

BOARD OF PILOTAGE COMMISSIONERS  
OF THE STATE OF WASHINGTON

IN THE MATTER OF THE APPLICATION )  
 )  
OF THE PUGET SOUND PILOTS )  
 )

ORDER FIXING RATES FOR  
PILOTAGE ON PUGET SOUND AND  
ADJACENT INLAND WATERS EFFECTIVE  
JULY 1, 1967

THIS MATTER came on duly and regularly for hearing before the Board of Pilotage Commissioners of the State of Washington on July 6, 1967, pursuant to notice served on all pilots licensed under RCW Chapter 88.16 to pilot vessels on Puget Sound and adjacent inland waters and upon all vessel operators and agents who have registered with the Board, by letter mailed by certified mail at least fifteen days prior to the date of said hearing, as provided in RCW 88.16.030, as amended, and RCW 1.12.060. At said hearing, the Puget Sound Pilots Association through Captain R. H. Quinn and the Puget Sound Steamship Operators, through Mr. W. H. Alma, presented a joint recommendation concerning rates for pilotage on Puget Sound and adjacent inland waters, to be effective from July 1, 1967, through June 30, 1970, and thereafter until further order of the Board. The Board considered said joint recommendation (and other appearances), and was fully advised in the premises.

NOW, THEREFORE, The Board having heretofore made and entered Findings of Fact and Conclusions of Law,

IT IS HEREBY ORDERED that rates for Pilotage on Puget Sound and adjacent inland waters should be and they are hereby fixed for the period commencing July 1, 1967, through June 30, 1970, and thereafter until the further order of the Board as follows:

| <u>CLASSIFICATION</u>                                                                                                                                                                                                                                                                                                                                                                                                                                  | <u>RATE</u> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Mileage (per mile)<br>(Minimum fee \$61.75)                                                                                                                                                                                                                                                                                                                                                                                                            | \$ 2.47     |
| Trust Fund and/or Pension Fund Contribution (per mile)<br>(Minimum contribution \$3.75)                                                                                                                                                                                                                                                                                                                                                                | 0.15        |
| <p>Note: Distance furnished by U. S. Coast &amp; Geodetic Survey, computed to the nearest half mile.</p> <p>Note: Ships taking and discharging pilots without using their services through all Puget Sound and adjacent inland waters shall pay full pilotage fees on mileage basis from Port Angeles to destination, from place of departure to Port Angeles, or for entire distance between two ports on Puget Sound and adjacent inland waters.</p> |             |
| Harbor Shift - Live Ship (Seattle Port)                                                                                                                                                                                                                                                                                                                                                                                                                | 50.00       |
| Harbor Shift - Live Ship (Other than Seattle Port)                                                                                                                                                                                                                                                                                                                                                                                                     | 50.00       |
| Harbor Shift - Dead Ship                                                                                                                                                                                                                                                                                                                                                                                                                               | 75.00       |
| Dead Ship Towing Charge (per mile)<br>(Minimum Fee \$105.00)                                                                                                                                                                                                                                                                                                                                                                                           | 4.20        |
| <p>Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable.</p>                                                                                                                                           |             |
| Compass adjustment                                                                                                                                                                                                                                                                                                                                                                                                                                     | 40.00       |
| Radio direction finder calibration                                                                                                                                                                                                                                                                                                                                                                                                                     | 40.00       |
| Launching vessels                                                                                                                                                                                                                                                                                                                                                                                                                                      | 100.00      |
| Trial trips, 6 hours or less                                                                                                                                                                                                                                                                                                                                                                                                                           | 120.00      |
| Over 6 hours per hour (two pilots)                                                                                                                                                                                                                                                                                                                                                                                                                     | 30.00       |
| Any Vessel Movements Required to Transit Through Bridges Shall Have an Additional Charge per Bridge of<br>(This charge shall not apply to transit of vessels from Shilshole Bay to the Limits of Lake Washington)                                                                                                                                                                                                                                      | 25.00       |
| Shilshole - Salmon Bay                                                                                                                                                                                                                                                                                                                                                                                                                                 | 50.00       |
| Salmon Bay - Lake Union                                                                                                                                                                                                                                                                                                                                                                                                                                | 40.00       |
| Lake Union - Lake Washington (plus mileage from Webster Point)                                                                                                                                                                                                                                                                                                                                                                                         | 50.00       |
| Cancellation Charge                                                                                                                                                                                                                                                                                                                                                                                                                                    | 30.00       |

|                                                                                                                                              |                          |
|----------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Cancellation Charge - Port Angeles:<br>When pilot is ordered and vessel proceeds<br>without stopping for pilot                               | 75.00                    |
| Docking Delay (after 3 hours), Applicable Harbor<br>Shift Rate to Apply                                                                      |                          |
| Sailing Delay, after 1 hour has elapsed from<br>scheduled Departure Time (per hour)                                                          | 15.00                    |
| Super Ships<br>Additional Charge to Mileage of \$0.011<br>a gross ton for all Gross Tonnage in<br>Excess of 14,000 Gross Tons                |                          |
| Harbor Shift: Vessels over 20,000 Gross<br>Tons                                                                                              | Double<br>Regular<br>Fee |
| Delayed Arrival - Port Angeles:<br>When pilot is ordered and vessel does<br>not arrive within 8 hours without<br>notification of changed ETA | 50.00                    |

TRANSPORTATION SCHEDULE

| <u>From</u> | <u>To</u>             | <u>Transp.<br/>Allowance</u> |
|-------------|-----------------------|------------------------------|
| Seattle     | Tacoma                | \$ 6.00                      |
|             | Dupont                | 9.00                         |
|             | Olympia               | 11.80                        |
|             | Everett               | 5.80                         |
|             | Mukilteo              | 5.10                         |
|             | Bellingham            | 17.80                        |
|             | Ferndale              | 20.00                        |
|             | Anacortes - March Pt. | 16.00                        |
|             | Point Wells           | 3.50                         |
|             | Winslow               | 1.30                         |
|             | Port Gamble           | 8.60                         |
|             | Edmonds               | 3.10                         |
|             | Bremerton             | 1.70                         |
|             | Bangar                | 8.00                         |
|             | Port Townsend         | 17.00                        |
|             | Manchester            | 8.00                         |
|             | Semiahmoo             | 22.90                        |

IT IS FURTHER ORDERED, with respect to the \$0.15 per mile Trust  
Fund and/or Pension Fund Contribution, that:

1. The \$0.15 per mile granted for Trust Fund and/or Pension

Fund Contribution in the rate schedule established herein shall be used for pension purposes only. Said monies shall be accumulated and payable upon death or retirement only.

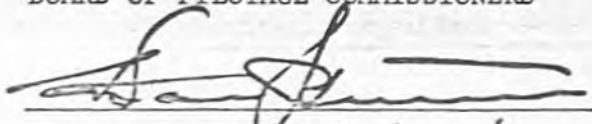
2. The Pilots shall, on all statements for services rendered, state the Trust Fund and/or Pension Fund Contribution as a separate item.

3. On quarterly reports required under RCW 88.16.010, the Pilots shall state for the preceding quarter the total Trust Fund and/or Pension Fund Contribution received, the accumulated total Trust Fund and/or Pension Fund Contribution received through that quarter, and shall itemize all withdrawals or payments from such fund.

4. All persons hereafter licensed by the Board to pilot on the waters of Puget Sound under the provisions of the Pilotage Act, RCW Chap. 88.16, shall be deemed to have agreed to and be bound by the foregoing.

DATED this 6th day of July, 1967.

BOARD OF PILOTAGE COMMISSIONERS

  
\_\_\_\_\_  
Alec G. Halstead  
\_\_\_\_\_  
H. B. Greenwood  
\_\_\_\_\_  
B. W. Joyce  
\_\_\_\_\_  
\_\_\_\_\_

**CALCULATION OF THE 1995 TARIFF**

|                                        |    |                      |
|----------------------------------------|----|----------------------|
| Total assignments - 1994 (1)           |    | 7,468                |
| General revenue - 1994:                |    |                      |
| Pilotage revenue (incl. boat fees) (2) |    | \$10,732,913.00      |
| TEC                                    |    | 620,349.00           |
| Projected assignments 1995 (3)         |    | 7,752                |
| Projected expenses 1995:               |    |                      |
| Seattle (excl. B&O tax)                | \$ | 1,608,512.00         |
| Port Angeles                           | \$ | 272,143.00           |
| Pilot Boats                            | \$ | 971,514.00           |
| Pilot expenses:                        |    |                      |
| (\$ 14,437.00 x 53)                    | \$ | 765,161.00           |
| Pilot Income                           |    |                      |
| (\$ 148,535.00 x 53)                   | \$ | <u>7,872,355.00</u>  |
| Subtotal                               | \$ | 11,489,685.00        |
| TEC (1994)                             | \$ | <u>620,349.00</u>    |
| Subtotal                               | \$ | 12,110,034.00        |
| B&O tax (2.2049%)                      | \$ | <u>267,014.00</u>    |
| Subtotal                               | \$ | 12,377,048.00        |
| Less TEC                               | \$ | <u>-620,349.00</u>   |
| Total revenue required - 1995 (4)      | \$ | <u>11,756,699.00</u> |

**CALCULATIONS:**

$$\frac{(3) 7,752 \times (2) \$10,732,913.00}{(1) 7,468} = (5) \$11,141,074.13$$

$$\frac{(4) \$11,756,699.00 - (5) \$11,141,074.13}{(5) \$11,141,074.13} \times 100 = + 5.526 \% \text{ (Change In Tariff)}$$

# PUGET SOUND PILOTS

## 1995 Board-Approved Expenses

### Seattle Station

| EXPENSE ITEM                  | 1995<br>BOARD<br>APPROVED |
|-------------------------------|---------------------------|
| 1 Attorney fees               | \$28,634.00               |
| 2 Consulting fees             | \$8,225.00                |
| 3 CPA fees                    | \$19,000.00               |
| 4 Data processing             | \$6,000.00                |
| 5 Depreciation                | \$33,473.00               |
| 6 Drug testing                | \$4,100.00                |
| 7 Dues                        | \$6,450.00                |
| 8 Employee benefits           | \$85,152.00               |
| 9 Employee salaries           | \$384,328.00              |
| 10 Insurance                  | \$2,731.00                |
| 11 Interest                   | \$5,778.00                |
| 12 Leases, equip.             | \$13,746.00               |
| 13 Lobbyist                   | \$ .00                    |
| 14 Maintenance & repairs      | \$11,343.00               |
| 14X Note payable - B&O        | \$ .00                    |
| 15 Office supplies            | \$17,044.00               |
| 16 Pensions                   | \$691,840.00              |
| 17 Printing & pub.            | \$10,445.00               |
| 18 Rent                       | \$57,003.00               |
| 18X Taxes, penalty (One-time) | \$ .00                    |
| 19 Taxes, other               | \$5,654.00                |
| 20 Taxes, payroll             | \$31,345.00               |
| 21 Taxes, revenue             | \$267,014.00              |
| 22 Telephone & comm.          | \$24,456.00               |
| 23 Training                   | \$131,434.00              |
| 23X Transportation            | \$ .00                    |
| 24 Travel & entertainment     | \$30,331.00               |

Total

\$1,875,526.00

PSP\_004731

**PUGET SOUND PILOTS**  
**1995 Board-Approved Expenses**  
**Port Angeles Station**

| EXPENSE ITEM                  | 1995<br>BOARD<br>APPROVED |
|-------------------------------|---------------------------|
| 25 Depreciation               | \$19,031.00               |
| 26 Food                       | \$53,663.00               |
| 26X Interest                  | \$ .00                    |
| 27 Maintenance & repair       | \$31,036.00               |
| 28 Rent, tideland lease       | \$2,265.00                |
| 29 Reposition pilots          | \$102,740.00              |
| 30 Supplies                   | \$20,325.00               |
| 31 Taxes, property            | \$7,758.00                |
| 32 Telephone & communications | \$16,811.00               |
| 33 Utilities                  | \$18,514.00               |
| Total                         | \$272,143.00              |

**PUGET SOUND PILOTS**  
**1995 Board-Approved Expenses**  
**Pilot Boats**

| EXPENSE ITEM                          | 1995<br>BOARD<br>APPROVED |
|---------------------------------------|---------------------------|
| 34 Depreciation                       | \$85,892.00               |
| 34x Depreciation (Recovery - 1991)    | \$.00                     |
| 35 Employee benefits                  | \$66,204.00               |
| 36 Employee salaries                  | \$405,157.00              |
| 37 Insurance                          | \$51,813.00               |
| 38 Interest                           | \$33,049.00               |
| 39 Note payable - boats               | \$161,611.00              |
| 40 Operation of JUAN DE FUCA          | \$66,500.00               |
| 41 Operation of PUGET SOUND           | \$66,500.00               |
| 42 Taxes, payroll                     | \$34,220.00               |
| 43 Taxes, property                    | \$568.00                  |
| 43X Taxes, property (Recovery - 1991) | \$.00                     |
| Total                                 | \$971,514.00              |



## MEETING MINUTES

### STATE OF WASHINGTON BOARD OF PILOTAGE COMMISSIONERS

May 11, 2006

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Present:

Chairman: Dudley

Commissioners: C. Davis, Mackey, Niederhauser, Hannigan, Addington, Lee, Palmer and N. Davis

Assistant Attorney General: Susan Cruise

Administration: Peggy Larson and Judy Bell

Richard McCurdy, Mel Flavel, Dave Sanders, Chris Larson, Peter Giese, Mark Shuler, John Harris, Eric vonBrandenfels, Cal Hunziker, Bill Bundren, Jed Arnold, Mike Wood, Don Mayer, Dan Shaffer, Jim Shaffer, Carl Johannes, Robey Robichaux, Del Mackenzie, Denny Stensager, Larry Mathisen, Gary Hurt, Andy Coe, Larry Emerson, Walt Tabler, Brett Valentine: Puget Sound Pilots

Mike Moore, Luis Kohls, Seth Berntsen, Mike Jacob, John Veentjer: Pacific Merchant Shipping Assn

Jeff Shaw, John Piotrowski: Polar Tankers

Cees Deelstra: Holland America

Phil Morrell: Totem Ocean Trailer Express

Ed Irish: Tesoro Corp

Julio Soares, Chris Fricker: American President Lines

Dan Heverly: Princess Lines

Matthew Darbous: Quay Cruise USA

George Quick: I.O.M.M.&P.

Colin Southcote-Want: Albion Actuarial Services

Kevin Davis, Paul Amos, Dave Halmagyi: Columbia River Pilots

Gary Lewin: Columbia River Bar Pilots

Gary Nelson: Port of Grays Harbor

Scott Craig: Crowley Marine

Katharine Sweeney: pilot applicant

#### PUBLIC HEARING

A public hearing of the Board of Pilotage Commissioners was convened at 9:30 a.m. by Chairman Harry Dudley at 2901 Third Avenue, Seattle, Washington.

**WAC 363-116-300: Pilotage Rates for the Puget Sound Pilotage District.** RCW 88.16.035(4) requires the Board of Pilotage Commissioners to annually fix pilotage tariffs. The proposed rule reflects a range of increases to be charged for pilotage services in the Puget Sound Pilotage District for the 2006-2007 tariff year. The low end of the range is proposed by the Pacific Merchant Shipping Association (PMSA) and Polar Tankers, Inc. NW (PTI). The high end of the range and other specified increases and amendments are proposed by the Puget Sound Pilots (PSP). Upon consideration of all written and oral testimony, it is anticipated that the adopted rule will reflect increases to most tariff categories that range between 1.59% and 28.3%. Exceptions include some tariff categories which are outside of this range and are specified below. The low end of the range of increases is 1.59% applied across-the-board except for the *Transportation* and *Training Surcharge* categories to which no change is applied. The high end of the range of increases is 28.3% applied across-the-board except for the following categories: *Boarding Fee, Trial Trips, Docking Delay-after anchoring, Sailing Delay, Slowdown, and Delayed Arrival-Port Angeles* to which a 100% increase is applied; and *Training Surcharge* to which no change is applied. PSP proposes a modification to the cancellation portion only of the *Transportation* category as well the creation of a new category called *Draft Charges* for purposes of charging each vessel \$10 per foot of draft. PMSA and PTI do not support the addition of *Draft Charges* or the amendment to the *Transportation – Cancellation* category; nor do they support the 100% increase to the categories for which PSP proposes be increased by as much.

All written documents submitted in accordance with the timetable established for tariff document submission were considered in today's tariff determination, in addition to numerous letters from interested parties and members of the public.

Oral testimony in support of the Puget Sound Pilots was presented by Walt Tabler, George Quick, Mel Flavel, Del Mackenzie and Andy Coe. Oral testimony in support of the shipping industry was presented by Mike Moore, Mike Jacob, Jeff Shaw, John Piotrowski, Cees Deelstra, Phil Morrell, Seth Berntsen and Colin Southcote-Want. Rebuttals were presented by Richard McCurdy, George Quick, Walt Tabler and Mike Moore. This hearing was recorded on audiotape. The public hearing was closed by Chairman Dudley at 2:45 p.m.

### **REGULAR MEETING**

The regular meeting of the Board of Pilotage Commissioners was convened immediately following the public hearing.

**Consideration of Preceding Hearing: WAC 363-116-300.** Following the Board's review and consideration of all written and oral testimony, it was moved by Commissioner Niederhauser and seconded by Commissioner Hannigan that the Board set the '06-07 Target Net Income for the Puget Sound Pilots at \$295,000 per pilot ~ up from the current TNI of \$214,665. The motion failed with a vote of two in favor, six opposed and one abstention.

It was moved by Commissioner Addington and seconded by Commissioner Lee that the tariff be increased by 3.46%, except "Delay of Sailing" and transportation; increase "Delay of Sailing" by first doubling the current fee and then increasing the hourly rate by 15% for each hour of delay after the first hour; increase TNI by 5% to \$225,398 per pilot; and set the Individual Business Expense Allowance at \$28,621 per pilot. The motion failed with a vote of two in favor, six opposed and one abstention.

It was moved by Commissioner Hannigan and seconded by Commissioner Niederhauser that the tariff be increased across-the-board by 24% except transportation; and that the rate be doubled in the following four hourly categories ~ Delay of Sailing, Slowdown, Docking Delay after Anchoring, and Delayed Arrival - Port Angeles. The motion carried with a vote of five in favor, three opposed and one abstention. The effective period of the new tariff will be from 0001 hours on July 1, 2006 through 2400 hours on June 30, 2007. All written materials, Power Point presentations and more detailed records of testimony, discussion and motions are contained in the rule-making file. (4:10 p.m.)

In summary, the proposed rule reflected a tariff increase in a range of 1.59% to 28.3% which was modified by both PSP and Industry to a range of 3.46% to 25.94% with noted exceptions. The adopted rule differs from the proposed rule in that it reflects a tariff increase of 24% across-the-board except as specified below:

- The *Transportation and Training Surcharge* categories were not modified,
- The proposed new category "*Draft Charges*" was not adopted,
- The *Transportation – Cancellation* category was not modified as proposed, and
- Of the six tariff categories where a 100% increase was proposed, the four categories for which this increase was adopted are: *Docking Delay After Anchoring, Sailing Delay, Slowdown, and Delayed Arrival – Port Angeles*. The two categories for which this proposed doubling was not adopted are *Boarding Fee* and *Trial Trips*.

Elements of previous tariff-setting proceedings that were acknowledged by the Board but were not acknowledged today for this new 2006-07 tariff are:

- Total projected vessel assignments for 2006
- Number of tariff-funded pilots
- Maximum Safe Assignment Level
- Target Net Income per pilot
- Individual Business Expense Allowance per pilot
- The Tariff Setting Formula set forth in a multi-year Memorandum of Understanding

**Minutes.** There being no corrections or additions, the April 13, 2006 Minutes stand approved as written.

**NEW BUSINESS**

**Consideration of Petition for Vessel Exemption: Motor Yacht *BLUE STAR*.**

**Consideration of Petition for Vessel Exemption: Motor Yacht *MEA CULPA*.**

**Consideration of Request for Additional Approved Operator: *M/V TAMEME MARINO*.**

**Consideration of Renewal of Vessel Exemption: Motor Yacht *LADY ZELDA*.**

**Consideration of Petition for Vessel Exemption: Motor Yacht *BARCHETTA*.**

Consideration of the above five agenda items was deferred to the next regular Board meeting. Interim action will be given consideration by Chairman Dudley and will be reviewed for concurrence by the full Board.

**2006 Annual Tariff Hearings Preparation.** GHPD – A 2006-2007 tariff proposal from the Port of Grays Harbor has been submitted to the Board in addition to the 2005 Preliminary Financial Statement in accordance with the timetable established for tariff document submission. The written proposal submitted today contains a request for a 3% increase in the Vessel Draft Charge, the Vessel Tonnage Charge, the Minimum Net Registered Tonnage Charge, and the charge per vessel movement calling at Terminal No. 2. A new provision is proposed that will allow a vessel to berth at Terminal No. 4 (without loading or discharging cargo) in the case that Terminal No. 2 is not available upon arrival. It is proposed that the charge for an extra vessel (in case of tow) is increased by .68%. It is also proposed that the Pension Charge be decreased by \$9 per pilotage assignment, including cancellations. All other tariff charges remain the same. A public hearing has been filed for June 8, 2006 at 9:30 a.m.

**Pilot's Report of Marine Safety Occurrence: *WESTWOOD ANETTE*, 4-17-06.** While transiting northbound just north of SG Buoy, the vessel briefly lost power with the rudder stuck at 5 degrees left. The power loss was caused by a gantry crane switch that was left on which caused an overload and knocked a generator off line. The problem was resolved and the VTS was notified. It was moved by Commissioner C. Davis and seconded by Commissioner Palmer that this report of a navigational safety concern be filed as a Marine Safety Occurrence. The motion carried.

**Pilot's Report of Marine Safety Occurrence: *EVER USEFUL*, 5-6-06.** While transiting northbound in the Seola Beach area the vessel's engine was stopped due to a leak on the high pressure fuel oil piping to the #8 cylinder. VTS was notified and arrangements were made by the pilot to coordinate with a nearby tug for assistance if necessary. Two attempts to fix the leak were made during the next hour while drifting in the northbound traffic lane. Upon successful repair the vessel was given permission to proceed. It was moved by Commissioner C. Davis and seconded by Commissioner Palmer that this report of a navigational safety concern be filed as a Marine Safety Occurrence. The motion carried.

**Pilot's Report of Marine Safety Occurrence: *KAUAI*, 5-6-06.** After departing the berth at Terminal 25, Seattle, East Waterway and approximately 2 ship lengths from the berth, the bow thruster failed due to a generator shutting itself down. After careful maneuvering, the vessel was safely returned to its berth. The pilot was later cancelled off the job. It was moved by Commissioner C. Davis and seconded by Commissioner Palmer that this report of a navigational safety concern be filed as a Marine Safety Occurrence. The motion carried.

