

MEETING MINUTES

STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS

October 19, 2017

Present:

Vice Chair: Ned Kiley

Commissioners: Don Mayer, Sara Thompson, Eleanor Kirtley, Grant Stewart, and Chuck Adams

Administration: Jaimie Bever, Shawna Erickson, Jolene Hamel

Assistant Attorney General: Albert Wang

Eric vonBrandenfels, Linda Styrk, Ivan Carlson, John Scragg, and Mike Anthony: Puget Sound Pilots

Mary Nelson: Port of Grays Harbor

Lou Paulsen: The Northwest Seaport Alliance

Mike Moore: Pacific Merchant Shipping Association

Spencer Cohen: CAI

David Melin: Puget Sound Pilots Trainee in Waiting

REGULAR MEETING - Call to Order

The regular meeting of the Board of Pilotage Commissioners was convened at 10:05 a.m. by Vice Chair Ned Kiley.

Minutes. Motion: Thompson/Adams – approve the September 21, 2017 Minutes as written – Carried.

BPC Staff Report.

- Puget Sound Pilot Captain Peter Giese officially retired on 10/13/2017. The Board thanked him for his service and wished him well in his retirement. Captain Phil Hunter was licensed as of the same date and has been actively working since licensure.
- JTC Study Update – Board Chair Sheri Tonn will give a presentation about the Board of Pilotage Commissioners to the Joint Transportation Committee (JTC) on Wednesday November 15, 2017. A copy of the presentation will be available for Board review at the November 9, 2017 regular monthly meeting. The study's consultants, Spender Cohen, CAI, and Mark Gleason, Gleason & Associates, met with former Board Executive Director Peggy Larson last week. They are interested in talking with any Commissioners who are interested.
- On October 13, 2017, Sheri Tonn and Jaimie Bever participated in a call with a consultant hired by the USCG regarding pilotage tariff rate setting and pilot compensation. The consultants are conducting the study as a result of the legal action filed by the Great Lakes pilots, who are regulated by the USCG.
- Jaimie Bever attended the October 4, 2017 Puget Sound Harbor Safety Committee meeting in Everett, WA. She plans to continue to bring Board presence to those meetings going forward. Board Commissioner, Eleanor Kirtley, gave a presentation at that meeting about the organization she works for, Green Marine.

BPC Chair Report.

- Vice Chair Kiley reported that Chair Tonn is currently traveling and will return within the week.

Activity Reports. Eric vonBrandenfels representing Puget Sound Pilots; Lou Paulsen representing The Northwest Seaport Alliance; Mary Nelson representing the Port of Grays Harbor; and Mike Moore representing Pacific Merchant Shipping Association; offered current and projected statistical data as well as updates on current maritime activities.

From 10:20 until 10:40 a.m. all meeting attendees participated in an earthquake and evacuation drill

PUBLIC HEARING - Call to Order

A public hearing of the Board of Pilotage Commissioners was convened at 10:50 a.m. by Vice Chair Ned Kiley in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington.

Present:

- Vice Chair: Ned Kiley
- Commissioners: Don Mayer, Sara Thompson, Eleanor Kirtley, Grant Stewart, and Chuck Adams
- Administration: Jaimie Bever, Shawna Erickson, Jolene Hamel
- Assistant Attorney General: Albert Wang
- Eric vonBrandenfels, Linda Styrk, Ivan Carlson, John Scragg, and Mike Anthony: Puget Sound Pilots
- Mary Nelson: Port of Grays Harbor
- Lou Paulsen: The Northwest Seaport Alliance
- Mike Moore: Pacific Merchant Shipping Association
- Spencer Cohen: CAI
- David Melin: Puget Sound Pilots Trainee in Waiting

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 the pilotage tariffs. Financial data used in this tariff hearing included GHPD 5-year Capital Spending Plan, the unaudited 2016 Financial Statement, and financial data as of July 31, 2017. The filed rule as proposed by the Port of Grays Harbor reflects the decrease to the Pension Charge from \$528 to \$500. No other tariff adjustments were requested. The filing was based on a request dated August 17, 2017 submitted by Mary Nelson, Director of Finance and Administration for the Port of Grays Harbor, which details their request for the rule amendment. A formal written tariff proposal was submitted on September 19, 2017. Oral and written testimony in support of the proposal was presented by Captain Mike Moore on behalf of the Pacific Merchant Shipping Association. The public hearing was closed by Vice Chair Kiley at 10:55 a.m.

REGULAR MEETING RECONVENED

The regular meeting of the Board of Pilotage Commissioners was reconvened immediately following the hearing by Vice Chair Ned Kiley 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: Thompson/Kirtley – Adopt the tariff proposal as filed, which decreases the Pension Charge from \$528 to \$500 – Carried.

NEW BUSINESS

Fatigue Management Update - Discussion Concerning Setting the Number of Pilots in the Puget Sound Pilotage District as Provided in WAC 363-116-065. The Board reviewed the scope of services proposed by fatigue management and sleep expert Dr. Charles Czeisler, Harvard University, who is proposing to give the Board a presentation on Fatigue Management as well as a review of pilot rest rules and the Board’s statutory rest rules at the December meeting.

Motion: Mayer/Adams – engage Dr. Czeisler to perform the work as outlined in the proposal – Carried.

Consideration of Request for Vessel Exemption:

Motor Yacht *Gran Finale* – 147’, 451gt, St. Vincent and Grenadines registry, Captains Glenn Gorman and Joshua Kay

Motion: Mayer/Adams – concur with Chair’s granting of an interim annual exemption – Carried.

Pilot’s Report of Marine Safety Occurrence: *Nordmosel, 9-21-17*

Westport, Anchor	A straight forward occurrence where by anchor was found fouled with derelict wire. Ship’s crew was successful in removing the derelict wire.	<u>Motion:</u> Mayer/Thompson File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Incident: ALASKAN FRONTIER, 7-6-17

Ferndale, Cherry Point South Dock Approach	While the vessel was docking, the port rudder made contact with the anchor lines of a buoy on an oil spill containment boom resulting in the parting of the line. The investigation report will suffice as Lessons Learned.	<u>Motion:</u> Adams/Thompson File as incident with damage and with pilot error, but with mitigating circumstances – Carried.
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Committee Reports.

Trainee Evaluation Committee (TEC):

- The TEC met on October 17, 2017.
- Training Program progress was reviewed for all current trainees: Captains Hunter, Myers, Vestal, Kridler, Bendixen, and Grieser.
- The TEC reviewed the Lessons Learned document provided by the pilot for the *PORT PEGASUS* incident on July 9, 2017.
Motion: Mayer/Stewart – accept the Lessons Learned document as written and the tug observation trip, thus closing out this incident – Carried.
Commissioner Kirtley requested that future Lesson Learned documents include a schematic of the circumstances.
- The Board reviewed the latest retirement survey provided by the TEC.
Motion: Adams/Thompson – Invite the next 2 successful candidates from the 2016 Exam class to begin training in Puget Sound with a start date of February 1, 2017 – Carried.

Legislative/WAC Committee:

- Commissioner Adams put out a request for desired WAC changes, especially those relating to the upcoming exam.

BPC/PSP Joint Diversity Committee (JDC):

- The JDC will meet again on November 1, 2017.
- A brochure for future applicants is being developed, as well as a pilotage interest survey.
- Several other pilotage districts will be giving their exams around the same time as Washington State.
- Jaimie Bever will be attending the Women on the Water conference at the Great Lakes Maritime Academy in Traverse City, MI, October 26th-28th, along with JDC committee member, and retired Columbia River Bar pilot, Deb Dempsey.
- The Board has notified the exam distribution list of the targeted 2018/2019 exam date.
- A Diversity Initiatives section has been added to the Board website. Meeting agendas, notes, committee roster, and additional resources can be found there.

Review of Pilot/Trainee Physical Examination Reports.

Motion: Mayer/Kirtley – accept the physicians' reports for Captains G.P Thoreson, T.D. Coryell, R.M. White, J.B. Harris, J.E. Arnold and J.T. Galvin for annual pilot license renewal – Carried

Confirmation of Next Regular Meeting Dates. The next regular meeting dates are set for:

- November 9 – Puget Sound Pilotage District Tariff Hearing (effective dates only)
- December 14—Presentation by Dr. Charles Czeisler

A calendar of proposed 2018 meeting dates will be presented at the November 9, 2017 regular meeting. There being no further business to come before the Board, Vice Chair Kiley adjourned the regular session Board meeting at 12:10 p.m.

Respectfully submitted,

Absent

Sheri J. Tonn, Chair

Edmund I. Kiley, Vice Chair

Absent

Commissioner Philip Morrell

Commissioner Donald W. Mayer

Commissioner Eleanor Kirtley

Jaimie C. Bever, Executive Director (Interim)

Commissioner Charles F. Adams

Commissioner J. Grant Stewart

Absent

Commissioner Edmund Marmol

Commissioner Sara Thompson