

MEETING MINUTES

STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS

November 19, 2015

Present:

Chairman: Harry Dudley Vice Chairman: Scott Ferguson

Commissioners: Sheri Tonn, Chuck Adams, Ned Kiley, Grant Stewart, Phil Morrell (at 11:40 a.m.),
Don Mayer, Ed Marmol

Assistant Attorneys General: Guy Bowman, Allyson Zipp, Catherine Hendricks

Administration: Shawna Erickson, Jaimie Bever, Peggy Larson

David Grobschmit, Linda Styck, John Harris, Bill Sliker, Majken Ryherd: Puget Sound Pilots

Gary Nelson, Mary Nelson: Port of Grays Harbor

Paul Tramm: USCG Sector Puget Sound

Bari Bookout: The Northwest Seaport Alliance (NWSA)

Loren Lee: Public

PUBLIC HEARING

A public hearing of the Board of Pilotage Commissioners was convened at 9:45 a.m. by Chairman Harry Dudley in the Agate Conference Room at 2901 Third Avenue, Seattle, Washington.

WAC 363-116-185: PILOTAGE RATES FOR THE GRAYS HARBOR PILOTAGE DISTRICT. RCW 88.16.035(1)(e) requires the Board of Pilotage Commissioners to annually fix pilotage tariffs. Financial data used in this tariff hearing includes the GHP 5-year Capital Spending Plan, the 2014 unaudited financial statement, and financial data and projections including 2015 y-t-d as of August 31. The filed rule as proposed by the Port of Grays Harbor reflects adjustments within a range of 0.0% to an increase of 7.0% in all tariff categories, except as follows: *Pension Charge* - an increase from \$403 to \$463 and the *Travel Allowance* will remain at \$105 per assignment. The filing was based on a request dated September 16, 2015 submitted by Gary Nelson, Executive Director of the Port of Grays Harbor, which details their request for rule amendments. A formal written tariff proposal was submitted on October 8, 2015. It contained a modified request for an effective 4.6% increase instead of the initial filed range. Oral testimony in support of the proposal was presented by Mary Nelson for the Port of Grays Harbor. Written comments from PMSA state their reluctant support for the requested tariff increase, recognizing the transition period underway in the Port and their need for a tariff increase. The public hearing was closed by Chairman Dudley at 9:47 a.m.

REGULAR MEETING

Chairman Dudley introduced and welcomed the Board's newest employee, Ms. Jaimie Bever, who started on November 1st. He also shared with the Board, a letter from Lynne Griffith WSDOT Assistant Secretary for the Ferries Division, stating her appreciation for his many years of service and her intent to replace him on January 1, 2016 with Commissioner Sheri Tonn. The regular meeting of the Board of Pilotage Commissioners was convened at 9:55 a.m. by Chairman Harry Dudley in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington.

Consideration of Preceding Hearing: WAC 363-116-185. All written and oral testimony was reviewed and considered by the Board. Motion: Tonn/Adams – file a new 2016 Grays Harbor Pilotage District tariff which reflects an effective overall increase of 4.6% – Carried. The effective period of the new tariff is from 0001 hours on January 1, 2016 through 2400 hours on December 31, 2016. (9:57 a.m.)

Minutes. The October 15, 2015 Minutes stand approved as written.

NEW BUSINESS

Approval of Pilot License Upgrade Program. Captains Scott Anacker and Eric Lichty are nearing completion of their fourth and second license years respectively. Motion: Mayer/Kiley - approve the license upgrade programs for Captains Anacker and Lichty as drafted by the TEC - Carried. The TEC described a necessary modification to the fifth-year upgrade requirements that will be used in the future.

Determination of 2016 Board Meeting Schedule. Motion: Marmol/Adams – set the annual 2016 Board meeting schedule to every second Thursday of the month – Carried.

Pilot's Report of Marine Safety Occurrence: CENTURIAN, 10-20-15

Marrowstone Point	Vessel's VHF radio was not transmitting or receiving properly. Pilot used his handheld radio.	Navigational Safety Concern	<u>Motion:</u> Marmol/Stewart File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: PRABHU MIHIKAA, 10-21-15

Main channel, Grays Harbor	In fog, the vessel's forward whistle got stuck so the after whistle was used until repairs were successful.	Navigational Safety Concern	<u>Motion:</u> Marmol/Stewart File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: PACIFIC LINK, 11-4-15

Approaching Port Angeles Pilot Station	A failed generator caused a loss of steerage. The emergency generator was engaged until repairs were made.	Navigational Safety Concern	<u>Motion:</u> Marmol/Stewart File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: SEASPAN NINGBO, 11-5-15

Port Angeles/ Strait of Juan de Fuca	The emergency steering motor had mechanical issues and the ship was ordered back to PA and to anchor.	Navigational Safety Concern	<u>Motion:</u> Marmol/Stewart File as a Marine Safety Occurrence – Carried.
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Consideration and Approval of Memorandum of Agreement regarding transfer of the conduct of vessels crossing the US/Canadian border with pilots from both jurisdictions. According to federal law, our Board is unable to enter into this agreement with Canada but will monitor it with interest.

BPC Staff Report.

- Month-end spreadsheets of pilot statistical data were distributed.
- A petition was received eleven months early requesting a vessel exemption beginning October 2016. The Board will review it at the next Board meeting but will condition it with a required notification of any changes that take place during the interim.

Committee Reports.

Trainee Evaluation Committee:

- The TEC met on November 17.
- Training Program progress was reviewed for all current trainees: Captains Surface, Kelleher, Henderson, Furst, Rounds, Hunter and Myers.
- The resume' of Sara Thompson from the State Department of Ecology was reviewed for purposes of considering her appointment to the TEC. Motion: Ferguson/Tonn – appoint her to the TEC. Motion: Mayer/Adams – table the motion until the end of the Closed Session – Carried with a vote of 4 in favor and 3 opposed.

A CLOSED SESSION was called from 11:15 a.m. to 1:20 p.m. regarding matters in litigation, issues involving personnel evaluations, and the make-up of the Trainee Evaluation Committee. In attendance were Assistant Attorneys General Allyson Zipp, Catherine Hendricks and Guy Bowman, Commissioners Dudley, Ferguson, Adams, Kiley, Tonn, Stewart, Morrell at 11:40, Mayer, and Marmol; Shawna Erickson, Jaimie Bever and Peggy Larson. Regular session was convened by the Chairman immediately following closed session.

Committee Reports cont'd.

Trainee Evaluation Committee:

- Motion: Adams/Stewart – appoint Sara Thompson to the TEC – Carried.

Legislative/WAC Committee: No activity reported.

Exam Committee: Dr. Hertz of Progeny Systems Corp. and his team of Subject Matter Experts are continuing their work on the development of the April 2016 pilot exam. The formal announcement will be published around December 1st, on our website and in several major maritime publications.

Diversity Committee: Commissioner Tonn will chair the committee and is asking for other Board member volunteers to participate.

Activity Reports. Gary Nelson, representing Port of Grays Harbor, Captain David Grobschmit and Linda Styrk, representing Puget Sound Pilots, and Bari Bookout representing The Northwest Seaport Alliance, offered current and projected statistical data as well as updates on current maritime events.

Review of Pilot/Trainee Physical Examination Reports. Motion: Marmol/Tonn - accept the physicians' reports for Captains J.E. Arnold, T.D. Coryell, F.E. Engstrom, J.T. Galvin, J.A. Hannuksela, J.B. Harris, G.P. Thoreson and R.M. White for annual pilot license renewal – Carried.

Commissioner Comments. Chairman Dudley expressed his gratitude for being able to serve the people of the state of Washington since 1998, first as a Commissioner then as Chairman for the last sixteen years.

Public Comments. Several words of appreciation and well wishes to Chairman Dudley were echoed by many. This will be his last Board meeting since he is unable to attend our December meeting.

Confirmation of Next Regular Meeting Dates. The next regular meeting dates are set for December 17, 2015 and January 14, 2016 at 2901 3rd Avenue, Seattle. The next meeting will be preceded by a two-hour Closed Session with our Assistant Attorney General.

There being no further business to come before the Board, Chairman Dudley adjourned the regular session Board meeting at 2:20 p.m.

Respectfully submitted,

Peggy Larson, Executive Director

Harry H. Dudley, Chairman

Scott J. Ferguson, Vice Chairman

Commissioner Sheri J. Tonn

Commissioner Charles F. Adams

Commissioner Edmund I. Kiley

Commissioner Philip Morrell

Commissioner J. Grant Stewart

Commissioner Donald W. Mayer

Commissioner Edmund Marmol