

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
April 16, 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 telephonically via conference call.

Present:

Chair: Sheri Tonn Vice Chair: Eleanor Kirtley

Commissioners: Dale Jensen, Jason R. Hamilton, John Scragg, Mike Anthony, Timothy J. Farrell, Rik Krombeen and Phil Morrell

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

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

JD Ross Leahy: Department of Ecology

Mike Folkers and Gary Nelson: Port of Grays Harbor

Mike Moore: Pacific Merchant Shipping Association

Lou Paulsen: Northwest Seaport Alliance

Rick LaBlond: Shell

Fred Felleman: WAVE Consulting/OTSC

Matt Miller, Peter Velarde: PSP Licensure Candidates

Joe Siddell, Matt Hannuksela, Nick Moore: PSP Trainees

Peter Mann: PSP Candidate

Doug Coburn: General Steamship

Meeting Minutes.

Motion: Scragg/Anthony – approve the February 20, 2020 Meeting Minutes as written with edits for two minor grammatical errors – Carried.

Motion: Scragg/Anthony – approve the March 20, 2020 Special Meeting Minutes as written with one update previously emailed to Jaimie Bever clarifying Commissioner Scragg's response to Commissioner Morrell regarding the training program potential delay due to COVID-19 – Carried with one abstention from Vice Chair Kirtley.

The Board welcomed Ecology Representative Dale Jensen, Spills Program Manager, back to the BPC. He previously represented Ecology in 2014. Commissioner Jensen commented that there have been many changes to the Board since he last held a seat and that he looks forward to working with everyone. The Board also recognized and thanked Sara Thompson for her outstanding contribution to the Board during her term, and looks forward to continuing to work with her on several Board committees.

BPC Staff Report.

- Jaimie Bever reported that the spring edition of the BPC Pilotage Quarterly was recently sent out and provided to the Board in their meeting packets.
- Jaimie additionally reported that the commissioners may have received an email from WSDOT regarding multi-factor authentication and encouraged them to reach out if they are having trouble accessing their emails. She also reported that Commissioner Jensen will be receiving a WSDOT email for Board business. She will provide notification when it is ready to use.
- Both Jaimie Bever and Chair Tonn thanked the BPC staff for their flexibility and adaptability during the pandemic to working remotely. Jolene Hamel, Training Program Coordinator, received additional recognition for her outstanding support of the trainees during this time.

BPC Chair Report.

- At the end of February, Jaimie Bever and Chair Tonn attended the Cal Maritime Women in Maritime Leadership Conference. The conference continues to be an excellent opportunity to get an audience with cadets and continue to encourage them to consider pilotage in their future. Prior to the conference, they attended the San Francisco Board of Pilot Commissioners (BOPC) monthly Board meeting and met with their staff afterward. Chair Tonn stated that their commission meetings are much more formal and all actionable items must be on the agenda

prior to the meeting. The meeting with BOPC staff was a good exchange of best practices and helpful ideas for both commissions.

- Chair Tonn and Board staff have developed and posted several notices in coordination with Puget Sound Pilots, PMSA, and other entities regarding COVID-19, which are available on the BPC website.
- The Board has taken the first step in possible changes to exam qualifications by filing a CR-101 Preproposal Notice, which is also available on the BPC website.

Activity Reports. Captain Eric vonBrandenfels representing Puget Sound Pilots (PSP), Mike Folkers representing the Port of Grays Harbor (PGH), 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.

Regarding Puget Sound Pilots response to their operations during the COVID-19 pandemic, Vice Chair Kirtley commended the pilots on using all protection available and thanked them for taking on the risk to maintain their operations.

NEW BUSINESS

Consideration of Licensure of PSPD Pilot Candidate: J. Matt Miller On behalf of the Trainee Evaluation Committee (TEC), Commissioner Scragg stated that Captain Matt Miller has successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training and completion of his federal licensing requirements. However, the final Evaluation trip of his program has been difficult to obtain. Commissioner Scragg added that Captain Miller has proven to be consistent, safe, and able to pilot independently. The Board has received his TPTR Summary and all training comments.

Motion: Scragg/Anthony – issue Captain J. Matt Miller the next state pilot license number for the Puget Sound Pilotage District subject to completing the final Evaluation trip – Carried

Consideration of Licensure of PSPD Pilot Candidate: Peter Velarde. On behalf of the Trainee Evaluation Committee (TEC), Commissioner Scragg stated that Captain Peter Velarde has successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training and completion of his federal licensing requirements. However, while confirmation that the federal sticker has been approved, the sticker has not yet arrived. Commissioner Scragg added that Captain Velarde has proven to be consistent, safe, and able to pilot independently. The Board has received his TPTR Summary and all training comments.

Motion: Scragg/Anthony – issue Captain Peter Velarde the next state pilot license number for the Puget Sound Pilotage District upon receipt of his federal pilotage endorsement – Carried

Approval of Pilot License Upgrade Programs: Captain Pat Ninburg: Captain Ninburg is nearing completion of his first license year. His letter has been updated to reflect the new license levels.

