

Exh. JR-22
Docket TP-220513
Witness: Jordan Royer

**BEFORE THE STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND PILOTS,

Respondent.

Docket No. TP-220513

**EXHIBIT TO TESTIMONY OF
Jordan Royer
ON BEHALF OF
PACIFIC MERCHANT SHIPPING ASSOCIATION**

BPC 2022 Meeting Minutes

FEBRUARY 10, 2023

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
January 20, 2022

PUBLIC HEARING – Call to Order

A Public Hearing concerning WAC 363-116-301 New Revenue Collection was convened at 10:00 a.m. by Chair Sheri Tonn via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Jason R. Hamilton (Public), Sandy Bendixen (Pilot), Mike Anthony (Pilot), Nhi Irwin (Ecology), Timothy J. Farrell (Public), Michael Ross (Foreign Shipping), Andrew Drennen (U.S. Shipping)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Charlie Costanzo, Bill Sliker, Eric Klapperich: Puget Sound Pilots

Gary Nelson, Mike Folkers: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Laird Hail, Nate Menefee: USCG

Monique Webber: Pacific Yacht Management

Mike Haglund: Public

Ann LaRue: Public

David Grudgel, Brad Hartman: Clipper Navigation

Colby Grobschmit: Pilot Candidate

Ryan Leo: Pilot Candidate

Fred Felleman: Wave Consulting

WAC 363-116-061 New Revenue Collection. The changes to this rule are necessary to comply with legislative intent, through the passage of Substitute Senate Bill 5165, which stipulates certain conditions in order for the BPC to receive state appropriation from the pilotage account solely for self-insurance liability premium expenditures. This revised rule defines the stipulated conditions. There were no written or oral public comments. Chair Tonn closed the Public Hearing at 10:05 a.m.

REGULAR MEETING – Call to Order

The Regular Meeting of the Board of Pilotage Commissioners was convened immediately following the Public Hearing by Chair Sheri Tonn via Microsoft Teams.

BPC Staff Report.

- The 60-day legislative session began on January 10th. BPC staff is not aware of any bills that significantly affect the agency. Executive Director Jaimie Bever was pleased to report that Senator Marko Liias has been appointed the Chair of the Senate Transportation Committee, replacing Senator Steve Hobbs, who was appointed by the Governor as the Secretary of State. The BPC looks forward to working with Senator Liias and offers congratulations to both him and Secretary Hobbs.
- Congratulations to Commissioner Farrell, whose reappointment to the Board was confirmed by the Senate Transportation Committee on Monday. Commissioners Bendixen and Ross will be testifying at this afternoon's Senate Transportation Committee meeting in anticipation of their confirmations.
- The Governor's proposed budget fully funds the BPC's supplemental budget request. House and Senate versions of the transportation budget are currently being considered in the legislature.
- State agencies were planning a 25% return to office in January. Because of the surge in omicron cases, that date has now been changed to March 15. BPC staff continue to take turns in the office throughout the work week.
- The Winter 2022 edition of the BPC Pilotage Quarterly newsletter has been distributed and provided in the meeting packets. It includes a continuation of BPC staff highlights, this time featuring Jolene Hamel, Training Program Coordinator.
- Work on the 2021 annual report is underway. In an ongoing effort towards improvement, the format continues to evolve in an attempt to streamline the information while still managing to provide the data mandated by the BPC statute and an understanding of the agency and pilotage.

- Staff received requests from some Commissioners for electronic packets as well as hard copy packets. Going forward, BPC staff will email electronic packets and mail hard copy packets as regular practice.
- Bettina Maki, Program Analyst, provided year-end data for both the Puget Sound and Grays Harbor Pilotage Districts.

BPC Chair Report.

- Chair Tonn thanked PSP and PMSA for recent conversations and coordination regarding the COVID-19 omicron surge.
- The BPC issued open letters to shippers and agents regarding pilot shortages and steps being taken by the BPC and pilot trainees to reduce COVID-19 exposures.

COVID-19 Update. Jaimie Bever, Executive Director, reported that the BPC has verified vaccination status for all trainees. In addition, the BPC is providing each trainee with four COVID-19 antigen tests and information about additional opportunities to obtain tests. The trainees are encouraged to test frequently, and reminded to mask, preferably with N95 or KN95 masks, and maintain social distancing. Trainees are to report symptoms and submit weekly health/temperature logs. The BPC is not currently aware of any exposures from trainees to bridge crew on vessels and is working closely with two companies to resolve suspension of trainees on their vessels.

Regarding the pilots, PSP President Captain Ivan Carlson reported that the pilots are providing test kits on vessels where there has been known exposure or outbreaks to the bridge crew prior to transiting. Having crews test prior to arrival and only having personnel who have tested negative be present on the bridge is still the preferred method. Captain Carlson reiterated that the pilots are doing the best they can and testing frequently. Commissioner Ross thanked Captain Carlson and the pilots for their efforts to keep crew members safe. Commissioner Drennen also extended thanks to the pilots and asked for some additional clarification regarding measures being taken by PSP. Captain Carlson mentioned additional social distancing at the pilot station, increased testing prior to jobs, and N95/KN95 masks as opposed to cloth. Both Captain Carlson and Chair Tonn expressed appreciation for Vice President Klapperich, who had stepped in for Captain Carlson last week while he was on vacation. Chair Tonn also added her appreciation for transparency when working through COVID-19 issues.

Activity Reports. Laird Hail representing the United States Coast Guard (USCG), Mike Folkers representing the Port of Grays Harbor (PGH), Ivan Carlson representing Puget Sound Pilots (PSP), and Mike Moore representing Pacific Merchant Shipping Association (PMSA), offered current and projected statistical data as well as updates on current maritime issues and activities.

NEW BUSINESS

Consideration of Previous Hearing on WAC 363-116-301: New Revenue Collection.

Motion: Farrell/Hamilton – adopt the changes to WAC 363-116-301 New Revenue Collection as proposed – Carried.

Meeting Minutes.

Motion: Hamilton/Drennen – approve the December 9, 2021, Meeting Minutes as written – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Pilot License Upgrade Program: Captain Adam Seamans.** Captain Adam Seamans is nearing completion of his third license year.
Motion: Bendixen/Anthony – approve the pilot license upgrade program for Captain Adam Seamans as recommended by the TEC – Carried
- **Pilot License Upgrade Program: Captain Severin Knutsen.** Captain Knutsen's upgrade window expires 4 February 2022. He is currently out on medical and is unable to take his final 3 trips. The TEC recommends extending his upgrade window to match the time he was not-fit-for-duty. The TEC anticipates his return to active duty soon.
Motion: Bendixen/Anthony – approve the extension of Captain Knutsen's upgrade window and delegate the TEC to determine the number of days to complete the upgrade upon return to duty – Carried.

- **Emergency Rule WAC 363-116-078 Due to COVID-19.** The TEC agreed to recommend the Board re-file the Emergency Rule, which allows for a gradual return to pre-pandemic normalcy, and continues to require 12 trips per month to receive full stipend. The rule will be revisited in May 2022. Trainees are currently averaging at least 12 trips per month. Upon inquiry from Commissioner Hamilton, Commissioner Bendixen explained that pre-pandemic the number of trips necessary to receive full stipend was 18. That number was set prior to rest rule legislation and implementation and hasn't been reviewed in several years. Starting last summer, the TEC looked at how the rest rules would affect the number of trips. The TEC proposed a reduction in required trips from 18 to 14 based on rest rules and current vessel traffic, which will go into effect when the emergency rule lifts and upon action by the Board to codify the change.
Motion: Bendixen/Farrell – refile the Emergency Rule WAC 363-116-078 as proposed by the TEC – Carried.
- **Puget Sound Pilotage District Training Programs: Captains Forest McMullen and Stephen Scott.** Captains McMullen and Scott will start the Pilot Training Program in the Puget Sound Pilotage District on 1 February 2022. Their assigned initial port is Tacoma. Orientation for the two new pilot trainees is scheduled for 27 January 2022.
Motion: Bendixen/Anthony – approve pilot training programs for Captains McMullen and Scott and authorize initial port – Carried.
- **Grays Harbor Pilotage District Training Program: Captain Ryan Leo.** Captain Leo will start the Pilot Training Program in the Grays Harbor Pilotage District on 1 February 2022. The orientation for the new pilot trainee is scheduled for 1 February 2022. Captain D'Angelo was invited to join the TEC, but is currently the only active pilot in Grays Harbor and cannot commit to the committee. However, the TEC has designated him as a TEC pilot, which the trainee is required to ride with on a certain percentage of trips. Commissioner Bendixen continues to be in frequent contact with Captain D'Angelo.
Motion: Bendixen/Ross – approve pilot training program for Captain Leo, with a 30-month maximum training program duration, as required by WAC 363-116-078 – Carried.
- Captain Bendixen praised the Sector Puget Sound waterways team including Captain Laird Hail and LCDR Ish Looney for their efforts on updating the federal pilotage requirements. She reported that the federal pilotage project with the USCG Sector Puget Sound and local REC was going well, and that work is currently underway on the examination process.
- For the safety of the waterway, PSP has suspended the use of first-year pilots in the Duwamish Waterway. This will be revisited at the February TEC meeting.
- The TEC met yesterday and reviewed all the training programs and comments. There are eight trainees in the PS program and none in Grays Harbor (GH), until 1 February. Four trainees are in the Evaluation Phase with three nearing completion, four are in the Training Phase, and none are in the Observation Phase.
- Commissioner Bendixen informed the Board that she will be abstaining from future votes on recommendations or motions that could cause potential or perceived conflict of interest for her, as she has a close relationship with one of the pilot candidates.
- **Invitations to the Puget Sound Pilotage District Training Program.** The TEC reviewed the progress of the current pilot trainees and projected retirements over the next couple of years in the Puget Sound Pilotage District. The TEC recommends inviting the next two candidates on the 2021 Exam Waiting List to begin training on 1 April 2022.
Motion: Anthony/Farrell – invite the next two candidates from the 2021 Exam Waiting List to begin training in the Puget Sound Pilotage District on 1 April 2022 – Carried with one abstention from Commissioner Bendixen.

Pilot's Report of Marine Safety Occurrence: JOHANNES MAERSK, 11/25/2021

Seattle East Waterway off berth 18-4	Non-responsive engine. After several successful engine tests, events appeared to be a result of a communication error between engine room and bridge crew. Vessel proceeded safely at sea speed to Pilot Station.	<u>Motion:</u> Anthony/Farrell File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: ADAM SCHULTE, 11/30/2021

Near Sea Buoy	Encountered unintended loss of propulsion believed to be from wave hitting propellor while the vessel was turning. Called for 2 tug escort to anchorage.	<u>Motion:</u> Farrell/Drennen File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: PERUVIAN REEFER, 12/06/2021

.3nm SE of Viti Rocks	Encountered rudder/steering failure. Tug escort to Bellingham Cold Storage Dock.	<u>Motion:</u> Farrell/Hamilton File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: SAMMY, 12/07/2021

Southbound TSS, in the vicinity of Marrowstone PT	Encountered loss of power and propulsion. Power was restored by emergency generator. Vessel towed to Seattle.	<u>Motion:</u> Hamilton/Farrell File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: URANIA, 12/08/2021

Underway in Port Gardner	Overheating exhaust valve. Continued at half ahead for PA anchor for further inspection. Shortly after, briefly lost all power and decided to head to closest anchor at Port Gardner.	<u>Motion:</u> Farrell/Bendixen File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: DUKE SANTOS, 12/10/2021

Traffic Lane E of Protection Island	Problem with the engine oil cooling system, which required stopping the engine. Prepared anchor and allowed engine to be repaired with a tug escort to Seattle.	<u>Motion:</u> Drennen/Anthony File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: ETOILE, 12/17/2021

.75nm West of the Everett South Terminal	Upon departure from the Everett South Terminal, learned there was a bad engine injector which required repair. Vessel taken to anchor.	<u>Motion:</u> Farrell/Bendixen File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: ROSE M, 12/19/2021

Pilot Boarding Area	Upon boarding, learned that the X-band radar had failed, believed that the S-band radar was functioning but learned it also was inoperable so proceeded to anchor in Port Angeles.	<u>Motion:</u> Farrell/Bendixen File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: EVER LUCKY, 12/20/2021

Underway between Buoy TC and TB	After clearing Dash Point and increasing to full ahead, an oil leak was detected on the engine. Engine stopped for repairs and received clearance to continue out of Puget Sound.	<u>Motion:</u> Farrell/Hamilton File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: POLAR ADVENTURE, 12/22/2021

Approaching the Pilot Station Outbound	Approximately 2.5 miles from Ediz Hook, the starboard main engine shut down causing a black-out situation. Proceeded to anchor for repairs using port engine.	<u>Motion:</u> Farrell/Bendixen File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: NEW HUNTER, 12/24/2021

PA Harbor in Anchorage #1	Pilot called to vessel for dragging anchor. Encountered difficulty heaving anchor due to wire rope wrapped around anchor chain. Anchor was retrieved. Pilot encountered maneuvering difficulty due to vessel only having three starts in the main engine. Vessel re-anchored with tug assistance.	<u>Motion:</u> Farrell/Anthony File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: ADAM SCHULTE, 12/24/2021

Grays Harbor – Westbound near Terminal 1	Encountered engine difficulty but was quickly able to have tugs return and allowed to transit with the two-tug escort.	<u>Motion:</u> Farrell/Anthony File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: NEW HUNTER, 12/26/2021

PA Harbor in Anchorage #1	Pilot called to vessel for dragging anchor for a second time. Tug was ordered as a result of previous lack of engine starts. Assist tug used to re-anchor the vessel.	<u>Motion:</u> Farrell/Ross File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: JIAN YANG HUA QING, 12/27/2021

Everett Anchorage to Everett Pacific Terminal	While docking with one conventional tug and bow thruster, bow thruster failed while close to berth. Pilot safely maneuvered the vessel to berth using the one tug.	<u>Motion:</u> Farrell/Anthony File as a Marine Safety Occurrence – Carried.
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Exemptions from Pilotage.

Motor Yacht POPEYE – 155', 462gt, Cayman Islands registry, Captain Wells.

Motion: Anthony/Ross– concur with Chair Tonn's granting of an interim annual exemption with the condition of no Deception Pass – Carried.

Passenger Vessel SAFARI VOYAGER – 171', 1195gt, St Kitts registry, Captains Nelson & Clapp.

After some discussion, the Board asked to carry over this vessel to the February Board meeting.

Passenger Vessel VICTORIA CLIPPER V – 167', 910gt, Cyprus registry, Multiple Captains.

Motion: Farrell/Drennen – grant an annual exemption renewal with the condition of requirement to report any marine safety occurrences or incidents – Carried.

Pilot/Trainee Physical Examination Reports.

Motion: Hamilton/Anthony – approve the pilot physical examination reports for Captains J.T. Kearns and W.M. Carley for their annual pilot license renewals – Carried.

Motion: Bendixen/Drennen – approve the new trainee physical examination report for Captain S.W. Scott – Carried.

Currently, there are four Puget Sound pilots medically unfit for duty.

Puget Sound Pilots Efficiency Presentation and Q&A. Charlie Costanzo, PSP Executive Director, presented efficiency measures recently implemented by Puget Sound Pilots (PSP), which they believe will result in enhanced pilot availability, improved on-watch productivity, reduced need for "call-back" pilots, and adherence to expert recommended work/rest best practices. The measures specifically highlighted by Mr. Costanzo include:

- allowing on-watch pilots to be dispatched to another assignment immediately following a meeting,
- allowing pilots to be repositioned back to Seattle directly following an assignment, prior to rest, to achieve rest on the Seattle side, allowing work immediately following 10 hours rest,
- allowing pilots to be dispatched to a different assignment upon a cancellation, which requires a change to WAC 363-116-081,
- combining harbor and inter-port assignments while following work/best practices, which requires a change to WAC 363-116-081,
- reducing call time by 1 hour for assignments occurring between 1830 and 0759, which would reduce "call-back" jobs and increase pilot availability and greater flexibility, and
- decoupling reposition times from ferry schedules to reduce "call-backs" by allowing for immediate reposition inbound, following work/rest best practices.

He concluded by adding that the measures already taken and being explored are supported by sound science focusing on workplace safety and alertness and are feasible insofar as pilots and dispatchers can put them into play effectively. A Q&A followed. Commissioner Kirtley congratulated the pilots for what she called a milestone towards efficiency. Mike Moore, PMSA, expressed that he was glad to see the work so far and that there is a process for continuous improvement in place. He acknowledged the importance of coordination with industry, especially regarding numbers of cancellations.

The BPC's Pilot Safety Committee (PSC) will be reviewing these changes and proposed WAC revisions at their next meeting, then will bring recommendations to the Board. The slides presented are available on the BPC's website under the meeting materials for this meeting.

Committee Updates.

BPC/PSP Joint Diversity Committee (JDC)

- A meeting is being scheduled for late February to discuss the restructuring of the committee.
- The Cal Maritime Women in Maritime Leadership conference is occurring in early March. More info is forthcoming.

Oil Transportation Safety Committee (OTSC)

- Scheduling is underway for a meeting in the first quarter of 2022.

Pilot Safety Committee (PSC)

- The committee met on 4 January 2022.
- The Board received the meeting notes from the October 2021 meeting in their materials.
- The West Coast Pilot Association put out a joint letter regarding pilot ladder safety, which was also provided to the Board in their meeting materials. The committee also discussed a recent incident in another district involving a pilot ladder malfunction that resulted in the pilot falling into the water.

Vessel Exemption Committee (VEC)

- The committee last met on 15 December 2021. However, a small group of subject matter experts met more recently to draft recommendations for the full committee and then the Board to review.
- Another VEC meeting will be scheduled prior to the next BPC meeting.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone that the next meeting is scheduled for 17 February 2022 at 10:00 a.m. via Teams.

Chair Tonn asked for public comment. Commissioner Ross acknowledged the good work by BPC Staff on the committee meeting notes for the VEC and PSC. PSP Vice President Eric Klapperich shared his appreciation for the Board looking into the WAC changes of PSP's efficiency measures.

There being no further public business to come before the Board, Chair Tonn adjourned the meeting at 2:30 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
February 17, 2022

Regular Meeting – Call to Order

The regular meeting was called to order at 10:00 a.m. by Chair Sheri Tonn via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Jason R. Hamilton (Public), Sandy Bendixen (Pilot), Mike Anthony (Pilot), Timothy J. Farrell (Public), Michael Ross (Foreign Shipping), Andrew Drennen (U.S. Shipping)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Charlie Costanzo, Travis McGrath, Eric Klapperich, Ken Grieser: Puget Sound Pilots

Gary Nelson, Mike Folkers: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Laird Hail and Ish Looney: USCG

Lou Paulsen: The Northwest Seaport Alliance

Monique Webber: Pacific Yacht Management

Mike Haglund: Public

Ann LaRue: Public

Joel Michaelson: Pilot Candidate

Kyle Murphy: UTC

Vince Addington: General Steamship

BPC Staff Report.

- Commissioner information has been updated with the Public Disclosure Commission (PDC). The PDC filing deadline is coming up in April. Commissioners were reminded to watch for communications from the PDC.
- The state of Washington Ethics Board will be conducting a one-hour training, specifically tailored for state boards and commissions, during the BPC's regular public meeting on April 21.
- BPC staff is working on renewing the BPC's liability insurance policy, which expires April 6. Updates on that process will be provided as available.
- BPC Executive Director Jaimie Bever attended the Grays Harbor Safety Meeting last week. She reported that USCG Sector Columbia River will be moving to the USCG Marine Safety Unit in Portland, Oregon. She also inquired with the USCG regarding who should receive BPC MSO, Incident, and ladder reports for the Grays Harbor Pilotage District. The contacts, when received, will be updated in the agency's distribution lists for those forms.
- The Agate Conference Room will be getting a new audio-visual package installed, which will help the BPC to conduct hybrid meetings more effectively going forward.
- State agencies had previously planned to be reopen in January. However, the surge in omicron cases pushed that date to March 15. BPC staff will provide an updated reopening plan at the March Board meeting.

BPC Chair Report.

