# REGIONAL RESPONSE TEAM 10/NORTHWEST AREA COMMITTEE (RRT 10/NWAC)

# PUBLIC SESSION MINUTES

**0830 - 1600 Wednesday 18 September 2019**

**Barbey Maritime Center**

**1792 Marine Drive**

**Astoria, Oregon 97103**

**Sign-in sheets can be viewed** [**here**](http://www.rrt10nwac.com/files/files/NWAC%20Sign-in-1.pdf)**.**

## Safety Briefing, Introductions, Opening Remarks

MSSR2 Shannon McGregor (USCG Sector Columbia River [SCR]) introduced CAPT Gretchen Bailey (USCG SCR), who thanked attendees and thanked the Maritime Museum for providing the venue. CAPT Bailey talked about the goals of these meetings to help facilitate successful responses in the future and discussed the successful responses and trainings that occurred in the past year. She thanked the group for their attendance as well.

Mr. Mike Zollitsch (Oregon Department of Environmental Quality [ODEQ]) thanked the attendees and recognized the importance of the Columbia River to commerce and the environment. He provided an overview of the Northwest Area Contingency Plan (NWACP) and todays agenda.

Ms. Elizabeth Petras, USCG District 13 (D13), provided a safety briefing, and introductions of the attendees were held.

Ms. Beth Sheldrake (United States Environmental Protection Agency [EPA]) welcomed all the attendees.

## Northwest Area Contingency Plan Overview and Task Force Update

Ms. Petras gave a presentation on the Northwest Area Committee (NWAC) and Regional Response Team (RRT) 10 including National Contingency Plan (NCP) basics, the makeup of the NWAC and RRT, the NWACP, interagency spill coordination, how an On-Scene Coordinator (OSC) can use the NWACP in a response, Geographic Response Plans (GRPs), and the 2019 selected task forces. The presentation can be viewed [here](http://www.rrt10nwac.com/files/files/01_NWAC_NWACP_Overview_Sept_2019%5b1%5d.odp).

### 96-Hour Task Force

MSSR2 McGregor gave a presentation on meetings conducted to date, a review of the three identified objectives, and outcomes for the 96-Hour Plan Toolbox Task Force. Objective 2 (Develop example safety plan) was replaced with updating Section 9203 in the NWACP. The presentation can be viewed [here](http://www.rrt10nwac.com/files/files/02_96_Hour_TF_RRT%5b1%5d.pdf).

### Geographic Response Plans

Mr. David Prater (Washington State Department of Ecology [Ecology]) provided an update on the GRP Survey task force. The Task Force Objectives were to understand users of GRPs, gather ideas on how to innovate development, and to identify other best practices. The group met five times and created different working groups. Mr. Prater provided a summary of select findings from the survey. The survey provided important feedback indicating that the NWAC is challenged by GRP inconsistency. The Task Forces recommended an ongoing GRP workgroup to conduct targeted engagement with the GRP community. The presentation can be viewed [here](http://www.rrt10nwac.com/files/files/03_GRP_Survey_TF_Report_Out_091119%5b1%5d.pdf).

### Tribal Engagement

Ms. Haley Kennard (Makah Tribe) provided a briefing on what the Tribal Engagement Task force completed. Ms. Kennard reported that the task force had diverse membership, including federal, state, and tribal members. Ms. Kennard reported on tasks completed for the year. Mr. Chad Bowechop (Makah Tribe) provided historical context of Makah Tribe’s interests with regards to treaty interests and membership to the RRT. The presentation can be viewed [here](http://www.rrt10nwac.com/files/files/04_TribalEngagementTF_ReportOut_2019-9-10-CM%5b1%5d.pdf).

### Dispersants Review

Mr. Gary Shigenaka, (National Oceanic and Atmospheric Administration [NOAA]), provided a briefing on the RRT10 Dispersant science task force. He provided a background on the use of dispersants and reported they had been used 26 times in US waters and remain controversial. RRT10 has not revised its dispersant policy since 2005. The task force looked at newer available dispersant science to reevaluate policy if needed.

