

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
January 18, 2024

PUBLIC HEARING – Call to Order

A Public Hearing concerning WAC's 363-116-076 Examination for Pilot Applicants and 077 Simulator Evaluation for Pilot Applicants as well as WAC 363-116-360 Exempt Vessels was convened at 10:00 a.m. by Chair Sheri Tonn in the Agate Conference Room, 2901 Third Avenue, Seattle, WA and online via Microsoft Teams.

Present In person:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Sandy Bendixen (Pilot), Mike Anthony (Pilot)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Puget Sound Pilots: Charlie Costanzo, Eric Klapperich, Severin Knutsen

Pacific Merchant Shipping Association: Mike Moore

USCG: Laird Hail

American Waterways Operators: Peter Schrappen

Present via Teams:

Commissioners: Nhi Irwin (Ecology), Jason Hamilton (Public), Richard Firth (Foreign Flag Shipping), Tim Farrell (Public)

Assistant Attorney General: Albert Wang

Puget Sound Pilots: Travis McGrath, Mark Bostick, Ivan Carlson

Port of Grays Harbor: Randy Lewis

The Northwest Seaport Alliance: Lindsay Wolpa

Pacific Merchant Shipping Association: Jordan Royer

Northwest Marine Trade Association: Jay Jennings

Public: Ann LaRue, Sheree Carson

WAC 363-116-076 & 077 Examination & Simulator Evaluation for Pilot Applicants. The purpose of the proposed rulemaking is to give greater clarity to pilot applicants, address Diversity, Equity, and Inclusion, along with conducting minor housekeeping based on psychometric standards in preparation for the upcoming 2024 Washington State Marine Pilot Exam. The proposed changes to WAC 363-116-076 will update the psychometric validation requirements of the Written Exam process to better reflect current industry standards. It includes a description of the process to develop a Job Task Analysis and the updated list of areas applicants are to be tested on according to the Job Task Analysis. It also further clarifies application requirement deadlines, and other minor revisions for clarity. The proposed changes to WAC 363-116-077 will update the list of areas pilot applicants are to be tested on during the Simulator Evaluation according to the Job Task Analysis. The proposed language also contains minor revisions for clarity. Chair Tonn asked for any public comment and when receiving none moved onto the next Hearing topic.

WAC 363-116-360 Exempt Vessels. The purpose of the proposed rulemaking is to revise the fee structure for vessel exemptions following the recommendations of the Vessel Exemption Committee (VEC). Chair Tonn asked for any public comment and when receiving none, 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 in the Agate Conference Room, 2901 Third Avenue, Seattle, WA and online via Microsoft Teams.

Present In person:

Chair: Sheri Tonn

Vice Chair: Eleanor Kirtley (Marine Environment)

Commissioners: Sandy Bendixen (Pilot), Mike Anthony (Pilot)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Puget Sound Pilots: Charlie Costanzo, Eric Klapperich, Severin Knutsen

Pacific Merchant Shipping Association: Mike Moore
USCG: Laird Hail
American Waterways Operators: Peter Schrappen

Present via Teams:

Commissioners: Nhi Irwin (Ecology), Jason Hamilton (Public), Richard Firth (Foreign Flag Shipping), Tim Farrell (Public)
Assistant Attorney General: Albert Wang
Puget Sound Pilots: Travis McGrath, Mark Bostick, Ivan Carlson
Port of Grays Harbor: Randy Lewis
The Northwest Seaport Alliance: Lindsay Wolpa
Pacific Merchant Shipping Association: Jordan Royer
Northwest Marine Trade Association: Jay Jennings
Public: Ann LaRue, Sheree Carson

BPC Staff Report.

- BPC Executive Director Jaimie Bever reported that due to increased cybersecurity implemented by WSDOT, and the complications that presents to commissioner email access, she was prompted to research other options for Board emails. New email addresses using Gmail will be set up for each commissioner, except for Chair Tonn and Commissioner Irwin who will continue using their state email addresses.
- As a beginning of the year reminder, Executive Director Bever asked everyone to be mindful of the sensitive nature of certain documents Board members receive. The BPC will also issue a reminder email to all pilots about statutory requirements when absenting themselves from piloting, and other timely topics.
- The BPC Pilotage Quarterly, Winter Edition was distributed to the public and the Board.

BPC Chair Report.

- The Board received a copy of the letter sent by Chair Tonn to Matson containing an invite to present at a Board meeting. They had declined the BPC request to present at the February Board meeting and instead asked for a confidential meeting with signed NDA's. Due to the public nature of the business of the Board and the Open Public Meetings Act, the BPC denied their request for a closed meeting. The BPC has not yet received a response.
- Chair Tonn reported that WSF is actively recruiting for many positions, with announcements expected to be in heavy rotation in the media. She encouraged Commissioners to spread the word about career opportunities with WSF.
- There was a late-breaking announcement regarding an incident at Terminal 18 this morning, which will be discussed further in the agenda.

Activity Reports. Lindsay Wolpa representing The Northwest Seaport Alliance (NWSA), Mike Moore representing Pacific Merchant Shipping Association (PMSA), Randy Lewis representing the Port of Grays Harbor (PGH), Eric Klapperich representing Puget Sound Pilots (PSP) 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.

BPC Data Analyst Bettina Maki shared the Puget Sound Pilots Activity Report dashboard and chart depicting the quarterly count of pilotage assignments by vessel type and was available for questions.

NEW BUSINESS

Consideration of Previous Hearing on WAC 363-116-076 Examination for Pilot Applicants and 077 Simulator Evaluation for Pilot Applicants.

Motion: Kirtley/Bendixen – adopt the changes to WAC 363-116-076 & -077 as proposed in the CR102 – Carried.

Consideration of Previous Hearing on WAC 363-116-360: Exempt Vessels.

Motion: Farrell/Kirtley – adopt the changes to WAC 363-116-360 Exempt Vessels as proposed in the CR102 – Carried.

Pilot's Report of Incident: Chair Tonn reported that there was an allision at 0530 this morning and that an investigation was convened by the Board's Commission Investigation Committee (CIC). The piloted vessel collided with a crane leg. The crane is still standing but suffered some damage. It was reported that the damage to the vessel appeared to be minor and the vessel will be allowed to leave today. When Lindsay Wolpa shared that SSA Marine was stating that they believed that pilot error was at fault, Commissioner Bendixen quickly reminded everyone that this is an open investigation and that we do not place blame before the investigation is complete. Chair Tonn also reminded everyone that there will be both a draft report and a final report issued when the CIC has completed their investigation. Chair Tonn stated that Commissioners Anthony, Firth, and Hamilton have volunteered to work on this investigation. Motion: Bendixen/Drennen – appoint Commissioners Anthony, Firth, and Hamilton as the investigation team for the incident – Carried.

Pilot's Report of Incident: *WESTWOOD COLUMBIA*, 12/10/2023.

Docking in East Waterway T-18	While docking, Crowley tug <i>ARTEMIS</i> lost one of its engines and made contact with the <i>WESTWOOD COLUMBIA</i> . VTS was notified and Foss dispatch was contacted and an additional tug was ordered. The vessel was then docked without further incident. It was later determined that the tug's engines were in safety mode due to a previous training exercise.	The Board determined the occurrence did not meet the criteria for an Incident. The pilot will be asked to resubmit this report as a Marine Safety Occurrence.
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Pilot's Report of Marine Safety Occurrence: *EVER FUTURE*, 11/13/2023

Outbound in Blair Waterway, off WUT	While preparing to depart PCT, pilot inquired about the cranes left in the down position in the waterway. The position of the cranes reduced the vessel's clearance through the waterway by 238ft horizontally. Unable to get the cranes boomed up, pilot proceeded with caution and without incident, after assessing the navigational conditions.	<u>Motion:</u> Anthony/Kirtley – File as a Marine Safety Occurrence and convene a group consisting of PSP, BPC, and PMSA to write a letter regarding crane position when not in use – Carried.
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Pilot's Report of Marine Safety Occurrence: *CAPTAIN MICHAEL*, 11/17/2023

Docked at Cherry Point South Berth	Unsafe pilot transfer arrangement (trapdoor) necessitating extensive mitigation efforts by Puget Sound Pilots. Ultimately, a safe pilot transfer arrangement was able to be developed, for use in Puget Sound as well as all other ports of call.	<u>Motion:</u> Drennen/Anthony – File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *OCEAN TACT*, 11/20/2023

Underway in Budd Inlet	While underway, the assist tug <i>PATRIOT</i> radioed in a mechanical issue with their clutch. Vessel was anchored without incident while repairs to the tug were completed, and the vessel was then berthed without further difficulty.	<u>Motion:</u> Bendixen/Kirtley – File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *ISTRA ACE*, 10/26/2023

Underway in Southbound TSS off Port Townsend	ECDIS malfunction, leading to further equipment issues with AIS and PPU. System was rebooted and pilot was able to complete the transit 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: *CEBU ISLAND*, 11/21/2023

Westport Anchorage	Anchor chain and concrete cinder block entangled with anchor. A welder was dispatched and was able to cut the anchor free from the entanglement allowing the vessel to proceed safely to the berth.	<u>Motion:</u> Kirtley/Firth – File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *TAKAO GALAXY*, 11/25/2023

Moored at T-1, Grays Harbor	Mooring line fouled in the tug propellor. Once cut free, a second mooring line also got caught. Vessel was able to be safely moored with 2 head lines rather than the usual three.	<u>Motion</u> : Farrell/Drennen – File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *SOUND RELIANCE*, 11/25/2023

Underway in Ferndale	Port engine developed a cooling water leak which required an engine shut down to repair. Vessel returned safely to Vendovi Island Anchorage for repairs to occur.	<u>Motion</u> : Hamilton/Farrell – File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *PACIFIC HERO*, 12/07/2023

Docked at Everett South Terminal	The 10cm (S-band) radar was not operating. VTS put a hold on the vessel until repairs could be completed and inspected.	<u>Motion</u> : Farrell/Drennen – File as a Marine Safety Occurrence – Carried.
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Pilot's Report of Marine Safety Occurrence: *MSC DAKAR X*, 12/16/2023

Underway, backing into West Waterway at T-5	The center lead aft tug <i>RESPONSE</i> lost port main engine control. Tugs switched out and the vessel safely docked at terminal 5.	<u>Motion</u> : Kirtley/Anthony – File as a Marine Safety Occurrence – Carried.
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KPI Workshop #3 Minutes

BPC Program Analyst Bettina Maki revised the KPI workshop #3 minutes when it was pointed out that the initial draft did not include a vote that was taken at the end of the pilot licensing KPI discussion, regarding whether this KPI target should include a buffer of +/- 2. (The vote was in favor of keeping the buffer in the KPI target.) The revised minutes reflected that consensus and included an additional page of discussion details to more thoroughly capture the points of view offered by the commissioners during the extensive discussion. Chair Tonn then asked if there was a motion to approve the revised Workshop #3 minutes, noting this would be a motion only to approve the meeting notes as an accurate record of the Workshop #3 conversation, and that approval of the KPIs and dashboard would be considered in a separate motion to follow.

Motion: Drennen/Hamilton – approve the November 16, 2023, KPI Meeting Minutes as drafted – Carried.

Key Performance Indicators and Dashboard.

Motion: Hamilton/Eleanor – approve the KPIs and Dashboard as drafted with the pilot licensing KPI target equal to the authorized number of pilots as set by the Board – Carried with Chair Tonn and Commissioners Firth, Hamilton, Bendixen, Kirtley, and Anthony in favor and Commissioners Drennen and Farrell opposed.

Commissioner Drennen stated that while he supported licensing the full number of authorized pilots, he believed the buffer was needed because the number of licensed pilots is affected by several factors outside of the Board's control and so he would feel more comfortable with a KPI target within 1 or 2 of the authorized number instead of the full authorized number. Commissioner Anthony responded that it was the same issue with the pilot ladder KPI, however – the KPI target is zero, but the Board has no control over that situation. Commissioner Drennen challenged that notion by saying that pilots could refuse to board a vessel with an unsafe transfer arrangement. Commissioner Farrell agreed with Commissioner Drennen's concern, stating he had initially suggested including a buffer in the KPI target because unexpected retirements will interfere with the Board's ability to consistently license the full authorized number of pilots. Chair Tonn then asked if there were any amendments to Commissioner Hamilton's motion.

Amended Motion: Drennen/Farrell – approve the KPIs as drafted with a buffer of 2 below the authorized number of pilots for the pilot licensing KPI target in the Puget Sound Pilotage District – the motion failed with Commissioners Drennen, Farrell, and Kirtley in favor and Chair Tonn and Commissioners Firth, Hamilton, Bendixen, and Anthony opposed.

Commissioner Bendixen responded to the motion saying that a buffer of 2 below the goal only makes sense if it is matched with a buffer of 2 above the goal. She felt that including the buffer in the KPI target signaled a lack of interest in achieving excellence. Regarding the comparison with the Ladder Safety KPI target of 0, she emphasized that the pilot makes the decision to decline to use an unsafe transfer arrangement so there are factors outside of the Board's control there as well. Commissioner Farrell disagreed that including a buffer in the KPI target, consistent with SMART goals, meant the Board was holding itself to a lower standard – the goal would remain to license the full authorized number. Chair Tonn noted that 56 licensed pilots (the current authorized number in the Puget Sound District) looked to be achievable this spring. Commissioner Farrell responded that it might be achievable briefly but will likely be difficult to maintain that level on an ongoing basis. Commissioner Hamilton suggested that it would not necessarily be interpreted negatively if, after unexpected pilot retirements, the KPI dashboard shows the number of licensed pilots below the KPI target. He felt that concern about negative perception was not a sufficient reason to include a buffer in the KPI target.

Second Amended Motion: Kirtley/Farrell– approve the KPI's as drafted with a +/-1 buffer around the authorized pilot licenses in the Puget Sound Pilotage District – the motion failed with Commissioners Drennen, Farrell, and Kirtley in favor with Chair Tonn and Commissioners Firth, Hamilton, Bendixen, and Anthony opposed.

Meeting Minutes.

Motion: Bendixen/Kirtley – approve the December 14, 2023, Meeting Minutes as drafted – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Pilot License Upgrade Program: Captains Ekermann & Ninburg.** TEC Chair Captain Bendixen reported that there are currently 15 pilots in their upgrade window. She also reported that the TEC reviewed the 2 upgrade letters for Captains Ekermann and Ninburg.
Motion: Bendixen/Farrell – approve the pilot license upgrade program for Captains Ekermann & Ninburg as recommended by the TEC – Carried.
- The TEC met yesterday and reviewed all trainee progress. There are currently 7 trainees in PS and zero trainees in GH. There are 4 trainees in Evaluation, 2 in Training and 1 trainee in Observation. All are progressing well, and 2 trainees are nearing completion and were given both substitutions and scheduled for PPU Training.
- TEC Chair Bendixen shared TEC goals for 2024 which include a psychometric review of the training program, instituting regular work toward the pilot exam to avoid a concentrated period of time for development, new Train-the-Trainer class for the Fall, and continued cleanup of WACs. She acknowledged that some of these are wish list items and may not have budget approval yet.

Pilot Exam Committee (PEC)

- Training Program Manager Jolene Hamel reported that the Exam Review Committee had met on January 11, reviewed 12 applications, and determined that all 12 of the applicants qualified under WAC 363-116-0751 to sit for the April 8, 2024 written exam.
Motion: Bendixen/Kirtley – approve the 12 qualified candidates to sit for the April 8, 2024 Written Exam per the Exam Committee's recommendation – Carried.
- Jolene highlighted the details of the current exam process, which included hosting drop-in sessions, on December 14 and January 18 for any aspirants with questions about the exam or piloting in Washington state. She thanked Captains Bendixen and Knutsen for attending the drop-in sessions and sharing their experiences as pilots.
- Development of the Simulator Evaluation continues at MITAGS with several more sessions scheduled. Commissioners interested in the development are encouraged to attend and can contact BPC staff for further details.
- A reminder was given that the exam application deadline is March 1 and there will be applicants approved at both the Feb 15 and March 21 Board meetings.
- Jolene shared that several documents will be released soon including a timeline of important dates, instructions for the remote proctoring of the Written Exam, and some sample Written Exam questions.

Diversity, Equity & Inclusion Committee (DEIC)

- Executive Director Bever reported that the MARAD's 12th Annual Women on the Water conference will be held at Massachusetts Maritime Academy at the end of February. Training Program Manager Jolene Hamel will be attending on behalf of the BPC. Executive Director Bever will attend the Women in Maritime Leadership (WIML) Conference hosted by Cal Maritime in March.
- Jaimie shared the sponsorship levels available to support both conferences and inquired if the Board would be interest in sponsoring either or both of these conferences at any of the possible price point levels.

Motion: Farrell/Bendixen – approve the Board to sponsor both of the conferences: Women on the Water (WOW) at the \$500 level (early morning activities sponsor), and Women in Maritime Leadership (WIML) at the \$1000 level (bronze) – Carried.

Commissioner Kirtley expressed interest in a ticket to the WIML conference.

Exemptions from Pilotage.

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

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

Additionally, Chair Tonn directed the Clipper to fill out the missing information from page 6 of the application regarding trips through the Locks and Deception Pass before the certificate would be granted.

Pilot/Trainee Physical Examination Reports.

Motion: Farrell/Kirtley – approve the pilot physical examination reports for Captains E.C. Klapperich & S.E. Knutsen for their annual pilot license renewals – Carried.

Chair Tonn also reminded the Board that BPC staff will be working on updating the pilot physical form for 2024, with the intention of streamlining and simplifying the paperwork process for pilots and pilot trainees as well as for physicians.

Legislative Session Update.

- Executive Director Bever reported that she and Chair Tonn will be meeting with House Transportation Committee Chair Representative Jake Fey in Olympia Friday January 19th, to discuss the budget and the upcoming session.
- BPC staff are monitoring several bills that would impact all state agencies. These include bills related to plain talk language for rule making, access to personnel records, and firearm sensitive state buildings.
- The 25-27 biennium budget is due to the Legislature prior to September 1 of this year. Future Board meetings will include strategic planning sessions to help prepare the budget request.
- Commissioners Firth and Drennen will testify for confirmation at the Senate Transportation Committee on February 5 in Olympia. Executive Director Bever will be attending with them and will send out a post hearing video clip via email as she has done in the past.

Committee Updates.

Pilot Safety Committee (PSC)

- Commissioner Drennen reported that the PSC met on January 8 and approved the October minutes, which were provided to the Commissioners.
- At that meeting, they reviewed rest rule exceptions and reports of noncompliant transfer arrangements, looking for focus areas where the committee can be most effective.
- They also reviewed the ladder reporting data summary, which was also provided to the Board.
- Commissioner Drennen thanked the pilots and Mike Moore (PMSA) for sending a letter to the shippers/agents reminding them again of the importance of ladder safety.
- The next PSC meeting will be held in May.

Vessel Exemption Committee (VEC)

- VEC Chair Anthony stated that the VEC will be meeting soon to see what possible legislative efforts the VEC should prepare for next year.

Oil Transportation Safety Committee (OTSC)

- OTSC Chair Jaimie Bever reported that the OTSC met on January 10 and approved the minutes from the September meeting which were provided to commissioners in their meeting materials.
- The next OTSC meeting will be on January 31 ahead of Workshop #6
- In addition, the BPC/Ecology rulemaking team will be hosting workshop #5 for stakeholders on January 23 and workshop #5 for Tribes on January 25.
- Jaimie will present a tug escort rulemaking status update to the Board at the February meeting.
- Ecology has hired a SEPA coordinator, Hailey Kennard, who comes with many years of experience working with the Makah Tribe. She started in January and is doing a great job.

Public Comment. Chair Tonn asked for any public comment, and Peter Schrappen, Vice-President of AWO, shared a prepared statement regarding AWO's concerns regarding tug escort rulemaking. Peter introduced American Waterways Operators (AWO) as the towboat, tugboat, and barge industry advocacy resource and united voice for safe, sustainable, and efficient transportation on the nation's waterways. His comments today were specifically regarding Ecology's Tug Escort Risk Model Analysis report and outreach. The results that stood out to AWO were that tug escorts only provided a minimal risk reduction of 0-2% across the study area and increased vessel activity by up to 50% and underway time by up to 263%. AWO had several issues with the finished product.

Their first concern was the geographic scope of the analysis. Ecology utilized drift groundings from across the country. Because they are so rare in this area, they had to look at the Eastern seaboard for 190 additional drift groundings to build the model. Peter pointed out that only 2.6% of those events were associated with spills. He added that if a Washington State agency was going to create a model to inform decision making, it was preferred that the inputs be limited to Washington State.

The second issue was Ecology's assumption of what leads to a drift grounding. While the model considered different types of towing vessels, it used faulty assumptions, in AWO's opinion, despite countless efforts on AWO's part to bring attention to the issues. For example, they assumed all barges were unmanned, which is not the case. There are several types, some of which are manned and deploy anchors when at risk. It was incorrect to assume that all of the loss of propulsion events would lead to a drift grounding. Additionally, the model assumes that all vessels have a single propulsion system. Many towing vessels and ATBs have redundant engines. Therefore, it's very unlikely these vessels would have a loss of propulsion. Furthermore, it was inaccurate for Ecology to assume that any loss of propulsion would automatically result in a drift grounding.

AWO's third concern was that any spill event would result in 100% of the product being discharged into a waterway. The Oil Pollution Act of 1990 requires all tankers calling at US ports to be double-hulled, and many barges voluntarily have segregated hulls. Both of these measures significantly decrease the likelihood of an entire load being lost during a drift grounding if there were a puncture hole.

Peter concluded his statement by adding that the goal of the rulemaking was to prevent oil spills and reduce risk to Southern Resident Killer Whales. However, it seemed likely to AWO that increased traffic and underwater noise would cause serious harm to the whales and other marine life. These comments were also echoed by the Puget Sound Partnership. The negative impacts would greatly outweigh any positive impacts this rule would provide. Peter then thanked the Board for their time.

Commissioner Bendixen thanked Peter and asked if the manned status of the engine room was an avenue for consideration or if it was already being considered. OTSC Chair Jaimie Bever responded that the state has no jurisdiction over the personnel in the engine room, and therefore cannot consider requirements of that nature as a part of rulemaking.

Commissioner Kirtley shared that in doing vessel traffic risk assessments in her prior roles, it was standard practice to bring in incident data from other regions because of the excellent record in Washington State limiting the available data. She was not alarmed that Ecology did the same for their risk model data. She was curious if the report clearly stated those assumptions, and that a higher risk was being calculated.

Captain Mike Moore, PMSA, mentioned that PMSA has echoed and supported Peter's comments regarding risk and benefits verbally, but has not yet put this in writing. He plans to do that. He added that he thought it was great that Ecology had to go outside of Washington State to find incident data.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone of the upcoming meetings on February 15 and March 21. All meetings continue to be hybrid, and all are invited and encouraged to attend in person or online.

