

January 30 Alaska Clean Harbors Advisory Committee Meeting
Draft Agenda
10 – 11:30 AM
Call-In Number: 877-366-0711, Participant Code: 26652255#

In attendance:

Terry Johnson, Brett Farrell, Joe McCullough, Shane Serrano, Bryan Hawkins, Steve Russell, Rachel Lord

Missing:

Erika Amman, Kim Kovol, Alan Sorum

1. Harbor participation update
 - a. Haines. Phil was out and was at the Seattle Boat Show – Rachel is working to get in touch with him for an update. Talked with ED of local watershed council about possible help on the MSGP for their fuel dock/marina.
 - b. Sitka. Last update from Chuck was that they were waiting on the recycling contract to go through at the city/borough level. We're working with them on the map project (update below).
 - c. Valdez. Rachel is going to call Diane sometime in Feb. They are hosting the 2013 AAHPA conference & would be great to have them actively working towards certification.
 - d. Juneau. Shane pitching to commission tomorrow & doing a small tour with port & harbor staff.
 - e. Dutch Harbor. Marine Exchange updating BMP practices with port. Dave, and MXC will keep them connected. Brett will confirm they have the BMP checklist.
 - f. Others? Rachel encouraged all committee members to connect with harbormasters & city managers as they are able to.
2. Newsletter Articles & Website
 - a. 2-3 articles (150 word) on some topic or another (ACH Committee members)
 - i. Steve volunteered historical perspective on spills. Happy to write on whatever.
 - ii. Shane can provide a piece on something.
 - iii. **Rachel will send out specific article ideas for Shane & Steve, with end of Feb deadline.**
 - b. Letter from Rachel (ADV highlighted)
 - c. Wheelhouse on oil & soap, with USCG interview (Rachel)
 - d. Website – updates on resource pages, review! Rachel will send out some links and suggestions for pages to look at.
3. Map project progress – quick update from Rachel. Graphic designer hired in Anchorage. She's working on developing icons & templates. We're working with Homer & Sitka to develop templates for single- and multi-basic facilities. Excited about this project as a good "carrot" to increase ACH participation.

4. Abandoned & Derelict Vessels – Rachel gave a quick overview of where we are currently engaged in this issue. Trying to bring forward the ideas that Mike & Holly brought before the AAHPA in October. Steve interested in this as well. He noted that the issue isn't necessarily DOT delegating authority. With the Jakolof Bay (JB) incident they delegated quickly & easily. Not a key issue as nothing in regs that say they can't do it. Pretty much if commissioners agree they can do it. The real issue is money. Idea of DOT delegating authority under AS30.30, there's no funding source for DEC to take money from unless specifically related to pollution prevention and response. They & USCG had money to mitigate pollution, but then would have to leave vessels. Need to change funding sources so there's somewhere to pull from. Steve isn't sure where DNR came up with ~\$20k, but he didn't have any available source of money to do it. Rachel outlined the background of why they were looking at the change to open up delegation of authority & provide state law coverage for municipal waters as well, to back up municipal codes which may or may not exist. This came directly from work that Holly & Mike have done, supported by the AAHPA. Steve asked Bryan his thoughts on possible resistance to the state taking authority? Bryan – yes, there probably would be some hurdles. Bryan forwarded article on sunken vessels in WA where they are is getting really serious on this issue. They have a draft bill that addresses some of these same issues we're talking about up here. He's hopeful, bill is extensive and there's some good thinking going on. They are taking several angles, and hopefully we can piggyback to change laws. Steve – currently on city tidelands the state won't step in, because on city land. Is this the case in WA as well? 470 fund would be a good source of income (here's [an article from 2010](#)...not sure what the updated status of this is) – need to get it past oil industry. Will be extremely difficult. WA is proposing additional fees in vessel licensing. Need more legislative support. Steve – JB issue brought a lot attention. Stevens & Seaton's offices informed, they know this this is a major problem. Closer to home – can have severe economic impact on Alaskans economy. With farmers consent since they won't be selling for another couple of months anyways. They will test for petroleum contamination – who pays for them? DEC pays for the testing.
 - a. Database development – Rachel will send out a copy to the committee as soon as a revised draft is ready.
 - b. Legislation through Juneau- Rachel is working with Anchorage attorney Holly Wells to develop a plan of action to try and move forward some already proposed changes. Long term vision of creating a statewide ADV program so that there's some kind of funding mechanism, solid and helpful legislation, and a plan for dealing with these vessels before emergency situations arise such as the recent one in Jakolof Bay (not to mention Sound Developer, etc). ACH is in a good position to help facilitate and move these conversations forward. Rachel is still learning details and trying to catch up as quickly as possible to be helpful/effective.
 - c. Question about liability. Rachel asked for clarification on how the liability for spill clean-up is handled in a case like that in Jakolof Bay. Steve helped by explaining the owner will likely be charged by feds for ~\$180k to raise the vessels. How long it takes and how effective it is – that's unsure. DEC in for about \$20k. The money

will be re-cooped if the vessels are auctioned off. If owner reimburses expenses, he can have the vessels back. If not, they will take his PFD and get it one way or another. USCG can also inflict a fine for pollution, 3x the money they spent - ~\$600k. DEC can do so as well if they determine that he intentionally was at fault. Their fine is based on amount of oil spilled, so wouldn't be much and they likely won't pursue. If oysters are contaminated (extremely remote chance, given the timing, etc.), the farmers could go through National Pollution Fund to recoup their losses. 1.2 million oysters – wouldn't be cheap. State could also have actions through NPF for their reputation for pristine seafood. Every indication is that the oysters should be fine. If there was a small amount of contamination they should be able to flush it out in a couple of weeks. Buffered by several months. Rachel has heard some perception of slow/noninterested response from folks following the JB incident. Steve clarified this as well - USCG and DEC got response Xmas Eve – unknown sheen in JB. On Xmas day, late-afternoon they got report of vessels sunk. At daylight next day USCG was all over it, Mark Janes ran over quickly to see if he could deploy skimmers/etc. Next day USCG federalized it – process takes a little time once that was initiated. Hopefully the farmers understand that. Bryan pointed out the bigger issue which is that there is no plan. We need something that helps serve our needs moving forward, not just case by case. That's the biggest issue – everyone ends up scrambling. Having to justify expenses, etc. Hot potato vessel issue, no plan to deal with and needs to be dealt with. Industry meeting in Homer – this is one of the stories Steve will tell with hopefully Lt Gov there & others.

5. Clean Boating

- a. “No Soap” and fueling - summer outreach. Terry brought up the role of fuel docks in all of this. His experience is that they hand you the fuel nozzle and then they step away. Not very helpful, with few exceptions. Maybe consider having a contest to develop a tool that would be carried on board/at fuel dock to pick up small sheens. Long handled with absorbs, etc. Bryan thought this was a good idea. Steve knows of several commercial products available that could be used. **Steve will send forward information on to Rachel about these products.** Question becomes how big & what its use? Is 20' pole long enough, or need to be longer? How does it work? Bryan has seen some products capture fuel before it comes out their vent. Can be impossible to fuel vessels without venting gas out the side. Clamp over that temporarily. Shane said DEC purchased ~100 fuel vent catchers for smaller vessels. Tool that will be of value and hopefully help to get more into circulation. Terry has seen ads for these. Some are worthwhile, but boats are super diverse and so individual would need to select ones to fit their vessel. Vent isn't the only problem spot when fueling. Rachel noted that having these available at fuel docks could help boaters see options, at which point they can work to fashion solutions for their individual vessels. At fuel dock, could have a large device to help clientele clean up spills. Steve noted that liability is likely an issue. At fuel docks the liability line is where the hose crosses the dock. Once boat owner accepts the hose, everything belongs to the boat owner. Have to

have fuel docks willing be a good neighbor and lend these devices to boat owners. Terry agreed and would like to see this. The lack of liability is likely why docks don't make much of an effort at this point. Perception problem/legal problem to be clarified. Steve recently heard Petro commercial advertising that they had spill response products available. Rachel updated the committee that she had talked with Roger Baker, Petro Marketing Manager, about possible clean fueling outreach on the Petro docks. Roger was generally supportive, directed her to talk with Jim Beckham, head of operations. Rachel would like to pilot some work at the Homer fuel dock this summer. Steve is happy to give out absorbs but people who sell them don't necessarily like them being given away for free. Steve can give Rachel a couple bundles of absorbs to work with. Bryan asked if anyone recalled a number of years ago they had absorbent donuts that fit around the fuel nozzle. Are those still around? Terry said the ones in Homer came up from WA Sea Grant after he had heard of them working well down there. Rachel said she hasn't seen these currently on the market – if anyone does know of them being sold to let her know. Terry reminded everyone again that no one size fits all. Some work in some contexts and not in others. When they've been used under a lot of pressure with mist blowing back, they get about half full of diesel fuel and expel fuel. Need to be able to store them without contaminating everything around them. Good idea, but also some resistance to them. There are a number of tools available. This summer Rachel will try to pilot a few ideas in Homer to see what might work and be useful for boaters and spill prevention and clean-up at the fuel dock.

- b. Dockwalkers in Seward & Homer. Rachel will hopefully be working with RBCA in Seward and through Cook Inletkeeper in Homer to try out some 'Dockwalker' outreach on the docks this summer, giving out clean boating kits. See the CA handbook included in the meeting packet email from last week for more information.
 - c. Anchors Aweigh Boat Show, Feb. 6-11. We'll have a clean boating/clean harbors booth (co-sponsored by Cook Inletkeeper and ACH) again this year. Last year gave out over 200 clean boating kits and was very popular.
 - d. Homer Winter King Tournament. Rachel is working with the Chamber to give out clean boating kits to participants. Also working to have kits at the Info booth on the Spit so that people who register for the halibut derby throughout the season will get clean boating kits as well. Steve offered that he can provide absorbent pads any time for these types of projects. Rachel will follow up with him after they work through current inventory.
 - e. Clean boating pledge. We didn't get a chance to talk about this, but Shane brought up the OR Clean Boating Pledge. We're going to pilot this at the Boat Show next week, with a pledge to sign on the back of the survey. This will encourage people to be stewards of the environment while they're boating.
6. Other
- a. AFE Presentation. Rachel is giving an ACH presentation during the Alaska Forum on the Environment next Wednesday afternoon in Anchorage.

- b. DEC Award of appreciation (postponed). Cook Inletkeeper would like to give ADEC an award to recognize their support of the Clean Harbors program. Thought the Industry forum this week would be a good venue, as much of the groundwork was done here in Homer, however Commissioner Hartig won't be able to attend. Steve is talking at the forum Thursday afternoon. Rachel will try to sneak in to hear the afternoon talks, however registration is full and she's not sure she'll be able to get in.
- c. Harbor signage – Spill Reporting. Rachel sent out an early draft of this sign idea to committee members for review. The idea is to have a 'flashy' spill response sign that can mimic the 'Spills Aren't Slick' signs that the west coast states & BC have. AK doesn't participate because the 1-800 number they advertise doesn't work up here. The big thing that looks like a bar code is a QR code – it can be scanned with a smartphone and takes the user to the ADEC Spill Response page. If committee members have comments, please pass them along!
- d. October AAHPA meeting will be held in Valdez, from October 21-25. Please mark your calendars and try to attend. It's great to have as many folks presenting on ACH-related topics as possible! We'll also (hopefully) have another in-person meeting there. Again, if folks need travel funding assistance we have grant funds to help get you there. If Rachel isn't able to attend, she'll look to a committee member (possibly Shane?) to give a presentation on behalf of ACH.
- e. Long term planning for Alaska Clean Harbors
 - i. CIAP funding currently runs through Aug 2015. This is going to be an increasingly large topic of conversation – what next? How will we continue funding and working this statewide program after this grant ends? Please everyone consider this question, your organization's interest in and commitment to ACH, and help develop ideas on how we can continue past this current funding end-date.

Terry had to leave around 11AM.

Meeting ended around 11:20AM.

Next meeting will occur sometime in early-summer to touch base with committee members at the onset of the summer season.