



LISTENING SESSIONS

ESHB 1578 – Rosario Strait and Connected Waterways East Tug Escort Implementation

State of Washington
Board of Pilotage Commissioners
Jaimie Bever, Executive Director

December 9, 2019



WELCOME!

- Introductions
- Safety briefing
- Overview of the session



Today's Schedule

- **10:00am – 12:00pm**
Tug escort requirements in Rosario Strait and Connected Waterways East
- **12:00pm – 1:00pm**
No-host Lunch
- **1:00pm – 3:00pm**
Identification and Development of Geographic Zones



Purpose of 10am Listening Session

- Overview of Pilots and the Board of Pilotage Commissioners
- Tug Escort Regulations
- ESHB 1578
- Section 2: Rosario Strait and Connected Waterways East Tug Escort Implementation
- Terms/Interpretive Statements
- Listening Session – a time for US to listen to YOU



Information Sharing and Follow-up

- Summary of Listening Session Comments at www.pilotage.wa.gov/rcw-wac/oiltransportationsafety
- Comments via Note Cards
- One-on-One Discussions
- Email questions/comments to BeverJ@wsdot.wa.gov or PilotageInfo@wsdot.wa.gov



About Pilots

- High-level maritime professionals
- Local knowledge experts
- First line of safety
- Required on all tankers and foreign flagged vessels





Pilotage Districts

Puget Sound Pilotage District

- Serviced by Puget Sound Pilots (PSP)
- 56 state authorized licenses

Grays Harbor Pilotage District

- Serviced by Port of Grays Harbor (PGH)
- 3 state authorized licenses





Board of Pilotage Commissioners (BPC)

- Washington State Regulatory Agency
- Primary Mission – Safety
- Statutory Authority – RCW Chapter 88.16, Pilotage Act
- Nine Member Board, plus 3 staff
 - training, licensing and regulation



Role of the BPC

- Regulatory oversight
- Propose legislation
- Adopt rules
- Train and license
- Determine number of pilots
- Report and investigate incidents
- Vessel exemptions

Role of PSP & PGH

- Provide efficient pilotage services
- Administer benefits and retirement packages
- Tariff billing and revenue collection
- Continuing education





Tug Escorts for Oil Tankers & BPC Authority

Prior to 2019 (*established by the 1975 Legislature*)

- *RCW 88.16.180* – Pilots required
 - Oil tankers 5,000 GRT or greater
- *RCW 88.16.190*
 - Prohibits oil tankers 125,000 DWT or greater
 - Oil tankers 40,000 – 125,000 DWT require escort of tug(s) or specific design characteristics



Engrossed Substitute House Bill (ESHB) 1578

The Reducing Threats to Southern Resident Killer Whales by Improving the Safety of Oil Transportation Act

- Measured approach of prevention
- Directs BPC to adopt tug escort rules



Photo: Valerie Shore/Shorelines Photography



ESHB 1578 (cont'd)

Nine Sections:

- 1) Legislative intent
- 2) Tug escort requirements**
- 3) Rulemaking for tug escorts
- 4) Modeling & analysis
- 5) 10-year review of tug escort rules
- 6) Salish Sea Shared Waters Forum
- 7-8) Changes to advance notices of oil transfers
- 9) Severability



Timeline of BPC Deliverables

9/1/2020

Rosario Tug Escorts and
Geographic Zone Identification

12/31/2021

Vessel Traffic Synopsis

9/1/2023

Consultation and Model Analysis

12/31/2025

Adopt Rules

10/1/2028

Review (every 10-years thereafter)



Section 2 – Tug Escort Requirements

- Tug escorts required on laden oil tankers between 40,000 and 125,000 DWT in Puget Sound (no design characteristic alternatives)
- Effective 9/2020 in **Rosario Strait and connected waterways east**, tug escorts required on:
 - Oil tankers 5,000-40,000 DWT, and
 - ATBs and towed waterborne vessels or barges that are:
 - 1) designed to transport oil in bulk
 - 2) greater than 5,000 DWT



Oil Tanker, Articulated Tug Barge (ATB) and Towed Oil Barge



Image Source: MarineTraffic.com © M.L. Jacobs



Image Source: Crowley.com



Image Source: Sause.com



Rosario Strait and Connected Waterways East

- Effective 9/1/2020
- Implementation vs. Rulemaking
 - State law
 - Rulemaking not required
 - BPC authority = Interpretive Statements



BPC and ECOLOGY Collaboration to:

- Develop project plans
- Coordinate communication, consultation, and outreach
- Provide technical assistance to plan and prepare for activities



For Rosario Implementation:

- BPC – Outreach to tribes and stakeholders, Interpretive Statements, Enforcement
- ECOLOGY – Provide technical assistance to BPC (e.g. communications, maritime expertise, staffing support)



Next Steps

12/09/2019
Listening
Sessions

**11/2019 to
01/2020**
Establish
Committee

**11/2019 to
03/2020**
Interpretive
Statements

01/2020
Interagency
Agreement

**03/2020 to
08/2020**
Outreach &
Consultation

09/01/2020
Tug Escorts
Required in
Rosario Strait
& Connected
Waterways
East



ESHB 1578 – Section 2

- 2(a)(ii) Effective September 1, 2020, the following may operate in Rosario Strait and connected waterways to the east only if under the escort of a tug or tugs that have an aggregate shaft horsepower equivalent to at least five percent of the deadweight tons of a forty thousand deadweight ton oil tanker: (A) Oil tankers of between five thousand and forty thousand deadweight tons; and (B) both articulated tug barges and towed waterborne vessels or barges that are: (I) Designed to transport oil in bulk internal to the hull; and (II) greater than five thousand deadweight tons.



ESHB 1578 – Section 2

- 2(a)(ii) Effective September 1, 2020, the following may operate in **Rosario Strait and connected waterways to the east** only if **under the escort of a tug or tugs** that have an aggregate shaft horsepower equivalent to at least five percent of the deadweight tons of a forty thousand deadweight ton oil tanker: (A) Oil tankers of between five thousand and forty thousand deadweight tons; and (B) both articulated tug barges and towed waterborne vessels or barges that are: (I) Designed to transport oil in bulk internal to the hull; and (II) greater than five thousand deadweight tons.



ESHB 1578 – Section 2 (cont'd)

- 2(a)(iii) The requirements of (a)(ii) of this subsection: (A) Do not apply to vessels providing bunkering or refueling services; (B) do not apply to a towed general cargo deck barge; and (C) may be adjusted or suspended by rule by the board of pilotage commissioners, consistent with section 3(1)(c) of this act.
- 2(b) An oil tanker, articulated tug barge, or towed waterborne vessel or barge in ballast or when unladen is not required to be under the escort of a tug.



ESHB 1578 – Section 2 (cont'd)

- 2(a)(iii) The requirements of (a)(ii) of this subsection: (A) Do not apply to vessels providing **bunkering or refueling services**; (B) do not apply to a towed general cargo deck barge; and (C) may be adjusted or suspended by rule by the board of pilotage commissioners, consistent with section 3(1)(c) of this act.
- 2(b) An oil tanker, articulated tug barge, or towed waterborne vessel or barge **in ballast** or when **unladen** is not required to be **under the escort of a tug**.



ESHB Terms

- "Under the escort of a tug or tugs"
- "Rosario Strait"
- "Connected Waterways East"
- "In Ballast"
- "Laden" or "Unladen"
- "bunkering or refueling"



Listening Session

Questions, Comments, Concerns?

Listening Session: Geographic Zones for Tug Escort Analysis and Rulemaking

Brian Kirk

Spills Prevention, Preparedness, and Response Program

December 9, 2019



Purpose of the Listening Session

- Provide an overview of geographic zones
 - As described in the 2019 Reducing Threats to Southern Resident Killer Whales by Improving the Safety of Oil Transportation Safety Act (ESHB 1578)
- Describe the Board of Pilotage Commissioners process for defining geographic zones
- Discuss requirements for Ecology to develop a model
- Present a pilot's perspective of waterway considerations
- Listen to your input and questions



Information Sharing and Follow-Up

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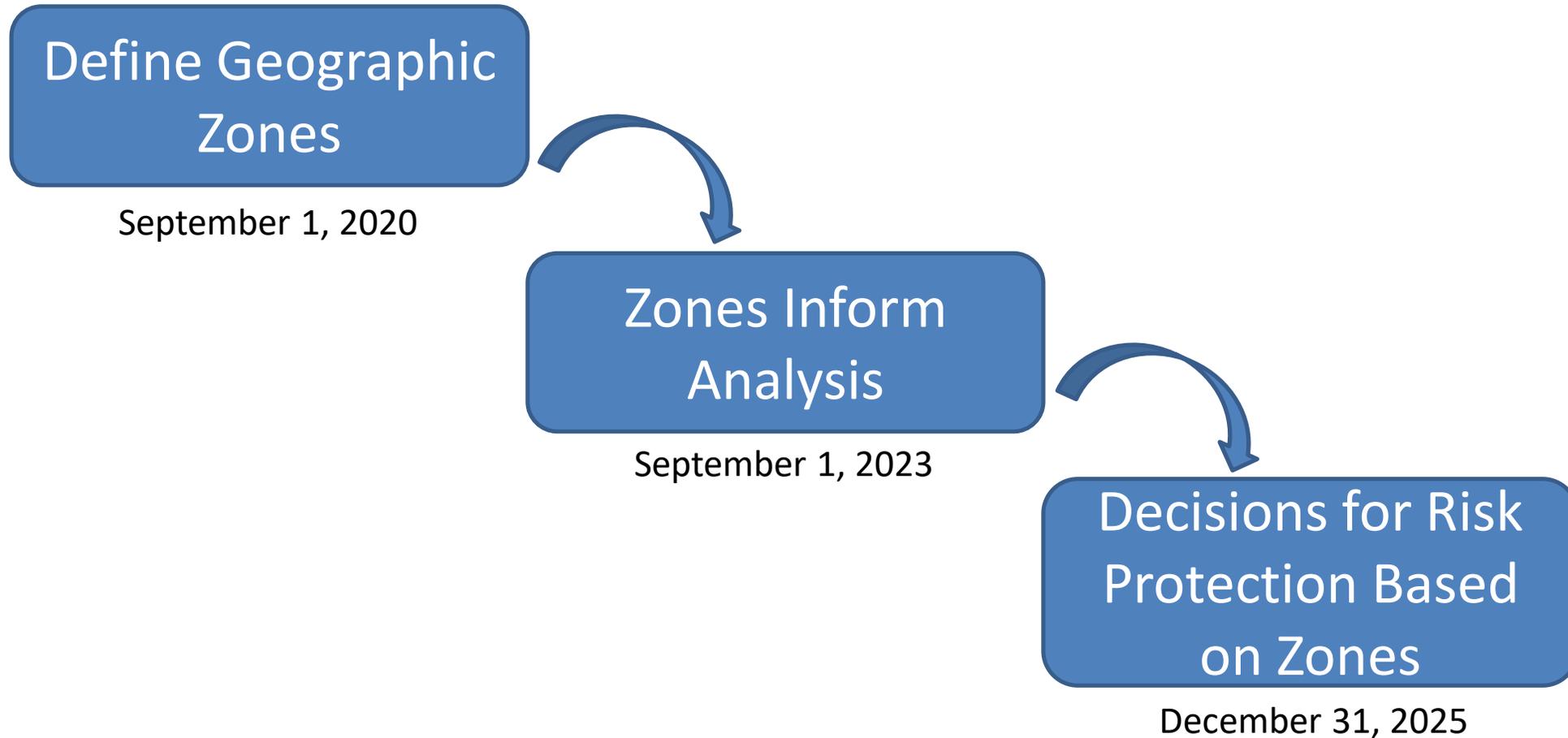


