

MEETING MINUTES

STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS

February 12, 2009

Present:

Chairman: Harry Dudley

Commissioners: Chuck Davis, Pat Hannigan, Bill Snyder, Craig Lee, Jeff Thompson,
Norm Davis, Elsie Hulsizer

Administration: Peggy Larson, Judy Bell

Del Mackenzie, Ed Marmol, Walt Tabler (Administration): Puget Sound Pilots

Mike Moore, Jordan Royer, Vince Addington, Lon Cain: Pacific Merchant Shipping Association

Gary Nelson: Port of Grays Harbor

Jim Caspers: Pilot Applicant

Nate Collar: Crowley Marine

Del Kelly: Retired Puget Sound Pilot

Bruce Nelson, Dan Twohig: Public

REGULAR MEETING

The regular meeting of the Board of Pilotage Commissioners was convened at 9:30 a.m. by Chairman Harry Dudley in the Agate Conference Room at 2901 Third Avenue, Seattle, Washington. He welcomed new Commissioner Jeff Thompson representing foreign flag shipping. Words of appreciation were spoken on behalf of outgoing Commissioner Vince Addington.

Minutes. There being no corrections or additions, the January 8, 2009 Minutes stand approved as written.

OLD BUSINESS

Consideration of Licensure of Captain Katharine Sweeney. No action was taken; this matter will be on the next regular meeting agenda.

Pilot's Report of Incident: *SITEAM VOYAGER*, 12-6-08. The Board received a written report submitted by Grays Harbor Pilot, Captain Stephen Cooke and a condition survey of the vicinity of Buoy 11 provided by Gary Nelson. After further review, questions remain. It was moved by Commissioner Lee and seconded by Commissioner N. Davis that a letter be sent to Captain Cooke asking for additional information. The motion carried. The matter was deferred to the next regular Board meeting.

NEW BUSINESS

Approval of Pilot License Upgrade Programs for Captains Blake, Bujacich, Carlson and Sliker. It was moved by Commissioner Snyder and seconded by Commissioner Lee that the license upgrade programs for Captains Mike Blake, Jack Bujacich, Ivan Carlson and Bill Sliker be approved as drafted by the TEC. The motion carried. They are all nearing completion of their third license year.

Pilot's Report of Marine Safety Occurrence: *GENMAR HOPE*, 1-5-09. The Board received a written report submitted by Puget Sound Pilot, Captain Rob Kromann. The oil tanker departed Cherry Point BP Dock in ballast with an escort tug due to a lost port anchor prior to arriving in Puget Sound. On its way to anchor at Port Angeles, after clearing Peapod Rocks, the gyrocompass tumbled (no alarm sounded). The pilot then used radars and magnetic compass for navigation until clear of Rosario Strait. In open water the electrical systems were checked and the gyro restarted. The ship was brought safely to anchor. The question remains whether or not the vessel was cleared by the US Coast Guard. It was moved by Commissioner C. Davis and seconded by Commissioner Lee that this report be filed as a Marine Safety Occurrence. The motion carried.

Pilot's Report of Marine Safety Occurrence: *OCEAN STAR*, 1-23-09. The Board received a written report submitted by Puget Sound Pilot, Captain George Thoreson. Upon boarding the vessel at the Port Angeles Boarding Station, the pilot was met by a USCG Boarding Party who was conducting an

inspection of the engine room. The pilot learned of engine trouble and notified the VTS. A tug was ordered to assist the vessel to anchor in port Angeles Harbor. It was moved by Commissioner C. Davis and seconded by Commissioner Lee that this report be filed as a Marine Safety Occurrence. The motion carried.

