# ecylogo-horiz-color.pngMeeting Minutes

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

Wednesday, June 12, 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 May 8, 2024, RDA Committee Meeting passed.

## 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 Natural Resources | Shayne Cothern |
| RDA CommitteeWashington State Department of Fish and Wildlife | Travis Washburn |
| RDA CommitteeWashington State Department of Archaeology and Historic Preservation | Rob Whitlam |
| RDA CommitteeWashington State Department of Health | Merita Trohimovich |
| RDA CommitteeWashington State Parks | Matt Niles |
| Lummi Nation | Jeff Solomon |
| United States Fish and Wildlife Service | Michael Carlson |
| Washington State Department of Ecology | Tami Neilson |

## Minutes

### New Business

#### Preassessment Screenings:

##### ERTS #7RTS #730638 F/V *Chief Joseph* Sinking and Spill, Haro Strait

* Incident Summary:
On the morning of May 3, 2024, the 48-ft F/V *Chief Joseph* was transiting Haro Strait en route to Port Angeles when it ran aground just offshore of Henry Island. The only occupants were the owner/captain and his dog, who escaped the sinking vessel aboard a life raft and were rescued by the US Coast Guard. Ecology Responders participated in multiple fixed-wing overflights of the area and documented patches of unrecoverable silver sheen 50 yards from the shoreline and near the sinking site. The captain estimated that between 250 to 275 gallons of diesel were in the 800-gal fuel tanks. Ecology's investigation into the vessel's fuel consumption confirmed that there was likely between 146 to 275 gallons at the time of sinking. The USCG contracted Global Diving and Salvage to remove any remaining oil in the fuel tanks and recover the vessel. Global Diving reported the collection of 1,400 gallons of oil-water mix, which consisted of mostly diesel. However, the quantity of diesel was not well documented, and an estimate of fuel released to the environment was based on the size of the observed sheen over multiple days. This estimate was calculated to be approximately 5.7 gallons, not taking evaporation into account. After considering evaporation, Ecology estimates that the spill was likely in the range of 10 gallons of diesel oil and/or lube oil. The *Chief Joseph* was lifted from the water by a crane barge on May 10 and turned over to DNR for disposal.
* Josh: The USCG provided the owner of the vessel with a warning for a spill of 5 gallons.
* Michael: Were there intertidal or rocky shorelines that were impacted?
* Geoff: The shoreline was impacted, but it is very steep and rocky.
* Shayne: Were the 1,400 gallons of oily water recovered within the first 24 hours?
* Geoff: To our knowledge, it was not.
* Shayne: It seems like a low amount, if the vessel has that much fuel on board, is it considered a release?
* Geoff: Any fuel that is not unaccounted for can be applied to the compensation schedule, but we work with the responsible party to determine the volume. Anything that is removed from the vessel from a secured tank is not considered released to the environment and not applied to the NRDA.
* 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.

##### ERTS #730781 Kolstad P/C Fire, Sinking, and Spill, Sandy Point

* Incident Summary:
On May 10, 2024, Ecology received a report of a 36-foot recreational vessel fire and sinking at Sandy Point Peninsula in Ferndale. Ecology and US Coast Guard Responders found the vessel almost completely submerged with red-dye diesel actively bubbling out of the tanks. The Lummi Nation (as well as a private citizen) deployed a drone to observe the extent of the resulting sheen and determined that it was unrecoverable with no shoreline impacts. A Phillips 66 response team deployed 200 feet of hard boom around the vessel and placed sweep while Ecology Responders placed additional sorbents. The vessel owner reported that an estimated 300 gallons of diesel had been aboard. The vessel owner also worked with his insurance to hire Republic Services for pollution removal and vessel salvage, who in turn contracted Crux Diving to assess and refloat the vessel. Republic Services reported the recovery of about 52 gallons of diesel from the fuel tanks, which the fire had compromised. Without considering any fuel that may have burned off during the fire, an estimated 248 gallons were spilled to the environment, with an estimated 30 gallons recovered by sorbents. However, responder observations, in addition to drone imagery, suggest that the unrecoverable, patchy, silver sheen may not reflect a spill of 200 gallons and Ecology continues to investigate. The vessel was successfully raised on May 11 and hauled out at the Santy Point Marina boat launch on May 12.
* Travis: The photos show shoreline impacts, were there any fishing or recreation impacts?
* Jeff: Once the water flows out of the marina, it is essentially catapulted out into the Strait of Georgia. There were reports of a heron that had potential to be oiled.
* Travis: WDFW did not receive any reports of impacted wildlife, but they were curious about shellfish impacts.
* Jeff: The vessel owner had been renting the dock.
* 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.

