

City of Kodiak

Please see attached file.

CITY OF KODIAK
RESOLUTION NUMBER 2022-05

**A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK PROVIDING
INPUT TO THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
(ADEC) ON PROPOSED CHANGES TO REGULATIONS ON OIL DISCHARGE PRE-
VENTION 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 Kodiak submitted Resolution Number 2019-24, in response to ADEC's public scoping seeking input on existing regulations and statutes, stating that the City stands strongly against any legislative or regulatory changes that erode oil spill prevention and response standards, increasing the risk of a catastrophic 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, that the City of Kodiak 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.

BE IT FURTHER RESOLVED that the Council of the City of Kodiak 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 Council of the City of Kodiak 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 Interna-

tional 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 Council of the City of Kodiak 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 Council of the City of Kodiak 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 Council of the City of Kodiak 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.

This resolution is effective upon adoption.



CITY OF KODIAK

A handwritten signature in black ink, appearing to read "Pat Brown", is written over a horizontal line.

MAYOR

ATTEST:

A handwritten signature in blue ink, appearing to read "Mendi Shroyer Nelson", is written over a horizontal line.

CITY CLERK

Adopted: January 27, 2022