



STATE OF WASHINGTON
BOARD OF PILOTAGE COMMISSIONERS

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Meeting Minutes – Oil Transportation Safety Committee (OTSC)

February 28, 2024, 10:00am – 12:00pm

Via MS Teams

Attendees:

Jaimie Bever (Chair/BPC), Brian Kirk (Ecology Alternate/BPC), JD Ross Leahy (Ecology Alternate/BPC), Sara Thompson (Ecology Alternate/BPC), Haley Kennard (Ecology Alternate/BPC), Angela Zeigenfuse (Ecology Alternate/BPC), Brittany Flittner (Ecology Alternate/BPC), Blair Bouma, (Pilot/PSP), Leah Harnish (Tug Industry Alternate/AWO), Clyde Halstead (Tribal/Swinomish), Antonio Machado (Oil Industry/WSPA), Rein Attemann (Environment Alternate/WEC), Laird Hail (USCG/Advisory), Jim Peschel (Tug Industry Alternate/Vane Brothers), Tim Johnson (Oil Industry Alternate/WSPA), Eleanor Kirtley (BPC), Richard Firth (BPC), Bettina Maki (BPC)

1. Welcome

OTSC Chair Jaimie Bever welcomed everyone to the meeting. She explained that both the minutes from January 31 and February 13 will be considered at the March 11 meeting.

Fred Felleman (Environment/Friends of the Earth) inquired if there was going to be voting at the meeting. Jaimie responded that the idea was to start narrowing down the ideas with the voting occurring at the March 11 meeting. Fred appreciated the team's effort to get materials out sooner and provide clarity but in order for the Environmental community to provide formal recommendations in this short timeframe was difficult. He was also hoping to have seen the analysis of what the recommendations that had been decided on by the group at the last meeting. Jaimie inquired if Fred had seen the slides sent for the meeting to which he responded yes, but it was the analysis he was interested in. Sara added that the team was working on the data summary and that it would be sent out by the end of the week.

2. Agenda

Jaimie explained that they were going to hold questions and comments until the slides designated by the green conversation icons. She also reminded the OTSC that the team is happy to meet outside the OTSC meetings, for any groups who request it. She then introduced the topics for the meeting:

- OTSC tasks and where they fit into SEPA
- Filter results – 3 ways to review filter results:
 - direct benefit, indirect AND direct benefit, escort efficiency

- Data review and discussion: Escort ideas (reasonable alternatives) to be evaluated
- Introduction to SEPA scoping for elements of the environment (areas with probable significant adverse impact)

3. OTSC Tasks

Jaimie then explained that the role of the OTSC was to provide recommendations to the Board on:

- Escort ideas (reasonable alternatives) to be evaluated; and
- Elements of the environment to be assessed ((areas with probable significant adverse impact).

She reminded everyone regarding the decision process for making the Board recommendation: only OTSC members vote (or their designated alternate if the appointed member is not present), and majority and dissenting opinions will be summarized in the recommendation document.

4. OTSC Tasks for Today

Regarding today's meeting, the OTSC's task was to review the filter results, discuss the different combinations of escort ideas, as informed by the filter results and other relevant considerations, begin the draft of escort ideas to include in the Board recommendation, and an introduction to SEPA elements of the environment.

5. How Escort Ideas Fit Into EIS

Jaimie explained that the EIS included:

- Impacts: Identification and assessment of probable significant adverse impacts to the environment;
- Alternatives: Assessment of reasonable alternatives; and
- Mitigation: Identification of mitigation measures

She pointed out that 'Alternatives' was a decision point for the OTSC.

6. OTSC Decision Point – Reasonable Alternatives

In looking closer at the decision point, Jaimie presented a slide which included the various WACs where the term 'reasonable alternatives' is defined and further described:

- Reasonable Alternative (WAC 197-11-786): "an action that could feasibly attain or approximate a proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation. Reasonable Alternatives may be those over which an agency with jurisdiction has authority to control impacts, either directly, or indirectly through requirement of mitigation measures."
- Content of Environmental Review (WAC-11-060): For non-project proposals, agencies are encouraged to describe objectives rather than preferred solutions.
- Scope (WAC 197-11-792): Alternatives may be no action (required), other reasonable courses of action, or mitigation measures not in the proposed action.
- Note: For this rulemaking, objectives are limited to the direction provided in ESHB 1578.

7. Escort Ideas to be Evaluated

Jaimie stated that throughout the process, the OTSC has been looking at 5 different potential reasonable alternatives. She suggested that ideas 1 (Pre – 2020 Regime), 2 (No Change), and 4 (Escorts for all vessel types in all zones) were basically completed ideas and didn't need any further specification. If the OTSC so wishes, they could be advanced to the SEPA process as reasonable

alternatives without any further work.

Ideas 2a and 3 have remained on the list as placeholders suggesting adjustments to the current requirements, without specifying what those adjustments might be. Idea 2a was a placeholder for some specific adjustment of the requirements in Rosario – perhaps reducing the area where escorts were required, or changing which vessel types the requirements apply to. Idea 3 was a placeholder for an expansion of the requirements in Rosario to other zones in the system.

Per Jaimie, the focus for today's meeting was on those two ideas. The group will look at the filtering results to see if they might help get more specific on what adjustments might be worth considering in the SEPA process as reasonable alternatives. They would also discuss the OTSC's ideas about what versions of idea 2a and idea 3 should be considered for inclusion in the SEPA process. Jaimie then handed the presentation over the JD Ross Leahy (Ecology Alternate/BPC).

8. Filter Results Handout – 10:13

JD explained that due to the short turnaround time between OTSC meetings, the handout for today's meeting was not ready to share and would be sent as backup by the end of the week.

9. Filter Results

JD introduced the three different datasets for examining some potential escort ideas.

The first was direct benefit – looking at the risk reduction value just to the laden tank vessels that were newly escorted under the requirement being examined.

Second was indirect and direct benefit – looking at the potential benefit of escorts to other non-escorted vessels as tugs of opportunity. Non escorted vessels include non-tank vessels, and unladen tank vessels.

Third was the efficiency of escorting. The prior two ways to look at the data were heavily influenced by the traffic volumes of a given zone. However, looking at the data on a per loss of propulsion basis leads to the idea of the efficiency of requiring escorts in a given zone.

For the next portion of the presentation, JD planned to go through some summary slides of the most recent data. Then, when discussing the actual escort ideas, he will show more raw data.

For the summary slides, the modeling team ranked zones or vessel types to show where the benefit was highest across zones or vessel types. JD stated he would start high level with the summary data, then look at individual specific escort ideas, reviewing how strongly the filter results support those ideas.

Fred Felleman (Environment/Friends of the Earth) asked for confirmation that the indirect and direct metric was looking at laden and non-laden vessels. JD responded yes that it also included non-tank vessels. Fred asked about direct benefit, if that was only the targeted vessels in the zones. JD answered yes. And lastly, regarding efficiency, by controlling for traffic levels, the specifics of each waterway were still being considered. JD responded yes, the specific characteristics of a given waterway (by zone) influences the efficiency of tug escorts in that zone.

Fred then asked if the publications from the Canadian pilots that he had sent the rulemaking team was received. Jaimie responded yes and that the team had a meeting and would be responding.

10. Parameters for Direct Benefit Results

JD explained that the results being presented were using the parameters selected at the OTSC meeting on Feb 13. The parameter would show the direct benefit by zone, and would allow for anchoring for towed oil barges and reduction in time to connect and control to 15 minutes.

11. Direct Benefits of Escorts – Zone Comparison

The Puget Sound zone results presented were in part due to it seeing a large portion of the applicable laden traffic (27%, while Haro/Boundary sees 8%). JD referenced the arrows on the slide, that they indicated direct benefit is being shown on the slide.

12. Direct Benefits of Escorts – Risk Reduction Takeaways

The previous slide gave a taste of the type of results provided by this filter. However, JD explained that all the data in the handout for this filter were listed on the slide. He added that when the team reviewed that data, they identified additional takeaways:

- When considering all three risk metrics, Haro/Boundary stands out as the zone outside of Rosario and connected waters where escorts would have the largest direct oil spill risk reduction effect.
- When considering the number of drift groundings, Puget Sound stands out as the zone outside Rosario and connected waters where escorts would have the largest direct drift grounding reduction effect.
- Applying escorts to Tankers <40k in Haro/Boundary reduces the largest amount of oil volume at risk compared to other zone/vessel combinations.
- Applying escorts to Tank Barges in Puget Sound reduces the largest number of drift groundings compared to other zone/vessel combinations.
- Regardless of whether tank barges can anchor or not, Puget Sound remains the zone where drift groundings are most reduced for Tank Barges.

