

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
March 17, 2022

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), Timothy J. Farrell (Public), Michael Ross (Foreign Shipping), Andrew Drennen (U.S. Shipping), Nhi Irwin (Ecology)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Charlie Costanzo, Bill Sliker, Ken Grieser: Puget Sound Pilots

Mike Folkers: Port of Grays Harbor

Mike Moore, Jordan Royer, John McLaurin: Pacific Merchant Shipping Association

Laird Hail, Nate Menafee: USCG

Lou Paulsen: The Northwest Seaport Alliance

Monique Webber: Pacific Yacht Management

Mike Haglund: Public

Ann LaRue: Public

Andrew & Carly Stewart: Puget Sound Pilot Licensure Candidate & Family

BPC Staff Report.

- BPC staff is currently working through renewal of the agency's liability insurance policy. The current policy expires April 6. An update will be provided at the April meeting.
- The Board received an updated BPC office reopening plan, which is for April 1. The return to in-person meetings is yet to be determined, however a hybrid option will be available going forward.
- The state of Washington Ethics Board will be conducting a one-hour training, specifically tailored for state boards and commissions, during the BPC's regular public meeting on April 21.
- BPC Program Analyst Bettina Maki provided and commented on data reports summarizing Puget Sound District activity.

BPC Chair Report.

- Chair Tonn met with the San Francisco Board of Pilot Commissioners (BOPC) and Executive Director Allen Garfinkle and staff in early March. On that same trip she attended the Women in Maritime Leadership Conference in Vallejo, California, hosted by Cal Maritime Academy. Puget Sound Pilot Trevor Bozina also attended the conference. Chair Tonn found the sessions excellent and encouraged future attendance.
- Chair Tonn reminded the Commissioners to watch for the F-1 financial disclosure from the Public Disclosure Commission (PDC). PDC filing deadline is April 15.

Activity Reports. Laird Hail representing the United States Coast Guard (USCG), Mike Folkers representing the Port of Grays Harbor (PGH), Ivan Carlson and Charlie Costanzo representing Puget Sound Pilots (PSP), Mike Moore representing Pacific Merchant Shipping Association (PMSA), and Lou Paulsen representing The Northwest Seaport Alliance (NWSA) offered current and projected statistical data as well as updates on current maritime issues and activities.

Captain Ivan Carlson, President of Puget Sound Pilots, acknowledged concerns regarding the high number of delays reported in their activity report. Per Captain Carlson, the contributing factors included the shortage of pilots in February who were unavailable due to either COVID-19 or other health-related issues. He added that the delays mostly occurred in the first 5 days of the month. There were 216 hours of delay between Feb 2 and 5, which he attributed to pilots in manned model training, pilots not-fit-for-duty, 7 pilots on 3-and-out, and 3 cancellations pulling pilots out of rotation. Of the delays, 14 vessels totaling 159 hours were only going to anchor. Chair Tonn inquired about the longest delay. Captain Carlson responded 24 hours for a vessel at sea headed to anchor. Commissioner Farrell wondered if PSP could shed some light on the reasons for the delays considering that the workload was actually down from last year. Captain Carlson answered that it was because of the pilot shortage, adding that pilots worked 88 call-back days in February. Order time changes also had a big impact. He added that the proposed WAC 363-116-081 change would help. Commissioner Farrell pointed out that between

June and February the call-backs appeared to go down as did the repositions. Captain Carlson offered to have Commissioner Farrell come into the office to discuss further and requested more specific details in order to answer his questions. He did add that the answer to the problem of delays was more pilots, while also acknowledging that the BPC is doing all it can to train and license new pilots. Commissioner Farrell also asked about the increase in delays that began last summer, whether there was something that initiated them. Captain Carlson responded that he needed to look at the data. Commissioner Farrell asked for an answer at the next meeting, to which Captain Carlson agreed.

Captain Carlson introduced PSP's Executive Director Charlie Costanzo to discuss the activity report and dispatching changes recently enacted at Puget Sound Pilots. Mr. Costanzo shared that PSP's activity report was enhanced to show whether pilots assigned to meetings were on watch or off watch, as suggested by BPC staff. Many of the pilots at meetings in February were off watch. PSP will include this information on future activity reports. Commissioner Farrell responded that the additional information put a sharper point on his question. If available pilots are not dispatched to meetings, then what might explain the steady increase in delays since last summer? Mr. Costanzo said that they needed to take a closer look at the details of what happened in those months, adding that manned model, not-fit-for-duty, etc. can impact the number of available pilots. Commissioner Farrell acknowledged that the months could go up and down depending on the situations, but the graph of delays looks like a hockey stick, which suggests a different, significant change. Commissioner Kirtley agreed that identifying the factors would be helpful. Chair Tonn added that the number of pilots is a significant factor. She suggested moving on to the efficiencies the pilots are working toward.

Mr. Costanzo next presented to the Board changes that PSP has implemented to their pilot dispatch rotation system. The Board's upcoming decision regarding changes to WAC 363-116-081 are directly related to the new on-watch efficiency measures that PSP reported about at the January 2022 meeting. Mr. Costanzo was pleased to announce PSP believes the new schedule will reduce callbacks and repositions significantly. It is a rolling start schedule, which has been recommended by industry and pilots alike. He added that it took an incredible effort of PSP's schedule committee, as reflected in PSP's February activity report. The result is a complete rotation of all pilots over four work periods totaling 616 calendar days with 300 of those days being on-watch. The pilot corps adopted the rolling schedule by an overwhelming margin with 94% of pilots in favor. The new schedule goes into effect March 29 and will be fully phased in by the end of the first week of April.

Before this change, the schedule involved a rotation of pilots every other Tuesday, which resulted in a glut of rested pilots on those Tuesdays, with less need for call-back work on and around those days, and greater need for call-back workers later in the 2-week period. The rolling start schedule has a new watch group starting twice a week every Tuesday and Thursday with the goal of distributing rested pilots more evenly across the calendar. Several options for the schedule were reviewed; however, this option proved the most equitable and balanced method to achieve the desired results. PSP believes this change is an elegant way to comply with the requirements of the UTC and provide efficiencies while adhering to rest best practices.

A Q&A with Board members and the public followed. PSP reported that there are still 11 watch groups. They will still follow a 2-week on 2-week off schedule with a week and a half of earned time off (ETO). The total on-watch days per year, per pilot remain 181. Peak Period Work (PPW), when pilots are scheduled to work 3 days during their off time, will remain in effect for cruise season. In terms of metrics to judge the effectiveness of the new system, PSP will be looking at number of jobs conducted on-watch versus off-watch (call-backs). BPC has the data to monitor the changes. Fewer 3-and-outs will be another metric to watch. Commissioner Kirtley suggested a 6-month check-in to review the metrics. PSP President Ivan Carlson acknowledged the work of the scheduling group and in particular Captains M. Hannuksela and P. Ninburg who spent a significant amount of off-work time reviewing data, line by line and job by job. At the time, they estimated that call-backs could be reduced by 40% with the new schedule, which would also reduce delays. PSP chose Thursday as the second change day because it is usually a busy day for shipping and BPC monthly meetings. Regarding meetings, PSP will reduce/cancel meetings during busy times, such as cruise season.

Mike Moore, PMSA, expressed that he was very encouraged by the new rotation system. He thought it made good sense. He was also pleased to see how many meetings were off-watch, and that the PPW

days were still in effect. He and his members are concerned about the pilot shortage and upcoming cruise season. He looks forward to a future conversation with BPC, PSP, and PMSA.

NEW BUSINESS

Meeting Minutes.

Motion: Farrell/Hamilton – approve the February 17, 2022, Meeting Minutes as written – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Consideration of Licensure of PSPD Pilot Candidate: Captain Andrew Stewart.** On behalf of the Trainee Evaluation Committee (TEC), TEC Chair Bendixen stated that Captain Andrew Stewart 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 Stewart 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 Andrew Stewart state pilot license number 217 for the Puget Sound Pilotage District – Carried
- **Approval of Pilot Training Program Agreements & Requirements – Captains William Kelly & Michael Mancini.** TEC Chair Bendixen reported that the TEC has reviewed the updated training program agreements over the last couple of months.
Motion: Anthony/Farrell – approve the training program agreement and requirements for Captains Kelly & Mancini as proposed – Carried, with one abstention from Commissioner Bendixen.
- TEC Chair Bendixen reported that the orientation session for Captains Kelly & Mancini will take place at the BPC office on Thursday March 24. Commissioners Ross and Kirtley will be attending and the 4 remaining Commissioners who expressed interest in attending will be invited to future orientations, 2 Commissioners per session.
- COVID-19 update: All trainees continue to take appropriate precautions to stay safe while continuing to work through their training programs. As previously reported, there are no known cases of COVID linked to the trainees in Puget Sound and Grays Harbor. The TEC has been working with the appropriate individuals to try to get trainees back onto vessels that have been restricted due to COVID precautions.
- TEC Chair Bendixen reported that the federal pilotage process is still an issue for trainees. She was grateful for all of the help from LCDR Ish Looney and hopes that they will have a completed packet out soon.
- The TEC met yesterday and reviewed all the training programs and comments. There are nine trainees in Puget Sound and one in Grays Harbor. In Puget Sound, four trainees are in the Evaluation Phase, three are in the Training Phase, and the two new trainees who started in Puget Sound on Feb 1 are still in the Observation Phase.
- The Port of Grays Harbor reports that trainee Captain Ryan Leo is progressing well. The TEC is monitoring monthly when a second trainee, Captain Colby Grobschmit, will be able to start his training program.
- Commissioner Farrell acknowledged both Commissioner Bendixen and Commissioner Anthony for their exceptional work as Chair and Vice-Chair of the TEC.

