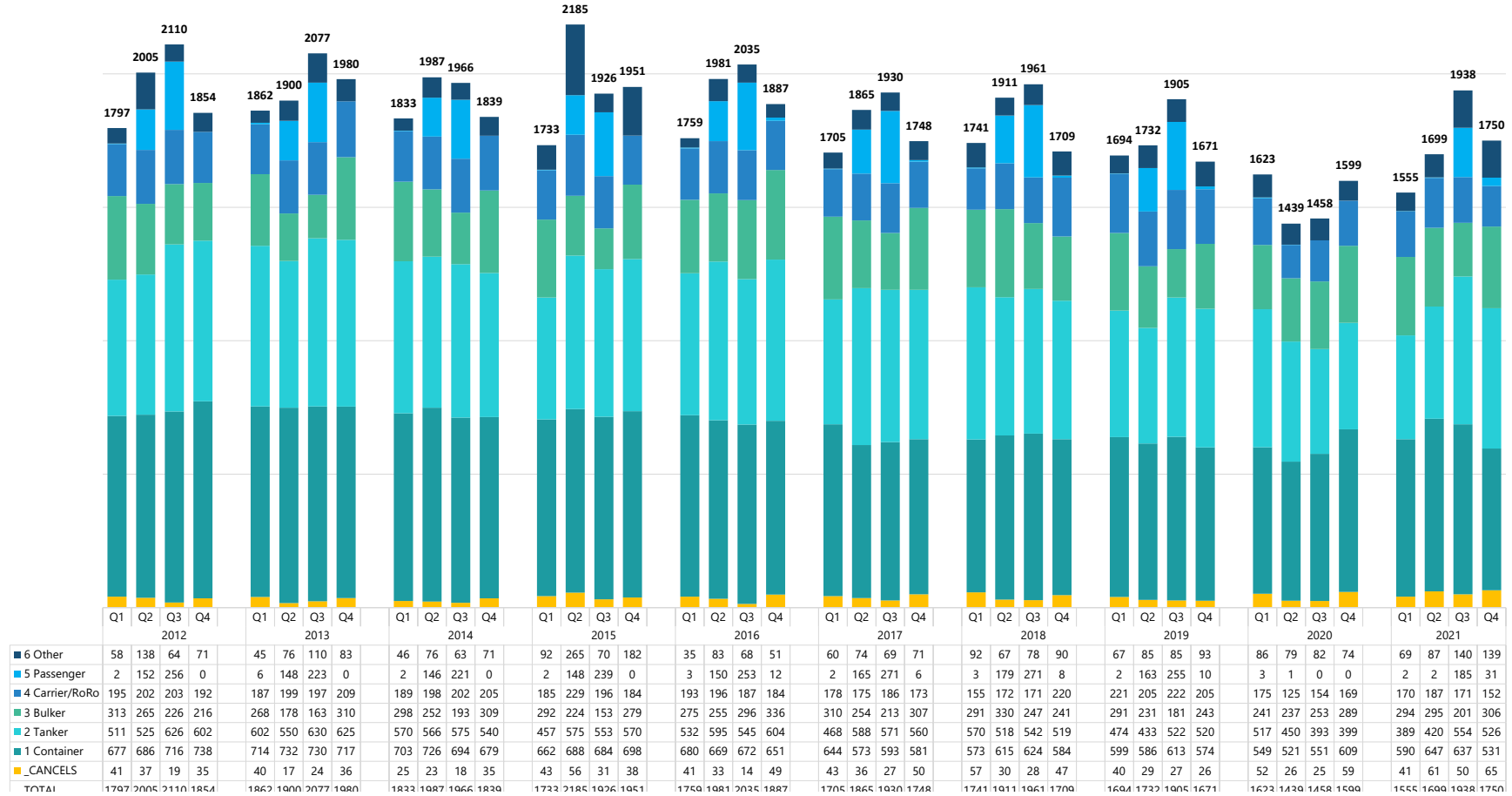
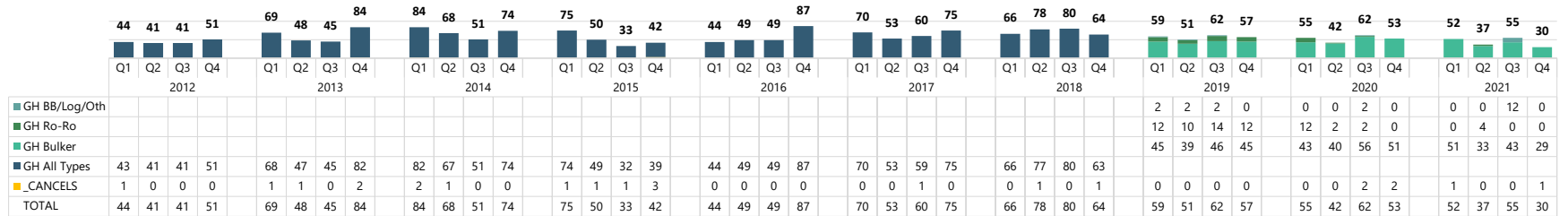


**Puget Sound Pilotage District Assignments 2012-2021,  
quarterly, by vessel type, including cancellations**



**Grays Harbor Pilotage District Assignments 2012-2021  
quarterly, by vessel type when available, including cancellations**





STATE OF WASHINGTON  
**BOARD OF PILOTAGE COMMISSIONERS**

*BPC Mission: to ensure against the loss of lives, loss of or damage to property and vessels, and to protect the marine environment by maintaining efficient and competent pilotage service on our State's inland waters.*



# THE BPC PILOTAGE QUARTERLY

Winter 2022

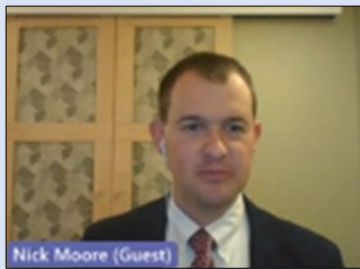
## Announcements

## Oil Transportation Safety Updates



### *Puget Sound Licensure*

At the November 18, 2021, BPC meeting, the Board licensed Captain Nick Moore with license #216 to pilot in the Puget Sound Pilotage District. Congrats Captain Moore!

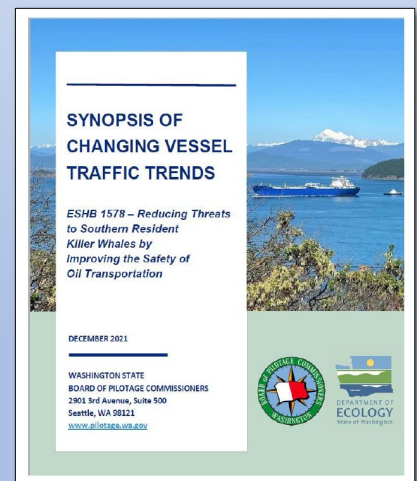


Captain Moore receiving his license virtually at the November Board meeting.

### *Legislative Session*

The regular session of the Washington State Legislature begins Monday, January 10. Find out more at [www.leg.wa.gov](http://www.leg.wa.gov).

The 2019 Legislature passed ESHB 1578 Reducing the Risks to Southern Resident Killer Whales by Improving the Safety of Oil Transportation (The Act) to provide a measured approach to preventing a catastrophic oil spill in Puget Sound by closing important safety gaps related to vessels carrying oil in bulk. The Act directs the Board of Pilotage Commissioners (BPC) to develop rules for tug escorts in Puget Sound for oil-laden vessels by December 31, 2025. Specifically, section 3(1)(d)(2) requires the BPC to submit to the Legislature by December 31, 2021, a Synopsis of Changing Vessel Traffic Trends to assess the effects of the September 1, 2020, tug escort requirement on laden oil tankers between 5,000 and 40,000 deadweight tons, as well as articulated tug barges (ATBs) and towed waterborne vessels or barges greater than 5,000 deadweight tons in Rosario Strait and connected waterways east on vessel traffic.



The report analyzes vessel traffic in both Haro Strait and Rosario Strait over a 2-year period. Year one is the year prior to the September 1, 2020, tug escort requirement in Rosario Strait. Year two is the year after implementation. The objective is to observe if the requirement influenced the routes chosen by laden tank vessels. This synopsis describes the methodology and multiple data sources used to provide a general overview of the effects of the tug escort requirement.

The Department of Ecology prepared the synopsis and presented the final draft to the Board for approval at the [December 9](#) regular meeting of the Board. After approval, the BPC delivered the synopsis to the Legislature as directed by the Act. To read the report or for more info on ESHB 1578, please visit our website at <https://pilotage.wa.gov/oil-transportation-safety.html>.

*Many thanks to our Ecology partners for their excellent work!*

# Women Offshore Conference Recap

The BPC was proud to sponsor the 4<sup>th</sup> Annual Women Offshore (WO) Conference, which occurred virtually on November 5 and 12. The conference was well attended with representation from all over the world. Post conference, WO shared a Conference Impact Report. Here are some highlights:



**20 COUNTRIES REPRESENTED**

- Australia
- Brazil
- Cameroon
- Canada
- Denmark
- Egypt
- India
- Italy

- Kazakhstan
- Malaysia
- Nigeria
- Norway
- Pakistan
- Philippines
- Qatar
- Senegal
- Trinidad and Tobago
- Turkey
- United Kingdom
- United States

EVENT ANALYTICS	
Individual Attendees	354
Watch Party Attendees*	50
Total Attendees	404
Attendees Logged In	75%
Speakers	53
Sessions	19
Attendees in Lounge	86
Lounge Meetings	36
Message Exchanges	1664
Total Views	2620

Above: Ally Cedeno, founder and president of Women Offshore.  
Below: Session Highlights. Images courtesy of Women Offshore.

## SEXUAL ASSAULT AND HARASSMENT PREVENTION PANEL

This was the conversation for taking action to prevent sexual assault and sexual harassment (SASH). Representatives from CGIS, Safer Waves, Seacode, and the Ship Operations Cooperative Program (SOCP) came together to share best practices in preventing SASH and maintaining a safe culture for everyone on board.

## BLACK MARINERS PANEL DISCUSSION

While conversations around allyship and Black experiences have come to the forefront over the past year or so, more must be done and the voices of Black mariners should be elevated and heard. On this panel, Black mariners shared their perspectives of working on the water.

## MOMS OFFSHORE

Do you have a baby on board or a baby at home? This panel of working offshore mothers shared their experiences on how to balance work with family. They shared their lessons learned in raising a family and progressing their careers.

Well done, Women Offshore! You are making a difference!

## BPC Staff Highlight – Did you know?



Jolene with her grandkids (from left) Sylas, Myles, and Lyla.

For this Winter edition of the BPC Pilotage Quarterly, we will focus on BPC Training Program Coordinator Jolene Hamel. Did you know that Jolene...

- has a cochlear implant after experiencing later-in-life sudden deafness?
- has been to all 50 states and is now working on all 7 continents?
- has one item (Paris!) left to check off her original "bucket list" made in a high school psychology class, which she will complete in 2022?
- enjoys skydiving, ziplining, and other adrenaline producing fun, and wants to learn to fly planes next?
- is obsessed with games including board, card, and video, but trivia is her passion?
- is a Grandma, which she says is her favorite life role?

Well now you do! Stay tuned for Program Analyst Bettina Maki's highlight in our Spring edition!

## District Snapshots

### Puget Sound



#### Retirements:

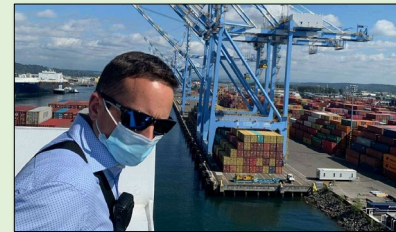
Captain Brian Henshaw  
*Thank you for your service to the state of Washington!*

#### License Upgrades to Unlimited:

There were no upgrades in October, November or December 2021.

#### Training Program:

Currently training are Captains Michael, Ekelmann, Stewart, Bostick, Mann, Holland, Riddle, and Cassee. Starting training on February 1 are Captains Scott and McMullen.



Puget Sound trainee Andrew Stewart training in Tacoma. Image courtesy of Puget Sound Pilots

### Grays Harbor



#### Training Program:

Captains Leo and Grobschmit will begin training in 2022.



**State of Washington  
Pilotage Commission  
January 20, 2021**

**Grays Harbor District Report**

There were 5 arrivals in December for a total of 14 jobs. For the year, we had 67 arrivals for a total of 174 jobs. In total, 2,228,533 MT of cargo went across the Port's docks in 2021. There are 4 vessels scheduled for January: 3 dry bulk and 1 liquid bulk. There is also a log barge scheduled in January.

**T-2 Update**

Dry bulk ship loading operations continue at the Port's Terminal 2 utilizing two portable loaders. We are expecting repairs to the permanent ship loader will be completed by June 1, 2022.

**Projects**

A notice to proceed with the first round of Terminal Dredging was issued to contractor HME on January 1, 2022. This round will have to be completed by February 15, 2022. HME plans to complete the channel dredging prior to terminal dredging. Additional dredging will take place later in the year.

**Federal Delegation**

We had a last-minute visit from Congressman Derek Kilmer on December 23<sup>rd</sup> as our offices were open and the City of Hoquiam was closed for the holiday. We took the opportunity to update the Congressman on the East Terminal 4 Redevelopment and Expansion project and explain our disappointment to learn of our unsuccessful PIDP grant application. However, we remain hopeful as Congressman Kilmer assured us there would be more money coming for programs, like PIDP, in the future thanks to passage of the IIJA.

## PUGET SOUND PILOTAGE DISTRICT ACTIVITY REPORT

**Dec-2021**

The Board of Pilotage Commissioners (BPC) requests the following information be provided to the BPC staff **no later than two working days prior to a BPC meeting** to give Commissioners ample time to review and prepare possible questions regarding the information provided.

Activity						
Total pilotage assignments:	552	Cancellations:	27			
Total ship moves:	525	Cont'r:	159	Tanker:	171	Genl/Bulk: 122 Other: 73
Assignments delayed due to unavailable rested pilot:	33	Total delay time:	163.5			
Delays by customers:	65	Total delay time:	185			
2 pilot jobs:	27	Reason:	PSP GUIDELINES FOR RESTRICTED WATERWAYS			
Day of week & date of highest number of assignments	Saturday 12/18					28
Day of week & date of lowest number of assignments:	Friday 12/31					4
Total number of pilot repositions:	113	Upgrade trips	7	YTD	156	
3 consecutive night assignments:	22	YTD	394			

Callback Days/Comp Days					
	Starting Total	Call Backs (+)	Used (-)	Burned (-)	Ending Total
Licensed	2514	63	55		2522
Unlicensed	251			17	234
Total	2765	63	55	17	2756

### Pilots Out of Regular Dispatch Rotation (pilot not available for dispatch during "regular" rotation)

#### A. Training & Continuing Education Programs

Start Dt	End Dt	City	Facility	Program Description	Pilot Attendees

#### B. Board, Committee & Key Government Meetings (BPC, PSP, USCG, USACE, Port & similar)

Start Dt	End Dt	City	Group	Meeting Description	Pilot Attendees
1-Dec	3-Dec	Tampa	PSP	Navtech Conference	MCG, SLI
1-Dec	1-Dec	Seattle	PSP	Efficiency Committee	ANA, KLA, NIN, SEA
1-Dec	1-Dec	Seattle	PSP	Legislative	VON
2-Dec	3-Dec	Seattle	PSP	Administrative	COL, GRK
2-Dec	2-Dec	Seattle	PSP	Maritime Disaster	VON
2-Dec	2-Dec	Seattle	PSP	Legislative	VON
3-Dec	3-Dec	Seattle	PSP	Administrative	ANA, KLA
4-Dec	5-Dec	Seattle	PSP	Administrative	COL, GRK
6-Dec	6-Dec	Seattle	PSP	General Membership	ANA, COL, KLA
6-Dec	6-Dec	Seattle	PSP	Legislative	VON

7-Dec	7-Dec	Seattle	PSP	BOD	ANA, COL, GRD, GRK, KLA, NEW
7-Dec	7-Dec	Seattle	PSP	Harbor Safety	KAL
8-Dec	8-Dec	Seattle	PSP	General Membership	ANA, COL, KLA
8-Dec	8-Dec	Seattle	BPC	TEC	ANT, BEN
9-Dec	9-Dec	Seattle	BPC	BPC	ANT, BEN
11-Dec	17-Dec	Seattle	PSP	Scheduling	HAM, NIN
14-Dec	14-Dec	Seattle	PSP	BOD	ANA, COL, GRD, GRK, KLA, NEW
15-Dec	15-Dec	Seattle	PSP	VEC	ANT, MCG
16-Dec	16-Dec	Seattle	USCG	USCG Pilotage	BEN, COL
20-Dec	20-Dec	Seattle	PSP	President	KLA
21-Dec	26-Dec	Seattle	PSP	President	COL
22-Dec	22-Dec	Seattle	PSP	File Management	CAJ, HAM, KAL, LOB
23-Dec	23-Dec	Seattle	PSP	COE Systems	SEA
30-Dec	30-Dec	Seattle	PSP	NWSA	BOU, LOB

**C. Other (i.e. injury, not-fit-for-duty status, earned time off, COVID risk)**

Start Dt	End Dt	REASON	PILOT
1-Dec	31-Dec	NFFD	HUP
7-Dec	14-Dec	ETO	BRU, COR, HAJ, KEP, SCR
9-Dec	31-Dec	NFFD	THG
20-Dec	24-Dec	ETO	CAI
21-Dec	28-Dec	ETO	BEN, CAJ, HED, KRI

**Presentations**

If requesting to make a presentation, provide a brief explanation of the subject, the requested amount of

- ⌚ *Presentations may be deferred if prior arrangements have not been made.*
- ⌚ *The Board may also defer taking action on issues being presented with less than 1 week notice prior to a schedule Board Meeting to allow adequate time for the Commissioners and the public to review and prepare for discussion.*

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**Other Information (Any other information requested or intended to be provided to the BPC)**

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# WA State Board of Pilotage Commissioners

Industry Update: January 20, 2022 BPC Meeting

## Vessel Arrivals

*Up 170 in 2021 versus 2020*

🚢 Containers down 22	🚢 Car Carriers up 10
🚢 Bulkers up 9	🚢 Cruise ships up 102 (none in 2020)
🚢 General up 28	🚢 Tankers up 6
🚢 RoRo – no change	🚢 ATB's up 22

Note: 60% of this increase was due to resumption of some cruise ship service. Ship counts rebounding for the most part but not up to the arrival numbers in the years before COVID. A number of container weekly services have been suspended and are likely not to resume until container terminal congestion eases. More empties being picked up in addition to off terminal storage (T46 for example in the North Harbor of NWSA).

Big News: ***First cargo ship calls at newly modernized Terminal 5 in West Seattle***

## Container Vessels Queuing Up: at Anchor, Drifting or Slow Steaming

- ✓ We have seen a marked reduction in the number of container ships at anchor here and off Southern California due to a change in queueing of vessels. We do continue to see a few container ships at anchor here (2 to 4 on a given day).
- ✓ LA/LB has 106 container vessels now with most loitering well offshore as much as 150 miles or more or slow steaming. This represents over 800,000 TEU's in queue.
- ✓ Oakland a big backlog of ships eliminated as port calls were skipped. However, a recent push by exporters and political pressure including white house supply chain attention increased Oakland ship calls and now they are back up to 9 container ships at anchor

## Pilot Service Delays

- ✓ PMSA distributed the Open Letter from the BPC regarding pilot availability and requested members ensure accuracy of pilot orders and take steps to minimize cancelations and delays. PMSA also requested PSP do what they can to provide service without delays including use of call backs. PMSA found no indication of any surge in ship traffic but will continue to monitor for any such signs and share that information immediately.
- ✓ White House Supply Chain envoy continues communications with ports, major ocean carriers, terminal operators and others. If pilot service delays contribute to supply chain challenges, it may become a part of the discussion which would likely include how many pilots there are (50), workload (Avg 20 assignments per day) and what can or should be done to better match supply to demand.