Adjourn. Meeting was adjourned by Chair Tonn at 2:00pm.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Richard Firth

Commissioner Sandy Bendixen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Nhi Irwin



PROPOSED RULE MAKING

CR-102 (July 2022) (Implements RCW 34.05.320) Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 21, 2023

TIME: 8:10 AM

WSR 23-23-154

Agency: Board of Pilotage Commissioners

☐ Original Notice

☐ Supplemental Notice to WSR _____

☐ Continuance of WSR _____

☒ Preproposal Statement of Inquiry was filed as WSR 23-15-058 ; or

☐ Expedited Rule Making--Proposed notice was filed as WSR _____; or

☐ Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

☐ Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) WAC 363-116-076 Examination for Pilot Applicants and WAC 363-116-077 Simulator Evaluation for Pilot Applicants

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
January 18, 2024	10:00am	2901 3rd Avenue, Agate Conference Room Seattle, WA 98121 and via MS Teams	Please contact Jolene Hamel at HamelJ@wsdot.wa.gov for a meeting link.

Date of intended adoption: January 18, 2023 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Jaimie Bever, Executive Director

Address: 2901 3rd Avenue, Suite 500, Seattle, WA 98121

Email: BeverJ@wsdot.wa.gov

Fax: 206-515-3906

Other:

By (date) January 11, 2024

Assistance for persons with disabilities:

Contact Jolene Hamel

Phone: 206-515-3904

Fax: 206-515-3906

TTY:

Email: HamelJ@wsdot.wa.gov

Other:

By (date) January 11, 2024

Purpose of the proposal and its anticipated effects, including any changes in existing rules: In preparation for the 2024 Washington State Marine Pilot Exam, the Board is reviewing and updating these two WACs as needed for continued psychometric validation, diversity, equity, and inclusion, and clarity for applicants, as well as other housekeeping items.

The proposed changes to WAC 363-116-076 will update the psychometric validation requirement of the Written Exam process to better reflect current industry standards. It includes a description of the process to develop a Job Task Analysis and the updated list of areas pilot applicants are to be tested on according to the Job Task Analysis. It also further clarifies application requirement deadlines and contains minor housekeeping for clarity.

The proposed changes to WAC 363-116-077 will update the list of areas pilot applicants are to be tested on during the Simulator Evaluation according to the Job Task Analysis. The proposed language also contains minor housekeeping for clarity.

Reasons supporting proposal: These proposed changes were vetted through the BPC's exam psychometrician and will reflect the Marine Pilot Exam process currently under development and to be administered in April 2024. Psychometric validation is crucial for a fair, equitable, and successful exam process, and for developing a ranked list of qualified pilot candidates to be called into the training program when a position is available.

Statutory authority for adoption: Chapter 88.16 RCW, Pilotage Act

Statute being implemented: Chapter 88.16 RCW, Pilotage Act

Is rule necessary because of a:			
Federal Law?		☐ Yes	☒ No
Federal Court Decision?		☐ Yes	☒ No
State Court Decision?		☐ Yes	☒ No
If yes, CITATION:			
Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: The Board received a recommendation from the Pilot Exam Committee (PEC) after working closely with the exam psychometrician and the Board's Assistant Attorney General favoring implementation of the proposed language.			
Type of proponent: ☐ Private ☐ Public ☒ Governmental			
Name of proponent: (person or organization) Board of Pilotage Commissioners			
Name of agency personnel responsible for:			
	Name	Office Location	Phone
Drafting:	Jaimie Bever, Executive Dir.	2901 3 rd Avenue, Seattle, WA 98121	(206) 515-3887
Implementation:	Board of Pilotage	2901 3 rd Avenue, Seattle, WA 98121	(206) 515-3904
Commissioners			
Enforcement:	Board of Pilotage	2901 3 rd Avenue, Seattle, WA 98121	(206) 515-3904
Commissioners			
Is a school district fiscal impact statement required under RCW 28A.305.135? ☐ Yes ☒ No			
If yes, insert statement here:			
The public may obtain a copy of the school district fiscal impact statement by contacting: Name: Address: Phone: Fax: TTY: Email: Other:			
Is a cost-benefit analysis required under RCW 34.05.328?			
☐ Yes: A preliminary cost-benefit analysis may be obtained by contacting: Name: Address: Phone: Fax: TTY: Email: Other:			
☒ No: Please explain: RCW 34.05.328 does not apply to the adoption of these rules. The Board of Pilotage Commissioners is not a listed agency in RCW 34.05.328(5)(a)(i)			
Regulatory Fairness Act and Small Business Economic Impact Statement			
Note: The Governor's Office for Regulatory Innovation and Assistance (ORIA) provides support in completing this part.			
(1) Identification of exemptions:			
This rule proposal, or portions of the proposal, may be exempt from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). For additional information on exemptions, consult the exemption guide published by ORIA . Please check the box for any applicable exemption(s):			
☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.			
Citation and description:			
☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.			
☐ This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570 (2) because it was adopted by a referendum.			

- ☒ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:
- | | |
|---|--|
| ☐ RCW 34.05.310 (4)(b)
(Internal government operations) | ☒ RCW 34.05.310 (4)(e)
(Dictated by statute) |
| ☐ RCW 34.05.310 (4)(c)
(Incorporation by reference) | ☐ RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| ☐ RCW 34.05.310 (4)(d)
(Correct or clarify language) | ☐ RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |
- ☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).
- ☐ This rule proposal, or portions of the proposal, is exempt under RCW _____.
Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- ☒ The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- ☐ The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- ☐ The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- ☐ No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- ☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: November 21, 2023

Name: Jaimie C. Bever

Title: Executive Director

Signature:



WAC 363-116-076 Examination for pilot applicants. (1) Pilot applicants must pass a written examination ~~((given))~~ administered and ~~((graded))~~ scored by the board or the board's designated contracting entity. The board, in consultation with its ~~((designated contracting entity))~~ contracted psychometrician, will develop the written examination and set the minimum passing or "cut" score in conformance with ~~((a psychometrically validated process))~~ psychometric standards as put forth by The Standards for Educational and Psychological Testing (American Educational Research Association (AERA), American Psychological Association (APA), and National Council on Measurement in Education (NCME), 2014). Notice of the examination shall be published at least four months in advance by one paid advertisement in a major marine industry publication and written notice to any party who has requested notice of such examinations. The board may publish additional notices in such publications or in other media ~~((at such times as it deems appropriate))~~. Applications will be accepted by the board immediately following the publication of the notice of the examination, and the application must be received by the board before the close of business on the first business day of the month preceding the exam month. The board may, in an emergency, call for an examination on less than four months' notice.

The notice shall indicate which pilotage district or districts the examination is for and, if for both districts, the notice shall make it clear that applicants can elect to apply for a license in one or both of the districts. If an exam is given for both the Grays Harbor and Puget Sound pilotage districts, the applicants shall be ~~((graded))~~ scored and ~~((evaluated))~~ ranked as one applicant pool.

(2) The examination may be taken by all pilot applicants who the board has determined have met the qualifications of WAC 363-116-0751 and who:

(a) Have ~~((had an))~~ complied with the application ~~((on file with the board for at least one month prior to the examination))~~ deadline provided in subsection (1) of this section. This requirement may be waived by the chairperson of the board upon the showing of good cause. The application shall specify whether the applicant is applying for the Puget Sound pilotage district, the Grays Harbor pilotage district or both.

(b) Have tendered with the application a nonrefundable examination administration fee in such amount as may be set by the board ~~((from time))~~ prior to ~~((time))~~ each administration period. The board may, at its discretion, refund all or part of the examination administration fee for a pilot applicant who is unable to sit for the written examination.

(3) A comprehensive Job Task Analysis (JTA), consisting of a workshop with a Subject Matter Expert (SME) panel, on-the-job observation, and validation survey, must take place at least every other exam administration period, and at a minimum must occur every five years. The SME panel will be chosen by the board and shall consist of at least five members, of whom at least three members shall be active Washington state-licensed pilots.

For exam administration periods conducted between comprehensive JTAs, a SME panel will conduct a formal review to validate the exam blueprint and content outline prior to examination development. The

JTA must be conducted in consultation with the contracted psychometrician and within guidelines set forth by AERA, APA, and NCME (2014).

The validation survey will yield the weightings for the exam blueprint, as established by the contracted psychometrician.

(4) The written examination shall be in compliance with RCW 88.16.090 and ((may consist of questions covering, but not limited to, the following subjects:

(a) Rules of the Road then applicable to the pilotage district for which the pilot applicant is applying and accompanying information set forth in United States government publications on the subject;

(b) Meaning and understanding of the aids to navigation;

(c) Seamanship, including piloting and ship handling, docking and undocking problems, use of ship assist tugs and anchors;

(d) Vessel traffic system regulations;

(e) Engine and rudder order commands for United States and foreign merchant vessels and United States naval vessels;

(f) Operation and use of marine radar and automatic radar plotting aids (ARPA);

(g) Ability to calculate currents and tides;

(h) Federal laws affecting mariners and pilots including environmental laws;

(i) Use of vessel navigational equipment;

(j) Duties of a pilot;

(k) Relationship between pilot and master;

(l) Bridge resource management;

(m) United States government public health quarantine regulations;

(n) Marine VHF radio usage and phraseology, including bridge-to-bridge communications regulations;

(o) Federal navigation safety and security regulations;

(p) International distress signals;

(q) Nonlocal chart knowledge, including chart symbols and abbreviations as set forth in the latest U.S. Department of Commerce, NOS (National Ocean Survey) Chart No. 1;

(r) Maneuvering behavior for different vessel types; and

(s) Impact of propulsion and maneuvering machinery on vessel navigation.

(4)) must consist of multiple-choice items. Each question on the exam will be aligned with the tasks and knowledge statements on the blueprint resulting from the JTA process. The number of questions that are mapped to each content domain will be determined by the exam blueprint.

The written exam shall be designed to test a pilot applicant's capabilities in the following areas:

(a) Prevoyage planning;

(b) Master pilot-exchange;

(c) Operational safety;

(d) Docking and undocking;

(e) Use of anchors;

(f) Safe navigation;

(g) Shiphandling;

(h) Restricted water transit; and

(i) Use of tugs.

(5) The written exam must be administered in a proctored setting. This must be a live proctor, either in-person or via a proctoring platform chosen in consultation with the contracted psychometrician. It shall not be AI-based nor record-and-review.

(6) A preliminary cut score will be derived via psychometric practices (e.g., a modified-Angoff methodology) prior to the administration of the exam. Following an item analysis (conducted by the contracted psychometrician) and subsequent item revisions or removal recommendations, a secondary cut score will be recommended to the board by the psychometrician. The board will then approve a final cut score, taking into account the preliminary cut score, the item analysis results, and the recommendations of the psychometrician.

(7) The board may require that the cost of the written examination will be at the expense of the pilot applicant.

WAC 363-116-077 Simulator evaluation for pilot applicants. (1)

Pilot applicants who pass a written examination and whose scores are among the top ~~((twenty))~~ 20 (or such other number as may be set by the board) of those taking the written examination (plus any pilot applicants who tie a qualifying score) shall be eligible to take the simulator evaluation set forth in this section.

(2) The simulator evaluation shall take place at a marine simulator facility designated by the board and ~~((may))~~ shall be recorded. In this evaluation pilot applicants shall be observed by available board members but shall be evaluated only by those available board members who hold, or have held a minimum U.S. Coast Guard license as master of steam or motor vessels of not more than 1600 gross tons. The board, with guidance from its contracted psychometrician, shall ~~((also))~~ appoint a minimum of two additional evaluators who hold, or have held within ~~((ten))~~ 10 years of the examination date, a state pilot license issued by Washington or another state. ~~((If the evaluation is for applicants to both the))~~ Applicants for either Puget Sound or Grays Harbor ((and Puget Sound pilotage district, the applicants)) shall be evaluated as one applicant pool.

~~(3) ((All pilot applicants will be evaluated in writing based on some or all of the following factors:~~

- ~~(a) Fundamental piloting and ship handling ability;~~
- ~~(b) Ability to assimilate and prioritize all data necessary to safely maneuver the ship;~~
- ~~(c) Ability to respond appropriately in routine situations;~~
- ~~(d) Ability to respond appropriately in emergency or nonroutine situations;~~
- ~~(e) Ability to communicate well and project the proper bridge presence;~~
- ~~(f) Understanding of bridge resource management; and~~
- ~~(g) Understanding and command of the Rules of the Road then applicable to the pilotage district for which the pilot applicant is applying.~~

~~(4) The board, in consultation with its designated contracting entity, shall develop this simulator examination, determine the scoring method, the minimum passing or "cut" score, and the relative weight of this score to the whole examination in conformance with a psychometrically validated process.~~

~~(5) The board may require that the cost of the simulator evaluation will be at the expense of the pilot applicant.))~~ The simulator evaluation shall be designed to assess an applicant's competency in:

- (a) Docking and undocking;
- (b) Safe navigation;
- (c) Shiphandling;
- (d) Restricted waterway transit; and
- (e) Other tasks deemed by the board, in consultation with its contracted psychometrician and a subject matter expert (SME) panel, to be necessary to the performance of safe, efficient, and competent pilotage service.

(4) The design of the exercise shall be conducted by a SME panel, consisting of at least two pilots. The board may appoint additional SMEs to the panel. The panel will work closely with the psychometrician to minimize bias as well as to maximize measurement efficiency.

Subsequently, the simulator facility development team shall work with the panel and the psychometrician to develop, beta test, and finalize the exercise with the accompanying scoring rubric. All SMEs will sign confidentiality agreements and will not disclose any content of the simulator evaluation.

(5) All pilot applicants will be graded on the simulator exercise based on a validated rubric created by a SME simulation development panel, with assistance from the psychometrician. The simulator rubric will provide objective measurement points that map to the shiphandling tasks described in subsection (3)(e) of this section.

(6) A preliminary cut score will be derived via psychometric practices (e.g., a modified-Angoff methodology) prior to the administration of the simulator evaluation. Following an item analysis (conducted by the contracted psychometrician) and subsequent item revisions or removal recommendations, a secondary cut score will be recommended to the board by the psychometrician. The board will then approve a final cut score, taking into account the preliminary cut score, the item analysis results, and the recommendations of the psychometrician.

(7) The board may require that the cost of the simulator evaluation be at the expense of the pilot applicant.



PROPOSED RULE MAKING

CR-102 (July 2022)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 30, 2023

TIME: 9:32 AM

WSR 23-22-088

Agency: Board of Pilotage Commissioners

☐ Original Notice

☐ Supplemental Notice to WSR _____

☐ Continuance of WSR _____

☒ Preproposal Statement of Inquiry was filed as WSR 23-01-090 ; or

☐ Expedited Rule Making--Proposed notice was filed as WSR _____; or

☐ Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

☐ Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) WAC 363-116-360 Exempt Vessels

Hearing location(s):

Date:

Time:

Location: (be specific)

Comment:

January 18, 2024

10:00am

2901 3rd Avenue, Agate
Conference Room
Seattle, WA 98121
and via MS Teams

Please contact Jolene Hamel at
HamelJ@wsdot.wa.gov for a meeting link.

Date of intended adoption: January 18, 2024 (Note: This is NOT the effective date)

Submit written comments to:

Name: Jaimie Bever, Executive Director

Address: 2901 3rd Avenue, Suite 500, Seattle, WA 98121

Email: BeverJ@wsdot.wa.gov

Fax: 206-515-3906

Other:

By (date) January 11, 2024

Assistance for persons with disabilities:

Contact Jolene Hamel

Phone: 206-515-3904

Fax: 206-515-3906

TTY:

Email: HamelJ@wsdot.wa.gov

Other:

By (date) January 11, 2024

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of this rulemaking is to update the pilotage exemption fee schedule to better align with administrative costs of exemption processing and to conduct minor housekeeping of the language for clarity.

Reasons supporting proposal: The processing of vessel exemptions has changed since the last fee increase. The Board requires more documentation before granting an exemption. The increase will provide additional financial support for that increased effort.

Statutory authority for adoption: Chapter 88.16 RCW, Pilotage Act

Statute being implemented: Chapter 88.16 RCW, Pilotage Act

Is rule necessary because of a:

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: The Board received a recommendation from the Vessel Exemption Committee (VEC) favoring implementation of the proposed language.

Type of proponent: ☐ Private ☐ Public ☒ Governmental

Name of proponent: (person or organization) Board of Pilotage Commissioners

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Jaimie C Bever	2901 3 rd Avenue, Suite 500, Seattle, WA 98121	206-515-3887
Implementation: Commissioners	Board of Pilotage	2901 3 rd Avenue, Suite 500, Seattle, WA 98121	206-515-3887
Enforcement: Commissioners	Board of Pilotage	2901 3 rd Avenue, Suite 500, Seattle, WA 98121	206-515-3887

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?

☐ Yes ☒ No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

☐ Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

☒ No: Please explain: RCW 34.05.328 does not apply to the adoption of these rules. The Board of Pilotage Commissioners is not a listed agency in RCW 34.05.328(5)(a)(i)

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570](#)(2) because it was adopted by a referendum.

☒ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(3). Check all that apply:

☐ [RCW 34.05.310](#) (4)(b)

(Internal government operations)

☒ [RCW 34.05.310](#) (4)(e)

(Dictated by statute)

☐ [RCW 34.05.310](#) (4)(c)

(Incorporation by reference)

☐ [RCW 34.05.310](#) (4)(f)

(Set or adjust fees)

☐ [RCW 34.05.310](#) (4)(d)

(Correct or clarify language)

☐ [RCW 34.05.310](#) (4)(g)

((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(4) (does not affect small businesses).

☐ This rule proposal, or portions of the proposal, is exempt under RCW ____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- ☒ The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- ☐ The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- ☐ The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- ☐ No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- ☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: October 30, 2023

Name: Jaimie C. Bever

Title: Executive Director

Signature:



WAC 363-116-360 Exempt vessels. (1) Under the authority of RCW 88.16.070, application via petition may be made to the board of pilotage commissioners to seek exemption from the pilotage requirements for the operation of a limited class of small passenger vessels, which are not more than ~~((one thousand three hundred))~~ 1,300 gross tons (international), do not exceed ~~((two hundred))~~ 200 feet in length, is manned by United States-licensed deck and engine officers appropriate to the size of the vessel with merchant mariner credentials issued by the United States coast guard or Canadian deck and engine officers with Canadian-issued certificates of competency appropriate to the size of the vessel, and are operated exclusively in the waters of the Puget Sound pilotage district and lower British Columbia, or yachts, which are not more than ~~((one thousand three hundred))~~ 1,300 gross tons (international), and do not exceed ~~((two hundred))~~ 200 feet in length. For purposes of this section, any vessel carrying passengers for a fee, including yachts under charter where both the vessel and crew are provided for a fee, shall be considered a passenger vessel.

The owners or operators of the vessel for which exemption is sought must:

(a) Complete and file with the board a petition requesting an exemption at least ~~((forty-eight))~~ 48 hours prior to planned vessel operations where possible. Petitions filed with less than ~~((forty-eight))~~ 48 hours notice may be considered by the chair at the chair's discretion on a board-approved form. The form shall include a description of the vessel, the contemplated use of vessel, the proposed area of operation, the names and addresses of the vessel's owner and operator, the areas and dates of planned operations, and such other information as the board shall require.

(b) Pay the appropriate ~~((initial))~~ application ~~((or renewal))~~ fee with the submittal of the petition or upon receipt of invoice from the BPC, which is listed in subsection (5) of this section.

(2) All petitions for exemption filed with the board shall be considered at its next regularly ~~((or specially))~~ scheduled meeting. Consistent with the public interest, the chair may grant an interim exemption to a petitioner subject to final approval at the next board meeting, where special time or other conditions exist.

(3) Any grant of an exemption, including interim exemptions, may contain such conditions as the board, or in the case of an interim exemption, the chair, deems necessary to protect the public interest in order to prevent the loss of human life and property and to protect the marine environment of the state of Washington.

Such conditions may include: A requirement that the vessel employ the services of a pilot on its initial voyage into state pilotage waters; the vessel master attends an orientation meeting with a pilot as determined by the board; the vessel master review all written orientation materials; and/or that the master of the vessel at all times hold as a minimum, a United States government license as a master of ocean or near coastal steam or motor vessels of not more than ~~((sixteen hundred))~~ 1,600 gross tons or as a master of inland steam or motor vessels of not more than ~~((five hundred))~~ 500 gross tons, such license to include a current radar endorsement; and/or that the vessel possess specific navigational charts, publications and navigational equipment necessary to ensure safe operation.

(4) The board shall annually, or at any other time when in the public interest, review any exemptions granted to the specified class of small vessels to ensure that each exempted vessel remains in compliance with the original exemption and any conditions to the exemption. The board shall have the authority to revoke such exemption when there is not continued compliance with the requirements for exemption.

(5) Fee Schedule for Petitioners for Exemption

	((3 Months or Less	1-Year or Less	Annual Renewal
A. Yachts			
Up to and including 50 feet LOA	\$50	\$50	\$50
Up to and including 100 feet LOA	700	1000	600
Up to and including 200 feet LOA and 750-gt	1000	1400	800
Up to and including 200 feet LOA and 751 to 1300-gt	1500	1500	1500
B. Passenger Vessels			
Up to and including 100 feet LOA	1125	1500	1000
Up to and including 200 feet LOA	1500	1500	1200))

	<u>1 Year or Less</u>	<u>Annual Renewal</u>
<u>A. Yachts</u>		
<u>LOA 65 feet and under</u>	<u>\$100</u>	<u>\$100</u>
<u>LOA 66-125 feet</u>	<u>1100</u>	<u>900</u>
<u>LOA 126-200 feet</u>	<u>1500</u>	<u>1400</u>
<u>B. Passenger Vessels</u>		
<u>Up to and including 200 feet LOA</u>	<u>1500</u>	<u>1500</u>

(6) Petitions for annual renewals must be submitted to the board within one year of the expiration of the previous exemption.



STATE OF WASHINGTON BOARD OF PILOTAGE COMMISSIONERS

BPC Mission: to ensure against the loss of lives, loss of or damage to property and vessels, and to protect the marine environment by maintaining efficient and competent pilotage service on our State's inland waters.



THE BPC PILOTAGE QUARTERLY

Winter 2024



Announcements



Puget Sound Licensures

Congratulations to Captain Stephen Scott, who received Washington State Pilot License #224 at the October 19 Board meeting and Captain Matt Cassee who received Washington State Pilot License #225 at the December 14 Board meeting.



2024 Meeting Schedule

At the November 16 meeting, the Board approved the 2024 Meeting Schedule. Find it along with materials at on our website [here](#).

A Transparent and Inclusive Exam Process

Applications are due March 1, 2024, for the next Washington State Marine Pilot Exam, which is scheduled to begin April 8. The list of successful candidates will provide trainees for the next few years.

The BPC is doing things a little differently for this exam. First, our [exam materials](#) have been completely updated to include an **Exam Blueprint** and **Job Task Analysis**, plus **Exam Bibliography** with chapter-specific study instructions! Additionally, for the first time, we are offering the Written Exam via live remote proctoring using a secured testing platform, which means that applicants do not need to travel to Seattle to take the Written Exam. We hope this will be a significant cost and time savings for pilot aspirants!

