

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
June 20, 2019

REGULAR MEETING - Call to Order

The regular meeting of the Board of Pilotage Commissioners was convened at 10:00 a.m. by Chair Sheri Tonn in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington.

Present:

Chair: Sheri Tonn Vice Chair: Ned Kiley

Commissioners: Michael Anthony, Sara Thompson, Eleanor Kirtley, Timothy J. Farrell, Phil Morrell, John Scragg, and Rik Krombeen

Administration: Jaimie Bever, Shawna Erickson, Jolene Hamel

Assistant Attorney General: Albert Wang

Eric vonBrandenfels, Ivan Carlson, Scott Anacker, Linda Styrk: Puget Sound Pilots

Gary Nelson: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Lou Paulsen: The Northwest Seaport Alliance

Monique Webber: Pacific Yacht Management

Blair Fassburg: Williams, Kastner, Gibbs, PLLC

Adam, Lorna and Winslow Seamans: PSP Licensure Candidate & Family

Easton Hazim: Mariner

Minutes. Motion: Scragg/Kiley – approve the May 16, 2019 Meeting Minutes as written – Carried.

Activity Reports. Mike Moore representing Pacific Merchant Shipping Association (PMSA), Lou Paulsen representing The Northwest Seaport Alliance (NWSA), Captain Eric vonBrandenfels representing Puget Sound Pilots (PSP), and Gary Nelson representing the Port of Grays Harbor (PGH) offered current and projected statistical data as well as updates on current maritime issues and activities.

A question was posed to Captain vonBrandenfels from Chair Tonn regarding their current activity report. She wondered if, in the future, PSP could designate how many pilots attending meetings were on versus off watch. He agreed that they would attempt that on future reports.

NEW BUSINESS

Consideration of Licensure of PSPD Pilot Candidate: Adam Seamans. On behalf of the Trainee Evaluation Committee (TEC), Commissioner Scragg stated that Captain Adam Seamans had successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training and completion of his federal licensing requirements. The Board has received his TPTR Summary and all training comments.

Motion: Scragg/Kiley – issue Captain Adam Seamans state pilot license #204 for the Puget Sound Pilotage District – Carried

Approval of Pilot License Upgrade Program: Captains Jaime Galvin & Rodney Myers. Captain Galvin is nearing completion of his fifth license year, and Captain Myers his second year. The TEC has reviewed the upgrade letters. They reflect the newly incorporated tonnage levels. The TEC also made some changes to the unlimited upgrade letter, removing the requirement for Seattle Pier 46. This change was due to Pier 46 closure. They also made a small change to the cruise ship requirement. If it is not cruise ship season, a large vessel in Seattle will suffice.

Motion: Scragg/Thompson – approve the license upgrade programs for Captains Galvin and Myers as drafted by the TEC – Carried.

Discussion Concerning Setting the Number of Pilots in the Puget Sound Pilotage District as Provided in WAC 363-116-065. The discussion began with Jaimie Bever displaying the Board's website and directing everyone to the list of documents available on the site. The list makes up the Board's Official Record for the 2019 setting the number of pilots in the Puget Sound Pilotage District. Commissioner Farrell expressed his concern that the Board had received a large amount of data but that the Board does not have the ability to audit or verify that data. He further explained that the Board did not have the analytical resources necessary to disseminate the information. Because of this, he expressed discomfort in the Board making a decision at this stage. Commissioner Krombeen agreed

with his position. Chair Tonn added that a decision would need to be made at the July hearing, as it was part of the responsibility of the BPC per the RCW and the WAC. Jaimie Bever added that it was also part of the Board's responsibility within the resources given. Commissioner Farrell further expressed additional concerns about making decisions that could potentially affect the safety of pilotage and suggested that the Board go to the legislature to request resources to make an informed decision. Commissioner Anthony questioned Commissioner Farrell's comment about auditing and asked whether or not he questioned the validity of the NASA report. Commissioner Krombeen added that the Board had not seen the full scope of the contract between PSP and NASA. Blair Fassburg of Williams Kastner offered that an expanded scope of work was circulated to the commissioners at the beginning of the meeting. Commissioner Farrell responded to Commissioner Anthony by stating that he did not have a way to verify any of the information. He further explained that this decision was a significant responsibility to the people of Washington State and to the environment, and that in order to do so the agency needed proper resources for independent validation of the information that was objectively driven. Commissioner Krombeen stated that the NASA report contained questionable statements that were counter to the maritime industry as a whole and they were not experts in the field. Commissioner Krombeen proceeded to explain that the pilotage districts he had encountered internationally house pilots for rest on board the cruise ships. His point was that normal practice internationally was not what NASA is proposing, which was that pilots should not rest on-board. There was some disagreement between Commissioner Krombeen and the pilot commissioners, Captains Anthony and Scragg, regarding turnaround time for cruise ships. Chair Tonn reminded everyone that NASA would be at the July meeting for Q&A. Commissioner Thompson expressed concern regarding the distraction of changing PSP business practices versus addressing the items that were under the direct authority of the Board. She also reminded everyone that the NASA report was a helpful tool, but not the only piece of information the Board received.

