

San Juan Preservation Trust

Well, thank you. Again this is Dean Dougherty. I'm with the San Juan Preservation Trust and Brittany has my contact information. But I will email it to you just to confirm that. First of all, I wanted to thank everyone at Ecology for going through this process and I understand that you know your efforts are to protect the waters of Washington State and we appreciate that. I wanted to, so I wanted to start by saying, you know, when we kicked off this meeting it was, it was mentioned that the reason that this is all happening is because of the passage of EHH, ESHB 1578, reducing the threats to Southern resident killer whales by improving the safety of oil transportation. Now I'm going to limit my comments just about the vessel transfer rule and I'm not really seeing how the proposed rule changes are reducing the threats for oil spills. My preference would be to see two changes: First, for all oil transfers to be pre-boomed when it is safe and effective to do so, and secondly, to restrict all transfers to daylight hours. I understand that there are constraints to accomplish those changes, but even if they're not possible I would like for you to explore ways to move closer to that ideal. Ecology is required to scale requirements to risk. When the rules were written, the cutoff between Rate A and B transfers was set at 500 gallons per minute, and those levels may have been appropriate at the time, but at least for Vendovi Island much has changed since the rules were written. When the rules were written, the number of Rate B oil transfers were two in 2014 and they've increased to 15, the high point in 2020. And also 13 in 2021. And the volume of Rate B oil transfers was only 82,000 gallons in 2014 but they've risen to over 700,000 gallons in 2020. Well that 500 gallon per minute cutoff may have been defensible if you're talking about less than a 100,000 gallons, it gets less defensible when you approach a million gallons of oil being transferred near the shores of the nature preserves at Vendovi and Jack Island. So in conclusion, I'm just, I just like to say, I don't think that we are accomplishing reducing threats to killer whales unless the rules either reduce oil transfers at night or make sure that a higher percentage of oil transfers are pre-boomed. Thank you.