

**Board of Pilot Commissioners for Harris County Ports  
Public Meeting**

**Houston, Texas  
June 10, 2021**

A public meeting of the Board of Pilot Commissioners for Harris County Ports (the “Pilot Board”) was convened on June 10, 2021 at 2:00 p.m. at the offices of the Houston Pilot Board, 203 Ivy Avenue, Deer Park, Texas 77536, as well as virtually via Zoom webinar. The following commissioners and others were present:

Captain Reginald McKamie, Chairman  
Michel Bechtel, Commissioner  
Frances Castañeda Dyess, Commissioner  
Roland Garcia, Commissioner  
Brad Hance, Commissioner  
Bruce Oakley, Commissioner  
Parris Beverly, Commissioner  
Jon Keeney, Commissioner  
Captain M. Tyler Gavis – Executive Director and Secretary  
Rachel de Cordova, General Counsel (present virtually)  
David McNeal, General Counsel  
Captain Stephen Polk, Chairman, Pilot Board Application Review  
Committee (ARC)

Chairman McKamie convened the meeting of the Pilot Board by asking Captain Gavis to call roll. Captain Gavis called the roll and noted that all were present apart from Commissioner Morrison. Captain Gavis noted that the Pilot Board had established a quorum with 8 out of 9 Commissioners present. Chairman McKamie thanked everyone for attending and briefly summarized the meeting agenda. Chairman McKamie then stated that he understood retired Houston Pilot Captain Lightsey to be pretty ill and proceeded to send his best regards for Captain Lightsey and his family. Chairman McKamie then asked for Captain Gavis to seek public comment.

(PB-2021-0610-01) Appearances

- (a) Captain Gavis stated that he would be utilizing the speaker sign-up sheet and called upon Mr. Niels Aalund.

Niels Aalund, Senior Vice President of Maritime Affairs with WGMA, addressed the Pilot Board. Mr. Aalund stated that several of the Pilot Board Commissioners had attended a meeting with stakeholders at WGMA and added that the Commissioners attending was very well received by the stakeholders. Mr. Aalund proceeded to extend a warm welcome to the other Commissioners that did not attend the first time. He then added that he understood from several Commissioners that they would like to continue learning about the industry and added that he felt this would provide them with a good opportunity to do so. Chairman McKamie then thanked Mr. Aalund for coordinating these meetings and added how valuable he felt these meetings could be for the

Commissioners. Mr. Aalund closed by thanking the Commissioners for signing up for the WGMA Daily Report and explaining what to do if there were ever issues not receiving the reports.

(b) Captain Gavis called upon Mr. John Kueck.

Mr. Kueck, Sr. Operations Manager- Gulf Coast for Maersk, thanked the Pilot Board for having him and proceeded to introduce himself. Mr. Kueck then stated he would like to talk in support of the Houston Pilots suggestion to raise the maximum LOA to 1,120'. He stated that Maersk had 7 Transpacific services (2 coming to Houston, 4 into Savannah, and 4 into Newark). He added that the services into Savannah have done 158,000 moves thus far this year, the services into Newark have done 280,000 moves, and the services into Houston have done 85,000 moves. Mr. Kueck stated to be able to capture some of the Savannah and Newark cargo, Houston needed to be able to bring in the larger vessels. Mr. Kueck then described some of the issues facing the ports of Los Angeles and Oakland and added that there is a large opportunity for the Port of Houston to capture cargo from the West Coast ports.

(c) Captain Gavis called upon Captain Marius Scintee.

Captain Scintee, Regional Operations Manager for CMA CGM, greeted the Pilot Board and proceeded to say he mirrors the thoughts of Mr. Kueck. He then thanked the Houston Pilots for their vote to potentially bring in the larger container ships. Captain Scintee proceeded to highlight the difference of a 13,000 TEU containership going to the ports mentioned by Mr. Kueck versus an 8,000 TEU containership currently calling the Port of Houston. Captain Scintee highlighted he felt it was important to work towards bringing in the larger vessels and added that the larger containerships would only constitute a very low percentage of the traffic coming into the Port of Houston. Captain Scintee closed by stating that safety was a priority to his company, and he felt confident the Houston Pilots could safely bring in the larger vessels.

Conversation then ensued on whether the Commissioners could ask questions of Captain Scintee. Chairman McKamie stated that the Pilot Board would be having two meetings over the issue of allowing the larger container vessels to come in and added that questions over the matter could be asked at that time.

(d) Captain Gavis called upon Mr. Jorge Nunez.

Jorge Nunez, Port Operations Manager for MSC, thanked the Pilot Board for their time and efforts and proceeded to state that MSC supports bringing in the larger container vessels. Mr. Nunez then went on to highlight the opportunity available for the Port of Houston to capture cargo from other places and the importance

accommodating these larger vessels would play in taking advantage of that opportunity.

Chairman McKamie thanked Mr. Nunez and Captain Gavis added that was all that had signed up to speak. Chairman McKamie asked if anyone that did not sign up to speak would like to do so, to which there was no response.

(PB-2021-0610-02) Minutes

Chairman McKamie called for a motion to approve the minutes of the March 11, 2021 Pilot Board meeting and May 19, 2021 Special Pilot Board meeting. Commissioner Bechtel moved for approval, seconded by Commissioner Garcia. Chairman McKamie asked for all in favor to say aye. All were in favor. There were no negative votes.  
MOTION PASSED.

(PB-2021-0610-03) Executive Director Report

(a) Chairman McKamie recognized Pilot Board Executive Director Captain M. Tyler Gavis

Captain Gavis thanked Chairman McKamie and stated that he had a few quick updates and that he would provide a few additional updates later in the meeting. Captain Gavis stated that he provided several documents in the briefing materials and explained that his intent for doing so was simply to show the Board that they had a good starting point as they get into the implementation of various policies and procedures. Captain Gavis then added he would like to look at working with a subcommittee, which could possibly be formed later in the meeting, to be as inclusive as possible in the implementation of the documents.

Captain Gavis then stated that the Houston Pilots had a well-established internship program and added that it was his understanding from a few of the Commissioners that it may be best to work in tandem with the Houston Pilots in supporting an internship program (as opposed to a standalone program previously discussed). He then stated that this matter could be further discussed later in the meeting and moved down the agenda to Pilot Board committee updates.

(PB-2021-0610-04) Pilot Board Committee Updates

(a) Captain Gavis recognized Pilot Board Legislative Committee Chairman Bechtel.

Commissioner Bechtel stated that he did not have anything to report on Pilot Board legislative matters. Chairman McKamie asked if Commissioner Bechtel could provide an update on the coastal barrier project. Commissioner Bechtel stated that there

had been many developments. He began by stating Senate Bill 1160 setup the Gulf Coast Protection District, which would be the non-federal local sponsor for the coastal barrier. Commissioner Bechtel went onto explain that a new Board would be created for the Coastal Barrier and detailed that process. He then stated the Army Corps of Engineers Chiefs Report would be the next step, which he would expect in August, and proceeded to explain the subsequent steps. Chairman McKamie asked if the Houston Pilots were involved, to which Commissioner Bechtel stated that the Houston Pilots had sent in a letter during the public comment period expressing their concerns of the gate structure. Commissioner Bechtel closed by saying the Houston Pilots would have a voice.

(b) Chairman McKamie recognized Pilot Board Navigation Chairman Hance.

Commissioner Hance stated that he was lucky enough to attend a few meetings that the Pilot Board put on. He stated the first one was at WGMA talking about the various sectors of cargo vessels and added that it was a very worthwhile meeting. He next stated on May 7, 2021 he went to the Lone Star Harbor Safety Committee Full Managing Board meeting. He stated that this meeting was also very worthwhile and encompassed a wide range of updates (including dredging, USCG, docks, anchorages, and even shrimp boats having issues with ship wakes). He added the meeting ran the whole gamut and that he thoroughly enjoyed it and was looking forward to attending future meetings. Commissioner Beverly asked if all positions of the Navigation Committee had been filled and agreed to be a part of the committee moving forward.

(c) Chairman McKamie recognized Pilot Board USCG Liaison Chairman Morrison.

Captain Gavis stated that Commissioner Morrison was not able to attend the meeting today and added that he had nothing to report.

(d) Chairman McKamie recognized Pilot Board Diversity Committee Chairman Garcia.

