

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
September 21, 2023

PUBLIC HEARING – Call to Order

A Public Hearing concerning WAC 363-116-078 Training Program was convened at 10:00 a.m. by Chair Sheri Tonn in the Agate Conference Room, 2901 Third Avenue, Seattle, WA and online via Microsoft Teams.

Present In person:

Chair: Sheri Tonn

Commissioners: Sandy Bendixen (Pilot), Jason Hamilton (Public), Richard Firth (Foreign Flag Shipping), Mike Anthony (Pilot)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Puget Sound Pilots: Charlie Costanzo, Ivan Carlson, Severin Knutsen,

USCG: Mark McDonnell, Kira Moody, Matthew Romero, Laird Hail

Present via Teams:

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Nhi Irwin (Ecology)

Assistant Attorney General: Albert Wang

Puget Sound Pilots: Travis McGrath, Eric Klapperich, Bill Sliker, Peter Mann

Port of Grays Harbor: Gary Nelson, Mike Folkers

The Northwest Seaport Alliance: Lindsay Wolpa

Pacific Yacht Management: Monique Webber

Public: Ann LaRue

WAC 363-116-078 Pilot Training Program. The purpose of the proposed rulemaking is to decouple the training stipend from training program job requirements, incorporate existing practices into the WAC language, restructure certain sections for clarity and flow, and conduct minor housekeeping in preparation for the upcoming 2024 Washington State Marine Pilot Exam and training of the successful applicants. There were no written public comments. Monique Webber, Pacific Yacht Management, inquired if the changes to the Pilot Training Program were requiring increased trainees per vessel, as she is seeing an increase in requests for trainees onboard. It was clarified that there were no increased requirements. Chair Tonn closed the Public Hearing at 10:05 a.m.

REGULAR MEETING – Call to Order

The Regular Meeting of the Board of Pilotage Commissioners was convened immediately following the Public Hearing by Chair Sheri Tonn in the Agate Conference Room, 2901 Third Avenue, Seattle, WA and online via Microsoft Teams. Chair Tonn commented on the in-person turnout, adding that it was the most people at an in-person Board meeting since February of 2020. Additionally, she welcomed the Board's Foreign Flag Shipping Representative Captain Richard Firth, Holland America Group. She also welcomed Sector Puget Sound Captain of the Port Captain Mark McDonnell who introduced himself and addressed the Board. The BPC looks forward to working with Captain McDonnell and a continued partnership with the USCG.

BPC Staff Report.

- Executive Director Jaimie Bever attended the Maritime Blue Equity Summit held in person on August 29. She reported that it was an excellent event and was well-attended, including by Puget Sound Pilots.
- Jaimie attended the Affiliated Tribes of Northwest Indians (ATNI) 2023 Conference held in Centralia on September 20. She presented on Tug Escort Rulemaking as a part of a 90-minute report from the Department of Ecology. She acknowledged Tyson Oreiro, Tribal Liaison for the Department of Ecology, and all of his efforts over the years to secure time at this annual event.
- Due to last minute legislative changes to the Board's 23/25 Biennial Budget, recruitment for the tug escort rulemaking project position has been suspended. Board staff will continue to work with DES, OFM, and legislative staff on a possible funding fix.
- WSF has begun the process of contract negotiations for the 2901 building lease which is up in August of 2025. With the state encouraging overall reduction in space, Jaimie is working with WSF on necessary accommodations for Board staff and public meetings.

BPC Chair Report.

- BPC Chair Sheri Tonn reported that Rear Admiral Ann Phillips of the United States Maritime Administration (MARAD) will be in Grays Harbor next week to celebrate the Terminal 4 expansion project. The Port of Grays Harbor will be hosting a luncheon, which Chair Tonn plans to attend.
- At Chair Tonn’s invitation, Commissioner Firth introduced himself detailing his career and what led him to serve on the Board.

Activity Reports. Lindsay Wolpa representing The Northwest Seaport Alliance (NWSA), Mike Folkers and Gary Nelson representing the Port of Grays Harbor (PGH), Ivan Carlson representing Puget Sound Pilots (PSP), and Laird Hail along with Kira Moody representing the United States Coast Guard (USCG) offered current and projected statistical data as well as updates on current maritime issues and activities.

BPC Data Analyst Bettina Maki shared the Puget Sound Pilots Activity Report dashboard and was available for questions.

OLD BUSINESS

Pilot’s Report of Incident: NAVIOS CENTAURUS, 06/06/2023. Chair Tonn reported the draft final report will be available for review at the October meeting.

NEW BUSINESS

Consideration of Previous Hearing on WAC 363-116-078: Training Program.

Motion: Bendixen/Hamilton – adopt the changes to WAC 363-116-078 Pilot Training Program as proposed in the CR102 – Carried.

Pilot’s Report of Marine Safety Occurrence: RJ PFEIFFER, 08/17/2023

Underway, outbound from Tacoma to Pilot Station	Vessel was in light ship condition with a freeboard of 12.8 meters resulting in noncompliant pilot ladder arrangement for pilot to disembark in Port Angeles. (Regulations require combination ladder when freeboard greater than 9 meters.) Additionally, there were adverse weather conditions at the pilot station. During the transit to Port Angeles, different options for rigging a combination ladder were considered and ultimately this was achieved using the ship's main gangway. This was still noncompliant but allowed the pilot to disembark. A separate ladder report was also submitted detailing the issues with the arrangement.	<u>Motion:</u> Bendixen/Anthony – File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: MANULANI, 08/18/2023

Underway, inbound in Pilot Boarding Area	Upon boarding, the captain informed the pilot that they had been unable to get an astern bell. The engineers troubleshooted while vessel proceeded inbound at dead slow. VTS was informed of the situation and Coast Guard notified vessel to get an escort, go to anchor in Port Angeles, and get a class inspection before proceeding. The LINDSEY FOSS was dispatched as an escort and vessel proceeded to anchor in Port Angeles without further incident.	<u>Motion:</u> Hamilton/Firth – File as a Marine Safety Occurrence – Carried
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Pilot’s Report of Marine Safety Occurrence: EVER LUNAR, 08/22/2023

Westbound to Pilot Station in Traffic Lanes	Vessel encountered 15-20 shrimp boats north of the lanes with 3 of the boats in the traffic lane with shrimp pots set throughout separation zone, approximately 200-250 ft apart. No response by the boats to VHF channels or whistle, making for a difficult transit. Pilot notified VTS, who sent a response boat from PA.	<u>Motion:</u> Hamilton/Bendixen – File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *MATSON KODIAK*, 09/02/2023

<p>Northbound in Admiralty Inlet, approaching Bush Point</p>	<p>Pilot was notified of an oil leak in the turbocharger that needed to be fixed immediately. USCG diverted the vessel to Port Townsend to anchor for repairs. Repairs were completed successfully and vessel was back underway in two hours.</p>	<p><u>Motion:</u> Bendixen/Anthony – Write letter to Matson and include the list of MSO's showing the uptick in Matson vessels – Carried.</p> <p><u>Motion:</u> Bendixen/Anthony – File as a Marine Safety Occurrence – Carried.</p>
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Pilot's Report of Marine Safety Occurrence: *CSL KOASEK*, 09/02/2023

<p>Underway rounding Robinson Pt.</p>	<p>Approaching Robinson Pt "TB", vessel encountered a close quarters situation with a pleasure craft traveling northbound in the southbound TSS. Pilot notified VTS as well as the deep draft vessel astern. Transit continued without incident.</p>	<p><u>Motion:</u> Anthony/Hamilton – File as a Marine Safety Occurrence – Carried.</p>
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Pilot's Report of Marine Safety Occurrence: *EVER ENVOY*, 08/22/2023

