

DRAFT Workshop Notes: TAPS Stakeholder Workshop
March 10-11, 2009
Valdez Civic & Convention Center, Valdez, AK

Overview

This document summarizes discussions from a workshop on engaging citizens in the oversight of the Trans-Alaska Pipeline System that took place in Valdez, AK from March 10-11, 2009.

The purpose of the workshop was to:

- * To share information and concerns about maintenance and safety operations for the Trans-Alaska Pipeline System (TAPS). Parallel concerns of pipeline operations on the North Slope and how these influence TAPS concerns and oversight were also discussed.
- * Examine legal framework for TAPS oversight and identify opportunities for closing the gaps.
- * Develop a list of concerns for TAPS supported by all participants.
- * Identify oversight functions that can/should be addressed through citizen efforts.
- * Develop foundation for partnership(s) and determine next steps for engaging citizens in pipeline oversight.

The workshop was broken into two phases: (1) an evening gathering for stakeholders interested in learning about concerns with TAPS and the contingency plan; and (2) an all-day workshop for to further discuss legal framework and potential strategies for involving citizens in oversight of TAPS, and develop action items or “next steps.” All comments from both events are synthesized in the sections below. “Next Steps” are outlined at the end of the document. (Agendas for the workshop can be found in Appendix A.)

Attendance

Both meetings:

Richard Fineberg, Fineberg Research

Walt Parker, Chairman of the AK Oil Spill Commission that investigated the *Exxon Valdez* oil spill and former AK DOT and Public Facilities Commissioner

Stan Stephens, Valdez tour operator

Dan Lawn, former DEC environmental engineer and board member of AFER

Kristin Smith, Copper River Watershed Project

Gabe Scott, Copper River Watershed Project

John Craig, Ahtna

Mark Cummings, Cordova resident, river rafter

Jed Smith, University of Alaska Fairbanks

Dan Gilson, PWS Regional Citizen’s Advisory Council

Diann Hursh, Valdez resident, realtor

Joshua Smith, KCHU public radio

Tuesday Only:

Monty Morgan, Polar Tankers

Will Runnoe-BLM, Glennallen Office

Wednesday Only:

Bruce Cain, Native Village of Eyak
Jennifer Gibbons, Prince William Soundkeeper
Rosemary Ahtuanguaruak, Nusquit resident
Ruth McHenry, Copper Country Alliance
Cliff Eames

Facilitated by: Kate Alexander, Copper River Watershed Project

Mission for TAPS Citizen Oversight Group

The following is a proposed mission for a TAPS Citizen Oversight Group. The group developed this in order to have an agreed-upon mission for what they are trying to create, and recognize this mission can be modified in the future.

“Citizens promoting safe transportation of oil and gas from the North Slope to Valdez.”

Other key phrases/words for a mission that were suggested by workshop participants include:

- Protection of land and resources
- Support citizen oversight
- Keep oil in the pipe
- Ensure government oversight is occurring as it should
- Permanent, independent
 - Guaranteed
 - Strengthens existing institution

Stakeholder Concerns

The following is a list of stakeholder concerns brainstormed by workshop participants. This list is not assumed to be complete, and concerns are not listed in any particular order.

- Complexifying Issues
 - A spill event could result from multiple causes, making addressing the issues more complex than anticipated
 - A static response plan exists for a dynamic system
- Geography
 - There is a potential for seismic events in the lower region of the pipeline that can de-stabilize the infrastructure
 - Permafrost-as this changes over time, integrity of the infrastructure can be compromised
- Government oversight
 - Regulatory agencies aren't doing their job well enough
- Bottom-line culture of industry
 - Will be difficult for a stakeholder group to come up against

- Changes in state and federal government administration can benefit or halt efforts—or just delay
- Almost complete lack of government response to citizen concerns
 - Examples given include experiences with EPA and Department of Justice
- Too much time needed to wade through government/industry paperwork
- Public system weighted towards protecting industry
- Climate change effects
- Protection for Copper River—response, prevention, maintenance, detection, and containment on land.
- Need a viable and secure budget for effective citizens’ oversight
- Past efforts to creating a means for citizens’ oversight have not moved much
- Lack of agency expertise in pipeline management
- Strategic reconfiguration (removing personnel from pump stations and automating the system)
- Training qualification standards
- Maintenance standards
- Contingency plans
 - Too much detail to get to substance
 - Process to comment/participate is laborious and there is no deadline for agencies to respond to citizens
- Cost-cutting measures
- Sloppy execution
- Valves
- Corrosion
- Operational problems
- No tested plans for cold restart
- Inadequate leak detection system
 - Measures loss of volume of oil
 - Won’t detect small leaks, especially underground
- Sabotage of infrastructure (guns, bombs, etc.)
- Technology in AK is considered “state of the art”, but is that good enough? Is there incentive to verify there isn’t better technology possible?
- Lack of Trust (major theme identified for many of the above concerns)

Tools for a Citizen Oversight Body

The following is a list of potential “tools” a citizens’ oversight group could use in overseeing operations on TAPS.