**Procedures for Submittal of 2007 Agency Request Legislation.** The schedule for submission of agency-sponsored legislation has been released by the Governor's office. If the Board should have any proposed legislation for consideration during the 2007 Legislative Session it is due by August 18,

if it has a fiscal impact, or September 29, 2006 if no fiscal impact. The agency's budget is also due on August 18 and will reflect any fiscal impacts based on legislative requests if any are determined. Susan Cruise stated she has been keeping a file on certain statutory issues that need to be addressed; Andy Palmer mentioned vessel exemption issues that may be ready for discussion; and determination of when to hold the next pilot examination will also be considered as potential legislation. Further discussion of this matter was continued to future meetings.

**Committee Reports:**

Deep-Watering Anchoring Committee. Commissioner Niederhauser presented a draft Safety Advisory Bulletin for the Board's consideration. It's been circulated among the Puget Sound Pilots for review and comment and presented to the Board as a "Recommendation for Deep-water Anchoring". It was moved by Commissioner C. Davis and seconded by Commissioner Lee that the Bulletin be approved with one change to clarify intent. The motion carried. The Bulletin will be posted on the Board's web site and forwarded to the Harbor Safety Committee.

Trainee Evaluation Committee.

- Ivan Carlson has completed his initial evaluation program. It was moved by Commissioner Niederhauser and seconded by Commissioner Palmer that the TEC recommends to the Board that Captain Carlson be approved to advance in the training program pursuant to WAC 363-116-078(5)(c). The motion carried.
- The TEC met with the six trainees on April 27 which resulted in a follow-up memo to them regarding issues relative to their training programs.
- The TEC has developed proposed changes to WAC 363-116-078(10) intended to clarify the rule, resolve difficulties experienced with the training program and amend the criteria for stipend eligibility. Susan Cruise has added her comments to the draft for the Board to examine and discuss at the next regular meeting.
- Based on the unanimous recommendation by the TEC to abolish the Policy Statement that was adopted by the Board on September 8, 2005 called "Qualifications of Pilot Applicants Under WAC 363-116-075 When Experience is on Vessels Employing More Than One Master", it was moved by Commissioner Niederhauser and seconded by Commissioner Mackey to terminate the Policy Statement effective today. Chair Dudley recommended that Susan review with Commissioner Niederhauser the ramifications of withdrawing the Policy Statement at this time since there are unanswered letters from potential applicants asking for the Board's determination of their eligibility to take an exam under the current statutes, regulations and policy statements. The motion was withdrawn.
- The list of TEC recommendations presented to the Board at the March 9 meeting will be brought back to the Board for discussion and consideration. They deal mostly with future training programs and pilot examinations.

**Legal Update.** There will be an Executive Session at the end of today's meeting to discuss potential litigation with Susan Cruise.

**Administrator's Report.** Peggy Larson suggested that a CR-101 be filed at this time regarding the intent to amend WAC 363-116-078 *Training Program*, which is a necessary step in the rule-making process. It was moved by Commissioner Niederhauser and seconded by Commissioner Lee that a CR-101 be filed. The motion carried. Peggy asked for the status of the license upgrade letter for Captain Jonathan Ward. It was moved by Commissioner Niederhauser and seconded by Commissioner Lee that the Board empower Chairman Dudley to approve a license upgrade program as drafted by the TEC for Captain Jonathan Ward. The motion carried.

**Pilots' Activity Reports.** Captain Richard McCurdy, President, Puget Sound Pilots, introduced Gary Lewin from the Columbia River Bar Pilots and Paul Amos and David Halmagyi from the Columbia River Pilots who attended today's PSPD tariff hearing; he reported that there were 650 jobs in April compared to a 585 average for the past 3 Aprils; Captain Fosse remains on medical leave. PSP\_004737

leave and should return to work in June; Captains Carl Engstrom and John Harris who were recently sent to Port ASH (Australia Ship Handling) for purposes of exploring the possibility of using the facility in the winter months for manned model training were pleased with the facility; Captain Andy Coe went to San Francisco to participate in the evaluation of the simulator portion of the recent pilot examination; Captain Jim Shaffer and Harry Dudley are currently involved in a project locally relating to the SE Alaska pilot exam; Captain Jim Shaffer is the point man in the Tacoma Narrows bridge deck project; and two pilots are currently at manned model training in Port Revel.

Gary Nelson, Executive Director, Port of Grays Harbor, reported that vessel arrivals are down about 15-20% through April at 14; Captain Cooke is approaching his first license anniversary in mid-July; and the pilot boat is back in the water after being refurbished.

**Confirmation of Next Regular Meeting Date.** The next regular meeting is scheduled for June 8, 2006. The Grays Harbor Pilotage District tariff hearing will begin at 9:30 a.m. followed by the regular Board meeting. The hearing and meeting will be held in the Fourth Floor Rainier Conference Room, at 2901 Third Avenue, Seattle.

**An EXECUTIVE SESSION was called from 5:30 p.m. to 6:05 p.m. for purposes of** reviewing pilot physical examination reports and discussing potential litigation. In attendance were Chairman Dudley, Commissioners C. Davis, Mackey, Niederhauser, Hannigan, Addington, Lee, Palmer and N. Davis; Susan Cruise, Judy Bell and Peggy Larson. Regular session was reconvened by the chairperson immediately following executive session.

It was moved by Commissioner Niederhauser and seconded by Commissioner Lee that the Board's staff and AAG work together to preclude and/or limit public disclosure of any specific element of the 2005 pilot examination and simulator evaluation. The motion carried.

**Review of Pilot Physical Examination Reports.** After reviewing the physicians' reports it was moved by Commissioner C. Davis and seconded by Commissioner Mackey that the annual physical examination reports for Captains M.R. Flavel, P.M. Hannigan, G.D. Hurt, G.N. Larson and R.F. McCurdy be accepted for license renewal. The motion carried. It was moved by Commissioner Mackey and seconded by Commissioner Niederhauser that the annual physical examination report for Captain V.O. Engstrom be accepted for license renewal with a request for follow-up information. The motion carried. Captain Fosse remains on medical leave but intends to return to duty in June.

The Chairman adjourned the regular session Board meeting at 6:10 p.m.

Respectfully submitted,

\_\_\_\_\_  
Peggy Larson, Administrator

\_\_\_\_\_  
Harry H. Dudley, Chairman

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Charles M. Davis, Vice Chairman

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Commissioner Oliver E. Mackey

\_\_\_\_\_  
Commissioner John S. Niederhauser

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Commissioner Patrick M. Hannigan

\_\_\_\_\_  
Commissioner Vincent Addington

\_\_\_\_\_  
Commissioner Craig W. Lee

\_\_\_\_\_  
Commissioner Andrew C. Palmer

\_\_\_\_\_  
Commissioner Norman W. Davis

FROM: Department of Labor and Industries  
(Name of Agency)

TO: CODE REVISER  
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)  
Olympia 98501

The enclosed Permanent rules  , being order No. 73-8  
Emergency rules   
relating to (Name of rules or description of subject matter)

Amending WAC 296-116-300 Pilotage Rates for Puget Sound and Adjacent Inland Waters; Amending WAC 296-116-310 Puget Sound Pilots Transportation Schedule; amending WAC 296-116-320 Puget Sound Pilots Retirement Fund Contribution.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 4049 ① filed with the code reviser on May 17, 1973 ② were regularly adopted as permanent rules of this agency at Seattle, Washington on June 14, 1973 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be \_\_\_\_\_ ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

~~pursuant to its finding that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at \_\_\_\_\_ on \_\_\_\_\_ and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.~~

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.90 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this 20<sup>th</sup> day of June 1973

STATE OF WASHINGTON  
**FILED**  
JUN 20 1973  
CODE REVISER'S OFFICE  
POCKET # \_\_\_\_\_ FILE # \_\_\_\_\_

BOARD OF PILOTAGE COMMISSIONERS  
(AGENCY)  
[Signature]  
CHAIRMAN  
Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE OR PROCEEDINGS WERE CONFERRED, USE NO. OF LAST NOTICE.
- ② PRINT DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONFERRED, USE DATE OF LAST NOTICE).
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

STATE OF WASHINGTON  
DEPARTMENT OF LABOR AND INDUSTRIES

ADMINISTRATIVE ORDER NO. 73-8

(1) I, WILLIAM C. JACOBS, Director of the Department of Labor and Industries / 88.16 RCW  
by virtue of the authority vested in me under Chapter 34.04 RCW and Chapter /  
and after due notice and in meeting open to the public, held  
at Seattle, Washington on June 14, 1973,  
as required by Chapters 34.04 RCW and 42.30 RCW  
do promulgate and adopt the annexed rules and regulations, to wit:  
Amending WAC 296-116-300 Pilotage Rates for Puget Sound and Adjacent  
Inland Waters; Amending WAC 296-116-310 Puget Sound Pilots Transpor-  
tation Schedule; Amending WAC 296-116-320 Puget Sound Pilots Retirement  
Fund Contribution.

as permanent  emergency  rules of this agency.

