

MEETING MINUTES

STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS

August 30, 2010

Present:

Chairman: Harry Dudley

Commissioners: Chuck Adams, Ned Kiley, Pat Hannigan, Dick McCurdy, Craig Lee,
Doug Coburn and Norm Davis

Administration: Shawna Erickson, Peggy Larson

Captains Andy Coe, Pat Kelly, Mr. Walt Tabler: Puget Sound Pilots

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

Gary Nelson, Mary Nelson: Port of Grays Harbor

Captain Scott Ferguson, Ron Kinsey: USCG Sector Puget Sound

Captains Mike Gavin, Del Kelly, Bill Bock: Retired Puget Sound Pilots

Loren Lee: Public

REGULAR MEETING

The regular meeting of the Board of Pilotage Commissioners was convened at 9:40 a.m. by Chairman Harry Dudley in the Agate Conference Room at 2901 Third Avenue, Seattle, Washington. Chairman Dudley welcomed Captain Scott Ferguson as the new USCG Sector Commander of Puget Sound.

Minutes. There being no corrections or additions, the June 10, 2010 Minutes stand approved as written. Motion: McCurdy/Coburn – approve the July 8, 2010 Minutes with the following correction: clarify that it was Commissioner Coburn's intent to discuss setting the number of pilots with an eye toward resolution - Carried.

OLD BUSINESS

Pilot's Letter Report & Sussman Consulting Investigative Report: *FURIA R, 11-5-09* and Sussman Consulting Investigative Report: *CRYSTAL OCEAN, 4-7-10*. Both of these transfer incidents involved Grays Harbor Pilot, Captain Stephen Cooke and were investigated at the direction of the Port of Grays Harbor. Motion: Hannigan/Kiley – accept the investigative reports and cease further Board consideration – Carried.

Consideration of Proposed Statement of Policy Concerning Tariff Setting Procedures. Motion: Lee/Coburn – create a new committee for purposes of furthering the development of a policy on tariff-setting procedures, which consists of non-pilot and non-industry Board members – Carried. Members include Harry Dudley, Chuck Adams, Ned Kiley, Elsie Hulsizer and Norm Davis. Walt Tabler strongly argued for PSP participation/attendance at the committee meetings. The committee will consider to what extent it will involve all stakeholder groups. The acting chairman asked the stakeholders to furnish their lists of all pertinent documents already submitted to the Board that they want to be considered.

NEW BUSINESS

Approval of Pilot License Upgrade Programs for Captains Jim Hannuksela, George Thoreson, Eric Klapperich, Stephan Moreno and Gordon Wildes. Captain Moreno is nearing completion of his first license year, Captains Hannuksela and Thoreson their second, and Captains Klapperich and Wildes their third. Motion: Hannigan/Lee - approve the license upgrade programs for these five captains as drafted - Carried.

Consideration of Requests for Vessel Exemption:

Motor Yacht *BOARDWALK* – 164', 492 gross tons, Cayman Islands registry, Captains Tristan Judson and Michael Catania.

Motion: Lee/Kiley – concur with Chair's granting of interim three-month exemption – Carried.

Motor Yacht *VANGO* – 164', 490 gross tons, Cayman Islands registry, Captain David Hagerman.

Motion: Lee/Kiley – concur with Chair's granting of interim annual renewal – Carried.

Motor Yacht *QUIVIRA* – 116', 246 gross tons, Marshall Islands registry, Captain Christopher Twyman.

Motion: Lee/Kiley – concur with Chair's granting of interim three-month exemption – Carried.

Consideration of Proposed Rule Making. A CR-101 *Preproposal Statement of Inquiry* has been filed with the Code Reviser announcing the Board's intent to review its options for increasing operating revenue. Motion: Lee/Coburn – File a CR-102 proposing a pilot license fee increase from \$6,000 to a range of \$7,500 to \$9,000; a 50% increase in passenger vessel and yacht exemption fees; and no increase to the training surcharge. Motion to Amend: Hannigan/Adams – also include a 100% increase in the training surcharge from \$10 to \$20 per assignment, per trainee – Carried. Amended Motion – Carried. In accordance with rule making procedures, a public hearing date will be set to consider these fee adjustments. Motion: Hannigan/Adams – staff will prepare a presentation for the next Board meeting for purposes of educating the Board on its budgeting process and to better understand the need to increase revenue to cover the current budget shortfall – Carried.

