

**Briefing for PWSRCAC Board of Directors – May 2023**

**INFORMATION ITEM**

**Sponsor:** Linda Swiss and Oil Spill Prevention and Response Committee

**Project number and name or topic:** 6000 – Oil Spill Prevention and Response Planning Program – Regulatory Update

1. **Description of agenda item:** Staff will provide an update on the Alaska Department of Environmental Conservation's (ADEC) changes to Article 4 of 18 AAC 75 oil discharge prevention and contingency plan regulations. Information on these changes can be found on [ADEC's website](#). A 90-day public review of proposed changes ran from November 2021 to January 2022. Following that review, ADEC issued updated oil spill regulations in January 2023, which became effective February 5, 2023.

PWSRCAC supports the world-class oil spill prevention and response system in place in Prince William Sound and covering the entire State of Alaska. The current system is a direct result of post-Exxon Valdez spill laws and regulations designed to protect Alaskans and the environment, as well as commercial and sport fishing, aquaculture, recreation, tourism, subsistence, and cultural interests.

2. **Why is this item important to PWSRCAC:** Maintaining strong oil spill prevention and response standards is a key objective for PWSRCAC. Rollbacks in regulations have the potential to result in weakening and erosion of the existing prevention and response system. PWSRCAC previously commissioned a report detailing the history and legislative intent of Alaska's strong Response Planning Standards, titled "[Alaska's Oil Spill Response Planning Standard - History and Legislative Intent](#)". Every individual interviewed for this report spoke about their involvement in creating and establishing Alaska's response planning standards with a profound sense of accomplishment. These same individuals were adamant that if the system created after the 1989 spill were to be weakened or removed, Alaskans would face an increased risk of reliving an event that is still deeply impressed upon all who lived through it. We must learn from history and endeavor never to repeat catastrophic events of the past.

3. **Previous actions taken by the Board on this item:**

Meeting	Date	Action
Board	10/29/19	Approved Resolution 19-03 "Safeguarding Alaska's Oil Spill Prevention and Response Standards."
Board	10/29/19	Approved a budget modification adding \$40,000 to 6000 Oil Spill Response program/professional services for regulatory review assistance.

4. **Summary of policy, issues, support, or opposition:** PWSRCAC does not support any legislative or regulatory changes that erode oil spill prevention and response standards, increase the risk of a catastrophic spill, or demonstrate a return to complacency

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on the part of oil industry and regulators that Congress determined to be a primary cause of the Exxon Valdez oil spill. PWSRCAC also believes that if the system created after the 1989 spill is weakened, Alaskans will likely face an increased risk of reliving another major oil spill that could damage Alaska's commercial, sport, and subsistence fishing; sport and subsistence hunting; other businesses; fish, wildlife, and environment; and the culture and quality of life of the people.

5. **Committee Recommendation:** Committees have been notified and kept updated on ADEC's public review of 18 AAC 75.

6. **Relationship to LRP and Budget:** Monitoring ADEC's changes to Article 4 of 18 AAC 75 oil discharge prevention and contingency plan regulations falls under the 6000 – Oil Spill Response Program in the approved FY2023 budget.

### **6000 - Spill Response Program**

As of March 20, 2022

Original Budget	\$9,200.00
Revised Budget	\$4,200.00
Actual & Commitments	\$0.00
<b>Amount Remaining</b>	<b>\$4,200.00</b>

7. **Action Requested of the Board of Directors:** None, item is for information only.

8. **Attachments:** None.