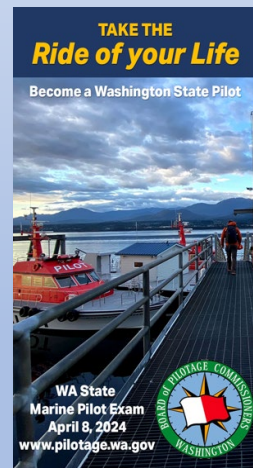
On November 3, we held a public webinar outlining the 2024 exam process. For those interested in learning more about these changes, you can find a recording of the webinar on our [website](#) or click the image on the right.

In addition, Puget Sound Pilots also hosted a webinar, more specific to life as a Puget Sound pilot. Click the image below to view a recording.



The level of accessibility and information provided in these webinars are historically unprecedented in the world of pilotage. Our hope is that pilot aspirants can easily find the information they need to plan their pathway to pilotage, conduct their due diligence when choosing a district to test in, and find the exam process straightforward, fair, and inclusive.

Do you have questions about the exam process? Contact our Training Program Manager Jolene Hamel at HamelJ@wsdot.wa.gov. Good luck!



Leadership Changes in Grays Harbor

On November 14, 2023, the Port of Grays Harbor issued a press release announcing that Executive Director Gary Nelson had announced his retirement from the Port after 24 years of service. His last day will be March 31, 2024. The BPC has worked closely with Gary for many years regarding pilotage in Grays Harbor. Gary will be leaving with the pilotage program as strong as it's been in years. We thank him for his continued efforts to establish and secure a strong pilotage program and wish him the absolute best in his retirement. Thank you for everything, Gary!



Images courtesy
of the Port of
Grays Harbor

We were excited to see the announcement from the Port on December 14 that Deputy Executive Director Leonard Barnes had been appointed to Executive Director following Gary's departure from the Port. We believe the Port of Grays Harbor and the pilotage program will be in good hands with Leonard and look forward to our continued partnership with the Port. Congratulations Leonard!



Outreach and Engagement

The 2023 Women Offshore Conference, themed 'A World of Opportunity', was held at Texas A&M Galveston October 26-27. Washington pilotage was well represented by the BPC Executive Director Jaimie Bever, BPC Training Program Manager Jolene Hamel, and PSP pilot Captain Trevor Bozina. Captain Sherri Hickman, Houston Pilots, kicked off the conference with an inspirational and empowering keynote speech. The conference was well attended and, as always, provided an invaluable opportunity for connection, mentorship, and networking with seafarers both up-and-coming and seasoned.



Above: PSP's booth tended by BPC's Jolene Hamel and PSP's Captain Trevor Bozina. Below front left: Christine MacMillan, Sarah Scherer, Jolene Hamel, Christine's daughter, Trevor Bozina, Jaimie Bever, and Cassi Laskowski.

Earlier, October 11-13, Cal Maritime held its inaugural Pride in Maritime Summit, both in person and virtually. Sessions included "Out" at Work, Queer Maritime History, Changemaking in the Workplace, and Mental Health in Maritime.



Courtesy of Cal Maritime

Kudos to Cal Maritime for highlighting this specific topic and giving it its own space. It was a great first conference and we look forward to more in the future!

In 2024, MARAD's 12th Annual [Women on the Water](#) conference resumes after a pause due to COVID. The conference will be held at Massachusetts Maritime Academy. Look for us there!

District Snapshots

Puget Sound



Retirements:

Captain Alec Newman
Thank you for your service!

License Upgrades to Unlimited:

There were no upgrades to unlimited during the last quarter of 2023.

Training Program:

Currently training are Captains Kelly, Mancini, Fleischfresser, Sturgell, Michelson, Wood, and Sabbath.



Pilot trainee Captain George Fleischfresser outbound in the Duwamish waterway. Courtesy of Puget Sound Pilots.

Grays Harbor



Training Program:

There are no trainees currently.





WA State Board of Pilotage Commissioners Industry Update January 18, 2024 Meeting

As Expected Vessel Arrivals **Decreased** in 2023 Compared to 2022

✚ Containers down 61	✚ Car Carriers up 80
✚ Bulkers down 91	✚ Tankers down 8
✚ General down 16	✚ ATB's down 15
✚ Other down 20	✚ Passenger down 18
✚ RoRo down 2	

Decreasing Ship Calls Equals Decreased Assignments (Demand)

Fewer ship arrivals means fewer departures, fewer shifts and fewer total assignments. The final assignment numbers were not available at the time of this writing but through November total assignments (including cancelations which increased) were down by 460 or 6.6% over 2022.

At a TAL of 145, this represents a decrease in TAL workload of 3.2 pilots. Given the addition of licensed pilots, one can expect the number of assignments (workload) per pilot in 2023 to have decreased by an even higher percentage.

Future ship traffic trends: Car carriers and cruise likely to be the bright spots at least for now. Container traffic has been decreasing for decades and forecasts do not indicate an uptick in container ship calls since any increase in cargo volumes are offset by use of larger ships. There are other events to track like the Panama Canal water level, Red Sea ripple effects, trade policies, US economy and consumer demand levels, ship sector specific analysis like grain, oil, and so on. If any of these indicated a change in ship calls here, we will include in our updates.

Admiralty Inlet Slowdown Ends January 12th

There was increased participation in the slowdown from the inaugural effort last year. As reported previously, we expected increased participation given it was the second slowdown, the parameters were the same and awareness of the slowdown had increased. Also, recall that the slowdown start was delayed until SRKW's had not been spotted in the area. The end date was determined partially based on the need to collect some additional data on noise profiles to better establish a baseline.

Work continues in getting near real time information to the vessel (master, pilot) to allow for timely and targeted actions. Quiet Sound is very encouraged by the progress being made in this area. One item to consider is the extent to which pilots utilize PPU's since their use is not required but the hope is that PPU use is extensive enough that getting while sighting information into the system will produce excellent benefits.

To save WA climate act, take a lesson from history

<https://www.seattletimes.com/opinion/to-save-wa-climate-act-take-a-lesson-from-history/#:~:text=The%20current%20effort%20to%20put,it%20will%20probably%20pass%20easily>.

Dec. 20, 2023 at 3:12 pm By Jordan Royer, Special to The Seattle Times

The current effort to put a citizen initiative on the November ballot to overturn the state's Climate Commitment Act should surprise no one. In fact, should it appear on the ballot in November, it will probably pass easily. But it doesn't have to be if state leaders act quickly to answer voters' concerns.

Here's a lesson from history. We've all been here before. The year was 1999, and an unknown signature gatherer named Tim Eyman saw a way to gain fame and notoriety with what turned out to be a winning issue: \$30 car tabs. For years, the state had assessed license fees using a process based on a highly inflated value of the car. As someone who worked on the "No on 695" campaign in 1999, I worry that Gov. Jay Inslee will make the same mistake as then Gov. Gary Locke. Instead of hearing the people's concerns and reforming the policy, he will dig in his heels and do nothing. I doubt many people know Brian Heywood, the Redmond man ponying up millions to put before voters the question of whether to repeal the CCA and other conservative measures. But like Tim Eyman, if the CCA repeal makes it to the ballot, his will become a household name.

One Quarter of the Fleet Will be Alternative-Fuel Capable by 2030

[One Quarter of the Fleet Will be Alternative-Fuel Capable by 2030 \(maritime-executive.com\)](https://www.maritime-executive.com/story/one-quarter-of-the-fleet-will-be-alternative-fuel-capable-by-2030)

PUBLISHED JAN 3, 2024 9:52 PM BY [THE MARITIME EXECUTIVE](#)

After another banner year for LNG-capable ordering activity, nearly half of all newbuild tonnage on the world's shipyard orderbooks is ready for alternative fuels, according to a year-end shipbuilding review from Clarksons. "Across 2023, we recorded ~539 newbuild orders involving alternative fuel capable vessels, 45 percent of all orders placed by tonnage," said Global Head of Clarksons Research Steve Gordon. "While we remain only at the start of a vital and unprecedented fleet renewal investment program, a start has been made with 49 percent of current orderbook tonnage now alternative fueled." More than 80 percent of all boxships and car carriers ordered in 2023 are dual-fuel capable, and the percentage rises well above 90 percent when including dual-fuel "ready" vessels in these two classes. By contrast, Gordon said, uptake in the bulk carrier and tanker orderbooks has been limited.

How California's vital twin ports could become uncompetitive in cutthroat global trade

<https://calmatters.org/commentary/2024/01/california-ports-cutthroat-global-trade/#:~:text=Forcing%20the%20adoption%20of%20zero,damage%20the%20nation's%20strategic%20position>.

Dan Walters JANUARY 7, 2024

A few data points illustrate the phenomenal growth of Southern California's logistics industry. Between 1980 and 2022, the Port of Los Angeles saw a 20-fold increase in container traffic, from fewer than 500,000 TEUs (shorthand for 20-foot equivalent units) to nearly 10 million TEUs. John McCown, a senior fellow at the Center for Maritime Strategy, published an article last month suggesting that actions by California's state and regional air quality agencies could reduce Southern California's share of global trade. McCown's warning was published as two unrelated events occurred that could increase ship traffic into Southern California ports. The Panama Canal has reduced its quota of ships due to drought's effects on its fresh water supply, and shipments through the Suez Canal have plummeted due to attacks on ships in the Red Sea by Houthi militants.

Trans-Pacific volumes poised for slow growth after down year in 2023

https://www.joc.com/article/trans-pacific-volumes-poised-slow-growth-after-down-year-2023_20240102.html

Bill Mongelluzzo, Senior Editor | Jan 2, 2024, 9:59 AM EST

The big picture: After a down year in 2023, the trans-Pacific trade in 2024 will reset to pre-pandemic 2019 levels, with cargo flows from Asia reverting to more typical seasonal trends and growth returning to low- to mid-single digit percentages. However, global container ship overcapacity will compel carriers to increase blank sailings and service cuts to keep a floor under rates, which means shippers are likely to continue to see poor on time performance on eastbound trans-Pacific services despite the slow growth environment.



November 2023 – Partial Container Tallies

As we're aiming to get the year's last *West Coast Trade Report* to our readers before you take off for the holidays, some ports have sensed the need for urgency so we have most, but not all, of November's container trade numbers. At the same time, we are obliged to forego coverage of one port we have historically monitored. Officials at the Port of Miami have lately stopped responding to our requests for their latest TEU counts.

As we go to press, we note that the National Retail Federation's collaboration with Global Port Tracker (NRF/GPT) yielded a December 8 press release stating that the thirteen major U.S. ports it monitors would see the arrival of 1.96 million TEUs in November. That, according to NRF/GPT metrics, would represent a robust 10.5% year-over-year bump in containerized import traffic. (A month earlier, in a November 8 press release, the NRF/GPT forecast for November anticipated the arrival of 1.88 million TEUs.)

But here's what we know from our sources about how things went in November down at the docks.

We start, as we normally do, in Southern California, where the nation's two busiest container ports announced huge year-over-year increases in November, albeit over the slowest month for inbound loads in 2022. At the **Port of Los Angeles**, inbound loads last month (384,619) were up 25.3% over a year earlier, but were only 3.6% ahead of pre-

pandemic November of 2019. Outbound loads (111,755) were up 24.0% from a year ago, but down 19.3% from November 2019. Year-to-date, total container traffic through the port amounted to 7,887,162 loads and empties, down 14.1% from this point last year and down 8.2% from the first eleven months of 2019.

Next door, the **Port of Long Beach** posted even more impressive gains in November. Its 355,339 inbound loads represented a 37.0% year-over-year jump, even though last November was one of the port's two slowest months for inbound loads in 2022. Still, this November's tally did represent a remarkable 21.1% leap over November 2019. Outbound loads in November (108,798) fell by 13.0% from a year earlier and by 12.1% from November 2019. Total container moves through the port YTD (7,308,848) were off by 14.9% from last year but were nonetheless 6.5% higher than during the same period four years ago before COVID-19 became a household word.

In Northern California, the **Port of Oakland** handled 71,258 inbound loads in November, up 3.8% from a year earlier, but 7.9% fewer than in November 2019. Indeed, apart from last November and November 2014 (when a work slowdown stymied trade through all U.S. West Coast ports), this November saw the fewest inbound loads arrive in any previous November since 2013. Outbound loads this November (61,390) were the fewest to leave the San



Speed and Service

Expanding rail and digital infrastructure will improve speed to market.



Port of **LONG BEACH**
THE PORT OF CHOICE





November Tallies Continued

Francisco Bay gateway in any November since 60,099 loads were shipped from Oakland back in 2001. Total container moves through the port YTD (1,889,697) were down 13.1% from the previous year and down 18.1% from 2019. With the exception of 2009, when the nation was struggling with the Great Recession, 2023 has so far been the slowest year for total container traffic at the Port of Oakland since 2004.

In Washington State, the **Northwest Seaport Alliance Ports of Tacoma and Seattle** handled 87,295 import loads in November, up a slender 0.7% year-over-year but down 8.1% from November 2019. Export loads (51,537) rose by 5.3% from a year earlier but were down 30.0% from November 2019. Total container traffic YTD through the two ports (2,711,245) was off by 14.0% from this point last year and down 22.3% from the first eleven months of 2019.

In British Columbia, the **Port of Vancouver** handled 147,684 inbound loads in November, a 5.7% year-over-year gain and a strong 19.2% increase over November 2019. Outbound loads (65,757) were off by 0.6% from the previous November and down 28.3% from November 2019. Total container traffic YTD (2,852,236) was not only down by 14.9% from last year and off by 8.8% from 2019, but it was also the lowest number of containers the port has moved in the first eleven months of any year since 2016.

The other Canadian port of **Prince Rupert** continued to struggle. Inbound loads in November (31,328) were down 15.4% from a year earlier and by 46.2% from November 2019. Outbound loads (10,351) did increase by 11.7% from last November but were still down 32.1% from November 2019. YTD, total container traffic through the British Columbia port (646,222) was off by 31.9% from 2022 and by 41.2% from November 2019.

And, while the Conley Terminal at Massport's **Port of Boston** is hardly a bellwether for the nation's container trade, it was the first significant port to post its November tallies – so here they are: inbound loads in the year's eleventh month at the New England port totaled 11,636, up 17.6% from a year earlier and slightly more than the 11,538 inbound loads the port handled in November 2019. Outbound loads (6,313) were up 87.7% year-over-year and 3.0% over November

2019. Total year-to-date container traffic (216,337 loads and empties) was up 39.1% over last year but down 22.0% from this point in 2019.

On the Mid-Atlantic Coast, the **Port of Virginia** reported 128,419 inbound loads in November, up 4.3% from a year earlier and a full 24.2% more than in November 2019. Outbound loads (104,628) were up 9.3% from November 2022 and 31.6% from November 2019. Total container traffic YTD (3,019,439) was down 12.0% from last year but up 11.3% from the same period in 2019.

Along the southern Atlantic Coast, the **Port of Charleston** saw a slight year-over-year fall-off in inbound loads to 98,115 this November, while outbound loads (59,397) were up 5.5% over the previous November. Compared with November 2019, inbound loads were up 18.5%, while outbound loads had declined by 5.5%. Total YTD container traffic through the South Carolina port (2,272,586) was down 11.7% from a year earlier. Perhaps most remarkably given the hue and cry about increased volumes of container trade moving through East and Gulf Coast ports during the pandemic and port-congestion crises, total container moves through Charleston has edged up just 1.1% from the first eleven months of 2019.

Georgia's **Port of Savannah** handled 211,056 inbound loads in November, a year-over-year decline of 3.7%. Still, that volume represented a 21.4% jump in the number of inbound loads the port had processed in November 2019. Outbound loads this November (107,623) were off 0.9% from a year earlier and down 9.7% from November 2019. Total container traffic YTD (4,505,367) was down 17.4% from this point last year but was up 6.3% from the first eleven months of 2019.

Down along the Gulf Coast, **Port Houston** reported 137,631 inbound loads, a 16.4% fall-off from the same month a year earlier. Still, that was a 35.6% increase over the inbound loads the Texas port had handled in November 2019. Outbound loads this November (116,396) were off by 1.5% from a year ago but up 7.8% from November 2019. Altogether, the volume of loaded and empty containers the port has handled so far this year (3,499,580) was 5.0% lower than last year but up 27.9% over the first eleven months of 2019.



For the Record: Complete October 2023 TEU Numbers

Exhibits 1-3 provide the details on inbound and outbound loads as well as total container traffic (loads plus empties) through the North American ports this newsletter surveys. All of the container numbers are in TEUs.

The seventeen U.S. ports we track reported 2,102,167 inbound loads in October 2023, a year-over-year increase of 3.0% and an 8.4% gain over the 1,939,847 inbound loads the same ports had handled in pre-pandemic October 2019. Comparing this October with that month four years ago, inbound loads through U.S. West Coast ports were down 2.3%, while U.S. East Coast ports recorded a 13.8% increase. The two U.S. Gulf Coast ports we follow registered a whopping 52.2% jump in inbound loads over the past four years.

So where do things stand now with respect to where they stood just prior to the pandemic? Analysts at the Federal Reserve Bank of St. Louis calculate that U.S. Gross Domestic Product has grown by an inflation-adjusted 8.1% between the third quarter of pre-pandemic 2019 and this year's third quarter. Our containerized import figures, as shown in **Exhibit 1**, indicate an almost identical 8.4% increase in the number of inbound loaded containers from October 2019 to October 2023.

What would have happened had there been no global pandemic? According to an October 26 statement from the U.S. Department of the Treasury: "The United States has seen a particularly strong GDP recovery and is on track this year to reach the level that would have been predicted by the pre-pandemic trend."

As one might expect, while we survey four more ports than does the NRF/GPT, our numbers for the month of October are roughly consistent with those of the National Retail Federation's Global Port Tracker. In a December 8 press release, the NRF/GPT observed that the thirteen major U.S. ports

Exhibit 1

October 2023 - Inbound Loaded TEUs at Selected Ports

	Oct 2023	Oct 2022	Oct 2021	Oct 2020	Oct 2019
Los Angeles	372,455	336,307	467,287	506,613	392,769
Long Beach	363,300	293,924	385,000	402,408	354,919
San Pedro Bay Totals	735,755	630,231	852,287	909,021	747,688
Oakland	73,281	79,459	74,434	86,753	78,583
NWSA	100,501	95,637	123,328	114,569	109,469
Hueneme	9,420	11,940	10,176	4,829	5,180
San Diego	5,454	7,210	7,512	5,216	5,284
USWC Totals	924,411	824,477	1,067,737	1,120,388	946,204
Boston	10,520	11,559	6,083	11,653	15,091
NYNJ	381,756	382,453	398,535	403,103	339,443
Maryland	54,415	42,058	35,333	47,148	44,150
Virginia	146,199	144,043	148,212	131,770	124,142
S. Carolina	121,155	121,305	107,773	96,563	95,302
Georgia	220,298	263,828	259,314	233,215	199,483
Jaxport	29,431	29,228	20,809	31,229	30,893
P. Everglades	28,600	31,189	29,940	26,882	23,304
USEC Totals	992,374	1,025,663	1,005,999	981,563	871,808
New Orleans	10,453	10,415	11,455	11,495	11,250
Houston	174,929	181,292	151,395	135,175	110,585
USGC Totals	185,382	191,707	162,850	146,670	121,835
Vancouver	139,127	149,174	171,215	193,219	136,138
Prince Rupert	24,168	45,592	57,891	67,607	57,644
British Columbia Totals	163,295	194,766	229,106	260,826	193,782
U.S. Totals	2,102,167	2,041,847	2,236,586	2,248,621	1,939,847

Source Individual Ports



October 2023 TEU Numbers *Continued*

Exhibit 2 October 2023 - Outbound Loaded TEUs at Selected Ports					
	Oct 2023	Oct 2022	Oct 2021	Oct 2020	Oct 2019
Los Angeles	121,277	89,722	98,251	143,936	140,332
Long Beach	90,073	119,761	122,214	114,679	123,215
San Pedro Bay Totals	211,350	209,483	220,465	258,615	263,547
Oakland	68,974	66,408	63,338	86,942	87,393
NWSA	54,886	41,693	58,102	64,282	79,321
Hueneme	1,886	3,316	4,134	1,207	1,294
San Diego	3,028	900	791	272	202
USWC Totals	340,124	321,800	346,830	411,318	431,757
Boston	5,050	4,414	4,011	8,047	7,888
NYNJ	111,024	112,325	120,250	118,281	127,256
Maryland	20,349	19,634	20,705	21,032	20,134
Virginia	92,589	89,574	88,710	83,705	83,557
S. Carolina	60,519	62,965	67,595	69,093	69,952
Georgia	111,774	116,297	112,907	117,148	127,971
Jaxport	44,494	50,458	48,543	50,594	44,848
Port Everglades	34,286	37,133	37,646	33,368	38,158
USEC Totals	480,085	492,800	500,367	501,268	519,764
New Orleans	20,275	21,880	18,474	23,662	26,358
Houston	126,011	118,781	94,933	97,185	109,362
USGC Totals	146,286	140,661	113,407	120,847	135,720
Vancouver	66,389	63,516	69,185	89,933	87,362
Prince Rupert	9,726	9,672	16,565	15,322	13,917
British Columbia Totals	76,115	73,188	85,750	105,255	101,279
U.S. Totals	966,495	955,261	960,604	1,033,433	1,087,241

Source Individual Ports

Exhibit 3 October 2023 - YTD Total TEUs					
	Oct 2023	Oct 2022	Oct 2021	Oct 2020	Oct 2019
Los Angeles	7,123,900	8,542,944	9,079,560	7,444,464	7,861,966
Long Beach	6,577,815	8,000,811	7,884,566	6,513,909	6,262,322
NYNJ	6,531,687	8,157,584	7,455,786	6,137,859	6,286,762
Georgia	4,088,223	4,986,489	4,652,464	3,769,927	3,875,380
Houston	3,201,958	3,333,924	2,835,486	2,461,791	2,490,607
Virginia	2,743,434	3,143,322	2,906,546	2,273,146	2,486,079
Vancouver	2,569,021	3,074,680	3,183,752	2,830,500	2,869,050
NWSA	2,480,459	2,905,183	3,156,500	2,716,632	3,219,673
South Carolina	2,071,274	2,359,891	2,254,586	1,893,324	2,063,377
Oakland	1,723,319	1,989,492	2,089,475	2,056,229	2,109,136
Montreal	1,273,518	1,464,582	1,430,210	1,315,830	1,462,597
JaxPort	1,081,838	1,099,921	1,160,832	1,068,615	1,124,779
Maryland	941,397	980,181	854,249	96,199	909,243
Port Everglades	837,387	921,165	882,897	768,103	856,101
Philadelphia	621,694	648,986	620,477	537,698	512,923
Prince Rupert	591,497	876,487	884,716	935,533	998,133
New Orleans	403,409	367,663	416,706	476,507	536,793
Hueneme	200,369	221,803	180,168	140,340	100,622
Boston	193,507	135,471	164,282	224,002	255,073
San Diego	127,772	135,755	133,765	122,351	118,234
Portland, Oregon	101,344	140,975	83,627	43,557	26



October 2023 TEU Numbers *Continued*

it monitors reported “a higher-than-expected 2.05 million Twenty-Foot Equivalent Units in October”. That was said to be up 2.5% from October 2022 according to NRF/GPT metrics.

We do note a certain volatility in the NRF/GPT outlooks. Just a month earlier, in a November 8 press release, NRF/GPT projected that October would see the arrival of 1.92 million inbound loads for what would have been a 4.2% year-over-year fall-off.

Container Contents Weights and Values

The figures in **Exhibits 4 and 5** represent the USWC shares

of the nation’s box trade at mainland U.S. ports. We have tweaked the exhibits to provide a broader historical context by showing how the numbers this October compared with the same month last year as well as in pre-pandemic October 2019 and a decade earlier in October 2013.

Although West Coast ports will surely tout the most recent year-over-year gains in market share, a closer look at the latest monthly data indicates that the return of containerized import volumes to USWC ports may be stalling. Although a 33.6% share of all inbound containerized import tonnage entering U.S. mainland ports in October was greater than the 31.2% share a year

Exhibit 4 Major USWC Ports Shares of U.S. Mainland Ports Worldwide Container Trade, October 2023

	Oct 2023	Oct 2022	Oct 2019	Oct 2013
Shares of U.S. Mainland Ports Containerized Import Tonnage				
USWC	33.6%	31.2%	36.7%	43.4%
LA/LB	24.7%	22.5%	26.8%	31.9%
Oakland	3.0%	3.0%	3.7%	3.9%
NWSA	4.2%	3.9%	5.0%	6.0%
Shares of U.S. Mainland Ports Containerized Import Value				
USWC	39.2%	36.7%	45.0%	52.2%
LA/LB	30.7%	28.4%	34.4%	40.6%
Oakland	2.7%	2.7%	3.5%	3.6%
NWSA	5.1%	4.5%	6.5%	7.3%
Shares of U.S. Mainland Containerized Export Tonnage				
USWC	32.3%	32.4%	37.3%	41.5%
LA/LB	18.6%	18.9%	21.2%	23.7%
Oakland	6.1%	6.0%	6.5%	6.4%
NWSA	6.9%	6.3%	8.2%	10.0%
Shares of U.S. Mainland Containerized Export Value				
USWC	27.7%	27.1%	32.5%	37.0%
LA/LB	17.4%	17.2%	20.1%	24.7%
Oakland	6.3%	5.8%	40.0%	6.1%
NWSA	3.4%	3.4%	4.5%	5.5%

Source: U.S. Commerce Department.

Exhibit 5 Major USWC Ports Shares of U.S. Mainland Ports Containerized Trade with East Asia, October 2023

	Oct 2023	Oct 2022	Oct 2019	Oct 2013
Shares of U.S. Mainland Ports Containerized Import Tonnage				
USWC	49.7%	49.9%	54.7%	67.0%
LA/LB	39.0%	38.4%	42.4%	48.7%
Oakland	3.4%	3.6%	4.4%	4.3%
NWSA	6.2%	6.4%	7.4%	9.7%
Shares of U.S. Mainland Ports Containerized Import Value				
USWC	57.7%	54.9%	64.1%	72.8%
LA/LB	46.2%	43.5%	50.0%	57.4%
Oakland	3.2%	3.3%	4.1%	4.1%
NWSA	7.6%	6.8%	9.4%	10.5%
Shares of U.S. Mainland Containerized Export Tonnage				
USWC	52.2%	55.2%	58.7%	66.8%
LA/LB	30.9%	33.1%	36.0%	50.3%
Oakland	8.5%	9.1%	9.2%	9.7%
NWSA	11.7%	11.4%	13.4%	10.5%
Shares of U.S. Mainland Containerized Export Value				
USWC	54.1%	55.0%	62.7%	71.4%
LA/LB	34.6%	35.7%	41.4%	48.7%
Oakland	10.7%	10.6%	11.8%	50.3%
NWSA	7.7%	7.5%	9.0%	10.5%

Source: U.S. Commerce Department.



October 2023 TEU Numbers *Continued*

earlier, October marked a fall-off in USWC market share from 36.8% in September and a 35.7% share in August. The San Pedro Bay ports, in particular, saw their combined share of containerized import tonnage decline to 24.7% in October from 26.7% in September and 26.6% in August. It's a worrisome trend we'll continue to monitor.

Year-over-year USWC shares of inbound container tonnage emanating from the Asia Pacific region slipped only slightly, from 49.9% last October to 49.7% in the same month this year, and the value of those shares rose. But, putting those figures in the broader context yields greater concern, as the overall USWC share of containerized import tonnage in the transpacific trade has slipped as the year has progressed, with October 2023's 49.7% share down from a 54.4% share in September and a 53.1% share in August. At the Ports of Los Angeles and Long Beach, their combined 39.0% share in October 2023 was below their 42.4% share a month earlier and a 42.8% share in August.

What's a Containerized Import Kilo Worth These Days?

Fluctuations in currency exchange rates along with inflation rates that vary among the world's economies make comparing the value of containerized imports from year to year more difficult than had been in more stable times. Still, it's interesting (while perhaps not intellectually exhilarating) to point out the significant variations in the value of containerized goods being imported through the nation's leading seaports.

So, we took the U.S. Commerce Department's numbers for the declared value and weight of containerized imports through the first ten months of this year. (We remind readers that the value of imported merchandise declared to U.S. Customs should not be confused with retail value.) Nationally, as it turns out, the average value of each kilo of containerized goods imported through U.S. mainland ports through October of this year was \$5.25.

As it also turns out, the declared value of containerized goods that arrived through the Ports of Los Angeles and Long Beach through October of this year was \$6.52 per kilo. That was the highest per kilo value of the nation's biggest ports. The lowest was recorded at Port Houston, where the average value per kilo so far this year was \$4.54. **Exhibit 6** shows how the ports ranked.

Exhibit 6

Per Kilo Value of Containerized Imports and Leading Ports: October 2023 YTD

Source: U.S. Commerce Department

Port	\$ Value per Kilo
Ports of Los Angeles and Long Beach	\$6.52
Northwest Seaport Alliance	\$6.46
Port of Charleston	\$6.39
Port of Norfolk	\$6.08
Port of Savannah	\$5.39
Port of New York/New Jersey	\$4.99
Port of Oakland	\$4.55
Port Houston	\$4.54

Diversion of Nuts

There's been talk over the last couple of years about whether California tree nut exporters should be sending higher volumes to overseas markets via ports on the Gulf and East Coasts. So, we thought it might be useful to check the latest trade statistics from the U.S. Commerce Department to see where almonds, in particular, have been going.

Exhibit 7 displays the almond export tonnage shares of the four U.S. ports that account for virtually all almond exports by sea.

The Port of Oakland continues to dominate, but with a diminished share of the trade. In October 2019, its share was 82.2%. It then declined to a low of 72.6% in November 2022 before recovering to 76.2% this September and then spurting back up to an 81.4% share in October 2023. Historically, neither Houston nor Norfolk have been major participants in the almond trade. Port Houston has long handled a trickle of almond exports, usually amounting to less than one-half of one percent of almond export tonnage. Shipments have lately grown larger and more consistent, with the Texas port's share of the export trade peaking at 2.7% this October. As for the other supposed

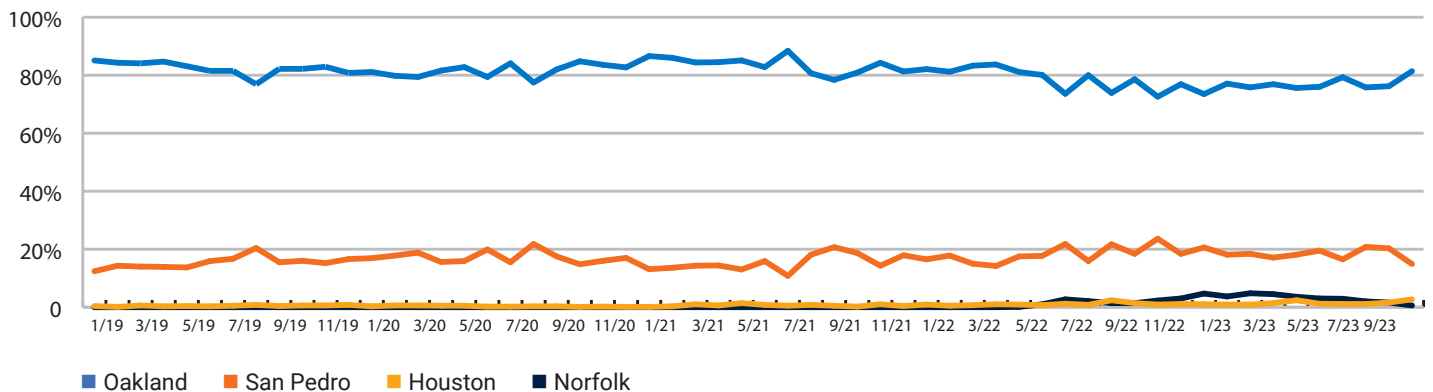


October 2023 TEU Numbers *Continued*

Exhibit 7

Port Shares of California Almond Export Tonnage: January 2019 – September 2023

Source: U.S. Commerce Department



competitor, there is no evidence of almonds leaving the country through Norfolk until May 2022. The Virginia port then saw a burst of activity with its share of the nation's waterborne almond export trade hitting a peak of 4.8% this March. But almond shipments through Norfolk declined in each of the next seven months and sat at a meager 0.6% share in October.

The deepest inroads in Oakland's market share have been made by the two San Pedro Bay Ports of Long Beach and Los Angeles. Their biggest share coincided with Oakland's poorest month, November 2022, when the Ports of Long Beach and Los Angeles claimed a 23.6% share. Over the past four years, they had grown their share from 16.0% in October 2019 to 18.4% last October before seeing their combined share slide to 14.9% in October 2023.

So, yes, there was a trend where almond exporters were shying away from Oakland during the pandemic, but mostly by sending higher volumes of their shipments through Southern California ports not to Gulf and East Coast ports. And the latest numbers show that these shifts may ultimately prove to be temporary.

West Coast Wine Exports

We couldn't help but notice an upbeat article about U.S. wine exports in the Wine-Searcher, a wine industry website based in the United Kingdom and New Zealand. It noted that, as fewer Americans are "guzzling wine with as much enthusiasm as they did in previous generations...

US vintners are looking further ashore for buyers". And it's not just California wineries that are focusing more of their marketing efforts on the offshore market. So, too, are winemakers in Washington State and Oregon. Citing data from the Oregon Wine Board, the article noted that wine exports from Oregon increased 4 percent last year. The industry group Washington Wine reports that exports of that state's wines has increased by 8.8% annually over the last five years.

So we wondered how that wine gets to overseas customers.

The answer is that much of that export trade goes overland. The single biggest market for U.S. wine is Canada, which last year bought 33.7% of all U.S. wine exports by value. The number two market was the United Kingdom with a 12.% share of exports, while Japan imported 7.5% of U.S. wine exports. The foreign market fragments quickly thereafter. The volumes headed across America's northern border explains why four of the top five export gateways for U.S. wine exports are such places as Detroit, Michigan; Blaine, Washington; Port Huron, Michigan; and Sweetgrass, Montana.

The only seaport in the top five was, not surprisingly, the Port of Oakland. Last year, the port handled \$1.259 billion of the nation's \$1.473 billion in oceanborne wine exports. By comparison, the Port of Los Angeles and Long Beach combined to handle just \$30.1 million, a figure actually



October 2023 TEU Numbers *Continued*

less than the \$32.2 million in wines exported through San Francisco International Airport. Even with the rise in overseas shipments by wineries in Washington State and Oregon, the Northwest Seaport Alliance Ports of Tacoma and Seattle handled only \$11.9 million in U.S. wine exports last year.

A Christmas Tree on Every Ecke Worldwide

It is not unusual for Americans returning home from an overseas trip in December to comment on seeing Christmas trees on sale far and wide, even in countries where the Roman Catholic Feast of the Immaculate Conception every December 8 is not a national holiday, as it is in Italy, Spain, Portugal, the Philippines, and Austria. But it's not just the Christmas trees that are for sale. It's also the supporting accessories like tinsel and spray-on snow.

Just before Thanksgiving this year, the "Wirecutter" column in the *New York Times* recommended the GE Energy Smart Colorite LED Miniature Lights for decorating your home for Christmas. We're not into product endorsements here at PMSA, but we are fond of asking questions about where products are manufactured and how they get to your local Walmart, Lowe's, or even Jeff Bezos' big store in-the-cloud.

The packaging for the lights endorsed by the *New York Times* naturally features the familiar GE logo. Incidentally, it's the same one the company has been using since 1898 when it was used as a pendant dangling from a GE ceiling fan. According to the company's official history, the GE logo was submitted to the U.S. Patent Office in 1899 and was approved in 1900. Even so, the logo didn't really gain popular currency until 1923. That's when Bruce Barton of the advertising firm Batten, Barton, Durstine &

Osborne, created a magazine ad called "The Initials of a Friend" (further incidentally, early 20th-century radio star and comedian Jack Benny's wife, Mary Livingston, once quipped that the firm's name sounded like a trunk falling downstairs).

Anyway, it should not surprise anyone to learn that, while GE owns the bulbs' design, other hands are engaged in their manufacture. Following its former CEO Jack Welch's conclusion that there's little money to be made in making your own products, GE licenses others to manufacture goods bearing its logo. Not just that, in 2020, GE sold its lighting division to a company called Savant Systems. In the case of the Energy Smart Christmas lights, another GE licensed partner is Nicholas Holiday Ltd. of Hong Kong.

But Christmas lights aren't even made in Hong Kong anymore. By far the biggest source of imported Christmas tree lights sold in the United States is Cambodia, with a 66.4% share of containerized tonnage. Following far behind in second place is the Philippines (16.2%) and in third place China (15.2%). A bit more than a third of those shipments (35.1%) enter through the Ports of Los Angeles and Long Beach. Savannah (15.9%), the Northwest Seaport Alliance Ports of Tacoma and Seattle (12.3%), the Port of New York/New Jersey (10.7%), and Port Houston (7.8%) are also major ports of entry.

Typically, almost three-quarters (73.2%) of those shipments arrive in the months of August, September, and October...or about a month after Costco first mounts its earliest Christmas displays when much of the country is still sweltering in summer heat.

We Make Cargo Move



The Port
OF HUENEME



Jock O'Connell's Commentary: Roll on Columbia

I suppose, since it's December, that I could have written a commentary with a Christmas theme. You know, something about the guy hawking fir trees on the sidewalk opposite the U.S. Consulate in Hong Kong or which Carrefour in Istanbul carries cans of Ocean Spray cranberry sauce. But no. This month I'm going to write about the underappreciated economic significance of a river in the Pacific Northwest.

It's not an entirely inappropriate seasonal topic since I'm finishing up this commentary in Paris, where I spent a few minutes this morning on the Quai d'Orsay following the upstream progress of a cargo-carrying *péniche* as it navigated its way past one tourist-laden bateau after another.

In truth, the inspiration for this piece initially came to me a couple of weeks ago while I was standing on the heights of Bratislava Castle watching a tug guide a loaded barge downstream on the river below. At that moment, it suddenly occurred to me that I had not commented in quite some time about the Ports of Kalama, Longview, and Vancouver on the Washington State bank of the Columbia River. The last time, I think, was when I wrote a piece titled "Calamity at Kalama?" about the increased tariffs China had imposed on U.S. soybeans in response to tariffs President Trump had raised on Chinese manufactured goods.

The storied river that flows past Bratislava is what the Slovaks call the Dunaj. About 100 miles downstream at Budapest, the Hungarians refer to the same waterway as the Duna, while upstream in Austria and even further upriver at its source in Germany, it's the Donau. To everyone else, it's the Danube, western Europe's longest river and blue only when the sun is shining brightly. Before it empties into the Black Sea, it passes through and abets commerce in Germany, Austria, Slovakia, Hungary, Croatia, Serbia, Romania, Bulgaria, Moldova, and Ukraine. By contrast, the Seine is arguably more important emotionally than commercially to the French. While much less famous around the world than the Danube or the Seine, the Columbia River also plays a large but largely unacknowledged role in world trade.

Port of Longview



Sam Beebe, CC BY 2.0 <<https://creativecommons.org/licenses/by/2.0/>>, via Wikimedia Commons

Much of the media coverage of the nation's maritime trade tends to be obsessive about containers. TV reporters can't talk about foreign trade without posing near the nearest gargantuan crane hovering over an equally gargantuan container ship. Similarly, no print article about America's ports goes to press without a helpful reminder to readers what a TEU is. One unfortunate result of this preoccupation with goods transported in metal boxes is that we tend to overlook and therefore minimize the river ports that convey so much of America's farm produce in bulk to overseas customers.

Even when rivers are seen to play an unambiguously significant role in transporting goods to market, it's often the ports at the mouth of those rivers that grab all the glory. Consider the mightiest of North America's rivers. Riverboats and barges moving down the Mississippi (failure of which to spell correctly was once cause for keeping students back a grade) have long provided access to international markets to Mid-America's farm exporters. Yet, by virtue of an odd feature in the documents used to report trade statistics to Customs and Border Protection (and its predecessor agencies), it has been the State of Louisiana and specifically the Port of New Orleans that is credited for wildly disproportionate shares of America's agricultural export trade.

That's because it's nearly impossible to determine the



Commentary Continued

true state-of-origin of such fungible commodities as wheat, soybeans, or corn. So, back about forty years ago when Congress required the Commerce Department to publish state-of-origin export statistics on a monthly basis, the government’s statisticians threw up their hands and designed a workaround. Rather than asking shippers to identify where exported goods were grown, manufactured, or otherwise produced, the operative blank to be filled out was where those goods had begun their journeys into international trade. And since those journeys largely began at the Port of New Orleans and Baton Rouge, Louisiana was designated as America’s top farm exporting state.

The export numbers represent a grotesque distortion of agricultural reality. The commodities may exit through ports in Louisiana like New Orleans, Baton Rouge, and Gramercy, but Louisiana itself is not a major farming state. According to the U.S. Department of Agriculture, the Bayou State ranks only 33rd in terms of receipts earned from agriculture.

So much for today’s sermon on data integrity.

To people living in the West, rivers are chiefly seen as sources of fresh water and places for recreation. We seldom think of them as having much logistical significance. (Sometimes, like most of the citizens of Sacramento, we may have no idea there is a port in the neighborhood that is served by ocean-going vessels.)

But there’s no question that the West’s most important river for moving goods to market is the Columbia River. Indigenous peoples fished the river and used it to trade goods for thousands of years before Europeans first turned up in 1792 to discover the river and rechristen it. Still, the Ports of Kalama, Longview, and Vancouver (WA) are not likely viewed across the country as prominent gateways of international trade.

That, however, is a misinformed view. Consider **Exhibit A**, which shows how these three river ports compared over the past decade with the principal U.S. West Coast seaports.

Exhibit A			
Top Ten U.S. West Coast Ports by Export Tonnage and Value: 2013-2022			
Source: U.S. Commerce Department			
Port	Weight in Short Tons	Port	Dollar Value in Millions
Long Beach	237,890,661	Los Angeles	\$332.080
Los Angeles	194,373,601	Long Beach	\$324.819
Kalama	134,708,649	Oakland	\$195.759
Portland	121,932,037	Tacoma	\$93.305
Tacoma	118,733,626	Seattle	\$70.786
Longview	104,938,145	Portland	\$46.657
Oakland	103,516,632	Kalama	\$39.089
Seattle	99,628,569	Longview	\$27.535
Vancouver (WA)	64,360,382	Vancouver (WA)	\$22.674
Richmond	41,685,443	Richmond	\$17.502

Exhibit B			
Top Ten U.S. West Coast Ports by Export Weight and Value in First Three Quarters, 2023			
Source: U.S. Commerce Department			
Port	Weight in Short Tons	Port	Dollar Value in Millions
Long Beach	14,852,682	Los Angeles	\$23.583
Los Angeles	10,893,580	Long Beach	\$20.302
Kalama	8,944,329	Oakland	\$13.383
Oakland	5,892,253	Tacoma	\$5.183
Portland	5,026,062	Seattle	\$4.095
Longview	4,958,065	Kalama	\$3.134
Tacoma	4,780,289	Portland	\$3.044
Vancouver (WA)	3,954,952	Richmond	\$2.223
Richmond	3,869,665	Vancouver (WA)	\$1.676
Seattle	3,727,916	Longview	\$1.644



Commentary Continued

Exhibit C

Export Tonnage from Selected U.S. West Coast Ports

Source: U.S. Commerce Department

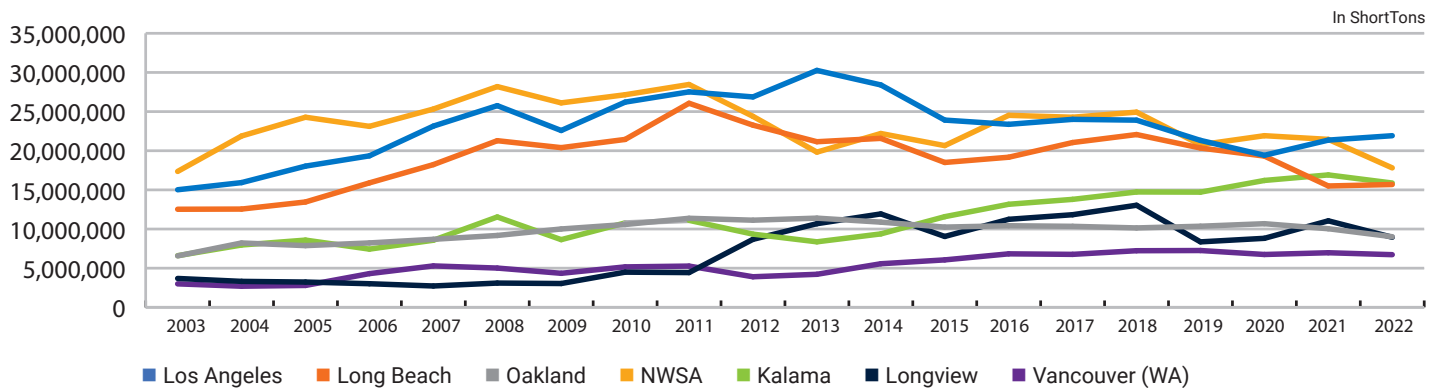


Exhibit D

Export Tonnage from Kalama, Longview, and Vancouver (WA)

Source: U.S. Commerce Department

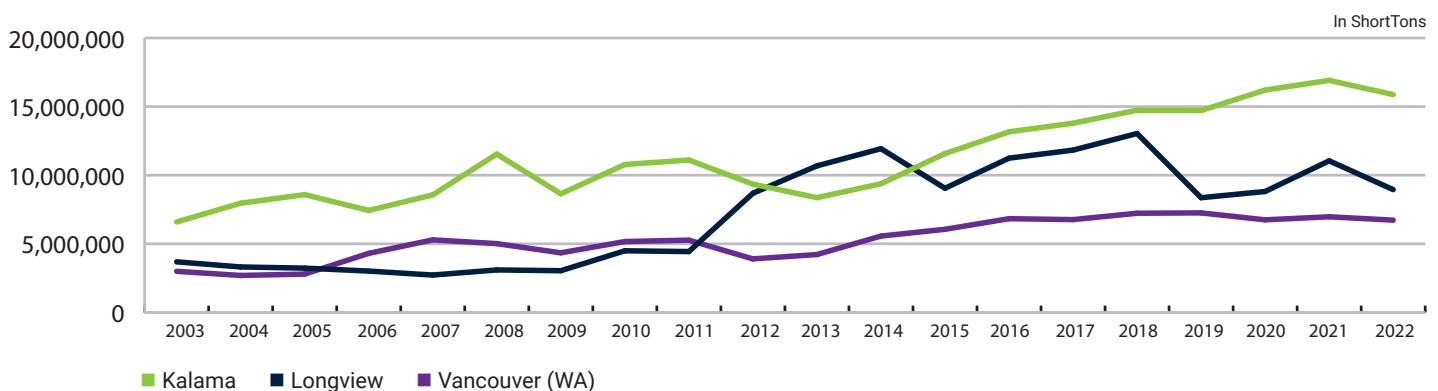


Exhibit B shows the same rankings through the first three quarters of 2023.

