



STATE OF WASHINGTON
BOARD OF PILOTAGE COMMISSIONERS

2901 Third Avenue, Suite 500 | Seattle, Washington 98121 | (206) 515-3904 | www.pilotage.wa.gov

Agenda – Oil Transportation Safety Committee (OTSC)

March 24, 2022, 1:00pm – 2:00pm

Via MS Teams

Attendees:

Jaimie Bever (Chair/BPC), Sheri Tonn (Ex-officio/BPC), Alex Hess (Ecology Alternate/BPC), Brian Kirk (Ecology Alternate/BPC), JD Leahy (Ecology Alternate/BPC), Sara Thompson (Ecology Alternate/BPC), Eleanor Kirtley (Marine Environment/BPC), Blair Bouma (Pilot/PSP), Jeff Slesinger (Tug Industry/Delphi Maritime), Jim Jannetta (Tribal/Swinomish), Bettina Maki (Staff/BPC), Bob Poole (Oil Industry/WSPA), Fred Felleman (Environment/Friends of the Earth), Peter Schrappen (Tug Industry Alternate/AWO), and Rein Attemann (Environment Alternate/WEC).

1. Welcome and Updates

The last meeting of the OTSC was in October 2021.

Jim Jannetta (Tribal/Swinomish) introduced Clyde Halstead, new attorney with the Swinomish. He will be taking over Jim's responsibilities after his retirement in a few months.

2. Charter and Membership Review

Jaimie Bever (Chair/BPC) reviewed the original OTSC charter language, adopted by the Board in December 2019, with the committee. The work of the OTSC, per the charter, is broken down into phases in accordance with the milestones set in ESHB 1578. Membership of the committee will be reviewed from phase to phase. Jaimie acknowledged that the membership review process has happened organically since the group started meeting, with individuals needing to step away and being replaced at different times. After reviewing existing membership, it was determined that the roster would remain the same moving forward for the ESHB 1578 September 2023 milestone. Jaimie pointed out that there were additional seats available for Tribal representation.

3. ESHB 1578 Status

Jaimie Bever (Chair/BPC) shared a slide presentation highlighting the various steps outlined

in ESHB 1578 and where the BPC was in the process. The presentation included a brief look at the completed deliverables, a review of the BPC's partnership with the Department of Ecology via the BPC-approved Interagency Agreement, and the upcoming September 2023 deliverables, which include the Tug Escort Risk Model, Model Analysis, and Consultation. The Scope of Work for the Risk Model Analysis was previously reviewed by the OTSC and approved by the Board. Ecology will be preparing the analysis and submitting it directly to the Legislature. The presentation also highlighted the numerous resources that the BPC must consider when adopting rules for tug escorts as a part of the 2025 Rule Making deliverable. The Risk Model Analysis is one of several legislatively directed resources for consideration.

Jeff Slesinger (Tug Industry/Delphi Maritime) inquired about the outreach process and was wondering if the consultation was for industry and other interested parties' input or if the outreach was specific to the milestones for the risk analysis process. Jaimie Bever (Chair/BPC) answered all the above. Jeff also wondered about frequency and plans for the benchmarks for public comments. Jaimie responded that those details were still being worked about, but that Ecology would be solidifying the plan in the coming weeks. Rein Attemann (Environment Alternate/WEC) asked for clarification regarding consultation and Tribal impact in relation to considerations for rulemaking. Jaimie responded that clarification regarding consultation will become clearer as they move through the process. She pointed out that ESHB 1578 had specific language regarding Tribal consultation and consideration of impacts, separate from the general consultation requirement. Eleanor Kirtley (Marine Environment/BPC) wondered if there was a more refined timeline or milestones for the consultation deliverable. Jaimie answered that there were consultation requirements for certain deliverables like the Tug Escort Analysis and development of the Risk Model, or even some of the earlier activities, and that there had been multiple channels of outreach already. The goal was to make sure that there is a consultation effort happening along with each deliverable process. She did not believe that the legislature's intent was to separate the consultation requirement from the deliverables as its own separate initiative. She added that the OTSC work was also a part of consultation, as well as webinars, and in person meetings and workshops.

Rein Attemann (Environment Alternate/WEC) inquired about the Synopsis of Changing Vessel Traffic Trends, which the BPC submitted to the legislature in December 2021. He thanked Ecology for the thorough and excellent work. He was interested in some allocated time at the OTSC level to have a report from Ecology regarding the synopsis, for the group to understand the findings and for opportunities to ask questions. He also wondered if there was a future opportunity to utilize the infrastructure now in place to look at trends in year three. Brian Kirk (Ecology Alternate/BPC) responded the challenge was that the infrastructure that was in place required the concentrated time of Ecology's most senior vessel inspector, Lori Crews. He pointed out that the process was extraordinarily manual and time-consuming to correlate individual oil barge and tug movements and then to stitch together the picture of oil traffic on the water. It was not work that Ecology could repeat without direction and resources from the legislature to do so. Jaimie Bever (Chair/BPC) reminded the committee

that Lori Crews did attend the 10/18/2021 OTSC meeting and presented her findings. The feedback she received from the committee was incorporated into the draft version she presented to the Board in November. Jaimie offered to share details regarding Lori's presentation to the Board with Rein offline.

4. Tug Escort Risk Model Update – Ecology

Brian Kirk (Ecology Alternate/BPC) presented an Oil Spill Risk Model Development and Analysis Planning Update to the committee.

His presentation began with a brief legislative background regarding ESHB 1578 and then moved into updates. The modeling and database servers were now being used and the team was on track to complete initial development of the model by March 31. Once that work is complete, a portion of the team will continue to test the model and do validation checks of the model outputs. They are also conducting detailed planning for the two analysis projects (Tug Escort and ERTV) including determining how to use the model and other tools to answer the research questions outlined in the Scope of Work.

Once outreach begins, the message will include that the initial application of the model is being tailored to meet the requirements of the first two analysis projects. For the Tug Escort and ERTV analyses, the critical hazard types focus on loss of propulsion events and potential drift groundings, as they represent the best opportunities for tugs to affect the outcomes. The model will include a number of features to examine the chain of events between loss of propulsion and a potential drift grounding in detail, including multiple intervention points to prevent the ship from going aground. The vessel drift model is currently being tested. Ecology will model using momentum after a loss of propulsion to avoid navigational hazards, ship self-repair, and emergency anchoring. They will also model tug intervention based on the type of vessel in the model scenario (tethered/untethered as well as tugs of opportunity and emergency response towing vessels). The model outputs will show the potential contribution of each intervention in proportion to the ship type and scenario.

As development has continued, Ecology has identified some aspects originally planned for the foundation of the model that will not be implemented in the initial application. This is a function of prioritizing the elements needed to complete the analyses. Things that will not be represented in the model include simulating non-covered vessels (fishing vessels under 300GT, recreational vessels, and Tribal fishing vessels), spills that occur during oil transfers (limited availability for an escort tug to intervene in a transfer spill), evaluating encounters for collisions and power groundings (encountered computational challenges with the method of evaluating each vessel-to-vessel and vessel-grounding opportunity as it was taking approximately 21 days to evaluate encounters a single model year, which is in conflict with the legislative timeline for the model and analysis and will be re-evaluated as a part of later updates to the risk model).

Regarding outreach, a series of sessions regarding both the Tug Escort and ERTV analysis

will take place between May and July. Details are coming soon. The model runs for the analysis are scheduled for late summer/early fall.

Development of the model will continue beyond the Tug Escort and ERTV analysis projects. The model will be used again for the required 2028 rules review as well as other assigned analysis projects.

The next steps for the modeling process include:

- Complete Initial Model Development: March 31, 2022
- Model Testing and Validation: April-June 2022
- Outreach and Consultation: Late spring/summer 2022
- Analysis Runs: Late summer/fall 2022
- Analysis Reports Due to Legislature: September 2023
- Iterative Model Development: throughout life of model

5. Next Steps

Fred Felleman (Environment/Friends of the Earth) requested an additional presentation to the OTSC regarding the Synopsis of Changing Vessel Traffic Trends to allow the group the opportunity to ask additional questions about the final report. Rein Attemann (Environment Alternate/WEC) added that it would be good for the group to have the opportunity to discuss the interpretations of the synopsis findings to bring closure to the process. Sheri Tonn (Ex-officio/BPC) suggested that there were significant improvements to the report summary and that it would be worthwhile to focus on those. The overall body of the work provided by Lori Crews was reviewed in October 2021. But the final summary, which was the most visible part of the synopsis, was what changed the most. Sara Thompson (Ecology Alternate/BPC) suggested that the meeting would not necessarily need Lori in attendance, as it would not be about the process, but more about the results and final product. Sara also added that rulemaking would become a prominent topic at the OTSC once it was announced in 2023.

Jaimie Bever (Chair/BPC) will send a Doodle Poll to the group to set up an OTSC meeting in May to discuss the synopsis findings for those OTSC members who are interested.