

# Valdez Fisheries Development Association, Inc.

Please find attached our comments for the proposed ADEC ODPCP regulation changes.

VALDEZ FISHERIES DEVELOPMENT ASSOCIATION, INC.  
SOLOMON GULCH HATCHERY



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January 28, 2022

Alaska Department of Environmental Conservation  
Attn: Zuzana Culakova  
P.O. Box 111800  
Juneau, AK 99811

RE: ADEC Proposed Changes to Oil Prevention and Contingency Planning Regulations

Ms. Culakova,

The Valdez Fisheries Development Association Inc (VFDA) is a private not for profit aquaculture association located in Valdez Alaska. VFDA submits this letter in response to the Alaska Department of Environmental Conservation's request for public comment concerning proposed changes to contingency plan regulations under AS 46.04.

The mission of VFDA is to raise wild Alaska salmon to enhance sport, commercial, subsistence, and personal use fisheries in the Prince William Sound. VFDA operates the Solomon Gulch Hatchery, which is one of the largest salmon hatcheries in North America, with a production capacity of 270 million Pink and 2 million Coho salmon annually. The adult returns of these enhancement efforts generate approximately \$112 million in economic impact and create over 750 full time jobs annually.

The Solomon Gulch Hatchery, located within Port Valdez, is within close proximity to the largest crude oil marine terminal in Alaska. Because of this, VFDA has a strong and vested interest in any regulatory changes that may affect oil spill contingency plans, especially those that would weaken oil spill prevention and response planning, evaluation, and stakeholder engagement.

VFDA would like to highlight several proposed changes that we feel may create barriers to the distribution of information to public advisory groups and may create an environment of complacency or degrade existing planning and response standards in Prince William Sound. After careful review, VFDA requests the following considerations:

18 AC 75.485 Discharge exercises

VFDA requests that the minimum number of exercises required for crude oil plans be set at one significant Incident Management Team and two field deployment exercises per year, as well as other unannounced exercises as ADEC deems necessary. Regulations should also retain the commitment that if a plan holder fails to demonstrate the ability to implement their plan, ADEC will require additional exercises or take other appropriate action.

18 AAC 75.447 Department examination of new technologies

VFDA requests that the State of Alaska and ADEC continue to show leadership in staying informed and promoting best available technology. Regulatory changes should not result in any diminished emphasis on best available technology, 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).

18 AC 75.408(c). Distribution of plan documents to the Regional Citizens' Advisory Councils

VFDA requests the regulation 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. Federal law, the Alaska Oil Spill Commission, and the Alaska Department of Environmental Conservation all recognize the RCAC's special role in reviewing contingency plans.

18 AC 75.027(f) Emergency towing arrangements

VFDA supports the adoption of International Maritime Organization (IMO) standards for emergency towing arrangements as appropriate, but with the additional requirement that tankers calling at the Valdez Marine Terminal be able to deploy the arrangement from the forward (bow) position in 15 minutes.

Finally, VFDA applauds ADEC's efforts to evaluate existing regulations for effectiveness and improvement. Improvements to the regulations were noted and appreciated, such as gains in clarity and usability, previously redundant sections of regulation combined, and modernization of workflow.

We greatly appreciate the opportunity to provide public comment on these very important regulations that protect our environment and the clean waters that are vitally important to Alaska's salmon resources and our local fisheries. We hope you will give these requests your strongest consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike H. Wells", enclosed within a large, loopy blue oval scribble.

Mike H. Wells,  
Executive Director