Fred Felleman (Environment/Friends of the Earth) suggested those takeaways were driven by the number of vessels and that it was not an efficiency measure. JD responded that the efficiency data was related to change in drift grounding rate, which is the % of loss of propulsion incidents in a given zone that resulted in a drift grounding. Fred clarified that his questions was if Puget Sound was biased due to the heavier traffic volume. JD replied yes, the conclusion here that Puget Sound saw a big drift grounding reduction was based off an evaluation of direct benefit, which is influenced by traffic levels. Fred said that the results were in excess of what would be seen in Rosario and that he was dumbfounded by the results. Jaimie suggested continuing with the data presentation.

13. Parameters for both Indirect and Direct Benefit Results

The parameter only differs from the previous set selected by the OTSC by allowing tugs of opportunity. The inclusion of tugs of opportunity the indirect benefit of escorts to be seen. The indirect benefit was their risk reduction potential for unladen tank vessels and non-tank vessels.

14. Indirect and Direct Benefit of Escorts – Zone Comparison

Zones were ranked by highest benefit per metric and compared the zones to get the presented ranking. The zones were then listed by best average rank. When indirect benefits are included Rosario and connected waters, they must be separated from other zones. Please review to the presentation slides, number 14, for additional information.

15. Indirect and Direct Benefit of Escorts – Risk Reduction Takeaways

Per the slide, Haro Strait and Boundary Pass stood out as the zone where the combined direct and indirect benefit was highest. In the context of Rosario and connected waters east, Rosario Strait was the zone with the highest direct and indirect benefit.

16. Parameters for Efficiency of Escorts

JD explained that the drift grounding rate was the percentage of loss of propulsion event (LOP) that resulted in a drift grounding. When escorts were added, changes in drift grounding rate was a good indicator to evaluate where escorts provide the most utility on a per LOP basis. This evaluation was independent of vessel traffic levels and also didn't have the measure of severity involved, just frequency based. It was not confounded by areas that see a lot of traffic.

17. Efficiency of Escorts – Zone Comparison

The modeling team ranked zones by highest benefit per metric and compared the zones to get the ranking. The zones were then listed by best average rank. Escorts were a more efficient intervention in Haro/Boundary and Puget Sound, compared to other zones. JD pointed out the data on Colvos Passage, as an area that didn't rank high on any of the tables regarding oil spill reduction, was showing that on a per LOP basis, there was a big benefit to escorts there. Another zone showing high on the list but previously lower was Strait of Georgia South, which is a very small zone and not enough time spent in that zone to have reductions of risk, but on a per LOP basis it was showing up higher. He suggested it was something to keep in mind while comparing the zones, they didn't see the same traffic levels and are not an apples-to-apples comparison.

Jim Peschel (Tug Industry Alternate/Vane Brothers) asked where the eastern boundary of Juan de Fuca was located. JD said on the western edge it ended at the New Discovery Light and West Dungeness Light. Due to the high count, Jim concluded they were likely Vane Brothers barges.

18. Efficiency of Escorts – Risk Reduction Takeaways

JD explained that when looking at zones independent of traffic resulted in some new zones standing out:

- Escorts were a more efficient intervention in Haro/Boundary and Puget Sound, compared to other zones.
- There were a few zones where escorts stood out as particularly efficient, while also seeing very low traffic levels. These were:
 - Colvos Passage for Tank Barges
 - Strait of Georgia South for Tank Barges and ATBs
 - Guemes Channel had the highest drift grounding rate of unescorted (8.53%) and escorted (6.20%) tankers < 40k. Although the results didn't show escorts as being comparatively very useful, they did show this area as being riskier than others for tankers < 40k.

Fred Felleman (Environment/Friends of the Earth) asked if the results assumed tethering, adding that he was amazed that escorted vessels were having such a high rate of drifting. JD responded that that the point, that it did seem high with a 15-minute time to connect and control. And that tethering was a metaphor; the time the model was using to determine when the vessel was saved was 15 mins from the time of loss of propulsion. That number in this context might be high. Fred asked if 30 minutes was for untethered and 15 for tethered. JD confirmed.

Blair Bouma (Pilot/Puget Sound Pilots) suggested the problem was that the model was missing that in Guemes they are absolutely tethered and are going slow enough that the pilots know they can save the vessels. That was a nuance that was not being captured in the model. The recovery time was most likely less than 15 mins if tethered.