## **Los Angeles and Long Beach Ship Queuing Process Expanded to Oakland**

By Mike Schuler, GCaptain

<https://gcaptain.com/los-angeles-and-long-beach-ship-queuing-process-expanded-to-oakland/>

A new queuing process for containerships at Southern California ports will be expanded north to the Port of Oakland, shipping officials announced Monday. The new process, developed by the Pacific Maritime Association (PMA), Pacific Merchant Shipping Association (PMSA), the Marine Exchange of the San Francisco Bay Region, is meant to improve safety and air quality near the coast by having ships wait for a berth offshore, rather than anchorages in the Bay Area...Effective Monday, containerships will receive a space in the arrival queue based on their departure time from their last port of call, and wait outside a new Safety and Air Quality Area that will extend 50 miles from Northern California until their appointment arrival time. The previous system placed container vessels into the arrival queue based on when they crossed a line 80 nautical miles from the coast.

“The Port of Oakland is a powerful engine for the Northern California economy,” said PMSA President John McLaurin. “This new approach to vessel queuing will help protect this economic driver amid an unprecedented period for consumer demand and inbound cargo volumes.”

## **First cargo ship calls at newly modernized Terminal 5 in West Seattle**

<https://westseattleblog.com/?s=Terminal+5>

MSC Monterey arrived today at Terminal 5 in West Seattle, the first international-cargo ship to call there [since July 2014](#). The expansive terminal hasn't been idle all those years – it's seen [controversy with oil-drilling rigs](#) as well as more-routine use such as [domestic cargo via Matson](#) – but the biggest activity has been the first phase of the half-billion-dollar “modernization” project. Now that phase of work is done and the first berth is in service. The [Northwest Seaport Alliance](#) invited news media onto the dock this morning for a quick (and soggy) look.

Two of Terminal 5's giant cranes – which [arrived last June](#) – are being used to unload MSC Monterey; terminal operator [SSA Marine](#)'s T-5 manager Dana Brand explained the other two aren't in use because the carrier wants to stay a few days, rather than a quick in-and-out. This ship isn't utilizing all of the newly opened berth's capacity in other ways, either – for one, it's a 6,500-TEU (container equivalent) capacity ship; a much-bigger and newer ship – MSC Virgo, 15,000 TEUs – will be here in a few weeks. That ship will use shore power, unlike this one. Also of note, this ship's containers are all going out by truck, not by rail, though the latter will be used later this month.

## **Christmas was saved from the supply-chain bottleneck. The next challenge: Lunar New Year**

By Hugo Martin, LA Times

<https://newstral.com/en/article/en/1212726930/christmas-was-saved-from-the-supply-chain-bottleneck-the-next-challenge-lunar-new-year>

The supply-chain nightmare didn't cancel Christmas, but another holiday crisis is looming: the Lunar New Year. Local lawmakers and port officials accompanying U.S. Transportation Secretary Pete Buttigieg at the Port of Long Beach on Tuesday acknowledged enduring problems with the shipping, unloading and delivery of goods across the country, including the challenge of getting the local ports – a major choke point – to operate around-the-clock... And though one holiday crisis appears to have been averted, a fresh surge of cargo from Chinese manufacturers is expected to flood U.S. ports before Chinese businesses close up to celebrate the Year of the Tiger starting Feb 1. The wave of cargo ships carrying goods to U.S. consumers is expected to reach California in the next two or three weeks, port officials said.

## **Porcari outlines Biden Administration's initiatives to reduce port congestion**

Stas Margaronis, American Journal of Transportation

<https://ajot.com/insights/full/ai-porcari-outlines-biden-administrations-initiatives-to-reduce-port-congestion>

John Porcari, the Biden-Harris Administration's Port Envoy, warned that long-standing shortfalls in U.S. infrastructure spending going back generations have created a reliance on an infrastructure “that our grandparents built.”...Porcari told an International Propeller Club of the United States audience via Zoom that a series of measures including \$17 Billion in infrastructure bill funds for ports are part of the Biden Administration's initiatives to reduce port congestion and supply chain disruptions...“In the spirit of fully utilizing our current infrastructure, we're writing to emphasize the critical nature of service to **underutilized West Coast ports** to ensure American agricultural exports can be freely transported overseas. The Port of Oakland, Port of Portland, and other West Coast ports have excess capacity to alleviate supply chain congestion.





## November's TEU Numbers (So Far)

*Editorial note. Faithful readers of this newsletter will appreciate that, in the past, we have offered a few paragraphs of text enumerating the latest statistics on the volume of containers handled by the American and Canadian ports we monitor. Starting with this issue, we propose to dispense with much of the narrative and instead present what we have learned in a series of tables. Because we exclusively use the container counts provided by the seaports we monitor and because those ports take varying periods of time to report their monthly container tallies, these new tables will necessarily feature some gaps. Some ports (New York/New Jersey being the most notorious laggard) have not posted their November figures by the time we've had to hit the send button. So here, without further ado, is what we know now.*

Perhaps the most intriguing takeaway in **Exhibit 1** is that, despite attention the national media has been lavishing on the huge number of ships lingering off the Ports of Los Angeles and Long Beach, the two ports actually handled 81,659 fewer inbound loaded TEUs in November than they had a year ago, a 9.6% fall-off. Of course, last fall was an exceptionally busy period at the ports as imports swelled to fill the nation's fulfillment centers. Still, we wonder how much the out-of-town press, obliged to report such a seemingly ironic result, will hew to the official explanation offered by the Port of LA that "half of the 86 container vessels that arrived in November had a capacity of less

than 5,300 TEUs, and smaller vessels can take nearly as long to process as larger ones." Left unsaid by the port was how many of the smaller vessels that turned up in November were "sweeper ships" sent to collect empty containers.

Up the coast, the Port of Oakland attributed its 6.5% year-over-year bump in inbound loads in November to additional vessel traffic. Congestion at the Southern California ports had disrupted normal rotations for several weeks in the fall and led vessels to bypass the San Francisco Bay Area gateway. In a December 15 press release, the port said that 75 ships had called in Oakland during November, the most in six months. That increase in ship calls, as **Exhibit 2** reveals, did not benefit exports from the Northern California port. But Oakland was scarcely alone. Except for Charleston and Port Everglades (barely), none of the major U.S. ports showed gains in outbound loads in November. We watch exports from Oakland because of its outsized role in California's agricultural export trade, especially the state's highly valuable overseas shipments of tree nuts. One supposition was that the sharp September and October drops in almond and walnut exports (as reported by the California Almond Board and the California Walnut Board) could be attributed largely to the fact that fewer ships were calling at Oakland for several weeks this fall. It's a supposition that remains to be tested.



## Protecting Blue Whales and Blue Skies

### Vessel Speed Reduction Incentive Program

A partnership for cleaner air,  
safer whales, and a quieter ocean

<https://www.bluewhalesblueskies.org>





## November's TEU Numbers (So Far) *Continued*

<b>Exhibit 1</b>		<b>November 2021 - Inbound Loaded TEUs at Selected Ports</b>									
	<b>Nov 2021</b>	<b>Nov 2020</b>	<b>% Change</b>	<b>Nov 2019</b>	<b>% Change</b>	<b>Nov 2021 YTD</b>	<b>Nov 2020 YTD</b>	<b>% Change</b>	<b>Nov 2019 YTD</b>	<b>% Change</b>	
Los Angeles	403,444	464,820	-13.2%	371,350	8.6%	5,128,035	4,366,177	17.4%	4,340,757	18.1%	
Long Beach	362,394	382,677	-5.3%	293,287	23.6%	4,223,159	3,592,268	17.6%	3,435,208	22.9%	
<b>San Pedro Bay Totals</b>	<b>765,838</b>	<b>847,497</b>	<b>-9.6%</b>	<b>664,637</b>	<b>15.2%</b>	<b>9,351,194</b>	<b>7,958,445</b>	<b>17.5%</b>	<b>7,775,965</b>	<b>20.3%</b>	
Oakland	83,097	78,048	6.5%	77,367	7.4%	976,560	905,759	7.8%	893,929	9.2%	
NWSA	125,892	117,151	7.5%	94,978	32.5%	1,367,378	1,131,349	20.9%	1,263,429	8.2%	
Hueneme	9,882	5,276	87.3%	4,715	109.6%	91,822	44,687	105.5%	54,707	67.8%	
San Diego	6,062	7,106	-14.7%	5,772	105.0%	74,537	68,469	8.9%	64,735	15.1%	
<b>USWC Totals</b>	<b>990,771</b>	<b>1,055,078</b>	<b>-6.1%</b>	<b>847,469</b>	<b>16.9%</b>	<b>11,861,491</b>	<b>10,108,709</b>	<b>17.3%</b>	<b>10,052,765</b>	<b>18.0%</b>	
Boston	5,883	10,461	-43.8%	11,538	-49.0%	86,866	124,984	-30.5%	138,196	-37.1%	
NYNJ		382,912		301,123			3,562,361		3,482,007		
Maryland		47,148		47,148			478,225		482,796		
Virginia	141,617	125,214	13.1%	103,410	36.9%	1,521,938	1,193,758	27.5%	1,262,673	20.5%	
South Carolina	127,081	93,369	36.1%	82,785	53.5%	1,176,191	939,434	25.2%	984,353	19.5%	
Georgia	236,991	234,583	1.0%	173,863	36.3%	2,562,892	2,081,975	23.1%	2,046,532	25.2%	
Jaxport		27,027		27,390			289,729		325,383		
Port Everglades	34,238	26,280	30.3%	26,959	27.0%	333,035	271,126	22.8%	290,053	14.8%	
Miami	37,943	45,816	-17.2%	37,763	0.5%	497,177	396,239	25.5%	405,593	22.6%	
<b>USEC Totals</b>											
New Orleans	9,354	10,915	-14.3%	10,155	-7.9%	116,250	126,088	-7.8%	123,540	-5.9%	
Houston	152,528	122,475	24.5%	101,494	50.3%	1,485,724	1,167,919	27.2%	1,144,516	29.8%	
<b>USGC Totals</b>	<b>161,882</b>	<b>133,390</b>	<b>21.4%</b>	<b>111,649</b>	<b>45.0%</b>	<b>1,601,974</b>	<b>1,294,007</b>	<b>23.8%</b>	<b>1,268,056</b>	<b>26.3%</b>	
Vancouver	125,017	162,436	-23.0%	123,918	0.9%	1,764,598	1,630,118	8.2%	1,568,840	12.5%	
Prince Rupert		51,272		58,181			584,435		616,904		
<b>BC Totals</b>											

Source Individual Ports



## November's TEU Numbers (So Far) *Continued*

Exhibit 2		November 2021 - Outbound Loaded TEUs at Selected Ports									
	Nov 2021	Nov 2020	% Change	Nov 2019	% Change	Nov 2021 YTD	Nov 2020 YTD	% Change	Nov 2019 YTD	% Change	
Los Angeles	82,741	130,917	-36.8%	138,545	-40.3%	1,113,273	1,411,202	-21.1%	1,625,950	-31.5%	
Long Beach	109,821	117,283	-6.4%	123,705	-11.2%	1,323,999	1,343,518	-1.5%	1,347,409	-1.7%	
<b>San Pedro Bay Totals</b>	<b>192,562</b>	<b>248,200</b>	<b>-22.4%</b>	<b>262,250</b>	<b>-26.6%</b>	<b>2,437,272</b>	<b>2,754,720</b>	<b>-11.5%</b>	<b>2,973,359</b>	<b>-18.0%</b>	
Oakland	72,155	79,667	-9.4%	81,780	-11.8%	796,650	852,469	-6.5%	856,376	-7.0%	
NWSA	59,341	72,746	-18.4%	73,589	-19.4%	650,743	726,771	-10.5%	837,468	-22.3%	
Hueneme	3,836	1,318	191.0%	1,181	224.8%	28,280	11,167	153.2%	13,671	106.9%	
San Diego	652	450	44.9%	272	139.7%	5,838	3,312	76.3%	3,417	70.9%	
<b>USWC Totals</b>	<b>328,546</b>	<b>402,381</b>	<b>-18.3%</b>	<b>419,072</b>	<b>-21.6%</b>	<b>3,918,783</b>	<b>4,348,439</b>	<b>-9.9%</b>	<b>4,684,291</b>	<b>-16.3%</b>	
Boston	4,560	6,298	-27.6%	6,128	-25.6%	61,044	71,922	-15.1%	75,856	-19.5%	
NYNJ		118,712		119,422			1,217,152		1,349,679		
Maryland		21,032		20,254			204,352		215,100		
Virginia	84,002	89,032	-5.6%	77,241	8.8%	960,921	858,014	12.0%	887,839	8.2%	
South Carolina	67,639	64,447	5.0%	62,831	7.7%	757,829	707,573	7.1%	755,060	0.4%	
Georgia	102,508	113,357	-9.6%	119,126	-13.9%	1,297,433	1,309,097	-0.9%	1,359,049	-4.5%	
Jaxport		43,814		44,440			467,398		459,136		
Port Everglades	31,605	31,476	0.4%	39,665	-20.3%	356,392	310,684	14.7%	395,428	-9.9%	
Miami	24,020	25,633	-6.3%	35,774	-32.9%	311,869	316,216	-1.4%	381,432	-18.2%	
<b>USEC Totals</b>											
New Orleans	18,818	22,781	-17.4%	23,600	-20.3%	203,943	255,768	-20.3%	275,207	-28.9%	
Houston	94,933	102,755	-7.6%	107,927	-12.0%	978,322	1,124,005	-13.0%	1,163,306	-15.9%	
<b>USGC Totals</b>	<b>113,751</b>	<b>125,536</b>	<b>-9.4%</b>	<b>131,527</b>	<b>-13.5%</b>	<b>1,182,265</b>	<b>1,379,773</b>	<b>-14.3%</b>	<b>1,438,513</b>	<b>-17.8%</b>	
Vancouver	56,465	82,062	-31.2%	91,707	-38.4%	830,108	954,878	-13.1%	1,035,082	-19.8%	
Prince Rupert		12,949		15,250			174,880		174,726		
<b>BC Totals</b>											

Source Individual Ports



## November's TEU Numbers (So Far) Continued

Further north, the Port of Tacoma and Seattle (operating as the Northwest Seaport Alliance) reported a 7.5% year-over-year bump in loaded import TEUs. Export loads plummeted, however. Further growth in container volumes is expected following next month's completion of a modernization project at Terminal 5 in Seattle.

The near universal drop in export loads hardly meant that ships were leaving U.S. ports empty. November saw a flourishing trade in outbound empties. At the two San Pedro Bay ports in Southern California, outbound empties in November represented 37.6% of total container traffic that month. Over on the East Coast, 30.8% of the 495,749 TEUs that passed through Savannah in November were empty outbound containers. Although Oakland stood out among the major USWC ports for having shipped more loaded than empty containers in November, nowhere was the imbalance in trade more acute than at the Port of LA, where outbound empties in November exceeded outbound loads by a factor of nearly four-to-one.

### Detailing the October 2021 TEU Numbers

In the following pages, Exhibits 4-6 display the latest complete TEU tallies from the U.S. and Canadian seaports we monitor. In some cases, ports have revised their October container statistics in just the last few days. Those revisions are incorporated in the following three exhibits, which should be familiar to readers of this newsletter, who are again reminded that our policy is to cite only the TEU numbers reported by the respective ports. It is the only such compilation of port TEU data that we are aware of.

Exhibit 3	November 2021 Total TEUs (Loaded and Empty) Handled at Selected Ports				
	Nov 2021	Nov 2020	% Change	Nov 2019	% Change
Los Angeles	9,891,021	8,334,212	18.7%	8,590,884	15.1%
Long Beach	8,630,053	7,297,430	18.3%	6,966,772	23.9%
<b>San Pedro Bay Ports</b>	<b>18,521,074</b>	<b>15,631,642</b>	<b>18.5%</b>	<b>15,557,656</b>	<b>19.0%</b>
NYNJ		6,876,744		6,886,388	
Georgia	5,148,212	4,234,732	21.6%	4,238,344	21.5%
Vancouver	3,432,231	3,146,221	9.1%	3,126,993	9.8%
NWSA	3,482,104	3,018,565	15.4%	3,490,581	-0.2%
Virginia	3,197,307	2,553,014	25.2%	2,713,061	17.8%
Houston	3,150,062	2,724,721	15.6%	2,736,345	15.1%
South Carolina	2,505,244	2,100,390	19.3%	2,248,305	11.4%
Oakland	2,278,583	2,252,923	1.1%	2,306,497	-1.2%
Montreal	1,585,465	1,467,501	8.0%	1,609,900	-1.5%
JaxPort		1,179,338		1,235,362	
Miami	1,133,589	971,033	16.7%	1,049,363	8.0%
Prince Rupert		1,031,304		1,103,678	
Port Everglades	973,678	848,303	14.8%	949,196	2.6%
Maryland		961,599		991,781	
Philadelphia	682,983	589,094	15.9%	554,337	23.2%
New Orleans	451,413	523,081	-13.7%	586,218	-23.0%
Hueneme	199,756	154,010	29.7%	109,594	82.3%
Boston	176,717	242,984	-27.3%	277,979	-36.4%
San Diego	146,015	136,377	7.1%	129,504	12.7%
Portland, Oregon	93,195	49,826	87.0%	26	

Source Individual Ports



## Exhibit 4 October 2021 - Inbound Loaded TEUs at Selected Ports

	Oct 2021	Oct 2020	% Change	Oct 2019	% Change	Oct 2021 YTD	Oct 2020 YTD	% Change	Oct 2019 YTD	% Change
Los Angeles	467,287	506,613	-7.8%	392,769	19.0%	4,724,592	3,901,357	21.1%	3,969,407	19.0%
Long Beach	385,000	402,408	-4.3%	337,062	14.2%	3,860,767	3,209,592	20.3%	3,141,921	22.9%
<b>San Pedro Bay Totals</b>	<b>852,287</b>	<b>909,021</b>	<b>-6.2%</b>	<b>729,831</b>	<b>16.8%</b>	<b>8,585,359</b>	<b>7,110,949</b>	<b>20.7%</b>	<b>7,111,328</b>	<b>20.7%</b>
Oakland	69,147	86,753	-20.3%	78,583	-12.0%	900,981	827,713	8.9%	816,563	10.3%
NWSA	123,328	114,569	7.6%	109,469	12.7%	1,241,488	1,014,198	22.4%	1,168,451	6.3%
Hueneme	10,176	4,829	110.7%	5,180	96.4%	81,940	39,411	7.9%	49,982	63.9%
San Diego	7,512	5,216	44.0%	5,284	42.2%	68,475	61,363	11.6%	58,963	16.1%
<b>USWC Totals</b>	<b>1,062,450</b>	<b>1,120,388</b>	<b>-5.2%</b>	<b>928,347</b>	<b>14.4%</b>	<b>10,878,243</b>	<b>9,053,634</b>	<b>20.2%</b>	<b>9,205,287</b>	<b>18.2%</b>
Boston	6,083	11,653	-47.8%	15,091	-59.7%	164,282	224,002	-26.7%	255,073	-35.6%
NYNJ	398,535	403,103	-1.1%	339,443	17.4%	3,812,566	3,179,449	19.0%	3,180,884	19.9%
Maryland	35,333	51,651	-31.6%	44,150	-20.0%	420,707	431,077	-2.4%	443,881	-5.2%
Virginia	148,212	131,770	12.5%	124,142	19.4%	1,380,322	1,068,544	29.2%	1,159,263	19.1%
South Carolina	107,773	96,563	11.6%	95,302	13.1%	1,049,110	846,068	24.0%	901,750	16.3%
Georgia	259,314	233,215	11.2%	199,483	30.0%	2,325,901	1,847,392	25.9%	1,872,669	24.2%
Jaxport	20,869	31,229	-33.2%	30,893	-32.4%	262,889	262,702	0.1%	297,993	-11.8%
Port Everglades	29,940	26,882	11.4%	23,304	28.5%	298,797	244,846	22.0%	263,094	13.6%
Miami	44,613	46,378	-3.8%	41,628	7.2%	459,234	350,423	31.1%	367,830	24.8%
<b>USEC Totals</b>	<b>1,050,672</b>	<b>1,032,444</b>	<b>1.8%</b>	<b>913,436</b>	<b>15.0%</b>	<b>10,173,808</b>	<b>8,454,503</b>	<b>20.3%</b>	<b>8,742,437</b>	<b>16.4%</b>
New Orleans	11,451	11,495	-0.4%	11,250	1.8%	106,892	115,173	-7.2%	102,464	4.3%
Houston	151,395	135,175	12.0%	110,585	36.9%	1,333,216	1,045,454	27.5%	1,043,022	27.8%
<b>USGC Totals</b>	<b>162,846</b>	<b>146,670</b>	<b>11.0%</b>	<b>121,835</b>	<b>33.7%</b>	<b>1,440,108</b>	<b>1,160,627</b>	<b>24.1%</b>	<b>1,145,486</b>	<b>25.7%</b>
Vancouver	172,170	193,219	-10.9%	136,138	26.4%	1,369,581	1,467,682	-6.7%	1,444,922	-5.2%
Prince Rupert	57,891	67,307	-14.0%	57,644	0.4%	456,076	533,163	-14.5%	588,723	-22.5%
<b>BC Totals</b>	<b>230,061</b>	<b>260,526</b>	<b>-11.7%</b>	<b>193,782</b>	<b>187.0%</b>	<b>1,825,657</b>	<b>2,000,845</b>	<b>-8.8%</b>	<b>2,033,645</b>	<b>-10.2%</b>
<b>US/BC Totals</b>	<b>2,506,029</b>	<b>2,560,028</b>	<b>-2.1%</b>	<b>2,157,400</b>	<b>16.2%</b>	<b>24,317,816</b>	<b>20,669,609</b>	<b>17.7%</b>	<b>21,126,855</b>	<b>15.1%</b>
<b>US Total</b>	<b>2,275,968</b>	<b>2,299,502</b>	<b>1.0%</b>	<b>1,963,618</b>	<b>15.9%</b>	<b>22,492,159</b>	<b>18,668,764</b>	<b>20.5%</b>	<b>19,093,210</b>	<b>17.8%</b>
<b>USWC/BC</b>	<b>1,292,511</b>	<b>1,380,914</b>	<b>-6.4%</b>	<b>1,122,129</b>	<b>15.2%</b>	<b>12,703,900</b>	<b>11,054,479</b>	<b>14.9%</b>	<b>11,238,932</b>	<b>13.0%</b>

Source Individual Ports



## Exhibit 5 October 2021 - Outbound Loaded TEUs at Selected Ports

	Oct 2021	Oct 2020	% Change	Oct 2019	% Change	Oct 2021 YTD	Oct 2020 YTD	% Change	Oct 2019 YTD	% Change
Los Angeles	98,251	143,936	-31.7%	140,332	-30.0%	1,030,351	1,280,226	-19.5%	1,487,405	-30.7%
Long Beach	122,214	114,679	6.6%	131,635	-7.2%	1,214,178	1,226,235	-1.0%	1,223,704	-0.8%
<b>San Pedro Bay Totals</b>	<b>220,465</b>	<b>258,615</b>	<b>-14.8%</b>	<b>271,967</b>	<b>-18.9%</b>	<b>2,244,529</b>	<b>2,506,461</b>	<b>-10.5%</b>	<b>2,711,109</b>	<b>-17.2%</b>
Oakland	56,358	86,942	-35.2%	87,393	-35.5%	717,516	772,713	-7.1%	774,596	-7.4%
NWSA	58,102	64,282	-9.6%	79,321	-26.8%	591,405	654,026	-9.6%	763,879	-22.6%
Hueneme	4,134	1,207	242.5%	1,294	219.5%	24,444	9,849	148.2%	12,490	95.7%
San Diego	791	272	190.8%	202	291.6%	5,186	2,682	93.4%	3,145	64.9%
<b>USWC Totals</b>	<b>339,850</b>	<b>411,318</b>	<b>-17.4%</b>	<b>440,177</b>	<b>-22.8%</b>	<b>3,583,080</b>	<b>3,945,731</b>	<b>-9.2%</b>	<b>4,265,219</b>	<b>-16.0%</b>
Boston	4,011	8,047	-50.2%	7,999	-5.4%	56,484	65,624	-23.9%	69,728	-19.0%
NYNJ	120,250	118,281	1.7%	127,256	-5.5%	1,134,439	1,098,390	3.3%	1,230,257	-7.8%
Maryland	20,705	23,438	-11.7%	20,134	2.8%	209,258	183,320	14.1%	194,846	7.4%
Virginia	88,710	83,705	6.0%	86,557	2.5%	876,919	768,982	14.0%	810,598	8.2%
South Carolina	67,595	69,093	-2.2%	69,952	-3.4%	690,190	643,126	7.3%	692,229	-0.3%
Georgia	112,907	117,148	-3.6%	127,971	-11.8%	1,194,925	1,195,740	-0.1%	1,239,923	-3.6%
Jaxport	48,543	50,594	-4.1%	44,848	8.2%	487,009	423,584	15.0%	414,696	17.4%
Port Everglades	37,646	33,368	12.8%	38,158	-1.3%	324,786	297,208	9.3%	355,763	-8.7%
Miami	27,385	27,573	-0.7%	37,507	-27.0%	287,849	290,583	-0.9%	345,658	-16.7%
<b>USEC Totals</b>	<b>527,752</b>	<b>531,247</b>	<b>-0.7%</b>	<b>560,382</b>	<b>-5.8%</b>	<b>5,261,859</b>	<b>4,966,557</b>	<b>5.9%</b>	<b>5,353,698</b>	<b>-1.7%</b>
New Orleans	18,454	23,662	-22.0%	26,358	-30.0%	210,210	232,987	-9.8%	251,607	-16.5%
Houston	94,933	97,185	-2.3%	109,362	-13.2%	883,913	1,021,250	-13.4%	1,055,379	-16.2%
<b>USGC Totals</b>	<b>113,387</b>	<b>120,847</b>	<b>-6.2%</b>	<b>135,720</b>	<b>-16.5%</b>	<b>1,094,123</b>	<b>1,254,237</b>	<b>-12.8%</b>	<b>1,306,986</b>	<b>-16.3%</b>
Vancouver	69,185	89,933	-23.1%	87,362	-20.8%	773,641	872,816	-11.4%	943,375	-18.0%
Prince Rupert	16,565	15,322	8.1%	13,917	19.0%	135,488	161,931	-16.3%	159,476	-15.0%
<b>BC Totals</b>	<b>85,750</b>	<b>105,255</b>	<b>-18.5%</b>	<b>101,279</b>	<b>-15.3%</b>	<b>909,129</b>	<b>1,034,747</b>	<b>-12.1%</b>	<b>1,102,851</b>	<b>-17.6%</b>
<b>US/Canada Total</b>	<b>1,066,739</b>	<b>1,168,667</b>	<b>-8.7%</b>	<b>1,237,558</b>	<b>-13.8%</b>	<b>10,848,191</b>	<b>11,201,272</b>	<b>-3.2%</b>	<b>12,028,754</b>	<b>-9.8%</b>
<b>US Total</b>	<b>980,989</b>	<b>1,063,412</b>	<b>-7.8%</b>	<b>1,136,279</b>	<b>-13.7%</b>	<b>9,939,062</b>	<b>10,166,525</b>	<b>-2.2%</b>	<b>10,925,903</b>	<b>-9.0%</b>
<b>USWC/BC</b>	<b>425,600</b>	<b>516,573</b>	<b>-17.6%</b>	<b>541,456</b>	<b>-21.4%</b>	<b>4,492,209</b>	<b>4,980,478</b>	<b>-9.8%</b>	<b>5,368,070</b>	<b>-16.3%</b>

Source Individual Ports



## Detailing the October 2021 TEU Numbers Continued

### Weights and Values

Although the TEU is the conventional metric for measuring containerized trade, we also use two alternative measures – the declared weight and value of the goods loaded into those TEUs – to determine the share of the nation’s box trade that passes through the chief USWC ports. Please note that the percentages in the following exhibits are derived from data compiled by the U.S. Commerce Department from documentation submitted by the importers and exporters of record. Commerce then makes the data available with a time-lag of approximately five weeks.

**Exhibit 7** shows how the three major USWC gateways have been faring with respect to their respective shares of containerized imports discharged at mainland U.S. seaports in October. Although the five major USWC maritime gateways obviously dominate the movement of containers through ports in the states of California, Oregon, and Washington, smaller USWC ports have boosted the major ports’ combined share of containerized import tonnage through mainland U.S. ports by 1.5-2.0%. In October, for example, the total USWC share of containerized import tonnage through mainland ports was 36.8%, a full two percentage points higher than the 34.8% share jointly held by the USWC Big Five. Similarly, the smaller USWC ports helped nudge the USWC share of containerized export tonnage in October to 34.1% from the 32.5% share held collectively by the Big Five.

On a value basis, roughly one-third of the \$80.75 billion in containerized imports that entered mainland U.S. ports in October came through San Pedro Bay.

Exhibit 6	October 2021 Total TEUs (Loaded and Empty) Handled at Selected Ports				
	Oct 2021	Oct 2020	% Change	Oct 2019	% Change
Los Angeles	9,079,561	7,444,464	22.0%	7,861,966	15.5%
Long Beach	7,884,565	6,513,908	21.0%	6,366,787	23.8%
<b>San Pedro Bay Ports</b>	<b>16,964,126</b>	<b>13,958,372</b>	<b>21.5%</b>	<b>14,228,753</b>	<b>19.2%</b>
NYNJ	7,455,786	6,137,859	21.5%	6,286,762	18.6%
Georgia	4,652,463	3,769,927	23.4%	3,875,380	20.1%
Vancouver	3,185,381	2,830,500	12.5%	2,869,050	11.0%
NWSA	3,156,500	2,716,633	16.2%	3,219,673	-2.0%
Virginia	2,906,546	2,273,146	27.9%	2,486,079	16.9%
Houston	2,835,486	2,461,791	15.2%	2,490,607	13.8%
South Carolina	2,254,533	1,893,324	19.1%	2,063,377	9.3%
Oakland	2,088,021	2,055,160	1.6%	2,109,141	-1.0%
Montreal	1,430,210	1,315,830	8.7%	1,462,596	-2.2%
JaxPort	1,160,832	1,068,615	8.6%	1,124,779	3.2%
Miami	1,046,806	870,698	20.2%	951,314	10.0%
Port Everglades	884,729	935,540	-5.4%	998,133	-2.8%
Maryland	882,897	768,103	14.9%	856,101	3.1%
Prince Rupert	854,249	867,913	-1.6%	909,243	-6.0%
Philadelphia	620,477	537,698	15.4%	512,923	21.0%
New Orleans	416,682	476,507	-12.6%	525,872	-20.8%
Hueneme	180,168	140,340	28.4%	100,622	79.1%
Boston	164,282	224,002	-26.7%	255,073	-35.6%
San Diego	133,765	122,351	9.3%	118,234	13.1%
Portland, Oregon	83,747	43,557	92.3%	26	
<b>US/Canada Total</b>	<b>53,357,686</b>	<b>45,467,866</b>	<b>17.4%</b>	<b>47,443,738</b>	<b>12.5%</b>
<b>US Mainland Only</b>	<b>47,857,366</b>	<b>40,385,996</b>	<b>18.5%</b>	<b>42,113,959</b>	<b>13.6%</b>

Source Individual Ports



## Detailing the October 2021 TEU Numbers Continued

**Exhibit 7** Major USWC Ports Shares of U.S. Mainland Ports Worldwide Container Trade, October 2021

	Oct 2021	Sep 2021	Oct 2020
<b>Shares of U.S. Mainland Ports' East Asian Container Import Tonnage</b>			
LA/LB	27.4%	28.8%	29.2%
Oakland	2.8%	2.8%	3.5%
NWSA	4.6%	4.2%	4.6%
<b>Shares of U.S. Mainland Ports' East Asian Container Import Value</b>			
LA/LB	33.5%	35.4%	36.1%
Oakland	2.3%	2.5%	3.3%
NWSA	6.3%	5.5%	6.2%
<b>Shares of U.S. Mainland Ports' East Asian Container Export Tonnage</b>			
LA/LB	18.9%	19.2%	21.4%
Oakland	6.5%	6.2%	7.1%
NWSA	7.1%	6.9%	7.7%
<b>Shares of U.S. Mainland Ports' East Asian Container Export Value</b>			
LA/LB	16.7%	17.3%	20.5%
Oakland	6.3%	6.2%	8.3%
NWSA	4.1%	4.1%	4.5%

Source: U.S. Commerce Department.

The total USWC share was 43.2%, of which the second-tier ports contributed 1.1%.

Smaller U.S. West Coast ports like the Port of Hueneme and the Port of San Diego are vital ports-of-entry for refrigerated containers laden with fresh fruit imports from Central and South America. Oregon's Port of Portland is busily re-building its international container trade, with the number of total TEUs handled through November of this year (93,195 TEUs) up from just 26 at this point two years ago. The Port of Everett (Washington) also handles several thousand containers a year, many of them on behalf of a local aircraft manufacturer.

While the maritime industry measures containerized trade in TEUs, economists generally prefer using currency

**Exhibit 8** Major USWC Ports Shares of U.S. Mainland Ports Containerized Trade with East Asia, October 2021

	Oct 2021	Sep 2021	Oct 2020
<b>Shares of U.S. Mainland Ports Containerized Import Tonnage</b>			
LA/LB	44.5%	47.2%	45.9%
Oakland	3.0%	3.3%	3.8%
NWSA	7.2%	6.4%	6.7%
<b>Shares of U.S. Mainland Ports Containerized Import Value</b>			
LA/LB	49.3%	52.2%	51.7%
Oakland	2.5%	2.9%	3.9%
NWSA	9.2%	7.8%	8.7%
<b>Shares of U.S. Mainland Containerized Export Tonnage</b>			
LA/LB	34.0%	34.1%	35.5%
Oakland	9.0%	9.1%	8.7%
NWSA	12.5%	11.9%	12.1%
<b>Shares of U.S. Mainland Containerized Export Value</b>			
LA/LB	36.5%	37.0%	39.9%
Oakland	10.5%	11.0%	12.4%
NWSA	9.6%	8.6%	8.6%

Source: U.S. Commerce Department.

values. So it's worth noting that, while the Ports of Los Angeles and Long Beach saw their combined share of the declared value of U.S. containerized imports decline in October from a year earlier, the Port of New York/New Jersey (up to 17.6% from 17.3%) and Savannah (up to 10.1% from 9.4%) grew their respective shares.

As for their respective shares of the value of containerized exports, the two San Pedro Bay ports sustained a significant decline from last October, from 20.5% down to 16.7%. Also seeing their shares decline were the PNYNJ (to 13.6% from 14.6%) and Savannah (to 8.3% from 8.6%). Gaining share was Houston (to 12.1% this October from 10.0% a year earlier).

**Exhibit 8** displays the shares of U.S. container trade





## Detailing the October 2021 TEU Numbers *Continued*

involving the Far East handled by the five major USWC ports. Collectively, these five ports handled 54.7% of all containerized import tonnage that entered U.S. mainland ports from the Far East in October, down from their combined 56.4% share a year earlier.

### Switching to Air?

Speculation has it that seaport congestion has led numerous importers of high-value or time-sensitive industrial components and consumer merchandise to ship those goods by air, notwithstanding the premium costs of airborne shipments. We have been closely watching the oceanborne vs. airborne import data for the past year or so. Compared with a year earlier, containerized import tonnage from the Far East was up 1.0%, while airfreighted import tonnage from the same countries jumped by 20.0%. By value, airborne imports were up 17.0%, while the value of the containerized imports rose by just 5.4%.

### Marine Highways

The Biden administration has signaled a keen interest in establishing more marine highway routes to relieve pressure on existing road and rail – and more lately to help reduce the burden on the nation’s beleaguered seaports. So, on December 13, the U.S. Department of Transportation’s Maritime Administration awarded \$12.6 million in grants to nine marine highway projects around the country under the America’s Marine Highways Program. This is in addition to the funding approved under the Bipartisan Infrastructure Law to increase the use of inland waterways.

We went this route before when Mr. Biden was Vice President in 2010 when TIGER 1 awards were allocated to the Ports of Oakland, Stockton, and West Sacramento for the acquisition of equipment needed to move containerized cargo among the three ports. The hope was that containers filled with almonds, walnuts, and rice could be shipped from the two inland ports to Oakland. There was a potential public policy benefit in reducing truck traffic and diesel emissions on Northern California highways. There was also a potential benefit to exporters who could load containers beyond the weight limits allowed on the state’s roads.

So it came to pass that in August 2011, two barges were purchased by the Port of Stockton, and M-580 container service was finally initiated in April 2013.

Seventeen months later, in September 2014, the barge service was suspended, permanently.

As one trucking company’s newsletter commented at the time: “The M580 “green” marine highway is dead, and it never stood a chance. It was neither operationally practical, environmentally beneficial nor economically sustainable. It was a shameful waste of taxpayer dollars that was forced upon the region by naive, close-minded and politically motivated bureaucrats within DOT and MARAD. Every industry insider knew it to be a white elephant, yet red flags were ignored by environmental do-gooders.”

Three years later, the Port of Stockton reached out to MARAD for guidance on disposing of these assets. By February 2018, MARAD indicated the port could sell the barges if no other federally supported projects could find use for them.

Evidently, no one else wanted them. So, on October 18 of this year, Stockton’s Port Commissioners voted to execute a brokerage agreement with Pacific Rim Shipbrokers of Bainbridge, Washington, for the sale of barges, which had been christened M-580 A and M-580 B.

### Nuts to Houston?

We continue to hear talk about tree nut growers in California’s Central Valley, frustrated with their alleged inability to move their produce out of the nearby Port of Oakland, shipping containers filled with almonds and walnuts by rail to the Port of Houston.

Sometimes, the talk we hear gets picked up by journalists who feel compelled to share this information with the reading, viewing, or twittering public. In that way, idle gossip being passed around down at the feed store gets passed off as gospel truth. A recent article in *Ag Alert*, a publication of the California Farm Bureau, quoted one prominent if not necessarily well-informed industry figure that the state’s nut processors have become “so desperate...to get shipments to their customers that they’ve resorted to paying more to move pistachios and walnuts via rail to ports in Texas and the East Coast.”

It is our prayer that reporters overhearing talk like this would ask to see the waybills before filing their reports.

Here at the *West Coast Trade Report*, we don’t sit around a potbelly stove down at the feed store chewing the fat and



## Detailing the October 2021 TEU Numbers *Continued*

sharing fables. Our preference is to warm ourselves with the glow of computer screens displaying trade statistics compiled by reputable sources like the U.S. Government and based on information supplied on shipping documents submitted by the exporters of record.

Although we are seeing a sharp falloff in tree nut exports, our spreadsheets don't indicate a lot of nuts being shipped overseas through Buffalo Bayou and out through Galveston Bay.

Consider almonds. October is the latest month for which U.S. government export statistics that allow us to track commodity exports by port are available. That month saw 97,368 metric tons of almonds shipped from ports nationwide. Houston's share of the trade? 0.2%, down from 0.5% in September and 0.8% in August.

Then there's walnuts. 34,972 metric tons left U.S. ports during the month of October. Houston's share? 0.5%, up from 0.0% the month before. That's a trickle, not a massive diversion.

And there's pistachios. Unlike almonds and walnuts, the Ports of LA and Long Beach are the preferred ports through which pistachios travel abroad. In October, 42,128 metric tons of pistachios sailed overseas. Houston's share? 0.1%, the same as in September and actually down from 0.9% in August.

For the record, tree nut exports in November fell by significant margins from a year ago. The California Walnut Board reports that walnut exports in November were down 41.8% from a year earlier. The data also indicate that domestic shipments were off by 14.3% and that exports to Canada (most all of which are delivered by truck or rail) were down by 40.0%.

Pistachio exports were also down in November by 15.0% from a year earlier. Domestic shipments, however, rose 5.2% from last November.

The California Almond Board reports that November exports were down 20.2% from a year earlier. Domestic shipments were also off but by only 4.0%.

### Christmas in Hawaii

It was hard to overlook the lede in a December 11 story in The Maui News by Serena Fukushima: "Nothing heralds the holiday season like the Christmas tree, but did you

know that most of Hawaii's Christmas trees are not from here?"

Yes, but from whence did they come?

Some years ago, when Hong Kong was still in British hands, an enterprising fellow would park his truck outside the U.S. Consulate and sell Christmas trees to consulate staff and any ex-pats who might wander by. When asked where they came from, his response sounded like a growl. When pressed, he would in frustration hold up an import certificate indicating the trees came from Oregon.

This year, as Ms. Fukushima's article went on to report, more than 150 shipping containers were expected to arrive in Hawaii containing more than 90,000 trees. About 99 percent of them are Douglas and noble firs, grown and shipped from Oregon. Once they arrive, they are inspected for invasive pests by the Hawaii Department of Agriculture. As it turns out, the odd twist in her article was that Hawaii's chief Christmas tree inspector these days just happens to be a man who had formerly worked for 17 years for the Oregon Department of Agriculture, partly as a Christmas tree inspector.

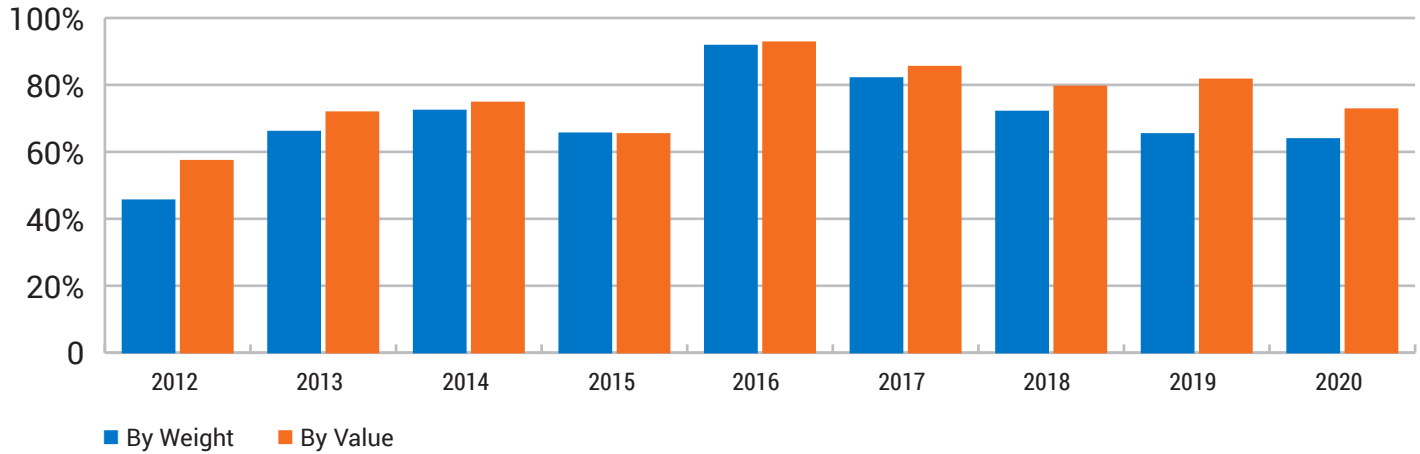
Of course, Hawaii isn't the only overseas destination for Oregon's Christmas trees. But it is clearly a trade driven by ex-pats and military deployments. Despite its tribulations of late, Hong Kong remains the biggest foreign market, with Singapore second. Surprisingly, the third biggest overseas customer recently has been the United Arab Emirates. Smaller shipments went to the Philippines, Japan, and China.

We expect that there will be an effort to blame ocean carriers for any decline in this season's shipments of Christmas trees from the Northwest Seaport Alliance Ports of Tacoma and Seattle. In 2020, the two facilities handled 64.9% of all Christmas tree exports from the U.S. It will be a few weeks before we see definitive numbers for this year. However, according to the U.S. Department of Agriculture, the 3.44 million Christmas trees Oregon growers cut and sold in 2020 was down 27% from 2015, a decline that was due to a 24% reduction in tree-growing acreage. In view of the record-setting heat wave Oregon endured this past spring and an ongoing drought, it would not be surprising to see this season's numbers move even lower.



Detailing the October 2021 TEU Numbers *Continued*

**Exhibit 9** NWSA Share of U.S. Fresh Christmas Tree Exports  
Source: U.S. Commerce Department



As **Exhibit 9** indicates, the share of the nation’s exports of fresh Christmas trees that have departed the Northwest Seaport Alliance Ports of Tacoma and Seattle has been declining since a 2016 peak, both in terms of weight and dollar value.

**Factoid of the Month**

Through the first ten months of this year, the nominal value of containerized imports at U.S. ports totaled \$774.18 billion, according to U.S. Commerce Department

calculations. Not only was that total 22.8% higher than a year earlier, it came to within a quarter of a billion dollars of exceeding the \$797.94 value of containerized imports in all of pre-pandemic 2019. More surprising, perhaps, is that the value of containerized exports from U.S. ports was also up on a nominal basis to \$231.01 billion from \$206.74 billion in the first ten months of 2020.

*We Make Cargo Move*



**The Port**  
**OF HUENEME**



## Jock O'Connell's Commentary:

### Financing Crossborder Port Competition in the Pacific Northwest

November brought heavy rains to the Pacific Northwest, causing extensive flooding that tormented Vancouver and surrounding areas and temporarily severed road and rail links to the rest of Canada. Headlines worldwide strove to dramatize the plight of the imperiled city by running variations on the headline that ran in *The New York Times*: "Vancouver Is Marooned by Flooding."

That was certainly one way of framing the situation. But lest we forget, the Port of Vancouver is Canada's largest seaport and its chief gateway for trade with the Far East. Were the Canadians of British Columbia as self-obsessed as their British cousins, they might have preferred seeing headlines similar to one that appeared in a London tabloid when I lived there years ago: "Dense Fog Descends on Channel; Continent Cut Off."

In this column, I don't propose to talk about natural disasters. Still, especially for students of the relentless push for novelty in nomenclature, it does seem worth taking a moment to observe that the once-popular term "Pineapple Express" has evidently now been retired in favor of "Atmospheric River" as the preferred term for a describing a deluge of epic proportions.

Moving back on point, it is a shame we generally don't pay more heed to the ports of British Columbia and their cross-border rivals, the Ports of Tacoma and Seattle. Down here below the 49th parallel, the national media has lately been lavishing attention on port congestion in Southern California. Evidently, few news editors see much reason to dispatch reporters to the Pacific Northwest to check on maritime trade up that way, on either side of the border. To be sure, the wildfires and record high temperatures of this spring and summer did manage to shove aside the civic tribulations of the City of Portland to gain the region a measure of sympathetic national attention. But what role the ports on both sides of the border play in North America's global trade is a topic seldom broached, at least outside of the Pacific Northwest.

It's not as though the Ports of Prince Rupert and Vancouver in British Columbia (BC) and the Ports of Tacoma and Seattle in Washington State have been remote sideshows in the surging transpacific container

trade. To be sure, taken individually, their individual container numbers are dwarfed by the millions of TEUs flowing through the Ports of Los Angeles and Long Beach in Southern California's San Pedro Bay. Still, through the first ten months of this year, these four major ports in British Columbia and Washington State combined to handle 3,067,145 loaded import TEUs, the equivalent of 80.4% of all the inbound loads that arrived at the Port of New York/New Jersey (PNYNJ) during the same months. The four Northwestern ports also handled 1,500,534 export loads, a volume greater than the number of exported TEUs that left PNYNJ or Savannah or Los Angeles or Long Beach in the same period.

Since 2014, the Ports of Tacoma and Seattle have been operating as the Northwest Seaport Alliance (NWSA). Together, their container volumes have nearly matched Vancouver's. Through October, Vancouver handled 3,185,381 total TEUs (empties as well as loaded), while the two NWSA ports handled 3,156,500 total TEUs. Located approximately 1500 kilometers north of Vancouver, the Port of Prince Rupert has been struggling to fulfill its original promise. Nonetheless, it has handled some 884,729 total TEUs through October.

So what accounts for the relative success of the Canadian ports?

Various factors obviously come into play, but one key reason is the quality of the relationship the ports have had with their respective local and national governments.

On the U.S. side of the border, we are accustomed to local governments thinking that spectacle should take priority over commerce. Sports arenas and tourist attractions that infringe on seaport operations are commonly touted as somehow spiritually uplifting even if the economic benefits are almost invariably illusionary. Meanwhile, the dirty work of transporting billions of dollars in imports and exports is often decried in the same manner in which the lords and ladies of Downton Abbey disdain mere tradesmen. As for support from the federates in Washington, I have nothing to add to what LA Port Executive Director Gene Seroka has long bemoaned: that federal port money overwhelmingly goes to ports somewhere else.

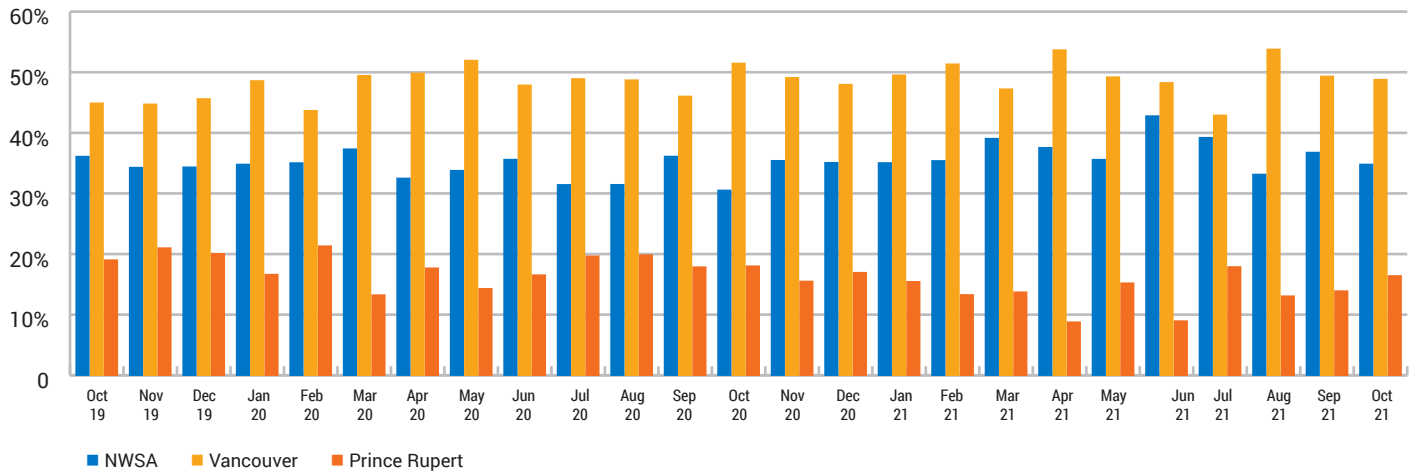


## Commentary Continued

### Exhibit A

### Pandemic Era Shares of Inbound Loaded TEUs in the Northwest

Source: The Respective Ports



Now, interestingly but disingenuously, the Port of Vancouver likes to tout its financial independence from the Canadian public trough. As its website claims: “The Vancouver Fraser Port Authority, like all Canada Port Authorities, is financially independent, receiving revenues from terminal and tenant leases as well as harbour dues and other fees charged to shipping companies that call at the port. We are not financed with tax dollars and all profits are reinvested into port infrastructure and other improvements.”

That’s a wonderful example of being parsimonious with the truth. Of course, there are myriad ways of tapping public funds to enhance the competitive position of a port without sending a treasury check to help cover the cost of port operations. Allocating funds to help finance the restoration of a port’s flood-damaged road and rail links to the outside world are examples that immediately come to mind.

Fortunately, we now have a new study\*, commissioned by the Northwest Seaport Alliance and the Ports of Long Beach and Oakland, that begs to differ with the Port of Vancouver’s interpretation of what constitutes financial independence.

Prepared by Davies Transportation Consulting, Inc. in collaboration with Hatch Consultants Associates, Inc., the October 2021 study documents the very substantial

financial assistance the British Columbia ports have received from Ottawa, substantially more than the competing Ports of Seattle and Tacoma have had from Washington, D.C. In the succinct words of the study: “Canada has treated its West Coast ports as a national priority.”

Here is what the study found: *Investments in port terminals and rail networks have been critical in enabling B.C. ports to succeed in increasing their share of North American container traffic, enabling them to take advantage of the economies of scale of large container vessels and longer trains. For IPI [inland point intermodal] traffic to U.S. destinations, efficiency of the rail system is crucial. CN has made substantial investments in longer sidings and other network improvements to enable the use of 12,000 foot (and longer) intermodal trains. Based on estimates from U.S. Surface Transportation Board Public Waybill sample, international intermodal rates from B.C. ports to the Midwest have averaged around US\$200 per container less than rates from Northwest Seaport Alliance, Port of Long Beach and Port of Los Angeles terminals over the last decade.*

The U.S. Midwest is the largest destination for international intermodal traffic arriving at Pacific Coast ports, and the Ports of Vancouver and Prince Rupert have been escalating their bid for higher shares of that traffic. Based on Intermodal Association of North America data,

\*The full “Canadian and US Port Infrastructure Funding and Policy Study Final Report” is available on the NWSA website.



## Commentary Continued

the Davies study found that B.C. ports' share of inland point intermodal traffic to the U.S. Midwest "increased from 2 percent in 2007 to 22 percent in 2020."

To determine the actual loonie vs. greenback disparities in port investments, the Davies study counted funds expended on "Direct Port" projects, which were defined as projects for which a port is either the lead agency and/or the infrastructure funded is on or directly adjacent to port property. Major Canadian transportation funding programs which provided funds to port-related projects since 2005 included the Asia Pacific Gateway and Corridor Initiative from 2005 to 2016 and the National Trade Corridors Fund from 2017 to 2021.

The Davies study determined that Canadian federal contributions to B.C. "Direct Port" projects over the last five years (2016 – 2020) totaled US \$372 million compared to US \$45 million for Washington State ports. For "Direct Port" projects since 2005, Canadian contributions to B.C. ports totaled US \$560 million compared to US \$92 million for Washington State port projects.

There are hopes things may be changing now that America's massive Infrastructure Investment and Jobs Act (aka the Bipartisan Infrastructure Law) has been enacted. Even so, it is unclear whether the grotesque

geographic disparity in federal support for America's ports – a disparity that has not favored West Coast ports – will be significantly redressed. Certainly, congested conditions at the Southern California ports have drawn an unprecedented measure of concern from the White House and Capitol Hill. But such concern can be fickle. A long-term commitment to bolstering the container-handling capacities of the supply chains passing through San Pedro Bay may be difficult to sustain once the current level of congestion subsides or as ports elsewhere in the country experience their own congestion issues. There are, after all, longstanding political reasons why federal funds earmarked for America's ports have been doled out more with an eye to narrow electoral priorities rather than with any objective assessment of which projects would most benefit the national economy.

Still, as the Davies study concludes: "Success in accessing federal and other non-federal funds for port-related investment is a fundamental challenge in ensuring that the ports can build the infrastructure needed to compete in the North American containerized cargo trade."

*Disclaimer: The views expressed in Jock's commentaries are his own and may not reflect the positions of the Pacific Merchant Shipping Association.*

## All I Wanted for Christmas Was a Coherent Regulatory Policy

By Thomas Jelenić, Vice President, Pacific Merchant Shipping Association

Whether it's high-speed rail to nowhere, 1990 standards for electric vehicle passenger cars that are more than two decades delayed, or the most recent effort to transform the heavy-duty sector, California leadership continues to be more focused on setting goals rather than implementing programs and calling that leadership.

In order to avoid cries of heresy if the obvious isn't stated, I'll state the obvious. There is no doubt that transformation to a zero-carbon future is necessary. Again, the question is whether we are actually on that path and if we will get there with the least amount of harm. One of the single biggest challenges for this

transition is whether California will be ready when it dictates that industry must be ready.

One strange example of this is SB 671. The goal of SB 671 is laudable: through a stakeholder process identify five priority freight routes and begin infrastructure planning to support the transition to zero-emissions. This is critically important. In years past, when the transition to a zero-emissions future was more tentative and primarily market driven, there was much talk of the chicken and egg problem. Would new technology vehicles come first or would charging/fueling infrastructure come first? Now that the transition is no longer market driven but



## All I Wanted for Christmas Continued

regulatorily driven, there can be no doubt; infrastructure must come first. The infrastructure must be ready when the regulations dictate that zero-emission equipment must be deployed. Otherwise, as one industry colleague says, the new equipment, like cargo-handling equipment and trucks, will be so much “yard art”.

Strangely, the planning report – not the actual infrastructure – is due December 1, 2023. That would be 30 days after the first zero emission requirements go into effect for port drayage. In this case, the agency responsible for implementing SB 671, the California Transportation Commission, is simply implementing the will of the Legislature. That agency did not set the schedule in SB 671, nor did it set the timing of new zero-emission regulations (that would be the California Air Resources Board). But that speaks to an enormous disconnect between what the Legislature thinks the rollout of zero-emissions technology will look like and what the actual proposals from regulators are. Is it any surprise that some fear that zero-emission equipment, at a cost north of \$300,000, may be left as art to be gazed upon rather than moving cargo?

In a different example, the California Air Resources Board (CARB) recently adopted the Heavy-Duty Inspection and Maintenance regulation (HD I/M). The program is essentially smog check for trucks. The twist in this case was that facilities that trucks visit would be responsible for checking the smog check status of every truck that enters the facility. Imagine if your local supermarket demanded to see your smog check before you could purchase groceries!

In any case, over the course of rule development, port stakeholders had one simple request of CARB: connect the HD I/M database with the State Drayage Truck Registry in order for trucks to be checked with the same data systems that are used to implement the Clean Trucks Program and CARB’s Drayage Truck Rule. Without the two databases connected, terminal operators may have to individually check each truck manually – an

impossible task for the 36,000+ daily inbound trips for San Pedro Bay alone. Over the course of months, CARB repeatedly stated that the request was reasonable, but would explicitly exclude committing to such an effort. During the adoption of the rule, CARB staff did state their goal was to make the regulation integrate into the existing systems as seamlessly as possible. While not a commitment, it may be better than nothing. Then again, in the land of Silicon Valley and Silicon Beach, one would be forgiven for thinking that the State should be able to guarantee that the most basic information technology component would be designed into such a transformational rule. But transformation is for the regulated, not the regulator.

In another strange twist, no one knows when this rule will go into effect. CARB does not know. Truck owners do not know. Facility operators do not know. All that is known is that it will not be sooner than July 1, 2023, and regulated parties will have 90 days warning. In essence, the agency that is solely responsible for designing the rule cannot be certain when it will have a properly working program, but the companies and individuals waiting from word on high must be capable of pivoting with a 90-day warning notice to the new rule under risk of penalty. There is something absurd about an agency shirking their own responsibility for providing regulatory certainty – particularly where they control their own destiny – but appear unsympathetic to how regulated parties need to respond to enormous uncertainty.

Individually, these two examples are arguably small matters. Unfortunately, they are indicative of how policy is being developed in California. Stating the goal is now more important than implementing the goal – implementation is someone else’s problem. The only concern is completing the jigsaw puzzle that is California’s future. The pieces of that future are seen as fixed and unchanging objects that can be gathered and arranged, rather than being both dynamic and constrained elements that make up our economy and lives. Diktat can surely make the puzzle piece fit.