##### ERTS #730932 JCM Xpress Diesel Spill, Almira

* Incident Summary:
On the morning of May 16, 2024, a semi-truck rollover near Almira resulted in damage to both of the truck's saddle tanks and an estimated 30 to 40 gallons of diesel spilled to Corbett Draw, a small stream and tributary to nearby Wilson Creek. Ecology Responders applied sorbent boom, however, the local sheriff department noted that most of the fuel from the tanks had already flowed further downstream. Responders assessed Wilson Creek and found pools of diesel and oil along the embankment. While the trucking company does not keep fueling records, the truck was scheduled to be refueled that day. In addition, Ecology Responders assessed the 200-gallon fuel tanks and found that one was empty and the other contained an estimated 50 gallons. The truck owner worked with their insurance and contracted GrayMar Environmental to complete cleanup and soil remediation, including the placement of more sorbent booms on Wilson Creek and Corbett Draw and the use of a skimmer which arrived the following morning, May 17. There have been no observed impacts to wildlife from the spill. GrayMar removed and replaced 30 tons of soil and monitored sorbent boom in the waterways until they were deemed safe to remove on June 4.
* 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
	+ Process outlined for steps forward. A meeting tomorrow with trustees and BP’s consultant, Exponent, will aim to get everyone on the same page.
* ERTS #729408 Navy Bangor Waste Oil Transfer System Spill
	+ Merita is working with the US Navy to execute a shellfish sampling plan. She did not have any updates at this time.
	+ Travis confirmed that the shellfish fishery continues to be closed.
	+ Merita noted that the shellfish harvest is only open to the local tribe and they are working closely with the Navy.
	+ There will be analytical samples and a sensory panel to ensure that there isn’t any lingering tastes or smells.
	+ Travis noted that there may be an economic impact to consider.
	+ Merita added that there hasn’t been a harvest in over a year.
* ERTS #719996 Crystal Creek Roslyn Heating Oil Spill
	+ Following an investigation, Ecology cannot confirm a source.
	+ Shayne points out that it appears that the burden of proof is on Ecology and that hasn’t been the case for previous incidents.
	+ Geoff noted that because there was no pathway that we were able to link from the underground tank and the creek, we unfortunately cannot confirm that the incidents are connected. During past incidents, there were obvious connections between a source and impacted waterways.
	+ Shayne asked if there were any markers that could have been analyzed from samples?
	+ Geoff: The product was red-dye diesel, so there unfortunately are not any markers that would be present in other less-refined oil products.
	+ Michael: So we are considering the source to be a mystery, someone might have illegally dumped diesel at the same time?
	+ Geoff: Unfortunately, that could be a possibility.
	+ Shayne: If we know that the oil spilled to the ground and there is groundwater, it seems like we should be able to pursue damages.
	+ Geoff: These are valid concerns, but we are unable to run a compensation schedule based on groundwater impacts. We will have to have further conversations with Ecology’s Enforcement team.

### Announcements

* Travis Washburn is moving on to a teaching position at Texas A&M. This may be his final meeting. Congratulations Travis and thanks for your time and service to Washington!
* Next meeting: Wednesday, July 10, 2024 at 9:00am via **Microsoft Teams** and in person at Ecology HQ, **Room R1S-16**.

Adjournment: 9:48 AM