Commissioner Garcia commented that he received information on the diversity statistics of the Houston Pilots from Captain JJ Plunkett . He added that there is room for improvement and detailed a makeup of 2% African American, 3% Hispanic, and 4% Female. He next stated the numbers were not representative of the community, but he understood there is only so much that can be done. Commissioner Garcia then explained now that he had the numbers, he would work with the Houston Pilots to see what is being done affirmatively and added he was pleased to report the Houston Pilots had recruiting and outreach efforts. Commissioner Garcia went on to add that the Houston Pilot diversity numbers were on par with the national pilot averages and detailed that the United States Merchant Marine Academy had a makeup of 1.5% African American and

5.7% Hispanic students. He then reemphasized that the diversity numbers locally were on par with the diversity numbers nationally and stated that he would like to sit down with the Houston Pilots and go over what they are doing and what can be done. Chairman McKamie stated that he would attend such meetings and added that he thought the Houston Pilots were making a great effort with this matter. He then emphasized that the Pilot Board and the pilots must continue to take steps forward. Chairman McKamie closed by emphasizing that the diversity numbers needed to be increased.

(PB-2021-0610-05) Financial Report

(a) Chairman McKamie recognized Pilot Board Executive Director Captain M. Tyler Gavis

Captain Gavis stated that since the 2022 budget, and actuals thus far for 2021, were detailed at the last meeting he would simply provide a quick update. He then added that as it currently stood the Pilot Board had \$18,320.50 in its operating bank account and he was working to be mindful of costs and build a reserve as he was able to do so. He closed by stating he would work with Pilot Board Treasurer Dyess to provide a more extensive report at the next Pilot Board meeting.

(PB-2021-0610-06) Pilot Board General Counsel Report

(a) Chairman McKamie recognized Pilot Board General Counsel Rachel de Cordova

Ms. de Cordova thanked Chairman McKamie and stated she did not have anything of significance to report.

(PB-2021-0610-07) Houston Pilots Association Report

(a) Chairman McKamie recognized Captain Robert Thompson, Houston Pilots Presiding Officer.

Captain Thompson greeted the Pilot Board and stated that the pilots received a greater than 80% vote the week before to move vessels over 1,100'. He detailed that they voted to allow vessels up to 1,120' and added that the pilots would maintain the same restrictions they currently have in place. He then detailed the current restrictions and added that the larger vessels would not slow any traffic down. Captain Thompson next expressed he liked hearing the support of the container companies and apologized the pilots were not able to get the letter detailing their request to the Pilot Board in time to have it placed on the June 10, 2021 agenda.

Chairman McKamie then added that the Pilot Board would do all they could to initiate the process of reviewing the Houston Pilots request as soon as possible. However, he added that because the item was not on the agenda it could not be deliberated on at this meeting. Captain Thompson added that the pilots sent their recently approved Navigation Safety Guidelines to Captain Gavis and that he would disseminate the guidelines to the Board. He next added that due to issues with shoaling he had to put a draft restriction from 45' to 43.5' in place at the Bayport Flare and it was his understanding dredge work would begin in roughly six weeks to rectify the shoaling.

Commissioner Hance asked what kind of time frame the pilots were looking at for being able to accommodate the larger vessels with the draft restriction in place and Ms. de Cordova advised the Pilot Board to be cautious of discussing the pilots request of accommodating the larger vessels at this meeting, as two public hearings still needed to take place that would provide the opportunity to further discuss the matter. Further conversation ensued on whether the Pilot Board could discuss the pilots request to accommodate vessels larger than 1,100'.

Commissioner Garcia asked Captain Thompson if the Houston Pilots proposal would maintain two-way traffic, to which Captain Thompson responded it would allow two-way traffic in the scenarios the current restrictions do. Commissioner Garcia then asked what is factually different now then it was when the pilots did not feel comfortable accommodating vessels over 1,100'. Captain Thompson explained that repetition of moving larger vessels made them more comfortable and added that they have moved 450 vessels 1,055' to 1,099'. Captain Thompson next stated that before he sought a Houston Pilot vote on this matter, he reached out to all of the shipping companies to ensure they would support the pilots proposal.

Commissioner Keeney asked if Captain Thompson could provide a sense of the timing of the matter, to which Captain Thompson stated the two public meetings would have to take place with a positive Pilot Board vote and then he would expect for it to be several months before the shipping companies could reroute the larger vessels. Commissioner Keeney then asked how the dredging would affect the timing, to which Captain Thompson added it would be six weeks before the dredging would begin. Conversation then ensued about how important it was to work to move these larger vessels in a safe manner. Chairman McKamie ended by thanking Captain Thompson and reemphasizing that the Board would work to initiate the required next steps in the near future.

(PB-2021-0610-08) ARC & PBIRC Reports

(a) Chairman McKamie recognized Captain Stephen Polk, Chairman of the Pilot Board Application Review Committee (ARC).

Captain Polk greeted the Pilot Board and stated that the ARC had met three times since the last Pilot Board meeting. Captain Polk detailed that 10 pilot pool applications, 4 original Branch Pilot applications, and 4 Branch Pilot Renewal applications were approved by the ARC. Captain Polk stated as a result of those meetings the ARC respectfully requests that agenda items 13a. and 13b. be approved. Captain Polk next added that he, Captain Gavis, the Houston Pilots Presiding Officer, the Houston Pilots 2<sup>nd</sup> Officer, and several members of the Houston Pilots ARC met on June 7<sup>th</sup> to ensure consistency amongst the ARC processes. Captain Polk closed by stating he felt the legal review process had improved since the issues discussed at the last Pilot Board meeting and he hoped that would mean there would be no delays to the pilots in the processing of their applications. Chairman McKamie thanked Captain Polk.

(b) Chairman McKamie recognized Captain David Foret Jr., Chairman of the Pilot Board Investigation and Recommendation Committee (PBIRC).

Captain Gavis stated that Captain Foret was out of town for business and that he would be providing a PBIRC update in his place. Captain Gavis stated that a PBIRC hearing was held on May 28<sup>th</sup> regarding the M/V CMA CGM DALIA running aground in the same area of Bayport Captain Thompson expressed his concern over earlier in the meeting. Captain Gavis explained that there was a process for the Findings and Recommendations to be developed, and an appeal process available to the pilots, and he expected for the Findings and Recommendations to come before the Pilot Board at their next scheduled meeting on September 9, 2021. He next stated that there were six matters pending PBIRC review and he expected for a PBIRC subcommittee meeting to be held in the near future to review those matters. Chairman McKamie thanked Captain Gavis for the update.

(PB-2021-0610-09) Chairman McKamie moved to agenda item 13a., “Recommendation for renewal of Branch Pilot Commission in and for the Houston Ship Channel and Galveston Bar: Captain James T. Concagh, Captain Kelly J. Creech, Captain Matthew H. Glass, and Captain Hugh A. Guidry”. Chairman McKamie asked for a motion to approve. Commissioner Keeney moved to approve, seconded by Commissioner Garcia. Chairman McKamie asked for all in favor to say aye. All were in favor. There were no negative votes. MOTION PASSED.

(PB-2021-0610-10) Chairman McKamie moved to agenda item 13b., “Recommendation for original Branch Pilot Commission in and for the Houston Ship Channel and Galveston Bar: Captain Lucas Beyl, Captain Ryan J. Casas, Captain Curtis L. Laskowski, and Captain Scott B. Reed”. Chairman McKamie asked for a motion to approve. Commissioner Bechtel moved to approve, seconded by Commissioner Oakley. Chairman McKamie asked for all in favor to say aye. All were in favor. There were no negative votes. MOTION PASSED.

(PB-2021-0610-11) Chairman McKamie moved to agenda item 14, “Briefings, public comment, deliberations, and possible actions regarding the following: Formation of subcommittees and appointment of Chairs”. Chairman McKamie explained that as the Pilot Board continued to develop, he felt it was important to form 3 committees. He detailed those committees to be an Executive Committee, Professional Development Committee, and Rules and Regulations Committee. He then detailed that the Professional Development Committee would assist the Pilot Board Commissioners with opportunities to learn about the industry, as well as support the joint internship program with the Houston Pilots, and the Rules and Regulations Committee would assist Captain Gavis in developing the policies and procedures outlined in the briefing materials.

Chairman McKamie asked Commissioner Dyess if she could relay her vision of the Executive Committee. Commissioner Dyess relayed that the Executive Committee would help oversee the Board’s finances along with other matters requiring their oversight. Chairman McKamie added that he thought an Executive Committee was a great idea and he thought it should consist of him, Vice-Chair Garcia, and Treasurer Dyess. Commissioner Keeney added that he had a lot of experience in similar roles with other entities and he would be glad to assist as needed. Chairman McKamie thanked Commissioner Keeney and concurred that he would be a great addition. Conversation then ensued that the Executive Committee should meet and bring forth a proposal of being able to approve items up to a certain threshold without the vote of the full Pilot Board. Chairman McKamie asked for a motion to create the Executive Committee. Commissioner Bechtel moved to approve, seconded by Commissioner Hance. Chairman McKamie asked for all in favor to say aye. All were in favor. There were no negative votes. MOTION PASSED.

(PB-2021-0610-12) Chairman McKamie then detailed how he felt it was important that the Pilot Board have the opportunity to continue to learn about the industry and added that he felt the creation of a Professional Development committee would assist the Board with such opportunities (including meetings with stakeholders and training facilities). He then explained how the committee could assist the joint internship program and how he felt Commissioner Beverly (who was a professor at Texas Southern University and has experience sailing on vessels) would be a great Chairman. Chairman McKamie asked for a motion to create the Professional Development committee with Commissioner Beverly serving as the Chairman. Commissioner Bechtel moved to approve, seconded by Commissioner Hance. Commissioner Keeney volunteered to work with the committee, to which Chairman McKamie concurred. Chairman McKamie asked for all in favor to say aye. All were in favor. There were no negative votes. MOTION PASSED.

(PB-2021-0610-13) Chairman McKamie next explained he thought forming a Rules and Regulations committee to assist Captain Gavis with refining the various

policies and procedures included in the meeting briefing materials would be a good idea. He then sought further feedback. Captain Gavis stated he wanted to work to get as much inclusion, in a more efficient manner of being able to send working emails, as possible. Chairman McKamie then added he wanted to be sure to work with the Houston Pilots on updating the Rules and Regulations, to which Captain Gavis added that he and the Pilot Board worked with the Houston Pilots and their Counsel in the past. He then emphasized he felt that was the appropriate way to move it forward. Commissioner Garcia clarified that 3 of the 4 documents were documents of the Pilot Board, which would not involve the Houston Pilots. He then went on to explain that Erik Eriksson and the prior Pilot Board provided the new Pilot Board with good documents from which to work from and closed by stating he did not see the need to reinvent the work that the previous Pilot Board had already done. Conversation then ensued about how the committee could best operate.

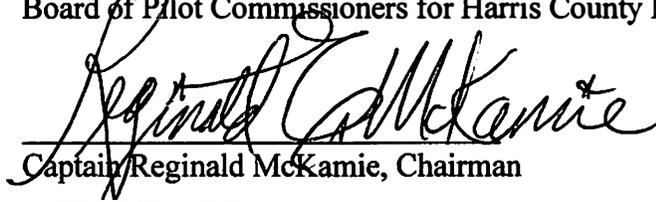
Captain Gavis added that he thought Commissioner Morrison would be a good fit for the committee. Chairman McKamie then stated that he thought he, Commissioner Keeney, and Commissioner Garcia should also be on the committee. Commissioner Oakley stated he thought it should be an ad hoc committee to get the policies and procedures in place. Conversation then ensued on whether Commissioner Oakley's suggestion was best.

Chairman McKamie asked for a motion to create the Ad Hoc Policies and Procedures committee. Commissioner Oakley moved to create the Ad Hoc Policies and Procedures committee, seconded by Commissioner Dyess. Chairman McKamie asked for all in favor to say aye. All were in favor. There were no negative votes. MOTION PASSED.

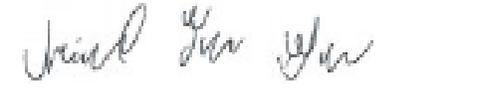
Conversation then ensued about the best path forward for the Ad Hoc Policies and Procedures committee. Commissioner Garcia recommended an amended motion to name the committee the Ad Hoc Rules, Policies, and Procedures committee. Chairman McKamie asked for a motion to amend the name to the Ad Hoc Rules, Policies, and Procedures committee. Commissioner Garcia moved to amend the name, seconded by Commissioner Dyess. Chairman McKamie asked for all in favor to say aye. All were in favor. There were no negative votes. MOTION PASSED.

At 3:03 p.m., Chairman McKamie thanked everyone and stated the Pilot Board would get back to everyone soon with the dates for holding the required meetings to review the Houston Pilots request to accommodate the vessels over 1,100'. Chairman McKamie then adjourned the Pilot Board meeting.

The above is a correct copy of the Minutes of the June 10, 2021 meeting of the Board of Pilot Commissioners for Harris County Ports.



Captain/Reginald McKamie, Chairman



Captain M. Tyler Gavis, Secretary