As **Exhibit C** discloses, export tonnage shipped from USWC ports has generally been declining as has the number of loaded containers leaving USWC ports for overseas markets. But there are some interesting and perhaps even counterintuitive findings to be teased from the data. For example, despite its reputation as an agricultural export gateway, the Port of Oakland regularly ships less tonnage than the Ports of Kalama and Longview. Through September of this year, Kalama's export tonnage has totaled 8,994,329 short tons compared

to the 5,893,253 short tons shipped through Oakland.

To be sure, weight isn't everything. Oakland's export trade last year amounted to \$19.267 billion, according to U.S. Commerce Department statistics. Kalama's export trade, meanwhile, totaled \$6.382 billion. Still, Vancouver (\$3.325 billion) and Longview (\$3.405 billion) ranked among the nation's top 40 export ports by dollar value.

Few things are ever constant, though. The dollar value of exports through the three Washington State ports on the Columbia has plummeted this year. Through the first three quarters of 2023, the value of export shipments has declined by 24.3% at Kalama, 26.3% at Vancouver,



Commentary Continued

Exhibit E

Three Columbia River Ports' Shares of U.S. Soybean Export Tonnage

Source: U.S. Commerce Department

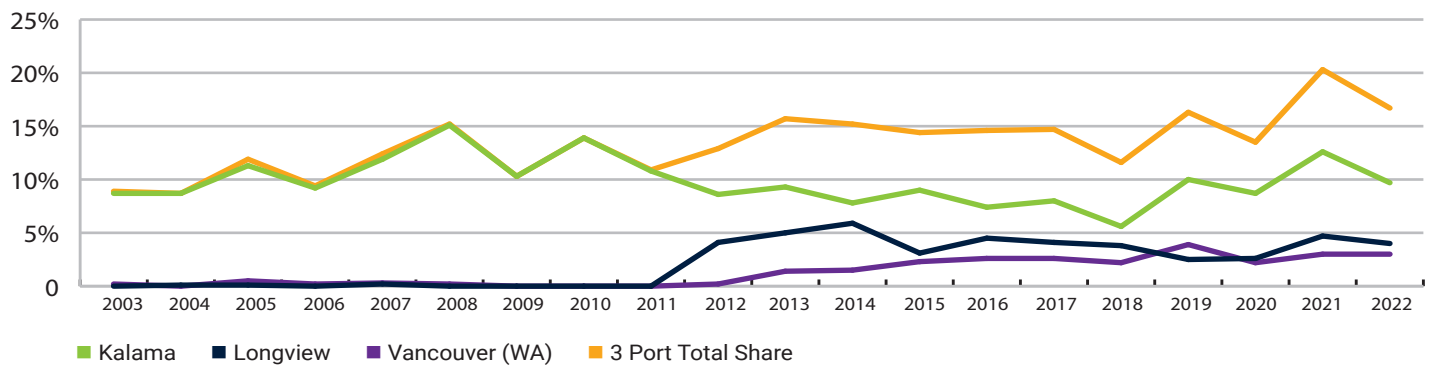


Exhibit F

Three Columbia River Ports' Shares of U.S. Corn Export Tonnage

Source: U.S. Commerce Department

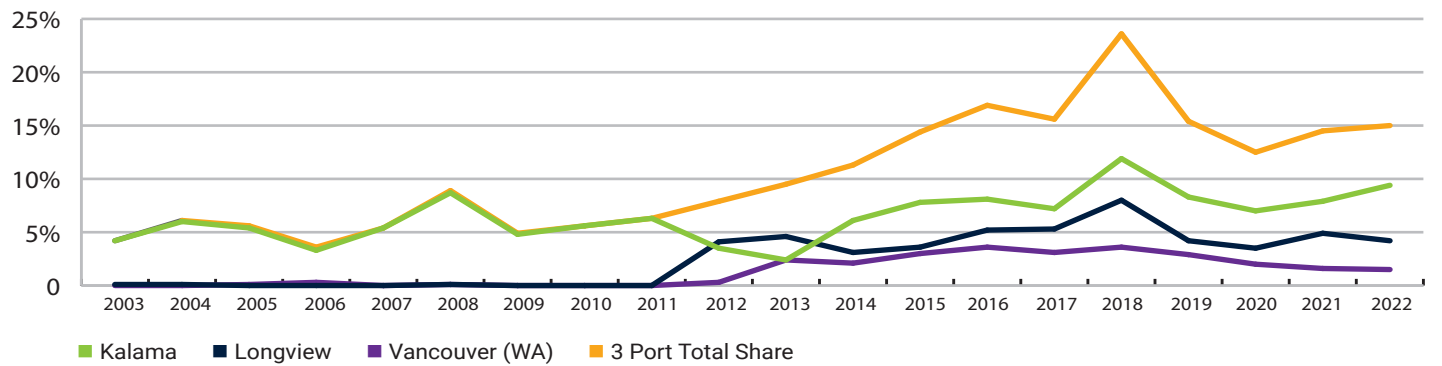
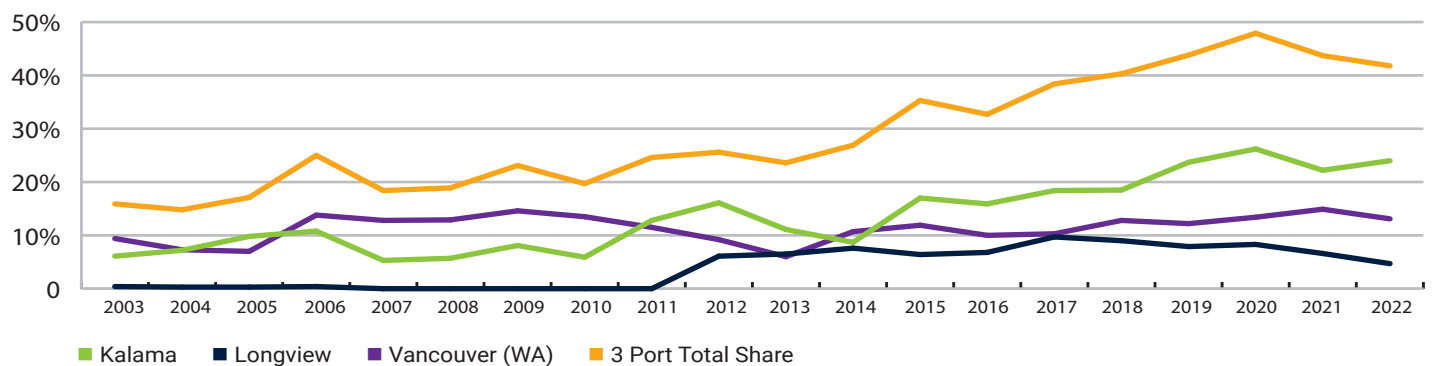


Exhibit G

Three Columbia River Ports' Shares of U.S. Wheat Export Tonnage

Source: U.S. Commerce Department





Commentary Continued

and 21.4% at Longview. Those declines reflected a nearly commensurate year-over-year fall-off in export tonnage of 22.5% at Kalama, 18.3% at Longview, and 18.2% at Vancouver.

To put West Coast export volumes in perspective, export tonnage at the Ports of Kalama, Longview, and Vancouver over the past ten years totaled 304,007,176 short tons, as opposed to the 432,264,262 short tons shipped from the Ports of Los Angeles and Long Beach. (However, if the export tonnage through the Port of Portland is added, the four Columbia River ports shipped 425,939,213 short tons, near parity with the export tonnage of the San Pedro Bay ports.)

Over the same decade, the Port of Kalama (with 134,708,649 short tons of exports) and the Port of Longview (104,938,145 short tons) topped the 103,516,632 short tons that were exported from the Port of Oakland.

What accounts for the export volumes shipped through the ports on the right bank of the Columbia? Apples from Washington State? Timber from Oregon? No, it's the volumes of wheat, corn, and soybeans being exported to Asian markets.

Collectively, the three Washington State ports on the Columbia accounted for 16.7% of the nation's soybean export tonnage last year. Kalama ranked as the country's third biggest soybean export port with a 9.7% share, while Longview's 4.0% share put it in seventh place followed in ninth place by Vancouver's 3.0% share.

Kalama last year was the third leading port for exports of corn (maize) with a 9.4% share of the traffic. To be sure, two Louisiana ports dominate the nation's corn export trade with New Orleans and Gramercy handling 39.5% and 30.6% shares, respectively, last year. Longview was the fourth leading corn export port with a 4.2% share, while Vancouver was ninth with a 1.5% share.

In tonnage terms, Kalama was the leading port for U.S. wheat exports since attaining that status in 2016. Its 24.0% share of all seaborne export tonnage of wheat and meslin last year easily topped New Orleans' 19.0% share. The third leading port was Port Houston (17.8%), but in fourth place came Vancouver with a 13.1% share. Although Longview placed sixth with a 4.7% share, we should, to be fair, observe that a port on the Oregon side of the Columbia River, Portland, ranked fifth with an 11.8% share of U.S. exports of wheat and meslin last year.

That's it for this month's commentary. As you and yours gather around to celebrate the holidays and the start of a New Year, don't limit yourself to the usual Christmas songs. Get out your old guitar or banjo and sing along to a recording of the official song of the State of Washington, Woody Guthrie's "Roll on, Columbia, Roll On."

Disclaimer: The views expressed in Jock's commentaries are his own and may not reflect the positions of the Pacific Merchant Shipping Association.

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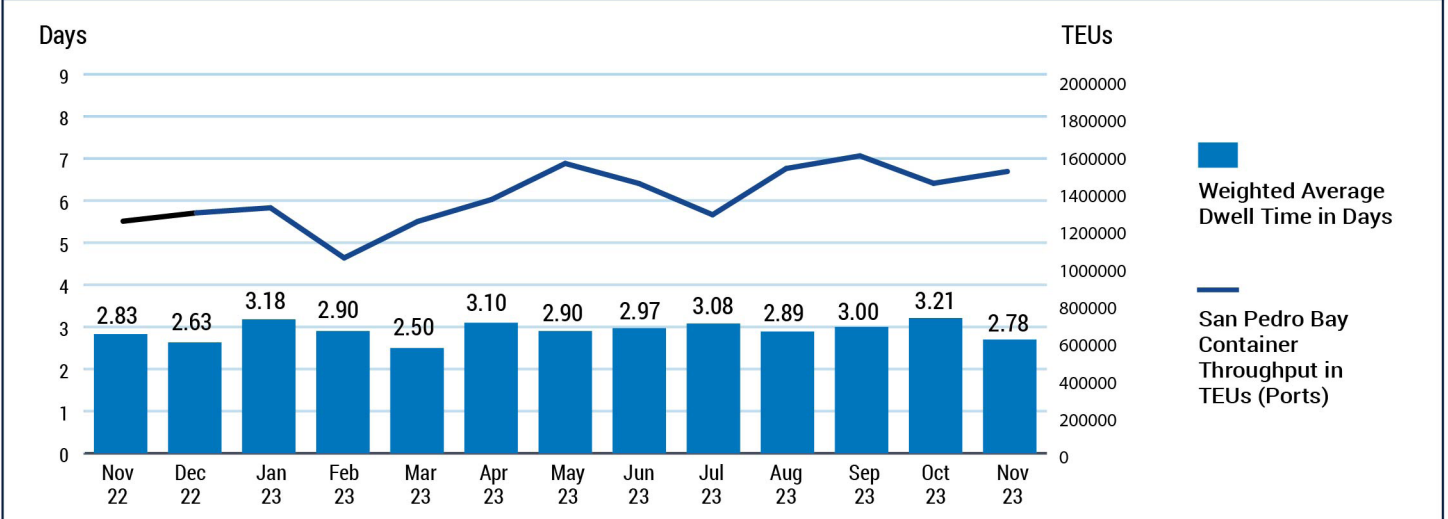
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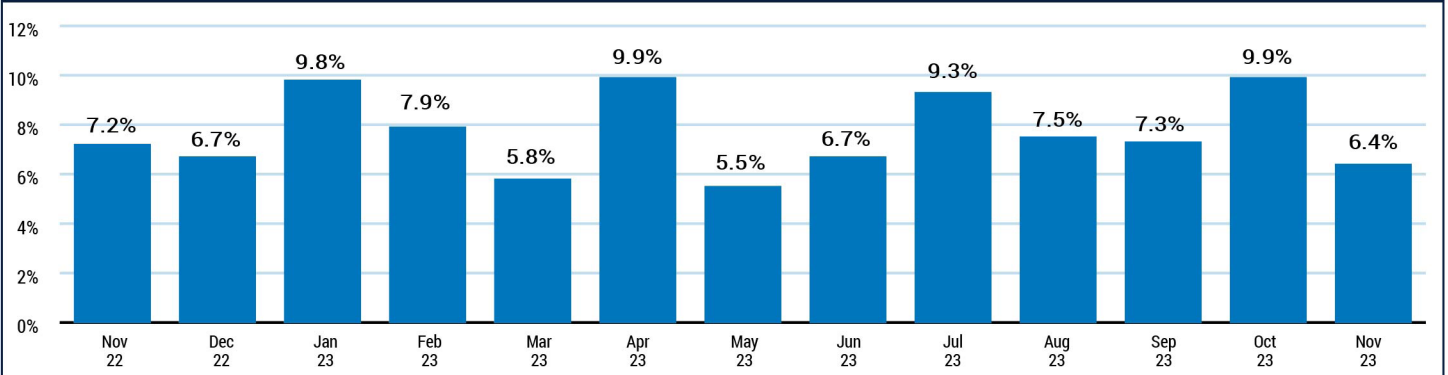


Container Truck and Rail Dwell Time Down in November

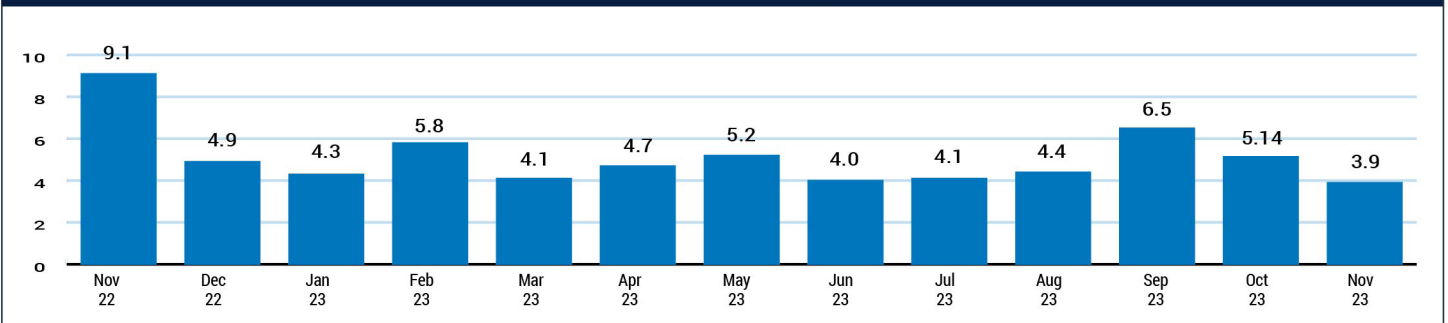
San Pedro Bay Weighted Average Inbound Laden Container Dwell Time in Days



Dwell Time in Days % > 5 Days



Rail Dwell Time in Days



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Port of Grays Harbor

On Washington's Pacific Coast

Press Release:

December 14, 2023

Contact: Kayla Dunlap, Director of Government & Public Affairs

kdunlap@portgrays.org or 360-533-9590

For Immediate Release

Port Commission selects Deputy Director Leonard Barnes as the next Executive Director

ABERDEEN, WASH. – At a Special Commission Meeting on Thursday, the Port of Grays Harbor Commission selected Deputy Executive Director Leonard Barnes as the Port's next Executive Director following the retirement of Gary Nelson next March.

Leonard Barnes joined the Port of Grays Harbor in 1984. As the Deputy Executive Director, Mr. Barnes has overseen the Port's business development, industrial property leases, and airport and marine terminal operations since 2005. Leonard has been active in many industry and community organizations, boards, and committees during his time with the Port including the Northwest Marine Terminals Association, Greater Grays Harbor, Inc., Grays Harbor Council of Governments, Washington Freight Mobility Strategic Investment Board, Washington Public Ports Association, the American Association of Port Authorities, and the Grays Harbor YMCA.



Deputy Executive Director Leonard Barnes was chosen to become the Port of Grays Harbor's next Executive Director

"He is most certainly the right person for the job as our largest customer nears a major expansion and we take on the largest infrastructure improvement project in the history of the Port. We have a high degree of confidence that Mr. Barnes will be a great leader for the Port of Grays Harbor," stated Port Commission President Tom Quigg.

“I am truly grateful for the opportunity and vote of confidence from the Commissioners to lead the Port during this transformational time,” shared Leonard Barnes. “With so many exciting and important projects on the horizon, I look forward to seeing them to fruition for our partners and our community. The Port has an awesome staff in place, and I am honored to lead this team.”

“Leonard has a proven track record of developing and maintaining customer and community partnerships, bringing economic development and jobs opportunities to the table, and possesses an extensive knowledge of international and business markets,” shared Port of Grays Harbor Commission Secretary Stan Pinnick. Port Commission Vice President Phil Papac added, “We look forward to watching Mr. Barnes lead the Port into this new and exciting chapter.”

At a Special Meeting on November 30, 2023, the Commission chose to recruit an Executive Director from within Port staff after reviewing the various options laid out at the November Commission Meeting including recruiting a new Executive Director using an outside firm, recruiting using Port staff or recruiting an Executive Director from within the Port’s existing leadership. The Commissioners reviewed internal candidate qualifications during an Executive Session following the regular December Commission meeting on December 12, 2023.

At the Special Commission Meeting today, the Port Commission directed Director of Finance & Administration Mike Folkers and the Port’s legal counsel Art Blauvelt to begin negotiating an employment agreement with Mr. Barnes to serve as the next Executive Director at the Port of Grays Harbor. The Commission will consider the employment agreement at its regular Commission meeting on Tuesday, January 9, 2024.

Founded in 1911, the Port of Grays Harbor is one of Washington State’s oldest port districts and Washington’s only deep-water port located directly on the Pacific Ocean. The Port of Grays Harbor operates 4 deep-water marine terminals, the Westport Marina, Bowerman Airport, Grays Harbor ship assist services, numerous public waterfront access facilities, in addition to industrial and business parks throughout the County. The addition of Satsop Business Park increased the Port’s properties to more than 1,000 acres of industrial properties and an additional 1,200 acres of sustainably managed forestland. Strategically located midway

between Seattle and Portland and less than 1 ½ hours from open sea, the Port of Grays Harbor provides businesses a diverse portfolio of facilities. More information on the Port of Grays Harbor's facilities and operations is available at portofgraysharbor.com or satsop.com.



Deputy Director Leonard Barnes stands with the Port Commission after being selected as the next Executive Director of the Port of Grays Harbor at a Special Meeting on Thursday.

**State of Washington
Pilotage Commission
January 18, 2024**

Grays Harbor District Report

There were 9 arrivals in December for a total of 24 jobs. There are 11 vessels scheduled for January: 6 dry bulkers, 3 liquid bulkers, 1 RoRo and 1 logger.

Terminal 4 Expansion

Port staff are continuing internal reviews of the 90% design documents. Our Shoreline Permit Applications have been submitted to the cities of Aberdeen & Hoquiam and a joint Shorelines Hearing will take place on January 25, 2024. The Port received its first permit for the project; that is, a Hydraulic Project Approval from the Washington Department of Fish and Wildlife.

PUGET SOUND PILOTAGE DISTRICT ACTIVITY REPORT PAGE 1

Dec-2023

The Board of Pilotage Commissioners (BPC) requests the following information be provided to the BPC staff **no later than two working days prior to a BPC meeting** to give Commissioners ample time to review and prepare possible questions regarding the information provided.

Activity									
Total pilotage assignments:	563			Cancellations:	4				
Total ship moves:	559	Cont'r:	157	Tanker:	203	Genl/Bulk:	101	Other:	98
Assignments delayed due to unavailable rested pilot:	7					Total delay time:	11	hours	
Assignments delayed for efficiency reasons:	8					Total delay time:	10.5	hours	
Billable delays by customers:	47					Total delay time:	129		
Order time changes by customers:	143								

2 pilot jobs:	46	Reason:	PSP GUIDELINES FOR RESTRICTED WATERWAYS				
Day of week & date of highest number of assignments:	Thursday 12/21				31		
Day of week & date of lowest number of assignments:	Monday 12/25				4		
Total number of pilot repositions	93	Upgrade trips	12	YTD	167		
3 consecutive night assignments:	25	YTD	374				

Callback Days/Comp Days									
	Starting Total	Call Backs (+)		Used (-)		Burned (-)		Ending Total	
Licensed	2554	72		68				2558	
Unlicensed	39					13		26	
Total	2593							2584	

On watch assignments	484	Call back assignments	79	CBJ ratio	14.03%				
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Pilots Out of Regular Dispatch Rotation (pilot not available for dispatch during "regular" rotation)

A. Training & Continuing Education Programs									
Start Dt	End Dt	City	Facility	Program Description	Pilot Attendees				
1-Dec	10-Dec	Sydney AU	Port Ash	Manned Model	SEM(5on*, 5off), SES(5on*, 5off)				
6-Dec	6-Dec	Seattle	PMI	ULCV	BOU*, GRK*, MCG				
					*On watch	Off watch	**	paired to	
					12	11			

B. Board, Committee & Key Government Meetings (BPC, PSP, USCG, USACE, Port & similar)									
Start Dt	End Dt	City	Group	Meeting Description	Pilot Attendees				
1-Dec	1-Dec	Seattle	BPC	BPC Exam	BEN, GRK, SCR*				
4-Dec	7-Dec	Ft. Lauderdale	PSP	Navtech Conference	SEA(4off)				
4-Dec	4-Dec	Seattle	PSP	Maritime HS, Outreach	ANT**				
5-Dec	5-Dec	Seattle	PSP	Maritime HS, Outreach	BOZ**				
5-Dec	5-Dec	Seattle	PSP	General Membership	GRK				
7-Dec	7-Dec	Seattle	PSP	Pension	GRD*, GRK*, MIE, MIL*				
8-Dec	8-Dec	Seattle	PSP	Reference Manual	KEN, LOB, NIN*, SID, STA*				
8-Dec	8-Dec	Seattle	PSP	AWO	VON*				

pg 2, B. Board, Committee & Key Government Meetings (BPC, PSP, USCG, USACE, Port & similar)									
Start Dt	End Dt	City	Group	Meeting Description	Pilot Attendees				
8-Dec	8-Dec	Seattle	PSP	UTC	VON*				
12-Dec	12-Dec	Seattle	PSP	BOD	BOU**, COR, GRK*, HAM*, HUP*, MYE				

12-Dec	12-Dec	Seattle	PSP	Outreach, NW Straits Foundation	MCG				
13-Dec	13-Dec	Seattle	BPC	TEC	ANT, BEN, NIN*				
13-Dec	13-Dec	Seattle	BPC	BPC Prep	ANT, BEN, KNU				
14-Dec	14-Dec	Seattle	BPC	BPC	ANT, BEN*, KNU				
14-Dec	14-Dec	Seattle	BPC	BPC Exam	BEN*				
15-Dec	15-Dec	Seattle	PSP	Pension	GRD*, GRK*, MIE, MIL				
19-Dec	19-Dec	Seattle	PSP	General Membership	GRK*				
19-Dec	19-Dec	Seattle	PSP	Safe Practices - T5	BOU*, LOB*				
26-Dec	26-Dec	Seattle	PSP	Administrative	GRK, HAM*				
29-Dec	29-Dec	Seattle	PSP	UTC	KLA, KNU*, MCG*				
					* On Watch	Off Watch	paired to assign.		
					22	25	3		

PUGET SOUND PILOTAGE DISTRICT ACTIVITY REPORT PAGE 2

Safety/Regulatory

Outreach

Administrative

C. Other (i.e. injury, not-fit-for-duty status, COVID risk)

Start Dt	End Dt	REASON	PILOT

PSP Efficiency Measures

Combined an inter-port assignments with harbor shift **11** times

Combined meetings or training with revenue assignments **3** times

Combined cancellations with revenue assignments **0** times

Utilized immediate repo rule **3** times. This allowed a pilot to be assigned on the Seattle side quicker than on the PA side.

