

10:53am July 17, 2025 Friends of the Earth- Fred Felleman

Thank you very much. I definitely appreciate the legislation that led to this, which actually spawned out of the Governor's Orca Task Force that I had the pleasure of participating in and see these recommendations as advancing the conservation of the whale and other species of concern. I support Alternative C. I am going to be at this point representing the Friends of the Earth and we will be providing public comment probably for a broader environmental community. I want to express appreciation to the BPC and Ecology for a very inclusive process that I think has informed all the participants for both the OTSC as well as the broader community with your workshops as well as others and appreciate your tribal outreach. And hopefully we encourage to take those concerns the tribes have raised to heart. I believe the course of this conversation has elevated some of those concerns and I believe there will be a net benefit even though there will be more tugs on the water. I hope that's felt likewise, but I see definitely benefits the conversation. I just also want to just say, you know, why are we even doing this? You know, just quickly that, you know, from 2012 to 2021, the number of ATBs entering the waterway went from 184 to 316. The movements within the waterway from 2011 went from 87 to 300 plus in 2021. The barges entering the waterway, they went from 321 to 2011 to 91 in 2023. So as the ATBs went up, the barges went down. Intra-movements 303,554 in 2019 down to 2,617 in 2023. Still a lot of movements, but clearly ATBs were beginning to become more popular as time went on. We all know that. ATBs, called rule breakers by the committee of Congress, being that we're moving tanker volumes of oil with reduced crew sizes. While they do have twin propulsion and are faster, they have other challenges associated with them. So I believe that's a good enough reason to be talking about escorting small tankers through this waterway. I do believe that we buried the punchline in both the fact sheet as well as in the EIS in terms of the net oil spill reduction measure. I do not understand why we did not use the, what do you call it, the analysis that the OTSC specifically asked for because the, what do you call the term, I forget the... Question 1 of the filtering summary of #2. Right, so if you just look at that, it breaks it out for just the area where the escorts are occurring and by tank vessel type. And so the total for all laden tank ships, we have a 36% reduction for all laden tank vessels, a 42% reduction. It goes as high as 57% for laden chemical carriers, 26 for ATBs and tank barges have 52%. This is a... I saw this 90% that was presented. I don't know where that is in the document. It certainly should be on the fact sheet and it's a very important thing. The data that break it up by waterways on page 48, I don't understand. We're talking about these numbers of reoccurrence that I believe are beyond the model's capabilities.

We're a victim of our own success with only four groundings since 2002. It's really hard to calibrate this reoccurrence number and the addition of the 190 from around North America is a good place to go, but 2.6% end up in an oil spill. So going from probability of a grounding to probability of an oil spill and the size of the oil spill that continues to extrapolate beyond I believe this model's capabilities. Looking specifically at the relative reduction that occurs from these different scenarios, I think is where the strength of a modeling exercise with all the parallel simulations that occurred. I believe we should really focus on that and actually put the punchline in the front of the document. And the EIS was specifically what I was saying. There are in unanticipated consequences but there are net benefits as well. And then finally, because this is called for the protection of killer whales, certainly there needs to be attention to the mitigation measures for those unanticipated consequences. And I believe that it's a really good idea to have the Harbor Safety Committee not just implement these specific recommendations, but they're talking about a marine mammal working group to look at best management practices not just for killer whales, but for Cetacea in general. And then I do want to speak to the one issue about the significance threshold for noise in the waterway. We just had the killer whales show up for the first time in three months. I was very happy to be there to see that. The propensity of them to be in Rosario Strait when the tugs are there is very low. But at the same time, I think what's most important is when the tugs are returning from an escort job, when they are present with the vessel being escorted, the relative increase in noise from a quiet sea to having one, a tank vessel and then the addition of the escort, it's not additive in terms of one plus the other. It is a small increment of increase, unless of course the vessel has a unique noise characteristic. And I believe we should be monitoring because the most egregious vessels, there's a handful of egregious vessels that account for the majority of the bad noise. And similarly, so we should be monitoring that. And also I feel strongly that in the pre-escort conference, we should include whether or not there's a sighting of the whales. And so we should also be supportive of the sighting networks so that the pilot, or whomever is the master, would have that information. So we would know if there's a fishery, and we would know if there is a whale sighting, and we should proceed accordingly. Clearly, if you come back from an escort a little slower, you're reducing the noise, you're reducing greenhouse gas emissions, you're saving fuel, and you're probably more likely to see fixed fishing gear because you have more time to proceed. So, thank you.