# ecylogo-horiz-color.pngMeeting Minutes

**Resource Damage Assessment Committee (RDA)
Committee Meeting**

Wednesday, April 10, 2024
**Microsoft Teams and Ecology HQ Room R1S-16**

Call to Order: 9:02 AM

Introduction and Agenda Review

Approval of Minutes:

* Motion to approve meeting minutes for the March 13, 2024, RDA Committee Meeting passed.
* The minutes from the February 14, 2024, meeting will be approved during the May 8 meeting.

## Attendees

|  |  |
| --- | --- |
| Entity | Representative |
| RDA Committee, ChairWashington State Department of Ecology | Geoff Baran |
| RDA Committee, ChairWashington State Department of Ecology | Josh Weide |
| RDA CommitteeWashington State Department of Fish and Wildlife | Travis Washburn |
| RDA CommitteeWashington State Department of Archaeology and Historic Preservation | Rob Whitlam |
| RDA CommitteeWashington State Parks | Matt Niles |
| RDA CommitteeWashington State Department of Health | Merita Trohimovich |
| RDA CommitteeWashington State Department of Natural Resources | Shayne Cothern |
| Jamestown S’Klallam Tribe | Chis Burns |
| Yakama Nation Fisheries, Superfund Section | Natalie Swan |
| Washington State Assistant Attorney General’s Office | Julian Beattie |
| United States Fish and Wildlife Service | Valerie Chu |
| United States Fish and Wildlife Service | Michael Carlson |
| United States Fish and Wildlife Service | Annette Maes |
| Department of Navy | Mike Corry |
| Department of Navy | Heather Parker |
| Department of Navy | Rory Eisel |
| Washington State Department of Ecology | Tami Neilson |
| Washington State Department of Ecology | David Prater |

## Minutes

### New Business

#### Preassessment Screenings:

##### ERTS #729408 Navy Bangor Waste Oil Transfer System Spill

* Incident Summary:
On March 11, 2024, Ecology received a report from Naval Base Kitsap Bangor of an unknown sheen off Marginal Wharf. Navy personnel responded and applied containment boom around a security vessel and an area outfall, noting that the security vessel's bilge contained diesel fuel. The Navy continued to monitor the sheen and vessel. On March 13, the Navy reported another substantial sheen within containment boom that was impacting about a mile of shoreline near a beach identified as Devil's Hole. The Navy contracted Republic Services to assist with cleanup and source identification. By March 14, the source was identified as a corroded pipe which transfers oily wastewater along the Delta Pier from vessel bilges to the Navy's on-site wastewater treatment system. Republic Services cleaned the spill with vessels, skimmers, and other spill response supplies. A Unified Command for the incident estimated that the total amount of oily water that spilled from the pipe was 11,890 gallons, with an estimated 5% or 595 gallons as a mix of waste oils.
* Rory – SCAT endpoint goals were met for most of the impacted area.
	+ Two areas still a concern, Navy continues to monitor and maintain absorbents and sheen.
	+ Transitioned from Unified Command response into restoration phase.
* Geoff – asked for clarification on source identification.
* Rory – initial report of sheen with unknown source on March 11.
	+ Barge with a welder found on March 12, thought to be source.
	+ March 13, more sheen observed, determined to be Delta Pier system which pumps bilge water from docked submarines to treatment plant.
	+ Break in pipe located in a utility trench, not easily visible.
* Travis – any possibility of re-oiling?
* Heather – Re-oiling not a concern. Treatment endpoints were agreed upon by Unified Command (Navy, ECY, S’Klallam Tribe). Shorelines were treated for several weeks. Monitoring continues in areas where small amounts of sheen are still showing up. Natural attenuation occurring and not mobilizing. Remaining sheen has been residual. The spill had been completely contained by boom.
* Rory – Transition plan has Navy continuing to monitor until all endpoints are met.
* Geoff – most of the product observed was a sheen, not a concentrated product.
* Merita – area is typically approved for tribal commercial harvest. Main area which was impacted by the oil is the main area for harvest. The entire area is still under closure until the cleanup is completed and after an analysis of the shellfish is completed and they are deemed safe to eat.
* Chris – noted a small amount of oil in the oyster beds that did not meet SCAT endpoints during his last visit. Other tribes maintain those oyster beds.
* Heather – There was some additional cleanup activity following Chris’ last visit.
* Chris – was under the impression that the oyster bed area was not signed-off on.
* Val – are there plans for laboratory testing for the shellfish?
* Heather – DOH closed the area and will be developing sampling procedures.
* Merita - Sensory testing panel planned with NOAA after all of the oil is gone from the area.
	+ Marine sampling plan to be finalized once the cleanup is completed.
* Michael – US FWS will be looking at ESI types that may have been impacted.
* Rory – Clarified that one of the two areas that did not meet SCAT endpoints include the oyster bed area which Chris had mentioned. Port Gamble S’Klallam will be visiting the site tomorrow for further assessment.
* Travis – how big of an area was impacted?
* Geoff displayed the impacted area on the Ecology Resources at Risk Map.
* Chris – the beds were seeded with oysters last fall.
* Heather – exact areas of impacts should be shown on better graphics. The Navy did not have time to prepare for this meeting as they received notification on April 8.
* Geoff – We may be a little ahead of the game for final details.
* Rory – agreement between Navy and Tribes where Tribal partners get 100% of the harvest from the area and the Navy has 100% control of a nearby area.
* Val – 5 tribes that share jurisdiction of the area, does any single Tribe harvest from the area more than the others?
* Chris – Unknown if the area is used more by one Tribe.
* Travis – Another reason to postpone voting: the cleanup is still ongoing and the oyster beds are still closed. Suggests waiting until all damages are known.
* Heather – Is there any specific information that would be helpful for a future meeting?
* Geoff – The committee will plan to follow up with the case at a future meeting, possibly in May.
* Shayne – instead of postponing voting until May 8th, suggested discussing the damage assessment after the date the DOH has re-opened the harvest, which could be later than May 8.
* Rob – Has contacts for other involved Tribes who may be interested in attending a meeting.
* Preassessment Screening:
	+ The preassessment screening will be postponed until a later date.

##### ERTS #729220 P/C *Merjan* Diesel Spill

* Incident Summary:
On March 2, 2024, the 32-foot wooden-hulled P/C *Merjan* was in transit in Puget Sound when it lost power and drifted onto the rocky shore of Liplip Point on Marrowstone Island. The USCG rescued the vessel operator and deckhand and the vessel remained afloat. However, at some point during the night, the rocky shore and tidal action caused a breach in the hull and the *Merjan* began taking on water. During high tide on the morning of March 3, the local Fire Department observed the vessel partially submerged and sitting on its starboard side with waves washing over the gunwale as well as a sheen in the water around the vessel. The USCG contracted Global Diving and Salvage to assess the vessel and remove any potential sources of pollution. While multiple household hazards were removed, one of the two 45-gal diesel tanks was determined to be empty and the other contained only water with a residual amount of diesel. The *Merjan* was in the process of transferring ownership with the sale finalized on March 1. The previous owner reported that the tanks contained an estimated 65 gallons of diesel before it left port. Ecology's investigation revealed that an estimated 17 gallons would have been used in transit, resulting in around 48 gallons that would have spilled to the environment. To remove the *Merjan* from the shore, Global Diving was required to cut it into smaller pieces to be airlifted out.
* Travis – was sheen observed on the shore?
* Josh – the only observed sheen was in sand or rocks directly next to or under the vessel. Absorbent pads were able to catch some oily water as it dripped from the damaged hull of the vessel. There was no sheen observed in tide pools in the area surrounding the vessel and no other visible oil impacts.
* Preassessment Screening:
	+ Are the damages quantifiable at a reasonable cost? 6 no.
	+ Is restoration or enhancement technically feasible? 6 no.
	+ Compensation schedule authorized to calculate damages.

### Other Business

#### Open Case Updates:

* ERTS #727283 Olympic Pipeline Gasoline Spill

The emergency response phase has come to an end. The incident is now in the remediation phase. Ecology’s Toxics Cleanup Program is managing the upland soil remediation while the Spills NRDA program will continue to pursue damages to Hill Ditch and downstream. A trustee meeting will be held at an upcoming date (likely in two weeks). Area Tribes that may have a potential interest in the restoration will be invited as ad-how voting members in addition to the usual committee.

### Announcements

* Meeting notice emails will soon be migrating to a listserv to improve the visibility of our process to the public. Emails will look a little different.
* Next meeting: Wednesday, May 8, 2024 at 9:00am via **Microsoft Teams** and in person at Ecology HQ, **Room R1S-16**.
* Travis – a recent fish kill at a dam was caused when there was an accidental release of water. The fish mortality was caused by mechanical injury, not as a result of oil or hazardous pollution. What kind of resources are available to address these kinds of damages?
* Michael – depending on the species of fish, specifically any that may be threatened or endangered, US FWS could have some interest.

Adjournment: 10:09 AM