<p>Underway in Eastbound traffic lane at Protection Island.</p>	<p>While underway to Tacoma, pilot plotted 15-20 small vessels in the inbound traffic lane. Pilot ordered the engine reduced to half ahead. Once in close range to the vessels, they were observed to be commercial prawners with well over 50 pots marked with buoys throughout the inbound lane, separation zone, and outbound lane. Reducing speed further and sounding the danger signal numerous times, the pilot successfully transited through the dense fishing fleet. Security calls on VHF 16 went unanswered.</p>	<p><u>Motion:</u> Bendixen/Anthony – File as a Marine Safety Occurrence – Carried.</p> <p><u>Motion:</u> Anthony/Bendixen – Write a letter to WDFW regarding Rule 10 enforcement and include MSO – <u>Friendly Amendment:</u> Hamilton/Anthony – Work with USCG for operational outreach to WDFW and BPC letter for educational outreach to WDFW, with no MSO included – Carried.</p>
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Pilot's Report of Marine Safety Occurrence: *CELEBRITY SOLSTICE*, 09/08/2023

<p>Underway in Elliott Bay, South of Pier 91.</p>	<p>After switching to "Azi-Man", Pilot notified Master that the pilot would give verbal commands to get the ship turned and onto final approach, where pilot would turn over the conn when 2 ship lengths from the berth. Pilot's commands were repeatedly not followed, without explanation. The vessel proceeded into the berth without incident under the conn of the Master.</p>	<p><u>Motion:</u> Anthony/Firth – File as a Marine Safety Occurrence – Carried.</p> <p><u>Motion:</u> Anthony/Firth – Write letter to Captain of Celebrity Solstice and include the open letter to Shippers as well as WAC 363-116-365 – Carried.</p>
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Pilot's Report of Marine Safety Occurrence: *PORT VILA CHIEF*, 09/10/2023

<p>Underway within 0.5nm of Duwamish Head Light.</p>	<p>While underway, the Chief Engineer reported a main engine cylinder exhaust valve needed adjusting, with a repair estimate of 20-30 mins. Coast Guard was informed. No further inspections were required, and the ship proceeded on its voyage with no further issues after the repair was completed.</p>	<p><u>Motion:</u> Bendixen/Firth – File as a Marine Safety Occurrence – Carried.</p>
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Meeting Minutes.

Motion: Hamilton/Anthony – approve the August 17, 2023, Meeting Minutes as drafted – Carried.

Presentation: Quiet Sound Program – Admiralty Inlet/North Puget Sound Voluntary Vessel Slowdown for Southern Resident Killer Whale Protection – Rachel Aronson, Quiet Sound Program Director. Rachel Aronson provided an overview of the 2023-2024 voluntary vessel slowdown parameters and shared results from the previous trial. She also answered questions from the Board and the public.

Committee Actions.

Trainee Evaluation Committee (TEC)

- TEC Chair Captain Bendixen reported that there are currently 14 pilots in their upgrading window. The Board reviewed 5 draft upgrade letters, for 4 pilots in Puget Sound and 1 in Grays Harbor.
Motion: Bendixen/Anthony – approve the pilot license upgrade program for Captains Grieser, Grobschmit, McGrath, Miller & Velarde as recommended by the TEC – Carried.
- Executive Director Bever acknowledged Captain Bendixen's recent graduation to unlimited pilot.
- PSP President Recency Trip Requirements: The Board reviewed a draft letter, which reflected the policy of the BPC as well as reflects current vessel traffic trends. The TEC reviewed and recommended to the Board the letter as written.
Motion: Bendixen/Hamilton – approve the PSP President Recency Trip Requirements for Captain Carlson as recommended by the TEC – Carried.
- New trainee orientation for Captains Michelson, Wood, & Sabbath was held Tuesday, August 29 and went very well.
- The TEC met yesterday and reviewed all trainee progress. There are currently 9 trainees in PS and zero trainees in GH. In Puget Sound, there are 3 trainees in Evaluation, 3 in Training and the 3 new trainees are in Observation. All are progressing well.
- TEC Chair Bendixen reported that challenges continue at the REC and as of today there has been no follow up from the August meeting of the federal pilotage work group.

Pilot Exam Committee (PEC)

- Training Program Manager Jolene Hamel highlighted the details and changes to the application materials for the Spring 2024 Marine Pilot Exam.
Motion: Bendixen/Hamilton– affirm the application materials for the 2024 Marine Pilot Exam as recommended by the PEC – Carried.
- Jolene also reiterated the important dates and discussed some of the many avenues that the BPC will utilize to get the word out regarding the Exam.
- BPC Chair Tonn shared her appreciation for the pilots who have helped with the exam process so far. The BPC will write a letter to the pilots of both Puget Sound and Grays Harbor thanking them for their efforts.

Diversity, Equity & Inclusion Committee (DEIC)

- Executive Director Jaimie Bever shared information about the upcoming Women Offshore Conference taking place October 26 & 27 at Texas A&M. Both she and Jolene Hamel will be attending from the BPC.
Motion: Bendixen/Anthony – approve the BPC to sponsor the 2023 Women Offshore Conference at the \$1,000 level – Carried.
- Jaimie also shared that she attended the first in-person meeting of the WSF DAG (Diversity Advisory Group). Assistant Secretary Patty Rubstello attended to recognize the group's efforts. Jaimie has also been invited to sit on the Scholarship panel interviews for the MITAGS MAP Scholarship program.

Exemptions from Pilotage.

Sailing Yacht ASTA– 45', 13gt, Sweden registry, Captains Thomas & Annika Svensson.

Motion: Anthony/Firth – concur with Chair Tonn's granting of the interim 3-month exemption – Carried.

Motor Yacht CELTIC PRIDE– 95', 194gt, Marshall Islands registry, Captain Gary Colebank.

Motion: Hamilton/Firth – concur with Chair Tonn's granting of the interim 3-month exemption with the following restriction imposed: No Locks – Carried.

Motor Yacht TCB– 164', 466gt, Jamaica registry, Captain Scott Kidd.

Motion: Anthony/Firth – concur with Chair Tonn's granting of the interim 3-month exemption with the following restriction imposed: No Locks, Deception Pass or Duwamish Waterway and must have a pilot orientation – Carried.

Pilot/Trainee Physical Examination Reports.

Motion: Bendixen/Hamilton – approve the pilot physical examination reports for Captains M.P. Bostick, D.B. Soriano, N.K. Moore, B.E. Lowe, E.M. von Brandenfels, J.R. Semler & D.W. Melin for their annual pilot license renewals – Carried

Motion: Firth/Anthony – approve the pilot physical examination report for Captain N.M. Sabbath for his new trainee license – Carried.

Motion: Hamilton/Bendixen – approve the pilot physical examination report for Captain B.L. Sturgell for his annual trainee license – Carried.

BPC Chair Tonn suggested it was time to revisit the RCW/WAC governing pilot physicals given that the current state physical requirements are stricter than the USCG physical requirements for Federal licensure.

Committee Updates.

Pilot Safety Committee (PSC)

- The PSC has not met since the last Board meeting. The next meeting will be October 12.

Vessel Exemption Committee (VEC)

- VEC Chair Mike Anthony walked the Board through the proposed recommended fee changes and what else the committee wishes to tackle through future legislation. A CR 102 will be provided to the Board at the October meeting.

Oil Transportation Safety Committee (OTSC)

- The committee met last on September 14 for a pre-workshop #3 meeting. OTSC Chair Jaimie Bever sent out an email with a status update on the risk model report as well as dates for the upcoming workshops.
- Tug Escort Rulemaking Updates: The fourth workshop will take place in December and will be focused on the risk model analysis results. A fifth workshop will take place in early 2024 as well as workshops all next year.
- For review, the Board received comments received so far from tribes and stakeholders regarding Tug Escort Rulemaking development.

Public Comment. Chair Tonn asked for public comment, but none was offered.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone of the upcoming meetings in October and November. All meetings continue to be hybrid, and all are invited and encouraged to come in person. She also reported that KPI Workshop #3 will be held at the November 16th meeting, to best suit Board schedules.

Adjourn. Meeting was adjourned by Chair Tonn at 1:00pm.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Richard Firth

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin