

**MEETING MINUTES**  
**STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS**  
**August 15, 2019**

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**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 in the Commission Room of the Port of Grays Harbor, 111 S. Wooding St., Aberdeen, WA. In her opening remarks, Chair Tonn thanked the Port of Grays Harbor for their hospitality in hosting the Board and the public.

**Present:**

Chair: Sheri Tonn Vice Chair: Ned Kiley

Commissioners: Sara Thompson, Timothy J. Farrell, John Scragg, and Rik Krombeen

Administration: Jaimie Bever, Shawna Erickson, Jolene Hamel

Assistant Attorney General: Albert Wang

Eric vonBrandenfels, Linda Styrk: Puget Sound Pilots

Gary Nelson, Mike Folkers, Ryan White, Randy Lewis, Kayla Dunlap: Port of Grays Harbor

Dustin McCoy, James Carter: United States Coast Guard

Jennifer Harris: WA State House of Representatives

Michael Ross: Westwood Shipping Lines

Lyn Tully: Public

E. Patrick Ninburg & Family: PSP Licensure Candidate & Family

Trevor Heuer, BHP

**Minutes.** Motion: Krombeen/Kiley – approve the July 18, 2019 Meeting Minutes as written – Carried.

**BPC Staff Report.**

- Jaimie Bever advised the Board that the deadline for supplemental budget packages for fiscal year 2020 has moved up from October to September 20, 2019.
- Ms. Bever has been working with State HR on the position description and recruitment for Shawna Erickson's position. She expects to announce the position within the next couple of weeks. The job posting will be linked on the BPC website and advertised through the State's careers sites, local colleges and universities, as well as through BPC's social media accounts.
- Sheri Tonn and Jaimie Bever met with Department of Ecology on July 23<sup>rd</sup>. The next meeting will be in early September to finalize the BPC's implementation plan concerning September 1, 2020 deadlines pursuant to ESHB 1578, which will be distributed to the public in early September. The BPC and Ecology will host a public listening session and waterway zone identification work session in early December at the Port of Everett. Commissioner Scragg inquired about the kind of interaction expected of BPC commissioners at that December meeting. Ms. Bever explained that BPC Commissioners were encouraged to attend but not required to participate. Commissioner Thompson added that the December public forum would be more of a listening session for the BPC to gather information from tribes and stakeholders, rather than imparting information.
- Due to the 3<sup>rd</sup> Thursday falling early this month, vessel traffic reports were not received in time to be analyzed and formatted for the meeting. They will be sent out via mail. Ms. Bever encouraged feedback regarding future reporting and gave a reminder that once a new person was hired for the Program Analyst position, vessel traffic trend reports would likely be presented differently. It was determined that in the meantime, the raw data reports would be sent to the Board.

**BPC Chair Report.**

- Chair Tonn and Jaimie Bever will have a conversation with the UTC on August 21<sup>st</sup> concerning future pilotage tariff filings and to continue ongoing dialog regarding the BPC's role as special advisor to the UTC.
- Chair Tonn reminded the Board that she and Jaimie Bever will be attending the Pacific States/British Columbia Oil Spill Task Force 2019 Anniversary Meeting on November 13<sup>th</sup> and the Salish Sea Shared Waters Forum on November 14<sup>th</sup>, both at the Four Points Sheraton in Bellingham. She extended an invite to any commissioners who are interested in attending.

**Activity Reports.** Pacific Merchant Shipping Association (PMSA), and The Northwest Seaport Alliance (NWSA) were unable to attend the meeting. Captain Eric vonBrandenfels representing Puget Sound Pilots (PSP), and Lt. Dustin McCoy and Lt. James Carter representing the United States Coast Guard (USCG) offered current and projected statistical data as well as updates on current maritime issues and activities.

