

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
March 20, 2025

CLOSED SESSION

A Closed Session of the Board of Pilotage Commissioners was called to order at 09:30 a.m. by Chair Sheri Tonn in the Orca Conference Room, 2901 Third Avenue, Seattle, WA and online via Microsoft Teams to discuss legal matters.

Present In person:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Mike Anthony (Pilot), Andrew Drennen (U.S. Shipping), Severin Knutsen (Pilot), Nhi Irwin (Ecology)

AAG: Guy Bowman

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Present via Teams:

Commissioners: Jason Hamilton (Public), Tim Farrell (Public)

REGULAR MEETING – Call to Order

The Regular Meeting of the Board of Pilotage Commissioners was called to order at 10:00 a.m. by Chair Sheri Tonn in the Orca Conference Room, 2901 Third Avenue, Seattle, WA and online via Microsoft Teams.

Present In person:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Mike Anthony (Pilot), Andrew Drennen (U.S. Shipping), Severin Knutsen (Pilot), Nhi Irwin (Ecology)

AAG: Guy Bowman

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Puget Sound Pilots: Matt Hannuksela, Pat Kelly, Scott Brewen

The Northwest Seaport Alliance: Lindsay Wolpa

Present via Teams:

Commissioners: Jason Hamilton (Public), Tim Farrell (Public)

Port of Grays Harbor: Mike Folkers

Puget Sound Pilots: Peter Mann, Travis McGrath, Eric Klapperich, Matt Miller, George Fleischfresser, Will Kelly, Scott Anacker, Blair Bouma, Jostein Kalvoy, Larry Seymour, Eric vonBrandenfels, Ivan Carlson, Sheree Storm-Carson

Department of Ecology: Sara Thompson, Haley Kennard, JD Ross Leahy, Megan Hillyard, Angela Deardorff-Zeigenfuse, Adam Byrd,

Pacific Merchant Shipping Association: Mike Moore, Jordan Royer

Oil Transportation Safety Committee: Clyde Halstead, Jeff Slesinger, Antonio Machado, Fred Felleman, Rein Attemann, Kyle Burleson, Peter Schrappen, Tim Johnson, Lillie Wightman, Lovel Pratt

American Pilots Association: Brendan O'Shea, Clay Diamond,

Pacific Pilotage Authority: Brian Young

Marine Exchange: Patrick Gallagher

Public: Ann LaRue, John Harris, Gabriel Gaubert

BPC Staff Report.

- BPC Executive Director Jaimie Bever reported that SB 5117 and SB 5248 did not make it out of the Senate in time for the cutoff.
- The combined Winter/Spring 2025 Pilotage Quarterly will be distributed prior to the April 17 Board meeting.
- Jaimie also shared further information regarding the WSF downsizing of the 2901 building. Prior to the end of this summer, the BPC will move into cubicles on the 4th floor. There will still be meeting spaces and areas for small group work near the new area.

- Finally, Jaimie stated that both Commissioners Farrell and Knutsen will have their Confirmation Hearing before the Senate Transportation Committee on Monday, March 31 in Olympia. Jaimie and Sheri will be in attendance.

BPC Chair Report.

- BPC Chair Sheri Tonn thanked Vice Chair Kirtley for running the February meeting in her absence.
- Chair Tonn also reminded the Commissioners that emails from the Public Disclosure Commission (PDC) have been sent and are due back by April 15.

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

BPC Data Analyst Bettina Maki shared the pilotage activity dashboard and was available for questions.

NEW BUSINESS

Pilot's Report of Marine Safety Occurrence: *VINCA*, 02/17/2025

Underway at Smith Cove East Anchorage	On approach to anchor position within the last quarter mile, the engine did not respond properly to the engine orders given. The situation was stable, the vessel speed was low, there was ample sea room. The starboard anchor was lowered to 3 shots on deck with crew standing by. After about 10 minutes the engine responded properly to the orders given. The pilot maneuvered the vessel back to the proper position and anchored the vessel with 9 shots on deck without incident.	<u>Motion:</u> Drennen/Kirtley– File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *NACC POROS*, 02/24/2025

Underway in Seattle Elliott Bay East Anchorage	Engine room reported an oil leak and the need to shut down to complete the repairs, approximately 5 min. Pilot made call to go ahead and have engineers shut down engine, made fast the tugs center lead and called VTS and USCG to explain repair. After 10 minutes the engine was still not back. Pilot made fast tugs with three lines to take the ship up to LaFarge Dead Ship and notified USCG of plan as ship could not sit at anchor without a tug standing by with impending bad weather forecasted. Ship had short period of time to discharge cargo prior to the evening negative tide. Then, a main engine temporary patch was placed and the engine was back on line in the West Waterway off Terminal 5 South Berth. Vessel continued to the berth without further incident.	<u>Motion:</u> Farrell/Knutsen– File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *MSC ILENIA*, 03/02/2025

Outbound in the TSS near Possession Point	Pilot was notified that the vessel needed to reduce speed to Dead Slow Ahead due to a malfunctioning temperature sensor. Upon correction of the sensor, pilot was then notified of problem with the exhaust scrubber system and the need for a complete shutdown. Pilot had no tug assistance available and VTS authorized the vessel to proceed to sea without a tug escort and conduct repairs while drifting off the Washington coast.	<u>Motion:</u> Drennen/Farrell – File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: CORNEILLE, 03/03/2025

Underway from Tacoma, WUT	While underway, pilot was informed of engine abnormality and ended up, with the assistance of VTS, deciding to take vessel to anchor. Anchored without incident.	<u>Motion:</u> Farrell/Anthony – File as a Marine Safety Occurrence – Carried.
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Executive Director Bever informed the Commission that a draft of the new MSO form will be presented at the May meeting.

Meeting Minutes.

Motion: Kirtley/Knutsen – approve the February 20, 2025 as presented with minor revisions – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Pilot License Upgrade Program: Captains Siddell & Scott** TEC Chair Knutsen reported that the TEC met yesterday and reviewed the upgrade letters for the pilots listed above. The TEC recommended one change that will impact whether the pilot will need to observe or train a job in Anacortes, depending on vessel size. He explained that this change will impact levels 1, 2 and 3 moving forward.
Motion: Knutsen/Drennen – approve the pilot license upgrade program for Captains Siddell and Scott – Carried.
- **Training Program Agreement Grays Harbor District – Captain Ryan Campbell.** Commissioner Knutsen stated that the TEC had worked on an updated Training Program for Grays Harbor Trainee Captain Ryan Campbell who starts on April 1. As shared at the last meeting, both Grays Harbor Pilots and Puget Sound Pilots helped shape the updated training, which now requires approximately 50% more jobs in both training and evaluation, a new familiarization section to include both pilot boat and helicopter orientation and is targeted to be a year in length to span all four seasons. Additionally, due to Captain Campbell's extensive tug work in Grays Harbor, the TEC was able to remove some of the tug trip requirements.
Motion: Knutsen/Anthony – approve the Grays Harbor Training Agreement and Requirements for Captain Ryan Campbell as written – Carried.
- There are currently 5 trainees in Training, and 1 trainee in Evaluation. TEC Chair Knutsen announced that all of the 4 trainees who started this past Fall have already met their 8-month requirements, which is a mix of both state jobs and federal charts as well as all conning quizzes and final exam.
- Board members were again invited to either of the upcoming Trainee Orientations; one being held in Grays Harbor this coming Monday and the other for Puget Sound on April 29.
- With the upcoming increase in the number of trainees in May, the TEC discussed removing the cap on the number of trainees allowed per vessel on Olympia jobs and decided to lift the cap removing the previous limit of 3 trainees onboard. This will help all of the trainees be able to observe difficult Olympia jobs as well as meet their federal trip requirements.
- TEC Chair Knutsen also announced that WSF had extended an invitation to trainees and candidates for an upcoming Spieden Channel trip. The TEC thanks WSF for including them.
- Commissioner Farrell shared with the Board that there has been a very smooth transition within leadership in the TEC and thanked Severin, Jolene, and the other TEC pilots for their work.

Tug Escort Rulemaking – Rule Language Development.

- Executive Director and OTSC Chair Jaimie Bever explained that at the last meeting the Board reviewed proposed rule language and that the OTSC still had some ongoing discussions regarding mitigation measures. The OTSC met on March 6 to finalize the recommendation. The Board reviewed the final proposed rule language. Once approved, the Ecology team will continue work on the economic analysis and draft Environmental Impact Statement. A Special Meeting of the Board will be needed in June for consideration and approval of the full CR 102 packet. While a motion was made by Commissioner Hamilton and seconded by Vice Chair Kirtley, Commissioner Drennen was uncomfortable about the language for who was responsible for a pre-conference discussion and wanted an amendment that would delete "status of" on the 7B3 section. There was discussion both for and against an amendment including from members of the OTSC but in the end the motion with the amendment was approved.

Before the vote, Chair Tonn asked for public comment. Fred Felleman offered that he thought the rule was a very positive thing while acknowledging potential concern of unanticipated consequences on tribal fishing. Chair Tonn responded that the whole EIS draft, et cetera, will come out and there will be plenty of time for additional comments at that point in time as well.

Motion: Hamilton/Kirtley – approve the draft rule language as proposed.

Amendment: Drennen/Anthony – strike the “status of” in section 7(b)(3) – Carried.

Main Motion: Hamilton/Kirtley – approve the draft rule language as proposed with the words “status of” removed from section 7(b)(3) – Carried.

Possible Board Action - Implementation of RCW 88.16.180. Recently, Puget Sound Pilots has been revising and renewing the Memorandum of Understanding with Canada regarding pilot change locations. This is due to newly instituted helicopter transfers for Canadian pilots moving the new fleet of Westridge Terminal/Trans Mountain Pipeline tankers transiting Haro Strait and Boundary Pass in Washington waters. During this renewal process, a discrepancy in the Pilotage Act, Chapter 88.16 RCW, was found. It revealed that the 50-year practice of exempting Canadian pilots from WA state pilotage requirements on tankers transiting to and from Canadian ports via Haro Strait and Boundary Pass, conflicted with the wording of the statute as currently written. A series of amendments to the statute from 1975 to 1991 inadvertently created conflict with the plain language of the statute. Puget Sound Pilots has requested direction from the Board whether to enforce requiring PSP pilots on all the Canadian tanker traffic transiting in Washington waters to and from Canadian ports.

A lengthy discussion was held between Board members and the public. A transcript of that conversation is attached to these minutes.

Motion: Anthony/Knutsen – follow the Attorney General’s Office recommendation to enforce RCW 88.16.180 as soon as safely possible.

Revised Amendment: Hamilton/Farrell – following the April 17, 2025 Board meeting – Carried with 6 in favor and 2 opposed.

Main Motion: Anthony/Knutsen – follow the Attorney General’s Office recommendation to enforce RCW 88.16.180 following the April 17, 2025 Board meeting – Carried with 6 in favor and 2 opposed.

Exemptions from Pilotage.

Motor Yacht REVERIE – 165’, 692gt, Cayman Island registry, Captains Shane Reid and Peter Martin.

Motion: Farrell/Anthony – grant an annual exemption with the condition that the captains must have a dockside orientation - Carried.

Motor Yacht DEO JUVANTE– 86’, 100gt, Belgium registry, Captain Thierry Verstraete.

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

Motor Yacht LEMONADE– 103’, 160gt, Cayman Island registry, Captain James Ferguson.

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

Pilot/Trainee Physical Examination Reports.

Motion: Kirtley/Drennen – approve the pilot physical examination reports for Captains S.D. Semler, L.R. Holland, D.E. Brusco, R.L. D’Angelo, and A.C. Stewart for their annual pilot license renewals – Carried.

Motion: Kirtley/Drennen – approve the new trainee physical examination report for Captain A.E. Butterfield for his pilot trainee license – Carried.

It was noted that one pilot had been cleared for duty and there are currently two pilots not fit for duty.

Rulemaking: Preproposal Statement of Inquiry CR 101 – WAC 363-116-080 Licensing of Pilots and WAC 363-116-0751 Qualifications for pilot applicants.

Executive Director Jaimie Bever announced that a CR 101 for the above two WAC’s have been filed. The intention is to clean up some language and provide some further information and clarity for the 2026 Pilot Exam. There will be no changes to the qualifications themselves.

Committee Updates.

Pilot Exam Committee (PEC)

- BPC E.D. Bever shared that the bid approved at the previous meeting had been posted in WEBS and a preproposal conference had been held with one potential bidder in attendance. The deadline for proposals is April 14 and she will hopefully have more information to share at the next meeting.

Pilot Safety Committee (PSC)

- PSC Co-Chair Drennen stated that the PSC has not yet met since the Feb 4 meeting and is targeting May for their next meeting.
- Bettina Maki, BPC Data Analyst and staff support for the PSC, did share that some headway had been made towards boater safety messaging to be included in the WDFW fishing regulations pamphlet, which will include a small message for no charge. Discussions are happening for a larger paid advertisement.

Vessel Exemption Committee (VEC)

- The VEC also has not yet met since the last meeting and are on a hiatus at the moment.
- Commissioner Mike Anthony, VEC Chair, shared that the BPC had been invited to participate in a Super Yacht Canada event, and he was able to participate via zoom. There were about 30 yacht captains in attendance, and he was on a panel discussion along with representatives from Canada and Alaska, each informing of the yachting requirements for their respective areas.

Diversity, Equity & Inclusion Committee (DEIC)

- Members from the DEIC met recently with a DEI consultant to discuss potential interest to assist with exam recruitment and messaging. Further work and getting under contract are underway.

Terminal Operations Work Group (TOWG)

- The small steering group had their first meeting March 11. They had a lively discussion and are currently working on narrowing down needs and next steps.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone of the meetings in April and May. BPC meetings continue to be hybrid, and all are invited and encouraged to attend in person or online.

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

Adjourn. Meeting was adjourned by Chair Tonn at 1:35pm.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Vacant Seat

Commissioner Severin Knutsen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin