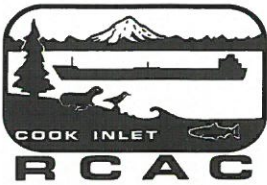


Cook Inlet Regional Citizens Advisory Council

Please find attached our cover letter and comments (in matrix format) regarding the Arctic & Western Alaska Area Contingency Plan.



"The mission of the Council is to represent the citizens of Cook Inlet in promoting environmentally safe marine transportation and oil facility operations in Cook Inlet."

October 19, 2022

Victoria Colles
Alaska Department of Environmental Conservation
555 Cordova Street
Anchorage, AK 99501
Via email: victoria.colles@alaska.gov

SUBJECT: Public comments on the Arctic and Western Alaska Area Contingency Plan (Version 2020.2, December 2022)

Dear Ms. Colles:

Cook Inlet Regional Citizens Advisory Council (CIRCAC) provides the enclosed comments for your consideration on behalf of our member entities. As an at-large member of the Admin Subcommittee, we have provided comments through the "informal" process in summer 2021, spring of 2022, and early summer of 2022. We provide these comments as part of the public comment opportunity.

We appreciate that our previous suggestions and recommendations were considered, and that some were addressed. However, many were not. We strive to provide constructive input, in many cases pointing out gaps, inconsistencies, or information that could be confusing or misleading for someone coming from outside Alaska. To help facilitate an efficient and transparent process we request that all comments be shared with the Admin Subcommittee along with a response to those that were not resolved. This has been a long-standing practice in Alaska that supports transparency and communication across sectors and groups and will help us provide useful comments in the future.

The new *Plan Review Guidance to Alaska Area and Regional Planners* encourages participation in the Admin Subcommittee as being a chance to "help with plan review and write the proposed modifications in the first place" as well as stating that the Admin Subcommittee will "Discuss ACP; Recommend modifications" (in Step 1). We encourage the Area Committee and each Subcommittee to follow the guidance set out in the *Plan Review Guidance* referenced above. This should include discussion within Subcommittees, including at-large members, to ensure work products benefit from all perspectives even if consensus is not achieved. We warmly welcome the chance for more of the discussion and collaboration implied in the *Guidance*.

Regarding the Regional Stakeholder Committee (RSC), we assume that comments related to the RSC and other related mechanisms are not being addressed at this time because of the ongoing Task Force process. We are prepared to engage in discussions and contribute to future plan language when appropriate.

Please do not hesitate to contact me or our Director of Operations if you have any questions or care to discuss this further. We can be reached via email at MikeMunger@circac.org or Steveatalano@circac.org.

Sincerely,


Michael Munger
Executive Director

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*Phone: (907) 283-7222 * Fax (907) 283-6102*

www.circac.org

Members

*Tourism
Organizations*

*Alaska Native
Groups*

*Environmental
Groups*

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Groups*

*Aquaculture
Associations*

*Commercial
Fishing
Organizations*

City of Kodiak

City of Kenai

City of Seldovia

City of Homer

*Kodiak Island
Borough*

*Kenai Peninsula
Borough*

*Municipality
of Anchorage*

No.	Point of Contact	Organization/ Commenter	Section #	Page #	Line #	Specific Wording Change	Rationale for Recommended Change
1	Vinnie Catalano	CIRCAC	1310	1-10		1st paragraph should refer to the "Western Area" (not "Southwest Area") SOSC	Typo/correction
2	Vinnie Catalano	CIRCAC	1440.4	1-14		In the 3rd paragraph, remove reference to multi-agency coordination group.	While a MAC may be present in other Regions of the country, the MAC is not used in the Alaska Region as still stated in the Definitions section. While we assume the RSC Task Force will provide improved language on the RSC overall for future adoption into this plan, it is important to point out the current inconsistency within this document.
3	Vinnie Catalano	CIRCAC	1620	1-17		Suggest including a link to the API NEBA document (or an appropriate source from NOAA) as part of the References and Tools. Also consider the inclusion of this specific language; " ...minimizing impacts, and effective stakeholder involvement; • Government, communities, and industry must assess potential spill impacts and work together when deciding the best response options. • Responders should carefully apply decision frameworks, considering the significant tradeoffs involved in response (NEBA protocols). • Have ready access to appropriate response tools. • Consider the inherent limitations that exist in terms of the amount of oil that can be recovered during any given response effort. • Consider the negative side effects of oil spills, even when the most effective tool is chosen."	Simply mentioning that there is a 32-page API document is not very helpful.
4	Vinnie Catalano	CIRCAC	1630	1-17		Suggest removing first sentence in this subsection.	This sentence is confusing since Best Achievable Protection has not been mentioned (and to our knowledge does not relate to cleanup endpoints).
5	Vinnie Catalano	CIRCAC	2120.1	2-3		Remove reference to MAC Groups (middle of 3rd paragraph).	Language is confusing and inconsistent with other plan sections (the Definitions section). Every effort should be made to ensure that this practice is clear in the text of the Regional and Area plans.
6	Vinnie Catalano	CIRCAC	2460	2-9 / 2-10		Suggest removing reference to Senior Leaders of Affected Communities.	Without any further description of when "Senior Leaders" will be convened together and how that group will work either in relation to the RSC, the mention of such a group only adds unnecessary confusion.

