

I N D E X

THE BOARD OF PILOT COMMISSIONERS OF THE PORTS OF HARRIS COUNTY, TEXAS

October 30, 2018

<i>Minute No.</i>	<i>Event/Action</i>
	General
(PB-2018-1030-01)	Chairman Longoria convened the meeting of the Board of Pilot Commissioners and provided remarks
	Minutes
(PB-2018-1030-02)	Approve the Minutes of the Board of Pilot Commissioners Meeting – September 25, 2018
	Appearances
(PB-2018-1030-03)(a)	Chairman Longoria recognized Bob Sanders, Enterprise Products, who addressed the Pilot Board
(PB-2018-1030-03)(b)	Chairman Longoria recognized Joe Bob Perkins, Targa Resources, who addressed the Pilot Board
(PB-2018-1030-03)(c)	Chairman Longoria recognized David Conover, Kinder Morgan, who addressed the Pilot Board
(PB-2018-1030-03)(d)	Chairman Longoria introduced Captain Mark Mitchem, Presiding Officer, Houston Pilots Association, who addressed the Pilot Board
	General
(PB-2018-1030-04)	Cancel the Pilot Board hearing scheduled for October 30, 2018 to consider the Houston Pilots’ application for a change in pilotage rates effective January 1, 2019
(PB-2018-1030-05)	Adoption of a rule with respect to policies, rules, standards, and procedures promulgated by the Houston Pilots Association
(PB-2018-1030-06)	Action regarding the following Houston Pilots announcements: “Traffic Management Protocols for Vessels over 1100 feet in length” announced on June 29, 2018; Restrictions for container vessels with

Minute No.

Action

dimensions greater than 1000 feet LOA or 138 feet beam, dated August 15, 2018; and “Combined Length Overall for Meeting Vessels” rule announced on August 17, 2018

Pilot Matters

(PB-2018-1030-07) Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Sean M. Cook

(PB-2018-1030-08) Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Donald C. King

(PB-2018-1030-09) Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Chad M. Prejean

(PB-2018-1030-10) Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Charles R. Schuessler

(PB-2018-1030-11) Recommendation for original Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Kevin B. Keith

(PB-2018-1030-12) Recommendation for original Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Justin J. Phillips

Adjourn Meeting

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

**Houston, Texas
October 30, 2018**

A public meeting of the Board of Pilot Commissioners for Harris County Ports (the "Pilot Board") was convened on October 30, 2018 at 9:51 a.m., at the Port of Houston Authority Executive Offices, Fourth Floor Boardroom, at 111 East Loop North, Houston, Texas 77029. The following Commissioners, staff, and counsel were present:

Janiece Longoria, Chairman
Theldon R. Branch, III, Commissioner
Dean E. Corgey, Commissioner
Stephen H. DonCarlos, Commissioner
Clyde E. Fitzgerald, Commissioner
John D. Kennedy, Commissioner
Roger Guenther, Executive Director
Erik Eriksson, General Counsel
J. Kent Friedman, outside counsel

(PB-2018-1030-01) Chairman Longoria convened the meeting of the Board of Pilot Commissioners and stated that in her six years as chairman she has enjoyed a very good relationship with the Houston Pilots ("Pilots"), and that it had always been her goal and the goal of the commissioners to have effective advance communication. She remarked that the worst thing that can happen is if a stakeholder or a party is surprised by something, and so there are items on today's agenda that are intended to ensure that the Pilot Board has a visible and transparent process.

Chairman Longoria added that the Pilot Board is only trying to discharge its responsibilities under the Texas Transportation Code. She reminded everyone that the Pilot Board was criticized by the Sunset Advisory Commission, while under its review, for failure to have effective oversight over pilot procedures. The Pilot Board's goal is to assure it has effective advance communication, a transparent process, and that it works together for the best interests of the port, which has to remain competitive to retain its position as one of the best ports in the nation.

(PB-2018-1030-02) Chairman Longoria called for a motion to approve the minutes of the September 25, 2018 Pilot Board meeting. Commissioner Branch moved for approval, seconded by Commissioner Fitzgerald. Chairman Longoria, and Commissioners Branch, Corgey, DonCarlos, Fitzgerald, and Kennedy voted Aye. Nays none. The minutes were approved as written.

(PB-2018-1030-03) Appearances

(a) Chairman Longoria recognized Bob Sanders, Senior Vice President, Asset Optimization, Enterprise Products Partners L.P., who addressed the Pilot Board on behalf of the "Coalition for a Fair and Open Port" (the "Coalition"), an industry coalition currently

made up of five energy industry companies which do a significant amount of business on the Houston Ship Channel (“HSC”).

Mr. Sanders stated that the Pilots, the Coalition, and other private-sector ship channel users support restricting container traffic to 1,096-foot vessels or less until channel infrastructure enhancements or other safe rules for the HSC can support the larger container ships without impeding other channel traffic. He remarked that the HSC has always been a two-way traffic channel and that current safety rules, imposed by the difficulty of maneuvering 1,100-foot or greater vessels, create one-way daylight restrictions which are not acceptable, due to the significant impact on other ship channel users. One-way traffic is not acceptable for the Coalition, not acceptable to other private users of the ship channel, and when analyzed will not be acceptable to the economics of the Houston area or the State of Texas.

Mr. Sanders stated that the energy commodity business on the HSC currently represents 85-90% of the traffic on the channel and has an employment impact in the five-county area of about \$50 billion and 700,000 employees. Through the first half of 2018, the hydrocarbon industry represents 93% of the \$41 billion on the HSC, and that \$38 billion in the first six months is going to equate to almost \$80 billion in 2018.

Mr. Sanders expressed concerns that the proposed one-way rules that cause partial closure of the HSC while greater than 1,100-foot container ships are transiting will impact the industry; delays will cost millions of dollars to industry each year, with hydrocarbons being left in the ground in Texas, even backing up into the basins of the Permian and Eagle Ford, which could potentially increase the negative impact by billions of dollars. Such delays and impediments to current traffic and growth in energy industry traffic will slow or reduce further infrastructure investment by the energy industry in the HSC. Failing to support Houston’s natural position as the energy export hub could cause new investment and incremental export capability to relocate to other gulf coast ports, and that would be an economic travesty for the HSC and the Houston economy.

Mr. Sanders stated that there needs to be a solution to this near-term crisis, saying “crisis” because the situation will impede the current energy business and slow its growth, which has a very important economic impact on the community and the state. The solutions must be consistent with fair and safe operations that do not result in one-way traffic and otherwise impede the traffic of 90% of the ship channel businesses that are not container ships. The Coalition believes the economics are compelling that the HSC maintain pilot restrictions for safe two-way traffic and limiting container ships to less than 1,190 feet until permanent solutions are in place. Forcing the majority of ship channel traffic to conform to one-way traffic restrictions caused by larger container ships is untenable and a significant economic hardship on Houston, Harris County, and the State of Texas.

Mr. Sanders closed by noting that this is a very important issue and Coalition members are asking to meet with each one of the commissioners to provide a more detailed explanation and to answer all questions.

Chairman Longoria thanked Mr. Sanders.

Commissioner Branch noted that Enterprise was one of the five companies in the Coalition and asked for the names of the other four; Mr. Sanders listed Kinder Morgan, ITC, SemGroup, and Targa, and added that two more companies are expected to sign up by the end of the week.

Chairman Longoria commented that the “crisis” scenario Mr. Sanders mentioned assumed that the Pilots never get comfortable handling two-way traffic with the larger vessels, and she mentioned to Captain Mitchem that she hoped at some point the Pilots, after testing this process, would come to be a little more confident in their ability to have safe two-way traffic with these larger vessels, as all continue to work together to maintain optimal traffic in the channel. Captain Mitchem responded that he believed his presentation would answer a lot of questions.

(b) Chairman Longoria recognized Joe Bob Perkins, Chief Executive Officer, Targa Resources Corp., who addressed the Pilot Board. Mr. Perkins began by noting he endorsed everything Mr. Sanders said.

He continued by saying the Coalition supports the efforts of the Pilots and thanked them for a long business relationship, from Targa, Coalition members, and others joining the Coalition. The group supports restricting container traffic for the larger container ships until the solution is figured out, because that is the only solution for safe and economically-based traffic on the HSC. It has been a two-way traffic ship channel forever, and with two-way traffic can support the very large export business as described and all of the forecasts of growth over the near and medium term.

He noted that the Pilot Board and the other board the commissioners sit on need to be very cautious about impeding those exports and growth in exports over time by the small number and increasing number of extra-large ships. His group wants safe solutions, and points to Houston’s unique leadership position for energy exports as the gulf coast market leader. It should stay the gulf coast market leader, and as commissioners sit on the boards they should be thinking about that, and not abdicating to Corpus Christi. The front page of the *Houston Chronicle* business section today shows the billion-dollar port Corpus Christi is trying to build.

Houston does not want to handle all the exports, but should be maintaining its market share and the economics of the five-county area; the economics of Houston and the

state depend on that. Product will back up all the way into the Permian Basin, and shut down producers, and those constituents, if they learn about that, will not be very happy.

Mr. Perkins observed that it was a difficult job sitting on these boards thinking mostly about container ships, but the HSC has a lot more business than container ships. Like Bob said, it is a very important issue. If one thinks about that important issue, it is like thinking about Loop 610, which would not be closed multiple times or maybe once a day for wide loads during rush hour, nor would Loop 610 or the Katy Freeway be turned into one-way only traffic, with the economic consequences that would bring to local communities. That is the same sort of consequences the group is talking about, if energy exports are shut down at the current level and growth stopped.

Chairman Longoria thanked Mr. Perkins. Commissioner Corgey commented that as a board member he does not only consider container traffic, but rather is interested in all vessels coming into the Port of Houston, and especially tanker traffic, but that above all else his concern is safety. Hopefully a way to work this out can be arrived at, striking some type of compromise for all sectors of the industry and maintaining a safe ship channel. He added that he appreciated Mr. Perkin's remarks and they will be well considered.

Mr. Perkins added that the Coalition could not agree more about safety, noting "we spend every day thinking about safety; I carry a safety coin in my pocket to remind me for my company." The Pilots have done a great job over the years and right now they are concerned about the increased risk to safety from the large container ships, which are not like tankers, but are great big sails and after they get over 1,096 feet, the concern of what that does in the narrow channel is understandable, and so the group is not advocating anything but safe approaches. He added that if his remarks did not sound like Commission Corgey's, with an emphasis on safety, he apologized, for that is where all should be.

Chairman Longoria commented on the importance of having conversations on the matter in advance, and that everybody understands what is going to happen in advance, so that nobody gets surprised about the overall length rule. That rule may have come as a shock to various stakeholders, because they were not aware that the rule had been put in place until it *was* put in place. She expressed the importance of all working together – all talking about it and coming to a consensus, and appreciated that Coalition representatives had come before the Pilot Board and made some excellent points.

Chairman Longoria continued by noting that the Port of Houston was the petrochemical leader in the nation and may be the petrochemical leader in the world when all is said and done, and when considering everything exported from the port and going around the world. She emphasized that she was very sensitive to what the speakers had said and thought it important that the Pilot Board consider it and work together to come up

with a solution. She concluded by noting that the parties need to talk about it and that everybody needs to understand these matters in advance.

Mr. Perkins expressed his appreciation for the dialog. He mentioned meeting with Chairman Longoria ahead of time, noted he was here supporting the Pilots, and that the dialog was important. He added that the dialog only recently began when Coalition members saw the new rule, but they believe there were studies back in 2014, i.e., simulations that showed that the extra length ship could get off minor degrees and create a concern that might result in new rules; however, industry did not learn about that until late spring or this summer.

Chairman Longoria again thanked Mr. Perkins for attending the meeting.

(c) Chairman Longoria recognized David Conover, Vice President of Government Relations and Communications, Kinder Morgan, Inc., who addressed the Pilot Board.

Mr. Conover discussed the importance of the matter to the maritime community; Kinder Morgan alone has invested billions of dollars in its port facilities over the years. Hydrocarbon traffic through the HSC is some \$38 billion a year and is a massively important economic driver for the region. He added that all recognize that the long-term solution is widening the channel, working the Corps.

Mr. Conover noted a commitment to identifying a near-term solution; a lot of money has been invested in a sophisticated logistical modeling exercise as you know, and his group is committed to finding an interim solution before the widening, but today what it asks for is to hit a pause button on the 1,100-foot ships, go back to the 1,090-foot size, and preserve two-way traffic. Mr. Conover stated his appreciation of the Pilot Board's time and patience and that the group looked forward to working with everyone.

Chairman Longoria thanked Mr. Conover.

(d) Chairman Longoria introduced Captain Mark Mitchem, Presiding Officer, Houston Pilots Association, who addressed the Pilot Board. Captain Mitchem presented a PowerPoint entitled, "Houston Pilots Container Vessel Safety Rule Development for the HSC – Safety Considerations in Rulemaking."

Captain Mitchem thanked the Port Commission for allowing him to speak and commented that Pilot committees change periodically, there has never been a well-developed protocol of how they inform the Pilot Board, and the Pilots look forward to developing a protocol, so nobody feels uninformed or surprised in any way.