Eric vonBrandenfels notified the Board that Puget Sound Pilots received the 2018 Vendor of the Year award from Evergreen Shipping Agency. The award was attributed to the pilot’s special preparation for and successful maneuvering of Evergreen’s 14k TEU vessel, *THALASSA AXIA*. On December 19, 2018, the *THALASSA AXIA* was the first 14k TEU vessel to call to the Port of Tacoma.

Gary Nelson representing the Port of Grays Harbor (PGH) gave an update on Port activities, followed by an introduction of Trevor Heuer with BHP. BHP has been working on the permitting for a potential export potash facility at the Port of Grays Harbor. Mr. Heuer gave a PowerPoint presentation (available from BPC, if interested) followed by a Q&A with the Board.

Lt. Dustin McCoy, USCG, provided information to the Board regarding recent Asian Gypsy Moth infestation aboard bulkers and cargo vessels. The U.S. views the moths as an invasive species. If an infestation is discovered by customs officials and/or boarder patrol, those vessels will be ordered out of the area twelve miles to remedy the issue. The USCG will do the same if an infestation is discovered, which would likely involve pilots. He was curious what would happen if a pilot was not available during one of those occurrences and whether or not there was an emergency system in place for dispatching a pilot. Commissioner Scragg responded that pilots were dispatched on a rotational basis. If the USCG called dispatch, they would select the next pilot available and dispatch them. Captain vonBrandenfels added that he was confident PSP could react quickly.

**NEW BUSINESS**

**Consideration of Licensure of PSPD Pilot Candidate: E. Patrick Ninburg.** On behalf of the Trainee Evaluation Committee (TEC), Commissioner Scragg stated that Captain E. Patrick Ninburg had successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training and completion of his federal licensing requirements. Commissioner Scragg added that Captain Ninburg has proven to be consistent, safe, and able to pilot independently. The Board has received his TPTR Summary and all training comments.

Motion: Scragg/Kiley – issue Captain E. Patrick Ninburg state pilot license #205 for the Puget Sound Pilotage District – Carried

**Approval of Training Programs: Captains Eric Michael and Ryan Gartner.** Captains Michael and Gartner will start the pilot training program on October 1, 2019. The orientation for these new trainees will be held on September 26, 2019 at 0900. The training program agreements are in the standard form that have been presented in the past and will be sent to the Board prior to distribution to Captains Michael and Gartner. The TEC reminded the Board that they are always welcome to attend the orientations.

Motion: Scragg/Kiley – accept the pilot Training Programs for Captains Michael and Gartner – Carried.

**Final Consideration of 2018 Annual Report.** The Board received the final draft of the report via email for final consideration. BPC Staff plans to submit the report to the Legislature Monday, August 19, 2019. Jaimie Bever asked for any final comments on the report from the Board or stakeholders by that date. A hard copy of the final report will be provided for anyone who requests one.

Motion: Kiley/Thompson – accept and approve the 2018 Annual Report as written – Carried.

**Pilot’s Report of Marine Safety Occurrence: *HYUNDAI BRAVE*, 07-13-2019**

Alongside berth, Washington United Terminal	Outboard lines were dumped into the water and sucked into propulsion units on the two assist tugs. The lines were cut and the vessel was safely berthed.	<u>Motion:</u> Farrell/Kiley File as a Marine Safety Occurrence – Carried.
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**Pilot's Report of Marine Safety Occurrence: *CELEBRITY SOLSTICE*, 07-19-2019**

Underway, N bound TSS abeam Edmonds-Kingston Crossing	Lost power twice. resulting in a black out. USCG required escort to Pier 91W. The vessel was escorted by tug <i>Guard</i> to Pier.	<u>Motion</u> : Kiley/Scragg File as a Marine Safety Occurrence – Carried.
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**Consideration of Request for Vessel Exemption:**

**Motor Yacht *ICE BEAR*** – 171', 614 gt, Cayman Island registry, Captains Zachary Hayes & Bryce Berndt.

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

**Motor Yacht *WATTA RYDE*** –92', 188 gt, Cayman Island registry, Captain David Kane.

Motion: Farrell/Kiley – concur with Chair Tonn's granting of an annual exemption – Carried.

Commissioner Thompson suggested that BPC add information to the exemption application regarding recent southern resident killer whale restrictions on vessels in Puget Sound.

Motion: Thompson/Farrell – add language consistent with southern resident killer whale legislation to the application packet and the certification page in the pilotage exemption application – Carried.

**Committee Reports.**

**Trainee Evaluation Committee (TEC):**

- The TEC met August 14, 2019 and reviewed training progress for all current trainees: Kridler, Ninburg, Miller, Melin, Bozina, Siddell, Velarde, Hannuksela, McGourty, and Knutsen. There was nothing significant to report and no interventions. There are currently 9 trainees in the program: 5 in the evaluation phase, 3 in the training phase, and 2 in the observation phase. It is anticipated that two trainees will be ready for licensing next month.
- Jolene Hamel, BPC Program Coordinator, gave an update on the status of Grays Harbor training candidates regarding acceptance into the training program. She reported that BPC continues to work through the invitations for candidates on the 2018 Exam waiting list. It was pointed out that Grays Harbor offers employment during the training program, which includes a salary higher than the stipend paid by the BPC, state medical benefits, and state retirement. In addition, the Grays Harbor training program has a shorter duration than Puget Sound and requires significantly less chart drawing for federal pilotage than Puget Sound. Port of Grays Harbor Administration also offers an excellent introduction to port operations and the area for prospective pilot trainees and their families.
- The TEC recommends that the Board review the current training stipend and begin the process for increasing that amount. It has been at its current level (\$6,000/month maximum) for over 10 years. San Francisco recently voted to increase their trainee stipend to \$7,000/month. BPC Staff will inquire with the UTC on the mechanism for increasing the stipend surcharge in the Puget Sound Pilotage Tariff. BPC Staff will report back next month.

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

- The JDC continues to recruit new membership. A meeting will be scheduled in the near future. Board input is always welcome.

**Fatigue Management Committee (FMC):**

- In an ongoing attempt to answer the continuing quorum question surrounding the FMC, it appears that a reset of the Committee may be the best way to proceed. Next week's meeting will be postponed. FMC Chair, Phil Morrell, is committed to staying on as Chair of the Committee going forward. BPC staff will send a cancellation for next week's meeting and will keep the Board informed regarding next steps.

**Commission Investigative Committee (CIC):**

- No updates to report as BPC Staff and the Committee have not yet been able to meet.

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

Motion: Kiley/Scragg – approve the physicians' report for Captain D.W. Mayer for annual pilot license renewal – Carried.

Motion: Thompson/Kiley – approve the physician's report for Captain E.P. Ninburg for pre-licensing physical – Carried.

Motion: Thompson/Kiley– approve the physician report for Captain E.T. Michael for new trainee physical – Carried.

Motion: Kiley/Scragg – approve the fit-for-duty physician report with a friendly amendment from Commissioner Farrell to authorize the physician report regarding fit-for-duty upon receipt of the physician’s signature on the report – Carried.

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

- September 19 – Agate Conference Room
- October 17 – Agate Conference Room
- November 21 – Agate Conference Room

Chair Tonn inquired if there were any public comments. Member of the public Lyn Tully questioned if the Port of Grays Harbor had considered offering a housing allowance to the trainees, or perhaps purchasing a property in the area to lease to trainees. Mike Ross introduced himself. He is the new VP of Operations for Westwood Shipping Lines, taking over for Grant Stewart, who was formerly the BPC’s foreign-flagged shipping representative. There being no further public business to come before the Board, Chair Tonn invited everyone to attend a tour of the Port and then adjourned the Board meeting at 11:45am.

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 Timothy J. Farrell

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Absent  
Commissioner Philip Morrell

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Commissioner Rik Krombeen

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Commissioner John Scragg

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Absent  
Commissioner Michael Anthony

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Absent  
Commissioner Eleanor Kirtley

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Commissioner Sara Thompson