

## INDEX

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

June 25, 2019

Minute No.	Event/Action
	<b>General</b>
	Chairman Campo convened the meeting of the Board of Pilot Commissioners
(PB-2019-0625-01)	Chairman Campo introduced Captain Mark Mitchem, Houston Pilots Association, who addressed the Port Commission
	<b>Minutes</b>
(PB-2019-0625-02)	Approve the Minutes of the Board of Pilot Commissioners Meetings – May 21, 2019
	<b>Appearances</b>
(PB-2019-0625-03)	Chairman Campo asked if anyone would like to address the Pilot Board; there was no response
	<b>Pilot Matters</b>
(PB-2019-0625-04)	Staff Report – Selected agenda items – Marcus Woodring, Chief Port Security and Emergency Operations Officer
(PB-2019-0625-05)	Item F1 was tabled
(PB-2019-0625-06)	Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Adam W. Guice
(PB-2019-0625-07)	Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Richard J. Teeter
(PB-2019-0625-08)	Recommendation for original Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Douglas E. Kelly
(PB-2019-0625-09)	Recommendation for original Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Cody R. Lynch

**Recess Open Meeting and Convene Executive Session**

**Reconvene Open Meeting**

(PB-2019-0625-10)

Item H2 failed for lack of motion

**Adjourn Meeting**

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

**Houston, Texas  
June 25, 2019**

A public meeting of the Board of Pilot Commissioners for Harris County Ports (the "Pilot Board") was convened on June 25, 2019 at 11:29 a.m., at the Port of Houston Authority Executive Office, Fourth Floor Boardroom, at 111 East Loop North, Houston, Texas 77029. The following Commissioners, staff, and counsel were present:

Ric Campo, Chairman  
Theldon R. Branch, III, Commissioner  
Wendy Cloonan, Commissioner  
Dean E. Corgey, Commissioner  
Stephen DonCarlos, Commissioner  
Clyde E. Fitzgerald, Commissioner  
Roy D. Mease, Commissioner  
Roger Guenther, Executive Director  
Erik Eriksson, Secretary and General Counsel  
Tom Heidt, Chief Operating Officer  
J. Kent Friedman, outside counsel

Chairman Campo convened the meeting of the Pilot Board and advised that Captain Mark Mitchem, Presiding Officer, Houston Pilots Association, would provide an update on the rules of efficient two-way traffic. He remarked that he thought it was a good idea to remind commissioners of the rules that currently govern efficient two-way traffic in the channel and how they relate to one-way traffic.

(PB-2019-0625-01) Captain Mitchem distributed a handout that provided details of the rules he would discuss and advised that the purpose of pilot safety rules was to "Expedite with Caution," as safety was the number one goal of the Houston Pilots. He reported a 99.9% incident free track record with major incidents very few and far between and noted that the goal was to preserve safety and navigation for all channel users, as well as to remain independent of commercial interests, and added that it was obviously working as the Houston Ship Channel was the busiest port in the country.

Captain Mitchem directed the Pilot Board to the rules that dictate how outsize vessels transit. He began with the WB-7 (widebody) rule that states two widebody vessels meeting in the Houston Ship Channel (HSC) between Buoy 18 and Beacons 75/76 are restricted to a combined beam of 310 feet and limited to a combined draft of 85 feet. He explained that Suezmax tankers were between 158 feet and 165 feet which would not allow two tankers to meet, because of violation of the 310-foot beam rule, and so traffic was scheduled around Suezmax tankers and other widebodies. Captain Mitchem added that there were no containerships nearly that size when the rule was implemented, but now 158-foot containerships were calling on Houston.

Captain Mitchem moved to WB-8, defined as two widebodies meeting in the HSC between Beacons 75/76 and Boggy Bayou (Shell), restricted to a combined beam of 272 feet and limited to a combined draft of 77 feet, which allowed Aframax tankers to meet 100-foot wide gas ships at a 120-foot beam or more. In addition, WB-17 was implemented last year with the advent of large containerships and stated that two vessels with an overall combined length of 2,030 feet or greater would not be permitted to meet above Buoy 18.

Captain Mitchem advised of the VT-11 (vessel type) rule which restricts all container vessels with a length overall (LOA) greater than 1,100 feet and included (1) no meeting of any other ships in the channel above Buoy 18; (2) maximum sustained winds not over 15 knots at berth; and (3) vessel traffic management protocols that were to be developed. He also advised that traffic management protocols were developed with a restriction implemented on April 10, 2019 that stated, notwithstanding the above, that container vessels with an LOA less than or equal to 1,110 feet and beam less than or equal to 150 feet could meet other vessels with dimensions less than or equal to 601 feet x 106 feet and a draft of less than 35 feet.

Captain Mitchem directed the Pilot Board to a graphic overview of where the rules would take place and pointed out that the 800-foot channel, indicated by a circle on the graph, was 100% efficient and had no beam restrictions. He confirmed Chairman Campo's inquiry that the 800-foot channel was below the 310-foot rule and had no combined beam and no combined draft rules; restrictions started in the 530-foot channel.

Captain Mitchem advised that the 310-foot rule allowed Suezmaxs to transit between Buoy 18 and Buoys 75/76 with partial or limited two-way traffic for large vessels and noted a typical Suezmax was 900 feet x 158 feet x 42 feet. The large vessels could meet 94.6% of all other vessels in the ship channel and could not meet 5.3%, which were mostly other Suezmax vessels, which traffic had to be adjusted for. In response to Chairman Campo's inquiry, Captain Mitchem confirmed that these vessels were scheduled so there was no conflict above Buoy 18. He noted an approximate 3 to 4-hour delay was possible depending on the time of the sailing and that under some circumstances that delay could roll over into the next day. Captain Mitchem advised that Suezmax transits were only 1.25% of the total vessels in the Port of Houston and that only 8 docks could handle the Suezmax vessels, including Bosco; Enterprise – docks 5, 6, and 8; Houston Fuel Oil – docks 1, 3, 4, and 5; a new Suezmax dock was under construction in Bayport which would be LBC dock 5.

Captain Mitchem noted the growth in ship size in the Houston Ship Channel from Aframaxs, that were 810 feet x 138 feet x 45 feet, to Suezmaxs, that were 920 feet x 165 feet x 45 feet. He referenced the size of a very large crude carrier (VLCC) and noted they were not approved to come to Houston, as they were too large. Captain Mitchem recalled that Enterprise requested VLCCs be brought into its berth in Channelview 2 years ago, and

following discussions the Houston Pilots determined it was too disruptive, as everything would have to be shut down, which was out of the question with the present channel configuration.

In response to Commissioner Corgey's inquiry, Captain Mitchem replied that he was hopeful that accommodations for VLCCs could be made after the widening and deepening of the channel, depending on how wide and deep it was after completion, as well as the location of VLCC docks. If the VLCC docks were located above Morgan's Point, chances were slim that accommodations could be made, considering it was still a 530-foot channel with no barge lanes. However, possibilities for VLCC accommodations existed if there was development of a dock that could handle them, as at Bayport.

In response to Commissioner Fitzgerald's inquiry regarding VLCCs coming through the Houston Ship Channel to Texas City, Captain Mitchem advised of a shared channel with Texas City below Buoy 18, the "Texas City Y." He noted those ships have a length of 1099.99 feet x 200-feet wide and advised there were no restrictions if 800 feet was the baseline for the channel width. Captain Mitchem added the only place those ships could not meet was within a one-mile section where ships were lined up to "shoot the gap" to enter the 400-foot channel, an approximate 5-minute window. Commissioner Fitzgerald inquired of transit time and Captain Mitchem responded that VLCCs took approximately 40 minutes up the dike and into Texas City.

Captain Mitchem moved on to discuss the 272-foot rule, where combined beams were limited at 272 feet, which allowed Suezmax and Aframax tankers to transit above Buoy 75/76. Under this rule, Suezmaxs could meet Panamax ships there and Aframaxs could meet LPG ships; however, Suezmaxs did not meet Aframax-sized tankers, which had 138-foot beams. Captain Mitchem noted this was a traffic limitation and advised that an Aframax ship above Buoy 75/76 could meet 75% of all the traffic in Houston; 24.8 % of the traffic could not meet another Aframax. Following Chairman Campo's inquiry, Captain Mitchem responded that the 310-foot rule and the 272-foot rule had been in place since 2005, adding that prior to 2005, when the channel was 400 feet, a 251-foot combined beam rule was in place.

Captain Mitchem stated that the 1,100-foot rule was modified to meet some vessels, which allowed 1,100-foot to 1,110-foot container vessels to transit and meet a limited amount of traffic. He also advised that 53.9 % of all handy-sized tanker ships could meet under the rule and 46% could not. Following completion of simulation and studies, the Houston Pilots determined, at the request of industry, that the largest vessels allowed were 1,160 feet at Bayport and 1,158 feet at Barbours Cut. Captain Mitchem noted there were no ships that met those standards though there were some close or less that could fit.

