

Cordova District Fishermen United

Please see attached comments from Cordova District Fishermen United



March 16, 2020

Seth Robinson
Alaska Department of Environmental Conservation
Division of Spill Prevention and Response
Prevention, Preparedness, and Response Program
610 University Avenue
Fairbanks, Alaska 99709
Via email: dec.cpr@alaska.gov

RE: Comments on Notice of Public Scoping Concerning Oil Discharge Prevention and Contingency Plan Requirements

Dear Mr. Robinson,

Cordova District Fishermen United is a non-profit organization representing over 900 commercial fishing families who participate in commercial fisheries in Alaska's Area E, which includes Prince William Sound, the Copper River region and the northern-central Gulf of Alaska. It is our mission to preserve, promote and perpetuate the commercial fishing industry in Area E and to further promote safety at sea, legislation, conservation, management and general welfare for the mutual benefit of all our members.

Cordova District Fishermen United (CDFU) has a number of concerns regarding this scoping of regulations, and we would further like to strongly endorse and echo the in depth comments provided by the Prince William Sound Regional Citizen's Advisory Council. CDFU is a voting member organization of the PWSRCAC and takes very seriously the responsibility to ensure clean waterways for the future of Prince William Sound's fisheries. PWSRCAC is most intimately familiar with the regulations and statutes that govern contingency plans in Prince William Sound, and their expertise on the subject matter, as well as their strong and historic connection to Alyeska Pipeline Service Company, provides an incredible wealth of knowledge and understanding, and their authority under OPA 90 should provide additional levity to their comments.

The importance of current regulations and statutes cannot be overstated. Many of the current regulations were developed as a response to the Exxon Valdez Oil Spill, of which our stakeholders and community assumed the primary economic burden. Perhaps most importantly for the fishermen of our region, AS 46.04.030 requires that an Oil Discharge Prevention and Contingency Plan must contain elements for both oil spill prevention and oil spill clean up, both of which are equally important for protecting stakeholders of our industry, and ensuring responsibility of oil industry operations.

Prince William Sound has some of the stringent regulations for Contingency Plans, and our stakeholders must be absolutely assured that any changes to regulations do not weaken any protections that have been put in place over the last 30 years since the Exxon Valdez Oil Spill. Many of these regulations were developed collaboratively with input from industry representatives, regional stakeholders, commercial fishermen, and community members



following the complacency of oil industry and regulators in the years leading up to the spill. For the last 30 years, this collaborative effort has allowed the oil and gas industry to prosper from operations within Prince William Sound, and at the same time as provided reasonable assurance to the fishing fleet and communities that were most gravely impacted by that event. We cannot make the same mistake and allow complacency to once again guide operations within the Sound.

Perhaps most important to the fleet of Prince William Sound, are the requirements laid out in AS 46.04.020(g) and AS 46.04.030(q), which ensures that Alyeska must assume responsibility for the first 72 hours of a spill event, and provide immediate spill response services on contract. Many fishermen in all port communities within the Sound participate in annual training exercises with Alyeska, and are prepared as part of this responsibility. This provides not only assurance that a spill will be responded to in a timely manner, but that fishermen will also have a direct and immediate interest in the clean up effort. It further ensures that commercial fishermen are continually engaged with Alyeska and participating in the process to keep Prince William Sound oil operations functioning in the safest manner possible.

Additionally, the seven objectives within Oil Discharge Prevention and Contingency Plans (ODPCPs) provide essential protections for communities and stakeholders within our region. It is critical that the seven objectives for ODPCPs continue to be followed in the event of *any* regulatory changes, and that the purposes within are understood to be paramount to the statutory requirement of an ODPCP.

CDFU will continue to monitor this scoping and work closely with PWSRCAC as we have for years. We strongly suggest that any revisions to regulatory language that are requested, be deeply engaged with regional stakeholders for input. CDFU would hold great interest in participating in any further discussions on these and requests representation on any panel or workgroup that may arise from this public scoping. Additionally, would like to request that any regulations that are put forward for revision be subject to a public comment period of 90 days minimum, to allow for transparency and engagement by all stakeholders.

Thank you again for your time and consideration of our comments. Should you have any questions, please do not hesitate to reach out to our office at 907.424.3447 or by emailing Chelsea Haisman, Executive Director at director@cdfu.org.

Chelsea Haisman
Executive Director