

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
September 19, 2019

PUBLIC HEARING - Call to Order

A public hearing of the Board of Pilotage Commissioners was convened at 10:05 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: Michael Anthony, Sara Thompson, Eleanor Kirtley, Timothy J. Farrell, Phil Morrell, John Scragg, and Rik Krombeen

Administration: Jaimie Bever, Shawna Erickson, Jolene Hamel

Assistant Attorney General: Albert Wang

Eric vonBrandenfels, Jack Bujacich, Linda Styrk, Ivan Carlson: Puget Sound Pilots

Gary Nelson: Port of Grays Harbor (via phone)

Lou Paulsen: The Northwest Seaport Alliance

Laird Hail: United States Coast Guard

Keith Kridler, David Melin: Pilot Licensure Candidates

Doug Coburn: General Steamship

Andrew Drennen: Polar Tankers

Peggy & Jay Larson: Public

Mark Gleason: USI Insurance

Verne Justice: Retired Puget Sound Pilot

WAC 363-116-301: NEW REVENUE COLLECTION. The proposed rule revises the mechanisms already in place to collect the revenue needed to pay the self-insurance liability premium expenditures and is necessary in order for the BPC to show compliance with legislative intent. This language was adopted under emergency provisions on May 16, 2019. Engrossed Substitute House Bill 1160 stipulates two conditions in order for the Board to receive a transfer of funds from the Pilotage Account for self-insurance liability premium expenditures. The stipulated conditions are 1) Puget Sound Pilots shall pay to the Board, from its tariff revenue, one hundred fifty thousand dollars annually on July 1, 2019 and July 1, 2020; and 2) A self-insurance premium surcharge of sixteen dollars shall be added to each pilotage assignment on all vessels requiring pilotage in the Puget Sound Pilotage District. No oral or written comments were provided. The public hearing was closed by Chair Tonn at 10:10 a.m.

REGULAR MEETING – Call to Order

The regular meeting of the Board of Pilotage Commissioners was convened immediately following the Public Hearing by Chair Sheri Tonn in the Agate 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, John Scragg, and Rik Krombeen

Administration: Jaimie Bever, Shawna Erickson, Jolene Hamel

Assistant Attorney General: Albert Wang

Eric vonBrandenfels, Jack Bujacich, Linda Styrk, Ivan Carlson: Puget Sound Pilots

Gary Nelson: Port of Grays Harbor (via phone)

Lou Paulsen: The Northwest Seaport Alliance

Laird Hail: United States Coast Guard

Keith Kridler, David Melin: Pilot Licensure Candidates

Doug Coburn: General Steamship

Andrew Drennen: Polar Tankers

Peggy & Jay Larson: Public

Mark Gleason: USI Insurance

Verne Justice: Retired Puget Sound Pilot

Consideration of Preceding Hearing: WAC 363-116-301.

Motion: Thompson/Kiley – Adopt the revised WAC language as proposed – Carried.

Minutes. Motion: Kiley/Scragg – approve the August 15, 2019 Meeting Minutes as written – Carried.

BPC Staff Report.

- Jaimie Bever offered that the office has been busy since the last Board meeting working through agency contract and risk management reporting as well as heavy recruiting and interviewing efforts for the Program Analyst position, due to the retirement of the Board's current Program Specialist Shawna Erickson.
- This was the last Board meeting as staff for Shawna Erickson, who began working for the Board on January 27, 2010. Jaimie Bever spoke about Shawna's valuable contributions to the agency and to pilotage. The Board wished her well on her retirement and a cake was cut and shared in her honor during the first break.
- Due to Ms. Erickson's retirement, the regular monthly reports that are sent to Board members and stakeholders will not be sent out in October or November, as they will be redeveloped by the new Program Analyst.

BPC Chair Report.

- Chair Tonn gave additional thanks to Ms. Erickson for her service to the Board and the state of Washington.

Activity Reports. Lou Paulsen representing The Northwest Seaport Alliance (NWSA), Gary Nelson representing the Port of Grays Harbor (PGH), Captain Eric vonBrandenfels representing Puget Sound Pilots (PSP), 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.

NEW BUSINESS

Consideration of Licensure of PSPD Pilot Candidate: Keith Kridler. On behalf of the Trainee Evaluation Committee (TEC), Commissioner Scragg stated that Captain Keith Kridler had successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training and completion of his federal licensing requirements. Commissioner Scragg added that Captain Kridler has proven to be consistent, safe, and able to pilot independently. The Board has received his TPTR Summary and all training comments.

Motion: Scragg/Anthony – issue Captain Keith Kridler state pilot license #206 for the Puget Sound Pilotage District – Carried

Consideration of Licensure of PSPD Pilot Candidate: David Melin. On behalf of the Trainee Evaluation Committee (TEC), Commissioner Scragg stated that Captain David Melin had successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training and completion of his federal licensing requirements. Commissioner Scragg added that Captain Melin has proven to be consistent, safe, and able to pilot independently. The Board has received his TPTR Summary and all training comments.

Motion: Scragg/Anthony – issue Captain David Melin state pilot license #207 for the Puget Sound Pilotage District – Carried

Approval of Pilot License Upgrade Programs: Captain Ken Grieser: Captain Grieser is nearing completion of his first license year. His letter has been updated to reflect the new license levels.

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

Consideration of Training Surcharge/Training Stipend Increase. At the August Board meeting, the TEC made a recommendation to increase the trainee stipend from \$6,000 to \$8,000. The stipend has not been adjusted since it was put in place in 2005. The Board reviewed and considered a request/justification memo prepared by Board staff, which would be included in the PSP tariff filing per UTC direction. The UTC's decision on the increased training stipend would coincide with their decision regarding PSP's tariff filing, which could take up to ten months after filing. If the request is approved by the UTC, the Board will then need to request access to the additional revenue from the Legislature as a part of the 21/23 Biennial Budget package. If the Legislature includes the funds in the Board's biennial budget, then the stipend could be increased. The next exam class would most likely be the ones who would benefit due to the extended timeframes. PSP President Captain Eric vonBrandenfels commented that the justification was something they could stand behind as a part of their tariff filing.

Motion: Kiley/Scragg – Increase the monthly training stipend from \$6,000 to \$8,000 with a request to the UTC to increase the Puget Sound Pilotage Tariff Training Surcharge from \$15 to \$19 per trainee per assignment, with a friendly amendment from Commissioner Farrell to include a request for the UTC to consider an automatic index increase – Carried with Commissioner Morrell opposed.

Update Regarding ESHB 1578 – Tug Escort Rulemaking. Board staff had a good meeting with Ecology on September 10, 2019. A draft portfolio plan was provided to the Board for review. Commissioner Thompson provided additional details regarding the plan. Regarding the Memorandum of Understanding or Interagency Agreement, a draft will be provided to the Board in December with a vote to follow in January 2020. A listening session for the Rosario Strait and connected waterways east tug escort implementation and geographic zone identification is scheduled for Monday December 9, 2020 at the Port of Everett. A save the date email will be distributed next week. Captain vonBrandenfels offered to host a tug escort training for Commissioners, which received positive responses. Board staff will propose some dates. Commissioner Scragg suggested the establishment of a Tug Escort Rulemaking Committee. It was decided that committee members would be appointed at the next Board meeting.

Update Regarding 2020 Supplemental Budget Packages. Board staff submitted three supplemental packages to the Legislature. The first one was to increase the trainee stipends to reflect and cover the current number of trainees in the program, the second was to address the Directors and Officers and Employment Practices Liability insurance quote received, and the third was the standard retirement buyout for Shawna Erickson’s retirement.

