

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
February 20, 2020

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: Eleanor Kirtley
Commissioners: Sara Thompson, Jason R. Hamilton, John Scragg, Mike Anthony and Phil Morrell
Administration: Jaimie Bever, Bettina Maki, Jolene Hamel
Assistant Attorney General: Albert Wang
Linda Styrk, Eric vonBrandenfels: Puget Sound Pilots
JD Ross Leahy: Department of Ecology
Mike Folkers: Port of Grays Harbor
Mike Moore: Pacific Merchant Shipping Association
Laird Hail, Nate Menefee: United States Coast Guard
Lou Paulsen: Northwest Seaport Alliance
Jason Mihok: Clipper Navigation
Bob Poole: Western States Petroleum Association
Andrew Drennen: Polar Tankers

Meeting Minutes.

Motion: Scragg/Thompson – approve the January 16, 2019 Meeting Minutes as written with two minor spelling errors – Carried.

BPC Staff Report.

- On January 23, 2020, several Board members and BPC staff got the opportunity to tour Holland America's operations center and a behind the scenes look at how the organization operates during a crisis. It was an excellent tour and the Board thanked Commissioner Krombeen for initiating it. Unfortunately, due to the current coronavirus outbreak hitting the cruise industry, Commissioner Krombeen was unable to attend today's meeting. However, thanks to the tour, the Board and BPC staff have a better understanding of how Holland America Group is handling the coronavirus situation. BPC staff could work with Commissioner Krombeen to schedule another tour for those Board members who were unable to attend at a later date.
- Jaimie Bever attended the Harbor Safety Committee (HSC) meeting last week. She mentioned that HSC Chair John Veentjer announced that he will retire by the end of the year. She also mentioned that Washington State Ferries' Environmental Manager Kevin Bartoy gave a presentation regarding the Whale Alert System, which they are now using. He encouraged the use of this application to help mariners on the water to be better informed about the location of whales in Puget Sound.
- Jaimie Bever previously reported that the 2901 building had been closed in late January due to a possible asbestos scare. All tests came back negative.

BPC Chair Report.

- Chair Tonn acknowledged Commissioner Hamilton's Senate Confirmation hearing earlier in February. Senator King made special note of his approval of Commissioner Hamilton's appointment to the Board. A link to the hearing was emailed to the Board.
- Commissioner Thompson will be leaving the Board starting April 1, 2020. Department of Ecology Spills Program Manager, Dale Jensen, has been appointed as her replacement. Mr. Jensen has previously held this position on the Board. Commissioner Thompson will continue to work with the Board through her committee membership. A new Board member will need to be appointed to the TEC, however. Commissioner Thompson has been an invaluable asset to the Board and will be missed.
- Chair Tonn reminded the Board members to do their PDC filing by April 15, 2020.
- Chair Tonn participated in a meeting in Olympia regarding technology utilized in Washington State small agencies. She had an opportunity to relay any technology needs of the Board.

- Next week Jaimie Bever and Chair Tonn will be in San Francisco for the Cal Maritime Women in Maritime Leadership Conference. Prior to the conference, they will have an opportunity to attend the San Francisco Board of Pilot Commissioners (BOPC) monthly Board meeting and will be meeting with their staff afterward.
- Chair Tonn had a good meeting with Port of Grays Harbor's Gary Nelson and Mike Folkers regarding the issues ongoing in Grays Harbor. As a result of the meeting, Mike Folkers has agreed to consider joining the TEC.

Activity Reports. Lou Paulsen representing The Northwest Seaport Alliance (NWSA), Mike Moore representing Pacific Merchant Shipping Association (PMSA), Mike Folkers representing the Port of Grays Harbor (PGH), Captain Eric vonBrandenfels representing Puget Sound Pilots (PSP), and Laird Hail representing the United States Coast Guard (USCG) offered current and projected statistical data as well as updates on current maritime issues and activities. All reported on their individual organization's updates and reactions to the coronavirus/COVID-19 outbreak. Laird Hail also reported the Sector Puget Sound 2020 retirements of John Dwyer at the end of March, Deputy Sector Commander Captain Balding in April, and Captain of the Port Linda Sturgis in May.

NEW BUSINESS

Legislative Update SSB 6667 – Permitting a private auto ferry to operate between Anacortes and BC. The proposed bill language was provided to Board members via email for their input due to the expedited timeframe of the Senate hearing on the language. The consensus was that the bill language had too much to unpack in the timeframe available by the short session. BPC Executive Director Jaimie Bever testified at the Senate hearing in opposition of the proposed language. Ultimately, the bill did not get out of the Senate.

Jason Mihok from Clipper was in attendance at the meeting to provide some context about what Clipper was asking for, which was to provide a private car ferry for international runs between the U.S. and British Columbia should the State decide to eliminate international ferry operations. He provided an information sheet on the vessel that they have identified for the proposed operation, which is currently operating in Spain. He reminded the Board that they would have the ability to set the parameters for exemption from pilotage, such as the registry flag, a simulator session, keeping pilots on board for an orientation period, etc. Chair Tonn expressed concern and frustration over the lack of communication industry-wide regarding the bill. Mr. Mihok apologized for the lack of communication as well as the short timeline. A Q&A with the Board members followed.

Discussion Regarding Bollard Pull Standards of Care. At their February 12, 2020 meeting, the Puget Sound Harbor Safety Committee adopted Bollard Pull Standards of Care. The document was provided to Board members prior to the meeting for their review. Puget Sound Pilots' president, Captain vonBrandenfels, thanked the pilots who worked on the standards, as they had been four years in the making. He also acknowledged that the pilots were happy with the adoption of the current draft.

Approval of Pilot License Upgrade Programs: Captains Dave Henderson & Chris Rounds. Both Captain Henderson and Captain Rounds are nearing completion of their third license year.

Motion: Scragg/Anthony – approve license upgrade programs for Captains Henderson and Rounds as drafted by the TEC – Carried.

Consideration of American Pilots Association (APA) Request Regarding Pilot Safety. The Board received a letter from the APA regarding ladder safety after the unfortunate incident in Sandy Hook where a pilot was killed from a fall while embarking an inbound container ship, which had a combination arrangement of an accommodation ladder and a pilot ladder that was hanging below the accommodation ladder. They requested that the Board support them in their national effort to garner momentum to make changes to increase safety for pilot transfers. The request is for pilot ladders to extend through the accommodation ladder trap door, as opposed to stopping short of the platform, thus forcing a pilot to climb up onto the accommodation ladder platform through the trap door.

Motion: Kirtley/Hamilton – recognize receipt of and thank the APA for the letter, and direct the new Pilot Safety Committee (PSC) to address next steps – Carried.

Consideration of Pilot Safety Committee (PSC) Charter. The Board reviewed a draft charter for this new committee, which will take the place of the Fatigue Management Committee. The PSC

responsibilities, per the proposed charter, include analyzing legislative changes to RCW 88.16.103 and making recommendations to the Board for WAC revisions by October 15, 2020, reviewing and considering pilot ladder safety and making recommendations to the Board, reviewing and considering pilot dispatch efficiencies, and effects on pilot fatigue and make recommendations to the Board, reviewing quarterly pilot reports to ensure rest rule compliance and make recommendations to the Board, and monitoring international pilot safety standards and hazards and make recommendations to the Board. The proposed charter also listed out membership as one Chair, up to four members of the Board, one Pacific Merchant Shipping Association (PMSA) representative, Puget Sound Pilots (PSP) president, and one Port of Grays Harbor (PGH) representative. Each member may identify an alternate.

The Board suggested changes to the language including adding “review and consider fatigue mitigation research and recommendations” to the activities section, adding Commissioner Kirtley’s July 2019 motion regarding “looking at the definition of assignment, target assignment level, and workload”, changing the numbers of the activities to bullet points, so as not to suggest priority, revising membership to “maritime industry” not just PMSA, add “other safety and efficiency duties as assigned by the Board”, remove the word “ensure” from section four, and add “and any other efficiencies” to section three.

Motion: Scragg/Anthony – to amend the membership from PMSA to Maritime Industry – Carried.

Motion: Scragg/Morrell – adopt draft PSC charter notating all changes discussed to Activities and Duties, realizing that even though adopted the language can still be changed at any time – Carried

Regarding PSC membership, the volunteers included:

Co-Chairs – Commissioners Morrell and Scragg

BPC Members – Chair Tonn and Vice Chair Kirtley, with Commissioner Hamilton as an alternate

Puget Sound Pilots President – Captain Eric vonBrandenfels, alternate TBD

Maritime Industry – Captain Mike Moore, PMSA and Andrew Drennen, Polar Tankers, as an alternate

Port of Grays Harbor – Mike Folkers

Motion: Scragg/Morrell – adopt membership of PSC – Carried

Update Regarding ESHB 1578: 2019 Legislation – BPC Focus Sheet. The Board received the new BPC Focus Sheet regarding the legislation. This document is available on the BPC website. The OTSC had their first meeting on February 13, 2020. Information regarding that meeting is provided in Committee Reports below. BPC met with Ecology to review the communication plan, which will be provided to the Board at a future meeting. There will be another meeting with Ecology on March 9, 2020 to continue a conversation regarding the scope and consultation efforts. A draft scope for the synopsis of changing vessel traffic trends will be provided to the Board at the next Board meeting.

Pilot’s Report of Marine Safety Occurrence: CSCL Summer, 01-22-2020

Elliott Bay, south of Elliott Bay Marina	Engine alarm, able to resolve issue without losing power. VTS instructed to proceed to anchor at Yukon Harbor.	<u>Motion:</u> Scragg/Anthony File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: Ikan Salmon, 01-15-2020

Port Angeles General Anchorage #2	Dragging anchor. Issue resolved and able to safely anchor in designated anchorage position #4.	<u>Motion:</u> Anthony/Kirtley File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: Hyundai Dynasty, 01-24-2020

Outbound lane of TSS east of TC buoy	Engine failure, power lost but never in danger. Ship transited to Yukon Harbor Anchorage and safely anchored awaiting Port State Control inspection.	<u>Motion:</u> Anthony/Scragg File as a Marine Safety Occurrence – Carried.
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Consideration of Request for Vessel Exemption:

Motor Yacht Komokwa – 135’, 398 gt, Jamaica registry, Captain Brian O’Sullivan.

Motion: Thompson/Morrell – grant an annual exemption – Carried.

Motor Yacht Cielo Mare – 127’, 247gt, Marshall Islands registry, Captain Jose Cruz Angulo.

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

Committee Reports.

Trainee Evaluation Committee (TEC):

- The TEC met on February 19, 2020 and reviewed training progress for all current trainees: Miller, Siddell, Velarde, Hannuksela, McGourty, Knutsen, Gartner, Michael and McMullen. Two trainees came in to discuss transitions; one nearing licensing and one moving from observation to training.
- We currently have 8 trainees in Puget Sound and 1 in Grays Harbor. There are 2 on track for licensure in either March or April, and 3 new trainees are starting in Puget Sound on March 1, 2020. Orientation is next Monday, February 24, 2020.
- Captains Matt Miller and Pete Velarde are ready for PPU training, as they intend to complete their programs and be ready for consideration of licensure in the next month or two.
Motion: Scragg/Anthony – Approve the PPU training for Captains Miller and Velarde and provide additional one-time stipend for the training up to \$2,400 – Carried.
- The TEC is proposing to target April 6, 2021 as the date for the next marine pilot exam. Jaimie Bever provided the proposed exam timeline and the Board reviewed historical data regarding the exam provided by BPC Program Analyst Bettina Maki. The Board reviewed highlights from the Board's Request for Proposals (RFP).
Motion: Scragg/Anthony– approve a target date of April 6, 2021 for the marine pilot exam and authorize Jaimie Bever to post the exam RFP – Carried.
- The TEC has been inviting recently licensed pilots (typically around the 6 month lift timeframe) to give feedback to the TEC regarding the training program. The group spent time reviewing and reflecting on the feedback. There was consensus from the new pilots that the training program was excellent and prepared them well for the job. The TEC is considering some changes regarding the recommendations, but changes will not be implemented until the 2021 exam class.
- The TEC has invited Mike Folkers to join the committee and he has accepted. All agree that his appointment will be very beneficial for Grays Harbor trainees now and in the future.
Motion: Scragg/Anthony– appoint Mike Folkers to the TEC in a public seat – Carried.

BPC/PSP Joint Diversity Committee (JDC):

- The JDC met with the TEC to get their insights on how to widen the net for the pilotage pool, with the intent of embracing all pathways to licensure without lowering standards.
- The next step is to convene a work group including pilots, USCG, WSF, Women Offshore, Port of Seattle, and other local maritime advocates to look at the current WAC qualifications.
- The JDC is working to schedule the next meeting.

Commission Investigative Committee (CIC):

- Jason Hamilton has been appointed to this committee. He is reviewing the revised investigative procedures draft. Those procedures will be available for review in the next couple of months.

Oil Transportation Safety Committee (OTSC):

- The first meeting of this committee was held on February 13, 2020. The group reviewed the charter, discussed how to conduct meetings, and began working on interpretations of ESHB 1578 terms.
- Discussions also included where to start with the zone identification process.
- Next meeting is scheduled for March 17, 2020.

Review of Pilot/Trainee Physical Examination Reports.

Motion: Anthony/Thompson – approve the physician's reports for Captains R.L. D'Angelo, W.W. Lowery, and K.J. Grieser for their annual pilot license renewal, approve the physicians reports for Captains A.C. Stewart and N.K. Moore for their new trainee pilot license, and approve the physician report for Captain M.N. Hannuksela for his annual trainee physical examination – Carried.

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

- March 19 - Hearing on WAC 363-116-082 – Rainier Conference Room
- April 16 – Alki Conference Room

There being no further public business to come before the Board, Chair Tonn adjourned the meeting at 12:56pm.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Absent

Commissioner Timothy J. Farrell

Commissioner Rik Krombeen

Commissioner Michael Anthony

Commissioner Sara Thompson

Eleanor Kirtley, Vice Chair

Commissioner Philip Morrell

Commissioner John Scragg

Commissioner Jason R. Hamilton