

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
April 20, 2023

KPI Workshop #2

The second workshop to discuss Key Performance Indicators was held by the Board of Pilotage Commissioners and convened by Chair Sheri Tonn from 10:00am to 12:00pm. Attending in person in Grays Harbor were Chair Tonn, Vice-Chair Kirtley, and Commissioners Bendixen, Anthony, Farrell, Drennen and Hamilton; BPC staff Jaimie Bever, Jolene Hamel, and Bettina Maki and PSP Vice-President Eric Klapperich. The workshop was also attended by members of the public via Microsoft Teams along with Commissioners Ross and Irwin and Assistant Attorney General Albert Wang.

The KPIs identified in the previous workshop were revisited. These were for the BPC program areas of Safety, DEI, and Training & Licensing.

For the Safety KPIs that will be tracking injury/fatality associated with pilot transfer arrangement and incidents of any type, there was agreement that the KPI targets should be zero. There was discussion of breaking up nonpollution incidents into navigation, allision, and collision subcategories.

For the Safety KPI that will be tracking rest rule exceptions, a target of 0.30% (as percentage of assignments) was suggested. Data on rest exceptions will be gathered to help inform this KPI target.

For the DEI KPI that will be tracking frequency of DEI Committee meetings, there was agreement that the KPI target should be 1x quarterly (4x yearly).

For the DEI KPI that will be tracking number of conferences promoting DEI that BPC attends and/or sponsors, there was agreement that the target should be 3 events per year. Webinars and maritime academy career fairs were suggested in addition to the two conferences BPC regularly attends/sponsors.

For the Training & Licensing KPI that will be tracking number of licensed pilots compared to number of authorized pilots, the target remains to be determined. There was agreement that the Puget Sound and Grays Harbor districts should be evaluated separately. It was noted that the number of licensed pilots can be greatly disrupted by factors such as pilot retirements and it can take a long time to regain lost ground, so the target needs to be a range and not a specific value. Since pilots cannot be divided into fractions it would be better for the KPI target to refer to a whole number of pilots instead of a percentage of total number of pilots. For example, the KPI target could be minus 2 and plus 2 pilots of the authorized number instead of "not less than 95% of the authorized number". Regarding the effect of pilot retirements on the number of licensed pilots, there was discussion of the very personal nature of retirement decisions and how much disclosure of retirement plans can be reasonably expected.

BPC Program Analyst Bettina Maki suggested that a KPI might have two levels of targets, both a desired level of "great" performance and a more achievable level of "good" performance under certain conditions. For example, in cases where there is a significant gap to make up, any forward progress might be considered "good" even if the actual KPI target is not achieved.

There was discussion about how to utilize pilotage assignment descriptive data (the information that is currently reported in Activity Reports from PSP and PGH). For the most part, this data on their own are not good performance indicators and must be considered in the context of other data to understand performance. It is nonetheless useful for determining the number of pilots to authorize because it does quantify the different inputs and outputs of pilotage operations including nonrevenue activity (or "additional duties") like repos, training, and upgrade trips. Opinions differed on the level of detail needed when analyzing this information to determine the number of pilots to authorize. Some commissioners were interested in potential benefits of more granular analysis and others expressed concern that in addition to being labor intensive, this would not yield useful insights due to randomness that is difficult to extrapolate.

The third KPI workshop will take place in July.

After an opportunity for Public Comments, Chair Tonn adjourned the workshop and convened the Executive Session.

EXECUTIVE SESSION

An Executive Session of the Board of Pilotage Commissioners was convened by Chair Sheri Tonn from 12:00pm to 12:30pm to discuss matters relative to personnel. In attendance were Chair Tonn and Commissioners Kirtley, Ross, Bendixen, Anthony, Farrell, Drennen, Irwin and Hamilton; Assistant Attorney General Albert Wang, and for a portion of the session, BPC staff Jaimie Bever, Jolene Hamel, and Bettina Maki.

REGULAR MEETING – Call to Order

The Regular Meeting of the Board of Pilotage Commissioners was convened immediately following the Executive Session by Chair Sheri Tonn via a hybrid of both in person and Microsoft Teams at 12:30pm.

Present in Person:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Sandy Bendixen (Pilot), Timothy J. Farrell (Public), Jason Hamilton (Public), Andrew Drennen (U.S. Shipping), Mike Anthony (Pilot),

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Eric Klapperich: Puget Sound Pilots

Gary Nelson, Mike Folkers, Commissioner Tom Quigg, Captain Ryan Leo: Port of Grays Harbor

Captain Colby Grobschmit & Family: GH Pilot Licensure Candidate

Present via Teams:

Commissioners: Mike Ross (Foreign Shipping), Nhi Irwin (Ecology)

Assistant Attorney General: Albert Wang

Ivan Carlson, Severin Knutsen, Ken Grieser, Bill Sliker, Charlie Costanzo: Puget Sound Pilots

Mike Moore: Pacific Merchant Shipping Association

Laird Hail: USCG

Lindsay Wolpa: The Northwest Seaport Alliance

John Harris: Retired pilot

BPC Staff Report.

- Executive Director Jaimie Bever reported that the Legislative session would be ending on April 23. The BPC budget has been approved and has successfully funded staffing for a project position to focus on tug escort rulemaking beginning in July 2023.
- Work is underway on the 2022 Annual Report. BPC staff will have a draft available for Commissioners and stakeholders in July, with a final draft for Board approval at the August meeting. The report is due to the Legislature by September 1.
- Jaimie reminded Puget Sound Pilots and the Port of Grays Harbor to submit 2022 audited financials for the BPC Annual Report. Due to the open rate case with the UTC, Puget Sound Pilots will not be presenting on their audited financials.
- The BPC's liability insurance policy renewal took effect on April 6.
- Jaimie reported on the meetings that she attends on a regular basis including the WSF Diversity Advisory Group (DAG) and Harbor Safety meetings. She also attended both the public comment and evidentiary hearings for the Puget Sound tariff rate case with the UTC, and had a great introductory meeting with Julie Gascon, the new Executive Director of the Pacific Pilotage Authority in Vancouver, B.C.
- There were no questions or comments for BPC Program Analyst Bettina Maki regarding her dashboard of PSP's Activity Report.

BPC Chair Report.

- Chair Tonn and Jaimie Bever will be meeting with representatives from the Pacific Pilotage Authority in person on May 15.
- Chair Tonn thanked Grays Harbor for their hospitality and thanked Port of Grays Harbor Commissioner Tom Quigg for being present for the licensing of Captain Grobschmit.

Activity Reports. Mike Folkers representing the Port of Grays Harbor (PGH), Ivan Carlson representing Puget Sound Pilots (PSP), Lindsay Wolpa representing The Northwest Seaport Alliance (NWSA), Mike Moore representing Pacific Merchant Shipping Association (PMSA), and Laird Hail representing the United States Coast Guard (USCG) offered current and projected statistical data as well as updates on current maritime issues and activities.

NEW BUSINESS

Meeting Minutes.

Motion: Farrell/Hamilton – approve the March 16, 2023 Meeting Minutes as drafted with two minor corrections – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Consideration of Licensure of GHPD Pilot Candidate: Captain Colby Grobschmit.** On behalf of the Trainee Evaluation Committee (TEC), TEC Chair Bendixen stated that Captain Colby Grobschmit has completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training and completion of his federal licensing requirements. The Board has received his TPTR Summary and all training comments.
Motion: Bendixen/Anthony – issue Captain Colby Grobschmit state pilot license number 17 for the Grays Harbor Pilotage District – Carried.
- **Pilot License Upgrade Program: Captain Hannuksela.** There are currently 15 pilots working on upgrading their pilot licenses.
Motion: Bendixen/Anthony – approve the pilot license upgrade program for Captain Hannuksela as recommended by the TEC. The letters were recently updated to add the line “All pilot rest rules apply before, during, and immediately following any upgrade trips taken.” and all letters from March 2023 forward will include this new verbiage – Carried.
- TEC Chair Commissioner Bendixen reported there are no changes regarding COVID. All trainees are following all current COVID protocols, which include requiring weekly Declaration of Health (DOH), COVID testing on Crowley vessels, and masking on vessels when requested. While none of the trainees have been slowed down because of COVID, there remain lasting ongoing impacts from COVID at both the REC and the NMC, which impacts progress and timely licensure. The TEC has been working on making progress on WAC 363-116-078, which will eliminate the need for emergency action.
Motion: Bendixen/Hamilton – file the Emergency Rule WAC 363-116-078 as proposed by the TEC – Carried.
- Captain Bendixen reports that the TEC recommends decoupling the trip requirements and stipends. This allows for the TEC and/or Trainees to respond to lasting COVID complications at USCG, REC, NMC and beyond, to progress through the program more efficiently by opening up training opportunities in ports that are predominantly called by US-flagged vessels where federal pilotage is required, and prevents Trainees from possibly entering Evaluation too early, in addition to several other benefits and opportunities. Trainees will still not be allowed to work while taking stipend, must complete the Training Program within 36 months, and must be making forward progress with built in measurements for the TEC to review.
Motion: Bendixen/Farrell – decouple stipend requirements from jobs, allowing the job requirement for stipend to move to zero as recommended by the TEC – Carried.
- The TEC met yesterday and reviewed all trainee progress. There are currently 7 trainees in PS and, with the licensure of Captain Grobschmit, zero trainees in GH. In Puget Sound, there are 2 trainees in the Evaluation section and 5 in the Training section. In addition, one PS Trainee came into the meeting to discuss transitioning to Evaluation.
- BPC Executive Director Jaimie Bever reported that the BPC has contracted with MITAGS for the 2024 Marine Pilot Exam and are in very early planning stages. Exam Committee membership will be included in the May meeting agenda.
- The TEC has been reviewing goals and priorities for continued work in 2023, including asking members to take on increasing roles in specialty areas. The TEC members were very receptive and enthusiastic. Captain Jeff Slesinger has agreed to take on Train-the-Trainer classes and is working on putting together an agenda and new class materials.

Oil Transportation Safety Committee (OTSC)

- **OTSC Committee Appointment.** The OTSC is pleased to recommend Antonio Machado, WSPA, as the new Oil Industry representative, replacing Ramine Cromartie. His bio was provided to the Board.
Motion: Drennen/Farrell – approve the appointment of Antonio Machado to the OTSC – Carried.
- Jaimie Bever distributed a schedule of workshops for the tug escort rulemaking including OTSC meetings. The webinar schedule includes OTSC, public, and Tribal workshops. Board members are encouraged to attend any or all the webinars.
- The OTSC will be meeting on May 3.

Pilot’s Report of Marine Safety Occurrence: *MORNING LENA, 03/07/2023*

East of Pilot Point (Northbound).	While proceeding outbound, vessel experienced loss of propulsion. The USCG issued a COTP order to proceed to Port Angeles anchorage with an assist tug.	<u>Motion:</u> Defer to May meeting
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Pilot’s Report of Marine Safety Occurrence: *MATSON ANCHORAGE, 03/10/2023*

Abeam "T" Buoy Southbound in Traffic Lanes.	Vessel experienced bridge blackout with steering and propulsion loss. Situation stabilized and vessel proceeded to Sitcum Waterway with no further issue.	<u>Motion:</u> Defer to May Meeting
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Pilot’s Report of Marine Safety Occurrence: *CGA CGM SYMI, 03/13/2023*

Underway near ‘SA’ Precautionary Area.	Vessel experienced loss of propulsion. While work was underway on correction of the malfunctioning fuel injector, Seattle VTS issued a COTP hold on the vessel and instructed to return to Port Angeles to anchor with an escort tug. Tug arrived and vessel anchored with no further issue.	<u>Motion:</u> Farrell/Bendixen File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: *OCEAN TACT 03/19/2023*

Underway, Southbound TSS approaching Marrowstone Pt.	While underway pilot noticed on AIS that an approaching vessel had failed to make a turn and stay within traffic lanes. Attempts to reach vessel by both pilot and VTS was unsuccessful. Pilot employed use of spotlight and whistle and was able to get attention of oncoming vessel, who abruptly corrected course.	<u>Motion:</u> Bendixen/Farrell File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: *KEN HOU, 03/24/2023*

Underway at Harbor Island Reach.	While inline for center of bridge, the Spokane Street Bridge failed to open as bridge operator had intended. Pilot was able to stop vessel and await bridge opening, which was successful, and proceeded without incident.	<u>Motion:</u> Anthony/Drennen File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: *SLNC YORK, 03/29/2023*

