

MEETING MINUTES
STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS
July 17, 2025

PUBLIC HEARING – Call to Order

A Public Hearing concerning WAC 363-116-500 and add a new section to Chapter 363-116 Tug Escort Rulemaking 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: Mike Anthony (Pilot), Lee Tyler (Foreign-Flagged Shipping), Jason Hamilton (Public), Tom Buroker (Ecology)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Puget Sound Pilots: Matt Hannuksela, Scott Brewen

Department of Ecology: Megan Hillyard, Haley Kennard

The Northwest Seaport Alliance: Lindsay Wolpa

Oil Transportation Safety Committee: Fred Felleman

Present via Teams:

Commissioners: Tim Farrell (Public), Andrew Drennen (U.S. Flagged Shipping), Severin Knutsen (Pilot)

AAG: Albert Wang, Lauren Jaech

Port of Grays Harbor: Ryan Leo

Puget Sound Pilot Candidate: Darius Rogers

USCG: LCDR Ian McPhillips, LCDR Sarah Rodino

Pacific Merchant Shipping Association: Mike Moore, Jordan Royer

Department of Ecology: J.D. Ross Leahy, Angela Deardorff-Zeigenfuse, Kim Morley, Allen Posewitz, Brian Kirk

Public: Kris Faucett, Dominic Masinelli, Jeff Slesinger, Tom Banse, Mike Doherty, Terry Hall

WAC 363-116-500 and add a new section to Chapter 363-116. Tug Escort Rulemaking. BPC Chair Sheri Tonn opened the public hearing and turned it over to the Tug Escort Rulemaking team for background and the public hearing process. Kim Morley, Public Hearing Officer, explained the process for the hearing. BPC Executive Director Jaimie Bever then presented background information for rule development and explained the rule language details. Haley Kennard, Ecology's SEPA Lead, described the Draft Environmental Impact Statement results, and finally Megan Hillyard, Ecology's Rule Process Lead, shared the rulemaking timeline and next steps. A short Q&A followed.

Following the presentation was the public testimony period. Fred Felleman, Friends of the Earth, who is also the Environmental member of the BPC's Oil Transportation Safety Committee was the only individual who offered testimony.

Fred Felleman's Testimony: Thank you very much. I definitely appreciate the legislation that led to this, which actually spawned out of the Governor's Orca Task Force, which I have the pleasure of participating in and see these recommendations as advancing the conservation of the of the whales and other species of concern, and I support alternative C. I am going to be, at this point, representing the Friends of the Earth and we will be providing a public comment, probably for broader environmental community and want to express appreciation to the BPC and Ecology for their inclusive process that I think has informed all the participants of both the OTSC as well as the broader community with your workshops, as well as the others, and appreciate your tribal outreach and hopefully we encourage you to take those concerns raised by the tribes to heart and I believe the course of this conversation has elevated some of those concerns. I believe there will be a net benefit, even though there will be more tugs on the water. I hope that's felt likewise, but I see definite benefits to the conversation. I just also want to say, you know, why are we even doing this? You know, just quickly, that from 2012 to 2021, the number of ATBs entering the waterway went from 184 to 316. The movements within the waterway from 2011 went from 87 to 300 plus. In 2021 for barges entering the waterway, they went from 321 in 2011 to 91 in 2023. So, as the ATBs went up, the barges went down. Intra movements 3,554 in 2019 down to 2,617 in 2023.

Still, a lot of movements but clearly ATBs were beginning to become more popular as time went on. We all know that. ATBs called rule breakers by the Committee of Congress being that we're moving tanker volumes of oil with reduced crew sizes. While they do have twin propulsion and faster, they have other challenges associated with them. So, I believe that's a good enough reason to be talking about escorting small tankers through this waterway. I do believe that we buried the punchline in both the fact sheet as well as in the EIS, in terms of the net oil spill reduction measure. I do not understand why we did not use the analysis that the OTSC specifically asked for, which was...what do you call the term? I forget, it would be question one of the filtering summary of #2. Right. So if you just look at that, it breaks it up for just the area where the escorts are occurring and by tank vessel type. And so the total for all laden tank ships, we have a 36% reduction. All laden tank vessels, a 42% reduction. It goes as high as 57% for laden chemical carriers, 26 for ATBs and tank barges have a 52%. I saw this 90% that was presented. I don't know where that is in the document. It certainly should be on the fact sheet and it's a very important thing. The data that breaks it up by waterways on page 48, I don't understand. We're talking about the numbers of recurrence that I believe are beyond the model's capabilities. We're a victim of our own success with only four groundings since 2002. It's really hard to calibrate this recurrence number. And the addition of the 190 from around North America is a good place to go. But 2.6% end up in oil spill. So going from probability of the grounding to probability of an oil spill and the size of the oil spill, it continues to extrapolate beyond, I believe, this model's capabilities. Looking specifically at the relative reduction that occurs from these different scenarios, I think is where the strength of a modeling exercise with all the Monte Carlo simulations that occurred, I believe we should really focus on that and actually put the punch line in the front of the document and the EIS was specifically what I was saying, there are in unanticipated consequences, but there are net benefits as well. And then finally, because this is called for the protection of killer whales, certainly there needs to be attention to the mitigation measures for those unanticipated consequences, and I believe that's really good idea to have the Harbor Safety Committee, not just implement these specific recommendations, but they're talking about a marine mammal working group to look at best management practices. It's not just for killer whales, but for cetacean in general. And then I do want to speak to the one issue about the significance threshold for noise in the waterway. We just had the killer whale show up for the first time in three months, was very happy to be there to see that. The propensity of them to be in Rosario Strait when the tugs are there is very low, but at the same time I think what's most important is when the tugs are returning from an escort job, when they are present with the vessel being escorted, the relative increase in noise from a quiet sea to having a tank vessel and then the addition of the escort, it's additive in terms of one plus the other. It is a small increment of increase, unless of course the vessel has a unique noise characteristic. And I believe we should be monitoring because most of the most egregious vessels, there's a handful of egregious vessels that account for the majority of the bad noise, and we should be monitoring that and also I feel strongly that in the pre escort conference, we should include whether or not there's a sighting of the whales. And so we should also be supporting the sighting networks so that the pilot or whomever is the master would have that information. So, we would know if there's a fishery and we would know if there's a whale sighting and we could proceed accordingly. Clearly, if you come back from an escort a little slower, you're reducing noise, you're reducing greenhouse gas emissions, you're saving fuel, and you're probably more likely to see fishing gear because you have more time to proceed. So, thank you.

