

MEETING MINUTES

STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS

May 12, 2016

CLOSED SESSION – Call to Order

A Closed Session of the Board of Pilotage Commissioners was convened from 9:30 a.m. to 11:30 a.m. in the Port of Seattle Commission Chambers, 2711 Alaskan Way, Seattle, Washington to consider matters relative to the pilot training program. In attendance were Commissioners Tonn, Kiley, Adams, Mayer, Marmol, Morrell, Stewart, Kirtley and Thompson; Assistant Attorney General Guy Bowman (by telephone); Captain David Surface (9:45 to 10:00) and BPC staff Jaimie Bever, Shawna Erickson and Peggy Larson.

PUBLIC HEARING

A public hearing of the Board of Pilotage Commissioners was convened at 12:40 p.m. by Chair Sheri Tonn in the Commission Chambers of the Port of Seattle, 2711 Alaskan Way, Seattle, Washington.

Present:

Chair: Sheri Tonn Vice Chair: Ned Kiley

Commissioners: Chuck Adams, Phil Morrell, Grant Stewart, Don Mayer, Ed Marmol,
Eleanor Kirtley, Sara Thompson

Administration: Jaimie Bever, Shawna Erickson, Peggy Larson

Mike Moore: Pacific Merchant Shipping Association

David Grobschmit, Linda Styrk, Peter Giese: Puget Sound Pilots

Paul Kirchner: American Pilots Association

Bill Anderson: Puget Sound Pilot, Ret.

WAC 363-116-300: PILOTAGE RATES FOR THE PUGET SOUND PILOTAGE DISTRICT. RCW 88.16.035(1)(e) requires the Board of Pilotage Commissioners to annually fix pilotage tariffs. Financial data presented prior to this tariff hearing includes the PSP 5-year Capital Spending Plan, the 2015 audited financial statement, in addition to some current-year unaudited data. The proposed rule reflects no tariff adjustments but rather, an extension of the current tariff through the end of 2016. Also, it is the Board's desire to return to calendar year tariff reviews. Unable to support any change in the current tariff at this time, the Board proposed that it remain as is for another six months.

Oral testimony on behalf of the Puget Sound Pilots was presented by Linda Styrk; and on behalf of the Pacific Merchant Shipping Association by Captain Mike Moore. Written comments available upon request.

The public hearing was closed by Chair Tonn at 12:45 p.m.

REGULAR MEETING - Call to Order

The regular meeting of the Board of Pilotage Commissioners was convened at 12:45 p.m. by Chair Sheri Tonn in the Commission Chambers of the Port of Seattle, 2711 Alaskan Way, Seattle, Washington.

Consideration of Preceding Hearing: WAC 363-116-300. All written and oral testimony was reviewed and considered by the Board. Motion: Adams/Morrell – adopt the tariff proposal as filed, with no changes to the language except to extend the expiration date six months – Carried unanimously. The effective period of the new tariff is 0001 hours July 1, 2016 through 2400 hours December 31, 2016. (12:48 p.m.)

Minutes. Motion: Kirtley/Kiley – approve the April 14, 2016 and April 21, 2016 minutes as written – Carried with abstentions from Commissioners Stewart and Thompson respectively who were absent.

BPC Staff Report.

- Dr. Andrew Le has been interviewed and vetted to become a Board-Designated Physician in Kent and Kingston. Staff recommends his appointment. Motion: Marmol/Adams – appoint Dr. Andrew Le as a Board-Designated Physician – Carried.
- Board-Designated Physician Dr. Hang Kim is retiring on June 30th after 22 years of service.
- Notice of 2017 Agency Request Legislation procedures and deadlines has been received.
- Shawna prepared and presented pilot statistical data for April.

BPC Chair Report.

- Sheri thanked PSP for inviting her and the BPC staff to attend a recent presentation by the Pacific Pilotage Authority regarding helicopter usage by pilots.

Activity Reports. Gary Nelson representing the Port of Grays Harbor, Captain David Grobschmit and Linda Styrk 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 activities.

OLD BUSINESS

Pilot’s Report of Marine Safety Occurrence: *MEGAS, 3-15-16*

Browns Point, Tacoma	An apparent loss of speed and responsiveness caused the pilot to contact the USCG who ordered the vessel to anchor. The pilot submitted additional information as requested which validated his actions.	Navigational Safety Concern	<u>Motion:</u> Marmol/Mayer File as a Marine Safety Occurrence – Carried.
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Potential Navigation Hazard – Hylebos Waterway. A joint letter from several users of the Hylebos Waterway and others concerned with the obstruction of rocks in this navigable waterway has been sent to the US Army Corps of Engineers asking for immediate action.

