

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
April 21, 2022

Regular Meeting – Call to Order

The regular meeting was called to order at 10:00 a.m. by Chair Sheri Tonn via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Jason R. Hamilton (Public), Sandy Bendixen (Pilot), Mike Anthony (Pilot), Timothy J. Farrell (Public), Michael Ross (Foreign Shipping), Andrew Drennen (U.S. Shipping), Nhi Irwin (Ecology)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Eric Klapperich, Bill Sliker: Puget Sound Pilots

Mike Folkers: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Laird Hail, Nate Menafee: USCG

Lou Paulsen: The Northwest Seaport Alliance

Monique Webber: Pacific Yacht Management

Mike Haglund: Public

Ann LaRue: Public

Kate Reynolds, Justin Cotte: Washington State Executive Ethics Board

BPC Staff Report.

- The Spring BPC Pilotage Quarterly has been published. The staff spotlight has concluded, and BPC staff will look at highlighting BPC commissioners next.
- The BPC office reopening has been going according to the reopening plan laid out last month. WSDOT offices have also reopened to the public, including WSF at the 2901 building. Masks are required if a member of the public goes into a 'closed' area.
- WSF has started a new scheduling tool, ROBIN, that allows staff to reserve drop in spaces in the building. If commissioners would like to utilize a drop-in workspace, BPC staff can provide scheduling.
- BPC has renewed the agency's liability insurance policy as of April 6. Many thanks to the group at Newfront Insurance for their assistance.
- Martin Selig, 2901 building owners, have contracted with a private security company to help mitigate safety issues in the area. If anyone coming to or leaving the building wishes to be escorted to or from the building within a 2-block radius, please notify BPC staff.
- BPC staff proposed electronic meeting material packets going forward, with the option to print hard copies for commissioners who request them. Commissioners Bendixen, Drennen, Anthony, Ross, and Irwin requested electronic only packets. Chair Tonn, Commissioner Hamilton, and Commissioner Kirtley requested electronic and hard copy packets. The process will be in place for the May meeting.
- BPC Program Analyst Bettina Maki provided and commented on data reports summarizing pilotage activity including assignments by vessel type and a dashboard view of Puget Sound Pilots' monthly activity report. The dashboard will help track the recent efficiency measures enacted by PSP and the WAC 363-116-082 emergency rule adopted by the Board in February. The data was well received by the commissioners.

BPC Chair Report.

- Chair Tonn reported on a recent meeting with Puget Sound Pilots (PSP) and Pacific Merchant Shipping Association (PMSA) regarding the upcoming summer cruise season and how best to mitigate delays. She added that possible solutions are being reviewed and everyone is doing their part to help in mitigation.
- Chair Tonn spoke at the April 19 PSP Board meeting, which was also attended by other PSP pilots. They discussed summer delay mitigation. It provided an opportunity for pilots to ask questions directly to the BPC and Chair Tonn thought it was a good discussion.

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

Regarding delays, PSP President Ivan Carlson noted there was a hierarchy of delays. PSP does not delay cruise ships, and they try not to delay vessels that have B.C. as the next port of call, vessels that are tied to a berth where another vessel is awaiting that berth, and vessels that have a tide or current window requirement. After an inquiry from Commissioner Bendixen regarding delaying domestic lines, Captain Carlson added that PSP does not delay TOTE and that on occasion they have delayed Matson. He did point out that Matson frequently delays PSP, which is a problem. Laird Hail, USCG, requested that PSP also prioritize vessels waiting at anchor.

Commissioner Farrell thanked PSP for the letter response to his request at the March meeting for details regarding the steep increase in delays beginning in the summer of 2021. He asked for clarification on one section of the letter regarding research as to the primary reasons for the delays. He added that several reasons were consistent with trends in the business, however they do not account for the significant delays reported. Captain Carlson responded that there were too many moving parts to be able to sit down and figure out the exact cause. He apologized and reiterated that he did not have answer.

Commissioner Bendixen reported that the recently established Pilot Ladder form is being utilized by both Puget Sound Pilots and the Port of Grays Harbor. It has been very helpful in identifying dangerous arrangements and encourages pilots nationally and internationally to communicate about dangerous ladder arrangements. She expressed gratitude to both the USCG and the BPC for support in the effort to make pilot transfers safer.

NEW BUSINESS

Meeting Minutes.

