland zone as co-chairs. For cross zone issues common to all, the three agencies will mutually agree on the lead role. The following table illustrates this concept:

Inland Zone EPA/ADEC Issue Champion	Coastal Zone USCG/ADEC Champion	
Inland Zone Terrestrial ISB	Open Water Marine ISB	
Tundra / Wetlands Cleaning	Dispersants	
Bioremediation of shoreline adjacent to "Waters of the US"		
Other to be identified	Other to be identified	

The designated lead agencies for each issue will be responsible to chair individual work sessions, schedule meetings, set agendas, and develop and assign follow-up actions and report progress to the ARRT.

All committee/subcommittee/key personnel work products and recommendations to be submitted to the ARRT or to a Subarea Committee for review and approval and/or for inclusion in the Unified Plan or a subarea contingency plan shall be first submitted to all committee members for committee approval.

Committee Meetings: The committee shall meet as a whole at least semi-annually to prioritize work, and report back on progress. It is anticipated that individual issue-driven sessions involving key personnel with interest, expertise, and responsibility will meet on an ongoing, as needed basis throughout the year. All committee members will be provided timely notice of meetings or work sessions, and timely review periods for copies of drafts or final work products to allow for coordination/consultation with their respective constituencies.

Effective - March 28, 2014

Alaska Regional Response Team

Oil and Hazardous Substance Contingency Planning & Response

CULTURAL RESOURCES COMMITTEE CHARTER

<u>Purpose</u>: The Alaska Regional Response Team (RRT) Cultural Resources Committee (Committee) assists the RRT in implementing the *Programmatic Agreement on Protection of Historic Properties During Emergency Response Under the National Oil and Hazardous Substances Pollution Contingency Plan in Alaska.*

At the request of the Alaska RRT, the Committee prepares, maintains, and revises, as necessary, the Alaska Implementation Guidelines for Federal On-Scene Coordinators for the Programmatic Agreement on Protection of Historic Properties During Emergency Response Under the National Oil and Hazardous Substances Pollution Contingency Plan (Guidelines). The Guidelines are included in Annex M of The Alaska Federal/State Preparedness Plan for Response to Oil and Hazardous Substance Discharges/Releases.

<u>Activities</u>: The Committee maintains and revises, as appropriate, the *Guidelines* to ensure they are current, consistent with cultural resources-related "best practices" and/or other national guidelines, and incorporates appropriate lessons learned from incidents and/or exercises.

Representation: The Committee is comprised of representatives from Alaska RRT agencies with jurisdiction and/or cultural resources expertise. These include the U.S. Department of the Interior (DOI)-Office and Environmental Policy and Compliance, DOI-Fish and Wildlife Service, DOI-National Park Service, DOI-Bureau of Land Management, DOI-Bureau of Indian Affairs, U.S. Department of Agriculture-U.S. Forest Service, U.S. Department of Defense (DOD)-U.S. Air Force, DOD-U.S. Army, and Alaska Department of Natural Resources-Office of History and Archaeology (ADNR-OHA). Other members of the Alaska RRT (e.g., U.S. Coast Guard, U.S. Environmental Protection Agency, Department of Commerce-National Oceanic and Atmospheric Administration, and Alaska Department of Environmental Conservation) and representatives of Federally-recognized tribes and stakeholder groups (e.g., tribal, local governments, regional citizens' advisory councils, oil industry, and oil spill cooperatives) may also each identify an individual to provide advice and input to the Committee from their respective interest. Each Committee member and each representative of other participants will be responsible for coordination and consultation with their respective constituency.

Work Products/Decision-Making: All revisions to the *Guidelines* will be submitted to all Committee members and other participants for review. Following concurrence by all Committee members, *Guidelines* revisions will be submitted to the Alaska RRT for action. The goal of the Committee will be decision-making by consensus (i.e., unanimous consent). If unanimous consent is not possible, the Committee Co-Chairs will present the resulting information to the Alaska RRT for action.

Leadership: The Committee will be co-chaired by a representative of both DOI and ADNR-OHA. The Co-Chairs will be responsible for activities including, but not limited to: scheduling and chairing meetings, communicating Committee-related information to Committee members and other participants, tracking progress on action items, preparing and maintaining appropriate records, and reporting progress to the Alaska RRT as noted below.

<u>Meetings</u>: The Committee will meet as needed to fulfill its purpose as outlined above or as requested by the Alaska RRT. All Committee members and other participants providing input to the Committee will be provided timely notice of meetings and review periods for copies of drafts and final work products that allow for coordination and consultation with their respective constituencies.

<u>Records</u>: The Co-Chairs will be responsible for preparing and distributing Committee records in accordance with Article VII, Section 7 of the Alaska RRT Charter.

Alaska Regional Response Team

Oil and Hazardous Substance Contingency Planning & Response

WILDLIFE PROTECTION COMMITTEE CHARTER

<u>Purpose</u>: The Alaska Regional Response Team (RRT) Wildlife Protection Committee (Committee) assists the Alaska RRT in fulfilling requirements set forth in Section 300.210(c)(4)(i) of the *National Contingency Plan (NCP)*; namely, that the Alaska RRT's Area Contingency Plan include: "...coordinated, immediate and effective protection, rescue, and rehabilitation of, and minimization of risk of injury to...wildlife resources and habitat."

At the request of the Alaska RRT, the Committee prepares, maintains, and revises, as necessary, the Wildlife Protection Guidelines for Alaska (Guidelines), which address primary, secondary, and tertiary wildlife response actions for oiled-, or potentially-oiled, migratory birds, marine mammals, and terrestrial mammals. The Guidelines are included as Annex G of The Alaska Federal/State Preparedness Plan for Response to Oil and Hazardous Substance Discharges/Releases (Unified Plan), which serves as the Alaska RRT's Area Contingency Plan.

<u>Activities</u>: The Committee maintains and revises, as appropriate, the *Guidelines* to ensure they are current, consistent with wildlife response-related "best practices" and/or other national guidelines, and incorporates appropriate lessons learned from incidents and/or exercises.

