

**CITY OF SELDOVIA  
RESOLUTION 22-28**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA  
PROVIDING INPUT TO THE ALASKA DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION (ADEC) ON PROPOSED CHANGES TO REGULATIONS ON OIL  
DISCHARGE PREVENTION AND CONTINGENCY PLANS**

**WHEREAS**, As a result of the work of Alaska citizens and the Alaska Legislature following the 1989 *Exxon Valdez* oil spill, Alaska has world-class spill prevention and response requirements to protect its people and environment, as well as commercial and sport fishing, aquaculture, recreation, tourism, subsistence, and cultural interests; and

**WHEREAS**, The City of Seldovia submitted Resolution Number 20-16, in response to the Alaska Department of Environmental Conservation's (ADEC) public scoping seeking input on existing regulations and statutes, stating that the City strongly opposes legislative or regulatory changes that erode oil spill prevention and response standards, increase the risk of a catastrophic spill, or demonstrate a return of the complacency on the part of oil industry and regulators that Congress determined to be a primary cause of the *Exxon Valdez* oil spill; and

**WHEREAS**, ADEC has proposed regulatory changes to oil pollution prevention regulations under Article 4 of 18 AAC 75, resulting from that public scoping process; and

**WHEREAS**, The proposed changes include a number of positive updates including increased clarity within regulations, combination of redundant sections, and use of technology in the interest of modernizing workflow; and

**WHEREAS**, There are several proposed changes that require additional revision to eliminate concerns that this reform effort could result in diminishment or other reductions in current regulations; and

**WHEREAS**, The City of Seldovia applauds Honorable ADEC Commissioner Brune for soliciting public comment on this important matter.

**NOW THEREFORE, BE IT RESOLVED:** that the City Council of the City of Seldovia requests that Alaska regulations specify the minimum number of exercises required for crude oil plans be set at one significant Incident Management Team and two field deployment exercises each year, as well as other unannounced exercises as ADEC deems necessary, and that the commitment requiring additional exercises or other appropriate action if a plan holder fails to demonstrate the ability to implement their plan be retained; and

**BE IT FURTHER RESOLVED:** that the Seldovia City Council believes regulatory changes should not result in diminished emphasis on best available technology (BAT), including retaining the requirement that a BAT conference be held every five years or otherwise stating how they will examine new technologies to meet the mandates of AS 46.04.030 (e); and

**BE IT FURTHER RESOLVED:** that the Seldovia City Council notes that federal law and the Alaska Oil Spill Commission have recognized the special role of regional citizens advisory

councils (RCACs) in reviewing contingency plans, and requests that Alaska regulations continue to name the RCACs for Cook Inlet and Prince William Sound as recipients required to be notified of plan reviews, updates, and amendments, electronically or otherwise; and

**BE IT FURTHER RESOLVED:** that the Seldovia City Council requests that the option to use the Prince William Sound tow package should remain, with regulation 18 AAC 75.990 (96) Definitions revised to meet the breaking strength requirements set by the International Maritime Organization standard and note the tow package system should be able to be deployed in 15 minutes from the bow; and

**BE IT FURTHER RESOLVED:** that the Seldovia City Council requests that a change in plan holder ownership be treated as a major amendment to the Oil Discharge Prevention and Contingency Plan, affording the opportunity for public review prior to approval; and

**BE IT FURTHER RESOLVED:** that the Seldovia City Council requests that Article 4 of 18 AAC 75 incorporate language requiring Oil Spill Prevention and Contingency Plan holders to comply with all applicable State and Federal Regulations concerning human and environmental safety; and

**BE IT FURTHER RESOLVED:** that the Seldovia City Council requests that any new language or repealed language within Article 4 of 18 AAC 75 that has the potential to diminish prevention or response capabilities be revised or reinstated to ensure previous levels of human and environmental safety are met.

PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Seldovia on this 24<sup>th</sup> day of January, 2022.

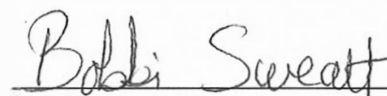
ATTEST:



Heidi Geagel, City Clerk



APPROVED:



Bobbi Sweatt, Acting Mayor