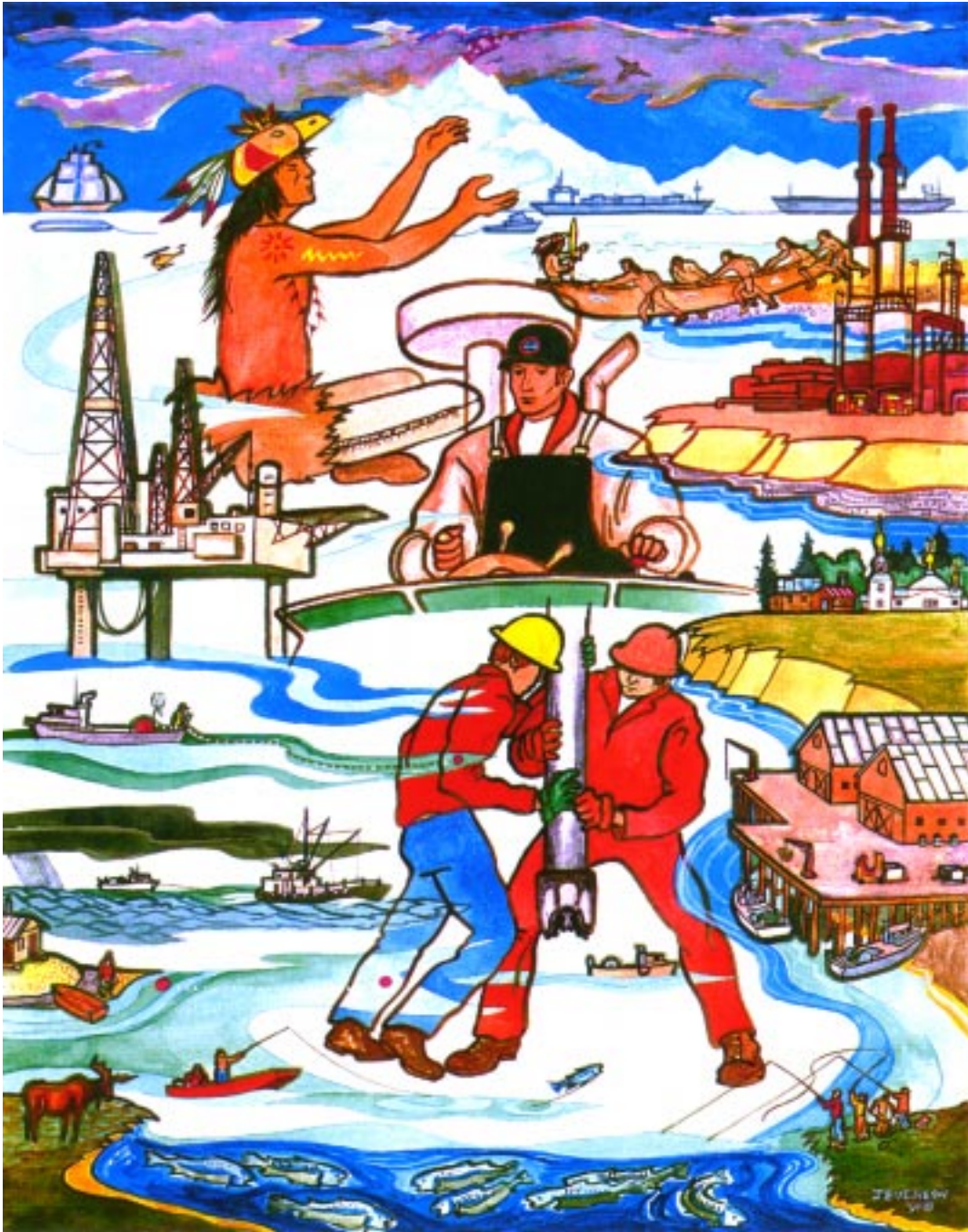


Forum Proceedings



"Safety of Navigation in Cook Inlet"

September 9 & 10, 1999

FRANK H. MURKOWSKI
ALASKA



United States Senate

WASHINGTON, D. C.

August 20, 1999

Captain Hubert "Glen" Glenzer
President, Cook Inlet RCAC
910 Highland Avenue
Kenai, AK 99611

Dear Glen:

I regret that I cannot be with you at your forum on September 9 and 10. Please extend my greetings to all those in attendance.

After the Valdez Oil Spill we were determined to give local citizens a voice in prevention and safety. The Cook Inlet Regional Citizens Advisory Council can be proud of its past efforts, and I look forward to the results of this forum as you determine the best direction for your future endeavors.

I applaud your continuing efforts to advance marine transportation safety and hope you have a productive forum.

With warmest regards,

Sincerely,

A handwritten signature in black ink that reads "Frank H. Murkowski".

Frank H. Murkowski
United States Senator

Forum Proceedings

"Safety of Navigation
in Cook Inlet"

September 9 & 10, 1999
Homer, Alaska

Sponsored by
Cook Inlet Regional Citizens
Advisory Council

Co-Sponsored by
Tesoro
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Oil Spill Recovery Institute

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Jim Evenson

Preface

This publication presents a summary of panel presentations and discussions that took place during the "Safety of Navigation in Cook Inlet" Forum held in Homer, Alaska on September 9-10, 1999. The Forum was organized and hosted by the Cook Inlet Regional Citizens Advisory Council (RCAC) with additional funding provided by the Oil Spill Recovery Institute, Tesoro, and Unocal. The primary goal of the "Safety of Navigation in Cook Inlet" Forum was to bring together all the parties involved in marine transportation in Cook Inlet and identify steps that can be taken to prevent spilled oil. Cook Inlet is a key factor in the economy of the state of Alaska. The 220-mile long waterway serves as a marine highway for many types of vessels: oil tankers, log ships, bulk fuel carriers, LNG vessels, cargo ships, ferries, and cruise ships all rely on Cook Inlet to serve over 80 percent of the state's population. Many of these vessels carry large amounts of oil, either as cargo or as bunker fuel, and they present real risks for a major oil spill. The Cook Inlet RCAC's mission is to promote environmentally safe marine transportation and the Forum was a step in that direction.

At the time this Forum was taking place, Secretary Rodney Slater, U.S. Department of Transportation, was issuing a report titled "An Assessment of the U.S. Marine Transportation System: A Report to Congress." This report stated that, in the future, "the U.S. Marine Transportation System will be the world's most technologically advanced, safe, secure, efficient, effective, accessible, globally competitive, dynamic and environmentally responsible system for moving goods and people."

The "Safety of Navigation in Cook Inlet" Forum, while focused on a small area compared to that of a national assessment, nevertheless represented the same thinking and concerns that have garnered the attention of our national leaders. The participation and support shown during the development of the forum and during the panel presentations and discussions illustrate the dedication of all parties to maintaining safe navigation and reducing the risk of spilling oil into Cook Inlet.

Panelists included citizens of Cook Inlet, industry executives (oil and non-oil) from as far away as New Jersey and Texas, state and federal agencies, marine pilots, and local, state, and federal government officials. The approximately 120 people in attendance were actively involved in the Forum through lively

"Question and Answer" sessions. Overall, the responses to the Forum were extremely positive.

As you review the proceedings, you will note that the underlying theme is oil spill prevention. The Forum was designed to provide a flow from the identification of citizens' concerns regarding safe navigation in Cook Inlet to potential solutions, alternatives and possible funding sources for improving navigational safety in Cook Inlet.

These proceedings provide detailed summaries of all panel presentations, discussions, questions and answers, and the keynote address and lunchtime presentation. In addition, appendices at the end of these proceedings provide panelists' biographies (Appendix A), a list of attendees and their affiliations (Appendix B), letters of support received by the Cook Inlet RCAC during the development of the Forum (Appendix C), and the results of the Forum evaluation questionnaire (Appendix D).

Executive Summary

Critical to the success of the Forum was the participation of a broad spectrum of people interested in Cook Inlet marine transportation. The problems associated with oil spill prevention measures are complex and any solutions will require cooperation between many different people and agencies. In an effort to include several points of view, the Forum employed a panel-discussion type format. Three panels were selected, with each given a specific topic to explore.

Forum Organization

The first panel, titled "Spill Prevention for Cook Inlet: What are the Concerns?," outlined the concerns that Cook Inlet citizens have about oil spills and the prevention measures currently in place. Panelists included the mayor of Homer, village leaders from Port Graham and Nanwalek, a retired state Fish and Game biologist, a spill response representative from Seldovia, a member of the Southwest Alaska Pilots Association, and the director for the Alaska Center for the Environment. The panel moderator was Cook Inlet Keeper Bob Shavelson.

The second panel, titled "Spill Prevention for Cook Inlet: What are the Solutions?," reviewed oil spill prevention measures that are currently in place and identified some additional steps that might be taken to protect Cook Inlet from an oil spill. Panelists included representatives from oil and gas companies, freight haulers, a marine pilot, a commercial fisherman, a representative of the Coast Guard, and the director of an industry-funded oil spill response company. The Commissioner of the Alaska Department of Environmental Conservation, Michele Brown, was the panel moderator.

The third panel, titled "Spill Prevention for Cook Inlet: What are the Funding Sources? What are the Alternatives?," explored some of the potential funding sources that might be tapped to pay for oil spill prevention measures. The panelists included two state representatives, a state senator, the mayor of the Kenai Peninsula Borough, a representative from Congressman Don Young's office, and an attorney with experience dealing with the Oil Pollution Act of 1990. The moderator of the panel was Mead Treadwell, Managing Director, Institute of the North, Alaska Pacific University.

Along with the panel discussions, the Forum featured a keynote address from the President of the State Senate, Senator Drue Pearce, and a luncheon speech from the Executive Director of the Prince William Sound Regional Citizens Advisory Council, John Devens.

Forum Results

The Forum identified several concerns that citizens have about safety of navigation in Cook Inlet. Representatives from Homer, Seldovia, Port Graham and Nanwalek emphasized that their communities would be devastated by an oil spill. They want additional prevention measures in place for lower Cook Inlet and identified the need for an emergency assist tug capable of towing a vessel in distress.

Forum participants struggled with the question who should pay for and maintain such an expensive vessel, along with other pros and cons related to the subject. Marine Pilots specified measures which can be implemented now to greatly enhance safety: a range light in Nikiski, new current gauges, improved navigational charts, and a means for communicating with commercial fishermen. The need for better Winter Ice Rules was also addressed.

Industry representatives gave an overview of the oil prevention measures presently in place, emphasizing that oil spill prevention is a top priority for them. Current response capabilities were outlined, in the event oil is spilled. Panelists agreed that improvements can and should be made on an ongoing basis, as complacency must be avoided.

Overall, the panelists brought forth a broad spectrum of perspectives on the subject of safety of navigation. The consensus point was a Cook Inlet marine transportation risk assessment needs to be done. Several panelists repeatedly declared they could not support spending money on expensive prevention measures without such a study in hand. They offered a number of suggestions as to how equipment might be funded if its necessity is identified through the risk assessment process.

Conclusion

The success of the Forum was a direct result of the willingness of many different interest groups to put aside their differences and speak frankly about the issues on the table. While there were many areas of disagreement, the tone of the discussions throughout the two days was positive, with an emphasis on problem-solving. Cook Inlet RCAC will strive to sustain the momentum generated at the Forum and continue to work towards strong oil spill prevention measures for Cook Inlet. The first step will be to pursue the funds, support, and interest necessary for beginning the risk assessment process.

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Forum Proceedings

"Safety of Navigation in Cook Inlet"

September 9 & 10, 1999

September 9, 1999

1:00pm

Forum Convenes

Welcome and Introductions

Forum Moderator Mr. Jim Hornaday, CIRCAC

Jim Hornaday, Homer Representative to the Cook Inlet Regional Citizens Advisory Council, welcomed everyone to the Forum and extended thanks to its organizers. Cook Inlet, he said, is a marvelous body of water extending roughly 200 by 50 miles and subject to some of the heaviest icing and highest tides in the world. It serves a majority of Alaskans and is a rich and productive habitat for a variety of marine species and wildlife providing residents with both jobs and beauty. It is a very important part of the 7/10ths of the world's surface covered by oceans.

The ten year Exxon Valdez Oil Spill Symposium in Valdez touted the Prince William Sound as the best oil spill protected transportation system in the world with the best available technology. Mr. Hornaday asked why this same technology is not available in Cook Inlet noting that Cook Inlet is just as important as Prince William Sound. Mr. Hornaday hoped these issues would be discussed during the Forum.

1:15pm

Greetings

Jack Cushing

Mayor of Homer

Jack Cushing, Homer City Mayor, and lower Cook Inlet representative on the Alaska Coastal Policy Council by

appointment of the Governor welcomed the Forum on behalf of the City of Homer saying the issues are near and dear to the hearts of most residents. He urged all to stick to the issues and avoid getting personal, reminding participants that everyone attending cares about Cook Inlet. He expressed his optimism that good solutions could be achieved by everyone working together.

Greetings

Capt. Glen Glenzer
President of CIRCAC

Captain Glen Glenzer, President of Cook Inlet RCAC, has served as Deputy Commissioner and Acting Commissioner for the Northern Region Department of Transportation for the State of Alaska, Anchorage Public Works Director and Anchorage Port Director and has been a member of CIRCAC since its inception. He thanked the Forum co-sponsors Unocal, Tesoro and the Oil Spill Recovery Institute and acknowledged Jim Evenson, who donated the art work on the program cover.

Captain Glenzer stated the Forum was organized to provide an opportunity to hear all the varied perspectives. He urged participants to stay in the middle, noting there is a need for innovation and while the economic ramifications must be considered so must the cost if something happens.

1:30pm

Setting the Stage for the Forum

James E. Carter, Sr.
Executive Director, CIRCAC

Jim Carter, Cook Inlet Regional Citizens Advisory Council Executive Director, recapped the legislation establishing the Citizens Advisory Councils which named the thirteen organizations to be represented, the Committees to be established and their objectives. The law assigned the Council to change the confrontational system to one of consensus, and to combat complacency by involvement in the process of preparing, adopting, and revising oil spill contingency plans.

Mr. Carter quoted the 1990 Oil Spill Commission Report regarding complacency and the Prince William Sound spill, "Success bred complacency, complacency bred neglect, neglect increased the risk, until the right combination of errors led to disaster." He fears such complacency in Cook Inlet. Because of recent shipping disasters the Council has suggested all bunker fuel vessels should fall under a similar umbrella as OPA '90 requires. Some of the commercial vessels in Cook Inlet either are, or will be, a part of the West Coast States new regulatory requirements.

A study required by HB 567 noted Dutch Harbor/ Unalaska had the least amount of coverage while having the greatest danger of major accidents and on November 26, 1997 the Kuroshima went aground. Cook Inlet should not be without Best Available Technology, he asserted, or at least some improvements in oil spill prevention and safety of navigation.

An assist standby tug, with firefighting capabilities, located in lower Cook Inlet would be a great start, he suggested. The recently retired Marine Safety Officer for Cook Inlet wrote to the Commandant in March 1997 that he would welcome such a tug for lower Cook Inlet for the safety of all shippers, but nothing has been done.

A power point demonstration highlighted hazards to safe navigation in Cook Inlet, including fires, collisions, and groundings. Accidents can be caused by weather conditions, tides, geology of the Inlet, and icing. It is vital to prevent such incidents, and to have the necessary equipment required to minimize the damage, Mr. Carter said. Coast Guard Captain Thompson stated at the Ice Symposium, "We all know what the risks are, and they are pretty high." When asked about deploying an anchor in ice, a marine pilot said at the Ice Symposium, that the chances are it wouldn't hold.

Costs associated with major marine accidents are prohibitive and can include loss of life, risk to public health, environmental damage, economic loss and years of litigation. Mr. Carter outlined the costs associated with the Kuroshima and the New

Carissa, incidents which make it clear crude oil tankers are not the only type of vessels having the potential to spill oil.

A variety of marine vessels transit Cook Inlet in all types of weather. A spill of any type could have devastating effects for the Cook Inlet community from Anchorage to Nanwalek and over to Kodiak, therefore steps need to be taken to prevent oil from being spilled from any source.

While measures have been taken to promote safety of navigation in Cook Inlet, Mr. Carter asked whether they are enough. He quoted TOTE Captain Jack Kern who said at the Ice Symposium, "With all the information we think we've got, we're not there yet for transiting Cook Inlet with a lot of safety."

The Executive Director listed the incidents which have occurred in the Inlet. The Glacier Bay hit a submerged obstacle on July 2, 1987 spilling 130,000 gallons of oil, and costing commercial fisherman approximately \$40 million due to closures. On January 25, 1997 the freight barge Oregon capsized following a collision with a towing vessel, releasing 12,500 tons of urea into the inlet. The Chesapeake Trader spilled about 10 barrels of oil in the winter of 1999 after suffering a hole in the hull probably caused by ice. Mr. Carter stated it was pure luck there wasn't a major disaster and asked why we have to have an incident before doing something.

Issues he requested to be addressed during the Forum included a vessel tracking system, an assist tug for lower Cook Inlet, fire prevention and response manuals, and a Port Authority, none of which have been implemented in Cook Inlet. He hoped the discussion would stimulate new ideas, if not possible solutions for reducing oil spills and providing better safety of navigation in Cook Inlet.

Panel # 1 Participants (Bio's in Appendix A)

Moderator, Mr. Bob Shavelson
Cook Inlet Keeper

Mr. Jack Cushing
Mayor, City of Homer

Mr. Ed Murphy
Southwest Alaska Pilots Assoc.
(SWAPA)

Mr. Karl Pulliam
SOS Response Team, Seldovia

Mr. Jeff Richardson
Executive Director
Alaska Center for the
Environment

Mr. Patrick Norman
President, Port Graham
Village Corp.

Ms. Sally Ash
Secretary/Treasurer, Nanwalek
IRA Council

Mr. Loren Flagg
Former ADF&G Habitat
Biologist

1:45pm

Panel #1 - Spill Prevention for Cook Inlet, "What are the Concerns?"

Moderator, Mr. Bob Shavelson
Cook Inlet Keeper

Moderator Bob Shavelson extended appreciation to CIRCAC for organizing the Forum, saying he hoped progress could be made on the issues of navigational safety. The term, navigational safety in Cook Inlet, he feels, is an oxymoron. The pilots are skilled and have local knowledge without which there would be more problems than there are.

Cook Inlet is a notoriously rough body of water with its winds, ice and currents making it a radical environment to navigate a boat in. The costs involved in funding a tug assist vessel in the Nikiski area should be carried in part by the oil industry, in his opinion. Tugs have to be a cost of doing business in Cook Inlet,

considering the billions of dollars in public resources which have been pulled from the Inlet, he said. With non-crude traffic increasing costs should be equitably shared between crude and non-crude carriers. It should be done right or not at all. Tug assist vessels should be available not only in Nikiski, but also in the lower Inlet.

The Intertanko case demonstrates that states have the authority to regulate non-crude vessels. He believes a wider regulatory net needs to be cast. Washington, Oregon and California have some innovative programs going. A database of crew and vessel casualty data would help in making a determination whether to allow passage in the Inlet.

He stated it is unbelievable GPS tracking technology is not available. Since Cook Inlet is a public resource information on the vessels, their cargo, and their casualty history should be available and tied into a traffic and tracking system. Focused charting efforts within voluntary vessel traffic lanes would make things safer and more predictable in Cook Inlet, in his opinion.

In the wake of the Chesapeake Trader incident, although the Cook Inlet Keepers requested the Inlet should be shut down, the Coast Guard called a meeting and made some amendments to the Winter Rules, but Mr. Shavelson complained that the meeting was closed and asserted that was a violation of the Federal Advisory Committee Act. The public should be involved in such decisions, he said. The questions remain, "Who decides what extreme conditions are? Who has the authority to make that call?" It is a tough call because it involves lost time and economics, he recognized. He recommended only double hull tankers be allowed in the Inlet when there are icing conditions saying this would provide clear guidelines for the industry and be in compliance with the mandates of OPA '90.

Following the Oregon barge incident the Coast Guard began a process to concentrate on Kachemak Bay as a Port of Refuge, however that effort shifted to a broader look at all the possible places a stricken vessel could go when the Coast Guard personnel changed. The rotation of Coast Guard personnel does not allow

continuity and undermines solid long-term strategy in navigation or environmental protection in a given community. He would like to see more directed policy development looking at the reality that Kachemak Bay is the *de facto* port of refuge in Cook Inlet. It is ice free and has support services and sheltered area. He prefers an area be specified, which would allow managers to do a better job at containing any problem and addressing it. An available tug assist would be instrumental for dealing with port of refuge issues.

Mr. Shavelson said the Geographic Response Strategies are great and need to continue and added that local equipment and training are essential in order to empower the local community to protect resources.

This is the fifth or sixth time the stakeholders in Cook Inlet have been brought together to talk about these issues, but there have been no big steps taken. There are improvements in navigational safety in Prince William Sound, but none in Cook Inlet. He asked if it would take litigation, or embarrassing the regulators and industry the next time there is a spill. He hopes the discussions will lead to improvements without such adversarial confrontation.

Mr. Jack Cushing
Mayor, City of Homer

Jack Cushing, Homer City Mayor, spoke in behalf of his constituents in the interest that their concerns be heard at higher levels. He requested local input be allowed to drive decision-making. Homer is often characterized as an environmental community and is therefore pigeon holed, but the citizenry is much broader. Homer is the pilot station for Cook Inlet and is a bedding community for a lot of the shipping industry around the state, so a tremendous amount of expertise is available for bringing the concerns of that industry. The pilots are well-respected members of the community. Homer is the port of the major tug company that services Cook Inlet, and is the federal headquarters for the National Maritime Wildlife

Refuge. These personnel can provide another unique perspective in the discussion of safe navigation.

Kachemak Bay is a state legislatively designated Critical Habitat Area, a recognized area of higher biological productivity. Homer is unique in having the Cook Inlet Keepers, another level of expertise to draw from in making decisions. Additionally, Homer is a service community for ship repairs and supports communities across the Bay and Kodiak. The University of Alaska, Kachemak Bay Branch and the Kasitsna Bay Lab operate in Homer, providing another level of expertise. Homer is also a Coast Guard Station, with both an enforcement cutter and a buoy tender available. His goal is to see that Homer's expertise be listened to as decisions are made.

The citizens were scared when the urea barge was sent to Kachemak Bay, but Mayor Cushing was pleased the Coast Guard handled the issues differently with the Chesapeake Trader. Although safety of the vessel and its crew were a priority, the waters of Kachemak Bay were respected as well and the vessel was kept outside the restricted waters. If Homer is to be a port of refuge, the Mayor requested a flexible method of dealing with incidents on an individual basis to ensure the reduction of further risk.

GPS systems carried on board by pilots, of much lower cost than radar based systems, along with traffic lanes would tremendously upgrade what is now currently available in Cook Inlet. Mayor Cushing will continue to attempt to advance the tug escort/ response issue, as he has been given a resolution from the Homer City Council.

Mr. Karl Pulliam SOS
Response Team, Seldovia

Karl Pulliam, Manager, Seldovia Oil Spill Response Team (SOS), thanked CIRCAC for sponsoring the Forum, saying there have been many Stakeholder Forums and he hopes this one will produce something. There is more oil shipped in Prince William Sound, true, but why, he asked, is the issue of safety still in a

quandary in Cook Inlet while successes are celebrated in Prince William Sound annually. It is an international model for spill prevention and response. The state and federal legislators demanded and gained massive changes to the way tankers transit Valdez waters. CISPRI has a prevention plan for the Nikiski and Drift River Terminals. Alyeska established SERVS with its multitude of prevention and response equipment throughout the Sound. They have escort tugs. There is more equipment and focus on the Sound because of a lawsuit brought in response to the unprotected Copper River Flat area. The Sound has the Coast Guard Vessel Traffic System, able to detect movement on anchor, even when the skipper could not. They definitely have the Best Available Technology. If such a system had been in place the Exxon Valdez Oil Spill would likely have been prevented. Such protection is great for the state of Alaska, Prince William Sound and the Copper River Flats, and Mr. Pulliam said he is proud of the leaders who have worked to accomplish this level of protection in response to the spill.

What about Cook Inlet? Isn't it just as deserving, he asked. God doesn't view the inlet as a lesser body of water. Cook Inlet provides salmon, cod, halibut, octopus, seal, crab, and clams. Cook Inlet is as bountiful as the Sound in every way. Mr. Pulliam said he doesn't believe the Creator second rated the waters of Kodiak or the outer coast either. Those places share the destructive burden of ten years ago, so why do so many decision makers, shakers, movers, and funding source representatives treat Cook Inlet as if it doesn't need or deserve similar protections and precautions as those taken in the Sound? Will a world-class spill be required before taking action to protect and prevent a similar occurrence?

On the basis of oil shipments, the Sound needs more of everything, and it has it. For oil shipping, Prince William Sound is the highest risk area in the state. Accordingly, it has about 90% of the best prevention and response capabilities in the state. But there is a bigger, riskier picture. There are about the same number of vessels transiting Cook Inlet as those operating in the Port of Valdez, but most are not held to public scrutiny nor the

testing of their spill plans. Cook Inlet, conceivably, has the riskiest shipping in the state.

It was once said a person who buries their head in the sand offers an engaging target. While Prince William Sound has been built to look like a new Vegas hotel in spill prevention and response, Cook Inlet has been buried in Vegas-like desert sand, and it is an engaging target, Mr. Pulliam stated.

There is no official check-in and check-out system, no monitoring with local input and planning. There are no response vessels dedicated to non-oil shippers. The equipment in the upper Inlet is dedicated to the oil industry. There are no contingency plans reviewed by DEC for non-crude or non-refined product carriers. There is no lower Inlet response vessel nor enough pre-positioned non-oil industry dedicated resources for a spill of significance. There are a lot of shippers cruising in and out of the inlet who are self-certifying that they can handle any incident. Kuroshima should ring a bell. There are hundreds of shippers coming into the Inlet annually carrying 10,000 to 200,000 gallons of heavy bunker or other fuel. If they lose power and can't hold anchor off Flat Island in a southwest storm with the tide coming in it will result in serious impact. Yet these shippers will not have the resources Exxon did for cleaning up.

The problem of an accident waiting to happen must be addressed. A plan of action must be achieved using cooperation, funding and local input. It would be senseless to strip the Sound of its prevention and response gains. Working together, he requested the Forum to set the direction and a time table to establish a vessel tracking/monitoring system, beginning at Kennedy Entrance. He suggested one of the SERVS response barges be moved to Kachemak Bay, while leaving it as part of their c-plan, yet sharing the resource and the financial burden. He hoped a response vessel dedicated for all shipping incidents would be stationed in ice-free Seldovia or Homer. Cook Inlet needs pre-planned strategies and pre-positioned equipment for prevention and response. It needs funding to provide more consistent training of response personnel. Memorandums-of-Agreement need to be written

for sharing resources. These steps will begin the process of caring for the Inlet as is done in Prince William Sound. He said he hoped the Forum would get the issues moving forward on the right track.

Mr. Patrick Norman
President, Port Graham Village Corp.

Patrick Norman, President of the Port Graham Corporation, said the area of his Corporation's concern starts at Fourth of July Creek, west of Seldovia, through Port Graham to the entrance to Rocky Bay where the Kachemak Bay State Park begins.

The Natives are concerned that any incident up the Inlet, whether at the dock or in transit while dropping off a pilot in Homer, by a ship losing power, drifting or dragging anchor could result in an oil spill which will impact the land they own. The Corporation owns a lot of beach property. They used to feel as if such incidents would not effect their land, subsistence or economic activities like fishing and the cannery, but the experience of the Exxon Valdez oil spill has proven otherwise.

Incidents in the upper Inlet have an effect on residents of the lower Inlet. Likewise, plans to provide safe harbor in Kachemak Bay creates concern for them. An oil spill around Flat Island would have the potential to reach their land and if it happened in the summer it would effect their economy which is based on fishing. The economic impact to the village and corporation would be devastating. As a resident of Port Graham, Mr. Norman realized from the Exxon spill that it cannot be taken for granted that a crisis will not bring effects even to a far away village.

Port Graham villagers are very concerned about the response time if a spill occurred on the outer coast between Elizabeth Island and the Barren Islands. A tug pre-positioned in Port Graham would lower the potential for a drastic event if a tanker loses power in these deep waters as response time would be about an hour and a half as opposed to three or four hours out

of Homer or another hour out of Seldovia. There have been a lot of search and rescue operations at the mouth of the Inlet recently, perhaps such capabilities could be combined with response capabilities for troubled vessels.

Port Graham wants to be a part of the decision making process. Without the ability to respond to a vessel in distress the possibility of a spill like Exxon's is increased. The Natives subsistence harvest clams and seal along the whole outer coast from Seldovia into Kachemak Bay. Flat Island and Elizabeth Island are haul out places for sea lion. Port Graham's concerns are the same as Homer's. Whether fishing the pothole, by seine, with setnets or subsistence gillnetting, all are vulnerable to emotional impact if there is another spill.

Ms. Sally Ash
Secretary/Treasurer, Nanwalek Council

Sally Ash, Secretary/Treasurer of the Nanwalek Council, stated that her village has existed for several thousand years. The people rely heavily on Cook Inlet and the surrounding land for their livelihood. An oil spill would devastate them and jeopardize their existence, putting a large burden on the government to take care of the villagers.

The Exxon Valdez Oil Spill affected the people and their lifestyle. To this day they have not fully recovered from it. People are aware of the sensitivity of their cultural lifestyle, known and understood as subsistence to the western world. If another oil spill should occur, it has the potential to wipe out their cultural lifestyle.

The Nanwalek Village is worried about the reliability of vessels in Cook Inlet from tour or cruise ships to tankers transporting crude oil. Most of the tankers are old and out-dated. They ask who is responsible to ensure their reliability. What insurance or protection does the village have if an oil spill should occur in Cook Inlet? How is oil spill response set up? How are the waters being monitored? What prevention measures are being taken for their area? The Council feels there should be at least tug

boats available to provide assistance, one in Port Graham, one in Homer and one in the upper Cook Inlet. She asked what rules and regulations are mandatory, emphasizing again that their lifestyle will be impacted if an oil spill occurs.

The salmon are unhealthy, a sign they are living in polluted conditions. Nanwalek thinks this issue should be looked into. The villagers feel the lesson should have been learned from the Exxon Valdez oil spill. Although there has been much focus on Prince William Sound, Nanwalek feels there is nothing being done for Cook Inlet. They want to guarantee no vessel passing their village is cutting corners as regards to safety, because they depend on those safety measures for their livelihood and future.

Captain Ed Murphy
Southwest Alaska Pilots Association (SWAPA)

Captain Ed Murphy, Southwest Alaska Pilots Association, thanked the RCAC for hosting a timely meeting. As representative of the pilots, he noted their concerns are different than those made. The pilots are frustrated with both the environmental community and industry because solutions are proposed without consulting the shipmasters and pilots who know more about it than anyone, with the possible exception of the commercial fishermen. Some of the suggestions are not that beneficial to the pilots.

Many express concern about tug assists at the Nikiski and Drift River Docks, but the pilots have been docking and undocking for about thirty years without tug assists. Captain Murphy personally has safely accomplished over 1000 docking and undockings without the assistance of a tug. He is perplexed because he has never heard of oil getting into the water as a result of docking or undocking without a tug assist. So, although it sounds like a great idea for preventing oil pollution, and he's sure it would make his life easier, he doesn't believe it will markedly improve efforts to prevent pollution.

The pilots question the benefit of a vessel traffic system because there is relatively little traffic in the inlet compared to other major waterways where traffic systems exist. Secondly, the Coast Guard vessel traffic system watched the radar screen as the Exxon Valdez ran aground on Bligh Reef. The pilots are interested in a bridge-based system, where professionally trained shipmasters and pilots have the information furnished to them on the bridge of the ship for them to interpret and communicate with other vessels of concern. That technology is available relatively cheaply. However, getting that technology on foreign ships which visit the inlet is a tough issue.

Captain Murphy said he is unaware of any vessel collisions which would necessitate traffic lanes. The steam ships, motor ships and large vessels already follow carefully prescribed traffic lanes passed down from one pilot to the other. Heavy, deep draft vessels have to follow a certain course. The pilots know where they can expect to pass another ship. It hasn't required a government agency to prescribe traffic lanes. Mandatory establishment of such lanes would not work because the commercial fishermen follow the fish, without regard to the other traffic and shippers have to maneuver with respect to them, sometimes requiring them to go out of the traffic lanes.

The pilots have for many years requested an updated Cook Inlet chart. NOAA has always been responsive to the pilots but lacks the funds for a complete new survey, which would have prevented the grounding of the Glacier Bay as the chart in use showed more water over that rock. The Coast Guard has not been able to place a range light on the approach to Nikiski, although the pilots have requested the assistance. The pilots feel emphasis should be placed on these requests to fill a real need, and where they can best be used.

Although assist tugs might be nice to have, no oil has been released because they are not available. A VTS is not justified because of a small volume of shipping, but also because it would not be very useful. A bridge-based VTS would be useful giving professional navigators access to information to assist them in

their decision making. Captain Murphy commented the Forum is useful and that he was glad to be a part of it.

Mr. Jeff Richardson
Executive Director, Alaska Center for the Environment (ACE)

Jeff Richardson, Executive Director for the Alaska Center for the Environment, said he agreed with the statements made by others that the Forum was timely. From ACE's perception the navigational risks in Cook Inlet are real and growing. Some of the recent incidents indicate the risks are real, and the fact that the volume of shipping is likely to continue to increase as the population and commercial activity grow suggests that the risks, if not addressed, will increase commensurately.

There are a variety of vessel types, sizes and risk levels operating under a variety of expectations and rules, in terms of navigational safety. Another facet of the problem is the inability to quantify the risks and how they are growing. It is not prudent to sit back and do nothing, so ACE supports a closer analysis of risks levels in relation to scenarios about how the Cook Inlet Watershed may grow and vessel traffic grow with it.

There has been an erosion of the capacity to provide adequate prevention and response at both the federal and state levels over the last several years, Mr. Richardson stated. The contingency plan process is a useful and workable system in many ways. However, it is only as workable and competent as the ability at the local, state and federal level to make it work. A capacity to conduct research and monitor resources and to provide an adequate level of regulation and oversight is needed in order to make the prevention and response policies and plans work. One of the most important directions the Forum could take, in Mr. Richardson's opinion, would be to develop a more coherent consensus about the level of resource monitoring, research and oversight needed, giving the ability to collectively make the case for the level of funding needed to achieve prevention and response goals. He promoted a precautionary approach in policies and plans for areas where adequate oversight is lacking,

while continuing the discussion of the kind of framework desired to ensure navigational safety and resource protection.

The Alaska Center for the Environment believes the public has a right to expect both the government agencies and all industries fulfill the letter and spirit of all laws on the books without constantly trying to undermine the regulatory framework. Mr. Richardson feels litigation should be undertaken as a last resort, but that position is sometimes reached quickly due to a perceived loss of will by both government and industry to stick to the rules. It seems there is a lot of energy expended trying to change the rules. ACE will keep pushing for fulfillment of both the letter and spirit of the law and wants to participate in discussions to make that happen to the benefit of all.

The environmental community is looking for balance and genuine, good faith dialogue. Mr. Richardson said he is more than happy to be held accountable for being credible participants in discussions seriously considering goals and objectives for the protection of the resources. The Forum represents a solid opportunity to speak about issues, though before the tendency has been to lose patience with one another and give up the dialogue.

Prevention and response need to be understood as a cost of doing business on the part of industry, business and government, however, ACE recognizes there is a threshold where business and industry have legitimate concerns about how the bottom line is being affected, and Mr. Richardson pledged willingness to listen to those concerns. The guiding principle in all discussions should be the recognition that prevention is cheaper than response. This reality should be thought of both in terms of the goals of safety and dollars and cents, for the public, for government and for industry.

Trouble in obtaining policy traction or the attention of government on a problem of safety of navigation in Cook Inlet may be due to the need to document basic facts: more than half of the state's population live on the shores of Cook Inlet; Cook Inlet provides millions of dollars worth of commercial,

subsistence, recreational resources and services every year to those people; and that means there is a lot at stake.

Mr. Richardson said he was pleased to extend his hand to Senator Drue Pearce, to industry of all kinds, and to the pilots with the interest of talking and being credible partners in resolving the issues.

Mr. Loren Flagg
Former ADF&G Habitat Biologist

Loren Flagg supports an emergency response vessel as mentioned in the Alaska Oil Spill Commission Report. What is needed is a vessel capable of assisting or rescuing a fully laden tanker in distress.

To answer the question of what needs protection, Cook Inlet is an extremely productive marine area and supports substantial commercial fisheries for five species of salmon, three species of crab, five species of shrimp as well as Pacific herring and Pacific halibut. Several species of bottom fish, Pacific scallops and razor clams all comprise commercial fisheries of a lesser importance. Commercial fisheries provide an estimated 6,700 seasonal jobs, or the equivalent of 1500 full-time year-round jobs.

The upper Inlet (north of Anchor Point) provides all five species of Pacific salmon. Sockeye are the most important with an average exvessel value of \$20 million with a purse wholesale value of \$40 million. The fishery is conducted from June to August and the major producers are the Kenai, Kasilof, Susitna and Crescent Rivers. The Cook Inlet fishery has expanded since 1960 when there were 288 drift net fishermen and 570 set net fishermen. In 1991 there were 585 drift net fishermen and 745 set netters. Since 1975 the area has been under limited entry. Approximately 400 tons of herring are harvested from Tuxedni and Chinitna Bays. Another resource is razor clams, with harvest levels averaging about 370,000 pounds per year.

The lower Inlet also provides the five species of Pacific salmon, along with king, tanner and dungeness crab, shrimp, herring,

scallops, halibut and several other species of bottom fish. The twenty year average of Pink salmon, the most predominant species, is around 900,000 fish. The average exvessel value of lower Cook Inlet since 1971 is about \$2.7 million, with a purse wholesale value of about \$5.4 million. The salmon fisheries are conducted from June to September by an average of 83 seine boats and 30 set net permits in Kachemak, Kamishak and several bays along the outer coast.

Several districts have contributed to the king crab harvest in the past, including Kachemak, Kamishak and the Barren Islands. From 1960 to 1983 lower Cook Inlet averaged 3.4 million pounds of king crab annually. At today's prices that would be a \$10 million fishery. Tanner crab are harvested from the same areas and from 1968 to 1987 the average harvest was 3.9 million pounds, worth about \$8 million today. These stocks of crab have declined in recent years. Dungeness crab is harvested primarily in Kachemak Bay and there was an annual harvest of 580,000 pounds from 1961 to 1988, worth about \$500,000 at today's prices. The long term average for the shrimp trawl catch was 3.8 million pounds, worth about \$2 million. This fishery has also declined.

Fishing for herring in Kachemak Bay began in 1914. Approximately 75 purse seine vessels participate in this fishery with an annual average catch of about 3,000 tons. Other species include razor clams, butter clams, weather vane scallops, pot shrimp and several species of bottom fish.

Mr. Flagg concluded. "There are many natural hazards in the Cook Inlet area that combine to make it one of the most dangerous environments in the world in which to conduct offshore petroleum operations. The combination of extreme tidal ranges, up to 36 feet; extreme tidal currents, up to 8 knots; high winds over 100 knots; sea ice up to 40 feet thick should be enough to classify any area as high risk. Add to these conditions a highly active seismic zone, active volcanoes, numerous shoal and reef areas, a high volume of vessel traffic with no vessel traffic control system, oil tankers transiting the area and berthing and unberthing without tug escort or assistance and

you have as former ADEC Commissioner described Cook Inlet in 1989, "a disaster waiting to happen". Cook Inlet is an extremely productive and valuable estuary in terms of the fisheries and wildlife it supports. In addition to the commercial species discussed in this report, Cook Inlet supports a variety of non-commercial fin fish and shellfish species which are important to both sport and subsistence users in the area. The Inlet also supports major populations of water fowl, shore birds and marine mammals. Tidal flats, intertidal salmon spawning areas, marine mammal rookeries, and seabird nesting colonies are among the areas of high value and sensitivity within Cook Inlet. The Inlet contains 13 specially designated areas classified as critical habitats, wildlife refuges and game sanctuaries. Fishing interests, environmental interests and citizens in the area believe that Cook Inlet deserves the highest degree of protection that modern technology can provide. The cost of the resource and people's livelihoods are just too high to do otherwise, as we learned from the Exxon Valdez disaster."

4:00pm

Questions and Answers for Panel #1

Question #1

Paul McCollum, Homer Representative to Prince William Sound RCAC, said he personally put a lot of energy into the issue of tank vessel safety and that he appreciates the CIRCAC sponsored meeting. He requested all to have the goal to follow through with what comes out of the Forum asking each panel to prioritize a hot list. He feels action is high centered on the issue of affordability, but navigational safety is the cost of doing business and needs to be done right, or there may be serious ramifications. He asked for specific recommendations.

Bob Shavelson asked the panel about their feelings on an emergency response/assist vessel.

Jack Cushing stated that the City of Homer, by Resolution, asked for the consideration of a response as well as an escort vessel. There are limitations regarding an escort vessel, including cost, who pays for it, and whether it is necessary or not. The City of Homer wants to see response capabilities provided in

lower Cook Inlet. They don't feel they have it. The private sector as well as members of the oil industry and pilots community believe there are certain areas that present greater risk if a ship were to lose power and the response capability was not closer.

Karl Pulliam believes a response vessel would provide an opportunity for sharing resources. It will be necessary to rethink some issues, he observed. Prince William Sound has two new tractor tugs, but at the cost of \$17 million one is not needed in the lower Inlet. However, some vessels are due to be retired in the Sound. CISPRI was able to obtain the Heritage Service in that way. If SERVS is retiring vessels somehow they need to be kept in Alaska's waters. Perhaps DEC and other regulators can provide prevention/response credits for Valdez shippers if they share a vessel. There is a need to look for flexible solutions, Mr. Pulliam stated. Other shippers in the Inlet must also share in funding response and prevention equipment. In other areas shippers are charged according to the number of gallons of bunker on board. Money collected in this way can be put towards a fund that will provide a lot of security, if applied to pre-proposed planning strategies or pre-positioned equipment. The oil industry cannot be expected to pay for everything, in his opinion.

Bob Shavelson pointed out that Panel #3 will discuss funding sources, and asked Mr. Pulliam to address the issue of a response vessel.

Karl Pulliam said while there is no need for a tug assist at Nikiski/ Drift River there is a need for a non-dedicated response vessel for the lower Inlet.

Ed Murphy noted the Southwest Alaska Pilots Association does not take a position on a pre-positioned standby response vessel because that is not their area of expertise. As a concerned private citizen it makes common sense to have good response capability.

Jeff Richardson said the Alaska Center for the Environment shares the perspective of the City of Homer and Karl Pulliam but added his view that the Forum serves a purpose in allowing all concerned to set the stage, get acquainted, build trust, talk about intentions with the goal of continuing the dialogue later at a more detailed level. He suggested a two stage process: meeting at a regular opportunity to check on progress and developing a method to quickly identify options of consensus along with a framework for discussing issues not agreed upon. An objective third party professional assessment of risks and options may be necessary, he noted. The RCAC has the experience and capacity to be the convener for that discussion, in his opinion, but since there are other non-oil shippers perhaps the KPB or another organization ought to act as co-convener.

Loren Flagg referred to the recommendation of the Alaska Oil Spill Commission Report and the number one recommendation in the Dickson Report done for CIRCAC both of which called for an emergency response vessel. In the early to mid-70's there was a great deal of oil activity in Cook Inlet, and as he attended many oil lease sales, follow-up meetings and contingency plan meetings the oil representatives always promised the best available technology. Yet the Inlet still does not have the best available technology for the prevention of an oil spill.

Question #2

Tim Moffatt, Homer News, asked Mr. Murphy if a resurvey of the Inlet, as he had requested, would involve just mapping the bottom or surveying the surface currents as well, and would such data be useful in spill response? Additionally he noted the insurance underwriters were not participating in the Forum yet they would have a stake in a disaster in Cook Inlet. Does their expertise represent a missing element in what the Forum is trying to accomplish?

Ed Murphy said a bathymetric survey would consist of a survey of the bottom of the sea floor. The current surveys done by NOAA are old, and since better technology exists now an update would likely be useful. While there have been piecemeal surveys of Cook Inlet no comprehensive work has been done because NOAA lacks the ships and the money.

Bob Shavelson offered a suggestion that charting be focused on the voluntary traffic lanes rather than worrying about charting the entire Inlet.

Karl Pulliam commented regarding the insurance underwriters that insurers did not come to bat quickly during the Kuroshima spill, the progress of which was posted on the DEC web page. That worries him. He asked how shippers feel about their insurance. He is insured as a fisherman but doesn't feel confident in his marine coverage. There are definitely questions that need to be answered.

Bob Shavelson noted there is a question whether there is adequate liability for spot charters and how that comes to bear if there were an accident in Cook Inlet. It is an important issue. Jack Cushing asked if insurance companies declined to participate or if they were overlooked.

Jim Carter said no insurance underwriters were invited, but a Cook Inlet RCAC member, who is a retired insurance man, was in attendance at the Forum.

Jack Cushing suggested they be brought in at some point.

Question #3

Mary Jacobs, Kodiak Island Borough Representative to CIRCAC, asked Ed Murphy how a standby/ assist tug would be useful, if available.

Ed Murphy repeated that as a citizen it makes common sense that since oil is being transported there is a chance it will get in the water and the capability should exist to clean it up. The Heritage Service has good capability, but it is a political question whether one or more such vessels is necessary, because they cost money. In the event of a spill, or if a ship needed to be towed, the Heritage Service would be useful, probably.

Mary Jacobs asked if there have been times in his experience when a standby tug would have been useful due to the conditions.

<p>Question #4</p>	<p>Ed Murphy responded that there were not in his experience.</p> <p>Mary Jacobs said it sounded as if he would use a tug if it existed.</p> <p>Ed Murphy noted they were talking about two different things. A standby response vessel would standby to tow a ship in difficulty or to clean up a spill. As a citizen that sounds like a pretty good idea, it's sensible. An assist tug is a different issue.</p> <p>Mary Jacobs commented that neither exists in lower Cook Inlet.</p> <p>Ed Murphy said for most ships they are not available at the Kenai Pipeline Dock at Nikiski. However, when the pilots have larger than ordinary ships they tell industry they need tugs and they are made available. There are different kinds of tug boats. A conventional tug is all but useless for assisting a ship in the tidal currents or ice of Cook Inlet. The lay term for a non-conventional tug is a tractor tug.</p> <p>Doug Jones observed the present panel seemed to support an escort tug by 5 to 1. However the support is based on opinion. He asked what hard fact, science or technology it would take each panelist to convince them their position is in error, that escort tugs are not needed in Cook Inlet.</p> <p>Bob Shavelson relayed that the distinction between escort and assist tugs is critical. Although he has not been arguing for escorts he does believe an assist tug would be critical.</p> <p>Doug Jones pointed out some panelists did favor escort tugs. What would it take for those supporting escort tugs to change their minds, and conversely, on what evidence would those opposed to escort tugs reverse their opinion? Technical information to support either view has been lacking, he pointed out.</p> <p>Jeff Richardson said he supports a lower inlet response vessel, which is what he also understood Karl Pulliam and Jack Cushing to be emphasizing. Neither he nor ACE have a hard and fast position on escort tugs. He believes further conversation is</p>
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needed where hard data is examined by everyone who has a stake in the issue, so that all can make an evaluation together and determine where they agree and disagree and from there beginning a gradual process of advancing solutions of consensus. He agreed with Mr. Jones that there needs to be an improvement in the database and knowledge base used in devising solutions.

Loren Flagg said the commercial fishermen, although he no longer represents them, have never been hung-up on the term "escort" vessel. They are more interested in a standby emergency response vessel. Homer would be a good location for such a vessel. If a laden tanker comes around the corner off Flat Island and loses power or steering he asked if the Heritage Service is capable of moving the tanker with the tide running five or six knots and the wind blowing 30 - 100 mph.

Ed Murphy pointed out an assist tug would be used by a pilot to assist a vessel to and from the berth. A standby response vessel would be pre-positioned at selected locations and have towing and spill cleanup capability. An escort runs along with ships and supposedly lends a hand if something happens. Escort tugs are not necessarily 100% beneficial. The only significant accident in Valdez since the implementation of the escort system was when a close escort, tied to the stern of a very large crude carrier was rammed by another escort putting a divot in the stern of the tanker. No oil got in the water and no one was hurt, but it illustrates that there are significant trade-offs with some of the safety measures going into effect. He expressed concern that the trade-offs have not been given a great deal of consideration.

Jack Cushing suggested that the first request for an assist tug might come from industry when they ask Coast Guard for permission to transit the Inlet with the assistance of an icebreaker because Cook Inlet is shut down for too long due to ice conditions.

Karl Pulliam said he has been convinced an escort vessel is not necessary in Cook Inlet. One of the risks identified in the Prince William Sound Risk Analysis involved escort vessels in close

<p>Question #5</p>	<p>proximity to a tanker. Cook Inlet does not have an area similar to the Valdez Narrows so that an escort nor an assist are necessary at the docks unless a pilot so deems. However, a standby response vessel would be very useful. The Heritage Service is dedicated to the oil industry for Drift River and Nikiski, not for a log ship off Port Graham. There is a need for a response vessel in the lower Inlet.</p> <p>Paul Shadura, Cook Inlet RCAC, recapped Ed Murphy's comment that he did not feel a tug assist was necessary at the Nikiski Dock since the pilots had been berthing without one for thirty years. He asked if there had been no incidents over those thirty years where vessels had trouble coming to, damaging the docking, ice jamming or had to hail the assistance of the local rig tenders to assist in docking at the Nikiski facility.</p> <p>Ed Murphy clarified he hadn't meant that at all. He repeated that the pilots had been docking and undocking for thirty years without tug assists, since they hadn't been available. The pilots don't feel assist tugs are necessary to prevent oil in the water. There has been no incident where oil was released due to docking or undocking without a tug assist.</p> <p>Paul Shadura inquired again whether there had been near situations at the Nikiski facility increasing the probability or chance or risk of oil getting into the Inlet due to docking procedures or ice. Was there any incident where a tug assist would have alleviated the problem?</p> <p>Ed Murphy said if the concern is about keeping oil out of the water he is puzzled why there is such emphasis on docking tugs as opposed to other real problems.</p> <p>Paul Shadura asked if there had been any incident to Mr. Murphy's knowledge where another rig tender vessel had been hailed to assist with docking.</p> <p>Ed Murphy answered no.</p>
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<p>Question #6</p>	<p>Tim Robertson asked the panel and moderator if the Cook Inlet Regional Citizens Advisory Council's mandate should be broadened to include other marine transportation in Cook Inlet to address some of the concerns.</p> <p>Bob Shavelson stated that one of the strengths of the RCAC has been in looking at navigational safety. It is difficult to consider crude traffic alone. He answered yes, it would be a matter to consider.</p> <p>Jack Cushing noted that at CIRCAC meetings he had attended there seemed to be a tremendous propensity to discuss issues outside crude traffic. The RCAC recognizes the problem is broader.</p> <p>Karl Pulliam stated that during his years working with the Council the narrow mandate was a real frustration while the majority of the shipping is non-oil. It might be difficult to change federal legislation, but he thought it was certainly worth a look.</p> <p>Ed Murphy had no comment.</p> <p>Jeff Richardson said ACE would lean fairly strongly in favoring such a change because they feel a need to get on with further analysis and problem solving. Taking time out to build a whole new structure paralleling CIRCAC for dealing with non-crude seems like a waste of time and energy. There are important efficiencies to be gained in broadening the CIRCAC mandate.</p> <p>Loren Flagg had nothing to add.</p> <p>Bob Shavelson suggested the predictability for business would be increased if there were a consistent, unified body looking at the issues. It would allow CIRCAC to take a more holistic approach to the various risks in Cook Inlet if crude and non-crude shipping were considered together.</p>
<p>Question #7</p>	<p>Carl Anderson, Cook Inlet Tug & Barge, observed the need to define vocabulary. There are four different types of vessels</p>

under discussion: a tug of opportunity, a response boat, an assist tug or an escort tug. A response boat responds after the accident. A tug of opportunity may be able to cure the problem. An escort travels with the ship and an assist tug works with the ship at the dock.

Bob Shavelson asked if anyone on the panel believed a standby response tug, similar to a tug of opportunity, would not be useful in some preventative capacity.

Jack Cushing said a vessel of opportunity with a full time crew ready to go at any minute would be much costlier than one which could be called out. Some procedure needs to be pre-arranged, as illustrated by Homer's problem during the Icicle Seafoods explosion. He cautioned against adamantly settling on the need for a vessel of opportunity due to the cost. He favors having a response vessel employed in its trade while holding a contract to make it available as a response vessel.

Jeff Richardson said the consensus among the panel favors a response vessel. Ensuing discussions should identify who would own the vessel, who would operate it, what the chain of command would be, what the process and procedures would be for deploying it, insurance factors, etc. He did not disagree with the concept of a response vessel with some other duties as assigned under emergency conditions, but that may not be practical. He thought it important to keep the idea in play without being tied to it.

Loren Flagg said he had no problem with the concept that the emergency response vessel would be engaged in other activities, within certain guidelines, as long as it was fueled up and able to break away at a moment's notice in the event of an emergency, and that it stayed in Cook Inlet.

Bob Shavelson brought up other questions for consideration: whether the vessel would have preventative capability or be a legitimate tug able to push around a laden tanker.

<p>Question #8</p>	<p>Gary Ritzman, Sealand Service, asked for clarification about the ice thickness Loren Flagg had referred to in his comments.</p> <p>Loren Flagg stated the correct reference of 40' thick was obtained from a report.</p> <p>Ed Murphy said the report is speaking about shore fast ice which grows with each succeeding tide. The ice does not reach near that thickness in mid-inlet where it may get as thick as 4'.</p> <p>Loren Flagg quoted from a 1976 USDI Report which said, "Large piles of ice that are formed on tidal flats are sometimes broken free at flood tide and may be deposited higher on the flats and frozen to the underlying floes. They may go adrift during abnormally high tides. Some were observed in 1970-71 with thicknesses exceeding 40', and many were grounded in shallow areas of the Inlet."</p>
<p>Question #9</p>	<p>Bob Pawlowski, Matsu Borough, commented that many people in the room were involved in NOAA bringing the best available technology into the Inlet for surveying. Based on the incident of the grounding of the Glacier Bay multi-beam technology was brought in to address the glacial erratic issues within the 10 fathom curve resulting in almost 200 miles of survey. The process involved the state leadership and the congressional delegation. He asked for comments regarding the process for defining the best available technology needed for the lower Inlet. Karl Pulliam noted what has been done in the Sound sets a model. He suggests following those steps by involving local input, public input, forums and a risk analysis from which solutions can be prioritized. All agree there is a potential for risk in the lower Inlet, and it is uncovered. That is the starting point. It's foolish to throw money at possible solutions without identifying the risks. He hopes the Forum will produce a group headed in that direction.</p> <p>Jack Cushing reiterated that he promotes input from local knowledge, including the pilots, and the fishing fleet. The categorization by NERRS and CIRCAC will be tremendous for developing a database of conditions enabling further definition</p>

	<p>of what level of protection is desired for certain areas should something happen.</p> <p>Bob Shavelson said the Dickson Report, in his opinion, is essentially a risk assessment for Cook Inlet, and he opposed getting mired in another long process of trying to define risks and balance and weigh them as it would likely take another ten years. He'd rather action could be taken sooner than later.</p> <p>Ed Murphy said he is frustrated about the conversations about best available technology when the pilots have been requesting current gauges for years but no agency has the money. They have asked the Coast Guard to put in a range light in Nikiski, but the landowner will not allow it. The pilots need these relatively inexpensive technologies. While studies create jobs he is unsure about their usefulness. The CIRCAC is putting a video camera on the Dillon platform, but ships do not go by that platform during the middle of winter. That camera is needed on the south side of the Unocal dock. This is an example of the kind of thing that frustrates the professionals transiting the Inlet. There seems to be little discussion about the things they can really use.</p>
Question #10	<p>Dexter Ogle asked whether all panelists agree there is a potential risk and something should be done about it. Some seem to have the attitude similar to a taxi driver feeling he doesn't need seat belts because he doesn't haul as many passengers as a Greyhound bus, but even killing one person makes them just as dead. Although some say we can't afford a tug up the Inlet he asks if we can afford not to have one.</p> <p>Bob Shavelson said the technology is legitimized in Prince William Sound because of the volume of oil and traffic, but all it takes is one boat to cause an incident.</p>
Question #11	<p>John Douglas, City of Kenai Representative to CIRCAC, asked Ed Murphy about the bridge based GPS system.</p> <p>Ed Murphy responded that the Port of Tampa and the west coast Canadians have pioneered the Automated Identification System</p>

which equips vessels with an on-board transponder that sends a discreet signal identifying that vessel along with its GPS position. The signal is transmitted to a series of shore-based beacons, which are relatively inexpensive, and retransmitted to other vessels within the waterway. In the wheelhouse of each participating vessel is a laptop computer with the vessel's real time position on a nautical chart of the area as well as that of all other vessels. It is based on differential GPS and cell phone technology and is relatively inexpensive when compared to radar systems. The Canadians are experimenting with it, and some cruise ships are using it while in their waters. The Port of Tampa is working the bugs out of it, but has had good success.

Question #12

Jerry Brookman, PROPS Committee, remarked that the pilots are taken for granted because they do such a good job. Given that there is a finite amount of funding available he asked Captain Murphy if bathometric survey is the #1 priority, what would be next on the list?

Ed Murphy agreed that better charts are needed. NOAA is a great agency and has been very responsive within their capability. The contractors doing their surveys are not producing the same quality results. The pilots also want that range light at Nikiski. The Coast Guard has purchased that hardware, but the landowner will not allow them to install it. They would like a camera south of the Unocal dock with a monitor in their office to allow for monitoring tidal driven ice at the Nikiski dock. They would like the Coast Guard to do an even better job of vetting the ships arriving to go up the Inlet. If the Coast Guard is tougher on them by enforcing US standards on foreign ships it makes the pilot's job easier.

Bob Shavelson noted language barriers present a problem on foreign ships.

Jeff Richardson stated that it is not acceptable when looking at the level of risk and what is at stake to accept the notion that requested technology is unaffordable. The pilots have brought their expertise to bear and identified their needs. The Forum is important because it is incumbent on everyone to develop the

consensus and to go to the people responsible for fiscal decisions with the list of priorities. There are the beginnings of consensus on a number of items and he said the stakeholders would be wasting a precious opportunity by not sticking together and continuing the process with commitment to make the best case before the political system for addressing the problems.

Bob Shavelson asked if there were any disagreement to the request for a range light. There was no response. He asked about the camera pilots are requesting at Nikiski Dock.

Karl Pulliam asked whose camera would be put on the platform.

Jim Carter stated that the CIRCAC is working on the RFP.

Karl Pulliam asked if the placement could be adjusted to be of more assistance to the pilots?

Jim Carter said the CIRCAC had held an open forum on the subject and that's how the Dillon was chosen.

Bob Shavelson noted Daniel Zatz had told him the vibration of the ice presents a problem for placing a camera on a platform and will require the installation of a dampening feature. He went on to ask if there was any disagreement with Captain Murphy's request for tougher inspections of foreign ships.

Karl Pulliam thought all vessel should be treated equally.

Bob Shavelson asked if there were other issues about which all agree.

Ed Murphy pointed out he had not mentioned the most important one, better charts.

Bob Shavelson noted there was no disagreement from the panel. He asked Captain Murphy about charting voluntary traffic lanes.

Ed Murphy said the lanes are beyond the 10 fathom curve ordinarily and the problem occurs in nearshore waters

approaching the berths. Surveys are needed south of the Nikiski Dock and on the approaches to Anchorage. In these areas lanes are not appropriate.

Question #13

Jack Cushing noted that with the way appropriations work, getting funds for a vessel of opportunity would be less likely than contracting with the private sector to provide a response capacity. He asked what the panelists thought the downsides were of someone from the private sector bringing forward a proposition to CIRCAC.

Karl Pulliam suggested it would be better to rely on local knowledge, like that of Anderson Tugs rather than going through an RFP process.

Ed Murphy noted it is outside the purview of CIRCAC nor do they have the money to contract with the private sector. The private sector, he said, can provide anything money can pay for, but CIRCAC isn't in that business.

Loren Flagg agreed that it would be outside CIRCAC's realm, but he envisions CIRCAC putting out an RFP for the design of the best vessel to fit the needs of Cook Inlet. If there would only be one capable of assisting a laden tanker, what would it need? He suggested it would need reasonable speed and it would need enough power to assist the maximum load.

Jeff Richardson said he saw nothing inherently wrong with the idea and stated that it is necessary to remain open to a lot of ideas. Options should be subjected to analysis to determine the benefit they would provide. He was not disagreeable to dealing with the private sector.

Carl Anderson, Anderson Tugs, remarked that there isn't enough movement in the lower inlet to justify stationing a tug of opportunity there. If the RCAC could bridge the connection with the government to get enough money to justify it then their company would jump on it. He opposes the RCAC designing a tug, and recommended the tug boat operators were in a better position to put the equipment together. Presently

there just isn't enough money to support a tug. He challenged the participants to muster the backbone to get the pilots their range light and their charts.

Karl Pulliam noted there have been funded pilot projects throughout the years. Perhaps such a demonstration project in lower Cook Inlet could be arranged for a response vessel. He suggested 470 funds as a source. There are ways to do it, he said, but it would take a lot of direction by those people in positions of power.

Question #14

Bob Shavelson asked the panel to comment on a tanker and crude database, so that if a vessel failed to meet certain standards it would be prevented from doing business in the Inlet.

Jack Cushing stated the Coast Guard does have such standards and it keeps a comprehensive database with a complete accident and incident history on both foreign and U.S. ships that call on U.S. Ports. If a ship has been involved in too many accidents they are not allowed into port.

Captain Bill Hutmacher, Captain of the Port for Western Alaska, said the Coast Guard has an extensive program for keeping track of the operating and inspection histories of the U.S. flag fleet which is tracked from construction onward. The foreign fleet is monitored through the Port State Control program through which is traced the history of the vessel's operation in the U.S. along with its overall history regarding operations and casualties. Decisions are made every day whether or not to take a closer look at a specific vessel and whether to allow them to operate in the inlet. He gave an example of a vessel with casualty history which was placed under additional operating restrictions. There have been some good lessons learned, and there is no question that foreign spot charters need to be looked at closer with respect to winter operations and the crew's suitability for operating in a cold environment.

Bob Shavelson asked about the public's right to know about vessel casualty and other data.

<p>5:00pm</p>	<p>Captain Hutmacher said information is available at the Coast Guard internet site psix. Any vessel's history including boarding reports and other status can be obtained there. The public is welcome to call the Coast Guard when they have questions about individual vessels.</p> <p>Bob Shavelson asked about a schedule when the vessels would be transiting and about their cargo, besides the traffic listing in the Anchorage paper each week.</p> <p>Captain Hutmacher said to determine what is in the Sealand and Tote ships go to Carrs and Fred Meyer's. There are cement ships and product carriers bringing in jet fuel and gasoline into the Port of Anchorage. Each ship carrying hazardous materials has to provide the Coast Guard with a manifest. He said he is interested in knowing how people would want more specific information presented.</p> <p>Tim Plummer, Tesoro, asked for recognition that a rescue tug would meet the needs of all shippers, but the RCAC is by OPA '90 mandate restricted to the oil industry. RCAC's role in the effort to obtaining such a vessel will therefore have to be somewhat tempered. He's not sure it is appropriate for the RCAC to take the lead role.</p> <p>Forum Adjourns</p>
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September 10, 1999

<p>8:30am</p>	<p>Keynote Speaker Senator Drue Pearce President, Alaska State Senate</p> <p>Senator Pearce opened by expressing appreciation for being invited to speak about prevention, mitigation and the safety of ships transiting Cook Inlet. She mentioned she appreciated the tone of the conversations during the first panel discussion, because people were focused on the issues and not on personalities. They were willing to acknowledge experts and work for consensus amongst user groups and affected parties to</p>
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decide what is best for Cook Inlet, and then to move forward on those issues. She recognized the difference from the way things were done in 1989-1990.

In 1988 she was first elected to the Senate. It's kind of a free-for-all every two years, she said, in the way the legislature is organized. In 1988 she supported Senator Tim Kelly to be Senate President. He, in turn, appointed her to both a seat on the Finance Committee and the Chairmanship on the Special Senate Committee on Oil and Gas. The only big issue before them at the time was the Economic Limit Factor until the Exxon Valdez oil spill. The Special Senate Committee had jurisdiction over all oil spill bills. She arrived in Valdez along with Mike Navarre, then Rules Chairman of the House, less than a week after the spill.

One of the first bills passed by the House Resources Committee and Senate Committee on Oil & Gas was a bill setting up the Oil Spill Commission which was charged with coming back with recommendations for response by the state and other entities. The template for that commission was the one set up by NASA after the Challenger accident. Senator Drue Pearce hired David Rogers to staff the committee. He is now working in DEC and will be valuable if there is a need to change contingency planning bills or those setting up depots and the 470 fund, rewriting the 2¢/3¢ or work on the planning standards or identify risks of major events in Alaska.

BP sent a mariner with an unlimited Master's license from Cleveland to Alaska to write the emergency spill plan to allow them to continue shipping oil after the accident. He later became Alyeska's Vice-President for environmental matters and set up SERVS. He is her husband and now sits on the Chugach seat of the Prince William Sound RCAC. He worked with Senator Murkowski in Washington, D.C. on the language of the bill which sets up the RCACs in federal statute, based on SOTEAG, the advisory group for the Sullom Voe terminal.

Mr. William's observation about the difference between SOTEAG and Alaskan RCACs is that it is not based in Sullom

Voe, it has a more academic bent, and it doesn't include special interest groups though it does have representatives of the actual communities. The interest groups come to them to ask questions and give advice. SOTEAG does not have either the sunshine laws nor the open meetings laws. They go behind closed doors and fight through the issues, but once they reach a consensus they all stick to it. No groups splinter away and litigate. This is a very important difference, and is one of the reasons why certain stakeholders have lost credibility. The Governor called together a stakeholder group which reached consensus, but later individual members went to court because they felt they did not get their way.

As one of the outcomes of the Oil Spill Commission report the marine piloting laws were written. The pilots are licensed by the state. Senator Pearce became the Chairman of the Labor and Commerce Committee which undertook that rewrite. Since getting involved in pilotage issues she has done transits on cruise ships, container ships, and gas ships in Cook Inlet, out of Seward and in Prince William Sound. She has also ridden aboard the SERVS vessels. She has done a C-10 in and out of Dutch Harbor; been across the San Francisco bar on a container ship; toured and ridden a ship in Puerto La Cruz and Maracaibo, the two biggest ports for oil and petroleum products in Venezuela; been on ships in the Houston ship channel; done the loops in the Gulf of Mexico; been to Sullom Voe, driven a tractor tug; been to South Hampton and seen all the equipment; and been to the largest petroleum terminal in Norway and on the east coast of Mexico. Next month she will go to British Columbia where she will ride with the pilots aboard some of the BC ferries.

She stated, after hearing the concerns of the first panel, that there isn't consensus about what is needed in Cook Inlet. There is still a lot of emotion involved when talking about possible accidents. She believes accidents will happen and that prevention is the key. Accidents are usually caused either by human failure or mechanical failure which is then most often exacerbated by human failures. Although the Kuroshima event was certainly devastating for the Dutch Harbor area it isn't necessarily

appropriate as a comparison for what might happen in Cook Inlet. The Kuroshima stayed outside compulsory pilotage areas in Dutch Harbor on purpose, to save money. There wasn't a pilot aboard. They went to an anchorage that wasn't safe to save money. Then when they got in trouble due to the storm the pilots could not get on board to do anything about it and the people aboard the ship made some extremely bad decisions, making the entire situation worse. They didn't make the right moves to save the ship after they had put her in a place that was going to put her in danger. The risks in that area should be analyzed as to whether they represent the same sort of risks inherent in Cook Inlet. Pilots are required from the Pilot Station all the way north in Cook Inlet. So the Kuroshima incident is not really directly attributable. Senator Pearce charged the forum to analyze actual risks, not by referencing other accidents elsewhere, but by looking at Cook Inlet specifically.

It was mentioned often that Prince William Sound has so much equipment and it is as if Cook Inlet is the stepchild. A lot has happened in Cook Inlet: CISPRI, depots, agreements between the state and municipalities, trained people, some vessels put by DEC on long term standby to help with clean up in the event there is a spill. There seems to be a tendency to forget these things. Cook Inlet hasn't been the focus because it doesn't have any place with such low tolerances as those found at the Valdez Narrows where fully laden, very large crude carriers are going through with 600 yards between the shore and a rock. It was the Valdez Narrows that drove the systems put in place in 1977 and that drove the systems in Prince William Sound today. Cook Inlet does not have the same sort of obstructions, and that, quite simply, is why it hasn't received the same attention.

Now that Prince William Sound has been taken care of it is time to look at other areas of the state, but not to immediately expect all the systems as they are established in the Sound. The primary transits in Cook Inlet are not crude oil or petroleum. The traffic is different, raising the question of who is to pay

along with what is the best planning and what standards should be planned for as well as what is actually needed.

While people won't allow oil in the water they will allow planes to have flameouts of all engines because of birds, resulting in the loss of life. Then they will fight to stop getting rid of wetlands near airports which attract the waterfowl who get into the engines and cause the flameouts. This is an interesting irony. People are unwilling to take risks with ships but are willing to take them with airplanes. In Senator Pearce's opinion all shipping needs to be taken into consideration when making decisions, including passenger, cruise ships and ferries, the trade outside the crude, Sealand and Tote, as well as the pipelines. That is outside of the RCAC's purview, by law. The stakeholders can, however, empower ADEC and themselves to do the planning, make decisions, and go to the proper authorities to make sure they happen.

After the first visits to Sullom Voe following the Exxon Valdez Oil Spill, everyone felt the need to have tractor tugs. Yet in Sullom Voe the tractor tugs only take the ships from the dock where the terminal is. They don't take them out to open shipping lanes. While tractor tugs are fancy, and they cost a lot of money, frankly, she said, they're big toys. They're fun to go around on, but it's debatable whether they are the best available technology. Pilots disagree on this point. They are a good tool. But there was a pre-ordained push to have them in Prince William Sound and she cautioned Cook Inlet stakeholders against developing a pre-ordained decision without a true risk analysis. Although it would be nice to have one is it the best way to mitigate the risks, which are yet undefined?

The state doesn't have primary control of many of its waters and much of the shipping because some of it is done outside of state waters. Therefore the state cannot force pilots on every ship in state waters, under state and federal law. Under International Maritime Law unless and until a ship allows an assist vessel to come help it no one can go out and start pushing the ship around no matter what the situation is. Extremely elaborate legal agreements have been signed within the shippers group in

Prince William Sound, because international salvage laws say that the minute a salvage tug puts a line on the salvage company owns the ship and its contents. Neither Sealand or Tote nor Holland America or Princess nor any other shippers in Cook Inlet are going to allow a vessel to just throw a line on under any perceived emergency. The international laws need to be looked into. Just having an assist vessel doesn't get the assist which is thought to be needed in the situation which is feared may happen. The grounding of the Braer was probably caused because the ship owner would not allow the salvage vessel on site to put a line aboard and keep the ship off the rocks. The same thing happened with an Amoco ship.

In Senator Pearce's opinion the group needs to empower DEC to make decisions to bring to the legislature to try to do the things that can be done at the state level or to try to get the federal authorities to do the things they can at their level. No one is going to change international law. Cook Inlet needs a comprehensive risk assessment, she said, because just having a stakeholder group deciding what is needed will not get the attention of the authorities who have to pay. It will take a statistical risk analysis which identifies the top threats and the best way to reduce and mitigate them. Emotions will not make it happen, she stated. It will take a comprehensive risk assessment. She thinks everyone will be surprised to find out what the actual risks are.

If and when a risk assessment says a standby vessel is needed she thinks the money should come from EVOS as it fits under the definition of what those funds can be used for to mitigate the affected areas, of which Cook Inlet is one. The problem that will remain is who is going to own, operate and maintain said vessel? The 470 fund has \$50,000,000 for use by the state to respond to an incident. Money recovered from responsible parties replenishes the fund, according to law. However, the rest of the fund was earmarked for other responsibilities falling to DEC including depots, training, operation of spill prevention, cleaning up leaky fuel tanks, and concerns on rivers and coastal areas. The fund is acquired through a 5¢ tax on the throughput

of TAPS. That throughput has been below a million barrels a day a number of times since the beginning of the year. When the 470 fund was established the throughput was 2 million barrels a day. The income has been reduced by half, stretching DEC's budget to accomplish their work. She advised the group not to look at the 470 fund as an answer. Revenues for the State of Alaska are down because production is down on the North Slope. There are a lot fewer tankers going out of Prince William Sound. This affects the financial future of the state.

Senator Pearce also pushed the Port Authority bill through the legislature and she believes this might be a good avenue for Cook Inlet as it would allow overriding authority over the waters of Cook Inlet, and the setting up of way to fund mitigation throughout the waters. She added she is concerned about Seward which has high traffic and low tolerance because of all the pleasure boats, large ships holding bunker fuel and interesting cargoes. The Port Authority would include Resurrection Bay because Seward is part of the Kenai Peninsula Borough. A Port Authority presupposes all users would begin to pay for the mitigation of threats for shipping accidents large or small. She listed the steps that can be taken: working with the federal authority to get the current gauges and charts and surveys; determining which legal authority needs to use imminent domain to get the land to put in a Nikiski range; putting a camera in a location useful to the pilots rather than one which will not be. She echoed Karl Pulliam who spoke about allowing flexibility in the c-plan reviews for the sharing of resources between Prince William Sound and Cook Inlet. However, the legislature tied DEC's hands at the request of the constituency, because the people wanted everything on site. Perhaps it is time, she suggested, to allow DEC to broaden their purview and allow the sharing of resources. This would require the Prince William Sound RCAC to be willing to help out and give up a little bit of equipment. It's something to look at rather than continue to think of Cook Inlet and Prince William Sound as completely different systems.

She continues her oversight over the marine pilots. Exxon Valdez criminal settlement money was used to fund the database for a simulator system for Alaska waters. The Board of Marine Pilots will be taking possession of that system some time this year and will hopefully then institute a currency training regime for Alaska Marine Pilots, as is required for aircraft pilots. She hopes the RCACs will support this work. She will speak to the western group of the American Pilots Association about currency training next month. It's evidence that we haven't reached complacency, she said, that Alaskans are still looking for better, safer ways of doing things, keys to prevention and how to implement them. Admittedly, requiring extra pilot training will have a cost which will be borne by all, but it's the right thing to do, she declared.

Prevention is the key. But until there are specific requests based on a comprehensive risk analysis done in a scientific way, it will be difficult to reach the goals set. Senator Pearce pledged her willingness to work with the stakeholders, because she cares about having safe transportation in Cook Inlet. She doesn't believe that term is an oxymoron because she believes the system is working though it can be made better, and she said she is willing to work with the group to make that happen.

Panel # 2 Participants (Bio's in Appendix A)

Moderator, Ms. Michele Brown
Commissioner, ADEC

Mr. Tim Plummer
Senior VP, Tesoro

Capt. Mike O'Hara
Southwest Alaska Pilots Assoc.

Mr. Ted De Boer
Alaska Operations Manager, TOTE

Capt. Bill Hutmacher
USCG, MSO Anchorage

Mr. Jim Fernie
Manager, LNG Marine Operations
Marathon

Mr. Ken Castner
Commercial Fishing

Mr. Doug Lentsch
General Manager, CISPRI

Mr. Glen Moyer
Sealand Services

9:00am

Panel #2 – Spill Prevention for Cook Inlet, “What are the Solutions?”

Moderator, Ms. Michele Brown
Commissioner, ADEC

Moderator Michele Brown thanked Senator Drue Pearce for her inspiring speech, Jim Carter and the CIRCAC for organizing the Forum and the panelists for their participation, then addressed the audience and panelists stating there are no simple solutions. Everyone has a different view of the problems and solutions. By actively listening all will expand their understanding and can move closer to solutions. Although there have been improvements in the safety of transportation, the job is not done. All must continually strive to guard against the curse of complacency and to keep in mind that spill prevention is the top priority.

In commemoration of the 10 years since the Exxon Valdez incident DEC developed a list of top ten prevention and response issues they believe still need attention: combating complacency; incorporating best available technology into contingency planning and response strategies; completing the conversion to double hulls and improving vessel design; developing better prevention and response capabilities during ice conditions; figuring a way to include freighters, cruise ships and non-tank vessels in the safety net for prevention preparedness and response; continuing a strong effort focusing on human factors by drilling, drilling, drilling; improving the incident command systems so that when needed they work very effectively and efficiently; improving non-mechanical response systems and methods; standardizing methods, terminology, and equipment in prevention and response industry so that they're all interchangeable; and bridging the gap between science and response by taking the data collected and making it meaningful so that response is targeted toward the most critical areas.

DEC identifies two of the biggest issues in Cook Inlet, among that list of ten, as how to get the unregulated vessels into the safety net and improving response operations in ice. A lot of

research is being done on equipment in the Beaufort Sea, Cook Inlet and other water bodies.

Summarizing what has been achieved in Cook Inlet, Ms. Brown pointed out that through CISPRI Cook Inlet has a three day / 50,000 barrel response planning standard capability and the escort response assist vessel Heritage Service is at CISPRI's disposal. This vessel has been tested with crude oil tankers much larger than any operating in Cook Inlet and is capable of towing and turning the tankers in an emergency assist situation. A second spill co-op, Chadux, is also operating in the Inlet. Other response equipment is in place throughout the peninsula and an agreement executed with the Kenai Borough is in place to operate that equipment and deploy resources in the event of a spill. She thanked Mayor Navarre for his leadership in having this agreement put in place. Additionally, there is a general Cook Inlet response plan and the second tier is underway creating Geographic Response Strategies. These will develop very site specific information and tactical strategies for critical areas. Prevention and response drills and exercises in Cook Inlet have now become accepted as a part of all our daily lives. There are other significant improvements. The Cook Inlet Regional Citizen Advisory Council helps to get the area the kind of attention it needs.

Recognizing a lot has been done, there are still gaps. There are remaining risks to address which is all part of continuing improvement. Efforts to date have been targeted on what has been perceived to be the biggest risks: crude oil tankers, platform blowout or pipeline leaks, non-crude barge or tank vessels, vessels carrying bunker as fuel, vessels carrying non-crude as fuel and shore-based facilities. DEC continues to focus their efforts along with Tesoro, the Coast Guard and the pilots to make sure there are safeguards in place to prevent another ice incident similar to what happened last winter. Ms. Brown asserted that we must be assured there will not be any more problems imposed by ice, so that's a constant effort to upgrade the conditions under which vessels will travel.

There are about 40 laden tanker transits a year in Cook Inlet, but there is less Alaska North Slope crude being transported in favor of lighter crude. The lighter crudes not only enhance the refining process but actually lessen impacts if a spill occurs. There is also consideration of a pipeline option which will lower the risk of a marine incident. The largest unregulated threat in the Inlet are the freighters, container ships, cruise ships and other vessels carrying bunker or heavy oil as fuel. Some of these vessels can carry as much as a million gallons of bunker. They pose a threat to the resources that equals the threat posed by many vessels that are currently required to have contingency plans, to show financial responsibility and to be part of the spill co-op. It may be necessary to look at legislation that requires prevention and contingency planning for these vessels. A Port Authority would enable locals to track vessels, charge fees and establish rules for navigation and safety as it makes sense for that particular port.

Knowing which risk is the biggest and which is the best way to reduce that risk is not an easy or straightforward task. There is a lot of information which has already been gathered but there has yet to be a systematic, scientific, rigorous analysis of that data to help focus efforts to identify and then effectively mitigate the major risk. That is the task, she said.

Mr. Tim Plummer
Senior VP, Tesoro

Tim Plummer, Tesoro, informed the audience that Tesoro is refining 50,000 barrels of crude oil per day. Cook Inlet production provides 60% of the need, about 3/4 of it is brought to Nikiski from Drift River with the other 1/4 arriving by pipeline. Roughly 20,000 barrels of foreign crude is brought in to satisfy the rest of the need. Tesoro is using lighter crudes because they match better with the downstream needs for jet gasoline and diesels. Tesoro had been bringing in North Slope crude but it became economically unfeasible. The main competitor obtains their crude off the pipeline and puts the residual back in the pipeline, but Tesoro must ship most of the

crude oil and ship out most of the residual as well. They must therefore look for every opportunity to be competitive.

Much of the refined products are sent to Anchorage by way of pipeline, trucked locally or barged to western and southeast Alaska. The residual oils are typically sent to the west coast. There is a small bunker market in Alaska and Tesoro sells some asphalt in summer. They also sell FOB at the dock to other companies. Occasionally they bring in a shipload of jet fuel.

Two American flag ships, the Chesapeake Trader and the Potomac Trader carry Drift River crude to Nikiski. Additionally they haul residuals to the west coast and occasionally take diesel to Alyeska in Valdez. Tesoro uses a U.S. flag barge to take gasoline, diesel and jet fuel to western and southeast Alaska. For additional crude requirements they have used the two Traders to transport crude oil from the Anacortes refinery, but they primarily charter foreign flag tankers to bring in crude oil.

Mr. Plummer heads the marine group at Tesoro and they arrange all of the tankers and barges for all of the businesses in Tesoro. He is directly involved in any term commitments. The spot charters are arranged in San Antonio or by a connection in Singapore. (Tesoro is familiar with the barges and know the companies among the U. S. ships, however it is impossible to have that same level of knowledge and better understanding.) Time charters then are thoroughly vetted and research is done to understand the owners. Tesoro has a special arrangement with Broken Hill Proprietary in Australia who is readily available to vet a ship and verify its suitability before it is chartered out of Singapore. Additionally, Tesoro subscribes to SIRE, Ship Inspection Report, organized by the Oil Companies International Marine Forum based in London. With all of the attention to tankers, based on the Exxon Valdez oil spill, the major oil companies were constantly having tankers inspected. Now inspection reports are submitted to SIRE and are available in the database. Other major oil companies share information on the ships and there are companies who do ship vetting as a profession. There are Tesoro employees who can inspect also.

Once Tesoro has all of the information and feels it can make the decision that it's a ship they want to use there are two levels of approval, first at the corporate side of Tesoro Maritime Company and then at the terminal, to verify the ship will fit at the dock at meet the requirements of KPL. Beyond that the Coast Guard, state, and pilots have to approve and the RCAC is provided with the information.

A Marine Superintendent based in Anacortes attends each of the foreign ships to insure things go smoothly and provide an evaluation of it while it is in Alaska. Although Tesoro is a small company, within the Marine Group there are four master mariners, two who have served time as mooring masters, one has tug master experience and one is a retired Coast Guard officer. They have a significant level of marine expertise that comes into play in making these decisions. The Chesapeake and Potomac Traders were chartered in 1995. Both are double bottomed to add a level of protection. Tesoro is a 65% participant in CISPRI. Mr. Plummer managed the SERVS fleet in Prince William Sound which had included the Heritage Service. It is a capable vessel for towing any tankers coming into Cook Inlet.

The company organized the Marine Group as part of Tesoro's commitment to be sure all marine operations are properly handled.

The ice guidelines are actually Tesoro's guidelines. The company met with pilots, the state, Coast Guard and the owner and operator of the Chesapeake Trader to work out ways to comfortably move ships safely in severe conditions. For instance, the ship will be loaded hydrostatically so that if there is impact on the forward end from ice no oil will be released. Pilots were assured they can request overflights to familiarize themselves with the ice conditions. Another feature of the guidelines is having two pilots on the ship to be sure there would always be one available.

Pilots are the local experts, Mr. Plummer agrees, and his company relies on them extensively for their input. Tesoro has declared that if they require tug assistance, it is not a problem.

When tides are lower than normal, and therefore the currents are low an assist has been requested in the past.

When the Chesapeake Trader charter expires in May 2000 it will be replaced with a new double hull tanker. The Potomac Trader goes off hire next year and will likely not be replaced since one ship will suffice.

Mr. Plummer spent about 8 1/2 years in Prince William Sound and understands the differences between the Sound and Cook Inlet. The largest ships going into the Sound are 265,000 dead weight tons and they carry about 1.8 million barrels. In contrast the largest ships coming into Cook Inlet are 72,000 dead weight tons carrying about 500,000 barrels. Due to the contingency plan requirements they cannot bring in a ship with greater than 500,000 barrels because that would exceed the response planning standard. Additionally, the actual volume of oil moved is markedly different. TAPS is moving about 365 million barrels of oil a year, whereas Tesoro is moving about 15 million barrels of crude oil per year in the inlet. Tesoro knows the environment in Cook Inlet is just as important as anywhere in the world, and an oil spill would be devastating to them as a small company.

There is sometimes the tendency to ignore cost. Tesoro is a relatively small company, though they are the largest presence in the inlet. Cost benefit is a real aspect to be considered. Oil companies are required to have contingency plans, response capability and salvage and firefighting capability. The seven companies supporting CISPRI pay to have the Heritage Service in place just in case they need it. They are concerned they will also be expected to increase the prevention and response capabilities in Cook Inlet, but do not think it's fair.

Tesoro would like to see a new survey by NOAA, as Captain Murphy requested, along with the range light at Nikiski, and have the camera placed on the Unocal dock. These are projects the RCAC can accomplish effectively. The PWS RCAC worked to establish weather buoys at Bligh Reef, at Mid-Sound and at Hinchinbrook Entrance all accessible by computer or the NOAA weather station.

Everyone needs to continue listening to the local experts, the pilots. It is clear that the benefit of assist tugs is questionable as is the benefit of traffic lanes.

All who could benefit from the prevention and response capabilities needed should be participating appropriately and supportive so that the full stakeholder group is involved in properly identifying the risks to be addressed and how best to address them. Without that process consensus can not be reached regarding what is needed to increase prevention in Cook Inlet. A risk assessment provides focus, and allows the process to move forward from everyone promoting their own opinions.

Mr. Ted De Boer
Alaska Operations Manager, TOTE

Ted De Boer, TOTE, stated that the Exxon Valdez tragedy heightened a keen sense of prevention awareness and appreciation to adhere to the best practices of seamanship, marine management and regulatory oversight by all those involved in the maritime trade. The enactment and profusion of marine regulatory initiatives on the Pacific coast in recent years, combined with their rigorous enforcement have sent a strong message to all domestic and international carriers. There is now a clear understanding by such carriers that the Pacific coast is no place to send an ill-maintained vessel overseen by inexperienced crews and officers. The United States Coast Guard statistics reflect this improvement in vessels transiting our waterways. Their statistics show a decline in the number of vessels that meet the high or very high overall risk threshold in their risk screening matrix. The Coast Guard has made great strides with its Port/State Control initiative, as evidenced by a soaring detention rate that has gone from 16 vessels in 1992 to 450 vessels in 1997. This is an increase of nearly thirty-fold in six short years. It reflects a great stridency in enforcement and review rather than a further deterioration of vessels visiting our shores. Nonetheless, more emphasis on Port/State control would lead to even better spill prevention. The Coast Guard reported that from 1969 to 1993, by nearly every measure, the volume of oil spilled in U.S. Coastal waters has steadily declined over the period of this

report. The same report concludes that the decline in spill volume, in the face of growing domestic demand for imported oil represents an increasingly effective campaign of political, economic and regulatory interest to protect U.S. coastal waters from oil pollution. The fact of the matter is that time, money, attention and vigilance we have devoted to this issue has paid off. The resulting reduction of spills is not an accident.

TOTE is a non-crude carrier. They transit Cook Inlet with three vessels, varying their schedules from three per week from early spring until late fall to two per week during the winter. All the vessels are double-hulled and have ice-strengthened hulls. Cook Inlet is important to TOTE, the livelihood of every employee depends on it. The Tacoma to Anchorage market is the only one they serve. Safety of navigation is a number-one priority with the company and TOTE, he said, is a responsible user of Cook Inlet. They had emergency policy procedures in place before the Exxon Valdez incident and prior to the formation of the RCAC. The policy and procedures for emergency response and management are on file at the MSO office in Anchorage, at the Port of Anchorage and in Washington, D.C. with the U.S. Coast Guard.

TOTE also was a major active player in the largest spill drill ever held in Cook Inlet sponsored and directed by the U.S. Coast Guard National Response Center. The entire Egan Center was used for this drill. The incident involved a TOTE ship rammed by a U.S. Navy vessel near Homer, resulting in a spill of about 2300 barrels of bunker. From incident to emergency response the financial responsibility was tested. The RCAC had two observers at that meeting and CISPRI was an active participant.

The company spends large amounts of money to equip the vessels with state of the art navigation and collision avoidance systems. Back-up and redundancy are stressed on the bridge as well as in the engine room. TOTE along with Sealand Services and other shippers were the driving force to effect the funding and dredging of Knik Arm Shoal to make navigation of upper Cook Inlet safer. TOTE is a carrier of consumer goods, and in closing Mr. De Boer noted any measures and their attendant

cost will be borne by the Alaskan consumer whose costs will rise as carriers will be forced to shift the cost burden of redundant safety measures onto the price of transporting consumer goods.

Mr. Jim Fernie

Manager, LNG Marine Operations, Marathon

Jim Fernie, Marathon, read from his company's Environmental Safety and Protection Policy which stated it is his company's policy "to provide the necessary support for its vessels and shoreside offices to assist them in meeting and exceeding the goals established by the International Safety Management Code. The goals are consistent with the company's safety and environmental protection objectives: 1) to ensure the safety of its personnel as a primary concern by providing safe conditions and practices in ship operation, and a safe working environment. The safe conditions and practices will additionally ensure the protection of company assets and property and the environment; 2) prevent damage to the vessel and property by identifying risks unique to this operation, and establish some procedures to address these risks; and 3) ensure the protection of the environment through implementation and maintenance of a management system with the intention of continually improving efforts related to the health and safety of its personnel and assets as well as the environment. The company's safety management system will ensure that the applicable rules and regulations, as issued by the Republic of Liberia, U.S. Coast Guard, and Maritime Safety Agency of Japan are understood and followed. Additional industry guidelines, codes and standards will be followed to ensure that vessels are maintained and operated with the goal of providing safe and pollution free transportation of LNG. Sufficient resources are provided by the company for meeting the goals of enhancing crew safety, avoiding damage to the environment and reducing property losses."

The International Safety Management Code came into effect in July 1998. It deals with more than the safety requirements on board the vessels, but also with the safety requirements a company's management must maintain to meet the

requirements in the areas where the ships operate in. Marathon made the commitment to meet those requirements prior to the beginning date, and became certified in June 1997. Marathon has not been standing still where safety has been concerned in Cook Inlet. They built two new LNG vessels in 1993 when the contract was extended with the buyers in Japan. These vessels have a larger capacity, the bow thrusters have greater horsepower, and greater rudder size and range of motion (to 45°) making the vessel more maneuverable. The bunker tanks were moved to a double hull position high in the engine room. The cargo control room was consolidated with the navigation bridge. A tension monitoring system was added at the dock which allows the officer on watch to look at a monitor showing what the tension is on every line tied to the dock to alert him when conditions are changing and provide him with information needed if an emergency procedure became necessary. Marathon replaced the bunker loading hoses with a Chiksan* arm to further increase the safety of moving the bunker fuel purchased from Tesoro to help augment the use of the LNG on board for propulsion.

During conditions of heavy ice and high tides Marathon will stop loading and in some cases disconnect the loading arms for a quick dock departure, if necessary. During Cook Inlet transits they have three officers and a pilot on the bridge and three engineering officers in the engine room. The pilots and officers are provided with the best espresso and cappuccino in the northern hemisphere, Mr. Fernie quipped.

In closing Mr. Fernie said Marathon navigational safety is not an oxymoron, it is the most important job they have while in Cook Inlet. If through their own shortcomings they do not address all of the issues that affect the safe navigation of their vessels and therefore lose a cargo he and others lose their job. They do not take any chances with the vessels. If conditions prevent them from meeting their schedule they follow through accordingly with the appropriate procedures because navigational safety is important to them as members of the Cook Inlet community.

Capt. Mike O'Hara
Southwest Alaska Pilots Association

Captain Mike O'Hara, SWAPA, expressed that the pilots have frustrations with the RCAC and with industry, though they feel the industry is more responsive because when they've had a problem the industry has fixed it. However, although he has informed the RCAC that a bridge based vessel tracking system is in place since the pilots have check-in points along the route and the shippers are aware of each others position, the issue keeps arising as if he's been talking into the air.

The pilots were apprehensive about Tesoro's idea to bring in foreign ships. They were concerned the crews and ships would be of lower standards, but the crews have been well trained and the ships are well equipped. The communication skills are mostly acceptable, and if they're not the pilot puts them to anchor until an interpreter can be found.

In Captain O'Hara's estimation traffic lanes are anti-safety, he said. The fishing traffic will follow the fish, irrespective of the traffic lanes. Ice moves with the wind, tide and current. So a pilot could be limited to a traffic lane under ice conditions with ice free conditions available outside the lane. Good intentions have to be tempered with marine experience, he stated. Captain O'Hara wrote a letter of support for placing the experimental camera on the Dillon which was one of three positions offered. Although he had suggested placing a camera on the Unocal Dock there is a mooring station at the south end of the dock which might create a conflict with the winches and personnel working them. The camera is a good idea, but since there is only five hours of daylight in the winter he said he doesn't expect to get a lot of information. There will be obstructions to the vision, as well. If it turns out to be a feasible project a camera might be placed somewhere on the Nikiski Docks.

Mechanical failures was identified as one of the causes for accidents and Captain O'Hara said they can be solved by vetting vessels sufficiently, having the Coast Guard inspect them and by pilot observation. The pilots have the option of turning a ship

around if there is something they don't like, because their primary job is safety.

The best way to solve the human factor as a possible cause of accident is to have the best trained pilots as possible. Captain O'Hara claimed Cook Inlet has the most arduous training program in the country. Additionally the crews must be vetted, and must be able to adequately speak English as a second language.

Weather is a factor which has to be dealt with in Cook Inlet, the Captain acknowledged. The pilots are aware of the ice conditions under which certain ships can operate. The LNG ships have ice class hulls and can handle more ice than other vessels. There are significant tides and currents in Cook Inlet, yet the pilots perceive the current as a friend because they use it for docking at Nikiski. They wait for the tide to come up over the Knik Arm Shoal to bring a ship in.

The Dickson Report was prepared by a man with no experience in Cook Inlet, which frustrates the pilots. He was contracted by the RCAC and Captain O'Hara believes the report represents the pre-ordained solutions Senator Drue Pearce warned against. The Captain said a Risk Analysis must be started from scratch.

Communication with the fishing boats presents a problem for the pilots. The risk of a collision in the inlet between ship and ship or ship and barge is insignificant, he said, because there is so little traffic and the inlet is so wide. It doesn't get narrow until the Knik Arm Shoal. Because of the bridge-based reporting system the shippers all know where each other is, but the fishermen do not monitor a single channel so the shippers have very little communication with them. Sometimes the radar looks like it has the chicken pox there are so many fishing vessels which are essentially 1200 feet long with their nets extended. The shippers have to determine from miles away whether they are a bow picker or a stern picker in order to know which way to pass them. But when they call on the radio there is no response. He suggested the RCAC might help to alleviate this problem.

Captain O' Hara demonstrated using a chart that if a vessel loses power it can anchor anywhere north of 59°20 N, with the exception of Herring Point, in the neighborhood of the rigs because of the pipelines and within a five mile radius of Seldovia and Coal Point. The current runs parallel to the shore. The Captain recommended a route of 090° coming into the Homer Spit if a vessel loses power or steering. Now the ships stay to the North or South to allow the fishermen the middle. But the best measure would be to maintain a maximum distance from the shoreline on a 090° track. He is not sure a standby boat will be a panacea because in significant wind and sea a standby boat cannot put a line on or get alongside. The best remedy for a ship in distress is to put the anchor down, he maintained. If the anchor doesn't hold, and if a ship lost power at Flat Island with 100 knot wind and a roaring flood it would basically go up the Inlet, and if it were five miles off the beach it would float north at four knots clearing Pt. Pagibshi* in a matter of three or four hours, allowing time enough for a sister boat to arrive. Still putting a line up may be questionable.

Capt. Bill Hutmacher
USCG, MSO Anchorage

Captain William Hutmacher, U.S.C.G., thanked the RCAC for inviting him to participate, saying he has a real interest in safety and his life has been disrupted by past spills. All have an active part to play he said, whether as part of the government, as members of the public or as vessel operators whether in a recreational capacity or as fishermen, tow boat operators or tanker operators.

It is important to have prevention minded vessel and terminal operators that have effective navigational safety and terminal operations safety programs. Additionally there is a need for a pro-active pilot force as SWAPA is. The citizens also need to be strong and involved as individuals and as groups. Their ideas and perspectives are important. It is also important to have the proper level of government oversight to ensure that the waterway users have adopted effective spill prevention measures appropriate for the risks they might encounter.

The Coast Guard has issued numerous regulations to enhance navigation safety and the prevention of casualties. There are a tremendous amount of regulations in place now that apply to the non-tank industry. The Navigation Safety Regulations went into effect in the late '70s and apply to all vessels 1600 gross tons and above. These require navigation underway checklists, tests of steering gears, emergency generators, fire pumps, and radars prior to getting under. The minimum navigation equipment required includes radars, automatic radar plotting aids, and electronic position fixing devices. More specifics were added to the regulations in the '80s with respect to tankers adding minimum bridge watch standing practices, engine room manning, and steering gear requirements for foreign tankers. Recently navigation safety requirements were adopted for tow boats including emergency tow line requirements and other tests required prior to getting underway.

Other regulations under OPA '90 include the gradual phase in of double hulls for tank vessels. Although some companies have been looking for loop holes in the law, the Coast Guard is taking a strict stand on that and are holding the operators to the law regarding phase time. Conversely, other companies are already using double hulls ahead of schedule, and the Captain applauded them for that pro-active protective course. The Coast Guard has issued operational regulations for single hull vessels over 5,000 gross tons including bridge resource management policies and procedures and training of the crews which addresses how the pilot interacts with the Master and the bridge crew. The Captain pointed out this is one of the most important human factors items that can be addressed. For a variety of reasons, in some cases in the past, the failure to communicate on the bridge between the helmsmen or between the mate and pilot has been a direct contributor to significant casualty. This regulation is aimed at promoting the full use of the talents and expertise of each crew member in order to enhance navigation safety. Additionally, vessel specific watch policies and procedures are required, so that oncoming crew members are provided with all the information needed to enhance safety. Further, they are required to survey cargo, emergency tow lines, anchor releasing

mechanisms and mooring lines prior to entry or getting underway. Auto pilot alarm indicators are required. Pilots must be given information on maneuvering performance capability, so the pilot will know how the ship will react with smaller applications of the rudder as well as stopping capabilities. Another OPA '90 regulation allows access to the National Driver Register criminal records to determine the fitness of mariners to hold licenses and documents issued everyday. The Captain said the Coast Guard uses this register every day at the Regional Exam Center in Anchorage, and said it is an effective screening tool.

The Coast Guard is looking into the Automatic Identification System using differential GPS with the regulatory project involved in the proposed vessel traffic service in the lower Mississippi River. It is also being used in Panama and a similar program is under experimental use in Chesapeake Bay. It seems to be a very valuable tool, and Captain Hutmacher believes the International community is moving toward using the technology. It is much cheaper than radar surveillance and provides other ships GPS information on each other.

Additionally, the Coast Guard is conducting a Cost Benefit Analysis of additional tug escort requirements in Puget Sound. The Analysis is also addressing potential safety and prevention measures other than tug escorts. The Coast Guard expects that the Cost Benefit info gathered during this rule-making process in Puget Sound will help evaluate the need for escorts and/or other measures in other waters (including Cook Inlet). In the federal scheme of things "other waters" means all waters except Puget Sound and Prince William Sound. The Analysis is expected to be complete this fall, and then the Coast Guard will convene a panel of stakeholders in the Sound area to review the information to see how they want to pursue.

In all, OPA '90 resulted in over 40 rule making projects that will help break the chain of events leading to a spill.

IMO adopted the International Safety Code in 1993 and Chapter 9 of SOLACE, which makes compliance with the I.S. Code

mandatory for ships. It became mandatory on July 1, 1998 for passenger ships, tankers and bulk carriers. Some companies were in compliance long before and no ships have entered U.S. waters since that were not in compliance. On July 1, 2002 all other cargo ships will have to comply. Non-conformance reporting procedures are included. The Code addresses emergency preparation and response procedures and defines level authority and communication both ashore and on the ship, so there is no question. Internal audits and management reviews are required as well. The Coast Guard verifies compliance with the code by using the Flag/State rule for U.S. flag ships and the Port/State Control program for foreign ships.

The local office issues special operating procedures for hazardous ice conditions in Cook Inlet, otherwise known as the Winter Ice Rules. These require winterized machinery and operating procedures, adequate draft and water over the propeller, verification of the ability of the crew to operate in a cold weather environment (an area of concern with foreign spot charter vessels in the bulk carrier fleet), and a ship inspection at the first visit of the season. This last winter provided real lessons regarding conditions under which the ice forms and when such conditions exist, knowing it causes problems at Nikiski, the Captain said they'll just have to not allow ships to come up the inlet. The Coast Guard will be talking more with vessel operators and terminal operators about the subject this fall.

Accomplishments of the NOAA/ Coast Guard project include real time tide gauges and meteorological stations at the Port of Anchorage and Nikiski and a bathymetric vessel route analysis for the purpose of placing the range light, Captain Murphy referenced, but the landowner has refused access as previously mentioned. A meteorological station has been placed on the Christy Lee Platform at Drift River and one is due to be installed on Kalgin Island. Indeed, much has been done to improve the safety of navigation in Cook Inlet, and the Captain requested all to keep an open mind and continue to forward their suggestions.

Mr. Ken Castner
Commercial Fishing

Ken Castner, suggested three relatively low cost solutions for dealing with a ship in trouble.

1) Make accurate assessments: Tonnage is an arcane method of measuring the capability or potential problems of a ship, as illustrated by the passenger vessels which ran aground in Southeast Alaska with no state pilot or federal pilot because they fell under the 100 T requirements statute. Solutions should be situationally prescribed and not tonnage prescribed, he said. In state law there is a tonnage exception (under 50 dead weight tons) which allows the carriage of oil up and down Cook Inlet without a state pilot on board, so West Coast Shipping was allowed to transit the inlet without a state pilot after the Exxon Valdez oil spill.

Mr. Castner said you can delegate authority but you cannot delegate responsibility. He stated the responsibility rests with all citizens. Huge amounts of authority are given to the Coast Guard and the legislature who in turn delegate it to the Board of Marine Pilots, but citizens need to insist assessments be correct. The assessments need to be questioned because there are various loopholes which allow exemptions.

2) Oil companies need to make the containment of dangerous cargo as part of their corporate policy. To their credit they spend a lot of time on safety meetings to minimize lost time accidents. Contingency plans are compliance documents, and do not really reflect the philosophies of the companies. The companies seem to fear that if they get too creative in their c-plans that they may face rejection, but Mr. Castner said he observes a huge disconnect between what a c-plan says a company might do and what they really would do in the case of a real accident. He would rather know exactly how the company instructs their employees rather than having a c-plan outline a sequence of events which may or may not be true.

3) Requiring qualified pilots aboard the ships, and do more with existing crews under a federal regime. He has worked extensively through the Negotiated Rulemaking process and a variety of federally originated meetings to try to address these issues. The Board of Marine Pilots have been making progress and Mr. Castner acknowledged the efforts of Captain O'Hara and Senator Pearce. The entire state will benefit. The marine sector had been saddled with old maritime traditions of tonnage and authority of the captain. Mr. Castner wondered about the process for becoming Captain of a vessel with so much responsibility after serving in a "Yes, Sir" capacity for so long. He suggested a broader examination of the expanded duties of the captain.

Mr. Castner said he doesn't see why Nikiski was exempted from having normal sorts of port activity and support vessels. He commented that he appreciates the cleverness of the pilots in their method of safely docking and undocking, saying if there was a tug available he thinks they would use it. He was pleased to hear Captain Plummer mention that one would be made available upon the request of the pilots. Congress prescribed double hulls. He quoted legislation, "within six months Coast Guard shall ... and include Prince William Sound ... in which single hulled tankers over 5,000 gross tons transporting oil in bulk shall be escorted by at least two towing vessels". He identified three points: Congress implied Coast Guard should find other areas in the United States where these regulations would be applied, the Coast Guard was told by Congress to apply the law to Prince William Sound and Puget Sound and the third point is that escorting is only required for single hulled tankers so that once they are replaced by double hulled tankers the escort requirements will cease. The fishing community never believed in "puppies on a leash" as they called them. He agreed with the accusation about a pre-prescribed solution. Cook Inlet has production without having the production standards of the North Slope and it has transportation without the transportation standards in place in Prince William Sound. However, that doesn't mean those standards should be applied to Cook Inlet. The standards in Cook Inlet were established in 1964 and with declining oil fields making changes to the

standards is hard. The solution is in a change in corporate philosophy and in the attitudes of citizens to be responsible to take the steps to feel better. Mr. Castner stated that he worries about complacency. He is hopeful there will be recurrency examinations of the pilots in order to reduce the risk of human factors.

Mr. Doug Lentsch
General Manager, CISPRI

Doug Lentsch, CISPRI, thanked the RCAC for the opportunity to participate in the Forum, noting that its importance was illustrated by the attendance of six of CISPRI's funding companies, who are interested and very active in doing all they can to keep oil out of the inlet.

While working on OPA '90 Congress' intention was to make it so costly to spill oil that companies would put their money into prevention. With the decrease in spills it is evident the legislation has been successful. Prevention is the key, because once the oil escapes it creates a lose/lose situation.