Motion: Scragg/Anthony – approve license upgrade program for Captain Ninburg as drafted by the TEC – Carried.

Discussion Regarding Updates to Puget Sound Pilots Guidelines. PSP President Captain Eric vonBrandenfels explained that the updates to the Guidelines include the addition tidal stations recently put in place by NOAA off of Ferndale that the pilots will be using, clarification for vessels anchoring at Port Angeles, and adjustments to the Blair Waterway, which include the reduction of the number of pilots required to just one on a vessel less than 130FT unless south of WA United Terminal, and a reduction of a second tug if a larger tug is available. He added that the changes are advisory and standard procedures amongst pilots in general. All changes have been communicated to the maritime community and no comments have been received.

ESHB 1578 – Consideration of Scope for Changing Vessel Trends Synopsis. The purpose of the synopsis is to look at how vessel traffic patterns changed after the September 1, 2020 implementation of the tug escort requirement on laden oil tankers, ATB's, and towed barges between 5,000 - 40,000 deadweight tons in Rosario Strait and connected waterways east. JD Leahy from the Department of Ecology walked the Board through the revised scope for the Synopsis of Changing Vessel Traffic Trends the Board must deliver to the Legislature by December 31, 2021. A Q&A with Board members followed.

Chair Tonn pointed out that the Oil Transportation Safety Committee (OTSC) had not yet reviewed the scope but would have an opportunity to do so at their next meeting. In addition, she pointed the Board to copies of previous OTSC meeting minutes. She then asked for public comment. Fred Felleman, WAVE Consulting and OTSC member, expressed concern at not being provided with the scope ahead of the meeting. He was also concerned about the timeline of data that will be used in the synopsis, finding one year's worth of data after the tug escort implementation in Rosario Strait and connected waterways east to be inadequate. He expressed additional frustration at the lack of data regarding the deadweight tonnages of the vessels transiting in Rosario Strait. Linda Styrk, Puget Sound Pilots, echoed Fred's comment about not having access to the synopsis draft ahead of the meeting to aid in the discussion. There were no other public comments.

After the discussion and public comments, Commissioner Anthony requested that the Board push the vote until the May 21, 2020 meeting in order to give adequate time for public review of the synopsis. JD Leahy agreed that it would be best to avoid changes further down the road. If the Board needed more time with the document, then a May vote would be best.

Motion: Anthony/Scragg – delay voting on the scope for the Changing Vessel Traffic Trends Synopsis until the May 21, 2020 Board meeting to allow for OTSC and public review – Carried.

Pilot's Report of Marine Safety Occurrence: *Nord Madeira*, 02-28-2020

Anacortes, Port Dock 2 Guemes Channel	Hydraulic oil was spraying onto deck. Approximately 2 liters of hydraulic oil entered the water between the Garth and Marshall Foss. Issue was resolved. VTS instructed to proceed due to small nature of spill.	<u>Motion:</u> Scragg/Anthony File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *Sofia Express*, 03-08-2020

Approaching T4 in Blair Waterway, Tacoma	Short-term engine issue due to the throttle malfunction. Issue resolved and able to safely proceed.	<u>Motion:</u> Scragg/Anthony File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *Positive Leader*, 03-13-2020

Underway from Ruston Harbor, Tacoma	Engine issue, power had been previously lost but never in danger and repairs were made. Ship in transit when additional repairs needed. Brought to anchor and USCG denied permission to sail until inspection.	<u>Motion:</u> Scragg/Anthony File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *Tamesis*, 03-27-2020

Underway in Blair Waterway, Tacoma	Engine issue, fuel pump needed to be replaced. Ship transited to Quartermaster Harbor Anchorage to do repair.	<u>Motion:</u> Scragg/Anthony File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *Champion Bay*, 03-30-2020

Approaching Elliott Bay West Anchorage	Anchor windlass leaking hydraulic oil onto deck, no oil overboard. Received authorization to stay on station until repair made.	<u>Motion:</u> Farrell/Morrell File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *Matson Anchorage*, 04-04-2020

Departing Commencement Bay at Buoy TC	1 of the 7 main engine cylinders not functioning, permission to hold station to complete repairs received.	<u>Motion:</u> Farrell/Morrell File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *ATB Sound Reliance*, 04-05-2020

Underway near Neptune Beach, Ferndale	Main engine needed to be shut down due to coolant leak, escorted back to Anchorage for repairs.	<u>Motion:</u> Farrell/Kirtley File as a Marine Safety Occurrence – Carried.
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Consideration of Request for Vessel Exemption:

Sailing Yacht *Kamaxitha* – 147', 241gt, Cayman Islands registry, Captain Timothy Urwin.

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

Motor Yacht *Westport 50M* – 164', 496gt, Cayman Islands registry, Captain William Peckham.

Motion: Hamilton/Jensen – concur with Chair Tonn's granting of an annual exemption – Carried.