Motion: Farrell/Kirtley – approve the March 17, 2022, Meeting Minutes as written with one minor correction to page 2 regarding the number of PSP watch groups – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Consideration of Licensure of PSPD Pilot Candidate: Captain Peter Mann.** TEC Chair Bendixen stated that Captain Peter Mann is very close to completion and will be considered for licensure next month.
- **Pilot License Upgrade Program: Captains Bendixen, Kridler, Melin & Ninburg.** The TEC made a small change to the upgrade letter for Captain Bendixen in the TEC meeting yesterday due to vessel traffic and the availability of small cruise ships in her tonnage level.
Motion: Anthony/Drennen – approve the pilot license upgrade programs for Captains Bendixen, Kridler, Melin & Ninburg as recommended by the TEC – Carried, with one abstention from Commissioner Bendixen on her own upgrade.
- TEC Chair Bendixen reported that Captains Bostick and Michael are both nearing the end of their training programs and are ready to attend PPU training.
Motion: Bendixen/Ross – approve PPU training for Captains Bostick & Michael and provide a one-time stipend increase up to \$2,400 for the cost of the course for both – Carried.
- Chair Bendixen reported that after many years of serving both on the Board and on the TEC, including several years as TEC Chair, Captain John Scragg has requested to retire from the TEC. The BPC thanks Captain Scragg for his many years of service. The TEC recommended to replace Captain Scragg with Captain Patrick Ninburg.
Motion: Bendixen/Anthony – approve Captain Pat Ninburg to replace Captain John Scragg on the TEC effective immediately – Carried.
- COVID-19 update: All trainees continue to take appropriate precautions to stay safe while continuing to work through their training programs. After careful review, the TEC has decided to slowly turn the dial and allow 3 trainees on board unless fewer requested by pilot or company, or where other exceptions apply. Masks are still required to be worn on all vessels. The BPC recently updated the Declaration of Health to include a question on cold/flu symptoms based on more current CDC guidelines.

- Thanks to LCDR Ish Looney and his team, improvements to the federal pilotage requirements packet are making good progress and there will be a completed packet out soon.
- The TEC met yesterday and reviewed all the training programs and comments. There are eleven trainees in Puget Sound and one in Grays Harbor. In Puget Sound, four trainees are in the Evaluation Phase, three are in the Training Phase, and four are in the Observation Phase.
- The Port of Grays Harbor reported that trainee Captain Ryan Leo is progressing well. He attended the TEC meeting yesterday to transition into the training portion of his program and he shared his piloting challenges as well as what he is learning. The TEC is continuing to monitor monthly when a second trainee, Captain Colby Grobschmit, will be able to start his training program in Grays Harbor.
- TEC Chair Bendixen and Vice-Chair Anthony thanked Commissioners Ross and Kirtley for attending the latest trainee orientation session. Commissioner Ross shared that Chair Bendixen did an excellent job presenting. Commissioner Kirtley seconded that and also remarked that the process was very eye-opening and a great reminder of what the trainees will be undergoing in the training program. She encouraged all the Commissioners to attend an orientation session as able.
- Captain Ivan Carlson, PSP President, restated his standing yearly invitation to Commissioners and BPC staff to tour the pilot station in Port Angeles. Jolene Hamel, BPC Training Program Coordinator, recently toured the pilot station and thanked everyone involved for her tour and observation of a man overboard drill.

Pilot’s Report of Marine Safety Occurrence: ALPHA LOYALTY, 03/14/2022

Underway in Elliot Bay, Smith Cove	While proceeding into Elliot Bay, the engine stopped and could not be restarted. Tugs Lynn Marie and Weddell Foss were called to assist. Vessel was successfully anchored and engine came back online.	<u>Motion:</u> Hamilton/Bendixen File as a Marine Safety Occurrence – Carried.
------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------

Pilot’s Report of Marine Safety Occurrence: ATHOS, 03/09/2022

Upon docking, Pier 4 Tacoma	Gantry cranes at terminal not positioned per PSP guidelines and shoreside facilities support not available during this docking. PSP is asking for the Port of Tacoma to develop and enforce procedures to monitor the status of crane positions and communicate those positions as well as preferred safe berthing locations.	<u>Motion:</u> Farrell/Anthony File as a Marine Safety Occurrence – Carried. Follow up conversations with PSP & NWSA
-----------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------

Pilot’s Report of Marine Safety Occurrence: NAVIOS CHRYSALIS, 03/15/2022

Upon docking, Pier 4 Tacoma	Similar situation to the report above on the Athos, cranes at Pier 4 not positioned in a safe manner for berthing.	<u>Motion:</u> Farrell/Anthony File as a Marine Safety Occurrence – Carried. Follow up conversations with PSP & NWSA
-----------------------------	--------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------

Washington State Executive Ethics Board – Boards and Commissions Training. Kate Reynolds, Executive Director of the Washington State Executive Ethics Board, introduced the Ethics in Public Service Act to the Board, pointing out the areas of the Act that specifically pertain to boards and commissions. A Q&A occurred throughout the one-hour presentation.

Exemptions from Pilotage.

Motor Yacht GRANKITO – 64’, 76gt, Cayman Island registry, Captain Larraguibel.

Motion: Drennen/Farrell– concur with Chair Tonn’s granting of an interim annual exemption with the following condition imposed: No Deception Pass, Locks, or Duwamish Waterway and must have pilot orientation cruise – Carried.

Motor Yacht CID – 108’, 264gt, Cayman Island registry, Captain Casadoiro.

Motion: Anthony/Farrell – grant an annual exemption with the following conditions imposed:

No Deception Pass, no Locks and must have pilot orientation cruise from PA through the Locks – Carried.

Motor Yacht KURIOSO – 56’, 20gt, Switzerland registry, Captain Soland.

Motion: Hamilton/Drennen – grant an annual exemption – Carried.

Motor Yacht QING – 151', 485gt, Cayman Island registry, Captains Mayne & Macdonald.

Motion: Farrell/Ross – grant an annual exemption with the following conditions imposed:

No Deception Pass, no Locks and must have pilot orientation cruise – Carried.

Motor Yacht ALTAVITA– 126', 299gt, Marshall Island registry, Captains Thomson & Reid.

Motion: Farrell/Anthony – grant an annual exemption with the following conditions imposed:

No Deception Pass, no Locks and Captain Thomson must have pilot orientation cruise for any solo voyages – Carried.

Motor Yacht SOUTHERN WAY – 114', 218gt, Cayman Island registry, Captain Cabrera.

Motion: Farrell/Ross – grant an annual exemption with the following conditions imposed:

No Deception Pass – Carried.

Motor Yacht MEA CULPA– 138', 302gt, Cayman Island registry, Captain Grant.

Motion: Anthony/Hamilton – grant an annual exemption with the following conditions imposed:

No Deception Pass – Carried.

Motor Yacht PASAENA– 108', 143gt, BVI registry, Captain Holden.

Motion: Farrell/Ross – grant an annual exemption with the following conditions imposed:

No Deception Pass, no Locks and must have pilot orientation cruise – Carried.

Monique Webber, Pacific Yacht Management, requested that the BPC post a notice on the website explaining why “No Deception Pass” is common condition for approved pilotage exemptions, as it is currently unknown. Chair Tonn agreed to work on that with the Vessel Exemption Committee (VEC).

Pilot/Trainee Physical Examination Reports.

Motion: Farrell/Anthony – approve the pilot physical examination reports for Captains T.S. McGrath, R.L. D'Angelo, D.S. Anacker, and N.T. Kelleher for their annual pilot license renewals – Carried.

Motion: Farrell/Drennen – approve the new trainee physical examination reports for Captains M.D. Mancini and W.R. Kelly – Carried.

Currently, there are two Puget Sound pilots medically unfit for duty.

Committee Updates.

Diversity, Equity & Inclusion Committee (DEIC)

- The JDC will now be called the Diversity, Equity & Inclusion Committee (DEIC) and will not be a joint committee with PSP.
- The Pro-Equity Anti-Racism (PEAR) documents have been received from the state Office of Equity, which lays out agency responsibilities and timelines for implementation.
- The Board reviewed the proposed charter for the DEIC. There was feedback for additional maritime sectors to be included, including Tribal partners. Actual membership will be determined once the charter is in place.

Motion: Farrell/Ross – approve the new DEIC charter and add “other members as identified” – Carried.

Oil Transportation Safety Committee (OTSC)

- Jaimie Bever, OTSC Chair, continues to work closely with Ecology on the future rulemaking process and timelines. A Doodle Poll for a May meeting has been sent out.

Vessel Exemption Committee (VEC)

- The next VEC meeting is scheduled for May 11. Agenda topics will include Commissioner Farrell's request to discuss insurance documents, Monique Webber's request for reasoning on why Deception Pass has become a restricted waterway, and a review of the new petition documents.

Pilot Safety Committee (PSC)

- The February meeting minutes were a part of meeting materials for review.
- Commissioner Drennen reported that the PSC met on March 29. The March meeting included a review of pilot operating rules, and call time on night assignments.
- Pilot ladder forms are coming in and the common theme is ‘incorrectly rigged retrieval lines.’ The forms were instrumental in helping to resolve an issue on an outbound vessel headed for Kaohsiung, Taiwan. Captain Bendixen was able to use social media to reach out and inform that pilot association of what was heading their way.
- The next meeting is scheduled for May 3.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone that the next meeting is scheduled for May 19 at 10:00 a.m. via Teams.

Chair Tonn asked for public comment and received none. She adjourned the meeting at 2:05 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin