

MEETING MINUTES

STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS

April 15, 2014

Present:

Chairman: Harry Dudley

Commissioners: Dale Jensen, Elsie Hulsizer, Chuck Adams, Ned Kiley, Phil Morrell,
Grant Stewart and Don Mayer

Administration: Shawna Erickson, Peggy Larson

Richard McCurdy, Jack Bujacich and Walt Tabler: Puget Sound Pilots

Mike Moore: Pacific Merchant Shipping Association

Mary Nelson: Port of Grays Harbor

Bari Bookout: Port of Seattle

Lou Paulsen: Port of Tacoma

Jessica Flennoy, Paul Tramm: USCG Sector Puget Sound

Rebecca Ponzio: Washington Environmental Council

Loren Lee: Public

REGULAR MEETING

The regular meeting of the Board of Pilotage Commissioners was convened at 9:35 a.m. by Chairman Harry Dudley in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington.

Minutes. The January 21, 2014 Minutes and the February 25, 2014 Minutes stand approved as written.

OLD BUSINESS

Status of E2SHB 2347 “Enhancing the Safety of the Transportation of Oil”. This bill did not pass into law this legislative session but work will continue in the interim until the 2015 Session. Commissioner Jensen gave an overview of the bill’s status with regard to the role the Department of Ecology will play in developing preparedness and response plans for risks related to the increase of crude oil being moved through Washington by rail and vessel. A study/report from DOE to the Governor and Legislature later this year is currently underway concerning the analysis of risks, gaps and options for increasing public safety and improving spill prevention and response readiness.

Discussion Concerning Setting the Number of Pilots in the Puget Sound Pilotage District as provided in WAC 363-116-065. No discussion of this topic was put on the record today. Motion: Mayer/Hulsizer – at the request of PSP, keep this item on the next regular meeting agenda and add the words “for possible resolution” – Carried with a vote of three in favor, Commissioners Morrell and Stewart opposed and Commissioner Adams abstaining.

NEW BUSINESS

Pilot’s Report of Marine Safety Occurrence: *RINA ROSA*, 2-20-14

Port Angeles Harbor	Diminished engine propulsion while anchoring. Tug was called to assist.	Navigational Safety Concern	<u>Motion:</u> Kiley/Jensen File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: *HANOVER EXPRESS*, 3-4-14

Blair Waterway, Tacoma	A dock crane was in motion as the ship transited the waterway coming within approximately 15’.	Near Miss	<u>Motion:</u> Kiley/Jensen File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Incident: *GH Pilot D’Angelo, Trainee Surface – CSAV RIO ILLAPEL*, 12-5-13

Terminal 2 Aberdeen	Written reports from the pilot and trainee as well as a verbal report from Comm. Mayer were considered. While transiting past a moored vessel at Terminal 2, three mooring lines parted. A dredge and barge were also moored on the opposite side of the channel.		<u>Motion:</u> Hulsizer/Adams Request the pilot to submit an error chain analysis report – Carried. Action was deferred until the report is received.
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Consideration of Requests for Vessel Exemption:

Motor Yacht WESTPORT 50M – 164', 492 gt, Cayman Islands registry, various captains.

Motion: Stewart/Jensen – concur with Chair's granting of a three-month exemption – Carried.

Motor Yacht INSTANT GRATIFICATION – 130', 333 gt, Cayman Islands registry, various captains.

Motion: Stewart/Jensen – concur with Chair's granting of a three-month exemption – Carried.

Motor Yacht ARROWHEAD – 115', 193 gt, Marshall Islands registry, Captain Michael St. Pierre.

Motion: Adams/Kiley – grant an annual renewal of exemption – Carried.

Motor Yacht CIELO MARE – 127', 247 gt, Marshall Islands registry, Captain Jose Angulo.

Motion: Adams/Kiley – grant a one-year exemption – Carried.

Motor Yacht ISLANDER – 85', 155 gt, Cayman Islands registry, Captain David Hayes.

Motion: Adams/Kiley – grant an annual renewal of exemption – Carried.

Motor Yacht SEVEN J's – 156', 496 gt, Marshall Islands registry, Cpts Steve Hubbard, Travis Inmon.

Motion: Hulsizer/Morrell – grant a one-year exemption provided its towed vessel not operate under its own power without its own exemption – Carried.

Motor Yacht SOUTHERN WAY III – 121', 218 gt, Cayman Islands registry, Captain Robert Petrina.

Motion: Adams/Kiley – grant a one-year exemption – Carried.

Motor Yacht GLAZE – 161', 456 gt, Cayman Islands registry, Captain Carl Brandes.

Motion: Adams/Kiley – grant a one-year exemption – Carried.

Committee Reports.

Trainee Evaluation Committee:

- The TEC met on April 8.
- Training Program progress was reviewed for all current trainees, Captains White, Surface, Coleman, Galvin, Lichty, Jensen, Lowe, Carstensen, Kelleher and Henderson. It was noted that Captain Surface is training mostly part-time while still fully employed and may not complete his training as early as first anticipated.
- It appears the need for the next pilot exam is quickly approaching. A target date is estimated in early 2015. Motion: Kiley/Adams – empower Chairman Dudley to appoint 3-4 people to an Exam Committee of which he will be a member (but not the chair) – Carried.

Legislative/WAC Committee: In light of an impending pilot exam, Commissioner Adams will be reviewing multiple rules for purposes of updating, housekeeping and amending. Commissioner Hulsizer and Walt Tabler will assist him with this committee work.

Tariff Policy Committee: The March 6th roundtable discussion was well attended and very productive. The Committee will be meeting again today after the Board meeting. Stakeholders and the public are invited to speak briefly before the members excuse them to convene their "work-in-progress" meeting.

Activity Reports. Mary Nelson, representing Port of Grays Harbor, Captain Dick McCurdy, representing Puget Sound Pilots, and Captain Mike Moore, representing Pacific Merchant Shipping Association, offered current and projected statistical data as well as updates on current maritime events. PSP presented the Board with a "Comparative Cost Analysis of Pilot Boat Repowering" for the *Juan de Fuca* in November of 2014 and the *Puget Sound* in November of 2016.

Correspondence Review. Puget Sound Pilot Captain John Scoggins submitted a copy of his renewed federal license and current radar recertification on March 3rd. His pilot license was placed back into active status after three weeks of inactivity.

The US Coast Guard issued a Notice of Proposed Rulemaking (NPRM) on December 27, 2013 titled: *Assessment Framework and Organizational Restatement Regarding Preemption for Certain Regulations Issued by the Coast Guard*. The deadline for comments has been extended to 5-26-14. Chairman Dudley asked all Commissioners, if they feel the Board should take a position on this NPRM, to respond to him as quickly as possible with comments. Commissioner Hulsizer asked for our attorney, Guy Bowman to review and provide comments on the proposal. Chairman Dudley will follow up.

BPC Staff Report. Captain Craig Lee’s retirement on April 30th necessitates Board action to appoint someone to replace him on the Trainee Evaluation Committee. Motion: Kiley/Adams – appoint Captain Craig Lee to the TEC effective May 1st as a “public” member – Carried. Motion: Jensen/Hulsizer – appoint Captain Mark Homeyer to the TEC effective May 1st as an industry representative to replace Captain Lee – Carried. Captain Homeyer comes recommended by Captain Lee and Captain Moore.

The possibility of the next West Coast Regional Pilotage Regulators Conference being held in San Francisco in September of 2014 was discussed. More details will follow.

All Board members were reminded of today’s deadline for filing with the Public Disclosure Commission.

Today is David Moseley’s last day of work at Washington State Ferries and as the statutory Chairman of our Board. Captain George Capacci will be assuming his duties in an acting position. David’s designation of Harry as our Chairman will remain in effect under Captain Capacci’s leadership.

Commissioner Comments. Commissioner Jensen shared his *DOE Spill Prevention, Preparedness and Response Program* organizational chart and announced the hiring of former USCG COTP Captain Scott Ferguson as the new *Prevention* Section Manager. He also shared map of a *Conceptual Model of Oil Movement In and Out of Washington State* by rail and by vessel.

Public Comments. Walt Tabler asked the Board to allow the licensure of Captain Eric Lichty should there be a retirement during the interim between this Board meeting and the next. Motion: Kiley/Morrell – empower Chair Dudley to issue Captain Lichty’s pilot license in the event of an open position – Carried.

Bari Bookout urged the Board to develop a set of standardized definitions or metrics when discussing tariff matters, which could provide for a more efficient discussion.

Confirmation of Next Regular Meeting Dates. The next regular meeting will be Tuesday, May 20th commencing at 9:30 a.m., at 2901 3rd Avenue, Seattle. Chairman Dudley will not be available and suggested the appointment of Commissioner Jensen as Vice Chairman. Motion: Adams/Kiley – designate Commissioner Dale Jensen as the Vice Chairman of the Board to replace Commissioner Adams who was an interim appointee following Commissioner Davis’ retirement in January – Carried. Motion: Kiley/Morrell – move the June Board meeting from the 17th to the 19th – Carried.

Review of Pilot/Trainee Physical Examination Reports. Motion: Kiley/Jensen - accept the physicians’ reports for Captains D.E. Brusco, D.S. Anacker, R.L. D’Angelo, V.O. Engstrom, R.F. McCurdy, S.D. Semler and D.W. Grobschmit for annual pilot license renewal – Carried. Motion: Kiley/Morrell - accept the physician’s report for Captain R.M. White for annual trainee license renewal – Carried.

There being no further business to come before the Board, Chairman Dudley adjourned the regular session Board meeting at 12:55 p.m.

Respectfully submitted,

Peggy Larson, Executive Director

Harry H. Dudley, Chairman

Dale R. Jensen, Vice Chairman

Commissioner Elsie J. Hulsizer

Commissioner Charles F. Adams

Commissioner Edmund I. Kiley

Commissioner Philip Morrell

Commissioner J. Grant Stewart

Commissioner Donald W. Mayer

Absent
Commissioner Edmund Marmol