

Port of Grays Harbor

Pilotage Report

August 21, 2025

Pilotage Activity

There were a total of 9 arrivals in July of 2025 (5 dry bulkers, 1 liquid bulker and 3 RoRo). This equated to 19 jobs. Year to date there have been 64 vessels and a total of 160 jobs

Terminal Dredging

American Construction began dredging at Terminal 2 at approximately 6:00 am on Monday, August 4, 2025. They moved to Terminal 4 on Wednesday and finished on Thursday, August 7, 2025. We will update the Commission at the next meeting on the volume of material removed.

AGP Shutdown

The annual two-week maintenance shutdown at AGP occurred in August. That is keeping us busy completing multiple projects. However, the August schedule is steady with 7 arrivals scheduled so far: 3 dry bulkers, 1 liquid bulker and 2 RoRo's.

Pilot Boat Chehalis Yard Period

The Chehalis is due for a semi-annual haul out this year. Director of Health, Safety & Environment Randy Lewis is working with Bill Smith, the Port Engineer for Brusco on a work list. With the vessel nearing the end of service, the yard will focus on items that are necessary for continued operations. The boat will be headed to the yards in late August.

PUGET SOUND PILOTAGE DISTRICT ACTIVITY REPORT

Jul-2025

The Board of Pilotage Commissioners (BPC) requests the following information be provided to the BPC staff **no later than two working days prior to a BPC meeting** to give Commissioners ample time to review and prepare possible questions regarding the information provided.

Activity

Total pilotage assignments:	661	Cancellations:		5					
Total ship moves:	656	Cont'r:	156	Tanker:	188	Genl/Bulk:	92	Other:	220
Assignments delayed due to unavailable rested pilot:				11	Total delay time:		24.75	hours	
Assignments delayed for efficiency reasons:				12	Total delay time:		22.75	hours	
Billable delays by customers:				56	Total delay time:		163	hours	
Order time changes by customers:				131					
2 pilot jobs:	35	Reason:	PSP GUIDELINES FOR RESTRICTED WATERWAYS						
Day of week & date of highest number of assignments:				FRI, 7/11/25				37	
Day of week & date of lowest number of assignments:				WED, 7/30/25				12	
Total number of pilot repositions:	137	Upgrade trips	10	YTD	108				
3 consecutive night assignments:	48	YTD	232						

Callback Days/Comp Days

	Starting Total	Call Backs (+)	Used (-)	Burned (-)	Ending Total
Licensed	2482	83	67		2498
Unlicensed	29			10	19
Total	2511				2517

On watch assignments	569	Call back assignments	92	CBJ ratio	13.92%
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Pilots Out of Regular Dispatch Rotation (pilot not available for dispatch during "regular" rotation)

A. Training & Continuing Education Programs

Start Dt	End Dt	City	Facility	Program Description	Pilot Attendees
1-Jul	31-Jul			Upgrade Assignments On Duty	CAS, SID
1-Jul	31-Jul			Upgrade Assignments Off Duty	EKE, HAM, MCN, SCS(2), SID, STU(2)
					* On Watch Off Watch ** paired to assign.
					2 8

B. Board, Committee & Key Government Meetings (BPC, PSP, USCG, USACE, Port & similar)

Start Dt	End Dt	City	Group	Meeting Description	Pilot Attendees
1-Jul	1-Jul	Seattle	PSP	Rate Committee	MCG*
1-Jul	1-Jul	Seattle	PSP	Outreach	HAM
1-Jul	7-Jul	Seattle	PSP	Ops Pilot	MIL(2on*,5off)
1-Jul	1-Jul	Seattle	PSP	Outreach	BEN*, VON*
3-Jul	3-Jul	Seattle	PSP	Rate Committee	KNU*, MCG
8-Jul	20-Jul	Seattle	PSP	Ops Pilot	HAM(4on*,9off)
9-Jul	9-Jul	Seattle	USCG	Outreach	RID**
9-Jul	9-Jul	Seattle	PSP	Administrative	KLA*
10-Jul	10-Jul	Seattle	PSP	Administrative	BOZ**, GRK, HAM*, MCG
10-Jul	11-Jul	Seattle	PSP	Rate Committee	MCG(2off)
14-Jul	14-Jul	Seattle	PSP	Administrative	HAM*, KNU, MCG
16-Jul	16-Jul	Seattle	BPC	TEC	ANT, BOZ**, KNU
16-Jul	16-Jul	Seattle	BPC	BPC PREP	ANT, KNU
17-Jul	17-Jul	Seattle	BPC	BPC	ANT, KNU
18-Jul	18-Jul	Seattle	PSP	Administrative	GRK*, HAM*

Start Dt	End Dt	City	Group	Meeting Description	Pilot Attendees			
18-Jul	18-Jul	Port Townsend	PSP	Outreach	HAM*, HUP, MAN*, NIN*			
21-Jul	21-Jul	Seattle	BPC	BPC	HAM*, KNU, MCG			
21-Jul	22-Jul	Seattle	PSP	Ops Pilot	GRK(2on*)			
22-Jul	22-Jul	Seattle	PSP	Outreach	COL			
23-Jul	31-Jul	Seattle	PSP	Ops Pilot	KEP(8on*,1off)			
24-Jul	24-Jul	Seattle	PSP	BOD	GRK*, HAM, KEP, MCG, MIL, MYE*			
25-Jul	25-Jul	Seattle	USCG	Outreach	RID*			
25-Jul	25-Jul	Seattle	PSP	Outreach	VON**			
29-Jul	29-Jul	Seattle	PSP	Outreach	HAM			
31-Jul	31-Jul	Seattle	PSP	Outreach	MCG*, VON*			
31-Jul	31-Jul	Seattle	PSP	Outreach	ANT*			
31-Jul	31-Jul	Seattle	PSP	Safe Practices	BOU			
					* On Watch	Off Watch	** paired to assign.	
					35	39	4	
Safety/Regulatory								
Outreach								
Administrative								
C. Other (i.e. injury, not-fit-for-duty status, COVID risk								
Start Dt	End Dt	REASON	PILOT					
1-Jul	24-Jul	NFFD	HUP					
9-Jul	31-Jul	NFFD	MAM					
Trailing 12 months revenue assignments								
7,140								
Call back job ratio during the last 12 months (August 2024-July 2025) 9.39 %								

Puget Sound District Activity Report Dashboard

2025 July

Licensed Pilots
Including President

55

Capt. Seymour retired in July.

