

**MEETING MINUTES**  
**STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS**  
**June 21, 2022**

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**PUBLIC HEARING – Call to Order**

A Public Hearing concerning WAC 363-116-081 Rest Period was convened at 12:00 p.m. by Vice Chair Eleanor Kirtley via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Sandy Bendixen (Pilot), Mike Anthony (Pilot), Timothy J. Farrell (Public), Nhi Irwin (Ecology), Mike Ross (Foreign Shipping)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Eric Klapperich, Charlie Costanzo: Puget Sound Pilots

Mike Folkers: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Nate Menafee: USCG

Lou Paulsen, Lindsay Wolpa: The Northwest Seaport Alliance

Monique Webber: Pacific Yacht Management

Mike Haglund: Public

Ann LaRue: Public

Eric Brickenstein: Public

Sol Kohlhaas: Marathon Petroleum

Eric Michael & Family: PSP Licensure Candidate

Colby Grobschmit, Nick Sabbath: Pilot Candidates

**WAC 363-116-081 Rest Period.** This rulemaking amends the types of pilotage assignments subject to the requirement for ten hours rest with the opportunity for eight hours of sleep after completion of an assignment. Puget Sound Pilots recently approved several measures to increase dispatching efficiency and pilotage availability while observing state mandated rest rules. There were no written or oral public comments. Vice Chair Kirtley closed the Public Hearing at 12:05 p.m.

**REGULAR MEETING – Call to Order**

The Regular Meeting of the Board of Pilotage Commissioners was convened immediately following the Public Hearing by Vice Chair Eleanor Kirtley via Microsoft Teams.

**BPC Staff Report.**

- A draft of the 2021 Annual Report will be included in the July meeting materials with the final draft and approval planned for the August meeting. It must be submitted to the Legislature by September 1. Puget Sound Pilots and Port of Grays Harbor leadership will have a chance to review the draft as well.
- The 2022-2027 Strategic Plan to accompany our 23/25 biennial budget request will also need to be available for review in the July meeting materials.
- On May 25, Jaimie attended the Joint Puget Sound Harbor Safety Committee (PSHSC)/Pacific Coast Marine Review Panel (PACMAR) annual meeting and gave a brief update on the Oil Transportation Bill. Ecology also gave an update on the tug escort risk model.
- Jaimie will be out the office next week on vacation.

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

Charlie Costanzo, PSP Executive Director, reported the following data points for May pilotage assignments:

May had over 700 assignments, which is 100 more assignments than the previous 5-year average. It was the busiest May since 2015 and before that, since 2008.

- Callback/Assignment Ratio Goal = 5%
  - April 2022 = 15.2%
  - May 2022 = 17.97%
- Delay issue is mechanical, a function of assignments and number of pilots
- Efficiency Measures
  - Harbor Shift and Inter-port Combinations = 16 (required some delays, but reduced the need from 32 to 16 pilots)
  - Use of Pilots Immediately After Cancellation = 3 times out of 13 cancellations (PSP didn't expect much improvement going forward)
  - Reduced Call Times at Night = 20 out of 50 3-and-Outs in May (hard to meet demand with a shortage of pilots)
  - Watch Change = 9 change days in May (Dispatchers report benefits to the system having more pilots available on change day and better opportunities for PSP meetings on change days)
- Meetings as listed on the Activity Report
  - 1 asterisk if a pilot was on-duty
  - 2 asterisks if a pilot was on-duty and dispatched to an assignment directly after the meeting
  - Yellow = Safety/Regulator (core function of PSP)
  - Blue = Public Facing/Non-Safety, Workforce Development, DEI (some considered core functions of PSP, like DEI and Workforce Development)
  - Orange = Internal PSP Admin (core function of PSP)

Commissioner Farrell requested information regarding the vessels affected by the delays and where they were going. Charlie said he could provide this information. Sol Kohlhass, Port Captain Marathon Petroleum, was concerned about a 30-hour delay they experienced and the significant amount of money it cost them. Charlie agreed that communication between the dispatchers and agents needs improvement regarding the cause of delays.

## **NEW BUSINESS**

### **Consideration of Previous Hearing on WAC 363-116-801: Rest Period.**

Motion: Farrell/Bendixen – adopt the changes to WAC 363-116-801 Rest Period as proposed – Carried.

### **Meeting Minutes.**

Motion: Farrell/Ross – approve the May 19, 2022, Meeting Minutes as written with one minor correction to add Charlie Costanzo to the attendance list – Carried.

## **Committee Actions.**

### **Trainee Evaluation Committee (TEC)**

- **Consideration of Licensure of PSPD Pilot Candidate: Captain Eric Michael.** On behalf of the Trainee Evaluation Committee (TEC), TEC Chair Bendixen stated that Captain Eric Michael has successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training and completion of his federal licensing requirements. Commissioner Bendixen added that Captain Michael has proven to be consistent, safe, and able to pilot independently. The Board has received his TPTR Summary and all training comments.  
Motion: Bendixen/Farrell – issue Captain Eric Michael state pilot license number 219 for the Puget Sound Pilotage District – Carried.
- **Pilot License Upgrade Program: Captains McGourty, Moore, Myers, Siddell & Henderson.** The second-year upgrade letter has some modifications, as the TEC is working on format revisions and trip reviews.  
Motion: Bendixen/Anthony – approve the pilot license upgrade programs for Captains McGourty, Moore, Myers, & Siddell as recommended by the TEC – Carried  
Motion: Bendixen/Farrell – approve the pilot license upgrade program hold for Captain Henderson as recommended by the TEC – Carried
- **COVID-19 update.** The TEC has no changes to the COVID-19 policies at this time and recommends it remains as-is for the upcoming month, adapting as needed.

- **Training Program Agreement Grays Harbor District – Captain Colby Grobschmit.** The only changes to the training agreement and requirements for Captain Grobschmit is that they were modified to allow for Captain Leo to have the priority in training in Grays Harbor.  
Motion: Bendixen/Ross – Approve the Training Program Agreement and Requirements for Captain Grobschmit as written – Carried.
- The work on the federal pilotage package continues with the USCG.
- The TEC met earlier this morning and reviewed all the trips and comments for both Puget Sound and Grays Harbor. With the earlier licensure, that leaves 8 trainees in PS and 1 in GH. Trainees are progressing. There are an additional 2 who hope to complete their training and be ready for licensure this summer. In Puget Sound, there are 4 trainees in the Evaluation Phase, 2 in the Training Phase, and 2 in the Observation Phase. In Grays Harbor, there is 1 in the Training Phase.

**Vessel Exemption Committee (VEC)**

- The VEC met on June 9. Topics included review of recent changes to the exemption petition and potential WAC/RCW updates including blanket exemptions for small vessels and fee structures. The next meeting will be scheduled for the end of summer, due to the busy season for committee members.
- Getting the word out to small recreational boaters regarding Washington state pilotage rules continues to be an issue. BPC Staff put together a one-page to distribute to recreational boaters via social media, marina distribution, publications, and Customs and Border Protection.
- **Consideration of Vessel Guidelines.**  
Motion: Anthony/Ross – Approve the Conditions for Pilotage Exemptions of Foreign Flag Recreational Vessels in Special Exemption Areas and Requirements for Pilot Orientation in the Puget Sound Pilotage District as written – Carried.
- Commissioner Bendixen liked the flyer and suggested that staff prepare another flyer for Rule 10, which is a COLREGs rule for recreational boating and sport fishing in the traffic lanes. She suggested distributing it to yacht clubs, as well as the Washington state Fish and Game Regulations annual pamphlet and social media. She added that flyers were a great source to make Puget Sound safer.

**Pilot’s Report of Marine Safety Occurrence: *USNS BRITTIN, 05/25/2022***

NB traffic lane near Shilshole	Upon boarding, the pilot was informed that two of four engines were unavailable due to recent engine rebuild and had yet to be calibrated. While underway, a fire was reported in one of the two usable engines. A tug escort was called and the USCG directed the vessel to anchor in Port Angeles for a Class Inspection.	<u>Motion:</u> Anthony/Ross File as a Marine Safety Occurrence – Carried.
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**Pilot’s Report of Marine Safety Occurrence: *BTG MATTERHORN, 06/12/2022***

Abeam Robinson Point	While transiting from Tacoma, a failed fuel oil supply valve caused engine alarms and reduced speed capacity. A tug was called, and the vessel was safely anchored.	This MSO will be carried over to the July meeting.
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**Exemptions from Pilotage.**

**Motor Yacht *ST. EVAL*** – 114’, 218gt, Cayman Island registry, Captain Milla.

Motion: Farrell/Ross– concur with Chair Tonn’s granting of an interim annual exemption with the following conditions imposed: No Duwamish Waterway – Carried.

**Motor Yacht *TESS*** – 120’, 244gt, Cayman Island registry, Captain Milla.

Motion: Anthony/ Farrell – grant an annual exemption with no conditions imposed – Carried.

**Motor Yacht *MIRABELLA*** – 157’, 418gt, Cayman Island registry, Captain Brown.

Motion: Farrell/Ross – concur with Vice Chair Kirtley’s granting of an interim annual exemption with the following conditions imposed: No Duwamish Waterway, Deception Pass or Locks and a dockside orientation to be given in Port Angeles – Carried.

**Sailing Yacht *AWATEA*** – 148’, 499gt, Cayman Island registry, Captains Neill & Moore.

Motion: Farrell/Ross – grant a 3-month exemption with the following conditions imposed: No Duwamish Waterway, Deception Pass or Locks and a dockside orientation to be given in Port Angeles – Carried.

**Motor Yacht KNIGHT** – 164', 499gt, Jamaica registry, Captain Schlitz.

Motion: Anthony/Farrell – grant an annual exemption with the following conditions imposed: No Deception Pass – Carried.

**Motor Yacht GYRFALCON** – 74', 55gt, British registry, Captain Stump.

Motion: Anthony/Farrell – grant an annual exemption with the following conditions imposed:

Dockside Orientation in Port Angeles and none of the special exemption areas unless an orientation session in that area completed – Carried.

**Motor Yacht MIRA TWO** – 110', 219gt, Jamaica registry, Captains Sethmann & Papa.

Motion: Anthony/Farrell – grant an annual exemption with the following conditions imposed: Pilot required on any transits within the Special Exemption Areas if Captain Papa is on a solo voyage prior to the completion of two trips in each area with Captain Sethmann onboard and training. Proof of training voyages must be submitted to BPC – Carried.

**Motor Yacht LUCKY STARS**– 43', 21gt, Marshall Island registry, Captain Holowchak.

Motion: Farrell/Anthony – grant an annual exemption with no conditions imposed – Carried.

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

This agenda item will be carried over to the July meeting.

### **Committee Updates.**

#### **Diversity, Equity & Inclusion Committee (DEIC)**

- BPC staff has been moving along with possible candidates for committee membership and will have more information to share at the July meeting.

#### **Oil Transportation Safety Committee (OTSC)**

- The OTSC met on May 27 to review and discuss the findings of the Synopsis of Changing Vessel Traffic Trends. The committee will not meet again until after the summer is over.
- Ecology held an introductory webinar regarding the Tug Escort and ERTV Analysis projects on June 8. The next webinar is scheduled for July 13.

#### **Pilot Safety Committee (PSC)**

- The next meeting will be scheduled in July.
- Pilots have been handing out the recently approved safety bulletin on ladder safety when finding improper ladder rigging.
- A joint PSP and Arrow Launch letter was sent out regarding gangway nets, which are appropriate at dock but not at anchor, which had been increasingly observed lately. The committee will review the letter at the next PSC meeting.
- Captain Bendixen shared her appreciation for the collaboration to put together the gangway net letter. She also shared some insights from the recent International Marine Pilots Association conference that she attended, which had an entire day devoted to pilot safety.

**Confirmation of Next Regular Meeting Dates.** Vice Chair Kirtley reminded everyone that the next meeting is scheduled for July 19 at 12:00 p.m. via Teams. Vice Chair Kirtley asked for public comment. Hearing none, she adjourned the meeting at 2:00 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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Eleanor Kirtley, Vice Chair

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Commissioner Timothy J. Farrell

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Commissioner Andrew Drennen

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Commissioner Mike Ross

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Commissioner Sandy Bendixen

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Commissioner Michael Anthony

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Commissioner Jason R. Hamilton

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Commissioner Nhi Irwin