Pilot's Report of Incident: PRAGUE EXPRESS, 8-8-10.

Duwamish East WW	Roller in roller chock exploded while docking. Tug line shredded and parted.	No injuries	<u>Motion:</u> Lee/Davis - Incident with damage and no pilot error	Carried
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Pilot's Report of Marine Safety Occurrence: CAP PALMERSTON, 6-5-10.

Seattle Term 46	Engine malfunction due to a loose limit switch on the governor	Navigational Safety Concern	<u>Motion:</u> Lee/Kiley – File as a Marine Safety Occurrence	Carried
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Pilot's Report of Marine Safety Occurrence: CAPE ASPRO, 6-10-10.

PA Sta to Vendovi Anchor	License-restricted pilot dispatched to loaded tanker. Order indicated the vessel was in ballast.	Navigational Safety Concern	<u>Motion:</u> Lee/Kiley – File as a Marine Safety Occurrence	Carried
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Pilot's Report of Marine Safety Occurrence: HYUNDAI REPUBLIC, 6-14-10.

Tacoma Blair WW	Main engine failure due to a faulty RPM Pickup Sensor	Navigational Safety Concern	<u>Motion:</u> Lee/Hannigan - File as a Marine Safety Occurrence	Carried
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Pilot's Report of Marine Safety Occurrence: ALUCIA, 6-16-10.

North of Shilshole Bay	Research vessel on sea trials. Engine room fire destroyed port turbo charger. Traffic diverted in area.	Near Miss	<u>Motion:</u> Hannigan/Lee – Incident with damage and no pilot error	Carried
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Pilot's Report of Marine Safety Occurrence: ROYAL OCEAN, 7-1-10.

Tacoma Temco Dk	Firm landing on corner of dock. Ship's crew failed to keep forward spring lines slack.	Navigational Safety Concern	<u>Motion:</u> Hannigan/Lee - File as a Marine Safety Occurrence	Carried
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Pilot's Report of Marine Safety Occurrence: BRITISH OAK, 7-14-10.

Departing Cherry Pt	Oil line failure on tug escort. Loaded tanker transited through Rosario Strait after repairs + 1 additional tug.	Navigational Safety Concern	<u>Motion:</u> Lee/Hannigan - File as a Marine Safety Occurrence	Carried
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Pilot's Report of Marine Safety Occurrence: HYUNDAI REPUBLIC, 7-21-10.

Tacoma Blair WW	Engine failure due to a faulty main engine fuel oil preheater	Navigational Safety Concern	<u>Motion:</u> Kiley/Coburn – File as a Marine Safety Occurrence	Carried
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Pilot's Report of Marine Safety Occurrence: TRADER, 7-22-10.

Three Tree Point	Went to anchor at Smith Cove West for emergency engine repairs.	Navigational Safety Concern	<u>Motion:</u> Davis/McCurdy - File as a Marine Safety Occurrence	Carried
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A CLOSED SESSION was called from 12:30 p.m. to 1:10 p.m. to discuss personnel matters regarding licensing a pilot trainee. In attendance were Chairman Dudley, Commissioners Adams, Kiley, Hannigan, McCurdy, Lee, Davis, and Coburn; Shawna Erickson and Peggy Larson.

Notification of Pilot Dispatch Discrepancy. Puget Sound Pilot, Captain David Brusco was mistakenly dispatched to a vessel for which he was not properly licensed. There are two bulker vessels with the

same name and approximate tonnage. PSP has taken measures to reduce the likelihood of repeating this dispatch error.

Discussion Concerning Setting the Number of Pilots in the Puget Sound Pilotage District. Written documents were submitted by PMSA and PSP noting historical vessel traffic, workloads and number of pilots. Discussion ensued with regard to retirement projections, traffic projections and the progression of pilot trainees. Motion: Hannigan/Lee – put on the next meeting agenda for resolution – Carried.

Discussion Concerning the Administration of a *Train the Trainer* Class for all Washington State Pilots. Commissioner Hannigan reported that the Trainee Evaluation Committee has determined a need for a *Train the Trainer* class to be administered to all pilots. Commissioner Davis has begun pursuing the possibility/feasibility of obtaining the class through the State Department of Personnel.

Committee Reports.

Trainee Evaluation Committee:

- The TEC met on August 25th
- Training Program performance was reviewed for trainees Caspers, Anacker, Bouma, Kearns and Anthony
- Motion: Hannigan/Lee – move Captain Anthony to stipend status on October 1 – Carried.
- Motion: Hannigan/Lee – extend Captain Caspers' training program to the next TEC meeting for purposes of allowing him time to take his final local knowledge exam necessary to complete his training program; no further trips are prescribed – Carried.
- Conning Quiz and Local Knowledge Exam study guides will be updated by newly licensed pilots
- WAC 363-116-078(5)(8) is being reviewed for revisions by the TEC and Leg/WAC Committees
- Motion: Hannigan/Adams – the TEC be directed by the Board to write a letter to Captain Stephen Cooke specifying license upgrade trips he must make in the Puget Sound Pilotage District (or in the Grays Harbor District if available) in order to lift the fourth and fifth year tonnage limitations from his state pilot license. Failure to do so by October 1, 2010, could lead to Board consideration of license suspension – Carried.

Legislative/WAC Committee: The committee met just prior to today's Board meeting to discuss ongoing issues related to Grays Harbor Pilotage District manpower and whether or not the Board has the authority to use training surcharge revenue collected through the tariff for training related expenditures beyond the specified trainee stipends.

Activity Reports. Gary Nelson, representing Port of Grays Harbor, reported there were 6 arrivals (19 jobs) in July for 45 arrivals (121 jobs) year-to-date; 71 arrivals (190 jobs) are forecast for 2010; Captain Cooke is on duty in August and Captain D'Angelo in September; ground breaking for Ag Processing Inc's expansion project is set for September 17th; funding has been secured for phase one rail enhancements in Aberdeen; and Grays Harbor will host three trade missions in October.

Captain Andy Coe, representing Puget Sound Pilots, reported there was approximately a 4% decline in vessel traffic this year compared to last year at this time; pilot training courses will resume in September; and State Representative Christine Rolfes met with some PSP folks along with Chairman Dudley to discuss deep draft vessel wake concerns.

Captain Mike Moore, representing Pacific Merchant Shipping Association, reported that assignments to date for 2010 are down 800 from 2008 and down 300 from 2009. A handout was furnished showing several recent headlines pertaining to current traffic data and projections.

Legal Update. In Guy Bowman's absence, Chairman Dudley reported that the Administrative Law Judge issued an initial order ruling in the Board's favor regarding the Captain Bruce Nelson case. Captain Nelson has filed a notice of claim. Also, the Administrative Law Judge has issued orders ruling in the Board's favor regarding the Captains David Surface, Bruce Toney and Thomas Webster case.

Administrator's Report.

- A regional meeting of four of the West Coast Pilotage Authorities will be held in Vancouver, Canada on December 7 and 8, 2010. The Pacific Pilotage Authority is hosting the meeting and will be forwarding more information as it becomes available.
- The 2009 Annual Report is being assembled. The section on "Pilot Earnings" will be previewed by PSP and PMSA before forwarding it to the full Board for its review.

Confirmation of Next Regular Meeting Dates for the Remainder of 2010. The next regular meeting scheduled for Thursday, October 14, 2010 was rescheduled to September 30, 2010 at 9:30 a.m. in the Agate Conference Room, 2901 Third Avenue, Seattle. The meetings scheduled for November 11th and December 9th have been rescheduled for November 9th and December 14th.

Review of Pilot/Trainee Physical Examination Reports. Motion: Davis/Kiley - accept the physicians' reports for Captains P.S. Kelly, E. Marmol, W.H. Snyder, J.K. Ward and J.E. Ward for annual pilot license renewal, Captains B.W. Bouma and D.S. Anacker for annual training license renewal, and S.D. Semler for requested follow-up information - Carried.

There being no further business to come before the Board, Chairman Dudley adjourned the regular session Board meeting at 3:20 p.m.

Respectfully submitted,

Peggy Larson, Administrator

Harry H. Dudley, Chairman

Commissioner Charles F. Adams

Commissioner Edmund I. Kiley

Commissioner Patrick M. Hannigan

Commissioner Richard F. McCurdy

Commissioner Craig W. Lee

Commissioner Douglas S. Coburn

Norman W. Davis, Acting Vice Chairman

Absent
Commissioner Elsie J. Hulsizer