

U.S. Department of  
Homeland Security

United States  
Coast Guard



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Mr. Koji Sekimizu  
Director, Maritime Safety Division  
International Maritime Organization  
4 Albert Embankment  
London SE1 7SR  
United Kingdom

**MAR 07 2011**

Dear Mr. Sekimizu:

Enclosed is a paper submitted by the United States for the upcoming 57<sup>th</sup> Session of the Navigation Sub-Committee, entitled **Amendment of the area to be avoided "off the Washington Coast"**. We submit this under agenda item 3, Routeing of Ships, Ship Reporting and Related Matters.

I will send this letter and the enclosure to the IMO e-mail address "info@imo.org" per the instructions in NAV 57/1.

Sincerely,

A handwritten signature in blue ink, appearing to read "F. J. Sturm".

F. J. Sturm  
Acting Director  
Commercial Regulations and Standards  
U.S. Coast Guard, COMDT (CG-52)

Enclosure: (1) NAV 57/3/X: Amendment of the area to be avoided "off the Washington Coast"



SUB-COMMITTEE ON SAFETY OF  
NAVIGATION  
57<sup>th</sup> Session  
Agenda item 3

NAV 57/3/X  
9 March 2011  
Original: ENGLISH

## **ROUTING OF SHIPS, SHIP REPORTING AND RELATED MATTERS**

### **Amendment of the Area to be Avoided “Off the Washington Coast”**

**Submitted by the United States**

#### **SUMMARY**

<i>Executive summary:</i>	This document sets forth a proposal to amend the IMO-adopted Area to be Avoided (ATBA) “Off the Washington Coast” to extend its applicability to commercial ships of 400 gross tons and above, for consideration and approval by the Sub-Committee on Safety of Navigation and forwarding to the Maritime Safety Committee for adoption.
<i>Strategic Direction:</i>	5.2
<i>High-level Action:</i>	5.2.4
<i>Planned Output:</i>	5.2.4.1
<i>Action to be taken:</i>	Paragraph 15.
<i>Related documents:</i>	General Provisions on Ships’ Routing, Tenth Edition; Regulation 10 of Chapter V of the International Convention on the Safety of Life at Sea; MSC 64/22, paragraph 9.5; MSC 75/24, Annex 7.

#### **Introduction**

1. This proposal for the amendment of the area to be avoided (ATBA) “Off the Washington Coast” proposes to expand the class of ships from 1600 gross tons and above to which the existing ATBA applies to include commercial ships of 400 gross tons and above, as well as all ships and barges that carry oil or hazardous materials in bulk as cargo or cargo residue. These ships carry substantial amounts of bunker fuel, which, if spilled would have a devastating impact on the unique, valuable, and sensitive resources of the Olympic Coast National Marine Sanctuary (OCNMS). Annex 1 is a copy of the proposed amended applicability description of the ATBA.

2. This proposal was developed based on vessel traffic studies, as well as a review of the

## Olympic Coast National Marine Sanctuary Management Plan.

### Background

3. The fortieth session of this Sub-Committee approved the United States proposal to establish the ATBA "Off the Washington Coast" in September 1994, in recognition of the area's nearly pristine coastal environment and the vulnerability of several ecologically and commercially important species. The Maritime Safety Committee (MSC), at its sixty-fourth session, adopted the proposed ATBA.

4. After adoption by the MSC, the United States informed the Committee that several national groups had proposed expanding the ATBA to include additional categories of commercial ships because of the substantial amount of bunker fuel they carry and the United States agreed to submit an amendment to the ATBA to this Sub-Committee. (See MSC 64/22, paragraph 9.5.) Concerns regarding spills of bunker fuel were heightened on the United States West coast after the 1999 incident involving the **New Carissa**, which spilled approximately 70,000 gallons of bunker fuel.

5. The forty-seventh session of this Sub-Committee approved the United States proposal to amend the ATBA "Off the Washington Coast" in March 2001, as part of an integrated vessel traffic management system implemented by the United States for the waters in and around the Strait of Juan de Fuca. The Maritime Safety Committee (MSC), at its seventy-fifth session, adopted the proposed ATBA amendments (See MSC 75/24, Annex 7), expanding the applicability of the ATBA to cover commercial ships of 1,600 gross tons and above.

6. Since implementation of the ATBA amendments in December 2002, the United States has monitored vessel compliance through the use of Canadian Coast Guard radar data from the Tofino Marine Communications and Traffic System. Compliance with the revised ATBA is estimated to be 98-99%, due to the excellent cooperation by the maritime community, vigorous education and outreach efforts by the OCNMS staff and the United States Coast Guard, and the sending of educational letters to those ships identified as non-compliant.

7. In 2007 the Washington State Oil Spill Advisory Council (OSAC) conducted a study on "Tugboat Compliance with the International Maritime Organization Area to be Avoided off the Washington Coast". The purpose of the study was to examine ATBA compliance for tugs with oil and chemical barges. As a result of the study the OSAC requested that OCNMS revisit its interpretation of the term "carrying cargo". For the purposes of monitoring compliance and sending non-compliance letters, OCNMS does not consider vessels that have offloaded their cargo to be "carrying cargo". The OSAC noted that even after offloading cargo, a tank barge may still carry a substantial amount of oil and residue that still poses an environmental risk.