Pilot’s Report of Marine Safety Occurrence: AS MORGANA, 08-09-2019

Underway North of Buoy SF	Generator overload, which came back online very quickly. At no time during the transit did the vessel lose propulsion or steering.	<u>Motion:</u> Farrell/Kiley File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: EURODAM, 08-10-2019

Underway, at Pier 91 W Seattle	While moving away from berth, the azipods could not be controlled. Linesman returned and tied back to berth. The problem, diagnosed as a computer issue, was rectified by engineering and the vessel set sail.	<u>Motion:</u> Kiley/Morrell File as a Marine Safety Occurrence – Carried.
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Consideration of Request for Vessel Exemption:

Motor Yacht EVVIVA – 164’, 492 gt, Cayman Island registry, Captain Joseph Trailer.

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

Motor Yacht ALBATROSS –115’, 247 gt, Marshall Island registry, Captain Luis Nunez.

Motion: Kiley/Kirtley – grant an annual exemption with the provision that the vessel must take a pilot orientation on first trip in and no travel through Deception Pass – Carried.

Committee Reports.

Trainee Evaluation Committee (TEC):

- The TEC met September 18, 2019 and reviewed training progress for all current trainees: Miller, Bozina, Siddell, Velarde, Hannuksela, McGourty, and Knutsen. There was nothing significant to report and no interventions. There are currently 7 trainees in the program: 3 in the evaluation phase, 2 in the training phase, and 2 in the observation phase.
- Grays Harbor training candidate Captain Forest McMullen is currently awaiting his trainee orientation, which the TEC is working to schedule. The training program for Grays Harbors was provided to the Board.
Motion: Scragg/Anthony – approve the Grays Harbor training program for Captain Forest McMullen as written – Carried.
- The TEC had a discussion regarding reduced training opportunities in the Duwamish waterway due to significant reduction in traffic. The TEC is considering making the Duwamish a hard-to-get trip, establishing a rotation of trainees, requiring a minimum of 4 training trips (2 in, stern first, and 2 out), and exploring a first-year license restriction in the waterway. The restriction would mean that first year pilots could only be the secondary pilot on the two-pilot job. This would mean that the Duwamish Waterway would be included the license upgrade programs for the lifting of their level-one license restrictions. Otherwise, the limited training opportunities could hold up the licensing of trainees. The TEC is working on drafting a policy statement for the AAG to review,

while working through the public notice codification process. An update will be provided at the next Board meeting.

- Two TEC-designated Supervising Pilots are retiring. Captains Jim Hannuksela and Brian Jensen will replace them.

BPC/PSP Joint Diversity Committee (JDC):

- The JDC continues to recruit new membership. A meeting will be scheduled in the near future.

Fatigue Management Committee (FMC):

- Currently on hold.

Commission Investigative Committee (CIC):

- The Committee will have an update at the next meeting.

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: Scragg/Kiley – approve Dr. Akira Kobayashi as a Board-Designated Physician – Carried.

Motion: Anthony/Morrell – approve the physicians’ reports for Captains J.R. Semler, J.L. Carstensen, B.E. Lowe, S.P. Bendixen, E.M. vonBrandenfels, J.B. Harris and B.R. Jensen for annual pilot license renewal – Carried.

Motion: Kiley/Morrell – approve the physician report for Captains K.C. Kridler and D.W. Melin for pre-licensing physical – Carried.

Motion: Farrell/Kiley – approve the physician report for Captain R.M. Gartner for new trainee physical – Carried.

Motion: Anthony/Kiley– approve the physician report for Captain J.E. Siddell for annual trainee physical – Carried.

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

- October 17 – Agate Conference Room
- November 21 – Agate Conference Room

Chair Tonn announced that Vice Chair, Ned Kiley will Chair the October 17th meeting. There being no further public business to come before the Board, Chair Tonn asked for a motion to adjourn.

Motion: Kiley/Scragg – adjourn the Board meeting at 12:10 – Carried.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Edmund I. Kiley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Philip Morrell

Commissioner Rik Krombeen

Commissioner John Scragg

Commissioner Michael Anthony

Commissioner Eleanor Kirtley

Commissioner Sara Thompson