



BPC Meeting: Rule Effects Assessment & Modeling Update

Presenters: Jaimie Bever and Brittany Flittner

February 19, 2026

Agenda

- 1** (Re)introduce Ecology Team
- 2** Review RCW Requirements and Scope
- 3** Review updated BPC-ECY IAA
- 4** Review Draft Research Questions
- 5** Discussion, Seek BPC Input
- 6** Consultation, Outreach, Next Steps

Ecology Rule Effects Assessment and Modeling Team



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Expert Modeler, Analysis
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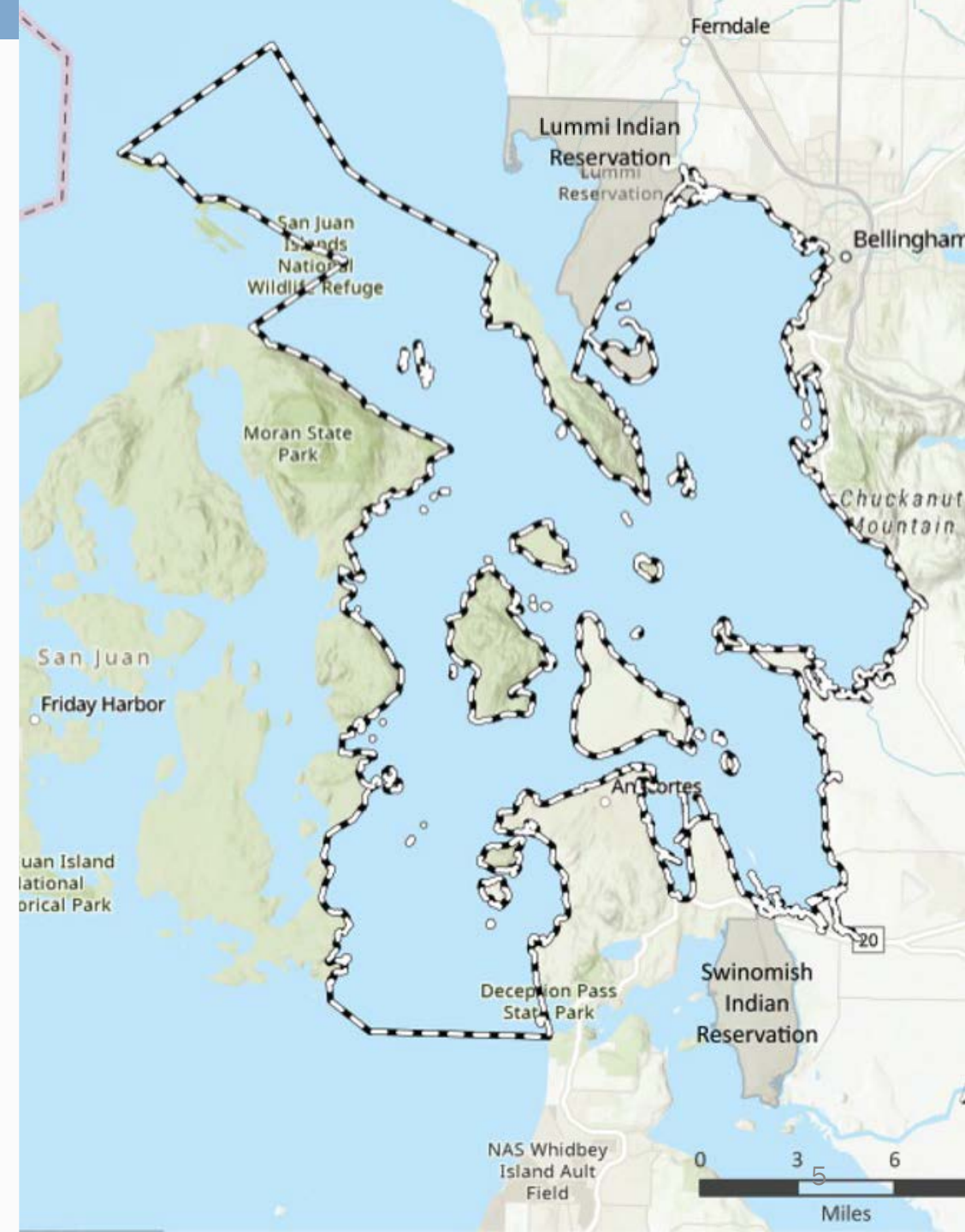


RCW Requirements and Scope

2025 Tug Escort Rule (New Section of Ch. 363-116 WAC)

- Expanded the area where target vessels* are required to have an escort tug by 28.9 miles.
- Minimum horsepower (hp) requirements for tugs.
- Minimum of twin screw propulsion for tugs.
- Required pre-escort conference.

*Target Vessels: Tankers 5,000-40,000 DWT, ATBs and towed barges over 5,000 DWT.



RCW 88.46.260 Requirements

- **By October 1, 2028** and at least every 10 years thereafter, the BPC and Ecology must determine whether updates to the 2025 tug escort rules are necessary.

Our Focus: Immediate assessment and 2028 deadline to support BPC decision-making.

RCW Requires that the Assessment Include

- Analysis of the effects of the rule on vessel traffic patterns and oil spill risks in the Salish Sea,
- Analysis of whether experienced or forecasted changes to vessel traffic patterns or oil spill risk necessitate an update to the rule,
- Modeling from Ecology's risk model,
- Consultation with the USCG and potentially affected federally recognized Tribes,
- **May** include vessel traffic data, vessel accident and incident data (Team plans to include)

Timeline, Scope, Capacity

- Decision on whether to pursue rulemaking based on this assessment due by October 2028 (< 2 years).
 - Targeted research agenda to support BPC decision-making and meet RCW requirements.
 - Working within existing modeling framework and data sources. Limited post-2025 rule data available.
 - In-house staff capacity only.
- Rule to be re-assessed again for 2038.
 - Opportunity for more substantive changes to modeling framework, completely new elements, expanded research agenda.
 - Longer timeframe for available data.

Proposed Work Timeline

Phase & Proposed Timeline	Milestones
Phase 1 – Scoping (Through Summer 2026)	• Research Design approved • Scope of Work approved (ECY and BPC) • Model updates ongoing, exploratory research underway • Communications Plan complete • Formal consultation initiated with Tribes, USCG • Initial Tribal Government and stakeholder workshops, meetings with BPC and others as requested
Phase 2 – Technical Work & Write Up (Summer 2026 – Fall 2027)	• Rule effects assessment and associated model technical updates complete • Written materials defined and underway • Communications strategy ongoing
Phase 3 – Decision Support (Summer 2027 – May 2028)	• Communicate rule effects assessment results • Facilitated process with BPC on decision to pursue rulemaking • May 1, 2028: Target decision date



BPC – Ecology Roles and Collaboration

BPC-Ecology Inter-Agency Agreement

BPC and Ecology:

- Develop project plans, scopes of work, communication strategies
- Regular meetings to coordinate and prepare for activities
- Consult with USCG and Tribes, stakeholder outreach
- Consider the effects of the 2025 rule

BPC:

- Policy decisions (by Board vote)
- Final decision on whether to pursue rulemaking in 2028 and notifications to legislature
- Approval of scope of work
- Technical assistance to Ecology as needed.

Ecology:

- Technical decisions about risk model and assessment
- Maintain and update risk model framework
- Conduct rule effects assessment
- Decisions about Ecology program capacity and workload



Research Questions and Discussion

Questions to the BPC

- What kinds of information will be helpful for you in deciding whether to update the rule in 2028?
- What information was helpful or would have been helpful to have for the 2025 rule?
- Is there anything missing from the research questions?
- How do you want our findings presented?
- How often do you want to be updated and do you have any specific priorities for our coordination with the BPC?

Research Questions: Vessel Traffic

- **How has the 2025 rule affected vessel traffic? (in RCW)**
 - Where has traffic increased/decreased?
 - What kind of traffic has changed? (target vessels, escort tugs, other covered vessel types?)
 - Are we seeing route switching by target vessels or other vessels?
 - What tug rendezvous/waiting behavior are we seeing?
 - How are the pre-escort conference and minimum horsepower and propulsion being implemented and what impacts are they having?
 - How do changes in vessel traffic affect Tribal fishing? Other ocean users?
- **What observed or forecasted changes in vessel traffic should be considered? (in RCW)**
 - What changes have been observed?
 - Analysis of vessel traffic from recent, underway, and planned projects?
 - What other changes in the environment/context have occurred that may inform BPC decision-making? (regulatory and policy analysis)

Research Questions: Oil Pollution

- **How has the 2025 rule affected oil spills? (in RCW)**
 - Oil spills and target vessels? Oil spills and escort tugs? Oil spills and other covered vessels?
 - Analysis of near misses and related incident types?
 - How are the pre-escort conference and minimum horsepower and propulsion being implemented and what impacts are they having?
 - Consider historical incident data and modeled risk changes.
- **What observed or forecasted changes in vessel traffic should be considered that may affect oil spills? (in RCW)**
 - What changes in spill risk have been observed?
 - Analysis of spill risk from recent, underway, and planned projects?
 - What other changes in the environment/context have occurred that may inform BPC decision-making? (regulatory and policy analysis)

Research Questions: Context/Other

- Are there other uncertainties we should keep in mind when assessing future oil spill risk? Or other patterns we can observe?
- What are the actual circumstances of loss of propulsion and drift grounding events?
- What specifically are tug escorts preventing and how are they preventing things?
- How do things like tethering, time to control, etc. impact outcomes?
- How else are tug escort requirements useful?

Discussion

- What kinds of information will be helpful for you in deciding whether to update the rule in 2028?
- What information was helpful or would have been helpful to have for the 2025 rule?
- Is there anything missing from the research questions?
- How do you want our findings presented?
- How often do you want to be updated and do you have any specific priorities for our coordination with the BPC?



Consultation, Outreach, Next Steps

Consultation and Outreach Plans

- Tribal Governments
- US Coast Guard
- Stakeholder and Tribal Government Workshops Planned
- Industry-Specific and/or Targeted SME Outreach

Next Steps

- Workshop series late Spring/early Summer
- SOW draft underway, review and approve by the BPC early-to-mid Summer
- Have questions or want to discuss? Reach out to us.



Questions?

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