In addition, Captain Mitchem reported that Mediterranean Shipping Company (MSC) recently brought in a 9,500 twenty-foot equivalent unit (TEU) ship for the second time and noted the vessel was a little shorter and wider, at 985 feet x 158 feet. There were no incidents, though there were some concerns regarding whether those ships would be able to stay alongside the dock in the channel without being pulled off by passing traffic. He noted that another similar MSC ship was scheduled for some time in the future.

Captain Mitchem moved to the 2,030-foot rule, i.e. two vessels with a combined LOA of 2,030 feet would not be permitted to meet above Buoy 18. He noted feasibility studies were performed by the Army Corps of Engineers, as well as waterway simulation testing, and the combined LOA was a discussion in a 530-foot channel, which led to implementation of the safety rule when the larger vessels arrived. He advised that this rule had a very small effect on traffic, as ships could meet 96.2 % of all other ships and not meet only 3.8% of all other vessels.

Captain Mitchem concluded by covering a graph that indicated containership escalation and advised that the Houston Ship Channel got relatively smaller as the ship sizes grew. In 2003, the Houston Pilots agreed to bring in 995 feet x 131-foot beam ships, which were the largest containerships at the time, followed by the 1,096 feet x 141 feet ships in 2012. In 2016, with the completion of the widening of the flare in the Bayport Channel, ship sizes grew to 1,160 feet x 150 feet, which was where ship sizes presently stood.

Captain Mitchem remarked that he hoped he answered any questions as to how the rules were developed and how long they had been in place, and Chairman Campo asked if there were any questions; there were none.

(PB-2019-0625-02) Minutes

Chairman Campo called for a motion to approve the minutes of the May 21, 2019 Pilot Board meeting. Commissioner Mease moved for approval, seconded by Commissioner Branch. The minutes were approved as written.

(PB-2019-0625-03) Chairman Campo asked if anyone would like to address the Pilot Board; there was no response.

(PB-2019-0625-04) Chairman Campo recognized Marcus Woodring, Chief Port Security and Emergency Operations Officer, to provide a report of selected agenda items.

(PB-2019-0625-05) Item F1 was tabled.

Mr. Woodring advised there were recommendations for two pilot renewals and two original pilot commissions for those coming out of the three-year apprenticeship program and who were ready to be full pilots commissioned by the state. He noted that the Application Review Committee (ARC) was working with some uncertainty as to what the future held and was accelerating the pace to ensure pilot commissions were good through the end of the year into early 2020, just in case something happened on September 1.

(PB-2019-0625-06) RPBA F2 was presented, moved by Commissioner Corgey for approval, seconded by Commissioner Fitzgerald. Chairman Campo, and Commissioners Branch, Cloonan, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RPBA F2 PASSED.

(PB-2019-0625-07) RPBA F3 was presented, moved by Commissioner Corgey for approval, seconded by Commissioner Fitzgerald. Chairman Campo, and Commissioners Branch, Cloonan, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RPBA F3 PASSED.

(PB-2019-0625-08) RPBA F4 was presented, moved by Commissioner Corgey for approval, seconded by Commissioner Fitzgerald. Chairman Campo, and Commissioners Branch, Cloonan, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RPBA F4 PASSED.

(PB-2019-0625-09) RPBA F5 was presented, moved by Commissioner Corgey for approval, seconded by Commissioner Fitzgerald. Chairman Campo, and Commissioners Branch, Cloonan, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RPBA F5 PASSED.

At 11:47 a.m., Chairman Campo instructed Mr. Eriksson to make the following announcement:

It is now 11:47 a.m. The Board of Pilot Commissioners for Harris County Ports will now convene in a closed meeting, as permitted by the Texas Open Meetings Act and Government Code to conduct a private Consultation with Attorneys (*Section 551.071, Texas Open Meetings Act*), including consultation regarding the powers and duties of the Board of Pilot Commissioners. The Board of Pilot Commissioners will reconvene in public session after the closed meeting is adjourned.

Immediately thereafter the Pilot Board retired into closed session.

At 12:16 p.m., Chairman Campo reconvened the open meeting of the Board of Pilot Commissioners for Harris County Ports at the Port of Houston Authority Executive Office,



at 111 East Loop North, Houston, Texas 77029, with the following Commissioners, staff, and counsel in attendance:

Ric Campo, Chairman  
Theldon R. Branch, III, Commissioner  
Wendy Cloonan, Commissioner  
Dean E. Corgey, Commissioner  
Stephèn DonCarlos, Commissioner  
Clyde E. Fitzgerald, Commissioner  
Roy D. Mease, Commissioner  
Roger Guenther, Executive Director  
Erik Eriksson, Secretary and General Counsel  
Tom Heidt, Chief Operating Officer  
J. Kent Friedman, outside counsel

(PB-2019-0625-10) RPBA H2 was presented, which failed for lack of a motion.

Chairman Campo announced the next meeting was July 29, 2019.

At 12:17 p.m., Chairman Campo adjourned the Pilot Board meeting.

The above is a correct copy of the Minutes of the June 25, 2019 meeting of the Pilot Board of the Port of Houston Authority.



Ric Campo, Chairman



Erik A. Eriksson, Secretary



## F. PILOT MATTERS

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<b>Subject</b>	<b>1. Deliberation, public comment, and possible actions regarding one-way traffic impacts on the Houston Ship Channel, and Senate Bills 1915 and 2223 as enacted by the 86th Legislature, Regular Session.</b>
Meeting	Jun 25, 2019 - BOARD OF PILOT COMMISSIONERS FOR HARRIS COUNTY PORTS
Access	Public
Type	Action
Recommended Action	The Pilot Board, at its June 25, 2019 meeting, deliberate, hear public comment, and take possible actions regarding one-way traffic impacts on the Houston Ship Channel, and Senate Bills 1915 and 2223 as enacted by the 86th Legislature, Regular Session, and further authorize the Secretary 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:**

Last summer, the Houston Pilots announced that several safety protocols for handling vessels over 1,100 feet in length, including the "Traffic Management Protocols for Vessels over 1100 feet in length," would begin to affect Houston Ship Channel traffic. Those measures limited these larger ships to daylight passage and one-way traffic, beginning north from the point the channel narrows to 530 feet at the intracoastal waterway.

Fifteen container vessels have now been subject to this protocol since the first arrived in September 2018.

Since that time, representatives of the Pilot Board, Port Authority, Houston Pilots, the liquid bulk industry (including members of the "Coalition for a Fair and Open Port"), container lines, and other cargo carriers calling Houston have worked to review these protocols and resolve short-term stakeholder concerns, and the Pilots have taken several measures to do so. These included the following, enacted as of April 30, 2019:

Container vessels with an LOA greater than 1100' but less than or equal to 1110' and a beam less than or equal to 150' can now meet vessels sized 601' x 106' or less and a draft of less than 35'.

Notwithstanding these efforts, Senate Bills 1915 and 2223 were recently enacted by the 86th Legislature to additionally address these matters. In addition, both measures will have other impacts on the Pilot Board.

**Staff Evaluation/Justification:**

Staff now requests that the Port Commission deliberate, hear public comment, and consider actions regarding one-way traffic impacts on the Houston Ship Channel and Senate Bill 1915 and Senate Bill 2223, as enacted by the 86th Legislature, the Regular Session.

## F. PILOT MATTERS

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<b>Subject</b>	<b>2. Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Adam W. Guice.</b>
Meeting	Jun 25, 2019 - 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 June 25, 2019 meeting, recommend to the governor the commission renewal of Captain Adam W. Guice as Branch Pilot for the Houston Ship Channel and Galveston Bar for a four-year term effective October 28, 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 Adam W. Guice 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 Raven Electronic Navigation Systems, Manned Model Advanced Shiphandling, Radar Observer (recertification), Emergency Shiphandling for Pilots, Legal Aspects of Piloting, Collision Regulations for Pilots (COLREGS), 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 Adam W. Guice 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 Adam W. Guice for commission renewal as Branch Pilot for the Houston Ship Channel and Galveston Bar. Such commission is for a four-year term.

## F. PILOT MATTERS

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<b>Subject</b>	<b>3. Recommendation for renewal of Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Richard J. Teeter.</b>
Meeting	Jun 25, 2019 - 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 June 25, 2019 meeting, recommend to the governor the commission renewal of Captain Richard J. Teeter as Branch Pilot for the Houston Ship Channel and Galveston Bar for a four-year term effective September 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:**  
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 Richard J. Teeter 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, Legal Aspects of Piloting, Bridge Resource Management for Pilots (BRM-P), Manned Model Shiphandling, Radar Observer (recertification), Collision Regulations for Pilots (COLREGS), Fatigue Management for Pilots, Automatic Radar Plotting Aids (ARPA), 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 Richard J. Teeter 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 Richard J. Teeter for commission renewal as Branch Pilot for the Houston Ship Channel and Galveston Bar. Such commission is for a four-year term.

## F. PILOT MATTERS

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<b>Subject</b>	<b>4. Recommendation for original Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Douglas E. Kelly.</b>
Meeting	Jun 25, 2019 - 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 June 25, 2019 meeting, recommend to the governor the original commission of Captain Douglas E. Kelly as Branch Pilot for the Houston Ship Channel and Galveston Bar for a four-year term effective November 16, 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 Douglas E. Kelly 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 PPU Electronic Navigation System Training, Restricted Visibility Navigation for Pilots, Legal Aspects of Piloting, Fatigue Management for Pilots, Bridge Resource Management for Pilots (BRM-P), Tractor Tug Operations Training, 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 Douglas E. Kelly 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 Douglas E. Kelly for original commission as Branch Pilot for the Houston Ship Channel and Galveston Bar. Such commission is for a four-year term.

## F. PILOT MATTERS

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<b>Subject</b>	<b>5. Recommendation for original Branch Pilot Commission for the Houston Ship Channel and Galveston Bar: Captain Cody R. Lynch.</b>
Meeting	Jun 25, 2019 - 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 June 25, 2019 meeting, recommend to the governor the original commission of Captain Cody R. Lynch as Branch Pilot for the Houston Ship Channel and Galveston Bar for a four-year term effective October 17, 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 Cody R. Lynch 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), Raven Electronic Navigation Systems, Restricted Visibility Navigation for Pilots, Legal Aspects of Piloting, Fatigue Management for Pilots, Bridge Resource Management for Pilots (BRM-P), 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 Cody R. Lynch 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 Cody R. Lynch for original commission as Branch Pilot for the Houston Ship Channel and Galveston Bar. Such commission is for a four-year term.

## H. RECONVENE OPEN MEETING

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<b>Subject</b>	<b>2. Consideration and possible action to amend Section 15(I) of the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel between the Galveston Bar and Turning Basin.</b>
Meeting	Jun 25, 2019 - 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 June 25, 2019 meeting, consider and take possible action to amend Section 15(I) of the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel between the Galveston Bar and Turning Basin, 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:**

Last summer, the Houston Pilots announced several protocols for handling vessels over 1,100 feet in length. Those measures limited these larger ships to daylight passage and one-way traffic, beginning north from Buoy 18, where the channel narrows to 530 feet at the Intracoastal Waterway.

The Pilot Board, at its October 30, 2018 meeting, adopted Section 15(I) of the Rules and Regulations Governing Pilots and Pilotage on the Houston Ship Channel Between the Galveston Bar and Turning Basin, to address circumstances that arose in connection with those protocols. In particular, the Pilot Board added the subsection to improve advance stakeholder notification of changes to Houston Pilot working rules and navigation safety guidelines, which had been largely handled by the Houston Pilots in the past.

Section 15(I) currently provides the following, in summary:

- The Houston Pilots are required to notify the Pilot Board twenty days in advance of the enactment or amendment of policies, rules, etc. applicable to them or otherwise subject to the jurisdiction of the Pilot Board, to allow the Pilot Board to review and possibly act on them.
- However, the Houston Pilots may also immediately adopt or amend navigation safety guidelines, if necessary:
  - Because of changed circumstances to maintain navigational safety; or
  - To comply with directives issued by federal or state agencies.

**Staff Evaluation/Justification:**

The Pilot Board may wish to deliberate and act regarding a proposed amendment to Section 15(I) in the form attached as Exhibit "A."

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." Such required measures were taken with respect to this proposed action to amend Section 15(I) on June 13, 2019.

Exhibit "A"

The Houston Pilots Association shall provide the Secretary of the Pilot Board with its current navigation safety guidelines, pilot roster, training requirements, project guidelines, and tug matrix applicable to Pilots or the ports and navigable waters within the jurisdiction of the Pilot Board (collectively, "Pilot Policies"), within three (3) 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 any amendment to the navigation safety guidelines goes into effect and provide a copy of amended navigation safety guidelines along with the basis for the amendment with such notice. The Pilot Board reserves the right to review and adopt rules and issue orders with respect to the regulation of pilots in accordance with Section 66.017 of the Act.

When evaluating new classes or types of vessels that may require significant restrictions on other traffic, the Houston Pilot Association shall provide notice of and periodic updates regarding these evaluations to the Pilot Board.