- Access to information
 - At a minimum on par with government agencies
 - State of AK public information process a “travesty”—costs thousands of dollars, but fails to inform the public about the real problems and risks with TAPS.
- Stable funding
- Access to facilities
 - Unscheduled
 - On your own terms

- Need to follow facility rules
- Access more difficult since 9/11
- Hire professional experts to review/access so they know what they're looking at
- PWS RCAC staff has access to the terminal, however Board Members do not
- Ability to mandate response in certain timeframe
- Lobbying
 - Whether a group is allowed depends on where funding comes from
 - Federal money can not be used for lobbying
- Subpoena Process

Functions of a Citizen Oversight Body

Overall, the following principles of a citizens oversight group were presented; The group should be REAL, HONEST, TRUSTWORTHY, FACTUAL AND PROFESSIONAL.

The following is a list of potential functions a citizens' oversight group could have. (It should be noted that participants at the workshop felt that overall these functions are the responsibility of government regulators, and the role of a citizens group's is to advocate to make sure federal agencies are doing these things.)

- Pollution control
- Enforce buffer strip
 - Limit certain activity near pipeline
- Contingency plans
 - Response and prevention
 - Review and comment
 - Expand to include maintenance, detection and containment on land
- Monitoring
- Advise and make recommendations to regulators
- Scientific work
 - Help ensure best available technology is being used
- Review/research state of the art technology and advocate that is used
- Leak detection
 - Walk, fly corridor
- Prevention
 - Testing equipment
- Find deficiencies in the system
- Develop local response capacity
- Develop local containment process

Strategies

The following are a list of strategies that were brainstormed by workshop participants. Strategies include means to organize a citizens oversight group as well as means for getting broad support for these efforts.

- Public leverage

- Media (example of when PWS RCAC used an advertisement they were going to run in the paper as leverage to get the ballast water treatment facility improved)
 - Lawsuit
- Request similar contract that exists between Alyeska and PWS RCAC
 - Document communication
 - If unsuccessful—go to legislators next
- Funding for Citizen’s oversight
 - Ideally go for a cut from per barrel throughput
 - Decommission, Removal & Restoration Fund (DR&R fund)—obligation is there for such a fund, but money is not. Emphasize this money has been “ripped off” as leverage for getting funding for citizen’s oversight (do not offer as a trade-off)
- Get people to support Citizen oversight for taps
 - Need to help people understand the CONCERN and identify WHAT THEY CAN DO ABOUT IT
 - Newspaper
 - Meetings
 - Visuals
 - Example events that raise concern (ex. pump station 1)
 - Build off well-known name of Copper River
 - Diversify message
 - Not just environmental concerns
 - Economic damage—loss to state revenue as a result of shutting down the pipeline
 - Mock spill event
 - Connect to livelihoods, fishing industry
 - Hollywood Icon to get attention
 - Look at other successful campaigns and learn from their experiences
 - Field trips
 - Tap into national environmental networks
- Marketing—to gain broad support
 - “living along the line”—potential name for 10 minute DVD that presents the issue
- Target key people on pipeline corridor to help build local support
- Get agreement between pipeline communities
 - AFER has tried in past
 - Resolutions a means to demonstrate support
- Talk to people in Washington, D.C.
- Bring people from Washington, D.C. here
- Draft legislation to establish citizen oversight for entire pipeline corridor
 - Participants determined that the legislation should help establish citizen oversight for feeder lines and off-shore developments in the North Slope so new citizen efforts don’t have to “start over”.
- Opportunity at federal level and on Native lands
 - Not at State

- Need to get government to do their jobs
- Trigger NEPA
- Develop personal relationships with government and industry—establish TRUST
- With proposed gas line, could push for state wide citizen oversight (including North Slope fields).
- Push for development of a presidential commission
 - Examples-climate change, energy in the Arctic
- Document what regulators are NOT doing
- Develop a prototype group for the Copper River region, and then use lessons/experiences in this region to help develop groups up the pipeline corridor

Next Steps

Seven key tasks were identified for the group to pursue in the next 3 months.

Task 1: Summarize and Disseminate Workshop Information to workgroup

Who: Kate
By When: Week of March 16th

Task 2: Develop Media Campaign

Who: Ruth, Cliff and Gabe
By When:
Notes: To include immediate outreach strategy (for getting word out FAST)

Task 3: Draft Federal Legislation

Who: Gabe and Peter
By When: between March 23 and April 11th (2-4 weeks out!)
Notes: To include North Slope off-shore rigs and feeder pipes

Task 4: Develop List of Campaign Targets

Who: Kristin
By When: April 3rd
Notes: To include congressional contacts (state and federal), National environmental groups and other pipeline communities

Task 5: Develop Fact Sheet for Outreach

Who: Gabe, Dan, Richard, Kristin, Kate
By When: March 18th
Notes: to include photos of known events, good events

Task 6: Develop listserv for communication

Who: Kate
By When: March 18th

Task 7: Establish monthly check-ins to allow for sharing of updates, information, feedback, etc.

