

Citizen oversight would be a boon to all parties to Arctic oil development

By STEPHEN K. LEWIS, President

Prince William Sound Regional Citizens' Advisory Council

In Senator Begich's proposed legislation to establish an Arctic Regional Citizen's Advisory Council, our group is mentioned as a model for such a body. But, in the June 29 *Compass* titled *Citizen oversight a burden to Arctic oil*, Dave Harbour makes several misleading statements about the content and intent of the proposed legislation. A citizens' council would be a boon rather than a burden to everyone concerned with Arctic oil development.

Citizen oversight for Prince William Sound (and for Cook Inlet) was mandated by the federal Oil Pollution Act of 1990, which was passed in reaction to the *Exxon Valdez* oil spill in March of 1989. Congress concluded that one of the factors contributing to the catastrophe was complacency on the part of both industry and governmental regulators responsible for operating and monitoring oil tankers in Prince William Sound and the terminal in Valdez where they load North Slope crude. Congress's inquiry further found that the system of regulation and oversight of crude oil terminals in the United States had degenerated into a process of continual mistrust and confrontation and that only when local citizens were involved would the trust develop that is necessary to change the system from confrontation to consensus.

Since its creation 20 years ago, our council has proved itself an effective vehicle for involving local citizens in industry decision-making about the Valdez terminal and tanker operations in Prince William Sound.

We have developed internal technical expertise and fostered open, frank and productive three-way communication between citizens, industry operators, and government regulators. These discussions take place within the existing regulatory structure, without the creation of another layer of bureaucracy, and without the need for litigation by any of the involved parties.

This communication has allowed legitimate concerns of all three groups to be addressed before controversial decisions were made. The results for the citizens of the region have been major reductions in the air and water pollution created by the terminal and the creation of what is arguably the best system of oil tanker spill prevention and response capability in the world.

Industry has benefited by the introduction of practices leading to a safer work environment, reduced cost of spill cleanup, a minimum of litigation, and enhanced public regard.

The regulatory community has benefited by becoming a partner in collaborative development of regulation rather than simply an enforcer after the fact.

Efforts at further improvements in environmentally responsible operation of the terminal and tankers are ongoing and the level of communication and understanding between the groups involved remains strong.

The contrast between the success of the citizens' council, industry and regulators in Prince William Sound and situation in the Alaskan Arctic is striking. Large oil spills within the Prudhoe Bay fields continue to occur regularly, producing significant environmental harm, loss of revenue to the state, and civil and financial penalties to the oil companies. The regulatory structure that oversees these fields is fractured and underfunded. The state and industry continue to squabble over lease terms and "broken promises." Citizen concerns are not addressed in advance of major decisions and lawsuits such those which recently halted the Shell Oil offshore exploration program are the direct result. Thus the situation in the Arctic mirrors that described in the Oil Pollution Act as "a process of continual mistrust and confrontation."

I would suggest that the demonstrated success of the citizens' advisory council model in Prince William Sound is a powerful argument for creating a similar group in the Arctic. I also suggest that a careful reading of the Oil Pollution Act and the legislation proposed by Senator Begich will show that a citizens' council, contrary to the claims Harbour's June 29 Compass, will be a benefit to all concerned rather than a burden to be borne by one group.

Stephen K. Lewis, a Seldovia resident, is president of the Prince William Sound Regional Citizens' Council.