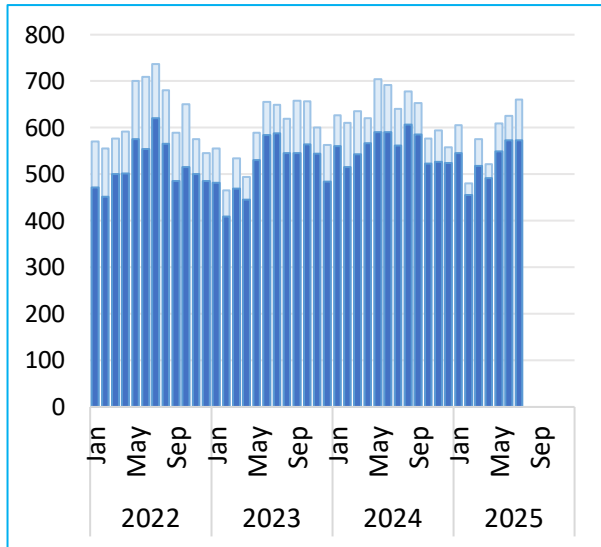
PS District
Trainees

8

Monthly Total

Assignment Count

661

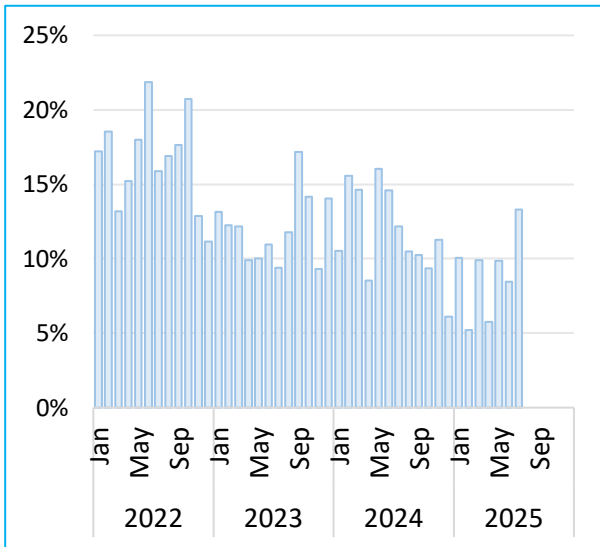


569 On-Watch (dk blue), 92 Off-Watch (lt blue)

Monthly Off-Watch

Assignment Percentage

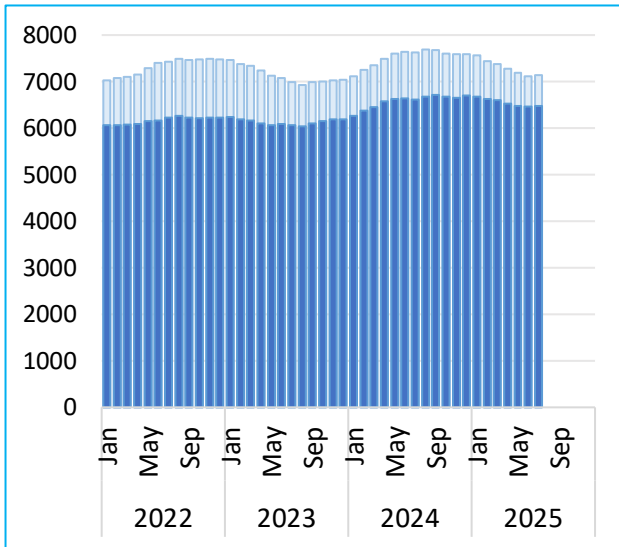
13.9%



Trailing 12 Total

Assignment Count

7140

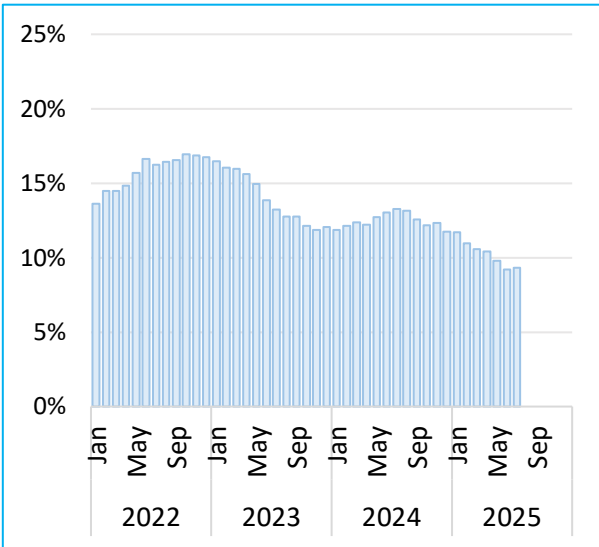


6469 On-Watch (dk blue), 671 Off-Watch (lt blue)

Trailing 12 Off-Watch

Assignment Percentage

9.4%



Licensed Pilots w/o Pres 54

Pilots NFFD whole month 0

Available Pilots 54

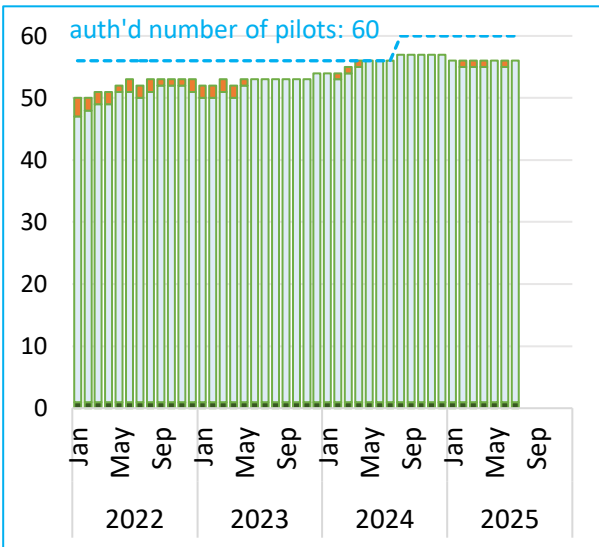
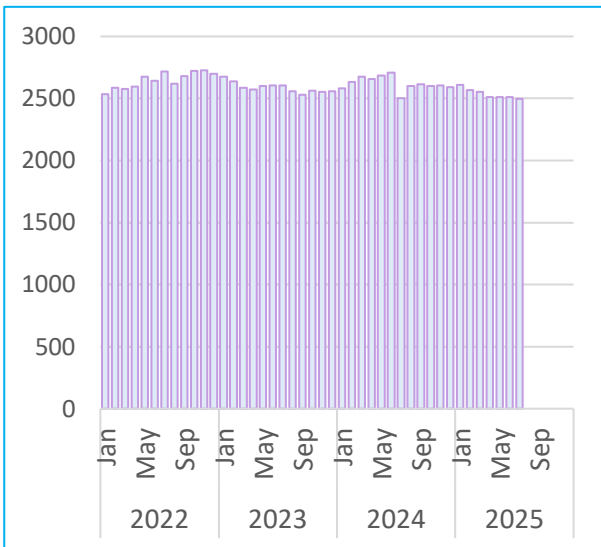


chart also includes president (1 pilot)

Total Comp Days

All Licensed Pilots

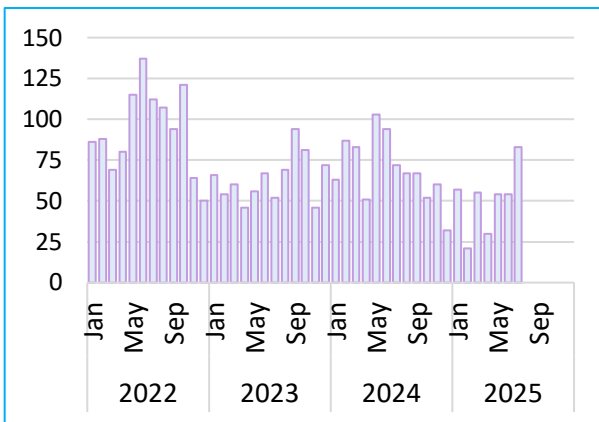
2498



Comp Days Earned

(Callbacks)

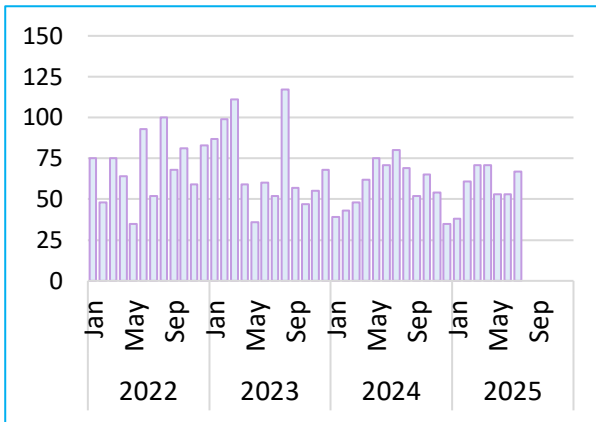
83



Comp Days Used

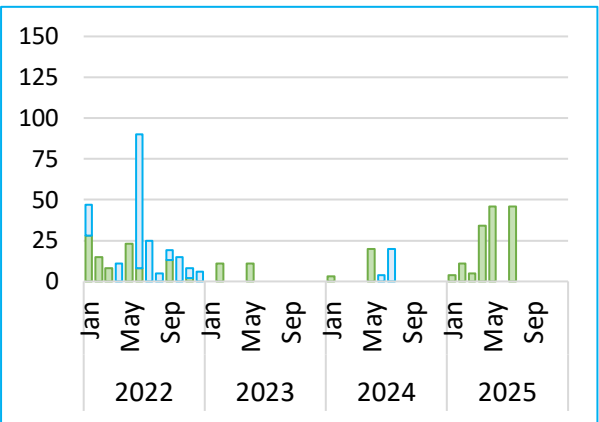
(Licensed Pilots)

67



COVID Days* 0

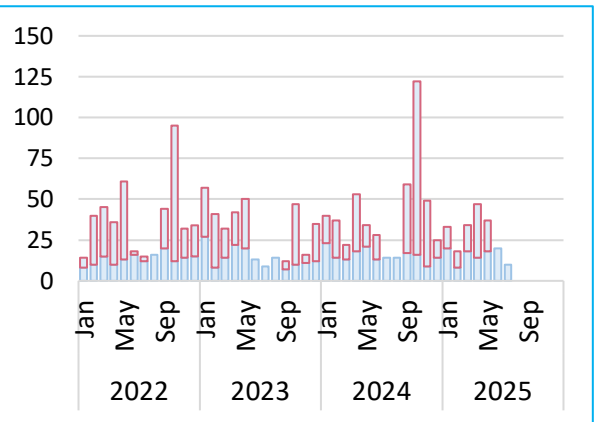
NFFD Days* 46



count of NFFD & Covid days if
pilot(s) not NFFD whole month

Training Days 0

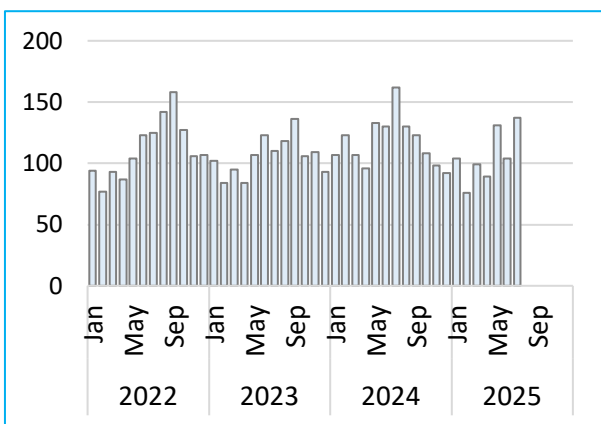
Upgrade Trips 10



training days (red) stacked
on upgrade trips (blue)

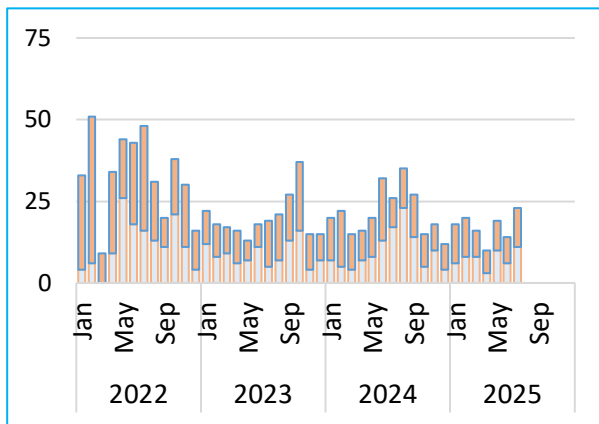
Repositions

137



Pilot Delays (Count)
combined total

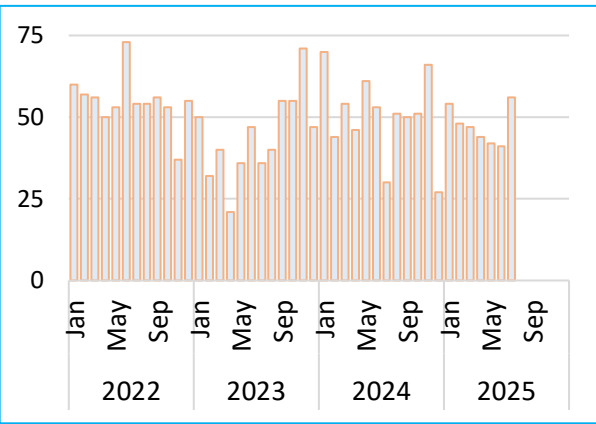
23



efficiency delay counts stacked on top
of pilot shortage delay counts on bottom

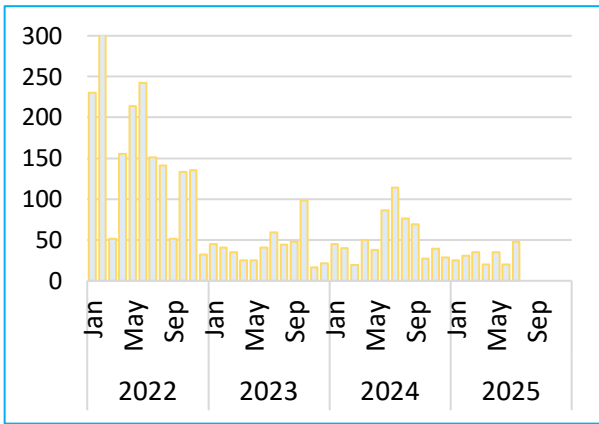
Billable Delays (Count)
by Customers

56



Pilot Delay Hours
(Pilot Shortage & Efficiency)

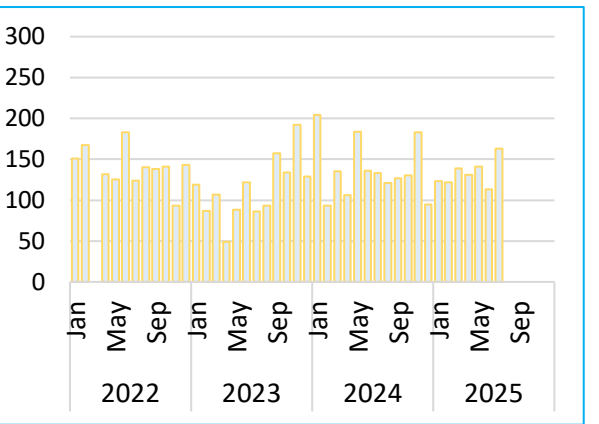
47.5 hrs



total pilot delay hours (not separated into
efficiency & pilot shortage components)

Billable Delay Hours
by Customers

163 hrs



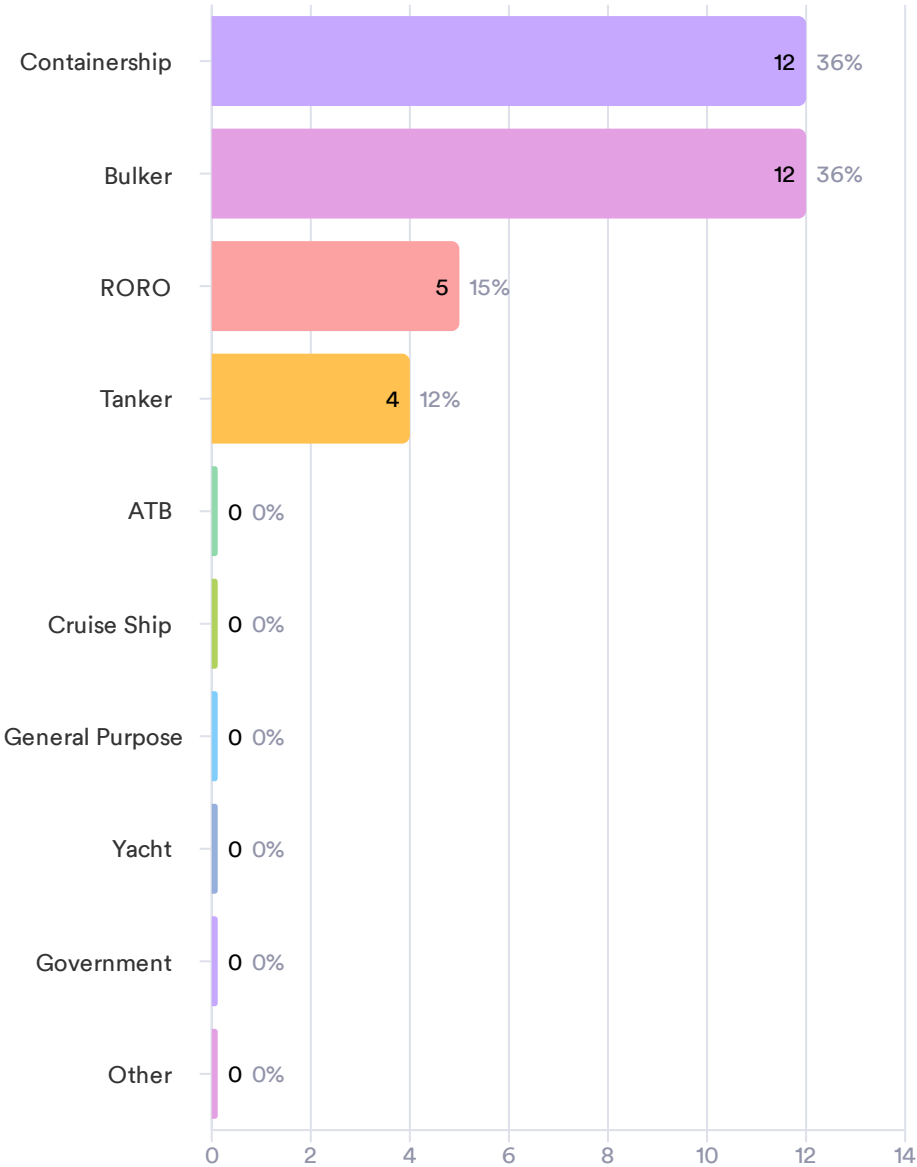
Pilot Ladder Safety Summary

Washington State (PS & GH 4/1/25 - 6/30/25)

Pilot Ladder Safety Report

Vessel Type:

33 Responses



Vessel Name:

33 Responses

Data	Responses
MSC Aurora	1
MSC Alghero	1
Polar Discovery	1
RCC Tianjin	1
Nhava Sheva Express	1
APL Chongqing	1
Jag Leela	1
Eastern Yucca	1
Nord Titan	1
New Leader	1
Dafne	1
Saldanha Bay	1
Torrent	1
Cape Hudson	1

Pilot Ladder Safety Report

Flag State:

33 Responses

Data	Responses
PAN	5
USA	5
MHL	3
LBR	3
HKG	3
SGP	2
BHS	2
MLT	2
LIB	2
NOR	1
OAN	1
Other entries	4

Classification Society:

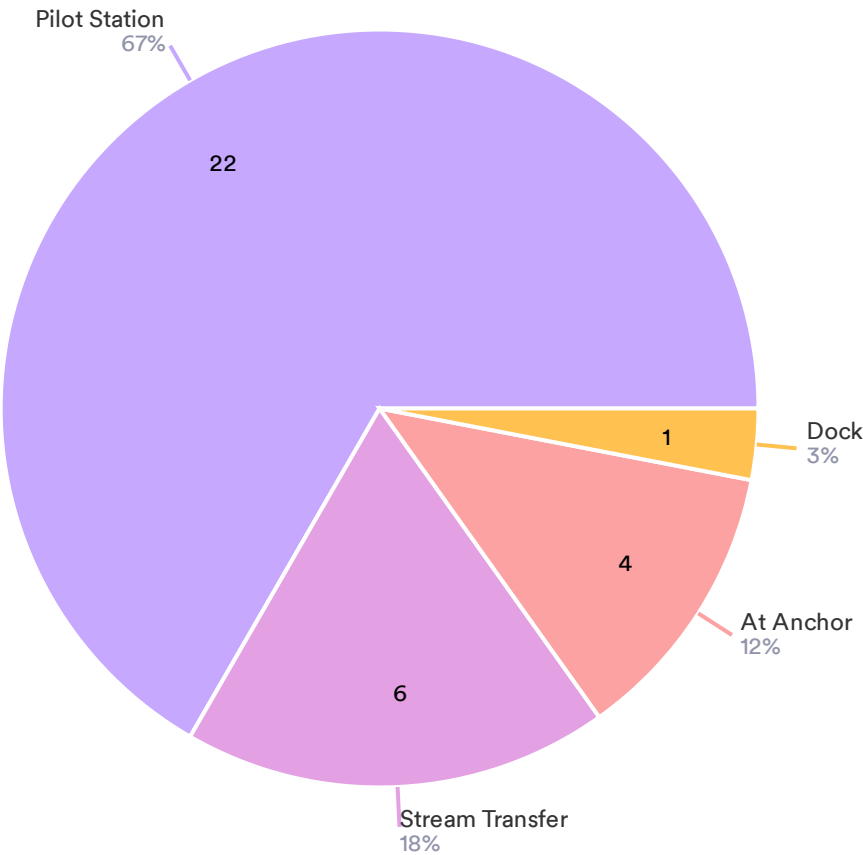
15 Responses

Data	Responses
ABS	4
NK	4
LR	3
DNV	2
CCS	1
KR	1

Pilot Ladder Safety Report

Geographic Location:

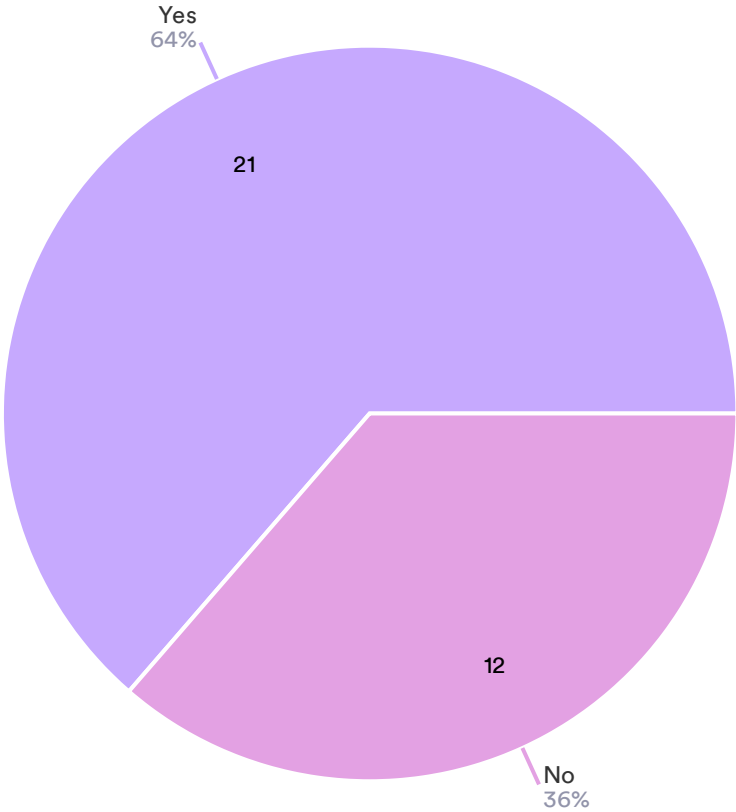
33 Responses



Pilot Station Stream Transfer At Anchor Dock

Master Notified:

33 Responses

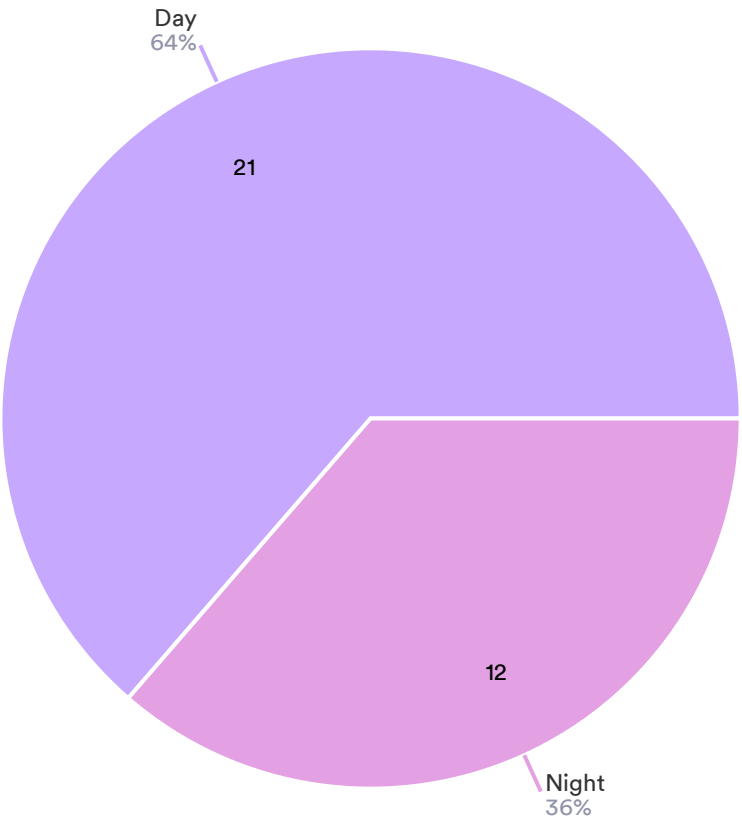


Yes No

Pilot Ladder Safety Report

Day/Night:

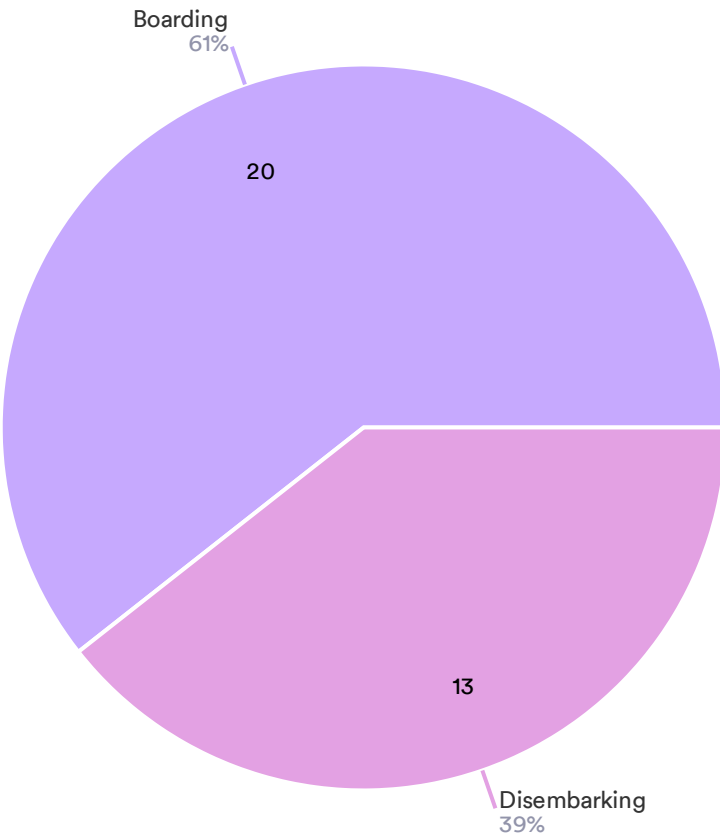
33 Responses



Day Night

Boarding/Disembarking:

33 Responses

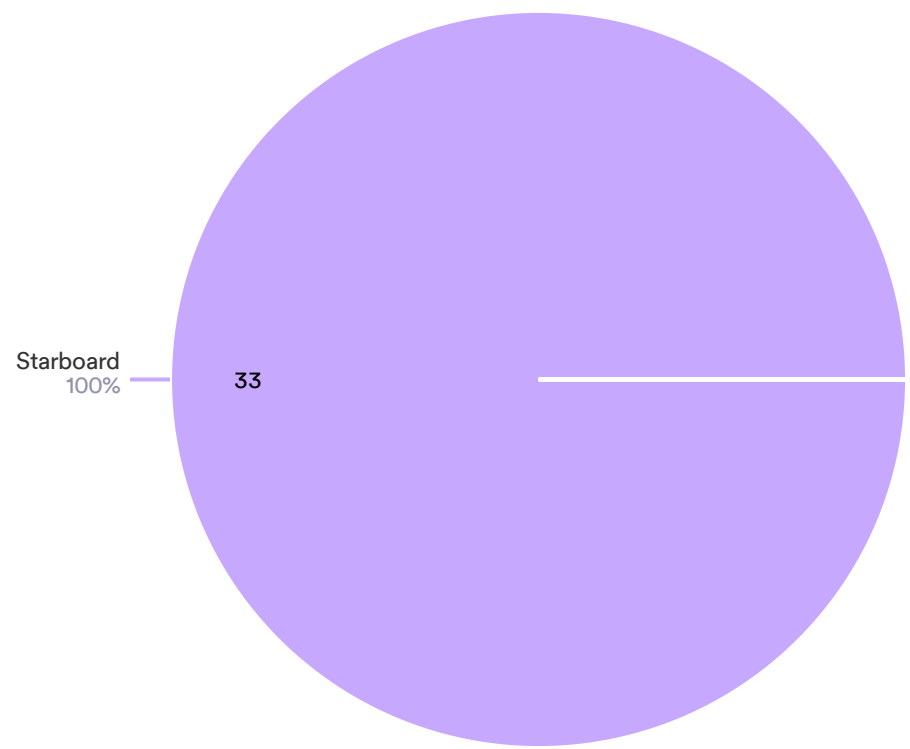


Boarding Disembarking

Pilot Ladder Safety Report

Port/Starboard:

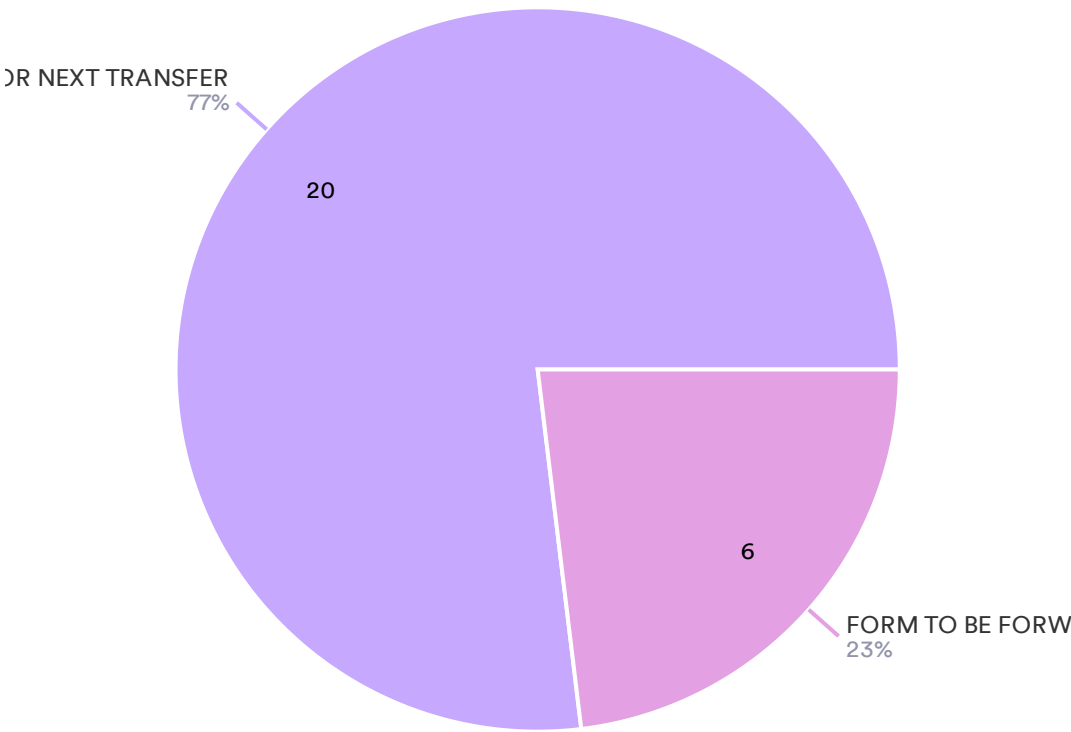
33 Responses



● Starboard

Notification:

26 Responses

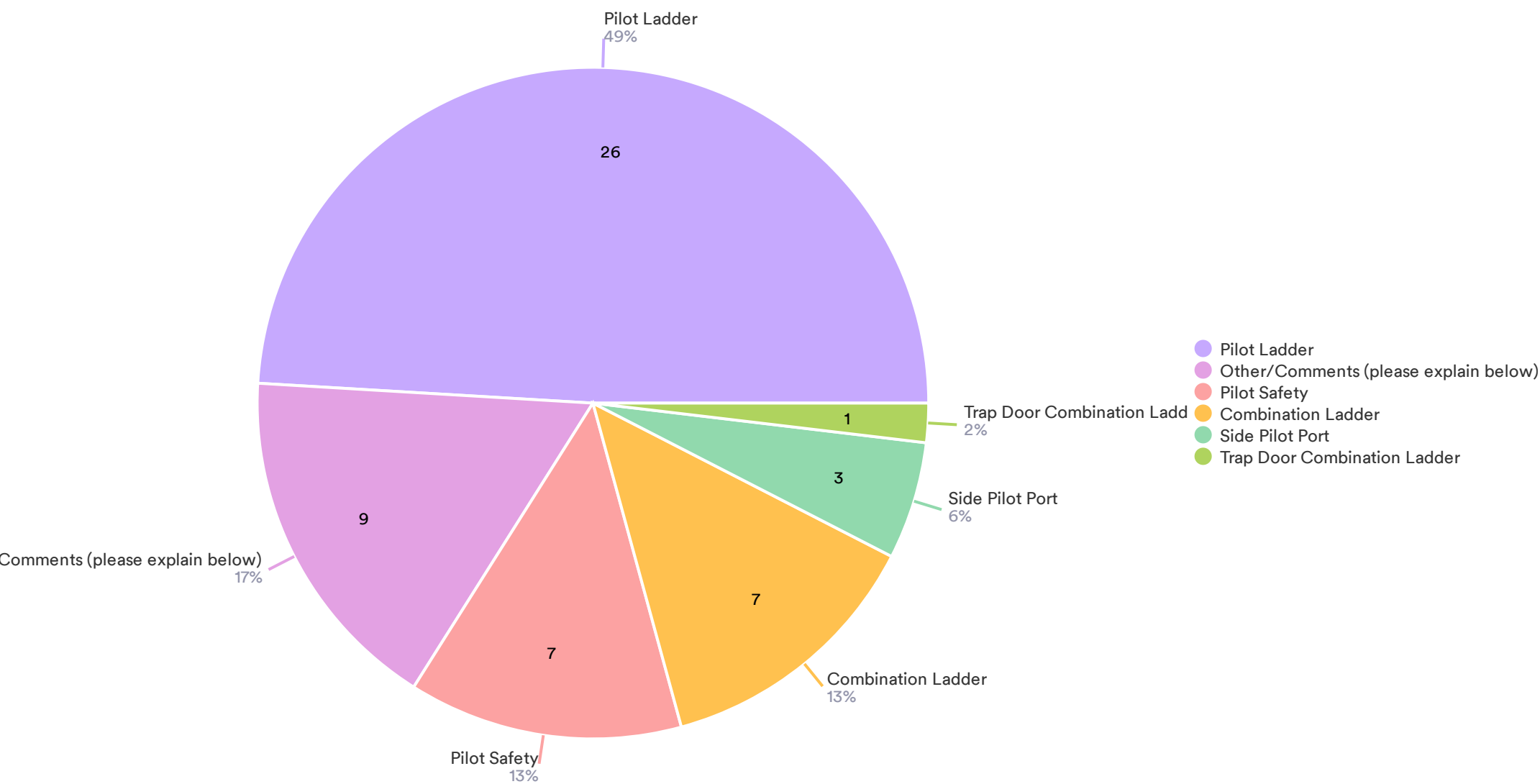


- MUST BE CORRECTED PRIOR TO SAILING OR NEXT TRANSFER
- FORM TO BE FORWARDED TO NEXT PORT

Pilot Ladder Safety Report

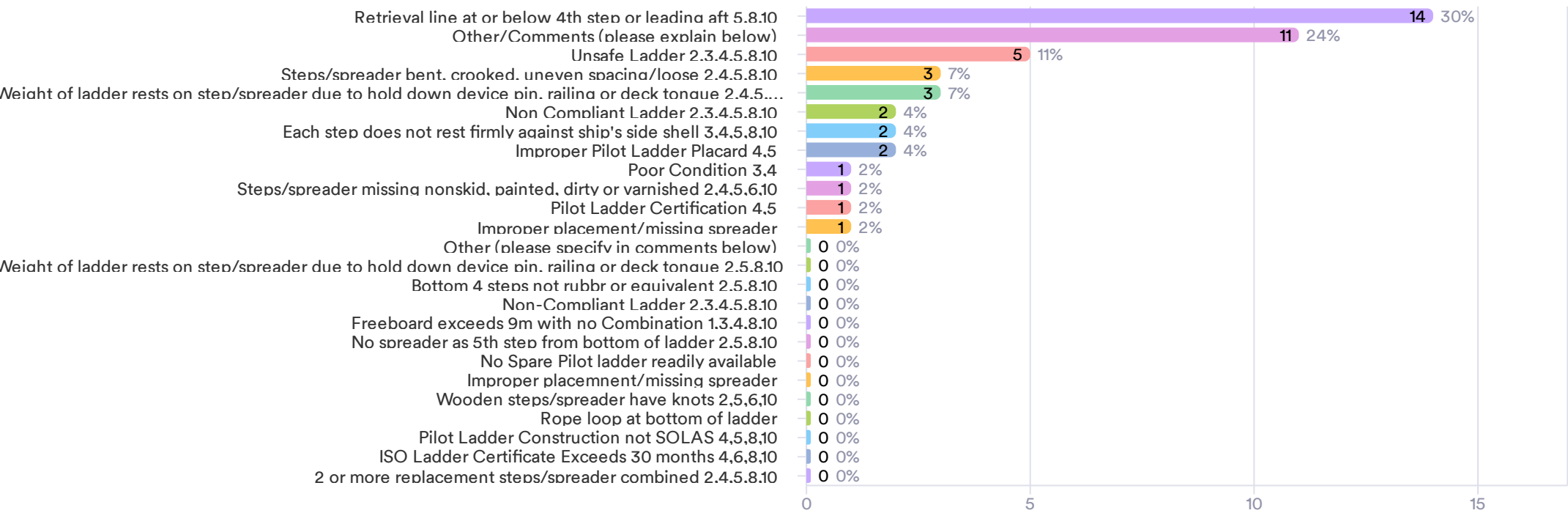
Non-Compliance:

53 Responses

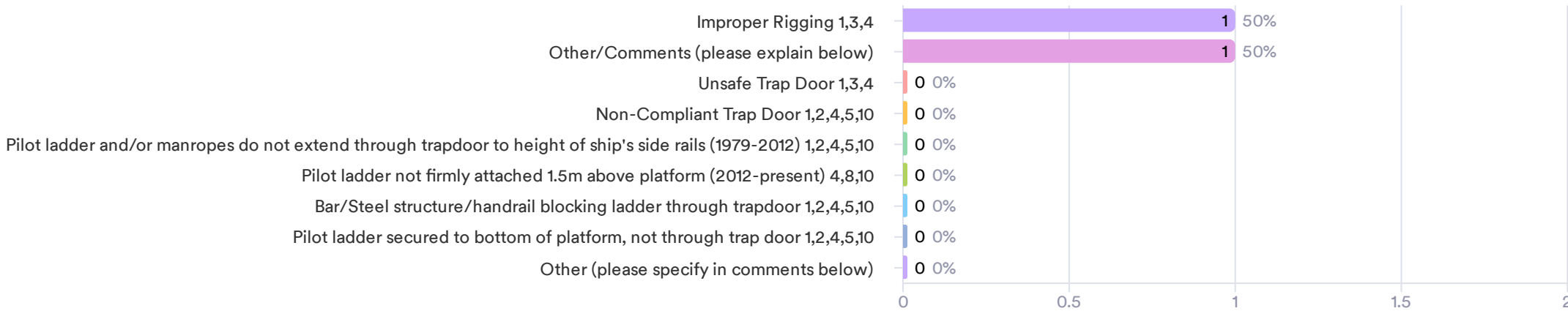


Pilot Ladder Safety Report

Pilot Ladder:

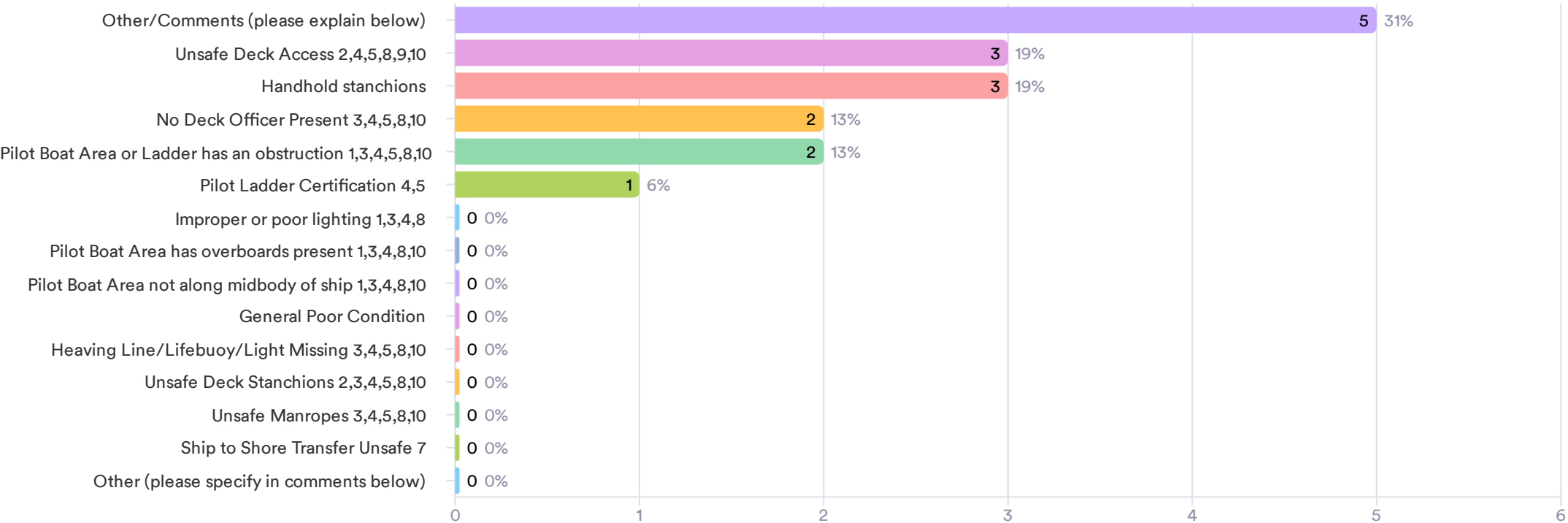


Trap Door Combination Ladder:

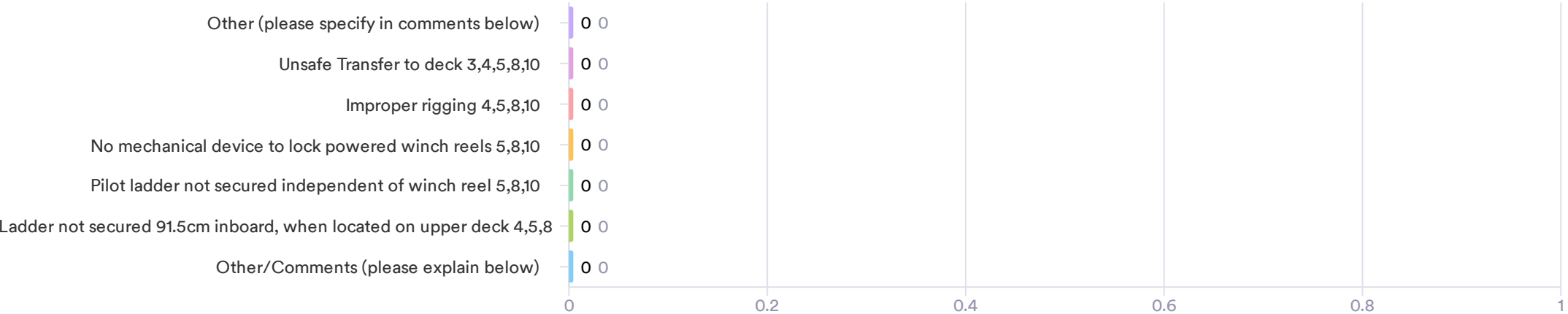


Pilot Ladder Safety Report

Pilot Safety:

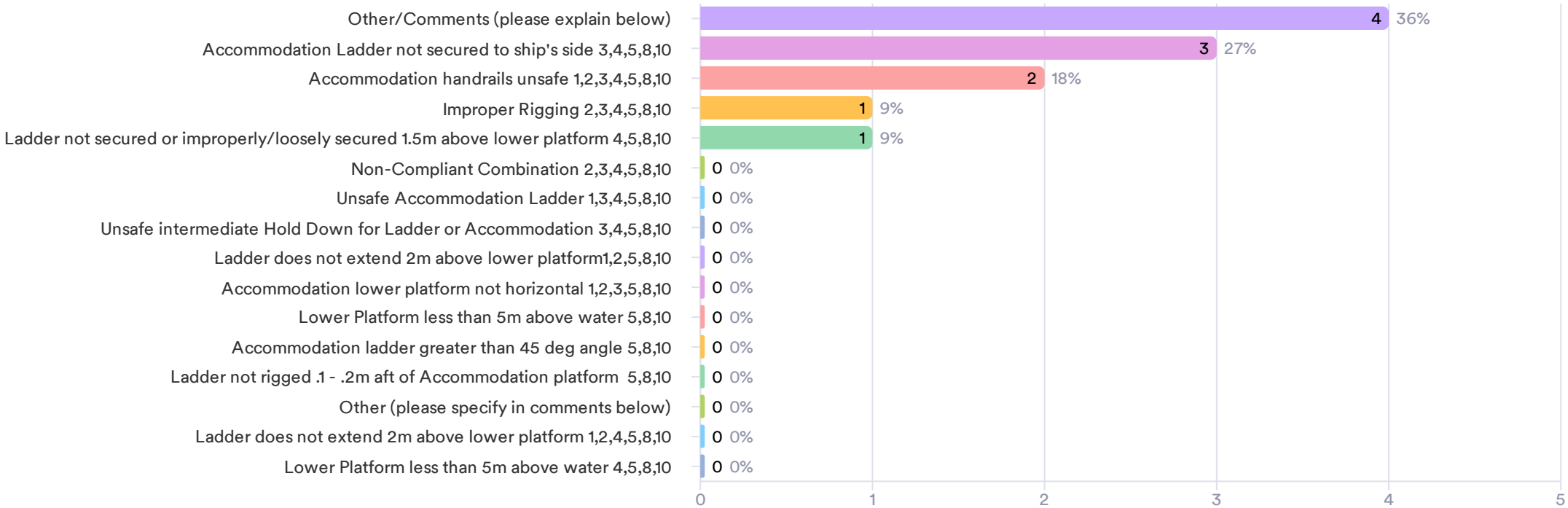


Ladder Winch Reel:

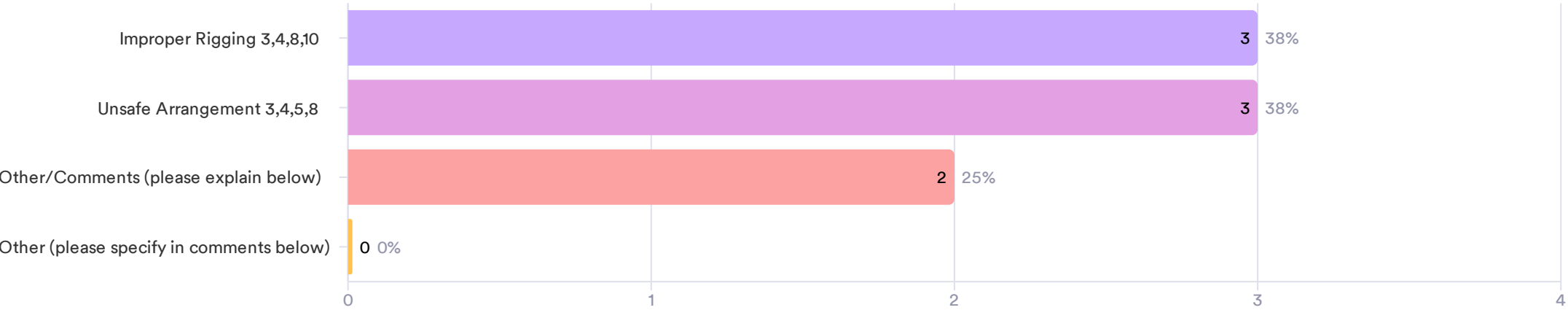


Pilot Ladder Safety Report

Combination Ladder:



Side Pilot Port:





STATE OF WASHINGTON
BOARD OF PILOTAGE COMMISSIONERS

2901 Third Avenue, Suite 500 | Seattle, Washington 98121 | (206) 515-3904 | www.pilotage.wa.gov

Meeting Minutes – Pilot Safety Committee (PSC)

May 8, 2025, 10:00 AM

Attendees: John Scragg (PSP), Ryan Leo (PGH), Sheri Tonn (BPC), Jaimie Bever (BPC), Eleanor Kirtley (BPC), Jason Hamilton (BPC); Mike Moore (PMSA), Scott Anacker (PSP), Ivan Carlson (PSP), Scott Brewen (PSP), Bettina Maki (BPC)

Regrets: Andrew Drennen (BPC)

1. Review of Minutes of previous meeting on February 7, 2024.

The minutes were approved with no edits.

2. Rest Rule Exceptions

During 2025 Q1 in Grays Harbor there were zero (0) rest exceptions.

During 2025 Q1 in Puget Sound there were five (5) exceptions to the 10 hour rest rule. There were two (2) exceptions to the 13 hour rest rule. Ivan Carlson described planned improvements to the system at the pilot station for tracking pilot availability, specifically, a digital display that includes pilot's next time available.

3. Noncompliant Pilot Transfer Arrangements

Pilots' reports of noncompliant transfer arrangements from the 1st quarter of 2025 were reviewed and discussed, as well as the Jotform data summary of the reports for the quarter. The data summary will be shared with the Board. There were 26 PSP reports and 2 Grays Harbor reports during Q1.

4. WDFW Fishing Pamphlet Boater Safety Messaging

Bettina shared that BPC decided to purchase a half page ad to promote boater safety in the annual WDFW fishing regulations. Capt. Mike Anthony's full page "Clear the Lanes" flyer was adapted into a half-page message that will appear on page 3 of the 150-page booklet. An additional smaller message will be featured in the "Marine Areas" section of the regulations. The booklet will be published in July.

5. Grays Harbor Quick Response Cards to Streamline Emergency Communication with USCG

Ryan Leo reported on further efforts in the Grays Harbor district to develop and refine standardized mariner overboard (MOB) procedures with the USCG. Quick Response Cards have been created to facilitate efficient communication during a Pilot in Water (PIW) situation. Ryan described the USCG search model and how various pieces of safety gear can significantly improve odds of successful recovery. He explained that the new PLBs being used by Grays Harbor Pilots transmit location in multiple ways which results in very accurate triangulation.

6. MSO Form – Jotform Adaptation

Bettina finished refining the jotform MSO adaptation and prepared a number of sample MSO reports for the committee by copying old MSOs into the new form. She explained the data analysis behind the options on the form. She described the goals of the form as 1) ease of use for the pilots, 2) effective data gathering, and 3) a tidy, uniform presentation for board review (a standard pdf layout). The committee feedback about the jotform was positive and Sheri Tonn thought the form should be made available for beta testing in an effort to get more pilot feedback before asking the board to approve the new form. The committee will make this recommendation to the Board.

7. PSP Callbacks & Comp Days System Overview

The Board has requested the Pilot Safety Committee evaluate the PSP procedures around comp days. This was the second in a series of discussions of comp days.

How callbacks are assigned

John Scragg began the presentation by explaining callbacks.

When dispatchers predict an insufficient number of pilots for upcoming assignments, they will start calling off-watch pilots and asking them to work a callback. Pilots are called in strict rotation order (with consideration of pilot level – not all pilots can do all assignments).

At any given time, half of the pilots are off watch, and can be contacted by Dispatch to see if they are willing and able to work a callback. Working callbacks is voluntary. An off-watch pilot may have other plans and not be available. Pilots receive a comp day if they work a callback.

Pilotage non-revenue activities such as meetings and trainings are tracked by Dispatch, even if the pilot is off watch. For example, John Scragg is off watch but Dispatch is aware that he is at the PSC meeting and not available to work a callback until later. When revenue assignments and non-revenue activities are completed, pilots use the check-in process to inform Dispatch. Dispatch does not have knowledge of what pilots do in their personal time so, if John is off watch and out hiking, Dispatch will not know that he isn't available and they will call him if they need someone to work a callback and his name is next in the rotation.

Dispatch uses the Coe System (a computer program) to track the large volume of constantly changing information about pilot availability – who is off watch, who is on watch, who is resting and when will they be available, start time and end time of revenue assignments and nonrevenue activities, who to call next in the callback rotation, etc. The Coe System tracks rest between assignments when pilots are on watch, but when pilots are off watch they are managing their rest themselves and exercising personal responsibility to not accept a callback assignment without adequate rest.

The rule about 13 hour maximum duration for multiple assignments applies when combining a meeting with a revenue assignment.

The callback system is a buffer that manages variable workload without “staffing to peak”. Pilots work callbacks out of conscientiousness (for the good of the organization) and also to receive a comp day.

Eleanor Kirtley asked about the total number of accrued comp days for all pilots – it is shown on the PSP monthly activity report but is not currently included on the “PSP activity report dashboard”. The dashboard does include the number of comp days earned and spent each month. Bettina agreed there is room on the dashboard for another comp day metric, and the total accrued comp days can be added if it would be useful to the Board. Eleanor recalled that in previous years there was some concern about the large number of accrued comp days. John Scragg pointed out that the total had been approximately 3,500 in 2019 and was approximately 2,500 in 2024, a significant drop. He noted that the growing number of comp days in previous years reflected the large number of callbacks that were required, and the declining total number of comp days reflects less need for callbacks currently. He pointed out that pilots who are on major medical (not fit for duty) are required to burn 14 comp days, so all pilots should have at least that many comp days accrued in case they need to take medical leave – this should be taken into account when considering what the optimal total comp days might be.

How comp days are used

Pilots must use a comp day any time they are unavailable during their watch, whether it is an unexpected illness or scheduled absence. When they take a comp day, Dispatch must be notified by 1500, which is 2 ½ hours before the call time for the next day’s assignment, though usually people are able to give more notice than the minimum requirement. Pilots can use comp days when needed except for 8 holidays when comp days are not allowed to be used.

Mike Moore asked about situations where one pilot taking a comp day requires another pilot to work a callback, and what kind of systems are in place to prevent that – for example, what happens if 10 pilots want to take a comp day on the same day? Ivan Carlson stated that simply does not happen – he said it was very unusual for even 4 or 5 pilots to take a comp day at the same time. John Scragg explained that the system relies on the conscientiousness of the pilots. He said that pilots are very aware of what’s going on – they can see on the dispatch computer system how busy things are and if others are taking comp days or otherwise unavailable – and they avoid putting unnecessary strain on the system.

Eleanor Kirtley noted that the impetus for the discussion of comp days had been concern about possible “black swan events” (rare but severe disruptions) that could be associated with unmanaged comp day utilization. She said the explanations of how the system works were somewhat reassuring, even in the absence of specific policies or “guardrails” to limit comp day excesses. She wondered if there was a need to promote pilot wellness as a means of maximizing pilot availability by minimizing the need for days off related to illness. John Scragg thought that the current system was already effective in allowing pilots to be the judge of when to take a comp day without imposing unnecessary restrictions.

Mike Moore asked if pilots trade days and if trades are counted the same way as callbacks and comp days. John said trades are not counted as callbacks or comp days. He noted that trades have become less common since the more complex 11-watch schedule was implemented to increase efficiency. Eleanor observed that the callbacks and comp days that are tracked provide useful data, while trades are not visible in the data.

The committee had some interest in understanding 1) the optimum level of comp days for pilots to be accumulating and 2) the variation among pilots in accrued comp days. There was some concern that large comp day balances indicated overworking which is inconsistent with fatigue management recommendations.

Bettina reminded the committee that the comp day data reviewed when setting the TAL and number of pilots was aggregated data for all pilots, and that data on each pilot's comp day accumulation was not available currently. She was opposed to obtaining that data, wanting to avoid the appearance of scrutinizing pilots' personal choices. Ivan Carlson and John Scragg each acknowledged some of the factors, including family situations, that influence pilots' decisions around comp days. Bettina also noted the chicken and egg nature of callbacks and comp days, and was concerned about the potential pitfalls of circular logic.

John Scragg concluded his presentation by stating that the pilots feel the system works well and that resolving the pilot shortage and reducing callbacks to 5% will reduce excessive accumulation of comp days and any knock-on effects of pilots taking comp days. Ivan Carlson agreed that increasing the number of pilots was an effective way to manage the accumulation of comp days. He noted that restrictions on comp days have been considered in the past but would cause more problems than they would solve.

Mike Moore remained concerned about comp day usage potentially resulting in callbacks. He was interested in hearing Andrew Drennen's thoughts at a future meeting, since Andrew was not able to attend this meeting. He was also interested in any ideas PSP might have for further reducing callbacks. He noted "peak period work" (PPW) during cruise season as an example of PSP maximizing pilot availability to meet increased demand.

8. Adjournment/Next Meeting

The committee agreed to schedule the next meeting during the first half of August. Instead of scheduling the meeting later, everyone checked their calendars in real time and decided the next meeting would be on August 12 at 10:00.

The meeting was adjourned at noon.



STATE OF WASHINGTON
BOARD OF PILOTAGE COMMISSIONERS

2901 Third Avenue, Suite 500 | Seattle, Washington 98121 | (206) 515-3904 | www.pilotage.wa.gov

BPC Pilotage Act Advisory Committee (PAAC)

Meeting Minutes

July 21, 2025

10:00am – 11:30am

Attendees: Sheri Tonn (PAAC Chair/BPC), Jason Hamilton (Public/BPC), Andrew Drennen (Industry/BPC), Severin Knutsen (Pilot/BPC), Travis McGrath (Pilot/Puget Sound Pilots), Matt Hannuksela (Pilot Alternate/Puget Sound Pilots), Clyde Halstead (Tribal Government/Swinomish), Lovel Pratt (Environment/Friends of the San Juans), Fred Felleman (Environment Alternate/Friends of the Earth), Clay Diamond (Pilotage Expert/American Pilots Association), Brendan O'Shea (Pilotage Expert Alternate/American Pilots Association), Ian McPhillips (Advisor/USCG), John Wilson (Advisor/Pacific Pilotage Authority), Rishi Luthra (Advisor/B.C. Chamber of Shipping), Robin Stewart (Advisor/B.C. Coast Pilots)

1. Welcome and Introductions

The first meeting of the PAAC kicked off with introductions of members, alternates, and advisors.

2. PAAC Charter

a. Overview/Background/Legislation

Sheri Tonn (PAAC Chair/BPC) explained that the committee charter provided a brief background about the discrepancy in the Pilotage Act, which was the reason for formation of the committee. The purpose of the committee is to develop collective proposed language for pilotage requirements in Haro Strait, Boundary Pass, and Strait of Georgia. The PAAC recommended language will be proposed to the Board eventually to the legislature in the 2027 Legislative Session.

Chair Tonn then invited Travis McGrath (Pilot/Puget Sound Pilots) to provide a brief overview of the discrepancy. Captain McGrath explained that back in 2016, Puget Sound Pilots, B.C. Coast Pilots, and Pacific Pilotage Authority signed a Memorandum of Agreement (MOA) that laid out how vessel transits between the two pilotage districts would be handled. The agreement noted it would require

revision when helicopter transfers took effect in B.C., which occurred last year. As a part of preparing the revised MOA, PSP attorneys reviewed and flagged certain provisions that conflicted with the RCW. They strongly recommended PSP seek clarification from BPC because PSP couldn't remain a party to an agreement that conflicted with the state law, even if that law wasn't being followed in practice. Sheri added that the BPC minutes from the time the RCW was revised showed no indication that the Board was aware or had discussed the RCW changes that led to the discrepancy.

b. **Ground Rules**

Due to the variety of other issues that could come up while having discussions, Chair Tonn suggested keeping the scope of the committee to the development of legislation. When other issues come up, the committee can add them to a parking lot to be considered later by the Board and whomever else needs to be involved.

Chair Tonn reviewed the ground rules which include; timely starts and ends of meetings; members providing alternates when they are not available; members and alternates come to meetings prepared, having read the materials that have been sent ahead of time, if at all possible; input in writing for distribution to the committee is welcome; be open to new ideas and ways of doing things; everyone's contribution is valued; and be respectful. There were no questions or comments regarding the ground rules.

c. **Scope**

Chair Tonn then outlined the scope of work as written in the charter: review state and federal regulations of transboundary waterways in Washington State; the logistical impacts on transboundary pilotage; best practices for safe pilotage across multiple districts; liability implications, oil tanker traffic projects and transboundary reporting and marine safety occurrences and incidents. A robust conversation amongst committee members followed.

