

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
July 18, 2024

REGULAR MEETING – Call to Order

The Regular Meeting of the Board of Pilotage Commissioners was called to order at 10:00 a.m. by Chair Sheri Tonn in the Agate Conference Room, 2901 Third Avenue, Seattle, WA and online via Microsoft Teams.

Present In Person:

Chair: Sheri Tonn

Commissioners: Mike Anthony (Pilot), Sandy Bendixen (Pilot), Andrew Drennen (U.S. Shipping)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Puget Sound Pilots: Ivan & Tereasa Carlson, Severin Knutsen

The Northwest Seaport Alliance: Lindsay Wolpa

Pacific Merchant Shipping Association: Mike Moore

Present via Teams:

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Jason Hamilton (Public)

Assistant Attorney General: Albert Wang

Pacific Merchant Shipping Association: Jordan Royer

Puget Sound Pilots: Travis McGrath, Mark Bostick, Eric Klapperich, Peter Mann, Bill Sliker, Blair Bouma, Will Kelly, Ken Grieser

USCG: Kira Moody

Port of Grays Harbor: Mike Folkers

Utilities and Transportation Commission: Scott Sevall

Northwest Marine Trade Association: Jay Jennings

Public: Ann LaRue, Weldon Burton, Richard Bouillon, Lucas Shuler

Department of Ecology: Sara Thompson, JD Ross Leahy

BPC Staff Report.

- BPC Executive Director Jaimie Bever reported that Washington State Ferries' lease at the 2901 building is set to expire 8/31/2025. With new lease negotiations, and per the State's requirement to reduce office space, Ferries will propose moving solely to the 4th floor with a small portion of IT on the 1st floor. The BPC office will not be part of the new leased area thus the agency will be moving to a designated spot on the 4th floor. There will be access to comparable meeting rooms for public meetings. The move is anticipated to occur next summer. Jaimie will report any updates as they are received.
- The Board received the final 2024 Marine Pilot Exam Validation Report. Thanks to both Dainis & Company and MITAGS again for a successful exam process.

BPC Chair Report.

- BPC Chair Sheri Tonn offered her thanks to Vice Chair Eleanor Kirtley for running the June meeting while she was out.
- Chair Tonn informed everyone that both she and Executive Director Bever would be traveling to Lacey, WA for the upcoming UTC Pilotage Tariff Workshop this coming Monday.

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

BPC Data Analyst Bettina Maki shared 3 charts illustrating pilotage activity data, as well as the BPC KPI dashboard, and was available for questions.

CDR Kira Moody advised that the new VTS Director, Genaro Villegas, will be starting on July 29 and will hopefully be able to attend a BPC meeting soon.

UNFINISHED BUSINESS

Pilot’s Report of Marine Safety Occurrence: *CONTAINMENT BOOM (GLOVIS), 05/06/2024*

Tacoma, Blair Waterway, Terminal A	On two separate occasions, an oil containment boom was positioned in a way that was a hindrance to the vessel. With assistance from partners at NWSA, the boom has been moved.	Motion: Hamilton/Anthony – File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: *MATSON* (various)

Per the request of the Board during the April 12, 2024 regular public meeting, Matson submitted a letter along with information regarding individual cases and remedies concerning several MSO reports filed by pilots over the past few years. Executive Director Jaimie Bever will respond to Matson via a letter expressing appreciation for the information.

Motion: Anthony/Bendixen – Accept the response from Matson and file for future tracking of issues – Carried.

NEW BUSINESS

Pilot’s Report of Marine Safety Occurrence: *MAPLE FORTITUDE, 07/07/2024*

Outbound, South of Pt Robinson	While underway from Tacoma, ship's main engine unexpectedly stopped approx. 2nm east of Piner Point. Pilot contacted VTS regarding the loss of propulsion. No cause clearly articulated. About 6 min. later the engine came back online and everything appeared in working order; however, engine stopped again 3 min. later, approx.. 1.5nm SW of Point Robinson. Engine restarted again, appeared to be functioning properly. It slowed a third time momentarily but kept running. USCG directed vessel to anchor. <i>BO BRUSCO</i> was dispatched to escort vessel to Smith Cove West. Vessel anchored successfully with no further issues.	<u>Motion:</u> Drennen/Bendixen– File as a Marine Safety Occurrence – Carried.
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Meeting Minutes.

Motion: Hamilton/Kirtley – approve the June 20, 2024, Meeting Minutes as written after striking one line from the TAL discussion that did not accurately reflect the conversation – Carried.

Discussion Concerning Setting the Number of Pilots in the Puget Sound Pilotage District as Provided in WAC 363-116-065.

Captains Mike Moore, PMSA, and Ivan Carlson, PSP, as the two identified Parties of Interest, were given time to present their proposals for the number of pilots. Based on a Target Assignment Level (TAL) of 123 on-watch assignments with a target of 5% call backs or less, PMSA proposed 57 pilots including the president and PSP proposed 62 pilots including the president and which includes 2 additional pilots to reduce the backlog of accrued comp days.

The first presenter was PMSA Vice President Captain Mike Moore. He stated that there has been agreement in the past with PSP regarding the number of pilots and that there is commonality around this topic. All parties want safe, efficient, and on-time service. Safety is always the number one issue. He recognized that the BPC and pilots have done a lot in the past several years on fatigue management. He added that many of PMSA’s comments were regarding efficiency. While PMSA did not have all the data, he believes their recommendations were logical and rational. He then called attention to their submitted proposal and attachments. The attachments included a previous letter from 2022 from PMSA to the BPC with recommendations, BPC staff charts previously prepared, and the PSP watch schedule. Captain Moore then walked through his presentation slides which outlined their proposal and recommendations. A Q&A followed with questions from the Board.

After the scheduled 15-minute break, PSP President Captain Ivan Carlson presented PSP’s proposal.

Captain Carlson began his presentation by suggesting that PMSA’s proposal indicated that they were not accepting TAL of 123. Per Ivan, setting the number of pilots is the most important job of the Board. It informs when to call up trainees from the list and when to prepare for another exam. The number of pilots should be set at the highest end of the range. All parties recognize that the PS pilotage district’s dependence on comp days is unhealthy and unsustainable. PSP is requesting the Board’s help to end

the understaffing of the pilot corps and to revisit the number of pilots every year to make sure the number stays where it should be. Setting the right number of pilots reduces comp days, ship delays, risks of fatigue, and backlog of comp days. Captain Carlson reiterated the requirements that go into setting the number as found in WAC 363-116-065. He suggested that many of the requirements were already met in the setting of the TAL at 123. He then walked through the slides which showed the math equations used by PSP to arrive at the recommendation using the trailing twelve months.

Captain Carlson then contrasted the two submissions. PSP submitted 5 pages while PMSA submitted 97 pages. He noted that PMSA appeared to not follow the submission requirements as laid out by the Board, in using data from before 2019 (he pointed out that PMSA included data going back to 2011). What bothered him the most was the 97 pages of impugning the integrity of PSP, their work ethic, and efficiency efforts. Captain Carlson felt the numerous recommendations in the PMSA submittal were misleading. He stated he will address these issues and more in his rebuttal.

Both proposals and all enclosures to those proposals can be found on the BPC website. After hearing both sides, Chair Tonn allowed for additional Q&A as well as public comment. There was discussion regarding whether Not-Fit-For-Duty (NFFD) pilots should be included in PSP's request for additional pilots. The adopted TAL at 123 was intended for Fit-For-Duty (FFD) active pilots. Commissioner Kirtley described a chart prepared by BPC Program Analyst Bettina Maki and used by the Pilot Safety Committee to reach their recommendation for the TAL. The chart was Data Summary of On-Watch Assignments per Pilot per month 2019-2023, with NFFD months excluded. Eleanor's understanding was that in order to get from a TAL of 123 to a number of pilots, the NFFD pilots needed to be added back in. Bettina agreed adding that the purpose of taking out the NFFD pilots for the sample period was to get a common denominator based on pilots that were FFD, with the understanding that NFFD needs in the future might be different depending on various circumstances. So, the NFFD was taken out for the common denominator based on the sample period, and must be added back in for forecasting, based on the assumptions about the forecast scenario.

Chair Tonn then laid out the next steps including the timeline for rebuttals. In addition, she has requested BPC staff prepare a recommendation for Board consideration at the August meeting. She also stated that there would be time at the August Board meeting for Parties of Interest to provide comments, as well as public comment before the vote would be taken.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Consideration of Licensure of PSPD Pilot Candidate: Captain Billie Sturgell.** On behalf of the Trainee Evaluation Committee (TEC), TEC Chair Bendixen stated that Captain Billie Sturgell has completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training and has received his federal license. The Board has received his TPTR Summary and all training comments. Captain Sturgell started training in October 2022.
Motion: Bendixen/Anthony – issue Captain Billie Sturgell his state pilot license for the Puget Sound Pilotage District upon position availability – Carried.
Motion: Bendixen/Drennen – Authorize the use of a graduate program agreement for Captain Sturgell starting August 1, if needed while awaiting a state license – Carried.
- **Pilot License Upgrade Program: Captains Bozina & Knutsen.** TEC Chair Captain Bendixen reported that there are currently 13 pilots in their upgrade windows and that the TEC reviewed the 2 upgrade letters for the captains listed above and made one minor change that does not affect the intent of the letters.
Motion: Bendixen/Anthony – approve the pilot license upgrade programs for Captains Bozina & Knutsen.
- The TEC met yesterday and reviewed all trainee programs. One trainee came to the TEC meeting to discuss his progress. There are 4 trainees currently in PS and none in GH. There are 2 trainees in Training, 1 in Observation and with the conditional licensure that just took place, 1 will be in the graduate program. The former trainee who had been in the graduate program was called up on July 4 due to a retirement. All are progressing well. One trainee is currently off stipend taking time off to evaluate another pilotage district.
- The TEC discussed factors that impact pilot forecasting and believe that in order to continue to cover the current retirements they recommend the Board offer training invitations to the first four pilot candidates on the 2024 Marine Pilot Exam Waiting List to start training on September 1.

Motion: Bendixen/Anthony – extend training invitations to the first four 2024 list candidates – Carried.

- The revised federal pilotage packet was finalized and has been sent out to the pilots, trainees, and list candidates. The Board thanks all those involved in seeing this effort to completion. The result will make obtaining the federal and state required trips more accessible.
- The next Train-the-Trainer class will be held on September 4 and the Polar Tanker Drill will be held on September 5.
- The TEC was sad to report that former BPC Commissioner and TEC member Ned Kiley has tendered his resignation to the TEC. He was on the Board for 10 years and on the TEC for 12 years. He will be greatly missed. The Board thanks Ned for his long service and leadership with the BPC.

Oil Transportation Safety Committee (OTSC)

- PSP Captain Blair Bouma joined the meeting to give a shout out and high five to the regional tugboat operators who have agreed to bollard pull testing. A standard of care was developed and made part of the Puget Sound Harbor Safety Plan. Every company who does ship assist work in the Puget Sound Region has agreed to be in compliance with the standard of care on or before June 1, 2025. Many thanks to all those who have worked towards this outcome. PSP President Captain Ivan Carlson thanked Blair for his hard work and tenaciousness.
- Meeting minutes from 2 June OTSC meetings were provided to the Board in the meeting materials. These meetings had additional participation from subject matter experts who provided technical expertise regarding escort tug operational and functionality requirements. The recommendations put forth were developed during those meetings.
- After conducting a two-part meeting series, the OTSC has unanimously agreed upon the following recommendations for escort tug operational and functional requirements:

Tugs providing escorts to meet this requirement must have (at a minimum):

- 3,000 horsepower, and
- twin-screw propulsion.

Tugs providing escorts to meet this requirement must hold a pre-escort conference and record it in the logbooks of the participating vessels. (Below are details on the pre-escort conference which, if approved, will be further refined in the rule language development process):

- Location and approximate time of beginning and ending the escorted transit.
- Anticipated route and destination.
- Primary and secondary means of communication (i.e. VHF channels).
- Anticipated weather and state of tides, currents, sea-state and anticipated traffic.
- Operational status of each vessel and their equipment including any limitations such as speed.
- Propulsion type and maximum direct bollard pull of the escort tug.
- Safe working load of the deck fittings on the escorted vessel.
- Availability of appropriate crewmembers and their roles when responding to an emergency.
- Anticipated speeds along route.
- Relative position, direction of travel and tethering locations of the escort tug(s) while on transit.
- Method of connection of the escort tug to the tank vessel in an emergency or if tethering (i.e. tugs line, pennant, messenger lines etc.).
- Whether any training or escort exercise will be performed during the transit.

Motion: Bendixen/Anthony – accept the OTSC recommendations as written – Carried.

- The OTSC having just concluded workshops #8 will be holding the next workshops in November.

Pilot/Trainee Physical Examination Reports.

Motion: Drennen/Bendixen – approve the pilot physical examination reports for Captains L.A. Seymour, C.F. Rounds, S.T. Coleman, J.C. Scragg, R.T. Ekelmann, P.S. Kelly & M.L. Anthony for their annual pilot license renewals – Carried, with one abstention from Commissioner Anthony.

Exemptions from Pilotage.

Motor Yacht *MIRA TWO* – 110', 219gt, Jamaica registry, Captain Firat Oral.

Motion: Anthony/Hamilton – concur with Vice Chair Kirtley’s granting of the interim annual exemption with the conditions of limitations in the Duwamish – Carried.

Motor Yacht *BEOTHUK* – 102’, 246gt, Cayman Islands registry, Captain Aleck Jerry Samuelson.

Motion: Bendixen/Anthony – concur with Vice Chair Kirtley’s granting of the interim annual exemption with the conditions of limitations in the Duwamish, Deception Pass and the Locks – Carried.

Sailing Yacht *LATIFA* – 78’, 53gt, UK registry, Captains Jasper Troje-Tuck & Kent Lowry.

Motion: Bendixen/Anthony – grant annual exemption with no limitations – Carried.

Motor Yacht *FIGARO* – The Board received a request to add an additional Captain to the existing exemption. After reviewing the experience of Captain Richard Harpur the request was granted.

2023 BPC Annual Report Draft. The Board and key stakeholders received and reviewed the draft 2023 BPC Annual Report. Executive Director Bever asked that any corrections or comments be sent to her. The final draft will be voted on at the August meeting in order to meet the submittal deadline to the Legislature of September 1. Commissioner Kirtley questioned the use of the study under the DEIC section as she felt that the gender split may be misleading and was hoping that perhaps a similar study using Washington State as the sample might be found in time to use.

2025 Legislative Session.

Update on Agency Request Legislation. Executive Director Bever stated that the 2025 session prep is underway, and that any agency led legislation is due the second week of September. The BPC will not be submitting any agency request legislation this session.

Update on 2025 Supplemental and 25-27 Biennial Budget. Work on the Fiscal Year 25 Supplemental Budget is underway. The Board will receive the allotments for the 25-27 to review at the August meeting. With the change in Governor occurring next year, the Office of Financial Management is asking agencies to keep budget requests to maintenance level as much as possible.

BPC Strategic Plan Draft. Executive Director Bever shared a rough draft of the 25-27 Biennial Budget Strategic Plan. Commissioner Bendixen provided some input. The Board will see the final draft at the August meeting.

Committee Updates.

Pilot Safety Committee (PSC)

- PSC Co-Chair Commissioner Drennen reported that there was nothing from the PSC. The committee is working on setting the next meeting in August.

Vessel Exemption Committee (VEC)

- VEC Chair Commissioner Anthony stated that the VEC had not met recently but has scheduled a meeting for August 5. On the agenda is outreach and reprioritizing goals.
- PSP Pilot Captain Travis McGrath is seeking a replacement from the pilot corps for his position on the VEC.

Diversity, Equity & Inclusion Committee (DEIC)

- The DEIC has not met since the last report.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone of the meetings in August and September. The Board will be traveling to the Port of Grays Harbor for the August 15 meeting. All meetings continue to be hybrid, and all are invited and encouraged to attend in person or online.

Public Comment. Chair Tonn asked for public comment, but none was offered.

Adjourn. Meeting was adjourned by Chair Tonn at 1:50pm.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Andrew Drennen

Commissioner Sandy Bendixen

Commissioner Jason R. Hamilton

Commissioner Timothy J. Farrell

Commissioner Richard Firth

Commissioner Michael Anthony

Commissioner Nhi Irwin