

# MEETING MINUTES

## STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS

February 25, 2014

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### Present:

Chairman: Harry Dudley

Commissioners: Chuck Adams, Ned Kiley, Ed Marmol, Phil Morrell, Grant Stewart, Elsie Hulsizer and Dale Jensen

Administration: Shawna Erickson, Peggy Larson

Jonathan Ward, Bill Sliker, Pat Kelly and Walt Tabler: Puget Sound Pilots

Mike Moore: Pacific Merchant Shipping Association

Eric Lichty: PS Pilot Candidate

Jason Mihok: Clipper Navigation

Al Furst: PS Pilot Applicant

Lou Paulsen: Port of Tacoma

Paul Tramm: USCG Sector Puget Sound

Rebecca Ponzio: Washington Environmental Council

Loren Lee: Public

### REGULAR MEETING

The regular meeting of the Board of Pilotage Commissioners was convened at 9:30 a.m. by Chairman Harry Dudley in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington. Newly appointed Commissioner Dale Jensen was welcomed and introduced as the designee from the Department of Ecology, replacing Norm Davis on February 1, 2014.

**Minutes.** Approval of the January 21, 2014 Minutes was deferred.

### OLD BUSINESS

**Status of SSHB 2347 “Enhancing the Safety of the Transportation of Oil”.** This bill is working its way through the process and has taken on several amendments. Dale Jensen, Rebecca Ponzio and Mike Moore contributed to the explanation of the nature and status of this legislation.

### NEW BUSINESS

#### **Annual Renewal of Vessel Exemptions:**

**Passenger Vessel VICTORIA CLIPPER** – 127', 431 gross tons, The Netherland Antilles registry,

**Passenger Vessel VICTORIA CLIPPER IV** – 118', 478 gross tons, Bahamian registry,

Captains David Carney, Cabell Carr, Robert Earle, David Fulton, David Mayden, Michael Mielke,

Jason Mihok, Robert Reeder, Andrea Tiffany and William Tiffany.

**Motion:** Adams/Hulsizer – continue annual exemption for both vessels beginning May 1, 2014 – Carried.

**Approval of Pilot License Upgrade Programs.** Captain Larry Seymour is nearing completion of his fifth license year, Captain John Scragg his fourth, Captain Blair Bouma his third, Captain Mike Anthony his second and Captain Brouillard his first. **Motion:** Marmol/Kiley - approve the license upgrade programs for these five captains as drafted by the TEC - Carried.

**Discussion and Possible Resolution Concerning Setting the Number of Pilots in the Puget Sound Pilotage District as provided in WAC 363-116-065.** Written and oral stakeholder presentations of substantial data were analyzed and discussed at length. Also considered was staff's statistical and historical data. The uncertainty of new trends, some as recent as January, caused concern about consistency and longevity. Bridge hours, more so than the number of assignments per pilot, was a point of focus. **Motion:** Adams/Morrell - leave the number of pilots at the current level of 54 and re-visit it again in May – Carried with a vote of 5 in favor and Commissioners Hulsizer and Kiley opposed. This will be listed on the agenda “for discussion” in April in anticipation of “discussion and possible resolution” no earlier than the May meeting.

**Review and Consideration of Licensure of PSPD Pilot Trainee: Captain Eric Lichty.** On behalf of the Trainee Evaluation Committee (TEC) Commissioner Marmol reported that Captain Lichty has

successfully completed the *PPU Training Section of his Training Program*, as detailed in its letter to the Board received today, and recommends to the Board that he is suitable for licensure. Motion: Marmol/Kiley – the Board deems Captain Lichty qualified for the issuance of a license but delays licensing until there is a need for a pilot in the Puget Sound Pilotage District – Carried. Motion: Marmol/\_\_\_ - increase the monthly stipend by \$500 to cover the rental cost of a PPU while in a post-training program – Fails for lack of a second. Motion: Marmol/Kiley – approve the post-training program as drafted, in order for Captain Lichty to continue training with a stipend, if he chooses – Carried. It will be required that only those post-training trips where a PPU is used will qualify for stipend credit.

**Approval of Puget Sound Pilot Training Programs: Captains Neil Kelleher and Dave Henderson.** The TEC has reviewed and evaluated the experience of Captains Kelleher and Henderson for purposes of developing their customized pilot training programs. Motion: Marmol/Hulsizer – approve the Training Program Agreements as drafted by the TEC for Captains Kelleher and Henderson which include the requirement for PPU Training. Friendly amendment: Commissioner Kiley – take out the language in the Training Program Agreements that requires PPU Training – the motioner, Commissioner Marmol, declined to accept the friendly amendment. Motion to Amend: Kiley/Adams – delete the PPU Training requirement language from the Training Program Agreements as drafted for Captains Kelleher and Henderson – Carried with a vote of 4 in favor and Commissioners Marmol, Hulsizer and Jensen opposed. The amended motion to approve the Training Program Agreements without the PPU Training language carried. Each of the trainees has fifteen days to respond to the Board concerning the acceptance of his Training Program Agreements. Upon acceptance of their program and completion of training orientation, the Board shall issue Captain Kelleher *Trainee License #40* and Captain Henderson *Trainee License #41* intended for commencement of training on March 1, 2014. The Board requested of the TEC that all current trainees be made aware of the likelihood of a PPU training requirement.

**Pilot’s Report of Marine Safety Occurrence: SEA NEPTUNE, 1-4-14**

Departing Temco Grain Terminal, Tacoma	Intermittent power delivery of the ship’s engine.	Navigational Safety Concern	<u>Motion</u> : Marmol/Kiley File as a Marine Safety Occurrence – Carried.
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**Pilot’s Report of Marine Safety Occurrence: TSING MA BRIDGE, 1-27-14**

Pier 4, Tacoma	Spring line became lodged under the corner of the cap rail on the dock.	Navigational Safety Concern	<u>Motion</u> : Marmol/Kiley File as a Marine Safety Occurrence – Carried.
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**Pilot’s Report of Incident: GH Pilot D’Angelo, Trainee Surface – CSAV RIO ILLAPEL, 12-5-13**

Terminal 2, Aberdeen	Commissioner Captain Don Mayer was unable to attend today’s meeting.	Deferred until next regular Board meeting.	
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**Committee Reports.**

**Trainee Evaluation Committee:**

- The TEC met on February 21.
- Trainee Orientation for Captains Kelleher and Henderson will be held on February 28<sup>th</sup>.
- Training Program progress was reviewed for Captains White, Surface, Coleman, Galvin, Lichty, Jensen, Lowe and Carstensen.
- Upon Norm Davis’ departure from the Board, the position he held on the TEC is vacant. Motion: Hulsizer/Adams – the Board appoint Commissioner Ned Kiley to the TEC effective immediately as a non-pilot Board member – Carried. Norm Davis will remain on the committee as an interested party.
- Trainees Ryan White, David Surface, Scott Coleman and Jamie Galvin attended the February TEC meeting to discuss the status of their programs.

**Legislative/WAC Committee:** Work on WAC 363-116-110 is the primary focus of the committee.

**Tariff Policy Committee:** The committee will be conducting a roundtable discussion on March 6 at 1:00 p.m. here in the Agate Conference Room. PSP, PMSA and the Ports are invited to participate, as well as the public. The focus is on “tariff structure”.

**Activity Reports.** Gary Nelson, representing Port of Grays Harbor, Captain Jonathan Ward, representing Puget Sound Pilots, and Captain Mike Moore, representing Pacific Merchant Shipping Association, offered current and projected statistical data as well as updates on current maritime events.

**Correspondence Review.** Puget Sound Pilot Captain John Scoggins was temporarily relieved of pilotage duties and his license was placed into inactive status on February 11, 2014 for failure to renew his federal license on time.

**BPC Staff Report.** Board-Designated Physician Dr. Robert Stuart has retired from private practice and is no longer eligible to conduct pilot physicals. If pilots from the Gig Harbor/Tacoma area want to recommend a replacement for the Board to consider, contact the Board staff.

A new "Medical Certificate" is being issued and required by the USCG as part of what is necessary to maintain a currently valid federal credential (license). Staff will be tracking these documents as well as the licenses and radar certificates of all pilots.

*Red Books* are being updated and will be furnished in hard copy and electronically.

The Board's website will be updated and remodeled in the near future.

Chairman Dudley regrettably has determined that our Board will not be able to host the West Coast Regional Pilotage Regulators Conference in 2014 due to several time constraints and scheduling conflicts. He will offer to let some other state host the event if there are any volunteers; otherwise we will plan to host it in 2015.

**Public Comments.** Lou Paulsen urged the Board to consider defining a set of terms and metrics for setting the number of pilots which could remove some of the contentiousness from the process.

**Confirmation of Next Regular Meeting Dates.** The March 18 Board meeting has been canceled. The next regular meeting will be Tuesday, April 15<sup>th</sup> commencing at 9:30 a.m., at 2901 3<sup>rd</sup> Avenue, Seattle. The meeting room is not yet determined.

**Review of Pilot/Trainee Physical Examination Reports.** Motion: Marmol/Jensen - accept the physicians' reports for Captains F.A. Coe, D.A. Sanders, J.T. Scoggins and M.D. Wood for annual pilot license renewal; Captain E.C. Lichty for initial pilot licensure; and Captains J.D. Henderson and N.T. Kelleher for initial training licensure – Carried.

There being no further business to come before the Board, Chairman Dudley adjourned the regular session Board meeting at 1:50 p.m.

Respectfully submitted,

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Peggy Larson, Executive Director

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Harry H. Dudley, Chairman

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Charles F. Adams, Vice Chairman

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Commissioner Edmund I. Kiley

**Absent**

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Commissioner Donald W. Mayer

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Commissioner Edmund Marmol

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Commissioner Philip Morrell

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Commissioner J. Grant Stewart

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Commissioner Elsie J. Hulsizer

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Commissioner Dale R. Jensen