



July 10, 2024

Washington State Board of Pilotage Commissioners
2901 3rd Ave., Suite 500
Seattle, WA 98121

VIA EMAIL to Ms. Jaimie Bever at Beverj@wsdot.wa.gov

Re: PSP Proposal for Number of Pilots

WAC 363-116-065 (attached on page 5) lists 10 factors that may be considered by the board in setting the number of pilots. All but two (2) of these 10 factors relate either to setting the target assignment level (TAL) or deciding when to start applicants in the training program. At its meeting on June 20, 2024, the board adopted by unanimous vote a TAL of 123 based on the recommendation of the Pilot Safety Committee. This proposal will address the two factors not already resolved by the Board when it set the TAL: (d) the regional maritime economic outlook; and (g) time lost to injury and illness. The factors listed in the WAC are not exclusive and the Board may consider other factors as well. PSP is asking that the Board also address the backlog of callback days being carried by PSP.

The hard part of setting the number of pilots pursuant to WAC 363-116-065 has been done: determining TAL. The board is now in a position to determine how many licenses to issue using a data driven, streamlined process. It can do this because of two events. First, the new rest rules and dispatch system changes put enacted by PSP over the last few years have now been in place for over 20 months and provide reliable data. Second, based on this data, the Board staff has completed its exhaustive analysis of what TAL is needed under the new rule to provide a safe and competent pilotage service.

All parties have recognized that the district has been overly dependent on callbacks to meet the needs of shipping (PSP currently has 2,708 comp days outstanding.) This reliance on callbacks creates a risk to the State of fatigued pilots and causes ship delays. One of the goals of the recent TAL analysis by BPC staff, the PSC and the Board was to reduce the percentage of callback assignments to 5% (It was 12% in 2023 is up to 13% over the last 12 months.)

The Regional Maritime Outlook

WAC 363-116-065(d) provides that the Board may consider the:

Regional maritime economic outlook, including without limitation: Current economic trends in the industry, fluctuations in the number of calls, the types of assignments, the size of vessels, the cyclical nature of the traffic and whether traffic is increasing or decreasing and the need to minimize shipping delays;

The next step in the process is to set a number of assignments that will be used to derive a number of pilots from the TAL. There is no way to predict how many assignments the district will have over the upcoming year. Therefore, PSP suggests using the assignment level of the last 12 months adjusted for any known and documented changes in traffic in the immediate future.

The Problem with Trying to Predict Traffic

PSP suggests using the trailing 12 months of assignment data for a number of reasons. First and most obviously, the most recent data is the best evidence of current industry trends. Second, because of the safety and dispatch rule changes that completed 27 months ago, any data before those rules were final is no longer relevant. Third, some of the reasons the pilot corps has been undersized for so many years are the past attempts in these proceedings to predict future ship traffic with any degree of certainty. It can't be done.

The history of 065 and the number of years that it has produced pilotage shortages (in 14 out of the last 18 years, the pilot corps has been below the Board authorized level) indicate the dangers inherent in attempting to predict future shipping. Over the years, a staggering amount of data has been presented to the Board, *ad nauseum*, about what people think will happen to shipping. It is true that there are sometimes known events that will affect the number of ships. For example, this year we know from the Northwest Seaport Alliance Rotation Schedule that Evergreen will be removing one two-pilot weekly line and that Cosco will be adding a one pilot weekly line. This will be a net reduction of 104 assignments. **However, it is also true that there are always unknown events that will also have an impact.** In past 065 proceedings, stakeholders and the board have spent a lot of time trying to predict what will happen in an industry that no one can predict. In fact, there are several trends today indicating that assignment numbers will continue to climb but we urge the Board to adopt the less speculative and more reliable data from the last 12 months.

Examples of the kind of unpredictable events that can affect traffic are described in a very recent article from the *New York Times* (June 26, 2024, Page B-1), analyzing

renewed supply chain challenges in the shipping world. It discusses the uncertainties the maritime shipping industry is facing right now, many of which could directly affect West Coast traffic in the upcoming year:

- Panama Canal drought;
- Rail worker labor unrest in Canada that could slow or shut down BC ports;
- Labor unrest that could shut down East Coast ports; and

No one knows how much these factors will affect the immediate future of shipping in Puget Sound. However, it is clear from looking at the history since 2006, that it would be advisable to be more aggressive in setting a higher number of pilots. This will get the pilot corps to the size it needs to be to “minimize shipping delays” as directed by the WAC quoted above.

The Value of More Frequent 065 Proceedings

When the Board sets the number of pilots it sends a signal to all parties in the pilot supply system. It is the key event that triggers all other pilot supply actions. An increase tells the pool of pilot applicants to get ready and plan for an exam. It tells the Board staff when to put an exam together. Most importantly, it is a signal to start pilots in the training program. Increasing the number of pilots to the correct number gives an immediate signal to the public that the Board will be taking all steps available to get the pilot corps to its right size as quickly as possible.

Along with its more streamlined and data driven approach, PSP suggests a more frequent setting of the number of pilots based on the application of the TAL to the trailing 12 months of assignments. This would allow the Board to adjust the number up or down based on the best evidence available on industry trends. The real work in setting the number of pilots is the determination of the TAL which has been done. Therefore, PSP suggests that the number of authorized licenses be re-examined at least annually based on the preceding 12 months of traffic. This will ease the administrative burden on the Board and its staff and provide a more properly staffed pilot corps better able to provide a safe and efficient pilotage service. It will end the district’s unsustainable dependence on comp days with its heightened risks of fatigue and ship delays.

The Comp Day Backlog

PSP now has 2,708 comp days accrued as a result of past pilot shortages. To address this backlog, PSP suggests licensing of two (2) extra pilots in addition to those dictated by the new TAL. This is consistent with the recommendation of Dr. Erin Flynn-Evans of NASA submitted to the BPC as part of the 065 proceeding in 2019 that there should be extra pilots authorized to facilitate pilots taking days off to work down this accrual. With

an understaffed pilot corps such as the one we have had for some time, a pilot needing to use a comp day to take a day off, whether it be for fatigue, illness, family emergency, the need for a license upgrade trip or for personal reasons, can put more pressure on the dispatch system. This pressure can be eased by licensing extra pilots and moving us closer to a sustainable comp day practice.

Time Lost to Injury and Illness

Recent analysis by board staff reviewed time lost to injury and illness since 2019. After removing Covid from the numbers, this analysis showed an average of .87 pilot FTE lost each year. Obviously, with Covid, the actual number was quite a bit higher. Covid is not over yet and PSP currently has two pilots not fit for duty suffering from it. Nonetheless, PSP suggests using the BPC staff's figure of .87 pilot FTE.

PSP's Request for 62 Pilots

Applying the new TAL of 123 per watch standing pilot gives the following calculation:

- The trailing 12 months of assignments is 7,634
- NW Seaport Alliance shows a reduction of 104 assignments in its latest Carrier Rotation Schedule, leaving 7,530
- 95% of 7,530 = 7,153
- 7,153 divided by TAL of 123 = 58.2
- plus the President=59.2
- plus .87 FTE of not fit for duty pilots=60.2
- +2 pilots to reduce the backlog of accrued comp days, reduce fatigue and increase efficiency; and
- Total = 62 pilots

Respectfully Submitted


Puget Sound Pilots

By Capt. Ivan Carlson, President

WAC 363-116-065

Number of pilots.

(1) The board will, from time to time, set the number of pilots to be licensed in each pilotage district of the state that is best calculated to optimize the operation of a safe, fully regulated, efficient, and competent pilotage service. This determination will be made by the board at meetings for which the agenda lists this issue as a topic for resolution. In addition, the board shall plan ahead to ensure, to the extent possible, that pilot trainees enter the training program set forth in WAC **363-116-078** so that they complete the training program in a timely manner.

(2) In setting the number of pilots and making decisions as to when to hold an examination and admit applicants to the training program, the board may consider factors which include, but are not limited to, the following:

(a) Policy of the state to ensure safety of persons, vessels, property and the environment by providing competent, efficient and regulated pilotage for vessels;

(b) The importance of the maritime industry to the state balanced by the potential hazards presented by the navigation of vessels requiring pilots;

(c) The lead time necessary to select and train new pilots;

(d) Regional maritime economic outlook, including without limitation: Current economic trends in the industry, fluctuations in the number of calls, the types of assignments, the size of vessels, the cyclical nature of the traffic and whether traffic is increasing or decreasing and the need to minimize shipping delays;

(e) Workload, assignment preparation and rest needs of pilots;

(f) Trends in size of piloted vessels;

(g) Time lost to injury and illness;

(h) Anticipated retirements;

(i) Administrative responsibilities, continuing education and training requirements consistent with the policy of chapter **88.16** RCW; and

(j) Surface transportation and travel time consumed in pilots getting to and from assignments.