No.	Point of Contact	Organization/ Commenter	Section #	Page #	Line #	Specific Wording Change	Rationale for Recommended Change
7	Vinnie Catalano	CIRCAC	2460.1	2-11		Suggest that RSC members may determine their own best way to engage their constituents -- it does not have to be with "frequent public meetings chaired by the RSC members."(Bullet 5). This may not be feasible. Additional language suggesting alternatives to public meetings to engage constituent feedback should be included. (i.e., group email, group text, or virtual meetings may be employed to reach members).	The Plan should allow greater flexibility, rather than suggesting only one way for RSC members to communicate with their constituents in order to ensure maximum flexibility and stakeholder engagement with constituents.
8	Vinnie Catalano	CIRCAC	3260	3-5		In new text (line 9) we suggest the word "tactics" to replace "substances". <i>When considering the use of dispersants, in situ burning, chemical agents, IWI, or other spill mitigating tactics during a response, the Operation Section must comply with established guidelines, coordinate with the Environmental Unit to assess appropriateness of the methodology and complete the required checklists and acquire OSC approval in accordance with established protocols set by the ARRT.</i>	Improved accuracy
9	Vinnie Catalano	CIRCAC	5220.1	5-3		Suggest removing Fairbanks and Juneau as suggested command posts. (Line 27)	Section 5220.1 ICP Options identifies command post locations in regional hub locations that may serve remote locations that do not have facilities to support an operational command post. However, it is not advisable to include a hub community that could not and should not serve a remote location in another Area plan locale. We fully acknowledge that Juneau is the location of the USCG District 17 Command, however during a significant spill within the AWA Area, the ICP would and should most likely be located in Anchorage due to its logistical advantages for personnel movement through Ted Stevens International Airport and the city's support infrastructure for command-and-control activities. The same issue exists in choosing the Fairbanks location, in that it would be questionable of how well suited it could serve as an ICP location for a spill location in the AWA Area.

No.	Point of Contact	Organization/ Commenter	Section #	Page #	Line #	Specific Wording Change	Rationale for Recommended Change
10	Vinnie Catalano	CIRCAC	5220.2	5-4		Suggest referencing the STAR Manual's Nearshore Operations Response Strategy section and the Cook Inlet Response Tool. Additionally, consider listing the Cook Inlet Response Tool in References and Tools, https://aoots.org/project-page/projects-marine-operations/ . Likewise, this link provides direct access, through a GIS portal, to Geographic Resource Inventory Database (GRID) and other resource information for the Area.	Recommend referencing the STAR manual to provide alternative suggestions for berthing and other logistics for a large, nearshore response in a remote area as these have been developed through a workgroup process with Alaska responders and agencies when the manual was established.
11	Vinnie Catalano	CIRCAC	8120.1	8-5		Recommend including the Cook Inlet Harbor Safety Plan in References and Tools related to this section. Additionally recommend urging the Coast Guard to change the Sensitive Security Information (SSI) classification for the Cook Inlet Marine Firefighting Plan.	
12	Vinnie Catalano	CIRCAC	8150	8-8 to 8-9		Suggest discussing in the Admin Subcommittee a plan for the buildout of this section, which may draw on resources like Harbor Safety Committees, HSP's CIRT, GRID, etc. that will allow responders in operations, logistics, and planning to access various assets through these resources.	This content may be among the most important in the event of an incident. Much of the information can be presented for the whole area but in a way that makes clear generally where the resources are typically based and seasonal factors.
13	Vinnie Catalano	CIRCAC	9210.1	9-20		Table 9-5 could still use some structure for easier use – perhaps by geographic zone of fishing activity? Additionally, this table (9-5) lists the Women's Maritime Association, which seems to fit better in section 9210.3- Maritime Associations/ Organizations/ Cooperatives. Likewise, Section 9210.3 does not list Harbor Safety Committees which also seem to fit the section title. Recommend NOAA, ADFG, and ADEC FSS identify relevant stakeholders listed within the table (9-5) appropriate for each geographic zone.	Recommend breaking the fishing fleet stakeholder groups out into the various Sub-area geographic locations to ease identification within the AWA.

No.	Point of Contact	Organization/ Commenter	Section #	Page #	Line #	Specific Wording Change	Rationale for Recommended Change
14	Vinnie Catalano	CIRCAC	9210.1	9-25		Suggest revising sections (paragraphs following the table). Subsistence hunting and fishing is an important activity throughout the region. Because the commercial fishery activity is moving north, there are aquaculture and mariculture endeavors within the Area as well. Agencies have considerable information regarding the timing of fishing activity, which should be the first and easiest contact, followed by fishing groups and associations. Co-management groups exist throughout the region for multiple species.	Subsistence hunting and fishing is an important activity throughout the region, not just on the N. Slope and Western AK. Commercial fishery activity is moving north, there are aquaculture and mariculture endeavors within the Area as well. Agencies have considerable information regarding the timing of fishing activity as well, which should be the first and easiest contact, followed by fishing groups and associations. Co-management groups should be addressed more broadly than just the mention of AEWC as they exist throughout the region for multiple species. Additionally, if this overall section is to stay titled "Stakeholders" it should probably include a much wider list of groups that could be helpful.
15	Vinnie Catalano	CIRCAC	9430	9-30		Please define WCD, MMPD, and AMPD in this section and update WCD volumes as appropriate to a) include product tankers lightering in the Bering Sea and b) reflect actual max volume of crude allowed to be carried in Cook Inlet.	WCD, MMPD, AMPD as used within this section and in definitions are only explained in the introduction. It is important to provide a clear definition for these terms to avoid confusion with the State of Alaska criteria for Response Planning Standards and to provide context for those coming from outside Alaska. Suggest revising WCD volumes for many of the areas listed with current operations in mind - particularly lightering tankers.
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