- Next month, Chair Tonn will be attending the Women in Maritime Leadership Conference in Vallejo, California, hosted by CalMaritime Academy. While in California she will be meeting with the San Francisco Board of Pilot Commissioners (BOPC) and looks forward to meeting with Executive Director Allen Garfinkle. The BOPC also has a new Assistant Director, who Chair Tonn is excited to meet.
- Tomorrow, Executive Director Bever and Chair Tonn will be meeting with Senator Marko Liias, new Chair of the Senate Transportation Committee, for the usual legislative session meet and greet.
- Chair Tonn acknowledged concerns regarding recent pilot delays. Only having 46 available pilots is problematic in terms of causing potential delays. The BPC anticipates licensing a few more pilots prior to cruise season. Chair Tonn proposed an offline meeting with both PMSA and PSP to strategize solutions and to minimize delays.

Activity Reports. Lou Paulsen representing The Northwest Seaport Alliance (NWSA), Mike Moore representing Pacific Merchant Shipping Association (PMSA), Ivan Carlson and Charlie Costanzo representing Puget Sound Pilots (PSP), Mike Folkers representing the Port of Grays Harbor (PGH), and Laird Hail and Ish Looney representing the United States Coast Guard (USCG), offered current and projected statistical data as well as updates on current maritime issues and activities.

Charlie Costanzo, Executive Director Puget Sound Pilots, was excited to share that the PSP had recently approved its first Diversity, Equity, and Inclusion (DEI) Policy. He will send a copy of the policy to BPC staff for disbursement to the Commissioners.

Regarding redefining cancellations and multiple assignments, Charlie confirmed that a small WAC change, to be discussed further in the agenda, is all that is necessary. Mike Moore, PMSA, questioned if the WAC change would qualify for an emergency action. Commissioner Kirtley asked for clarification regarding if meetings, while not assignments, triggered the need for the mandatory 10-hour rest period. Captain Carlson, PSP President, responded that if a pilot could accomplish a meeting and a move within the 13-hour limit, then a meeting would not trigger a mandatory rest period. If they could not, then the meeting would trigger a mandatory rest period. The WAC change would allow for multiple revenue producing assignments within the 13-hour period.

NEW BUSINESS

Meeting Minutes.

A revised copy was issued to allow for Captain Bendixen's technical expertise in the MSO descriptions.

Motion: Farrell/Hamilton – approve the January 20, 2022, Meeting Minutes as written in the revised copy – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

➤ **Consideration of Licensure of PSPD Pilot Candidate: Captain Andrew Stewart.** Chair Bendixen reported that Captain Stewart is very close to completion of his state program and federal pilotage. His licensure consideration will be on the agenda for the March Board meeting.

➤ **Pilot License Upgrade Program: Captains Dave Henderson & Chris Rounds.** Both Captains are nearing completion of their fifth license year. The TEC made a few changes to the upgrade letters in the TEC meeting yesterday due to vessel traffic and port calls.

Motion: Bendixen/Anthony – approve the pilot license upgrade programs for Captains Dave Henderson and Chris Rounds as recommended by the TEC – Carried

➤ **Stipend Policy Statement.** Last year, the TEC reviewed current stipend trip policy considering new rest rules and agreed that once the current Emergency Rule lifted, they would start the rulemaking process to lower the required maximum trip count from 18 to 14. The reduction of trips was based on rest rules and current vessel traffic. The Board reviewed a draft policy designed to lay the groundwork for the WAC change needed, which would align the 2018 Exam trainees with the 2021 Exam trainees.

Motion: Bendixen/Anthony– approve the policy statement regarding stipend trips as proposed by the TEC – Carried.

➤ **PPU Training: Captains Ekelmann and Mann.** Chair Bendixen reported that Captains Ekelmann and Mann are both nearing the end of their training programs and are ready to attend PPU training.

Motion: Bendixen/Drennen – approve PPU training for Captains Ekelmann & Mann and provide a one-time stipend increase up to \$2,400 for the cost of the course for both – Carried.

➤ **COVID-19 update:** All trainees continue to take appropriate precautions to stay safe while continuing to work through their training programs. There are no known cases of COVID linked to the trainees in Puget Sound and Grays Harbor. The TEC appreciates the diligence shown by the trainees.

➤ The TEC met yesterday and reviewed all the training programs and comments. One intervention occurred in the past month and the trainee attended the TEC meeting to discuss. He provided good feedback and lessons learned. There are ten trainees in Puget Sound and one in Grays Harbor. In Puget Sound, four trainees are in the Evaluation Phase with three nearing completion, four are in the Training Phase, and the two new trainees who started in Puget Sound on Feb 1 are in the Observation Phase.

- TEC Chair Bendixen reported that the two new trainees attended both a BPC and PSP orientation in addition to a newly required 1-day pilot transfer training course. Captain Bendixen stated that the new training was well received. She offered the Commissioners an opportunity to attend an upcoming trainee orientation session. Multiple Commissioners expressed interest. BPC staff will reach out to them as details about the next orientation are finalized.
- TEC Vice Chair Anthony reported that in January the Board voted to approve invitations to be sent to the next two candidates for the Puget Sound Pilotage District Training Program starting April 1. In the process of issuing invitations, the TEC received a letter from a candidate requesting a delay of more than 2 months, which under WAC 363-116-078 requires Board approval.
Motion: Anthony/Farrell – allow Candidate #2 on the 2021 Exam waiting list to delay entry into the training program until the next round of invitations are issued, subject to all rules under WAC 363-116-078(2A) – Carried with one abstention from Commissioner Bendixen.
- Captain Ryan Leo attended his training program orientation and started his Grays Harbor training program on February 1. He anticipated having his first section done by the beginning of March. All reports indicate he is settling in well and learning a lot from Captain D’Angelo.

Rulemaking WAC 363-116-081 Rest Period. The Pilot Safety Committee (PSC) will be introducing to the Board recommendations for changes to WAC 363-116-081 at the next BPC meeting. The rule would allow for multiple revenue producing assignments, as long as they are within a 13-hour window of time. The Board reviewed the Rulemaking Distribution Notice and draft CR101 provided in their meeting materials. The CR101 will be filed tomorrow. Following the standard rulemaking process, the rule would be in place sometime in June.

Pilot’s Report of Marine Safety Occurrence: *DEVON EXPRESS*, 02/04/2022

Underway in TSS between ‘SG’ and ‘T’ buoys	While heading toward Colvos Passage, pilot trainee called for slow ahead but pitch and speed did not increase. Engine room confirmed inability to adjust propellor pitch. Decision made with VTS to anchor in Yukon Harbor rather than continuing to Olympia. Vessel safely anchored and pilot and pilot trainee disembarked.	<u>Motion:</u> Anthony/Ross File as a Marine Safety Occurrence – Carried.
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Exemptions from Pilotage.

Passenger Vessel *SAFARI VOYAGER* – 171’, 1195gt, St Kitts registry, Captains Nelson & Clapp.

Motion: Farrell/Ross– concur with Chair Tonn’s granting of an interim annual exemption with the condition of no Deception Pass – Carried.

Pilot/Trainee Physical Examination Reports.

Motion: Farrell/Hamilton– approve the pilot physical examination reports for Captains P.L. Velarde and E.C. Klapperich for their annual pilot license renewals – Carried.

Motion: Bendixen/Farrell – approve the new trainee physical examination reports for Captains R.W. Leo and F. McMullen – Carried.

Motion: Bendixen/Farrell – approve the annual trainee physical examination reports for Captains L.R. Holland, R.T. Ekemann, and K.W. Riddle – Carried.

Currently, there are two Puget Sound pilots medically unfit for duty.

Update Regarding Mariner Credentialing Extensions Due to COVID-19. USCG MSIB 18-20 Change 5, which allowed for various extensions due to COVID-19, expired on October 31, 2021. As a result, the BPC’s policy to follow the USCG rule has also ended. BPC staff will send a reminder to all pilots that annual physicals will need to be completed before pilot anniversary dates. It is understood that significant delays in renewals remain for both MMC and Medical Certificates. Pilots and pilot trainees are encouraged to start the renewal process as early as possible.

Committee Updates.

BPC/PSP Joint Diversity Committee (JDC)

- A planning meeting is scheduled for February 28 to discuss the restructuring of the committee.

- Congratulations to PSP on their DEI Policy.

Oil Transportation Safety Committee (OTSC)

- A meeting is scheduled for March 24. The plan will be to review the charter and the next steps in upcoming work on SHB 1578. Jaimie Bever, OTSC Chair, has continued to meet monthly with the Department of Ecology and will have briefings for the committee at that meeting.

Pilot Safety Committee (PSC)

- The committee had a very fruitful last meeting, covering topics that included rest rule exceptions, pilot ladder forms, WAC language changes, workload data, and pilot efficiency. While there will not be another PSC meeting before the March Board meeting, the committee will be working through final WAC language via email.
- Both Staff and Committee Chairs are cognizant about taking pilots away from piloting to attend committee meetings, especially as cruise season approaches.

Vessel Exemption Committee (VEC)

- The VEC met on February 9 and had a very productive meeting. BPC Chair Tonn was able to attend, and work was done on future VEC recommendations at the March Board meeting.
- Captains Anthony & McGrath (PSP) and Captain Charlie Johnson (large vessel seat) have been working hard on finalizing the familiarization packet, which will go to AAG Wang for legal review.
- Another VEC meeting will be scheduled prior to the next BPC meeting.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone that the next meeting is scheduled for March 17 at 10:00 a.m. via Teams.

Chair Tonn asked for public comment. Charlie Costanzo, PSP Executive Director, urged Chair Tonn and the Commission to rethink the definition of what constitutes emergency rulemaking in the case of WAC 363-116-081 and gave multiple reasons why waiting to go through the normal rulemaking process could be detrimental to both PSP and the public. It was determined that the Commissioners would take a break and go into a Closed Session to confer with Assistant Attorney General Albert Wang.

CLOSED SESSION

A Closed Session of the Board of Pilotage Commissioners was convened from 12:20pm to 12:55pm via Microsoft Teams to discuss legal matters relative to WAC 363-116-081 Rest Period. In attendance were Commissioners Tonn, Farrell, Drennen, Kirtley, Bendixen, Hamilton, Ross, and Anthony, Assistant Attorney General Albert Wang, and BPC staff Bettina Maki, Jolene Hamel, and Jaimie Bever.

OPEN SESSION

The Open Session of the Board of Pilotage Commissioners was reconvened by Chair Tonn at 12:55pm via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Jason R. Hamilton (Public), Sandy Bendixen (Pilot), Mike Anthony (Pilot), Timothy J. Farrell (Public), Michael Ross (Foreign Shipping), Andrew Drennen (U.S. Shipping)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Charlie Costanzo: Puget Sound Pilots

Gary Nelson: Port of Grays Harbor

Ann LaRue: Public

Rulemaking WAC 363-116-081 Rest Period Cont'd. Commissioner Kirtley requested, to assist in moving forward with the WAC change, that PSP provide an estimate of predicted savings in efficiency or productivity. A relationship between historical data regarding cancellations, number of assignments that were cancelled, and number of assignments that were delayed, as well as perhaps looking at those numbers of assignments that were inter-harbor moves that were not able to be joined with an inbound or outbound assignment would be helpful. Captain Carlson said he would do his best to provide the positive impacts to PSP. Chair Tonn clarified that the info requested would be for the March meeting materials. The Board could proceed with the public notice process to run parallel with an emergency rule vote. BPC staff will send proposed language to the Pilot Safety Committee today to prepare for the March meeting.

Jaimie Bever reminded everyone that the data needs to be received by March 10. PSP responded that they would provide the info in time for the March materials.

Gary Nelson, Executive Director Port of Grays Harbor, asked for clarification of the proposed WAC language and confirmed that the language would also affect the Grays Harbor Pilotage District.

There being no further public business to come before the Board, Chair Tonn adjourned the meeting at 1:10 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
March 17, 2022

Regular Meeting – Call to Order

The regular meeting was called to order at 10:00 a.m. by Chair Sheri Tonn via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Jason R. Hamilton (Public), Sandy Bendixen (Pilot), Mike Anthony (Pilot), Timothy J. Farrell (Public), Michael Ross (Foreign Shipping), Andrew Drennen (U.S. Shipping), Nhi Irwin (Ecology)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Charlie Costanzo, Bill Sliker, Ken Grieser: Puget Sound Pilots

Mike Folkers: Port of Grays Harbor

Mike Moore, Jordan Royer, John McLaurin: Pacific Merchant Shipping Association

Laird Hail, Nate Menafee: USCG

Lou Paulsen: The Northwest Seaport Alliance

Monique Webber: Pacific Yacht Management

Mike Haglund: Public

Ann LaRue: Public

Andrew & Carly Stewart: Puget Sound Pilot Licensure Candidate & Family

BPC Staff Report.

- BPC staff is currently working through renewal of the agency's liability insurance policy. The current policy expires April 6. An update will be provided at the April meeting.
- The Board received an updated BPC office reopening plan, which is for April 1. The return to in-person meetings is yet to be determined, however a hybrid option will be available going forward.
- The state of Washington Ethics Board will be conducting a one-hour training, specifically tailored for state boards and commissions, during the BPC's regular public meeting on April 21.
- BPC Program Analyst Bettina Maki provided and commented on data reports summarizing Puget Sound District activity.

BPC Chair Report.

- Chair Tonn met with the San Francisco Board of Pilot Commissioners (BOPC) and Executive Director Allen Garfinkle and staff in early March. On that same trip she attended the Women in Maritime Leadership Conference in Vallejo, California, hosted by Cal Maritime Academy. Puget Sound Pilot Trevor Bozina also attended the conference. Chair Tonn found the sessions excellent and encouraged future attendance.
- Chair Tonn reminded the Commissioners to watch for the F-1 financial disclosure from the Public Disclosure Commission (PDC). PDC filing deadline is April 15.

Activity Reports. Laird Hail representing the United States Coast Guard (USCG), Mike Folkers representing the Port of Grays Harbor (PGH), Ivan Carlson and Charlie Costanzo representing Puget Sound Pilots (PSP), Mike Moore representing Pacific Merchant Shipping Association (PMSA), and Lou Paulsen representing The Northwest Seaport Alliance (NWSA) offered current and projected statistical data as well as updates on current maritime issues and activities.

Captain Ivan Carlson, President of Puget Sound Pilots, acknowledged concerns regarding the high number of delays reported in their activity report. Per Captain Carlson, the contributing factors included the shortage of pilots in February who were unavailable due to either COVID-19 or other health-related issues. He added that the delays mostly occurred in the first 5 days of the month. There were 216 hours of delay between Feb 2 and 5, which he attributed to pilots in manned model training, pilots not-fit-for-duty, 7 pilots on 3-and-out, and 3 cancellations pulling pilots out of rotation. Of the delays, 14 vessels totaling 159 hours were only going to anchor. Chair Tonn inquired about the longest delay. Captain Carlson responded 24 hours for a vessel at sea headed to anchor. Commissioner Farrell wondered if PSP could shed some light on the reasons for the delays considering that the workload was actually down from last year. Captain Carlson answered that it was because of the pilot shortage, adding that pilots worked 88 call-back days in February. Order time changes also had a big impact. He added that the proposed WAC 363-116-081 change would help. Commissioner Farrell pointed out that between

June and February the call-backs appeared to go down as did the repositions. Captain Carlson offered to have Commissioner Farrell come into the office to discuss further and requested more specific details in order to answer his questions. He did add that the answer to the problem of delays was more pilots, while also acknowledging that the BPC is doing all it can to train and license new pilots. Commissioner Farrell also asked about the increase in delays that began last summer, whether there was something that initiated them. Captain Carlson responded that he needed to look at the data. Commissioner Farrell asked for an answer at the next meeting, to which Captain Carlson agreed.

Captain Carlson introduced PSP's Executive Director Charlie Costanzo to discuss the activity report and dispatching changes recently enacted at Puget Sound Pilots. Mr. Costanzo shared that PSP's activity report was enhanced to show whether pilots assigned to meetings were on watch or off watch, as suggested by BPC staff. Many of the pilots at meetings in February were off watch. PSP will include this information on future activity reports. Commissioner Farrell responded that the additional information put a sharper point on his question. If available pilots are not dispatched to meetings, then what might explain the steady increase in delays since last summer? Mr. Costanzo said that they needed to take a closer look at the details of what happened in those months, adding that manned model, not-fit-for-duty, etc. can impact the number of available pilots. Commissioner Farrell acknowledged that the months could go up and down depending on the situations, but the graph of delays looks like a hockey stick, which suggests a different, significant change. Commissioner Kirtley agreed that identifying the factors would be helpful. Chair Tonn added that the number of pilots is a significant factor. She suggested moving on to the efficiencies the pilots are working toward.

Mr. Costanzo next presented to the Board changes that PSP has implemented to their pilot dispatch rotation system. The Board's upcoming decision regarding changes to WAC 363-116-081 are directly related to the new on-watch efficiency measures that PSP reported about at the January 2022 meeting. Mr. Costanzo was pleased to announce PSP believes the new schedule will reduce callbacks and repositions significantly. It is a rolling start schedule, which has been recommended by industry and pilots alike. He added that it took an incredible effort of PSP's schedule committee, as reflected in PSP's February activity report. The result is a complete rotation of all pilots over four work periods totaling 616 calendar days with 300 of those days being on-watch. The pilot corps adopted the rolling schedule by an overwhelming margin with 94% of pilots in favor. The new schedule goes into effect March 29 and will be fully phased in by the end of the first week of April.

Before this change, the schedule involved a rotation of pilots every other Tuesday, which resulted in a glut of rested pilots on those Tuesdays, with less need for call-back work on and around those days, and greater need for call-back workers later in the 2-week period. The rolling start schedule has a new watch group starting twice a week every Tuesday and Thursday with the goal of distributing rested pilots more evenly across the calendar. Several options for the schedule were reviewed; however, this option proved the most equitable and balanced method to achieve the desired results. PSP believes this change is an elegant way to comply with the requirements of the UTC and provide efficiencies while adhering to rest best practices.

A Q&A with Board members and the public followed. PSP reported that there are still 11 watch groups. They will still follow a 2-week on 2-week off schedule with a week and a half of earned time off (ETO). The total on-watch days per year, per pilot remain 181. Peak Period Work (PPW), when pilots are scheduled to work 3 days during their off time, will remain in effect for cruise season. In terms of metrics to judge the effectiveness of the new system, PSP will be looking at number of jobs conducted on-watch versus off-watch (call-backs). BPC has the data to monitor the changes. Fewer 3-and-outs will be another metric to watch. Commissioner Kirtley suggested a 6-month check-in to review the metrics. PSP President Ivan Carlson acknowledged the work of the scheduling group and in particular Captains M. Hannuksela and P. Ninburg who spent a significant amount of off-work time reviewing data, line by line and job by job. At the time, they estimated that call-backs could be reduced by 40% with the new schedule, which would also reduce delays. PSP chose Thursday as the second change day because it is usually a busy day for shipping and BPC monthly meetings. Regarding meetings, PSP will reduce/cancel meetings during busy times, such as cruise season.

Mike Moore, PMSA, expressed that he was very encouraged by the new rotation system. He thought it made good sense. He was also pleased to see how many meetings were off-watch, and that the PPW

days were still in effect. He and his members are concerned about the pilot shortage and upcoming cruise season. He looks forward to a future conversation with BPC, PSP, and PMSA.

NEW BUSINESS

Meeting Minutes.

Motion: Farrell/Hamilton – approve the February 17, 2022, Meeting Minutes as written – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Consideration of Licensure of PSPD Pilot Candidate: Captain Andrew Stewart.** On behalf of the Trainee Evaluation Committee (TEC), TEC Chair Bendixen stated that Captain Andrew Stewart has successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training and completion of his federal licensing requirements. Commissioner Bendixen added that Captain Stewart has proven to be consistent, safe, and able to pilot independently. The Board has received his TPTR Summary and all training comments.
Motion: Bendixen/Farrell – issue Captain Andrew Stewart state pilot license number 217 for the Puget Sound Pilotage District – Carried
- **Approval of Pilot Training Program Agreements & Requirements – Captains William Kelly & Michael Mancini.** TEC Chair Bendixen reported that the TEC has reviewed the updated training program agreements over the last couple of months.
Motion: Anthony/Farrell – approve the training program agreement and requirements for Captains Kelly & Mancini as proposed – Carried, with one abstention from Commissioner Bendixen.
- TEC Chair Bendixen reported that the orientation session for Captains Kelly & Mancini will take place at the BPC office on Thursday March 24. Commissioners Ross and Kirtley will be attending and the 4 remaining Commissioners who expressed interest in attending will be invited to future orientations, 2 Commissioners per session.
- COVID-19 update: All trainees continue to take appropriate precautions to stay safe while continuing to work through their training programs. As previously reported, there are no known cases of COVID linked to the trainees in Puget Sound and Grays Harbor. The TEC has been working with the appropriate individuals to try to get trainees back onto vessels that have been restricted due to COVID precautions.
- TEC Chair Bendixen reported that the federal pilotage process is still an issue for trainees. She was grateful for all of the help from LCDR Ish Looney and hopes that they will have a completed packet out soon.
- The TEC met yesterday and reviewed all the training programs and comments. There are nine trainees in Puget Sound and one in Grays Harbor. In Puget Sound, four trainees are in the Evaluation Phase, three are in the Training Phase, and the two new trainees who started in Puget Sound on Feb 1 are still in the Observation Phase.
- The Port of Grays Harbor reports that trainee Captain Ryan Leo is progressing well. The TEC is monitoring monthly when a second trainee, Captain Colby Grobschmit, will be able to start his training program.
- Commissioner Farrell acknowledged both Commissioner Bendixen and Commissioner Anthony for their exceptional work as Chair and Vice-Chair of the TEC.

Vessel Exemption Committee (VEC)

- The most recent VEC meeting was very productive. The committee recommended and presented new exemption documents, including a revised pilotage exemption petition application, frequently asked questions (FAQ's), and a revised Familiarization Packet.
Motion: Anthony/Farrell – approve the revised pilotage exemption petition – Carried.
- Commissioner Anthony, Captain McGrath (PSP), and Captain Charlie Johnson (large vessel seat) have been instrumental in finalizing the Familiarization Packet, which was originally created by Captains Anthony & Bendixen for PSP. The newly revised Packet will be housed on the BPC website and will be required reading for all those applying for a pilotage exemption. The revisions include charts, areas of caution, and speed limits. This is intended to be an outline, not a guide.
Motion: Anthony/Bendixen – approve the revised Familiarization Packet as proposed – Carried.
- Additionally, Leonard & Lorena Landon with Waggoner Guides have been recruited for the open seat of small recreational boater. They attended the last meeting and have provided very helpful

editing of the final documents, particularly the Familiarization Packet.

Motion: Anthony/Bendixen – approve the Landons for the open seat and alternate seat on the VEC – Carried.

Pilot Safety Committee (PSC)

- Commissioner Drennen introduced the PSC recommended language for the changes to WAC 363-116-081 Rest Period via a draft CR102. The committee believes that the revised recommendations meet the requirements of an emergency rule change and proposed a motion to that effect.

Motion: Drennen/Kirtley – File proposed language for the changes to WAC 363-116-081 Rest Period as an emergency rule – Carried.

- The PSC would also like to adopt the proposed CR102 as a non-emergency rule in parallel to put the public notice and hearing process in motion. A public hearing is anticipated in May with an effective date in June.

Motion: Drennen/Kirtley – File the CR102 as proposed – Carried.

Pilot’s Report of Marine Safety Occurrence: ATB COMMITMENT, 02/14/2022

Underway at Cherry Point BP North Berth	On final approach to the Cherry Point BP North Berth, alarms sounded on the Bridge. The port main engine had shut down. Due to its position at the berth, it was determined that the safest course of action was to complete the docking maneuver, which proceeded without incident. The shut down was attributed to an oil leak on the port main engine governor, which would be repaired prior to resailing.	<u>Motion:</u> Farrell/Drennen File as a Marine Safety Occurrence – Carried.
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Exemptions from Pilotage.

Motor Yacht MOONSTONE – 196’, 1015gt, Cayman Island registry, Captain Millcich.

Motion: Farrell/Ross – grant a three-month exemption with the following conditions imposed: No Deception Pass, no Duwamish, no Locks and must have pilot orientation cruise – Carried.

Motor Yacht SHADOW – 182’, 489gt, Jamaica registry, Captain Mackay.

Motion: Anthony/Drennen – grant an annual exemption with the following conditions imposed: No Deception Pass, no Duwamish, no Locks and must have pilot orientation cruise – Carried.

Pilot/Trainee Physical Examination Reports.

Motion: Bendixen/Anthony – approve the pilot physical examination reports for Captains S.E. Knutsen, J.M. Miller, T.M. Bozina, S.D. Semler and D.E. Brusco for their annual pilot license renewals – Carried.

Motion: Farrell/Anthony – approve the pre-licensing physical examination report for Captain A.C. Stewart – Carried.

Motion: Farrell/Anthony – approve the annual trainee physical examination report for Captain M.B. Cassee – Carried.

Currently, there is one Puget Sound pilot medically unfit for duty.

Committee Updates.

BPC/PSP Joint Diversity Committee (JDC)

- The BPC and PSP met on February 28 to discuss the charter. The JDC will now be called the Diversity, Equity & Inclusion Committee (DEIC) and will not be a joint committee with PSP. The proposed charter will be presented to the Board for adoption at the next meeting.

Oil Transportation Safety Committee (OTSC)

- The next meeting is March 24 to touch base on the process and the next steps in upcoming work on ESHB 1578.
- Jaimie Bever, OTSC Chair is working closely with Ecology on the future rulemaking process and timelines.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone that the next meeting is scheduled for April 21 at 10:00 a.m. via Teams.

Chair Tonn asked for public comment and received none. She adjourned the meeting at 12:55 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
April 21, 2022

Regular Meeting – Call to Order

The regular meeting was called to order at 10:00 a.m. by Chair Sheri Tonn via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Jason R. Hamilton (Public), Sandy Bendixen (Pilot), Mike Anthony (Pilot), Timothy J. Farrell (Public), Michael Ross (Foreign Shipping), Andrew Drennen (U.S. Shipping), Nhi Irwin (Ecology)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Eric Klapperich, Bill Sliker: Puget Sound Pilots

Mike Folkers: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Laird Hail, Nate Menafee: USCG

Lou Paulsen: The Northwest Seaport Alliance

Monique Webber: Pacific Yacht Management

Mike Haglund: Public

Ann LaRue: Public

Kate Reynolds, Justin Cotte: Washington State Executive Ethics Board

BPC Staff Report.

- The Spring BPC Pilotage Quarterly has been published. The staff spotlight has concluded, and BPC staff will look at highlighting BPC commissioners next.
- The BPC office reopening has been going according to the reopening plan laid out last month. WSDOT offices have also reopened to the public, including WSF at the 2901 building. Masks are required if a member of the public goes into a 'closed' area.
- WSF has started a new scheduling tool, ROBIN, that allows staff to reserve drop in spaces in the building. If commissioners would like to utilize a drop-in workspace, BPC staff can provide scheduling.
- BPC has renewed the agency's liability insurance policy as of April 6. Many thanks to the group at Newfront Insurance for their assistance.
- Martin Selig, 2901 building owners, have contracted with a private security company to help mitigate safety issues in the area. If anyone coming to or leaving the building wishes to be escorted to or from the building within a 2-block radius, please notify BPC staff.
- BPC staff proposed electronic meeting material packets going forward, with the option to print hard copies for commissioners who request them. Commissioners Bendixen, Drennen, Anthony, Ross, and Irwin requested electronic only packets. Chair Tonn, Commissioner Hamilton, and Commissioner Kirtley requested electronic and hard copy packets. The process will be in place for the May meeting.
- BPC Program Analyst Bettina Maki provided and commented on data reports summarizing pilotage activity including assignments by vessel type and a dashboard view of Puget Sound Pilots' monthly activity report. The dashboard will help track the recent efficiency measures enacted by PSP and the WAC 363-116-082 emergency rule adopted by the Board in February. The data was well received by the commissioners.

BPC Chair Report.

- Chair Tonn reported on a recent meeting with Puget Sound Pilots (PSP) and Pacific Merchant Shipping Association (PMSA) regarding the upcoming summer cruise season and how best to mitigate delays. She added that possible solutions are being reviewed and everyone is doing their part to help in mitigation.
- Chair Tonn spoke at the April 19 PSP Board meeting, which was also attended by other PSP pilots. They discussed summer delay mitigation. It provided an opportunity for pilots to ask questions directly to the BPC and Chair Tonn thought it was a good discussion.

Activity Reports. Lou Paulsen representing The Northwest Seaport Alliance (NWSA), Ivan Carlson representing Puget Sound Pilots (PSP), Mike Moore representing Pacific Merchant Shipping Association (PMSA), Mike Folkers representing the Port of Grays Harbor (PGH), and Laird Hail representing the United States Coast Guard (USCG) offered current and projected statistical data as well as updates on current maritime issues and activities.

Regarding delays, PSP President Ivan Carlson noted there was a hierarchy of delays. PSP does not delay cruise ships, and they try not to delay vessels that have B.C. as the next port of call, vessels that are tied to a berth where another vessel is awaiting that berth, and vessels that have a tide or current window requirement. After an inquiry from Commissioner Bendixen regarding delaying domestic lines, Captain Carlson added that PSP does not delay TOTE and that on occasion they have delayed Matson. He did point out that Matson frequently delays PSP, which is a problem. Laird Hail, USCG, requested that PSP also prioritize vessels waiting at anchor.

Commissioner Farrell thanked PSP for the letter response to his request at the March meeting for details regarding the steep increase in delays beginning in the summer of 2021. He asked for clarification on one section of the letter regarding research as to the primary reasons for the delays. He added that several reasons were consistent with trends in the business, however they do not account for the significant delays reported. Captain Carlson responded that there were too many moving parts to be able to sit down and figure out the exact cause. He apologized and reiterated that he did not have answer.

Commissioner Bendixen reported that the recently established Pilot Ladder form is being utilized by both Puget Sound Pilots and the Port of Grays Harbor. It has been very helpful in identifying dangerous arrangements and encourages pilots nationally and internationally to communicate about dangerous ladder arrangements. She expressed gratitude to both the USCG and the BPC for support in the effort to make pilot transfers safer.

NEW BUSINESS

Meeting Minutes.

Motion: Farrell/Kirtley – approve the March 17, 2022, Meeting Minutes as written with one minor correction to page 2 regarding the number of PSP watch groups – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Consideration of Licensure of PSPD Pilot Candidate: Captain Peter Mann.** TEC Chair Bendixen stated that Captain Peter Mann is very close to completion and will be considered for licensure next month.
- **Pilot License Upgrade Program: Captains Bendixen, Kridler, Melin & Ninburg.** The TEC made a small change to the upgrade letter for Captain Bendixen in the TEC meeting yesterday due to vessel traffic and the availability of small cruise ships in her tonnage level.
Motion: Anthony/Drennen – approve the pilot license upgrade programs for Captains Bendixen, Kridler, Melin & Ninburg as recommended by the TEC – Carried, with one abstention from Commissioner Bendixen on her own upgrade.
- TEC Chair Bendixen reported that Captains Bostick and Michael are both nearing the end of their training programs and are ready to attend PPU training.
Motion: Bendixen/Ross – approve PPU training for Captains Bostick & Michael and provide a one-time stipend increase up to \$2,400 for the cost of the course for both – Carried.
- Chair Bendixen reported that after many years of serving both on the Board and on the TEC, including several years as TEC Chair, Captain John Scragg has requested to retire from the TEC. The BPC thanks Captain Scragg for his many years of service. The TEC recommended to replace Captain Scragg with Captain Patrick Ninburg.
Motion: Bendixen/Anthony – approve Captain Pat Ninburg to replace Captain John Scragg on the TEC effective immediately – Carried.
- COVID-19 update: All trainees continue to take appropriate precautions to stay safe while continuing to work through their training programs. After careful review, the TEC has decided to slowly turn the dial and allow 3 trainees on board unless fewer requested by pilot or company, or where other exceptions apply. Masks are still required to be worn on all vessels. The BPC recently updated the Declaration of Health to include a question on cold/flu symptoms based on more current CDC guidelines.

- Thanks to LCDR Ish Looney and his team, improvements to the federal pilotage requirements packet are making good progress and there will be a completed packet out soon.
- The TEC met yesterday and reviewed all the training programs and comments. There are eleven trainees in Puget Sound and one in Grays Harbor. In Puget Sound, four trainees are in the Evaluation Phase, three are in the Training Phase, and four are in the Observation Phase.
- The Port of Grays Harbor reported that trainee Captain Ryan Leo is progressing well. He attended the TEC meeting yesterday to transition into the training portion of his program and he shared his piloting challenges as well as what he is learning. The TEC is continuing to monitor monthly when a second trainee, Captain Colby Grobschmit, will be able to start his training program in Grays Harbor.
- TEC Chair Bendixen and Vice-Chair Anthony thanked Commissioners Ross and Kirtley for attending the latest trainee orientation session. Commissioner Ross shared that Chair Bendixen did an excellent job presenting. Commissioner Kirtley seconded that and also remarked that the process was very eye-opening and a great reminder of what the trainees will be undergoing in the training program. She encouraged all the Commissioners to attend an orientation session as able.
- Captain Ivan Carlson, PSP President, restated his standing yearly invitation to Commissioners and BPC staff to tour the pilot station in Port Angeles. Jolene Hamel, BPC Training Program Coordinator, recently toured the pilot station and thanked everyone involved for her tour and observation of a man overboard drill.

Pilot’s Report of Marine Safety Occurrence: ALPHA LOYALTY, 03/14/2022

Underway in Elliot Bay, Smith Cove	While proceeding into Elliot Bay, the engine stopped and could not be restarted. Tugs Lynn Marie and Weddell Foss were called to assist. Vessel was successfully anchored and engine came back online.	<u>Motion:</u> Hamilton/Bendixen File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: ATHOS, 03/09/2022

Upon docking, Pier 4 Tacoma	Gantry cranes at terminal not positioned per PSP guidelines and shoreside facilities support not available during this docking. PSP is asking for the Port of Tacoma to develop and enforce procedures to monitor the status of crane positions and communicate those positions as well as preferred safe berthing locations.	<u>Motion:</u> Farrell/Anthony File as a Marine Safety Occurrence – Carried. Follow up conversations with PSP & NWSA
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Pilot’s Report of Marine Safety Occurrence: NAVIOS CHRYSALIS, 03/15/2022

Upon docking, Pier 4 Tacoma	Similar situation to the report above on the Athos, cranes at Pier 4 not positioned in a safe manner for berthing.	<u>Motion:</u> Farrell/Anthony File as a Marine Safety Occurrence – Carried. Follow up conversations with PSP & NWSA
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Washington State Executive Ethics Board – Boards and Commissions Training. Kate Reynolds, Executive Director of the Washington State Executive Ethics Board, introduced the Ethics in Public Service Act to the Board, pointing out the areas of the Act that specifically pertain to boards and commissions. A Q&A occurred throughout the one-hour presentation.

Exemptions from Pilotage.

Motor Yacht GRANKITO – 64’, 76gt, Cayman Island registry, Captain Larraguibel.

Motion: Drennen/Farrell– concur with Chair Tonn’s granting of an interim annual exemption with the following condition imposed: No Deception Pass, Locks, or Duwamish Waterway and must have pilot orientation cruise – Carried.

Motor Yacht CID – 108’, 264gt, Cayman Island registry, Captain Casadoiro.

Motion: Anthony/Farrell – grant an annual exemption with the following conditions imposed:

No Deception Pass, no Locks and must have pilot orientation cruise from PA through the Locks – Carried.

Motor Yacht KURIOSO – 56’, 20gt, Switzerland registry, Captain Soland.

Motion: Hamilton/Drennen – grant an annual exemption – Carried.

Motor Yacht QING – 151', 485gt, Cayman Island registry, Captains Mayne & Macdonald.

Motion: Farrell/Ross – grant an annual exemption with the following conditions imposed:

No Deception Pass, no Locks and must have pilot orientation cruise – Carried.

Motor Yacht ALTAVITA– 126', 299gt, Marshall Island registry, Captains Thomson & Reid.

Motion: Farrell/Anthony – grant an annual exemption with the following conditions imposed:

No Deception Pass, no Locks and Captain Thomson must have pilot orientation cruise for any solo voyages – Carried.

Motor Yacht SOUTHERN WAY – 114', 218gt, Cayman Island registry, Captain Cabrera.

Motion: Farrell/Ross – grant an annual exemption with the following conditions imposed:

No Deception Pass – Carried.

Motor Yacht MEA CULPA– 138', 302gt, Cayman Island registry, Captain Grant.

Motion: Anthony/Hamilton – grant an annual exemption with the following conditions imposed:

No Deception Pass – Carried.

Motor Yacht PASAENA– 108', 143gt, BVI registry, Captain Holden.

Motion: Farrell/Ross – grant an annual exemption with the following conditions imposed:

No Deception Pass, no Locks and must have pilot orientation cruise – Carried.

Monique Webber, Pacific Yacht Management, requested that the BPC post a notice on the website explaining why “No Deception Pass” is common condition for approved pilotage exemptions, as it is currently unknown. Chair Tonn agreed to work on that with the Vessel Exemption Committee (VEC).

Pilot/Trainee Physical Examination Reports.

Motion: Farrell/Anthony – approve the pilot physical examination reports for Captains T.S. McGrath, R.L. D'Angelo, D.S. Anacker, and N.T. Kelleher for their annual pilot license renewals – Carried.

Motion: Farrell/Drennen – approve the new trainee physical examination reports for Captains M.D. Mancini and W.R. Kelly – Carried.

Currently, there are two Puget Sound pilots medically unfit for duty.

Committee Updates.

Diversity, Equity & Inclusion Committee (DEIC)

- The JDC will now be called the Diversity, Equity & Inclusion Committee (DEIC) and will not be a joint committee with PSP.
- The Pro-Equity Anti-Racism (PEAR) documents have been received from the state Office of Equity, which lays out agency responsibilities and timelines for implementation.
- The Board reviewed the proposed charter for the DEIC. There was feedback for additional maritime sectors to be included, including Tribal partners. Actual membership will be determined once the charter is in place.

Motion: Farrell/Ross – approve the new DEIC charter and add “other members as identified” – Carried.

Oil Transportation Safety Committee (OTSC)

- Jaimie Bever, OTSC Chair, continues to work closely with Ecology on the future rulemaking process and timelines. A Doodle Poll for a May meeting has been sent out.

Vessel Exemption Committee (VEC)

- The next VEC meeting is scheduled for May 11. Agenda topics will include Commissioner Farrell's request to discuss insurance documents, Monique Webber's request for reasoning on why Deception Pass has become a restricted waterway, and a review of the new petition documents.

Pilot Safety Committee (PSC)

- The February meeting minutes were a part of meeting materials for review.
- Commissioner Drennen reported that the PSC met on March 29. The March meeting included a review of pilot operating rules, and call time on night assignments.
- Pilot ladder forms are coming in and the common theme is ‘incorrectly rigged retrieval lines.’ The forms were instrumental in helping to resolve an issue on an outbound vessel headed for Kaohsiung, Taiwan. Captain Bendixen was able to use social media to reach out and inform that pilot association of what was heading their way.
- The next meeting is scheduled for May 3.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone that the next meeting is scheduled for May 19 at 10:00 a.m. via Teams.

Chair Tonn asked for public comment and received none. She adjourned the meeting at 2:05 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
May 19, 2022

Regular Meeting – Call to Order

The regular meeting was called to order at 10:00 a.m. by Chair Sheri Tonn via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Jason R. Hamilton (Public), Sandy Bendixen (Pilot), Mike Anthony (Pilot), Timothy J. Farrell (Public), Andrew Drennen (U.S. Shipping), Nhi Irwin (Ecology)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Eric Klapperich, Charlie Costanzo: Puget Sound Pilots

Mike Folkers: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Laird Hail, Nate Menafee: USCG

Lou Paulsen, Lindsay Wolpa: The Northwest Seaport Alliance

Monique Webber: Pacific Yacht Management

Mike Haglund: Public

Ann LaRue: Public

Eric Brickenstein: Public

Peter Mann & Family: PSP Licensure Candidate

Joel Michelson, Harlow Wood: Pilot Candidates

Chair Tonn opened the meeting and announced that the BPC would be going into Closed Session from 10-10:30am rather than at the close of the meeting due to Commissioners' schedules.

CLOSED SESSION – Call to Order

A Closed Session of the Board of Pilotage Commissioners was convened at 10:05 a.m. by Chair Sheri Tonn via Conference Call and Microsoft Teams to discuss matters concerning a trainee in the pilot training program.

Present via Conference Call or Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Jason R. Hamilton (Public), Sandy Bendixen (Pilot), Mike Anthony (Pilot), Nhi Irwin (Ecology), Andrew Drennen (U.S. Shipping), Timothy J. Farrell (Public)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Regular Meeting – Call to Order

The regular meeting was returned to session at 10:35 a.m. Chair Tonn asked if there were any motions to be heard from the Closed Session.

Motion: Farrell/Hamilton – terminate Captain Forest McMullen's training program based on his failure to maintain the minimum federal licensure required by RCW 88.16.090 and WAC 363-116-078(14)(a) – Carried.

There was no public comment regarding this motion. Chair Tonn referenced a process outlined in the training program agreement regarding potential next steps.

BPC Staff Report.

- The prohibition on in-person public meetings in Washington State will be lifted as of June 1, 2022. The BPC will consider the future hybrid meetings of the Board and the Board's committees with this information in mind.
- May 18 marked the first International Women's Maritime Day.
- Next month, the BPC will transition to a cruise season meeting schedule, which means the June, July, and August meetings will occur on a Tuesday at noon. The meeting schedule on the BPC website contains details regarding dates.
- The BPC office will be closed on Monday June 20 in the inaugural observance of Juneteenth.

- BPC Program Analyst Bettina Maki provided and commented on the dashboard view of Puget Sound Pilots' monthly activity report.

BPC Chair Report.

- Chair Tonn reported her updates would occur throughout the agenda items.

Activity Reports. Mike Folkers representing the Port of Grays Harbor (PGH), Mike Moore representing Pacific Merchant Shipping Association (PMSA), Laird Hail representing the United States Coast Guard (USCG), Ivan Carlson representing Puget Sound Pilots (PSP), and Lou Paulsen and Lindsay Wolpa representing The Northwest Seaport Alliance (NWSA) offered current and projected statistical data as well as updates on current maritime issues and activities. Lou informed the Board that this was his last meeting as he plans to retire at the end of June. He introduced Lindsay Wolpa, who will be representing the NWSA at future meetings. The Board thanked Lou for the valuable information he has shared and wished him the best in his well-earned retirement.

PSP President Captain Ivan Carlson reported on research PSP conducted regarding the impact of recent efficiency measures and delays:

- Regarding the change to WAC 363-116-081 Rest Period, in April PSP was able to pair an interport assignment with a harbor shift 9 times. The impact was that 9 pilots did 18 jobs instead of 18 pilots.
- Regarding cancellations, in 4 of the 15 reported cancellations, PSP was able to put pilots right to work, without requiring 10 hours rest between assignments.
- Regarding change in call times after 1830, this resulted in reducing 3 & Out jobs by 18 in April.
- Regarding immediate repositioning, this is not yet having the desired outcome as the inbound need matched the outbound need in April.
- Regarding the schedule change, while full implementation was not completed until April 11, PSP is seeing positive signs.
- Regarding delays, the general strategy is to reduce the reliance on comp days that stress the pilot corps when a small delay is possible. There are two reasons for this:
 - PSP has heard from 3 different fatigue experts that are very familiar with pilots across the country. They have all expressed safety concerns over the amount of work PSP are doing off watch.
 - PSP is expecting a busy summer. Asking the pilot corps to come in on their days off, to prevent a small delay, may create a problem when those pilots will be needed to prevent much larger delays.
- Of the delays:
 - Eleven vessels were going to anchor to await berth space for a total delay of 82 hours
 - Some were to avoid putting pilots into a 3 & Out situation
 - Some were to link harbor shifts
 - Some were to combine harbor shift and interport moves
 - One was to combine an area maritime security meeting with an inbound job, and
 - A number were to await a rested pilot

Commissioner Farrell thanked Captain Carlson for the insightful report, which provided a fresh look into how PSP is managing daily pilot capacity level on a day-by-day basis. He added that it would be great to understand the individual drivers on those strategies around delaying for a short time to avoid a larger problem down the road and how those contributed to the 34 delays in April that averaged roughly 5 hours per delay. He encouraged PSP to continue to provide this type of information. Commissioner Kirtley echoed Commissioner Farrell's appreciation for the report and the metrics included.

Chair Tonn reported that she has requested PSP to work on a histogram regarding the duration of the delays because it sounds like most of them are 2-3 hours or less, with a few significantly longer. She talked about looking at the mean and median of the length of delay. She suspects the median is quite a bit shorter than the mean.

Commissioner Drennen commented that while the focus seems to be on not delaying cruise ships, etc., tankers should also be considered as it costs them money to be delayed and anchored.

PSP Executive Director Charlie Costanzo explained that PSP is working to balance the meetings and stressing off-watch participation. He stressed that many meetings represent fundamental work of the pilot

corps, including navigational core competency issues, and that attendance at monthly meetings is more slanted toward pilots who are off-watch. BPC Executive Director Jaimie Bever asked if that information could be included in the monthly activity reports. Charlie responded that it was possible to include more detail, including which pilots are on or off watch. Commissioner Kirtley suggested removing the ETO details in the Activity Report to help streamline the information.

NEW BUSINESS

Meeting Minutes.

Motion: Hamilton/Bendixen – approve the April 21, 2022, Meeting Minutes as written with one minor correction to page 4 in the PSC section regarding the destination of an outbound vessel – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Consideration of Licensure of PSPD Pilot Candidate: Captain Peter Mann.** On behalf of the Trainee Evaluation Committee (TEC), TEC Chair Bendixen stated that Captain Peter Mann has successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training and completion of his federal licensing requirements. Commissioner Bendixen added that Captain Mann has proven to be consistent, safe, and able to pilot independently. The Board has received his TPTR Summary and all training comments.
Motion: Bendixen/Farrell – issue Captain Peter Mann state pilot license number 218 for the Puget Sound Pilotage District – Carried.
- **Pilot License Upgrade Program: Captains Gartner & Hunter.** Captain Gartner is nearing completion of his first license year and Captain Hunter is nearing completion of his fifth license year. The first-year upgrade letter has some modifications, as the TEC is working on format revisions and trip reviews.
Motion: Bendixen/Anthony – approve the pilot license upgrade programs for Captains Gartner & Hunter as recommended by the TEC – Carried
- **COVID-19 update.** The TEC has increased the minimum trips required to receive full stipend from 12 to 13. They have been monitoring the situation closely and feel now is an appropriate time to continue to turn the dial. This change will help with trainee progress through the program while also maintaining a cautious approach to COVID. Currently, trainees are not permitted on Crowley and Foss tugs for ship assist observations. Nor are they allowed on Crowley ATBs, which is integral part of the program. The TEC is working closely to get the trainees back on the ATBs. Chair Tonn asked for public comment but received none.
Motion: Bendixen/Farrell – Refile the WAC 363-116-078 Emergency Rule to maintain cautious approach to COVID while progressing trainees through the program.
- Regarding federal pilotage, the work continues with the USCG. The hope is to finish the packet soon.
- The TEC met on May 18 and reviewed all the trips and comments for both Puget Sound and Grays Harbor. There are 10 trainees in PS and 1 in GH. Trainees are progressing well. There are 2 who hope to complete their training and be ready for licensure this summer. In Puget Sound, there are 3 trainees in the Evaluation Phase, 3 in the Training Phase, and 4 in the Observation Phase. In Grays Harbor, there is 1 in the Training Phase. The TEC is reviewing a training program start date for Captain Colby Grobschmit in Grays Harbor.

Vessel Exemption Committee (VEC)

- The VEC had a very productive meeting May 11, which resulted in a Guidelines document for the BPC and petitioners to reference when considering pilotage exemptions. The Board reviewed the first draft of the document. A final draft will be presented for adoption at the June Board meeting.
- The VEC made some minor revisions to the Pilotage Exemption Petition to make the process of filling it out more streamlined and straightforward.
- The group also discussed potential WAC/RCW changes, including a restructuring of the fees.
- Chair Tonn and VEC Chair Anthony thanked the committee members for their work.

Pilot Safety Committee (PSC)

- The PSC presented the final draft of a Safety Advisory Bulletin regarding pilot transfer arrangements. After reviewing pilot ladder forms received from pilots, the PSC noticed a common theme of incorrect rigging of the retrieval line, which prompted the bulletin. Chair Tonn asked for public comment and received none.

Motion: Drennen/Hamilton – adopt the Safety Advisory Bulletin as proposed for distribution – Carried.

- The PSC met on May 3. The Board received the meeting minutes from the March 29 meeting for review. The next meeting will be in July.
- It has been 6 months since the change to require two pilots for nighttime bulker assignments coming out of Tacoma. The PSC reviewed the data and noticed the trend of the bulkers shifting their departure times to a daylight transit to avoid the two-pilot assignment.
- The group also reviewed rest rule exceptions. There were zero in Grays Harbor and a couple in Puget Sound, attributed to the transition to the WAC change regarding multiple moves.
- Charlie Costanzo, PSP Executive Director, and Commissioner Bendixen spoke about a general standard of communication PSP is fostering with other pilotage groups when they see a concerning pilot transfer arrangement.

Exemptions from Pilotage. Chair Tonn thanked Monique Webber, Pacific Yacht Management, for her assistance in attempting to track down the Clipper Race vessels.

Motor Yacht HELIOS3 – 177', 776gt, Marshall Island registry, Captain Smith.

Motion: Farrell/Hamilton– concur with Chair Tonn's granting of an interim annual exemption with the following conditions imposed: No Deception Pass and must have pilot orientation cruise – Carried.

Motor Yacht CV20 -CV29 (10 Clipper Race Vessels) – 76', 50gt, Malta registry, Various Captains.

Motion: Farrell/Anthony – concur with Chair Tonn's granting of the 10 interim 3 month exemptions with the following conditions imposed: No Deception Pass, no Locks and must have pilot orientation cruise from PA through the Locks – Carried.

Motor Yacht AFTER EIGHT – 151', 498gt, Isle of Mann registry, Captains Holliss & Lindsay.

Motion: Farrell/Drennen – grant an annual exemption – Carried.

Sailing Yacht TAMSEN – 172', 463gt, British registry, Captain Catlett.

Motion: Anthony/Farrell – grant an annual exemption – Carried.

Motor Yacht CHEEMAUN– 70', 60gt, Cayman Islands registry, Captains Sanson & Piper.

Motion: Farrell/Drennen – grant an annual exemption – Carried.

Motor Yacht OSTARA – 130', 333gt, Marshall Islands registry, Captain DeBanks.

Motion: Anthony/Farrell – grant an annual exemption with the following conditions imposed: Dockside Orientation in Port Angeles – Carried.

Motor Yacht V6– 159', 568gt, Cayman Island registry, Captain Scrimshaw.

Motion: Anthony/Farrell – grant an annual exemption with the following conditions imposed: Dockside Orientation at first port of entry and No Duwamish, Locks, or Deception Pass – Carried.

Pilot/Trainee Physical Examination Reports.

Motion: Farrell/Drennen – approve the pilot physical examination reports for Captains W.J. Sliker, I.J. Carlson, D.W. Grobschmit, and J.E. Kalvoy for their annual pilot license renewals – Carried.

Motion: Drennen/ Farrell – approve the pre licensing physical examination report for Captain P.P. Mann – Carried.

Currently, there is one Puget Sound pilot medically unfit for duty. One pilot returned to duty on May 16.

Presentation Regarding PSP 2021 Audited Financial Statement – Puget Sound Pilots. Jessica Norris of Shannon & Associates, auditors for Puget Sound Pilots, gave a high-level overview of the 2021 audited financials. A Q&A followed.

Committee Updates.

Diversity, Equity & Inclusion Committee (DEIC)

- Chair Tonn met with BPC staff to review the approved positions and identified possible candidates for committee membership
- Regarding the Washington State Office of Equity's PEAR (Pro Equity Anti Racist) initiative, BPC will be partnering with Washington State Ferries going forward.

Oil Transportation Safety Committee (OTSC)

- The Board received the meeting minutes from the March 24 OTCS meeting for review. The next meeting is May 27 to review and discuss the findings of the Synopsis of Changing Vessel Traffic Trends.
- Ecology will host an introductory webinar regarding the Tug Escort and ERTV Analysis projects on June 8.

- Ecology will present to the Board an overview of their rulemaking process at the October Board meeting in preparation for the 2025 rulemaking deliverable in ESHB 1578.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone that the next meeting is scheduled for June 21 at 12:00 p.m. via Teams.

Chair Tonn asked for public comment and received none. She adjourned the meeting at 1:50 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
June 21, 2022

PUBLIC HEARING – Call to Order

A Public Hearing concerning WAC 363-116-081 Rest Period was convened at 12:00 p.m. by Vice Chair Eleanor Kirtley via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Sandy Bendixen (Pilot), Mike Anthony (Pilot), Timothy J. Farrell (Public), Nhi Irwin (Ecology), Mike Ross (Foreign Shipping)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Eric Klapperich, Charlie Costanzo: Puget Sound Pilots

Mike Folkers: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Nate Menafee: USCG

Lou Paulsen, Lindsay Wolpa: The Northwest Seaport Alliance

Monique Webber: Pacific Yacht Management

Mike Haglund: Public

Ann LaRue: Public

Eric Brickenstein: Public

Sol Kohlhaas: Marathon Petroleum

Eric Michael & Family: PSP Licensure Candidate

Colby Grobschmit, Nick Sabbath: Pilot Candidates

WAC 363-116-081 Rest Period. This rulemaking amends the types of pilotage assignments subject to the requirement for ten hours rest with the opportunity for eight hours of sleep after completion of an assignment. Puget Sound Pilots recently approved several measures to increase dispatching efficiency and pilotage availability while observing state mandated rest rules. There were no written or oral public comments. Vice Chair Kirtley closed the Public Hearing at 12:05 p.m.

REGULAR MEETING – Call to Order

The Regular Meeting of the Board of Pilotage Commissioners was convened immediately following the Public Hearing by Vice Chair Eleanor Kirtley via Microsoft Teams.

BPC Staff Report.

- A draft of the 2021 Annual Report will be included in the July meeting materials with the final draft and approval planned for the August meeting. It must be submitted to the Legislature by September 1. Puget Sound Pilots and Port of Grays Harbor leadership will have a chance to review the draft as well.
- The 2022-2027 Strategic Plan to accompany our 23/25 biennial budget request will also need to be available for review in the July meeting materials.
- On May 25, Jaimie attended the Joint Puget Sound Harbor Safety Committee (PSHSC)/Pacific Coast Marine Review Panel (PACMAR) annual meeting and gave a brief update on the Oil Transportation Bill. Ecology also gave an update on the tug escort risk model.
- Jaimie will be out the office next week on vacation.

Activity Reports. Mike Moore representing Pacific Merchant Shipping Association (PMSA), Nate Menafee representing the United States Coast Guard (USCG), Charlie Costanzo representing Puget Sound Pilots (PSP), Lindsay Wolpa representing The Northwest Seaport Alliance (NWSA), and Mike Folkers representing the Port of Grays Harbor (PGH) offered current and projected statistical data as well as updates on current maritime issues and activities.

Charlie Costanzo, PSP Executive Director, reported the following data points for May pilotage assignments:

May had over 700 assignments, which is 100 more assignments than the previous 5-year average. It was the busiest May since 2015 and before that, since 2008.

- Callback/Assignment Ratio Goal = 5%
 - April 2022 = 15.2%
 - May 2022 = 17.97%
- Delay issue is mechanical, a function of assignments and number of pilots
- Efficiency Measures
 - Harbor Shift and Inter-port Combinations = 16 (required some delays, but reduced the need from 32 to 16 pilots)
 - Use of Pilots Immediately After Cancellation = 3 times out of 13 cancellations (PSP didn't expect much improvement going forward)
 - Reduced Call Times at Night = 20 out of 50 3-and-Outs in May (hard to meet demand with a shortage of pilots)
 - Watch Change = 9 change days in May (Dispatchers report benefits to the system having more pilots available on change day and better opportunities for PSP meetings on change days)
- Meetings as listed on the Activity Report
 - 1 asterisk if a pilot was on-duty
 - 2 asterisks if a pilot was on-duty and dispatched to an assignment directly after the meeting
 - Yellow = Safety/Regulator (core function of PSP)
 - Blue = Public Facing/Non-Safety, Workforce Development, DEI (some considered core functions of PSP, like DEI and Workforce Development)
 - Orange = Internal PSP Admin (core function of PSP)

Commissioner Farrell requested information regarding the vessels affected by the delays and where they were going. Charlie said he could provide this information. Sol Kohlhass, Port Captain Marathon Petroleum, was concerned about a 30-hour delay they experienced and the significant amount of money it cost them. Charlie agreed that communication between the dispatchers and agents needs improvement regarding the cause of delays.

NEW BUSINESS

Consideration of Previous Hearing on WAC 363-116-801: Rest Period.

Motion: Farrell/Bendixen – adopt the changes to WAC 363-116-801 Rest Period as proposed – Carried.

Meeting Minutes.

Motion: Farrell/Ross – approve the May 19, 2022, Meeting Minutes as written with one minor correction to add Charlie Costanzo to the attendance list – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Consideration of Licensure of PSPD Pilot Candidate: Captain Eric Michael.** On behalf of the Trainee Evaluation Committee (TEC), TEC Chair Bendixen stated that Captain Eric Michael has successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training and completion of his federal licensing requirements. Commissioner Bendixen added that Captain Michael has proven to be consistent, safe, and able to pilot independently. The Board has received his TPTR Summary and all training comments.
Motion: Bendixen/Farrell – issue Captain Eric Michael state pilot license number 219 for the Puget Sound Pilotage District – Carried.
- **Pilot License Upgrade Program: Captains McGourty, Moore, Myers, Siddell & Henderson.** The second-year upgrade letter has some modifications, as the TEC is working on format revisions and trip reviews.
Motion: Bendixen/Anthony – approve the pilot license upgrade programs for Captains McGourty, Moore, Myers, & Siddell as recommended by the TEC – Carried
Motion: Bendixen/Farrell – approve the pilot license upgrade program hold for Captain Henderson as recommended by the TEC – Carried
- **COVID-19 update.** The TEC has no changes to the COVID-19 policies at this time and recommends it remains as-is for the upcoming month, adapting as needed.

- **Training Program Agreement Grays Harbor District – Captain Colby Grobschmit.** The only changes to the training agreement and requirements for Captain Grobschmit is that they were modified to allow for Captain Leo to have the priority in training in Grays Harbor.
Motion: Bendixen/Ross – Approve the Training Program Agreement and Requirements for Captain Grobschmit as written – Carried.
- The work on the federal pilotage package continues with the USCG.
- The TEC met earlier this morning and reviewed all the trips and comments for both Puget Sound and Grays Harbor. With the earlier licensure, that leaves 8 trainees in PS and 1 in GH. Trainees are progressing. There are an additional 2 who hope to complete their training and be ready for licensure this summer. In Puget Sound, there are 4 trainees in the Evaluation Phase, 2 in the Training Phase, and 2 in the Observation Phase. In Grays Harbor, there is 1 in the Training Phase.

Vessel Exemption Committee (VEC)

- The VEC met on June 9. Topics included review of recent changes to the exemption petition and potential WAC/RCW updates including blanket exemptions for small vessels and fee structures. The next meeting will be scheduled for the end of summer, due to the busy season for committee members.
- Getting the word out to small recreational boaters regarding Washington state pilotage rules continues to be an issue. BPC Staff put together a one-page to distribute to recreational boaters via social media, marina distribution, publications, and Customs and Border Protection.
- **Consideration of Vessel Guidelines.**
Motion: Anthony/Ross – Approve the Conditions for Pilotage Exemptions of Foreign Flag Recreational Vessels in Special Exemption Areas and Requirements for Pilot Orientation in the Puget Sound Pilotage District as written – Carried.
- Commissioner Bendixen liked the flyer and suggested that staff prepare another flyer for Rule 10, which is a COLREGs rule for recreational boating and sport fishing in the traffic lanes. She suggested distributing it to yacht clubs, as well as the Washington state Fish and Game Regulations annual pamphlet and social media. She added that flyers were a great source to make Puget Sound safer.

Pilot’s Report of Marine Safety Occurrence: *USNS BRITTIN, 05/25/2022*

NB traffic lane near Shilshole	Upon boarding, the pilot was informed that two of four engines were unavailable due to recent engine rebuild and had yet to be calibrated. While underway, a fire was reported in one of the two usable engines. A tug escort was called and the USCG directed the vessel to anchor in Port Angeles for a Class Inspection.	<u>Motion:</u> Anthony/Ross File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: *BTG MATTERHORN, 06/12/2022*

Abeam Robinson Point	While transiting from Tacoma, a failed fuel oil supply valve caused engine alarms and reduced speed capacity. A tug was called, and the vessel was safely anchored.	This MSO will be carried over to the July meeting.
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Exemptions from Pilotage.

Motor Yacht *ST. EVAL* – 114’, 218gt, Cayman Island registry, Captain Milla.

Motion: Farrell/Ross– concur with Chair Tonn’s granting of an interim annual exemption with the following conditions imposed: No Duwamish Waterway – Carried.

Motor Yacht *TESS* – 120’, 244gt, Cayman Island registry, Captain Milla.

Motion: Anthony/ Farrell – grant an annual exemption with no conditions imposed – Carried.

Motor Yacht *MIRABELLA* – 157’, 418gt, Cayman Island registry, Captain Brown.

Motion: Farrell/Ross – concur with Vice Chair Kirtley’s granting of an interim annual exemption with the following conditions imposed: No Duwamish Waterway, Deception Pass or Locks and a dockside orientation to be given in Port Angeles – Carried.

Sailing Yacht *AWATEA* – 148’, 499gt, Cayman Island registry, Captains Neill & Moore.

Motion: Farrell/Ross – grant a 3-month exemption with the following conditions imposed: No Duwamish Waterway, Deception Pass or Locks and a dockside orientation to be given in Port Angeles – Carried.

Motor Yacht KNIGHT – 164', 499gt, Jamaica registry, Captain Schlitz.

Motion: Anthony/Farrell – grant an annual exemption with the following conditions imposed: No Deception Pass – Carried.

Motor Yacht GYRFALCON – 74', 55gt, British registry, Captain Stump.

Motion: Anthony/Farrell – grant an annual exemption with the following conditions imposed: Dockside Orientation in Port Angeles and none of the special exemption areas unless an orientation session in that area completed – Carried.

Motor Yacht MIRA TWO – 110', 219gt, Jamaica registry, Captains Sethmann & Papa.

Motion: Anthony/Farrell – grant an annual exemption with the following conditions imposed: Pilot required on any transits within the Special Exemption Areas if Captain Papa is on a solo voyage prior to the completion of two trips in each area with Captain Sethmann onboard and training. Proof of training voyages must be submitted to BPC – Carried.

Motor Yacht LUCKY STARS– 43', 21gt, Marshall Island registry, Captain Holowchak.

Motion: Farrell/Anthony – grant an annual exemption with no conditions imposed – Carried.

Pilot/Trainee Physical Examination Reports.

This agenda item will be carried over to the July meeting.

Committee Updates.

Diversity, Equity & Inclusion Committee (DEIC)

- BPC staff has been moving along with possible candidates for committee membership and will have more information to share at the July meeting.

Oil Transportation Safety Committee (OTSC)

- The OTSC met on May 27 to review and discuss the findings of the Synopsis of Changing Vessel Traffic Trends. The committee will not meet again until after the summer is over.
- Ecology held an introductory webinar regarding the Tug Escort and ERTV Analysis projects on June 8. The next webinar is scheduled for July 13.

Pilot Safety Committee (PSC)

- The next meeting will be scheduled in July.
- Pilots have been handing out the recently approved safety bulletin on ladder safety when finding improper ladder rigging.
- A joint PSP and Arrow Launch letter was sent out regarding gangway nets, which are appropriate at dock but not at anchor, which had been increasingly observed lately. The committee will review the letter at the next PSC meeting.
- Captain Bendixen shared her appreciation for the collaboration to put together the gangway net letter. She also shared some insights from the recent International Marine Pilots Association conference that she attended, which had an entire day devoted to pilot safety.

Confirmation of Next Regular Meeting Dates. Vice Chair Kirtley reminded everyone that the next meeting is scheduled for July 19 at 12:00 p.m. via Teams. Vice Chair Kirtley asked for public comment. Hearing none, she adjourned the meeting at 2:00 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
July 19, 2022

Regular Meeting – Call to Order

The regular meeting was called to order at 12:00 p.m. by Chair Sheri Tonn via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Sandy Bendixen (Pilot), Mike Anthony (Pilot), Jason R. Hamilton (Public), Mike Ross (Foreign Shipping), Andrew Drennen (U.S. Shipping)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Eric Klapperich, Bill Sliker, Jack Bujacich, Travis McGrath, Brett Valentine, Charlie Costanzo: Puget Sound Pilots

Mike Folkers: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Laird Hail: USCG

Lindsay Wolpa: The Northwest Seaport Alliance

Ann LaRue: Public

Kim Morley: Department of Ecology

Robert Ekemann: PSP Licensure Candidate

Nick Sabbath: Pilot Candidate

BPC Staff Report.

- The BPC Pilotage Quarterly Summer Edition, which is typically published at the beginning of July, will be published in August this year.
- Due to the option for attending BPC public meetings via the phone, the chat feature on Microsoft Teams will not be utilized for continued conversations regarding meeting agenda items.
- Chair Tonn and Jaimie Bever have been gathering for Board meetings at the 2901 office building. For the next few months, the Commissioners are encouraged to attend the meetings in person, if they are comfortable. Commissioner Hamilton asked about possibly returning to Grays Harbor for the August meeting, as was the practice prior to the pandemic. The Board will plan the August 2023 meeting in Grays Harbor, or sooner if an opportunity presents itself.
- BPC Program Analyst Bettina Maki provided and commented on the dashboard view of Puget Sound Pilots' monthly activity report as well as other reports generated. She also stated that the numbers for first quarter 2022 were skewed as the cancellations got counted twice. She will update and resend.

BPC Chair Report.

- Chair Tonn thanked Vice Chair Kirtley for chairing the June meeting and handling Board matters in her absence.
- Chair Tonn reported that the Women Offshore Inclusion Summit will be taking place remotely on August 3. Both she and Jaimie will be participating and invited any commissioners who wish to join to contact BPC staff.
- PSP President Captain Carlson had notified Chair Tonn of an anomaly and exception to the 10-hour rule regarding the vessel Cable Innovator. This vessel will need 2 pilots for 24 hours shifts for a weeklong period at the end of July. The vessel has established quarters for the pilots who will be able to maintain their rest during the other pilot's watch. This was approved by Chair Tonn.

Utilities and Transportation Commission (UTC) Pilotage Tariff Filing Process. As of July 15, the Puget Sound Pilots have filed a revised tariff with the UTC. The original presentation by the UTC from April 2019 was shared with Board members followed by a Q&A concerning ex-parte communication rules. The revised tariff filing does not prevent the Board from conducting regular business. The purpose is to prevent inappropriate tariff discussions.

Activity Reports. Mike Folkers representing the Port of Grays Harbor (PGH), Ivan Carlson representing Puget Sound Pilots (PSP), Lindsay Wolpa representing The Northwest Seaport Alliance (NWSA), Laird Hail representing the United States Coast Guard (USCG), and Mike Moore representing Pacific

Merchant Shipping Association (PMSA) offered current and projected statistical data as well as updates on current maritime issues and activities.

Captain Carlson reported that June had 709 assignments, which brings the year-to-date total to 3,704. This is the most year-to-date assignments since 2016, which was prior to implementation of 3-and-out and statutory rest rules. In addition, year-to-date cruise assignments are at an all-time high. PSP expects the 2022 cruise season to be 30% higher than any other year. June data points included:

- Callback/Assignment Ratio Goal = 5%
 - June 2022 = 22%
- Severe impacts to the pilot corps from COVID-19 in June, as listed in the Activity Report
- Assignments occurring between the hours of 0100 to 0459
 - June 2022 = 49%
 - The stacking of night jobs has a negative impact on PSP
 - Dispatchers try to reduce 3-and-out as much as possible
- Pilot Boat *PUGET SOUND* is out of rotation due to a mechanical issue
 - PSP hopes to have it repaired and in the water in the next 30 days
 - Pilot boat *JUAN DE FUCA* is being fully utilized in the meantime
- PSP has signed an MOU with the IBU with the plan of hiring a 4th dispatcher
- Regarding efficiency measures:
 - Harbor Shift and Inter-port combinations = 31 vessels to 15 pilots (saved 16 pilots)
 - Use of pilots before or after a meeting = 6
 - One hour reduction in call times = 20 times a delay was avoided
 - Reduced 3 and Outs = 21 times
 - Watch Change = Dispatchers report benefits to the system having more pilots available on change day and better opportunities for PSP meetings on change days

Chair Tonn requested that the efficiency measures be added to the Activity Report, also acknowledging the additional workload to do so. Captain Carlson agreed but added that he hoped that once the data is tracked for a while, PSP will be able to stop tracking it.

Charlie Costanzo, PSP Executive Director, explained the June delay log that PSP provided to the Board. Their intention was to look at the reasons for delays. However, the information is not automatically captured in their dispatch system, which required manual collection to include on the log. Per Mr. Costanzo, one big take-away was that a high volume of night jobs had a severe impact on the dispatch system.

Regarding PMSA's activity report recommendation regarding tracking daily pilot availability, Mr. Costanzo pointed out that tracking pilot availability was not as correlative as one might think, adding that an available pilot is not necessarily an assignable pilot. Several factors must be taken into account including rest status, license level, and location of the pilot. While dispatchers are aware of pilots on duty, availability, efficiency, and assignability add another layer of complexity to the situation. A Q&A with the Board followed.

Chair Tonn suggested that an appropriate use of PSP's time would be to request the delay log on a month during the off-season, such as December, for comparison with a cruise season, as opposed to requesting the data monthly. She added that it seemed clear, based on the number of licensed pilots and the number of COVID cases in June, as well as potential future cases, that there will continue to be delays for the next few months. It is imperative that everyone work to reduce delays as much as possible, both on the pilot side and industry side.

Bettina Maki, BPC Program Analyst, commented that she plans to add the number of days pilots are unavailable due to health reasons for a portion of a month versus the entire month to the dashboard of the monthly activity report going forward.

NEW BUSINESS

Meeting Minutes.

Motion: Hamilton/Kirtley – approve the June 21, 2022, Meeting Minutes as written with one minor correction – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Consideration of Licensure of PSPD Pilot Candidate: Captain Robert Ekelmann.** On behalf of the Trainee Evaluation Committee (TEC), TEC Chair Bendixen stated that Captain Robert Ekelmann has successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training. However, while completion of the federal program has been confirmed, the sticker has not yet arrived. The TEC finds that Captain Ekelmann has proven to be consistent, safe, and able to pilot independently. The Board has received his TPTR Summary and all training comments.

Motion: Bendixen/Anthony – issue Captain Robert Ekelmann state pilot license number 220 for the Puget Sound Pilotage District – Carried.

Motion: Bendixen/Anthony – Authorize the use of a graduate program agreement for Captain Ekelmann if needed while awaiting his federal licensing requirement – Carried.

- **Candidate Invitations.** The TEC reviewed progress of the current pilot trainees and projected pilot retirements over the next couple of years in the Puget Sound Pilotage District. The TEC recommends inviting two candidates from the 2021 exam class to begin training on or about October 1, 2022.

Motion: Bendixen/Ross – Invite two candidates from the 2021 exam class to begin training in the Puget Sound Pilotage District around October 1, 2022 – Carried.

- The TEC has no changes to the COVID-19 policies at this time and recommends it remains as-is for the upcoming month, adapting as needed. All trainees are still diligently following COVID recommendations from both BPC and Dr. Jarris.
- The TEC met yesterday and reviewed all the trips and comments for both Puget Sound and Grays Harbor. With the earlier licensure, that leaves 7 trainees in PS and 2 in GH. Trainees are progressing, and both Captains Kelly and Mancini attended the TEC meeting to transition to the Training Phase. They anticipate one more trainee to complete training and be ready for licensure this summer. In Puget Sound, there are 4 trainees in the Evaluation Phase, 3 in the Training Phase, and none in the Observation Phase. In Grays Harbor, there is 1 in the Training Phase and 1 in the Observation Phase.
- During yesterday’s meeting, the TEC reviewed the upgrade trips and are working on recommendations for WAC changes to allow a longer period for upgrading, especially in light of 12 pilots who have to upgrade during the summer months. Captain Christopher Rounds graduated to unlimited status earlier this month.
- The TEC extended a thank you to Commissioner Drennen and Polar Tankers for allowing trainees to participate in tanker escort tether drills this fall.
- Due to a reexamination of procedures, Puget Sound Pilots is once again allowing first-year pilots to operate as second pilot on Duwamish Waterway transits, assisting in the transition from first to second-year piloting.

Pilot’s Report of Marine Safety Occurrence: *MATTERHORN, 06/12/2022*

Abeam Robinson Point	While transiting from Tacoma, a failed fuel supply valve caused engine alarms and reduced speed capacity. A tug was called, and the vessel was safely anchored.	<u>Motion:</u> Anthony/Bendixen File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: *VOLANS LEADER, 06/12/2022*

Docking in the Sitcum Waterway	While backing up for final position to the dock, pilot ordered for dead slow ahead and engine would not start with multiple bridge tries. Engine room was unable to get a start as well. Used bow thruster and stern tug to bring ship alongside. Issue likely due to an air valve or solenoid valve.	<u>Motion:</u> Anthony/Bendixen File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: *MANOA, 07/11/2022*

Underway in Port Angeles Pilot Boarding Area	Loss of propulsion upon pilot boarding led to taking the vessel to anchor instead of Tacoma as planned. Used tug to tow vessel to Port Angeles Anchorage.	<u>Motion:</u> Anthony/Bendixen File as a Marine Safety Occurrence – Carried.
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Exemptions from Pilotage.

Motor Yacht BLUE MOON – 198', 1102gt, Cayman Island registry, Captains Allman and MacDonell.

Motion: Anthony/Ross– concur with Chair Tonn's granting of an interim annual exemption with the following conditions imposed: Dockside orientation at first port of entry, No Deception Pass and Captain MacDonell must transit if in either the Duwamish Waterway or the Locks – Carried.

Motor Yacht CV-9 – 140', 97gt, Cayman Island registry, Captain Johnson.

Motion: Ross/Drennen – grant an annual exemption with no conditions imposed – Carried.

Motor Yacht BUENA ONDA – 39', 19gt, Cayman Island registry, Captain Tutton.

Motion: Anthony/Ross – grant a 3-month exemption with no conditions imposed – Carried.

Pilot/Trainee Physical Examination Reports.

Motion: Ross/Drennen – approve the pilot physical examination reports for Captains A.B. Seamans, P.S. Kelly, J.C. Scragg, J.P. Bujacich, S.T. Coleman, M.L. Anthony, C.F. Rounds and L.A. Seymour for their annual pilot license renewals – Carried.

Motion: Hamilton/Anthony – approve the pre licensing physical examination report for Captains E.T. Michael and R.T. Ekelmann – Carried.

Motion: Ross/Anthony – approve the new trainee physical examination report for Captain C.G. Grobschmit – Carried.

2021 BPC Annual Report Draft – Discussion. Both pilotage districts and stakeholders, as well as the Board have received the draft 2021 BPC Annual Report. The final draft will be presented at the August meeting for BPC adoption. Thanks to Commissioner Kirtley for her feedback and edits. Once the report is approved by the Board, it will be posted and distributed to the Governor's Office and the Legislature no later than September 1.

2023-2025 BPC Strategic Plan Draft – Discussion. The Board received the first draft of the strategic plan that will accompany the agency's 2023-2025 Biennial Budget request. The Board will receive a 2nd draft at the August meeting and a final draft at the September meeting for adopting prior to the budget submittal deadline of September 20.

ESHB 1578 Updates. Ecology held a webinar on July 8 as a continuation of the ERTV and Tug Escort Analysis Projects outreach. For those who missed it, all the webinars relating to the risk model are housed on Ecology's website. The model testing will start next week and will be continuing all summer with next steps coming this Fall.

Committee Updates.

Diversity, Equity & Inclusion Committee (DEIC)

- BPC staff is still working on candidates for committee membership and hopes to have more information to share at the August meeting.

Oil Transportation Safety Committee (OTSC)

- Jaimie Bever, OTSC Chair, met with Bob Poole and Ramine Cromartie from Western States Petroleum Association. Ramine will be taking Bob's place on the committee in the near future.
- No meeting is scheduled at this time.

Pilot Safety Committee (PSC)

- There are no updates since the last meeting. The committee is scheduled to meet again next week on July 28.

Vessel Exemption Committee (VEC)

- The next meeting will be scheduled after summer, due to the busy season for committee members.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone that the next meeting is scheduled for Tuesday August 16 at 12:00 p.m. via Teams, and then in September meetings will return to the third Thursdays at 10:00 a.m.

Public Comment. Chair Sheri Tonn asked for public comment. Hearing none, she adjourned the meeting at 2:30 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
August 16, 2022

Regular Meeting – Call to Order

The regular meeting was called to order at 12:00 p.m. by Chair Sheri Tonn via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Commissioners: Sandy Bendixen (Pilot), Mike Anthony (Pilot), Jason R. Hamilton (Public), Mike Ross (Foreign Shipping), Andrew Drennen (U.S. Shipping), Timothy J. Farrell (Public)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Eric Klapperich, Bill Sliker, Jack Bujacich, Severin Knutsen, Magen Brooks,

Charlie Costanzo: Puget Sound Pilots

Mike Folkers: Port of Grays Harbor

Jordan Royer: Pacific Merchant Shipping Association

Laird Hail: USCG

Lindsay Wolpa, Zack Thomas: The Northwest Seaport Alliance

Ann LaRue: Public

Brittany Flittner: Department of Ecology

Mark Bostick: PSP Licensure Candidate

Nick Sabbath: Pilot Candidate

Sol Kohlhaas: Marathon Petroleum

Eric Brickenstein: Public

Mike Haglund: Public

BPC Staff Report.

- The Summer 2022 edition of the BPC Pilotage Quarterly was distributed earlier this month and included in the Board meeting packets. The highlight on ladder safety was well received by many and redistributed by the international organization Marine-Pilots.
- BPC Executive Director Jaimie Bever attended Maritime Blue's State of the Blue event where Executive Director Joshua Berger gave an overview of the organization's history and status. She also attended the Grays Harbor Safety Committee meeting earlier this morning where Leonard Barnes, Deputy Executive Director of the Port of Grays Harbor, expressed enthusiasm about the two current trainees in Grays Harbor, Captains Leo and Grobschmit.
- Jaimie provided the Board with a brief presentation regarding the Washington State Department of Enterprise Services (DES) and the many services they provide for small state agencies like the BPC including risk management, contract procurement, financial services, and human resources.
- BPC Program Analyst Bettina Maki commented on the correction of the quarterly district assignments, which was noted at last month's meeting, and shared the dashboard view of Puget Sound Pilots' monthly activity report.

BPC Chair Report.

- BPC Chair Sheri Tonn and Jaimie Bever, along with Puget Sound pilot Captain Trevor Bozina attended Women Offshore's first Inclusion Summit on August 3. She added that Women Offshore did a superb job of pulling together speakers.
- Chair Tonn and Jaimie met with Patty Rubstello, Assistant Secretary of Washington State Ferries, to share updates and to meet the new members of the WSF Executive Staff: Steve Nevey, Director of Marine Operations and Eric Visser, Director of Vessel Maintenance. Both came from Holland American Group.
- Chair Tonn gave a brief reminder that the UTC ex-parte rules are in place and that discussions at the Board meeting cannot include anything from the current PSP tariff filing.

Activity Reports. Jordan Royer representing Pacific Merchant Shipping Association (PMSA), Laird Hail representing the United States Coast Guard (USCG), Captain Eric Klapperich representing Puget Sound Pilots (PSP), Lindsay Wolpa representing The Northwest Seaport Alliance (NWSA), and Mike Folkers representing the Port of Grays Harbor (PGH) offered current and projected statistical data as well as updates on current maritime issues and activities.

Regarding the recommendations in PMSA's activity report, Commissioner Bendixen cautioned everyone about using the term "underperforming pilots". She pointed out that pilots are showing up every day for their jobs, including working on upgrade trips, assisting when pilot boats aren't running, or assisting with committee work. When they are off watch they are doing these same things and attending to personal and family matters. She urged that the focus should be on pilots' on-watch time, not off-watch time. Jordan Royer, PMSA, agreed that it was a fair point and that he would pass that message along. Chair Tonn explained that in looking at the data, the mean for number of jobs per year by the pilots is currently above the TAL of 145.

PSP Executive Director Charlie Costanzo reported that PSP has adopted the first maternity leave policy in a pilot association nationally. It is designed to allow a pilot who is pregnant to utilize PSP's major medical provision as well as an additional period of extended leave while remaining on distribution. In other words, an extended period of paid leave to cover pregnancy, birth, and postpartum. They will be issuing a press release in the next few days. The BPC will post the announcement on the agency's social media as soon as it is released. The Board congratulated PSP on this achievement.

NEW BUSINESS

Meeting Minutes.

Motion: Ross/Hamilton – approve the July 19, 2022, Meeting Minutes as written with the few minor corrections discussed – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Consideration of Licensure of PSPD Pilot Candidate: Captain Mark Bostick.** On behalf of the Trainee Evaluation Committee (TEC), TEC Chair Bendixen reported that Captain Mark Bostick has successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training. However, while completion of the federal program has been confirmed, the sticker has not yet arrived. The TEC finds that Captain Bostick has proven to be consistent, safe, and able to pilot independently. The Board has received his TPTR Summary and all training comments.

Motion: Bendixen/Anthony – issue Captain Mark Bostick state pilot license number 221 for the Puget Sound Pilotage District pending his federal pilotage endorsement – Carried.

Motion: Bendixen/Ross – Authorize the use of a graduate program agreement for Captain Bostick if needed while awaiting his federal endorsement – Carried.

- **Proposed Rulemaking: WAC 363-116-082 Limitations on new pilots.** The TEC has started the process of reviewing all the training WACs, starting with 363-116-082 Limitations on new pilots. The recommendations from the TEC include WAC changes to allow the TEC more flexibility in prescribing upgrade trips and to better align the WAC with current practices in Grays Harbor, revising the language to reflect an upgrade process similar to the Puget Sound process. A public hearing will be scheduled for the October Board meeting. Chair Tonn asked for public comment and received none.

Motion: Bendixen/Drennen – approve the filing of the CR 102 for WAC 363-116-082 incorporating the proposed redline changes – Carried.

- The TEC has no further changes to their COVID-19 policies at this time and recommends they remain as-is for the upcoming months, adapting as needed. All trainees are still diligently following COVID recommendations from both BPC and Dr. Jarris, Discovery Health MD. The TEC remains concerned about the trainee restriction on Crowley ATB's and continues to seek a path forward to resume trainees on all vessels.
- The TEC has reviewed the current waiting list and is in the beginning stages of Exam preparation. A competitive bid solicitation is in development and there will be more information coming in future months.
- The TEC met yesterday and reviewed all the trips and comments for both Puget Sound and Grays Harbor. With the earlier licensure, that leaves 6 trainees in PS and 2 in GH. In Puget Sound, there are 2 trainees in the Evaluation Phase, 4 in the Training Phase, and none in the Observation Phase. Captain Leo came into the TEC meeting to transition from the Training Phase into the Evaluation Phase leaving 1 in the Evaluation Phase and 1 in the Observation Phase in Grays Harbor.

- Captain Bendixen reports that the federal first-class pilotage requirements and promulgation letter have been issued. She thanked the entire team for making this happen adding that while it was a large project to take on, it will be a great benefit to both current and future trainees. Chair Tonn also expressed thanks for the team and to Captains Bendixen and Coleman for all of the work they have done behind the scenes.
- Orientation for the October 1 start-date candidates will occur toward the end of September. Board members interested in attending should contact BPC Training Program Coordinator Jolene Hamel.

2021 BPC Annual Report. The Board reviewed the final draft of the 2021 BPC Annual Report. Chair Tonn thanked staff for an excellent job. She added that although there is continuous improvement each year, 2021 was a particularly good report.

Motion: Ross/Drennen – adopt the 2021 Annual Report and authorize staff to submit to the Governor and the Legislature – Carried.

Pilot’s Report of Marine Safety Occurrence: MANOA, 07/22/2022

Underway in Commencement Bay	On approach to back into the Sitcum Waterway, dead slow astern was ordered and the main engine failed to start. Tugs were used as brakes. An engineer was able to cycle the valve that had failed, test it, and proceed without incident.	<u>Motion:</u> Anthony/Hamilton File as a Marine Safety Occurrence – Carried. In addition, the Board asked for follow up from USCG at next meeting regarding repeated issues with vessel.
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Pilot’s Report of Marine Safety Occurrence: TEXAS, 07/24/2022

Approaching Davidson Rock	While in transit, tug escort <i>GARTH FOSS</i> reported possible bearing issue and tug <i>LINDSAY FOSS</i> was contacted to assist. After confirming bearing issue, <i>LINDSAY FOSS</i> took over and assisted during the remainder of transit.	<u>Motion:</u> Drennen/Anthony File as a Marine Safety Occurrence – Carried.
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Exemptions from Pilotage.

Motor Yacht LEMONADE – 102’, 160gt, Cayman Island registry, Captain Ferguson.

Motion: Ross/Drennen – concur with Chair Tonn’s granting of an interim 3-month exemption with the following conditions imposed: Dockside orientation at first port of entry, No Deception Pass, Duwamish Waterway or Locks – Carried.

Sailing Yacht JANICE OF WYOMING – 129’, 198gt, British registry, Captains Wilson & Anderson.

Motion: Anthony/Ross – concur with Chair Tonn’s granting of an interim 3-month exemption with the following condition imposed: Port Angeles only – Carried.

Motor Yacht DANCING HARE – 189’, 767gt, Marshall Island registry, Captains Mason & Smith.

Motion: Anthony/Hamilton – grant a 3-month exemption with the following conditions imposed: No Deception Pass or Duwamish Waterway – Carried.

Sailing Yacht CATALINA – 144’, 275gt, British Virgin Islands registry, Captains Whitney & Russell.

Motion: Ross/Anthony – grant a 3-month exemption with the following conditions imposed: No Deception Pass, Locks or Duwamish Waterway – Carried.

Motor Yacht AURORA – 120’, 414gt, Cayman Island registry, Captains Johnson & Arvidson.

Motion: Anthony/Ross – grant an annual exemption with no conditions imposed – Carried.

Pilot/Trainee Physical Examination Reports.

Motion: Hamilton/Bendixen – approve the pilot physical examination reports for Captains R.M. Gartner, P.V. Hunter, and B.W. Bouma for their annual pilot license renewals – Carried.

Motion: Bendixen/Anthony – approve the pilot physical examination report for Captain K.C. Kridler for his annual pilot license renewal with no recommendations after further discussion – Carried.

Motion: Bendixen/Ross – approve the pre licensing physical examination report for Captain M.P. Bostick – Carried.

2023-2025 Biennial Budget and Strategic Plan 2nd Draft Review. The Board received the second draft of the Strategic Plan along with the accompanying 23/25 biennial budget request. The final drafts will be on the agenda for approval at the September meeting.

BPC Executive Director Jaimie Bever explained the proposed budget and additional request for a temporary full-time position to focus solely on the 2025 rulemaking regarding ESHB 1578.

Staff had received a request from Commissioner Farrell to separate Pilotage Efficiency from the Safety objective and add it to the Public Service objective. Commissioner Bendixen expressed that she believed separating Pilotage Efficiency from Safety undermined the Board's mission to prevent the loss of human lives, loss of property and vessels, and to protect the marine environment, and that having it in multiple places sets a tone of putting efficiency above safety. Commissioner Farrell responded, via Microsoft Teams chat due to technology issues, that safety and efficiency were equal priorities of the Board and that neither should be prioritized over the other. A robust discussion followed regarding safety, efficiency, and delays as well as BPC's values as represented in the Strategic Plan.

Motion: Bendixen/Anthony – leave efficiency in the Safety section and remove it from the Public Service section. In addition, leave efficiencies and delays out the strategic planning discussions due to COVID 19 impacts on pilotage and until the Board-authorized number of 56 pilots in Puget Sound is reached – Carried.

Committee Updates.

Diversity, Equity & Inclusion Committee (DEIC)

- The BPC will once again sponsor the 2022 Women Offshore Conference, which will be held virtually between October 7 and October 14. This year's theme is Lift as You Climb. Chair Tonn encouraged Board members and staff to attend.
- Both Chair Tonn and Jaimie Bever have been following up with connections made at the Women Offshore Inclusion Summit, some of whom are interested in the joining the DEIC. The BPC is currently recruiting Board members for a steering committee to focus on exam recruitment.
- Jaimie Bever reported on the WSF Diversity Advisory Group is currently working on a code of conduct for ferry riders. This came about after some extreme customer harassment against WSF staff. This code would be extended to those riding ferries for federal pilotage.

Oil Transportation Safety Committee (OTSC)

- Jaimie Bever, OTSC Chair, reported that the tug escort risk model is running and has modeled 100,000 scenarios so far.
- No meeting is scheduled at this time although work continues with Ecology.

Pilot Safety Committee (PSC)

- Commissioner Drennen reported that the PSC met on July 28 and approved the minutes from the previous meeting, which were included in the packet materials and online under today's meeting materials.
- At the July meeting, the PSC looked at rest rule exceptions, 2nd pilot job changes, and pilot ladder forms. The retrieval lines continue to be a common theme coming in on the forms and the PSC will look at re-submitting the previous letter sent.
- The PSC has not yet scheduled their next meeting.

Vessel Exemption Committee (VEC)

- The VEC is not meeting over the summer, due to the busy season for committee members.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone that the next meeting is scheduled to return to the third Thursdays at 10:00 a.m. and will be held on Thursday, September 15.

Public Comment. Chair Sheri Tonn asked for public comment. Hearing none, she adjourned the meeting at 3:20 p.m. after thanking everyone for such a spirited meeting.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Commissioner Timothy J. Farrell

Commissioner Mike Ross

Commissioner Michael Anthony

Commissioner Nhi Irwin

Eleanor Kirtley, Vice Chair

Commissioner Andrew Drennen

Commissioner Sandy Bendixen

Commissioner Jason R. Hamilton

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
September 15, 2022

Regular Meeting – Call to Order

The regular meeting was called to order at 10:00 a.m. by Chair Sheri Tonn via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Sandy Bendixen (Pilot), Mike Anthony (Pilot), Jason R. Hamilton (Public), Mike Ross (Foreign Shipping), Andrew Drennen (U.S. Shipping), Timothy J. Farrell (Public), Nhi Irwin (Ecology)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Eric Klapperich, Matt Hannuksela, Charlie Costanzo: Puget Sound Pilots

Mike Folkers: Port of Grays Harbor

Laird Hail, Kira Mooney, M Romero, Mike Tappan: USCG

Zack Thomas: The Northwest Seaport Alliance

Ann LaRue: Public

Kim Morley: Department of Ecology

Cynthia Reed: Marine Exchange

Mike Haglund: Public

BPC Staff Report.

- Governor Inslee has announced that the March 2020 COVID Emergency Declaration will be lifted on October 31, 2022.
- The Women Offshore 2022 Conference will be held virtually from October 7-14. The BPC is proud to sponsor the conference again this year.
- The BPC continues to increase exposure and amplify the difference between the BPC and PSP by establishing a Facebook page, in addition to the LinkedIn, Twitter, and Instagram presence. Links to all the BPC's social media accounts can be found on the website.
- BPC Executive Director Jaimie Bever recognized Jolene Hamel, Training Program Coordinator, for her 5 years with the BPC. Jaimie expressed gratitude for Jolene adding that she is a crucial piece of the team.
- BPC Program Analyst Bettina Maki provided the dashboard view of Puget Sound Pilots' monthly activity report.

BPC Chair Report.

- BPC Chair Sheri Tonn reported that she and Jaimie Bever, along with TEC pilots Captains Bendixen and Anthony, will be going to Grays Harbor this month to meet with the Port and the two pilot trainees. They will also view and ride the pilot boat VEGA. The Board plans to return to August Board meetings in Grays Harbor next year.
- Chair Tonn shared that Vice-Chair Kirtley will be chairing the October meeting.

Activity Reports. Mike Folkers representing the Port of Grays Harbor (PGH), Laird Hail representing the United States Coast Guard (USCG), Puget Sound Pilot President Captain Ivan Carlson representing Puget Sound Pilots (PSP) and Zack Thomas representing The Northwest Seaport Alliance (NWSA), offered current and projected statistical data as well as updates on current maritime issues and activities.

NEW BUSINESS

Meeting Minutes.

Motion: Bendixen/Drennen – approve the August 16, 2022, Meeting Minutes as written with the minor clarifying correction discussed – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Pilot License Upgrade Program: Captains Grieser, Bozina, Knutsen, Melin & Hannuksela.** Currently 9 pilots working on upgrading.
Motion: Bendixen/Anthony – approve the pilot license upgrade programs for Captains Grieser, Bozina, and Knutsen as recommended by the TEC – Carried
Motion: Bendixen/Anthony – approve the pilot license upgrade program hold for Captain Melin as recommended by the TEC – Carried
Motion: Bendixen/Ross – approve the pilot license upgrade program extension for Captain Hannuksela as recommended by the TEC – Carried
- **Approval of Pilot Training Program Agreements & Requirements – Captains George Fleischfresser & Billie Sturgell.** TEC Chair Bendixen reported that the TEC has reviewed the updated training program agreements over the last couple of months in consultation with AAG Wang. Additionally, Captain Sturgell has slightly modified requirements to reduce the amount of tug observations as he has extensive tug experience in Puget Sound.
Motion: Bendixen/Farrell – approve the training program agreement and requirements for Captains Fleischfresser & Sturgell as proposed – Carried.
- **Competitive Solicitation – Marine Pilot Exam 2024.** In reviewing both pilot retirements and the current 2021 candidate list, it was determined that there is a need for a marine pilot exam in the Spring of 2024. Executive Director Bever outlined the standard scope of work and state-required forms for the competitive solicitation process.
Motion: Bendixen/Farrell – approve the filing of a competitive solicitation for a marine pilot exam in the Spring of 2024 – Carried.
- **Emergency Rule WAC 363-116-078 Due to COVID-19.** The TEC reports that all trainees are still diligently following COVID recommendations from both BPC and Dr. Jarris, Discovery Health MD. However, with the announcement by Governor Inslee to remove the emergency declaration at the end of October, and with COVID still causing concerns and risks for trainees, and with the need to not impact pilots or vessel movements, there was a consensus to update the language from the previous Emergency Rule, which will allow the TEC to remove a trainee from training while still offering stipend credit due to the effects of COVID-19.
Motion: Bendixen/Ross – File the Emergency Rule WAC 363-116-078 as proposed by the TEC – Carried.
- **Training Program Agreement Addendum.** In reviewing forms for the upcoming trainee candidates, it was determined that 3 of the 2021 trainees had incorrect boxes left on their matrix once the TEC had shifted some trips and needed to correct the issue. These trips are not a reduction of trips the trainee must take, the trips had been moved to other sections and not originally removed from their initial port.
Motion: Bendixen/Anthony – approve the use of a Training Program Agreement Addendum for the 3 affected trainees as written – Carried.
- Captain Bendixen reported that the federal first-class pilotage requirements and promulgation letter that were previously reported having been completed do not appear to be in rotation from the REC yet. However, the BPC has made sure that current, future and prospective trainees are utilizing it and Jolene uses them when issuing WSF Pilotage letters.
- The BPC is working to update their exam website to make sure that all of the information for the 2024 Marine Pilotage Exam is up-to-date and to allow prospective candidates to make informed decisions.
- The TEC is continuing to review WACs for necessary updates and to ensure that the current language best supports the BPC's practices, goals and values. A hearing for WAC 363-116-082 will occur at the October Board Meeting. The next WACs that the TEC is reviewing are 363-116-0751, and 363-116-076 in consideration of the Marine Pilotage Examination and Application.
- The TEC met yesterday and reviewed all the trips and comments for both Puget Sound and Grays Harbor. There were 3 trainees that attended: Trainee Riddle to transition to Evaluation, Trainee Grobschmit to transition to Training and one Trainee came in to discuss an Intervention.
- Currently there are 6 trainees in PS and 2 in GH. In Puget Sound, there are 3 trainees in the Evaluation Phase, 3 in the Training Phase, and none in the Observation Phase. The TEC anticipates another licensure in Puget Sound in January of 2023. In Grays Harbor, there is one trainee in the Evaluation Phase and one in the Training Phase.

- There are two more trainees starting in Puget Sound on October 1, and the BPC will be holding their Orientation on September 22. Chair Tonn and Commissioner Hamilton will be attending.
- Chair Tonn thanked Commissioner Bendixen and Puget Sound pilot Captain Scott Coleman for their efforts and persistence in the getting the first-class pilotage packet and promulgation letter through to completion.

2023-2025 Strategic Plan and Biennial Budget. BPC Executive Director Jaimie Bever led the discussion of the final proposed strategic plan and biennial budget along with the additional request for a temporary full-time position to focus solely on the 2025 rulemaking regarding ESHB 1578. She pointed out the minor changes made due to Board feedback.

Motion: Bendixen/Ross – adopt the 2023-2025 strategic plan and biennial budget as written – Carried.

Pilot’s Report of Marine Safety Occurrence: *ALS CLIVIA*, 08/18/2022

Underway in Duwamish Head/Alki	Failure in the main engine. Tugs were used to bring to safely anchor in Yukon Harbor.	<u>Motion:</u> Anthony/Ross File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: *MSC LA SPEZIA*, 08/24/2022

Underway in Elliott Bay	While using the bow thruster, it got stuck in an open position, and continued to rotate the bow to port. Pilot used tugs to compensate. Ship crew ordered shutdown of the thruster and unable to restart. 4 th tug ordered and continued transit, docking uneventfully.	<u>Motion:</u> Anthony/Bendixen File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: *ATB VISION*, 08/21/2022

Underway in Northbound TSS at Marrowstone Pt.	While transiting in foggy conditions, a small fishing vessel appeared, cutting in front of the vessel, violating COLREGS Rule 10 regarding traffic lanes.	<u>Motion:</u> Anthony/Farrell File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: *ONE PARANA*, 08/11/2022

Underway at Pier 4 in Tacoma	The cranes were positioned in an unsafe manner at Pier 4, making for a difficult docking (minus 3’ tide).	<u>Motion:</u> Farrell/Anthony File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: *FUJI GALAXY*, 09/10/2022

Underway in Northbound Traffic Lane between Alki and West Pt.	A recreational boat, carrying boaters without life jacket protection, cut in front of the vessel, violating COLREGS Rule 10 regarding traffic lanes.	<u>Motion:</u> Farrell/Ross File as a Marine Safety Occurrence – Carried with abstention by Bendixen.
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Exemptions from Pilotage.

Motor Yacht *EVVIVA* – 164’, 492gt, Cayman Island registry, Captains Klinkert & Sethman.

Motion: Farrell/Bendixen – grant an annual exemption with no conditions imposed – Carried.

Sailing Yacht *PALIADOR* – 102’, 123gt, British registry, Captain Forderer.

Motion: Farrell/Anthony – concur with Chair Tonn’s granting of an interim 3-month exemption in order to leave Washington state– Carried.

Commissioner Farrell wondered if it would be helpful for BPC staff to contact vessels who are nearing the end of their exemption period with a reminder. This suggestion was well-received, and staff will work on implementing it.

Pilot/Trainee Physical Examination Reports.

Motion: Ross/Drennen – approve the pilot physical examination reports for Captains E.P. Ninburg, J.L. Carstensen, J.R. Semler, S.P. Bendixen, D.B. Soriano, B.E. Lowe, D.W. Melin and J.E. Siddell for their annual pilot license renewals – Carried with one abstention from Commissioner Bendixen.

Motion: Bendixen/Drennen – approve the new trainee physical examination report for Captain B.L. Sturgell – Carried.

Pilot's Report of Incident: CMA CGM ARCTIC, 09/08/2022

North of Pier 18 Harbor Island in the Southern Portion of the East Elliott Bay Anchorage Area	After the vessel cleared the waterway with the assistance of 4 tugs, a previously unknown fishing net was sighted along the north end of Harbor Island. The tug master advised that the vessel would easily clear the net. No direct contact was made by the ship or tugs, however turbulence caused tangles in the net. Over 72 hours later, the Tribal Fisherman contacted the pilot with a request for damages, which was later withdrawn.	<u>Motion:</u> Anthony/Farrell File as a Marine Safety Occurrence rather than as an Incident – Carried.
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Committee Updates.

Diversity, Equity & Inclusion Committee (DEIC)

- The DEIC steering committee composed of Commissioners and BPC staff met and started reviewing exam outreach recommendations. The group will meet again on September 27 to continue brainstorming.
- WISTA held an excellent town hall entitled Women at the Helm, which included the Assistant Secretary of Transportation, Marine Division, Patty Rubstello.

Oil Transportation Safety Committee (OTSC)

- The OTSC will next meet on November 2.
- Ecology will be presenting to the Board at the October meeting on the upcoming rulemaking process. Their work on risk model and analysis continues.

Pilot Safety Committee (PSC)

- The PSC has not met since the last Board meeting and is currently trying to get an October meeting scheduled.

Vessel Exemption Committee (VEC)

- The VEC has not been meeting over the summer, will work on getting a new meeting scheduled to review changes during the 2022 yachting season.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone of the upcoming meeting dates. She also commented on an increase in phishing emails to her state email account and encouraged Commissioners receiving any to send them on to phishing@wsdot.wa.gov

Public Comment. Chair Sheri Tonn asked for public comment. Hearing none, she adjourned the meeting at 12:30 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
October 20, 2022

PUBLIC HEARING – Call to Order

A Public Hearing concerning WAC 363-116-082 Limitations on New Pilots was convened at 10:00 a.m. by Vice Chair Eleanor Kirtley via Microsoft Teams.

Present via Microsoft Teams:

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Sandy Bendixen (Pilot), Timothy J. Farrell (Public), Nhi Irwin (Ecology), Mike Ross (Foreign Shipping), Jason Hamilton (Public)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Eric Klapperich, Ken Grieser, Travis McGrath, Matt Hannuksela, Charlie Costanzo: Puget Sound Pilots

Mike Folkers, Ryan Leo: Port of Grays Harbor

Mike Moore: Pacific Merchant Shipping Association

Laird Hail, LCDR M. Romero: USCG

Zack Thomas: The Northwest Seaport Alliance

Monique Webber: Pacific Yacht Management

Ann LaRue: Public

Eric Brickenstein: Public

Joel Michelson, Harlow Wood, Nick Sabbath: Pilot Candidates

Kim Morley, Katie Wolt, Brittany Flittner: Department of Ecology

WAC 363-116-082 Limitations on New Pilots. This rulemaking is to consider revisions to the pilot license upgrade programs in both the Puget Sound and Grays Harbor Pilotage Districts to better align with statutory rest rules and changes in vessel traffic. The Board seeks to ensure that upgrading pilots are gaining the necessary experience with larger vessels as they progress through their first five years of piloting while also maintaining best practices in fatigue mitigation and reducing stress on the pilot corps. There were no written or oral public comments. Vice Chair Kirtley closed the Public Hearing at 10:05 a.m.

REGULAR MEETING – Call to Order

The Regular Meeting of the Board of Pilotage Commissioners was convened immediately following the Public Hearing by Vice Chair Eleanor Kirtley via Microsoft Teams.

Present via Microsoft Teams:

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Sandy Bendixen (Pilot), Timothy J. Farrell (Public), Nhi Irwin (Ecology), Mike Ross (Foreign Shipping), Jason Hamilton (Public)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Eric Klapperich, Ken Grieser, Travis McGrath, Matt Hannuksela, Charlie Costanzo: Puget Sound Pilots

Mike Folkers, Ryan Leo: Port of Grays Harbor

Mike Moore: Pacific Merchant Shipping Association

Laird Hail, LCDR M. Romero: USCG

Zack Thomas: The Northwest Seaport Alliance

Monique Webber: Pacific Yacht Management

Ann LaRue: Public

Eric Brickenstein: Public

Joel Michelson, Harlow Wood, Nick Sabbath: Pilot Candidates

Kim Morley, Katie Wolt, Brittany Flittner: Department of Ecology

BPC Staff Report.

- Vice Chair Eleanor Kirtley will be chairing the meeting today in Chair Tonn's absence.
- The Women Offshore 2022 Conference was held virtually from October 7-14. BPC staff attended along with representatives from Puget Sound Pilots. There were several sessions each day along

with informal opportunities for networking This year's theme was Lift as you Climb. The topics of focus included BIPOC, LGBTQIA+, motherhood, and sexual assault/harassment in the maritime industry.

- The month of October is recognized as Hacktober by the state of Washington. Board members may receive several emails highlighting ways to keep their Outlook accounts safe. In addition to the email that Chair Tonn shared at the last meeting, WSDOT IT has implemented a phish alert button on state Outlook accounts to simplify reporting any phishing email attempts.
- The Winter 2022 edition of the BPC Pilotage Quarterly has been published. It is available on the BPC website.
- BPC Executive Director Jaimie Bever attended the Grays Harbor Safety Committee Meeting this week and is attempting to find out more details on a USCG Safety Bulletin covered at that meeting.
- Executive Director Bever met with DES, OFM, Senate, and House staff to review the 21/23 Biennial Budget request. It was a good meeting and the agency received positive feedback.
- The Pacific States/British Columbia Oil Spill Task Force is holding its annual meeting virtually on November 2. Chair Tonn and Executive Director Bever will be in attendance.
- Vice Chair Kirtley expressed gratitude toward BPC staff for maintaining positive relationships with OFM and the legislature, and pride for sponsorship and participation with Women Offshore.
- BPC Program Analyst Bettina Maki provided quarterly assignment numbers for both districts and the dashboard view of Puget Sound Pilots' monthly activity report.

GREAT WASHINGTON SHAKEOUT. At 1020, the Board participated in the annual Great Washington Shakeout earthquake drill.

Activity Reports. Zack Thomas representing The Northwest Seaport Alliance (NWSA), Ivan Carlson representing Puget Sound Pilots (PSP), Mike Moore representing Pacific Merchant Shipping Association (PMSA), Laird Hail representing the United States Coast Guard (USCG), and Mike Folkers representing the Port of Grays Harbor (PGH) offered current and projected statistical data as well as updates on current maritime issues and activities.

In response to PSP's activity report, Vice Chair Kirtley asked if PSP calculated the number of repositions similar to how they calculated the number of call-backs. President Carlson replied no, but that he would implement that information into the activity report going forward. Commissioner Nhi asked about PSP's call-back percentage goal. President Carlson responded that 5% or less was the goal, which was similar to other districts across the country.

In response to PMSA's activity report highlighting an increase in pilot delays from the 18 months prior to July 2021, Commissioner Bendixen inquired with President Carlson regarding the number of assignments over the past 18 months, from July 2021 forward, and also the year-to-date number of COVID and not-fit-for-duty days during that same period. President Carlson responded by stating that of the 18 months referred to in PMSA's activity report, 12 months covered pandemic time and the remaining 6 months were semi-pandemic time. The assignment load then was 9,368 assignments. In the previous 18 months, it was 11,107 assignments, a difference of 1,739 additional assignments (30 more per pilot during the 18 months). From May to September of 2022, PSP had 401 days where a pilot was either out due to COVID or in not-fit-for-duty status.

Commissioner Bendixen then asked Executive Director Bever about previous Board action regarding efficiency measures. Executive Director Bever confirmed that the Board passed a motion in August 2022 to not include efficiency measures in strategic planning until the number of licensed pilots in Puget Sound reaches the authorized number of 56. Commissioner Bendixen expressed concern that PMSA continues to focus on delays and perceived inefficiencies despite PSP's efforts to provide information and adjust where possible. She also added that PMSA continues to publicly scrutinize pilots not working on their time off. She reminded everyone that with the announcement of the 2024 Marine Pilot Exam, there will be aspirants in attendance, as well as pilots. She added that it is discouraging for mariners, who during their careers had their time off upheld and protected by industry.

Vice Chair Kirtley responded that she appreciated the many objectives the Board is trying to meet simultaneously, first and paramount being safety, efficiency, keeping the pilot corps healthy so that they can continue to deliver pilotage services, keeping the supply chain moving, and managing their personal and professional lives.

Mike Moore responded on the importance of key metric identification and utilization, adding that if there were key metrics that could help identify areas of improvement, they should be utilized and that was the reason behind the comments in PMSA’s activity report.

NEW BUSINESS

Consideration of Previous Hearing on WAC 363-116-082: Limitations on New Pilots.

Motion: Bendixen/Ross – adopt the changes to WAC 363-116-082 Limitations on New Pilots as proposed – Carried.

Meeting Minutes.

Motion: Hamilton/Bendixen – approve the revised September 15, 2022, Meeting Minutes as drafted – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Pilot License Upgrade Program: Captain Stewart.** There are currently 7 pilots working on upgrading their pilot licenses.
Motion: Bendixen/Ross – approve the pilot license upgrade program for Captain Stewart as recommended by the TEC – Carried
- There are 8 trainees in PS and 2 in GH. In Puget Sound, there are 3 trainees in the Evaluation Phase, 3 in the Training Phase, and 2 in the Observation Phase. In Grays Harbor, there is one trainee in the Evaluation Phase and one in the Training Phase. The TEC anticipates one licensure in each district in January 2023.
- The TEC met yesterday and reviewed all the trips and comments for both Puget Sound and Grays Harbor trainees. One trainee came in to discuss an Intervention.
- BPC Executive Director Jaimie Bever reported that the competitive bid for the 2024 Marine Pilot Exam was posted to the state’s procurement database, WEBS, last week. She thanked DES for all their assistance with the new procurement process. A pre-bid is scheduled for October 31 to allow potential bidders an opportunity to get clarification, and have any questions answered. The bids are due on December 1.
- The TEC is continuing to review training program and exam WACs for necessary updates to ensure that the current language best supports the BPC’s practices, goals and values. The next WAC that the TEC is reviewing is 363-116-0751 Qualifications for Pilot Applicants.
- A big thank you to Grays Harbor for hosting a meet up for Chair Tonn, Executive Director Bever and our TEC Chair Bendixen and Vice-Chair Anthony this month. They were able to meet with Port administration, the two pilot trainees, and ride pilot boat VEGA.

Pilot’s Report of Marine Safety Occurrence: MAUNALEI, 09/17/2022

Underway at the Pilot Station.	While pilot was climbing the pilot ladder, the ship's AB dropped the metal hook end of a heaving line onto the deck of the pilot boat uncontrolled from approximately 7 meters. Pilot unaware of this occurrence at the time due to concentration on climbing. Made aware of the situation via email with video and then in turn informed Captain and mate and filed MSO.	<u>Motion:</u> Bendixen/Ross File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: TOMBARRA, 09/17/2022

Underway Northbound between West Point and Edmonds.	While transiting northbound in the TSS approaching T buoy off of Seattle, pilot saw numerous small targets appear on radar between SG buoy and West Point, upon closer approach saw the vessels (hundreds and most likely thousands) extending for several miles. The vessels were less than 20m and impeding the safe passage of a power-driven vessel following a traffic lane in violation of COLREGS Rule 10.	<u>Motion:</u> Farrell/Ross File as a Marine Safety Occurrence – Carried with abstention from Bendixen.
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Pilot's Report of Marine Safety Occurrence: *LIBERTY PASSION*, 09/20/2022

Underway in Commencement Bay.	As the carship Liberty Passion was completing its turn to back into the Sitcum waterway and berth at P-7D, the aft tug's towline parted at the eye. No injuries were reported or other damage to either the ship or tug. Weddell Foss was available and made fast to complete the job.	<u>Motion:</u> Bendixen/Hamilton File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *TORM SOLUTION*, 09/22/2022

Underway on approach to Cherry Point BP North.	While on approach for a starboard side to landing, the main engine failed to respond to a dead slow ahead command. Vessel had both Lindsey Foss and Garth Foss made fast to the port side. Able to tow to Cherry Point General Anchorage and anchor without incident.	<u>Motion:</u> Bendixen/Farrell File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *RJ PFEIFFER*, 10/01/2022

Underway in Northbound Traffic Lane at T buoy.	While underway outbound from Tacoma APM Terminal to PS, pilot was informed that there was a saltwater leak in the engine room that was being assessed. Approaching the Fauntleroy-Vashon ferry crossing pilot was informed that vessel would be required to return to APM Term to complete necessary repairs on a 20" inlet seawater valve that was leaking. Vessel was not in any danger and did not experience any unknown maneuvering difficulties throughout the event and proceeded to anchor in Tacoma.	<u>Motion:</u> Bendixen/Farrell File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *VOLOS*, 10/01/2022

Underway between SD & SE buoys.	While underway inbound from Port Angeles Pilot Station to Manchester anchorage on board the empty bulker Volos, the pilot encountered a sailing race between buoys SD and SE. Pilot sounded danger signal multiple times with no movement from the pack and they continued to impede safe passage. Pilot ultimately had to turn to Port and make a round turn to avoid them.	<u>Motion:</u> Bendixen/Farrell File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *EMPIRE STATE*, 10/02/2022

Underway in Southbound Traffic Lane near the Edmonds-Kingston Ferry crossing.	As Empire State was Southbound in the traffic lanes, loaded and under escort, approaching the Edmonds-Kingston ferry crossing, there was a large number of recreational fishing vessels across both the North- and Southbound traffic lanes as well as the Separation Zone. After a call with VTS, USCG said they would start broadcasting Rule 10 on the appropriate VHF channels. Pilot proceeded to make a call on VHF 16, reduced RPMs and sounded 5 short blasts (danger signal). Ultimately the vessel did not have to deviate from the Southbound lanes, but many small vessels were in close proximity of the tanker as it transited the area. This was a violation of COLREGS Rule 10 and Tanker Security Zone.	<u>Motion:</u> Bendixen/Farrell File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *K. ASIAN BEAUTY*, 10/08/2022

Underway between Browns Point and Three Tree Point.	While underway, pilot was informed that the bow lookout was missing and crew had been searching the vessel for at least 45 minutes. VTS was informed of the missing person and started a USCG search while vessel transited to Pilot Station as planned. At 2358	<u>Motion:</u> Bendixen/Farrell File as a Marine Safety Occurrence – Carried.
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	pilot disembarked and the vessel proceeded to sea. Later that morning the crewmember was found deceased in the water near Normandy Park wearing street clothes and a type-1 lifejacket.	
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Exemptions from Pilotage.

Motor Yacht KYA –68’, 119gt, Marshall Island registry, Captain Alexandrov.

Motion: Farrell/Hamilton – concur with Chair Tonn’s granting of an interim annual exemption with the following conditions imposed: No Duwamish, Deception Pass or Locks without a pilot – Carried.

Motor Yacht CALLIOPE – 142’, 395gt, Marshall Island registry, Captains Bertuello & Goulding.

Motion: Farrell/Ross – concur with Chair Tonn’s granting of an interim 3-month exemption with the following conditions imposed: No Deception Pass or Locks and a Pilot Orientation required upon entry – Carried.

ESHB 1578 Rulemaking Presentation – Department of Ecology. Katie Wolt, Agency Rule Coordinator with the Department of Ecology, presented the regulatory framework for rulemaking at Ecology and discussed the complexities of the rulemaking process. The Board will be following Ecology’s framework with their assistance for the rulemaking directed by ESHB 1578 regarding tug escorts.

Pilot/Trainee Physical Examination Reports.

Motion: Farrell/Hamilton – approve the pilot physical examination reports for Captains M.N. Hannuksela, N.K. McGourty, B.R. Jensen, J.T. Galvin, E.M. vonBrandenfels and T.D. Coryell for their annual pilot license renewals – Carried.

Motion: Farrell/Ross – approve the new trainee physical examination report for Captain G.G. Fleischfresser – Carried.

Proposed 2023 Board Meeting Schedule. The Board briefly discussed the proposed schedule presented for Board meetings in 2023. Captain Bendixen informed the Board that due to the new update to change days at Puget Sound Pilots, the need to switch to Tuesdays during cruise season was no longer necessary. Jolene will include an updated schedule for the November meeting, and commissioners are asked to come prepared to take Board action at that time.

Committee Updates.

Diversity, Equity & Inclusion Committee (DEIC)

- The DEIC steering committee had an initial meeting and will meet again in early November. An update will be provided at the November Board meeting.

Oil Transportation Safety Committee (OTSC)

- The OTSC was scheduled to meet on November 2 but will be rescheduled due to a conflict with the Oil Spill Task Force annual meeting.

Pilot Safety Committee (PSC)

- The PSC has not met since the last Board meeting and will meet on October 31. An update will be provided at the November Board meeting.

Vessel Exemption Committee (VEC)

- The VEC is working on scheduling a meeting to review the 2022 yachting season and discuss further refinements for the 2023 yacht season.

Confirmation of Next Regular Meeting Dates. Vice-Chair Kirtley reminded everyone of the upcoming meeting dates.

Public Comment. Vice-Chair Kirtley asked for public comment. Hearing none, she convened a Closed Session at 1:00 p.m.

CLOSED SESSION

A Closed Session of the Board of Pilotage Commissioners was convened from 1:00pm to 1:05pm virtually via Microsoft Teams to discuss matters relative to personnel issues. In attendance were Commissioners Kirtley, Irwin, Bendixen, Ross, Farrell, and Hamilton; Assistant Attorney General Albert Wang; BPC staff Jaimie Bever, Jolene Hamel, and Bettina Maki.

REGULAR SESSION

The Regular Session of the Board of Pilotage Commissioners was reconvened by Vice-Chair Kirtley at

1:05pm via Microsoft Teams. After asking for and receiving no further public comments and there being no further business to come before the Board, Vice-Chair Kirtley adjourned the meeting at 1:10 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
November 17, 2022

REGULAR MEETING – Call to Order

The Regular Meeting of the Board of Pilotage Commissioners was called to order at 10:00 a.m. by Chair Sheri Tonn via Microsoft Teams.

Present via Microsoft Teams:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Sandy Bendixen (Pilot), Timothy J. Farrell (Public), Mike Anthony (Pilot), Mike Ross (Foreign Shipping), Jason Hamilton (Public), Andrew Drennen (U.S. Shipping)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Assistant Attorney General: Albert Wang

Eric Klapperich, Bill Sliker, Charlie Costanzo: Puget Sound Pilots

Mike Folkers: Port of Grays Harbor

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Laird Hail: USCG

Zack Thomas: The Northwest Seaport Alliance

Ann LaRue: Public

Eric Brickenstein: Public

Weldon Burton: Public

Sol Kohlhaas: Marathon Petroleum

Harlow Wood, Nick Sabbath: Pilot Candidates

BPC Staff Report.

- BPC Executive Director Jaimie Bever reported on both meetings she has attended over the past month, along with upcoming meetings that she will be attending to keep the important work of the BPC in the forefront including: the annual meeting of the Pacific States and British Columbia Oil Spill Task Force on November 2, Maritime Blue office hours with Quiet Sound on November 14, Maritime Economic Forecast Breakfast and Pacific Marine Expo on November 18, Governor Inslee's Equity Summit on November 30, and Puget Sound Harbor Safety Committee meeting on December 6.
- A poster version of the marine pilot exam recruitment flyer has been developed and will be distributed at the Pacific Marine Expo. Captain Bendixen has also requested a Rule 10 flyer be developed in time for the Seattle Boat Show at the end of January. A draft of that flyer will be provided at the December BPC meeting.
- November 1 marked the 3-year anniversary for BPC Program Analyst Bettina Maki. Executive Director Bever celebrated her seven-year anniversary at the beginning of the month also and remarked that between the three staff members, BPC staff have a combined 15 years' experience, building critical institutional knowledge.

BPC Chair Report.

- BPC Chair Sheri Tonn thanked Vice-Chair Eleanor Kirtley for chairing the October meeting in her absence.
- Chair Tonn shared that she and Executive Director Bever have had some recent meetings with both PSP and PMSA regarding efficiency. In the new year, she would like to hold a public workshop for the Board on key performance indicators and key metrics to determine measurable metrics and their outcomes. This action would extend to all areas in the BPC's charge including safety, regulation, efficiency, and competent service. She also asked for ideas for a good facilitator so that she can actively participate in the workshop.
- Chair Tonn reported that it looks highly likely that we will be licensing Captain Ryan Leo in Grays Harbor for the December meeting. To support the Port of Grays Harbor and celebrate this licensure, the December board meeting will be held in person in Grays Harbor. A Teams option will be available for anyone unable to join in person.

- In honor of Indigenous Peoples Month, WSF hosted a viewing of the documentary 'Honor thy Mother', which is the untold story of Native women escaping Canadian boarding schools and migrating to Bainbridge Island, the traditional territory of the Suquamish people. This led to marriages with Filipino agricultural workers and the establishment of Indipino culture. Chair Tonn shared that she thought it was a very worthwhile watch and is currently available from any county library. WSF may have a video link available in the future as well.
- The Women in Maritime Leadership conference will be held in person at Cal Maritime the first weekend in March 2023. The Board will consider sponsorship of this excellent conference at the December meeting, as well as participation in the sessions in support of pilotage.

Activity Reports. Mike Folkers representing the Port of Grays Harbor (PGH), Mike Moore representing Pacific Merchant Shipping Association (PMSA), Eric Klapperich representing Puget Sound Pilots (PSP), Zack Thomas representing The Northwest Seaport Alliance (NWSA), and Laird Hail representing the United States Coast Guard (USCG) offered current and projected statistical data as well as updates on current maritime issues and activities. Additionally, BPC Program Analyst Bettina Maki provided the dashboard view of Puget Sound Pilots' monthly activity report.

NEW BUSINESS

Meeting Minutes.

Motion: Bendixen/Kirtley – approve the October 20, 2022, Meeting Minutes as drafted – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Pilot License Upgrade Program: Captains McGrath, Miller & Velarde.** The revised upgrade letters have been updated and reviewed by the TEC and provide increased opportunities to better assist upgrading pilots in their next license level.
Motion: Bendixen/Anthony – approve the pilot license upgrade programs for Captains McGrath, Miller and Velarde as recommended by the TEC – Carried
- The TEC continues to review WACs for necessary updates to ensure that the current language best supports the BPC's practices, goals, and values. The next WAC that the TEC has drafted is 363-116-0751 Qualifications for Pilot Applicants. The changes are mostly clean-up, to provide clarity for potential applicants, and to best align with the state DEI mission.
Motion: Bendixen/Farrell – approve the CR102 for WAC 363-116-0751 as recommended by the TEC – Carried
- TEC Chair Bendixen reported that Captain Holland is nearing the end of his training program and is ready to attend PPU training.
Motion: Bendixen/Anthony – approve PPU training for Captain Holland and provide a one-time stipend increase up to \$2,400 for the cost of the course – Carried.
- COVID-19 update: Even though the Emergency Rule has been lifted in the State of Washington, the BPC still has an active Emergency Rule in place for the Training Program. All trainees continue to take appropriate precautions to stay safe while continuing to work through their training programs. COVID continues to impact trainees including not being allowed on Crowley ATB and Ship Assists as well as significant delays with USCG credentialing. The TEC may recommend another Emergency Rule filing but are working on changing the WAC 363-116-078 Training Program so that there is more flexibility to deal with unexpected situations stemming from COVID or other emergencies.
- There are 8 trainees in PS and 2 in GH. In Puget Sound, there are 3 trainees in the Evaluation Phase, 3 in the Training Phase, and 2 in the Observation Phase. In Grays Harbor, there is one trainee in the Evaluation Phase and one in the Training Phase.
- The TEC met yesterday and reviewed all the trips and comments for both Puget Sound and Grays Harbor trainees.
- Regarding the marine pilot exam contracting process, Executive Director Bever reported that one group of potential bidders attended the pre-bid meeting, and it was a good opportunity to get questions answered. All bids are due on December 1.

Oil Transportation Safety Committee (OTSC)

- The OTSC has a new Tribal Representative from the Swinomish Indian Tribal Community, Senator Brian Porter, who will be replacing previous representative Joseph Williams. The BPC is grateful for continued Swinomish participation regarding ESHB 1578.
Motion: Ross/Drennen – appoint Senator Brian Porter to the OTSC as recommended – Carried
- The OTSC met on November 14 with a small group to allow the Department of Ecology to present and answer questions on the information previously presented to the Board on Rulemaking.
- The BPC and the Department of Ecology will also be presenting two webinars for Tribes in January. The purpose is to present the rulemaking process and provide updates regarding the tug escort risk analysis, as well as answer questions and address concerns.
- OTSC Chair Jaimie Bever reported that she met with Quiet Sound and discussed their current and future projects that could be beneficial for the upcoming rulemaking.

Proposed 2023 Board Meeting Schedule. The Board reviewed the draft schedule for monthly public meetings in 2023. The proposed schedule is for meetings on the third Thursday of every month except for December, which is proposed for the second Thursday, with all meetings at 10:00am.

Motion: Farrell/Bendixen – approve the 2023 Proposed Board Meeting Schedule as proposed – Carried.

Pilot’s Report of Marine Safety Occurrence: OHIO, 10/23/2022

Underway, approx. 2.5nm NE of pilot boarding area.	While completing the MPX, pilot heard the sound of the anchor being let go. Port anchor had been released and all 11 shots run out. Reduced speed, brought anchor back up, completed MPX, and traveled inbound with no further issue or delay.	<u>Motion:</u> Farrell/Drennen File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: MORNING LENA, 11/08/2022

Underway in the Blair Waterway passing Husky Terminal.	While transiting down the waterway at dead slow ahead, an engine problem was detected and the only speeds available were dead slow ahead and slow ahead. Once safely clear of the waterway, and in consultation with VTS, it was decided to take the vessel to Tacoma General Anchorage where repairs could be made.	<u>Motion:</u> Farrell/Bendixen File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: MORNING LENA, 11/08/2022 (Separate Occurrence)

At Anchor in Tacoma General Anchorage.	While departing anchor, the port anchor became fouled on an old anchor chain. Vessel was re-anchored without incident.	<u>Motion:</u> Farrell/Drennen File as a Marine Safety Occurrence – Carried.
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Pilot’s Report of Marine Safety Occurrence: KUMASI, 11/08/2022

Underway in Seattle East Waterway.	While backing out of the East Waterway, engine and follow up system were running unreliably. Proceeded back to berth using tugs alone without incident.	<u>Motion:</u> Drennen/Anthony File as a Marine Safety Occurrence – Carried.
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Pilot/Trainee Physical Examination Reports.

Motion: Farrell/Ross – approve the pilot physical examination reports for Captains A.J. Newman, R.A. Myers, N.K. Moore and G.P. Thoreson for their annual pilot license renewals – Carried.

Motion: Farrell/Anthony – approve the pre-licensing physical examination report for Captain R.W. Leo – Carried.

Motion: Farrell/Drennen – approve the annual trainee physical examination report for Captain S.W. Scott – Carried.

Possible Board Action – New Board Approved Physician: ARNP Maura O’Connor Lenth (Polyclinic). The Board reviewed the possibility of adding an ARNP to the list of Board Designated Physicians. However, it was ultimately decided that this action would require legislation and a change to the Pilotage Act. This item was removed from the agenda and BPC staff will continue the search for a Physician from the Polyclinic.

Committee Updates.

Diversity, Equity & Inclusion Committee (DEIC)

- The Board received the Women Offshore 2022 Conference impact report, highlighting that the conference was a full and uplifting seven days of keynote speakers, session panels, and networking. Women Offshore is planning for an in-person conference in 2023.
- The DEIC Steering Committee has been meeting regularly with the primary goal of exam recruitment and outreach. The Board reviewed the committee’s action plan, which is the blueprint for working on goals.
- The Board reviewed a draft exam recruitment brochure and provided feedback.

Pilot Safety Committee (PSC)

- The PSC met in Octobers and approved both the minutes of the July meeting and a data summary of ladder safety reports, which were both included in the Board meeting materials. The data reports will be submitted quarterly.
- The PSC will be meeting again at the end of January.

Vessel Exemption Committee (VEC)

- The VEC has a meeting scheduled for December 7 and will discuss the successes of the 2022 yacht season and areas for improvement for the 2023 yacht season. Additionally, the committee will be looking at outreach and a potential new fee schedule for 2023.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone of the upcoming meeting dates and encouraged all to attend the December 15 meeting in person at the Port of Grays Harbor.

Public Comment. Chair Tonn asked for public comment. Hearing none and there being no further business to come before the Board, Chair Tonn thanked everyone for their hard work, wished everyone a Happy Thanksgiving, and adjourned the meeting at 12:40 p.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
December 15, 2022

REGULAR MEETING – Call to Order

The Regular Meeting of the Board of Pilotage Commissioners was called to order at 10:00 a.m. by Chair Sheri Tonn in the Commission Room of the Port of Grays Harbor, 111 S. Wooding St., Aberdeen, WA and online via Microsoft Teams. In her opening remarks, Chair Tonn thanked the Port of Grays Harbor for their hospitality in hosting the Board and the public.

Present in Grays Harbor:

Chair: Sheri Tonn

Commissioners: Sandy Bendixen (Pilot), Timothy J. Farrell (Public), Mike Anthony (Pilot)

Administration: Jaimie Bever, Bettina Maki

Gary Nelson, Mike Folkers, Leonard Barnes, Commissioner Tom Quigg: Port of Grays Harbor

Ryan Leo & Family: GH Pilot Licensure Candidate

Present via Microsoft Teams:

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Jason Hamilton (Public), Andrew Drennen (U.S. Shipping), Nhi Irwin (Ecology)

Administration: Jolene Hamel

Assistant Attorney General: Albert Wang

Ivan Carlson, Eric Klapperich, Bill Sliker, Severin Knutsen, Mark Bostick, Charlie Costanzo, Magen

Brooks: Puget Sound Pilots

Mike Moore: Pacific Merchant Shipping Association

Zack Thomas: The Northwest Seaport Alliance

Ann LaRue: Public

Monique Webber: Pacific Yacht Management

Sol Kohlhaas: Marathon Petroleum

BPC Staff Report.

- The Board reviewed the most recent draft of the Rule 10 flyer that was discussed at the November Board meeting. BPC Executive Director Jaimie Bever asked for feedback and received ideas for improvement. By consensus, staff will move forward with distributing the flyer with minor revisions as discussed.
- Washington State Ferries has recently distributed a new code of conduct message to address harassment of WSF employees. The code was developed through the WSF Diversity Advisory Group (DAG). The TEC discussed this yesterday and will make sure to distribute to trainees and also with new pilotage letters.
- The Governor released his proposed 23/25 budget, which fully funded the BPC's biennial budget request. The BPC request includes funding for a temporary employee to work exclusively on the upcoming tug escort rulemaking. The decision package still must go through both the House and the Senate.
- Jaimie also reported on meetings she has attended over the past month including successful conversations and exam poster distribution at the Pacific Marine Expo. Additionally, she was able to attend, by phone, a meeting of the San Francisco Board of Pilot Commissioners (BOPC) and plans to be a regular participant moving into the new year.

BPC Chair Report.

- Chair Sheri Tonn reported that she attended the Harbor Safety meeting and thought the USCG did a beautiful job in honoring Captain John Veentjer by presenting him with the Distinguished Public Service Award. John retired from the Marine Exchange of Puget Sound and is currently the Chair of the Puget Sound Harbor Safety Committee.
- Chair Tonn shared that Governor Inslee has reappointed Vice-Chair Eleanor Kirtley for another term.

Activity Reports. Mike Folkers representing the Port of Grays Harbor (PGH), Ivan Carlson representing Puget Sound Pilots (PSP), Zack Thomas representing The Northwest Seaport Alliance (NWSA), and Mike Moore representing Pacific Merchant Shipping Association (PMSA) offered current and projected statistical data as well as updates on current maritime issues and activities.

Additionally, BPC Program Analyst Bettina Maki provided the dashboard view of Puget Sound Pilots' monthly activity report.

BPC Commissioner Jason Hamilton thanked Ivan Carlson, Charlie Costanzo and the PSP team for allowing him to visit and get a chance to see the dispatch system in person. He also complimented PSP on the measures they have taken to improve efficiency.

A discussion regarding the USCG investigation of the grounding of the *EVER FORWARD* in Chesapeake Bay followed PMSA's activity report resulting in consensus to issue a joint letter from the Board, PMSA, and PSP regarding pilot use of personal cell phones while having the conn of a vessel.

NEW BUSINESS

Meeting Minutes.

Motion: Farrell/Bendixen – approve the November 17, 2022, Meeting Minutes as drafted – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Consideration of Licensure of Grays Harbor Pilot Candidate: Captain Ryan Leo.** On behalf of the Trainee Evaluation Committee (TEC), TEC Chair Bendixen reported that Captain Ryan Leo has successfully completed all sections of his Training Program Agreement including successful Portable Piloting Unit (PPU) training. The TEC finds that Captain Leo has proven to be consistent, safe, and able to pilot independently. The Board has received his TPTR Summary and all training comments.
Motion: Bendixen/Anthony – issue Captain Ryan Leo state pilot license number 18 for the Grays Harbor Pilotage District – Carried.
Port of Grays Harbor Deputy Director Leonard Barnes spoke on behalf of the Port expressing excitement regarding Captain Leo's licensure and the future of the Port.
- **Pilot License Upgrade Program: Captains Michael, Mann, Seamans & Henderson.** The revised upgrade letters have been updated and reviewed by the TEC and provide increased opportunities to better assist upgrading pilots to their next license level. There are currently 8 pilots upgrading at this time.
Motion: Bendixen/Anthony – approve the pilot license upgrade programs for Captains Michael, Mann, and Seamans as recommended by the TEC – Carried.
- Motion: Bendixen/Farrell – approve the pilot license upgrade program for Captain Henderson upon his return to fit-for-duty status – Carried.
- TEC Chair Bendixen reported that as of December 10, Trainees have been authorized to return to training on Crowley ATB's. Trainees are still prohibited from Crowley ship assist. The TEC will continue to work with Crowley to find ways to mitigate risks to allow for trainees to return.
- COVID-19 update: All trainees continue to take appropriate precautions to stay safe while continuing to work through their training programs. COVID continues to impact trainees. The TEC is considering a recommendation to file another Emergency Rule for the next Board meeting and is also working hard on additional changes within WAC 363-116-078 *Training Program* allowing for more flexibility for the TEC to deal with unexpected situations.
- There are 8 trainees in PS and 1 in GH. In Puget Sound, there are 3 trainees in the Evaluation Phase, 3 in the Training Phase, and 2 in the Observation Phase. In Grays Harbor, there is one in the Training Phase. The Board hopes to license one trainee in Puget Sound in February.
- The TEC met yesterday and reviewed all the trips and comments for both Puget Sound and Grays Harbor trainees. One trainee came to the TEC meeting to discuss training program expectations.
- Commissioner Anthony audited the PPU class for the Grays Harbor trainees and Commissioner Bendixen and Captain McGrath intend to audit the upcoming PPU training for Puget Sound.
- Additional outreach efforts have been made with both current candidates as well as potential exam applicants. The TEC will be moving forward with ongoing targeted outreach.

Pilot's Report of Marine Safety Occurrence: DAYRA MAYA, 11/11/2022

Upon boarding, approx. 1 nm Northwest of Buoy GH in Grays Harbor.	Upon full sea speed order, the pilot was informed that there may be an issue with the main engine. A fuel valve issue was detected, USCG notified, and issue resolved swiftly and with no adverse effects. A tug escort was called for an extra layer of safety, though not required by the USCG.	<u>Motion:</u> Farrell/Bendixen File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: JOHNNIE BRYAN, 11/20/2022

Everett South Terminal/Port Gardner.	While still under tug escort, a low-level lubrication alarm sounded for #4 cylinder and needed to be investigated. After confirmation that repairs were needed, tugs assisted with anchoring at Port Gardner Anchorage.	<u>Motion:</u> Farrell/Anthony File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: EVER SUMMIT, 11/22/2022

Underway at TC Buoy.	After exiting Commencement Bay, just past Buoy TC and upon increasing to Full ahead, an alarm sounded. Pilot intended to take vessel to Yukon Harbor Anchorage, however engineer was able to make repairs while underway. Repairs were completed successfully, and the vessel was able to proceed to Port Angeles without incident.	<u>Motion:</u> Farrell/Anthony File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: MV AL DHAFRA, 11/30/2022

Underway at South Channel near #15 & 16 in Grays Harbor.	Mechanical issue detected due to strainer clogged by sea grass. Vessel was able to continue passage via dead slow ahead without incident.	<u>Motion:</u> Farrell/Anthony File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: MAERSK BALTIMORE, 11/14/2022

Underway at entrance to Seattle East Waterway.	Vessel encountered unreported and unexpected gill net at entrance to East Waterway Seattle, extending from Kinder Morgan East towards downtown. Pilot was able to navigate past net uneventfully.	<u>Motion:</u> Bendixen/Farrell File as a Marine Safety Occurrence – Carried.
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Pilot/Trainee Physical Examination Reports.

Motion: Anthony/Farrell – approve the annual pilot physical examination report for Captain J.T. Kearns – Carried.

Motion: Farrell/Bendixen – approve the annual trainee physical examination report for Captain K.W. Riddle – Carried.

BPC staff will be sending a new annual physical letter template to Board Designated Physicians in January. The Board reviewed a sample of the letter.

Committee Updates.

Diversity, Equity & Inclusion Committee (DEIC)

- The Board reviewed the Cal Maritime 12th Annual Women in Maritime Leadership Conference sponsorship proposal. The Conference will be held the first weekend in March and both Chair Tonn and Executive Director Jaimie Bever will be attending. Chair Tonn thanked PSP for their support of this conference as well as other DEIC efforts.

Motion: Bendixen/Farrell – authorize sponsorship at the bronze level as recommended – Carried

Pilot Safety Committee (PSC)

- The committee has not met since the November Board meeting and is planning a meeting at the end of January.

Oil Transportation Safety Committee (OTSC)

- The OTSC has not met since the November Board meeting.
- The BPC and Ecology will be holding two webinars in January specifically for Tribes to discuss the rulemaking process and tug escort risk model analysis.
- Rulemaking for ESHB 1578 will be announced in February.

Vessel Exemption Committee (VEC)

- The VEC met on December 7 and discussed the successes of the 2022 yacht season, as well as areas for improvement for the 2023 yacht season. They also explored outreach efforts and a potential new fee schedule for 2023.
- The committee is looking for a new captain (large yacht) for committee membership in 2023. Recommendations can be directed to either Captain Anthony or Jolene Hamel.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone of the upcoming meeting dates on Thursday January 19th and February 16th.

Public Comment. Monique Webber, Pacific Yacht Management, asked a question regarding the BPC outreach for the upcoming exam and offered some local resources. Commissioners Bendixen and Anthony reported regular outreach to MITAGS West, Seattle Maritime Academy, Compass Courses, and the Maritime High School to name a few.

There being no further business to come before the Board, Chair Tonn thanked everyone, wished everyone happy holidays, and adjourned the meeting at 11:25 a.m.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Mike Ross

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin