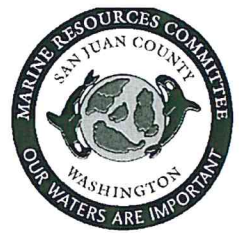




San Juan County Marine Resources Committee

## Marine Managers' Workshop 2015



### *Charting a Course Forward in the Salish Sea: Understanding risks to San Juan County and the Gulf Islands from Increased Vessel Traffic*

In March of 2015, the San Juan Marine Resources Committee gathered people together from around the region of the San Juan and Gulf Islands to discuss the implications of increasing vessel traffic on the ecosystem management activities of this region. Following are the proceedings and conclusions from that workshop.

Special thanks are due to the speakers and presenters who gave freely of their time for this workshop. Without this generous donation of effort and time, this conference would not have been possible.

Likewise, the committee would like to thank the participants for their time in attending, and contributing to the discussions and large group work that followed.

Thanks are also due to the committee of people who worked for over a year to put this workshop together. They are: Laura Arnold, Barbara Bentley, Kathleen Dolsen and Sam Gibboney. They had help from Veda Environmental, Scott Williamson, and Marta Branch.

And last, thanks are due to the members of the MRC committee as a whole, who set up chairs, fixed snacks, cleaned up spaces, set up displays, set up registration, and all the myriad tasks that make an event such as this happen. 2015 MRC members Position #1: Sam Gibboney; Position #2: open; Position #3: Barbara Bentley, Chair; Position #4: Kathleen Dolsen; Position #5: Tom Temple; Position #6: Megan Dethier; Position #7: Phil Green; Position #8: Greg Ayers; Position #9: Laura Arnold; Position #10: Terry Turner; Position #11: Johannes Krieger; Position #12: Wesley Heinmiller; Position #13: Marc Broman; Position #14: Open; Position #15: Robert Wilson; and retired from Position #6 in February 2015: Ken Sebens.



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**SAN JUAN MARINE RESOURCES COMMITTEE  
2015 MARINE MANAGERS' WORKSHOP**



***Charting a Course Forward in the Salish Sea:  
Understanding risks to San Juan County and the Gulf  
Islands from Increased Vessel Traffic***

**Thursday, March 26 & Friday, 27, 2015  
San Juan Island Grange Hall  
Friday Harbor, WA**



san juan county  
marine stewardship area  
our sea • our source • our future

*All of our Speakers have provided their time and presentations free of charge...  
Thanks to all of them for making this event possible  
And Thanks to our Sponsors listed below!*



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## WORKSHOP GOALS, OBJECTIVES AND KEY QUESTIONS

- *Understand the risks from current and potential increases in marine vessel traffic including specific implications for San Juan County and the Gulf Islands*
  - *Are managers aware of the current and potential increased risks?*
  - *What do the projected traffic increase and changes to cargo transport mean to marine managers in the San Juan and Gulf Islands?*
- *Engage in facilitated discussions about reasonable responses for marine resource managers*
  - *How are managers' programs likely to be affected?*
- *Identify and strategize potential actions to address the vessel traffic risks*
  - *What are the leverage points for influencing decisions and outcomes?*
  - *With whom should the managers be communicating about anticipated effects?*

***An evaluation is a part of your registration package. Please fill it out and return to the registration table, or mail to:***

Marta Branch, MRC Coordinator  
San Juan County Dept. of Community Development  
135 Rhone Street  
Friday Harbor, WA 98250

*The San Juan Marine Resources Committee (MRC) recognizes that everyone here has given a most valuable asset to this workshop—your time and attention. Thank you for your participation. We are all deeply grateful.*



## **AGENDA**

### **DAY ONE (Thursday, March 26)**

- 8:30 **Registration and Coffee (Hosted by University of Washington, Friday Harbor Labs)**  
**Special Thanks to Orcas Roast for the Coffee: “Deer Harbor Roast”!!**
- 8:45 **Welcome and Introductions**
- Facilitator:** Gina Bonaminio, US Forest Service, Cispus Institute Facilitator  
Jamie Stephens, San Juan County Council  
Patti Gobin, Tulalip Tribes
- 9:10 The San Juan Marine Stewardship Area – Ken Sebens, UW FH Laboratories, former SJ Marine Resources Committee Science Chair.
- 9:30 The Transboundary Cooperation Agreement  
Peter Luckham, Chair, Islands Trust Council  
Jamie Stephens, San Juan County Council
- 9:45 Tribal Treaty Rights  
Keith Ledford, Makah Office of Marine Affairs; Makah Tribal Nation  
Patti Gobin, Tulalip Tribes  
Tom Ehrlichman, Special Counsel to the Swinomish Indian Tribal Community
- 10:30 **Break (Hosted by University of Washington, Friday Harbor Labs)**
- 11:00 **The “Big Picture” – changing pressures on the Salish Sea ecosystems**  
Ashley Ahearn, KUOW Environmental Reporter
- 11:30 **Lunch (Hosted by: Canadian Consulate & Northwest Straits Foundation)**

12:30 **Understanding the *current* risks to the San Juan and Gulf Islands from existing vessel traffic in the transboundary waters**

Fred Felleman, **A Historical Perspective** (15 min)

Tom Ehrlichman, Special Counsel to the Swinomish Indian Tribal Community, **Baseline Impacts to Tribal Treaty Fishing** (10 min)

Kim Sundberg, **A Biologist's Lessons from Alaska** (20 min)

Jon Neel, Senior Oil Spill Policy Advisor, Puget Sound Partnership; **The Anticipated Behavior and Potential Impacts of Oil Spilled in the Salish Sea** (15 min)

1:30 Stretch Break

1:45 **Understanding the *future* risks to the San Juan and Gulf Islands from projected vessel traffic in the transboundary waters (Facilitator to introduce)**

- Current proposals for increased shipping capacity
- Existing mitigation measures in place – are these adequate?
- Recommendations from the VTRA report
- What are the gaps?

Jon Neel, Puget Sound Partnership

Stafford Reid, BC, **EnviroEmerg Consulting**

John Veentjer, [Chair of the Puget Sound Harbor Safety](#); [Manager of the Puget Sound Marine Exchange](#)

3:45 **Break (Hosted by University of Washington, Friday Harbor Labs)**

4:00 45 minutes: Discussion: What are the summary statements/thoughts from the day?  
What are the questions to consider during the discussion tomorrow?

5:00 Wrap Up **\*\*Inter-Island Ferry Leaves at 5:45PM\*\***

**(Overnight accommodations suggestion Mention SJ MRC for group rate for this event)** Telephone #: 360-378-3031 [www.fridayharborsuites.com](http://www.fridayharborsuites.com)

# AGENDA

## DAY TWO (Friday, March 27)

- 8:30 **Coffee (Hosted by University of Washington, Friday Harbor Labs)**
- 8:45 **Welcome and Agenda Review**  
Gina Bonaminio, Facilitator
- 9:00 **Pilots' Perspectives**  
Captain Jonathan Ward, Puget Sound Pilots  
Captain Brian Young, Canadian Pacific Pilotage Authority
- 9:40 **Transboundary Coordination and Response Systems – compatibility and limitations**  
Joe Raymond, Captain, US Coast Guard  
Graham Knox, Director, Environmental Emergency Program, BC Ministry of Environment  
David Byers, WA Department of Ecology
- 10:15 **Break (Hosted by University of Washington, Friday Harbor Labs)**
- 10:30 **Discussion (Gina Bonaminio, Facilitator):**
- Who are the project decision makers?
  - What are the avenues and timelines for comment?
  - What are the known and anticipated risks and how will they be managed? By whom?
  - What influence do or can the Marine Managers (workshop participants and others) have to minimize risks for changing shipping volumes and cargoes?
- 12:00 **Next Steps and Wrap Up – Gina Bonaminio, Facilitator**
- 12:30 **Adjourn (Please take extra food “to go!!”)**



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San Juan County Marine Resources Committee

## Marine Managers' Workshop 2015 Proceedings



### *Charting a Course Forward in the Salish Sea: Understanding risks to San Juan County and the Gulf Islands from Increased Vessel Traffic*

Thursday, March 26 and Friday, March 27, 2015, San Juan Island Grange Hall, Friday Harbor, WA

#### WORKSHOP GOALS, OBJECTIVES AND KEY QUESTIONS

- Understand the risks from current and potential increases in marine vessel traffic including specific implications for San Juan County and the Gulf Islands
  - Are managers aware of the current and potential increased risks?
  - What do the projected traffic increase and changes to cargo transport mean to marine managers in the San Juan and Gulf Islands?
- Engage in facilitated discussions about reasonable responses for marine resource managers
  - How are managers' programs likely to be affected?
- Identify and strategize potential actions to address the vessel traffic risks
  - What are the leverage points for influencing decisions and outcomes?
  - With whom should the managers be communicating about anticipated effects?

#### Meeting Summary:

##### Day 1

##### Welcome and Introductions

Patti Gobin – Tulalip Tribes: Patti explained how the Tulalip Tribes<sup>1</sup> and all Coast Salish People are dependent on the Salish Sea and how, with the Salish Sea facing increasing pressures, their life ways are threatened. The Tulalip Tribes are the Salmon People and salmon are the lifeblood of their culture. Patti opened the meeting by sharing a song calling the salmon people home, accompanied by a salmon rattle carved by her father. Patti also explained that the Coast Salish people were instrumental in establishing the place name of "Salish Sea" now officially applied by the US and Canada to the transboundary waters that include the San Juan and Gulf Islands.

<sup>1</sup> The Tulalip Tribes include several Native American tribal groups and is referred to here in the singular, as a sovereign entity.



## San Juan County Marine Resources Committee

# Marine Managers' Workshop 2015 Proceedings



### San Juan Marine Stewardship Area

Marta Branch – SJC MRC Coordinator: Marta welcomed everyone to the workshop and discussed the history of the Marine Resources Committee (MRC) and how it helped lead to the formation of the Northwest Straits Initiative. The San Juan MRC was formed in 1996 to look at how local, voluntary action could conserve marine species and habitats and avert a then-proposed national marine sanctuary in the Northwest Straits. The Northwest Straits Initiative was formed in 1998 with a commission created to coordinate seven MRCs in northern Puget Sound, modeled on the San Juan MRC.

In 2004 the San Juan Board of County Commissioners (now County Council) designated all of San Juan County as a voluntary Marine Stewardship Area (MSA) and charged the MRC with creating a management plan for it. This was completed and adopted by the county in 2007. There are six top strategies in the MSA plan: reduce toxins entering the food web, foster a stewardship ethic in residents and visitors, manage upland and nearshore activities to reduce harm to marine habitat and water quality, reduce the risk of large oil spills in our waters, recover bottom fish species, and preserve marine access and views.

Marta also talked about how the Puget Sound Partnership is charged with the task of protecting and restoring the marine ecosystem of the Salish Sea by 2020. In San Juan County, there have been three top ecosystem pressures identified in the marine environment: oil spills, shoreline armoring, and stormwater runoff (including septic intrusion). The San Juan MRC works as a part of the Implementation Committee of the Local Integrating Organization (LIO) on near term actions (NTAs) to address these ecosystem pressures.

### The Transboundary Cooperation Agreement

Peter Luckham, Islands Trust Council Chair: Peter gave some background about the Gulf Island Trust Council and its relationship with San Juan County. The Islands Trust of British Columbia is made up of thirteen local governments of individual islands, representing about 25,000 residents. Twenty-six local elected representatives meet quarterly to discuss issues facing the islands. Once a year, San Juan County is invited to attend the meetings. Peter went on to discuss the accord between the trust and San Juan County that was signed into effect in 1998 and renewed in 2007. The agreement, known as the Transborder Island Agreement between the Islands Trust and the San Juan County, states that both agencies share the following values:

- The protection of significant terrestrial and marine environmental features and all related ecosystems;
- The preservation of the unique quality of life on islands and in the surrounding waters;
- The management of impacts of population growth and development in a manner consistent with values of island communities.
- The encouragement of island communities to achieve and maintain a viable economy.





## San Juan County Marine Resources Committee



# Marine Managers' Workshop 2015 Proceedings

The Islands Trust produced "A Place in the Islands," an award-winning publication produced to provide information to people who are new to living in the Islands Trust Area and the San Juan Islands and to generate awareness of the benefits and challenges of living on an island in this special part of the world, not only to residents, but also to contractors and policy makers.<sup>2</sup> Peter also noted that the Trust is concerned about increased vessel traffic pressures, noting that there will be an increase of light and noise pollution from tankers anchored out and that animal habitat will be directly impacted.

Jamie Stephens, San Juan County Council: Jamie discussed consultation efforts between San Juan County and the Gulf Islands Trust and joint participation in projects such as the Kinder Morgan pipeline project. He noted that risks of impacts from vessel traffic are highest in transboundary areas. The Islands Trust and San Juan County can consult with each other on issues and share information. The County will study and produce a report related to the increased vessel traffic by June 30, 2015.

### Tribal Treaty Rights

Patti Gobin – Tulalip Tribes: Patti reiterated that for treaty tribes, the greatest thing at risk from pressures caused by increased vessel traffic in the Salish Sea is tribal members' life ways. The Tulalip Tribes is fighting increased vessel traffic based on treaty rights that were to secure forever the usual and accustomed access to fish and shellfish, now at further risk from species and habitat declines.<sup>3</sup> Many tribal members are coming back to their homeland because the Tulalip have been able to establish a healthy economy for its members. The Tulalip Tribes is the second largest employer in Snohomish County. Now, the tribe is putting the bulk of its money into asserting treaty rights for habitat protection as key to fulfilling treaty promises to sustain the health of its nation.

Tom Ehrlichman – Special Counsel to the Swinomish Tribe: Tom discussed the key concerns and impacts to tribes, areas in the Salish Sea that are of highest concern for risks, and what's missing in current risk analysis. Tom has presented information about key concerns to more than thirty tribal leaders in the past few years. He has also tracked several studies, including the 2010 Vessel Traffic Risk Assessment (VTRA), Cherry Point impacts, Hood Canal impacts, etc., all to create a bigger picture of what is happening in the Salish Sea with an increase in rail and pipeline transport of oil to marine terminals (see attached). There are high levels of concern about *current* conditions.

Articulated tug barges (ATBs) are still the major transporters of oil. The size and numbers of these vessels are increasing. An increase in Alaska off-shore drilling could also increase tanker traffic in the Salish Sea including an increase of traffic to Anacortes refineries and an increased risk of oil spills. In the next few years, vessel traffic in the southern part of the Strait of Juan de Fuca is expected to increase by about 25%. Areas of highest concern for oil spill impacts are Guemes Channel and off of Cherry Point. These areas had the highest number of incidents. See the 2012 Glosten study – "Highest Incident Areas and Types of Vessels." Other areas of particular interest include Vendovi Island, Jack Island, and William

<sup>2</sup> "A Place in the Islands" was originally published in 1995 by the San Juan Preservation Trust. The 2<sup>nd</sup> edition, 2007, was a joint project of the Islands Trust, the Islands Trust Fund of British Columbia, Canada, and the San Juan Preservation Trust of Washington State, USA.

<sup>3</sup> The Treaty of Point Elliot, 1855.





## San Juan County Marine Resources Committee



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Point off of Samish Island. These areas are already being used as anchorage sites, and with proposed increases in use of these sites, more needs to be done to determine what the current effects of the anchorage sites are. The Kinder Morgan study volume 8 tells the story of IF not WHEN a serious incident will happen. Models show that in a best case scenario, only sixteen kilometers of shoreline will be affected. We know that some species did not recover from the Valdez oil spill. There is a missing second step in risk analysis. We need to look at the *consequences* of vessel spills currently experienced by treaty tribes and establish a current baseline, and also take a look at the effects (i.e., not just the probability) of future predicted spills on fishing and shellfishing. The Northwest Straits Commission requested a baseline study in 2012. Along with oil, Tom suggested looking at the impacts of spillage of fuel and ballast water exchange.

### The Big Picture – changing pressures on the Salish Sea ecosystems

Ashley Ahearn, KUOW Environmental Reporter: Ashley discussed the “Big Picture” – changing pressures on the Salish Sea ecosystems. She talked about increases in vessel traffic in terms of the “Tragedy of the Commons – *“Freedom in a commons brings ruin to all”*” by Garrett Hardin. There are eleven proposed facilities in Washington to accept crude oil for refinement and 2-3 refineries proposed as well. The Kinder Morgan pipeline project will increase vessel and tanker traffic by an estimated 500%. There are no studies to show the carrying capacity of Puget Sound in terms of vessel traffic.

### Understanding the *current* risks to the San Juan and Gulf Islands from existing vessel traffic in the transboundary waters

Fred Felleman – private consultant and consultant for Friends of the Earth: Fred gave a historical perspective on issues of vessel traffic in transboundary areas. The area west of Port Angeles is treated like open ocean in terms of vessel traffic regulations. The Makah Tribe has been able to raise the standards for oil spill response in the western Strait and off the coast.

Recent studies have not looked at the combined effects of both rail and marine transport of oil, and therefore do not examine the whole picture. The Areas of Responsibility (AOR) of the Salish Sea is huge. Vancouver is the largest port in Canada and Seattle is the second largest port on the US west coast, so combined, the Salish Sea has a massive amount of traffic. The “Right of Innocent Passage” is a fallacy because it is inconsistently applied. The late Senator Magnuson said “we should not be exposed to spill threats beyond our appetite.” There are 58 incidents in Haro Strait (left out of reports by the Canadian Coast Guard) that have been left out of all risk assessments for vessel traffic increases. Train terminal activity and capacity expansions are an important component to dealing with the vessel traffic from them in comprehensive evaluation of the impacts on the region.

Tom Ehrlichman – special counsel to the Swinomish Tribe: Tom discussed studies that have been done regarding proposed increases in vessel traffic: 1) the Swinomish Tribe retained Merco Marine to critique the VTRA 2010 report, 2) the BP dock expansion and potential effects on treaty fishing rights, and 3) Coast Guard proposed rulemaking on anchorages. Tom commented that risk assessments should be more than probability assessments because it is a question of WHEN not IF a significant incident occurs. There are several factors that can affect these studies, such as projects proposed to increase vessel traffic, assumptions about vessel and load size, and the number of vessel transitions in particular shipping lanes.





## San Juan County Marine Resources Committee

# Marine Managers' Workshop 2015 Proceedings



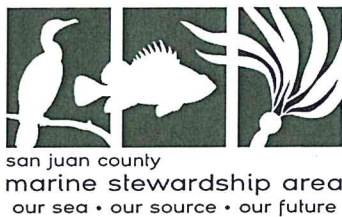
Kim Sundberg – San Juan County LIO: Kim discussed the known impacts from the Exxon Valdez oil spill and how those impacts would translate to incidents in the Salish Sea. There were 260,000 barrels of oil spilled in the Exxon Valdez disaster. The oil moved fast, over 470 miles in just a few months. The affected ecosystems are not recovering after 25 years. Several species communities have collapsed including Marbled Murrelets, Pacific Herring, Pigeon Guillemots, and the entire Orca AT-1 population. Basically, an oil spill is a crime scene; everything is collected as evidence. Under the Oil Pollution Act civil penalties are authorized at \$25,000 for each day of violation or \$1,000 per barrel of oil discharged. After a spill, a Natural Resources Damage Assessment (NRDA) is done. Federal, state, and tribal trustees are granted “rebuttable presumption.”

There was a three part NRDA settlement. Exxon was fined \$150 million, the largest fine ever imposed for an environmental crime. The court forgave \$125 million of that fine in recognition of Exxon's cooperation in cleaning up the spill and paying certain private claims. Of the remaining \$25 million, \$12 million went to the North American Wetlands Conservation Fund and \$13 million went to the national Victims of Crime Fund. As restitution for the injuries caused to the fish, wildlife, and lands of the spill region, Exxon agreed to pay \$100 million. This money was divided evenly between the federal and state governments. Exxon agreed to pay \$900 million with annual payments stretched over a 10-year period. The final payment was made in September 2001. The settlement contains a "reopener window" between September 1, 2002 and September 1, 2006, during which the governments could make a claim for up to an additional \$100 million. The funds must be used to restore resources that suffered a substantial loss or decline as a result of the oil spill, the injuries to which could not have been known or anticipated by the six trustees from any information in their possession or reasonably available to any of them at the time of the settlement (September 25, 1991). On June 1, 2006, the U.S. Department of Justice and the State of Alaska Department of Law announced that they have taken the first step in asserting a claim under the Reopener provision by providing ExxonMobil Corporation with a detailed project plan for the cleanup of lingering oil at an estimated cost of \$92 million.

There were post-Exxon Valdez oil spill improvements that include upgrades to tanker safety and protocols, specially trained pilots, improvement in response protocols and increased response measures and equipment availability, and the establishment of regional citizen advisory councils.

Forecasts for the effects of a major spill in the Salish Sea are serious: total loss of the Southern Resident Killer Whales and other species of marine wildlife; the decimation of tourism; failing businesses and plummeting property values; in humans, chronic illness, depression and increased rates of suicide; lingering toxins in the environment; trustees spending billions of dollars to “restore” the Salish Sea; and private litigants locked in decades-long legal battles for compensation. Other considerations: the CWA and OPA have unlimited liability, but in Canada liability is capped at \$138 million. This cap would significantly limit response in a transboundary incident.





## San Juan County Marine Resources Committee



# Marine Managers' Workshop 2015 Proceedings

### Understanding the *future* risks to the San Juan and Gulf Islands from projected vessel traffic in the transboundary waters

Jon Neel - Puget Sound Partnership: Jon discussed the Vessel Traffic Risk Assessment (VTRA) and what people need to know to understand risk and risk management. The 2010 VTRA was used by the Puget Sound Partnership as a baseline to direct and advise the public about oil spills. The focus of the study is on probabilities of, not consequences from, oil spills. It looks at risk reduction measures, which includes tug escorts for tankers, double hulled ships, and one-way zones in high traffic areas. With all the proposed new projects in the Salish Sea, including the Trans-mountain Pipeline Extension from Kinder Morgan, the SSA Marine Gateway Pacific Terminal at Cherry Point, and expansions in Port Metro in Vancouver, B.C.; Washington State Department of Ecology is looking for funding to update the VTRA. Models indicate that risks will increase in Haro Strait by 375% in Boundary Pass by 300%, and off of Guemes Island by 31%. The greatest losses from an incident will be concentrated in the areas west of the San Juans in the Strait of Juan de Fuca. Contact Jon for more information: [Jon.Neel@psp.wa.gov](mailto:Jon.Neel@psp.wa.gov)

John Veentjer - Executive Director at Marine Exchange of Puget Sound: John explained that the Marine Exchange is a member-based, non-profit organization that provides comprehensive communications and information services for the maritime community. The Exchange tracks and monitors vessel movements starting about 15 days prior to arrival in Puget Sound or Grays Harbor. It collects information on over 66 different data fields, and uses the data to create reports which are disseminated to members daily, weekly, monthly and annually. The Marine Exchange of Puget Sound uses a comprehensive marine safety system that includes the current vessel traffic system, port controls, escort tugs, etc. The Exchange also participates in the Puget Sound Harbor Safety Committee (PSHSC.) The PSHSC provides a forum for identifying, assessing, planning, communicating, and implementing operational and environmental measures, beyond those required by law, that promote safe, secure, and efficient use of Puget Sound and adjacent waters. The committee is made up of delegates appointed by broadly based organizations representing a span of interests focused on Puget Sound. Additionally, various governmental agencies formally support the work of PSHSC in advisory roles. PSHSC – [www.pshsc.org](http://www.pshsc.org)

Current vessel traffic in Puget Sound traffic has been decreasing since 1992, but the size of vessels and cargo capacity have been increasing. We must use lessons learned from other disasters, adapt to changes in vessel traffic, ensure a system of checks and balances, and foster a culture of safety and continuous improvement.

Stafford Reid – EnvironEmerg Consulting, BC: Stafford discussed international oil spills and issues Canadian groups have regarding spill response. Shipping in B.C. is very well managed. The shipping companies take great pride in safe shipping. Environmentalists are also very passionate. The two groups clash. The shipping industry does not want accidents, bad press, or new regulations. Currently, the biggest issue in Canada is how to create a dialogue with shipping interests. If there is an incident in Canada, shipping companies often use their US contingency plans. Stafford suggests putting Canadian dollars into good tug escort companies for cargo vessels. He noted that Canada doesn't have Geographic Response Plans as used in the US. He suggested broader response planning for incidents of spills of bulk items (i.e., chemicals, containers, etc.,) not just oil, and for what type of oil is being carried. It would be beneficial to look at risks from a vessel casualty standpoint, not just an oil spill standpoint.





## San Juan County Marine Resources Committee

# Marine Managers' Workshop 2015 Proceedings



In Canada, there is very little expertise in the workforce to respond to a major incident. Dispersants are abused and Canada does not have oily waste handling capability or offshore response capability. If there is an incident in Canada, the ship's owner is responsible, not the cargo owner. Then unified command is responsible once the ship owner's money is gone.

## Day 2

### Pilots' Perspectives

Captain Jonathan Ward - Puget Sound Pilots: Jonathan said pilots are the front line of risk mitigation and should stay independent of shipping companies. Complacency is the first step on the road to disaster. The PSHSC is a collaborative forum that produces standards of care (SOC) agreed upon by all stakeholders. Pilot vessels go beyond federal guidelines and SOC. The pilot works directly with the bridge team of tankers and masters but is independent of the shipping company. During transitions, if there is a life or death decision to be made, often the pilot has to make the decision to take evasive action. Recreational boaters are the largest collision risk for cargo vessels, and do not have right-of-way. Vessel traffic radio channel 13 is the working channel for pilot vessels – if you are a recreational boater, please get in touch with pilots to make passing arrangements. Jonathan noted that the cruise ship industry is lobbying to remove pilot independence from shipping companies.

Captain Brian Young - Canadian Pacific Pilotage Authority: Brian discussed the extensive mitigation measures taken by the Canadian Pacific Pilotage Authority. The pilotage district of British Columbia is the largest in the world. There are more pilots assigned to Port Metro in Vancouver than anywhere else. When it comes to managing risk, prevention is the best cure. There are standard operating protocols. Pilots in Canada are also independent of shipping companies. Vessels entering B.C. waters require tanker and mooring plans, are required to use tethered tugs and in certain situations, a two pilot vessel assist. The Canadian Pacific Pilotage Authority performs tethered tug simulations and does various studies as well. Escort tugs are used to help get disabled vessels safely and rapidly under control. The Authority does not use tax payers' dollars; it is financially self-sufficient. Please contact Brian with any further questions: [brian@ppa.gc.ca](mailto:brian@ppa.gc.ca)



## San Juan County Marine Resources Committee

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### Transboundary Coordination and Response Systems – compatibility and limitations

Joe Raymond - USCG: Joe discussed coordination between the US Coast Guard and the Canadian Coast Guard for prevention of vessel incidents. There are twelve vessel traffic systems (VTS) in the US, and the largest is in the Salish Sea. It is also the only cooperative one with Canada. The VTS monitors 2,900 square miles with radar, AIS, and cameras to track vessels. Compared to other ports, we have very few oil spills and major incidents. Fishing and recreational vessels account for the majority of our oil spills.

Graham Knox - BC Ministry of Environment: Graham discussed transboundary coordination and response challenges and opportunities. The Oil Spill Task Force initiated a Transport Canada Tanker panel review in 2013. This was the first review since the 1990s. The task force came up with 45 recommendations. Phase two of this review will be released soon. Requirements for the transport of heavy oil in British Columbia include 1) successful completion of the environmental review process, 2) world-leading marine oil spill response, prevention and recovery systems for B.C.'s coastline and ocean to manage and mitigate the risks and costs of heavy oil pipelines and shipments, 3) world-leading practices for land oil spill prevention, response and recovery systems to manage and mitigate the risks and costs of heavy oil pipelines, 4) addressing legal requirements regarding Aboriginal and treaty rights providing First Nations with the opportunities, information and resources necessary to participate in and benefit from a heavy-oil project, and 5) British Columbia receives a fair share of the fiscal and economic benefits of a proposed oil project that reflects the level, degree and nature of the risk borne by the province, the environment and taxpayers. Current activities in British Columbia include outreach, legislative options, and examination of core elements of safety frameworks already in place. The Canadian federal government has announced six changes it will make in response to increased vessel traffic pressures: ensured input in the use of oil dispersants and in-situ burning, waste disposal protocols, prioritizing wildlife rehabilitation, the establishment and maintenance of oil spill response training, development of a public relations and information plan for oil spills, and public education on shoreline protection and cleanup methods. There are also industry-initiated measures happening. The Ministry is developing a response plan, planning for more new staff and additional vessels and equipment. Please email Graham with any further questions: [Graham.Knox@gov.bc.ca](mailto:Graham.Knox@gov.bc.ca)

David Byers - WA Department of Ecology: David discussed transboundary response challenges and projects. The challenges include two command posts having to divide resources and coordinate response efforts. The transboundary response project reviewed documents, existing plans, resources, and capabilities. Several issues were considered, including command, planning, operation, logistics, and finance and administrative topics. Overall, the final report included 110 recommendations to 18 constituencies. A review of the recommendations is planned for 2016. There has been some progress with the transboundary project, including transboundary, multi-agency drills and exercises, policy changes, review of responder immunity, and the creation of a waste management plan. The next step in the process will be the five year review scheduled for 2015.



## Marine Managers' Workshop 2015 Proceedings

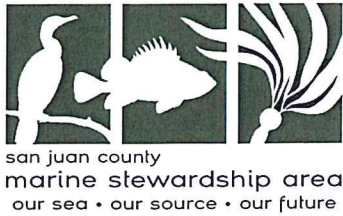
### Conclusions:

1. Select particular issues to elevate in focused conversation between San Juan County and Islands Trust and seek funding to develop a comprehensive review of issues specific to the islands and surrounding waters. These include:

- Identify what local governments and organizations are doing or could be doing to address issues with vessel traffic increases (spills, collisions)
- Explore the implications of risk based on legal limits of liability in event of a transboundary area casualty
- Establish an emergency response towing vessel with spill response capacity at or near Turn Point; and
- Identify specific gaps in data available (e.g., what spill response resources are available in the event of spills of different cargoes – diluted bitumen/tar sands, chemicals, other)
  - Evaluation should identify volumes anticipated along specific shipping routes, what's present in the route that's at risk, and what type and magnitude of loss would be expected if a major incident occurred; then attempt to identify who would be financially responsible in what circumstance, and whether there is actual capacity to rectify in critical time window
  - There is inadequate prevention and spill response capacity in place currently and in future if:
    - response times in Haro Strait, Boundary Pass, southern Georgia Strait, Rosario Strait and eastern Strait of Juan de Fuca remain at current levels
    - cumulative impacts of new cargo vessel traffic in the transboundary area (Vancouver BC to Seattle/Tacoma) are not considered in environmental review of individual terminal projects
    - rail transport volumes of crude oil and diluted bitumen force expansion of marine terminal capacity before an effective prevention regime is fully in place and fully funded
    - anchoring and bunkering are not considered as elements of terminal operations
    - there are no proven, effective methods to recover cargoes (including diluted bitumen, chemicals, etc.), and
    - international/Canadian law prevents assignment of financial responsibility in a manner adequate (or better) to address major spills (known to be a matter of when, and not if).

2. The 2010 VTRA report released in 2014 addressed vessel traffic risk probabilities but did not evaluate consequences of risk and cannot be presumed to have answered questions about spill consequences





## San Juan County Marine Resources Committee

# Marine Managers' Workshop 2015 Proceedings



3. Consider seeking SJC representation on Puget Sound Harbor Safety Committee to add a local perspective to operational issues.
4. Introduce geographic response plans to the Islands Trust and BC province as a way to highlight the size of the gap without such plans in the Gulf Islands.
5. Track others' work to address issues, including the WA legislature, tribes, and conferences on related topics.
6. Support efforts by state and federal park managers, the Coast Guard Auxiliary, and power squadrons in US to educate boaters about preventing vessel collisions and spills.
7. Consider a transboundary pre-spill citizens' advisory committee (building on post-spill experience in Prince William Sound, Alaska).



## San Juan County Marine Resources Committee

# Marine Managers' Workshop 2015 Proceedings



Attachment (Hand-out from Workshop)

### General case studies of past heavy oil spills

#### 19 March 1984 – Tanker *SS Mobil Oil*

- Warrior Rock Columbia River (fresh water)
- 200,000 gallons of heavy oil

#### 21 December 1985 – Tanker *ARCO Anchorage*

- Port Angeles Harbor
- 239,000 gallons of ANS crude

#### Early 19888 – Barge *MCN 5*

- Shannon Point, just west of Anacortes
- 70,000 gallons of fuel oil

#### 23 December 1988 – *Nestucca* barge oil spill

- Grays Harbor
- 231,000 gallons of heavy oil
- Subsurface movement
- Oregon to Pacific Rim National Park and Dungeness Spit

#### 24 March 1989 *Exxon Valdez*

- Prince William Sound, AK
- 11 million gallons of ANS crude



## San Juan County Marine Resources Committee

# Marine Managers' Workshop 2015 Proceedings



## SJ MRC 2015 Marine Managers Workshop Participants

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|             |           |  | S USCG                     |





## San Juan County Marine Resources Committee



# Marine Managers' Workshop 2015 Proceedings

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**Total Participating in Workshop: 61**



## Marine Managers' Workshop Reception

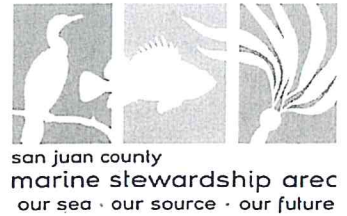
Hosted by Barbara Bentley

|            |          |  |                         |
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**San Juan Marine Resources Committee  
2015 Marine Managers' Workshop  
Evaluation Form**

San Juan Island Grange Hall, March 26 and 27, 2015



Please rate the following statements using scale of: 1 – strongly disagree, 2- disagree, 3- agree, 4-strongly agree

\_\_\_\_\_ 1. My knowledge and understanding of the existence of, and elements of the plan for, the San Juan Voluntary Marine Stewardship Area has increased. Comments:

\_\_\_\_\_ 2. I have a deeper knowledge of rights established by Tribal Treaties, and of the responsibilities that come with managing marine resources in the context set by these treaties. Comments:

\_\_\_\_\_ 3. I am more clearly aware of the TransBoundary Agreement between San Juan County and the Gulf Islands Trust Council, and of implications for marine managers in light of this document. Comments:

\_\_\_\_\_ 4. I have gained a better understanding of what the current and potential risks of increased vessel traffic in the Salish Sea are. Comments:

\_\_\_\_\_ 5. I have new ideas about what preventive measures are likely to be available and effective, which are unlikely, and how I might influence my (or my agency's) work plan for the future 5 years to include action on this topic. Comments:

1 The work of the San Juan MRC is made possible by a grant from the Northwest Straits Commission



This project has been funded wholly or in part by the United States Environmental Protection Agency. The contents of this document do not necessarily reflect the views and policies of the Environmental Protection Agency, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.



\_\_\_\_\_6. I gained skills and knowledge enabling me to provide meaningful input and improved communication with the public, local agencies, and other marine managers to increase coordination efforts of programmatic responsibilities within the Marine Stewardship Area. Comments:

\_\_\_\_\_7. I have a better understanding of who I should be communicating with about anticipated effects of increased vessel traffic in the Salish Sea. Comments:

\_\_\_\_\_8. My thoughts about the management of the marine waters of the Puget Sound and the Salish Sea have changed as a result of this workshop in some meaningful way. Comments:

Other feedback:

\_\_\_\_\_A. Venue:

\_\_\_\_\_B. Food/Breaks:

\_\_\_\_\_C. Facilitation:

\_\_\_\_\_D. Registration/Materials:

\_\_\_\_\_E. Other:

---

***PLEASE fill out this form and leave it in the basket, or mail to: San Juan Marine Resources Committee, Marta Branch, Coordinator, 135 Rhone Street, Friday Harbor, WA 98250.***  
***We appreciate your time in filling this out!***

2 The work of the San Juan MRC is made possible by a grant from the Northwest Straits Commission



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### ***SJ MRC 2015 Marine Managers Workshop Evaluation Summary***

|                 | <b>1</b>        |                 |              | <b>4</b>        | <b>Total</b> |           |                 |
|-----------------|-----------------|-----------------|--------------|-----------------|--------------|-----------|-----------------|
|                 | <b>Strongly</b> | <b>2</b>        | <b>3</b>     | <b>Strongly</b> | <b>Raw</b>   |           | <b>Weighted</b> |
| <b>Question</b> | <b>Disagree</b> | <b>Disagree</b> | <b>Agree</b> | <b>Agree</b>    | <b>Pts</b>   | <b>N=</b> | <b>Score</b>    |
| 1               |                 |                 | 3            | 11              | 5            | 59        | 19              |
| 2               | 1               |                 | 5            | 8               | 5            | 55        | 19              |
| 3               |                 |                 | 4            | 10              | 5            | 58        | 19              |
| 4               |                 |                 | 1            | 8               | 10           | 66        | 19              |
| 5               |                 |                 | 1            | 9               | 7            | 57        | 17              |
| 6               |                 |                 |              | 12              | 5            | 56        | 17              |
| 7               |                 |                 |              | 11              | 6            | 57        | 17              |
| 8               |                 |                 | 2            | 7               | 6            | 49        | 15              |
| A               |                 |                 |              | 8               | 6            | 48        | 14              |
| B               |                 |                 |              | 2               | 11           | 50        | 13              |
| C               |                 |                 |              | 1               | 12           | 51        | 13              |
| D               |                 |                 |              | 9               | 3            | 39        | 12              |
| E               |                 |                 |              |                 |              |           |                 |

Comments

All aspects of the workshop were queried, and participants were asked to rank on 4 pt. scale with 1= strongly disagree; 2= disagree; 3 = agree; and 4 = strongly agree with whether workshop covered each topic. Evaluations indicated a better than "good" rating for all portions of the workshop, with the exception of the tribal treaties indicator, which received a rating of slightly below "good", (2.9). It should be noted here that two of our tribal speakers could not attend at the last minute (cancelled night before). So all in all, good showing. Quality of the mechanics of the workshop received the highest scores. Top score went to "facilitation" (3.9), followed by "food/breaks" (3.8) and Venue (3.4) Additional comments are on sheet following.



## ***SJ MRC 2015 Marine Managers Workshop Evaluation Summary Comments***

All aspects of workshop set up/running were GREAT!

I didn't learn more about the details of the treaty rights, but it was very informative to hear first hand stories and details of how tribes interact with some tribal governments and agencies

Thanks for Lunch!

Facilitation very organized.

Great Session!!!! Thank you

Being able to explore material in more detail with many more time for questions--perhaps more facilitated exercises in small groups designed to come up with specific action items

Great Brochure!! ( MRC general brochure--registration material)

Venue was cold, but intimate; would benefit from a microphone

Prioritize list of tasks, ahead.

Comments of participants were outstanding

List of participants should be sent out (they were)

Ability to include topics in public education, opportunity to share with community

There seem to be too many overlapping committees or agencies

Invaluable assembly of knowledgeable people

I have been interested in the tribals rights for a long time, but learned more

RE Protective measures (#5)-Implement a fee on every product (shipped from both Canada and the US) to fund mitigation and response measures

Pilot talks are informative

Right people from DOE here

Needed more in depth of what the Point Elliot means and the Bolt decision. Needed History and meaning in lay

I look forward to this event every year. Keep this going!!

More information or a presentation specifically about the marine stewardship area would have been beneficial.

(Speaker cancelled last minute)

(RE#2Tribal) The topic was just started. It would have been great to hear more about the procedures and protocols in place regarding tribal rights

Between this and the Oil workshop (March 7, 2015) I'm much more informed.

More information about all other vessels--not just Cargo--would have been helpful (RE #4--current/potential risks of increased vessel traffic)

Specific points were made that will be part of my trainings in the future, but many presentations were too shore

This was a great resource to open communication between groups

I only understand management of cargo vessels. A more comprehensive workshop for ALL vessels would be

Great workshop--lots of stretch breaks and delicious food.

Facilitator: She did a wonderful job.

Grange worked well.

Very rich knowledge base about San Juan Marine Stewardship area.

(RE#2-tribal rights)Insightful, thank you.

(RE#3--transboundary) Great to meet the partners

(RE#4--potential risks of increased vessel traffic); The sharing of expertise is great

(RE#5--preventive measures): More opportunity to learn welcome

Thank YOU!