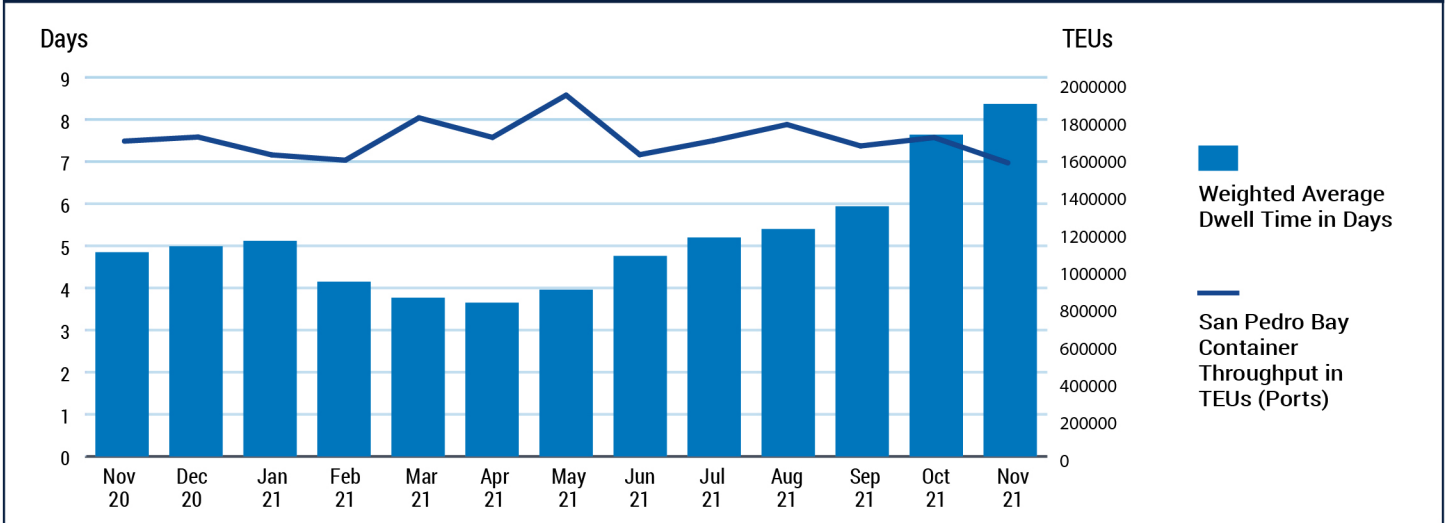
**Interested in membership in PMSA?**

Contact Laura Germany for details at: [lgermany@pmsaship.com](mailto:lgermany@pmsaship.com) or 510-987-5000.

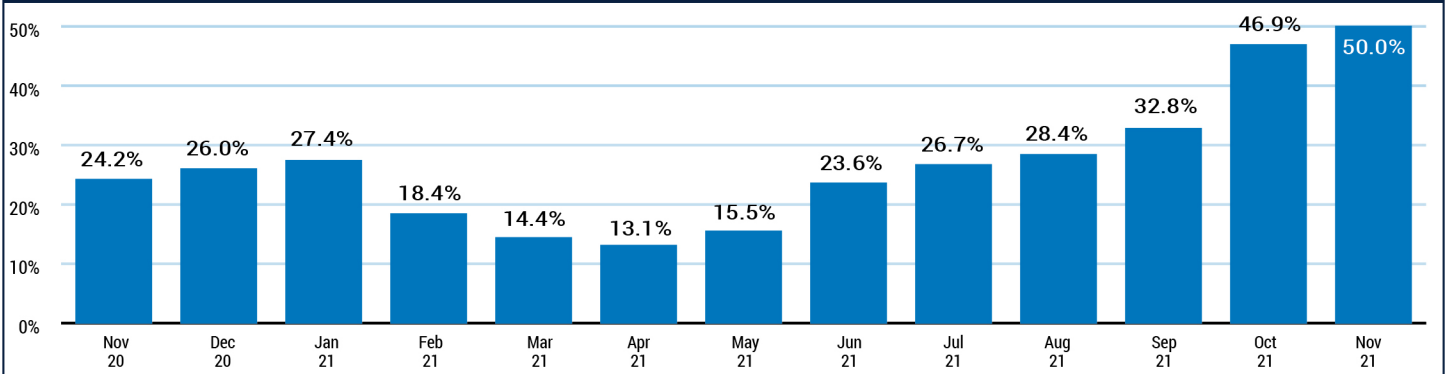


## Import Dwell Time Is Up For November; Rail Dwell Time Is Down

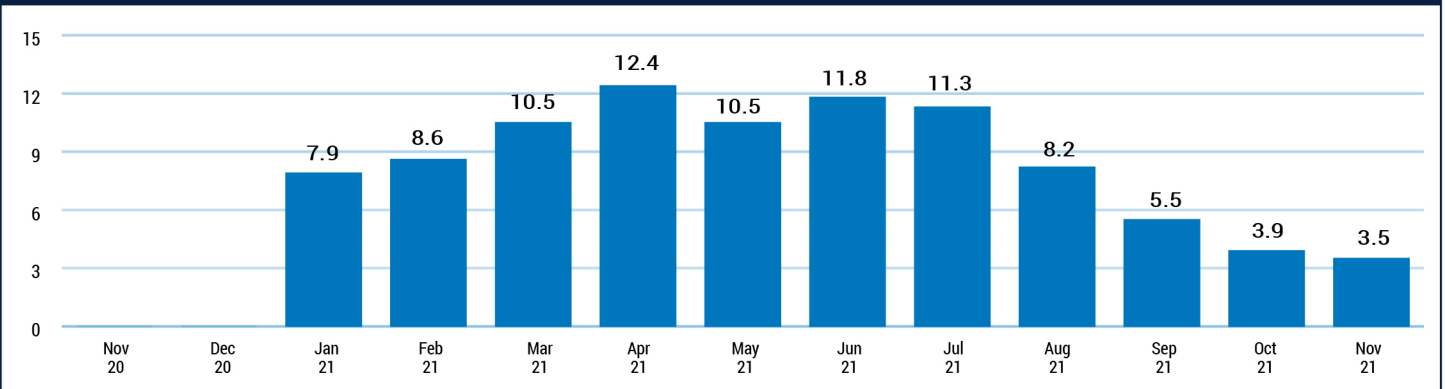
San Pedro Bay Weighted Average Inbound Laden Container Dwell Time in Days



Dwell Time in Days % > 5 Days



Rail Dwell Time in Days



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# PROPOSED RULE MAKING

## CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: November 19, 2021

TIME: 11:36 AM

WSR 21-24-020

**Agency:** Board of Pilotage Commissioners

- Original Notice
- Supplemental Notice to WSR \_\_\_\_\_
- Continuance of WSR \_\_\_\_\_

- Preproposal Statement of Inquiry was filed as WSR 21-19-072 ; or
- Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or
- Proposal is exempt under RCW \_\_\_\_\_.

**Title of rule and other identifying information:** (describe subject) WAC 363-116-301 New Revenue Collection

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
January 20, 2022	10:00am	Virtual Via MS Teams	Please contact Jaimie Bever at (206) 515-3887 for information regarding meeting access

**Date of intended adoption:** January 20, 2022 (Note: This is **NOT** the **effective** date)

**Submit written comments to:**

Name: Jaimie C Bever, Executive Director  
 Address: 2901 3<sup>rd</sup> Avenue, Suite 500, Seattle, WA 98121  
 Email: BeverJ@wsdot.wa.gov  
 Fax:  
 Other:  
 By (date) January 13, 2022

**Assistance for persons with disabilities:**

Contact Jolene Hamel  
 Phone: (206) 515-3904  
 Fax:  
 TTY:  
 Email: HamelJ@wsdot.wa.gov  
 Other:  
 By (date) January 14, 2022

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The purpose of this filing is to comply with legislative intent, through the passage of Senate Bill 5165, which stipulates certain conditions in order for the BPC to receive state appropriation from the pilotage account solely for self-insurance liability premium expenditures. This revised rule defines these two stipulated conditions.

**Reasons supporting proposal:** Revising the mechanisms already in place to collect the revenue needed to pay the self-insurance liability premium expenditures is necessary for the BPC to show compliance with legislative intent thus prompting the State to transfer the funds from the pilotage account. Without the fund sources allocated by Senate Bill 5165, the agency would be in financial crisis, putting the BPC's mission to ensure against the loss of lives, loss of or damage to property and vessels, and to protect the marine environment by maintaining efficient and competent pilotage services in jeopardy

**Statutory authority for adoption:** Chapter 88.16 RCW

**Statute being implemented:** Chapter 88.16 RCW

**Is rule necessary because of a:**

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** The BPC's self-insurance liability premium is comprised of monetary contributions from the BPC, Puget Sound Pilots, and those vessels taking pilots in the Puget Sound Pilotage District. This revised rule enforces the collection of revenue from all participants

**Name of proponent:** (person or organization) Board of Pilotage Commissioners

<input type="checkbox"/> Private
<input type="checkbox"/> Public
<input checked="" type="checkbox"/> Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Jaimie C Bever	2901 3 <sup>rd</sup> Ave, Suite 500, Seattle, WA 98121	(206) 515-3887
Implementation:	Jaimie C Bever	2901 3 <sup>rd</sup> Ave, Suite 500, Seattle, WA 98121	(206) 515-3887
Enforcement:	Jaimie C Bever	2901 3 <sup>rd</sup> Ave, Suite 500, Seattle, WA 98121	(206) 515-3887

**Is a school district fiscal impact statement required under RCW 28A.305.135?**  Yes  No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:

No: Please explain: RCW 34-05-328 does not apply to the adoption of these rules. The Washington State Board of Pilotage Commissioners is not a listed agency in RCW 34-05-328(5)(a)(i).

**Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- RCW 34.05.310 (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW 88.16.

Explanation of exemptions, if necessary: This was a legislative mandate. The application of the proposed language is clear in the description of the proposal and its anticipated effects as well as the attached proposed revised WAC language

**COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES**

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency’s analysis showing how costs were calculated. \_\_\_\_\_
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

**Date:** November 19, 2021

**Name:** Jaimie C Bever

**Title:** Executive Director

**Signature:**



AMENDATORY SECTION (Amending WSR 19-20-013, filed 9/20/19, effective 10/21/19)

**WAC 363-116-301 New revenue collection.** With respect to the passage of (~~Engrossed Substitute House Bill No. 1160, Section 108~~) section 107, chapter 333, Laws of 2021 (Substitute Senate Bill No. 5165), the board of pilotage commissioners is appropriated (~~three million one hundred twenty five thousand dollars~~) \$2,926,000 from the pilotage account state appropriation solely for self-insurance liability premium expenditures. This appropriation is contingent upon two stipulated conditions:

(1) The Puget Sound pilots shall pay to the board, from its tariffs, (~~one hundred fifty thousand dollars~~) \$150,000 annually on July 1, (~~2019~~) 2021, and July 1, (~~2020~~) 2022. These amounts shall be deposited by the board into the pilotage account and used solely for the expenditure of self-insurance premiums; and

(2) A self-insurance premium surcharge of (~~sixteen dollars~~) \$16 shall be added to each Puget Sound pilotage assignment on all vessels requiring pilotage in the Puget Sound pilotage district. The Puget Sound pilots shall remit the total amount of such surcharges generated to the board by the tenth of each month. The surcharge shall be in effect from July 1, (~~2019~~) 2021, through June 30, (~~2021~~) 2023. These amounts shall be in addition to those fees to be paid to the board pursuant to subsection (1) of this section and shall be deposited by the board into the pilotage account solely for the expenditure of self-insurance premiums.

These two directives are in effect beginning May (~~16, 2019~~) 18, 2021, through June 30, (~~2021~~) 2023.

**WAC 363-116-078 Pilot training program.** After passing the written examination and simulator evaluation, pilot candidates pursuing a pilot license are positioned on a list for the applicable pilotage district(s) and must enter and successfully complete a training program specified by the board before consideration for licensure.

(1) Notification. Pilot candidates on a list as described in subsection (2) of this section, waiting to enter a training program shall provide the board with the best address for notification to enter into a training program. In addition, a pilot candidate shall provide the board with other means of contact such as postal mailing or email address, phone number, and/or fax number. The email address with a read receipt request, however, will be considered the primary means of notification by the board. It will be the responsibility of the pilot candidate to ensure the board has current contact information at all times. If a pilot candidate cannot personally receive postal or electronic mail at the address(es) provided to the board for any period of time, another person may be designated in writing as having power of attorney specifically to act in the pilot candidate's behalf regarding such notice. If notice sent to the email address provided by the pilot candidate is not acknowledged after three attempts or if notice sent via certified mail is returned after three attempts to deliver, that pilot candidate will be skipped and the next pilot candidate on the list will be contacted for entry into a training program. A person so skipped will remain next on the list. A pilot candidate or his/her designated attorney-in-fact shall respond within fifteen calendar days of receipt of notification to accept, refuse, or request a delayed entry into a training program.

(2) Entry. At such time that the board chooses to start a pilot candidate or candidates in a training program for either pilotage district, notification shall be given as provided in subsection (1) of this section. Pilot candidates shall be ranked in accordance with a point system established by the board based on overall performance on the written examination and simulator evaluation. Candidates shall be eligible to enter a training program for a pilotage district in the order of such rankings or as otherwise may be determined by the board. A pilot candidate who refuses entry into a program will be removed from the waiting list with no further obligation by the board to offer a position in that district's training program to such pilot candidate. If the pilot candidate indicated interest in the other pilotage district on the application for the written examination, the candidate shall remain available for that other district's training program in accordance with his/her position on that list.

(a) A pilot candidate who is not able to start a training program within two months of the board's specified entry date may, with written consent of the board, delay entry into that training program. When a pilot candidate delays entry into a training program by more than two months, the board gives notice to the next pilot candidate on the list for that pilotage district to enter a training program. The pilot candidate who delays entry shall remain eligible for the next position in that district provided that the next position becomes available within the earlier of:

(i) Four years from the pilot candidate's taking the written examination; or

(ii) The date scheduled for the next pilotage examination for the district.

(b) A pilot candidate not able to start in a training program within two months of the board's specified entry date and who does not obtain the board's written consent to delay entry into a training program shall no longer be eligible for that district's training program without retaking the examination provided in WAC 363-116-076 and the simulator evaluation provided in WAC 363-116-077.

(3) Training license. Prior to receiving a training license pilot candidates must pass a physical examination by a board-designated physician and in accordance with the requirements of WAC 363-116-120 for initial pilot candidates. A form provided by the board must be completed by the physician and submitted to the board along with a cover letter indicating the physician's findings and recommendations as to the pilot candidate's fitness to pilot. The physical examination must be taken not more than ninety days before issuance of the training license. Holders of a training license will be required to pass a general physical examination annually within ninety days prior to the anniversary date of that training license. Training license physical examinations will be at the expense of the pilot candidate. All training licenses shall be signed by the chairperson or his/her designee and shall have an expiration date. Training licenses shall be surrendered to the board upon completion or termination of the training program.

(4) Development. As soon as practical after receiving notification of eligibility for entry into a training program as set forth in this section, the pilot candidate shall provide a completed experience questionnaire to the trainee evaluation committee (TEC), a committee created per subsection (11) of this section. The training program consists of three phases: Observation trips, training trips, and evaluation trips, and such other forms of learning and instruction that may be designated. The TEC shall recommend a training program for adoption by the board. After adoption by the board, it will be presented to the pilot candidate. If the pilot candidate agrees in writing to the training program, the board shall issue a training license to the pilot candidate, which license shall authorize the pilot candidate to take such actions as are contained in the training program. If the pilot candidate does not agree to the terms of a training program, in writing, within fifteen business days of it being received by certified mail return receipt, or by email read receipt requested, that pilot candidate shall no longer be eligible for entry into that pilotage district's training program and the board may give notice to the next available pilot candidate that he/she is eligible for entry into a training program pursuant to the terms in subsections (1) and (2) of this section.

(5) Initial assigned route.

(a) The TEC shall assign an initial route to each trainee at the beginning of his/her training program between a commonly navigated port or terminal and the seaward boundary of the pilotage district.

(b) Unless an extension of time is granted by the board, within eight months of the beginning of the training program if the trainee is continuously on stipend, plus an additional month for every month a trainee is off stipend (up to a maximum of fifteen months), the trainee must:

(i) Take and pass with a minimum score of eighty percent all conning quizzes provided by the board applicable to the initial assigned route as described in subsection (8) of this section. These quizzes

may be repeated as necessary provided that they may not be taken more than once in any seven-day period, and further provided that they must be successfully passed within the time period specified in (b) of this subsection; and

(ii) Take and pass with a minimum score of eighty-five percent the local knowledge examination(s) provided by the board applicable to the initial assigned route as described in subsection (8) of this section. These examinations can be repeated as necessary provided that they may not be taken more than once in any seven-day period, and further provided that they must be successfully passed before the expiration date time period specified in (b) of this subsection; and

(iii) Possess a first class pilotage endorsement without tonnage or other restrictions on his/her United States Coast Guard license to pilot on the initial assigned route.

(6) Specification of trips. To the extent possible, a training program shall provide a wide variety of assigned requirements in three phases: Observation, training, and evaluation trips. A training program may contain deadlines for achieving full or partial completion of certain necessary actions. Where relevant, it may specify such factors as route, sequence of trips, weather conditions, day or night, stern or bow first, draft, size of ship and any other relevant factors. The board may designate specific trips or specific numbers of trips that shall be made with training pilots or with the pilot members of the TEC or with pilots designated by the TEC. In the Puget Sound pilotage district, pilot trainees shall complete a minimum of one hundred fifty trips. The board shall set from time to time the minimum number of trips for pilot trainees in the Grays Harbor pilotage district. The total number of trips in a training program shall be established by the board based on the recommendation of the TEC. The board will ensure that during a training program the pilot trainee will get significant review by supervising pilots and the pilot members of the TEC or with pilots designated by the TEC.

(7) Length of training program. For the Puget Sound district the length of the program shall not exceed thirty-six months. For the Grays Harbor district the length of the program will be determined at the time the training program is written.

(8) Local knowledge conning quizzes and local knowledge exams. A training program shall provide opportunities for the education of pilot trainees and shall provide for testing of pilot trainees on the local knowledge necessary to become a pilot. It shall be the responsibility of the pilot trainee to obtain the local knowledge necessary to be licensed as a pilot in the pilotage district for which he/she is applying. Each conning quiz will be organized by main channel routes, ports, and approaches. A conning quiz is not intended to replace a local knowledge exam as specified in subsection (5)(b)(ii) of this section, but there will be some overlap of subject matter. A pilot trainee shall pass a conning quiz or quizzes related to the route or harbor area to move from the observation phase to the training phase of his/her training program for that route or harbor area. After a trainee has successfully passed a conning quiz on a main channel route or a port and approach, he/she will be eligible to take the conn on that route or approach unless it is a U.S. flag vessel and the required federal pilotage endorsement has not been obtained. The local knowledge exam for the initial route must be completed within eight months of the training start date if the trainee is taking the stipend. For each month the trainee is off stipend, an additional month is added up to a maximum of fifteen months to successfully pass the appropriate

local knowledge exam. The final local knowledge exam must be completed before consideration for licensing and must be successfully passed before the expiration date of the training program. The conning quizzes and local knowledge exams will be administered at the offices of the board of pilotage commissioners. Eighty percent is the passing grade for conning quizzes, and eighty-five percent is required for the local knowledge exams. If a trainee fails a conning quiz or local knowledge exam, it may be retaken after seven days, but must be passed within the timing deadlines discussed above. The local knowledge required of a pilot trainee and the local knowledge examination(s) may include the following subjects as they pertain to the pilotage district for which the pilot trainee seeks a license:

- (a) Area geography;
  - (b) Waterway configurations including channel depths, widths and other characteristics;
  - (c) Hydrology and hydraulics of large ships in shallow water and narrow channels;
  - (d) Tides and currents;
  - (e) Winds and weather;
  - (f) Local aids to navigation;
  - (g) Bottom composition;
  - (h) Local docks, berths and other marine facilities including length, least depths and other characteristics;
  - (i) Mooring line procedures;
  - (j) Local traffic operations e.g., fishing, recreational, dredging, military and regattas;
  - (k) Vessel traffic system;
  - (l) Marine VHF usage and phraseology, including bridge-to-bridge communications regulations;
  - (m) Air draft and keel clearances;
  - (n) Submerged cable and pipeline areas;
  - (o) Overhead cable areas and clearances;
  - (p) Bridge transit knowledge - Signals, channel width, regulations, and closed periods;
  - (q) Lock characteristics, rules and regulations;
  - (r) Commonly used anchorage areas;
  - (s) Danger zone and restricted area regulations;
  - (t) Regulated navigation areas;
  - (u) Naval operation area regulations;
  - (v) Local ship assist and escort tug characteristics;
  - (w) Tanker escort rules - State and federal;
  - (x) Use of anchors and knowledge of ground tackle;
  - (y) Applicable federal and state marine and environmental safety law requirements;
  - (z) Marine security and safety zone concerns;
  - (aa) Harbor safety plan and harbor regulations;
  - (bb) Chapters 88.16 RCW and 363-116 WAC, and other relevant state and federal regulations in effect on the date the examination notice is published pursuant to WAC 363-116-076; and
  - (cc) Courses in degrees true and distances in nautical miles and tenths of miles between points of land, navigational buoys and fixed geographical reference points, and the distance off points of land for such courses as determined by parallel indexing along pilotage routes.
- (9) Rest. It is the responsibility of the pilot trainee to obtain adequate rest. Pilot trainees shall observe the rest rules for pilots in place by federal or state law or regulation and rules established



in the applicable pilotage district in which they will train, or any other rest requirements contained in a training program.