Geographic Zones

- By September 1, 2020, the Board of Pilotage Commissioners (BPC) must identify and define geographic zones to inform analysis of tug escorts
- To inform rulemaking, BPC must conduct an analysis of tug escorts using the model developed by Ecology
- In the rules, BPC must base decisions for risk protection on the geographic zones
 - As an initial focus, must equally prioritize geographic zones encompassing Haro Strait and Boundary Pass; and Rosario Strait and connected waters to the east



Sequence of Events



Process for defining zones

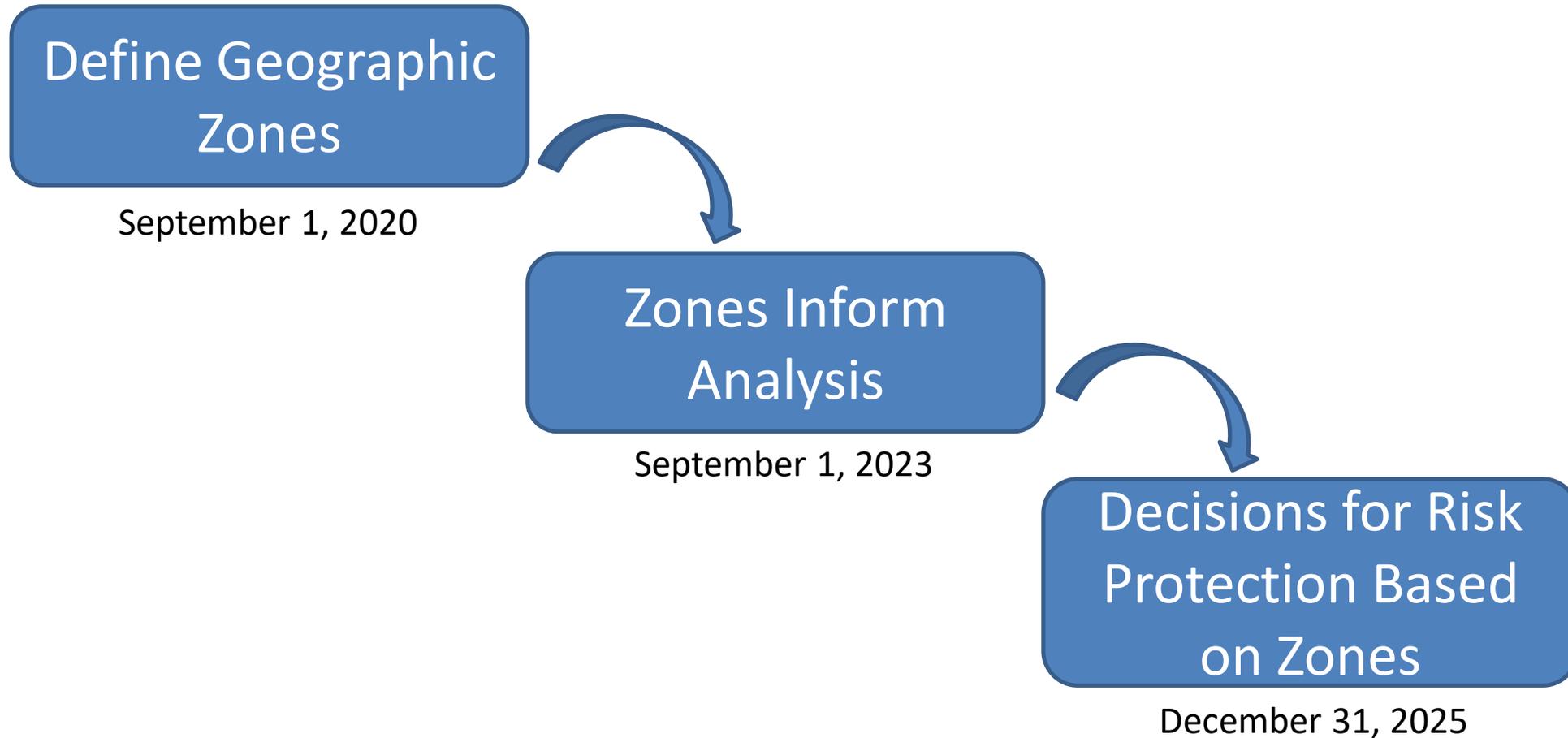
- BPC will designate an advisory committee to develop recommendations for the definition of geographic zones
- During monthly Board meetings, the committee will provide updates
 - Board meetings are public; comments are accepted during meetings
 - Meeting notices, agendas, materials, and minutes are posted to the BPC website¹
- The Board will make final decisions by vote

Process for defining zones

- Timeline
 - December/January: Board discuss, designate committee
 - February-May: Committee work, report during monthly Board meetings
 - June (goal): Committee present geographic zone recommendations to Board for vote



Sequence of Events



Ecology Modeling and Analysis

- Ecology must develop and maintain a model to quantitatively assess current and potential future risks of oil spills from covered vessels (>300GT) in Washington waters
 - Must consult with tribes and stakeholders
 - Use the model to assess:
 1. Tug escorts for ATBs, towed oil barges, and oil tankers between 5,000 and 40,000 DWT
 2. Emergency Response Towing Vessel for Haro, Boundary, and Rosario
 - Report findings to the legislature by September 1, 2023



Ecology Modeling and Analysis

- Ecology recruiting for modeling and analysis team positions
- Planning for model development, including outreach and consultation, will begin early 2020



Zones and analysis

- No preconceived definitions of zones
- Analysis will be conducted in the context of the zones
- Analysis results could be more detailed than the geographic size of the zones
- Analysis results will inform rulemaking



A pilot's perspective



Questions and Input

- We welcome your questions and input on geographic zones and the process for defining the zones



Tank Vessel Escort

A Pilot's Perspective

Critical Factors in Tank Vessel Escorting

Four critical factors in tank vessel escorting:

- *Width of waterway/proximity to hazards*
- *Size of the tank vessel*
- *Size and configuration of escort tug*
- *Speed of vessels*

Two main factors that drive success:

- *Speed*
- *Response time*

Pilot & Tug Escort Operations

Primary concern is with the lateral distance off track or “Transfer”. Escort techniques in the PNW region have evolved and adapted to the geography and types of ships and tugs. Puget Sound Pilots and local tug operators train to use the “Indirect” towing technique to minimize transfer in a rudder casualty. This is the “worst-case-scenario” but we constantly train and practice these maneuvers to maintain preparedness for emergencies. Three emergency maneuvers include:

[Assist a Turn](#)

[Oppose a Turn](#)

[Retard Ships Speed \(straight back\)](#)

Less than 40,000 DWT

- Generally chemical tankers.
- Effective Sept. 1, 2020, tankers of 5,000 DWT to 40,000 DWT will be escorted in Rosario Strait and connecting waters.



Articulated Tugs & Barges (ATB's)



Various sizes:

- Smaller (non-piloted): 502' x 76' x 83,000 bbl x 13,945 DWT x 6,700 GT
- Medium (piloted): 598' x 74' x 155,000 bbl x 19,700 DWT x 12,420 GT
- Larger (piloted): 684' x 74' x 178,000 bbl x 27,600 DWT x 14,514 GT
- Tug and barge connected by “articulating” coupling. [Intercon video](#)

Towed barges



Barges towed by twin screw tugs.

- Various sizes ranging from smaller bunker barges of approx. 230' LOA - 20,000bbl – 1,528GT to 430' LOA - 83,000 bbl. – 6,700GT
- Towing vessels are typically twin screw conventional tug boats.

Geographic Area

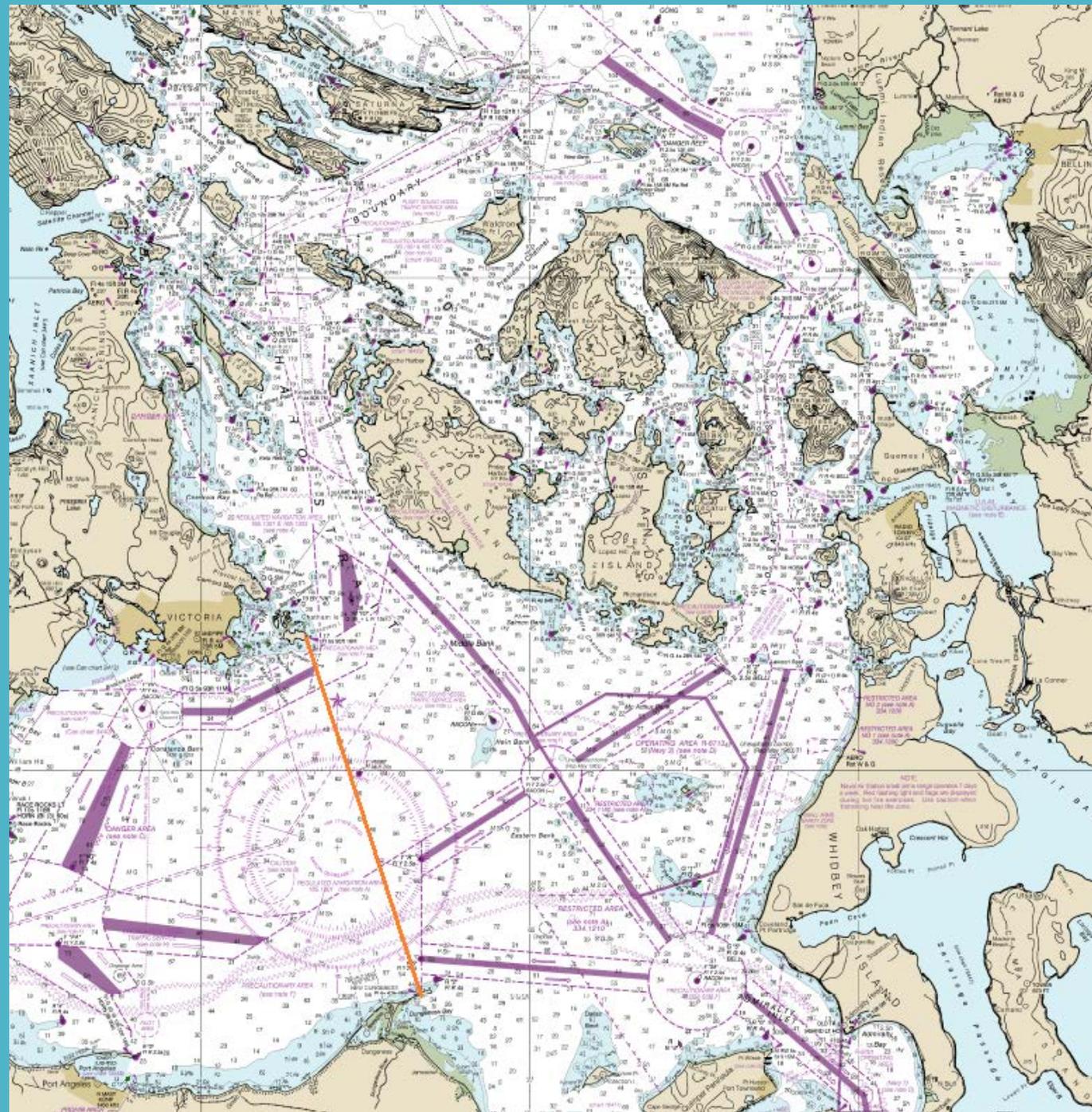
Overview

- Eastern Strait of Juan de Fuca. Eastern Straits
- San Juan Islands, Northern sector
- Puget Sound, Southern sector

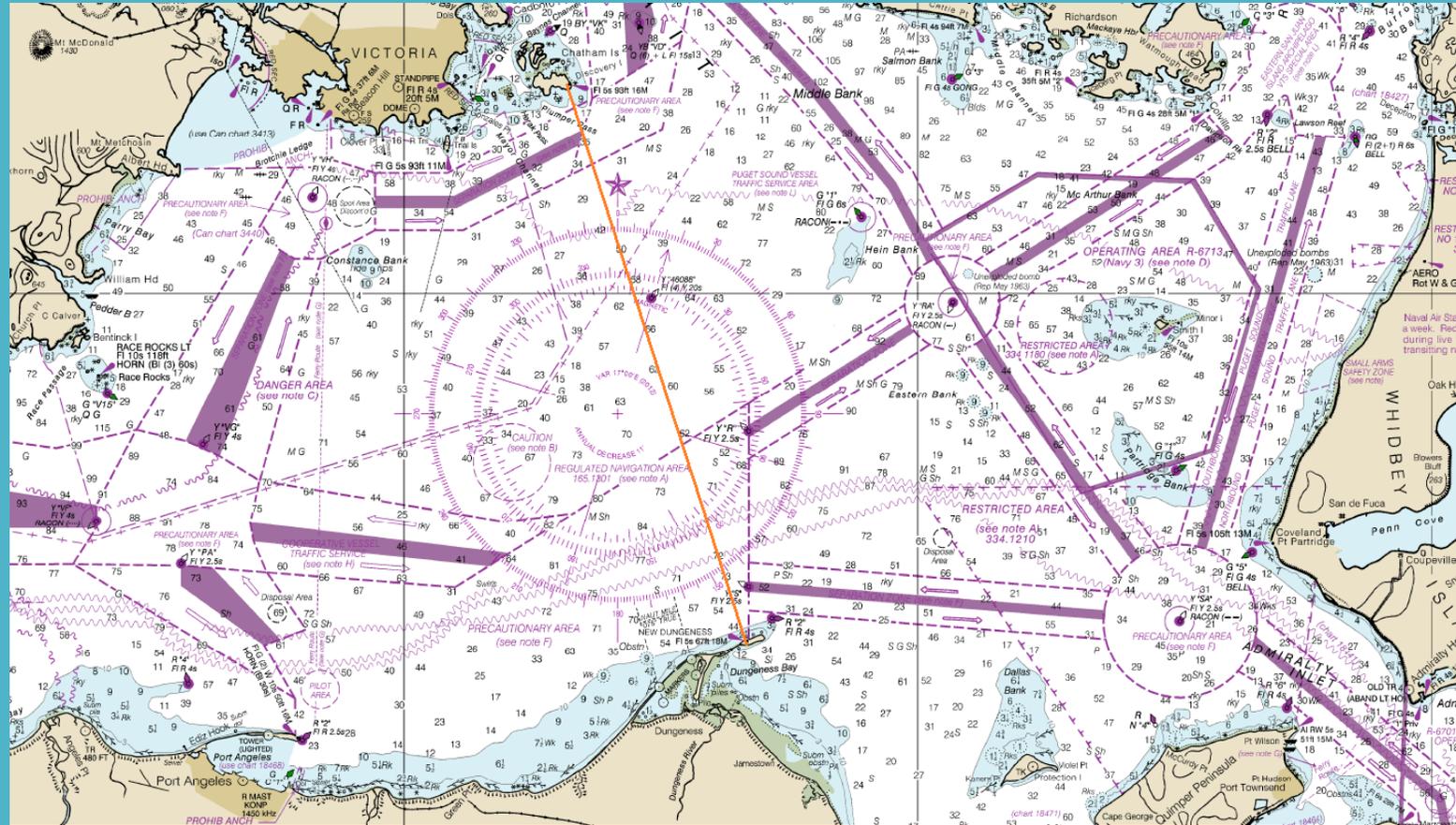
Details

- [Distance from Hazards](#)
- Nature of hazards
- Specific escort techniques are tailored to these details.