The Board reviewed additional data reports provided by Board staff, which were responses to requests from PMSA. Chair Tonn referred to a document in the official record titled "BPC Goals and Criteria" which was a good tool for commissioners to use to organize their thinking while reviewing data. The document was displayed for reference during the meeting.

Chair Tonn then asked the commissioners for their questions. Commissioner Krombeen asked about movement/assignment levels adding that in his review of the data he did not see a big increase in either. He continued his question by stating that he enjoyed working with pilots and believed they should have every opportunity for safety. However, after his review it appeared to him that the additional "manpower" requested was needed for meetings, trainings, and repositions. Commissioner Anthony responded that meetings had not increased and that they were necessary for the operation of the business. He also responded that continuing education/training was required for the pilot's licenses. Commissioner Scragg recommended that the author of PSP's submission and rebuttal, Blair Fassburg, respond to the question. Commissioner Scragg asked Chair Tonn for this question to be set aside and for the Q&A to begin with commissioners questions to PMSA, as a continuation of the last meeting. Chair Tonn agreed and asked for questions for PMSA.

Commissioner Scragg asked Mike Moore of PMSA if PMSA preferred the pilot ordering system that is currently in place or if they would prefer an appointment system used, for example, by a doctor. Mike Moore responded that he had checked with other districts and it was determined that pilot ordering rules were different in every district. With advanced ordering, a compulsory pilotage district should have predictability when it comes to ordering a pilot. He pointed out that the current system used by PSP was not validated or approved by the BPC, as an oversight body. He acknowledged agents were fully aware of PSP's ordering rules. With advanced ordering and sufficient time to get a pilot 24 hours in advance, it was plenty of time to make sure a pilot was available. When asked again about his preference for an ordering system, Captain Moore stated that he preferred that his customers continue complying with the pilot ordering rules and if there was a discussion about changing those ordering rules, the conversation should happen with industry under the auspices of the regulatory authority. Commissioner Scragg continued to clarify the question and response. Captain Moore confirmed that yes, he preferred the current system with the caveat that if the ordering rules needed to be changed or adjusted, that PSP should meet with industry and the oversight authorities.

Commissioner Anthony questioned Captain Moore regarding the lack of predictability in regards to time changes, pointing to a large number of changes occurring in less than 2 hours from the job time in 2018. Captain Moore responded that it depended on the job and circumstances. A discussion regarding predictability followed between Captain Moore and Commissioner Anthony. Commissioner Krombeen questioned that if you had a 24 hour period with 10 hours rest, if those changes were made, he didn't understand how the change affects a pilot if they were doing one assignment per duty day. Commissioner Anthony responded that it affects the other pilots in rotation. Commissioner Krombeen added that in his calculation, if every pilot did one job per duty day, it would equate to 8,000 jobs instead of 7,300. Commissioner Anthony gave an example of how an appointment system would vary from what PSP was doing currently. Captain Moore pointed out that the pilots were not operating with ½ the pilot corps available when they were on duty and questioned why.

Commissioner Scragg asked about PMSA's rebuttal, specifically, the concern about meetings being held on change day (Tuesday), pointing out that PSP targets Tuesdays for meetings to help with pilot availability to take assignments. Captain Moore explained that the concern was that if PSP was counting those meetings as essential versus discretionary and if they were holding those on Tuesdays, it would seem that pilots were claiming a full duty on change days (15 on 13 off). Commissioner Scragg inquired if PMSA would prefer a different day for change day. Captain Moore expressed PMSA's concerns that pilots were claiming a full 24 hours on change day. He pressed that there were adjustments that could be done to spread out the duty days. He further questioned the meetings and whether they were discretionary versus essential.

Commissioner Scragg also inquired about PMSA's rebuttal in questioning cruise ship assignments and asked if PMSA advocated pilots violating the 10-hour rest rule. Captain Moore clarified that what rebuttal was pointing out was that the recommendation by the FMC for 10 hours of rest was for the opportunity to get 8 hours of sleep and that that opportunity was available on cruise ships. He referred to Commissioner Krombeen for more information on how to get necessary rest aboard a cruise ship. Commissioner Scragg attempted to clarify PMSA's position, that yes they advocated for violating the 10 hours rest rule. Captain Moore replied that they did not. They were pointing out the intent of the statute, which was 10 hours rest to get 8 hours sleep. Captain Anthony reminded everyone that Dr. Czeisler's recommendation was 12 hours and that the 10 hours was a compromise. Captain Moore also pointed out the perceived inconsistencies in how 10 hours rest would affect assignments depending on what data source one is looking at (PSP vs. PSP's submittal vs. the NASA Report).

Commissioner Scragg described PMSA's submission and rebuttal as being very focused on what's been done or said in the past. He questioned if PMSA would prefer that PSP and the Board disregard lessons learned about appropriate fatigue management. Captain Moore replied no and that he believed in continuous improvement. However, he also stated that he believed in consistency and that he found PSP statements to be inconsistent.

Commissioner Scragg questioned why PMSA's submission and rebuttal did not appear to value the changes in fatigue mitigation that had been made by PSP. Captain Moore replied that they did acknowledge and support the "3 and out" change in 2015 because it was a universally well-regarded improvement to mitigate circadian misalignment. Commissioner Scragg acknowledged that "3 and out" was a game changer for pilot fatigue, but that it did have an impact on call-backs. Captain Moore acknowledged that while they were aware of the call-back issue, the assumption was that there would be 23 or 24 pilots on duty at a time and that they were surprised to find out, based on PSP's submittal, that wasn't the case.

Commissioner Scragg questioned PMSA's claim in their rebuttal that there hadn't been any fatigue related accidents in the Puget Sound Pilotage District in the past 40 years. He questioned if that meant that fatigue related accidents in other districts should not be taken into account when managing fatigue. Captain Moore replied no, that they believed in leading indicators and causal changes. Their point was that out of 320,000 moves there were no investigations of fatigue related incidents and that was compelling in terms of leading indicators. Commissioner Scragg further clarified if because there hadn't been any accidents if PMSA's position was that there were no fatigue issues in the district. Captain Moore restated that there were no indicators of fatigue related incidents. If there had been, it would have been a good opportunity for lessons learned. Commissioner Scragg stated that, based on PMSA's submission and rebuttal, safety through fatigue management did not appear to be a priority for PMSA.

Captain Moore replied that he was wrong and added that fatigue management was an issue that he had a good deal of experience around and offered to supply additional information to that effect.

Commissioner Anthony asked if Captain Moore agreed that the tug and barge industry was overmanned to provide efficient 24 hour service. Captain Moore replied that different industries have their own systems for fatigue management. Commissioner Krombeen corrected PSP's perception in their rebuttal that Holland America's senior officers are on a watch schedule. He did not recall ever stating that. The officers were 24-7 with 6 hours rest regulations. He asked that the language be corrected. Commissioner Anthony added that he was addressing PMSA's rebuttal. Captain Moore replied that his reason for pointing out the tug and barge industry was that everyone had lead times. Captain Scragg added that those times were always changing for them just like for the pilots. Captain Anthony's point was that pilots were not always available, like tugs, because they were not overmanned. There was further discussion amongst the group regarding tug staffing management.

Commissioner Anthony had one final question regarding schedules. He brought up the high number of time changes in 2018 and inquired about PMSA's position on those. Captain Moore pointed out the low number of pilots available on high assignment days and advocated for PSP to look at management changes to address that issue.

Commissioner Scragg had one final question. He inquired if Captain Moore was going to provide methodology for determining the number of pilots. Captain Moore acknowledged that PSP was the moving party. The only recommendation PMSA submitted was to continue to work on licensing trainees when they are ready according to the number of pilots authorized.

Commissioner Kirtley requested additional clarity on Exhibit 9 in PSP's rebuttal. She agreed with Commissioner Farrell's comment that the Board had received a good deal of data, which they had asked for, and acknowledged that they were now tasked with interpreting the data. She asked Mr. Fassburg to explain the exhibits concerning time changes. He began by reminding the Board that the time change data request resulted in hours of expensive labor by the software company. A lengthy explanation and discussion followed.

There was discussion regarding information available to and the responsibility of agents versus the information available to and the responsibility of the pilots. Chair Tonn inquired whether there was an estimate available of the less than two-hour jobs. What percentage of those were ships at the docks and how many were ships headed to the pilot station? Mr. Fassburg responded that it would not be easy to provide that type of information. Chair Tonn further inquired if it was possible that agents are being overzealous in contacting the dispatchers and if pilots should put a limit on the number of calls from the agents to the dispatchers. The pilots in the room responded that it would be similar to an appointment system. Commissioner Farrell mentioned that he had spent some time with the PSP dispatchers last week and was told by the dispatchers that their preference was to get the earliest possible time slot for a pilot because it was easier for them to delay than it was for them to advance. He added that he believed that was part of what drove the changes. He also observed phone calls with agents and believed that there was fluidity that went both ways between agents and pilots that was not captured in the black and white numbers in PSP's rebuttal. Mr. Fassburg offered that not all agents had that flexibility and that, according to the dispatchers, there was push back regarding schedule flexibility from the majority of the agents.

Mr. Fassburg addressed Commissioner Farrell's prior concern regarding the validity of the data presented. He stated that his goal was to present data from the dispatch software that was unimpeachable. He further explained that the data came straight from the software system. There was no manipulation by PSP before it was presented to the Board. He also added, regarding the pilot's day for day system, that while a pilot was on duty and not working, they were constantly monitoring the dispatch system in preparation for their next assignment. At that point, the conversation went back to an explanation of the time change exhibits in PSP's rebuttal.

Commissioner Krombeen inquired whether or not the numbers in the exhibits had been compared to other ports. Chair Tonn responded that given that the BPC was probably the most transparent commission in the world, it would not be possible. She did mention that Pacific Pilotage Authority in Vancouver, B.C. might be able to do it because they own and operate the dispatch system. They have

offered that they have a 99.98% on-time pilot operation and that their delays were largely delays at the dock or if there was a pilot shortage, resulting in call-backs.

At this point, Chair Tonn asked the commissioners if there were any further questions, going person by person. Commissioner Farrell requested additional explanation of the time change tables. Commissioners Krombeen and Kirtley concurred. Commissioner Morrell asked if the pilots felt that the work they were doing today was unsafe. Mr. Fassburg responded that what they considered unsafe was disregarding fatigue management recommendations and taking no action. Commissioner Morrell pressed for a yes or no answer to which Mr. Fassburg replied that the question couldn't be answered in the way that it was asked, but did say that there were still things that could be improved.

Commissioner Farrell recapped the current actions that were available to the commissioners to address the risk of fatigue. Regarding increasing the number of pilot licenses, given that the district was not at its full complement at the current authorized level and that it would be a while before all spots were filled, Commissioner Morrell asked how increasing the number of pilots now would address the issues on the ground today. Mr. Fassburg responded that the Board was first and foremost a safety oriented authority. Regulators should make decisions based on the science available. Commissioner Farrell responded that the pilots request did not create a critical path to getting more licensed pilots now, stressing that the critical path was getting pilots licensed to fill empty slots. Mr. Fassburg challenged his perception stating that there were things that could be done, which was why they made the request. He pointed to the Target Assignment Level reduction as a benchmark for how much pilots work. He also pointed to the TEC's responsibility to plan for more pilots. Commissioner Morrell asked if the analysis took into account filling the slots for the already approved licenses. If there was a full complement of pilots, would that change the data. Mr. Fassburg initially directed the question to NASA at the July hearing, but attempted to answer it by stating that NASA's analysis was not based on a certain number of pilots, 46 or 47 for example. Their analysis looked at how many pilots were necessary to move vessels on any given day, taking into account call-backs, regardless of how many licensed pilots there were currently.

Commissioner Krombeen questioned whether or not the analysis should look at shipping traffic trends and putting pilots to work moving vessels before taking into account delays, meetings and trainings. Mr. Fassburg addressed trainings first pointing out the importance and necessity of continuing education for pilots and adding that pilots did not train unnecessarily. Regarding meetings, he stated that the timing was discretionary, not the meetings themselves. The meetings were necessary for the future of the pilot organization. Commissioner Morrell then asked if they were suggesting 10-hours rest between meetings. Mr. Fassburg responded that if the Board wanted to engage in best practices for fatigue mitigation it would be a question of hours awake and that all time spent doing any activity and not resting should be considered. Commissioner Krombeen urged the pilots to consider the ramifications of delaying a sailing for a meeting, especially considering it would be a decent length of time before all the slots could be filled by successful trainees. Commissioner Farrell mentioned that a finer point was needed for meetings, using the example that the recent high number of meetings regarding the UTC tariff transition was temporary. He also brought up the recent tonnage levels changes and that the influence of that change is unknown at this time.

Commissioner Morrell asked if, in his opinion, safety was always enhanced by adding more pilots. Mr. Fassburg responded that if there were enough pilots, you can put a rested pilot on every assignment and meet board on arrival without delays, and add more pilots, those things did not necessarily enhance safety. The question was how many was the right number. Doing whatever you can, based on the science, improves safety. Doing it just for the sake of doing it, did not. He also pointed out that PSP was not asking for more than what was recommended. They were asking for the recommendation. It was reiterated that the NASA recommendation was 63 pilots with a Target Assignment Level of 118/year. Commissioner Morrell pointed out that the rebuttal indicated that there were 599 meetings in 2018. He questioned how it was determined which pilots go to which meetings. Captain vonBrandefels responded that the pilots have committees and that the committees generally decide who goes to what meetings. He also pointed out that most committee meetings were suspended due to the pilot shortage. When Commissioner Morrell asked if the tariff was paying for meetings, Mr. Fassburg responded that the tariff paid for the whole package of pilotage service, which included meetings. Commissioner Farrell asked how the number of meetings affected the number of total assignments and whether or not meetings would be added to the assignments in terms of dispatching and fatigue mitigation. Mr. Fassburg pointed

out that it would depend on how the term "assignment" is officially defined, which he added was an important discussion to have. Captain Carlson pointed out that the number in the rebuttal it was 599 pilots at meetings, not 599 meetings and that 238 of those were off-duty and 193 were BPC meetings. Commissioner Anthony stated that off-duty pilots did not earn a comp day for attending meetings.

Chair Tonn informed the group that the two hours allotted for the conversation had been reached. She inquired if there was one last question for PMSA, as the PMSA representatives needed to leave the meeting. She suggested that they take a break after the last question and resume the conversation for no more than 20 more minutes after the break. No further questions for PMSA were asked. The BPC went into a break.

When the meeting reconvened, Chair Tonn went around the table to each commissioner to check for questions. No additional questions were asked. For the July 18 hearing, it was decided by consensus of the BPC, that the hearing would begin with a Q&A between NASA and the commissioners followed by a presentation/Q&A session with each interested party, who will get 20 minutes each to present and 10 minutes of Q&A. Public comments will follow with up to 3 minutes per individual. The final presentation format will be due to BPC by end of business on Monday July 15th. The most up to date information is available in the official record on the BPC's website <https://pilotage.wa.gov/rcw-wac.html>.

BPC Staff Report.

- Chair Tonn and Jaimie Bever met with ABD Insurance and will be meeting with other companies as well for liability insurance. Once quotes are received, they will be available to the Board for review.
- Chair Tonn and Jaimie Bever will meet with the Department of Ecology on July 23rd to discuss the implementation plan for Rosario Strait and connected waterways east. A copy of the implementation plan will be available to Board members prior to the meeting.
- BPC staff is working with DES on the 20/21 biennial budget. Draft allotments will be discussed at the July meeting. Work is also beginning on supplemental budget requests for FY 2020, which are due in October.
- A draft of the 2018 Annual Report will be available for commissioner review in July.
- In November, Chair Tonn and Jaimie Bever will be attending the Pacific States/BC Oil Spill Task Force 30th anniversary meeting and the Salish Sea Shared Waters Forum. However, the forum occurs on the currently scheduled Board Meeting on November 14. Staff will reach out to commissioners via email proposing moving the meeting to November 21, given that Thanksgiving is later in the month in 2019.
- Chair Tonn and Jaimie Bever met with Kevin Obermeyer, Executive Director for the Pacific Pilotage Authority (PPA) in Vancouver, British Columbia. It was a very positive meeting with great information sharing, including the restructuring of Canada's pilotage act. They have a sophisticated workforce-forecasting model, developed by PPA and transferred to the University of British Columbia. It could be helpful to other pilotage districts, but it is not currently ready for distribution. They also learned about PPA's pre-training familiarization program.

BPC Chair Report.

- Chair Tonn will be representing Washington State Pilotage at the upcoming Women Offshore UNITE Conference in Houston from July 12-13.
- Chair Tonn attended the May Harbor Safety Meeting in Tacoma. The big news from that meeting was that Scott Ferguson will be leaving the Department of Ecology and moving to the East Coast. Captain Ferguson was a commissioner on the Board and recently filled in for Commissioner Thompson while she was on leave in 2018. He will be missed. The National Harbor Safety Conference is being held next week. Commissioner Thompson will be attending that conference. BPC will continue working with ECY for planning upcoming strategy meetings. Jaimie Bever mentioned that there will be a public meeting workgroup in October regarding ESHB 1578 and the implementation of additional tug escorts in Rosario Strait and connected waterways east. It is necessary to determine what kind of implementation outreach is needed, who the audience is and what kind of concerns they will have.

Discussion Concerning Grays Harbor Pilotage.

- A. Setting the Number of Pilots.** The Port of Grays Harbor asked for another trainee to bring the Grays Harbor Pilotage operation to 3 pilots. This request requires the BPC officially set the

number of authorized pilot licenses in the Grays Harbors Pilotage District from 2 to 3. It has been the vision and goal for the Port of Grays Harbor to have a third pilot, per Port Executive Director Gary Nelson. He assured the Board that they have both the need and financial backing to support a third pilot. He also stated that it takes about 5 years in the district to be able to meaningfully contribute by being fully trained and licensed to the level necessary to move all vessels. Because of this, they needed to invest in a third pilot before the mandatory retirement age of their current pilots.

Motion: Thompson/Morrell – set the maximum number of licensed pilots in Grays Harbor at three – Carried.

B. Emergency Pilotage. The Port of Grays Harbor, the BPC and Puget Sound Pilots have been working out a backup plan in the event that both of the Grays Harbor Pilots were unable to pilot. A mechanism is needed to allow an appropriately credentialed Puget Sound pilot in the GHPD. The commissioners were presented with draft WAC language that would put a mechanism in place. It would need to be adopted either through the standard public notice process, which takes about 3-4 months, or on an emergency basis followed by the standard public notice process. Captain vonBrandenfels has been doing ride-alongs to get familiar with the area and could potentially be the backup pilot for GHPD. Discussion followed including concern regarding the pilot shortage in the Puget Sound Pilotage District and how trips to Grays Harbor for pilotage and training would affect the shortage as well as the process for dispatching of Puget Sound Pilots to Grays Harbor. Ultimately, it was decided that because a Puget Sound pilot was not yet ready to be licensed, an emergency action was not warranted and that issues regarding dispatching could be worked out through the WAC process.

Motion: Farrell/Morrell – approve BPC staff to start the CR 101 process for WAC 363-116-415 Emergency Pilotage in the Grays Harbor Pilotage District – Carried with Commissioner Anthony opposed.

Consideration of Request for Vessel Exemption:

Motor Yacht *MLR* – 174', 966 gt, Cayman Island registry, Captain Mitchell Heath.

Motion: Farrell/Kiley – grant an annual exemption renewal – Carried.

Motor Yacht *Calliope* – 148', 496 gt, Cayman Island registry, Captain Adam Connolly.

Motion: Kiley/Thompson – grant an annual exemption with the provision that the vessel must take a pilot orientation on first trip in – Carried.

Motor Yacht *Tess* – 120', 244 gt, Grand Cayman registry, Captains Orlando Milla and Harley Hagedorn.

Motion: Farrell/Kiley – concur with Chair's granting of an annual exemption renewal – Carried.

Motor Yacht *Seawolf* – 171', 851 gt, Marshall Island registry, Captains J. Joyce-Clarke & Harry Bailey.

Motion: Kiley/Farrell – concur with Chair's granting of an annual exemption renewal – Carried.

Motor Yacht *CV-9* – 140', 97 gt, Cayman Island registry, Captains Charlie Johnson & Ben Chaplin.

Motion: Farrell/Thompson – grant an annual exemption renewal - Carried.

Motor Yacht *Lady Bahi* –138', 296 gt, Jamaica registry, Captain Tim Benson.

Motion: Farrell/Kiley – concur with Chair's granting of an annual exemption with the provision that the vessel must take a pilot orientation on first trip in through either Deception Pass or the Hiram Chittenden Locks – Carried.

A discussion followed regarding potential legislative changes to provide the BPC with a mechanism to fine foreign-flagged vessels that come in to Washington waters without a pilot or an exemption.

Committee Reports.

Trainee Evaluation Committee (TEC):

- The TEC met on June 19, 2019 and reviewed training progress for all current trainees: Kridler, Ninburg, Seamans, Miller, Melin, Bozina, Siddell, Velarde, Hannuksela, McGourty, and Knutsen. There was nothing significant to report and no interventions. With the licensure today of Captain Seamans, that leaves 10 trainees in the program: 4 in the evaluation phase, 3 in the training phase, and 3 in the observation phase. It is anticipated that 2 more trainees will be ready for licensing in August or September.
- The TEC spent a considerable amount of time working on substitution trips for the trainees, due to changing vessel patterns and dock changes.

- The TEC recommended inviting one trainee from the 2018 Marine Pilot Exam Candidate list to Grays Harbor for an immediate start in the Grays Harbor training program. Due to feedback received from the previous candidate in Grays Harbor and the shortage of pilots in Puget Sound, the TEC recommended to the Board that the trainee from Grays Harbor be allowed to return to the list for Puget Sound provided the following criteria apply: the request must come before the evaluation phase of their training and the 4 year/prior to the next exam clause remains in effect. Commissioner Kiley added that the idea was not to incentivize a transfer but that if there were circumstances out of their control, there would be an option other than leaving the pilot training program altogether. Commissioner Thompson inquired if there had been any changes to Port policies since the last trainee that would make it better for the next trainee. Gary Nelson replied yes with Chair Tonn adding there were a series of steps underway. She questioned whether or not those steps could be completed and documented in time for a trainee to begin. She referred specifically to the pilot boat replacement project and standard operating procedures. Gary Nelson added that they took lessons learned with the previous trainee and incorporated them into the employment letter for the new trainee.
- Motion: Scragg/Kiley – Invite the next available trainee on the 2018 Exam waiting list to the Grays Harbor training program, with AG Albert Wang’s review prior to sending – Carried.

BPC/PSP Joint Diversity Committee (JDC):

- Committee co-chairs Sheri Tonn and Linda Styrk have scheduled meeting to look at the direction of the committee for 2019, noting Commissioner Farrell’s request to join the committee.

Fatigue Management Committee (FMC):

- The FMC minutes from the October 25, 2018 and February 22, 2019 were provided to the Board. The May 23, 2019 meeting minutes will be finalized at the FMC’s next meeting, Tuesday, August 20th and provided to the Board at the September meeting.

Commission Investigative Committee (CIC):

- Jaimie Bever stated the meeting with Pacific Pilotage Authority in B.C. provided some useful information for the CIC. Staff will work on getting a committee meeting set up.

Review of Pilot/Trainee Physical Examination Reports.

Motion: Farrell/Morrell – approve the physicians’ reports for Captains L.A. Seymour, J.P. Bujacich, C.F. Rounds and J.D. Henderson for annual pilot license renewal – Carried.

Motion: Scragg/Kiley – approve the physician’s report for Captain A.B. Seamans for pre-licensing physical – Carried.

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

- July 18 – Agate Conference Room
- August 15 –Grays Harbor - @ the Port of Grays Harbor, Aberdeen, WA

Chair Tonn inquired if there were any public comments regarding the previous discussion concerning setting the number of pilots in the Puget Sound Pilotage District. Hearing none and there being no further public business to come before the Board, Chair Tonn adjourned the Board meeting at 2:05pm.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Edmund I. Kiley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Philip Morrell

Commissioner Rik Krombeen

Commissioner John Scragg

Commissioner Michael Anthony

Commissioner Eleanor Kirtley

Commissioner Sara Thompson