(2) This order after being first recorded in the order register of this agency shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED June 20, 1973

By: William C. Jacobs  
CHAIRMAN, Board of Pilotage Commissioners

AMD

WAC 296-116-300 PILOTAGE RATES FOR PUGET SOUND AND ADJACENT INLAND WATERS. Effective July 1, 1973, through June 30, 1976, and thereafter until further order of the board.

| <u>CLASSIFICATION</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <u>RATE</u> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Mileage (per mile)<br>(Minimum \$78.75)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | \$ 3.15     |
| Retirement Fund Contribution<br>(per mile) (Minimum \$15.00)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | .55         |
| Distance furnished by National Oceanic and Atmospheric Administration, computed to the nearest half mile.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |
| Ships taking and discharging pilots without using their services through all Puget Sound and adjacent inland waters shall pay full pilotage fees on mileage basis from Port Angeles to destination, from place of departure to Port Angeles, or for entire distance between two ports on Puget Sound and adjacent inland waters.                                                                                                                                                                                                                                                                                                                          |             |
| Harbor Shift - Live Ship (Seattle Port)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 66.25       |
| Harbor Shift - Live Ship (Other than Seattle Port)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 66.25       |
| Harbor Shift - Dead Ship                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 100.00      |
| Dead Ship Towing Charge (per mile)<br>(Minimum Fee \$150.00)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 5.75        |
| Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable. A charge of \$50.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle and south of Eleventh Street Bridge in any of the Tacoma waterways. Any vessel movements required to transit through bridges shall have an additional charge per bridge of |             |
| (This charge shall not apply to transit of vessels from Shilshole Bay to the limits of Lake Washington)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 25.00       |
| Compass Adjustment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 46.00       |
| Radio direction finder calibration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 46.00       |
| Launching vessels                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 115.00      |
| Trial trips, 6 hours or less                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 138.00      |
| Over 6 hours, per hour (two pilots)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 34.50       |
| Shilshole Bay - Salmon Bay                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 50.00       |
| Salmon Bay - Lake Union                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 40.00       |
| Lake Union - Lake Washington (plus mileage from Webster Point)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 50.00       |
| Cancellation Charge                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 35.00       |
| Cancellation Charge - Port Angeles:<br>When pilot is ordered and vessel proceeds without stopping for pilot                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 75.00       |
| Docking Delay after Anchoring (after 2 hours applicable Harbor Shift Rate to Apply,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |

1.



plus \$17.25 per hour standby.  
 Sailing Delay, after 1 hour has elapsed from  
 scheduled departure time-(per hour) 17.25  
 Super Ships  
 Additional charge to mileage of \$0.02 a  
 gross ton for all gross tonnage in excess  
 of 20,000 gross tons up to 50,000 gross  
 tons. In excess of 50,000 gross tons,  
 the charge shall be \$0.23 per gross ton.  
 Super Ships  
 Harbor Shift: Vessels over 20,000 gross  
 tons. Double Regular Fee  
 Delayed Arrival - Port Angeles:  
 When pilot is ordered and vessel does  
 not arrive within 8 hours without noti-  
 fication of change of ETA. 57.50

AMD WAC 296-116-310 PUGET SOUND PILOTS TRANSPORTATION  
 SCHEDULE. Effective July 1, 1973, through June 30, 1976, and  
 thereafter until further order of the board.

| From    | To                      | Transportation Allowance |
|---------|-------------------------|--------------------------|
| Seattle | Tacoma                  | \$ 10.00                 |
|         | Dupont                  | 15.00                    |
|         | Olympia                 | 15.00                    |
|         | Everett                 | 10.00                    |
|         | Mukilteo                | 10.00                    |
|         | Bellingham              | 20.00                    |
|         | Ferndale                | 30.00                    |
|         | Anacortes - March Point | 20.00                    |
|         | Point Wells             | 10.00                    |
|         | Winslow                 | 10.00                    |
|         | Port Gamble             | 15.00                    |
|         | Edmonds                 | 10.00                    |
|         | Bremerton               | 10.00                    |
|         | Bangor                  | 20.00                    |
|         | Port Townsend           | 20.00                    |
|         | Manchester              | 20.00                    |
|         | Semiahmoo               | 30.00                    |

AMD WAC 296-116-320 RETIREMENT FUND CONTRIBUTION. With re-  
 spect to the \$0.55 per mile retirement fund contributions:  
 (1) The \$0.55 per mile granted for retirement purposes in  
 the rate schedule established in WAC 296-116-300 shall be accu-  
 mulated and payable upon death or retirement only, and shall be  
 deposited in a joint account in the name of the individual pilot  
 and Puget Sound Pilots, in a qualified public depository ap-  
 proved for the purpose by the Commission.  
 (2) The pilots shall, on all statements for service ren-  
 dered, state the retirement fund contribution as a separate item.  
 (3) On quarterly reports required under RCW 88.16.010,  
 the pilots shall state for the preceding quarter the total re-  
 tirement fund contribution received, the accumulated total re-  
 tirement fund contribution received through that quarter, and

shall itemize all withdrawals or payments from such fund.

(4) All persons hereafter licensed by the board to pilot on the waters of Puget Sound under the provisions of the Pilotage Act, Chapter 88.16 RCW shall be deemed to have agreed to and be bound by the foregoing.

*Copies to  
Wine Services  
2/10/75  
J. Lowery*

FROM: Board of Pilotage Commissioners  
(Name of Agency)

TO: CODE REVISER  
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)  
OLYMPIA 98504

The enclosed rules  Permanent rules, being Order No. 75-3  
 Emergency rules

relating to (Name of rules or description of subject matter)

Revision of pilotage rates for Puget Sound and Adjacent Inland Waters. Amending WAC 296-116-300 by increasing the mileage rate fee from \$3.15 to \$3.30 and providing a minimum mileage amount of \$82.50. Additionally, adding a boarding fee of \$8.50 per each boarding/deboarding at the Port Angeles Pilot Station. The copy attached of WAC 296-116-300 is amended in this regard.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice Nos 3884 <sup>①</sup> filed with the code reviser on 1-13-75 <sup>②</sup> were regularly adopted as permanent rules of this agency at Seattle, Wash. on 2/6/75 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be March 13, 1975. <sup>③</sup>

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding in the attached administrative order, that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at \_\_\_\_\_ on \_\_\_\_\_ and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW have been fulfilled.

Dated this 10th day of February 1975.