Consideration of Request for Renewal of Vessel Exemption: Motor Yacht *ESTANCIA*. A petition for renewal of vessel exemption was received regarding the foreign flagged 112', 208 gross ton Motor Yacht *ESTANCIA*. Pursuant to RCW 88.16.070 and WAC 363-116-360, this vessel qualifies for an exemption from pilotage requirements. It was moved by Commissioner C. Davis and seconded by Commissioner Lee that the Board grant a renewal of exemption for the *ESTANCIA* for one year beginning April 14, 2009, so long as the vessel remains in the charge of Captain Bill McDowell. The motion carried.

2009 Annual Tariff Hearings Preparation: Establish PSPD and GHPD Timetables for Document Submission. Timetables for tariff document submission have been drafted for stakeholder review and Board consideration for both the PSPD and GHPD showing hearing dates of May 14, 2009 and June 11, 2009 respectively. Due to the fact that PSP and PMSA do not plan to meet prior to the due date for tariff proposals to be submitted to the Board (March 12th) and also that PMSA has very little PSP year-end financial data on which to base their tariff proposal, it was moved by Commissioner Thompson and seconded by Commissioner Snyder that the drafted timetable for the PSPD be amended to include a March 5th deadline for PSP to submit its 2008 financial information to PMSA. The motion carried. It was moved by Commissioner Hannigan and seconded by Commission Hulsizer that the GHPD timetable be approved as drafted. The motion carried.

2009 Legislative Activity Report. Various bills have been introduced recently relating to eliminating state boards and commissions. House Bill 2087, introduced just this week, is the Governor's bill which names some boards for elimination, some for future review, and some for retention. Our Board is among those to be retained. House Bill 2120, introduced yesterday, calls for the Utilities and Transportation Commission to assist our Board in setting pilotage rates. Other legislative activity is a Senate Confirmation Hearing scheduled for February 26th for Commissioners Chuck Davis, Elsie Hulsizer, Craig Lee, Bill Snyder and Jeff Thompson.

Request by Puget Sound Pilots to Amend WAC 363-116-175: Tariff Proposals. In a letter dated January 30, 2009 the Puget Sound Pilots requested the Board to amend WAC 363-116-175: Tariff Proposals in an effort to secure funding for their comp day liability of nearly \$6.3 million. PSP feels that pilotage tariffs should include a provision for funding pilots being compensated for comp days. Their overview of the history of their comp day program, its related problems, and proposed solution was countered by PMSA's position that the responsibility of the comp day liability and management should not be shifted to the shipping industry and the state. PMSA responded to their letter citing a need for PSP to resolve this matter within their own internal management practices and take action to cut costs and improve efficiencies. It was moved by Commissioner Hannigan and seconded by Commissioner Lee that PSP's proposed WAC language modification be referred to the Legislative/WAC Committee for further consideration. The motion carried.

Activity Reports. Gary Nelson, Executive Director, Port of Grays Harbor, reported that in January there were 2 arrivals and 3 departures for a total of 7 jobs; 5 jobs are anticipated in February; ground breaking for construction of a liquid bulk shipping and storage facility near Terminal 1 took place this week; Captain Cooke is on duty this month; and Captain D'Angelo is scheduled for training at PMI. (Break)

Captain Del Mackenzie, President, Puget Sound Pilots, reported there are currently 55 licensed pilots including the president; there were 667 jobs in January compared to 665 the previous January resulting in a three year January average of 674; overall traffic is flat and close to the 3-year average; in January 22 comp days were created and 38 days taken for a net reduction of 16; Captains Marin Johnson, Gary Hurt, Tom Jacobs and Vic Engstrom are on medical leave; 2 pilots attended manned model training in Port Ash in January; PSP has produced Anchoring Standards of Care to the Harbor Safety Committee;

PSP, Polar and SW Alaska Pilots Assn are doing a joint simulator class in April in Seward, AK ~ PSP is sending 2 pilots; an electrical fire in the engine room damaged the pilot boat *PUGET SOUND* on January 31st ~ initial damage estimates are running up to \$600,000 and requiring roughly 2 months in the yard; 60 PPU's have been ordered and classes for 9 pilots at a time will begin in late March ~ Captain Ed Marmol demonstrated NavCruiserPro using a PPU.

Mike Moore, representing Pacific Merchant Shipping Association, reported on the status of vessel traffic both globally and locally, detailing how many container ships are laid up and longshore shifts are lost.

Committee Reports.

Trainee Evaluation Committee:

- The TEC met on January 19th and February 11th.
- After meeting with trainees Steve Jones and Larry Seymour the TEC determined they both need more training. It was moved by Commissioner Snyder and seconded by Commissioner Lee that both trainees' programs be extended for three additional months beginning March 1st. The motion carried.
- The TEC continues to work on the development of new training programs and revisions to the associated training forms. Another TEC work session is scheduled for February 18th.
- In addition to Local Knowledge Exams the TEC is developing a Conning Quiz in association with the new training programs pursuant to WAC 363-116-078(4). A draft Policy Statement will be presented to the Board for consideration at the next Board meeting.
- Recency issues are being addressed for one of the applicants who will be in training as well as riding for federal pilotage simultaneously.

2008 Pilot Exam Committee: This committee had been disbanded.

Legislative/WAC Committee: No activity to report at this time.

Work Group Report: Extension of Route and Contract Pilotage. No activity to report at this time.

Administrator's Report. Commissioner Thompson's appointment and Captain Hannigan's reappointment were effective January 22, 2009. The Board's public position continues to remain vacant since the resignation of Ole Mackey on November 3, 2008. It is anticipated that the last three applicants who have requested a review of their Simulator Evaluation will complete that process before the next Board meeting, at which time the Board will conduct a review of their Review Forms and the PMI analysis. A quarterly review of the Board's biennial budget shows it in good standing at the close of the 6th quarter.

Commissioner Comments. Commissioner Hannigan asked if there was money in the budget for the acquisition of a computer and the appropriate software for the administration of Local Knowledge Exams and the Conning Quiz. Also he inquired about the Board's ability to fund "Train the Trainer" classes for all eligible training pilots. In light of the Governor's freeze on expenditures related to equipment acquisition and personal service contracts, the response is not favorable.

It was noted that Captain Vic Engstrom was injured while on duty last month. It was determined that he is not required to file a report with the Board. However, it was moved by Commissioner Hannigan and seconded by Commissioner Hulsizer that a copy of the USCG Form 2692 filed by Crowley Marine be sent to the Board. The motion carried. Captain Engstrom was just beginning a 120-day license upgrade program at the time of his injury. The Board will monitor his progress and determine if he will need an extension of this time period if it turns out that he will be off duty for a significant length of time.

Confirmation of Next Regular Meeting Date. The next regular meeting is scheduled for Thursday, March 12, 2009 at 9:30 a.m. in the Agate Conference Room, 2901 Third Avenue, Seattle.

Review of Pilot Physical Examination Reports. After reviewing the physicians' reports it was moved by Commissioner C. Davis and seconded by Commissioner Thompson that the physical examination reports for Captains E.C. Klapperich, M.G. Mendenhall, M.J. Shuler, G.R. Wildes and V.K. Justice be accepted for annual license renewal and D.E. Brusco for training licensure. The motion carried. Captains M.I. Johnson, G.D. Hurt and T.A. Jacobs remain unfit for duty. It was noted that Captain Vic Engstrom is off duty due to an injury; his license will be placed in inactive status.

There being no further business to come before the Board, the Chairman adjourned the regular session Board meeting at 2:45 p.m.

Respectfully submitted,

Peggy Larson, Administrator

Harry H. Dudley, Chairman

Charles M. Davis, Vice Chairman

VACANT

Public Member

Commissioner Patrick M. Hannigan

Commissioner William H. Snyder

Commissioner Craig W. Lee

Commissioner Jeffrey L. Thompson

Commissioner Norman W. Davis

Commissioner Elsie J. Hulsizer