Captain McGrath suggested the international ramifications, particularly around innocent passage, be added to the state and federal considerations.

Level Pratt (Environment/Friends of the San Juans) inquired about whether the group would have access to the opinion of BPC's Assistant Attorney General (AAG) regarding following the statute. Jaimie Bever (Staff/BPC) reiterated that the opinion was to follow state law as written. However, the statute contains an oversight that needs correcting. The 2025 legislative fix gave a 2-year period to come up with preferred language. Severin Knutsen (Pilot/BPC) asked if there would be legal assistance for the PAAC. Chair Tonn answered that she would discuss the matter with the BPC's AAG. Fred Felleman (Environment Alternate/Friends of the Earth) supported Captains McGrath and Knutsen's concerns suggesting that the question of authority over the waterway be addressed at a higher-level before any decisions can be made at the BPC level. Andrew Drennen (Industry/BPC) agreed that an answer from the federal level was needed. And until then, it would be very difficult for the PAAC to make a

determination. Chair Tonn reminded everyone that the BPC is a state agency and will not be making any federal policy changes. She suggested that Clay Diamond and BPC's AAG could provide more information, perhaps in a presentation, regarding state authority regarding pilotage.

Commissioner Knutsen asked if there were any other federal agencies that should be involved. Due to this being a state pilotage matter, Clay Diamond (Pilotage Expert/APA) was hesitant to invite federal agencies into the conversation. His personal suggestion was to focus on pilotage and leave the larger international law issues and disputes of the waterways to others, as it was not within the state's jurisdiction anyway. Mr. Felleman suggested that the misreading of the term "innocent passage" was foundational to the whole conversation and suggested involvement of the State Department. Chair Tonn responded that as a small state agency, BPC would have to refer to the Governor's Office and their federal advisors for guidance.

Jason Hamilton (Public/BPC) confirmed that this issue has been unresolved for a couple hundred years and that if the PAAC tried to tackle it as the first step the group would get nowhere. He suggested it could land at the DOJ and Solicitor General level because it affects the federal government including the USCG and NOAA, and others.

Commissioner Drennen addressed Mr. Felleman's comment by suggesting that the term "innocent passage" gets used a lot but not quite as intended. He believed the question in terms of international law was "territorial seas" versus "internal waters". Depending on the classification of Haro Strait, that's where the authority would lie. He also suggested focusing on writing some commonsense rules and regulations that would likely not be challenged and that would work for everyone.

Mr. Diamond agreed with Commissioners Drennen and Hamilton. There were some basic pilotage laws that he has shared that aren't disputed. He suggested focusing on those.

Mr. Felleman urged the need to preserve the authority of Washington state to require pilotage. But consider granting a waiver to allow B.C. pilots to continue to do the jobs as they have done for ATBs going to Alaska through to the inside passage. And to clarify the law so that it is consistent with the state. But otherwise, exercising the authority versus preserving that authority is the challenge.

Ms. Pratt suggested developing an overarching goal and to work from that vantage point. She offered something simple like "ensuring the safe passage of ships in the transboundary waters".

Chair Tonn inquired with B.C. Pilots about liability implications. Robin Stewart (Advisor/BC Coast Pilots) responded that at this point they are not too concerned about liabilities. The current practice has been in place since 1858, perhaps

different renditions, but the same concept. So, they are not thinking in terms of legal liabilities. He urged that when suggesting processes, ask "is this going to make it safer?".

Commissioner Drennen wondered if the PAAC was operating under the assumption that the legislative fix language was not desirable. He suggested starting with that language and then assessing the effects. He added that he found it to be a simple and elegant solution.

Mr. Diamond suggested that a good place for the committee to start would be at the BPC's authority to regulate pilotage, as delegated from the federal government. The American Pilots Association (APA) always advises pilot oversight authorities at the state level to never weaken or dilute the authority that was granted to the states. He suggested one parameter be to ensure that the state is using that authority to the maximum extent that it can. That means any foreign flagship or U.S. ship sailing on its register endorsement that is bound to or coming from a place in Washington state should be the starting point. He clarified that there was no innocent passage when talking about a strait used for international navigation. The term that is used is "transit passage". Compulsory pilotage is a port state authority. Any time a ship comes into a port of a country, that country is allowed to impose conditions upon entry such as inspection, certain equipment, advanced notice of arrival, etc. It has long been established that pilotage is a condition of port entry. The U.S. can't impose compulsory pilotage requirements for ships that are just transiting through the territorial seas with no intention of stopping at a U.S. port or place. To do so would be impending or hampering innocent passage. He suggested focusing on ships bound to a Washington port or place.

Mr. Felleman mentioned the idea of conditioning passage rather than prohibiting it. Requiring incident reporting could be a condition. He expressed concern about not having details regarding incidents he has witnessed and the overtaking of ships in the narrowest parts of the waterway, which he believes is an inappropriate operation that happens too often.

Ms. Pratt shared that she appreciated the maps shared with the group and wondered if maps were available of the entire waterway, not just the pilot station and boarding areas. She would like to see routes for tankers coming from Westridge Terminal in Burnaby, the Trans Mountain pipeline terminal for tankers to directly access Washington state refineries, or anchorage areas.

Captain McGrath suggested adding incident reporting to the scope of work to tighten up the process of the reports going both ways in the transboundary waters. He also asked Mr. Diamond to expand on his knowledge of pilotage regulation. Mr. Diamond explained that, per the United Nations Convention on the Law of the Sea (UNCLOS), a country is not allowed to impose conditions that would impact the construction, design, equipment, or manning of a ship while a vessel is transiting via innocent passage or transit passage. In the example of the pilotage authority question in the Torres Strait between Australia and Papua New

Guinea, pilotage was considered manning. Domestically, most do not consider putting a compulsory pilot on board as a manning issue. However, the Coast Guard does in the federal pilotage regs, and certainly in the international setting, and for UNCLOS purposes. The compromise arrived at was that port states and flag states would strongly encourage their ships that are using Torres Strait to take a pilot. So, while it's not compulsory, the practical effect is. In general, the U.S. considers itself bound by the vast navigational provisions in UNCLOS even though it is technically not a party to it.

Commissioner Knutsen, returning to the incident reporting inquiry, acknowledged that as of right now Washington state is only required to get incident reports by statute, which can mean after the fact. He suggested looking at options for reporting of near misses and marine safety concerns.

Robin Stewart (Advisor/BC Pilots) responded that at Turn Point there is a tanker exclusion zone as well as a ship separation zone. Currently it's half a mile, not meeting or crossing any north of southbound vessel in that rotary. He added that they are cognizant of the transboundary voyage of vessels in Haro Strait and Boundary Pass, and vessels going in and out of the U.S. and Canada. And that it was a joint agreement between the two organizations as to who has the structural organization of the corresponding flow of traffic in and out. If there is an issue in the Haro/Boundary area, they will communicate with the U.S. Coast Guard, the Canadian Coast Guard, and the Pacific Pilotage Authority (PPA). The PPA is obligated to respond to the Canadian Transportation Safety Board, so there is a high level of oversight. He then referenced a cruise ship issue this past weekend. There was a fair bit of current, and two vessels were due at Turn Point at the same time. An arrangement was made for the pilot to slow the northbound vessel down, allowing enough time to pass. He acknowledged that it can be concerning watching events happen without knowing the context. He assured the group that they would have no issue sharing information that would be of interest.

Mr. Felleman, getting back to the relevance of UNCLOS, asked Mr. Diamond if it was clear whether the U.S. side of Haro Strait was internal or territorial sea. Mr. Diamond responded that, as he said earlier, if the group decides that resolving those issues between the U.S. and Canada needs to be the first step, it would lead to a dead end as the committee is not going to be able to resolve that issue.

Commissioner Hamilton concurred with Commissioner Knutsen and others about information sharing. He believed it was worth adding that to the scope. Chair Tonn responded that the group would need to make sure they determine a good mechanism for appropriate information sharing, while also acknowledging that they will not be privy to that information while there is an active Coast Guard investigation.

Rishi Luthra (Advisor/BC Chamber of Shipping) agreed with Captain Stewart's comments. He spoke about the complexity of the process for U.S. and Canadian

agents to coordinate pilotage.

d. **Meeting Schedule**

A schedule of six meetings was proposed between now and August 2026 with meetings every 2 months and updates at BPC meetings in between. The Board will decide on the final language at the July or August 2026 Board meeting. Ms. Bever will send scheduling polls to get all the dates finalized and the calendar invites to hold the dates.

Ms. Pratt expressed concerns with the aggressive timeline. She proposed adding a 7th meeting as a placeholder in case it was needed. Ms. Bever explained that the August BPC meeting was the deadline for a vote, so if needed, the committee could meet after the July BPC meeting. A placeholder meeting will be added.

e. **Public Process**

Chair Tonn asked the group what they would like to see in terms of a public process. Ms. Bever reminded the group that unlike the Oil Transportation Safety Committee and tug escort rulemaking process, the PAAC does not have the support and resources of the Department of Ecology. Therefore, the public process will not be as robust. Ms. Pratt confirmed there would be time available for a public comment period on the recommendations of the PAAC. She also recommended that the BPC utilize the robust distribution list, like used for tug escort rulemaking.

3. **Wrap Up/Action Items**

Chair Tonn reviewed the action items between now and the next meeting:

- a. Discuss federal and state regulations with BPC AAG with regard to transboundary waterways and his willingness to join the next meeting – BPC;
- b. Provide a map for the area further north in Haro and Boundary – BPC;
- c. Come up with a mechanism for sharing information – BPC
- d. Send polls for meeting schedule determination - BPC;
- e. Revise the timeline - BPC;
- f. Meeting minutes - BPC;
- g. Review the current legislation. Is it something that is going to work for the group? - PAAC;
- h. Review BPC determination regarding requirements in and out Washington ports or places - PAAC.

4. **Adjourn at 11:30am**