

MEETING MINUTES

STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS

October 20, 2016

CLOSED SESSION – Call to Order

A Closed Session of the Board of Pilotage Commissioners was convened from 9:40 a.m. to 10:20 a.m. in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington to consider matters relative to pilot training. In attendance were Commissioners Tonn, Kiley, Adams, Mayer, Marmol, Stewart, and Thompson and BPC staff Jaimie Bever, Shawna Erickson and Peggy Larson.

From 10:20 until 10:45 a.m. all meeting attendees participated in an earthquake and evacuation drill

EXECUTIVE SESSION – Call to Order

An Executive Session of the Board of Pilotage Commissioners was convened from 10:45 a.m. to 11:05 a.m. in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington to discuss matters relative to personnel. In attendance were Commissioners Tonn, Kiley, Adams, Mayer, Marmol, Stewart, and Thompson and Assistant Attorney General Guy Bowman.

REGULAR MEETING - Call to Order

The regular meeting of the Board of Pilotage Commissioners was convened at 11:10 a.m. by Chair Sheri Tonn in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington.

Present:

Chair: Sheri Tonn Vice Chair: Ned Kiley

Commissioners: Chuck Adams, Grant Stewart, Don Mayer, Ed Marmol, and Sara Thompson

Administration: Jaimie Bever, Shawna Erickson, Peggy Larson

Assistant Attorney General: Guy Bowman (departed at 12:10 p.m.)

Mike Moore and Jordan Royer: Pacific Merchant Shipping Association

Linda Styrk, David Grobschmit, Teresita Torres, Ivan Carlson, Peter Giese,

Julie Courtney, Mark Hale, Eric vonBrandenfels: Puget Sound Pilots

Lou Paulsen: The Northwest Seaport Alliance

Mary Nelson: Port of Grays Harbor

Del Kelly: Retired Pilot, PSP

Minutes. Motion: Marmol/Kiley – approve the September 15, 2016 Minutes as written – Carried. Motion: Kiley/Marmol – approve the September 26, 2016 Minutes as written - Carried with an abstention from Commissioner Adams who attended the September 26th meeting by phone but was unable to hear portions of the conversation.

BPC Staff Report.

- A draft 2017 *Notice of Public Meetings* schedule was presented for discussion and action at the next meeting. The meetings will continue to be on the third Thursday of the month, with the exception of the November meeting, which will move to the second Thursday of that month.
- Conference room availability in the 2901 Third Avenue building is severely limited in the first six months of 2017 due to WSF training. Staff will research off-site options.
- A public records request was received from Mann and Kytyle, PLLC regarding the Sweeney settlement.
- Pilot statistical data and financial reports were highlighted.
- All Commissioners have received new state email addresses for the conduct of Board business.

BPC Chair Report.

- A notice of voluntary resignation from the pilot training program was received from Capt. Al Furst.
- A letter regarding retired pilot pensions was received from retired PSP pilot Del Kelly. Captain Kelly was present in the audience and gave a brief explanation of the letter, which advocates for those pilots who retired prior to the 2006 PSPD Rate Hearing and were subsequently not included in the restructuring of the PSP pension plan which led to substantial increases in retirement benefits. Captain Kelly asked the Board to weigh in on the fairness of the restructuring. A brief Q&A between Captain Kelly and the Board followed.

Activity Reports. David Grobschmit representing Puget Sound Pilots, Lou Paulsen representing The Northwest Seaport Alliance, Mike Moore representing Pacific Merchant Shipping Association and Mary Nelson representing the Port of Grays Harbor offered current and projected statistical data as well as updates on current maritime activities. There were no representatives present for USCG Sector Puget Sound.

NEW BUSINESS

Consideration of Request for Vessel Exemption:

Motor Yacht MEA CULPA – 130’, 302gt, Cayman Islands registry, Captain Christopher Grant
Motion: Kiley/Adams – concur with Chair’s granting of an annual renewal – Carried.

Motor Yacht CV-9 – 131’, 322gt, British registry, Captain Ethan Lee
Motion: Marmol/Adams – concur with Chair’s granting of a three-month exemption – Carried

Pilot’s Report of Marine Safety Occurrence: CAP PASADO, 9-17-16

Port Angeles, Inbound	Loss of propulsion was caused by a faulty blower. An escort tug was requested and the vessel docked at Pier 18 in Seattle without further incident.	Navigational Safety Concern	<u>Motion:</u> Marmol/Stewart File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: MSC ANS, 9-29-16

Seattle, Outbound	Equipment malfunction caused failure to start engine. The vessel was a dead ship towed to nearest anchorage and safely anchored.	Navigational Safety Concern	<u>Motion:</u> Marmol/Stewart File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: SAFARI VOYAGER, 10-6-16

Seattle, Outbound	Equipment malfunction was due to the steering gear pumps being accidentally shut down by crew, which left the vessel on a course for the tug Seaspan Raven and a barge in tow. The tug and barge altered position, and rudder control on the vessel was finally regained. In addition, the vessel had trouble overcoming wind force. A tug was called for assistance but was released when the wind decreased and control was regained. The vessel proceeded to Port Angeles and was anchored successfully.	Near-Miss	<u>Motion:</u> Marmol/Stewart File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Incident: PS Pilot Lowe - SAFARI VOYAGER, 9-23-16

Seattle, Outbound for sea trials in Puget Sound	The vessel brushed the moored vessel, Northern Prince, while undocking due to the captain grabbing the rudder control joystick instead of the thruster control joystick. No apparent damage was reported on either vessel and the owner of the Northern Prince was notified.		<u>Motion:</u> Marmol/Kiley File as Incident with no pilot error and no apparent damage – Carried.
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PUBLIC HEARING

A public hearing of the Board of Pilotage Commissioners was convened at 1:00 p.m. by Chair Sheri Tonn in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington.

Present:

Chair: Sheri Tonn Vice Chair: Ned Kiley

Commissioners: Chuck Adams, Grant Stewart, Don Mayer, Ed Marmol, and Sara Thompson

Administration: Jaimie Bever, Shawna Erickson, Peggy Larson

Mike Moore and Jordan Royer: Pacific Merchant Shipping Association

Linda Styrk, David Grobschmit, Teresita Torres, Ivan Carlson, Peter Giese,

Julie Courtney, Mark Hale, Eric vonBrandenfels: Puget Sound Pilots

Lou Paulsen: The Northwest Seaport Alliance

Mary Nelson: Port of Grays Harbor

WAC 363-116-185: PILOTAGE RATES FOR THE GRAYS HARBOR PILOTAGE DISTRICT. RCW 88.16.035(1)(e) requires the Board of Pilotage Commissioners to annually fix the pilotage tariffs. Financial data used in this tariff hearing includes the GHP 5-year Capital Spending Plan, the audited 2015 Financial Statement, and financial data as of July 31, 2016. The filed rule as proposed by the Port of Grays Harbor reflects an increase to the Pension Charge from \$463 to \$528. No other tariff adjustments were requested. The filing was based on a request dated August 16, 2016 submitted by Gary Nelson, Executive Director of the Port of Grays Harbor, which details their request for rule amendments. A formal written tariff proposal was submitted on September 8, 2016. Oral testimony in support of the proposal was presented by Mary Nelson for the Port of Grays Harbor and by Captain Mike Moore on behalf of the Pacific Merchant Shipping Association. Testimonies were followed by Q&A with the Board. The public hearing was closed by Chair Tonn at 1:07 p.m.

REGULAR MEETING RECONVENED

The regular meeting of the Board of Pilotage Commissioners was reconvened immediately following the hearing by Chair Sheri Tonn in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington.

Consideration of Preceding Hearing: WAC 363-116-185. All written and oral testimony was reviewed and considered by the Board. Motion: Thompson/Adams – adopt the tariff proposal as filed which increases the Pension Charge from \$463 to \$528 – Carried. The effective period of the new tariff is from 0001 hours on January 1, 2017 through 2400 hours on December 31, 2017.

2016 Annual Tariff Hearing Preparation – Puget Sound Pilotage District: In accordance with the timetable established for tariff document submission, formal tariff proposals were received from Pacific Merchant Shipping Association (PMSA) and The Northwest Seaport Alliance (NWSA). Puget Sound Pilot's (PSP) formal tariff submittal was not available at the meeting. Representatives from these three stakeholder groups presented an executive summary of their tariff proposal. Presentations were followed by Q&A with the Board. PSP is requesting a 7% a-t-b increase to cover an anticipated 2016 budget overrun as well as a projected increase in their 2017 budget, according to their recent financial data. PMSA is requesting a 3% a-t-b decrease in light of the unanticipated revenue generated this tariff year of over 7%, which far exceeded the 2% target set by the Board last year. The NWSA has requested to continue the current tariff to allow time to explore a new metric-based alternative intended to provide greater rate and revenue stability, promote operational efficiencies and send a clear message that the Board is seeking ways to encourage maritime commerce.

Committee Reports.

Trainee Evaluation Committee:

- The TEC did not meet during the month of October. Commissioner Mayer gave a brief summary of the status of the current trainees. The TEC will meet in November.

Legislative/WAC Committee:

- Jordan Royer, PMSA, requested that he be added to the list of members for this committee.

Diversity Committee:

- No activity to report.

Training Program Evaluation Committee:

- Chair Tonn gave an update on what steps have been achieved and what steps remain in the overall project. Commissioners were invited to join the next meeting on November 14th.

Review of Pilot/Trainee Physical Examination Reports. Motion: Kiley/Marmol - accept the physicians' reports for Captains J.A. Shaffer, B.R. Jensen, B.E. Lowe, D.B. Soriano, J.R. Semler, J.B. Harris and T.D. Coryell for annual pilot license renewal; K.C. Kridler for initial trainee licensing; and P.V. Hunter, R.A. Myers and C.F. Rounds for annual trainee license renewal – Carried.

Confirmation of Next Regular Meeting Dates. The next regular meeting dates are set for December 15, 2016 and tentatively January 19, 2017.

There being no further business to come before the Board, Chair Tonn adjourned the regular session Board meeting at 2:25 p.m.

Respectfully submitted,

Peggy Larson, Executive Director

Sheri J. Tonn, Chair

Edmund I. Kiley, Vice Chair

Commissioner Charles F. Adams

Absent

Commissioner Philip Morrell

Commissioner J. Grant Stewart

Commissioner Donald W. Mayer

Commissioner Edmund Marmol

Absent

Commissioner Eleanor Kirtley

Commissioner Sara Thompson