Captain Mitchem began his presentation with a graphic overview of container ship growth through the years. The vessels approved by the Pilots to navigate the HSC were 995 feet x 131 feet in 2003, 1,096 feet x 141 feet in 2017, and with the completion of Bayport radius and widening of the channel, the size moved up to 1,160 feet x 150 feet. He noted that the Pilots try to make “rules” for the experience level as growth occurs. The Pilots had very limited experience with vessels over 1,000 feet until this year, as the growth has been in the last four months.

Captain Mitchem explained that the Pilots needed to be proactive and take safety measures and so instituted a “Combined Length Rule,” which they had not done on the HSC before. Though ship size has grown, and as all know, the Port of Houston is in the midst of the Corps 216 Study, the channel width is still 530 feet. Accordingly, this “rule” provides that two vessels with a combined LOA (length over all) of 2,030 feet or greater will not be permitted to meet above Buoy 18.

Captain Mitchem noted that the Pilots have had a number of traffic management measures in place that mostly concern tankers, and as container ship size has grown, those vessels “grew into” these measures (regarding combined beam and combined draft). The first two “rules” (pg. 5) have been in place since 2004; the only new one is the 2,030 “rule,” passed on August 15, 2018. VT-11 was passed in August 2017, and restrictions have been in place since December 2007. In August 2017 the Pilots decided a one-way traffic dividing line was necessary and 1,100 feet was determined to be the maximum length. He noted that most ships over 1,100 feet also gain a substantial amount of beam, going from 141 feet to 150 feet.

Captain Mitchem explained that the purpose of these measures was to preserve the safety of navigation for all HSC users. Houston is the busiest port in the country with about 58 ships moves a day, and about 379 inland tows per day, which must also be considered. The Pilots try to make measures independent of commercial interests, as the Port Board rules direct them, using safety as the primary consideration, with commercial efficiency a close second.

The Pilots safety measures process includes (i) pilot experience, (ii) simulation-based research, (iii) processes from other ports, (iv) stakeholder input, (v) Houston Pilot Safety Committee recommendations, and (vi) Pilot group member vote. He explained that pilot experience is the key factor in determining risk for vessel movements on the HSC: the benefits of the stepping stones of time and experience as ships get larger is undeniable. The Pilots did around 400 pilot jobs with the previous container vessels, which took about four years, but in the midst of a container recession; experience levels are expected to grow more quickly this time.

Another part of the process is simulation-based research, which began in 2004. In 2011 a Corps study of Bayport was conducted, and the Pilots were aware that the “ask” was 1,200-foot x 168-foot container ships and what the Panama Canal was. A scale manned model of the Bayport Flare was commissioned, which helped develop among other things the radius of the turn going into the Bayport Channel. In 2012, a Maersk A-Class study was conducted in Baltimore of vessels 158 feet [sic] long x 142 feet wide. In 2016 a Port of Houston study was conducted with the Corps for the 14,000 TEU class vessel, 1,200 feet x 168 feet, which are the Panamax size. They have also assisted the Corps 216 study.

Captain Mitchem noted that the “Standards of Care” consist of 90 feet of lateral distance between ships during meeting and overtaking maneuvers in the HSC, 100 feet of lateral distance between tows with barges, 119 feet of distance to other ships when passing a vessel that is berthed, and not to exceed 4.5 knots through the water speed when passing another berthed vessel, when that vessel is within 119 feet of distance from one’s own ship.

Captain Mitchem noted that test rides are conducted on vessels at other ports by Port Authority staff and the Pilots to determine if they are suitable for container traffic needs, as well as all other Port of Houston traffic users, including trips through Virginia, Savannah, Long Beach, Charleston, and Norfolk. Captain Mitchem remarked that other ports have more restrictive rules than Houston and that Houston has never been accused of being conservative. He stated that the Pilots try to move ahead with industry and noted an instance in Virginia where the U.S. Coast Guard (“Coast Guard”) took a stance and implemented a rule, adding that the Pilots would prefer the Coast Guard not get involved in vessel operations, other than providing Vessel Traffic Service and Captain of the Port orders as necessary.

Captain Mitchem provided a snapshot of typical traffic on the HSC for the 16 to 23-mile stretch, depending whether going to Bayport or Barbours Cut, with roughly 15 transiting vessels from Buoy 18 to Bayport. He also provided a snapshot of Lynchburg traffic as well as at the Bolivar Roads area. Captain Mitchem stated that the width of the channel is causing the constraint. He added that, according to Corps standards, the HSC should be 740 feet wide. Captain Mitchem noted the Pilots can make it work as long as ships are not too long, but since they grew in size, a combined length overall standard was instituted.

Captain Mitchem discussed the importance of stakeholder input and reported that in June 2016 a container ship owners meeting was held with representatives of Mediterranean Shipping Company, CMA CGM, Maersk, and the Port Authority, at which the Pilots discussed the “rules” for the larger Maersk A-Class container ships, to provide information on the necessary safety restrictions, and also ran container ship simulations

using the Kongsberg ship simulator at San Jacinto Maritime College. The meeting basically laid out how the Pilots see things going forward as experience levels grow.

Captain Mitchem mentioned that the Pilots have a Safety Committee (chaired by the vice president of the Pilots), that makes recommendations to the Pilots and requires a minimum of 80% approval by membership, equating to over 250,000 collective transits on the HSC. He noted that in August 2017, the Pilots considered and voted that vessels in excess of 1,100 feet be limited to one-way traffic until experience level grows, and in August 2018, the Pilots considered and voted for a combined length rule of 2,030 feet, also until experience levels grow.

Captain Mitchem then discussed risk management factors for ultra-large container vessels, Post-Panamax size, that include poor visibility, a large windage area that creates a large swept path, channel maneuverability and the geometry of turning, and the difficulties of channel meeting situations. He provided several depictions of visibility challenges incurred by ultra-large vessels, even under ideal conditions, and examples of the effects of wind on a swept path.

Captain Mitchem also provided a simulation snapshot of what a Maersk A-Class ship looks like in the 530-foot ship channel. He explained that the HSC is actually 1,000 feet wide, but the depth on either side of the deep draft channel can only accommodate barge traffic. Captain Mitchem noted that when there is too much combined length overall, the longer vessel has a real possibility of running up against the edge of the channel and could run aground or take a shear off and run to the other side, which is something the Pilots absolutely do not want.