Who: Kate

By When: April, May and June

Ongoing Task: Compile more comprehensive stakeholder contact list

Who: Kate (will compile—everyone should help send her names!)

Ongoing Task: Pursue Funding

Who: Everyone!

- Private Foundations
- Private donor
- To cover costs associated with: outreach, lobbying, media campaigns, etc.

If you are aware of potential funding sources and need help applying, contact Kristin Smith or Kate Alexander at CRWP, crwp@copperriver.org or kate@copperriver.org, 907-424-3334. They can help to keep tabs of potential grants/proposals submitted for this project.

Other tasks identified to be assigned:

- Resolutions from Tribal Councils and communities along the pipeline
- Conference on pipeline safety-occurs in the fall

Appendix A
DRAFT: TAPS Stakeholders Workshop Agenda
 March 10-11, 2009

Welcome!

With the 20th anniversary of the devastating *Exxon Valdez* Oil Spill quickly approaching, now is the time to come together to ensure future oil disasters are avoided. Copper River Watershed Project and Cascadia Wildlands Project appreciate you joining us for this 2-day stakeholder workshop. The ultimate goal of this workshop is to **reach stakeholder consensus on priorities for improved safety of the Trans-Alaska Pipeline System**, and to **initiate a plan of action to make it happen**.

COMMUNITY MEETING

5:30-7:30pm, March 10, 2009 (doors open at 5:15 p.m.)
 Conference Room in Valdez Convention & Civic Center

Purpose of Community Meeting

To share information and concerns about maintenance and safety operations for the Trans-Alaska Pipeline System (TAPS). Parallel concerns of pipeline operations on the North Slope and how these influence TAPS concerns and oversight will also be discussed.

Outcomes of Community Meeting (What we want to walk away with)

- ★ Initial list of stakeholder concerns for TAPS.
- ★ Initial list of strategies for engaging citizens in oversight of TAPS.
- ★ Start of a mailing list of participants who want to stay in the loop.

Time	Subject	Lead
5 minutes	Welcome: Explain meeting purpose & expected outcomes, review agenda	Kate
10 min.	Introductions	Kate
10 min.	The Vision: Citizens engaged in oversight of TAPS	Kristin
60 minutes	Guest presentations* <ul style="list-style-type: none"> ▲ Richard Fineberg, economist, journalist, pipeline researcher: review of top 5 maintenance & safety concerns for TAPS. ▲ Gabe Scott, Cascadia Wildlands Project: review of Alyeska Contingency Plan provisions for Copper River drainage protection. ▲ Dan Gilson, PWS RCAC: what works well in PWS and Valdez Marine Terminal oil transport oversight? Successes? 	
25 min.	Community comments, observations and concerns	Kate
5 min.	Summarize next steps	Kate
End	Thanks for participating.	

*These presentations will be digitally recorded and available after the workshop. For more information on these recordings, contact Kate Alexander, Copper River Watershed Project, 424-3334, kate@copperriver.org.

STAKEHOLDER MEETING

9am-4pm, March 10, 2009 (doors open at 8:45 am)
 Conference Room in Valdez Convention & Civic Center

Purpose of Stakeholder Meeting

- Examine legal framework for TAPS oversight and identify opportunities for closing the gaps.
- Develop a list of concerns for TAPS supported by all participants.
- Identify oversight functions that can/should be addressed through citizen efforts.
- Develop foundation for partnership(s) and determine next steps for engaging citizens in pipeline oversight.

Outcome of Stakeholder Meeting (What we want to walk away with)

- ★ Participant List: who wants to be involved? Who is missing who should be included?
- ★ List of stakeholder concerns for TAPS supported by all participants.
- ★ Agreement on oversight strategy (s) to be pursued by group, with an action plan of who does what by when

Time	Subject	Lead
5 min.	Welcome: Explain meeting purpose & expected outcomes, review agenda	Kate
15 min.	Introductions	Kate
10 min.	The Vision: Citizens engaged in oversight of TAPS	Kristin
15 min.	Re-visit list of concerns identified at evening gathering. Finalize a list of concerns agreed upon by all participants.	Kate
45 min.	Legal framework for oversight, Peter VanTuyn* ▲ existing legislation ▲ gaps in authorization ▲ potential legal fixes	
5 min.	Break	
60 min.	Identify key functions of pipeline oversight	Kate
60 min.	LUNCH—open house in Civic Center	
60 min.	Discussion of strategies for including citizens in oversight of pipeline	Gabe
60 min.	Develop Action Plan for next 6-12 months. Action Plan will include the who, what, when, commitments, resources needed, etc. to meet each task (including plan for continued recruitment of other participants)	Kristin
30 min.	Visit any additional topics, questions, or concerns raised.	Kate
End	Thanks for participating, go team go!	

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