Underway, S/S to Everett South Terminal.	Vessel experienced main engine failure and needed to be shut down for a restart. The port anchor was successfully released down and a tug on the port quarter stabilized the situation. VTS was notified of the failure and pilot proceeded to tow the vessel into Port Gartner General Anchorage.	<u>Motion:</u> Defer to May Meeting.
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Pilot’s Report of Marine Safety Occurrence: *WESTWOOD RAINIER, 04/09/2023*

Underway in Seattle East Waterway.	Communication between the vessel and the tug on the radio became intermittent as vessel was getting prepared to berth. Established backup communications and berthing was uneventful. Afterwards, tug Protector stated radio mic may have worn out.	<u>Motion:</u> Farrell/Bendixen File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: OCEAN GLADIATOR, 04/03/2023

Tacoma at 7D.	Vessel experienced bow thruster failure. Wind was light, consistent, and from a favorable direction and the vessel's 45-degree Becker Rudder assisted with maneuverability. Tug was shifted to the Port shoulder, spring lines were let go, and the maneuver was completed without incident.	<u>Motion:</u> Anthony/Farrell File as a Marine Safety Occurrence – Carried.
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Exemptions from Pilotage.

Motor Yacht LADY L – 146', 463gt, Cayman Islands registry, Captain Matthew Davies.

Motion: Anthony/Drennen – grant an annual exemption with the following conditions imposed: Dockside Orientation inbound or at Pilot Station – Carried.

Motor Yacht CHEEMAUN –75', 60gt, Cayman Islands registry, Captains Justin Parkins and Sarah Burelson.

Motion: Anthony/Bendixen – concur with Chair Tonn's granting of the interim annual exemption – Carried.

Sailing Yacht DRACO– 45', 16gt, Switzerland registry, Captain Robert Cassels.

Motion: Anthony/Hamilton – grant a 3-month exemption – Carried.

Motor Yacht KURIOSO – 56', 32gt, Switzerland registry, Captains Kurt Soland and Dennis Lawrence.

Motion: Bendixen/Hamilton – grant an annual exemption – Carried.

Pilot/Trainee Physical Examination Reports.

Training Program Coordinator Jolene Hamel apprised the Board of the sudden closure of the Tacoma Port Clinic, which most of the pilots utilize for their annual physicals. She has notified the pilots and is currently seeking a south-end replacement physician or clinic. Please let BPC staff know of any recommendations.

Motion: Bendixen/Anthony – approve the pilot physical examination reports for Captains D. S. Anacker, T. S. McGrath, J. M. Miller, P. L. Velarde, N. T. Kelleher, J. E. Kalvoy, D. W. Grobschmit for their annual pilot license renewals – Carried.

Motion: Kirtley/Anthony – approve the pilot physical examination report for Captain C. G. Grobschmit for his pre-licensing requirement – Carried.

The Board received and reviewed a letter from a Puget Sound pilot requesting acknowledgement of medical retirement, which per the provisions of WAC 363-116-110(2) allows for reinstatement of his Washington State Pilot License within five years of his last pilotage assignment upon the Board's receipt of a Fit-For-Duty letter.

Motion: Kirtley/Anthony – acknowledge the medical retirement of the Puget Sound pilot – Carried.

Committee Updates.

Diversity, Equity & Inclusion Committee (DEIC)

- Committee focus continues to be on recruitment for the 2024 Marine Pilot Exam.
- As discussed during the KPI Workshop, ethnicity is something that has only been recently reported (voluntarily) by the pilots. The committee is looking to do a voluntary survey of the entire pilot corps with regards to diversity identification.

Pilot Safety Committee (PSC)

- PSC Co-Chair Commissioner Drennen reported that the PSC has not met since the last Board meeting. Their next meeting is scheduled for May 2.
- Commissioner Bendixen commented that there was another fatality on a pilot boat internationally. In this case a deck hand went overboard.

Vessel Exemption Committee (VEC)

- The VEC met earlier this week and had a very productive meeting. Captain Sethmann, who was appointed at the March meeting to take over for Captain Johnson, was able to attend. He introduced himself, shared his background and stated he is looking forward to learning more about the VEC and the current processes.
- The VEC plans to have a redlined WAC as well as proposed fee changes for the 2024 season to the Board at the May meeting.

Public Comment. Chair Tonn asked for public comment, but none was offered.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone of the upcoming meeting dates, thanked everyone for all of the good work and adjourned the meeting at 3:15 pm.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin