

**MEETING MINUTES**  
**STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS**  
**November 7, 2018**

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**PUBLIC HEARING - Call to Order**

A public hearing of the Board of Pilotage Commissioners was convened at 12:00 p.m. by Chair Sheri Tonn in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington.

**Present:**

Chair: Sheri Tonn Vice Chair: Ned Kiley

Commissioners: Michael Anthony, Sara Thompson, Eleanor Kirtley, Grant Stewart (via phone), Chuck Adams, Phil Morrell and John Scragg

Administration: Jaimie Bever, Shawna Erickson, Jolene Hamel

Assistant Attorney General: Albert Wang

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

Gary Nelson, Mike Folkers (via phone): Port of Grays Harbor

Lou Paulsen: The Northwest Seaport Alliance

Jordan Royer: Pacific Merchant Shipping Association

Matt Hannuksela, Peter Mann, Robert Eckelmann: 2018 Exam Applicants

Peter Giese: Puget Sound Pilots, retired

Dr. Norman Hertz: Progeny Systems Corporation

**WAC 363-116-300: PILOTAGE RATES FOR THE PUGET SOUND PILOTAGE DISTRICT.** RCW 88.16.035(1)(e) requires the Board of Pilotage Commissioners to annually fix the pilotage tariffs. The only proposed changes are to roll over the dates for 2019. There were no public comments. The public hearing was closed by Chair Tonn at 12:05 p.m.

**CLOSED SESSION**

*A Closed Session of the Board of Pilotage Commissioners was convened from 12:05pm to 12:30pm in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington to discuss matters relative to the 2018 Marine Pilot Exam. In attendance were Commissioners Tonn, Adams, Thompson, Kirtley, Scragg, Anthony, Morrell, Kiley and Stewart (via phone), Assistant Attorney General Albert Wang; BPC staff Shawna Erickson, Jolene Hamel, and Jaimie Bever and Dr. Norman Hertz, Progeny Systems Corporation.*

**REGULAR MEETING – Call to Order**

The regular meeting of the Board of Pilotage Commissioners was convened immediately following the Closed Session by Chair Sheri Tonn in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington.

**Present:**

Chair: Sheri Tonn Vice Chair: Ned Kiley

Commissioners: Michael Anthony, Sara Thompson, Eleanor Kirtley, Grant Stewart (via phone), Chuck Adams, Phil Morrell and John Scragg

Administration: Jaimie Bever, Shawna Erickson, Jolene Hamel

Assistant Attorney General: Albert Wang

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

Gary Nelson, Mike Folkers (via phone): Port of Grays Harbor

Lou Paulsen: The Northwest Seaport Alliance

Jordan Royer: Pacific Merchant Shipping Association

Matt Hannuksela, Peter Mann, Robert Eckelmann: 2018 Exam Applicants

Peter Giese: Puget Sound Pilots, retired

Dr. Norman Hertz: Progeny Systems Corporation

**NEW BUSINESS**

**Set the Cut Score for the Written Examination.** Dr. Norman Hertz gave an overview of the psychometric process and analysis involved in the development and administration of the Written Examination.

**Motion:** Scragg/Morrell – set the Written Examination cut score at 122 as determined by the Subject Matter Experts and recommended by Dr. Hertz – Carried.

All protests concerning the Written Examination were reviewed by Dr. Hertz and members of the Exam Committee resulting in no changes in the relevant standing of all applicants.

**Determine the Number of Successful Applicants who will Advance to the Simulator Evaluation.**

**Motion:** Scragg/Adams – based on the cut score of 122, 20 of the 28 applicants will advance to the Simulator Evaluation – Carried.

The scoring information will be posted on the Board's website, sent by e-mail to all applicants, and posted at the Board Office later today. All applicants are referenced by an ID number only until the entire examination and review process is complete.

**Appoint the Evaluators for the Simulator Evaluation Portion of the Examination.**

**Motion:** Scragg/Anthony – the four evaluators of the Simulator Evaluation shall be Captains John Scragg, Joe Sohlberg, Tom Jacobs, and Jill Russell – Carried.

Simulator Evaluations begin November 12, 2018.

**Consideration of Preceding Hearing: WAC 363-116-300.** All written and oral testimony was reviewed and considered by the Board.

**Motion:** Kiley/Thompson – Adopt the tariff proposal as filed, rolling over the effective dates only – Carried.

**Minutes.** **Motion:** Adams/Anthony – approve the October 18, 2018 Minutes as written with a correction on changing "Written Exam" to "Simulator Evaluation" and changing "collaborates" to "collaborations" – Carried.

**BPC Staff Report.**

- It was a busy month for BPC staff between various meetings and preparation for the Marine Pilot Examination.
- The Strategic Plan has been revised and will be looked at further along in the agenda.

**BPC Chair Report.**

- Chair Tonn thanked everyone who was involved in the examination process.
- Chair Tonn and BPC staff participated in a workshop with the Utilities and Transportation Commission (UTC) along with Puget Sound Pilots, Pacific Merchant Shipping Association and the Northwest Seaport Alliance. It was a good workshop for determining what lies ahead as tariff setting transitions to the UTC. BPC staff will be meeting with the UTC again next week regarding reporting.
- The Salish Sea Vessel Traffic Safety Report is now due to the Governor's Office in mid-January. The Board will be involved in potential legislation in the 2019 Session.
- Chair Tonn and newly licensed Puget Sound pilot, Captain Sandy Bendixen, attended the Women on the Water conference at Maine Maritime Academy last week and were on a panel regarding pilotage. The conference was well attended by female cadets from both the U.S. and Canada.

**Activity Reports.** Lou Paulsen representing The Northwest Seaport Alliance (NWSA), Jordan Royer representing Pacific Merchant Shipping Association (PMSA), Mike Folkers representing the Port of Grays Harbor (PGH), and Captain Eric vonBrandenfels representing Puget Sound Pilots (PSP), offered current and projected statistical data as well as updates on current maritime issues and activities.

**Approval of Pilot License Upgrade Program: Captains Neil Kelleher & Eric Lichty.** Captain Kelleher is nearing completion of his third license year and Captain Lichty is approaching completion of his fifth license year.

**Motion:** Scragg/Kiley – approve license upgrade programs for Captains Kelleher and Lichty as drafted by the TEC – Carried.

**Determination of 2019 Board Meeting Schedule.**

**Motion:** Thompson/Anthony – adopt the 2019 meeting schedule as presented – Carried.

**Adoption of 2018-2023 BPC Strategic Plan.** The plan has been updated to reflect comments and revisions by various commissioners. Chair Tonn reminded the Board that it is a living document and can continue to be updated. However, it should be officially adopted.

Motion: Kiley/Scragg – adopt the 2018-2023 BPC Strategic Plan as presented – Carried.

**Consideration of the Salish Sea Vessel Traffic Safety Report Recommendations.** The Board reviewed an updated version of the draft recommendations. Commissioner Thompson gave a brief explanation of the revisions, which mostly included language adjustments for clarity based on stakeholder feedback. Chair Tonn explained that the critical recommendation for the Board concerns rule-making with the assistance of the Department of Ecology for additional requirements for tug escorts. No legislation has been drafted as of yet to share with the Board. It is expected that draft legislation will surface in the next couple of weeks. The final report is due to the Legislature by January 15, 2019. The comment period for the draft report ends on November 14, 2018. The comments form will be circulated to the Board members after the meeting.

**Pilot’s Report of Marine Safety Occurrence: *LITTLE PRINCE*, 10-20-18**

East Waterway, Seattle	While backing into final position, the engine failed. The engine was restarted long enough to complete berthing.	<u>Motion:</u> Kiley/Scragg File as a Marine Safety Occurrence – Carried.
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**Pilot’s Report of Marine Safety Occurrence: *OCEAN AMBITIOUS*, 10-26-18**

Seattle, Anchor Elliott Bay East	Anchor fouled with swede wire. They were able to clear and proceed to berth.	<u>Motion:</u> Anthony/Adams File as a Marine Safety Occurrence – Carried.
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Chair Tonn announced that BPC Commissioner, Grant Stewart, will be retiring from the Board at the end of December 2018. Commissioner Stewart was recognized for his excellent work with the Board. He will be missed. The Governor’s Office is working on a replacement for his position as a Representative for Foreign Shipping.

**Committee Reports.**

**Trainee Evaluation Committee (TEC):**

- The TEC met earlier in the day, before the Board meeting. Training progress was reviewed for all current trainees: Kridler, Grieser, McGrath, Ninburg, Seamans, Miller, Melin, Bozina, Siddell and Velarde. There was nothing significant to report and no interventions. There are currently 10 trainees in the program. Two trainees could possibly be ready for licensing in January. The TEC would like to get them authorized for PPU training in December to prepare for possible licensure in January.
- Motion: Scragg/Thompson - Approve the PPU training for Captains Keith Kridler and Ken Greiser subject to them completing all the requirements of the program and to provide funding for that training – with a friendly amendment by Commissioner Anthony that completion of all the requirements of the training program are not necessary for approval of the PPU training – Carried.
- The TEC met with Captains McGrath and Seamans, who are transitioning to the Evaluation Phase of the program, at today’s meeting. It was a good discussion. The TEC took note of their comments regarding the training program.
- The TEC discussed federal pilotage in Bellingham, as currently there are not enough ships to satisfy the federal requirement. The local USCG REC has been flexible and giving credit for certain tug and barge trips. The TEC expects vessel traffic to increase in Bellingham due to the establishment of new contracts in the area.
- The TEC recommends adjusting the tonnage limits for each license level in the Puget Sound Pilotage District, as proposed and discussed at the October Board meeting. The TEC reviewed current tonnage levels in the Grays Harbor Pilotage District, using the same methodology as in Puget Sound. Changing tonnage limits is not necessary or recommended at this time for Grays Harbor. The TEC is working on an interim upgrade program for pilots who are currently upgrading, to get them qualified for each new tonnage level.

Motion: Kiley/Morrell – File a CR102 to adjust the tonnage limits for newly licensed pilots in the Puget Sound Pilotage Districts as presented by the TEC – Carried.

- Puget Sound Pilots has requested that the TEC consider requiring additional training for Ultra Large Container Vessels (ULCVs – 1200'), specifically in preparation of a 14,000 TEU vessel that plans to call to the Pierce County Terminal at the Port of Tacoma several times over the next few months. The Board will issue a letter to Puget Sound Pilots initially, then work it into a policy statement to be considered at future Board meetings.

Motion: Scragg/Morrell – The Board accepts the TEC recommendation that pilots receive ULCV simulator training or observe one inbound and one outbound to and from Pierce County Terminal before being assigned as conning pilot – Carried.

#### **Legislative/WAC Committee:**

- No committee updates at this time.

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

- A meeting is scheduled for November 29, 2018. All are invited to join the meeting.

#### **Exam Committee:**

- The Written Exam was given on November 5, 2018. Twenty applicants will transition to the Simulator Evaluations. Simulator familiarization begins on November 8<sup>th</sup> at Pacific Maritime Institute (PMI). Evaluations will run from Monday, November 12<sup>th</sup> through Thursday, November 15<sup>th</sup>. Board members are encouraged to observe the evaluations.

#### **Fatigue Management Committee (FMC):**

- The last meeting was a good, productive meeting. The FMC spent time looking at the remaining recommendations from Dr. Czeisler that were not included in the first phase of committee action.
- The next meeting is scheduled for Friday, November 30, 2018.
- The Dr. Laura Barger fatigue video is now available for trainees on the Atrixware site.

#### **Commission Investigative Committee (CIC):**

- Board staff is working on adding investigative steps to the Board's investigation procedures. The Board will review the document at the January meeting.

#### **Review of Pilot/Trainee Physical Examination Reports.**

Motion: Anthony/Kiley – approve the physicians' reports for Captains R.A. Myers, R.M. White, and J.T. Kearns for annual pilot license renewal – Carried with one abstention from Commissioner Stewart, who was on the phone and did not have the physical reports in front of him.

Motion: Kiley/Scragg – approve the physician report for Captain A.B. Seamans for annual trainee physical – Carried with one abstention from Commissioner Stewart, who was on the phone and did not have the physical reports in front of him.

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

- Monday, November 19<sup>th</sup> Special Meeting 1:00pm – 2:00pm by phone to set the Simulator Evaluation Cut Score
  - December 13<sup>th</sup>
- Motion: Anthony/Kirtley - cancel the December 13<sup>th</sup> meeting – Carried.
- January 17<sup>th</sup>

Commissioner Thompson informed the Board that the draft Grays Harbor Vessel Traffic Safety report is out and the Department of Ecology is accepting comments on it until December 6, 2018. The report includes recommendations regarding pilotage.

#### **CLOSED SESSION**

*A Closed Session of the Board of Pilotage Commissioners was convened from 2:00pm to 3:00pm in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington to discuss matters relative to personnel issues. In attendance were Commissioners Tonn, Adams, Thompson, Kirtley, Scragg, Anthony and Stewart (via phone), Assistant Attorney General Albert Wang; and BPC staff Shawna Erickson, Jolene Hamel, and Jaimie Bever.*

**REGULAR MEETING RECONVENED**

The regular meeting of the Board of Pilotage Commissioners was reconvened immediately following the Closed Session by Chair Tonn in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington.

There being no further business to come before the Board, Chair Tonn adjourned the Board meeting at 3:05 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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Edmund I. Kiley, Vice Chair

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Commissioner Charles F. Adams

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Commissioner Philip Morrell

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Commissioner J. Grant Stewart

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Commissioner John Scragg

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Commissioner Michael Anthony

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Commissioner Eleanor Kirtley

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Commissioner Sara Thompson