

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
January 19, 2023

PUBLIC HEARING – Call to Order

A Public Hearing concerning WAC 363-116-0751 Qualifications for Pilot Applicants was convened at 10:00 a.m. by Chair Sheri Tonn via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

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

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Eric Klapperich, William Sliker, Scott Coleman, Charlie Costanzo: Puget Sound Pilots

John Harris, Pat Hannigan: Retired Puget Sound Pilots

Randy Lewis: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Laird Hail: USCG

Zack Thomas: The Northwest Seaport Alliance

Monique Webber: Pacific Yacht Management

Ann LaRue: Public

Eric Brickenstein: Public

Sol Kohlhaas: Marathon Petroleum

Catherine Collins: Sound Experience

Harlow Wood, Nick Sabbath: Pilot Candidates

WAC 363-116-0751 Qualifications for Pilot Applicants. This rulemaking is to consider revisions to the application process for the upcoming Marine Pilotage Exam to better align with RCW 88.16.090 and to better clarify the requirements and qualifications to sit for that exam. There were no written or oral public comments. Chair Tonn closed the Public Hearing at 10:05 a.m.

REGULAR MEETING – Call to Order

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

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

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

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Eric Klapperich, William Sliker, Scott Coleman, Charlie Costanzo: Puget Sound Pilots

John Harris, Pat Hannigan: Retired Puget Sound Pilots

Randy Lewis: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Laird Hail: USCG

Zack Thomas: The Northwest Seaport Alliance

Monique Webber: Pacific Yacht Management

Ann LaRue: Public

Eric Brickenstein: Public

Sol Kohlhaas: Marathon Petroleum

Catherine Collins: Sound Experience

Harlow Wood, Nick Sabbath: Pilot Candidates

BPC Staff Report.

- Executive Director Jaimie Bever reported that the Rule 10 Traffic Separate Scheme flyer approved by the Board at the last meeting has been well received and that she has connected

with the Communications Manager for the Washington State Department of Fish and Wildlife who is sharing with the fishing community. In addition to the BPC's social media, it has been shared on the Pacific Northwest Boating Facebook page and Commissioner Bendixen shared it at a recent Seattle Yacht Club presentation.

- The start of the 2023 Legislative Session was on January 9. The Senate Transportation Committee has asked the BPC to participate in a work session to share updates on pilotage and DEI initiatives. Following the work session, the committee will hold a confirmation hearing for Commissioners Bendixen, Hamilton, Ross, and Kirtley. The hearing is currently scheduled for Tuesday, March 14 at 4:00pm in Olympia, WA.
- The process to renew the BPC's liability insurance is underway. The policy is set to expire April 6.
- The Port of Seattle State of the Port breakfast was held this morning and Jaimie was able to live stream the keynote speakers.
- Bettina Maki asked if there were any questions regarding the data she presented for either the PSP dashboard or the 10 years of quarterly assignments, but there were none. Jaimie reported that Bettina would be out of the office the first week of February.

BPC Chair Report.

- Both Chair Tonn and Executive Director Bever will be traveling to California for the Cal Maritime Women in Maritime Leadership (WIML) Conference on March 3 and 4. While in San Francisco, they plan to meet with the Board of Pilot Commissioners (BOPC), San Francisco Bar Pilots, and PMSA. Attending conferences like WIML increases Washington pilotage visibility, especially with women and other underrepresented individuals.
- Chair Tonn shared that she, PSP, and PMSA have drafted a letter following the USCG report from the grounding of the *EVER FORWARD* on the Chesapeake Bay. The letter highlights the USCG findings and recommendations regarding cell phone usage during transits and bridge resource management. Once the stakeholders have weighed in and signed the letter, it will be distributed and posted on the BPC website.
- Chair Tonn reported that the previously discussed work session on key performance metrics will take place at the March 16 Regular Monthly Meeting via a public work session for the Board. This meeting will have a hybrid option. However, Board members are encouraged to attend in person. PSP will be providing further trends at the February meeting to aid in the discussions in March.

Activity Reports. Zack Thomas representing The Northwest Seaport Alliance (NWSA), Ivan Carlson representing Puget Sound Pilots (PSP), Mike Moore representing Pacific Merchant Shipping Association (PMSA), Laird Hail representing the United States Coast Guard (USCG), and Randy Lewis 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, shared a report on the outreach activities that PSP participated in during 2022, which included community engagement with schools, women's conferences, and various organizations. PSP invited two speakers to the meeting. The first was former BPC pilot representative Captain Pat Hannigan, who spoke on the establishment of a PSP mentorship scholarship using funds from an upcoming art auction featuring original paintings by Melinda Hannigan, his late wife. The second speaker was Catherine Collins, Executive Director of Sound Experience, who spoke on the passion of the pilots to train and engage youth for the future of the pilot corps.

NEW BUSINESS

Consideration of Previous Hearing on WAC 363-116-0751: Qualifications for Pilot Applicants.

Motion: Bendixen/Kirtley – adopt the changes to WAC 363-116-0751 Qualifications for Pilot Applicants as proposed – Carried.

Meeting Minutes.

Motion: Farrell/Hamilton – approve the December 15, 2022 Meeting Minutes as drafted – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Pilot License Upgrade Program: Captain Ekelmann.** There are currently 11 pilots working on upgrading their pilot licenses.

Motion: Bendixen/Anthony – approve the pilot license upgrade program for Captain Ekelmann as

recommended by the TEC, with a minor change to allow for a route that includes via Patos for the Ferndale/Cherry Point voyages – Carried

- **Emergency Rule WAC 363-116-078 Due to COVID-19.** Due to the continuing delays with the USCG federal testing program, and the ongoing work on WAC language to allow for more TEC flexibility, the TEC recommends the Board re-file the Emergency Rule.
Motion: Bendixen/Anthony – refile the Emergency Rule WAC 363-116-078 as proposed by the TEC – Carried.
- TEC Chair Commissioner Bendixen reported that, as of last week, trainees were allowed back onto Crowley ship assist assignments under strict parameters, and that trainees continue to be held to a high standard in health screening protocols.
- There are currently 8 trainees in PS and 1 in GH. In Puget Sound, there are 3 trainees in the Evaluation Phase and 5 in the Training Phase. Two trainees attended the TEC meeting yesterday to transition from the Observation Phase. In Grays Harbor, there is one trainee in the early stages of the Evaluation Phase. The TEC anticipates one licensure next month in Puget Sound.
- TEC Vice-Chair Commissioner Anthony recently attended and audited the Grays Harbor PPU training and TEC Chair Bendixen and PSP pilot Captain McGrath attended and audited the recent Puget Sound PPU training. NavSim, the PPU software/hardware provider, has recently started offering one-on-one virtual training to the trainees. The trainees will keep the same PPUs they trained with as they begin their piloting careers after licensure.
- BPC Executive Director Jaimie Bever reported that the competitive bids received for the 2024 Marine Pilot Exam did not meet the BPC budget requirement. As a result, the BPC will go out to bid again, but with an abbreviated bid cycle.

Pilot’s Report of Marine Safety Occurrence: *MATSON TACOMA*, 12/17/2022

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| Underway Northbound TSS South of Three Tree Point. | When transiting south of Three Tree Point, engine room warned that there was a leaking valve in need of repair, which would require stopping the engine. Under consultation with VTS, vessel went to anchor with tug on standby. Repair was completed, and the transit was completed without issue. | <u>Motion:</u> Anthony/Drennen File as a Marine Safety Occurrence – Carried. |
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Pilot’s Report of Marine Safety Occurrence: *WESTWOOD VICTORIA*, 12/18/2022

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| Approaching Pilot Disembarkation Area in Port Angeles. | While preparing for a turn, a green light beam was directed onto the bridge from an onshore source, disrupting night vision of the pilot, master, watch officers, and helmsman. Turn was completed and the pilot disembarked. VTS and Port Angeles PD notified. | <u>Motion:</u> Ross/Hamilton File as a Marine Safety Occurrence – Carried. *Pilot Safety Committee will consider laser issue at upcoming meeting(s). |
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Pilot’s Report of Marine Safety Occurrence: *TORM HELVIG*, 12/21/2022

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| Moored at Cherry Point BP North Dock. | During gear testing before letting go of lines, engine not starting appropriately from bridge, only from engine room. Delay from repairs resulted in pilot leaving vessel without transiting. | <u>Motion:</u> Farrell/Drennen File as a Marine Safety Occurrence – Carried. |
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Pilot’s Report of Marine Safety Occurrence: *RCC SHANGHAI*, 12/27/2022

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| Anchored at Port Angeles Anchor #4, Northwest Corner. | Vessel was dragging anchor due to high winds. Using tug, pilot stabilized vessel. Repairs were needed and once completed, pilot re-anchored vessel in anchorage #3 without issue. | <u>Motion:</u> Farrell/Anthony File as a Marine Safety Occurrence – Carried. |
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Pilot’s Report of Marine Safety Occurrence: *CECILIA*, 01/02/2023

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| Underway in Port Angeles Harbor. | While underway to anchorage, issues occurred with speed reduction. After getting vessel anchored without incident, a dirty speed sensor on the engine was found to be the likely cause of lack of speed control. | <u>Motion:</u> Farrell/Ross File as a Marine Safety Occurrence – Carried. |
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Pilot's Report of Marine Safety Occurrence: *KAMUI GALAXY*, 12/28/2022

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| Outbound in Entrance Channel between buoys 9&8 – Grays Harbor. | While underway vessel experienced a loss of propulsion. Pilot conferred with USCG and proceeded out to sea rather than attempt a round turn with limited engine availability. Vessel was successfully taken to sea, pilot disembarked via helicopter, and vessel transited to Long Beach, California. | <u>Motion:</u> Farrell/Ross File as a Marine Safety Occurrence – Carried. |
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Exemptions from Pilotage.

Passenger Vessel *VICTORIA CLIPPER V* – 167', 910gt, Cyprus registry, Multiple Captains.

Motion: Bendixen/Drennen – grant an annual exemption renewal with the condition of requirement to report any marine safety occurrences or incidents – Carried.

Motor Yacht *HARMONY* – 130', 298gt, Marshall Island registry, Captain Juan Carlos Hernandez.

Motion: Farrell/Drennen – concur with Chair Tonn's granting of an interim annual exemption with the following conditions imposed: No Deception Pass or Duwamish Waterway and a Pilot Orientation required upon entry – Carried.

Motor Yacht *POPEYE* – 142', 462gt, Cayman Island registry, Captain Jordan Wells.

Motion: Anthony/Farrell – concur with Chair Tonn's granting of an interim annual exemption with the following conditions imposed: No Deception Pass – Carried.

Pilot/Trainee Physical Examination Reports.

Motion: Drennen/Ross – approve the pilot physical examination reports for Captains A.C. Stewart, R.L. D'Angelo, and W.M. Carley for their annual pilot license renewals – Carried.

Training Program Coordinator Jolene Hamel introduced the curriculum vitae of Dr. Alecia Stewart, Doctor of Osteopathic Medicine (DO) who has agreed to replace the BPC's Board Designated Physician spot at the Polyclinic. She explained the differences between an MD and a DO.

Motion: Farrell/Hamilton – approve Dr. Stewart to the Board Approved Physician List – Carried.

Committee Updates.

Diversity, Equity & Inclusion Committee (DEIC)

- Many thanks to PSP for the information they provided regarding 2022 outreach and for bringing today's presenters to speak to the Board as a small sampling of their DEI initiatives.

Oil Transportation Safety Committee (OTSC)

- BPC and Ecology are preparing for the tug escort rulemaking announcement. They held two webinars in January specifically for tribes and will be presenting at the Affiliated Tribes of Northwest Indians Winter 2023 Conference on January 24 in Portland, Oregon.
- Tug escort rulemaking will be a permanent agenda line item for the next few years to foster continued public participation and share information.

Pilot Safety Committee (PSC)

- The PSC will meet on February 8 and will have an update at the February Board meeting.
- Pilot transfer safety continues to be an international issue as the year started off with the tragic death of a UK pilot during a transfer, and a German pilot who fell overboard but was thankfully recovered.

Vessel Exemption Committee (VEC)

- The VEC is working to share recommended WAC language and fee schedule changes with the Board in February, pending a last committee meeting on January 31.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone of the upcoming meeting dates and asked the Board to attend in person, if possible, for the March 16 work session and meeting.

Public Comment. Chair Tonn asked for public comment. Hearing none and there being no further business to come before the Board, Chair Tonn adjourned the meeting at 12:25 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Commissioner Timothy J. Farrell

Commissioner Mike Ross

Commissioner Michael Anthony

Commissioner Nhi Irwin

Eleanor Kirtley, Vice Chair

Commissioner Andrew Drennen

Commissioner Sandy Bendixen

Commissioner Jason R. Hamilton