

**MEETING MINUTES**  
**STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS**  
**January 20, 2022**

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**PUBLIC HEARING – Call to Order**

A Public Hearing concerning WAC 363-116-301 New Revenue Collection was convened 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), Nhi Irwin (Ecology), Timothy J. Farrell (Public), Michael Ross (Foreign Shipping), Andrew Drennen (U.S. Shipping)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

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

Gary Nelson, Mike Folkers: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Laird Hail, Nate Menefee: USCG

Monique Webber: Pacific Yacht Management

Mike Haglund: Public

Ann LaRue: Public

David Grudgel, Brad Hartman: Clipper Navigation

Colby Grobschmit: Pilot Candidate

Ryan Leo: Pilot Candidate

Fred Felleman: Wave Consulting

**WAC 363-116-061 New Revenue Collection.** The changes to this rule are necessary to comply with legislative intent, through the passage of Substitute 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 the stipulated conditions. There were no written or oral public comments. Chair Tonn closed the Public Hearing at 10:05 a.m.

**REGULAR MEETING – Call to Order**

The Regular Meeting of the Board of Pilotage Commissioners was convened immediately following the Public Hearing by Chair Sheri Tonn via Microsoft Teams.

**BPC Staff Report.**

- The 60-day legislative session began on January 10th. BPC staff is not aware of any bills that significantly affect the agency. Executive Director Jaimie Bever was pleased to report that Senator Marko Liias has been appointed the Chair of the Senate Transportation Committee, replacing Senator Steve Hobbs, who was appointed by the Governor as the Secretary of State. The BPC looks forward to working with Senator Liias and offers congratulations to both him and Secretary Hobbs.
- Congratulations to Commissioner Farrell, whose reappointment to the Board was confirmed by the Senate Transportation Committee on Monday. Commissioners Bendixen and Ross will be testifying at this afternoon's Senate Transportation Committee meeting in anticipation of their confirmations.
- The Governor's proposed budget fully funds the BPC's supplemental budget request. House and Senate versions of the transportation budget are currently being considered in the legislature.
- State agencies were planning a 25% return to office in January. Because of the surge in omicron cases, that date has now been changed to March 15. BPC staff continue to take turns in the office throughout the work week.
- The Winter 2022 edition of the BPC Pilotage Quarterly newsletter has been distributed and provided in the meeting packets. It includes a continuation of BPC staff highlights, this time featuring Jolene Hamel, Training Program Coordinator.
- Work on the 2021 annual report is underway. In an ongoing effort towards improvement, the format continues to evolve in an attempt to streamline the information while still managing to provide the data mandated by the BPC statute and an understanding of the agency and pilotage.

- Staff received requests from some Commissioners for electronic packets as well as hard copy packets. Going forward, BPC staff will email electronic packets and mail hard copy packets as regular practice.
- Bettina Maki, Program Analyst, provided year-end data for both the Puget Sound and Grays Harbor Pilotage Districts.

#### **BPC Chair Report.**

- Chair Tonn thanked PSP and PMSA for recent conversations and coordination regarding the COVID-19 omicron surge.
- The BPC issued open letters to shippers and agents regarding pilot shortages and steps being taken by the BPC and pilot trainees to reduce COVID-19 exposures.

**COVID-19 Update.** Jaimie Bever, Executive Director, reported that the BPC has verified vaccination status for all trainees. In addition, the BPC is providing each trainee with four COVID-19 antigen tests and information about additional opportunities to obtain tests. The trainees are encouraged to test frequently, and reminded to mask, preferably with N95 or KN95 masks, and maintain social distancing. Trainees are to report symptoms and submit weekly health/temperature logs. The BPC is not currently aware of any exposures from trainees to bridge crew on vessels and is working closely with two companies to resolve suspension of trainees on their vessels.

Regarding the pilots, PSP President Captain Ivan Carlson reported that the pilots are providing test kits on vessels where there has been known exposure or outbreaks to the bridge crew prior to transiting. Having crews test prior to arrival and only having personnel who have tested negative be present on the bridge is still the preferred method. Captain Carlson reiterated that the pilots are doing the best they can and testing frequently. Commissioner Ross thanked Captain Carlson and the pilots for their efforts to keep crew members safe. Commissioner Drennen also extended thanks to the pilots and asked for some additional clarification regarding measures being taken by PSP. Captain Carlson mentioned additional social distancing at the pilot station, increased testing prior to jobs, and N95/KN95 masks as opposed to cloth. Both Captain Carlson and Chair Tonn expressed appreciation for Vice President Klapperich, who had stepped in for Captain Carlson last week while he was on vacation. Chair Tonn also added her appreciation for transparency when working through COVID-19 issues.

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

#### **NEW BUSINESS**

##### **Consideration of Previous Hearing on WAC 363-116-301: New Revenue Collection.**

Motion: Farrell/Hamilton – adopt the changes to WAC 363-116-301 New Revenue Collection as proposed – Carried.

##### **Meeting Minutes.**

Motion: Hamilton/Drennen – approve the December 9, 2021, Meeting Minutes as written – Carried.

##### **Committee Actions.**

###### **Trainee Evaluation Committee (TEC)**

- **Pilot License Upgrade Program: Captain Adam Seamans.** Captain Adam Seamans is nearing completion of his third license year.  
Motion: Bendixen/Anthony – approve the pilot license upgrade program for Captain Adam Seamans as recommended by the TEC – Carried
- **Pilot License Upgrade Program: Captain Severin Knutsen.** Captain Knutsen's upgrade window expires 4 February 2022. He is currently out on medical and is unable to take his final 3 trips. The TEC recommends extending his upgrade window to match the time he was not-fit-for-duty. The TEC anticipates his return to active duty soon.  
Motion: Bendixen/Anthony – approve the extension of Captain Knutsen's upgrade window and delegate the TEC to determine the number of days to complete the upgrade upon return to duty – Carried.

- **Emergency Rule WAC 363-116-078 Due to COVID-19.** The TEC agreed to recommend the Board re-file the Emergency Rule, which allows for a gradual return to pre-pandemic normalcy, and continues to require 12 trips per month to receive full stipend. The rule will be revisited in May 2022. Trainees are currently averaging at least 12 trips per month. Upon inquiry from Commissioner Hamilton, Commissioner Bendixen explained that pre-pandemic the number of trips necessary to receive full stipend was 18. That number was set prior to rest rule legislation and implementation and hasn't been reviewed in several years. Starting last summer, the TEC looked at how the rest rules would affect the number of trips. The TEC proposed a reduction in required trips from 18 to 14 based on rest rules and current vessel traffic, which will go into effect when the emergency rule lifts and upon action by the Board to codify the change.  
Motion: Bendixen/Farrell – refile the Emergency Rule WAC 363-116-078 as proposed by the TEC – Carried.
- **Puget Sound Pilotage District Training Programs: Captains Forest McMullen and Stephen Scott.** Captains McMullen and Scott will start the Pilot Training Program in the Puget Sound Pilotage District on 1 February 2022. Their assigned initial port is Tacoma. Orientation for the two new pilot trainees is scheduled for 27 January 2022.  
Motion: Bendixen/Anthony – approve pilot training programs for Captains McMullen and Scott and authorize initial port – Carried.
- **Grays Harbor Pilotage District Training Program: Captain Ryan Leo.** Captain Leo will start the Pilot Training Program in the Grays Harbor Pilotage District on 1 February 2022. The orientation for the new pilot trainee is scheduled for 1 February 2022. Captain D'Angelo was invited to join the TEC, but is currently the only active pilot in Grays Harbor and cannot commit to the committee. However, the TEC has designated him as a TEC pilot, which the trainee is required to ride with on a certain percentage of trips. Commissioner Bendixen continues to be in frequent contact with Captain D'Angelo.  
Motion: Bendixen/Ross – approve pilot training program for Captain Leo, with a 30-month maximum training program duration, as required by WAC 363-116-078 – Carried.
- Captain Bendixen praised the Sector Puget Sound waterways team including Captain Laird Hail and LCDR Ish Looney for their efforts on updating the federal pilotage requirements. She reported that the federal pilotage project with the USCG Sector Puget Sound and local REC was going well, and that work is currently underway on the examination process.
- For the safety of the waterway, PSP has suspended the use of first-year pilots in the Duwamish Waterway. This will be revisited at the February TEC meeting.
- The TEC met yesterday and reviewed all the training programs and comments. There are eight trainees in the PS program and none in Grays Harbor (GH), until 1 February. Four trainees are in the Evaluation Phase with three nearing completion, four are in the Training Phase, and none are in the Observation Phase.
- Commissioner Bendixen informed the Board that she will be abstaining from future votes on recommendations or motions that could cause potential or perceived conflict of interest for her, as she has a close relationship with one of the pilot candidates.
- **Invitations to the Puget Sound Pilotage District Training Program.** The TEC reviewed the progress of the current pilot trainees and projected retirements over the next couple of years in the Puget Sound Pilotage District. The TEC recommends inviting the next two candidates on the 2021 Exam Waiting List to begin training on 1 April 2022.  
Motion: Anthony/Farrell – invite the next two candidates from the 2021 Exam Waiting List to begin training in the Puget Sound Pilotage District on 1 April 2022 – Carried with one abstention from Commissioner Bendixen.

**Pilot's Report of Marine Safety Occurrence: JOHANNES MAERSK, 11/25/2021**

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| Seattle East Waterway off berth 18-4 | Non-responsive engine. After several successful engine tests, events appeared to be a result of a communication error between engine room and bridge crew. Vessel proceeded safely at sea speed to Pilot Station. | <u>Motion:</u> Anthony/Farrell File as a Marine Safety Occurrence – Carried. |
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**Pilot's Report of Marine Safety Occurrence: ADAM SCHULTE, 11/30/2021**

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| Near Sea Buoy | Encountered unintended loss of propulsion believed to be from wave hitting propellor while the vessel was turning. Called for 2 tug escort to anchorage. | <u>Motion:</u> Farrell/Drennen<br>File as a Marine Safety Occurrence – Carried. |
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**Pilot's Report of Marine Safety Occurrence: PERUVIAN REEFER, 12/06/2021**

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| .3nm SE of Viti Rocks | Encountered rudder/steering failure. Tug escort to Bellingham Cold Storage Dock. | <u>Motion:</u> Farrell/Hamilton<br>File as a Marine Safety Occurrence – Carried. |
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**Pilot's Report of Marine Safety Occurrence: SAMMY, 12/07/2021**

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| Southbound TSS, in the vicinity of Marrowstone PT | Encountered loss of power and propulsion. Power was restored by emergency generator. Vessel towed to Seattle. | <u>Motion:</u> Hamilton/Farrell<br>File as a Marine Safety Occurrence – Carried. |
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**Pilot's Report of Marine Safety Occurrence: URANIA, 12/08/2021**

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| Underway in Port Gardner | Overheating exhaust valve. Continued at half ahead for PA anchor for further inspection. Shortly after, briefly lost all power and decided to head to closest anchor at Port Gardner. | <u>Motion:</u> Farrell/Bendixen<br>File as a Marine Safety Occurrence – Carried. |
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**Pilot's Report of Marine Safety Occurrence: DUKE SANTOS, 12/10/2021**

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| Traffic Lane E of Protection Island | Problem with the engine oil cooling system, which required stopping the engine. Prepared anchor and allowed engine to be repaired with a tug escort to Seattle. | <u>Motion:</u> Drennen/Anthony<br>File as a Marine Safety Occurrence – Carried. |
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**Pilot's Report of Marine Safety Occurrence: ETOILE, 12/17/2021**

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| .75nm West of the Everett South Terminal | Upon departure from the Everett South Terminal, learned there was a bad engine injector which required repair. Vessel taken to anchor. | <u>Motion:</u> Farrell/Bendixen<br>File as a Marine Safety Occurrence – Carried. |
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**Pilot's Report of Marine Safety Occurrence: ROSE M, 12/19/2021**

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| Pilot Boarding Area | Upon boarding, learned that the X-band radar had failed, believed that the S-band radar was functioning but learned it also was inoperable so proceeded to anchor in Port Angeles. | <u>Motion:</u> Farrell/Bendixen<br>File as a Marine Safety Occurrence – Carried. |
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**Pilot's Report of Marine Safety Occurrence: EVER LUCKY, 12/20/2021**

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| Underway between Buoy TC and TB | After clearing Dash Point and increasing to full ahead, an oil leak was detected on the engine. Engine stopped for repairs and received clearance to continue out of Puget Sound. | <u>Motion:</u> Farrell/Hamilton<br>File as a Marine Safety Occurrence – Carried. |
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**Pilot's Report of Marine Safety Occurrence: POLAR ADVENTURE, 12/22/2021**

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| Approaching the Pilot Station Outbound | Approximately 2.5 miles from Ediz Hook, the starboard main engine shut down causing a black-out situation. Proceeded to anchor for repairs using port engine. | <u>Motion:</u> Farrell/Bendixen<br>File as a Marine Safety Occurrence – Carried. |
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**Pilot's Report of Marine Safety Occurrence: NEW HUNTER, 12/24/2021**

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| PA Harbor in Anchorage #1 | Pilot called to vessel for dragging anchor. Encountered difficulty heaving anchor due to wire rope wrapped around anchor chain. Anchor was retrieved. Pilot encountered maneuvering difficulty due to vessel only having three starts in the main engine. Vessel re-anchored with tug assistance. | <u>Motion:</u> Farrell/Anthony<br>File as a Marine Safety Occurrence – Carried. |
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**Pilot’s Report of Marine Safety Occurrence: ADAM SCHULTE, 12/24/2021**

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| Grays Harbor – Westbound near Terminal 1 | Encountered engine difficulty but was quickly able to have tugs return and allowed to transit with the two-tug escort. | <u>Motion:</u> Farrell/Anthony<br>File as a Marine Safety Occurrence – Carried. |
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**Pilot’s Report of Marine Safety Occurrence: NEW HUNTER, 12/26/2021**

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| PA Harbor in Anchorage #1 | Pilot called to vessel for dragging anchor for a second time. Tug was ordered as a result of previous lack of engine starts. Assist tug used to re-anchor the vessel. | <u>Motion:</u> Farrell/Ross<br>File as a Marine Safety Occurrence – Carried. |
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**Pilot’s Report of Marine Safety Occurrence: JIAN YANG HUA QING, 12/27/2021**

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| Everett Anchorage to Everett Pacific Terminal | While docking with one conventional tug and bow thruster, bow thruster failed while close to berth. Pilot safely maneuvered the vessel to berth using the one tug. | <u>Motion:</u> Farrell/Anthony<br>File as a Marine Safety Occurrence – Carried. |
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**Exemptions from Pilotage.**

**Motor Yacht POPEYE** – 155’, 462gt, Cayman Islands registry, Captain Wells.

Motion: Anthony/Ross– concur with Chair Tonn’s granting of an interim annual exemption with the condition of no Deception Pass – Carried.

**Passenger Vessel SAFARI VOYAGER** – 171’, 1195gt, St Kitts registry, Captains Nelson & Clapp.

After some discussion, the Board asked to carry over this vessel to the February Board meeting.

**Passenger Vessel VICTORIA CLIPPER V** – 167’, 910gt, Cyprus registry, Multiple Captains.

Motion: Farrell/Drennen – grant an annual exemption renewal with the condition of requirement to report any marine safety occurrences or incidents – Carried.

**Pilot/Trainee Physical Examination Reports.**

Motion: Hamilton/Anthony – approve the pilot physical examination reports for Captains J.T. Kearns and W.M. Carley for their annual pilot license renewals – Carried.

Motion: Bendixen/Drennen – approve the new trainee physical examination report for Captain S.W. Scott – Carried.

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

**Puget Sound Pilots Efficiency Presentation and Q&A.** Charlie Costanzo, PSP Executive Director, presented efficiency measures recently implemented by Puget Sound Pilots (PSP), which they believe will result in enhanced pilot availability, improved on-watch productivity, reduced need for “call-back” pilots, and adherence to expert recommended work/rest best practices. The measures specifically highlighted by Mr. Costanzo include:

- allowing on-watch pilots to be dispatched to another assignment immediately following a meeting,
- allowing pilots to be repositioned back to Seattle directly following an assignment, prior to rest, to achieve rest on the Seattle side, allowing work immediately following 10 hours rest,
- allowing pilots to be dispatched to a different assignment upon a cancellation, which requires a change to WAC 363-116-081,
- combining harbor and inter-port assignments while following work/best practices, which requires a change to WAC 363-116-081,
- reducing call time by 1 hour for assignments occurring between 1830 and 0759, which would reduce “call-back” jobs and increase pilot availability and greater flexibility, and
- decoupling reposition times from ferry schedules to reduce “call-backs” by allowing for immediate reposition inbound, following work/rest best practices.

He concluded by adding that the measures already taken and being explored are supported by sound science focusing on workplace safety and alertness and are feasible insofar as pilots and dispatchers can put them into play effectively. A Q&A followed. Commissioner Kirtley congratulated the pilots for what she called a milestone towards efficiency. Mike Moore, PMSA, expressed that he was glad to see the work so far and that there is a process for continuous improvement in place. He acknowledged the importance of coordination with industry, especially regarding numbers of cancellations.

The BPC's Pilot Safety Committee (PSC) will be reviewing these changes and proposed WAC revisions at their next meeting, then will bring recommendations to the Board. The slides presented are available on the BPC's website under the meeting materials for this meeting.

**Committee Updates.**

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

- A meeting is being scheduled for late February to discuss the restructuring of the committee.
- The Cal Maritime Women in Maritime Leadership conference is occurring in early March. More info is forthcoming.

**Oil Transportation Safety Committee (OTSC)**

- Scheduling is underway for a meeting in the first quarter of 2022.

**Pilot Safety Committee (PSC)**

- The committee met on 4 January 2022.
- The Board received the meeting notes from the October 2021 meeting in their materials.
- The West Coast Pilot Association put out a joint letter regarding pilot ladder safety, which was also provided to the Board in their meeting materials. The committee also discussed a recent incident in another district involving a pilot ladder malfunction that resulted in the pilot falling into the water.

**Vessel Exemption Committee (VEC)**

- The committee last met on 15 December 2021. However, a small group of subject matter experts met more recently to draft recommendations for the full committee and then the Board to review.
- Another VEC meeting will be scheduled prior to the next BPC meeting.

**Confirmation of Next Regular Meeting Dates.** Chair Tonn reminded everyone that the next meeting is scheduled for 17 February 2022 at 10:00 a.m. via Teams.

Chair Tonn asked for public comment. Commissioner Ross acknowledged the good work by BPC Staff on the committee meeting notes for the VEC and PSC. PSP Vice President Eric Klapperich shared his appreciation for the Board looking into the WAC changes of PSP's efficiency measures.

There being no further public business to come before the Board, Chair Tonn adjourned the meeting at 2:30 p.m.

Respectfully submitted,

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Jaimie C. Bever, Executive Director

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Sheri J. Tonn, Chair

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Eleanor Kirtley, Vice Chair

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Commissioner Timothy J. Farrell

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Commissioner Andrew Drennen

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Commissioner Jason R. Hamilton

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Commissioner Nhi Irwin