

# MEETING MINUTES

## STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS

January 8, 2009

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### Present:

Chairman: Harry Dudley

Commissioners: Chuck Davis, Pat Hannigan, Bill Snyder, Vince Addington, Craig Lee,  
Norm Davis, Elsie Hulsizer

Administration: Peggy Larson, Judy Bell

*Dr. Norman Hertz: COMIRA (by telephone ~ Closed Session Only)*

Del Mackenzie, Eric Klapperich, Walt Tabler (Administration): Puget Sound Pilots

Mike Moore, Jordan Royer, Lon Cain: Pacific Merchant Shipping Association

*Gary Nelson, Mary Nelson: Port of Grays Harbor (by telephone)*

David Brusco, John Scragg, Steve Moreno, Michael Anthony,  
William Lowery, Jim Caspers: Pilot Applicants

Del Kelly: Retired Puget Sound Pilot

Jeff Thompson, Severin Knutsen: Public

### CLOSED SESSION

A Closed Session was convened from 9:30 a.m. to 11:55 a.m. by Chairman Harry Dudley in the Agate Conference Room, 2901 Third Avenue, Seattle, Washington, for purposes of continuing the Board's review of the pilot applicant's Simulator Evaluation *Review Forms* with PMI analysis; and also to confer with Dr. Norman Hertz of COMIRA regarding the Simulator Evaluation portion of the 2008 Puget Sound Pilotage District Pilot Exam and the establishment of the minimum passing score. In attendance were Chairman Dudley, Commissioners C. Davis, Hannigan, Snyder, Addington, Lee, N. Davis and Hulsizer; Peggy Larson and Judy Bell. Dr. Hertz participated by telephone.

### REGULAR MEETING

The regular meeting of the Board of Pilotage Commissioners was convened following the Closed Session at 12:05 p.m. by Chairman Harry Dudley.

**Minutes.** With regard to the December 4, 2008 Minutes, the spelling of the *LAVIEEN ROSE* was corrected and the reference to the vacant position on the Trainee Evaluation Committee was corrected to read "non-pilot" rather than "public". It was moved by Commissioner C. Davis and seconded by Commissioner Addington that the December 4, 2008 Minutes be approved as corrected. The motion carried.

### OLD BUSINESS

**Follow-up Regarding the *LAVIEEN ROSE* Incident, 11-24-08.** Captain Del Mackenzie reported on the resolution of the matter concerning the *LAVIEEN ROSE* and a barge on the Hylebos Waterway. (12-4-08 Minutes) Federal and local officials remedied the situation to everyone's satisfaction.

**Consideration of Licensure of PSPD Trainee: Captain Katharine Sweeney.** Ms. Mary Ruth Mann representing Captain Sweeney asked in a written communication to the Board that consideration of this matter be set over until after she reviews the public records she requested and prepares her presentation to the Board. No action was taken; this matter will be on the next regular meeting agenda.

**Board Report - 2008 Pilot Examination and Review.** In Closed Session earlier today the Board continued its review of the pilot applicants' requests for review of their Simulator Evaluations. The Simulator Evaluations and *Review Forms* were also reviewed by a representative of COMIRA, Captain William Anderson. It was moved by Commissioner Hannigan and seconded by Commissioner Snyder that the Board accept the recommendation of Captain Anderson relative to the requests for review. The motion carried. Captain Anderson's recommendation was to make an adjustment for credit regarding one of the simulator events. The applicants who have completed their reviews will be notified of the Board's decision. In light of the adjusted credits and scores the Board considered but did not modify the minimum passing score. It was moved by Commissioner Hannigan and seconded by Commissioner

Snyder that the Board publish an interim rank-ordered list of the names of the successful pilot exam applicants based on Captain Anderson's review and staff's verification of scores. The motion carried. It will be made clear that this list is only an interim list and won't be made final until the simulator evaluation review process is complete. The review process will continue through approximately mid-February. It was moved by Commissioner Hannigan and seconded by Commissioner Snyder to start the preliminary process in preparation for entering four people into a training program anticipated to start April 1, 2009. The motion carried. Letters of notification to the top four applicants for entry into a training program will be sent pursuant to WAC 363-116-078(1&2). Discussion followed concerning the Board's mission to train and license new pilots in order to bring the Board-established number of licensed pilots in the PSPD to 57. Data provided by the Board's staff regarding the timeline of projected pilot retirements and anticipated training program start-dates was reviewed. This process of gauging when to start a new trainee into a training program will be tracked and re-visited on an on-going basis.

## **NEW BUSINESS**

**Approval of Pilot License Upgrade Programs for Captains David Grobschmit & Jostein Kalvoy.** It was moved by Commissioner Snyder and seconded by Commissioner Lee that the license upgrade programs for Captains Grobschmit and Kalvoy be approved as drafted by the TEC. The motion carried. They are both nearing completion of their second license years.

**Pilot's Report of Incident: *SITEAM VOYAGER*, 12-6-08.** The Board received a written report submitted by Grays Harbor Pilot, Captain Stephen Cooke. Commissioner Hannigan described the event where the piloted vessel made contact with the bottom during an inbound transit to anchor off Westport. A designated spoils area appears to be on the edge of the channel at which point the vessel grounded. The Board asked Gary Nelson to provide a condition survey of the vicinity of Buoy 11 for its review. The matter was deferred to the next regular Board meeting.

**Pilot's Report of Marine Safety Occurrence: *FRONTIER ACE*, 12-29-08.** The Board received a written report submitted by Puget Sound Pilot, Captain John Ward. While transiting from Blair Terminal in Tacoma to Port Angeles, the pilot realized during the review of the ship's particulars that he had been mistakenly dispatched to a vessel outside of his license tonnage class. Captain Del Mackenzie explained that the PSP computer dispatch system has been modified so that this mistake should not happen again. It was moved by Commissioner C. Davis and seconded by Commissioner Lee that this report be filed as a Marine Safety Occurrence. The motion carried.

**Activity Reports.** Gary Nelson, Executive Director, Port of Grays Harbor, reported that at year-end there were 48 arrivals for a total of 110 jobs; the *MORNING MENAD*, a ro/ro vessel operated by Eukor Car Carriers and carrying more than 3100 automobiles arrived in Aberdeen today; and the construction of the bulk liquid storage and transfer facility is underway at T-1/T-2.

Captain Del Mackenzie, President, Puget Sound Pilots, reported there are currently 55 licensed pilots including the president; there were 601 jobs in December for an annual total of 8173 which is down 142 jobs or 1.7% compared to 2007; 6 comp days were created and 40 days taken in December which netted a 34-day reduction; Captains Marin Johnson, Gary Hurt and Tom Jacobs are on medical leave; 2 pilots attended E-Navigation Class and 11 pilots attended Risk Resource Management Class at PMI; Commissioner Hulsizer attended the RRM one-day class on December 11<sup>th</sup>; and PSP's Safe Practices Committee is addressing anchor-dragging issues in the Smith Cove Anchorage area.

Mike Moore, representing Pacific Merchant Shipping Association, reported on some of the features of the Salvage and Fire Fighting rules for tank vessels and policies for non-tank vessels; and the Joint Legislative and Audit Review Committee's study on the *Review of Oil Spill Risk and Comparison to Funding Mechanism Proposed Final Report dated January 7, 2009*. Captain Moore shared 2 handouts entitled *Improving Oil Spill Prevention in Challenging Economic Times* written by himself and *Falling Port Volume Signals Need for New Policies* written by John McLaurin of PMSA. Container traffic continues to be an area of high interest when considering port competitiveness.

## **Committee Reports.**

### **Trainee Evaluation Committee:**

- The TEC met on January 7<sup>th</sup>.
- Trainees Steve Jones and Larry Seymour have just completed their 5<sup>th</sup> month of training.
- The TEC shared with the Board its *Discussion Points on Local Knowledge Exams* document for purposes of review and feedback at a future meeting.
- The TEC continues to work on the development of new training programs which now must address trainees with little or no federal pilotage.

**2008 Pilot Exam Committee:** The development and administration of the Local Knowledge Exams will be handled by the Trainee Evaluation Committee, not this Exam Committee. Pending no further activity by the “2008 Pilot Exam Committee”, it will likely be disbanded at the next regular Board meeting.

**Legislative/WAC Committee:** No activity to report at this time.

**Work Group Report: Extension of Route and Contract Pilotage.** No activity to report at this time. Commissioner C. Davis hopes to contact those participants involved in the Extension of Route project before the next Board meeting.

**Legal Update.** Amended Notices of Appearance have been filed regarding the licensing of Captain Bruce Nelson and Captain Katharine Sweeney by attorneys Mary Ruth Mann and Deborah Senn. Public records requests have also been made by both attorneys on behalf of both clients. Ms. Mary Ruth Mann has also filed an Application for Adjudicative Hearing regarding the licensing of Captain Bruce Nelson.

**Administrator’s Report.** As of January 7<sup>th</sup>, Captain Jonathan Ward completed the requirements for the removal of all license limitations which brings the list of 5-year pilots in the PSPD to 39. There are currently two expired terms and one vacant position on the Board.

**Confirmation of Next Regular Meeting Date.** The next regular meeting is scheduled for Thursday, February 12, 2009 at 9:30 a.m. in the Agate Conference Room, 2901 Third Avenue, Seattle.

**Review of Pilot Physical Examination Reports.** After reviewing the physicians’ reports it was moved by Commissioner Snyder and seconded by Commissioner Hulsizer that the physical examination reports for Captains T.A. Jacobs, D.G. Mackenzie, J.S. Niederhauser, J.T. Scoggins and E.M. vonBrandenfels be accepted for annual license renewal. The motion carried. Captain M.I. Johnson remains unfit for duty. Captain G.D. Hurt’s license was placed in temporary inactive status as of December 2, 2008 and Captain T.A. Jacob’s license was placed in temporary inactive status as of January 7, 2009 due to current medical conditions. It was moved by Commissioner Snyder and seconded by Commissioner Addington that the Board affirm the Administrator’s earlier action. The motion carried.

There being no further business to come before the Board, the Chairman adjourned the regular session Board meeting at 2:00 p.m.

Respectfully submitted,

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Peggy Larson, Administrator

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Harry H. Dudley, Chairman

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Charles M. Davis, Vice Chairman

**VACANT**  
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Public Member

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Commissioner Patrick M. Hannigan

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Commissioner William H. Snyder

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Commissioner Vincent Addington

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Commissioner Craig W. Lee

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Commissioner Norman W. Davis

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Commissioner Elsie J. Hulsizer