

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
August 20, 2020

REGULAR MEETING – Call to Order

The regular meeting of the Board of Pilotage Commissioners was convened at 10:00 a.m. by Chair Sheri Tonn virtually via conference call and Skype.

Present via Phone or Skype:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley

Commissioners: Jason R. Hamilton, John Scragg, Mike Anthony, Timothy J. Farrell, Rik Krombeen, and Phil Morrell

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

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

Mike Folkers: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Lou Paulsen: Northwest Seaport Alliance

Fred Felleman: Port of Seattle/OTSC Member

Sara Thompson: Department of Ecology

Monique Webber: Pacific Yacht Management

Jacob Rosenberg: Public

Nate Menefee: USCG

Peter Mann: PSP Training Candidate

Meeting Minutes.

Motion: Kirtley/Anthony – approve the July 16, 2020 Meeting Minutes as written, with the correction of one minor spelling error – Carried.

BPC Staff Report.

- During the July Board meeting, Port of Seattle Commissioner and Oil Transportation Safety Committee member Fred Felleman referenced the Quiet Sound program presentation to the Port during his public comments. Jaimie Bever, BPC Executive Director, provided the Staff Briefing: *“Quiet Sound” Underwater Noise Reduction Program Recommendations* as well as background on this program from the Northwest Seaport Alliance Memorandum dated August 4, 2020 to the Board for review. Fred Felleman added that they are trying to put together a pilot project for this fall utilizing staff recommendations. They have secured funding and other support to kick-start it.
- Jaimie Bever gave an update on the 2021 Marine Pilot Exam contract, which is forthcoming. She will provide the contract at the September meeting for a Board vote with work scheduled to start in October.
- The Oregon Board of Maritime Pilots has hired a new Executive Director, Tom Griffiths. He and Commissioner Hamilton served in the Coast Guard together. Many thanks to Commissioner Hamilton for facilitating an introduction between Jaimie Bever and Mr. Griffiths, who spoke earlier in the week. We look forward to continue fostering relationships with all the West Coast pilotage districts.
- Bettina Maki, BPC Program Analyst, walked Board members through the new monthly data reports she provided and responded to their questions.
- August Board meetings are typically held in Grays Harbor. The Board looks forward to resuming that tradition next year.

BPC Chair Report.

- Sheri Tonn reported that the UTC evidentiary hearing for the Puget Sound Pilotage District tariff filing was held last week on Wednesday and Thursday. Closing briefs and rebuttals are due to the UTC in September. A decision from the UTC Commissioners will be handed down by December 4, 2020. The process can be followed on the UTC website under docket number 190976.

Activity Reports. Mike Folkers representing the Port of Grays Harbor (PGH), Lou Paulsen representing The Northwest Seaport Alliance (NWSA), Captain Eric vonBrandenfels representing Puget Sound Pilots (PSP), Mike Moore representing Pacific Merchant Shipping Association (PMSA), and Nate Menefee

representing the United States Coast Guard (USCG) offered current and projected statistical data as well as updates on current maritime issues and activities.

Mike Folkers, Port of Grays Harbor, reported that the Port is planning to close on the purchase of a new pilot boat today. He thanked PSP President Captain Eric vonBrandenfels for the tip that the vessel was for sale.

Captain vonBrandenfels reported that there continues to be pilot exposures to COVID-19 on vessels in the Puget Sound Pilotage District. Pilots are being taken out of rotation to quarantine under the guidance of a physician. The Board will consider adding the physician to the list of Board Designated Physicians later in the meeting. Pilots continue to be concerned about introducing the virus to the pilot station. Monique Webber, Pacific Yacht Management, offered the name of the company she has been using to test crew members of foreign flagged yachts coming into the area.

Nate Menefee, USCG, relayed the news that previous Sector Puget Sound Captain of the Port Captain Joe Raymond has been promoted to Admiral.

NEW BUSINESS

Final Consideration of 2019 Annual Report: Jaimie Bever thanked Commissioner Kirtley for her thorough review and input on the draft Annual Report provided to the Board in July. Chair Tonn thanked BPC staff for their work on the report.

Motion: Anthony/Farrell – approve the 2019 Annual Report as written and deliver to the Legislature as required – Carried.

ESHB 1578 Update. OTSC Chair Jaimie Bever reported that she presented the Board-adopted Interpretive Statement via two webinars held on July 29th and August 6th, and at the Puget Sound Harbor Safety Committee Meeting on August 5th. A summary of the webinars including the Q&A portion will be available soon on the website. She thanked Captain Blair Bouma, PSP, and Sara Thompson, Ecology, for their participation in the Q&A portions of the webinar presentations, several Board members for their attendance, and the Ecology team for the webinar support.

The Board reviewed the draft outline of a tank vessel movement report provided by Captain Blair Bouma, PSP. He proposed that, as the State's regulatory body regarding tug escorts of tank vessels in the Puget Sound Pilotage District, the Board consider requesting information from operators regarding tank vessel movements, which would add a modest accountability mechanism to the escort regulations and also provide focused tank vessel transit data. It was noted that the Oil Transportation Safety Committee (OTSC) had not met to discuss the proposed form.

Motion: Kirtley/Anthony – approve the Tank Vessel Movement Report in concept, contingent upon OTSC review and consideration prior to implementation – Carried.

Captain Blair Bouma, PSP, convened a work group of subject matter experts to run through a tug escort simulation and produce a forthcoming report to assist with tug escort implementation. The group will meet again next week to help with final preparation for tug escorts to comply with the September 1, 2020 tug escort law.

Sara Thompson, Ecology, reported that they are in the process of gathering data for the Synopsis of Changing Vessel Traffic Trends. They will complete the first year of pre-implementation data collection at the end of September. Once the data is consolidated, Ecology will bring it to the Board for consideration of data gathering methods and the tasks outlined in the scope of work previously approved by the Board. Ecology is hosting a webinar on the Vessel Movement Module of the risk model on September 16, 2020. Board members received an invite to that webinar on August 11, 2020.

Consideration of BPC Exam Committee Membership. The Board reviewed the roster of the TEC-proposed Exam Committee.

Motion: Farrell/Scragg – approve the Exam Committee membership as proposed by the TEC – Carried.

It was also noted that with Commissioners Kiley and Thompson stepping down in 2020, there was no longer a non-pilot Board member on the TEC. Commissioner Scragg reported that Commissioner Farrell has agreed to fill the vacancy.

Motion: Scragg/Anthony – approve the nomination of Commissioner Farrell to the TEC – Carried.

Consideration of 2020-2025 BPC Strategic Plan. The Board reviewed a draft of the 2020-2025 BPC Strategic Plan, which will accompany the BPC's 21/23 Biennial Budget request. The agency will be submitting a maintenance level budget request. Commissioners Scragg, Anthony and Hamilton asked for additional time with the document to suggest language revisions. After a lengthy discussion, it was suggested that the Board approve the plan in draft form for submission along with the budget package to Department of Enterprise Services (DES). They will then review and revise the document at both the September and October meetings and submit a final document to accompany the BPC budget request to the Legislature after the October 15th Board meeting.

Motion: Scragg/Kirtley – approve the draft Strategic Plan to accompany the 21/23 budget packet proposal, discuss again at both September and October meetings, and then submit a final document after the October meeting – Carried.

Consideration of Request for Vessel Exemption:

Motor Yacht *Just B* – 177', 969gt, Marshall Islands registry, Captain Fiske.

Motion: Farrell/Morrell – grant an annual exemption which includes restriction of both the Locks and Deception Pass and includes an orientation cruise– Carried.

Motor Yacht *Ice Bear* – 171', 614gt, Cayman Islands registry, Captains Hayes & Berndt.

Motion: Farrell/Kirtley – grant an annual exemption renewal – Carried.

Motor Yacht *Ocean Dreamwalker III* – 136', 496gt, Cayman Islands registry, Captain Peterson.

Motion: Scragg/Anthony – deny the exemption, granted as interim by Chair Tonn, due to voyage planning issues and inconsistencies in reporting requirements – Carried.

Motor Yacht *Evviva* – 164', 492gt, Cayman Islands registry, Captain Trailer.

Motion: Farrell/Anthony – grant an annual exemption renewal – Carried.

Motor Yacht *Michaela Rose* – 161', 157gt, United Kingdom registry, Captains Gillies & Noorman.

Motion: Farrell/Scragg– grant an annual exemption including restrictions of both the Locks and Deception Pass and requiring an orientation cruise – Carried.

Committee Reports.

Trainee Evaluation Committee (TEC):

- The TEC met yesterday and reviewed status of the trainees. All 10 trainees are actively training, there have been no interventions and the current restriction of 1 trainee per vessel except for 5 hard to get ports, is still in force.
- The TEC reviewed the programs of all 9 current PSP trainees and 1 GH trainee. There is 1 trainee in post training, 2 trainees in evaluation, 3 in the training phase and 3 in the observation phase. The GH trainee is currently taking leave for personal reasons.
- The TEC reviewed the schedule of trainees and recommend inviting Captains Mark Bostick and Peter Mann into the program to start training in Puget Sound on October 1, 2020.
Motion: Scragg/Anthony – Invite Captains Bostick and Mann into the training program as of October 1 as recommended by the TEC – Carried.
- The TEC remains concerned about USCG REC closures and the delays it is causing in the ability for the trainees to draw their federal charts. Although the TEC recommended the Board write a letter to the REC outlining concerns regarding the delay of pilot trainees, especially in light of a pilot shortage in the Puget Sound Pilotage District last month, PSP President Captain Eric vonBrandenfels was successful in getting two trainees access to continue to work on their charts. The TEC continues to await an announcement of the Seattle and Portland (Grays Harbor) REC opening to the public again.

BPC/PSP Joint Diversity Committee (JDC):

- JDC Co-Chair Linda Styrk reported the JDC met on August 17th and had a productive meeting focused on recruitment enhancement for the 2021 exam.
- JDC Co-Chair Sheri Tonn reported that John Vezina, Director of Government Relations for WFS, joined the JDC this month. He has recently become the Chair of WSF's Diversity and Inclusion Committee and had some valuable information to share.
- JDC Co-Chair Sheri Tonn and BPC Training Program Coordinator Jolene Hamel shared further information on the webinar the JDC is developing for potential exam candidates and invited assistance from any BPC member who wants to lend a hand. More information about the webinar will be coming soon.

- Commissioner Farrell informed the Board that he has been in communication with the head of Corporate Social Responsibility at the Port of Tacoma about how to create pathways for diverse youth into the maritime industry. They will be speaking soon and would like to include either BPC staff or a JDC member in that meeting. He will share more information.
- Public Comment: Fred Felleman, Port of Seattle Commissioner/OTSC Member, reported that the Port has hired Senior Director of Diversity and Inclusion Bookda Gheisar and encouraged the JDC to reach out to her for potential collaboration. Additionally, he encouraged the Board to continue to support the Youth Maritime Initiative.

Commission Investigative Committee (CIC):

- Jaimie Bever is working with the state on the procurement process to build a pool of qualified investigators.

Oil Transportation Safety Committee (OTSC):

- With the first phase of work complete, the OTSC has been on hiatus. However, OTSC Chair Jaimie Bever will be working on scheduling the next meeting for October or early November to discuss any post-implementation issues and to work on providing any necessary clarity.

Pilot Safety Committee (PSC):

- The PSC is scheduled to meet again on September 2nd. Co-Chairs Scragg and Morrell, along with BPC Program Analyst Bettina Maki, are working on the agenda and reference materials.

Review of Pilot/Trainee Physical Examination Reports.

Puget Sound Pilots have retained Dr. Emily Jarris and her clinic, Discovery Health, to assist the pilots in making COVID-19 determinations and advising when a pilot must quarantine. Dr. Jarris is the widow of Dr. Raymond Jarris, a previous Board Designated Physician and supporter of the maritime community. While the Board has extended an invitation for her to become a Board Designated Physician, her clinic is overwhelmed with the COVID-19 crisis at this time and she cannot take this on currently.

Motion: Farrell/Anthony – approve Dr. Jarris and Discovery Health for COVID-19 fit/unfit for duty determinations only – Carried.

It was previously reported that Board Designated Physician Dr. Satish Subramaniam, Port Clinic, will be leaving in August to accept a teaching position at Duke University. His replacement, Dr. Richard Taing, who joins the clinic in September, would like to become a Board Designated Physician and has provided his CV for consideration.

Motion: Farrell/Kirtley – approve Dr. Richard Taing as a Board Designated Physician for the Port Clinic – Carried.

Motion: Anthony/Farrell – approve the physician report for Captain T.S. McGrath for his annual pilot license renewal – Carried.

Motion: Anthony/Farrell – approve the physician report for Captain K.C. Kridler for his annual pilot license renewal and authorize follow up regarding the physician recommendation – Carried.

Motion: Farrell/Anthony – approve the physician report for Captain P.S. Kelly for his annual pilot license renewal and authorize follow up regarding the physician recommendation – Carried.

Motion: Farrell/Anthony – approve the physician's reports for Captains R.M. Gartner, and J.E. Siddell for their annual trainee license renewal – Carried.

PSP President, Captain Eric vonBrandenfels, reported that they had just received information that another pilot will be going on medical leave in September.

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

- September 17 – Skype/Phone
- October 15 – Skype/Phone (likely to continue virtually though 2020)

There being no further public business to come before the Board, Chair Tonn thanked everyone and adjourned the meeting at 12:40pm.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Philip Morrell

Commissioner Rik Krombeen

Commissioner John Scragg

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Absent
Commissioner Dale Jensen