STATE OF WASHINGTON  
**FILED**  
FEB 10 1975  
CODE REVISER'S OFFICE  
DOCKET # \_\_\_\_\_ FILE # \_\_\_\_\_

Board of Pilotage Commissioners  
(AGENCY)  
*William C. Jacobs*  
By William C. Jacobs,  
Chairman  
\_\_\_\_\_  
Title

① Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice)  
② Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice)  
③ Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing:  
RCW 34.04.040. Leave this space blank except in such special cases.  
[FORM CR-2: Rev. 9/21/74]

STATE OF WASHINGTON  
BOARD OF PILOTAGE COMMISSIONERS

ADMINISTRATIVE ORDER NO. 75-3

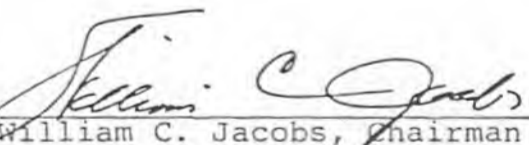
(1) I, William C. Jacobs, Chairman of the Board of Pilotage Commissioners, by virtue of the authority vested in me under chapter 34.04 RCW and after due notice and in meetings open to the public held in Seattle, Washington on February 6, 1975 as required by chapters 88.16 RCW and 34.04 RCW do promulgate and adopt the annexed rules and regulations to wit:

Amendments to Puget Sound and Adjacent Inland Water pilotage rates by increasing the basic mileage fee to \$3.30 per mile; thereby increasing the minimum mileage charge to \$82.50 and adding a boarding fee for each boarding/deboarding occurring at the Port Angeles Pilot Station in the amount of \$8.50.

Said changes are all as reflected in WAC 296-116-300.

(2) This order, after being first recorded in the order register of this agency shall be forwarded to the Code Reviser for filing pursuant to chapter 34-04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED February 6, 1975.

By   
William C. Jacobs, Chairman

AMD WAC 296-116-300 PILOTAGE RATES FOR PUGET SOUND AND ADJACENT INLAND WATERS. Effective March 13, 1975 through June 30, 1976 and thereafter until further order of the Board.

| <u>CLASSIFICATION</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <u>RATE</u> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Mileage (per mile)<br>(Minimum \$82.50)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 3.30     |
| Boarding Fee<br>Per each boarding/deboarding at the Port Angeles Pilot Station                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 8.50        |
| Retirement Fund Contributions<br>(Per mile) (Minimum \$15.00)<br>Distance furnished by National Oceanic and Atmospheric Administration, computed to the nearest half mile. Ships taking and discharging pilots without using their services through all Puget Sound and Adjacent Inland Waters shall pay full pilotage fees on mileage basis from Port Angeles to destination, from place of departure to Port Angeles, or for entire distance between two ports on Puget Sound and Adjacent Inland Waters                                                                                                                                                                                                                                                           | .55         |
| Harbor Shift - Live Ship (Seattle Port)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 66.25       |
| Harbor Shift - Live Ship (Other than Seattle Port)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 66.25       |
| Harbor Shift - Dead Ship                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 100.00      |
| Dead Ship Towing Charge (per mile)<br>(Minimum Fee \$150.00)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 5.75        |
| Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable. A charge of \$50.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle and south of Eleventh Street Bridge in any of the Tacoma waterways. Any vessel movements required to transit through bridges shall have an additional charge per bridge of<br>(This charge shall not apply to transit of vessels from Shilshole Bay to the limits of Lake Washington) | 25.00       |
| Compass Adjustment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 46.00       |
| Radio direction finder calibration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 46.00       |
| Launching vessels                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 115.00      |
| Trial trips, 6 hours or less                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 138.00      |
| Over 6 hours, per hour (two pilots)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 34.50       |
| Shilshole Bay - Salmon Bay                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 50.00       |
| Salmon Bay - Lake Union                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 40.00       |
| Lake Union - Lake Washington (plus mileage from Webster Point)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 50.00       |
| Cancellation Charge                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 35.00       |
| Cancellation Charge - Port Angeles:<br>When pilot is ordered and vessel proceeds without stopping for pilot                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 75.00       |
| Docking Delay after Anchoring (after 2 hours                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |

1.

applicable Harbor Shift Rate to Apply, plus  
\$17.25 per hour standby.

Sailing Delay, after 1 hour has elapsed from scheduled  
departure time (per hour) 17.25

Super Ships:  
Additional charge to mileage of \$0.02 a gross  
ton for all gross tonnage in excess of 20,000  
gross tons up to 50,000 gross tons. In excess  
of 50,000 gross tons, the charge shall be  
\$0.023 per gross ton.

Super Ships:  
Harbor Shift: Vessels over 20,000 gross  
tons Double  
Regular  
Fee

Delayed Arrival - Port Angeles:  
When pilot is ordered and vessel does not  
arrive within 8 hours without notification  
of change of ETA. 57.50

2.

TRANSMITTAL OF RULES ADOPTED

FROM: Board of Pilotage Commissioners  
(Name of Agency)

TO: CODE REVISER  
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)  
OLYMPIA 98504

The enclosed rules Permanent rules  , being Order No. 76-23  
Emergency rules

relating to (Name of rules or description of subject matter)

Pilotage rates for Puget Sound and Adjacent Inland Waters as presently contained in WAC 296-116-300; transportation allowance fees for Puget Sound Pilots as contained in WAC 296-116-310; and retirement fund contributions as provided in WAC 296-116-320, all as more particularly described in the attached regulations.

(ALTERNATIVE A. Use only for adoption of permanent rules)

~~pursuant to Notice No. \_\_\_\_\_ ① filed with the code reviser on \_\_\_\_\_ ② were regularly adopted as permanent rules of this agency at \_\_\_\_\_ (date) (place) on \_\_\_\_\_ (date) and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be \_\_\_\_\_ ③~~

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding in the attached administrative order, that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at Seattle, Washington on July 21, 1976 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW have been fulfilled.

Dated this 22nd day of July 1976.

STATE OF WASHINGTON  
**FILED**  
JUL 22 1976  
CODE REVISER'S OFFICE  
DOCKET # \_\_\_\_\_ FILE # \_\_\_\_\_

Board of Pilotage Commissioners  
(AGENCY)  
*James L. Rendear*  
By James L. Rendear  
Title Chairman

- ① Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice)
  - ② Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice)
  - ③ Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing: RCW 34.04.040. Leave this space blank except in such special cases.
- [Order 9, filed 9/25/74, eff. 10/25/74] [Form CR-2: Rev. 9/21/74]

STATE OF WASHINGTON  
BOARD OF PILOTAGE COMMISSIONERS

|                          |   |                       |
|--------------------------|---|-----------------------|
| In the Matter of         | ) | NO. 76-23             |
|                          | ) |                       |
| EMERGENCY RULE ADOPTION  | ) | FINDINGS OF NECESSITY |
| WAC 296-116-300, 310 and | ) | FOR EMERGENCY RULE    |
| 320                      | ) | ADOPTION              |

WHEREAS, the Board of Pilotage Commissioners of the State of Washington has determined that the implementation of new pilotage rates approved by the Commission on and after 0001 hours of August 1, 1976, and thereafter until changed by the Commission, is appropriate and necessary; and

WHEREAS, the Pilotage Commission finds that such implementation of such requirement under an emergency filing is necessary to cause such rates to become effective when desired by the affected parties pending the effective date of permanent rules to this effect also approved;

ACCORDINGLY, I, James L. Rondeau, Chairman of the Board of Pilotage Commissioners, acting under the authority of Chapter 88.16 RCW, and RCW 34.04 RCW, do hereby declare the attached rules, WAC 296-116-300, 310 and 320, concerning new rates for Puget Sound Pilots approved by the Commission to be proper rules to be adopted on an emergency basis.

DONE at the State Capitol this 22nd day of July 1976.

  
JAMES L. RONDEAU, Chairman  
Board of Pilotage Commissioners



AMD WAC 296-116-300 PILOTAGE RATES FOR PUGET SOUND AND ADJACENT INLAND WATERS. Effective August 1, 1976 through July 31, 1977, and thereafter until further order of the Board.

| <u>CLASSIFICATION</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <u>RATE</u>   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Mileage (per mile)<br>(Minimum \$93.75)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$ 3.75       |
| Boarding Fee<br>Per each boarding/deboarding at the Port Angeles Pilot station. Note: The boarding fee is to finance the building of the pilot boat Puget Sound and the replacement boat for the pilot boat Pilot. When both boats are fully amortized, the boarding fee will be terminated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 20.00         |
| Retirement Fund Contribution<br>(Per mile) (Minimum \$15.00)<br>Distance furnished by National Oceanic and Atmospheric Administration, computed to the nearest half mile. Ships taking and discharging pilots without using their services through all Puget Sound and Adjacent Inland Waters shall pay full pilotage fees on mileage basis from Port Angeles to destination, from place of departure to Port Angeles, or for entire distance between two ports on Puget Sound and Adjacent Inland Waters.                                                                                                                                                                                                                                                                                                                            | .65           |
| Harbor Shift - Live Ship (Seattle Port)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 76.00         |
| Harbor Shift - Live Ship (Other than Seattle Port)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 76.00         |
| Harbor Shift - Dead Ship                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 150.00        |
| Dead Ship Towing Charge (per mile)<br>(Minimum Fee \$175.00)<br>Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable. A charge of \$60.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle and south of Eleventh Street Bridge in any of the Tacoma waterways. Any vessel movements required to transit through bridges shall have an additional charge per bridge of<br>(This charge shall not apply to transit of vessels from Shilshole Bay to the limits of Lake Washington.) | 7.00          |
| Compass Adjustment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 30.00         |
| Radio direction finder calibration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 55.00         |
| Launching vessels                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 55.00         |
| Trial trips, 6 hours or less<br>(Minimum \$210.00)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 135.00        |
| Trial trips, over 6 hours (two pilots)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 35.00 per hr. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 70.00 per hr. |

1.

- (a) Interport shifts: Transportation paid to and from both points.
- (b) Intraharbor shifts: Transportation to be paid one way only.  
If intraharbor shift is cancelled, transportation paid one way only.
- (c) Cancellation: Transportation both ways if pilot has started travel.

Delinquent payment charge: 1% per month after 60 days from first billing.

AMD

WAC 296-116-320 RETIREMENT FUND CONTRIBUTION. With respect to the \$0.65 per mile retirement fund contributions:

(1) The \$0.65 per mile granted for retirement purposes in the rate schedule established in WAC 296-116-300 shall be accumulated and payable upon death or retirement only, and shall be deposited in a joint account in the name of the individual pilot and Puget Sound Pilots, in a qualified public depository approved for the purpose by the Commission. PROVIDED, however, the Commission grants further authority, subject to the following withdrawal limitations, for a portion or all of the retirement fund contributions for pilots on and after July 18, 1975, to be placed into trust programs limited to interest bearing notes or fixed income accounts designed to comply with the HR-10 Self-Employed Individuals Tax Retirement Act of 1962, as amended by the Employee Retirement Income Security Act of 1974, when such trust plans are submitted to the Commission for prior approval. Participation in such approved self-employment retirement plans shall be conditioned upon the following:

(a) Once established these plans shall not be terminated except upon the death or retirement of the participating pilot.

(b) Each participating pilot shall issue to the trustee of the self-employment retirement plan signed instructions directing the trustee to give advance notice to the Office of the Chairman of the Board of Pilotage Commissioners of any application for distribution or termination of an established self-employment retirement plan. Any pilot, or any person acting on behalf of said pilot's estate, making such an application for distribution or termination at any time other than upon the event of death or retirement of the pilot, shall be directed by the Commission to withdraw such application.

(c) Should a pilot have not elected retirement prior to age 70 1/2, said pilot shall be permitted to receive a distribution in whatever form he elects, under the provisions of his self-employment retirement plan, thereby complying with the mandatory distribution requirements of the above-mentioned retirement laws, provided that any and all funds so distributed be immediately deposited into a joint account in the name of the individual pilot and Puget Sound Pilots, in a qualified public depository approved for the purpose by the Commission, and thereafter withdrawn only upon actual death or retirement.

(d) It is to be understood by any pilot electing to direct contributions toward these self-employed plans and trust programs, that such activity is at their own financial choosing and the general approval by the Commission for such

3.

PUGET SOUND PILOT RATES FROM NOVEMBER 1, 1977 THROUGH DECEMBER 31, 1978

CLASSIFICATION:

Rates for 1977-78

Charges: Ship length over all (LOA Zones)

LOA

Boarding Fee

Per each boarding/deboarding at the Port Angeles Pilot station \$20.00

Note: The boarding fee is to finance the building of the pilot boat Puget Sound and the replacement boat for the pilot boat Pilot. When both boats are fully amortized, the boarding fee will be terminated.

Retirement Fund Contribution

INCLUDED IN LOA ZONE CHARGES

(Minimum LOA Zone 1)

Distance furnished by National Oceanic and Atmospheric Administration, computed to the nearest half-mile. Ships taking and discharging pilots without using their services through all Puget Sound and Adjacent Inland Waters shall pay full pilotage fees on the LOA Zone mileage basis from Port Angeles, or to destination, from place of departure to Port Angeles, or for entire distance between two ports on Puget Sound and Adjacent Inland Waters.

Harbor Shift - Live Ship (Seattle Port)

LOA ZONE I

Harbor Shift - Live Ship (Other than Seattle Port)

LOA ZONE I

Harbor Shift - Dead Ship

DOUBLE LOA ZONE I

Dead Ship Towing Charge: LOA of tug + LOA of tow + beam of tow -

DOUBLE LOA ZONE

Any tow exceeding seven hours, two pilots are mandatory.

Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable.

Waterway and Bridge Charges:

Ships up to 90' beam:

A charge of \$75.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle and south of Eleventh Street Bridge in any of the Tacoma waterways. Any vessel movements required to transit through bridges shall have an additional charge of \$35.00 per bridge.

Ships 90' beam and/or over:

A charge of \$100.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle and south of Eleventh Street Bridge in any of the Tacoma waterways. Any vessel movements required to transit through bridges shall have an additional charge of \$70.00 per bridge.

(The above charges shall not apply to transit of vessels from Shilshole Bay to the limits of Lake Washington.)

Compass Adjustment

100.00

Radio direction finder calibration

100.00

Launching vessels

150.00

Trial trips, 6 hours or less

40.00 per hour

(Minimum \$240.00)

Trial trips, over 6 hours (Two pilots)

80.00 per hour

Rates for 1977-78

|                                                                                                                                                                                                                                                  |                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Snulshole Bay - Salmon Bay                                                                                                                                                                                                                       | \$58.00        |
| Salmon Bay - Lake Union                                                                                                                                                                                                                          | 46.00          |
| Lake Union - Lake Washington (Plus <sup>LOA ZONE</sup> mileage from Webster Pt.)                                                                                                                                                                 | 58.00          |
| Cancellation Charge                                                                                                                                                                                                                              | LOA ZONE I     |
| Cancellation Charge - Port Angeles (When pilot is ordered and vessel proceeds without stopping for pilot.)                                                                                                                                       | LOA ZONE I     |
| Docking Delay after anchoring<br>Applicable Harbor Shift rate to apply, plus \$40.00 per hour standby. (Example: Anchoring 0400, anchor away 0500, no delay. Anchor away 0501, retroactive to 0400 - two hour standby.)                          | 40.00 per hour |
| Sailing Delay<br>(Called for 1800, sailed 1900 no delay. Example: Sailed 1901, retroactive to 1800 - two hours standby.)                                                                                                                         | 40.00 per hour |
| Slow-Down - \$40.00 per hour for all time in excess of time spent in that particular transit for that speed of advance normal for vessel that is slowed.                                                                                         | 40.00 per hour |
| Super Ships - Additional charge <sup>LOA ZONE</sup> to mileage of \$0.0248 a gross ton for all gross tonnage in excess of 20,000 gross tons up to 50,000 gross tons. In excess of 50,000 gross tons, the charge shall be \$0.0297 per gross ton. | .0248<br>.0297 |
| Delayed Arrival - Port Angeles (When Pilot is ordered and vessel does not arrive within four hours without notification of change of ETA)                                                                                                        | 40.00 per hour |
| Transportation to vessels on Puget Sound                                                                                                                                                                                                         |                |
| Tacoma                                                                                                                                                                                                                                           | 30.00          |
| Dupont                                                                                                                                                                                                                                           | 45.00          |
| Olympia                                                                                                                                                                                                                                          | 60.00          |
| Everett                                                                                                                                                                                                                                          | 30.00          |
| Mukilteo                                                                                                                                                                                                                                         | 30.00          |
| Bellingham                                                                                                                                                                                                                                       | 75.00          |
| Ferndale                                                                                                                                                                                                                                         | 85.00          |
| Anacortes - March Pt.                                                                                                                                                                                                                            | 65.00          |
| Point Wells                                                                                                                                                                                                                                      | 20.00          |
| Winslow                                                                                                                                                                                                                                          | 20.00          |
| Port Gamble                                                                                                                                                                                                                                      | 35.00          |
| Edmonds                                                                                                                                                                                                                                          | 20.00          |
| Bremerton                                                                                                                                                                                                                                        | 20.00          |
| Bangor                                                                                                                                                                                                                                           | 40.00          |
| Fort Townsend                                                                                                                                                                                                                                    | 50.00          |
| Manchester                                                                                                                                                                                                                                       | 30.00          |
| Semiahmoo                                                                                                                                                                                                                                        | 85.00          |
| Cherry Pt.                                                                                                                                                                                                                                       | 85.00          |

- (a) Interport shifts: Transportation paid to and from both points.  
 (b) Intraharbor shifts: Transportation to be paid one way only. if intraharbor shift is cancelled, transportation paid one way only.  
 (c) Cancellation: Transportation both ways if pilot has started travel.

Delinquent payment charge: 1% per month after 60 days from first billing.

Liability Insurance: Same as State of Oregon. This matter to be worked out between the Puget Sound Steamship Operators and the Puget Sound Pilots.

Prepared By \_\_\_\_\_  
 Approved By \_\_\_\_\_



PUGET SOUND PILOTS

LOA RATE SCHEDULE

*June 1 1979*

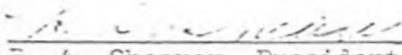
Commence 0001 hours November 1, 1977 through 2400 hours December 31, 1978

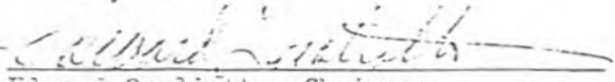
| 1   | 2            | 3          | 4           | 5           | 6            | 7                |     |
|-----|--------------|------------|-------------|-------------|--------------|------------------|-----|
| LOA | ZONE I       | ZONE II    | ZONE III    | ZONE IV     | ZONE V       | ZONE VI          |     |
|     | Intra Harbor | 0-30 Miles | 31-50 Miles | 51-75 Miles | 76-100 Miles | 101 Miles & Over |     |
| 1   | Up to 449    | 70         | 110         | 190         | 285          | 385              | 500 |
| 2   | 450 - 459    | 72         | 112         | 192         | 290          | 390              | 502 |
| 3   | 460 - 469    | 74         | 114         | 194         | 295          | 395              | 504 |
| 4   | 470 - 479    | 76         | 116         | 196         | 300          | 398              | 506 |
| 5   | 480 - 489    | 78         | 118         | 198         | 305          | 401              | 508 |
| 6   | 490 - 499    | 80         | 120         | 200         | 310          | 405              | 510 |
| 7   | 500 - 509    | 82         | 123         | 203         | 315          | 408              | 512 |
| 8   | 510 - 519    | 84         | 126         | 206         | 320          | 412              | 515 |
| 9   | 520 - 529    | 86         | 129         | 209         | 322          | 416              | 520 |
| 10  | 530 - 539    | 88         | 132         | 212         | 325          | 422              | 525 |
| 11  | 540 - 549    | 90         | 135         | 215         | 328          | 429              | 530 |
| 12  | 550 - 559    | 92         | 138         | 218         | 332          | 433              | 535 |
| 13  | 560 - 569    | 95         | 141         | 221         | 335          | 437              | 540 |
| 14  | 570 - 579    | 98         | 144         | 224         | 337          | 441              | 545 |
| 15  | 580 - 589    | 101        | 147         | 227         | 339          | 445              | 550 |
| 16  | 590 - 599    | 105        | 150         | 230         | 341          | 450              | 555 |
| 17  | 600 - 609    | 110        | 153         | 233         | 343          | 455              | 560 |
| 18  | 610 - 619    | 115        | 156         | 236         | 345          | 460              | 565 |
| 19  | 620 - 629    | 121        | 159         | 239         | 347          | 465              | 570 |
| 20  | 630 - 639    | 127        | 162         | 242         | 349          | 470              | 575 |
| 21  | 640 - 649    | 133        | 165         | 245         | 351          | 475              | 580 |
| 22  | 650 - 659    | 140        | 168         | 248         | 353          | 480              | 585 |
| 23  | 660 - 669    | 144        | 171         | 251         | 355          | 485              | 590 |
| 24  | 670 - 679    | 148        | 174         | 254         | 360          | 490              | 595 |
| 25  | 680 - 689    | 152        | 177         | 257         | 365          | 495              | 600 |
| 26  | 690 - 699    | 156        | 180         | 260         | 370          | 500              | 610 |
| 27  | 700 - 719    | 164        | 186         | 266         | 375          | 510              | 620 |
| 28  | 720 - 739    | 172        | 192         | 272         | 380          | 520              | 630 |
| 29  | 740 - 759    | 180        | 200         | 278         | 385          | 530              | 640 |
| 30  | 760 - 779    | 188        | 208         | 284         | 390          | 540              | 650 |
| 31  | 780 - 799    | 196        | 216         | 290         | 395          | 550              | 660 |
| 32  | 800 - 819    | 204        | 224         | 296         | 400          | 560              | 670 |
| 33  | 820 - 839    | 212        | 232         | 302         | 405          | 570              | 680 |
| 34  | 840 - 859    | 220        | 240         | 308         | 410          | 580              | 690 |
| 35  | 860 - 879    | 228        | 248         | 314         | 420          | 590              | 700 |
| 36  | 880 - 899    | 236        | 256         | 320         | 430          | 600              | 710 |
| 37  | 900 - 919    | 244        | 264         | 326         | 440          | 610              | 720 |
| 38  | 920 - 939    | 252        | 272         | 332         | 450          | 620              | 730 |
| 39  | 940 - 959    | 260        | 280         | 338         | 460          | 630              | 740 |
| 40  | 960 - 979    | 268        | 288         | 344         | 470          | 640              | 750 |
| 41  | 980 - 999    | 276        | 296         | 350         | 480          | 650              | 760 |
| 42  | 1000 & over  | 284        | 304         | 356         | 490          | 660              | 760 |

*Handwritten marks and signatures at the bottom of the page.*

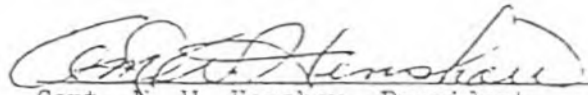
IT IS AGREED this 16th day of September, 1977, that the foregoing Puget Sound Pilot rates will become effective at 0001 hours on November 1, 1977, and remain effective through 2400 hours, December 31, 1978.

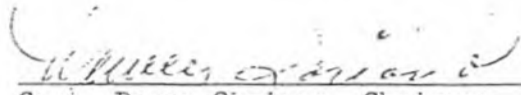
PUGET SOUND SHIP OPERATORS

  
E. A. Shearer, President

  
Edward Qualiotto, Chairman  
Rate Committee

PUGET SOUND PILOTS

  
Capt. W. W. Henshaw, President

  
Capt. Dewey Soriano, Chairman  
Rate Committee