CISPRI is a response organization funded by twelve oil companies with the purpose of meeting their contingency plan requirements. Like a fire station, they are ready to respond 24 hours/day, 365 days per year. The companies spend over \$7 million a year to ensure CISPRI's readiness. The Heritage Service is on call and fully crewed at all times, costing about \$2 million per year. The vessel is equipped to initiate a substantial response. Additionally, CISPRI has over 18 miles of containment boom, 10 major skimming systems and over 30 smaller skimming packages that can be moved as necessary. The organizations equipment list includes over 80 barrels of on-water storage capability on barges and other systems, response vessels, contracts with the Monarch and Champion whose response systems are sitting on the dock ready to go. CISPRI has smaller vessels as well and has contracts with over 70 vessels of opportunity. The company spent over \$2 million developing a communication system with the capability of outfitting seven task forces throughout Cook Inlet because one of the main

issues in response has always been communications. Equipment is staged in Anchorage, at Drift River, in Homer, on the Heritage Service and aboard two large barges which can be deployed whenever needed.

The organization has a rigorous training program which includes the vessels of opportunity. Free HAZWOPER and HAZWOPER refresher classes are provided for the crews of these vessels along with people under contract to do bird and small mammal capture and rehabilitation. Dave Blossom is the Fishing Vessel Administrator who works with the vessels of opportunity.

The CISPRI Technical Manual is the core reference document for the member companies' contingency plans. It recently went through the public review process as an attachment to the Tesoro Vessel Contingency Plan.

CISPRI has a bird rehabilitation center in Homer with people on contract to man it in the event it is needed. They have just finished construction on a \$.5 million sea otter rehabilitation center built according to plans approved by the Alaska Department of Fish & Game and the U.S. Fish & Wildlife Service.

The Heritage Service has 7,000 HP, measures a little over 200 feet and is considered an anchor handling vessel having a winch and towing system on board, an ice-strengthened hull and some firefighting capacity. With its open back more fire fighting equipment could easily be taken on. The vessel can tow any ship operating in Cook Inlet. Towing operations are conducted for training purposes. CISPRI is provided with advance notice of incoming charter vessels including information on their towing package. The various vessel plans are kept available at Tesoro if CISPRI should need them. The Heritage Service is available to assist non-member vessels in emergency situations. General maritime law requires a vessel with the ability to assist if it can do so without hazard to itself. Under such instances the owner of the vessel in distress would work through the Lloyd's open form. Mr. Lentsch stated that if the Heritage Service could get a line on a vessel without power at the mouth of the Inlet under high seas it would be able to keep the ship off the rocks for a

substantial period of time, until other assistance could be rendered. The Heritage Service has been called a number of times, but is not competing with the Tug operators.

Mr. Lentsch noted the organization has over 8,500 feet of containment boom, 3 skimmers and a storage barge in Homer. The two major barges, with 70,000 barrels of storage between them as well as response equipment, winter in ice-free Seldovia. They can be called out at quick notice.

A risk assessment is a valuable first step, Mr. Lentsch agreed. Good prevention measures can be put into place based on its findings.

Complacency is a concern, and with corporate downsizing spill response can slide down the priorities list, since they have not suffered a spill for a while. CISPRI's members conduct annual drills to exercise their spill management team in order to meet Coast Guard standards. At least once every three years they are required to exercise the worst case scenario. There has been an increased emphasis on these. The implementation of the Incident Command System has been a real benefit, Mr. Lentsch stated; it allows CISPRI to get better at their job.

One thing that needs to be addressed in his mind is mutual aid amongst co-ops. If there were a major spill, assistance would be needed, if only of personnel, but the way regulations are structured and enforced it would be difficult to do. The co-ops have been meeting together to address issues of mutual concern. It would be valuable to have a method of allowing equipment transfers. This will become even more important if non-crude carriers are expected to have contingency plans.

If the RCAC's purview were enlarged Mr. Lentsch believes the organization would begin to duplicate the Area Committee. The Sub-Area Plan is under revision but it is available as a tool and he recommended using what is in place.

Mr. Glen Moyer
Sealand Services

Glen Moyer, Sealand Services, also thanked the organizers for allowing his company to participate. He explained that all commercial vessels hold two types of insurance. The Hull and Machinery policy covers accidents to those structures while membership in a Protection and Indemnity Club covers oil spill clean-up, injuries, and almost any circumstance. However, the Club will not cover a loss when the company has exerted influence over the Master or Chief Engineer of the ship.

Sealand Services operates three D-7 vessels in Cook Inlet, calling at Tacoma, Kodiak, Anchorage and Dutch Harbor. Above and beyond what is required the vessels have controllable pitch propellers, enabling more maneuverability; they are equipped with bow and stern thrusters; they were designed with no fuel tanks on the bottom (in essence making them double bottomed); and they have an ice band to protect from ice damage. Additionally, they are equipped with oil spill mitigating gear equivalent to that required of a tank ship.

The ships are required to carry a federally licensed pilot or one with an endorsement on their Master's license in order to pilot Cook Inlet. Several of Sealand's Chief Officers have that federal endorsement, which would permit them to transit without an additional pilot but the company chooses not to do that, knowing the inlet's pilots know its waters best.

Besides documenting extensive service on the routes, when tested the pilots have to duplicate the chart from memory including buoys, markers, range, points of land and geographic locations. A pilot's license is difficult to obtain. The typical Master is a graduate of either the federal or a state academy, obtained his Third Mate's license after a five day exam, served on that license for a year and then was tested again for his Second Mate's license, etc. A Master will have been tested for twenty days. It is not unusual to have every deck officer holding a Master's license, Mr. Moyer said, so the people operating the vessels are highly qualified.

	<p>The good part about the ISM code is it removed the ability of the company to say, "I didn't know what was going on, it was the Master's decision." The company knows and is responsible for whatever happens aboard that vessel. Although Sealand is not required to comply until 2002 they did comply in 1998.</p> <p>Sealand's insurance deductible is \$1 million. If the company forced a Master or made a stupid decision that would allow or cause an accident they lose that money. They do not take such loss lightly and therefore think every decision through, because there is too much at risk, Mr. Moyer stated.</p>
	<p>Michele Brown summarized the panelists saying prevention and safety of navigation in Cook Inlet is the number one priority. Although navigation is not inherently unsafe since there is a bridge-based traffic system in place and the Heritage Service is available, there are a lot of ideas for continuous improvement, such as:</p> <ol style="list-style-type: none"> 1) New types of management authority like Port of Authority; 2) Examine new legislation or regulatory changes such as more flexibility in contingency planning and mutual aid agreement. Instituting ways to cover vessels not currently under the safety net of spill prevention, contingency plans and financial responsibility. Assessing the validity of old ways of doing business and seeking more thoughtful and creative criteria; 3) A systematic analysis of the risks and which measures will best address them; 4) A recommitment to improve ongoing efforts such as the Geographic Response System; 5) Ensuring there is no backsliding in the OPA '90 requirements, including the National Safety Code issues;

	<ul style="list-style-type: none"> 6) Continue to press for drills and training specific to the area; 7) Seek to keep controls on the crews and perhaps find ways to improve training for captains; 8) Continue citizen involvement and participation; 9) Improve bridge management and communication with other vessels; 10) Support NOAA's efforts for weather information, charting and mapping; 11) Encourage industry to make strong corporate commitments and culture changes to be sure the priorities are kept in sight; 12) Keep working on the ice guidelines; 13) Determine whether there is a need for new vessels such as standby tugs; 14) Consider identified needs for lights, cameras, Automated Identification System, bridge staffing levels and communication issues among ships. Ms. Brown stated her hope that the dialogue will continue to re-evaluate and improve, always keeping vigilant.
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11:15 am Questions and Answers for Panel #2

<p>Question #1</p>	<p>Jerry Brookman asked Commissioner Brown if ADEC had completed the review of CISPRI's Broken Ice Scenario and if so when the public would be able to see the findings, or when completion could be expected.</p> <p>Michele Brown did not know the schedule.</p>
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<p>Question # 2</p>	<p>Susan Harvey, Industry Preparedness & Pipeline Program Manager, ADEC, responded that the agency is currently reviewing the draft and it would be out for public review shortly.</p> <p>Harold Holtman, Seafarers International Union, reviewed his career as a deck hand, a mate, and sometimes a cook before becoming a Captain. He asked Ken Castner what his solution was if officers should not become Captains by working through the ranks.</p> <p>Ken Castner said he wasn't sure he had a solution but said it was more an observation. Somehow, he said, we need to break away from the old maritime traditions. Although coming up through the ranks is a good way to acquire knowledge, he suggests that rather than one person being the sole decision maker on board the ship the bridge resource management team approach may be superior. There may be a different way to run a ship in 1999 than there was in 1799, he offered.</p>
<p>Question # 3</p>	<p>Mary Jacobs, PROPS, asked Captain Hutmacher about the rescuing vessel owning the boat being rescued. She asked how safe double hull and double bottoms are, since the New Carissa bunker fuel was in tanks in the double bottom. If the double bottoms are frequently used for fuel tanks there isn't much safety benefit, is that a loophole?</p> <p>Captain Hutmacher said a lot of freight ships, including those operating in the Aleutians, use the area between the outer hull and the tank tops for their primary fuel tanks making the only protection the outer hull. Sealand and TOTE have moved the fuel out of the double bottom tanks and may use those for ballast.</p> <p>Some of the salvage laws are changing. If a ship gets in trouble and the Coast Guard gets involved arrangements can be made with the Heritage Service, for instance. Captain Hutmacher spoke about an incident with a Panamanian bulk carrier that lost power south of Unimak Pass. A Foss Tug was able to put a line on the carrier after an arrangement was made so that the law was not a problem. Some salvage rules have changed, it used to be</p>

that the minute a vessel put a line on another the rescuing ship owned the other, but the Captain said he didn't know that was entirely true any more.

Glen Moyer stated the salvage laws have changed drastically. Masters clearly understand that they do not need anybody from the office to give them permission to accept a Lloyd's form. Accepting a Lloyd's form simply means arbitration in London. Payment for the assistance will be figured by the arbitrator in proportion to the assistance needed and provided, not at the actual value of the vessel. The Masters have been told to make the decisions as necessary and the company will deal with the salvage laws later.

Tim Plummer said the rescuing vessel is entitled to a share based on the peril of the vessel, the value of the goods, etc. There was a rescue boat standing by the Amoco Cadiz*, and the rescue boat wanted to use Lloyd's open form but the Captain would not agree to it and was trying to get advice from Chicago. By the time they had finally come to terms it was too late for the rescue boat. That incident caused significant changes in salvage laws.

Jim Fernie noted that the new Lloyd's Open Form '98 makes the provision that if the vessel that comes to aid prevents environmental damage they have a claim or lien against the rescued vessel for the environmental damage prevented.

Doug Baird, NOAA's Off Coast Survey, stated that the weather station for Cook Inlet will be positioned on St. Augustine Island, not Kalgin, and a remote weather site will be placed on Pilot Rock, south of Resurrection Bay. He stated that over 200 nautical miles worth of full bottom survey was done in Cook Inlet this summer. Nikiski has been an area of focus for the past several years. The data that came out of these surveys will be put to the chart in the next year to year and a half. He requested to be informed of other areas needing to be surveyed.

Question # 4

Tim Moffatt, Homer News, asked Captain Hutmacher if there was a spill today who would be in charge, running the command

center? Who would have overall authority for coordinating the response? From his position in Seward during the Exxon Valdez Oil Spill the response seemed fragmented.

Captain Hutmacher noted that the Spill of National Significance exercise conducted last year dealt with this issue. Within the Coast Guard there are different areas of jurisdiction, and Seward is near the boundary. If a spill similar to EVOS occurred again in Prince William Sound the Federal Onscene Coordinator in Valdez would run the show.

Michele Brown said a lot was learned from that drill about building a Unified Command Structure so that the Federal Onscene Coordinator, State Onscene Coordinator and Responsible Party worked as a team to ensure decisions were not so fragmented.

Larry Dietrick, ADEC, stated that a workgroup was formed to fine tune the Incident Command System for oil spills in Alaska. The state is at the cutting edge, he said, and now has the most advanced model in draft form. The Coast Guard and West Coast States/ British Columbia will meet next week to compare the features Alaska has added to the ICS to what they use. One of the concepts tested with the SONS drill is the upper level crisis management team incorporating the lead corporate people for the government and the companies involved to deal with major policies and fiscal implications of the spill. The incident was still commanded by the Incident Commanders in Valdez. There are still residual issues, such as how a large scale spill would be managed if it moved into another jurisdiction. It remains to be determined whether the incident would be managed as a singular event or be broken into multiple incidents with separate command posts.

Question # 5 June Reuling, RCAC, asked Captain Hutmacher what was set up in Cook Inlet to deal with firefighting. She said Prince William Sound has a manual at least.

Captain Hutmacher acknowledged response capability would be limited to equipment at the terminal facilities, on the vessel

itself, on the CISPRI response vessel and any other tugs which might be in the area. There has been some discussion about involving Fire Departments. The Coast Guard will participate in the Firefighting Symposium hosted by the PWSRCAC in October to identify future needs.

June Reuling asked what would happen if a large ship were on fire in the inlet.

Captain Hutmacher stated the resources available would be mustered to deal with it. Each ship is required by U.S. law and International Convention to carry significant firefighting capability, and that would be the first line of defense. According to the situation the ship may need to be moved.

Question # 6

Bob Shavelson, Cook Inlet Keepers, spoke about the theme of history of concessions and enticements as depicted in Jack Roderick's book *Crude Dreams*, acknowledging the need to balance the risks industry takes to provide jobs and development. He identified two major loopholes in Cook Inlet: the Clean Water Act allows several million gallons of toxic waste to be discharged every year and assist vessels are not required. Since the bigger companies are already leaving the inlet he asked Tim Plummer and Jim Fernie, "What is the lasting legacy for navigational safety that we can expect from the oil industry?"

Jim Fernie responded that Marathon will continue to make ongoing improvements, which they started in 1969 when they took the first load of LNG to Japan. The company has increase efforts at maintaining a level of safety, saying there are no safer vessels in the world. Marathon continually reviews its procedures, looking for ways to get that next millimeter's worth of safety through additional training for Senior Officers, or equipment replacement or the addition of a third radar. The legacy is that the operation of the LNG vessels in Cook Inlet has been outstanding, he said, and as the manager he will continue to see that it remains outstanding.

Tim Plummer vowed Tesoro will continue its commitment to look for ways to reduce the risk of oil spills such as by shifting

	<p>from single hull double bottom tankers to double hull tankers. They continue participation in CISPRI response capability/prevention measures. Prevention of oil spills is critical and Tesoro's legacy is in being a good corporate presence in the inlet while providing good employment opportunities, he said.</p>
<p>Question # 7</p>	<p>Paul Seaton, fishing vessel and tender owner, reported that one of his vessels, the Georgia Straits, was scheduled to train with boom on September 1st, but the Coast Guard did not allow it saying the vessel had not been inspected. He felt like the refusal degrades the response capability of the vessels of opportunity within CISPRI. While understanding freight hauling vessels would be used first in an emergency he felt the whole idea of vessels of opportunity is to have a trained fleet of local vessels prepared to respond in an emergency. By preventing their training is counter-productive. Should waivers be sought from Congress?</p> <p>Ken Castner stated that during the Negotiated Rulemaking he spoke against "outside" vessels being brought to respond in Alaskan waters. There has been an ongoing correspondence with the Coast Guard regarding appropriate Oil Spill Response Vessels in Alaska. There is no need to go to Congress, he said, because everything has been cleared to use local vessels as OSRVs in Alaska. He declared that he knows who made the promises and wants to know if the Coast Guard is backsliding on the issue.</p> <p>Captain Hutmacher said there needs to be balance between the application of vessel inspection and the need for local vessels. He pledged to handle the issue with Mr. Seaton's vessel.</p> <p>Mike O'Hara noted that every ship failing the Coast Guard inspection asks for a waiver, but the pilots refuse.</p>
<p>Question # 8</p>	<p>Senator Pearce referenced the frustration the pilots have regarding communication with the fishing boats and asked who has the authority to compel the fishing boats to monitor the channel and require them to answer when hailed. If no such authority exists, is there any way to get it?</p>

Mike O'Hara said the PWS tracking system has set up channel 12 for boats fishing the narrows. The fishing boats in the Sound are well behaved, he stated, and knows the tankers have the right-of-way in the Narrows as they are deep draft vessels. Cook Inlet fishermen are more raucous, he declared. They are not licensed and they owe authority to nobody. With their nets they stretch to 1200 feet, and the pilots don't want to run over the nets. It would be convenient for the pilots if somebody got the fishermen to listen to channel 16. The pilots haul on 16, 10, & 13.

Captain Hutmacher said he had worked closely with the fishing industry and Fish & Game in the Sound to educate both sides about each others' needs. Likewise there is a need to work more closely with all parties to establish better communication about those needs.

Tim Plummer stated that Fish & Game was the key in working out the problems in Prince William Sound because the fishermen would tune into the Fish & Game announcements on the radio.

Ken Castner pointed out that the fishing season lasts about eight days in Cook Inlet. It is not a daily conflict in the center of the inlet. As a tender operator he points right at the boat because they are at one end of the net or the other and that gets their attention. Radio communication is no longer the communication of choice in Cook Inlet, because everybody's gone to telephones.

Captain Ed Page, Chief of Marine Safety for the Coast Guard, answered Senator Pearce saying the Coast Guard has a suite of options to explore for working with the pilots and fishing industry to address safety issues. While they have the regulatory authority and can establish regulated navigational areas or take other measures, their first approach is to apply the Prevention Through People principles, by seeking non-regulatory solutions to enhance marine safety. If they continue to hit a brick wall after trying to reach out to work with the pilots and fishermen they will exercise other options to compel people to comply.

<p>Question # 9</p>	<p>Rory Dabney, CIRCAC, noted the RCAC has been active in reviewing C-Plans for the spot charters. She voiced appreciation for Tesoro having supplied information as requested, but asked to be able to look at the vetting process, beyond the generalized procedures. Since the reviews are so quick she stated it would be beneficial for both DEC and CIRCAC to have available the completed vetting paperwork for each specific vessel along with the ship vessel database reports.</p> <p>Tim Plummer said it would be no problem and he would speak further with her about it.</p>
<p>12:30pm</p>	<p>Lunch Guest Speaker</p> <p>Mr. John Devens Executive Director Prince William Sound RCAC</p> <p>John Devens, Executive Director PWS RCAC, commended Cook Inlet RCAC for organizing the Forum, noting many good ideas had been mentioned. Coming from Prince William Sound he acknowledged a lack of knowledge about the problems in Cook Inlet. The situations are considerably different; PWS RCAC deals with Alyeska for their budget, while CIRCAC must negotiate with multiple entities. Additionally, a relatively finite group of shippers transit the Sound.</p> <p>PWS RCAC has learned some lessons. Everything they are doing is prevention related. Linda Hyce, Deputy Director, has developed a hierarchy of prevention. The first priority is to prevent groundings and collisions. PWS RCAC, the Coast Guard, the shippers and the state worked together on the Risk Assessment and the process helped to get everyone together to discuss common concerns. There were problems, admittedly, and the process was more expensive than may be necessary. The review team challenged the science. The RCAC received criticism due to the confidentiality issue. Overall, Mr. Devens felt that the benefits outweighed the problems. Although there is debate as to whether the tractor tugs represent best available</p>

technology, he said they are a lot better than what they had before. Following the Risk Assessment the escort system has been, and continues to be improved. New prevention and response tugs will replace the ERVs. They are exploring ice detection measures.

Secondly, if a grounding or collision is not prevented, efforts will be focused on preventing the discharge of oil, which directly relates to the OPA '90 requirement for double hulls. The state-of-the-art ARCO Millennium class vessels go beyond compliance.

If oil does get into the water then preventing it from spreading is listed next on the hierarchy. This requires better equipment, such as boom, skimmers and PRTs.

Preventing shoreline impact comes fourth, if the oil does spread. Cook Inlet is ahead of Prince William Sound in developing Geographic Response Strategies. They will be working on these. Fishing vessels have been contracted to respond.

The next step, assuming oil does reach the shore, is preventing the social and economic impacts of the spill. PWS RCAC has completed a guidebook for community leaders to assist response to a technological disaster.

The RCACs, as sister organizations, have co-funded some small projects and perhaps should do more, Mr. Devens said. There is a need for the citizen advisory council's to share the information they have world wide. Interest has been shown from numerous countries. At the time of the Exxon Valdez oil spill there wasn't much direction available. Mr. Devens will chair a session at the International Association of Public Participation meeting in Banff, Canada to discuss setting up an organization that will allow information sharing. They are considering a web page for posting research. He invited interested ones to attend. The Syndicate Mix arrived at the time of the EVOS to offer aid and suggestions, and Mr. Devens feels strongly the two RCACs should be involved in helping others get started.

Preventing complacency is another key to prevention. Complacency was a root cause of the '89 spill, he proclaimed. There were a lot of people who suspected there was a problem, not unlike what Cook Inlet RCAC is saying. Rick Steiner was requesting establishment of a citizens group to advise the industry regarding the safe transportation of oil. Jay Hammond had written a poem years before the oil spill describing in detail what would happen. Fishing organizations had talked about how such a spill would impact their lifestyle long before the pipeline was built. In Valdez they knew things weren't right. Budget cuts had reduced the Alyeska crack response team. There was a shortage of response equipment and there were maintenance problems due to decreased budget.

Valdez had formed a Zone 3 tax in '86 which included only Alyeska and upped the millage rate by 3 mils in order to build an oil spill response center, because they had a feeling that things weren't quite right. Since oil property pays a flat 20 mils, this increase reduced the state's share. So the state challenged Valdez in Court, and the city lost the \$26 million which it had accumulated.

In 1988 Mr. Devens formed the Mayor's Ad Hoc Committee on Oil Spills which gathered a cross-section of the community including labor, fisheries, the oil industry, tourism, etc. The last meeting was held four hours before the Exxon Valdez ran aground at Bligh Reef. Ricki Ott said that regarding oil spilling, "Gentlemen, it's not a matter of "if", it's a matter of "when"." This was another indication that people knew things weren't quite right.

Most did not realize that a spill of that magnitude would have such far reaching social, economic and environmental implications. It reached communities though no oil reached their beaches. Ketchikan lost tourism over it. Shortly after the spill, before OPA '90, Alyeska, being in a vulnerable state, signed a contract to fund the citizens group. The original negotiation was for \$2 million, to be increased based on the cost-of-living differential. The contract is renegotiated every

three years and currently the PWS RCAC gets \$2.5 million per year.

Mr. Devens referenced Mr. Castner's statement regarding the responsibility of citizens to point out things that don't look right. If Cook Inlet RCAC thinks there is a problem, there probably is. The RCAC represents the people most negatively affected by an oil spill. The people in fisheries suffered hardship, there has been loss in subsistence for the Native population, there was loss in recreation. The citizens living in the area suffer when there is an oil spill. If anyone thinks the cost of prevention is expensive they need to think about the cost of cleaning up.

No one would be so bold to say there is no risk of a major accident in Cook Inlet. The question is, "What level of risk are you willing to live with?" Valdez had concerns before '89, and many think they probably could have done more and things would have been different. Experiencing a major oil spill should not be the criteria for establishing adequate preventive measures.

Panel # 3 Participants (Bio's in Appendix A)

Moderator, Mr. Mead Treadwell
Managing Director, Institute of the North,
Alaska Pacific University

Senator John Torgerson
Co-Chair, Finance Committee
Alaska State Senate

Representative Hal Smalley
Alaska House of Representatives
Oil and Gas Committee

Representative Gail Phillips
Current member and former
Speaker of the Alaska
House of Representatives

Mr. James Butler
Attorney, Baldwin and Butler,
Kenai

Mayor Mike Navarre
Kenai Peninsula Borough

General Bill Sharrow
Congressman Don Young's Office

1:15pm

Panel #3 – Spill Prevention for Cook Inlet, “What are the Funding Sources?” “What are the Alternatives?”

Moderator, Mr. Mead Treadwell,
Managing Director, Institute of the North,
Alaska Pacific University

Moderator Mead Treadwell said the third panel is charged with showing the money. He went on to tell a story about the rich kid in the second grade who was assigned to write a story about being poor. She turned in her essay, which read, “Once upon a time there was a family that was very, very poor. The father was poor, the mother was poor, the upstairs maid was poor, the downstairs maid was poor, the butler was poor, the chauffeur was poor. They were very poor.”

There have been a large number of organizations developed as a direct result of the Exxon Valdez Oil Spill, including Regional Response Teams, State Emergency Response Commissions, Local Emergency Response Commissions, the Exxon Valdez Oil Trustees Council, departments in DEC, NOAA, NRDA and the law that did not exist before, along with the RCACs and SERVS. These organizations were set in place to be aware of oil spill issues and to work together to make sure the complacency goes away. The panelists will address what it takes to keep these organizations going, he stated.

Senator John Torgerson
Co-Chair, Finance Committee Alaska State Senate

Senator John Torgerson asked what kind of funding is sought. There is no clear course set by the panels. Through a Risk Assessment future expenditures which might be asked of the state or local governments can be identified. A major consideration will be the ongoing operation and maintenance of any program begun with state funds. In the last three or four years a number of requests have been received for funding for oil spill and oil prevention.

This Forum is the third meeting he has attended since 1991 at which escort vessels and spill prevention were discussed. Assembly members of five boroughs (Kodiak, Peninsula, Kenai, Matsu and Anchorage) formed a group in 1992 to address concerns that came forward from EVOS and the future sale by MMS of tracts in lower Cook Inlet. The intent was to present a unified front to MMS regarding the preventive measures desired prior to agreeing to the lease sale. In the end Anchorage and Mat-Su dropped out of the coalition because they weren't involved in the lease sale but the Tri-Borough Agreement is part of the records today. Potential funding sources were discussed at those meetings and one idea involved all five boroughs entering into cooperative agreements adopted by ordinance. This would allow each their own taxing jurisdiction and authority within the boundary while sharing risks, assessments and fees in order to assess shippers and use a mil rate contribution or other means to fund prevention plans. If such a cooperative agreement were adopted by all five boroughs, it would clearly represent local government support. This would allow local input from residents throughout the impact area and provide potential funding mechanisms to help fund a risk assessment, or whatever was decided upon.

By partnering the local governments could also contribute in order to make things equal. At the time this idea was discussed they thought about several scenarios such as assessing a boat according to number of feet, collecting docking and wharfage fees, charging governments on a per capita basis, or according to miles of coastline within the jurisdiction of each borough. The Senator encouraged returning to the idea of such a cooperative agreement with the goal of preparing a request for the legislature to debate at its next session. However, if support is lacking from any one entity it could result in a veto of the idea.

The first step, he suggested, would be a resolution setting out the overall goals. The risk assessment would be number one, and the cost of that needs to be identified. It needs to be determined whether local governments will contribute money toward it. If the state, local governments and industry all got

together the burden would not be that rough on any one entity.

After the cooperative agreement is reached between the boroughs the next step would likely be establishing a Port Authority as a single authority would be cleaner. Setting up a Port Authority would likely require a vote of the residents, or it might take legislation. All of this is achievable Senator Torgerson asserted and would provide potential funding sources. Once accomplished the chances of seeking funds from the state would be more likely if it could be proven the public is behind the idea and there will be matching dollars.

The Senator could not identify a funding source other than a direct capital budget appropriation to DEC or whatever entity would be named as manager. He noted the money is decreasing so any appropriation sought will have other statewide priorities to compete against. That is why it is important to have public and local government support.

Representative Gail Phillips
Current member and former
Speaker Of the Alaska House of Representatives

Representative Gail Phillips welcomed everyone to Homer. She referenced Mr. Treadwell's comment about showing the money but said the legislature needs first to know what the money is wanted for. During preparatory discussions about the Forum Mr. Hornaday had commented that government types should not be allowed to "filibuster with just what they want us to hear". Bluntly and precisely she stated, "I don't know what you want the money for." The vote next Tuesday, September 14th, will have a major bearing on any request for state dollars for any project, she warned.

She suggested that an increase in the marine fuel tax of \$.01 - \$.02 would help fund maintenance and protection of ports and harbors. It may be a source of money which could be used for some project for the protection of Cook Inlet. One proposal which has merit in her opinion, and should be considered, is the

vessel tracking proposal. There are ways to possibly fund it through an increase in the marine fuel tax.

But until it is clear what is being requested she said she could not identify a money source. She offered to work with anybody to put together a proposal for Cook Inlet but said it would have to be fair to everybody.

Mayor Mike Navarre
Kenai Peninsula Borough

Mayor Mike Navarre said he was pleased to participate. He grew up on the Kenai Peninsula as an idealist, he said, but gained cynicism working in the legislature. Now he is an idealistic cynic who still believes in the public process and in the government.

Although he can list a number of options for finding funding the politics of achieving them presents another challenge. The Senior Senator for Alaska is the Chairman of the Appropriations Committee in the U.S. Senate, but to obtain funding at that level requires a trade off within communities and within the state. An advisory vote could be sought in the State House and Senate, but that would also require a trade off with other priorities. Funding could be sought from the 470 funds, but is that state funds or private sector funds? Some existing resources, including a declining revenue from the state could be diverted from local government. Another option might be to set up a service area within the boundaries of Cook Inlet, taking in the platforms and the industrial base running the mil rate up to the full 20 allowed, but that would cut back on the difficult funding scheme at the state level. Or, funding from private sources could be sought. Another idea is making a special assessment on oil development at \$.01 per barrel. But if taxes are raised in any measure the question must be answered, "Where does it fit in the overall priority list?"

That circles back to a needs assessment to determine what citizens want to accomplish, what the cost of it is and where the expenditure fits in the overall priorities. Priorities have to be

decided at the local, state and federal level through the system in place.

No one wants to see a major spill event in Cook Inlet. There is a risk. The risk assessment will determine just what that risk is. An ounce of prevention is worth a pound of cure but the problem, Mayor Navarre said, is how to translate that into dollars. The traffic volume and economics in Cook Inlet do not support the type of system existent in Prince William Sound. There will be a trade off either in jobs or in other funding for local government.

Although unable to forward any one funding source Mayor Navarre pledged his readiness to evaluate recommendations as they come forward, to make his determination according to his responsibility and to comment to others in decision making positions regarding how an allocation will fit in the overall priorities. That will be a question of the risk assessment and the amount of funds requested.

Representative Hal Smalley
Alaska House of Representatives Oil and Gas Committee

Representative Hal Smalley repeated that the legislature will not write a blank check just because there is a request for money. The Finance Committee requires state agencies to justify expenditures. The state will not be willing to provide funding until a plan has been developed. Mr. Deven's comments came closer to identifying a potential plan than what has been said from panelists. There have been discussions in the past about a risk assessment, but he suggested that before the legislature meets again in three to four months that all the players get together to work in full cooperation to develop a plan of direction. The potential for a spill still exists and there is a need to be ready when it does. He urged the group to hold meetings and come up with a plan that addresses accountability in a way the legislature can deal with it. If the desire is for specific legislation the ideas need to be formulated.

Mr. James Butler
Attorney, Baldwin and Butler, Kenai

Jim Butler said his ideas have been synthesized out of experience and concerns as he takes safety of navigation seriously. Being a lawyer does not make him an expert in the field of navigational safety. He asked who wants to pay more money to promote safety. Most assume it will require regulation or statute to make people participate, but perhaps other incentives can be created to encourage the bringing of money to a solution strategy. New costs will be borne by the consumers in the southcentral region. If costs are not passed on then they will be absorbed by the company, usually in the form of cutting back on operations or in some other way. In the past many people in government and within the stakeholder groups have assumed that industry will always take the least expensive approach, but that isn't always the case. Industry has taken progressive steps to make cost effective choices.

During an incident one of the toughest jobs is to define the objective. Likewise, the objectives decided upon by the group need to be definable and measurable. All seem to agree on a need for a Risk Assessment.

All participants will have to pay for anything to be successful within the region. It's important to recognize that unless people are party to the process as well as the solution they will lack the emotional investment to succeed. The fishermen are also recognizing they will have to become part of the solution. A spill from a small vessel close to shore can devastate the area. The destruction of a small clam bed in Port Graham must be viewed as just as negative as a major casualty.

It is important to conscientiously spend available money better, rather than always looking for more. Most of the legislation resulting from EVOS involved political retribution, angst toward companies, and was accomplished through regulators. Mr. Butler questions whether that was the best way and suggested it would be better to leverage money more efficiently and effectively. There is a lot more money being spent in the inlet

than there was ten years ago, but people still perceive a problem. A Risk Analysis will define if there is a true risk, but there is a need to spend smarter because at all levels of government the money is running out and the oil is declining.

General Bill Sharrow
Congressman Don Young's Office

General Bill Sharrow said regardless of the article in the Anchorage Daily News regarding the identification of a surplus of funds by the Congress the stakeholders should not bank on getting money before going through the process to clearly identify the request. Until then it is difficult to identify a funding source. A Risk Assessment has to be accomplished before potential solutions can be responsibly addressed. Once CIRCAC has identified a cost estimate for the Risk Assessment Congressman Young's office will look seriously at attempting to assist with financial resources.

Following the Risk Assessment, General Sharrow feels potential solutions can be addressed by everyone sitting at the table. The General said he supports the consideration of the merits of a Port Authority. It would provide the solid base required to carry decisions affecting Cook Inlet forward to the responsible government and legislative agencies. General Sharrow will sit in on future deliberations of CIRCAC in order to keep up to speed with what's going on. He looks forward to working with stakeholders in the future.

Mead Treadwell underscored that all three levels of government are committed to the issues and have statutory responsibilities. Everyone needs to work together, he stated. The governments have responsibilities for emergency planning. The 470 Fund is structured to provide funding for emergency response and annual costs; so it is not easy to allocate further from that fund.

Mr. Treadwell forwarded an idea that by using the Inter-Governmental Personnel Act federal employees can gain

experience in Alaska while serving on the CIRCAC staff as part of a training exercise. When the RCAC legislation bill was passed the two were established as a model for the rest of the nation. He suggested the RCACs establish a school to teach the process to the rest of the country while earning revenue.

The original PWS RCAC budget was established to include the cost of independent science. A large amount of Sullom Voe's budget is for science and research. Speaking for both the Oil Spill Recovery Institute and the Arctic Research Commission he encouraged more relationship between those concerned about reducing oil spill risk and the science community. There are new science dollars coming to Alaska, and the industry already pays a great deal to identify resources at risk. The research can be done jointly. OSRI was set up by Congress to work on Arctic and Sub-Arctic oil spills, ecology, technology and education. The institute sits as an Ex-Officio on the PWS RCAC and would welcome a similar relationship with CIRCAC.

Regulatory agencies are striving to achieve their goals through education and cooperation, using regulation as a last resort. The RCACs are unique and have a role in educating the rest of the country on how the interactive process works. There are opportunities to work with both the public and private universities in Alaska to get more people involved, to get volunteer work done and to get research accomplished. The Challenger Center in Kenai, Sealife Center in Seward and Fisheries Center in Anchorage all can provide opportunities for assistance.

3:15pm

Questions and Answers for Panel #3

Question #1

Shawna Loshbaugh, Peninsula Clarion, asked why the 1990 Risk Assessment for Cook Inlet had not entered into the discussion. Would a risk assessment similar to the one done in Prince William Sound for \$2 million really be an effective use of resources in Cook Inlet?

Mike Navarre answered that without a risk assessment and cost analysis there is no way to come up with funding. It doesn't make sense to replicate the safety measures in Prince William Sound without this first step, even if the risk analysis consists of brainstorming by experts about what the costs and risks are. Funding from either the private sector or the government sector will involve trade offs, he repeated.

Mead Treadwell asked if anyone had outlined what a risk assessment might entail. Jim Carter answered no.

Senator Drue Pearce noted the PWS RCAC contracted for the risk assessment, but it focused only on the oil industry and the safe transport of oil and petroleum products in Prince William Sound. Anything done in Cook Inlet must have a more expansive focus than just the oil industry. CISPRI is prepared to respond in the upper inlet to those known risks. She shared that John Devens told her less money could have been spent on the Prince William Sound Risk Assessment. The Cook Inlet analysis should look at all navigation in the inlet, not just the crude carriers. The stakeholders should charge DEC or the Coast Guard to estimate what an analysis would cost.

Captain Hutmacher asked the group to consider prevention measures on a cost benefit basis. The Coast Guard will use the process being conducted in Puget Sound to help in the decision regarding appropriate further federal regulations in other waters. The timeline is extended, but perhaps the Cook Inlet stakeholders might choose to piggy back on that process.

Senator Torgerson questioned how a cost benefit analysis can precede a risk assessment, saying the risk must be identified before putting together the means to cover the exposure.

Captain Hutmacher agreed saying all the groups are active in doing that in Puget Sound. The Coast Guard is looking at the appropriateness of the process for other areas.

Mead Treadwell recalled there was a state requirement for risk assessments.

Larry Dietrick, DEC, stated that the Local Emergency Planning Committees are charged with implementing the federal Community Right to Know law. They focus on hazardous substances and receive reports from companies storing chemicals, and ensure these are properly filed. They are not in the oil business.

The state has distinguished between persistent and non-persistent product when it penalizes for oil spills. The risks with non-persistent products are lower and therefore the requirements are lower. Further, the state has set specific thresholds above which industry is regulated. The funding structure is set up to require the spiller to repay costs. Cost of a risk assessment is borne by the regulated industry. Further they have to pay for equipment and training. The state purchased a 650 Barrel Barge which is available for anybody but regulated industry cannot count it in their inventory.

A risk analysis in Cook Inlet will be different because it will extend to facilities not now regulated under state law and would go well below the threshold previously set by the state. Presently non-regulated vessels do not contribute to the safety net. He asked if the state is going to provide the money to evaluate a non-regulated community when regulated facilities having the larger risk have to pay the tab themselves. How big is the net to be cast and how small a boat should be included in the risk analysis? The scoping has to be narrowed, he observed.

Question #2

Carl Anderson, Cook Inlet Tug & Barge, asked how to get a risk assessment started. Cook Inlet RCAC cannot initiate it because their purview includes only the oil industry.

Jim Butler responded that although there was substantial political resistance at the time, Don Young got Cook Inlet included in the OPA '90 legislation. The language in the statute was intended more as a floor than as a ceiling, he stated. The statute mandates organizational structures but the language allowed for an alternative Council. To be certified it has to meet certain requirements, but beyond that only the funders limit its purview through the funding agreement. The fact that the

council is supposed to look at oil does not say that it is not supposed to look at other things. The reason it is limited is because of the contractual relationship with the funding organizations. There is no prohibition in federal law to certifying the Council under 5002 while it also does other things.

Question #3

John Whitney, NOAA, asked who should put out the RFP to define a risk assessment. Can the Oil Spill Recovery Institute having a \$23 million endowment to deal with oil spill response techniques and policy in arctic and sub-arctic conditions fund the risk analysis?

Mead Treadwell said OSRI has a standing RFP that will support community based science, such as a planning workshop to bring together policy makers, industry and scientists. The Institute could provide less than \$100,000 to start but make a multiple year commitment. OSRI did a risk assessment to look at the various elements in the oil supply chain and the transportation chain and it did not cost that much. DEC staff did an assessment on radiation threats to Alaska, at the request of the governor, without new money. The Mayors could apply to OSRI and put a group together to study the Port Authority or Free Trade Zone concept. OSRI is a potential funder, as is the SERC or the RRT, before additional funding is sought from the Legislature.

Jim Butler repeated that it will take contributions from all the different levels. Someone needs to take the lead. A request for proposals would likely draw all sorts of creative ideas from the consulting community to cost effectively fund a risk assessment. That information could be taken to the different levels of government having different pots of money. There will be a higher probability of players buying in once they know what the money is going into. It won't be long before someone steps forward to administer the project. Obviously that entity would need a certain amount of credibility and objectivity to do it in a scientifically sufficient manner.

<p>Question #4</p>	<p>Jim Elson, Economic Development District, asked about funding after the fact. He urged moving forward with a risk assessment, asking how a spill would disrupt commerce.</p> <p>Jim Butler said Cook Inlet has done a tremendous job with CISPRI, Chadux and the borough sponsored local response project. The resources are here and there is a higher probability that a substantial amount of equipment would be put to work on a spill in a relatively short period of time in contrast to what happened during the Valdez spill. He said he has a higher degree of confidence in the resources. The management is in place. The shipping members of CISPRI have a relationship with their response capability, and this is a benefit. It adds a complicating dimension when players are not familiar with the process, so there would be a net benefit if there were more frequent involvement.</p> <p>Mead Treadwell stated the Prince William Sound Eco Assessment moved much faster through the Exxon Valdez Trustees Council after the fishermen blockaded the narrows.</p>
<p>Question # 5</p>	<p>Bob Pawlowski, Matsu Borough, said that the cancellation of the Harbor Maintenance Trust Fund had significant impacts on the future of dredging and navigation. The present administration continues to talk about harbor user fees and yet they are being couched under the context of promoting safe navigation without putting the bounds on whether they are just for dredging or charting but could be applied to various oil spill preparedness. Might any federal mandates and taxes coming down displace some of these costs?</p> <p>General Sharrow said he had no idea about that but agreed there is increasing emphasis on user fees. He said he would look into it.</p>
<p>Question #6</p>	<p>Joe Lawlor, retired citizen, asked what happened to the bill Senator Pearce introduced to establish a Port Authority and what are some of the pros and cons of the concept.</p>

Senator Pearce answered that the bill is law and the Mayors of the North Slope Borough, Fairbanks North Star Borough and Valdez are using it to try to establish a Port Authority to build a gas pipeline. Some changes have been made to the statute to allow them to reach outside the boundaries. Local communities have to each pass an ordinance then citizens must vote to be a part of a Port Authority. The mechanism exists in statute.

Senator Torgerson said another bill allows extra-territorial jurisdiction within an existing Port Authority. If there is a clear agreement about what the Port Authority's responsibilities and duties are there probably is no downside. It becomes like another level of government. Most Port Authorities have the power to sell their own bonds, to levy taxation and take other action according to powers transferred from the borough or state. If the board's authority is not clearly identified then they may act outside the wishes of the citizens.

Other Comments

Captain Hutmacher offered to make further contact with the group in Puget Sound to get further details on the process they used for their risk assessment and cost benefit analysis and to report back to the RCAC and others to see if the process might be workable in Cook Inlet.

General Sharrow requested a copy of the report.

Mead Treadwell commented that the Supreme Court has agreed to hear the case brought against the State of Washington regarding state jurisdiction in Puget Sound waters. This may result in states getting more authority.

Jim Butler observed the assumption seems to be that more authority is required. He commended the Coast Guard for trying to be progressive in looking at how to create incentives in the plan approval process for those who are regulated so that those part of the perceived risk have an economic advantage for trying to be more constructive or creative in the prevention arena. This could be through operational constraints such as the

<p>Question #7</p>	<p>Alternative Compliance Program, which did not require a lot of money. He suggested that rather than automatically assuming additional money is required there might be policy opportunities to create incentives for industry to put money toward prevention according to the peoples' wish as opposed to where it is now required.</p> <p>Senator Pearce informed Mayor Navarre there is a landowner in the borough who is preventing the placement of the range lights according to the need of the pilots. Would imminent domain be a solution?</p> <p>Mayor Navarre said he would consider ways to resolve the issue without leaping to imminent domain.</p> <p>Captain Page said the Coast Guard will identify the specifics of the situation and seek the assistance of the Mayor or the Senator.</p>
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Closing Comments

	<p>Mead Treadwell reemphasized that compared to a lot of other places in the country at risk the process at work in Cook Inlet is special and needs to be used to make the right things happen. The panel requested a well founded proposal but will they help to identify the money. He thanked Captain Hutmacher for his offer regarding a Risk Assessment and said there is a role for the municipalities, the regulators and others. Even a well placed letter from a legislator to a state agency can get things moving.</p> <p>One possible funding source may come from a marine fuel tax or other user fees. The Alaska Science and Technology Foundation may be a source. There are various forms of Vessel Tracking Systems including radar and self reporting. Even if the fishermen are using cell phones they can be located.</p> <p>There is a renewed interest in the Port Authority concept. Captain Baird declared that NOAA wants to hear if there is a need for more charting.</p>
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	<p>He challenged the legislators to bring research entities together to solve the problems of Alaska.</p> <p>He closed with the statement on the wall at the Sealife Center, "When you take a look at the common resource and our duty to protect it, what is the cost? The cost is to care." The group gathered at the Forum cares, and if everyone cares enough the cost will not be a problem.</p> <p>Wrap Up James E. Carter, Sr. Executive Director, CIRCAC</p> <p>Jim Carter wrapped up by acknowledging the need for a Risk Assessment. He thanked Senator Pearce and John Devens for their speeches and OSRI, Unocal and Tesoro for their sponsorship. This Forum was a great gathering because it was constructive and useful information was presented. CIRCAC welcomes the input.</p> <p>The RFP has been released for the remote platform on the Dillon, however the RCAC will be happy to work with industry to place a camera at the dock. The Dickson Report had recommended considering a Port Authority before the legislature passed the law. CIRCAC will work with the Coast Guard on it and is anxious to see the results of Docket 202A regarding the Puget Sound study frequently referenced.</p> <p>He quoted John Devens, "If you think you have a problem, you probably do have a problem." CIRCAC will be willing to continue a dialogue with all involved to come forth with better ideas about what needs to be done in Cook Inlet. He pledged to decipher all that had been said and make a point to get back with the players. He thanked all for attending.</p>
4:45pm	<p>Final Closing Comment & Adjournment Captain Glen Glenzer, President, CIRCAC</p> <p>Captain Glenzer thanked everyone for their participation, saying the Forum had been very fruitful. If any consultant wants to work on the Port Authority issue he has files.</p>

Appendix A – Biographies

Moderator for Panel # 1

Bob Shavelson, Cook Inlet Keeper

Mr. Shavelson is the Executive Director of Cook Inlet Keeper. The organization, based in Homer, coordinates citizen education workshops, organizes public outreach, responds to citizen complaints, and conducts water quality monitoring. Cook Inlet Keeper focuses on citizen organizing, with an emphasis on the Clean Water Act and Right-to-Know legislation.

Prior to his work with Cook Inlet Keeper, Mr. Shavelson was the Executive Director of the Atlantic States Legal Foundation. The national non-profit organization works on complex negotiation and litigation issues, pollution prevention, and community organizing.

Mr. Shavelson has a B.A. in Biology from Boston University. He earned a law degree from the University of Oregon School of Law in 1993 and is a member of the Oregon State Bar.

Panelists for Panel # 1

Jack Cushing, Mayor, City of Homer

Mayor Cushing has been the mayor of Homer since October of 1996. Before that he spent many years as a member of the Homer Advisory Planning Commission. Mayor Cushing is a registered Civil Engineer and is currently self-employed as a civil and geo-technical engineer.

Recent projects include design and permitting of wastewater disposal systems, soil investigation reports to ADEC for oil spill remediation, and road designs in accordance with various governing standards.

In his role as Mayor, Mr. Cushing served for one-year on the Cook Inlet RCAC Board of Directors. And he is currently a member of the state's Coastal Policy Council.

Karl Pulliam, Manager, SOS Response Team, Seldovia

In his role as manager of the Seldovia near-shore oil spill response team, Mr. Pulliam has directed many on-water drills with fishing vessels and has taught Hazwoper classes.

In 1991, Mr. Pulliam was appointed to the Cook Inlet RCAC to represent the city of Seldovia. He remained in that position until 1994, then continued with the RCAC as a member of the Environmental Monitoring Committee until 1997, serving as chair of the committee the last year.

Mr. Pulliam has been involved with commercial fishing his entire life, first growing up on the Columbia River and then in Cook Inlet where he has participated in numerous fisheries since the 1960's.

He has a degree in general science and worked as a hydrologist for the USGS in the 1970's in Alaska. He settled in Seldovia in 1986 and is married to Nancy Meganack.

Patrick Norman, President, Port Graham Corporation

Mr. Norman has been working on behalf of his village since 1980. He served on the village council for 14 years, from 1980 to 1994, as second chief. And he was recently elected to another term on the village council. He continues to serve on the regional housing commission and is a member of the regional resources commission.

Mr. Norman has been president of the Port Graham Village Corporation since 1984. His responsibilities include management of corporate activities such as timber sales, fuel sales, store operations, land use permitting, and management of 113-thousand acres of land.

Sally Ash, Secretary- Treasurer, Nanwalek IRA Council

Ms. Ash is a life-long resident of Nanwalek. She has been on the Nanwalek IRA Council since 1995 and is currently the Council's secretary - treasurer.

Ms. Ash works at the Nanwalek School where she is a bilingual instructor.

Ed Murphy, Captain, Southwest Pilots Association

Captain Murphy is a founding member and several times past president of Southwest Alaska Pilots Association. He holds unlimited pilotage licenses from the U.S. Coast Guard and the State of Alaska and has been a pilot in Cook Inlet, Southcentral, and Western Alaskan waters since 1974. He served as chairman of the Alaska Board of Marine Pilots and initiated the overhaul of the state pilotage statutes in 1991. He has been a consultant to the U.S. Coast Guard as a member of the United States Rules of the Road Advisory Commission. Captain Murphy is a veteran of the U.S. Navy and is a naval aviator. At the present time he is the senior practicing marine pilot in the state of Alaska.

Jeff Richardson, Executive Director, Alaska Center for the Environment

Mr. Richardson is a 30-year Alaska resident with long-time involvement in conservation issues at the local, regional, and statewide level. As a professional journalist, he specialized for many years in natural resource management and economic issues. He currently chairs the Economic Analysis Committee of the Alaska Conservation Alliance. He is also a former contractor for Cook Inlet RCAC where he assisted in contingency plan reviews for Cook Inlet vessels, pipelines, and facilities.

Loren Flagg

Mr. Flagg is a retired fisheries and habitat biologist who spent 19 years working for the Alaska Department of Fish and Game.

During his time with Fish and Game, Mr. Flagg worked on several oil-related projects. From 1973 to 1979 he monitored oil activities in Cook Inlet. At that same time, he was field project leader for the Kachemak Bay Marine Studies. He drafted the original proposal to create the Kachemak Bay Critical Habitat Area and co-authored a report for the Kachemak Bay Oil Lease Buy-Back.

In 1989, Mr. Flagg coordinated the Exxon Valdez oil spill response in Cook Inlet for the Kenai Peninsula Borough. And from 1990 through 1994, he was a member of Cook Inlet RCAC's PROPS Committee.

He was Executive Director of Kenai Peninsula Fishermen's Association from 1988 to 1996. And, most recently, Mr. Flagg can be found on the Kenai River where he runs his guide service.

KEYNOTE SPEAKER

Senator Drue Pearce

Keynote Speaker, Senator Drue Pearce, has been a key figure in Alaska politics since her election to the State House in the mid-1980's. After two terms in the House, she was elected to the State Senate, representing District F in Anchorage, in 1988.

On January 19 of this year, Senator Pearce became Senate President of the 21st Alaska State Legislature for the second time. The Senator also served as Senate President for the 19th Alaska State Legislature. Only two other Alaskans, Frank Peratrovich and Jay Kertulla, have been similarly honored.

Along with being Senate President, she is also a member of the Legislative Council, Legislative Budget and Audit Committee, Committee on Committees, and is an Executive Committee member and former Chair of the Energy Council, an organization of legislators from energy producing states that often advises Congress on issues surrounding national energy policy.

During the interim, Senator Pearce is employed as a resource consultant for Arctic Slope Consulting Group. She also serves on the boards of Abused Women's Aid in Crisis Inc., the Anchorage Economic Development Corporation, the Alaska Aerospace Development Corporation, and the Alaska Special Olympics Governors Board.

On a personal note, and we quote here from her bio, Senator Pearce and her husband, Michael Williams, are the proud parents of, quote, "a very active five-year old, Tate Hanna Pearce-Williams"

Moderator for Panel # 2

Michele Brown, ADEC

Ms. Brown was appointed Commissioner of the Department of Environmental Conservation in January of 1996, by Governor Tony Knowles.

Ms. Brown formerly was a DEC deputy commissioner, DEC's regional administrator for the southcentral region, and an assistant Attorney General in

the Alaska Department of Law. In that position, she worked extensively on the Exxon Valdez spill response and many of the its legal, regulatory, and enforcement problems.

In 1993, Ms. Brown was appointed senior environmental specialist for the USAID Mission in Moscow, where she administered the agency's environmental technical assistance projects to widespread regions of Russia.

Ms. Brown has published law journal articles on the Exxon Valdez oil spill and has been an invited speaker to many conferences on issues ranging from environmental programs in Russia to oil spill response and public participation in environmental decision-making.

Panelists for Panel #2

Tim Plummer, Senior Vice-President
for Tesoro Maritime Company, San Antonio, Texas
Captain Plummer joined Tesoro in 1998 and is involved in all downstream marine operations associated with refineries in Alaska, Hawaii, and Washington. Primary areas of overall responsibilities are tanker and barge chartering, vessel scheduling, marine operations planning, and spill prevention and response.

Captain Plummer has more than 25 years of management experience in marine and terminal operations. Prior to joining Tesoro, he was employed by British Petroleum and assigned Alyeska Pipeline Service Company. He was responsible for all marine operations at the Trans-Alaskan Pipeline Terminal in Valdez. Prior to his assignment in Alaska, Captain Plummer was a Marine Superintendent with BP in Cleveland. His experience sailing on tankers was with Getty Oil Company in the capacity of Third Mate through Master.