8. Navigation in this area can be extremely treacherous. Navigational challenges include poor visibility due to rain and fog (including summer fog), strong southwesterly winter winds that create a lee shore, large waves associated with local winds, and high ocean swells generated by distant North Pacific storms. The presence of sea mounts and rocks adds further hazards.

9. The area is ecologically valuable. The coastal rocks and islands provide important breeding, nesting, and roosting areas for various species of marine birds. Marbled murrelets, which use offshore waters for feeding and are of special concern due to their high vulnerability to oil spills are considered globally endangered and are on the IUCN Red List of threatened species. Common murres nest on offshore islands and have been seriously impacted by past oil spills,

including the 1991 **Tenyo Maru** oil spill. Bald eagles, listed as an endangered species, are also important to the marine ecosystem in the region. Twenty-nine species of whales, dolphins, and other marine mammals regularly inhabit the area, including recovering populations of sea otters, which are particularly vulnerable to oil spills. The Olympic Coast also contains some of the most productive kelp beds and intertidal areas on the United States West coast.

10. The area contains economically important fishery resources, including a variety of baitfish, shellfish, and salmon. The natural resources in this area are also critical to the cultural activities and subsistence living of Native American Indian tribes. Important archeological sites of these tribes are found on the shoreline and would probably be affected by an oil spill from a ship. The area has been designated as an UNESCO Biosphere Reserve and World Heritage Site, and also overlaps with three national wildlife refuges and one national park. With its extensive wilderness shoreline and natural beauty, the region is dependent on recreation and tourism for its economic growth.

### **Proposal**

11. The proposed extension of the existing ATBA's applicability to commercial ships of 400 gross tons and above, and to all vessels carrying oil or hazardous materials in bulk as cargo or cargo residue, will enhance maritime safety and protection of the marine environment of this area. The United States took into account the existing traffic patterns off the coast and in the Strait of Juan de Fuca in configuring the ATBA. Hydrographic surveys of the area have been conducted and appropriate aids to navigation exist.

### **Expansion of the ATBA to cover commercial ships of 400 Gross Tons and Above**

12. The United States proposes to apply the existing ATBA to commercial ships of 400 gross tons and above solely in transit because these ships carry a substantial amount of bunker fuel. Recommending commercial ships of 400 gross tons and above to transit outside the ATBA would move these ships farther offshore, thus increasing the time available to respond to a propulsion or steering casualty and decreasing the potential for a drift or powered grounding. If there were to be a discharge of bunker fuel, the vessel's increased distance offshore would minimize the discharge's impact on sensitive OCNMS resources, diminish the impact on the shoreline, and provide more time to mobilize a response.

13. There will be minimal adverse impacts on shipping by extending the applicability of the existing ATBA to commercial ships of 400 gross tons and above. It will not affect those ships bound for the Strait of Juan de Fuca from the north or west. Most ships coming from destinations well to the south of the ATBA have to alter their course to enter the TSS at the entrance to the Strait of Juan de Fuca and thus the expanded applicability of the existing ATBA will have limited, if any, adverse affect. The ships bound to or from Grays Harbor, a tidal port that is located at the immediate southern end of the ATBA, will be minimally affected by this expanded applicability.

### **Additional actions**

14. Since its establishment in 1995, the ATBA has been included on appropriate nautical charts and in the Coast Pilots and Local Notices to Mariners. In 1996, the Olympic Coast National Marine Sanctuary prepared flyers to educate mariners about the ATBA. They are distributed by the Washington State Office of Marine Safety, the Puget Sound Steamship Operators Association, the Marine Exchange of Puget Sound, the Canadian Coast Guard, the Marine

Safety Office Puget Sound, and Vessel Traffic Service Puget Sound. The flyer is also included as a part of the United States Coast Guard's "Vessel Traffic Service's Users Manual". Additionally, the Olympic Coast National Marine Sanctuary and the United States Coast Guard pursue vigorous education outreach efforts for the maritime community, including sending out letters to non-compliant ships.

**Action requested of the Sub-Committee**

15. The Sub-Committee is asked to approve this proposal for amendment of the ATBA "Off the Washington Coast" as set forth in annex 1 and forward the proposal to the Maritime Safety Committee for adoption. The United States also requests that the effective date of implementation be six months after adoption.

## ANNEX 1

### OFF THE WASHINGTON COAST

(Reference charts: United States 18500, 2008 edition, and 18480, 2006 edition. **Note:** These charts are based on North American 1983 datum which is equivalent to WGS 1984 datum.)

#### Description of the area to be avoided

In order to reduce the risk of a marine casualty and resulting pollution and damage to the environment of the Olympic Coast National Marine Sanctuary, all ships and barges\* that carry oil or hazardous materials in bulk as cargo or cargo residue, and all ships 400 gross tons and above solely in transit should avoid the area bounded by a line connecting the following geographical positions:

(1) 48°23'.30N	124°38'.20W
(2) 48°24'.17N	124°38'.20W
(3) 48°26'.15N	124°44'.65W
(4) 48°26'.15N	124°52'.80W
(5) 48°24'.67N	124°55'.71W
(6) 47°51'.70N	125°15'.50W
(7) 47°07'.70N	124°47'.50W
(8) 47°07'.70N	124°11'.00W

\* This ATBA does not apply to any warship, naval auxiliary, barge (whether towed by a government or commercial tug), or other ship owned or operated by a Contracting Government and used, for the time being, only on government non-commercial service.