Mr. Shigenaka provided a summary of meetings held. The task force decided on three recommendations: Consider a workshop approach to anticipate resource impacts; Ensure responders and public are protected from dispersants; Charter a subsequent task force to examine existing NWACP policy.

The task force will append a minority report to the white paper and provide an informational paper from the Makah Tribe.

Ms. Petras clarified that Biological Opinion should be released in the near future, but there are some species effects provided in the white paper from other sources. The presentation can be viewed [here](http://www.rrt10nwac.com/files/files/06_SPS_NWAC_FOSC_Report_-_Sept_2019%5b1%5d.pdf).

### Surface Washing Agents (Subpart J) Decision Making Tool

LT Matt Bissell (NOAA) provided a briefing on behalf of Ms. Lori Muller (EPA). He discussed adapting an existing tool to facilitate the decision-making process, and clarified it is not a pre-authorization tool. LT Bissel discussed a recent spill near the Astoria-Megler bridge that utilized surface washing agents.

LT Bissel provided a summary of the tools, and the task force provided recommendations to update Section 9000 and updates to Chapter 4000 in the NWACP.

Ms. Petras clarified that the plan update process is ongoing, and the tool would be available January 1, 2020.

**Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians Tribal Response Program**

Ms. Margaret Corvi (Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians [CTCLUSI]) gave a presentation on the CTCLUSIs Tribal Response Program. She provided a background on historical events and spills, such as the New Carissa and F/V Anne Kathleen. She explained how tribal cultural identity is tied to resources.

Ms. Corvi explained that when New Carissa incident occurred, the tribes did not have capacity and did not join in Unified Command. The CTCLUSI Tribal Estuary Response Plan was developed in 2018. The purpose was to build involvement and interests and included visual aids and maps to identify key points for tribes to integrate with agencies on response efforts. She provided a progress update on training, fostering relationships, resiliency efforts and future goals.

When the F/V Ann Kathleen response occurred, it was a good test process to identify where work still needs to occur.

## Traditional Cultural Property

Ms. Corvi provided an overview of the process that CTCLUSI utilized to list a tribal Traditional Cultural Property (TCP) on the national register of historic places. The program is overseen by the National Parks Service. Tribal TCPs include cultural and natural resources and are important in maintaining cultural identity of the community.

Ms. Corvi discussed cultural identity and practices and explained how it is codified in tribal constitutions. She then provided a brief explanation of the evolution of the nomination of Jordan Cove to the National Register. Jordan Cove contains 74 named places, 32 named villages and many other cultural resources. Ms. Corvi provided historical context of tribal family stories. She illustrated how historical tribal occupation was all over that area and how tribes consider natural and cultural resources as interchangeable.

Ms. Corvi explained how TCP is protected, and the importance to identify TCPs. It is also critical to not publicly disclose locations to prevent vandalism, etc. This involved integration into the tribal emergency response program and appropriately masking cultural datasets. This also involves creating definitions and identifying agencies roles. She also briefly discussed limitations and concerns with the process.

Ms. Linda Pilkey Jarvis (Ecology) inquired about tribal involvement in GRP creation. Ms. Corvi responded that the recent collaboration with ODEQ on the coastal GRPs was a success.

Mr. Don Pettit (ODEQ) inquired how the application process worked with specificity requests and sensitive information. Ms. Corvi clarified they are not listed in the same way and sensitive information is redacted. However, a map is provided with boundaries with general areas of concern to the tribe. Additional information available on the Oregon website.

Ms. Allison O’Brien (United States Department of Interior [DOI]) thanked the tribe for their work and the presentation.

## Tribal Engagement Panel

Ms. Pilkey Jarvis facilitated a discussion on tribal engagement. She shared that some members of the group were hoping to create a permanent subcommittee within the NWAC, as there are ongoing topics that are too big of a scope for a task forces to tackle in a year’s time.

Ms. Pilkey Jarvis introduced the format of the panel and hoped the group will discuss barriers to RRT engagement and strategies to overcome that.

**Below is a summary of the panelists and the information provided:**

Mr. Rainer Luhrs (Stillaguamish Tribe of Indians), discussed how tribal members wear many hats and that it can be tough to balance tribal roles, thus it can be tough to get involved in meetings like this one. He encouraged the group to have patience with tribes and keep inviting them. He stated that he is not sure why the Stillaguamish Tribe of Indians is not a member of the RRT but is interested in the formation of the tribal subcommittee.

Ms. Corvi noted the barriers for participation are language and communication. She stated the importance of developing a common understanding of everyone’s goals. Tribal goals can differ from agency goals; however, all parties want to protect human health and the environment. She also reinforced that tribes can be resources during a response. For CTCLUSI, RRT participation was an easy decision, as it fit well with other tribal capacities.

Julie Carter (Columbia River Intertribal Fish Commission [CRITFC]), noted they have enforcement authority on the Columbia River and first responders, she explained that tribes have response structure, but it is not always efficient. Crude by rail changed response strategies once tribes realized how much hazardous material was travelling through the region. The Mosier train derailment was the wakeup call, where the tribes needed to better understand the RRT and the Incident Command System (ICS). She stated that they didn’t have Full-Time Employee positions or funding ato allocate towards those purposes. EPA provided ICS training, which was very helpful. The Eagle Creek fire reinforced the learned skills and their training was used. CRITFC worked with federal agencies and helped with access issues, since relationships had been built previously and it was good to see an implementation that worked.

Ms. Carter explained the big challenge is no money, and CRITFC are not getting paid for attendance at meetings such as these. As such, they try to spread out participation. Tribes do not have resources either and need assistance.

Mr. Bowechop provided an introduction and communicated to the group there needs to be a high standard to consider tribal spiritual beliefs in oil spill response. He reinforced that resources are a challenge. At the tribal level, the Makah Tribe understands that not one agency can address all issues. They recognize the trust responsibility of the federal government. He explained that ocean resources are the nexus to interaction for response partners. In order to build a partnership that protects their interests, the Makah Tribe had to learn about the RRT, which took dedication, but they also learned to work internally. The Makah Tribe have been successful in contributing to passing federal and state legislation by providing language. He reinforced that tribal resources can work with federal and state partners.

Ms. Kennard discussed the value of having this forum available to turn to for help. Previous conversations have led to successes such as having an Oil Spill Response Organization (OSRO) vessel resources nearby. She stated there are opportunities to improve communication with tribes that have not been explored yet.

**In this forum, there were also questions asked towards agencies for how they interact with tribes and barriers to interaction that exist:**

Ms. Pilkey Jarvis communicated that Ecology have tribal liaisons. She mentioned it is hard to have updated contact lists with multiple levels, as a single contact is likely not appropriate. She explained the state has grants available and they need to work to help make tribes aware of these resources. They also need to work on asking for engagement from the beginning of the planning process for spills and drills/exercises and to not bring the tribes in too late.

Ms. O’Brien explained how training opportunities can be helpful, such as partnerships with EPA for HAZWOPER trainings and with others for GRP trainings in Neah Bay. However, agency budgets are a challenge as well as cultural challenges with communicating needs back and forth. She explained resources available include the inland oil spill preparedness program to bolster inland oil response. Training classes are available, and funding may be available for Bureau of Indian Affairs (BIA) representatives.

CAPT Bailey reported the tactical piece is important along with involving tribes in ICS. Bringing local area knowledge to Unified Command so the Federal On-Scene Coordinator (FOSC) can make right decisions is invaluable.

Mr. David Rees (EPA) reported that recent trainings have been successful and positive feedback has been received. Ms. Mary Goolie (EPA) added that Alaska has conducted communication on how to better engage spill response planning with EPA tribal response programs. Their engagement relies heavily on Indian General Assistance Program (IGAP) funding for environmental coordinators for tribes. Tribal newsletters are utilized, and information is shared about upcoming projects and meetings. They are partners with USGC, and a training is being conducted this week. They continue to try to participate in tribal conferences.

Mr. Zollitsch reinforced the state is mandated to coordinate with tribes, and have tribal liaison coordinating activities. When an Oregon Emergency Response System (OERS) report is received, they are submitted to interested tribes. ODEQ reaches out in a more targeted manner for incidents of moderate concern. Recent responses have involved tribal representatives, such as Mosier, Lindsey Lake, and the F/V Ann Kathleen response. The tribal interaction can be a struggle with planning, but they have great turnout on legislative issues. He noted, barriers to the planning process with limited resources and some tribes have long distances to travel as well.

Ms. Carter stated the challenges from the recent Lindsay Lake response was that Oregon Department of Transportation (ODOT) was not integrated in Unified Command. It is necessary to have those agencies engaged with tribes as well.

Mr. Dean Elhert (Idaho Department of Environmental Quality [IDEQ]) reported that successes included updates to the Pend Oreille GRP, and the state worked with Kootenai Tribe of Idaho and Nez Perce Tribe to identify locations of cultural significance. He explained that regional offices work with tribes on a wide range of issues, but further outreach will be a benefit.

Mr. Andy Connor (USCG D13) explained his position was created in 2007, and it has been a learning process, working with treaty tribes and interacting with the USCG. Being in front of it has been beneficial, as well as knowing tribes, and interacting with them on a daily basis rather than after the fact.

CDR Xochitl Castañeda (USCG SPS) and CPT Bailey thanked the panel and presented them with challenge coins.

## On-Scene Coordinator Reports

### Oregon Department of Environmental Quality

Mr. Mike Greenburg ODEQ) gave a presentation on notifications received since the last meeting, a list of responses by material type, office locations, a review of exercises and federal/state partnerships, and responses that have occurred including the BSNS Deschutes derailment. The presentation can be viewed [here](http://www.rrt10nwac.com/files/files/07_Oregon_DEQ_BNSF_Deschutes%5b1%5d.pptx).

### United States Environmental Protection Agency

Mr. Richard Franklin (EPA) gave a presentation on the responses that have occurred since the last meeting. These responses included Wallowa Lake Drums and Madras Mercury Spill. Also reported were a review of trainings, upcoming removals, exercises/workshops, and federal, state, and local planning coordination efforts. The presentation can be viewed [here](http://www.rrt10nwac.com/files/files/08_EPA_OSC_Report_NWAC_RRT_Astoria_2019%5b1%5d.pdf).

### United States Coast Guard Sector Columbia River

LT Ramon Marion (USCG SCR) gave a presentation on the responses that have occurred since the last meeting including the F/V Mary Ann L and F/V Ann Kathleen and a review of trainings, exercises/workshops, and federal, state, and local planning coordination efforts. The presentation can be viewed [here](http://www.rrt10nwac.com/files/files/09_SCR_NWAC_FOSC_Report_-_Sept_2019%5b1%5d.pdf).

### United States Coast Guard Sector Puget Sound

LTJG Lance Keckritz (USCG SPS) gave a presentation on the responses that have occurred since the last meeting including commercial entities, recreational vessel cases, P/C Silver Lining, T/V Meagan M, and derelict vessels on the Duwamish River, a review of trainings, exercises/workshops, and federal, state, and local planning coordination efforts, and a breakdown of materials reported by type and causes by type. The presentation can be viewed [here](http://www.rrt10nwac.com/files/files/09_SCR_NWAC_FOSC_Report_-_Sept_2019%5b1%5d.pdf).

## Local Responder Presentations

### Oregon State Fire Marshall

Mr. Michael Heffner (Oregon State Fire Marshal [OSFM]) gave a presentation on Regional Hazardous Materials Emergency Response Team (RHMERT). He discussed organization, capabilities, program performance, and upcoming funding proposals for new vehicles, instrumentation and safety equipment. The presentation can be viewed [here](http://www.rrt10nwac.com/files/files/2019_NWAC_RHMERT_Presentation%5b1%5d.pptx).

### Merchants Exchange

Mr. Steve Sharek, Clatskanie Fire District, provided a presentation about Merchants Exchange. He provided an overview of the organization of the group, history, and current makeup of the membership. The group works with exercise and drill requirements, response contractors, incident commanders and assist with coordination during responses. The presentation can be viewed [here](http://www.rrt10nwac.com/files/files/10_MFSA_2019_COBALT%5b1%5d.pdf).

## Closing Comments

Mr. Zollitsch thanked the attendees for coming to the meeting, and complimented the good networking and topics discussed. LCDR Wes Geyer (USCG SCR) gave final remarks thanking the group.