

752.300.040719.TschantzJack.pdf

Tom Schantz

P.O. Box 1224 • Valdez, AK 99686

Phone: 907-835-5116 E-mail: schantzbird@valdezak.net

VDZ received

7/23/04

JD
RA
TP
JB

July 19, 2004

John S. Devens, Ph.D.
Executive Director
Prince William Sound Regional Citizens' Advisory Council
P.O. Box 3089
Valdez, AK 99686

Dear Dr. Devens:

As a Jack Bay land owner I would like to take a moment to share some concerns prior to the next Jack Bay spill drill scheduled for August.

I oppose the proposed sacrificial designation that is slated for Jack Bay or any other location in Prince William Sound. The designation of geographic locations as possible places to tow a disabled vessel might seem like preparedness but, it could also be very dangerous. Historically, the trend in Alaska of putting the spiller in charge of spill response has been disastrous. Critical response decisions have always been delayed and avoided. There is incredible pressure placed on the spiller to downplay spills and deny inadequate response efforts. Response is geared more for shareholder relations and liability when it should be limiting environmental and human impact. These sacrificial designations could be used as a "crutch" to avoid being solely responsible for another (possibly better) decision. Proposing geographic sacrificial locations without customized spill plans for each "sacrificial bay" seems premature. In other words, a leaking tanker is towed into Jack Bay and boomed off; what next? A number of questions come to mind:

- How do you defend the shorelines?
- What are the most environmentally sensitive areas within the sacrificial bay?
- Who owns the shorelines?
- What are the tides and currents?
- What are the impacts to private property land values within a designated bay?
- How does the designation fit other designated land uses and plans?

These questions should be answered before any designations are discussed and advertised on websites.

The justification for my concerns were well emphasized on April 28, 2004 when the Pathfinder tug spilled fuel into Jack Bay during a fuel transfer just prior to the start of an industry spill drill. Crowley's fuel transfer procedures were not being followed by personnel. While this accident hurt, it was the lack of an adequate response and honest critique of the recovery efforts that was an outrage. If there is no honest critique of this "practice spill" how can we improve spill recovery efforts? If this is the trend, I believe the negative environmental impact and potential risk of negligent drill participants far exceeds any benefit in conducting emergency preparedness drills. These drills seem more like an image campaign for the oil industry to celebrate "look how prepared we are!" Why were the original containment efforts geared to contain the spill to Jack Bay? Could this be because it is designated as a sacrificial bay? When the sheen was headed out to more open water in the Valdez Arm on an outgoing tide, why did responders chose to attempt to contain the spill to Jack Bay? Why did the spill drill continue after the fuel was spilled? If the typical response to a spill in a sacrificial bay is to contain the spill to the designated area without making all efforts to protect the shoreline and recover the

product then I have serious concerns about future spill drills and industry operations being conducted in any proposed sacrificial bay.

I offer my own critique gathered from personal observations, observer reports, fishing vessel crew members, first hand accounts and VHF transmissions during the recovery effort of the Pathfinder spill. Because I own property in Jack Bay, a lot of people have talked to me about this incident. First, oil spill contingency plans need to establish better protocols for diesel fuel spills. Boom just moved the sheen around and dispersed the fuel in otherwise perfect weather for recovery. The spill was downplayed so much that the spill drill actually went forward with limited on site resources dedicated to spill response during the first critical hours. Second, while industry praised their communication efforts after the fact, it was obviously poor. The bizarre mix of spill response and spill drill activities showed disregard for private property, the environment and slowed spill response. It evolved into what can be described only as a "practice spill". When vessels and resources on site learned that the beach on Tongue Point was being threatened, it was too late to protect it. Not all of the resources available were deployed timely. In fact, several observers and fishing vessel crew members reported that commands were given not to deploy specific equipment because it would get "dirty". The first efforts to contain the sheen to Jack Bay showed either complete lack of knowledge of the local area or overly optimistic plans to recover the spilled fuel. When the tide changed, the sheen quickly threatened two of the few known anadromous streams in Jack Bay at a critical time for the health of resident Salmon fry. The beach that was ultimately contaminated on Tongue Point is part of a 900 hundred acre parcel that Jack Bay landowners, environmental and special interest groups have spent extensive time and expense to protect with conservation easements and changes of title over the past 17 years.

Jack Bay is being negatively impacted by the oil industry's spill drills and special designations. Also, the newly coined term "Ports of Refuge" seems like a descriptive honor bestowed on special areas like a National Park or National Wildlife Refuge. It is terribly misleading and unfair to the public.

In no way is this correspondence intended to exaggerate the environmental impact of the Pathfinder spill. It is more of an effort to spark constructive criticism and honest dialogue to improve response and prevention. More serious spills will occur and regardless of their size, our ability to control them will be far more limited than the oil industry ever wants residents to know. All citizens share this risk yet it seems those of us with a vested interest in proposed sacrificial bays carry more of the burden.

For the last nine years our family and friends have had many great memories constructing and spending time at our family homestead cabin. Jack Bay has been good to us and because of this I am obliged to do good for Jack Bay.

Thank you for the opportunity to provide comments.

Sincerely,



Tom Schantz

Cc: CDR Mark Swanson, U.S. Coast Guard, MSO Valdez
John Kotula, Alaska Department of Environmental Conservation
Larry Iwomoto, Alaska Department of Environmental Conservation
Kris O'Connor, Polar Tankers
Frosty Leonard, Crowley Marine Services
Richard Ranger, Alyeska Pipeline Service Company
Jack Bay Landowners