

STATE OF WASHINGTON BOARD OF PILOTAGE COMMISSIONERS

DECEMBER 10/11, 1987 HEARINGS & MEETING

Colman Dock

Seattle, Washington

A public hearing of the Board of Pilotage Commissioners was called to order on December 10, 1987 at 9:00 a.m., by the Chairman in the Henry M. Jackson Federal Building, Room #3598, Seattle, Washington.

In attendance were Chairman Schwartzman, Commissioners Shearer, Ellis, Richmond, Flavel, Abney and Soriano; Assistant Attorney General, Marjorie Smitch; and the Secretary. Also present were Captain B.L. Watson, President and Captain J.M. Hoyne, Grays Harbor Bar Pilots Association; Captain R.N. Kromann, President, Mr. Jimm Sweet, Captains Dewey Soriano, W.M. Grobschmit, A.S. Skucy, R.W. Murphy, M.G. Mendenhall, E.S. Hayes, M.T. Gavin, P.M. Hannigan, C.C. Hunziker, J.W. Trimmer and R.O. Deschamps, P.H. Luther, L.W. Sackett and G. Olsborg retired and John Woodring and Mark Gjurasic, Port Angeles Pilots Association; Hal Schuyler, Gier Sylte, Katrina Kaplan, William Prindiville and Peter Hinge, Puget Sound Steamship Operators Association; Thomas Pappas, Chevron Shipping; Jim Jackson, Port of Olympia; Captain Norman Werner, Panama Canal Pilot; Captain D.G. Mackenzie and E. Vandeberg, public and Vicki Fabre, Legislative Transportation Committee staff.

HEARING

WAC 296-116-185: PILOTAGE RATES FOR THE GRAYS HARBOR PILOTAGE DISTRICT

RCW 88.16.035(4) requires that the Board of Pilotage Commissioners shall annually fix the pilotage tariffs for pilotage services performed aboard vessels. The purpose of this amendment is to fix tariffs for the Grays Harbor Pilotage District for the forthcoming year. After hearing opening comments by Grays Harbor Bar Pilots' President, Captain B.L. Watson, the Board determined that both the Grays Harbor Bar Pilots and the Puget Sound Steamship Operators Association should exchange more information in order to benefit the Board and clearly present their positions. It was moved by Commissioner Shearer and seconded by Commissioner Richmond to postpone the Grays Harbor tariff hearing to January 14, 1988. An amended motion was made by Commissioner Flavel and seconded by Commissioner Richmond to defer the Grays Harbor tariff hearing to 9:00 a.m. on December 11, 1987 (the second day of the two-day December regular meeting). The amended motion carried. It was moved by Commissioner Richmond and seconded by Commissioner Shearer to conclude the public hearing for today, to be reconvened tomorrow, December 11, 1987 at 9:00 a.m.. The motion carried. (10:20 a.m.)

HEARING

WAC 296-116-300: PILOTAGE RATES FOR THE PUGET SOUND PILOTAGE DISTRICT

RCW 88.16.035(4) requires that the Board of Pilotage Commissioners shall annually fix the pilotage tariffs for pilotage services performed aboard vessels. The purpose of this amendment is to fix tariffs for the Puget Sound Pilotage District for the forthcoming year. Opening comments were presented by Captain Gavin and Mr. Sweet, representing the Port Angeles Pilots and Peter Hinge and Bill Prindiville, representing the Puget Sound Steamship Operators Association. Discussion regarding the Port Angeles Pilots amended retirement program was the morning topic of conversation with detailed proposals being presented by both the Port Angeles Pilots and the Puget Sound Steamship Operators Association.

Lunch Break from 12:10 p.m. to 1:35 p.m..

Discussion regarding line item expenses will be deferred to the regular meeting when action can be appropriately taken. Also, discussion of the workload, number of pilots, targeted net income and WAC language changes will also be discussed during the regular meeting. It was moved by Commissioner Flavel and seconded by Commissioner Abney to conclude the public hearing. The December regular meeting will convene after the 9:00 a.m. Grays Harbor tariff hearing on December 11, 1987 (the second day of the two-day December regular meeting). The motion carried. (5:10 p.m.)

A public hearing of the Board of Pilotage Commissioners was called to order on December 11, 1987 at 9:05 a.m., by the Chairman in the Henry M. Jackson Federal Building, Room #3598, Seattle, Washington.

In attendance were Chairman Schwartzman, Commissioners Shearer, Ellis, Richmond, Flavel, Abney and Soriano; Assistant Attorney General, Marjorie Smitch; and the Secretary. Also present were Captain B.L. Watson, President and Captain J.M. Hoyne, Grays Harbor Bar Pilots Association; Captain R.N. Kromann, President, Mr. Jimm Sweet, Captains Dewey Soriano, M.G. Mendenhall, W.A. Bundren, M.T. Gavin, P.M. Hannigan, C.C. Hunziker and John Woodring Port Angeles Pilots Association; Hal Schuyler, Katrina Kaplan, William Prindiville and Peter Hinge, Puget Sound Steamship Operators Association; Thomas Pappas, Chevron Shipping and E. Vandeberg, public.

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HEARING

WAC 296-116-185: PILOTAGE RATES FOR THE GRAYS HARBOR PILOTAGE DISTRICT

A joint request was made by the Grays Harbor Bar Pilots and the Puget Sound Steamship Operators Association to continue this hearing to January 14, 1988. It was moved by Commissioner Flavel and seconded by Commissioner Ellis to conclude the public hearing for today, to be continued to January 14, 1988, preceding the January regular meeting. The motion carried with Commissioner Abney opposed.

REGULAR MEETING

The regular meeting was convened by the Chairman immediately following the hearing at 9:10 a.m. on December 11, 1987. It was moved by Commissioner Shearer and seconded by Commissioner Richmond that the minutes for the November 12, 1987 meeting be approved. The motion carried. It was moved by Commissioner Richmond and seconded by Commissioner Shearer that the Grays Harbor tariff hearing be continued to January 14, 1988, preceding the January regular meeting. The motion carried.

Consideration of Preceding Grays Harbor Tariff Hearing. This matter is deferred to the January regular meeting.

Consideration of Preceding Puget Sound Tariff Hearing. With regard to the proposed Port Angeles Pilots retirement program, it was moved by Commissioner Flavel and seconded by Commissioner Abney to approve funding through the tariff based on the Port Angeles Pilots proposal of 90% funding to start, increasing to 100% after four years at a rate of 1.35% of the average of a pilot's last three years of targeted net income multiplied by his years of service. An amended motion was made by Commissioner Shearer and seconded by Commissioner Soriano to change the 1.35% to 1.13% and begin at 80% funding, phased in at 5% incremental increases per year to 100%. An amendment to the amended motion was made by Commissioner Richmond and seconded by Chairman Schwartzman to approve funding through the tariff for a Port Angeles Pilots retirement program based on 80% funding in 1988, increasing to 100% by 1992, in 5% annual increments, at a rate of 1.25% of the average of a pilot's last three years of targeted net income multiplied by his years of service. The final amended motion carried.

Lunch Break from 12:00 noon to 1:10 p.m..

It was moved by Commissioner Soriano and seconded by Chairman Schwartzman to approve funding through the tariff for Captain W.W. Henshaw's retirement fund by crediting him for 36 years service rather than 30, (a rate of \$240/month or \$2,880/year, at 80%, which equals \$2,304 in the 1988 tariff). The motion carried unanimously. Line item expenses were discussed in detail with respect to four categories: Seattle Station, Port Angeles Station, Port Angeles Boats and Personal. It was moved by Commissioner Shearer and seconded by Commissioner Soriano to conclude the discussion of the final category of expenses and then continue the remaining consideration of the Puget Sound tariff hearing to January 14, 1988. The motion carried with a vote of four in favor; Commissioners Abney and Flavel opposed; and Commissioner Ellis abstained.

OLD BUSINESS

Status of Pilot Candidates. This matter is deferred to the January regular meeting.

NEW BUSINESS

Mishap Report: ISOKAZE - Captain W.M. Grobschmit, 11-4-87. This matter is deferred to the January regular meeting.

New WAC Language Proposals. Due to the deferral of several agenda items at today's meeting, the scheduled WAC hearings to be held on January 14, 1988 will be rescheduled for February 11, 1988.