Captain Mitchem stated that the Pilots know they can handle a combined length overall of 2,000 feet, but determined that a combined length of 2,070 feet did not allow a sufficient safety margin. He also provided a snapshot of the swept path when vessels are turning around corners. Captain Mitchem stated that with container vessel size escalation, the Pilots must grow safely as they endeavor to accommodate the needs of the oil industry as well as the container ship traffic.

Captain Mitchem reiterated that the way forward is for the Pilots to “grow into” the larger container ship “rules,” noting the importance of experience. Simulation and research will continue, as will communication with the Pilot Board and stakeholders on the way forward. Captain Mitchem appreciated the opportunity to speak on proactive safety “rules” and commented that safe ports do not happen by accident.

Chairman Longoria thanked Captain Mitchem for his presentation. On behalf of the Pilot Board, she stated that the board would never second guess Pilot safety considerations or the “rules” the Pilots want to put in place that will assure the channel

remains safe. She agreed that safety was of the highest importance and no one disagreed with that. The Pilot Board wants to assure there is a process in place that provides adequate notice so that the Pilot Board, under the authority granted by the Transportation Code and the direction of the Sunset Commission, has notice of the matters and hears from the Pilots through presentations similar to the one given today, so that the Pilot Board can approve them and stakeholders and those with an interest can hear in advance what the recommendation is, and everyone comes together to assure we have the safest channel in the nation.

Chairman Longoria stated that the Pilot Board supports the Pilots' safety protocol but wants to find a transparent procedure for advance notice. She acknowledged that certain conditions may require an immediate determination for safety's sake that will not allow for an advance notice and that the Pilot Board supports that.

Chairman Longoria noted that the rule the Pilot Board is proposing is not intended to interfere with the Pilots' efforts to assure we have the safest channel in the nation but is to address the process of notice. Captain Mitchem thanked her and stated that the Pilots agree with the notice but wanted to make sure as the recognized experts that what the Pilots say is safe really is, and the "rules" the Pilots institute are free from economic pressure and made solely for safety, and will work for everyone going forward. He added that in the future the Pilots want to define the protocol for notice. Captain Mitchem apologized if his lack of communication compromised the Pilot Commissioners' position.

Commissioner Branch asked whether the Pilots have engaged industry to work through this. Captain Mitchem responded in the affirmative and explained that the Pilots make money moving ships and are working to find a way forward where everybody feels confident in the outcome.

Commissioner Fitzgerald addressed Captain Mitchem on behalf of oil/chemical stakeholders: all are concerned with everybody's interest in the HSC, consider all the business, and understand its importance to Houston and the Texas economy. He noted that the Port Authority, like the Pilots, have invested many dollars in the future of the container business and everyone has known for years the ships were going to get larger, but the Port Authority cares for all its stakeholders and what all need to do is to keep talking and remain respectful of one another's position, and all work together to find a solution.

Chairman Longoria noted that as Pilot Commissioners, commercial interests are set aside for the best interest of the channel, as the local supporter of the HSC and the designated representative, so when commissioners are working as the Pilot Board they are here as neutral parties. She agreed with Commissioner Fitzgerald that everyone has an interest that needs to be aired to work together for the combined solution. Captain Mitchem agreed and stated that the Pilots appreciate all the time and effort the Pilot Board puts into

the job and are here to do everything they can to make the Port of Houston as prosperous and busy as they can.

The Pilot Board considered each Request for Pilot Board Action (“RPBA”) attached to these minutes as Exhibit “A.”

(PB-2018-1030-04) RPBA F1 was presented. Chairman Longoria asked for confirmation of this request to withdraw.

Captain Mitchem agreed the Pilots want to withdraw its current application for a pilotage rate increase and will resubmit it at a later time. He noted there were still some outstanding factors to be considered.

Commissioner Corgey moved for approval, seconded by Commissioner Branch. Chairman Longoria, and Commissioners Branch, Corgey, DonCarlos, Fitzgerald, and Kennedy voted Aye. Nays none. RPBA F1 PASSED.

(PB-2018-1030-05) RPBA F2 was presented.

Chairman Longoria restated that neither she nor any member of the Pilot Board would ever second guess the Houston Pilots’ “rules” on safety. Commissioner Corgey expressed his complete agreement but stated he would like to know what is going on before the decision is made.

Chairman Longoria explained this agenda item requires the Pilots to provide the Secretary of the Pilot Board, Mr. Eriksson, with its current navigation safety guidelines, working rules, tug matrices, pilot availability and training requirements, project guidelines, pilot ordering, and provide twenty days advance written notice of rules such as the overall length “rule” that was recently put in place. She again stated the Pilot Board will not second-guess any safety considerations, but is asking for advance notice moving forward, when appropriate, so that the Pilot Board hears about these matters and Captain Mitchem can make these kinds of presentations, and so the Pilot Board can discharge its oversight responsibility under the Texas Transportation Code as required by the Sunset Advisory Commission.

Commissioner Branch moved for approval, seconded by Commissioner Corgey. Chairman Longoria, and Commissioners Branch, Corgey, DonCarlos, Fitzgerald, and Kennedy voted Aye. Nays none. RPBA F2 PASSED.

(PB-2018-1030-06) RPBA F3 was presented.

Chairman Longoria called for the appointment of a working group to meet and determine how to deal with the combined length overall “rules” established by the Houston Pilots. She stated the working group will be made up of representatives of the Pilots, the Port Authority, including Mr. Guenther and Mr. Eriksson, the oil tanking community, and the chemical, container vessel, and general cargo industries, to suggest ways to deal with this matter. Chairman Longoria asked Mr. Eriksson to discuss with each industry the member it would like to be its representative, and then she would make the appointment. Chairman Longoria asked that the group convene as soon as possible, considering the urgency expressed at today’s meeting by the stakeholders and Pilots, to discuss a workable solution.

Chairman Longoria recommended that the Pilot protocols referenced in agenda Item F3 would not be considered at this time but will remain in place until recommendations are presented to the Pilot Board from the working group. She noted that the Pilot Board will expect a report at its December meeting about what has happened, what has been stated, and what the potential solutions are.

Commissioner Fitzgerald moved for approval, seconded by Commissioner Kennedy. Chairman Longoria, and Commissioners Branch, Corgey, DonCarlos, Fitzgerald, and Kennedy voted Aye. Nays none. RPBA F3 PASSED.

(PB-2018-1030-07) RPBA G1 was presented, moved by Commissioner Corgey, seconded by Commissioner Fitzgerald. Chairman Longoria, and Commissioners Branch, Corgey, DonCarlos, Fitzgerald, and Kennedy voted Aye. Nays none. RPBA G1 PASSED.

(PB-2018-1030-08) RPBA G2 was presented, moved by Commissioner Branch, seconded by Commissioner DonCarlos. Chairman Longoria, and Commissioners Branch, Corgey, DonCarlos, Fitzgerald, and Kennedy voted Aye. Nays none. RPBA G2 PASSED.

(PB-2018-1030-09) RPBA G3 was presented, moved by Commissioner Branch, seconded by Commissioner Fitzgerald. Chairman Longoria, and Commissioners Branch, Corgey, DonCarlos, Fitzgerald, and Kennedy voted Aye. Nays none. RPBA G3 PASSED.

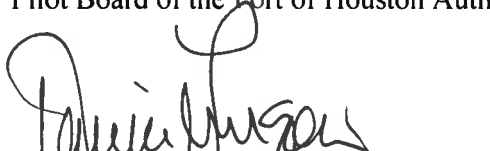
(PB-2018-1030-10) RPBA G4 was presented, moved by Commissioner Corgey, seconded by Commissioner DonCarlos. Chairman Longoria, and Commissioners Branch, Corgey, DonCarlos, Fitzgerald, and Kennedy voted Aye. Nays none. RPBA G4 PASSED.

(PB-2018-1030-11) RPBA G5 was presented, moved by Commissioner Branch, seconded by Commissioner Fitzgerald. Chairman Longoria, and Commissioners Branch, Corgey, DonCarlos, Fitzgerald, and Kennedy voted Aye. Nays none. RPBA G5 PASSED.


(PB-2018-1030-12) RPBA G6 was presented, moved by Commissioner Branch, seconded by Commissioner Corgey. Chairman Longoria, and Commissioners Branch, Corgey, DonCarlos, Fitzgerald, and Kennedy voted Aye. Nays none. RPBA G6 PASSED.

At 10:44 a.m., Chairman Longoria adjourned the Pilot Board meeting.

The above is a correct copy of the Minutes of the October 30, 2018 meeting of the Pilot Board of the Port of Houston Authority.



Janiece Longoria, Chairman



Erik A. Eriksson, Secretary

F. GENERAL

Subject 1. Cancel the Pilot Board hearing scheduled for October 30, 2018 to consider the Houston Pilots' application for a change in pilotage rates effective January 1, 2019.

Meeting Oct 30, 2018 - BOARD OF PILOT COMMISSIONERS FOR HARRIS COUNTY PORTS

Access Public

Type Action

Recommended Action The Board of Pilot Commissioners, at its October 30, 2018 meeting, cancel the Pilot Board hearing scheduled for October 30, 2018 to consider the Houston Pilots' application for a change in pilotage rates effective January 1, 2019, and further authorize the Secretary of the Pilot Board to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:
General

Department:
Executive

Staff Contact:
Erik Eriksson

Background:
The Houston Pilots Licensing and Regulatory Act, Chapter 66 of the Texas Transportation Code (the "Act"), requires the Board of Pilot Commissioners for the Ports of Harris County (the "Pilot Board") to establish pilotage rates for the Ports of Harris County, as provided therein.

By letter dated September 11, 2018, the Houston Pilots (the "Pilots") submitted an application to the Pilot Board for a change in such pilotage rates and other matters (the "Application").

On September 25, 2018, the Pilot Board set a date to commence a hearing on such Application, i.e. the regularly scheduled Pilot Board meeting of October 30, 2018.

The Pilots have now withdrawn the Application by letter to the Pilot Board dated October 18, 2018.

Staff Evaluation/Justification:
Accordingly, staff requests that the Pilot Board cancel its hearing scheduled for October 30, 2018 to consider the Houston Pilots' application for a change in pilotage rates effective January 1, 2019.

F. GENERAL

Subject **2. Consideration and possible actions regarding adoption of a rule with respect to policies, rules, standards, and procedures promulgated by the Houston Pilots Association.**

Meeting Oct 30, 2018 - BOARD OF PILOT COMMISSIONERS FOR HARRIS COUNTY PORTS

Access Public

Type Action

Recommended Action The Board of Pilot Commissioners, at its October 30, 2018 meeting, consider and take possible actions regarding adoption of a rule with respect to policies, rules, standards, and procedures promulgated by the Houston Pilots Association, and further authorize the Secretary of the Pilot Board to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:
General

Department:
Executive

Staff Contact:
Erik Eriksson

Background:

Transportation Code Section 66.015 provides in part that the Board of Pilot Commissioners for the Ports of Harris County (the "Pilot Board") "has exclusive jurisdiction over the piloting of vessels in Harris County ports[.]" Section 66.016 goes on to state in part that the Pilot Board "may perform any act or function necessary to carry out its powers and duties under this chapter[.]" and "may adopt rules to carry out [Transportation Code Chapter 66.]"

In addition, Transportation Code Section 66.017(9) requires that the Pilot Board "adopt rules and issue orders to pilots or vessels when necessary to secure efficient pilot services[.]"

Staff Evaluation/Justification:

The Pilot Board may wish to deliberate whether action by the Pilot Board should be taken with respect to the proposed Section 15(I) of the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel between the Galveston Bar and Turning Basin attached hereto.

Since Transportation Code Sec. 66.020(a) provides in part that the Pilot Board "shall give at least 10 days' notice as provided by this section before the board adopts a rule[.]" and Section 66.020(b) goes on to provide that the board "shall post the notice and a copy of the proposed rule or change at the board office for public inspection," notice of such proposed rule and a copy thereof was publicly posted on October 18, 2018 at the office of the Pilot Board.

The Houston Pilots Association shall provide the Secretary of the Pilot Board with its current navigation safety guidelines, working rules, tug matrices, pilot availability and training requirements, project guidelines, pilot ordering, mariners booklets, and other informational circulars, and other generally applicable policies, rules, standards, and procedures applicable to Pilots or the ports and navigable waters subject to the jurisdiction of the Pilot Board (collectively, "Pilot Policies"), within three (3) business days following the request of the Pilot Board or Secretary. The Houston Pilots Association shall give at least twenty (20) days written notice to the Secretary of the Pilot Board before the effective date of any proposal to adopt or amend a Pilot Policy, and with such notice provide a copy of the proposed Pilot Policy or amendment and describe the considerations supporting such action. The Pilot Board may review, and adopt rules and issue orders, including without limitation denial, approval, or modification, with respect to any such proposed adoption or amendment of Pilot Policies, pursuant to its powers and duties under the Act.

Notwithstanding the foregoing, the Houston Pilots Association may adopt or amend navigation safety guidelines, prior to consideration by the Pilot Board, if necessary:

- 1) as a result of changed circumstances to maintain navigational safety within the ports and navigable waters under the jurisdiction of the Pilot Board; or
- 2) to comply with directives issued by:
 - (a) the United States Coast Guard;
 - (b) the federal Department of Transportation, including the Maritime Administration;
 - (c) the federal Department of Homeland Security; or
 - (d) any other federal or state agency with authority over the ports and navigable waters within the jurisdiction of the Pilot Board.

The Houston Pilots Association shall notify the Secretary of any such adoption or amendments not later than forty eight (48) hours after such action, and with such notice provide a copy of such new or amended navigation safety guidelines, and describe the considerations supporting such action. The Pilot Board reserves its right to review and adopt rules and issue orders with respect to any such action.

Proposed Section 15.I. – revised 092418 v2

The Houston Pilots Association shall provide the Secretary of the Pilot Board with its current navigation safety guidelines, working rules, tug matrices, pilot availability and training requirements, project guidelines, pilot ordering, mariners booklets, and other informational circulars, and other generally applicable policies, rules, standards, or procedures applicable to Pilots or the ports and navigable waters subject to the jurisdiction of the Pilot Board (collectively, “Pilot Policies”), within three (3) business days following the request of the Pilot Board or Secretary. The Houston Pilots Association shall give at least twenty (20) days written notice to the Secretary of the Pilot Board before the effective date of any proposal to adopt or amend a Pilot Policy, and with such notice provide a copy of the proposed Pilot Policy or amendment and describe the considerations supporting such action. The Pilot Board may review, and adopt rules and issue orders, including without limitation denial, approval, or modification, with respect to any such proposed adoption or amendment of Pilot Policies, pursuant to its powers and duties under the Act.

Notwithstanding the foregoing, the Houston Pilots Association may adopt or amend navigation safety guidelines, prior to consideration by the Pilot Board, if necessary:

- 1) as a result of changed circumstances to maintain navigational safety within the ports and navigable waters under the jurisdiction of the Pilot Board; or
- 2) to comply with directives issued by:
 - (a) the United States Coast Guard;
 - (b) the federal Department of Transportation, including the Maritime Administration;
 - (c) the federal Department of Homeland Security; or
 - (d) any other federal or state agency with authority over the ports and navigable waters within the jurisdiction of the Pilot Board.

The Houston Pilots Association shall notify the Secretary of any such adoption or amendments not later than forty eight (48) hours after such action, and with such notice provide a copy of such new or amended navigation safety guidelines, and describe the considerations supporting such action. The Pilot Board reserves its right to review and adopt rules and issue orders with respect to any such action.

F. GENERAL

Subject **3. Consideration and possible actions regarding the following Houston Pilots announcements: "Traffic Management Protocols for Vessels over 1100 feet in length" announced on June 29, 2018; Restrictions for container vessels with dimensions greater than 1000 feet LOA or 138 feet beam, dated August 15, 2018; and "Combined Length Overall for Meeting Vessels" rule announced on August 17, 2018.**

Meeting Oct 30, 2018 - BOARD OF PILOT COMMISSIONERS FOR HARRIS COUNTY PORTS

Access Public

Type Action

Recommended Action The Board of Pilot Commissioners, at its October 30, 2018 meeting, consider and take possible actions regarding the following Houston Pilots announcements:

"Traffic Management Protocols for Vessels over 1100 feet in length" announced on June 29, 2018;

Restrictions for container vessels with dimensions greater than 1000 feet LOA or 138 feet beam, dated August 15, 2018; and

"Combined Length Overall for Meeting Vessels" rule announced on August 17, 2018, and further authorize the Secretary of the Pilot Board to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:

General

Department:

Executive

Staff Contact:

Erik Eriksson

Background:

1. On June 29, 2018, Captain Mark Mitchem, Presiding Officer of the Houston Pilots, transmitted an email message to the Port Authority, which announced "Traffic Management Protocols for Vessels over 1100 feet in length." These provided in part that "container vessels over 1000' in length are daylight restricted," and "container vessels over 1100' in length will meet no other ship traffic above buoy #18." The "protocols" also addresses the maximum size of vessels at the Port Authority's container terminals, and departure and arrival procedure changes resulting from the movement of container vessels over 1,100 feet in length.

2. On or about August 15, 2018, the Houston Pilots added the following materials to the "Houston Pilots Working Rules, including Navigation Safety Guidelines for the Houston Ship Channel:"

The following restrictions apply for all container vessels with dimensions greater than 1000' LOA or 138' beam: 2 pilots, daylight restriction, cranes raised, restricted bunkering in place with no dredges in the navigable channel of Bayport Ship Channel or Barbours Cut (when transiting to Bayport or Barbours Cut, respectively).

3. Finally, on August 17, 2018, Captain Mitchem transmitted an email message to members of the Port of Houston maritime community, which included the following:

After consideration by our membership the Houston Pilots have instituted a new "Combined Length Overall for Meeting Vessels" rule for ships transiting the Houston Ship Channel.

The new Combined Length Overall rule will not allow the combined length of vessels transiting above Buoy 18 to exceed 2030 feet overall when meeting opposing ship traffic. As you know, ships over 1100 feet in length will meet no ship traffic above buoy 18 at this time.

Traffic will be adjusted accordingly to comply with the Combined LOA rule. We expect any delays due to this new rule to be very minimal.

Staff Evaluation/Justification:

Transportation Code Section 66.015 provides in part that the Board of Pilot Commissioners for the Ports of Harris County (the "Pilot Board") "has exclusive jurisdiction over the piloting of vessels in Harris County ports[.]" Section 66.016 goes on to state in part that the Pilot Board "may perform any act or function necessary to carry out its powers and duties under this chapter[,]" and "may adopt rules to carry out [Transportation Code Chapter 66.]"

In addition, Transportation Code Section 66.017(9) requires that the Pilot Board "adopt rules and issue orders to pilots or vessels when necessary to secure efficient pilot services[.]"

The Pilot Board may wish to deliberate whether action by the Pilot Board is required following the above-referenced Houston Pilot announcements, both under its plenary powers provided for in Section 66.016, and its duties under Section 66.017(9).

Since Transportation Code Sec. 66.020(a) provides in part that the Pilot Board "shall give at least 10 days' notice as provided by this section before the board adopts a rule[,]" and Section 66.020(b) goes on to provide that the board "shall post the notice and a copy of the proposed rule or change at the board office for public inspection," any such action should be taken at a subsequent meeting of the Pilot Board in order to first comply with these Transportation Code provisions.

G. PILOT MATTERS

Subject	1. Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Sean M. Cook.
Meeting	Oct 30, 2018 - BOARD OF PILOT COMMISSIONERS FOR HARRIS COUNTY PORTS
Access	Public
Type	Action
Recommended Action	The Board of Pilot Commissioners for Harris County Ports (the Pilot Board), at its October 30, 2018 meeting, recommend to the governor the commission renewal of Captain Sean M. Cook as Branch Pilot for the Houston Ship Channel and Galveston Bar for a four-year term effective January 22, 2019, and further authorize the Secretary of the Pilot Board to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:

Pilot Matters

Department:

Pilot Administration

Staff Contact:

Erik Eriksson

Background:

The Application Review Committee (ARC) of the Pilot Board considers whether applicants meet the statutory and regulatory requirements for pilots on the Houston Ship Channel and Galveston Bar. Among other things, applicants undergo a physical examination to determine if an applicant is in good mental and physical health in order to perform the duties of pilotage on the Houston Ship Channel and Galveston Bar, and an investigation including a criminal background check and the applicant's accident history is conducted.

Staff Evaluation/Justification:

Captain Sean M. Cook has applied for commission renewal as Branch Pilot for the Houston Ship Channel and Galveston Bar. The application included proof of continued education training in Legal Aspects of Piloting, Bridge Resource Management for Pilots (BRM- P), Radar Observer (Recertification), Fatigue Management for Pilots, Azimuthing Electric Propulsion Drive (AZIPOD), and a letter on his behalf from the Houston Pilots with evidence of his ability to enter into a faithful performance bond in the amount of \$25,000 payable to the governor.

After an assessment of his qualifications and the documents filed with his application, the ARC determined that Captain Sean M. Cook meets the requirements of Chapter 66 of the Texas Transportation Code, Houston Pilots Licensing and Regulatory Act, Section 66.041, and the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel and Galveston Bar.

Accordingly, the ARC respectfully submits to the Pilot Board the application of Captain Sean M. Cook for commission renewal as Branch Pilot for the Houston Ship Channel and Galveston Bar. Such commission is for a four-year term.

G. PILOT MATTERS

Subject	2. Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Donald C. King.
Meeting	Oct 30, 2018 - BOARD OF PILOT COMMISSIONERS FOR HARRIS COUNTY PORTS
Access	Public
Type	Action
Recommended Action	The Board of Pilot Commissioners for Harris County Ports (the Pilot Board), at its October 30, 2018 meeting, recommend to the governor the commission renewal of Captain Donald C. King as Branch Pilot for the Houston Ship Channel and Galveston Bar for a four-year term effective December 18, 2018, and further authorize the Secretary of the Pilot Board to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:

Pilot Matters

Department:

Pilot Administration

Staff Contact:

Erik Eriksson

Background:

The Application Review Committee (ARC) of the Pilot Board considers whether applicants meet the statutory and regulatory requirements for pilots on the Houston Ship Channel and Galveston Bar. Among other things, applicants undergo a physical examination to determine if an applicant is in good mental and physical health in order to perform the duties of pilotage on the Houston Ship Channel and Galveston Bar, and an investigation including a criminal background check and the applicant's accident history is conducted.

Staff Evaluation/Justification:

Captain Donald C. King has applied for commission renewal as Branch Pilot for the Houston Ship Channel and Galveston Bar. The application included proof of continued education training in Error Detection & Use of Advanced Radar Techniques in Restricted Waters, Manned Model Shiphandling, Electronic Chart Display Information System (ECDIS), Restricted Visibility Navigation for Pilots, Raven Electronic Chart Navigation Systems Training, Bridge Resource Management for Pilots (BRM-P), Radar Observer (Recertification), Incident Management for Pilots, Collision Regulation for Pilots (COLREG), Automatic Identification Systems (AIS), Fatigue Management for Pilots, Bayport Flare Turn Using Manned Model, Emergency Shiphandling for Pilots, Azimuthing Electric Propulsion Drive (AZIPOD), and a letter on his behalf from the Houston Pilots with evidence of his ability to enter into a faithful performance bond in the amount of \$25,000 payable to the governor.

After an assessment of his qualifications and the documents filed with his application, the ARC determined that Captain Donald C. King meets the requirements of Chapter 66 of the Texas Transportation Code, Houston Pilots Licensing and Regulatory Act, Section 66.041, and the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel and Galveston Bar.

Accordingly, the ARC respectfully submits to the Pilot Board the application of Captain Donald C. King for commission renewal as Branch Pilot for the Houston Ship Channel and Galveston Bar. Such commission is for a four-year term.

G. PILOT MATTERS

Subject	3. Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Chad M. Prejean.
Meeting	Oct 30, 2018 - BOARD OF PILOT COMMISSIONERS FOR HARRIS COUNTY PORTS
Access	Public
Type	Action
Recommended Action	The Board of Pilot Commissioners for Harris County Ports (the Pilot Board), at its October 30, 2018 meeting, recommend to the governor the commission renewal of Captain Chad M. Prejean as Branch Pilot for the Houston Ship Channel and Galveston Bar for a four-year term effective January 22, 2019, and further authorize the Secretary of the Pilot Board to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:

Pilot Matters

Department:

Pilot Administration

Staff Contact:

Erik Eriksson

Background:

The Application Review Committee (ARC) of the Pilot Board considers whether applicants meet the statutory and regulatory requirements for pilots on the Houston Ship Channel and Galveston Bar. Among other things, applicants undergo a physical examination to determine if an applicant is in good mental and physical health in order to perform the duties of pilotage on the Houston Ship Channel and Galveston Bar, and an investigation including a criminal background check and the applicant's accident history is conducted.

Staff Evaluation/Justification:

Captain Chad M. Prejean has applied for commission renewal as Branch Pilot for the Houston Ship Channel and Galveston Bar. The application included proof of continued education training in Post Panamax Vessels: New Challenges for Pilots, Escort Tug Operations for Pilots, Manned Model Shiphandling, Collision Regulations for Pilots (COLREG), Automatic Identification Systems (AIS), Legal Aspects of Piloting, Radar Observer (Recertification), Fatigue Management for Pilots, Bridge Resource Management for Pilots (BRM-P), Emergency Shiphandling for Pilots, Brownwater/Bluewater Coordination Course, Restricted Visibility Navigation for Pilots, and a letter on his behalf from the Houston Pilots with evidence of his ability to enter into a faithful performance bond in the amount of \$25,000 payable to the governor.

After an assessment of his qualifications and the documents filed with his application, the ARC determined that Captain Chad M. Prejean meets the requirements of Chapter 66 of the Texas Transportation Code, Houston Pilots Licensing and Regulatory Act, Section 66.041, and the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel and Galveston Bar.

Accordingly, the ARC respectfully submits to the Pilot Board the application of Captain Chad M. Prejean for commission renewal as Branch Pilot for the Houston Ship Channel and Galveston Bar. Such commission is for a four-year term.

G. PILOT MATTERS

Subject	4. Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Charles R. Schuessler.
Meeting	Oct 30, 2018 - BOARD OF PILOT COMMISSIONERS FOR HARRIS COUNTY PORTS
Access	Public
Type	Action
Recommended Action	The Board of Pilot Commissioners for Harris County Ports (the Pilot Board), at its October 30, 2018 meeting, recommend to the governor the commission renewal of Captain Charles R. Schuessler as Branch Pilot for the Houston Ship Channel and Galveston Bar for a four-year term effective January 27, 2019, and further authorize the Secretary of the Pilot Board to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:

Pilot Matters

Department:

Pilot Administration

Staff Contact:

Erik Eriksson

Background:

The Application Review Committee (ARC) of the Pilot Board considers whether applicants meet the statutory and regulatory requirements for pilots on the Houston Ship Channel and Galveston Bar. Among other things, applicants undergo a physical examination to determine if an applicant is in good mental and physical health in order to perform the duties of pilotage on the Houston Ship Channel and Galveston Bar, and an investigation including a criminal background check and the applicant's accident history is conducted.

Staff Evaluation/Justification:

Captain Charles R. Schuessler has applied for commission renewal as Branch Pilot for the Houston Ship Channel and Galveston Bar. The application included proof of continued education training in PPU Electronic Navigation System Training, Radar Observer (Recertification), Legal Aspects of Piloting, Collision Regulations for Pilots (COLREG), Fatigue Management for Pilots, Tractor Tug Operations Training, and a letter on his behalf from the Houston Pilots with evidence of his ability to enter into a faithful performance bond in the amount of \$25,000 payable to the governor.

After an assessment of his qualifications and the documents filed with his application, the ARC determined that Captain Charles R. Schuessler meets the requirements of Chapter 66 of the Texas Transportation Code, Houston Pilots Licensing and Regulatory Act, Section 66.041, and the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel and Galveston Bar.

Accordingly, the ARC respectfully submits to the Pilot Board the application of Captain Charles R. Schuessler for commission renewal as Branch Pilot for the Houston Ship Channel and Galveston Bar. Such commission is for a four-year term.

G. PILOT MATTERS

Subject	5. Recommendation for original Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Kevin B. Keith.
Meeting	Oct 30, 2018 - BOARD OF PILOT COMMISSIONERS FOR HARRIS COUNTY PORTS
Access	Public
Type	Action
Recommended Action	The Board of Pilot Commissioners for Harris County Ports (the Pilot Board), at its October 30, 2018 meeting, recommend to the governor the original commission of Captain Kevin B. Keith as Branch Pilot for the Houston Ship Channel and Galveston Bar for a four-year term effective December 15, 2018, and further authorize the Secretary of the Pilot Board to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:
Pilot Matters

Department:
Pilot Administration

Staff Contact:
Erik Eriksson

Background:

The Application Review Committee (ARC) of the Pilot Board considers whether applicants meet the statutory and regulatory requirements for pilots on the Houston Ship Channel and Galveston Bar. Among other things, applicants undergo a physical examination to determine if an applicant is in good mental and physical health in order to perform the duties of pilotage on the Houston Ship Channel and Galveston Bar, and an investigation including a criminal background check and the applicant's accident history is conducted.

Staff Evaluation/Justification:

Captain Kevin B. Keith has applied for original commission as Branch Pilot for the Houston Ship Channel and Galveston Bar. The application included proof of continued education training in Radar Observer (Recertification), Bayport Flare Turn Using Manned Model, Raven Electronic Navigation Systems Training, Restricted Visibility Navigation for Pilots, Fatigue Management for Pilots, Bridge Resource Management for Pilots (BRM-P), Tractor Tug Operations Training, Legal Aspects of Piloting, and a letter on his behalf from the Houston Pilots with evidence of his ability to enter into a faithful performance bond in the amount of \$25,000 payable to the governor.

After an assessment of his qualifications and the documents filed with his application, the ARC determined that Captain Kevin B. Keith meets the requirements of Chapter 66 of the Texas Transportation Code, Houston Pilots Licensing and Regulatory Act, Section 66.033, and the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel and Galveston Bar.

Accordingly, the ARC respectfully submits to the Pilot Board the application of Captain Kevin B. Keith for original commission as Branch Pilot for the Houston Ship Channel and Galveston Bar. Such commission is for a four-year term.

G. PILOT MATTERS

Subject	6. Recommendation for original Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Justin J. Phillips.
Meeting	Oct 30, 2018 - BOARD OF PILOT COMMISSIONERS FOR HARRIS COUNTY PORTS
Access	Public
Type	Action
Recommended Action	The Board of Pilot Commissioners for Harris County Ports (the Pilot Board), at its October 30, 2018 meeting, recommend to the governor the original commission of Captain Justin J. Phillips as Branch Pilot for the Houston Ship Channel and Galveston Bar for a four-year term effective January 20, 2019, and further authorize the Secretary of the Pilot Board to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:
Pilot Matters

Department:
Pilot Administration

Staff Contact:
Erik Eriksson

Background:

The Application Review Committee (ARC) of the Pilot Board considers whether applicants meet the statutory and regulatory requirements for pilots on the Houston Ship Channel and Galveston Bar. Among other things, applicants undergo a physical examination to determine if an applicant is in good mental and physical health in order to perform the duties of pilotage on the Houston Ship Channel and Galveston Bar, and an investigation including a criminal background check and the applicant's accident history is conducted.

Staff Evaluation/Justification:

Captain Justin J. Phillips has applied for original commission as Branch Pilot for the Houston Ship Channel and Galveston Bar. The application included proof of continued education training in Manned Model Shiphandling, Bayport Flare Turn Using Manned Model, Raven Electronic Navigation Systems Training, Restricted Visibility for Pilots, Fatigue Management for Pilots, Bridge Resource Management for Pilots (BRM-P), Tractor Tug Operations Training, Legal Aspects of Piloting, Radar Observer (Recertification), and a letter on his behalf from the Houston Pilots with evidence of his ability to enter into a faithful performance bond in the amount of \$25,000 payable to the governor.

After an assessment of his qualifications and the documents filed with his application, the ARC determined that Captain Justin J. Phillips meets the requirements of Chapter 66 of the Texas Transportation Code, Houston Pilots Licensing and Regulatory Act, Section 66.033, and the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel and Galveston Bar.

Accordingly, the ARC respectfully submits to the Pilot Board the application of Captain Justin J. Phillips for original commission as Branch Pilot for the Houston Ship Channel and Galveston Bar. Such commission is for a four-year term.