(10) Stipend.

(a) At the initial meeting with the TEC the pilot trainee shall indicate whether he/she wishes to receive a stipend during their training program. In the Puget Sound pilotage district, as a condition of receiving such stipend, pilot trainees will agree to forego during their training program other full- or part-time employment which prevents them from devoting themselves on a full-time basis to the completion of their training program. With the consent of the TEC, pilot trainees may elect to change from a stipend to nonstipend status, and vice versa, during their training program provided that such change request is provided in writing from the trainee. If the trainee intends to be in nonstipend status more than four consecutive months, his/her particular training program may be constructed to provide re-ency and/or a change in seniority placement prior to resuming the training program. In the Puget Sound pilotage district the stipend paid to pilot trainees shall be a maximum of six thousand dollars per month (or such other amount as may be set by the board from time to time), shall be contingent upon the board's setting of a training surcharge in the tariffs levied pursuant to WAC 363-116-300 sufficient to cover the expense of the stipend, and shall be paid from a pilot training account as directed by the board. In the Grays Harbor pilotage district the stipend paid to pilot trainees shall be determined by the board and shall be contingent upon the board's receipt of funds, from any party collecting the tariff or providing funds, sufficient to cover the expense of the stipend and shall be paid from a pilot training account as directed by the board.

Determinations as to stipend entitlement will be made on a full calendar month basis and documentation of trips will be submitted to the board by the third day of the following month. Proration of the stipend shall be allowed at the rate of two hundred dollars per day (or such other amount as may be set by the board from time to time), under the following circumstances:

(i) For the first and last months of a training program (unless the training program starts on the first or ends on the last day of a month); or

(ii) For a pilot trainee who is deemed unfit for duty by a board-designated physician during a training month.

(b) (i) In the Puget Sound pilotage district a minimum of twelve trips are required each month for eligibility to receive the minimum stipend amount as set by the board, or eighteen trips to receive the maximum stipend amount as set by the board. A trainee may make more than eighteen trips in a calendar month, but no further stipend will be earned for doing so. In the Grays Harbor pilotage district the minimum number of trips each month for eligibility to receive the stipend is seventy percent or such number or percentage of trips that may be set by the board of the total number of vessel movements occurring in this district during that month. Only trips required by the training program can be used to satisfy these minimums. Trips will be documented at the end of each month.

(ii) Whenever the governor issues a proclamation declaring a state of emergency, the board may determine whether there is a threat to trainees, pilots, vessel crews, or members of the public. Notwithstanding the other provisions of this chapter, the board, at its discretion, may suspend or adjust the pilot training program during the pendency of a state of emergency lawfully declared by the governor. If

the board suspends or adjusts the pilot training program, pilot trainees will continue to receive the maximum stipend allowable under this section if a trainee has taken at least twelve trips per month, until the board determines otherwise. The trainee evaluation committee may further consider additional nonshipboard pilot training including, but not limited to, distance learning.

(c) The TEC will define areas that are considered to be hard-to-get, which many differ for trainees depending on their date of entry. It is the pilot trainee's responsibility to make all available hard-to-get trips, as defined and assigned by the TEC. The board may elect not to pay the stipend if the missing trips were available to the pilot trainee but not taken.

(d) The TEC, with approval by the board may allocate, assign or specify training program trips among multiple pilot trainees. Generally, the pilot trainee who entered his/her training program earlier has the right of first refusal of training program trips provided that the TEC may, with approval by the board, allocate or assign training trips differently as follows:

(i) When it is necessary to accommodate any pilot trainee's initial route;

(ii) When it is necessary to spread hard-to-get trips among pilot trainees so that as many as possible complete required trips on time. If a pilot trainee is deprived of a hard-to-get trip by the TEC, that trip will not be considered "available" under (c) of this subsection. However, the pilot trainee will still be required to complete the minimum number of trips for the month in order to receive a stipend, and the minimum number of trips as required to complete his/her training program;

(e) If a pilot trainee elects to engage in any full-or part-time employment, the terms and conditions of such employment must be submitted to the TEC for prior determination by the board of whether such employment complies with the intent of this section prohibiting employment that "prevents (pilot trainees) from devoting themselves on a full-time basis to the completion of the training program."

(f) If a pilot trainee requests to change to a nonstipend status as provided in this section such change shall be effective for a minimum nonstipend period of thirty days beginning at the beginning of a month, provided that before any change takes effect, a request is made to the TEC in writing. The requirement for designated hard-to-get trips is waived during the time the pilot trainee is authorized to be in nonstipend status.

(g) Any approved pilot association or other organization collecting the pilotage tariff levied by WAC 363-116-185 or 363-116-300 shall transfer the pilot training surcharge receipts to the board at least once a month or otherwise dispose of such funds as directed by the board. In the Grays Harbor pilotage district, if there is no separate training surcharge in the tariff, any organization collecting the pilotage tariff levied by WAC 363-116-185 shall transfer sufficient funds to pay the stipend to the board at least once a month or otherwise dispose of such funds as directed by the board. The board may set different training stipends for different pilotage districts. Receipts from the training surcharge shall not belong to the pilot providing the service to the ship that generated the surcharge or to the pilot association or other organization collecting the surcharge receipts, but shall be disposed of as directed by the board. Pilot associations or other organizations collecting surcharge receipts shall provide an accounting of such funds to the board on a monthly basis or at such

other intervals as may be requested by the board. Any audited financial statements filed by pilot associations or other organizations collecting pilotage tariffs shall include an accounting of the collection and disposition of these surcharges. The board shall direct the disposition of all funds in the account.

(11) Trainee evaluation committee. There is hereby created a trainee evaluation committee (TEC) to which members shall be appointed by the board. The TEC shall include at a minimum: Three active licensed Washington state pilots, who, to the extent possible, shall be from the pilotage district in which the pilot trainee seeks a license and at least one of whom shall be a member of the board; one representative of the marine industry (who may be a board member) who holds, or has held, the minimum U.S. Coast Guard license required by RCW 88.16.090; and one other member of the board who is not a pilot. The TEC may include such other persons as may be appointed by the board. The TEC shall be chaired by a pilot member of the board and shall meet as necessary to complete the tasks accorded it. In the event that the TEC cannot reach consensus with regard to any issue it shall report both majority and minority opinions to the board.

(12) Supervising pilots. The board shall designate as supervising pilots those pilots who are willing to undergo such specialized training as the board may require and provide. Supervising pilots shall receive such training from the board to better enable them to give guidance and training to pilot trainees and to properly evaluate the performance of pilot trainees. The board shall keep a list of supervising pilots available for public inspection at all times. All pilot members TEC shall also be supervising pilots.

(13) Training program trip reports. After each training program trip, the licensed or supervising pilot shall complete a training program trip report form (TPTR) provided by the board. Training program trip report forms prepared by licensed pilots who are supervising pilots shall be used by the TEC and the board for assessing a pilot trainee's progress, providing guidance to the pilot trainee and for making alterations to a training program. Licensed pilots who are not supervising pilots may only have trainees on board for observation trips. All trip report forms shall be delivered or mailed by the licensed or supervising pilot to the board. They shall not be given to the pilot trainee. The licensed or supervising pilot may show the contents of the form to the pilot trainee, but the pilot trainee has no right to see the form until it is filed with the board. The TEC shall review these training program trip report forms from time to time and the chairperson of the TEC shall report the progress of all pilot trainees at each meeting of the board. If it deems it necessary, the TEC may recommend, and the board may make, changes from time to time in the training program requirements applicable to a pilot trainee, including the number of trips in a training program.

(14) Termination of and removal from a training program. A pilot trainee's program may be immediately terminated and the trainee removed from a training program by the board if it finds any of the following:

- (a) Failure to maintain the minimum federal license required by RCW 88.16.090;
- (b) Conviction of an offense involving drugs or involving the personal consumption of alcohol;
- (c) Failure to devote full time to training in the Puget Sound pilotage district while receiving a stipend;
- (d) The pilot trainee is not physically fit to pilot;

(e) Failure to make satisfactory progress toward timely completion of the program or timely meeting of interim performance requirements in a training program;

(f) Inadequate performance on examinations or other actions required by a training program;

(g) Failure to complete the initial route requirements specified in subsection (5) of this section within the time periods specified;

(h) Inadequate, unsafe, or inconsistent performance in a training program and/or on training program trips as determined by the supervising pilots, the TEC and/or the board; or

(i) Violation of a training program requirement, law, regulation or directive of the board.

(15) Completion of a training program shall include the requirements that the pilot trainee:

(a) Successfully complete all requirements set forth in the training program including any addendum(s) to the program;

(b) Possess a valid first class pilotage endorsement without tonnage or other restrictions on his/her United States government license to pilot in all of the waters of the pilotage district in which the pilot candidate seeks a license; and

(c) Complete portable piloting unit (PPU) training as defined by the TEC.



# RULE-MAKING ORDER EMERGENCY RULE ONLY

## CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

**Agency:** Board of Pilotage Commissioners

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.  
 Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes  No If Yes, explain:

**Purpose:** To amend WAC 363-116-078 Pilot Training Program, in order to address the Governor's State of Emergency Proclamation 20-05 concerning novel coronavirus/COVID-19.

**Citation of rules affected by this order:**

New:  
Repealed:  
Amended: 363-116-078  
Suspended:

**Statutory authority for adoption:** Chapter 88.16 RCW

**Other authority:**

**EMERGENCY RULE**

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.  
 That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

**Reasons for this finding:** Governor Inslee declared a State of Emergency via Proclamation 20-05 in response to coronavirus/COVID-19. To minimize the risk of introducing vectors of exposure onto a vessel or to pilot trainees, the Board may suspend or adjust the pilot training program. Trainees will be allowed to resume regular training at a time determined by the Board. Trainees will need to complete at least 12 training program trips to receive maximum stipend during this training program suspension or adjustment. The Board may also consider additional training opportunities for pilot trainees, such as distance learning or completion if they are nearing the end of their program, as determined by the Trainee Evaluation Committee (TEC).

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**The number of sections adopted on the agency's own initiative:**


New \_\_\_\_ Amended 1 Repealed \_\_\_\_

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**The number of sections adopted using:**

Negotiated rule making:	New	____	Amended	____	Repealed	____
Pilot rule making:	New	____	Amended	____	Repealed	____
Other alternative rule making:	New	____	Amended	<u>1</u>	Repealed	____

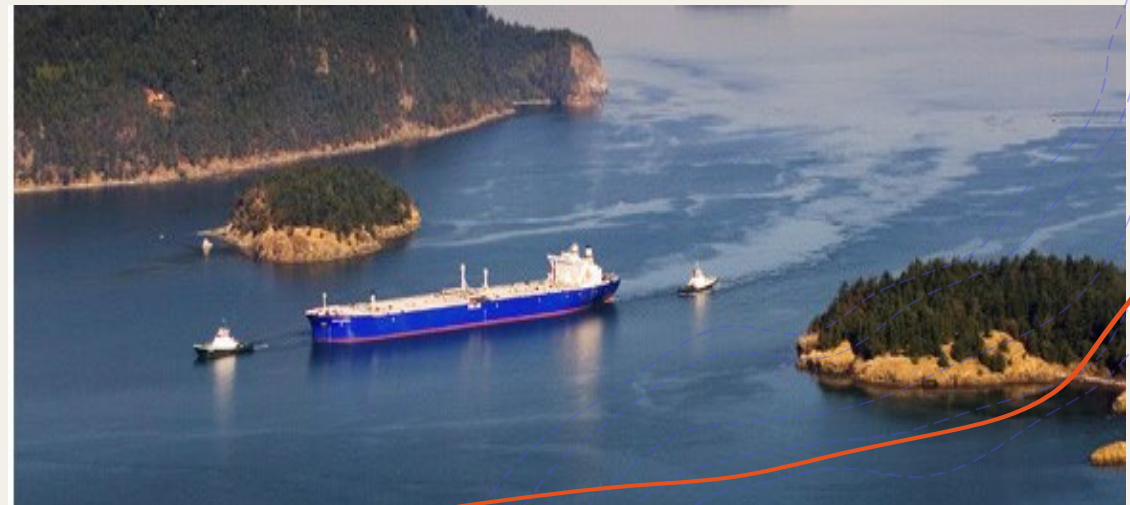
<b>Date Adopted:</b>	<b>Signature:</b> 
<b>Name:</b> Jaimie C. Bever	
<b>Title:</b> Executive Director	



**PUGET SOUND PILOTS**  
Protecting Puget Sound Since 1935

# PSP Efficiency Measures

- On-Watch Efficiency
- Reduce Call-backs
- Rested Pilots
- Safer Operation



# In December 2021, PSP Balloted and Passed New Efficiency Measures



Permanent adoption of one trial measure and 6-month trial adoption of five other measures.



Better position rested pilots for assignments and enhance availability of pilots.



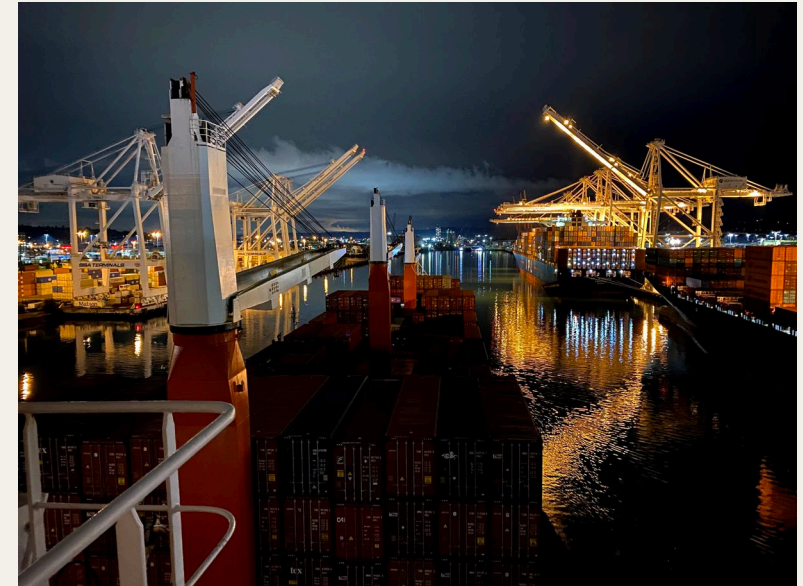
Improve on-watch productivity and reduce the need for “call-back” pilots.



Adhere to expert-recommended work/rest best practices.



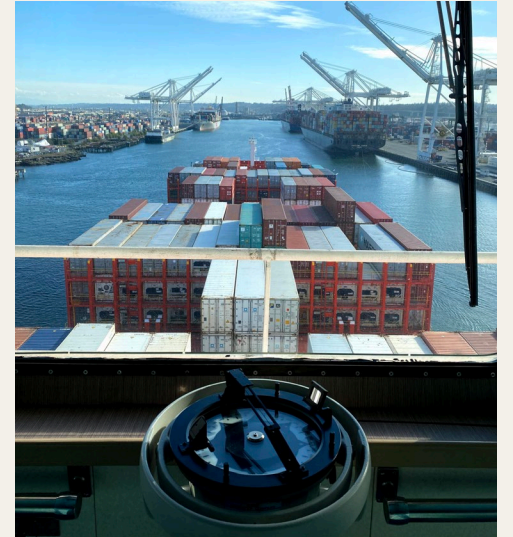
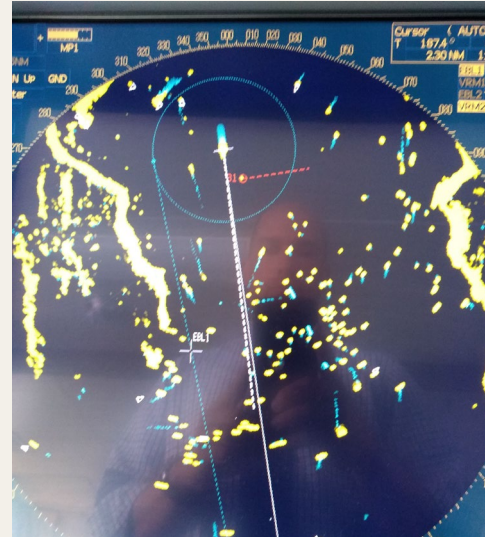
Advise BPC of needed WAC changes.





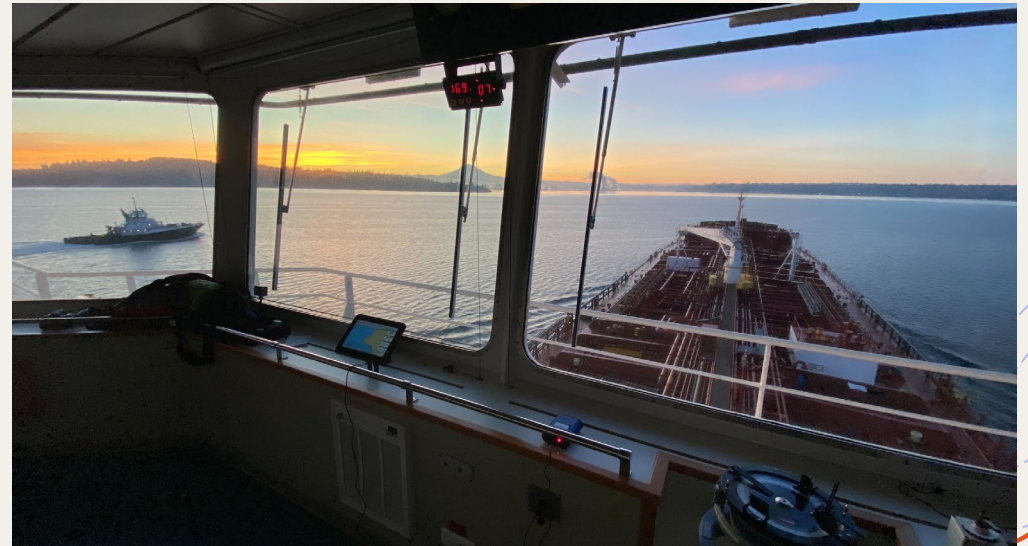
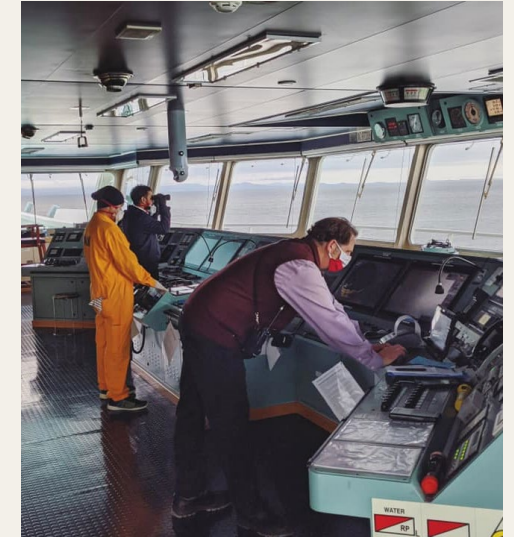
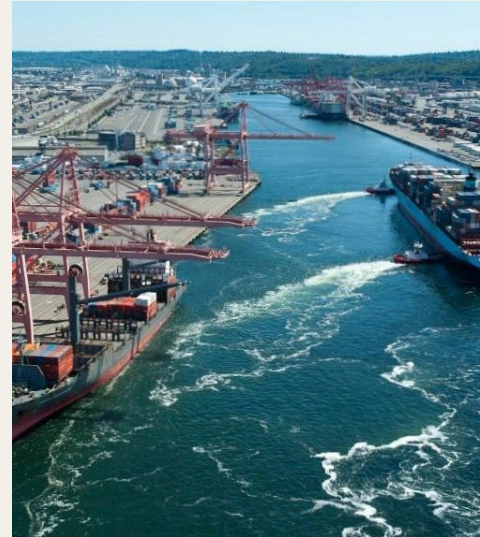
# Assignment Following a Meeting

- + Pilots are occasionally required to attend business meetings while on-watch.
- + In August, membership approved a rule change allowing on-watch pilots to be dispatched to another assignment immediately following a meeting.
- + This change allows for better utilization of on-watch pilots so long as work/rest best-practices are followed.



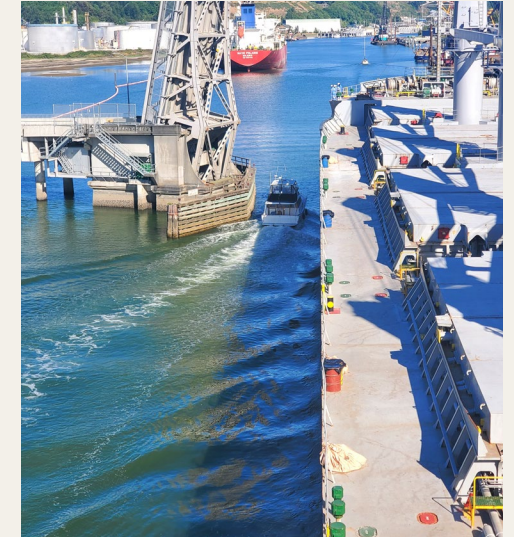
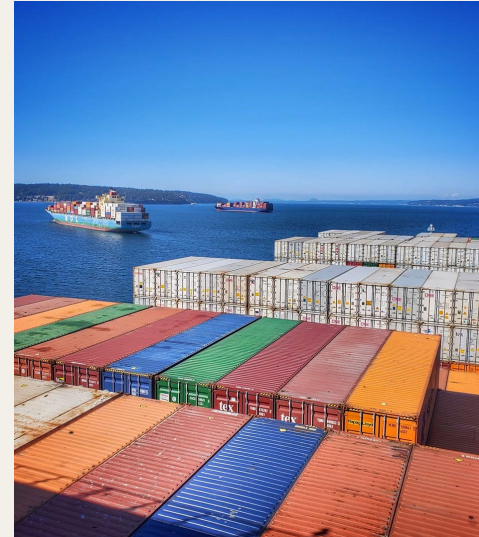
# Trial of Outbound Job Rule

- + In August 2021, PSP created a trial rule allowing a pilot to be dispatched directly from Port Angeles for an outbound assignment.
- + The rule was adopted based on expert-recommended work/rest practices to better utilize pilots where they are needed.
- + The trial rule expired due to lack of predictability of vessel movements, logistical challenges of travel, and difficulty ensuring predictable pilot rest schedules.



# Allow Reposition Directly After Outbound Assignment

- + Data has indicated that pilots often spend significant dwell-time (“just-in-case”) in Port Angeles after achieving mandatory 10-hr. rest. following outbound assignments
- + Rule change allows a pilot to be repositioned back to Seattle directly following an assignment, prior to rest, to achieve rest on the Seattle side to work immediately following 10-hr. rest.
- + Increase the number of on-watch, rested pilots in areas where the pilot can be most effectively and immediately deployed.

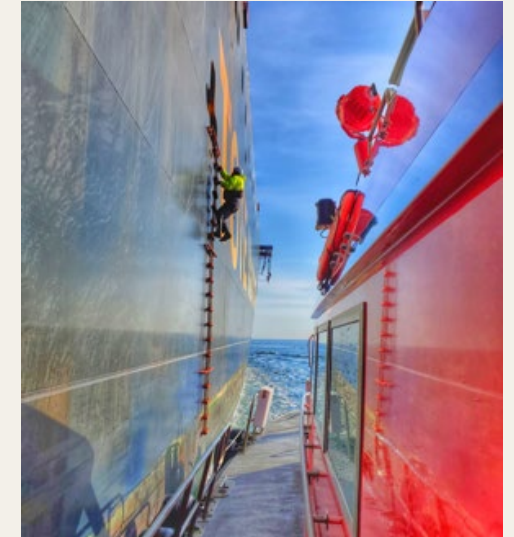
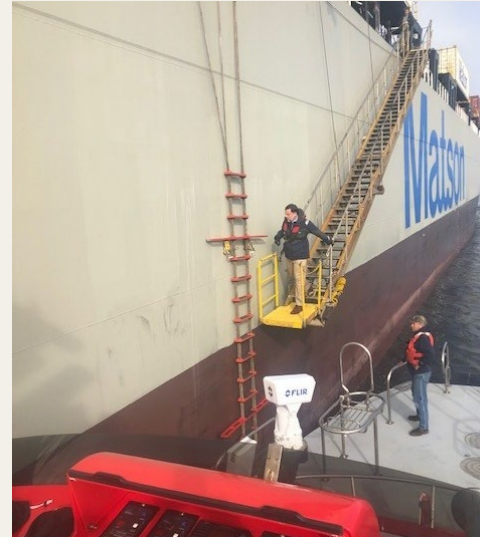


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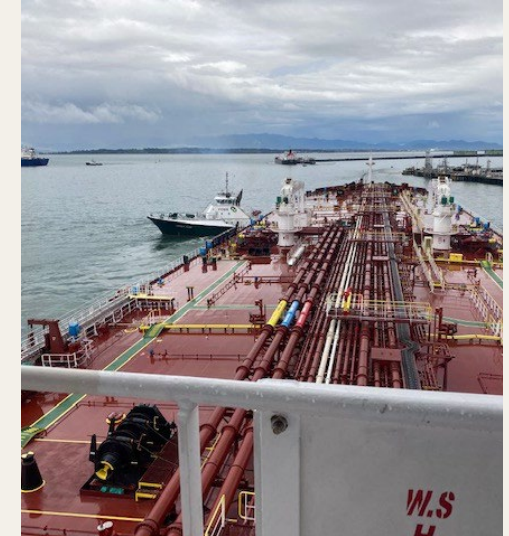
# Mitigate Cancellation Impacts on PSP Dispatch System

- + Cancellations are frequent occurrences and can significantly disrupt pilot rest and the pilot dispatch system.
- + A cancellation is an assignment requiring 10-hrs. rest. Since the April 2021 WAC adjustment, pilots have been limited in their ability to receive an assignment following a cancellation.
- + This rule change will require amendments to WAC 363-116-081 to allow a pilot to be available for a different assignment and help reduce the need for “call-back” assignments.



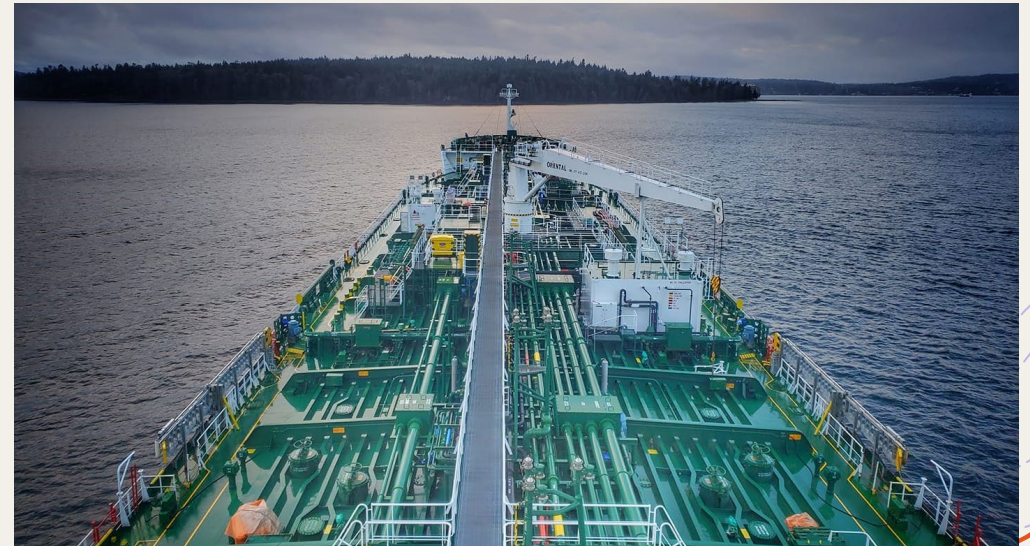
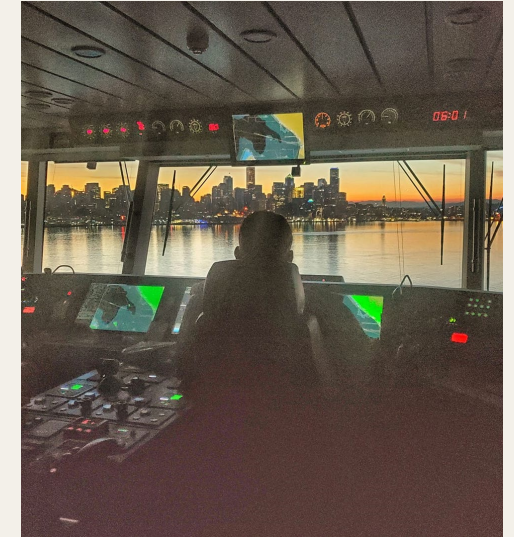
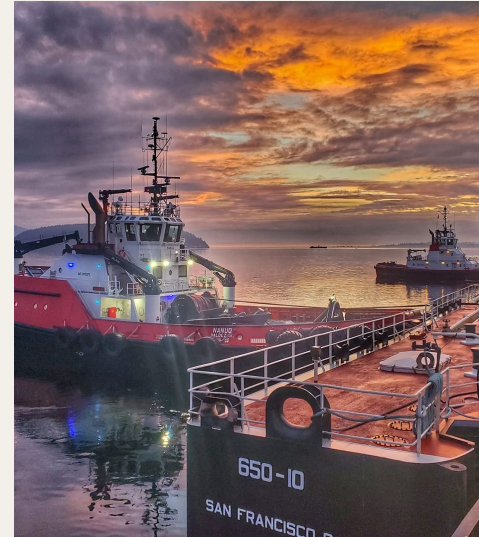
# Combine Harbor and Inter-Port Assignments

- + PSP data suggests that certain harbor shift assignments could be paired with inbound or outbound assignments and still adhere to work/rest best practices.
- + Rule change allows a pilot to perform a harbor shift either before or after an inbound or outbound assignment from/to Port Angeles so long as work/rest best practices are followed.
- + This rule change will require amendments to WAC 363-116-081 to allow a pilot to combine an inbound or outbound job with a harbor assignment as the rule currently only allows for the combining of “multiple harbor assignments”.



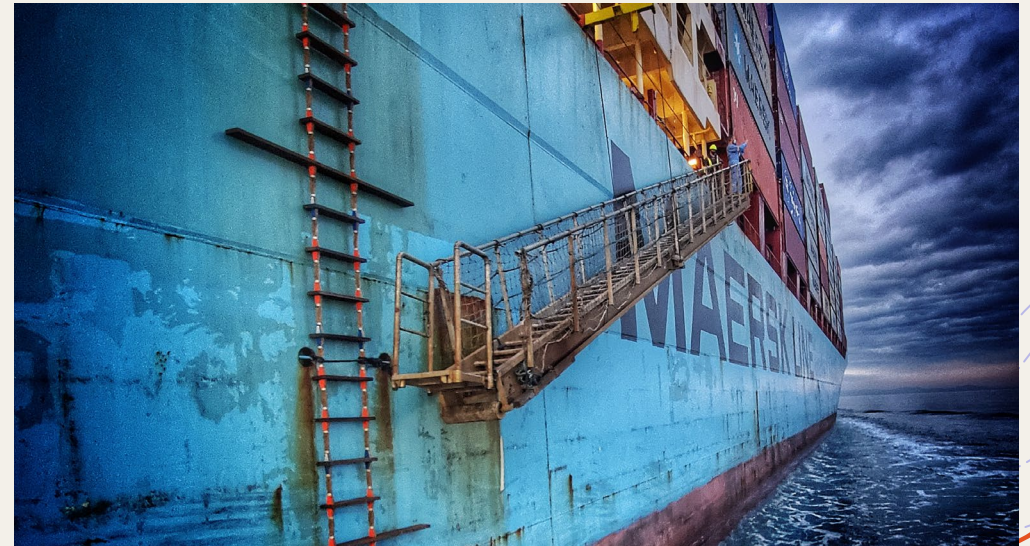
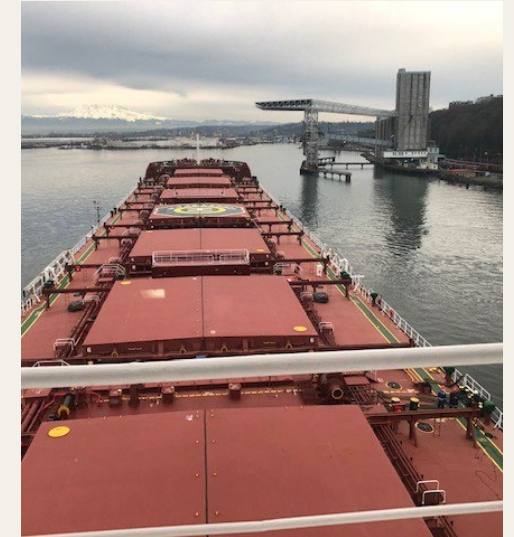
# Reduce Call Time for Night Assignments

- + By reducing call time by 1 hour for assignments occurring between 1830 and 0759, pilots could complete more assignments within RCW-mandated periods and within work/rest best practices.
- + The change would reduce call-back jobs increasing pilot availability as well as allowing greater flexibility to perform additional harbor shifts for multiple harbor shift assignments.
- + Data suggests this rule change will decrease the overall number of "3 & out" jobs and assignments leading to "3 & out" jobs.



# Decouple Repo Times from Ferry Schedules

- + Puget Sound Pilots has historically linked inbound and outbound reposition times according to the schedule of the Bainbridge Island ferry.
- + The rule has been changed to decouple repo times from ferry schedules in order to add flexibility to where a pilot is needed for assignment.
- + This change will reduce callbacks and improve pilot availability by allowing pilots to immediately reposition inbound if work/rest best practices are followed.



# What's Next?

- + **Implement New Rules**
- + **Monitor and Report Effectiveness and Results**
- + **Communicate with Industry**
- + **Evaluate Other Rule Modifications that Present Actionable Opportunities to:**
  - + Improve On-Watch Productivity
  - + Ensure Rested and Ready Pilots
  - + Reduce Call-back Jobs and "3 & Outs"
  - + Continue Flawless Performance 24/7/365







+

+

# Thank You

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**Meeting Minutes – Pilot Safety Committee (PSC)**

October 25, 2021, 1 pm to 3 pm

**Attendees:** John Scragg (PSP), Andrew Drennen (BPC), Sheri Tonn (BPC), Jaimie Bever (BPC), Ivan Carlson (PSP), Scott Anacker (PSP), Mike Folkers (PGH), Eleanor Kirtley (BPC), Mike Moore (PMSA), Charlie Costanzo (PSP), Bettina Maki (BPC)

**1. Review of Minutes of previous meeting on 08/30/2021**

The minutes were reviewed and approved by the committee with minor correction (removing a confusing sentence).

**2. Maximum Assignment Duration**

This item was moved to the top of the agenda because Mike Moore had to leave early to attend another meeting.

*Note: This discussion refers to two different data sets that Ivan Carlson has shared with the committee. There is a detailed data set, showing individual bulker assignments outbound from Tacoma over a 2-year period (2019-2020) that has been reviewed at previous meetings, and there is an updated data set for this meeting, that also includes data from the first 9 months of 2021, so 33 months of data instead of 24, and is more aggregated, showing percent of assignments with delays and percent of assignments that are night assignments, etc.*

John Scragg gave an overview to start the discussion regarding the bulker assignments out of Tacoma which have very long assignment lengths. He described the fatigue management recommendations from Dr. Czeisler, and the long discussion at the previous PSC meeting where John Coyle of Bluewater (bulker agent) attended and spoke with the committee, and the data that Ivan Carlson put together about the core of the issue, assignment lengths greater than 12 hours, and specifically night jobs over 12 hours. The committee has been looking at the possibility of changing pilots in Seattle as one solution and the pilots believe this is the best solution. He then requested input from rest of committee.

Sheri Tonn said that when we look at economics and safety, safety is the most important. Looking at the data, seeing the large number of these jobs that are over 12 hours, it appears the problem is not going to be fixed with changes to scheduling. Therefore, changing pilots seems to make good sense.

Andrew Drennen shared that since the last meeting he has spent a lot of time learning about the grain business and it is a very complicated business with very thin margins. He said that he is most interested in a multiprong approach, “carrot and stick”. He expressed concern about increasing

callbacks resulting from adding a second pilot. He described that in other regions there is a max delay time, and when that is reached a new pilot is dispatched. He thought consideration should also be given to the possibility of reducing the 5-hour prep and travel time by 1 hour, and adding the second pilot based on conditions, e.g. current, not just automatically having a second pilot. He encouraged everybody to give something and meet in the middle. He pointed out that the detailed assignment data showed very few assignments with bridge time greater than 9 hours and that mariners routinely do 12 hours of bridge time.

Ivan Carlson responded that determining on a case-by-case basis (conditions) whether to use a second pilot is problematic. He pointed out that we are not just talking about Temco grain bulkers but also looking at bulkers from Schnitzer Steel as well – those are also routinely very long assignments. He felt delays were not that prevalent and should not be the focus. He said we should not be talking about economics or callbacks, we should be talking about safety.

Eleanor Kirtley said she likes the multipronged carrot and stick approach. She does not want to “balance” safety and efficiency (economics), she wants to improve both. She did not feel confident weighing in on operational issues of implementation and costs.

Andrew Drennen explained in detail the incentives involved in implementing a maximum 4-hour delay: if ship is ready to sail and can't sail they get charged demurrage. But if pilot leaves after 4 hours and ship is waiting on another pilot, it is not considered ready to sail, so there would not be demurrage charges. This keeps costs down for the agent, and the inability to charge demurrage while waiting on another pilot incentivizes the terminal to do better at ordering pilots for the correct departure time to avoid that situation.

John Scragg asked the committee are they okay with 94% of the night assignments in this category (loaded bulkers outbound from Tacoma) being more than 12 hours in duration when the recommendation is a maximum of 8 hours?

Mike Moore said that when talking with Bluewater previously, he focused on delays and not on duration of assignments and night assignments. He expressed interest in revisiting the topic with Bluewater focusing on assignment duration and night assignments, but not sure they can do anything, even though the relationship between the terminal and agent and carrier is a little different for bulkers and maybe they can tighten things up.

John reminded the committee that the data shows delays are not the main issue. Rather it is simply the case that the ships are heavy and slow, and it is a long distance (90 miles) to the pilot station from Tacoma.

Ivan Carlson agreed that the main issue is that these jobs are long and a lot of them are at night. He reminded the committee that we are not discussing all long jobs, just long jobs at night. He said yes, it would be more efficient to only have one pilot on these long jobs, but it would be safer to have two pilots. He reminded the group that PSP has offered an alternative – taking the ship to anchor and waiting to do the assignment during the daytime, so that the job would no longer be a night job, but for various reasons that solution does not work well for Bluewater. He pointed out that when PSP has a long assignment with Andrew's company, Polar Tankers, they put two pilots on and instead of swapping out at stream, Polar requests to have the two pilots the whole way.

Andrew said they do that to avoid having someone climbing the pilot ladder unnecessarily and that it is generally better to just get up to speed and keep going. However, he said the situation is a little different because there isn't much that can be done to shorten travel time for the tanker assignments because of the geography of the region. He asked again if it was possible to consider reducing the prep and travel time from a total of 5 hours to a total of 4 hours, since many pilots live

in the Seattle-Tacoma area. He thought this reduction would be a way to both reduce the assignment duration and find some middle ground.

Mike Moore wanted to explain an aspect of grain terminal operations and timing. He said unlike a container terminal that charges by the lift, the grain terminal charges by how long the ship is there. He said another timing issue is coordinating with trains bringing more grain to finish filling a ship because the terminal does not have that total amount of grain just waiting there to be loaded (the terminal capacity is less than a bulker ship's capacity and the remainder comes by train).

Looking at the data about delays, Mike Moore felt that even though relatively few assignments had delays greater than 1 hour, it was still an area to look at for time savings. He returned to the idea of a 4-hour maximum delay automatically cancelling the assignment and requiring a different pilot.

Ivan explained that PSP previously had a 4-hour maximum delay policy, but it was excessive, and allowed for very long assignments (4 hours on top of the already very long assignment time). These assignments are already very long even if there are no delays.

Mike Moore reviewed the definition of night assignments: If any part of an assignment falls within the window of 0100 to 0459, then it is a night assignment. Ivan pointed out that the 0100 to 0459 definition of night assignments is abbreviated from the recommended 0000 to 0559.

John Scragg again summarized the problem, and the proposed solution of adding a second pilot to night assignments only for loaded bulkers outbound from Tacoma, and pointed out that resistance appeared to be based on cost.

Andrew Drennen responded that other factors besides financial include increased callbacks interfering with pilots' respite periods. He also pointed out that increased costs to this class of ships will tend to come out of safety and maintenance. He thought that reducing prep and travel time by an hour would be a gesture to show compromise if it is necessary to add a second pilot; it could be a way to show that something is being asked of both parties.

Eleanor Kirtley asked if instead of dispatching in strict rotation, an exception could be made for these very long assignments and assign a pilot who is close by.

John Scragg shared some of the reasons for the adherence to strict rotation, which included liability issues and said that changing to a regional dispatch system was not really an option for the pilots.

Ivan emphasized that the goal is progress, not perfection, and that while the recommendation for 8-hour maximum assignment duration at night does not seem achievable, it would still be progress to add a second pilot only to these long night jobs – 189 jobs over 33 months in the latest data he shared today (through September 2021).

Andrew agreed with the goal of progress and agreed that it is not possible to fully implement all of the fatigue management recommendation from Dr. Czeisler. He acknowledged that mariners around the world are routinely on watch for 12-15 hours. He again suggested reducing the prep and travel time from 5 to 4 hours.

Ivan Carlson pointed out that a 1-hour reduction in prep and travel time would not totally solve the problem – since so many of the jobs are longer than 13 hours, a 1-hour reduction will not bring all of them below 12 hours duration. Ivan also pointed out that the travel times accommodate rush hour travel conditions and so he cannot support reducing the travel time. He believes pilots need and use all of the prep and travel time.

Mike Moore acknowledged that reducing prep and travel time would still leave many assignments greater than 12 hours duration. He said that although there are a lot of moving parts in the call time calculation he felt that could still be evaluated. He said he'd like to seek further input from industry.

Sheri Tonn agreed that reducing prep and travel time by 1 hour still leaves a lot of assignments (102 in a 33 month period according to the most recent data) of excessive duration.

John Scragg stated that night assignments are the biggest concern and taking this step will show that fatigue management recommendations are being taken seriously and that progress is being made. He said the solution it is important enough to implement even though it unfortunately will cost industry some money. He pointed out that the pilots have independently throughout their history implemented changes for safety, such as adding second pilot to Olympia assignments and to long tanker assignments.

Mike Moore said he still wanted to talk further with industry about the change. He had to leave then for another meeting.

Sheri Tonn said the decision was fully vetted and was not being made lightly by any stretch of the imagination, but that is just not possible to move these vessels more quickly.

Andrew Drennen agreed that is not possible to overcome the speed and distance elements of the equation but wanted to at look at things that are possible to control, such as prep and travel time and timing issues that Temco might improve.

John Scragg and Ivan Carlson again stated that prep and travel times are what they are for good reasons, and that PSP was in fact meeting in the middle by only focusing on night assignments.

Andrew asked if the conversation would continue and eventually include all the bulker assignments. He pointed out that there is virtually no history in the district of MSOs or incidents tied to fatigue, therefore difficult to know when enough has been done in this area. He was concerned about "creep" and possibly needing more and more pilots, leading to more and more callbacks, and pilots burning out.

Ivan replied that the focus is only on bulkers departing Tacoma, and not bulkers departing Seattle. John emphasized that the data paints a clear picture that we are not anywhere near complying with what was recommended a long time ago and now have been discussing for months. He said it doesn't seem right to talk about it and not do anything.

Eleanor Kirtley and Andrew Drennen asked if these two-pilot jobs will mean both pilots on board for the entire assignment or changing pilots in Seattle? (using a private launch and requiring additional pilot ladder transfers)

Ivan Carlson and John Scragg explained that changing pilots in Seattle is the most cost effective and the most efficient use of pilots' time. It adds 15-30 minutes. The vessel needs to slow a little but not come to a stop, usually in Elliott Bay.

Andrew asked what happens if they choose to go to anchor, i.e., do a harbor shift and then make the outbound transit from the anchorage instead of the terminal.

Ivan and John explained that if the pilot is ordered during hours that don't go into nighttime, they can save a little money that way (assuming there is an anchorage available.) The benefit would come from waiting until the assignment was outside of nighttime window. There is very little time savings achieved by departing from the anchorage vs departing from the terminal, so a second pilot would still be required at night.

Andrew thought that the time and fuel involved just to get anchored and wait will probably be more than the cost of the second pilot. He also explained that the agent doesn't order the pilot, the terminal orders the pilot, and they want the ship off, even if they don't need that berth right away. He suspects nothing will change for the terminal; they are just going to want the ship to go.

Sheri Tonn suggested something to look at in a six month review would be: Does this shift night jobs to day jobs? She thought it would be useful for the committee to again seek input from the agents in the next six months.

John Scragg surveyed the group to determine if there was consensus on implementing this change and following up at six months: Jason Hamilton was not present. Mike Moore had already left the meeting but had expressed agreement while still wishing to further discuss with and get input from industry. Eleanor Kirtley and Sheri Tonn were in support if the effects of the change are monitored and reviewed in six months, including seeking feedback from industry. Andrew Drennen agreed with the change and expressed appreciation for the thoughtful listening to his ideas. He acknowledged the pilots were meeting industry in the middle by adding a second pilot only to long assignments at night.

Andrew had a procedural question: Does the Board vote on this or is he just to inform the Board of the Committee's decision (at the next board meeting tomorrow October 26)?

Jaimie Bever and Sheri Tonn did not see this as something the Board would be voting on. Jaimie explained that it is the Committee's role to make recommendations to the Board and keep the Board aware of Committee decisions.

John compared it to the TEC (Trainee Evaluation Committee), when the Board is updated on what the TEC has done. The Board is trusting the TEC to make the operational decisions, and the fact that they are being informed allows them to ask questions and follow up as needed.

Eleanor Kirtley asked if the decision to utilize a second pilot on night assignments for loaded bulkers departing Tacoma is something that will be published in either the PSP Guidelines or the PSP Operating Rules?

Ivan Carlson explained that it will be a Dispatch Memo to the dispatchers. It is not something that the pilot members will be voting on; it is something that is being recognized as best practice.

Eleanor thought the Committee should make sure to document the update to the dispatch practice in a way that helps to build buy-in, by making clear the Board supports the Committee's conclusion.

Ivan suggested that PSP could send a letter to the bulker agents, indicating that going forward these will be two-pilot jobs if they are night assignments.

Eleanor agreed this type of up-front communication would be helpful, and added that the agents should be informed of the work that went into the decision, and that it will be monitored for the next six months, etc. This information should be shared with the Board as well.

It was clarified that Andrew could present the PSC decision to Board at tomorrow's meeting (10/26) just as information, not for a vote, and if the commissioners need additional information, they can request it.

### **3. COVID 19 update**

Ivan Carlson reported that cruise ship season had featured some incidences of COVID aboard the vessels, but the BPC, and AAG, and Dr. Jarris worked together to come up with some paperwork and

requirements of the cruise lines to inform the pilots of any instances of COVID and test the entire bridge team that the pilot was exposed to and make sure that they test negative, and that worked well.

PSP has one employee who might have COVID, who is currently out of rotation and awaiting their test result.

John Scragg gave an update on the situation involving trainees on Crowley vessels that was discussed at the previous meeting, relating to COVID testing and Canadian border crossings. Crowley had initially decided to not allow trainees on their vessels. After further discussion a middle ground was reached, and Crowley is now allowing trainees on tanker ships but still not on ATBs. Nonetheless this is a big improvement and very helpful to training program to have access to the Crowley tankers.

#### **4. Rest Rule Exceptions**

The quarterly rest rule exception reports were reviewed.

#### **5. Dangerous Ladder Reporting**

Scott Anacker reported on the progress of the dangerous ladder reporting form beta version and conversion to an electronic form. An educational flyer is also being developed for 2022.

#### **6. Pilot Ladder Safety Bulletin**

The finalized pilot ladder safety bulletin was reviewed. Some wording that does not exactly match the regulations wording (regarding thru hull fittings) will be corrected. The committee approved the bulletin go to the Board at tomorrow's meeting (10/26) for approval to be sent out and posted on the BPC web site.

#### **7. Wrap-up/Next Steps/Next Meeting**

Next meeting to be scheduled for January 2022.

The meeting was adjourned at 2:30 pm.

[Shipping Company Name]  
[Name & Title]  
[Address]  
[Address]  
[Address]

[Date]

Dear [Name] or [To Whom It May Concern],

The west coast pilot associations have had discussions on a common issue affecting the safety of pilot transfers. The goal of these discussions is to provide ships and companies a consistent message on the rigging and securing of pilot ladder arrangements in conjunction with accommodation ladders, otherwise known as combination arrangements.

Our discussions focused on the requirement that “means shall be provided to secure” the lower platform of the accommodation ladder to the ship’s side and the pilot ladder and manropes to the ship’s side “at a point nominally 1.5m above the bottom platform of the accommodation ladder.” While it is preferable to accomplish this required “securing” by using appropriate lines attached to recessed hull fittings, if such hull fittings are not available, magnets or suction cups specifically designed for this purpose are acceptable. U.S. Coast Guard Marine Safety Alert 14-14 provides important information regarding use of hull magnets.

Common issues we encounter include:

1. The platform of the accommodation ladder being too low,
2. Only one securing point used for both accommodation and pilot ladders,
3. Only one side of the pilot ladder secured,
4. Loose securing methods allowing the pilot ladder or accommodation ladder to move around the securing points,
5. Improperly rigged magnet or suction cup devices.

Individual pilots may request changes if they recognize a safety issue and may refuse to use a transfer arrangement that he or she reasonably believes is unsafe.

We would also like to bring to your attention International Maritime Organization (IMO) regulations and standards, as well as U.S. Coast Guard safety alerts and bulletins, which are applicable to pilot transfer arrangements and procedures. Below is a list of these important references, along with links to access the documents. We urge you to ensure that your officers and crews are not only well-versed on these references, but also trained to implement them so that pilot transfer arrangements and procedures aboard your vessels are in full compliance with these critical regulations and standards. These references are:

1. International Convention for the Safety of Life at Sea (SOLAS) Regulation V/23 governs pilot transfer arrangements  
<https://www.americanpilots.org/SOLAS%20Reg%20V-23.pdf>



2. IMO Assembly Resolution A.1045 (27) lays out additional standards for pilot transfer arrangements  
[https://www.americanpilots.org/A.1045\(27\).pdf](https://www.americanpilots.org/A.1045(27).pdf)
3. U.S. Coast Guard Marine Safety Information Bulletin (MSIB) 21-20, Ch. 2, “Recommendation for Pilot Transfer Arrangements”  
<https://www.americanpilots.org/MSIB%2021-20%20CH%20%20Recommendation%20for%20Pilot%20Transfer%20Arrangements.pdf>
4. U.S. Coast Guard Marine Safety Alert 14-14, “Designed for a Reason – Hull Magnets: Modifications Made to Pilot Ladder Magnetic Securing Devices Lead to Accidents”  
[https://www.americanpilots.org/MSA\\_1414.pdf](https://www.americanpilots.org/MSA_1414.pdf)
5. International Maritime Pilots’ Association (IMPA) Pilot Ladder Poster  
<https://www.impahq.org/impahq-policies-publications/pilot-ladder-poster>

Thank you in advance for your attention to the issues raised in our discussions and to the important references included in this letter. We again urge you to share this information with your vessel officers and crew, and conduct appropriate follow-up to ensure your vessels are in compliance with the applicable pilot transfer regulations and standards.

Sincerely,



Alaska Marine Pilots



Southwest Alaska Pilot Association



Southeast Alaska Pilot Association



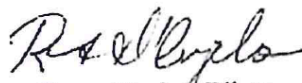
British Columbia Coast Pilots




Hawaii Pilots Association



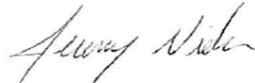
Puget Sound Pilots



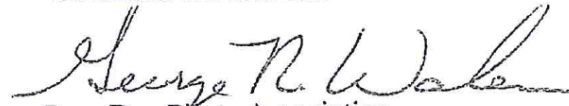
Grays Harbor Pilots



Columbia River Bar Pilots



Columbia River Pilots



Coos Bay Pilots Association

**John Carlier**

San Francisco Bar Pilots



Jacobsen Pilot Service



Los Angeles Pilotage Service



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**Meeting Minutes – Vessel Exemption Committee (VEC)**

November 10, 2021, 1 pm to 3 pm

**Present:** Captain Mike Anthony (PSP, BPC Commissioner, VEC Chair), Captain Travis McGrath (PSP), Captain Mike Ross (BPC Commissioner), Captain Charlie Johnson (Large Vessel Operator), Nhi Irwin (Ecology BPC Commissioner), Timothy Farrell (BPC Commissioner), Monique Webber (Pacific Yacht Management), Jolene Hamel (BPC Staff), and Jaimie Bever (BPC Staff)

**Absent:** None

**1. Welcome & Introductions**

This was Captain Charlie Johnson's first meeting. He introduced himself and shared his background, which includes a 1600GT Masters License. He has sailed on several vessels that the BPC have exempted in the past decade, most notably CV9. We did a round robin introduction for Charlie to get to know everyone.

**2. Review of Minutes of previous meeting on 10/12/2021**

Jaimie reminded the committee that if we end up pursuing legislative changes that the minutes will act as stakeholder work, and they need to be easy to digest. The minutes were reviewed and approved by the committee without corrections. Captain Anthony shared that he had talked with Sheri (Tonn – Chair of the BPC) and Jaimie regarding Agency-led Legislation, and that while it is a heavy lift we have time to pursue and will need to get sponsors.

**3. Goal Timeframe(s)**

There was a brief discussion on how we should work through the goals that we have identified. Captain Anthony suggested that since many of our goals are tied to statute (vessel size, fee structure, etc.) that we should decide if we wish to pursue legislation change. It was agreed that we do wish to start the process of legislative change but simultaneously work towards standardization before the next yacht season.

**4. Standard Baseline for all Vessels**

Finding a "standard" point is difficult and as Captain Anthony pointed out. It is difficult to try to compare our area to other areas as the standard is across the board depending on where we try to compare to. Captain McGrath suggested that 65' tends to be a good starting point as it is a common usage and discussed in COLREGS. Monique agreed that 65' would also be consistent with Alaska's

rules. Nhi asked if we have data on the vessel exemptions that have received exemptions in the past. We do have the data that we collect for the annual report, however as pointed out by Captain McGrath, using only the data of those who have gotten exemptions would defeat the purpose as we have a lot of smaller vessels in our waters who are not currently seeking exemptions. It was suggested that 65' may get pushback with our current fee structure, as we have a significant price reduction at under 50'. Monique stated that 80-90' is when they typically have full time staff.

Captain Anthony inquired if we are happy with the upper limits (200' and 1300GT) however there was some question if the 200' was the highest the legislation was willing to consider. Monique inquired if 200' was the limit for recreational or passenger. It is both. Captain McGrath and Monique were both concerned about touching the top level in light of the legislation that Clipper was trying to get passed last session.

Tim asked the captains if there was a natural breaking point in looking at safety. They agreed that it is important to look at both length and gross tonnage, but ultimately agreed that length is a better scale. It was again pointed out that our fee structure drops significantly for size.

Captain Anthony also pointed out that we need to look at the captain's experience. According to Monique many of the vessels that she gets exemptions for will list 2 captains on the application to take into account rotational shifts, but whose experience is being looked at. She added that our current application asks how many times you have had an exemption in WA and on which vessels.

Captain Johnson reminded us that from the perspective of a vessel operator they are extremely careful with the vessel they have been entrusted with and do not want anything to happen to it. He wondered if there was a video they could watch about the different anchorages here in Washington and then acknowledge watching – like the boaters exam. Currently we have the face to face orientation but perhaps we could consider a virtual option. Captain Johnson wondered about a designated person (pilot) that they could facetime with. Monique agreed that we could have an orientation video then take a test, and although acknowledged that money is always a factor that an online option would be great for smaller vessels. Jaimie stated that if it was determined that was the wish of the BPC, it would need to be part of the biennial budget for the 2023 legislative session.

Tim asked how we can write in performance standards versus compliance standards into the WAC. Nhi stated that we need to establish best practices so that we do not need to change the WAC each time. Jaimie asked Nhi if she had experience with legislators being open to legislation that is not so prescriptive and Nhi responded that as long as you have the data and build the case they can be open to it.

We need to figure out a better flowchart to determine which vessels meet our criteria(s) for conditions. Akin to if they have these factors or conditions (a mix of size and experience) then they qualify for orientation or not. Captain Anthony suggested that the 3 captains on the VEC meet separately to try to narrow down recommendations for the larger group to use as a starting point as they have the real life experience. The rest of the committee agreed with this.

## **5. Advertising and Outreach to Audiences**

Captain Anthony asked what mechanism do we have to get money for advertising. Monique and Captain Johnson reminded us to not underestimate the power of free social media and the hashtag. The #PNWonderland tag has 3 million followers. Monique suggested creating a campaign that would run during February through June, as most vessels decide where they are going between January and March. She has a list of hashtags that she can supply us. It was determined that Monique and Jolene would work on some social media campaigns and bring ideas to the next meeting.

## **6. Consider Requiring Agent for all Vessel Exemption Applications**

After a brief discussion on this goal, it was unanimously decided to remove this from the list of goals as it was determined that there would be no net benefit to try to model this Alaska requirement.

## **7. Orientation/Familiarization**

This was determined that it goes hand in hand with the standard baseline, and the 3 Captains are going to try to develop some recommendations as a starting point for the committee and plan to meet and work on these before the next committee meeting.

## **8. Enforcement/Enforcement Mechanism**

Monique inquired about BPC's enforcement mechanism. Captain McGrath wondered if customs would be able to support our enforcement efforts. Monique stated that that it depended on where they entered and educated the committee on the multiple docks and various ways vessels are tracked. Perhaps we should talk with Laird Hail, USCG, to see what if any help they could give us. Captain McGrath inquired how we enforce civil actions against pilots and if that mechanism could be enacted towards vessels. Monique suggested that we consider something like the Customs Border Patrol uses: first fine is \$5000.00 but they can mitigate down to \$500.00, then a second fine is \$10,000.00. Mike Ross stated that it is good that we have a law in place and suggested we get more information about how to enact. Captain Anthony suggested that he, Jaimie and Jolene talk with BPC legal counsel and get further guidance to bring back to the committee.

## **9. WAC Changes to Support New Requirements**

It was determined that we cannot narrow down what WAC changes we would need to create until we are done establishing standards.

## **10. BPC Website Vessel Exemption Tab Update**

Monique and Jolene to discuss as part of the social media campaign – we want to make sure that if we are driving traffic to our website and creating an interest that the information is easily accessible and visually pleasing.

## **11. Fee Standards/Structure**

Captain McGrath asked why the vessel fee jumps so drastically from 50' (\$50) to 51' (minimum of \$1000) and it was suggested that we could look at a price per foot and get rid of tonnage. Monique cautioned that the last time the vessel exemption statute was opened there was quite a 'can of worms' around tonnage and perhaps we should talk with then PSP President, Captain Eric vonBrandenfels to remind us of the historical argument. Monique also stated that in comparison to Alaska, our fees were reasonable. In Alaska, they have a \$200 non-refundable application fee and then charge \$50.00/per foot in excess of 65'. Captain Ross inquired as to where the funds from current exemptions go. Captain McGrath appreciated Mike's comments and agreed. We had a brief discussion on charging a fee for expedited services but ran out of time before we could come to any agreements or possible recommendations.

## **12. Wrap-up/Next Steps/Next Meeting**

We only got through goal number 8 on the list (out of 15) so after a query of holiday month availability, it was decided that we could have a meeting in December as long as it was prior to 12/17. Decided to try and target week of 12/13. Jolene to send a doodle poll for best time.

The meeting was adjourned at 3:00 pm.