Reduced call time between 1830-0759 allowed **3** pilots to be assigned, while prior rules would not have allowed for this.

Reduced call times between 1830-0759 reduced the 3&O type jobs **13** times

Month	Jobs	Pilot Delay Hours	CBJ Ratio	Combined Inter-Port and Harbor shift jobs	Three and Out	NFFD or Covid			
JAN	555	45	13%	10	22	62			
FEB	466	40.5	12%	5	24	67			
MAR	534	35.35	12%	14	23	61			
APR	494	25.25	10%	6	24	55			
MAY	589	25	10%	10	22	36			
JUN	656	40.58	11%	18	48	0			
JUL	649	59.5	9%	7	43	0			
AUG	619	44.5	12%	9	40	0			
SEP	658	48.08	17%	16	34	0			
OCT	657	98.5	14%	13	38	0			
NOV	600	16.25	9%	13	31	0			
DEC	563	21.5	14%	11	25	0			

Total 2023 Efficiency Measure Results

The below figures reflect the instances in which the suite of efficiency measures adopted by PSP in 2022 were utilized by PSP over the first full calendar year.

Combined an inter-port assignments with harbor shift **132** times
Combined meetings or training with revenue assignments **39** times
Combined cancellations with revenue assignments **10** times
Utilized immediate repo rule **73** times. This allowed a pilot to be assigned on the Seattle side quicker than on the PA side.
Reduced call time between 1830-0759 allowed **80** pilots to be assigned, while prior rules would not have allowed for this.
Reduced call times between 1830-0759 reduced the 3&O type jobs **177** times

Total 2023 Pilot Delay Hours (incl. Efficiency Delays): 500

Total 2023 Industry Delay Hours: 1363



On Puget Sound, pilot boat captains ensure trade goes smoothly

As a pilot boat captain, Richard Welch conducts high-stakes traffic, serving as the liaison between massive freight ships (and cruise ships) and Washington ports. (Mike Nolan / Special to The Seattle Times)

By [Mike Nolan](#)

Special to The Seattle Times

ON THE SALISH SEA NEAR PORT ANGELES — From our home in Port Angeles, my wife and I have a commanding view of the Strait of Juan de Fuca. Guests from Seattle enjoy watching the ships come and go, and they take a particular interest in the pilot boat that launches from Ediz Hook to connect with the vessels. From our faraway perspective, that boat is a tiny red dot, but it has a crucial task: delivering a pilot who can take those giant ships safely through the inland waters of Puget Sound.



1 of 2 | This is a pilot boat, which greets every ship that ventures from the Salish Sea into inland waters of Puget Sound. (Mike Nolan / Special to The Seattle Times)

Licensed Puget Sound pilots are required on all foreign-flag commercial vessels sailing those waters: freighters, tankers, cruise ships, container ships. Once a ship enters the Strait, that “tiny red dot” brings to the vessel a pilot to navigate the ship to port. Pilots have extensive knowledge of the depths and currents along the Sound’s 2,000-plus miles of shoreline; they’re familiar with weather patterns and tidal action at the various harbors, piers and docks.

Each year, Puget Sound pilots facilitate the shipment of over \$80 billion in cargo.

A crucial cog in this massive machine is the operator of the pilot boat, diligently placing the pilots where they need to be. I recently shadowed Richard Welch, a pilot boat operator with more than 40 years of maritime experience, who showed me what a working day looks like for these truly unsung heroes.

Here’s what I saw.

On the water

How important are these pilot boats? All commercial traffic plying the waters of Puget Sound enters and exits through the Strait of Juan de Fuca, passing by the pilot station on Ediz Hook.

“It all starts and finishes right here in Port Angeles,” Welch said. “There’s just one station, so all of the pilots either begin here and board inbound ships or get off outbound ships and return here.”

With a firm hand on the wheel and a cold wind blowing over the water, he revved the pilot boat’s engines and pulled away from the station toward a mammoth container ship bound for Seattle.

Welch is one of four operators working out of Ediz Hook. Operators work shifts of 12 hours on, 12 hours off, in a sequence of 15 days on and 15 days off. While a dispatcher in Seattle keeps track of where and when the pilots come and go, it’s the pilot boat operator’s job to safely transport them.

“Of course,” Welch said, “that means balancing each ship’s individual schedule and keeping an eye on other marine traffic, as well as taking into account currents, wind, waves and visibility. Basically,” he said, giving a knowing smile, “we make it all happen smoothly.”

It’s a lot to juggle, considering the four operators make thousands of trips annually. When I asked how often high winds and stormy seas affect his work, Richard didn’t blink: “We’ve never missed a transfer due to weather.”

That morning, we connected with a freighter and a pilot left our cabin, stepping out onto the open deck. This is the most important — and the most dangerous — part of the job. The freighter was moving at 7 or 8 knots, and Welch worked our boat’s controls to match the ship’s speed, bringing the highly maneuverable pilot boat close alongside the freighter’s enormous, imposing mass. Our deckhand helped steady the pilot, who reached for a rope ladder dangling down the freighter’s side. In one swift motion, the pilot grabbed the ladder and hoisted himself onto it, then climbed several stories above the churning water to a shell door to enter the ship.

I couldn’t take my eyes off the pilot; one of his colleagues had mentioned the worldwide average of one pilot fatality a year. I had assumed the ship would stop for the transfer.

“No,” Welch said. “In the open sea, it’s actually easier if the ship is moving.”

I couldn’t help but wonder about a transfer in high swells or thick fog. Later, I’d learn that for every transfer there is on the Strait during the day, two take place at night, in the dark.

Smooth sailing

Back at the pilot station, Welch checked the computer database of all the shipping patterns in the area, noting dispatches for upcoming vessels while monitoring weather conditions and traffic. He also recorded the incoming and outgoing pilots’ times in a log. In between tasks, he and other operators keep the station in good order — organizing the sleeping quarters for the pilots, grocery shopping, maintaining the pilot boats. I admired the camaraderie between the operators and the pilots: a maritime fraternity most of us never get to see firsthand.

“This job involves wearing 10 hats,” Welch said. “We act as chauffeur, butler, maid, mechanic, adviser, gofer ... pretty much a jack-of-all-trades for these people. And it’s all in an effort to make things run smoothly.”

On the open water again, Welch talked about his years at sea.

“I’ve been drawn to the water my whole life, starting off working on fishing boats in Alaska, getting in my ‘sea time,’” the pilot boat captain said. “I worked on crab boats and long-liners [a type of commercial fishing vessel] and worked my way up, beginning as a deckhand.”

Asked what he likes best about his job, Welch swept his outstretched arm across the slate-gray horizon.

“You can taste the salt sea air, you’ve got the cold wind in your face,” he said, shrugging. “The work is fun. Who could ask for more?”

Now, whenever I gaze out to the Strait from my house, I don’t see a tiny red dot approaching a container ship; I see a master mariner performing a precise, thankless job that’s vital to the supply chain.

“It’s hands-on, practical work,” Welch said. “It’s dynamic ... liquid. We stay on top of it, anticipating problems before they happen, and just try to make it all run.”

He stopped. With the sea breeze blowing between us, he looked at me. “There’s that word again — *smoothly*.” He turned back to the water and nodded. “That’s what we do.”

Mike Nolan: mikenolanstoryteller@olympus.net; Mike Nolan lives with his wife and hiking partner, Ann, in Port Angeles. He can be reached at mikenolanstoryteller.com.

 [View 3 Comments / 3 New](#)

Puget Sound District Activity Report Dashboard

2023 December

Licensed Pilots
Including President

54

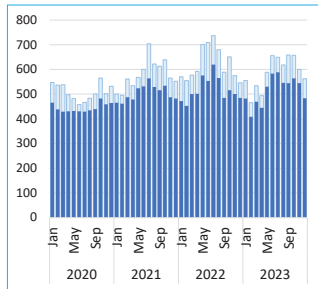
Captain Cassee was licensed Dec 14 (License 225).

PS District
Trainees

7

Total Assignments

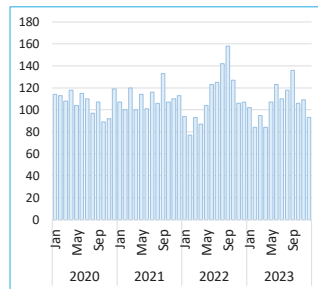
563



484 On-Watch (dark blue), 79 Off-Watch (light blue)

Repositions

93



Licensed Pilots w/o Pres 53

Pilots NFFD entire month 0

Available Pilots 53

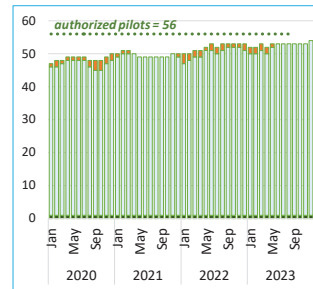
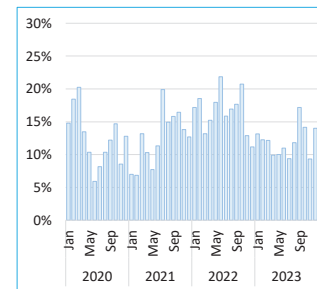


chart also includes president (1 pilot)

Off-Watch Assignments

(Callbacks)

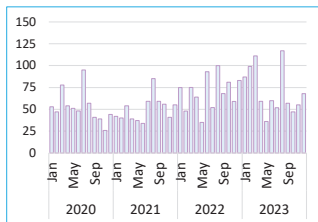
14%



Comp Days Used

(Licensed Pilots)

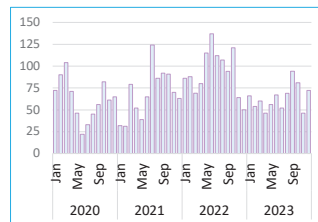
68



Comp Days Earned

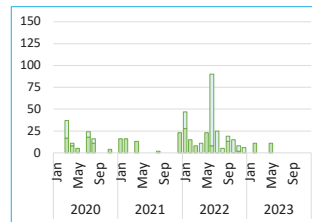
(Callbacks)

72



COVID Days* 0

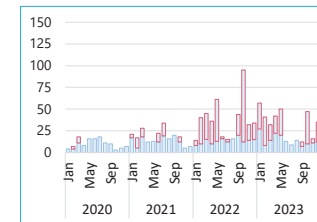
NFFD Days* 0



count of NFFD days if pilot(s)
not NFFD whole month

Training Days 23

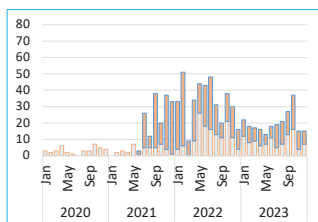
Upgrade Trips 12



training days (red) stacked
on upgrade trips (blue)

Pilot Delays (Count) combined total

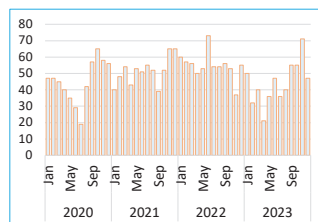
15



efficiency delay counts stacked on top
of pilot shortage delay counts on bottom

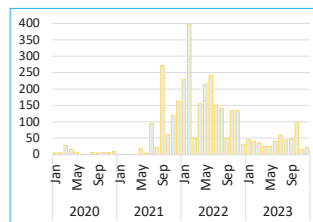
Billable Delays (Count) by Customers

47



Pilot Delay Hours (Pilot Shortage & Efficiency)

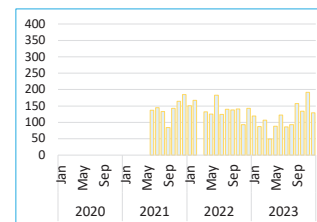
21.5 hrs



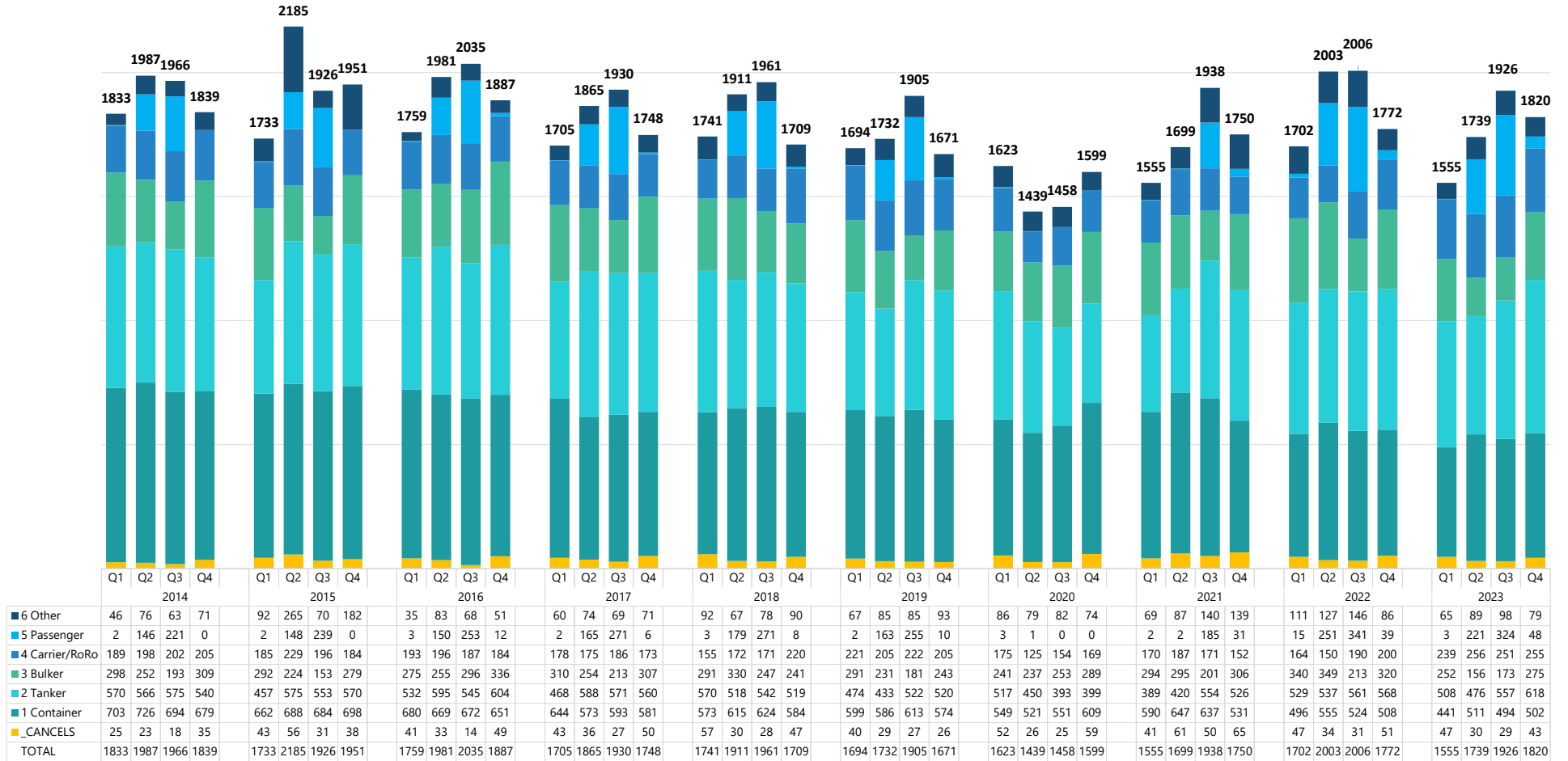
total pilot delay hours (not separated into
efficiency & pilot shortage components)

Billable Delay Hours by Customers

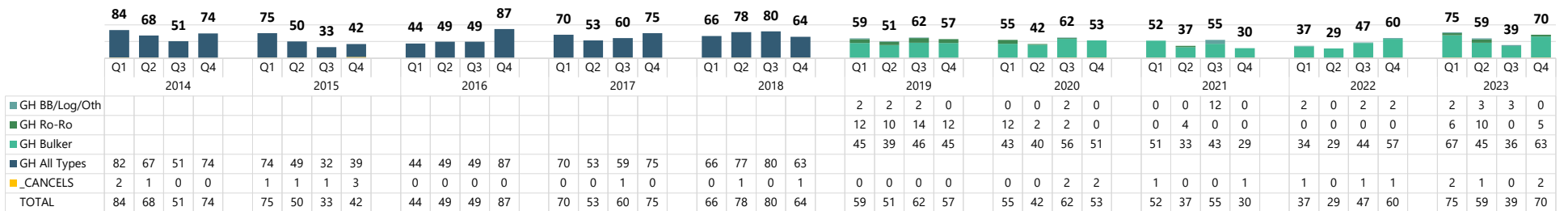
129 hrs



Puget Sound Pilotage District Assignments 2014-2023
quarterly, by vessel type, including cancellations



Grays Harbor Pilotage District Assignments 2014-2023
quarterly, by vessel type when available, including cancellations



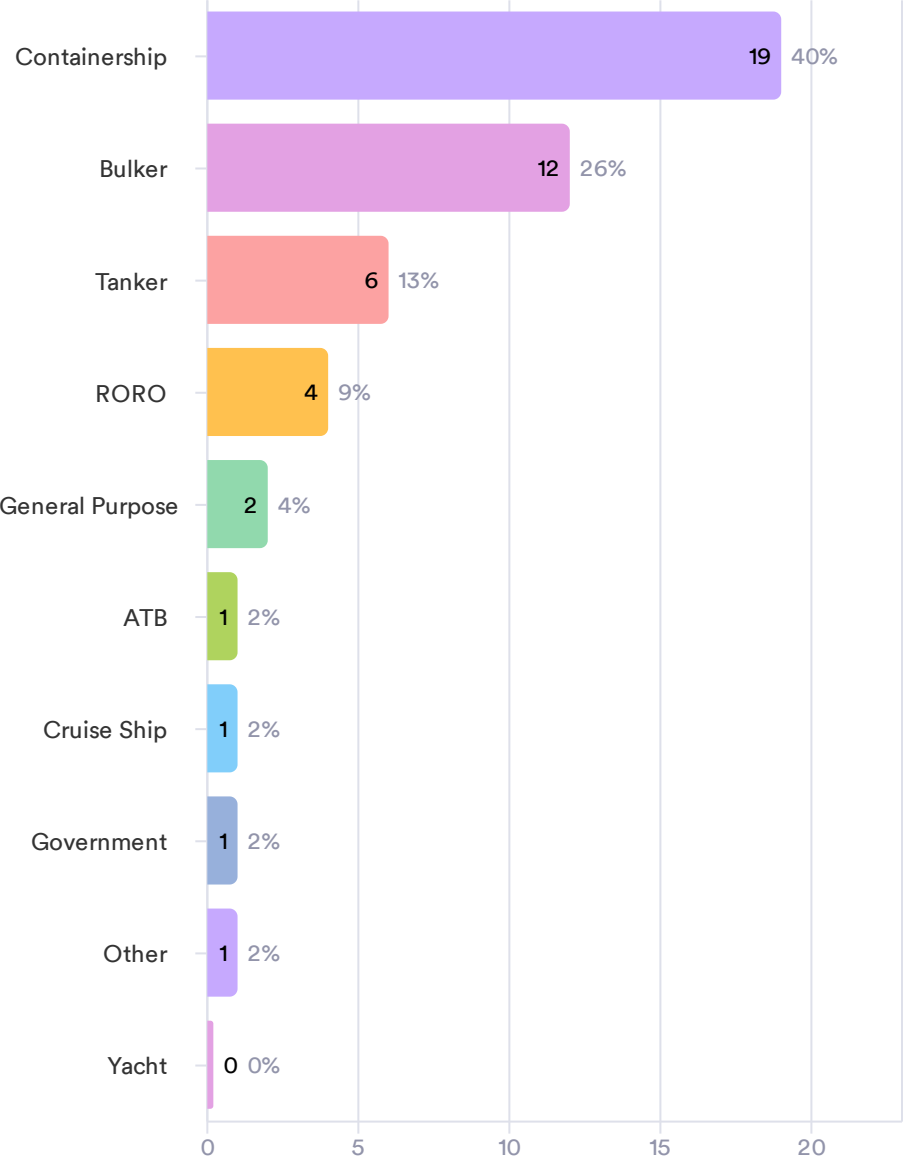
Pilot Ladder Safety Summary

Washington State (PS & GH 10/1/23 - 12/31/23)

Pilot Ladder Safety Report

Vessel Type:

47 Responses



Vessel Name:

47 Responses

Data	Responses
Seaways Yosemite	2
Captain Michael	2
Global Discovery	2
Global Eternity	2
MSC Emanuela	1
MSC Anzu	1
ATB Vision	1
Nunui	1
Ever Fortune	1
Pacific Hero	1
Jin Guang Ling	1
Sakizaya Power	1
Ever Shine	1

Pilot Ladder Safety Report

Flag State:

47 Responses

Data	Responses
MHL	8
SGP	6
PAN	5
USA	5
BHS	4
HKG	4
PRT	3
GRC	2
MLT	2
LBR	2
VUT	2
DMA	1
GBR	1

Classification Society:

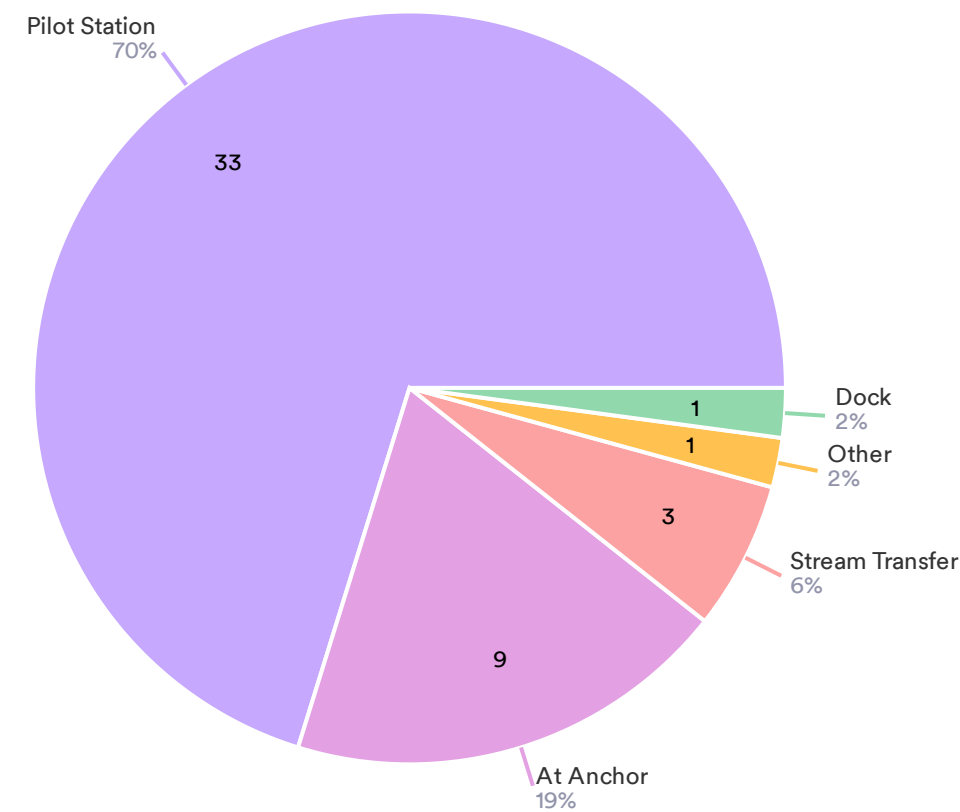
26 Responses

Data	Responses
DNV	8
ABS	4
LR	3
NK	3
NKK	3
GL	1
DNC	1
CCS	1
Lloyds	1
BV	1

Pilot Ladder Safety Report

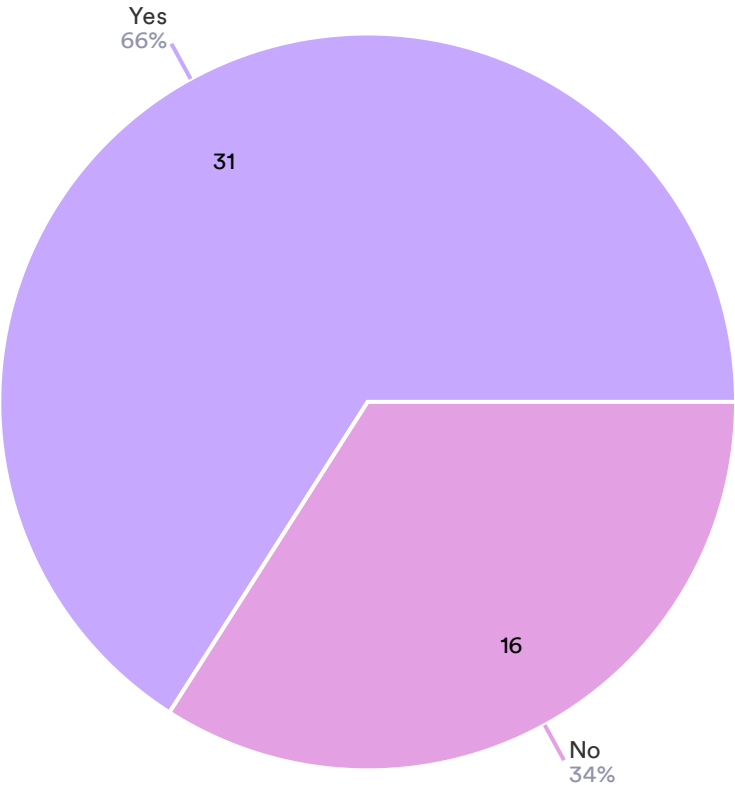
Geographic Location:

47 Responses



Master Notified:

47 Responses



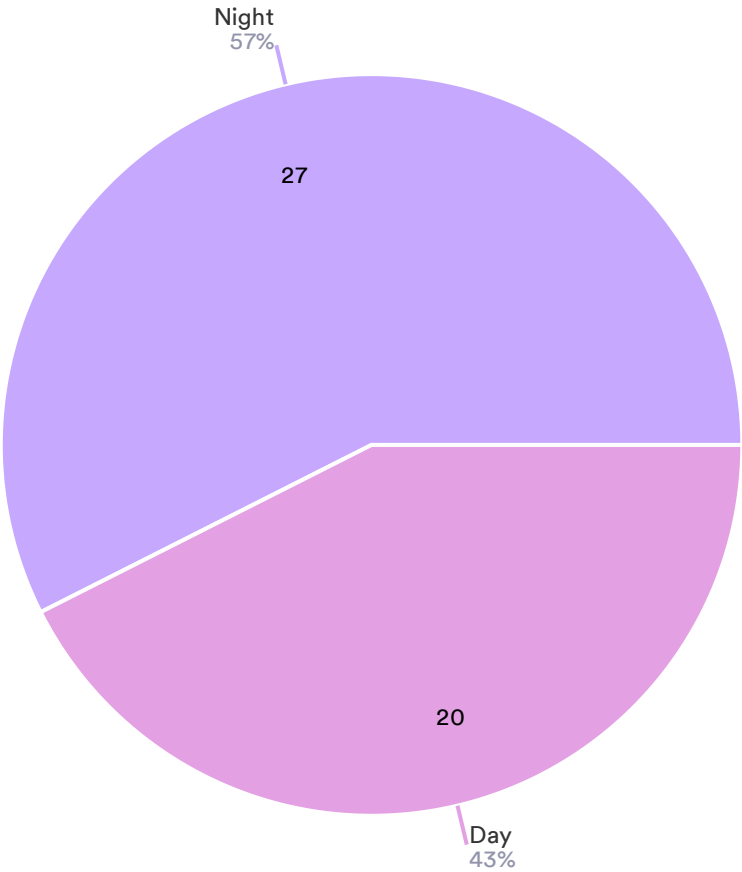
Pilot Station At Anchor Stream Transfer Other Dock

Yes No

Pilot Ladder Safety Report

Day/Night:

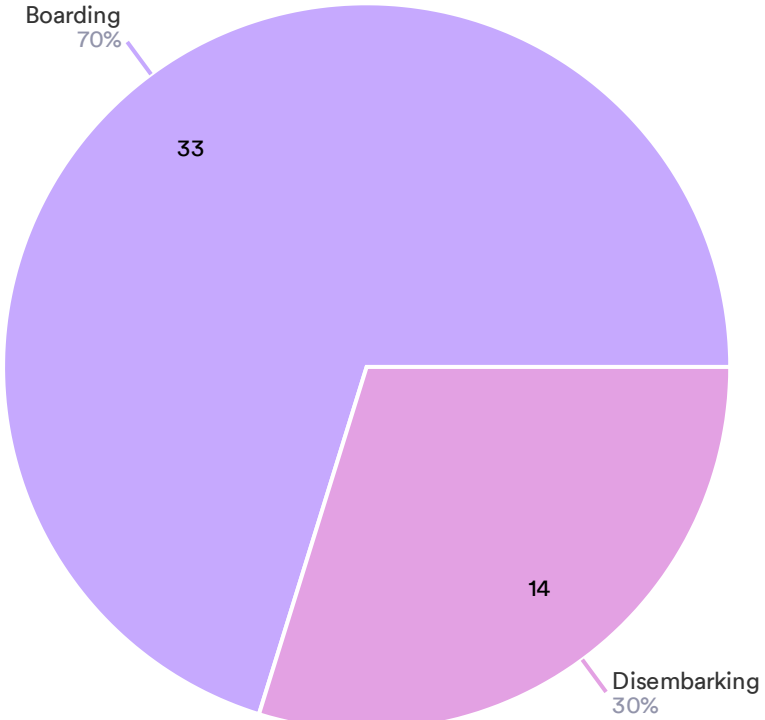
47 Responses



● Night ● Day

Boarding/Disembarking:

47 Responses

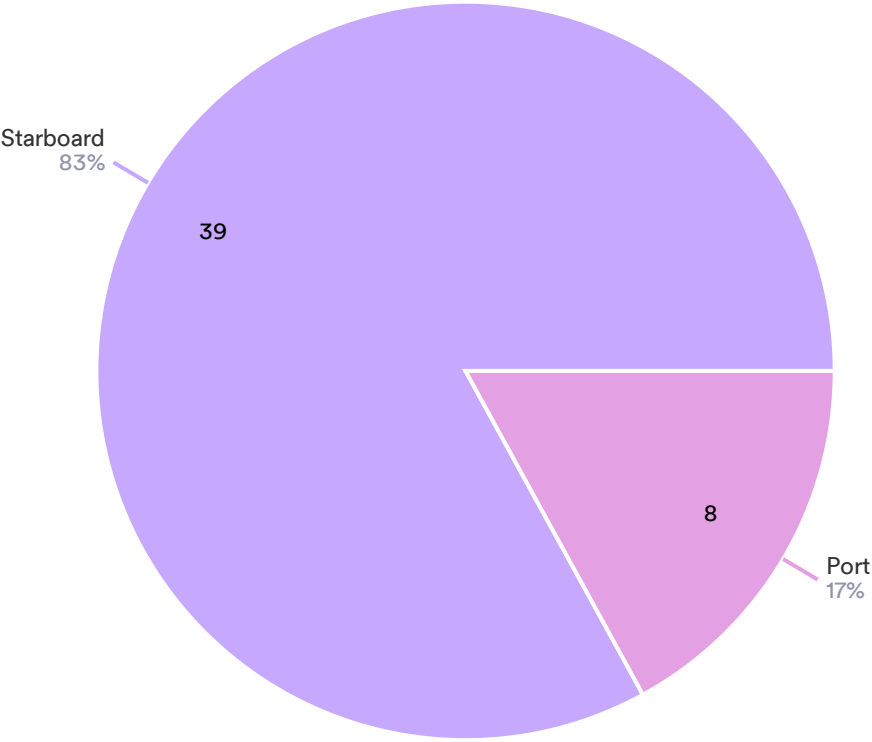


● Boarding ● Disembarking

Pilot Ladder Safety Report

Port/Starboard:

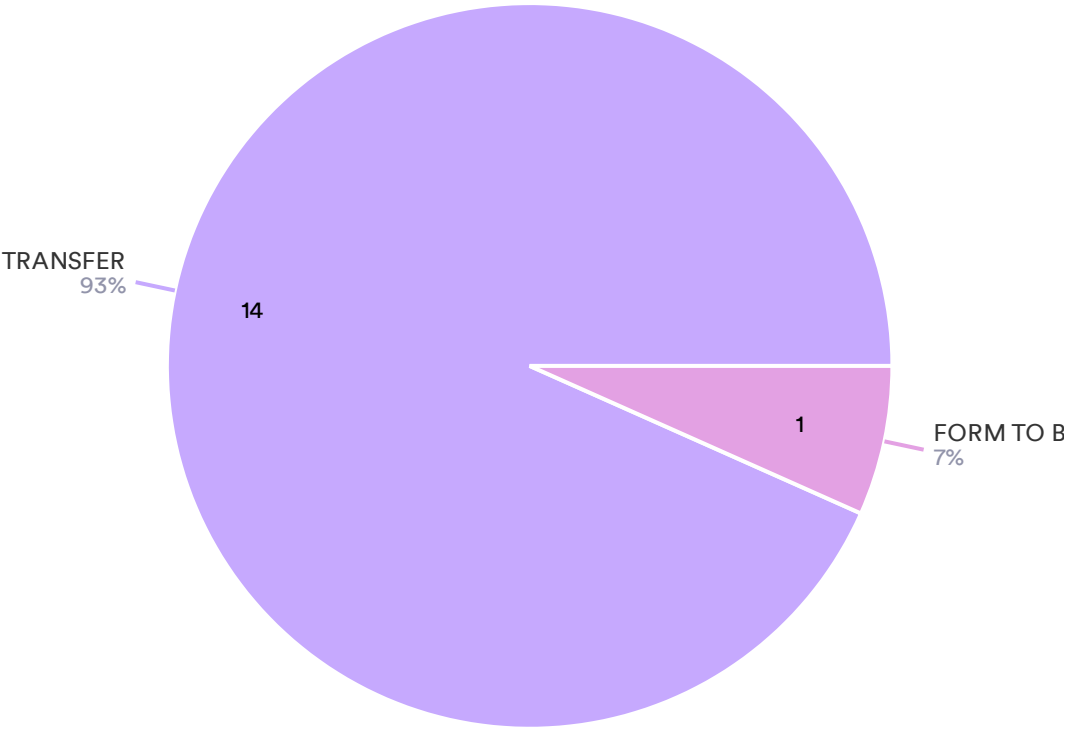
47 Responses



● Starboard ● Port

Notification:

15 Responses

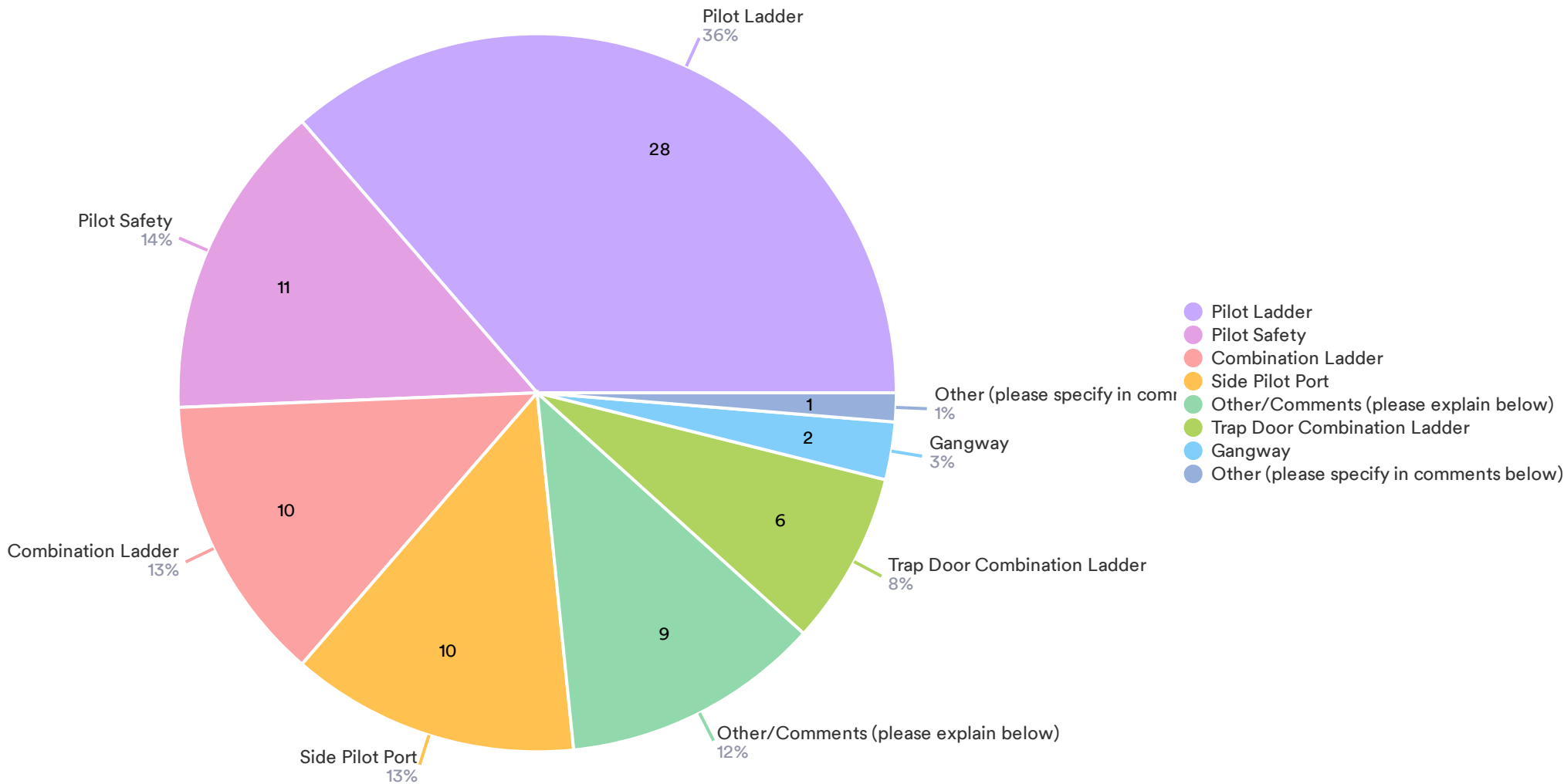


● MUST BE CORRECTED PRIOR TO SAILING OR NEXT TRANSFER
● FORM TO BE FORWARDED TO NEXT PORT

Pilot Ladder Safety Report

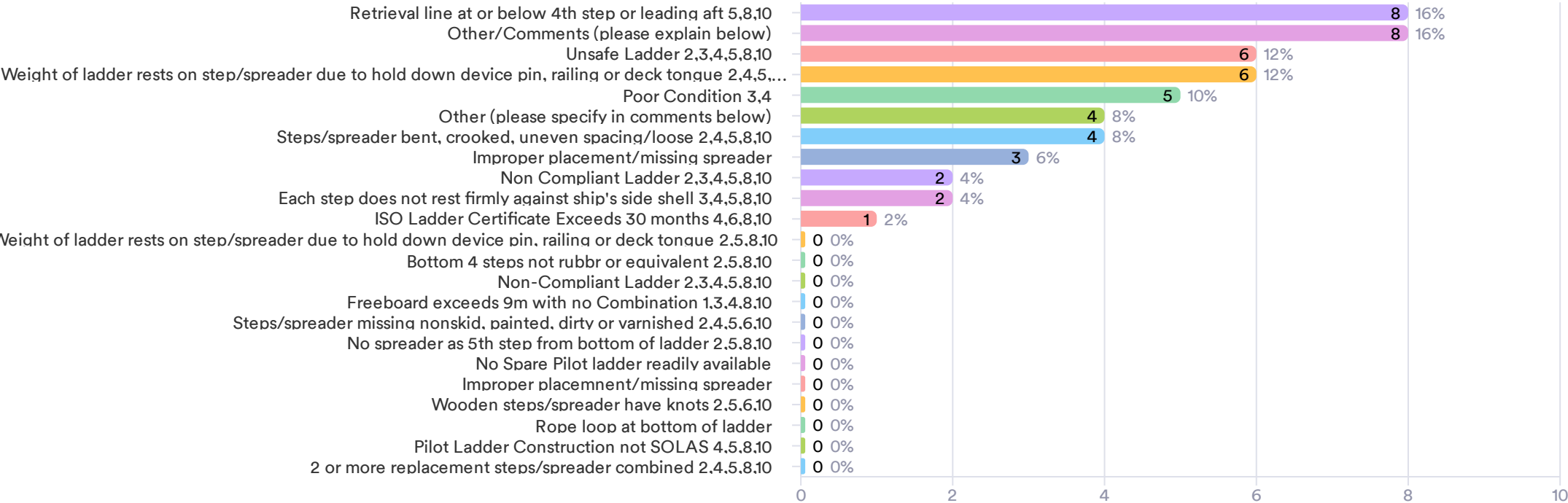
Non-Compliance:

77 Responses

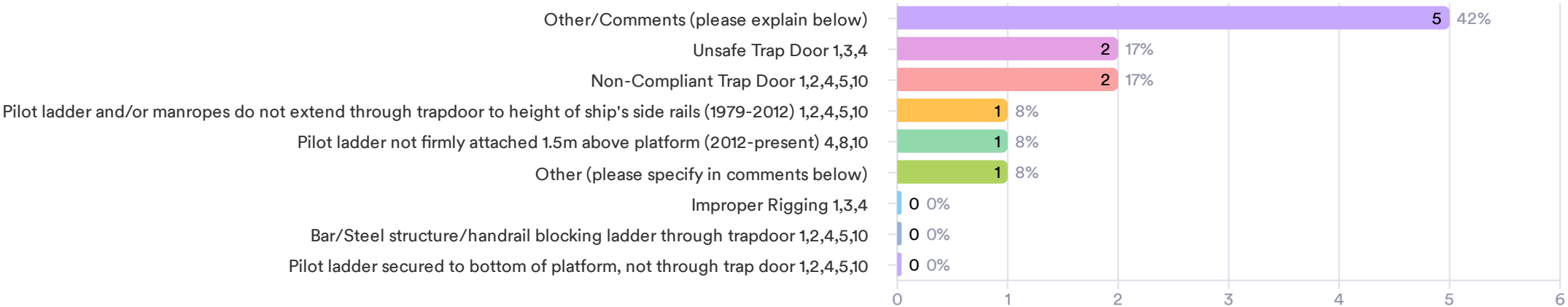


Pilot Ladder Safety Report

Pilot Ladder:

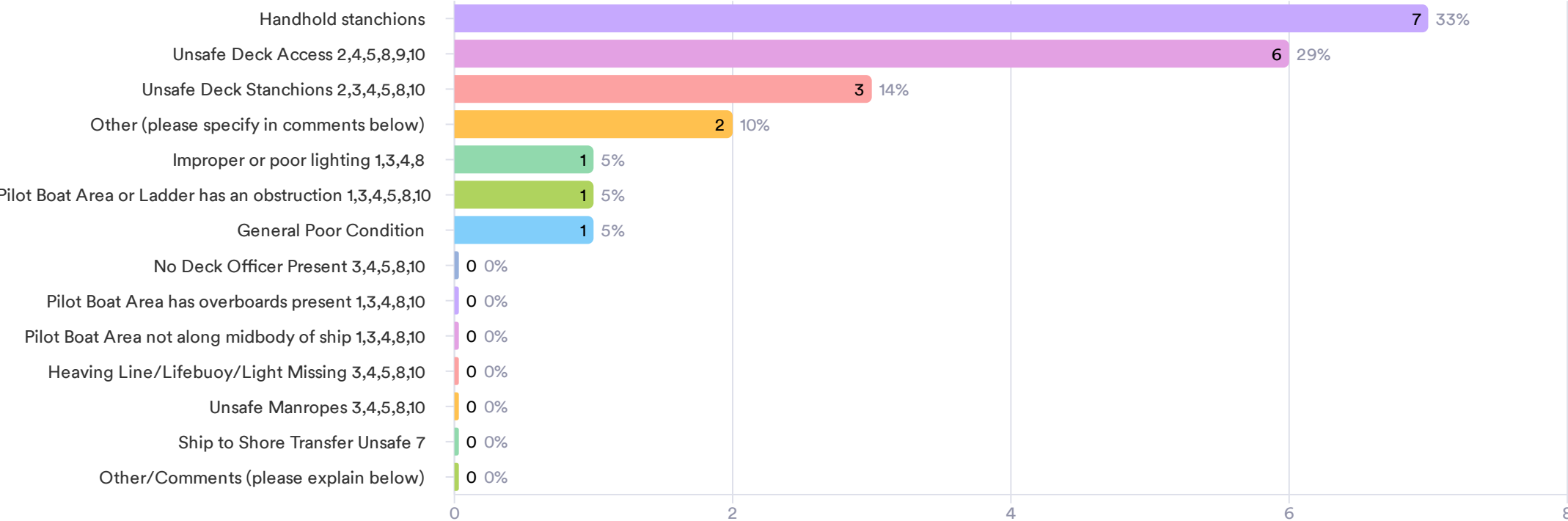


Trap Door Combination Ladder:

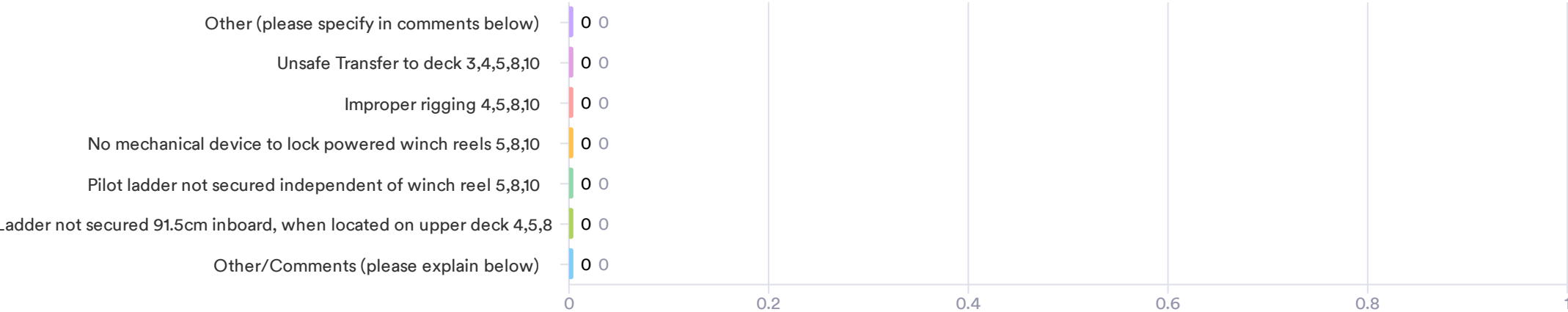


Pilot Ladder Safety Report

Pilot Safety:

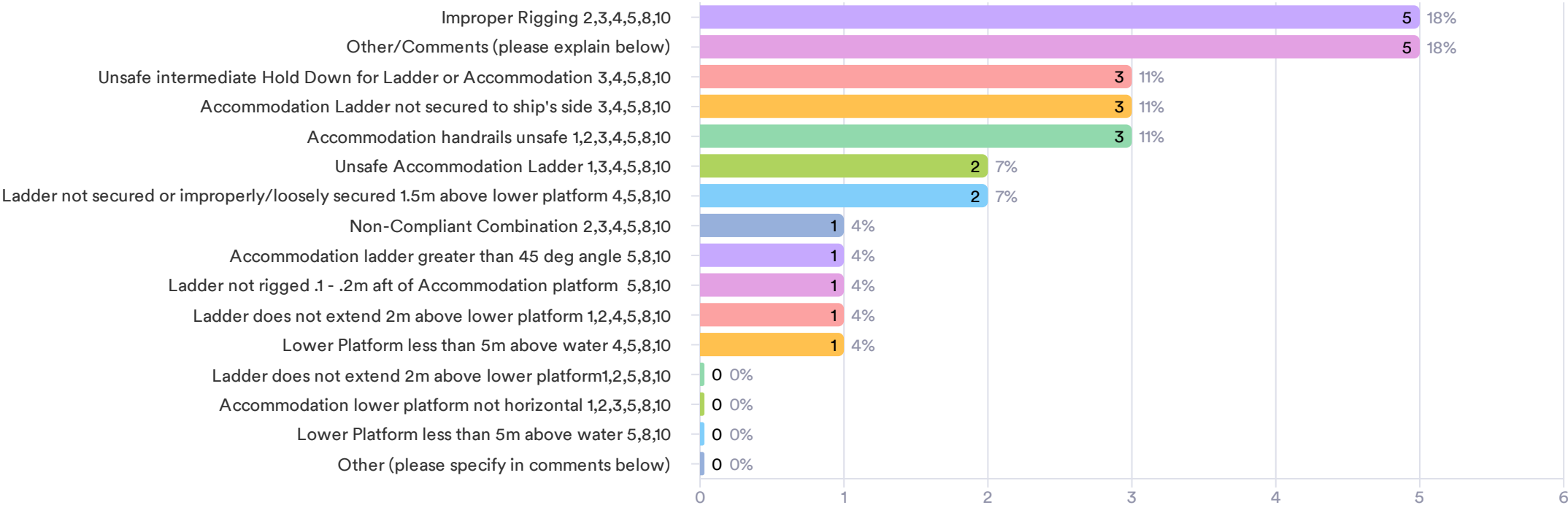


Ladder Winch Reel:

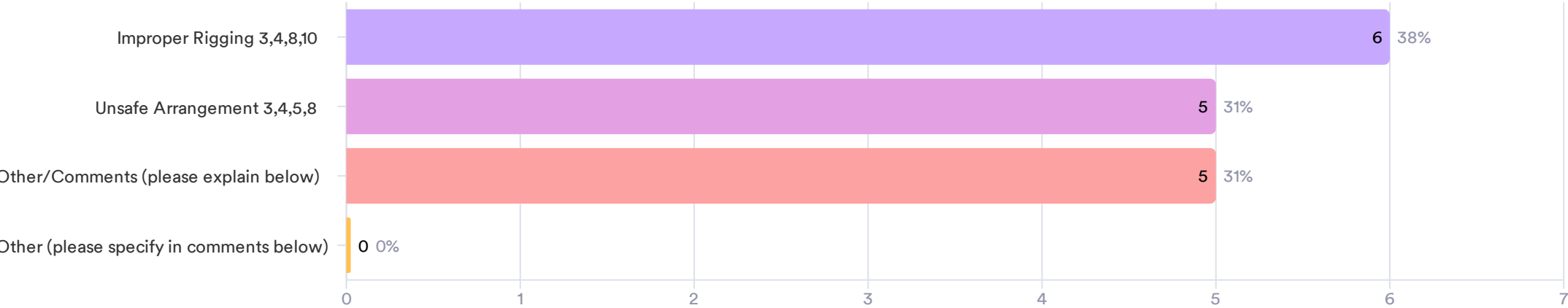


Pilot Ladder Safety Report

Combination Ladder:



Side Pilot Port:





STATE OF WASHINGTON
BOARD OF PILOTAGE COMMISSIONERS

2901 Third Avenue, Suite 500 | Seattle, Washington 98121 | (206) 515-3904 | www.pilotage.wa.gov

Meeting Minutes – Pilot Safety Committee (PSC)

October 12, 2023, 10:00 AM

Attendees: John Scragg (PSP), Andrew Drennen (BPC), Eleanor Kirtley (BPC), Ivan Carlson (PSP), Ryan Leo (PGH), Mike Moore (PMSA), Jason Hamilton (BPC), Bettina Maki (BPC)

Regrets: Jaimie Bever (BPC), Sheri Tonn (BPC), Scott Anacker (PSP)

1. Review of Minutes of previous meeting on July 17, 2023

The minutes were approved with minor corrections.

2. Pilot Transfer Arrangement Reporting

Pilots' reports of noncompliant transfer arrangements from the 3rd quarter of 2023 were reviewed and discussed, as well as the Jotform data summary of the reports. The data summary will be shared with the Board.

Andrew Drennen inquired about the significant number of reports in the category "Other" in the data summary and wondered if this indicates more categories are needed, or a large number of unique compliance issues, or something else. Bettina will discuss it with Matt Hannuksela (he is the designer of the Jotform report and the Jotform data summary).

John Scragg mentioned the annual IMPA pilot ladder safety survey currently underway (Oct 1-15). This is a yearly worldwide data-gathering effort that tracks compliance with safety regulations for pilot transfer arrangements.

3. Rest Rule Exceptions

For Q3 Grays Harbor had zero (0) rest exceptions and 54 assignments.

For Q3 Puget Sound had six (6) rest exceptions and 1920 assignments, a rate of 0.3125%. It was noted that this exceeds the KPI target that has been drafted by the Board (though the KPI reporting process has not yet been fully implemented). Most of the exceptions were very small, but in one case a pilot was dispatched an hour early. Ivan Carlson was looking into how the dispatch system did not flag this and prevent it. One possibility suggested was a significant cluster of order time changes led to the exception being overlooked.

4. Wrap up/Next Steps

The next PSC meeting is to be scheduled for early or mid January, before the January board meeting, but after the Q4 rest exception data becomes available.

Andrew Drennen asked about BPC efforts to work with the Department of Fish and Wildlife on issues of recreational fishing vessels in the TSS and wondered if the Pilot Safety Committee needed to be involved. Jaimie Bever and Sheri Tonn were not in attendance to offer an update so the status of this is not known.

This was followed by a brief discussion of the MSO form revisions being drafted by Bettina. The reason for the revision is that the MSO form categories often do not fit the situations pilots are trying to report (40% of MSO reports submitted in the last 8 years do not fit any of the categories offered on the form). Andrew Drennen observed that the existing form seems designed to facilitate *mandatory* MSO reporting (near-miss occurrences), but in recent years pilots have been doing more *optional* MSO reporting (e.g. equipment malfunctions that don't result in near-misses). The aim is to make the form work equally well for all kinds of MSO reporting. Bettina is also working with PSP to make the vessel data gathered in MSO reports more useful and accessible to pilots.

The meeting adjourned at 10:45.



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Meeting Minutes – Oil Transportation Safety Committee (OTSC)

September 14, 2023, 10:00am – 11:00am

Via MS Teams

Attendees:

Jaimie Bever (Chair/BPC), Brian Kirk (Ecology Alternate/BPC), JD Ross Leahy (Ecology Alternate/BPC), Sara Thompson (Ecology Alternate/BPC), Phil Hunter, (Pilot Alternate/PSP), Keith Kridler (Pilot Alternate/PSP), Leah Harnish (Tug Industry Alternate/AWO), Amber Carter (Tug Industry Alternate/AWO), Clyde Halstead (Tribal/Swinomish), Antonio Machado (Oil Industry/WSPA), Rein Attemann (Environment Alternate/WEC), Kyle Burleson (Tug Industry Alternate/AWO), Fred Felleman (Environment/Friends of the Earth), Lovel Pratt (Environment Alternate/Friends of the San Juans), Bettina Maki (BPC)

1. Welcome and Updates

OTSC Chair Jaimie Bever welcomed everyone to the meeting.

2. Workshop Topics

The main topics for OTSC workshop #3 are to conduct a rulemaking overview, summarize the first two workshops, and discuss ideas for escort alternatives.

3. Rule Overview & Scope Review

Jaimie walked the OTSC through a few slides in the presentation, which provided a brief overview of the 2019 legislation (ESHB 1578), the timeline of deliverables, and possible outcomes of the rulemaking.

4. Workshops and Outreach

The workshops and outreach timeline slide displayed activities from February 2023 to January 2026. Jaimie gave a brief explanation of the 2023 workshops. She also previewed the upcoming workshops from September 27, 2023 through January 25, 2024.

5. Scope

The scope for the entire rulemaking announcement was provided in the presentation slides as background.

At this point, Jaimie handed the presentation over to Sara Thompson (Ecology Alternate/BPC). Sara introduced summaries and takeaways from the past workshops.

6. Workshop 1 Summary

Sara shared that during the first workshop, the rulemaking team received feedback and ideas about the over 30 references currently under review to inform the rulemaking, including academic and research publications, pilotage documents, and Federal, State, and local regulations and reports. She reviewed the likely rulemaking decision points including vessel types, zones, capability requirements, and exemptions for tug escorts.

7. Workshop 2 Summary: Tug capability ideas

Sara shared the list of ideas discussed at the workshop that may be useful for further consideration and that will be discussed at future workshops:

- Horsepower
- Propulsion
- Pre-escort conference
- Certification
- Deck Fittings
- Tethering
- Escort provider training and drills

She also shared ideas discussed at the workshop that may not be a good fit for this rulemaking:

- Bollard pull – not easily verified, particularly indirect pull
- Bollard pull testing – already a Harbor Safety Committee Standard of Care
- Escort Equipment (render-recovery etc.) – expensive and likely not necessary for regional conditions
- Firefighting equipment – better suited for a sentinel tug and there may not be enough space or trained crew

8. Questions from Workshop 2

Sara addressed a few questions that were asked during the second workshop:

- What is the goal of having a tug escort?

To reduce the risk of an oil spill, which could eradicate our whales, violate the treaty interests and fishing rights of potentially affected federally recognized Indian tribes, damage commercial fishing prospects, undercut many aspects of the economy that depend on the Salish Sea, and otherwise harm the health and

well-being of Washington residents. The underlying goal is to reduce the risk of an oil spill.

➤ What is the history of tank barge and ATB incidents in the area?

Sara shared a snapshot of the regional (Washington and Oregon) incident information found in the Report of Vessel Traffic Safety: Strait of Juan de Fuca and Puget Sound Area released by Ecology in 2019 (specifically pages 61-64). This data showed:

- Tank Barge Incidents 2008-2017
 - 45 incidents
 - 26 out of 45 were oil spills (most of the 26 occurring while moored)
 - Of the remaining 19 non-spill incidents, tug escort could have further reduced oil spill risk for 7
- ATB Incidents 2008-2017:
 - 20 incidents
 - 4 of 20 were oil spills – all occurred while moored
 - 16 of 20 were non-spill incidents, tug escort could have further reduced oil spill risk for 4

Sara mentioned that the data source report contained further breakdowns of this information and shared some of that data. Lovel Pratt (Environmental Alternates/Friends of the San Juans) inquired about the definition of “moored”. Sara responded that she would need to look at how that term was defined in the report. Later in the meeting Sara read the definition, which was when a vessel is “secured to the ground, a wharf, pier, or quay other than anchoring with a single anchor”.

9. Discussion Topic: Escort Alternative Ideas

Sara introduced the topic of today’s meeting, which was to discuss various alternatives for the tug escort rulemaking options. She added that all the proposed ideas were good to keep in mind when reviewing the Tug Escort Analysis report, which is forthcoming. The ideas include:

- Remove Rosario and waters east requirement (Pre-2020)
- Maintain Rosario and waters east requirement – no other change
- Require escorts for specific additional vessels in specific zones
- Require escorts for all applicable vessel types in all zones
- Require escort service be available for vessel types within a certain number of minutes

10.Idea 1: Pre-2020 escort regime 26:26

This idea would remove the RCW requirement for escorts on barges, ATBs, and oil tankers less than 40,000 DWT in Rosario and waters east. Sara paused at this point to hear ideas regarding benefits or drawbacks from OTSC members.

Fred Felleman (Environment/Friends of the Earth) inquired about having a tow line break, recognizing the narrow waterways for recovery to secure a runaway barge. He said there were downsides to putting more vessels on the water, and that reducing impacts to fishing gear should be considered regardless. The NW Straits Commission is continuing in this effort. He wants to make sure that OTSC is aware of impacts to reducing vessel traffic as well as increasing it. Sara thanked Fred and added that fishing gear conflict reduction could be added to the tracking for some of the elements to include in SEPA.

11. Idea 2: 2023 escort regime

This idea would maintain the RCW requirements for escorts of barges, ATBs, and oil tankers less than 40,000 DWT in Rosario and waters east with no requirements for escorts outside of Rosario and waters east. Sara paused for OTSC member input. There was none shared at this time.

12. Idea 3: Escorts for specific vessels in specific zones

For this idea, Sara shared some examples of rule language:

- Oil tankers of between five thousand and forty thousand deadweight tons may not operate in [insert waterway zone], to the extent that these waters are within the territorial boundaries of Washington, unless they are under the escort of a tug.
- Articulated tug barges that are designed to transport oil in bulk internal to the hull and greater than five thousand deadweight tons may not operate in [insert waterway zone], to the extent that these waters are within the territorial boundaries of Washington, unless they are under the escort of a tug.
- Towed waterborne vessels or barges that are designed to transport oil in bulk internal to the hull and greater than five thousand deadweight tons may not operate in [insert waterway zone], to the extent that these waters are within the territorial boundaries of Washington, unless they are under the escort of a tug.

Again, Sara paused for input from OTSC members.

Fred Felleman (Environment/Friends of the Earth) mentioned that the Tug Escort Analysis Report discussed the most potential benefit increase being around the Admiralty Inlet area. He asked if that was a correct. JD Ross Leahy (Ecology Alternate/BPC) responded that yes, it certainly was a potential take away from the report. Fred said that he found the confluence of the two analysis reports (tug escort and ERTV) to be bifurcated. He wondered if discussing an ERTV would be part of this conversation. Sara responded that perhaps under idea number 5. Fred asked if there was a way to capture the results of the ERTV model while addressing the risks and benefits in the different zones. JD responded that he could reiterate what the preliminary results read for different zones if that would be useful. It was decided that the group would finish the presentation slides and circle back to this topic.

13. Idea 4: Escorts for all vessel types in all zones

Sara shared potential language addressing escorts for all vessel types in all zones:

- Oil tankers of between five thousand and forty thousand deadweight tons; articulated tug barges that are designed to transport oil in bulk internal to the hull and greater than five thousand deadweight tons; and towed waterborne vessels or barges that are designed to transport oil in bulk internal to the hull and greater than five thousand deadweight tons may not operate in the waters east of the line extending from Discovery Island light south to New Dungeness light and all points in the Puget Sound area, to the extent that these waters are within the territorial boundaries of Washington, **unless they are under the escort of a tug.**

Idea 5: Escort service for all vessel types within a certain number of minutes

Language for this option could read as follows:

- Oil tankers of between five thousand and forty thousand deadweight tons; articulated tug barges that are designed to transport oil in bulk internal to the hull and greater than five thousand deadweight tons; and towed waterborne vessels or barges that are designed to transport oil in bulk internal to the hull and greater than five thousand deadweight tons may not operate in the waters east of the line extending from Discovery Island light south to New Dungeness light and all points in the Puget Sound area, to the extent that these waters are within the territorial boundaries of Washington, **unless they are able to guarantee on-scene escort services within # minutes of**

This is looking at it from a different perspective. A possible drawback is that different zones have different requirements for time on scene due to characteristics. This would need more thought.

14. Other ideas and wrap-up

Fred Felleman (Environment/Friends of the Earth) mentioned a sentinel tug option and whether these scenarios would open the door to that discussion. Sara responded that the rulemaking was not about a sentinel tug, but about being under escort. Jaimie Bever (OTSC Chair/BPC) mentioned that the term "under escort of a tug" was defined by the OTSC and adopted by the Board in the Interpretive Statement. She read the definition:

- Under the Escort of a Tug or Tugs - It is the interpretation of the Board that, as per 33 CFR 168.052, "escort vessel means any tug that is assigned and dedicated to a tank vessel during the escort transit". It is further the interpretation of the Board that, as per the Puget Sound Harbor Safety Plan Tanker Escort Section B3, "all escorts must be in close proximity for timely and effective response taking into consideration" the proximity to hazards, "ambient sea and weather conditions, escort configuration, maneuvering characteristics of the vessels, emergency connection procedures, surrounding vessel traffic and other factors that may affect response capability".

Antonio Machado (Oil Industry/WSPA) thanked Jaimie and Sara for the presentation. He pointed out the majority of the incidents shared earlier in the presentation happened while the vessels were moored/tied up and believes that should be a big part of the consideration; To understand where and when things happen and what gaps need to be covered. He suggested trying to stay focused on the topics presented at the meetings.

Jeff Slesinger (Tug Industry Alternate/Delphi Maritime) shared that he believes the group is nearing the point of beginning to make recommendations. He understands that the committee is supposed to be narrowly focused on the escort piece, but he also acknowledges that there are concerns regarding whatever recommendations come when it gets processed by a larger group. He believes the hedging being heard now could be taken out of context. Is the OTSC supposed to anticipate this and guide responses accordingly or is another group doing that? For instance, say the OTSC decides to recommend that the Admiralty/Port Townsend zone needs more risk management, but may also find that it raises the noise level. How will all those things be taken account and what is the role of the OTSC? Jaimie responded that the OTSC was designed with the membership it has to be able to make language recommendations to the Board, with everyone bringing forth their perspectives, discussions, and consensus. And then recommendations will be made to the Board for final decision making. They are the rulemaking power. Noise and environmental impacts will be reviewed through the SEPA process. He asked if there would be an opportunity before issuing recommendations to have an inter-committee meeting to see the results of the other processes. Jaimie responded that the OTSC will have eyes on all the inputs. Sara added that the OTSC was the hub where all those inputs were heading.

Jeff asked about the delay of the report and what caused it. Brian Kirk (Ecology Alternate/BPC) responded that the Governor's office was resource restrained to review the reports and get responses back to Ecology. They talked to the Governor's office yesterday. Brian hoped to get approval to publish and submit to the Legislature within a week or so.

Jaimie asked if the committee was interested in hearing JD Ross Leahy (Ecology Alternate/BPC) talk about the preliminary results of the Tug Escort Analysis Report. There was a positive response. JD presented some additional slides sharing results from the report.

Fred asked for clarification regarding the results and JD repeated his results.

Admiralty Inlet stands out as the individual zone receiving the most absolute benefit from conducting escorts in all zones. JD reminded the group that the model analysis was based on historic traffic activity through each zone and that it is important to keep in mind that zones with low traffic levels, such as Colvos Passage, could show a large percentage of relative risk reduction but have low absolute risk reduction. JD suggested that the OTSC consider both the relative risk reduction and absolute risk reduction when evaluating escort benefits by zone. On an absolute basis, two zones stood out: Haro Strait and Boundary Pass, and Admiralty Inlet, which have both relative risk and absolute risk reduction benefits.

A lengthy discussion of the preliminary results occurred between JD and Fred for the remainder of the meeting. At the end of the discussion, JD clarified that he understood that Fred was looking for a composite risk reduction for the three zones that comprise Rosario and connected waters east. He believes that is doable. However, the numbers shown on the slide reflect the decline in risk across the entire study area, which included zones that are not currently required to have escorts. Brian Kirk (Ecology Alternate/BPC) added that the zones were required for the analysis and that's why the results are presented that way. Ecology will plan to bring the composite for Rosario specifically to the next meeting.

There were no further questions or comments. The meeting was adjourned at 11:30am.