Motor Yacht *After Eight* – 151', 498gt, Isle of Man registry, Captain Dave Holliss.

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

Passenger Vessel *Victoria Clipper IV* – 131', 478 gt, Bahamas registry, Multiple Captains.

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

Committee Reports.

Trainee Evaluation Committee (TEC):

- The TEC discussed the 3 Puget Sound Pilots and 1 Grays Harbor Pilot who are required to take simulator/manned model training this year. At the Special Meeting of the Board in March, the Board agreed by consensus that the statute would not be enforced until the training schools reopened. The TEC requested a formal motion and a vote. Assistant Attorney General Albert Wang agreed with this approach, that is was within the Board's discretion in light of the current circumstances surrounding COVID-19.

Motion: Scragg/Jensen – The BPC will not enforce the simulator/manned model requirement until training schools are reopened and pilots are able to reschedule training – Carried.

- The TEC has invited Captain Eric Klapperich, a 12-year pilot with PSP, to join the TEC eventually replacing retiring pilot member Captain Don Mayer.

Motion: Scragg/Anthony – appoint Captain Eric Klapperich to the TEC as an active pilot member – Carried.

- The TEC met on April 15, 2020 and continued ongoing discussions regarding training progress amid the shutdown for all current trainees and for future exams. The TEC decided to allow the next two pilot trainees, Joe Siddell and Matt Hannuksela to move into the vacated spots previously held by Captains Miller and Velarde, which allowed them to pursue all vessels as long as they followed the current COVID-19 protocols. This will allow the trainees to continue moving forward while still targeting an April 6, 2021 exam date. There was consensus in favor of this approach from the Board.

- The exam qualifications work group has been moving forward successfully. The group has identified some areas where minor changes could broaden the scope while maintaining the Board's high standards. Draft language will be available at future meetings.

BPC/PSP Joint Diversity Committee (JDC):

- The next meeting is scheduled for Thursday, April 23, 2020.

Commission Investigative Committee (CIC):

- Commissioner Hamilton and Jaimie Bever will connect on the revised investigative procedures draft. More to come in the next couple of months.

Oil Transportation Safety Committee (OTSC):

- Two sets of committee approved meeting minutes were provided to the Board for review.
- The OTSC had two meetings in April and will have one in early May in preparation for presenting the draft Interpretive Statement for Board consideration at the May Board meeting.
- Chair Tonn asked for public comment. Mike Moore, PMSA inquired how one would submit public comments between Board meetings if they are not an OTSC member. Chair Tonn suggested that documents would be provided before the May Board meeting to allow for comments at the May meeting. She also suggested talking to committee members. Fred Felleman, OTSC Environment Representative/WAVE Consulting suggested that there were no shortages of outside voices at the table, if Mike Moore didn't want to wait for Board meetings. He also reiterated his concern with lack of data, in particular with vessels engaged in bunkering as well as the definition of the act of bunkering in regards to future tug escort requirements.

Pilot Safety Committee (PSC):

- The Board received the final approved committee charter, with updates from the last meeting.

- The committee roster is as follows: John Scragg/Phil Morrell Co-Chairs, Sheri Tonn (BPC), Eleanor Kirtley (BPC), Jason R. Hamilton (BPC Alternate), Eric vonBrandenfels (PSP), Mike Moore (Industry), Andrew Drennen (Industry Alternate), Mike Folkers (Port of Grays Harbor), and Jaimie Bever/Bettina Maki (BPC staff).
- A Doodle Poll to schedule the first meeting will be distributed.
- Linda Styrk, PSP, offered that the PSP coronavirus risk safety measure plan, which is underway, could be an agenda item for the first meeting.

Review of Pilot/Trainee Physical Examination Reports.

Motion: Anthony/Kirtley – approve the physicians’ reports for Captains E.C. Lichty, D.E. Brusco, S.D. Semler, and N.T. Kelleher for annual pilot license renewal – Carried.

Motion: Anthony/Hamilton – approve the physician report for Captains J.M. Miller and P.L. Velarde for pre-licensing physical – Carried.

Motion: Anthony/Scragg – approve the physician report for Captain R.T. Ekemann for new trainee physical and Captains S.E. Knutsen and N. K. McGourty for annual trainee physical – Carried.

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

- May 21 – Remote or Agate Conference Room - TBD
- June 18 – Remote or Agate Conference Room - TBD

Additional public comments included Mike Moore, PMSA, advising the Board that the West Seattle Bridge closure will be problematic for the maritime community and should be on the Board’s radar. Captain vonBrandenfels added that there is concern of the upper bridge collapsing onto the lower bridge, which could impact the use of the lower bridge.

There being no further public business to come before the Board, Chair Tonn thanked everyone for their patience with a virtual meeting in place of typical meetings and adjourned the meeting at 12:10pm.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Philip Morrell

Commissioner Rik Krombeen

Commissioner John Scragg

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Sara Thompson