The BPC thanked Mr. Felleman and the public hearing was closed.

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: Mike Anthony (Pilot), Lee Tyler (Foreign-Flagged Shipping), Jason Hamilton (Public), Tom Buroker (Ecology)

Administration: Jaimie Bever, Bettina Maki, Jolene Hamel

Puget Sound Pilots: Matt Hannuksela, Scott Brewen

Department of Ecology: Megan Hillyard, Haley Kennard

The Northwest Seaport Alliance: Lindsay Wolpa

Oil Transportation Safety Committee: Fred Felleman

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Public: Kris Faucett, Dominic Masinelli, Jeff Slesinger, Tom Banse, Mike Doherty, Terry Hall

BPC Staff Report.

- BPC Executive Director Jaimie Bever reported that the routine state audit was wrapping up. There will be an exit interview next week and staff will share the results at the August BPC meeting. Ms. Bever thanked BPC Program Analyst Bettina Maki for her leadership in the audit.
- The Summer 2025 Pilotage Quarterly newsletter was distributed earlier this week and is available on the BPC website.
- BPC Program Analyst Bettina Maki provided both the KPI dashboard as well as monthly dashboards and was available for questions on any of the charts, graphs and dashboards.

Activity Reports. Lindsay Wolpa representing The Northwest Seaport Alliance (NWSA), Matt Hannuksela representing Puget Sound Pilots (PSP), Mike Moore representing Pacific Merchant Shipping Association (PMSA), LCDR Sarah Rodino and LCDR Ian McPhillips representing United State Coast Guard (USCG), and Ryan Leo representing the Port of Grays Harbor (PGH) offered current and projected statistical data as well as updates on current maritime issues and activities.

Lindsay Wolpa, NWSA, reported that she is working with BPC staff to bring a team to the September BPC Regular Public Meeting for a stormwater briefing. The goal is to talk through potential vessel traffic and pilotage impacts as a result from the stormwater permit process.

NEW BUSINESS

Meeting Minutes.

Motion: Kirtley/Hamilton – approve the June 26, 2025 Regular Meeting minutes as drafted – Carried.

Committee Actions.

Trainee Evaluation Committee (TEC)

- **Pilot License Upgrade Program: Captain Knutsen.** TEC Chair Knutsen reported that the TEC met yesterday and reviewed the letter for his upgrade. There were no changes to his level 5 upgrade. He also reported that Captains Bostick and Gartner finished their upgrades early leaving 11 upgrading pilots.
Motion: Anthony/Tyler – approve the pilot license upgrade program for Captain Knutsen – Carried with one abstention from Commissioner Knutsen.
- In Puget Sound there are currently 6 trainees in Training, 2 trainees in Evaluation, and 1 in Familiarization/Observation. The trainee in Familiarization/Observation attended the TEC yesterday and was approved to enter Training after a couple more jobs. There is also 1 trainee in Grays Harbor in Training. One trainee attended the TEC meeting for his regular 6-month check-in. All the trainees are making good progress.
- Captains Ahrens, Anderson, and Rogers have accepted their invitation to train in Puget Sound starting September 1. The Board will vote on their Training Agreements and Requirements at the August meeting. Board members were invited to the Orientation for those 3 Puget Sound Trainees on August 28. BPC Training Program Manager Jolene Hamel will follow up with those commissioners who showed interest in attending.
- TEC Chair Knutsen reported that the TEC is delighted to accept Commissioner Tyler's volunteering to join the TEC in one of the vacant seats.

Exemptions from Pilotage.

Motor Yacht *ESCAPE OF LONDON* – 120', 335 gt, United Kingdom registry, Captains Paul Skeffington and David Molenaar.

Motion: Farrell/Anthony – concur with Chair Tonn's granting of the interim annual exemption with the condition of only Captain Skeffington at the conn in the three geographically restricted areas - Carried.

Pilot/Trainee Physical Examination Reports.

Motion: Hamilton/Farrell – approve the pilot physical examination reports for Captains S.T. Coleman, B.W. Bouma, M.P. Bostick, C.F. Rounds, and J.C. Scragg for their annual pilot license renewals – Carried.

Motion: Farrell/Knutsen – approve the physical examination report for Captain J.A. Michelson for his annual trainee license renewal – Carried.

It was noted that there are still two pilots not fit for duty.

New Board Designated Physician: M.D. Noel Dunn

Motion: Farrell/Drennen – approve Dr. Noel Dunn from the Dunn Family Practice to join the Board Approved Physician roster – Carried.

Revised Pilot/Trainee Physical Report. The revised Pilot/Trainee Physical Report, which was introduced to the Board at the July meeting has been, as requested, reviewed and approved by the two pilot commissioners.

Motion: Knutsen/Anthony – approve the revised pilot physical examination report for use as drafted – Carried.

2026 Agency Request Legislation – RCW 88.16.190 Oil tankers – Restricted Waters – Requirements: Addressing tug escort requirements for oil tankers 40,000 deadweight tons to 125,000 deadweight tons. While working through the deliverables of 2019 Legislation ESHB 1578 *Reducing the threats to southern resident killer whales by improving the safety of oil transportation* (The Act), the Board of Pilotage Commissioners, with support from the Department of Ecology, adopted tug escort operational requirements for oil tankers, Articulated Tug Barges (ATBs), and towed oil barges between 5,000 and 40,000 deadweight tons. The findings, to be adopted and codified by December 31, 2025, indicated that the current statutory requirement for tug escorts on tankers 40,000 – 60,000 deadweight tons was not sufficient and did not match industry standards or best practices.

There is already an industry standard and best practice to use at least 3,000 HP tugs for escorting the larger vessels. The standard is enforced by the pilots that are required to be on those vessels by law. BPC staff propose a technical fix Agency Request Legislation for the 2026 Legislative Session based on extensive research conducted as a part of the Tug Escort Rulemaking process. The impact to industry, the environment, etc. is negligible because this is already in practice.

Motion: Farrell/Drennen – approve the BPC to move forward with this Agency Request Legislation as proposed – Carried.

BPC 2024 Annual Report – Review and Discussion. The Board was presented with the draft 2024 Annual Report for review and comment. BPC Chair Sheri Tonn thanked staff for their work. The final draft will be presented to the Board at the August meeting for adoption and submitted to the Legislature by September 1.

Committee Updates.

Oil Transportation Safety Committee (OTSC)

- OTSC Chair Jaimie Bever reminded the Board that the committee will likely be reconvened to determine mitigation measure recommendations after the rule has been adopted.

Pilot Exam Committee (PEC)

- The BPC is now under contract with Dainis & Company for the 2026 Marine Pilot Exam development and administration, as well as psychometric review of the Pilot Training Program. A kickoff meeting is scheduled for early August and proposed exam dates will be presented to the Board at the August BPC meeting.

Pilotage Advisory Act Committee (PAAC)

- The PAAC will meet for the first time next week. The initial plan is to get a schedule and timeline set for the committee to wrap up work by next July, in time for Agency Request Legislation deadlines for the 2027 Legislative Session.

Pilot Safety Committee (PSC)

- The PSC Co-Chair Andrew Drennen shared that the International Maritime Organization (IMO) met in June resulting in new requirements that were instituted for a 2028-2030 compliance deadline. He will share the full text when it becomes available.
- The next PSC meeting is scheduled for mid-August.

Diversity, Equity & Inclusion Committee (DEIC)

- BPC staff continue to meet regularly with a DEI consultant on exam recruitment and messaging.

Terminal Operations Work Group (TOWG)

- The TOWG is working on scheduling the next meeting.

Confirmation of Next Regular Meeting Dates. Chair Tonn reminded everyone that in August the meeting will be held in Grays Harbor and that immediately following the meeting there will be a tour of the new terminal at the Port of Grays Harbor. BPC Regular Meetings continue to be hybrid, and all are invited and encouraged to attend in person or online.

Public Comment. Chair Tonn asked for public comment, and none was offered.

Adjourn. The meeting was adjourned by Chair Tonn at 12:25pm.

Respectfully submitted,

Jaimie C. Bever, Executive Director

Sheri J. Tonn, Chair

Eleanor Kirtley, Vice Chair

Commissioner Timothy J. Farrell

Commissioner Andrew Drennen

Commissioner Lee Tyler

Commissioner Severin Knutsen

Commissioner Michael Anthony

Commissioner Jason R. Hamilton

Commissioner Tom Buroker