Captain Plummer lives in San Antonio with his wife, Faye, and has a son attending Montana State University and a son residing in Bend, Oregon.

Ted De Boer, Special Projects Manager, Totem Ocean Trailer Express, Inc.
Mr. De Boer has been employed by Totem Ocean Trailer Express since November of 1979. He served as Alaska Operations Manager until July 15, 1999.

He was recently appointed Special Projects manager to plan and build the Alaska infrastructure for TOTE's next generation of vessels.

Mr. De Boer has a degree in Transportation Economics from Pacific Lutheran University in Tacoma, Washington.

Jim Fernie, Manager, LNG Marine Operations, Marathon Oil Company
Mr. Fernie brings a unique perspective and varied marine background to Cook Inlet, having graduated from the U.S. Merchant Marine Academy in 1971 with a B.S. in marine engineering and then serving in the U.S. Coast Guard for 6 years.

Mr. Fernie's professional career includes work as an engineering officer on a drill ship, he was a marine consultant for the Louisiana Offshore Oil Port, and began his career with Marathon marketing bunker fuel and chartering ocean-going tug and barge units.

In 1990, Mr. Fernie assumed the senior marine engineer position with Marathon's LNG operation and became manager last year. As a director of the Alaska Steamship Association, Mr. Fernie has been closely associated with pilotage matters in Alaska, and specifically in Cook Inlet.

He has participated in many of the meetings and discussions involving safety of navigation in Cook Inlet over the last few years.

Captain Mike O'Hara, Southwest Pilots Association
Captain O'Hara is the current president of the Southwest Alaska Pilots Association. He has a master license, unlimited pilotage, and is a 25-year resident of Alaska.

Captain O'Hara represents SWAPA pilots at Cook Inlet RCAC meetings.

Captain William Hutmacher, USCG
Captain Hutmacher is a 1974 graduate of the University of California-Davis. He received his commission as an Ensign after completing Officer Candidate School in 1974. His first assignment was Port Safety Station, Houston, Texas where he served as waterfront Facilities Officer and Foreign Vessel Inspector. He also

completed a six-month Port Safety Industry Training Assignment with the Port of Seattle, American President Lines, and Sea-Land Service. He served as Assistant Chief, Port Operations and Assistant Chief, Inspection Department at Marine Safety Office, in San Francisco.

Over half his career has been served in the Great Land. Captain Hutmacher has served two tours at the Seventeenth Coast Guard District Office in Juneau, first as Assistant Chief, Marine Environmental Protection Branch, directing search and rescue operations throughout Alaskan waters. This will be his second tour at Marine Safety Office in Anchorage; he first served there as Chief, Port Operations. He served as Commanding Officer, Marine Safety Office Valdez, Alaska from 1992 to 1994.

Captain Hutmacher was most recently assigned to Balboa, Republic of Panama, where he served as Marine Safety Advisor to the Panama Canal Commission. He and his wife, Ruth, have two daughters, Kristen and Amy, both of whom live in Anchorage.

Ken Castner, Commercial Fisherman

Mr. Castner has been associated with Cook Inlet RCAC since 1991, serving for many years on the board of directors as the commercial fishing representative. Mr. Castner continues to work closely with the RCAC as a public member of the Prevention, Response, Operations, and Safety committee.

Mr. Castner is a commercial fisherman with experience in several fisheries in both lower and upper Cook Inlet. In addition, Ken has professional associations with a wide variety of organizations including United Fishermen of Alaska, North Pacific Fisheries Association, Cook Inlet Seiners Association, Kenai Peninsula Fishermen's Association and American Fisheries Society.

In addition, Mr. Castner has represented statewide commercial fishing interests in the past as member of the Governor's Mariculture Task Force and as Executive Director of the United Fishermen of Alaska.

Mr. Castner is active in Marine Pilot issues and is Cook Inlet RCAC's representative at the state of Alaska Board of Marine Pilots meetings.

Doug Lentsch, General Manager, Cook Inlet Spill, Prevention, and Response Inc. Mr. Lentsch has been the General Manager of CISPRI since the summer of 1995.

Before that, he served for almost 25 years in the Coast Guard with the majority of that time spent responding to spills of oil and hazardous materials. At the time of the grounding of the Exxon Valdez in 1989, he was Chief of the Coast Guard's Pollution Response Branch in Washington D.C. He was deeply involved in the development and passage of the Oil Pollution Act of 1990.

His office was responsible for the promulgation and implementation of regulations regarding Area Contingency Plans, vessel and facility response plans, and the current structure of the National Strike Force teams.

Glen Moyer, General Manager of Vessel Operations, Sea-Land Services
Mr. Moyer is a graduate of the U.S. Coast Guard Academy and a retired Commander from the Coast Guard.

He holds master degrees in Naval Architecture and Mechanical Engineering from the University of Michigan. And has Chief Engineer licenses for both steam and diesel vessels. Prior to working for Sea-Land, he was President of American Maritime Transport .

Luncheon Speaker

John Devens, Executive Director, Prince William Sound RCAC
Mr. Devens has served as Executive Director of the Prince William Sound Regional Citizens' Advisory Council since March of 1997.

He was mayor of the City of Valdez at the time of the Exxon Valdez oil spill in 1989 and represented the city during the cleanup. He helped form both the Oiled Mayors group immediately after the spill and, later, the regional citizens advisory council he now directs.

After the oil spill, Mr. Devens ran twice for Congress, coming within three percent of defeating a twenty-year incumbent.

From 1978 –1992, he was president of the Valdez Prince William Sound Community College, which he founded. From 1993 – 1996, he was president of Sterling College in Vermont. Mr. Devens holds a doctorate in Communication Science from Wichita State University.

Moderator for Panel # 3

Mead Treadwell

Mr. Treadwell is Managing Director of the Institute of the North, a research, teaching, and public policy program focusing on strategic, Arctic, and common property management issues based at Alaska Pacific University. Former Alaska Governor and U.S. Interior Secretary Walter Hickel founded the Institute.

Mr. Treadwell served as the deputy commissioner of Alaska's Department of Environmental Conservation from 1990 to 1994. While at DEC, he oversaw the implementation of oil spill contingency plan regulations.

In 1989 and 1990, Mr. Treadwell was Director of the Cordova Oil Spill Response Office. He helped draft the legislation in the Oil Pollution Act of 1990 establishing the Regional Citizens Advisory Councils.

Presently, Mr. Treadwell is vice-chair of the Prince William Sound Oil Spill Recovery Institute, and Treasurer of the Prince William Sound Science Center. He graduated from Yale in 1978 and earned an MBA from the Harvard Business School in 1982.

Panelists for Panel # 3

Senator John Torgerson, Kasilof

Senator Torgerson has a long history of public service on the Kenai Peninsula. He was elected to the State Senate in 1994 and re-elected in 1998. Senator Torgerson is currently cochair of the Senate Finance Committee.

Before being elected to the Senate, he was a member of the Kenai Peninsula Borough Assembly; former president of the Alaska Municipal League and the

Kenai Peninsula Caucus; and the Western States Representative at the National Association of Development Organizations.

Senator Torgerson is a member and past president of the Soldotna Chamber of Commerce and former Board member of the Alaska Chamber of Commerce. John lives in Kasilof with his wife Marjorie and they have three children.

Representative Gail Phillips, Homer

Representative Phillips is a life-long Alaskan who has spent many years in public service. She has represented the southern Kenai Peninsula in the State House of Representatives since 1991. Her legislative highlights include serving as House

Speaker from 1995 – 1998; House Majority Leader in 1993- 1994; Chair of the House Special Committee on Economic Development and Tourism; and Chair of the Legislative Budget and Audit Committee.

She has also served on several legislative committees, including the Oil and Gas committee. Representative Phillips lives in Homer with her husband, Walt. They have two daughters, Robin and Kim.

Mike Navarre, Mayor, Kenai Peninsula Borough

Elected in 1996, Mayor Navarre is in the third year of his term as Borough Mayor. Before his election to the office of Borough Mayor, he served 12 years in the House of Representatives of the Alaska State Legislature. In the legislature, he served in many leadership roles, most notably as house majority leader. He was also a member of the House Finance Committee for five years, co-chairing that Committee in 1991 – 1992.

Mayor Navarre currently serves as President of the Alaska Conference of Mayors. He also participates on the Board of Directors for Arctic Power, the advisory board for PTI, the Board of Directors for the Boys and Girls Clubs of the Kenai Peninsula and is Chair of the Governor's Oil and Gas Policy Council.

Representative Hal Smalley

Representative Smalley was elected to the State House of Representatives in November of 1998, representing the Kenai area. In the legislature,

Representative Smalley is a member of the House Special Committee on Oil and Gas and is also a member of the House State Affairs Committee.

Representative Smalley is a retired teacher with more than 20 years of classroom experience in Alaska. While he was a teacher, Representative Smalley was president of the Kenai Peninsula Education Association and served on the Board of Directors of National Education Association – Alaska.

Representative Smalley has also served on the Kenai City Council and the Kenai Planning and Zoning Commission.

James Butler, Attorney, Baldwin & Butler

Mr. Butler is well versed in the field of "Incident Management Law". He is nationally recognized for providing legal advice and implementing time critical response efforts for natural disasters and "incidents". The private sector, including large corporations, as well as local, state, and federal governments have relied on Mr. Butler's expertise when responding to floods volcanoes, wildfires, oil spills, and other industrial accidents.

Mr. Butler was Special Assistant for Oil Spill Response to the Kenai Peninsula Borough Mayor from 1989 to 1990; the Kenai Peninsula Borough delegate and charter member of the Prince William Sound and Cook Inlet Regional Citizens Advisory Councils and helped draft the language in the Oil Pollution Act of 1990. He was also part of workgroup that resulted in the creation of Cook Inlet Spill Prevention and Response, Inc.

Mr. Butler is a 23-year Alaska resident and is currently President of the Kenai Chamber of Commerce. He continues to commercial fish in upper Cook Inlet and is the proud father of two daughters and a son.

Bill Sharrow – Special Assistant to Congressman Don Young

Mr. Sharrow has been a special assistant to Congressman Don Young since 1983. Before that, he had a long and distinguished career in the United States Army and the Alaska National Guard.

His military assignments include squad leader, platoon leader, company commander, and battalion commander. He has held various staff positions including Chief of Staff for the Department of Military Affairs, and Assistant Adjutant General- Army for the Alaska National Guard.

Appendix B – List of Attendees

Name	Address	Phone
John Amundsen Forcenergy	310 K Street, Suite 700 Anchorage, AK 99501	
Carl Anderson Cook Inlet Tug & Barge	824 Delaney Street Anchorage, AK 99501	277-7611
Steve Arbelovsky Phillips Petroleum	Box 66 Kenai, AK 99611	776-8166
Bob Arts AK Maritime Agency	4341 B St., Suite 101 Anchorage, AK 99503	562-8808
Sally Ash IRA, Nanwalek	Box 8076 Nanwalek, AK 99603	
Doug Baird NOS, Coast Survey NOAA	4230 University Dr., #120 Anchorage, AK 99508	786-7004
Lcdr. John Bingaman USCG	P.O. Box 255517 Juneau, AK 99802	463-2228
Lcdr. Bryon Black USCG	510 L St., Suite 100 Anchorage, AK 99501	271-6700
Alen Blatchford	Not Available Public Attendee	
Christy Bohl MMS	949 E 36th Ave., Rm 300 Anchorage, AK 99508	271-6082
Judy Brady AOGA	121 West Fireweed Ln, Ste. 207 Anchorage, AK 99503	272-1481
Jerry Brookman Cook Inlet RCAC	910 Highland Ave. Kenai, AK 99611	283-7222
Brother Asajah	Not Available Public Attendee	

Michele Brown Commissioner, ADEC	410 Willoughby Ave., Rm 105 Juneau, AK 99801	269-7633
Rebecca Brown Homer Tribune	Pioneer Avenue Homer, AK 99603	235-3714
Shaun Brown Tesoro	P.O. Box 3369 Kenai, AK 99611	776-8191
Jim Butler Attorney	125 N. Willow Street, Ste. 100 Kenai, AK 99611	283-7167
Gary Carlson Forcenergy	310 K Street, Suite 700 Anchorage, AK 99501	258-8600
Rick Carlson	2511 Tidewater Rd. Anchorage, AK 99501	265-7233
James E. Carter, Sr. Executive Director Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
Scott Carter AK Maritime Agency	Not Available	283-6523
Ken Castner Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
Pete Christensen Board of Marine Pilots	P.O. Box 110806 Juneau, AK 99811	465-2548
Pam Connelly	Not Available Public Attendee	
John Crandall Cook Inlet Marine	P.O. Box 470 Homer, AK 99603	235-8086
Mayor Jack Cushing City of Homer	491 E Pioneer Ave. Homer, AK 99603	235-8121

Rory Dabney Program Coordinator Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
Terry Debban	Not Available Public Attendee	
Ted DeBoer TOTE	2511 Tidewater Road Anchorage, AK 99501	265-7211
John Devens PWS RCAC	3709 Spenard Road Anchorage, AK 99503	277-7222
Mark DeVries USCG	510 L Street, Suite 100 Anchorage, AK 99501	271-6700
Larry Dietrick ADEC	410 Willoughby Avenue Juneau, AK 99801	465-5220
Don Dietz Port Director, Anch.	2000 Anchorage Port Road Anchorage, AK 99501	343-6200
John Douglas Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
James A. Elson	Not Available Public Attendee	
Gary Fandrei CIAA	40610 K-Beach Road Kenai, AK 99611	283-5761
Charles Fedullo ADEC	10720 Bayshore Drive Anchorage, AK 99515	266-3786
Bob Fell	Not Available Public Attendee	
Don Fell	Not Available Public Attendee	
Jim Fernie Marathon	P.O. Box 3128 Houston, TX 77253	713-296-3726
Vi Ferrel, Ph.D	Not Available Public Attendee	

Leann Ferry PWS RCAC	3709 Spenard Road Anchorage, AK 99503	277-7222
Will Files	Not Available Public Attendee	
Loren Flagg	P.O. Box 3268 Soldotna, AK 99669	
Gary Folley ADEC	43335 K Beach Road, Suite 11 Soldotna, AK 99669	262-5210
Joe Gallagher Public Outreach Coord. Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
Capt. Glen Glenzer Pres. Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
Roger Graves Port of Anch.	2000 Anchorage Port Road Anchorage, AK 99501	343-6200
Rich Griffith VP, TOTE	500 Alexander Avenue Tacoma, WA 98421	
Steve Hackett Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
Brad Hahn ADEC	555 Cordova Street Anchorage, AK 99501	269-7548
Jim Hand	Not Available Public Attendee	
Brian Harrison	Not Available Public Attendee	
Susan Harvey ADEC	555 Cordova Street Anchorage, AK 99501	269-3054
Bob Heavilin CHADUX	721 W 1st Avenue Anchorage, AK 99501	278-3348

Debra Heebner ADNR	3601 C Street, Suite 1080 Anchorage, AK 99503	269-8557
Jim Hemming	Not Available Public Attendee	
Harold Holten	Not Available Public Attendee	
Jim Hornaday Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
Becky Hultberg	130 Trading Bay Rd., #350 Kenai, AK 99611	283-6029
Capt. W. Hutmacher USCG	510 L Street, Suite 100 Anchorage, AK 99501	271-6700
Ed Irish Tesoro	17630 Gravenstein Rd. Bothell, WA. 98012	360-293-1613
Lois R. Irvin	Not Available Public Attendee	
Mary Jacobs Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
Doug Jones Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
Jim Konst Phillips Petroleum	P.O. Drawer 66 Kenai, AK 99611	776-8166
L.C. Krusen	Not Available Public Attendee	
John Kwietniak Tesoro	P.O. Box 3369 Kenai, AK 99611	776-3569
Glenda Landua KPB	36130 Kenai Spur Hwy. Soldotna, AK 99669	260-4047
Joe Lawlor	Not Available Public Attendee	

Greg LeBeau Alaska Maritime	130 Trading Bay Road, Suite 360 Kenai, AK 99611	283-8009
Doug Lentsch CISPRI	P.O. Box 7314 Nikiski, AK 99635	776-7401
Bill Lorch	Not Available Public Attendee	
Shana Loshbaugh Pen. Clarion	P.O. Box 1165 Soldotna, AK 99669	262-6009
Doug Marshall Cross Timbers	52260 Shell Road Kenai, AK 99611	776-2506
Katrina Matheny	Not Available	
Grace Merkes Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
Tim Moffatt Homer News	Not Available	235-7767
Glen Moyer	Not Available Sea-Land Services, Inc.	
Mike Munger ADEC	35390 K-Beach Rd., Suite 11 Soldotna, AK 99669	262-5210
Ed Murphy SWAPA	P.O. Box 977 Homer, AK 99603	235-8783
Mayor Mike Navarre KPB	144 North Binkley Soldotna, AK 99669	262-4441
Paul Nave Crowley Marine	2525 C Street, Suite 303 Anchorage, AK 99503	257-2811
Mike Nelson Phillips Petroleum	Box 66 Kenai, AK 99611	776-8166
Denise Newbould UNOCAL	P.O. Box 2497 Kenai, AK 99611	776-3213

Patrick Norman Port Graham Village Council	P.O. Box 5569 Port Graham, AK 99603	284-2227
Mike Nugent UNOCAL	P.O. Box 2497 Kenai, AK 99611	776-3223
Kristina O'Connor ADNR	550 W 7th Avenue, Suite 800 Anchorage, AK 99501-3510	269-8815
Dexter Ogle Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
Mike O'Hara SWAPA	Box 977 Homer, AK 99603	235-8783
John Ohle Sea-Land Services, Inc.	1049 W 5th Avenue Anchorage, AK 99501-1930	263-5600
Steve Okkonen Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
Mike O'Meara	Not Available Public Attendee	
Capt. Ed Page USCG	P.O. Box 25517 Juneau, AK 99801	463-2199
Lisa Parker KPB, Planning Dept.	144 North Binkley Soldotna, AK 99669	262-4441
Bob Pawlowski Mat-Su Borough	3300 Balcher Drive Anchorage, AK 99517	345-7548
Senator Drue Pearce Senate President	716 W 4th Avenue, Suite 500 Anchorage, AK 99501-2133	269-0200
Rep. Gail Phillips	245 West Sterling Hwy., Suite 102B Homer, AK 99603	235-2921
Tim Plummer VP Tesoro	8700 Tesoro Drive San Antonio, TX 78217	210-283-2430

Steve Provant ADEC	P.O. Box 1709 Valdez, AK 99686	835-4698
Karl Pulliam SOS Response Team	Box 194 Seldovia, AK 99663-194	234-7400
June Reuling Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222
Jeff Richardson AK Center for the Env. (ACE)	519 W. 8th Avenue Anchorage, AK 99501	
Gary Ritzman Sea-Land Services, Inc.	555 S Renton Vllg. Pl., Ste. 600 Renton, WA 99055-3221	425-204-6483
Tim Robertson Nuka Consulting	Box 175 Seldovia, AK 99663	234-7821
Buzz Rome CISPRI	P.O. Box 7314 Nikiski, AK 99635	776-5129
Kelly Rose Cook Inlet RCAC	910 Highland Ave. Kenai, AK 99611	283-7222
Tom Rueter North Star	790 Ocean Dock Rd. Anchorage, AK 99501	272-7537
Cindy Sanguinetti Cook Inlet RCAC	910 Highland Ave. Kenai, AK 99611	283-7222
Susan Saupe Science Research Coordinator	910 Highland Avenue Kenai, AK 99611 Cook Inlet RCAC	283-7222
Paul Seaton	Not Available Public Attendee	
Jody Seitz KBBI	3913 Kachemak Way Homer, AK 99603	235-7914
Paul Shadura Cook Inlet RCAC	910 Highland Avenue Kenai, AK 99611	283-7222

Bill Sharrow Rep. Don Young's Office	222 W 7th Avenue Anchorage, AK 99513	271-5978
Bob Shavelson Cook Inlet Keeper	Box 3269 Homer, AK 99603	235-4068
Rep. Hal Smalley	145 Main Street Loop, Suite 221 Kenai, AK 99611	283-7223
Chris Sonnichsen UNOCAL	P.O. Box 575 Kenai, AK 99611	776-3133
Dora Soria	Not Available Public Attendee	
Faye Sullivan UNOCAL	P.O. Box 19624 Anchorage, AK 99519	263-7685
Gordon Terpening	Not Available Public Attendee	
Jeff Thompson AK Maritime Agency	P.O. Box 920063 Dutch Harbor, AK 99692	581-1467
Sen. John Torgerson	145 Main Street Loop, Suite 226 Kenai, AK 99611	283-2690
Mead Treadwell Ins. of the North	P.O. Box 101700 Anchorage, AK 99510	343-2400
John Webb	Not Available Public Attendee	
John Whitney NOAA	510 L Street, #100 Anchorage, AK 99501	271-3593
Karen Williams Cook Inlet RCAC	910 Highland Ave. Kenai, AK 99611	283-7222
Lt. Chris Woodle USCG	150 North Willow, Suite 41 Kenai, AK 99611	283-3292
Total – 127 participants		

Appendix C – Letters of Support

Jack Cushing
City of Homer

John J. Williams
City of Kenai

Susan H. Hecks
City of Seldovia

Ronald Drathman
Kenai Peninsula Borough

James Showalter & Rita Smagge
Kenaitze Indian Tribe I.R.A.

John Kvarfordt, Sr.
SOS Response Team

James N. Butler, III
Kenai Chamber of Commerce

Justine Polzin
Greater Soldotna Chamber of Commerce

Darren J. Franz
Kodiak Chamber of Commerce

City Mgr.

CITY OF HOMER
HOMER, ALASKA

RESOLUTION 99-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMER IN SUPPORT OF COOK INLET REGIONAL CITIZENS ADVISORY COUNCIL'S (CIRCAC) ENDEAVORS TO ENCOURAGE THOSE WITH THE ULTIMATE AUTHORITY AND RESPONSIBILITY TO ENSURE THAT "PREVENTION" OF OIL SPILLS IN COOK INLET BECOME ONE OF THEIR HIGHEST PRIORITIES.

WHEREAS, we encourage those with the authority and responsibility to exercise due process expeditiously in generating, if not guaranteeing, ultimate "Prevention" rules pertaining to any kind of oil spill in cook Inlet; and

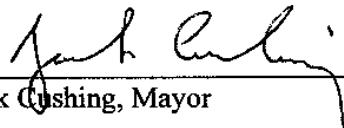
WHEREAS, engaging such "Prevention" rules by those with the authority and responsibility to do so will contribute to the continual safe and timely passage of goods and freight through Cook Inlet to a number of Alaskan communities; and

WHEREAS, we suggest to those with the authority and responsibility that "Prevention" should not be a reactionary tool, but should be done through the immediate sense of planning and employing the best available technology prior to a spill occurring.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Homer, Alaska that the City of Homer supports CIRCAC's endeavor and may present this resolution at their Forum "Safety of Navigation in Cook Inlet" in Homer, Alaska, September 10, 1999, and for any other purpose it may deem appropriate.

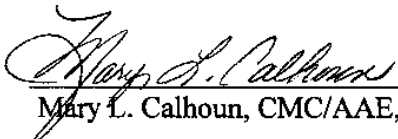
PASSED and ADOPTED by the City Council of Homer, Alaska this 12th day of July 1999.

CITY OF HOMER



Jack Cushing, Mayor

ATTEST:



Mary L. Calhoun, CMC/AEE, City Clerk

Suggested by: Council

CITY OF KENAI

RESOLUTION NO. 99-47

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, SUPPORTING THE ENDEAVORS OF THE COOK INLET REGIONAL CITIZENS ADVISORY COUNCIL (CIRCAC) TO ENCOURAGE THOSE WITH THE ULTIMATE AUTHORITY AND RESPONSIBILITY TO ENSURE THAT "PREVENTION" OF OIL SPILLS IN COOK INLET BECOME ONE OF THEIR HIGHEST PRIORITIES.

WHEREAS, we encourage those with the authority and responsibility to exercise due process expeditiously in generating, if not guaranteeing ultimate "Prevention" rules pertaining to any kind of oil spill in Cook Inlet; and,

WHEREAS, engaging such "Prevention" rules by those with the authority and responsibility to do so will contribute to the continual safe and timely passage of goods and freight through the Port of Anchorage to a number of communities of Alaska and to over sixty percent (60%) of all Alaskans' and,


WHEREAS, we suggest to those with the authority and responsibility that "Prevention" should not be a reactionary tool but should be done through the immediate sense of planning and employing best available technology prior to a spill occurring.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, that CIRCAC may present this resolution at their Forum "Safety of Navigation in Cook Inlet" in Homer, Alaska, September 10, 1999 and for any other purpose it may deem appropriate.

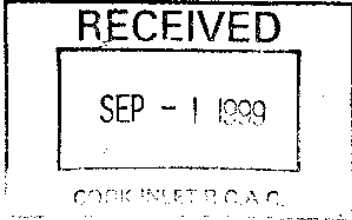
PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this fourth day of August, 1999.


John J. Williams, Mayor

ATTEST:


Carol L. Freas, City Clerk

clf



COPY

RESOLUTION 00-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA SUPPORTING THE COOK INLET REGIONAL CITIZENS ADVISORY COUNCIL'S (CIRCAC) ENDEAVORS TO ENSURE THE "PREVENTION" OF OIL SPILLS IN COOK INLET.

WHEREAS, the City of Seldovia encourages those with the authority and responsibility to exercise due process expeditiously in generating, if not guaranteeing ultimate "Prevention" rules pertaining to the safe transport of oil, refined products, and freight shipping in Cook Inlet; and

WHEREAS, engaging such prevention rules by those with the authority and responsibility to do so will contribute to the continual safe and timely passage of goods and freight through the Port of Anchorage to Nikiski, Drift River, Homer, and any other shipping ports of call in Cook Inlet; and

WHEREAS, the City of Seldovia suggests to those with the authority and responsibility that "Prevention" should not be a reactionary tool but should be done through the immediate sense of planning and employing best available technology prior to a spill occurring.

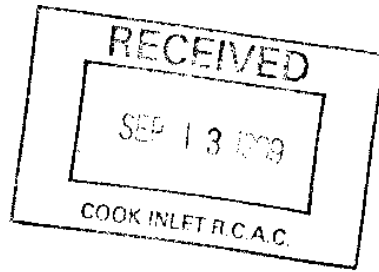
NOW THEREFORE BE IT RESOLVED, that the City of Seldovia supports CIRCAC's endeavors to encourage those with the ultimate authority and responsibility to ensure that "Prevention" of oil spills in Cook Inlet become one of their highest priorities, and that CIRCAC may present this Resolution at their Forum "Safety of Navigation in Cook Inlet" in Homer, Alaska, September 10, 1999.

PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Seldovia this 11 day of August 1999.

APPROVED: Susan H. Hecks
Susan H. Hecks, Mayor

ATTEST:

Sara M. Nichols
Sara M. Nichols, Clerk



Introduced by:
Date:
Action:
Vote:

Mayor
09/07/99
Adopted
8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 99-65**

**A RESOLUTION IN SUPPORT OF THE
COOK INLET REGIONAL CITIZENS ADVISORY COUNCIL'S
"SAFETY OF NAVIGATION IN COOK INLET" FORUM**

- WHEREAS**, the Cook Inlet Regional Citizens Advisory Council was established pursuant to Section 5002 (o) the Oil Pollution Act of 1990 (OPA '90) and certified by President George Bush on August 18, 1990; and
- WHEREAS**, the Cook Inlet Regional Citizens Advisory Council (hereinafter CIRCAC) has been annually certified by the United States Coast Guard as meeting the requirements of OPA '90; and
- WHEREAS**, the CIRCAC Board of Directors and its Prevention, Response, Operations and Safety Committee have been working on prevention measures since its inception almost ten years ago; and
- WHEREAS**, CIRCAC will be hosting a "Safety of Navigation in Cook Inlet" forum on September 9 and September 10, 1999 in Homer, Alaska; and
- WHEREAS**, this forum will examine and discuss various recommendations to contribute to the safe passage of goods and freight through Cook Inlet; and
- WHEREAS**, a thorough examination of the alternatives available to insure safe passage and protection of the Inlet's significant natural resources is timely, given the beginning of a new century; and
- WHEREAS**, safe transportation of vessels in Cook Inlet is vital to the economy of the Kenai Peninsula Borough;

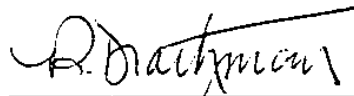
NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. The Kenai Peninsula Borough Assembly endorses the "Safety of Navigation in Cook Inlet" Forum and encourages all participants to work towards mutually acceptable solutions for the safe transportation of goods and freight in Cook Inlet.

SECTION 2. Copies of this resolution shall be provided to the Governor Tony Knowles, the Cook Inlet Regional Citizens Advisory Council Board of Directors, Representative Gail Phillips, Representative Hai Smalley, Representative Gary Davis, Representative Carl Morgan, Senator Georgianna Lincoln, Senator John Torgerson, and Senator Jerry Ward.

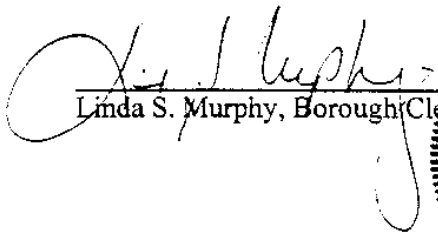
SECTION 3. This resolution shall take effect immediately upon adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF SEPTEMBER, 1999.

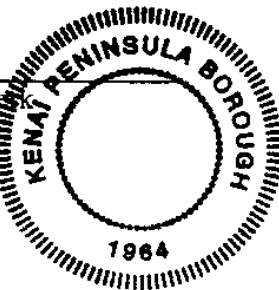


Ronald Wm. Drathman, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk

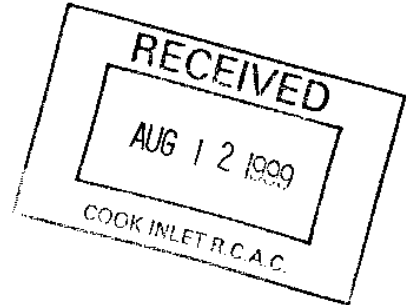


Kenaitze Indian Tribe I.R.A.

P.O. BOX 988
KENAI, ALASKA 99611
(907) 283-3633
Fax (907) 283-3052

August 10, 1999

James E. Carter, Sr.
Executive Director, CIRCAC
910 Highland Avenue
Kenai, AK 99611




Dear Mr. Carter;

The Kenaitze Indian Tribe, IRA would like to lend its support to the Cook Inlet Regional Citizen Advisory Council's "Safety of Navigation in Cook Inlet" forum in Homer on September 10th. Our Elders, Executive Council, and Tribal members have long argued for strong prevention measures that will protect resource important to our traditional lifestyle - subsistence. Our lands, waters, and marine resources were threatened, and in some cases, damaged by the oil from the Exxon Valdez spill. The experience was devastating for many of our Tribe and the effects of the Exxon spill are still being felt today. We need to take steps necessary to insure that such an event will not be repeated in Cook Inlet.

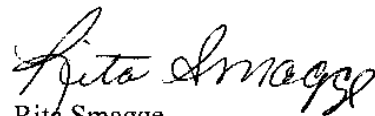
CIRCAC's "Safety of Navigation in Cook Inlet" forum is an opportunity to hear from citizens, regulators, and industry on issues of utmost importance to us. The waters of Cook Inlet hold the key to our future. Oil in the water and on the beach brings a halt to the harvest of marine resources that are a important part of our food supply. The number one priority for regulators should be "prevention" of oil spills. We believe our lands and waters deserve the same amount of protection and attention that is given to the waters of Prince William Sound.

Again, we wholeheartedly support the forum being sponsored by the Cook Inlet RCAC and hope it will result in steps being taken to improve the marine transportation system in Cook Inlet.

Sincerely,


James Showalter
Tribal Chairperson
KENAITZE INDIAN TRIBE, IRA

Sincerely,


Rita Smagge
Executive Director
KENAITZE INDIAN TRIBE, IRA



S.O.S. RESPONSE TEAM

A LOCAL EMERGENCY RESPONSE TEAM

Non-Profit

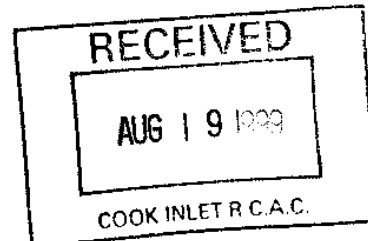
P. O. Box 194, Seldovia, AK 99663

Phone: (907) 234-7400 FAX: (907) 234-7699

"The SOS mission is to help train and equip coastal communities for local spill response."

August 16, 1999

Mr. James E. Carter Sr.
Cook Inlet Regional Citizen's Advisory Council
910 Highland Avenue
Kenai, Alaska 99611



Dear Mr. Carter,

The Seldovia Oil Spill Response Team, or SOS Team as it has become known, commends CIRCAC on its efforts to promote a forum for the "Safety of Navigation in Cook Inlet". SOS wholly supports this type of conference which will bring together decision makers and the public in discussion over the issues facing Cook Inlet waters.

Since the Exxon spill, SOS has been involved in both Prince William Sound and Cook Inlet improvements for oil spill response, including the development of fishing vessel databases and a community based nearshore strike team program. The SOS Team also contracts with SERVS, CISPRI, and Chadux for spill response services. These response organizations have made tremendous progress since the 1989 spill. However, we recognize the lack of prevention efforts in Cook Inlet as compared to Prince William Sound. SOS also recognizes the continued ignoring of the southern Inlet and outer coast of the Kenai Peninsula in response planning.

SOS believes that the focus for prevention and response practices needs to be on Cook Inlet where the majority of the state's goods and freight are shipped through a waterway with few stringent transportation regulations. In the winter of 1998-9, two near incidents occurred which were both preventable had strict ice rules been in place. We do not believe another accident of the Glacier Bay or Exxon spill magnitude need to occur before action is taken.

Cook Inlet RCAC's "Safety of Navigation in Cook Inlet" forum is an opportunity to bring together the public concerns with the decision makers in industry and government and forge a plan to move Cook Inlet prevention and response planning of spills to the same level that exists in Prince William Sound.

Again, the SOS Team supports this forum sponsored by CIRCAC and hopes it brings changes to the protection of the waters of Cook Inlet.

Sincerely,

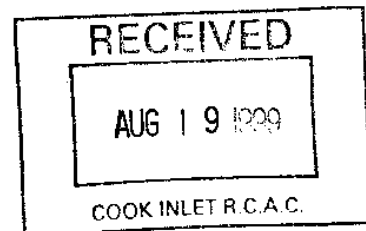
John Kvarford, Sr.
President of SOS Response Team



Kenai Chamber of Commerce
402 Overland
Kenai, Alaska 99611

(907) 283-7989
(907) 283-7183 (Fax)

August 16, 1999



James E. Carter, Sr, Executive Director
Cook Inlet Regional Citizens Advisory Council
910 Highland Avenue
Kenai, Alaska 99611-803

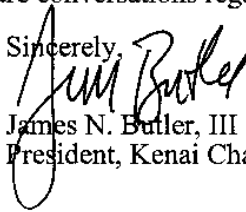
Dear Mr. Carter:

I am writing in response to your July 21, 1999 letter in which you solicited the support of the Greater Kenai Chamber of Commerce for the "Safety of Navigation in Cook Inlet" forum sponsored by the Cook Inlet Regional Citizens Advisory Council (CIRCAC) to be held on September 9th and 10th, 1999 in Homer Alaska.

The Chamber Board appreciates very much CIRCAC's recognition of the importance of economically prudent and reasonable measures to prevent any type of marine casualty in the Cook Inlet area. To this end, the Board certainly endorses the idea of a forum in which stakeholders in the Cook Inlet community can discuss issues and share ideas.

The Board looks forward to receiving a copy of any proceedings generated by the forum and stands ready to participate in future conversations regarding this important issue.

Sincerely,


James N. Butler, III
President, Kenai Chamber of Commerce

JNB/smw

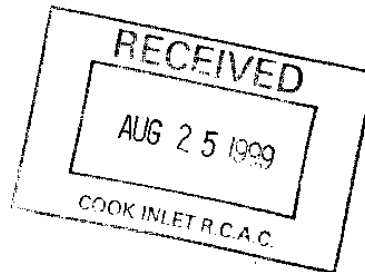


Greater Soldotna Chamber of Commerce

44790 Sterling Highway • Soldotna, Alaska 99669 • (907) 262-9814 • Fax: 262-3566

August 23, 1999

James E. Carter, Sr.
Executive Director, CIRCAC
910 Highland Ave.
Kenai, AK 99611



Dear Mr. Carter:

The Soldotna Chamber of Commerce would like to go on record in support of Cook Inlet RCAC's forum, "Safety of navigation in Cook Inlet." The Chamber recognizes the importance of preventing oil spills in Cook Inlet and welcomes the opportunity to have this important issue discussed in an open, public setting.

A catastrophic oil spill would not only be a disaster for the environment and wildlife population of the Inlet; it would also create an economic crisis. Cook Inlet is a major transportation link for southcentral Alaska, serving more than half of the state's population. We simply cannot afford to let an oil spill shut down this important waterway.

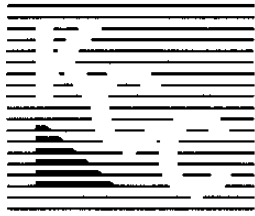
An oil spill would be devastating to the commercial fishing fleet and salmon processors that are an integral part of the Kenai Peninsula economy. The *Glacier Bay* incident in 1986 is an example of what can happen when oil is spilled in Cook Inlet. The tanker struck a submerged rock and lost 600,000 gallons of oil right at the beginning of the salmon season. The state was forced to close the fishery and millions of dollars in revenue were lost.

An oil spill will also have a negative impact on sportsfishing and the tourism industry, which are two other key components of the economy.

Again, we wholeheartedly support the forum being sponsored by the Cook Inlet RCAC and hope it will result in positive steps being taken to improve the marine transportation system in Cook Inlet.

Sincerely,

Justine Polzin
Executive Director

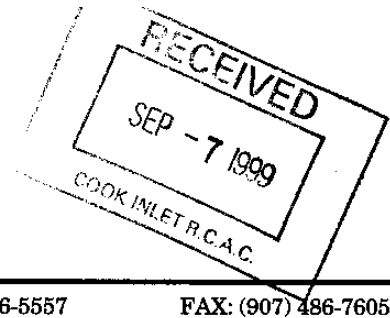


**KODIAK
CHAMBER
OF COMMERCE**

P.O. Box 1485, Kodiak, Alaska 99615

(907) 486-5557

FAX: (907) 486-7605



September 1, 1999

Mr. James E. Carter Sr.
Executive Director
Cook Inlet Regional Citizens Advisory Council
910 Highland Avenue
Kenai, Alaska 99611

Dear Mr. Carter,

The Board of Directors of the Kodiak Chamber of Commerce have voted to support the Cook Inlet Regional Citizens Advisory Council's (CIRCAC) forum, "Safety of Navigation in Cook Inlet." The Kodiak Chamber of Commerce recognizes the importance of preventing oil spills in Cook Inlet. As a downstream community from all the shipping activity in Cook Inlet, we are very concerned about safe navigation in Cook Inlet. As was evidenced during the Exxon Valdez oil spill, Kodiak, over 300 miles from the spill, was greatly impacted by the residue of the spill.

A major oil or chemical spill would not only be a disaster for the environment and wildlife population of Cook Inlet and communities downstream of the spill area, it would also have a serious impact on the economies of all communities in the line of fire. Cook Inlet is a major transportation link for south central Alaska, serving more than one half of the state's population. We simply can not afford to let any type of spill shut down this important waterway.

An oil spill would be devastating to the commercial fishing fleet and processors that are an integral part of Kodiak's economy. The Exxon Valdez oil spill in 1989 is a classic example of what the impact to our economy will be when oil is spilled hundreds of miles from Kodiak's shoreline. The spill occurred in March of the year, and salmon season some three months later was shut down because of the presence of crude oil in the water column. The state was forced to close the commercial salmon fishery. Both fisherman and processors alike were impacted when millions of dollars in the local economy were lost. That oil spill also had serious negative ramifications on the visitor industry and its subsidiary operations such as charter sport fishing, kayaks and other businesses that depend on access to the pristine waters of Kodiak Island.

Dedicated to Kodiak's Future

Mr. James E. Carter Sr.
Cook Inlet Regional Citizens Advisory Council
Page 2 of 2

The Board of Directors of the Kodiak Chamber of Commerce wish to reiterate its support for the forum being sponsored by the Cook Inlet Regional Citizens Advisory Council. We hope that this forum will result in positive steps being taken to improve the safety of the marine transportation system in Cook Inlet and waters surrounding Kodiak Island.

Yours in Economic prosperity,



Darren J. Franz
President

Appendix D – Forum Evaluation Results

A six question survey was handed out to the participants of the Cook Inlet RCAC's "Safety of Navigation in Cook Inlet" Forum. The following is a summary of responses to that survey.

1. What was your overall impression of the forum?

- The Forum was an excellent idea and the tone set on September 9 was excellent. I felt the discussions on September 9 were very open. The Forum on Sept. 10 was disjointed partially because the moderator in panel #2 and participants in panel #3 had not attended the Forum on Sept. 9. The Forum and subject matter is of great concern and demands our full open attention.
- Very Good.
- Excellent, very informative, a lot of different perspectives were given.
- The Forum was great. It appeared that a couple of individuals had a pre-set determination made as to what the outcome of the Forum would be. When the general sentiment did not support their position, they left the Forum, i.e. Keepers, ACE.
- The list of attendees was impressive and shows a willingness by all stakeholders to work toward continuous improvement. Forum objective was unclear. Was the objective met, can the results be measured/disputed? Good Start.
- Good exchange of views.
- Was very informative, lots of good speakers with good info.

- Favorable – it's a good start to get the wide array of participants and attendees in one room.
- Interesting – was this about oil in the water or funding to keep the CIRCAC solvent?
- Very useful and informative – a high degree of participation if not exactly focused.
- Excellent network of people discussing this issue. Some “badgering” by RCAC members distracted from important points the panelists were making.
- Very well planned and organized.
- Positive.
- Generally good. Better definition of types of tugs (assist, response, escort) and their capabilities.
- Beneficial in that many issues were addressed and clarified. Consensus seemed to be reached on the need for risk assessment and/or cost benefit analysis. Funding realities were also addressed.
- Well run, good speakers, excellent facility.
- Generally – very good. Vast amounts of useful info, diverse viewpoints well represented. Very professional. The audience was thoughtful and productive.
- Favorable format – however some indecisive direction.

- Excellent cross section of participants, and they were knowledgeable. I appreciated the separation of emotion from facts, and the focus on using facts to decide where to go from here. This was an excellent overview of traffic in Cook Inlet.
- A lot of interests w/very differing positions regarding a sensitive, important, far reaching issue. Now to deal with more FACTS than beliefs, this Forum dealt more with beliefs and feelings which is hindering progress.
- Good. An education tool for all.
- A good process, but I saw some problems. First panel was heavily weighted to south end of Peninsula, recognizing that ACE is based in Anchorage but not representative of the majority of Anchorage residents. The presence of SOS but exclusion of CISPRI was incongruous. Inclusion of SWAPA lent a technical voice to an emotion – based panel. I think it is important to get public input, but a true Forum includes all players – which didn't happen on this panel.
- Good Idea.

2. Were appropriate issues addressed and were there issues that should have been added or deleted?

- Appropriate issues were addressed in Panel #1 and Panel #2. Issues regarding communicating with the fisherman in the shipping lanes needs to be resolved. I felt the keynote speaker Drue Pearce undermined the open discussion of September 9 and any Forum development of issues and solutions.

- Needed pro & con of Port Authority.
- Yes. Public announcements for the meeting perhaps a little biased towards escort vessels, etc. but the actual panel sessions were more balanced.
- Yes. It would have been better if a clear definition of what was wanted was laid out in the beginning. Jim Carter tried, but the process was not followed upon.
- Yes. Good open discussion.
- Well covered.
- Seemed appropriate.
- Add: List of preventative measures enacted in Cook Inlet – and their success or failure.
- Excellent issues were raised, however within the context of the safe navigation of Cook Inlet, a hierarchy of priorities needs to be specifically discussed by CIRCAC prior to a follow up meeting or forum.
- Some definitions would have helped in the introduction, i.e. tugs, escort or assist, risk assessment or analyses, port authority or committee.
- Yes. None that I can think of.
- Yes, yes and yes.

- More Native concerns and insurance issues.
- The topic of Risk Assessment and all that it entails should have been added. The legislator's panel was of little or no value for answers or discussion.
- Key topics were addressed.
- Right issues addressed.
- Many great issues addressed. Would have been nice to have concluding remarks summarizing findings. Perhaps have moderators work up list of bullet points with audience input.
- Appropriate issues were addressed.
- The Forum addressed appropriate issues in a balanced manner. The only lack was the absence of marine insurance people, and I don't think it was a serious omission. Include the fishing industry in risk consideration. Forecast future changes in traffic volume and content/cargo.
- Risk Assessment is missing and therefore can't address risk management.
- Who is responsible party to coordinate Risk Assessment? Not RCAC due to outside remit (?) / structured funding. Coast Guard volunteered?
- Most issues raised were pertinent and appropriate. There were a few issues raised out of the bounds and purpose of the Forum, but over all it was focused.
- Good balance.

3. Did the panelists adequately address the issues and questions posed to them?

- Panel #1 was excellent at addressing issues and questions. The difficulty of cleaning up spills in Cook Inlet was not addressed but is of concern as is the inability to boom the Kenai River. Panel #2 did not adequately address issues that were raised by Panel #1. Panel #3 never heard Panel #1 and Panel #2 because they were absent (not physically present during the Forum) and therefore did not adequately address the issues.
- Yes.
- For the most part yes. Good selection of panelists.
- #3 could have provided a more concise list of funding sources with opinions on probabilities.
- Generally yes, but some of the discussion was disconnected, but given the format of the Forum it was adequate.
- Yes, but did the audience provide adequate information back to the panelists. Clearly many questions existed about consensus.
- Overall, yes.
- First panel was ram-rodged by the moderator.
- Yes. Excellent effort to bring together key decision-makers. Bringing in SWAPA was especially helpful.

- Positive – Panelists top-notch. Most well informed, articulate and authoritative. Q & A excellent.
Negative – Lack of continuity. If panelists had stayed for entire Forum, panels could have built on each other. The elected officials seemed disconnected from the rest of the process.
- I would say about 50/50, some did, some basically did not.
- Yes, but the biological information was not very current. Besides that, there are other resources in Cook Inlet that could be affected by an oil spill, state and federal parks, cultural sites, public use areas, set-net sites, "areas of public concern", industrial areas, etc..etc.
- For the most part.

4. What prevention measures discussed today do you think are most realistic and should be pursued?

- The range light on the approach to Nikiski; Complete up to date chart of Cook Inlet (NOAA); Bridge based VTS; Response vessel in the Lower Cook Inlet; Video camera for icing conditions moved from the platform to the south side of the Unocal Dock; Risk Assessment / Cost Benefit Analyses which should also address the oil platforms and pipelines in Cook Inlet.
- Need for Needs Assessment.
- The Risk Assessment, and various issues raised by the pilots (updated charts, Nikiski range light, etc).
- Recommendations set forth by Capt. Murphy.

- Improved NOAA surveys and charting; Automatic identification systems – Review any operating/active systems; Range light system in Nikiski; Improved Marine Pilot training and ship's crew and terminal operations.
- New range light, cameras for ice, trial program for transponder (bridge based VTS).
- Risk Assessment, range light in Nikiski.
- The range light at Nikiski, accurate charts and navigation aids are imperative to preventing casualties.
- Risk Assessment, define the issues.
- A complete Risk Assessment for Cook Inlet recommending further preventive measures.
- Risk Analysis; Vessel Tracking System; Multi-Borough Cook Inlet Waterway Committee (informal Port Authority).
- Use of available technology (GPS based) for vessel separation/ conflict avoidance (note that all vessels affected would have to be suitably equipped!); System for tracking/dispatching vessels of opportunity (using technology similar to above).
- The only one that sounded constructive to me was to change the approach to the Homer Pilot Station to stay equi-distance from land on both sides approaching on a heading of 090 degrees. This could be done ASAP just with changes in the U.S. Coast Pilot and USCG Regulations.

- Risk Assessment; surveys (NOAA); charts; range light; camera; bridge based VTS; assist vessel, escort tugs, firefighting; increased vetting by Coast Guard; current flow; explore Port Authority.
- Bridge based AIS systems; better communication between fisherman/ vessels over 300GT.
- Solve problem of fishing vessels in primary traffic lanes; ensure adequate chart info is available; navigation light; vessel tracking; proceed with Risk Assessment.
- Range light – eminent domain; ice camera – low light; transponders for the ships.
- The pilots' ideas – better navigational aids, charts. Also – continue setting ice guidelines; have shippers meet with fishing fleet reps. Look further into ideas of Risk Assessment, Port Authority and emergency response vessel in lower inlet.
- Implement cheaper fixes now, i.e. range light, camera and navigation bridge VTS systems as brought up by SWAPA.
- The recommendations of SWAPA representatives are the most practical and realistic and should be pursued.
- Have to begin with a comprehensive Risk Assessment that 70-80% accept.
- Camera on dock in Nikiski; range light at Nikiski; Risk Assessment funded by responsible Cook Inlet parties; possibly bridge based AIS systems.

- A Risk Assessment is a reasonable first step. It is critical that it be done using sound science and no preconceived bias.
 - I.D. the problem, spend current dollars smarter.
5. How should further safety of navigation and oil spill prevention efforts and discussions be carried out?
- Bring non-regulated operators into the system.
 - No further discussion is probably needed until Risk Assessment is complete. We heard repeatedly that until that is done there will be no funding to proceed.
 - Depends on Risk Assessment conclusions.
 - Yes, this is a continual education issue for all concerned, the more information sharing the greater the knowledge base of participants.
 - Keep the process very public. Everybody must reach consensus in order for this process to work. One entity needs to organize the effort. CIRCAC is probably the best suited for this, but can they legally do it?
 - Combine efforts and resources with Prince William Sound and include Seward. Share costs as well.
 - Public forums like this is good. The informed parties need to communicate with each other and public.

- Do comprehensive Risk Assessment.
- Need to define scope of Risk Assessment. Determine lead agency/ organization to champion it, seek Federal funds to execute.
- Somehow work out a consensus.
- I would suggest a planning workshop with all the concerned parties participating. CIRCAC would be the logical sponsor since, according to Mr. Hornaday, you've received \$600,000 for your budget this year.
- All interested/affected parties (stakeholders, using current "in" term!) entering into impartial, open-minded, good faith negotiations.
- Moved to Borough Mayors for direction – state and federal leaders will participate in borough orchestrated dialog – or show that the concept is not viable waterway wide.
- Continuing the momentum generated by this Forum, CIRCAC should hold further meetings developing a RFP for a comprehensive Risk Assessment.
- Meetings and discussion between interested parties.
- A few specific and several general issues have been raised – future meetings should deal with precisely defined issues e.g., parameters and costs of a Cook Inlet Risk Assessment) and Facts.
- Form a Risk Assessment team.

- Follow up and get the fishing industry involved in the same process. The industries seem to have a good hand on policing themselves (with agency pressure).
- More of this.
- Future safety of navigation and oil spill prevention efforts and discussions should be held in the local communities with local fishermen and pilots and stakeholders. The politicians should not be asked to participate as panelists or speakers, because they undermine the process with their political posturing.
- Recommend a small work committee: Tesoro, USCG, Tote, CIRCAC, Pilots – brainstorm a course of action to do the following: Define Risk Assessment; who can do this and are they agreeable to all parties; what needs to be measured/collected; how do or can the results affect safety; what are the costs.

6. Any additional comments?

- Mr. Shavelson laid out his own personal agenda and biases as moderator before any of the speakers had an opportunity to talk. If anyone moved too far from his predetermined positions, they were abruptly brought back. An extremely poor choice as a moderator responsible for producing “open dialogue”.
- Thank you for offering this Forum. The Cook Inlet RCAC did an excellent job of organizing the Forum and opening the discussion to everyone. The Homer Elks Club was excellent. I appreciated your efforts in providing an open Forum for all, and your willingness to address the issues.
- Need to do an agreed upon Risk Assessment.

- Thanks.
- Enjoyed it. Appreciated the gravity, learned a lot. Very well organized and executed.
- Lunch was excellent.
- I think there are 3 or 4 things that could be put into place very quickly and at little expense that would enhance safety significantly.
- Appreciate RCACs' effort to resolve/pursue this issue. Cook Inlet deserves our continuous vigilance.
- Thanks for providing a Forum to address Cook Inlet issues.
- This is very complex, educate people and keep pushing for progress.
- I feel Cook Inlet has a fairly adequate safety net in place now. Funding for further measures will be difficult. Port Authority concept is a good idea.
- CIRCAC appears to be under pressure to match PWS RCAC efforts/ accomplishments to-date. The Risk Assessment is the first step to making significant progress.
- Bob Shavelson as "moderator" of first panel was, to use his own words, an oxymoron. His opening statement was extremely opinionated, other moderators did a good job. A moderator is required, by definition to display moderacy.
- Thanks.



R C A C

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