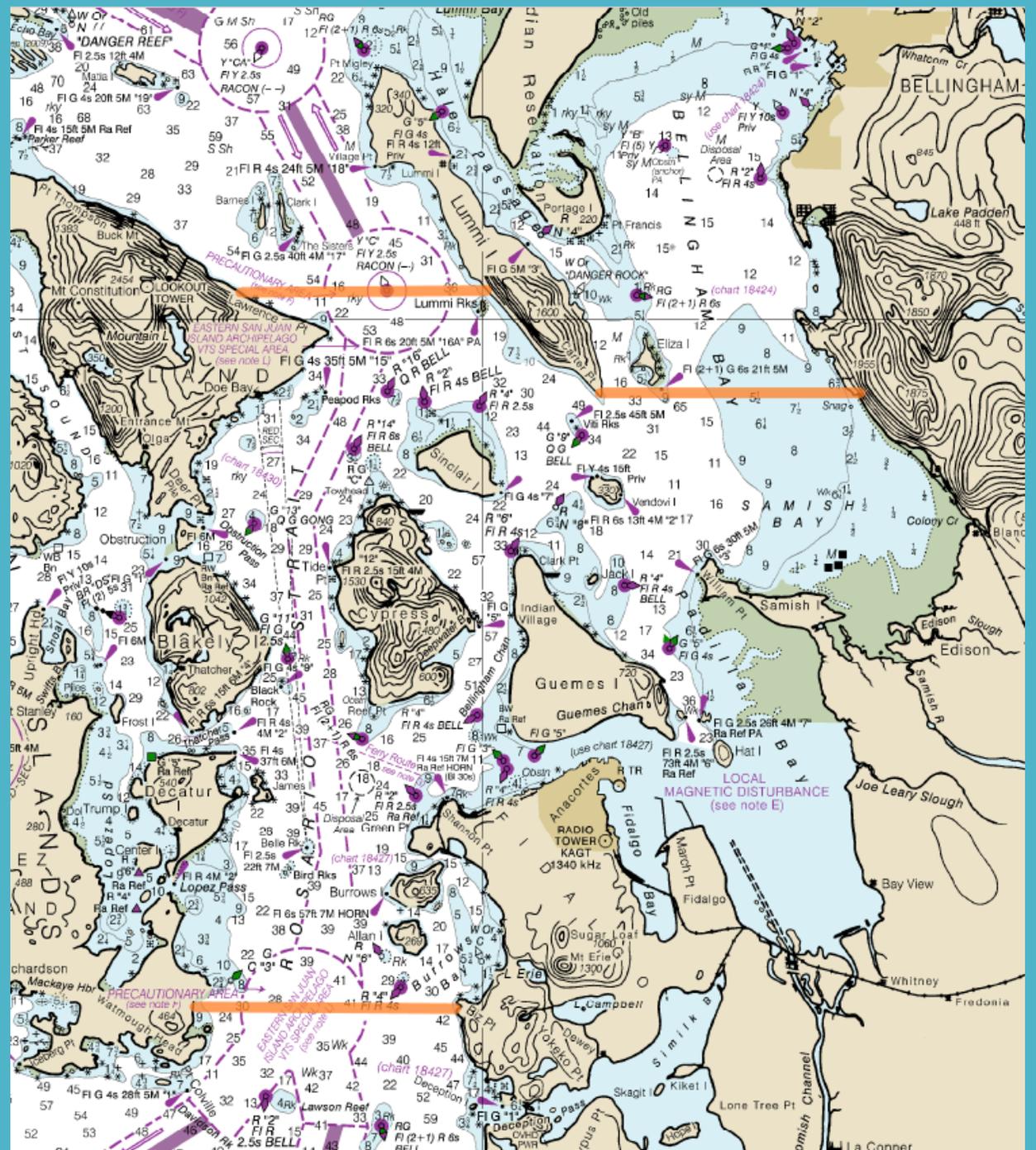
Eastern Strait of Juan De Fuca & San Juan Islands



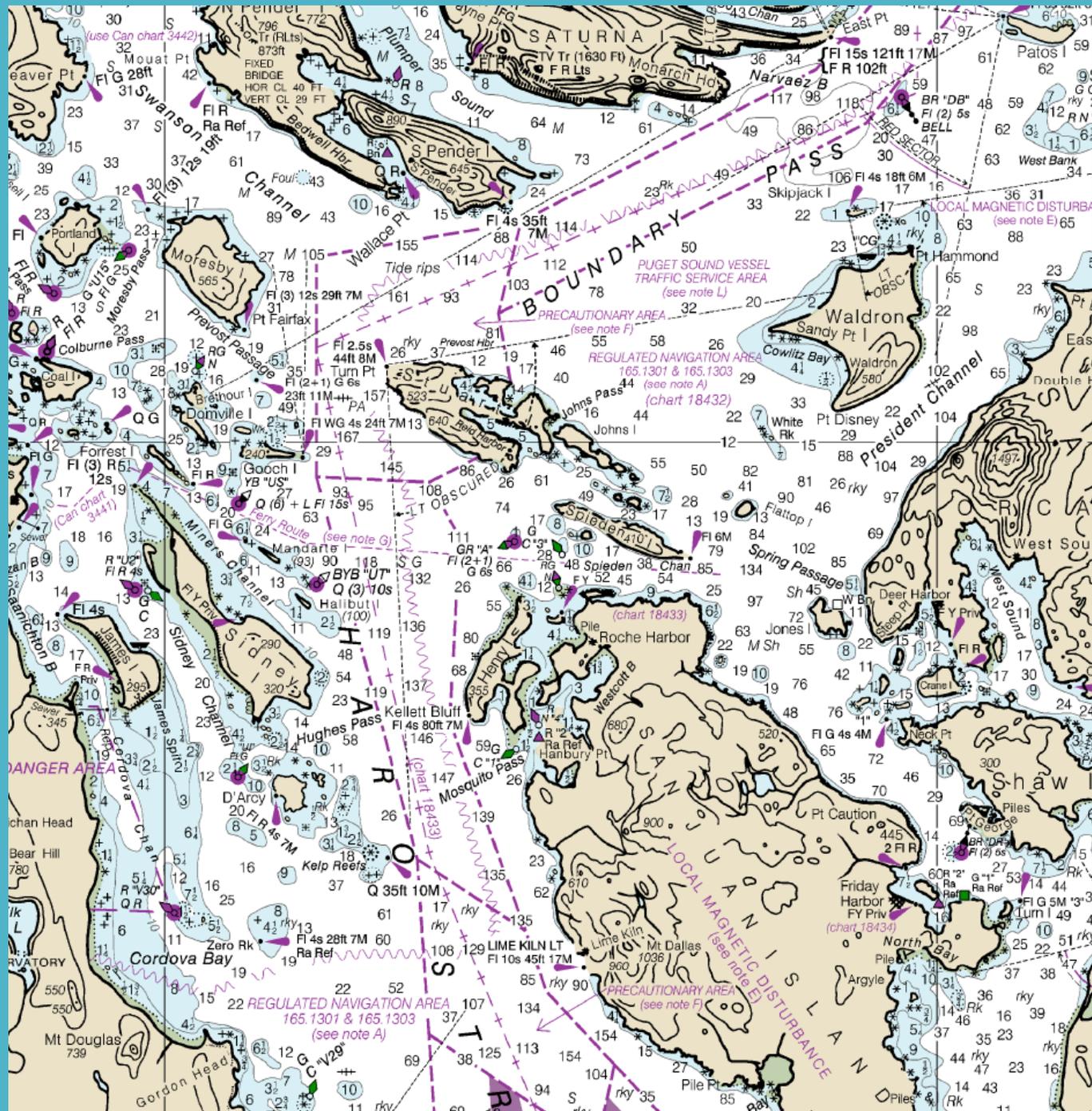
Eastern Straits



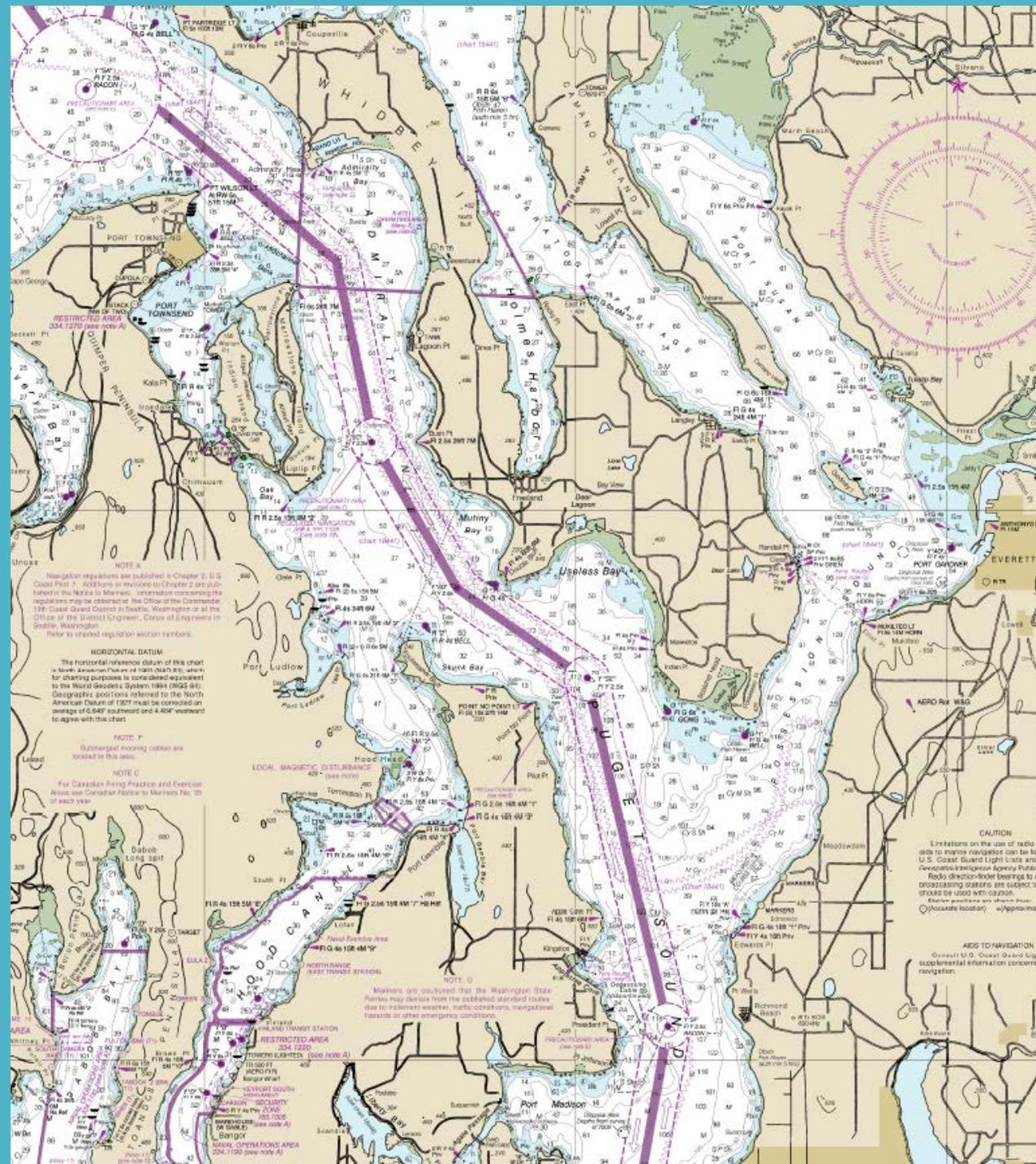
Rosario Strait and Connecting Waters to the East



