

**COOK INLET REGIONAL CITIZENS ADVISORY COUNCIL**

**Homer, Alaska**

**September 6, 2019**

**Approved Minutes**

**Members Present:** John Williams, Robert Peterkin, Gary Fandrei, Carla Stanley, Paul Shadura II, Walt Sonen, Grace Merkes, Bob Flint, Michael Opheim, Kyle Crow

**Members Present by Teleconference:** Deric Marcorelle

**Members Absent:** Molly McCammon (excused), Rob Lindsey (excused)

**Staff Present:** Michael Munger, Susan Saupe, Vinnie Catalano, Jerry Rombach, Lynda Giguere, Vaito'a Heaven, Maddie Jamora, Cindy Sanguinetti

**Others Present:** Patrick Hilbert, District 17, USCG; Captain Sean MacKenzie, USCG; Bart Buesseler, NOAA Coast Survey; Denise Koch, DEC-SPAR; Julie Findley, University of Texas; Tim Robertson, Nuka Research; Todd Paxton, CISPRI; Jim Herbert, PWS RCAC; Ken Castner, City of Homer; Robert Archibald, PWS RCAC; Bob Shavelson, Cook Inletkeeper; **Gordon, T, PWS RCAC**; Lt. Kahi Kaaua, USCG

**Others Present by Teleconference:** Tom Stokes, State Pipeline Coordinator; Heather Crowley, BOEM; Stephanie Lambe Musgrove, Lambe, Tuter & Associates

**1. CALL TO ORDER/ SAFETY BRIEFING/ ROLL CALL/ APPROVAL**

President John Williams called the meeting to order at 9 am. Mr. Catalano provided a safety briefing. Roll was called, establishing quorum.

**Gary Fandrei moved to approve the agenda. Carla Stanley seconded. The agenda was approved.**

**Robert Peterkin moved to approve the minutes of April 5. Gary Fandrei seconded.**

Mr. Fandrei noted an error on page 2 where Brian Blossom should be identified as an ADF&G employee.

**The minutes were approved as amended.**

**Gary Fandrei moved to approve the minutes of the April 5 Annual Meeting. Robert Peterkin seconded. The minutes were approved.**

Guests introduced themselves.

The meeting had to be moved to Homer due to Seldovia's water shortage. Mayor Ken Castner welcomed CIRCAC, noting that the biggest lesson he learned during his involvement on the RCAC in the early years was to never underestimate the power of the generalist.

- **Ex Officio Comments**

**Heather Crowley, BOEM**, commented on the agency's focus on Cook Inlet; a call for input on future environmental studies will come out soon.

**Denise Koch, ADEC**, announced a 60 day public scoping process, to begin this fall, to allow plan holders/RCACs/public to comment on the efficacy of existing regulations which the Commissioner has requested be streamlined. A public workshop may be scheduled to work on particular sections before the formal revision/comment process. Secondly, Crystal Smith is the new State On-Scene Coordinator.

**Captain Sean McKenzie, USCG**, said he and other representatives will be giving a presentation to explain how different sectors of the Coast Guard work together.

- **Public Comment**

**Bob Shavelson, Advocacy Director, Cook Inletkeeper**, spoke of his disappointment with Hilcorp's absence following the company's presentation regarding the impacts of the proposed seismic testing. Mr. Shavelson contacted the scientist quoted as saying, "Such testing is incapable of injuring the fish." He said Dr. Popper replied, "Almost everything that is quoted (in the article) is wrong." Mr. Shavelson mentioned concern for the zooplankton, fish, marine mammals, and radical climate changes. He questioned whether development of the Federal reserves in the lower inlet is in the best interest of the communities.

**John Williams** said he is deeply concerned about the type of world his grandchildren will inherit due to climate change.

**Robert Archibald, PWSRCAC**, congratulated CIRCAC on its recertification. The RCAC has questions about BP leaving and Hilcorp coming in, and hopes AK Tanker Co will stay. The organization will seek to provide input on the regulation revisions. There is a lot to oversee. The board will meet in Kenai September 19, 20 and in Anchorage in December.

**Carla Stanley** extended condolences over Lisa's death.

\*\*\*\*\*PRESENTATIONS\*\*\*\*\*

- **Responsibilities and Update, USCG**

**Captain Sean McKenzie, Sector Anchorage/Western Alaska Commander**, the largest sector in the US, explained that Admiral Bell oversees the whole state, while Captain White serves as Sector Commander over Southeast Alaska. Captain Franklin serves as Captain of the Port of Prince William Sound. The Coast Guard area of responsibility extends 200 miles offshore, but is split with Russia where the distance is less than that. The Admiral coordinates with Russia for Search & Rescue, oil spill response and preparedness. Assets are used for S & R and fisheries law enforcement in Homer, Valdez and Kodiak.

The Marine Safety Task Force is inspecting 400 bulk oil fuel facilities throughout western Alaska and will develop a long term plan for "the train wreck in slow motion." While there are no RCACs in northern Alaska, there are concerned voluntary committees with which the CG participates.

The Coast Guard presence in Alaska is stationed in Anchorage, Homer, Kodiak, Dutch Harbor, Seward, and Valdez. For proposed projects like the LNG and Pebble mine, the CG is tasked with verifying waterway safety and facility security. Under an MOU with the Alaska Aerospace Development Corp the CG publicizes planned launches to mariners. The Cook Inlet Harbor Safety Committee took ownership of the Ice Guidelines, now signed by the Coast Guard. CIRCAC was commended for its contributions to that committee.

The Captain spoke about the grounding of the *Le Soleal*, an adventure tourism cruise ship. The CG investigates such incidents and can impose civil or criminal penalties, and issue safety recommendations. A discussion about pilotage and the division of authority between the state and the Coast Guard ensued.

**Lt. Kaaua, MSD Homer**, defined his office's area of responsibility from south of Elizabeth Islands to Moose Point. The staff conducts up to 200 vessel inspections/year, and oversees the building of commercial vessels and incoming foreign vessels. The MSD responds to 20-40 marine casualties/year and works with state partners to prevent and respond to oil pollution.

**Captain Hilbert, District 17**, spoke about the Coast Guard operation called the North Pacific Guard which enforces fisheries conventions and treaties in the Western Pacific. Since the continental shelf extends beyond 200 nautical miles, the Captain anticipates the Coast Guard area of responsibility will be extended with climate change. He mentioned the unique challenges posed by the vastness of Alaska and the ongoing efforts to educate upper command regarding equipment and personnel needs to fulfill responsibilities. He illustrated by retelling search and rescue missions in Western Alaska. The bulk of the Coast Guard infrastructure is located in the Gulf of Alaska, but helicopters are kept in Kotzebue in the summer.

There is a joint contingency plan between Russia and the US, and a relationship with the Russian Border Guard. The CG is working to build 6 polar security cutters to increase the U.S. presence in the Bering Sea and Arctic.

- **Cook Inlet Pipeline Integrity Assessment Update**

**Tim Robertson, Nuka Research** spoke about the project designed to assess the integrity of the oil and gas pipeline infrastructure and make recommendations to keep the pipelines in service into the future. Phase I aimed to describe the regulatory framework and develop an inventory of the pipelines within the scope. During Phase 2 the inventory was validated and improved with the assistance of the operators and spills over the years were assessed. Phase 3 is ongoing. Information collected has been presented to a panel of experts who is working to develop recommendations for improvements or continued good, safe operations. The panel met in person once and 5 times by teleconference and is scoring the potential risk of impacts of 230 scenarios they have developed. They will meet at the end of the month to review the risk matrices and develop recommendations based on the highest risk to be presented at the next board meeting. The final report will be completed by June 2020.

- **PHMSA Technical Assistance Grant**

**Tim Robertson, Nuka Research** reported on the project aimed at providing information to the public about the state of the pipelines. The [cookinletpipelines.com](http://cookinletpipelines.com) website was created with maps and descriptions of the pipelines, what they carry and how they are regulated. A survey was posted, with the CIRCAC email list noticed, but only 8 citizens participated. A public webinar and public meeting also resulted in low participation, in spite of great efforts to reach out. Presentations by industry, agencies and the RCAC were provided. The questions and answers are provided in the report which will be published soon.

The Council discussed the challenge of involving the public. Mr. Sonen said he thinks the public feels that CIRCAC has their back.

## **2. EXECUTIVE COMMITTEE REPORT**

John Williams reported the Executive Committee met twice since the last board meeting to review and accept the 2018 financial audit, review and approve the federal tax return, 2018 budget and unallocated assets (formerly titled carryover), and the reallocation of undesignated funds. The committee reviewed the 2019 operating and program budgets, all bank records through July 31, and received updates from staff concerning funding, the Furie bankruptcy, recertification, personnel, grant status, and CIRCAC elections and appointments. The budget is on track. Personnel matters were discussed in Executive Session.

Ms. Musgrove, Lambe, Tuter & Associates, explained regarding the audit that there were some language changes this year, which she has explained to the staff and appropriate committees. She is always available for any questions. Copies of the control letter and financial statements were made available for any interested. No material weaknesses regarding internal control were identified during the audit.

## **3. EXECUTIVE DIRECTOR'S REPORT**

Mr. Munger drew attention to the recertification letter from Admiral Bell. He expressed appreciation for Mr. Rombach's work on the streamlined application. Letters were received from Senators Murkowski and Sullivan and Representative Young.

The Executive Director especially noted that Hilcorp had been transparent regarding their pipelines for the Pipeline Risk Assessment. Industry had not cooperated during the '09 RA on the North Slope. He said the citizens rely on CIRCAC to be their voice in matters related to industry and he's proud of the accomplishments of both risk assessments.

Staff has been working with legislators and PWS RCAC to support the bill to memorialize the oil spill liability trust fund. Both Senators are in full support of the OCS leases. Furie declared Chapter 11; they are a minor funder. The last payment was in full last January, so there should be no problem for CIRCAC.

Marathon Oil will join CIRCAC in offering a joint \$2500 scholarship for an AVTEC Maritime student.

Hilcorp did not present at the CIRCAC meeting, but requested Mr. Munger to highlight the hotline number for reporting subsistence issues and to report there is no more oil in pipelines or storage tanks at Drift River. Long term remediation of oiled soil is ongoing. The facility is being decommissioned.

The Council will work on the 5 year Strategic Plan in December. Policy review identified a need to made adjustments to the retirement and health insurance package.

The draft budget has not been prepared; Mr. Munger announced that with Ms. Giguere's approaching retirement there will be an increase in wages to allow for an overlap to train her replacement.

The Executive Director will attend the West Coast Harbor Safety Committee Summit, the Pacific States Task Force and the Salish Sea Shared Waters Forum. He urged Council members to consider attending the International Oil Spill Conference.

Mr. Munger stated the strength of the organization is the quality of the staff. He mentioned that Ms. Jamora is a real gem, citing how easily she organized the meeting venue change. He thanked the board for its support.

The Council discussed Hilcorp's seismic testing, the proposed OCS lease and the Pebble Mine project changes.

#### **4. STATUS OF PROGRAMS & PROJECTS**

- **EMC REPORT**

The Kamishak Bay/ Lower Cook Inlet Intertidal Habitats draft report is due to BOEM. The annual ShoreZone meeting was held in Portland and included presentations from multiple states. Because Adobe Flash will not be supported beyond 2020 the NOAA ShoreZone website is being transitioned to Java script. The AOOS portals have also transitioned their underlying software; Ms. Saupe has been busy working with both data and visualization teams to identify bugs to be fixed.

CIRT training will be provided for the ADEC SPAR Division and Marathon, who will also be trained to use the GRID. CIRCAC is reaching out to educators to acquaint them with the tools available. Ms. Saupe is working to compile a Human Impressions Exhibit, inspired by the Coastal Impressions Exhibit, using ShoreZone imagery to convey how humans have used the coast.

EMC will re-survey to verify new reports of range extension of macrocystis in the west side of Cook Inlet. EMC will work with the National Center for Coastal Ocean Science which is developing tools to serve the hydrocarbon data online. NCCOS is also working with KBRR to develop a KBay ecological characterization and will use ICIEMAP data.

NOAA's Cook Inlet Forecast System is finally operational and will be useful for a spill of national significance. With that milestone met, NOAA/EMC/PROPS will seek to do hindcast testing and in the future make a decision whether to develop a component for existing models for use in developing c-plans, doing risk assessments, and oil spill response.

MOSSFA data was collected this summer by a CIRCAC funded graduate student, sampling the Portlock and Albatross Banks. Marine snow is a potential conduit to bring oil to the benthic environment, as proven during the Deep Water Horizon spill.

Ms. Saupe reviewed the NMFS proposed rule to authorize the take of marine mammals during seismic testing, commenting on the lack of required monitoring in Cook Inlet. Ms. Saupe felt the decisions made by the agency were based on a shocking lack of information.

CIRCAC commented in opposition to the Draft APDES General Permit application for the Osprey to discharge produced water, pointing out misinformation and noting also the absence of required environmental monitoring and assessment. Additionally, CIRCAC commented with objections regarding the company's proposal to discharge in the Individual Permit submitted. The Protocol Committee strengthened the comments prepared by staff, as they take the role of advising the agencies very seriously. CIRCAC's comments have proven very effective in the past. Members discussed disturbance about the changes in the way ADEC communicates with CIRCAC. Ms. Giguere offered to write an editorial.

- **Public Outreach Report**

The IOSC is scheduled for May 11-14. Mr. Williams thanked her for her work at Industry Days and the Ninilchik Fair.

- **Prevention, Response, Operations & Safety Committee Report**

The Harbor Safety workgroup completed its annual review and has forwarded comments to the HSC for approval and incorporation into the Harbor Safety Plan. Mr. Catalano attended the Alaska Inland and Arctic & Western Alaska area committee meetings. Staff participates on the Arctic & Western Alaska GRS workgroup. The Alaska Tribal Organization provided a review of their actions and NOAA presented the findings final report on the State-of-the-Science of Dispersants and Dispersed Oil in U.S. Arctic Waters at the AART meeting.

Board members and staff attended the 2019 Clean Pacific Oil Spill prevention and response conference where Mr. Catalano gave a presentation about CIRCAC.

Ice Monitoring Cameras have been replaced as needed and the IT contractor has developed an evergreen operation and maintenance manual for future system support contractors and staff.

The GRID program will be tested at the upcoming Marathon tabletop drill. Work has begun to identify and develop GRSs for the stream crossings along the truck route from BlueCrest Energy for inclusion in the GRS catalogue.

Staff participated in drill planning for the upcoming Tesoro/Andeavor/Marathon drill, and participated in the deployment component involving the Sea Otter Rehabilitation Center. A contractor attended and reported on the Glacier Oil and Gas drill.

- **Protocol Control Committee Report**

Protocol commented on the APDES draft permit and the Andeavor/Marathon Cook Inlet Vessel Plan.

- **Administration Report**

Mr. Rombach directed attention to the written report.

## **5. CALENDAR & MISCELANEOUS**

- **Next Board Meeting**

The Council will meet on December 5<sup>th</sup> & 6<sup>th</sup> at the Homewood Suites.

\*\*\*\*\*Closing Comments\*\*\*\*\*

**Walt Sonen** was sorry the Council couldn't meet in Seldovia. SOS conducted a partial GRS deployment, assisted by CISPRI. He enjoyed the Coast Guard presentation and welcomed Lt. Kauua. He is disappointed about the potential for new discharge permits.

**Bob Flint** expressed appreciation for the packets, presentations and Ms. Jamora's efforts to organization at late notice.

**Michael Opheim** said he always appreciates the great discussions and presentations.

**Paul Shadura** enjoys the conversation. Some people are feeling that CIRCAC has outlived its usefulness. He questions whether the agencies are taking the RCAC's advice as seriously as they once did.

**John Williams** responded that the radio advertisements have generated many expressions of appreciation by members of the public.

**Gary Fandrei** echoed the praise about the quality of the presentations and said he is impressed with the ability of the staff to look forward regarding issues and to bring them to the Council's attention.

**Robert Peterkin** expressed appreciation for the Coast Guard and Prince William Sound RCAC. He wished Hilcorp had attended; it was a good meeting.

**Carla Stanley** particularly appreciated the Coast Guard's presentation and how prepared they are to respond and to answer questions. She is severely frustrated with what is going on in the state and feels the citizen voice needs to be heard to keep the air, water and industry clean.

**Grace Merkes** thanked the Coast Guard for all they do. She said it is important to hear one another's opinions. The staff is amazing. She believes the public has become complacent, but she feels they trust CIRCAC.

**John Williams** complemented the staff.

**Maddie Jamora** said she looks forward to meeting in Seldovia next year.

**Vaito'a Heaven** thanked the admin staff for the support they have given her in her first year as Accounting and Grants Manager.

**Jerry Rombach** offered to show a picture of his new grandbaby.

**Linda Giguere** said she was going to retire in January, but Mr. Munger talked her into one more annual report and the IOSC.

**Vinnie Catalano** thanked the board for their participation.

**Susan Saupe** applauded Vaito'a's first audit being so clean.

**Mike Munger** reiterated that the strength of the organization is the staff. He believes CIRCAC is more important than ever. He expects more challenges in the future working with both the state and federal administrations.

**Deric Marcorelle** agreed that the staff does a great job and that it was a good meeting.

**John Williams** likewise thanked the Coast Guard for mentoring CIRCAC nearly 30 years. He thanked staff and the Council.

The meeting adjourned at 2:49 pm.