

**RCW 88.46.260 Vessel traffic patterns, oil spill risks—Effects of rules—Board of pilotage commissioners and department to consider—Notice.** (1) By October 1, 2028, and no less often than every ten years thereafter, the board of pilotage commissioners and the department must together consider:

(a) The effects of rules established under RCW 88.16.190 and 88.16.260 on vessel traffic patterns and oil spill risks in the Salish Sea. Factors considered must include modeling developed by the department under RCW 88.46.250 and may include: (i) Vessel traffic data; (ii) vessel accident and incident data, such as incidents where tug escorts or an emergency response towing vessel acted to reduce spill risks; and (iii) consultation with the United States coast guard, potentially affected federally recognized Indian treaty fishing tribes, other federally recognized treaty tribes with potentially affected interests, and stakeholders; and

(b) Whether experienced or forecasted changes to vessel traffic patterns or oil spill risk in the Salish Sea necessitate an update to the tug escort rules adopted under RCW 88.16.260.

(2) In the event that the board of pilotage commissioners determines that updates are merited to the rules, the board must notify the appropriate standing committees of the house of representatives and the senate, and must thereafter adopt rules consistent with the requirements of RCW 88.16.260, including the consultation process outlined in RCW 88.16.260(6). [2019 c 289 § 5.]

**Finding—Intent—2019 c 289:** See note following RCW 88.16.190.