Representation: The Committee is comprised of representatives from Alaska RRT agencies with jurisdiction and/or expertise for migratory birds, marine mammals, and/or terrestrial mammals. These include the U.S. Department of the Interior (DOI)-Office and Environmental Policy and Compliance, DOI-Fish and Wildlife Service, U.S. Department of Commerce (DOC)-National Marine Fisheries Service, and Alaska Department of Fish and Game. Other members of the Alaska RRT (e.g., U.S. Coast Guard, U.S. Environmental Protection Agency, DOC-National Oceanic and Atmospheric Administration, and Alaska Department of Environmental Conservation) and representatives of Federally-recognized tribes and stakeholder groups (e.g., wildlife rehabilitators, environmental community, regional citizens' advisory councils, oil industry, and oil spill cooperatives) may also each identify an individual to provide advice and input to the Committee from their respective interest. Each Committee member and each representative of other participants will be responsible for coordination and consultation with their respective constituency.

Work Products/Decision-Making: All revisions to the *Guidelines* will be submitted to all Committee members and other participants for review. Following concurrence by all Committee members, *Guideline* revisions will be submitted to the Alaska RRT for action. The goal of the Committee will be decision-making by consensus (i.e., unanimous consent). If unanimous consent is not possible, the Committee Chairperson will present the resulting information to the Alaska RRT for action.

<u>Leadership</u>: The Committee will be chaired by a DOI representative. The Chairperson will be responsible for activities including, but not limited to: scheduling and chairing meetings; communicating Committee-related information to Committee members and other participants; tracking progress on action items; preparing and maintaining appropriate records; and reporting progress to the Alaska RRT as noted below.

<u>Meetings</u>: The Committee will meet as needed to fulfill its purpose as outlined above or as requested by the Alaska RRT. All Committee members and other participants providing input to the Committee will be provided timely notice of meetings, and review periods for copies of drafts and final work products that allow for coordination and consultation with their respective constituencies.

<u>Records</u>: The Chairperson will be responsible for preparing and distributing Committee records in accordance with Article VII, Section 7 of the Alaska RRT Charter.

ALASKA TRIBAL GOVERNMENTS AND TRIBAL ORGANIZATIONS

Alaska Regional Response Team 5/16/2019

INTRODUCTION/OBJECTIVES

- AK Cultural Groups and history
- Federally Recognized Tribe
 - How are Alaska Tribes different?
- What are ANCSA Corporations?
 - Non-profits?
- Area Committee and Alaska Regional Response Team roles and participation
- Spill Response participation
- ARRT Tribal Guidance



MAJOR CULTURAL GROUPS

- Yupik
- Athabascan
- Inupiaq
- Aleut
- Alutiiq
- Tlingit
- Haida



ALASKA'S RECENT HISTORY

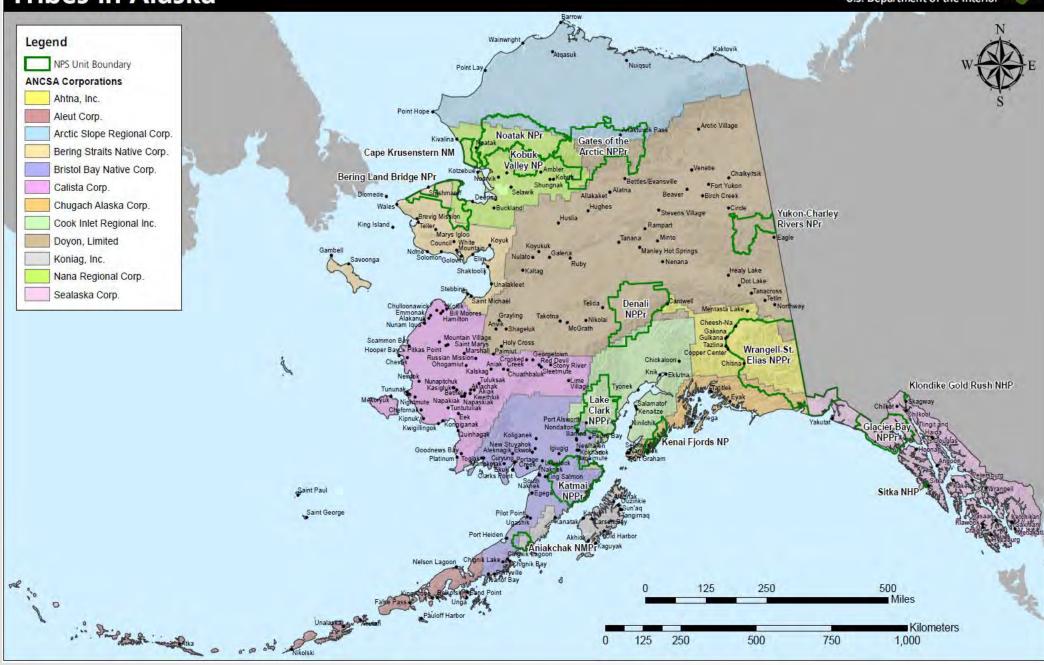
- Alaska's history does not begin with it's "discovery"
- There is an oral history that goes back to time immemorial
- Recent Historical Events
 - Less than 300 years ago: 1st encounter by outsiders
 - Less than 200 years ago: sale of Alaska to U.S.
 - Just over 100 years ago: 1st non-native government (Russia)
 - 60-100 years ago: Alaska Natives switched from nomadic to sedentary
 - 59 years ago: Statehood/49th state
 - 47 years ago: Aboriginal title extinguished and title to land was confirmed by the passage of the Alaska Native Claims Settlement Act (ANCSA)

TRIBE

- What is a Federally Recognized Tribe?
 - a group of Indigenous people that is recognized as constituting a <u>distinct and historically continuous political</u> <u>entity</u> for at least some government purposes. (BIA list)
 - Government to Government
 - Self-Government of a Tribe
 - Trust Responsibility



- A federally recognized tribe is an American Indian or Alaska Native tribal entity that is recognized as having a government-to-government relationship with the U.S.
- Trust Responsibility: Is a legal obligation between the U.S. and federally recognized Tribes. The U.S. has a <u>unique</u> relationship with Indian tribal governments as set forth in the Constitution, treaties, statutes, Executive Orders, and court decisions.
- Federally recognized tribes are recognized as possessing certain inherent rights of self-government (i.e., tribal sovereignty) and are entitled to receive certain federal <u>benefits</u>, <u>services</u>, and protections because of their special relationship with the United States.
- Tribes are consulted with and considered when the interests of the Tribes may be affected. (i.e. when a project is going in that may impact Tribal lands or lands upon which Tribes rely upon it is required the federal government connect with Tribes. (EO13175, 2000).



FEDERALLY RECOGNIZED TRIBES IN AK

- 229 AK Tribes of total 573: 40%
- Tribes in AK are <u>NOT</u> recognized as governing bodies by the State of Alaska.

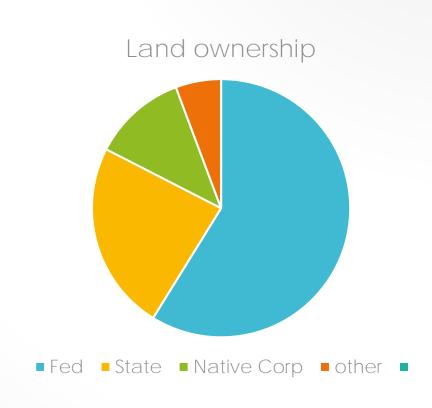
Lack of "Treatment as a State"—not considered "Indian
 Country"

- Loss of jurisdictional power (safety and environment)
- Loss of financial opportunities
- Cannot have: gaming, or license and regulate activities within their jurisdiction (fish and game/enforcement etc).



ALASKA NATIVE CLAIMS SETTLEMENT ACT 1971

- Established 13 Native Corporations (own the subsurface rights)
- 195 Village Corporations (own the surface rights)
- Extinguished aboriginal land claims: no "reservation" status- with exception of Metlakatla Indian Community
- Corporations received 44 million (12%) acres of land and were paid \$963 million
- Intended to stimulate economic development throughout Alaska
- Not all Alaska Natives chose to become "shareholders"



ANCSA CORPORATIONS

- Mission: profit for the shareholders and NOT to govern Tribal members.
 - These corporations became the vehicles through which fee simple patents totaling 44 million acres was conveyed.
- Regional/Village Corporations are NOT federally recognized tribes. But the Federal government is required to consult with them on matters that could have a significant impact to their interests. (new under EO13175 2012)



ANCSA REGIONAL NON-PROFITS

- Mission: provide social, education and training, and health services for Alaska Native people in their region.
 Typical programs:
 - Heritage Preservation
 - Community Health Aides and Practitioners
 - Contract Health Care
 - Community Health Representatives
 - Substance abuse treatment and prevention
 - Diabetes prevention and case management
 - Maternal health
 - Forestry Fire
 - Economic development
 - Child care HeadStart
 - Elder Services and programs
 - Indian Child Welfare Act
 - Housing

- Tribal law
- General Assistance
- Scholarships
- Employment and Training
- Behavioral Health
- Youth Services
- Human Resources
- Grant Writing
- Communications and Compliance
- EMT Public Safety
- Realty Lands

ANCSA Regional Non-Profits



ANCSA REGIONAL NON-PROFITS

12 <u>REGIONAL</u> NATIVE NON-PROFITS

- Aleutian/Pribilof Islands Association
- Arctic Slope Native Association, Ltd.
- Association of Village Council Presidents
- Bristol Bay Native Association
- Chugachmiut
- Cook Inlet Tribal Council, Inc.

- Copper River Native Association
- Kawarek, Inc.
- Kodiak Area Native Association
- Maniilaq Association
- Tanana Chiefs Conference
- Tlingit and Haida Indian Tribes

Role of the AREA COMMITTEE & ALASKA REGIONAL RESPONSE TEAM

AND

POTENTIAL PARTICIPATION in AREA COMMITTEE,
ARRT &
SPILL RESPONSE

ROLE OF THE AREA COMMITTEE

Area Committees are the venue for public input on all relevant processes and scientific issues related to oil and hazardous substance spill prevention, preparedness, planning and response. Area Committees manage and continuously improve upon the Area Contingency Plan, and provide a platform for consistent coordination between federal, state, tribal, and local emergency planners and responders.

AREA COMMITTEE PARTICIPATION

- Dependent on the availability of the Tribe's staff
- Participate in updates to the Area Contingency Plan

Environmentally sensitive areas: The ACP should identify areas within its bounds that may require tailored protection or response strategies due to unique environmental attributes. These may be recreational or commercially-significant areas, endangered species habitats, drinking water supplies or other areas defined by the AC.

Culturally sensitive areas: The ACP should identify historical landmarks, archeological sites, tribal lands and other features that may require special protective measures or interaction with trustees or tribal authorities.

ROLE OF THE ALASKA REGIONAL RESPONSE TEAM

The Alaska Regional Response Team (ARRT) is an advisory board to the Federal On Scene Coordinator (FOSC) and provides federal, state, and local governmental agencies with means to participate in response to pollution incidents. It is an interagency entity that exists to develop and maintain a federal regional contingency plan to coordinate timely, effective response by various federal agencies and other organizations to discharges of oi, releases of hazardous substances, pollutants, or contaminants, or threats of such discharges or releases.

ALASKA REGIONAL RESPONSE TEAM PARTICIPATION

- Dependent on the availability of the Federally Recognized Tribe's Leadership
- Above all the involvement that the Tribe requests.

SPILL RESPONSE PARTICIPATION

- Dependent on the availability of the Tribe's staff
- The training/experience of the Tribe in regards to spill response (Incident Command System)
- Above all the involvement that the Tribe requests.

SPILL RESPONSE PARTICIPATION

Training and Tools available on the Region 10 RRT

https://www.rrt10nwac.com/TribalTools.aspx



SPILL RESPONSE PARTICIPATION

Tribal members can fill essential roles, including:

- Tribal On Scene Coordinator (TOSC)
- Tribal Agency Representative
- Tribal Historic Preservation Officer
- Natural/Cultural Resource Specialist
- Joint Information Center participant
- Community Involvement Coordinator

ARRT GUIDELINES FOR COORDINATION AND CONSULTATION WITH FEDERALLY-RECOGNIZED TRIBES

https://alaskarrt.org/files/ARRT%20Tribal%20Guidance%20Final%204-15-14.pdf

Alaska Regional Response Team (ARRT)
Guidelines for Coordination & Consultation
With Federally-Recognized Tribes

I. Purpose

The goal of these Guidelines is to build upon existing individual agency tribal coordination and consultation guidance, and to ensure tribal input is an integral part of ARRT-related activities and decision-making.

II. Introduction

The obligation for federal agencies to engage and consult with federally-recognized Indian tribes on a government-to-government basis is based on the U.S. Constitution and federal treaties, statutes, executive orders, and policies. The ARRT is an interagency entity that exists (among other reasons) to develop and maintain a federal regional contingency plan to coordinate timely, effective response by various federal agencies and other organizations to discharges of oil, releases of hazardous substances, pollutants, or contaminants, or threats of such discharges or releases

ARRT GUIDELINES FOR COORDINATION AND CONSULTATION WITH FEDERALLY-RECOGNIZED TRIBES

Potential Updates:

- Include description and emphasize the participation needed in the four Alaska Area Committees
- Update information to include Regional Contingency Plan/Area Contingency Plan and delete superceded plan information (Unified/Subarea)

THANK YOU TO:

Adrienne Fleek
National Park Service Directorate
Alaska Native Affairs Liaison
Adrienne fleek@nps.gov
907-644-3511

For sharing her knowledge!

Mary Goolie
ARRT EPA Coordinator/AK Area Planner/Brownfield Project Manager
goolie.mary@epa.gov
907 271-3414 desk
907 312-4310 cell



ALASKA RRT

Prince William Sound Area Committee Brief May 16, 2019

AREA COMMITTEE UPDATE

- Notable Events within Area Committee:
 - Standup of Administrative Subcommittee: First meeting 12 Feb (phone)
 - Alaska Shield (statewide) Exercise: 10-13 April (Cordova)
 - Valdez Marine Terminal Exercise: TBD (Valdez)
 - Next Area Committee Meeting: 21 May in Cordova
 - Cordova Center, 9 AM

AREA CONTINGENCY PLAN UPDATE

- Ongoing Work:
 - Administrative Subcommittee created to assist with Plan update process
 - Currently validating the contact info contained in the ACP appendices (Sections 9100 and 9200).
 - Attended Statewide Planning Summit (May 14)
 - Timeline to next version
 - Target: Fall 2019

CASE SUMMARY/ENFORCEMENT

- Valdez Harbor Truck Spill
 - Crack in Fuel System sprayed diesel onto road which washed into the harbor
 - City of Valdez, ADEC, USCG
 - Media Interest: MSU Valdez Response Department Head provided interview
- Spring DOD Ammo Load Out
 - USCG facilitated the safe transfer of 184 containers
 - 49 Containers Inspected
 - Security Sweeps by USCG Shoreside Patrol





QUESTIONS?

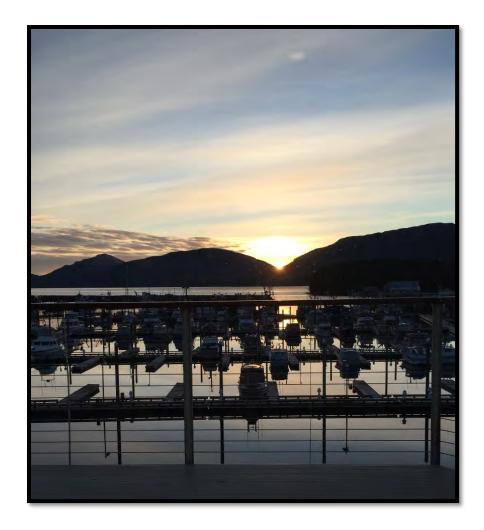
ADEC Area Planning website:

http://alaska.gov/go/7EKN

Contact us:

Michael.R.Franklin@uscg.mil

Rachel.E.Foote@uscg.mil



Sunset over Cordova Harbor

ALASKA RRT

Southeast Alaska Area Committee Brief CAPT Steve White, USCG MR. Dave Pikul, Alaska DEC

May 16, 2019





SOUTHEAST ALASKA AREA COMMITTEE (SEAKAC) FORMATION

Goal: Establish Southeast Alaska Area Committee before 30 SEP 2019

Tasks:

- Recruit and establish membership April-May 2019
- Draft charters June 2019
- Hold first meeting on 13 August 2019 (proposed)
 - Approve charter for Area Committee
 - Create charters for workgroups
 - Administration
 - Geographic Response Strategies

DIXON ENTRANCE MEETING APRIL 3 2019

Sector Juneau/DEC met with Transport Canada, British Columbia Ministry of Environment, Canadian Coast Guard and D17 during CANUSDIX Joint Contingency Plan coordination meeting

Discussed:

- Nation to Nation response and transboundary resources
- Practicing notification procedures
- Communications timing and efficiency
- Developing workgroups around specific functions

SOUTHEAST FULL SCALE EXERCISE APRIL 3-4, 2019

Day 1: GRS Boom Deployment and Field Day at Hecla Mine, Hawk Inlet

Day 2: ICP at UAS Rec Center

Participating agencies: USCG, Canadian CG, DEC, DNR, DF&G NOAA, NWS, USFS, SEAPRO, Hecla- Greens Creek Mine, and Oldendorf Carriers





GLACIER BAY NATIONAL PARK ANNUAL BOOM DEPLOYMENT/ SUMMER STAFF TRAINING APRIL 17-18 2019

- HAZWOPER Training
- Boom Deployment / Boom Towing
- Area Familiarization of 8 nearby GRS sites
- Agencies: NPS, USCG, SEAPRO, DEC

QUESTIONS?

ADEC Area Planning website:

http://alaska.gov/go/7EKN





ALASKA RRT

Arctic & Western Alaska Area Committee Brief May 16, 2019

AREA COMMITTEE UPDATE

Notable Events within Area Committee:

- Statewide references and tools
- GRS validation process and exercises
- Exercise & Training Calendar
- GIUE, UAS, WCD Workgroups
- Area Committee and Responder Stakeholder Engagement Plans
- Next Meeting: Nov 19, 2019 Atwood Conference Center 555 Cordova St. Anchorage, AK 99501

AREA CONTINGENCY PLAN UPDATE

- Anticipated plan updates:
 - Incorporating substantive changes identified when conducting administrative reorganization
 - Improving readability for responders
- Timeline to version 2018.1: November, 2019.
- Timeline to version 2020.0: June 1, 2020.

CASE SUMMARY/ENFORCEMENT

- Statistical data
 - 5 Letters of Warning
 - \$1000 in fines via 2 Notice of Violations
 - 5 Letters of Warnings
 - 1 Civil Penalty proposed: \$9750
 - 6 OSLTF Expenditures: \$433,831 (estimated)
- Marine Safety Task Force
 - First annual summer season surge operation
 - Anticipate Inspection of Bulk Oil Facilities to influence enforcement numbers



AREA COMMITTEE NEEDS FOR ALASKA RRT SUPPORT

- Unmanned Aerial Systems Workgroup
 - Request RRT support on the technology of UAS and the science of wildlife interactions.

QUESTIONS?

ADEC Area Planning website:

http://alaska.gov/go/7EKN

Contact us:

AWA-AC@uscg.mil



Fuel farm, Utqiagvik



ALASKA RRT

Tom DeRuyter, State On Scene Coordinator Matt Carr, Federal On Scene Coordinator Alaska Inland Area Committee Brief May 16, 2019

AREA COMMITTEE UPDATE

Notable Events within Area Committee:

- Steering Committee Meeting held on April 17th.
- Established Protocols for the Alaska Steering Committee
- Established Protocols for the ACP Administration Subcommittee
- Alaska Inland Area Administration Subcommittee continues to work towards our ACP Version 1.1

AREA CONTINGENCY PLAN UPDATE

- The Alaska Inland Area Steering Committee has tasked the Administration Subcommittee with the following:
 - Take an initial hard edit of the ACP for readability
 - Identify References and Tools to support responders
 - Identify opportunities for continuous improvement for future revision cycles
 - Target date for Alaska Inland ACP Version 1.1 is first quarter 2020.

RESPONSE TRENDS & ENFORCEMENT ADEC SPILL REPORTS BY REGION:

Region	Crude	Non- Crude	HS	EHS	Process Water	Unknown
Aleutians	0	28	2	6	0	5
Bristol Bay	0	5	0	0	0	0
Cook Inlet	8	107	18	1	5	10
Kodiak	0	23	2	1	0	3
Western Alaska	0	8	0	0	0	0
North Slope	7	84	36	1	7	0
Northwest Arctic	0	38	7	0	0	0
Interior Alaska	0	8	0	0	0	2
Total	15	301	65	9	12	20

Overall Total: 422

QUESTIONS?

ADEC Area Planning website:

http://alaska.gov/go/7EKN

Contact us:

AWA-AC@uscg.mil



Fuel farm, Utqiagvik

State-of-the-Science of Dispersants and Dispersed Oil (DDO) in U.S. Arctic Waters:



Doug Helton,
NOAA Emergency Response Division
ARRT, May 16, 2019

University of New Hampshire

Coastal Response Research Center and Center for Spills and Environmental Hazards

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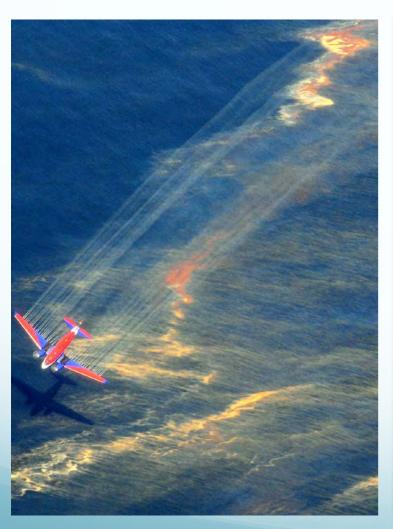
The Coastal Response Research Center (CRRC) was established as a partnership between the National Oceanic Atmospheric Administration (NOAA), through the Office of Response and Restoration (OR&R) and the University of New Hampshire (UNH) in 2004.

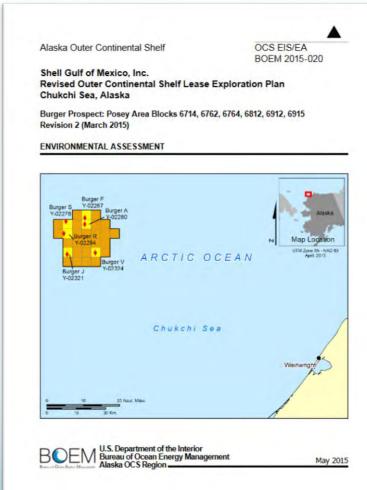


The Center for Spills and Environmental Hazards (CSE) is a University center that expands the scope of interaction and cooperation with the private sector, other government agencies and universities.

The Centers are administered by, and located at, the UNH campus in Durham, NH. Both centers are affiliated with the UNH School of Marine Science and Ocean Engineering (SMSOE). Center one-pager here

Origins of the Project







Deepwater Horizon

Shell Exploration in the Chukchi

Increased Arctic Vessel Traffic



Mandate from the Arctic SONS Executive Seminar

2013 Lesson Learned

2013 Late Summer Scenario

2014 Late Summer Scenario

If a decision is made to use (or not use) dispersants in the Arctic, communicating that decision to stakeholders and the public will require clear communication of the science contributing to that decision.

Corrective Action

- Develop Summary of the State of Dispersant Science
 - 1) What we know
 - 2) What we don't know
 - Key issues of which senior leadership should be aware
- Collaborate with ongoing efforts in Alaska

2014 SONS Executive Semina

2014 SONS Executive Semina

Key Questions

Efficacy and Effectiveness; Will they work in ice and cold water? 2. Physical Transport and Where will the dispersed oil go? **Chemical Behavior**; 3. Degradation and Fate; How long will it take for the oil and dispersants to degrade? 4. Eco-Toxicity and Sublethal What are the impacts on food Impacts; and webs and animals? What are the risks for workers, 5. Public Health and Food public, and subsistence users? Safety.

Why even consider dispersants?

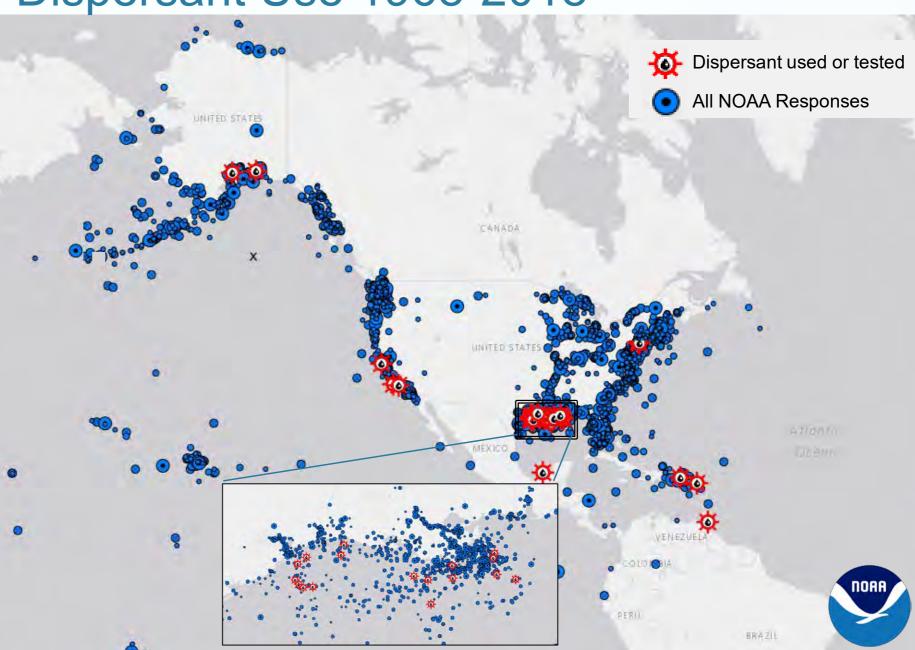
- Conventional response equipment challenged by
 - Weather and Ice
 - Logistics and Infrastructure
 - Time and distance





Dispersant Use 1968-2018

- Rarely used in the U.S
- None in Arctic
- 27 incidents in or near U.S. Waters
- Mostly in the Gulf of Mexico
- Many were small scale tests and not operationally significant
- no use since the 2010 (DWH)



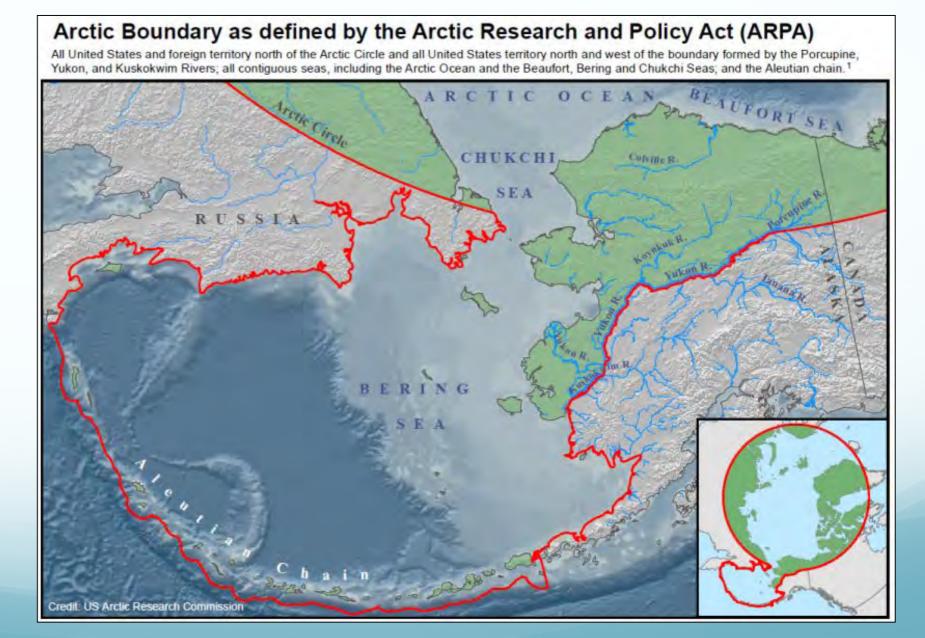
Caveats, Omissions and Limitations

- Peer reviewed literature
- Mostly focused on surface application
- Mostly focused on Corexit products in U.S. and post-DWH research
- December 2015 publication cutoff date for consideration of material
- Recent DWH studies including several recent health assessments were not considered but are reviewed elsewhere (e.g., PWSRCAC)
- Does not consider logistical or operational issues, which also will be significant in the Arctic



More Caveats

- Not focused on future research priorities
- Broad definition of the Arctic
- Summary conclusions are ours....







University of New Hampshire University of New Hampshire Scholars' Repository

Coastal Response Research Center

Research Institutes, Centers and Programs

6-2017

2017 State-of-the-Science of Dispersants and Dispersed Oil (DDO) in U.S. Arctic Waters: Efficacy & Effectiveness

Coastal Response Research Center (CRRC)

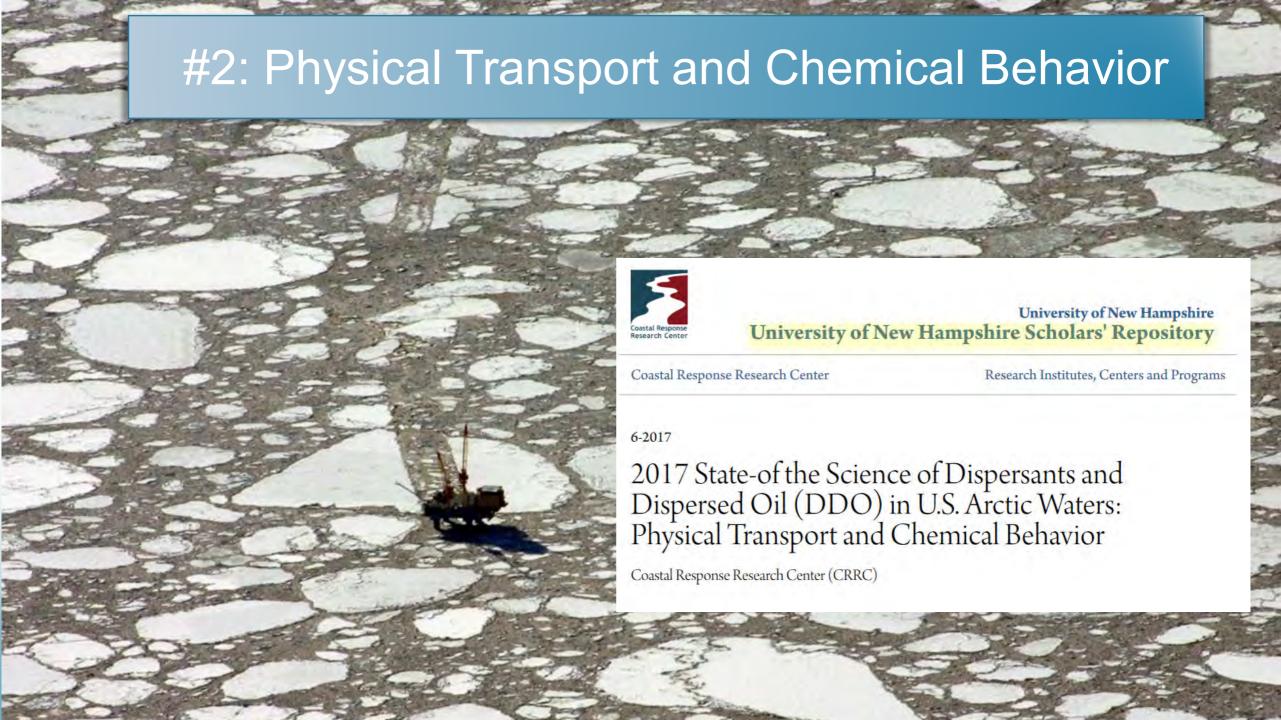
Will they work in Arctic conditions?

Efficacy and Effectiveness

- Dispersants will work in cold marine water, but oils become more viscous in cold temperatures.
- Oils that disperse in temperate conditions will generally disperse in cold water if they remain fluid.
- Wave energy is needed to mix the dispersants and promote the dispersion process.
- Ice cover and low temperatures may increase the length of time favorable for dispersant use.







Where will the dispersed oil go?

Physical Transport and Chemical Behavior

- Dispersants increase the amount of oil in the water column.
- There are many forms and stages of sea ice and all forms of ice affect oil movement and behavior.
- Oil and dispersant frozen into ice can move long distances and then be released during melting and breakup
- Seasonal freshwater inputs and transitional conditions during ice formation and break-up, make oil transport modeling difficult.







How long will it take to degrade?

Degradation and Fate

- Dispersants can enhance biodegradation of oil by increasing interfacial area.
- Dispersants create smaller oil droplets than those from physical dispersion.
- Chemically-dispersed oil is frequently (but not always) observed to degrade faster than physically-dispersed oil.
- Oil degrading bacteria are present and can degrade crude oil in cold Arctic waters, but this process will occur more slowly than in temperate waters.
- Some oil compounds degrade rapidly while others are very slow to degrade.



PLoS One. 2014; 9(1): e84297.

Published online 2014 Jan 8. doi: 10.1371/journal.pone.0084297

Biodegradation of Dispersed Oil in Arctic Seawater at -1°C

Kelly M. McFarlin, 1,* Roger C. Prince, 2 Robert Perkins, 3 and Mary Beth Leigh 1

Jonathan H. Badger, Editor

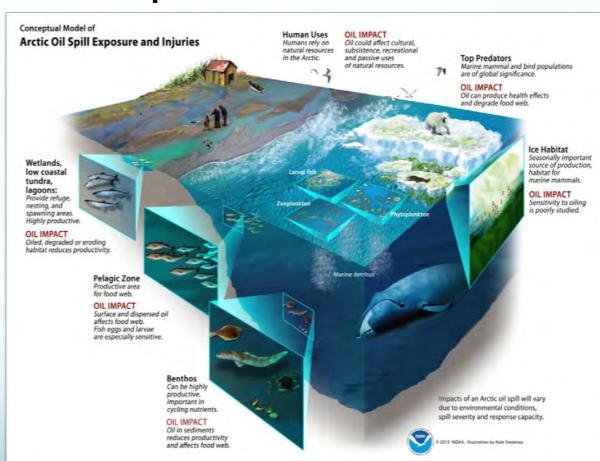




What are the impacts on food webs and animals?

Eco-Toxicity and Sublethal Impacts

- Dispersants reduce exposure to surface and intertidal species and increase exposure to species in the water column.
- Toxicity data are very limited for Arctic species but some fish species and life stages appear to be very sensitive to oil.
- Dispersants do not change the toxicity of the oil but increase the exposure to the oil
- Many laboratory studies and standard toxicity tests can miss ecologically important endpoints.



What are the impacts on food webs and animals?

Eco-Toxicity and Sublethal Impacts (2)

- Sea ice is a unique habitat
- Under-ice communities are unique in their concentration and composition of species, some of which exist nowhere else. This habitat could be exposed to particulate, floating and dissolved contaminants.
- Oil can concentrate in the leads between ice floes and in breathing holes. Mammals and birds using these areas would be vulnerable to surface (undispersed) oil.

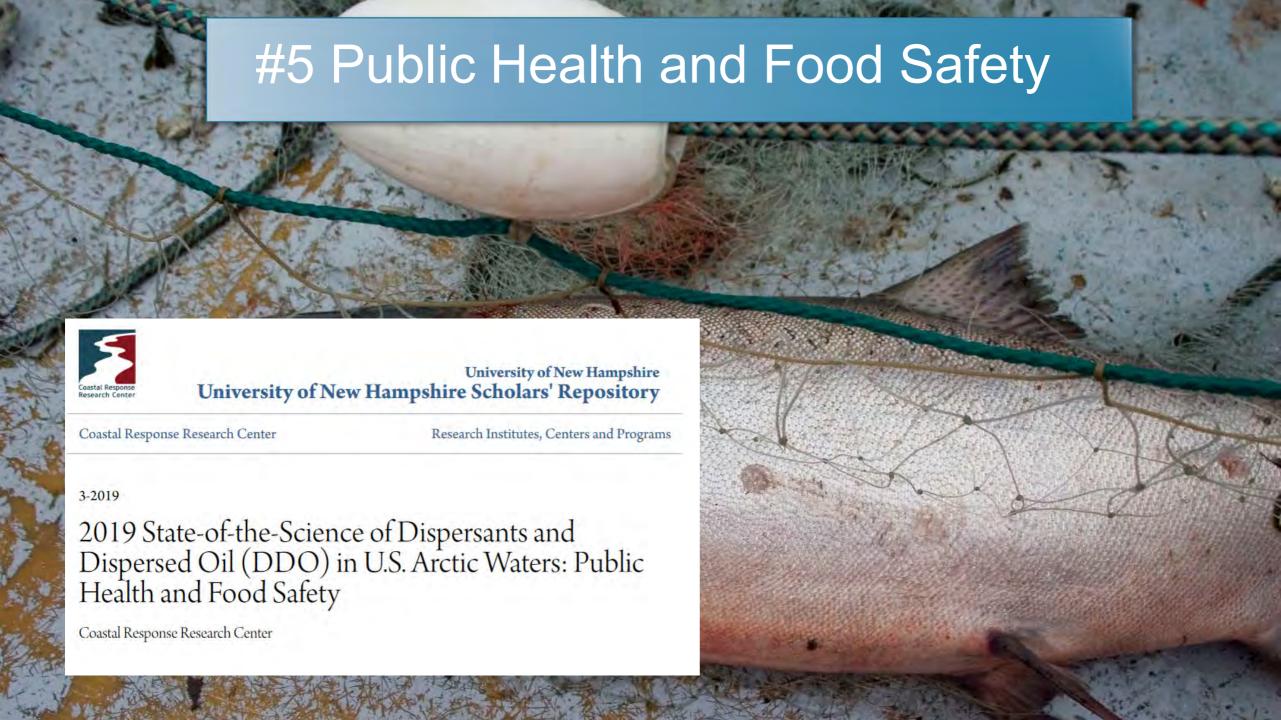


Environ Toxicol Chem. Oct 2013; 32(10): 2284–2300. Published online Aug 14, 2013. doi: 10.1002/etc.2307 PMCID: PMC4282318

The acute toxicity of chemically and physically dispersed crude oil to key arctic species under arctic conditions during the open water season

William W Gardiner, † Jack Q Word, *† Jack D Word, † Robert A Perkins, ‡ Kelly M McFarlin, ‡ Brian W Hester, † Lucinda S Word, † and Collin M Ray †

Author information ► Article notes ► Copyright and License information ►



What are the risks for workers, public, and subsistence users?

Public Health and Food Safety

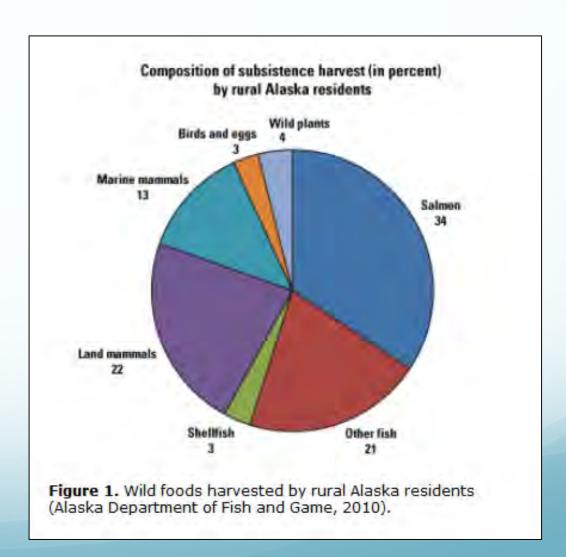
- Limited studies have been conducted to assess human health impacts of oil and dispersants.
- It is difficult to disentangle health effects of oil alone, dispersant alone, dispersed oil, stress, or any combination.
- Responders are at greater risk than public.
 Responders directly handling oil and dispersants are at greatest risk.
- Symptoms such as throat irritation, eye irritation, nausea, headache and cough were commonly observed.



What are the risks for workers, public, and subsistence users?

Public Health and Food Safety (2)

- National seafood consumption rates are not representative of consumption by local populations in the Arctic
- Baseline health information of Arctic populations at potential risk from exposure to oil and dispersants are lacking.
- Dispersant constituents did not accumulate in edible tissues of Gulf crab and finfish following DWH.
- Poor risk communication regarding seafood safety may have negative public health consequences.



This is a summary prepared by NOAA's Office of Response and Restoration

- Interested readers should review the full reports at https://crrc.unh.edu/dispersant_science
- Efficacy and Effectiveness;
 - https://scholars.unh.edu/crrc/1/
- Physical Transport and Chemical Behavior;
 - https://scholars.unh.edu/crrc/4/
- Degradation and Fate;
 - https://scholars.unh.edu/crrc/3/
- Eco-Toxicity and Sublethal Impacts;
 - https://scholars.unh.edu/crrc/2/
- Public Health and Food Safety.
 - https://scholars.unh.edu/crrc/22/





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