

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
November 18, 2021

Regular Meeting – Call to Order

The regular meeting was called to order 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: Jason R. Hamilton (Public), Sandy Bendixen (Pilot), Mike Anthony (Pilot), Nhi Irwin (Ecology), Timothy J. Farrell (Public), Michael Ross (Foreign Shipping), Andrew Drennen (U.S. Shipping)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Eric vonBrandenfels, Charlie Costanzo, Travis McGrath: Puget Sound Pilots

Mike Folkers: Port of Grays Harbor

Mike Moore and Jordan Royer: Pacific Merchant Shipping Association

Laird Hail and Nate Menafee: USCG

Vince Addington: General Steamship

Brian Kirk, Lori Crews, Alex Hess: Department of Ecology

Michael Haglund: Public

Monique Webber: Pacific Yacht Management

Nick Moore: PSP Licensure Candidate

BPC Staff Report.

- BPC Executive Director Jaimie Bever attended the Pacific States/British Columbia Oil Spill Task Force Annual Meeting yesterday. The presenters included Carlos Clements, who replaced Dale Jensen as the Spills Program Manager for the Department of Ecology, who gave an update on Ecology's jurisdictional work and Commissioner Nhi Irwin, who spoke on the impacts of climate change on Ecology's work.
- The annual Joint Puget Sound Harbor Safety Committee (PSHSC) and PACMAR meeting was scheduled for December 7, however due to flooding emergencies in Canada the meeting has been postponed. The PSHSC will be meeting December 7 for a regular meeting.
- BPC Program Analyst Bettina Maki is working on creating at-a-glance dashboards for various agency programs as well as a flow chart for ESHB 1578 deliverables and considerations. Those will be coming soon.
- Jaimie reported that Bettina celebrated her 2nd anniversary with the BPC on November 1. Bettina has spent the bulk of her time with the BPC in a virtual work environment. BPC staff and Commissioners expressed their appreciation of how she has been able to learn and thrive during the past two years. Chair Tonn thanked Bettina for making data so much more accessible.

BPC Chair Report.

- Chair Tonn reported on the Women Offshore's Fourth Annual Conference, which occurred on November 5 and 12. Between BPC and PSP, there were six Washington pilotage representatives. Washington pilotage had the most attendees of all the pilotage districts at the conference. Chair Tonn went on to report that it was an excellent conference and the online platform used for the conference provided opportunities for meaningful small group discussions. Commissioners Kirtley and Bendixen as well as Captain Eric vonBrandenfels commented on the conference also, stating that the content was very inspiring, and they were pleased that the virtual option allowed for many mariners at sea to be in attendance. Captain Bendixen also gave a shout out to the many men who attended, including Captains vonBrandenfels and Bozina from PSP.

Activity Reports. Laird Hail representing the United States Coast Guard (USCG), Mike Folkers representing the Port of Grays Harbor (PGH), Captain Eric vonBrandenfels representing Puget Sound Pilots (PSP), and Mike Moore representing Pacific Merchant Shipping Association (PMSA) offered current and projected statistical data as well as updates on current maritime issues and activities.

Regarding changes to guidelines issued by PSP, Mike Moore, PMSA, commented that there should be more clarity whether a change is the result of an RCW or WAC change, a BPC decision, or a PSP decision, such as operating rules or guidelines, to avoid jurisdictional confusion.

NEW BUSINESS

Meeting Minutes.

Motion: Hamilton/Farrell – approve the October 26, 2021, Meeting Minutes – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Consideration of Licensure of PSPD Pilot Candidate: Nick Moore.** On behalf of the Trainee Evaluation Committee (TEC), Commissioner Bendixen stated that Captain Nick Moore 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 Moore 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 Nick Moore state pilot license number 216 for the Puget Sound Pilotage District – Carried
- **Approval of Pilot License Upgrade Program: Captain McGrath.** Captain McGrath is nearing completion of his third license year and his upgrade program letter has been updated to reflect the new license levels.
Motion: Bendixen/Anthony – approve the pilot license upgrade program for Captain McGrath as proposed – Carried.
- **Approval of Pilot Training Program Agreements & Requirements.** Captain Bendixen reported that the TEC has reviewed the updated training program agreements over the last couple of months and are happy with the updates made for the 2021 exam class.
Motion: Bendixen/Anthony – approve the training program agreement and requirements as proposed – Carried.
- The BPC, PSP, and USCG are continuing communications regarding federal pilotage in Puget Sound (PS). Captain Bendixen thanked the Waterways Sector for their help in all the work to date. Jaimie Bever acknowledged Captain Bendixen and Captain Scott Coleman for their tremendous effort on this critical project.
- The TEC met yesterday and reviewed all the training programs and comments. Two trainees transitioned from the Training Phase to the Evaluation Phase. One trainee transitioned from the Observation Phase to the Training Phase. With the licensure of Captain Moore, there are now eight trainees in the PS program and zero in Grays Harbor (GH). Five trainees are in the Evaluation Phase, three are in the Training Phase, and none in the Observation Phase.
- One of the candidates from the 2021 Exam Waiting List has received an offer for the GH training program, and has been granted an extension until January 4, 2022, primarily due to the limited traffic in Grays Harbor while Terminal 2 is under repairs. The candidate has visited GH and met with the Port and Captain D'Angelo.
- **Approval to Issue Invitations for Puget Sound.** Captain Bendixen stated the TEC reviewed progress of the current pilot trainees and projected pilot retirements over the next couple of years in the Puget Sound Pilotage District. The TEC recommends inviting the next two candidates to begin training on February 1, 2022.
Motion: Bendixen/Anthony– invite the next two candidates to begin training in the Puget Sound Pilotage District on February 1, 2022 – Carried

Pilot Safety Committee (PSC)

- **Pilot Ladder Safety Bulletin.** Commissioner Drennen, PSC Co-Chair, reported that the PSC has worked on and reviewed the draft Pilot Ladder Safety Bulletin over the last couple of months and would like to release it out to the maritime community. He also thanked Captain Scott Anacker, PSP, for his help with the bulletin.
Motion: Drennen/Hamilton – approve the Pilot Ladder Safety Bulletin as proposed – Carried.
- Commissioner Drennen also reported that the PSC has not met since the last Board meeting, however the approved meeting minutes from the August PSC meeting were provided to the Board in the meeting materials. The next meeting will occur in January 2022.

ESHB 1578 Presentation and Q&A – Draft Synopsis of Changing Vessel Traffic Trends. Brian Kirk, Department of Ecology Spills Program Prevention Section Manager, introduced the Synopsis, which answers questions about the changes Ecology saw after the tug escort requirement in Rosario Strait and connected waterways east took effect, as directed by the Legislature. He also introduced Lori Crews, a highly experienced vessel inspector with Ecology, who led the effort to prepare the report. He praised

Lori's meticulous and manual data collection, and analysis using Ecology's Advanced Notice of Transfers (ANT) system and AIS to compile the information found in the report. Lori then presented the report to the Board. The slides from the presentation can be found on the BPC website at www.pilotage.wa.gov. A Q&A session followed the presentation. The deadline for Board member comments is by end of business tomorrow, November 19. The Board will review and approve the final report at the December 9 meeting and submit to the Legislature before December 31.

ESHB 1578 Presentation and Q&A – Draft Tug Escort Analysis Scope of Work. Brian Kirk then introduced Alex Hess, Spills Program Project Manager. Alex presented the Board with the Tug Escort Analysis Scope of Work via a slide presentation, which can be found on the BPC website at www.pilotage.wa.gov. He presented the draft scope with the modifications that came from the BPC Oil Transportation Safety Committee as well as public comment period in September. A Q&A session followed the presentation. The Board will take action on the scope of work at the December 9 meeting.

Pilot's Report of Marine Safety Occurrence: LILA MUMBAI, 10/20/2021

South of 'S' Buoy in inbound traffic lane	Steering issue, exacerbated by communication barrier. VTS ultimately instructed vessel to return to PA to anchor and they did so with tug escort.	<u>Motion:</u> Bendixen/Kirtley File as a Marine Safety Occurrence – Carried.
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Pilot/Trainee Physical Examination Reports.

Motion: Hamilton/Drennen – approve the pilot physical examination report for Captain J.T. Galvin for his annual pilot license renewal – Carried.

Motion: Farrell/Kirtley – approve the pre-licensing pilot physical examination report for Captain N.K. Moore – Carried.

Motion: Drennen/Farrell – approve the annual trainee physical examination report for Captain M.P. Bostick – Carried.

Rulemaking: WAC 363-116-301 New Revenue Collection. At the October meeting, Jaimie Bever reported the need to amend WAC 363-116-301 New Revenue Collection to update the rule with SB 5165 conditions and directives. This is the next step to authorize a CR102 for filing and setting the hearing date for the January Board meeting.

Motion: Farrell/Irwin – authorize the CR102 filing for the amendment to WAC 363-116-301 as proposed – Carried.

Consideration of 2022 Board Meeting Schedule. BPC Training Program Coordinator Jolene Hamel provided the Board with a poll with three options for the 2022 meeting schedule and presented a finalized draft with the most supported scheduled. The option that had the most support was for keeping Thursdays at 10am all year except June, July, and August, where the Board will move the meetings to Tuesdays at noon to accommodate PSP during cruise season.

Motion: Farrell/Hamilton – approve the draft 2022 Board Meeting Schedule as proposed – Carried.

Committee Updates.

BPC/PSP Joint Diversity Committee (JDC)

- The JDC is planning for a meeting soon to work on the charter and membership for Board consideration.
- Jaimie Bever attended the most recent meeting of the Washington State Ferries' Diversity Advisory Group (DAG) and the DAG's Workforce Development Subcommittee. The DAG has put forth to the WSF executive leadership a recommendation to discontinue certain maritime terms that may be found to have a derogatory nature. They will also be discussing the recommendation with the USCG for potential uniformity in terms. This topic has come up previously when Holland America Group made some of these changes. The JDC will review the recommendations and discuss further.

Vessel Exemption Committee (VEC)

- The VEC met again last week. The focus of the meeting was to prioritize the goals captured from the first meeting and work on compiling action items.
- The Large Recreational Vessel (130-200 FT) Captain position, Captain Charlie Johnson, attended his first meeting and had good input and feedback.

- The committee is still seeking a Small Recreational Boating Representative and hoping to have a candidate to put forward at the December Board meeting. Captain Bendixen has submitted a list of recommendations.
- The approved meeting minutes from the October meeting were provided to the Board.

Oil Transportation Safety Committee (OTSC)

- The committee is planning for the next meeting in January.
- The approved minutes from the October meeting were provided to the Board.

Confirmation of Next Regular Meeting Dates. Chair Tonn reviewed the calendar and reminded the Board that the December meeting is scheduled for Thursday December 9, 2021, at 10:00 a.m.

Chair Tonn asked for public comment. Monique Webber of Pacific Yacht Management asked what the Board meeting options would look like once COVID restrictions lift on the building. Jaimie responded that facility limitations were unknown but that the Board would continue to offer virtual options as able.

There being no further public business to come before the Board, Chair Tonn adjourned the meeting at 2:05 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin