

MEETING MINUTES

STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS

June 15, 2017

Present:

Vice Chair: Ned Kiley

Commissioners: Grant Stewart, Phil Morrell, Don Mayer, Ed Marmol, Sara Thompson,
and Eleanor Kirtley

Administration: Jaimie Bever, Shawna Erickson, Peggy Larson

Mike Moore: Pacific Merchant Shipping Association

Eric vonBrandenfels, Linda Styrk, Ivan Carlson: Puget Sound Pilots

Lou Paulsen: The Northwest Seaport Alliance

Gary Nelson: Port of Grays Harbor

Jason Mihok: Clipper Navigation

Peter Schrappen: Northwest Marine Trade Association

Krysta Zangle: United States Coast Guard

Jennifer Harris: House Transportation Committee Staff

PUBLIC HEARING - Call to Order

A public hearing of the Board of Pilotage Commissioners was convened at 10:05 a.m. by Vice Chair Ned Kiley in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington.

WAC 363-116-360: EXEMPT VESSELS. The proposed changes to this rule regarding tonnage limitations and license requirements for petitioners on foreign-flagged yachts and small passenger vessels applying for pilotage exemptions is necessary due to the passage of Substitute Senate Bill 5262 which amended RCW 88.16.070, and becomes effective July 23, 2017. The new rule will reflect the increase to the tonnage limitation on foreign-flagged, small passenger vessels from 500 to 1,300 gross tons (international) and yachts from 750 to 1,300 gross tons (international). In addition, the new rule will require small passenger vessels be manned by US-licensed deck and engine officers appropriate to the size of the vessel with merchant mariner credentials issued by the United States Coast Guard or Canadian deck and engine officers with Canadian-issued credentials of competency appropriate to the size of the vessel. The fee structure was also considered. Oral testimony was provided by Jason Mihok, Peter Schrappen and Eric vonBrandenfels. The public hearing was closed by Vice Chair Ned Kiley at 10:30 a.m.

REGULAR MEETING - Call to Order

The regular meeting of the Board of Pilotage Commissioners was convened at 10:30 a.m. by Vice Chair Ned Kiley.

Consideration of Preceding Hearing: WAC 363-116-360. All written and oral testimony was reviewed and considered by the Board.

- Motion: Mayer/Kirtley –Establish exemption fees at the high end of the numbers indicated in all categories of the proposed fee schedule – Carried.
- Motion: Mayer/Marmol – approve WAC language modification as written – Carried.

Puget Sound Pilots requested the following additional language be added to the WAC: *Additionally, the captain of a yacht one thousand gross tons or greater that receives a pilotage exemption shall employ a state licensed marine pilot from initial entry to the first port of call, and in other waters within the district entering for the first time, to provide familiarization, navigational and safety information.* This was, in part, outside the scope of the CR-102. The Board will consider this and any additional language for a future Statement of Policy.

Minutes. Commissioner Marmol requested additional language to the section outlining the presentation and Q&A regarding PSP audited 2016 financial statement clarifying negative tax liabilities for the pilots and their association for revenue set aside in anticipation of an impending expense.

- Motion: Mayer/Morrell – approve the May 18, 2017 Minutes with the additional language – Carried.

BPC Staff Report.

- The June meeting was Peggy Larson's final meeting with the Board, wrapping up 35 years of service to the Pilotage Commission and 39 years with the State of Washington. Her last day is June 30, 2017. She was awarded a certificate of commemoration for her outstanding service.
- Jaimie Bever gave a brief update on upcoming State email password changes and progress with establishing new job descriptions within the State HR system.
- Shawna Erickson gave a brief overview of statistical data for 2017.

Activity Reports. Gary Nelson representing the Port of Grays Harbor; Mike Moore representing Pacific Merchant Shipping Association; Lou Paulsen representing The Northwest Seaport Alliance; and Eric vonBrandenfels and Linda Styrk representing Puget Sound Pilots offered current and projected statistical data as well as updates on current maritime activities. Krysta Zangle representing United States Coast Guard was present to offer information relevant to the MSO/Incident reports, if needed.

NEW BUSINESS

Approval of Pilot License Upgrade Program. Captains Fred Engstrom and Jamie Galvin are nearing completion of their fifth and third license years, respectively.

Motion: Mayer/Stewart - approve the license upgrade programs for Captains Fred Engstrom and Jamie Galvin as drafted by the TEC – Carried.

Consideration of New Board Designated Physicians. BPC Staff presented the CVs of two doctors for consideration as Board Designated Physicians.

Motion: Marmol/Morrell – appoint Dr. Raymond Jarris and Dr. Michael Grabinski as Board Designated Physicians – Carried.

Approval of Training Program for Captain Ken Grieser. Incoming pilot trainee Captain Ken Grieser's Training Program will be considered by the Board at the July 13, 2017 meeting.

Discussion Concerning Setting the Number of Pilots in the Puget Sound Pilotage District as Provided in WAC 363-116-065. The Board has invited PSP President, Eric vonBrandenfels, to present to the Board at the July 13, 2017 regular meeting, an overview of pilot dispatch efficiency, fatigue management, and comp time accrual and usage to aid in future decision-making regarding the number pilots. Based on the anticipated July retirements of two PS pilots and to maintain 52 pilots as currently set by the Board, it is recommended that Captains Henderson and Rounds be licensed in July.

Motion: Mayer/Marmol – authorize Chair Tonn to issue licenses to Captains Henderson and Rounds upon the submission or expiration of existing licenses – Carried.

Joint Transportation Committee (JTC) Study Update. The RFP for the Washington State Board of Pilotage Commissioners Best Practice Review study is available on the Board's website. Per Jennifer Harris, House Transportation Committee Staff, the review process for consultant selection is underway. Chair Sheri Tonn and Interim Executive Director Jaimie Bever will attend the public meeting of the JTC on July 20, 2017 to observe the work plan presentation from the selected consultant.

Consideration of Request for Vessel Exemption:

Motor Yacht CV-9 – 131', 322 gt, Cayman Islands registry, Captain Christopher Feffer

Motion: Kirtley/Morrell – concur with Chair's granting of an interim annual exemption renewal – Carried.

Motor Yacht ICE BEAR – 171', 614 gt, Cayman Islands registry, Captain C. Brendan Butler

Motion: Kirtley/Morrell – concur with Chair's granting of an interim annual exemption renewal – Carried.

Motor Yacht STAMPEDE – 117', 191 gt, Marshall Islands registry, Captain Keenan Allen

Motion: Kirtley/Morrell – concur with Chair's granting of an interim annual exemption renewal – Carried.

Motor Yacht ALCHEMY – 120', 235 gt, Marshall Islands registry, Captains Jeff Sanson, Charlie Johnson

Motion: Kirtley/Morrell – concur with Chair's granting of an interim annual exemption renewal – Carried.

Motor Yacht SEPTIMUS – 163', 499 gt, Cayman Islands registry, Captain Mark Lacey

Motion: Kirtley/Morrell – grant an annual exemption – Carried.

Sailing Yacht GEORGIA – 160', 381 gt, Cayman Islands registry, Captain Steven Gamble

Motion: Kirtley/Morrell - concur with Vice Chair's granting of an interim 3-month exemption – Carried.

Commissioner Mayer requested length overall and gross tonnage be added to future meeting agendas for each pilotage exemption request. The July 13, 2017 meeting agenda and subsequent agendas will reflect this request.

Pilot's Report of Marine Safety Occurrence: *LUNA SPIRIT*, 5-11-17

Tacoma, Hylebos WW abeam GP Gypsum	Sudden wind spike to 57 knots caused sudden and rapid setting to starboard, towards a docked vessel.	Near-miss	<u>Motion:</u> Marmol/Mayer File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *BOHEME*, 5-12-17

Tacoma, Commencement Bay/Blair WW	Upon entering Commencement Bay forward tug notified pilot that a large fin whale was wrapped around the bow. The whale became dislodged during the process of backing down the Blair Waterway. VTS and WA State Fish and Wildlife were informed.		<u>Motion:</u> Marmol/Mayer File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *MAERSK ARAS*, 5-17-17

Port Angeles Harbor	Vessel was anchored in the PA Harbor due to fuel oil pressure control valve malfunction. The valves were replaced and the vessel began transit to Seattle Pier 37. The vessel experienced propulsion issues along the way but made its way to the Pier 37 with the assistance of tug Delta Lindsey without incident.		<u>Motion:</u> Marmol/Mayer File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *MATSON ANCHORAGE*, 5-31-17

Tacoma, Commencement Bay	The vessel experienced engine problems due to a faulty suction valve on the #4 cylinder. The transit was delayed and the vessel anchored. Once repairs were completed, transit continued without incident.		<u>Motion:</u> Marmol/Mayer File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *GLOVIS SUPERIOR*, 6-2-17

Port Angeles Pilot Station	The gyro of the vessel was 10 degrees off due to the gyroscope being turned off accidentally. The pilot informed VTS and used his PPU unit during the transit. The gyro was back on target within a few hours and the transit was completed without further complications.		<u>Motion:</u> Marmol/Mayer File as a Marine Safety Occurrence – Carried.
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Puget Sound Pilot, Captain Dan Shaffer, was recognized for an exceptional display of emergency shiphandling pertaining to the *LUNA SPIRIT* MSO.

Committee Reports.

Trainee Evaluation Committee:

- The TEC met on June 13th.
- Training Program progress was reviewed for all current trainees: Captains Henderson, Rounds, Hunter, Myers, Vestal, Kridler and Bendixen.
- Projected pilot retirements were reviewed. Captains Mork and Blake will be retiring in July.
- The Board reviewed revisions to the Pilot License Upgrade Trip Reports, which will be used starting with the upgrade programs for Captains F. Engstrom and J. Galvin.
- The software used by the TEC for Conning Quizzes and Local Knowledge Exams, Atrixware, will need to be upgraded to a new software platform. The annual cost is the same at \$2,000/year but there is an additional \$1,000 charge for the migration of the data.
Motion: Mayer/Stewart – approve the new software and the additional migration charge – Carried.
- With regards to issues with the timing of Coast Guard approvals for charts, endorsements, etc., the TEC would like Chair Tonn to contact the Captain of the Port to determine delays.

- The TEC typically gives an 18-month notification of invitation to train to successful candidates on the waiting list. The TEC is looking at adjusting that time to reduce the length of the Graduate Program at the end of the Training Program.

Legislative/WAC Committee:

- CR101's have been filed for WACs 363-116-078 Training Program, 363-116-360 Exempt Vessels and 363-116-361 New Revenue Collection.

Diversity Committee:

- PSP/BPC Joint Diversity Committee (JDC) Co-Chair Linda Styrk gave a summary of the June 1, 2017 meeting. The next meeting will be scheduled for early August.

Review of Pilot/Trainee Physical Examination Reports.

Motion: Marmol/Morrell – accept the physicians’ reports for Captains D.L. Shaffer, B.W. Bouma, J.P. Bujacich, and L.A. Seymour for annual pilot license renewal and Captain K.J. Grieser for initial trainee licensing – Carried

Confirmation of Next Regular Meeting Dates. The next regular meeting dates are set for July 13th , August 17th, and September 21st. The August 17th meeting will be held at the Port of Grays Harbor in Aberdeen, WA. The September 21st meeting will include a Public Hearing regarding WAC 363-116-301 *New Revenue Collection*.

There being no further business to come before the Board, Vice Chair Kiley adjourned the regular session Board meeting at 1:00 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director (Interim)

Absent

Sheri J. Tonn, Chair

Absent

Commissioner Charles F. Adams

Edmund I. Kiley, Vice Chair

Commissioner J. Grant Stewart

Commissioner Philip Morrell

Commissioner Edmund Marmol

Commissioner Donald W. Mayer

Commissioner Sara Thompson

Commissioner Eleanor Kirtley