

MEETING MINUTES

STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS

January 15, 2015

Present:

Chairman: Harry Dudley (*by telephone*)

Commissioners: Dale Jensen, Chuck Adams, Ned Kiley, Grant Stewart, Don Mayer, Ed Marmol

Administration: Shawna Erickson, Peggy Larson

David Grobschmit, Walt Tabler: Puget Sound Pilots

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Gary Nelson: Port of Grays Harbor

Alice Helker: Department of Ecology

Bari Bookout: Port of Seattle

Lou Paulsen: Port of Tacoma

Nick Piro, Bill Rich: Polar Tankers

Philip Hunter, Rodney Myers: Pilot Trainee Waiting List

Fred Felleman: Friends of the Earth

Loren Lee: Public

CONTINUED PUBLIC HEARING

A public hearing of the Board of Pilotage Commissioners was convened at 9:45 a.m. by Chairman Harry Dudley in the Rainier Conference Room at 2901 Third Avenue, Seattle, Washington.

WAC 363-116-082: LIMITATIONS ON NEW PILOTS. The proposed rule modifies license limitations and upgrade requirements for a new pilot in the Grays Harbor Pilotage District. These changes will allow a pilot in his/her first five license years to perform pilotage services on vessels more in line with the traffic currently calling in the Grays Harbor District. A review of all vessels of all tonnages calling in Grays Harbor was made which necessitates adjusting certain tonnage categories within the license limitation table (subsection (4)) and the corresponding license upgrade trip requirements (subsection (5)) in order to move through the process of upgrading one's license more efficiently. Subsequent to the initial public hearing held on September 18 and the first continued hearing on December 16, 2014, the Trainee Evaluation Committee (TEC) met to re-visit their initial proposal to modify vessel categories by *GT/ITC*, comparing it to an alternate method using *Length Overall*. The TEC presented their findings and recommended using *GT/ITC* as the more preferred method to separate the vessel categories. Fred Felleman presented oral testimony against all proposals.

The Board may adopt a rule that varies from the filed rule upon consideration of all oral presentations and written comments from any interested party. The public hearing was closed by Chairman Dudley at 9:55 a.m.

REGULAR MEETING

The regular meeting of the Board of Pilotage Commissioners was convened at 9:55 a.m. by Chairman Harry Dudley in the Rainier Conference Room, 2901 Third Avenue, Seattle, Washington. Commissioner Dale Jensen regretfully announced his resignation from the Board for health reasons. He introduced his replacement, Alice Helker, who will be formally appointed by the Department of Ecology Director Maia Bellon on February 1st. Chairman Dudley welcomed Alice and appointed her as Vice Chair in accordance with his established practice that his position and the Vice Chair position align with our two statutory positions.

Consideration of Preceding Hearing: WAC 363-116-082. All written and oral testimony was reviewed and considered by the Board. The two proposals contrasting *GT/ITC* to *LOA* categories of vessels were discussed. Some minor tonnage adjustments were proposed by the TEC. Motion: Jensen/Stewart – approve the filed proposal using *GT/ITC* with a few minor tonnage adjustments - Carried. (11:05 a.m.)

Minutes. The December 16, 2014 Minutes stand approved as written.

NEW BUSINESS

BPC Staff Report.

- Puget Sound Pilot Capt Del Mackenzie retired after 27 years of piloting on December 18, 2014.
- Capt Brian Jensen completed the *PPU Training Section of his Training Program* and successfully demonstrated his proficiency on a PPU. He was licensed for the PSPD on December 22, 2014.
- Month-end spreadsheets of PS pilot data were distributed.

2015 Annual Puget Sound Tariff Hearing Preparation. A draft timetable for tariff document submission was reviewed and adjusted. Motion: Mayer/Marmol – adopt the proposed Puget Sound Pilotage District schedule as adjusted - Carried. The 2015 PSPD tariff hearing will be held May 14th.

The Board was presented with a joint letter from the Port of Seattle, Port of Tacoma, Puget Sound Pilots and the Pacific Merchant Shipping Association asking for its adoption of a list of mutually defined terms. Their intent is to use this critically important tool in developing a joint proposal for a multi-year tariff utilizing a formulaic methodology for rate setting and a related joint proposal for determining the number of pilots who should be licensed pursuant to WAC 363-116-065. The Board endorsed the concept and will consider adopting the terms in the form of a *Statement of Policy* at the next Board meeting.

Pilot’s Report of Marine Safety Occurrence: *HANJIN HIROSE, 12-06-14*

Vicinity of SF Buoy	Deviated course to respond to a distress call regarding an overturned kayaker. The pilot assisted with the rescue.	Navigational Safety Concern	<u>Motion:</u> Marmol/Adams File as a Marine Safety Occurrence – Carried.
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Consideration of Trainee Evaluation Committee Membership Modifications. TEC member, Captain Cooke will be retiring in February and will no longer be eligible to sit as a pilot representative. Commissioner Jensen recommended Alice Helker be added to the TEC in the event one or both of the “Other” position holders opt to step down. Motion: Adams/Mayer – Alice Helker be appointed to the TEC as a “non-pilot Board member” and transition Captain Cooke from an “active licensed pilot representing the Grays Harbor Pilotage District” to an “Other” position representing the GHPD – Carried.

Committee Reports.

Trainee Evaluation Committee:

- The TEC met on January 13.
- Training Program progress was reviewed for all current trainees: Captains Surface, Lowe, Carstensen, Henderson, Furst and Rounds; including a face-to-face session with Capt. Kelleher.
- Captain Bruce Michelson will soon be retiring which will reduce the number of active licenses to 53; however, at this time there is not an eligible trainee ready for licensing consideration.
- Pursuant to Board Policy, Captain Jonathan Ward must complete a program of eight refresher/training trips prior to resuming his active piloting duties. Motion: Marmol/Stewart – approve the letter as drafted by the TEC concerning Captain Ward’s return to work – Carried.

Legislative/WAC Committee: Commissioner Jensen briefed the Board on SB 5087 “Oil Transportation Safety” which was introduced yesterday in the Senate Energy, Environment & Telecommunications Committee. The companion bill is HB 1449.

Tariff Policy Committee: The Committee is at rest as stakeholders continue to meet.

Exam Committee: The RFP will be published in the near future.

Activity Reports. Gary Nelson, representing Port of Grays Harbor, Captain David Grobschmit, 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.

Discussion ensued regarding the status of trainees, pending retirements, the upcoming exam and the number of pilots. Motion: Marmol/Mayer – put on the next meeting agenda “Discussion and Possible Resolution Concerning Setting the Number of Pilots in the Puget Sound Pilotage District as provided in WAC 363-116-065 – Carried.

Legal Update. Chairman Dudley announced that Commissioner Ned Kiley has been appointed as the Board Reviewing Officer in response to Captain Nelson's Petition for Review of his Administrative Case.

Confirmation of Next Regular Meeting Dates. The next regular meeting dates are set for February 19 and March 12, 2015, at 2901 3rd Avenue, Seattle.

Review of Pilot/Trainee Physical Examination Reports. Motion: Kiley/Marmol - accept the physicians' reports for Captains W.M. Carley, V.K. Justice, E.C. Klapperich, W.W. Lowery, J.T. Scoggins and G.R. Wildes for annual pilot license renewal – Carried. Captain J.K. Ward remains unfit for duty.

A CLOSED SESSION was called from 2:40 p.m. to 3:15 p.m. regarding training program performance. In attendance were Commissioners Dudley, Jensen, Adams, Kiley, Stewart, Mayer, and Marmol; Shawna Erickson and Peggy Larson. Regular session was convened by the Chairman immediately following closed session.

There being no further business to come before the Board, Chairman Dudley adjourned the regular session Board meeting at 3:15 p.m.

Respectfully submitted,

Peggy Larson, Executive Director

Harry H. Dudley, Chairman

Dale R. Jensen, Vice Chairman

Commissioner Charles F. Adams

Absent

Commissioner Philip Morrell

Commissioner Donald W. Mayer

Absent

Commissioner Elsie J. Hulsizer

Commissioner Edmund I. Kiley

Commissioner J. Grant Stewart

Commissioner Edmund Marmol