Vessel Exemption Committee (VEC)

- The most recent VEC meeting was very productive. The committee recommended and presented new exemption documents, including a revised pilotage exemption petition application, frequently asked questions (FAQ's), and a revised Familiarization Packet.
Motion: Anthony/Farrell – approve the revised pilotage exemption petition – Carried.
- Commissioner Anthony, Captain McGrath (PSP), and Captain Charlie Johnson (large vessel seat) have been instrumental in finalizing the Familiarization Packet, which was originally created by Captains Anthony & Bendixen for PSP. The newly revised Packet will be housed on the BPC website and will be required reading for all those applying for a pilotage exemption. The revisions include charts, areas of caution, and speed limits. This is intended to be an outline, not a guide.
Motion: Anthony/Bendixen – approve the revised Familiarization Packet as proposed – Carried.
- Additionally, Leonard & Lorena Landon with Waggoner Guides have been recruited for the open seat of small recreational boater. They attended the last meeting and have provided very helpful

editing of the final documents, particularly the Familiarization Packet.

Motion: Anthony/Bendixen – approve the Landons for the open seat and alternate seat on the VEC – Carried.

Pilot Safety Committee (PSC)

- Commissioner Drennen introduced the PSC recommended language for the changes to WAC 363-116-081 Rest Period via a draft CR102. The committee believes that the revised recommendations meet the requirements of an emergency rule change and proposed a motion to that effect.

Motion: Drennen/Kirtley – File proposed language for the changes to WAC 363-116-081 Rest Period as an emergency rule – Carried.

- The PSC would also like to adopt the proposed CR102 as a non-emergency rule in parallel to put the public notice and hearing process in motion. A public hearing is anticipated in May with an effective date in June.

Motion: Drennen/Kirtley – File the CR102 as proposed – Carried.

Pilot’s Report of Marine Safety Occurrence: ATB COMMITMENT, 02/14/2022

Underway at Cherry Point BP North Berth	On final approach to the Cherry Point BP North Berth, alarms sounded on the Bridge. The port main engine had shut down. Due to its position at the berth, it was determined that the safest course of action was to complete the docking maneuver, which proceeded without incident. The shut down was attributed to an oil leak on the port main engine governor, which would be repaired prior to resailing.	<u>Motion:</u> Farrell/Drennen File as a Marine Safety Occurrence – Carried.
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Exemptions from Pilotage.

Motor Yacht MOONSTONE – 196’, 1015gt, Cayman Island registry, Captain Millcich.

Motion: Farrell/Ross – grant a three-month exemption with the following conditions imposed: No Deception Pass, no Duwamish, no Locks and must have pilot orientation cruise – Carried.

Motor Yacht SHADOW – 182’, 489gt, Jamaica registry, Captain Mackay.

Motion: Anthony/Drennen – grant an annual exemption with the following conditions imposed: No Deception Pass, no Duwamish, no Locks and must have pilot orientation cruise – Carried.

Pilot/Trainee Physical Examination Reports.

Motion: Bendixen/Anthony – approve the pilot physical examination reports for Captains S.E. Knutsen, J.M. Miller, T.M. Bozina, S.D. Semler and D.E. Brusco for their annual pilot license renewals – Carried.

Motion: Farrell/Anthony – approve the pre-licensing physical examination report for Captain A.C. Stewart – Carried.

Motion: Farrell/Anthony – approve the annual trainee physical examination report for Captain M.B. Cassee – Carried.

Currently, there is one Puget Sound pilot medically unfit for duty.

Committee Updates.

BPC/PSP Joint Diversity Committee (JDC)

- The BPC and PSP met on February 28 to discuss the charter. The JDC will now be called the Diversity, Equity & Inclusion Committee (DEIC) and will not be a joint committee with PSP. The proposed charter will be presented to the Board for adoption at the next meeting.

Oil Transportation Safety Committee (OTSC)

- The next meeting is March 24 to touch base on the process and the next steps in upcoming work on ESHB 1578.
- Jaimie Bever, OTSC Chair is working closely with Ecology on the future rulemaking process and timelines.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone that the next meeting is scheduled for April 21 at 10:00 a.m. via Teams.

Chair Tonn asked for public comment and received none. She adjourned the meeting at 12:55 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