

Citizens' Advisory Councils for Oil Spill Prevention

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Industry Culture =

- Understate Risks/Impacts
- Overstate Benefits
- Overstate Response Capability

A dramatic night scene of an offshore oil rig engulfed in a massive fire. A large, bright yellow and orange flame plume rises from the center of the rig, illuminating the surrounding dark sky and the dark water of the ocean. The rig's silhouette is visible against the intense light of the fire. The water in the foreground reflects the fiery glow, creating a shimmering effect. The overall atmosphere is one of a catastrophic industrial accident.

Offshore Drilling Risks

Chronic Impacts/Catastrophic Accidents

Shipping Risks





Underlying Causes

- Human error
- Equipment failure
- Corporate negligence
- Ineffective government oversight



What We Know

- Offshore drilling/shipping = spill risk
- Oil, water, fish, wildlife don't mix
- Oil spill response doesn't work
- Can't restore environmental injury
- Can't rehabilitate oiled wildlife

A photograph of President Barack Obama and an oil worker. The worker, on the left, is wearing a dark blue cap and a matching shirt, with his back partially to the camera. He has his hand on Obama's shoulder. Obama, on the right, is wearing a light blue checkered button-down shirt and is looking down with a somber expression. The background is a blurred outdoor setting.

Arrogance/Complacency

*“Oil rigs today generally do not cause spills.
They are technologically very advanced.”*

President Barack Obama, 3 weeks prior to April 2010 Deepwater Horizon

Lesson?

Overconfidence → Complacency → Disasters

Never Blindly Trust
Industry or
Government Promises



Solution = Stakeholder Engagement

Israel Offshore Citizens' Advisory Council

- Represents all major Stakeholders
- Funding from Industry/Government (\$5 million/yr.)
- Independent Staff, Board, Committees
- Advises on all Aspects of Offshore Petroleum

Alaska model

Exxon Valdez Oil Spill



US Oil Pollution Act, 1990 (OPA 90)

The present system of regulation and oversight of crude oil terminals in the United States has degenerated into a process of continual mistrust and confrontation

A mechanism should be established which fosters the long-term partnership of industry, government, and local communities in overseeing compliance with environmental concerns in the operation of crude oil terminals

Only when local citizens are involved in the process will the trust develop that is necessary to change the present system from confrontation to consensus

Prince William Sound Regional Citizens' Advisory Council

www.pwsrcac.org



An aerial photograph of a body of water, likely a fjord or a large bay, with dark, forested hills in the background. Three ships are visible on the water. The largest ship is in the center, moving towards the viewer and leaving a dark wake. To its left and right are two smaller boats, also moving and leaving wakes. The water is a deep blue-green color.

Mandate = ensure environmentally safe operations

Non-binding recommendations, research, engagement

PWS RCAC

- Contract between Industry and Citizens, then federal law
- \$3 - \$4 million / year from oil companies
(1/3 staff, 1/3 research, 1/3 travel)
- Board – 19 stakeholders, not government or oil industry,
(volunteer)
- Staff – 18 (paid)
- Committees
 - Oil Spill Prevention and Response
 - Environmental Monitoring
 - Port Operations / Vessel Traffic Systems
 - Science

PWSRCAC Accomplishments

- escort tugs for tankers
- ensure phase-in for double-hull tankers
- ice-detecting radar to warn of iceberg hazards in the shipping lanes
- spill response strategies and contingency plans
- improved Vessel Traffic System (VTS)
- stringent tanker inspection
- better government oversight, more personnel, and more funding
- weather buoys along the shipping lanes
- improved understanding of community impacts
- comprehensive environmental monitoring
- control of exotic species
- Vapor Control System to capture hydrocarbon vapors
- improved fire prevention and response capability

Worldwide endorsement of CACs

IUCN

The World Conservation Congress at its 4th Session in Barcelona, Spain, 5–14 October 2008:

*CALLS ON the **extractive industry to embrace and support the formation of local Citizens' Advisory Councils** being comprised of representatives of civil society in the vicinity of extractive industry projects being undertaken in ecologically sensitive areas, and having the function to provide informed public oversight of these projects in order to minimize their environmental and social impacts.*

Secretariat of the Pacific Community

The 2012 *Regional Legislative and Regulatory Framework for Deep Sea Mining* (DSM), by the *Secretariat of the Pacific Community* (SOPAC), includes the following endorsement of CACs:

*16.5 The establishment of **independent Citizens' Advisory Councils** can be an effective means to provide **legitimate, informed, effective citizen engagement and monitoring** over the life of DSM projects in national waters.*

UK Government

2012, UK House of Commons Arctic Committee:

*The development of **Citizens Advisory Councils** to engage citizens in oversight of the Arctic oil industry should be part of the Government Strategy for the Arctic.*

2013 UK government response:

*The Government fully recognises the need for those affected by developments to be able to make their views heard. Such contributions help ensure decisions are properly informed by local concerns. **We would therefore welcome the use of Citizens Advisory Councils** where these are appropriate to local circumstances.*

Arhus Convention

Convention on Access to Information, Public Participation in Decision Making and Access to Justice in Environmental Matters

*Public participation in decision-making: the public must be informed over all the relevant projects and it has to **have the chance to participate during the decision-making** and legislative process.*

UNEP Bali Guidelines (2010)

Guidelines for the Development of National Legislation on Access to Information, Public Participation, and Access to Justice in Environmental Matters

Citizens Advisory Councils specifically support and implement many of these guidelines, in particular Guidelines 1 – 7, *Access to Information*; and Guidelines 8 – 14, *Public Participation*.

Citizens' Advisory Councils

- Board / Council – representative of all offshore stakeholders, chosen by and serve at discretion of their constituency (not government or industry):
- e.g., fishing, aquaculture, conservation, recreation, tourism, communities, etc.
- Staff – paid professional
- Committees – as decided by Board / Council

Responsibilities of CACs:

- Provide oversight and advice on all aspects of offshore industry development and operation
- Best Available and Safest Technology (BAST) standards, accident prevention and response preparedness, environmental monitoring, human health, security, liability, and regulatory reform
- Meet quarterly, interact with government and industry

Funding: Sufficient, Durable, & Independent

- Direct funding by industry (no strings, endowment)
- Financial institutions requiring CAC as condition of loan
- Government support
- Interim, start-up support from philanthropic, non-governmental organizations (NGOs)

CACs Lessons Learned

- Establishment of a CAC should be required by government in order for the project to be in legal compliance.
- The CAC should exist for the lifetime of the projects.
- Sufficient funding is essential.
- A citizens group can be independent with industry funding, with proper safeguards.
- The CAC should represent all stakeholder groups that are potentially affected by the project.

CAC Lessons Learned.2

- Board members should be appointed by, and serve solely at the discretion of, their stakeholder group - not be appointed or controlled by the industry or government.
- Board members do not have to be experts.
- Cooperation works better than confrontation.
- Conflict is inherent, but common ground is possible.
- Agreeing on how to disagree reduces conflict
- Logic makes passion persuasive, using science, etc.
- A clear mission and identity should be established early

Stakeholder Engagement

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Goal of Israel Offshore Citizens' Advisory Council

- Ensure highest/safest standards possible in design, construction, & operation of offshore industry in Israel

Thank You!