Request for Additional Trainees. It was moved by Commissioner Abney and seconded by Commissioner Flavel to permit the next four pilot candidates to begin their training programs as soon as possible. An amended motion was made by Chairman Schwartzman and seconded by Commissioner Shearer to start the next two pilot candidates in their six-month training programs as soon as possible. The amended motion carried. Captain Wiley and Captain Justice will be so notified.

Physical Examinations. This matter is deferred to the January regular meeting.

JANUARY 14, 1988 HEARINGS & MEETINGS

Colman Dock

Seattle, Washington

A public hearing of the Board of Pilotage Commissioners was called to order at 9:30 a.m., by the Chairman in the Henry M. Jackson Federal Building, Room #3598, Seattle, Washington.

In attendance were Chairman Schwartzman, Commissioners Shearer, Ellis, Richmond, Flavel, Abney and Soriano; Assistant Attorney General, Marjorie Smith; and the Secretary. Also present were Captain B.L. Watson, President and Captain J.M. Hoyne, Grays Harbor Bar Pilots Association; Captain R.N. Kromann, President, Mr. Jimm Sweet, Captains Dewey Soriano, M.T. Gavin, P.M. Hannigan, C.C. Hunziker, J.W. Trimmer and R.O. Deschamps, L.W. Sackett retired, Port Angeles Pilots Association; Hal Schuyler, William Prindiville and Peter Hinge, Puget Sound Steamship Operators Association; Thomas Pappas, Chevron Shipping; and Robert Smith, Pacific Pilotage Authority.

HEARINGWAC 296-116-082: LIMITATIONS ON NEW PILOTS

This proposed regulation was necessitated by the 1987 legislative amendment to RCW 88.16.105 which increased the limitation period for new pilots from two to three years. The Port Angeles Pilots stated they concur with the new proposed language which states the limitations on all new pilots for their first three years with regard to vessel size and type. There was no other public testimony. It was moved by Commissioner Shearer and seconded by Commissioner Soriano to conclude the public hearing. The motion carried.

CONTINUED DECEMBER REGULAR MEETING

The continued December regular meeting was reconvened by the Chairman immediately following the hearing at 9:35 a.m..

Consideration of Puget Sound Tariff Hearing. Comments were received by retired Port Angeles Pilots Captain R.O. Deschamps and Captain L.W. Sackett with regard to their disapproval of the amended Port Angeles Pilots retirement program, which still has to go before the Port Angeles Pilots membership for a vote. The Board only approved the funding through the tariff for the amended Port Angeles Pilots retirement program based on the criteria approved in the December regular meeting. It was moved by Commissioner Richmond and seconded by Commissioner Ellis to continue using 178 as the average annual jobs per pilot. The motion carried with a vote of five in favor and two opposed. It was moved by Commissioner Richmond and seconded by Commissioner Shearer that the tariff shall be based on a total of 48 pilots because the accepted total annual number of projected assignments of 8,399 divided by the workload of 178, equals 48 pilots. The motion carried with a vote of five in favor and two opposed. It was moved by Commissioner Shearer and seconded by Commissioner Ellis that the targeted net income for 1988 not change from last year and shall remain at \$105,425. An amended motion was made by Commissioner Abney and seconded by Commissioner Flavel that the targeted net income be set at \$109,000 for 1988. The amended motion failed with a vote of three in favor and four opposed. The original motion carried with a vote of four in favor and three opposed.

Lunch Break from 12:00 noon to 1:30 p.m..

It was moved by Commissioner Ellis and seconded by Commissioner Abney to accept the \$38,075 as an accepted line item in the tariff formula earmarked as uncollectible funds. The motion carried. It was moved by Commissioner Richmond and seconded by Commissioner Shearer that a **2% reduction** in the tariff be implemented for 1988 according to the formula calculations. The motion carried with a vote of four in favor and three opposed. With respect to the proposed tariff language amendments several changes were made: Seattle transportation for taxis was increased from \$1.20 to \$1.40 per mile and Docking and Sailing Delay charges were increased from \$73 to \$84. This amended language will be filed with the Code Reviser as soon as possible and will become effective 30 days later. It was moved by Commissioner Shearer and seconded by Commissioner Ellis that the continued December regular meeting be adjourned. Adjournment was at 3:45 p.m..

CONTINUED DECEMBER HEARING