

Introduced by: Borough Assembly
Drafted by: Borough Clerk
Introduced on: 02/06/2020
Adopted on: 02/06/2020

**KODIAK ISLAND BOROUGH
RESOLUTION NO. FY2020-19**

**A RESOLUTION OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
SAFEGUARDING ALASKA'S OIL SPILL PREVENTION AND RESPONSE STANDARDS**

WHEREAS, after the 1989 *Exxon Valdez* oil spill, Alaska citizens and the Alaska Legislature worked together to protect the state from major oil spills by enacting comprehensive laws and regulations dealing with prevention, response, contingency planning, financial responsibility, oversight, monitoring, and other subjects related to the safe handling and transportation of oil and other hazardous substances; and

WHEREAS, these laws and regulations were based on real world experiences and the painful lessons of the *Exxon Valdez* oil spill and were crafted in coordination with State government and oil industry partners, requiring extensive compromise in the determined Response Planning Standards; and

WHEREAS, oil spill prevention and response contingency planning regulations were adopted by the State of Alaska in 1992, and the regulations have been revised on nine occasions to clarify the requirements, streamline the review process, include new categories of contingency plans, and make the contingency planning process less onerous and the approval of those plans more predictable and expeditious; and

WHEREAS, as a result of post-*Exxon Valdez* oil spill laws and regulations, Alaska has world-class oil spill prevention and response requirements to protect its people and its environment, as well as commercial and sport fishing, aquaculture, recreation, tourism, subsistence, and cultural interests; and

WHEREAS, on October 15, 2019, the State of Alaska's Department of Environmental Conservation Commissioner issued a public scoping notice seeking input on existing regulations and statutes because he has "heard from many Alaskans that contingency plans are unnecessarily burdensome while lacking corresponding environmental benefits;" and

WHEREAS, it is imperative that the Department of Environmental Conservation recognize that existing regulations have worked to allow 30 profitable years while industry complied with the laws and regulations, demonstrating the requirements are not too burdensome, and to not disregard the hard work of hundreds of Alaskans who worked tirelessly after the *Exxon Valdez* oil spill to ensure that the State of Alaska would never again suffer an environmental disaster like what occurred in 1989; and

46 **WHEREAS**, reducing the burden on industry by rolling back or eliminating proven oil spill
47 prevention and response requirements transfers the risk and burden of another oil spill to the
48 communities, citizens, and environment; and
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50 **WHEREAS**, The Assembly of the Kodiak Island Borough recognizes Kodiak's dependence on
51 fisheries and healthy marine environment and has an interest in protecting our community's
52 social, environmental, and economic wellbeing from any future oil spills.
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54 **NOW, THEREFORE, BE IT RESOLVED THAT THE ASSEMBLY OF THE KODIAK ISLAND**
55 **BOROUGH** stands strongly against any legislative or regulatory changes that erode oil spill
56 prevention and response standards, increasing the risk of a catastrophic spill; and
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58 **BE IT FURTHER RESOLVED THAT THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH**
59 believes that, if the system created after the 1989 spill is weakened, Alaskans will likely face an
60 increased risk of reliving another major oil spill that could damage Alaska's commercial, sport and
61 subsistence fishing, sport and subsistence hunting, other businesses, fish, wildlife, environment,
62 and the culture and quality of life of the people.
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64 **ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH**
65 **THIS SIXTH DAY OF FEBRUARY 2020.**
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67 KODIAK ISLAND BOROUGH

ATTEST:

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71 William Roberts, Mayor

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Tara Welinsky, Clerk