

# MEETING MINUTES

## STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS

August 20, 2015

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### Present:

Chairman: Harry Dudley

Commissioners: Sheri Tonn, Chuck Adams, Phil Morrell, Grant Stewart, Don Mayer, Ed Marmol

Administration: Shawna Erickson, Peggy Larson

David Grobschmit, John Harris, Walt Tabler: Puget Sound Pilots

Mary Nelson: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Paul Tramm, Kevin Kinsella, Sean Dolan: USCG Sector Puget Sound

Bari Bookout, Lou Paulsen: Northwest Seaport Alliance

Brad Lowe, Jim Carstensen: Pilot Candidates

Philip Hunter: Pilot Training Candidate

James Thompson: Washington Public Ports Association

### REGULAR MEETING - Call to Order

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 May 14, 2015 and May 28, 2015 Minutes stand approved as written. The April 16, 2015 Minutes were corrected to reflect a more accurate description of the relationship Commissioner Ferguson has with the Oregon Board of Maritime Pilots. Motion: Tonn/Adams – amend the April 16, 2015 Minutes as proposed – Carried.

### OLD BUSINESS

**Discussion and Possible Resolution Concerning Setting the Number of Pilots in the Puget Sound Pilotage District as provided in WAC 363-116-065.** Reports of various anomalies during the past several months didn't support making a change in the number of PS pilots at this time. Motion: Marmol/Tonn – continue this same agenda item next month - Carried. It was reported that Captain John K. Ward retired August 1<sup>st</sup>, reducing the number of licensed pilots in Puget Sound to 52, the set number.

**Review and Consideration of Licensure of PSPD Pilot Trainees: Captains Brad Lowe and Jim Carstensen.** On behalf of the Trainee Evaluation Committee (TEC) Commissioner Mayer reported that Captain Lowe and Captain Carstensen have completed the *PPU Training Section* of their Training Program and successfully demonstrated their proficiency on a PPU. In addition, all of their federal pilotage requirements have been fulfilled. Further, the TEC unanimously recommends that they both are suitable for licensure. Motion: Marmol/Mayer – the Board deems both captains qualified for the issuance of a license but delays licensing until there is a need for a pilot in the Puget Sound Pilotage District; the Board also authorizes Chairman Dudley to issue state license #194 to Captain Brad Lowe and #195 to Captain Jim Carstensen as two PSP retirements occur – Carried.

### NEW BUSINESS

**2015 Annual Tariff Hearing Preparation – Grays Harbor Pilotage District.** A draft timetable for tariff document submission was reviewed. Motion: Adams/Tonn – approve the submittal schedule as proposed – Carried. The 2015 GHPD tariff hearing will be held November 19<sup>th</sup>.

In letters to the Board dated August 13 and 14, PSP requested an interim PSPD tariff hearing be set for November 19<sup>th</sup> as well. Walt Tabler stated they could defer discussion of their request one more month and there was no need to decide today because the filing deadline for a hearing falls after the next Board meeting. PMSA and others spoke in opposition to the request stating it was premature and based on only one month of data since the new tariff took effect July 1<sup>st</sup>.

### **Consideration of Request for Vessel Exemption:**

**Motor Yacht MEA CULPA** – 130', 302 gt, Cayman Islands registry, Captain Laszlo Cziraki

Motion: Stewart/Tonn – concur with Chair's granting of a one-year exemption – Carried.

**Motor Yacht MYSKY** – 167’, 648 gt, Cayman Islands registry, Captain Richard Biscoe  
Motion: Stewart/Tonn – concur with Chair’s granting of a one-year exemption – Carried.

**Motor Yacht RASA** – 116’, 394 gt, Cayman Islands, Captain. Jorge Llop  
Motion: Stewart/Tonn – concur with Chair’s granting of a one-year exemption – Carried.

**Motor Yacht ICE BEAR** – 171’, 614 gt, Cayman Islands, Captain. C. Brendan Butler  
Motion: Stewart/Tonn – concur with Chair’s granting of an annual renewal of exemption – Carried.

**Motor Yacht AFTER EIGHT** – 151’, 498 gt, Isle of Man - UK registry, Captain Grant Lindsay  
Motion: Stewart/Tonn – concur with Chair’s granting of an annual renewal of exemption – Carried.

**Motor Yacht NOMADESS** – 121’, 298 gt, Cayman Islands registry, Captain Edwin Collins II  
Motion: Stewart/Tonn – concur with Chair’s granting of a three-month exemption – Carried.

**Motor Yacht IMPROMPTU** – 120’, 244 gt, Cayman Islands registry, Captains Hagedorn & Corey  
Motion: Stewart/Tonn – concur with Chair’s granting of a one-year exemption – Carried.

**Motor Yacht ELISA** – 150’, 456 gt, Marshall Islands registry, Captain Jeffrey Hill  
Motion: Stewart/Tonn – concur with Chair’s granting of a one-year exemption – Carried.

**Motor Yacht SOJOURN** – 130’, 264 gt, Jamaican registry, Captain Stan Glover  
Motion: Stewart/Tonn – concur with Chair’s granting of a one-year exemption – Carried.

**Motor Yacht MY WAY** – 112’, 208 gt, Cayman Islands registry, Captain Jake Roush  
Motion: Stewart/Tonn – concur with Chair’s granting of a three-month exemption – Carried.

**Motor Yacht CALEX** – 164’, 492 gt, Cayman Islands registry, Captain Christopher Clemens  
Motion: Stewart/Tonn – concur with Chair’s granting of a three month exemption – Carried.

**Motor Yacht SHARON ANN** – 104’, 185 gt, Marshall Islands registry, Captain Kay Ralf Marschke  
Motion: Stewart/Tonn – concur with Chair’s granting of a three-month exemption – Carried.

**Motor Yacht AZUL** – 94’, 152 gt, Cayman Islands registry, Captain Josh McCouat  
Motion: Stewart/Tonn – concur with Chair’s granting of a three-month exemption – Carried.

**Pilot’s Report of Marine Safety Occurrence: CMA CGM LA SCALA, 5-3-15**

Elliott Bay	Main engine experienced a problem due to a failed lube oil pipe going to the exhaust valve on the #1 cylinder.	Navigational Safety Concern	<u>Motion:</u> Adams/Morrell File as a Marine Safety Occurrence – Carried.
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**Pilot’s Report of Marine Safety Occurrence: KAUAI, 5-23-15**

Elliott Bay	Bow thruster failed on approach to the East Waterway necessitating a round turn back into the Bay.	Near Miss	<u>Motion:</u> Adams/Morrell File as a Marine Safety Occurrence – Carried.
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**Pilot’s Report of Marine Safety Occurrence: MOL PRECISION, 6-18-15**

Pier 7D, Sitcum Waterway	Engine failure while undocking.	Navigational Safety Concern	<u>Motion:</u> Adams/Morrell File as a Marine Safety Occurrence – Carried.
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**Pilot’s Report of Marine Safety Occurrence: ENERGY COMMANDER, 7-7-15**

North of Vendovi Is. Near Viti Rks	A non-responsive fishing vessel intending to cross the tankship’s bow caused the pilot to take alternative action.	Near Miss	<u>Motion:</u> Adams/Morrell File as a Marine Safety Occurrence – Carried.
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**Pilot’s Report of Marine Safety Occurrence: FRANKFURT EXPRESS, 7-9-15**

Northbound, Buoy SG to SF	Engine needed repairs while in transit. After completion, the COTP ordered the vessel to return to Elliott Bay East Anchorage.	Navigational Safety Concern	<u>Motion:</u> Adams/Morrell File as a Marine Safety Occurrence – Carried.
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**Pilot’s Report of Marine Safety Occurrence: WESTWOOD DISCOVERY, 7-11-15**