NEW BUSINESS

Approval of Pilot License Upgrade Program. Captain Brad Lowe and Captain Jim Carstensen are nearing completion of their first license year. Motion: Mayer/Marmol - approve the license upgrade programs for Captains Lowe and Carstensen as drafted by the TEC - Carried.

Consideration of Request for Vessel Exemption:

Motor Yacht *LAGNIAPPE* – 136’, 398 gt, Marshall Islands registry, Captain Barry Bramhill
Motion: Adams/Mayer – grant an annual renewal of exemption – Carried.

Motor Yacht *EILEEN* – 164’, 622 gt, Marshall Islands registry, Capts Ed Shiels & Jaimie Wakeham
Motion: Adams/Mayer – grant a three-month exemption – Carried.

Motor Yacht *REST ASSURED* – 92’, 153 gt, Cayman Islands registry, Capts John Chabala & James Slattery
Motion: Adams/Mayer – grant an annual renewal of exemption – Carried.

Motor Yacht *ELISA* – 150’, 456 gt, Marshall Islands registry, Captain Jeffrey Hill
Motion: Adams/Mayer – grant an annual renewal of exemption – Carried.

Motor Yacht *ICE BEAR* – 171’, 614 gt, Cayman Islands registry, Captain Cy Butler
Motion: Adams/Mayer – grant an annual renewal of exemption – Carried.

Motor Yacht *WOFANU* – 47’, 25 gt, Germany registry, Captain Knut Hildebrand
Motion: Adams/Mayer – grant a one-year exemption – Carried.

Sailing Yacht *SIPANGO* – 44’, 19 gt, Argentina registry, Captain Victor Raies
Motion: Adams/Mayer – grant a one-year exemption – Carried.

Pilot’s Report of Marine Safety Occurrence: *LIBERTY BAY, 4-7-16*

Port Angeles, Outbound	Loss of propulsion was caused by a faulty multiprocessor control unit. The vessel was returned to anchor at Port Angeles.	Navigational Safety Concern	<u>Motion:</u> Marmol/Kiley File as a Marine Safety Occurrence – Carried.
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Presentation – American Pilots Association (APA). Paul Kirchner, Executive Director and General Counsel, spoke on Pilotage Regulation in the U.S. and the benefits of compulsory pilotage.

Committee Reports.

Trainee Evaluation Committee:

- The TEC met on May 10th.
- Training Program progress was reviewed for all current trainees: Captains Surface, Henderson, Furst, Rounds, Hunter and Myers.
- The intent of WAC 363-116-080 was discussed with regard to the customary sequence of finishing one’s training program requirements.
- Motion: Mayer/Thompson – issue the remaining two candidates from the 2012 Exam waiting list letters of invitation on July 1st for commencement of training on October 1st – Carried.

Legislative/WAC Committee:

- A 3rd workshop will be held on May 19th to further a preliminary draft of proposed WAC revisions.

Exam Committee: The review process is underway by those candidates who filed a request to review their Simulator Evaluation results. The Board anticipates completion of this process by late July. Captain William Anderson, Sr., the Board’s *Simulator Evaluation Reviewer* was acknowledged and thanked for his dedication and continued work with our Exam Committee.

Diversity Committee: Work is progressing by the committee.

Review of Pilot/Trainee Physical Examination Reports. Motion: Mayer/Marmol - accept the physicians’ reports for Captains V.O. Engstrom, J.E. Kalvoy, L.A. Seymour and D.W. Grobschmit for annual pilot license renewal – Carried.

Confirmation of Next Regular Meeting Dates. The next regular meeting dates are set for June 16 and July 21, 2016.

There being no further business to come before the Board, Chair Tonn adjourned the regular session Board meeting at 2:35 p.m.

Respectfully submitted,

Peggy Larson, Executive Director

Sheri J. Tonn, Chair

Edmund I. Kiley, Vice Chair

Commissioner Charles F. Adams

Commissioner Philip Morrell

Commissioner J. Grant Stewart

Commissioner Donald W. Mayer

Commissioner Edmund Marmol

Commissioner Eleanor Kirtley

Commissioner Sara Thompson