

**MEETING MINUTES**  
**STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS**  
**April 18, 2019**

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**REGULAR MEETING - Call to Order**

The regular meeting of the Board of Pilotage Commissioners was convened at 10:05 a.m. by Chair Sheri Tonn in the Rainier Conference Room, 2901 Third Avenue, Seattle, Washington.

**Present:**

Chair: Sheri Tonn Vice Chair: Ned Kiley

Commissioners: Michael Anthony, Sara Thompson, Eleanor Kirtley, Timothy J. Farrell, Phil Morrell, and Rik Krombeen

Administration: Jaimie Bever, Shawna Erickson, Jolene Hamel

Assistant Attorney General: Albert Wang

Eric vonBrandenfels, Eric Klapperich, Sandy Bendixen: Puget Sound Pilots

Gary Nelson: Port of Grays Harbor

Mike Moore: Pacific Merchant Shipping Association

Lou Paulsen, Zack Thomas: The Northwest Seaport Alliance

Travis McGrath & Family: Puget Sound Pilots Licensure Candidate

Monique Webber: Pacific Yacht Management

Brian Watts, Laird Hail: United States Coast Guard

Laura Bendixen: Public

Blair Fassburg: Williams, Kastner, Gibbs, PLLC

Jay Balasbas, Sally Brown, Harry Fukano, Jason Lewis: Utilities & Transportation Commission (UTC)

**Minutes.** Motion: Farrell/Anthony – approve the March 21, 2019 Meeting Minutes as written – Carried with one abstention from Commissioner Kiley.

**BPC Staff Report.**

- Jaimie Bever attended a workshop titled Equity Leaders presented by the organization Cultures Connecting, LLC. The workshop provided communication tools for talking about race and gender in the workplace as well as providing networking opportunities. Also in attendance were BPC pilot commissioners Captains John Scragg and Mike Anthony, as well as PSP president Captain Eric vonBrandenfels and PSP pilot Captain Ivan Carlson. The BPC thanks PSP for the invite to this important workshop.
- The 2018 BPC Annual Report is due to the Legislature by September 1, 2019. Staff will have a draft copy to the Board for review at the July 18<sup>th</sup> Board meeting, with the plan to approve a final version at the August 15<sup>th</sup> Board meeting.
- Chair Tonn and Jaimie Bever met with ABD Insurance to discuss the Board's need for public official's liability insurance. In addition, the agency request legislation regarding insurance was signed by the Governor, which means that the Board is currently pursuing two pathways toward insurance coverage.
- On Wednesday April 24<sup>th</sup> the Northwest Seaport Alliance is holding their annual breakfast. Jolene Hamel previously emailed invitations to the Board.
- Also on Wednesday April 24<sup>th</sup> the UTC will hold a public rule making adoption hearing on the proposed rules for pilotage tariff setting at their office in Olympia, WA at 9:30am. There will be more about this topic during their presentation later in the agenda.

**BPC Chair Report.**

- Chair Tonn will be attending the Women Offshore UNITE conference in Houston, Texas July 12-13. This conference will be attended by mariners from around the world and is a good opportunity to network regarding pilotage.
- Chair Tonn had a conversation with the San Francisco Board of Pilot Commissioners regarding their process for setting the number of pilots. They have not adjusted their number in at least 10 years. It was last set using a 1986 "manpower" study. They currently have 53 active pilots and are authorized for 60 but have not been able to fill all of their open positions for an extended period of time. They are scheduled to have their next exam on June 3<sup>rd</sup>, 2019 and reported that they have 3 women applicants.

- The Board received a letter from BPC Program Specialist Shawna Erickson announcing her retirement in October 2019. Chair Tonn thanked her for her many years of service. Information regarding a celebration of her time with the Board will be forthcoming. Board staff will begin working on the process of finding a replacement.

**Consideration of Licensure of PSPD Pilot Candidate: Travis McGrath.** On behalf of the Trainee Evaluation Committee (TEC), Commissioner Anthony stated that Captain Travis McGrath has successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training and completion of his federal licensing requirements. The Board has received his matrix and all training comments.

Motion: Anthony/Kiley – issue Captain Travis McGrath state pilot license #203 for the Puget Sound Pilotage District – Carried.

**Activity Reports.** Captain Eric vonBrandenfels representing Puget Sound Pilots (PSP), Gary Nelson representing the Port of Grays Harbor (PGH), Mike Moore representing Pacific Merchant Shipping Association (PMSA), Lou Paulsen representing The Northwest Seaport Alliance (NWSA), and Laird Hail representing the United States Coast Guard (USCG) offered current and projected statistical data as well as updates on current maritime issues and activities.

Captain vonBrandenfels informed the Board of tethered tug escort training conducted by the pilots at Pacific Maritime Institute (PMI). With the passage of ESHB 1578 concerning reducing threats to southern resident killer whales by improving the safety of oil transportation, the Board will be developing rules regarding tug escorts. Captain vonBrandenfels pointed out that observing the training would be very educational for the Board members. He will provide information regarding future observation opportunities.

## **NEW BUSINESS**

**Presentation and Q&A Regarding Utilities and Transportation Commission (UTC) Rate Setting Process.** UTC Commissioner Jay Balasbas gave a presentation titled “Agency Overview, Process and Communication Protocols”. The intention of the presentation was to introduce the Board, stakeholders, and audience members to the UTC rate setting process in anticipation of the pilotage tariff setting responsibility transfer from the BPC to the UTC, which is effective as of July 1, 2019. Also in attendance to answer questions and provide information from the UTC were Senior Policy Advisor Jason Lewis, Sr. Assistant Attorney General Sally Brown and Assistant Attorney General Harry Fukano. The PowerPoint presentation was provided to the Board and is available in the meeting materials section of the Board’s website, <https://pilotage.wa.gov/minutes-agendas.html>. A Q&A session followed the presentation.

**Approval of Pilot License Upgrade Program: Captain Scott Coleman.** Captain Coleman is nearing completion of his fifth license year.

Motion: Anthony/Thompson: approve license upgrade program for Captain Coleman as drafted by the TEC – Carried.

**2019 Legislative Session.** All three bills concerning the Board passed through the legislative process. HB 1431 *Addressing joint self-insurance programs for property and liability risks* was signed into law by Governor Inslee on April 17, 2019. Both HB 1647 *Revising the fatigue management rules for marine pilots* and ESHB 1578 *Reducing threats to south resident killer whales by improving oil transportation safety* are on their way to the Governor’s desk. The Board thanked legislative sponsors and all those who helped make this session very successful.

### **Consideration of Request for Vessel Exemption:**

**Passenger Vessel *Victoria Clipper***– 131’, 431 gt, Curacao registry, Multiple Captains.

Motion: Kiley/Farrell – grant an annual exemption renewal – Carried.

**Passenger Vessel *Victoria Clipper IV*** – 131’, 478 gt, Bahamas registry, Multiple Captains.

Motion: Kiley/Farrell – grant an annual exemption renewal – Carried.

**Motor Yacht *Rent Spent*** – 112’, 208 gt, Marshall Island registry, Captain Robert Davey.

Motion: Kiley/Farrell – grant an annual exemption renewal – Carried.

**Motor Yacht *After Eight*** – 152’, 497 gt, Douglas Isle of Man registry, Captain Grant Lindsay.

Motion: Kiley/Farrell – grant an annual exemption renewal – Carried.

**Motor Yacht *Huntress*** – 197’, 1218 gt, Grand Cayman Island registry, Captain Jeffrey Guymon.

Motion: Kiley/Farrell – grant an annual exemption renewal – Carried.

**Motor Yacht *El Leon*** – 177’, 499 gt, Italy registry, Captain Massimo Zanetti.

Motion: Farrell/Kiley – grant an annual exemption with the provision that the vessel must take a pilot orientation on first trip in– Carried.

**Sailing Yacht *Ganessa*** – 151’, 251 gt, United Kingdom registry, Captain Alexander Pamment.

Motion: Farrell/Kiley– grant an annual exemption with the provision that the vessel must take a pilot orientation on first trip in and also must take a pilot through any Deception Pass transits – Carried.

**Sailing Yacht *Leonara*** –90’, 68 gt, Marshall Island registry, Captain Guy Spencer.

Motion: Kiley/Farrell – grant an annual exemption with the provision that the vessel must take a pilot orientation on first trip in – Carried.

**Motor Yacht *Formosa***– 196’, 1086 gt, Cayman Island registry, Captain Sebastien Boutin.

Motion: Kiley/Farrell – grant an annual exemption with the provision that the vessel must take a pilot orientation on first trip in – Carried.

**Motor Yacht *St Eval***– 114’, 218 gt, Grand Cayman Island registry, Captain Orlando Milla.

Motion: Kiley/Farrell – grant an annual exemption renewal – Carried.

**Pilot’s Report of Marine Safety Occurrence: *NYK APOLLO, 03-26-19***

Pilot Station to PA Anchor	Lost generator power two times off shore and was required by the Coast Guard to go to anchor in PA. The vessel was escorted in by tug <i>Denise Foss</i> .	<u>Motion:</u> Anthony/Farrell File as a Marine Safety Occurrence – Carried.
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**Pilot’s Report of Marine Safety Occurrence: *HYUNDAI FORCE, 04-06-19***

Pt Robinson – North Bound	Cylinder issue. VTS directed to anchor at Yukon Harbor with assist from tug <i>Guard</i> . USCG inspector boarded, tested, and cleared vessel to leave. No further issues.	<u>Motion:</u> Farrell/Anthony File as a Marine Safety Occurrence – Carried.
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**Discussion Concerning Setting the Number of Pilots in the Puget Sound Pilotage District as Provided in WAC 363-116-065 (PSP Watchstanding/Vacation Schedule).** PSP Attorney Blair Fassburg of Williams Kastner gave a presentation titled “Puget Sound Pilots 2019 Watch Calendar”. The presentation described PSP’s current watchstanding schedule, and compared and contrasted it with San Francisco, Columbia River, Fraser River and BC Pilots watchstanding schedules. Q&A between the Board members and Mr. Fassburg followed the presentation. Commissioner Anthony clarified that on change day the last call time for a pilot at the pilot station is 1600. The last call time for a pilot who is not at the pilot station is 0800. The presentation became a part of the official record of 2019 setting the number of pilots, which can be found on the Board website at <https://pilotage.wa.gov/rcw-wac.html>. Mr. Fassburg offered that more information will be available at the May 16, 2019 Board meeting.

The Board reviewed several documents provided by staff. The “Proposed Official Record for Setting the Number of Pilots” is a proposed structure for memorializing how the Board reaches its decision regarding the number of authorized pilot licenses in either pilotage district. The Board also reviewed “Submittal Guidelines to Interested Parties”, which is intended to clarify the process for submitting questions and proposals to the Board. The “BPC Goals and Criteria” document is a snapshot of the conversations from the March 21 Board meeting and is intended to help guide the Board’s discussion and data review. The Board then reviewed charts and data prepared specifically by BPC staff for the conversation regarding setting the number of pilots in the Puget Sound Pilotage District. All of these documents are a part of the Official Record and can be found on the Board’s website at the link above. Q&A between Board members, staff and the audience followed the presentation of charts and data.

**Committee Reports.**

**Trainee Evaluation Committee (TEC):**

- The TEC met on April 17, 2019 and reviewed training progress for all current trainees: Kridler, McGrath, Ninburg, Seamans, Miller, Melin, Bozina, Siddell, Velarde, Hannuksela, McGourty, and Knutsen. There was nothing significant to report and no interventions. There are currently 12 trainees in the program: 4 in the evaluation phase (McGrath becoming licensed today), 5 in the training phase, and 3 in the observation phase. It is anticipated that one trainee will be ready for licensing in either June or July with 2 more in September.

- The TEC requested approval to add 16 optional training trips to the Puget Sound Pilotage District training program to assist with trip availability and to provide options for more training before the Evaluation Phase of the program. After discussion and review, it was agreed to defer the subject until the May Board meeting.
- The TEC requested a brief Closed Session to discuss the progress of one of the trainees.

**BPC/PSP Joint Diversity Committee (JDC):**

- The Committee has been on hiatus and is working on scheduling the next meeting and restructuring membership for 2019.

**Fatigue Management Committee (FMC):**

- With the passage of the rest rules legislation, the committee will now need to meet to discuss rule-making. Jolene Hamel will reach out to the group to schedule the next meeting.

**Commission Investigative Committee (CIC):**

- The committee is working on setting up a meeting to go over the Request for Proposals and the draft procedures.

**Review of Pilot/Trainee Physical Examination Reports.** The Board reviewed and discussed the CV of a potential new Board-Designated Physician at the Polyclinic.

Motion: Krombeen/Anthony – approve Dr. Vesna Jambarcic as a Board-Designated Physician – Carried.

Motion: Krombeen/Anthony – approve the physicians' reports for Captains D.S. Anacker, D.W. Grobschmit and B.W. Bouma for annual pilot license renewal – Carried.

Motion: Kiley/Anthony – approve the physicians' reports for Captain T.S. McGrath for pre-licensing physical – Carried.

Motion: Anthony/Kiley – approve the physicians' reports for Captains D.W. Melin and J.M. Miller for annual trainee physical – Carried.

**Confirmation of Next Regular Meeting Dates.** The next regular meeting dates are set for:

- May 16 – Return to Agate Conference Room
- June 20 – Agate Conference Room

**CLOSED SESSION**

*A Closed Session of the Board of Pilotage Commissioners was convened from 1:35pm to 2:20pm in the Alki Conference Room, 2901 Third Avenue, Seattle, Washington to discuss matters relative to training issues. In attendance were Commissioners Tonn, Farrell, Thompson, Kirtley, Krombeen, Morrell and Anthony, Assistant Attorney General Albert Wang, BPC staff Shawna Erickson, Jolene Hamel, and Jaimie Bever, and Gary Nelson.*

**REGULAR MEETING RECONVENED**

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

There being no further public business to come before the Board, Chair Tonn adjourned the Board meeting at 2:20pm.

Respectfully submitted,

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Jaimie C. Bever, Executive Director

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Sheri J. Tonn, Chair

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Edmund I. Kiley, Vice Chair

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Commissioner Timothy J. Farrell

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Commissioner Philip Morrell

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Commissioner Rik Krombeen

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Commissioner John Scragg

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Commissioner Michael Anthony

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Commissioner Eleanor Kirtley

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Commissioner Sara Thompson