Port Angeles Boarding area	Vessel experienced astern engine propulsion. Anchored in Port Angeles Harbor for repairs.	Navigational Safety Concern	<u>Motion:</u> Adams/Morrell File as a Marine Safety Occurrence – Carried.
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**Pilot's Report of Marine Safety Occurrence: WESTWOOD DISCOVERY, 7-12-15**

West of Dungeness Spit	Vessel experienced astern engine propulsion. Escorted to Elliott Bay West Anchorage.	Navigational Safety Concern	<u>Motion:</u> Adams/Morrell File as a Marine Safety Occurrence – Carried.
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**Pilot's Report of Marine Safety Occurrence: Y M MARCH, 7-16-15**

Near TC Buoy, Northbound	Main engine repairs necessitated anchoring in Commencement Bay.	Navigational Safety Concern	<u>Motion:</u> Adams/Morrell File as a Marine Safety Occurrence – Carried.
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**Pilot's Report of Marine Safety Occurrence: KOBE EXPRESS, 7-18-15**

Port Angeles Boarding area	Engine repairs necessitated anchoring in Port Angeles Harbor.	Navigational Safety Concern	<u>Motion:</u> Adams/Morrell File as a Marine Safety Occurrence – Carried.
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**Pilot's Report of Marine Safety Occurrence: HYUNDAI MERCURY, 7-28-15**

Northbound, North of Buoy SF	Vessel unable to achieve sea speed/full navigation. It proceeded to Port Angeles to anchor with tug escort.	Navigational Safety Concern	<u>Motion:</u> Adams/Morrell File as a Marine Safety Occurrence – Carried.
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**Pilot's Report of Incident: PS Pilots Harris & Brusco – HYUNDAI FAITH, 5-5-15**

Abeam Pier 3 Blair Waterway	Stern line parted on moored ship <i>CHISWICK BRIDGE</i> during inbound transit of <i>HYUNDAI FAITH</i> .	<u>Motion:</u> Stewart/Tonn File as an Incident with damages and without pilot error – Carried.
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**Pilot's Report of Incident: PS Pilot Hannuksela – WESTWOOD OLYMPIA, 6-23-15**

Everett, off Pacific Terminal	Pilot believed the ship made contact with a shallow mud shoal. Ship captain believed the vessel did not go aground. Non-reportable, per new USCG NVIC but is reportable per state regulations.	<u>Motion:</u> Adams/Tonn File as an Insignificant Incident with placement in the pilot's file, no further action to be taken – Carried.
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**Approval of Pilot License Upgrade Programs.** Captains Galvin, Jensen and White are nearing completion of their first license year, Captain Coryell his second, Captains F. Engstrom and Carley their third and Captain Kearns his fourth. Motion: Adams/Stewart - approve the license upgrade programs for these seven pilots as drafted by the TEC - Carried.

**Discussion and Consideration of DRAFT Safety Advisory Bulletins re Fuel Switching and Anchor Equipment.** Commissioner Ferguson's draft Safety Advisory Bulletins related to fuel switching and propulsion loss avoidance, as well as updating an existing Board SAB related to anchoring issues were presented to the Board for consideration. Motion: Adams/Stewart – move this committee work product out of protected status and distribute to stakeholders for comment – Carried.

**BPC Staff Report.**

- Month-end spreadsheets of pilot statistical data were distributed.
- The BPC Diversity Action Plan and BPC Annual Reports will be filed, as directed, with the appropriate legislative officials by the due date, September 1, 2015.
- Puget Sound Pilot Captain John K. Ward requested the Board to allow him to retire under disability provisions as described in WAC 363-116-110(2). Staff will request he submit this in writing along with a copy of his latest medical report.

**Board-Designated Physician, Dr. Donald Stevens.** The Board was notified on August 4<sup>th</sup> that Dr. Stevens will be closing his practice in Kingston in early December. Swedish Medical Group is acquiring his practice and he will recommend they contact us to appoint a replacement physician. More suggestions are welcome for additional interested west side Board-Designated Physicians.

**Committee Reports.****Trainee Evaluation Committee:**

- The TEC met on July 14 and August 18.

- Training Program progress was reviewed for all current trainees: Captains Surface, Kelleher, Henderson, Furst and Rounds including a face-to-face session with Captains Surface and Furst.
- Don Mayer asked that PS pilot Captain John Scragg be added to the TEC as Captain Mike Blake phases out. Motion: Mayer/Tonn – appoint Captain John Scragg to the TEC effective on the next scheduled TEC meeting date of September 15<sup>th</sup> – Carried.
- The projected PSP retirement schedule was reviewed and it was determined that there is a need to start two more trainees. Motion: Mayer/Marmol – invite Captain Philip Hunter and Captain Rodney Myers to enter training beginning October 15<sup>th</sup> – Carried.

**Legislative/WAC Committee:** Agency Request Legislation is due into the Governor’s Office by September 21<sup>st</sup>. It appears nothing will be put forward by the BPC for the 2016 Session.

**Exam Committee:** This matter will be discussed in Closed Session.

**Activity Reports.** Mary Nelson, representing Port of Grays Harbor, Captain David Grobschmit, representing Puget Sound Pilots, Captain Mike Moore, representing Pacific Merchant Shipping Association, and Bari Bookout with Lou Paulsen representing the Northwest Seaport Alliance, offered current and projected statistical data as well as updates on current maritime events.

**Review of Pilot/Trainee Physical Examination Reports.** Motion: Marmol/Adams - accept the physicians’ reports for Captains M.L. Anthony, M.E. Blake, B.W. Bouma, D.A. Brouillard, J.P. Bujacich, I.J. Carlson, S.T. Coleman, B.F. Henshaw, G.D. Hurt, P.S. Kelly, D.W. Mayer, S.E. Mork, J.C. Scragg, L.A. Seymour, D.L. Shaffer and W.J. Sliker for annual pilot license renewal – Carried. Motion: Marmol/Stewart – accept the physicians’ reports for Captain J.L. Carstensen for initial pilot licensing and Captains E.A. Furst and D.F. Surface for annual pilot trainee license renewal – Carried.

**Confirmation of Next Regular Meeting Dates.** The next regular meeting dates are set for September 17, October 15, November 19, and December 17, 2015, at 2901 3<sup>rd</sup> Avenue, Seattle.

***A CLOSED SESSION was called from 1:35 to 3:15 p.m. to discuss the Board’s Diversity Action Plan as well as the financial details of the pilot exam contract. In attendance were Commissioners Dudley, Tonn, Adams, Morrell, Stewart, Mayer and Marmol; Shawna Erickson and Peggy Larson. Regular session was convened by the Chairman immediately following closed session.***

**REGULAR MEETING - Continued**

Motion: Mayer/Marmol – authorize the Exam Committee to negotiate a final contract with Progeny Systems Corporation including the financial details discussed in Closed Session – Carried.

Motion: Marmol/Tonn – appoint Captain Jostein Kalvoy to the Exam Committee – Carried.

Motion: Marmol/Stewart – approve the Diversity Action Plan as discussed in Closed Session and with input anticipated from the Asst. Attorneys General as accepted by the Diversity Committee – 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,

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Peggy Larson, Executive Director

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Harry H. Dudley, Chairman

**Absent**

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Scott J. Ferguson, Vice Chairman

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Commissioner Sheri J. Tonn

**Absent**

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Commissioner Charles F. Adams

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Commissioner Edmund I. Kiley

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Commissioner Philip Morrell

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Commissioner J. Grant Stewart

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Commissioner Donald W. Mayer

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Commissioner Edmund Marmol