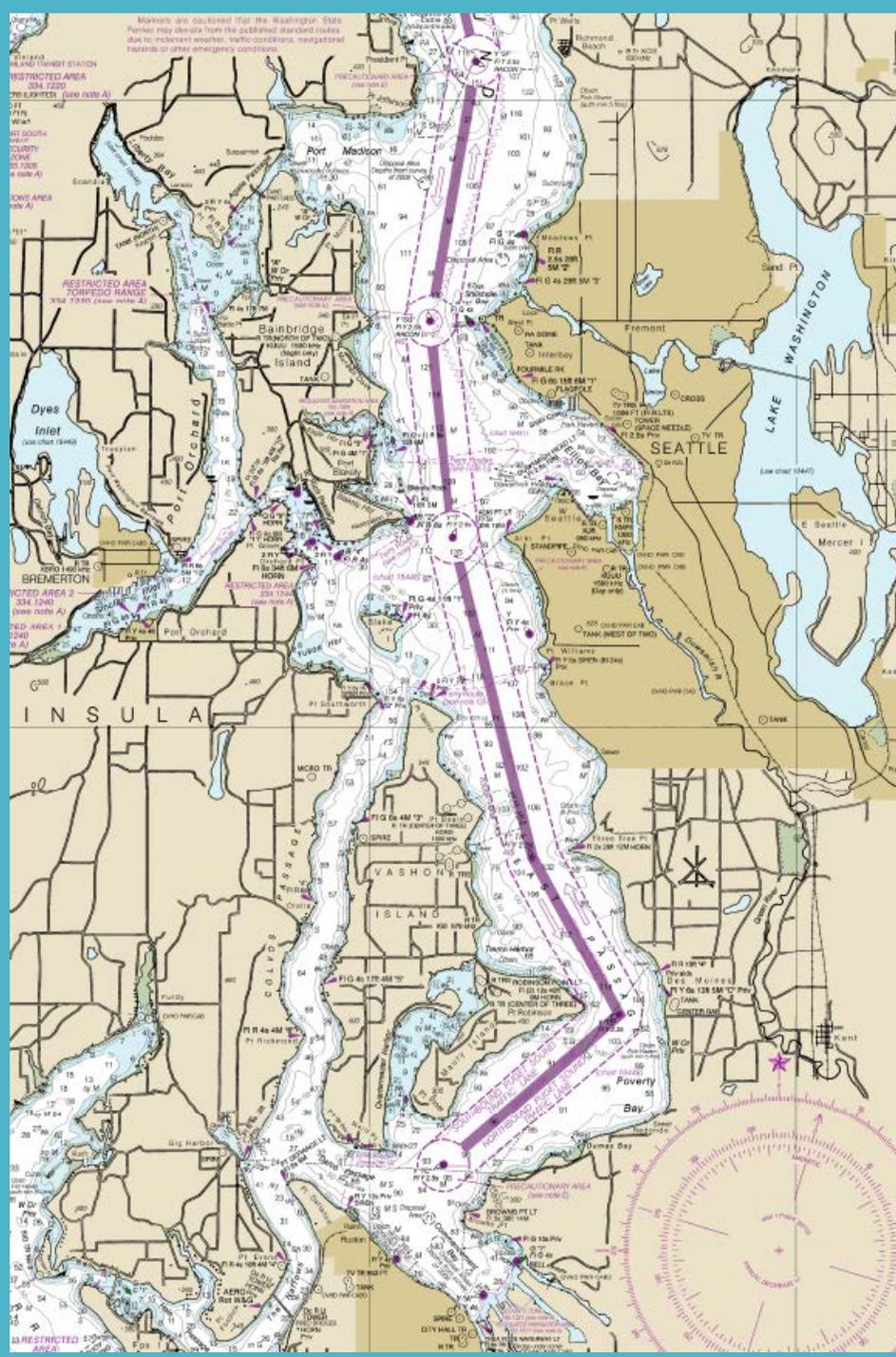
Haro Strait and Boundary Pass



Admiralty Inlet to Port Madison



Port Madison to Tacoma



Critical Factors in Tank Vessel Escorting

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