



DEPARTMENT OF
ECOLOGY
State of Washington

AMENDMENT NO. 1

TO

IAA NO. C200090

BETWEEN THE

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

AND

Washington State Board of Pilotage Commissioners

PROJECT TITLE: Collaboration in the effective implementation and assessment of Washington State's vessel traffic and oil transportation safety rules

PURPOSE: To amend the Agreement between the state of Washington, Department of Ecology, hereinafter referred to as "ECOLOGY," and the Washington State Board of Pilotage Commissioners, hereinafter referred to as "BPC."

WHEREAS, RCW 88.46.250 authorizes ECOLOGY to develop and maintain a model to quantitatively assess current and potential future risks of oil spills from covered vessels in Washington waters as part of its oil spill risk assessments;

WHEREAS, RCW 88.46.260 authorizes ECOLOGY and BPC to evaluate the effects of rules adopted under Chapter 88.16 RCW and determine, by October 1, 2028, whether an update to the tug escort rules is necessary, considering factors that must include modeling developed by ECOLOGY.

IT IS MUTUALLY AGREED the Agreement is amended as follows:

1) Responsibilities and Coordination of Work is hereby amended and replaced in its entirety with the updated Appendix A – Responsibilities and Coordination, attached hereto and incorporated by reference.

2) Period of Performance is amended to read as follows:

The period of performance under this amendment will be from January 1, 2026 to December 31, 2028.

Washington Department of Ecology
Board of Pilotage Commissioners
IAA no. C200090, Amendment 1

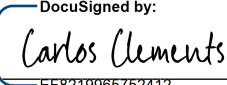
All other terms and conditions of the original Agreement including any other amendments remain in full force and effect, except as expressly provided by this Amendment.

This Amendment is signed by persons who represent that they have the authority to execute this Amendment and bind their respective organizations to this Amendment.

This Amendment is effective on the Ecology signature date.

IN WITNESS WHEREOF, the parties below, having read this Amendment in its entirety, including any attachments, do agree in each and every particular as indicated by their below signatures.

State of Washington
Department of Ecology

By: DocuSigned by:
 11/25/2025
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Signature Date

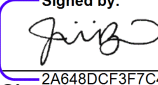
Carlos Clements

Print Name

Spills Program Manager

Title

State of Washington
Board of Pilotage Commissioners

By: Signed by:
 11/25/2025
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Signature Date

Jaimie C. Bever

Print Name

Executive Director

Title

Appendix A

Responsibilities and Coordination of Work

ECOLOGY and BPC will work together to:

- Develop project plans, scopes of work, and communication plans to accomplish the requirements in RCW 88.46.250 and RCW 88.46.260.
- Coordinate on communication, consultation, and outreach activities.
- Provide technical assistance to plan and prepare for activities.

ECOLOGY and BPC Meetings:

ECOLOGY and BPC will meet virtually or in-person as needed to accomplish these related projects. Each organization is responsible for keeping their respective leadership (e.g., the full Board of Pilotage Commissioners) apprised about the status of the projects and associated meetings, as appropriate.

Meeting topics may include:

- project planning
- status updates
- monitoring and evaluation of outcomes

1. Decision-making:

ECOLOGY and BPC will make decisions within their respective areas of authority. Decision-makers may elevate decisions within their organizations when appropriate.

- a) **Technical decisions:** Technical decisions about the risk model framework and effectiveness assessment will be made by ECOLOGY. ECOLOGY will update the BPC Executive Director on these decisions as needed.
- b) **Policy decisions:** Policy decisions will be made by a formal vote of the BPC and/or by the Ecology Statewide Resources Section Manager.
 - i. BPC: The BPC makes policy decisions within its authority, including final approval of the statement of work related to the rule effectiveness assessment and whether to pursue rulemaking in 2028.
 - ii. ECOLOGY: ECOLOGY makes policy decisions regarding program capacity, workload, and ability to support BPC decisions, including undertaking modeling work and potential rulemaking activities.

2. Project-specific responsibilities:

In this section 'BPC' refers to BPC staff and 'Board' refers to the full Board of Pilotage Commissioners. Additional responsibilities will be assigned through mutually agreed upon project plans.

- a) **ECOLOGY to maintain and periodically update the risk model framework (ongoing)** RCW 88.46.250(1)

- i. ECOLOGY: Maintain a risk model framework in consultation with the parties listed in RCW 88.46.250
 - ii. BPC: Provide technical assistance to ECOLOGY as requested.
 - iii. BPC and ECOLOGY: Consult with the U.S. Coast Guard, Tribes, and stakeholders during the rule effectiveness assessment and updates prior to October 1, 2028 per RCW 88.46.260(1)(a)(iii).
- b) **BPC and ECOLOGY must together consider the effects of the rules established under RCW 88.16.190 and RCW 86.16.260 and determine whether an update to Chapter 363-116 WAC is necessary (due October 1, 2028) RCW 88.46.260(1)**
- i. BPC: The Board makes final decisions regarding whether to update Chapter 363-116 WAC.
 - ii. ECOLOGY: Provide effectiveness assessment to BPC to support decision-making.
- c) **The BPC will notify appropriate standing committees of the Legislature of their decision regarding pursuing an update to Chapter 363-116 WAC (due October 1, 2028) RCW 88.46.260(2)**

External Communications:

ECOLOGY and BPC will create a joint communications plan. External communications (e.g., emails, presentations and letters) will align with the joint Communications plan and will be coordinated between ECOLOGY and BPC. Whenever possible and appropriate, communications products will be joint messages from both ECOLOGY and BPC.

Consultation responsibilities:

RCW 88.46.250 directs ECOLOGY and BPC to consult with Tribes, the U.S. Coast Guard, and stakeholders during assessment of amendments to Chapter 363-116 WAC. Consultation requirements will be incorporated into the joint communications plan and project plans. Formal consultation letters will be signed by both the BPC Executive Director and the SPPR Program Manager. Both agencies will attend consultation meetings unless otherwise requested by the Tribe or agency.