19. Escort Ideas to Evaluated – Reasonable Alternatives

Jaimie thanked JD for the introduction into the filtering results. She added that the focus now was on the escort ideas, and how the filter results might inform the thinking about those ideas. She continued that throughout the process, the OTSC had communicated the desire to keep escort idea “2a - Adjust Rosario” under consideration as a rulemaking option. With that in mind, the modeling team used the filter results to identify possible ways to adjust Rosario and connected waters east. The team came up with two adjustments – one that adjusts the zones, and one that adjusts the vessel types. She then presented the two ideas:

- Idea 2 A i: Remove 2020 escort requirements in Bellingham Channel and waters east – while maintaining the 2020 requirements in Rosario and Guemes.
- Idea 2 A ii: Remove 2020 escort requirements for tank barges and ATBs in Rosario and connected waters – while maintaining them for laden tankers under 40k.

If the group wants to keep adjustments to Rosario and connected waters for consideration, a specific adjustment is needed. Jaimie reminded everyone that the two under consideration are starting points for discussion – not the only possible adjustments. She then handed the presentation back to JD.

Fred Felleman (Environment/Friends of the Earth) suggested that 2a ii was basically the same as the eliminating all of them in that it was a small fraction of 40k DWT vessels. He believed the model mistakenly attributed them to Rosario Strait. He added that he believed that the analysis was not valuable. He appreciated understanding the efficiency question but argued that when considering the application of a regulation, the volume of traffic and waterway characteristics need to be taken into account.

20. Escort Ideas to Evaluated – Reasonable Alternatives – 2ai

JD responded that Fred brought up two important points and that he would address them in the following slides. For each of the ideas, JD explained that he would put up a map showing the area where the escorts would be required, describe the change under consideration, and talk about what part of the filter results supports this idea. Then he will show 2-3 slides of data, with relevant sections highlighted, to give the group an idea of the raw numbers involved.

The idea for 2ai is to remove the 2020 escort requirements in Bellingham Channel and waters east and maintaining them in Rosario and Guemes. The potential rationale for this was that when looking at the three zones that make up Rosario and connected waters east, Bellingham Channel and connected

waters had the least oil spill risk reduction benefit from the escort requirement.

21. Which Zones See the Highest Direct Benefit from Escorts? 2ai

JD then presented the filter results for the absolute reduction in risk for the three different metrics. The three zones that make up Rosario and connected waters east were bolded, and Bellingham channel was in red. For all the metrics, Bellingham channel was the lowest. The results were ranked with the higher zones showing the most benefit.

22. Which zones see the highest combined direct and indirect benefit from escorts? 2ai

When looking at the indirect and direct benefit, including the potential benefit that additional escort tugs in the area might provide for unladen tank vessel traffic, and non-tank traffic, as tugs of opportunity, Bellingham channel and connected waters was on the bottom of the list for the three zones that make up Rosario and connected waters.

23. Which Zones see the highest escort efficiency? 2ai

The next slide showed how helpful is an escort in each of these zones on a “per incident” basis, which displays the benefit to the zone independent of the amount of traffic present in that zone. The results were a bit mixed. Bellingham wasn’t on the bottom, but more in the middle.

JD commented that Fred’s previous point was well taken. The efficiency values were not always going to be that meaningful. They come into play more when thinking about the difference in the shapes of the zones. There was one important moment where efficiency came up that he will discuss later in the presentation.

24. Escort Ideas to Evaluated – Reasonable Alternatives – 2aii

For the next idea, the focus was removing the 2020 escort requirements for ATBs and tank barges throughout Rosario and connected waters, while but maintaining them for Tankers < 40k. Tankers < 40k in Rosario and connected waters east showed the highest oil spill risk benefit of the three vessel types, particularly when factoring in oil capacity via the Oil Volume at Risk metric.

JD added that Fred’s point was also important here. The strength of the model was not its representation of these vessel types, tankers under 40k DWT and where they operated. Conversation about the reality of the area was welcome.

25. Direct Benefit of Escorts – Risk Reduction in Rosario and connected waters east by vessel type

JD then presented the filter results for the absolute reduction in risk for the three different metrics. He pointed out that tank ships under 40k come out on top for each metric. The tables on the slide showed the combined benefit for the three zones that make up Rosario and connected waters east.

26. Benefit of Escorts Independent of Traffic – Highest escort efficiency in Rosario & connected

The group next looked on a per incident basis, how helpful an escort was to each of these vessel types. JD explained that this allowed a look at the benefit to the vessel type independent of how frequently they travel in the area. Tankers were near the top of the list with the number 1 and number 2 spots for Bellingham channel and Guemes, respectively, but then also at the bottom of the list for Rosario.

27. Discussion – Escort Ideas to be Evaluated (Reasonable Alternatives)

Jaimie thanked and opened the floor for discussion of the two ways to get specific on the idea of adjusting Rosario, as well as discussing other potential adjustments of Rosario.

Blair Bouma (Pilot/Puget Sound Pilots) understood why the model filtered out Bellingham Channel but he cautioned that it was a dangerous waterway with high currents, very rocky, and curvy. Even though there wasn't a lot of traffic going through, it was an area that deserved high significance. He pointed out that one of the benefits of the efficiency metric were that it pointed out the places that, even without a lot of traffic, there could be high risk on a per event basis. It's not all statistical decision making. The zones were laid out because they were different. They were laid out due to proximity to hazards and types of hazards. He also stated that there hadn't been a lot of conversation about the differences in the shoreline areas or hazards in the different zones. For instance, Puget Sound is more beach or gravel, but Haro, Boundary, Rosario, and the San Juans are very rocky. If there's a channel solid on both sides, the current tends to carry the vessel along the island instead of into it. But zones that have offline reefs and rocks like San Juan archipelago, the current can set the vessel onto a reef or rock because the current isn't running alongside the shore.

Jim Peschel (Tug Industry Alternate/Vane Brothers) had originally argued for barges to self-arrest with anchor, but then the results ended up being counter to what he was trying to prove, showing escorts to be less effective because they were rescuing themselves before an escort even got there. He suggested it made things look worse when in fact they were better. Blair Bouma (Pilot/Puget Sound Pilots) responded that was a good example of getting away from the statistical view and into the practical view. When there is a manned barge that has a functional anchor, logically that will reduce risk and that it should be recognized. JD agreed and added that there was a big picture process: was there enough benefit of escorts to expand? And if so, where?

Fred Felleman (Environment/Friends of the Earth) appreciated Blair's comments about specific hazardous characteristics, but he was still dumbfounded about the benefits in Haro/Boundary compared to the far more restricted waters east. If bunker barges were eliminated, the primary traffic in Puget Sound would be US Oil, which was a fraction of the non-bunker traffic going into Rosario and waters east. He wanted further explanation of the benefits being identified. Sara Thompson (Ecology Alternate/BPC) responded that that explanation was coming up in the presentation, but that if Fred had to hop off soon, they would need to schedule some time offline to discuss. She relayed what she had heard so far that there were concerns about adjusting it. If there was any support of either idea, she suggested this would be a good time to discuss it. Fred responded that the question proposed specifically in the letter sent by the NGOs, which he was hoping would be addressed in the meeting, was to look at the ability to minimize conflicts with set fishing gear in the waterways east. He wondered if there were specific areas that would show a benefit in the effect on fishing gear.

Clyde Halstead (Tribal/Swinomish) stated that while he didn't support both options, he would support including them in the EIS to see whether they are worth removing. He added that effects on Tribal fisheries would be seen during the EIS process. He is concerned about potential additional vessel impact on the Tribes but also recognizes the impact of a catastrophic spill.

Sara Thompson (Ecology Alternate/BPC) thanked Clyde and reminded everyone that the idea is get down to 2-3 in addition Ideas 1 and 2 for inclusion in the EIS process.

Fred reiterated that 2aii was not useful and that he was concerned by the suggestion that eliminating Bellingham Channel and waters east is the right one to eliminate, especially is the pilots suggest not removing it.

28. Escort Ideas to be Evaluated (Reasonable Alternatives) – Idea 3

Jaimie then introduced the next “placeholder” escort idea – idea 3. She explained that throughout this process, the OTSC has communicated that they wanted to keep escort idea “3 – Expand to specific zones or specific vessels” under consideration as a rulemaking option. With that in mind, the rulemaking team asked the modeling team to use the filter results to identify possible ways to expand escort requirements to zones outside of Rosario. The team came up with four adjustments:

- Remove 2020 escort requirements in Bellingham Channel and waters east and expand 2020 escort requirements Strait of Georgia South, and a corner of Strait of Georgia
- Expand 2020 escort requirements to the waters of Strait of Georgia South, and a corner of Strait of Georgia.
- Expand 2020 escort requirements to Haro Strait and Boundary Pass, Strait of Georgia South, and a corner of Strait of Georgia.
- Expand 2020 escort requirements to Haro Strait and Boundary Pass, Puget Sound, Strait of Georgia South, and a corner of Strait of Georgia.

If the OTSC wanted to include an expansion of requirements for consideration, a specific adjustment is needed. She reminded everyone that the four being looked at today should be considered starting points for discussion – not the only possible adjustments.

29. Escort Ideas to Evaluated – Reasonable Alternatives – 3i

JD explained that Idea 3i would remove 2020 escort requirements in Bellingham Channel and waters east and expand 2020 escort requirements Strait of Georgia South, and a corner of Strait of Georgia. The idea is that this adjustment sacrifices some oil spill risk reduction for more efficient escorting. Escorting in Bellingham Channel reduces more risk than escorting in Strait of Georgia South, but escorts are more efficient in Strait of Georgia South.

30. Which zones see the highest direct benefit from escorts?

JD’s next slide displayed benefits by zone, with Strait of Georgia South toward the bottom of the list.

31. Which zones see the highest escort efficiency?

JD then showed the slide of highest escort efficiency, which displayed Strait of Georgia South third from the top.

Fred Felleman (Environment/Friends of the Earth) asked for clarification as he believed the previous results show the benefit being high for this zone. JD reminded him that this was looking at efficiency, it’s higher on the list than on the direct benefit list. He added that on a per LOP basis this zone has a higher rate of grounding for vessels unescorted than Bellingham Channel. And the benefit of escorts is higher in Strait of Georgia South is higher per LOP, more LOP incidents that resulted in drift groundings when unescorted were now saved, which speaks to the efficiency measure. Fred then had to leave meeting but suggested that at this point the NGOs are not prepared to vote on what should move

forward as there was still information they would like to see.

32. Escort Ideas to Evaluated – Reasonable Alternatives – 3ii

This idea would expand 2020 escort requirements to Strait of Georgia South, and a corner of Strait of Georgia, which would be the smallest potential expansion, and expands in the most efficient way available.

33. Which zones see the highest direct benefit from escorts? – 3ii

The next slide showed that this alternative sees low direct benefit.

34. Which zones see the highest escort efficiency? – 3ii

JD added that regarding efficiency, this alternative is a valuable intervention on a LOP basis.

35. Which zones see the highest combined direct and indirect benefit from escorts?

In looking at the combined direct and indirect benefits, JD suggested that the results weren't particularly compelling. There is not a lot of traffic in this area, so the numbers aren't very high.

36. Escort Ideas to be evaluated (Reasonable Alternatives) – 3iii

Idea 3iii would expand 2020 escort requirements to Haro Strait and Boundary Pass, Strait of Georgia South, and a corner of Strait of Georgia. The idea is that escorts in Haro/Boundary produce the highest risk reduction, when considering oil volume at risk, compared to any other zone. It is also the zone where escorts are most efficient. Adding escorts here also has indirect benefits.

37. Which zones see the highest direct benefit from escorts? – 3iii

The results show that Haro/Boundary was in the top two of direct benefit due to there being more oil movement through that area than Puget Sound.

38. Which zones see the highest escort efficiency? – 3iii

Haro/Boundary was also highest in efficiency.

Rein Attemann (Environment Alternate/WEC) asked for definition of Tug Escort Efficiency. JD responded that it was a measure of the data around the change in drift grounding rate.

39. Which zones see the highest combined direct and indirect benefit from escorts? – 3iii

Again, Haro/Boundary were at the top of the list for this comparison.

40. Escort Ideas to be evaluated (Reasonable Alternatives) – 3iv

Idea 3iv expands 2020 escort requirements to Haro Strait and Boundary Pass, Puget Sound, Strait of Georgia South, and a corner of Strait of Georgia. Escorts in Puget Sound produce the highest risk reduction, when considering number of drift groundings, compared to any other zone. Escorts are relatively efficient in this zone as well.

41. Which zones see the highest direct benefit from escorts? – 3iv

JD then showed the data that supported this idea, with Puget Sound at the top of the drift groundings, third on oil volume at risk, and second on oil outflow.

42. Which zones see the highest escort efficiency? – 3iv

Puget Sound was number four for highest escort efficiency.

43. Which zones see the highest combined direct and indirect benefit from escorts? – 3iv

For the indirect benefit, Puget Sound was number three on the list.

44. Discussion – Escort Ideas to be evaluated (reasonable alternatives)

Laird Hail (Advisor/USCG) asked via the chat function “if there had been any conversations with Transport Canada and the Canadian Coast Guard with respect to the Haro/Boundary Pass. If not, I suggest doing so before any decision whether to look at these alternatives. If the Canadians are opposed, you may be wasting time doing more modeling. For Haro/Boundary the US and Canada must be in lock step or there will be unintended consequences. I would also offer that the graphs show the zones into Canadian waters. I would suggest modifying those as there is sensitivity on the Canadian side that we are making decisions for their waters. Removing that perception would be important. Has your modeling taken into account the fact that Transmountain tankers will be escorted in Strait of Georgia, Haro, and Juan de Fuca?”. Jaimie thanked Laird for his comments.

Blair Bouma (Pilot/Puget Sound Pilots) shared that currently on all the bigger escorted vessels, pilots are escorting in Haro and Boundary. Vessels going to a US port are piloted by PSP and vessels going to Canadian ports are piloted by Canadian Pilots. They each follow their own country’s protocols. He acknowledged that on the bigger vessels, because they are piloted, it makes it easier for each country to follow their own protocols. On the smaller, unpiloted vessels, Laird’s concerns would be more of a factor as there would be no one acting as a national representative on the vessel.

JD thanked Laird for his comments. Regarding his question about Transmountain tankers, the model has the capability to include those tankers. The report includes that data in an ancillary analysis. The additional escorts for those vessels were included in the model analysis as tugs of opportunity. The results being shown today do not include those escorts.

Jim Peschel (Tug Alternate/Vane Brothers) suggested that if the group was going to proceed with 3iv, adding Puget Sound, that would also be adding eastern Juan de Fuca because if he already as an escort leaving Anacortes through Guemes Channel, he’s not going to drop the escort just to pick it back up 2 hours later in Puget Sound.

Blair Bouma added that Puget Sound has much less current than other zones. He added that the bottom was generally more friendly and that there is greater distance from the shore and shoals. There’s way more possibility for tugs of opportunity. He didn’t understand why it showed so high in the model, suggesting maybe it was solely due to traffic volume. But he thought Admiralty, which has way more current and bigger turns might be a stronger case. Laird concurred via the chat with Blair’s perspective.

Leah Harnish (Oil Industry Alternate/WSPA) responded to Jim’s point. She wondered at what point do this scenario ends of covering every area, and once at the point is the group just doing the same analysis as being done in Idea 3 or 4? Sara responded that the data seems to be leading more toward targeted zones.

Clyde Halstead (Tribal/Swinomish) suggested including Haro/Boundary due to how high it ranked in the findings.

Sara Thompson (Ecology Alternate/BPC) offered that the team had considered putting together a package for Admiralty. Blair Bouma (Pilot/Puget Sound Pilots) responded that he had experienced several issues in Admiralty from power loss to engine fires. He feels like there is enough time in that area to slow down and anchor. He added that the smaller vessels would be going slower, which would allow for even more time to recover. But he does believe it's worth analyzing.

Toward the end of the meeting, Blair Bouma shared his screen to show a chartlet view of Strait of Georgia South. He then explained the nuances of the zone.

Jaimie then introduced Haley Kennard (Ecology Alternate/BPC).

45. Next OTSC Decision Point – Elements of the Environment

Haley informed the group that other decision point being asked of the OTSC was to weigh in on what elements of the environment will be assessed in the EIS. That is to say, what elements of the environment may have probable significant impacts associated with this rulemaking. This was part of the scoping process.

Haley shared a slide intended as a reference slide, but she wanted to call out a couple of things. The most important piece is that the EIS is supposed to identify and assess the probable significant impacts to the environment. The definitions of those words are listed on the slide. The agency is specifically directed to narrow the scope of the EIS to just those elements that are likely or reasonably likely to occur, and that pose more than a moderate adverse impact on environmental quality. The team is hoping for OTSC feedback on what elements, if any, can be removed from scope because they don't meet this threshold. She added that the team has not received any comments asking to expand the scope. She also asked for input on any new studies or data that should be included, as well as any comments the OTSC has on the level or type of analysis the assessment of these elements should include.

46. Elements of the Environment from 2023 Scope Comments

During the scoping period from February – April 2023, they received six formal comments. They have also been tracking comments provided informally at these meetings and workshops. So far, these comments have focused on six major themes. The team's assumption is that these will be included in the EIS scope. Haley then provided an overview of what has been heard so far.

- SRKW and Marine Mammals: Concerns about both underwater noise and physical disturbance impacts to SRKW and other marine mammals as a result of potential increases in vessel traffic, risk of oil spills to SRKW and marine mammals, and concerns about localized SRKW extinction.
- Underwater Noise (and operational noise): Noise from potential additional tug transits would be additive, there may be a noise masking effect when tugs are escorting larger vessels, several suggestions about speed and whether slowing tugs would have a meaningful impact on underwater radiated noise. The teams has also been encouraged to look at ECHO and Quiet Sound for data and research. Underwater noise is explicitly called out in the legislation as something for the Rule Team to consider.

- Air Emissions: they team has heard both that air emissions are a concern due to the increase in transits and idling time, and also that any emissions increases associated with the rulemaking would be incremental compared to existing background emission levels. They have been encouraged to consider the state's and industry's GHG reduction goals.
- Oil Spill Risk: concerns about increase in potential spill risk associated with tug traffic (note that these comments were made prior to the more recent filtering discussions and results).
- Treaty Fishing and Tribal Resources: Potential for impacts to/conflict with the exercise of treaty-reserved fishing rights due to potential increases in vessel traffic (and associated wakes, tug activity), as well as gear loss. We have heard that it's important to understand the geographic distribution and timing of potential additional tug traffic (where transits will be, how much within the shipping lanes, etc.) in order to understand impacts. Treaty fishing rights and concerns are also explicitly called out in the legislation to be considered by the Rule Team.

47. Determination of Significance + ESHB 1578 Elements to Consider

Haley then showed the list again as a reference for the discussion. She asked that the group stay focused specifically on the list of things that haven't already been identified as high priority. She asked if they had any information or perspective about whether these elements are likely to experience probable significant impacts as a result of the rule? Are there any that the team can eliminate?

48. Next Meeting Discussion – Elements of the Environment

In terms of next steps and expectations for this scoping element, the Rule Team is planning to bring a proposal for elements to include in the EIS to the OTSC for review at the next meeting. The team will pull this together as soon as possible after the Scoping Workshop, so the OTSC will have time to review. The hope is to include comments on level of analysis, rationale for including/excluding certain elements, uncertainty, other priorities and input from the workshop.

At the March 11th meeting, the OTSC will discuss, make any final changes, and then vote on a recommendation to the BPC. This information and the final BPC vote will be captured in a scoping report.

Jim Peschel (Tug Industry Alternate/Van Brothers) mentioned that AWO and specifically Vane Brothers are specifically working with Rebecca at Quiet Sound to do baseline measurements of the underwater noise and are focusing on Admiralty Inlet as the choke point for traffic. Haley thanked him and mentioned that she had heard that the tug data would be out in early spring or summer. Jim added that, regarding oil spill risk, having been a USCG pollution investigator, to consider the risk of fueling the tugs themselves.

49. Scoping to Draft EIS (Proposal)

The team also heard from this group, as well as from BPC representatives that there is some concern or confusion about how we're getting from this scoping process to the Draft EIS and how the Draft EIS will inform the rule proposal. The state is required by law to publish the Draft EIS and the rule proposal (CR-102) at the same time and July 2025 is the target for that. However, the EIS is intended to be a tool for decisionmakers. As mentioned before, the team doesn't want the OTSC or engaged Tribes and stakeholders to feel surprised by the content of the DEIS in July. The intent is to have an iterative

process. The plan is for meetings every other month for EIS-focused discussions. These will keep the same three-meeting structure as previous rulemaking workshops. The team is also holding some time for floating deep dive workshops on topics that need a more in depth discussion, maybe with outside experts. These workshops will likely include gathering OTSC feedback on early methodology and analysis approach documents, reviewing early results of the assessments, and providing informal feedback on preliminary or pre-draft pieces of the EIS as they become available. The plan is to provide an early OTSC review period of the draft EIS documents (Spring 2025). These timelines will all be better defined once the consultant is on board. Additional information about the workshop schedules will be shared soon.

50. Upcoming OTSC Meeting and Wrap Up

Jaimie explained that the next OTSC meeting is March 11. The agenda will include reviewing the results of the March 5 SEPA scoping workshop and to finalize recommendation to the Board on escort ideas and EIS elements of the environment. She reminded members who cannot attend to make sure they have alternates available.

Sara Thompson (Ecology Alternate/BPC) suggested that it would be great if anyone wanted to bring supporting background info on any ideas to help refine them, and to let the team know if they need anything else. There won't be a big presentation as the work will be focused around the recommendations for the tug escort ideas and elements to be considered.

Meeting adjourned at 12:00pm.