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

April 8, 2019

Minute No.

Event/Action

General

(PB-2019-0408-01) Chairman Campo convened the meeting of the Board of Pilot Commissioners

Pilot Matters

(PB-2019-0408-02) Deliberation, public comment, and possible actions regarding the Houston Pilots Association's "Traffic Management Protocols for Vessels over 1100 feet in length" (*Item tabled, as discussed at the Port Commission Meeting*)

(PB-2019-0408-03) Create a Houston Ship Channel traffic management group

Adjourn Meeting

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

**Houston, Texas
April 8, 2019**

A public meeting of the Board of Pilot Commissioners for Harris County Ports (the "Pilot Board") was convened on April 8, 2019 at 12:22 p.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
Dean E. Corgey, Commissioner
Stephen H. DonCarlos, Commissioner
Clyde E. Fitzgerald, Commissioner
John D. Kennedy, Commissioner
Roy D. Mease, Commissioner
Roger Guenther, Executive Director
Erik Eriksson, Secretary and General Counsel
J. Kent Friedman, outside counsel

(PB-2019-0408-01) Chairman Campo convened the meeting of the Pilot Board and welcomed everyone.

(PB-2019-0408-02) RPBA D1 was tabled, as the item was discussed at the Port Commission meeting.

(PB-2019-0408-03) RPBA D2 was presented.

Chairman Campo explained that it was appropriate for a Houston Ship Channel traffic management group to report to the Pilot Board rather than the Port Commission, given that the Houston Pilots were responsible for managing traffic and created safety rules. He opined that it was the Houston Pilots who made the safety rules and only the U.S. Coast Guard, which controls federal waterways, could opine on those rules.

Chairman Campo called the item to vote. Commissioner Corgey moved for approval, seconded by Commissioner Branch. Chairman Campo, and Commissioners Branch, Corgey, DonCarlos, Fitzgerald, Kennedy, and Mease voted Aye. Nays none. RPBA D2 PASSED.

Commissioner Branch requested a combined Port Commission/Pilot Board press release on the day's actions.

At 12:25 p.m., Chairman Campo adjourned the Pilot Board meeting.

The above is a correct copy of the Minutes of the April 8, 2019 meeting of the Pilot Board of the Port of Houston Authority.



Ric Campo, Chairman



Erik A. Eriksson, Secretary

Meeting

Apr 8, 2019 - BOARD OF PILOT COMMISSIONERS FOR HARRIS COUNTY PORTS

Subject

D.1. Deliberation, public comment, and possible actions regarding the Houston Pilots Association's "Traffic Management Protocols for Vessels over 1100 feet in length."

Action

Recommended Action

The Pilot Board, at its April 8, 2019 meeting, deliberate, hear public comment, and take possible actions regarding the Houston Pilots Association's "Traffic Management Protocols for Vessels over 1100 feet in length," 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 limit 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.

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

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, the Pilots have taken several measures as a result, and these developments have been previously reported to the Pilot Board. Legislation has also been filed by Texas legislators to potentially address these matters.

Separately, it is the Port Authority's highest priority, working with the U.S. Army Corps and others, to obtain authorization, and accelerated funding and completion of the widened ship channel, which along with vessel experience should result in easing these protocols.

Staff Evaluation/Justification:

Staff now requests that the Port Commission deliberate, hear public comment, and consider actions regarding the Houston Pilots Association's "Traffic Management Protocols for Vessels over 1100 feet in length."

Meeting

Apr 8, 2019 - BOARD OF PILOT COMMISSIONERS FOR HARRIS COUNTY PORTS

Subject

D.2. Review, discussion, and possible action to create a Houston Ship Channel traffic management group.

Action

Recommended Action

The Pilot Board, at its April 8, 2019 meeting, review, discuss, and take possible action to create a Houston Ship Channel traffic management group, 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:

Chairman Campo has proposed that the Pilot Board create and maintain a traffic management group as more particularly described on Exhibit A.

Staff Evaluation/Justification:

Staff now requests that the Pilot Board review, discuss, and take possible action to create such Houston Ship Channel traffic management group.

Exhibit A

Pilot Board Traffic Management Group

The Pilot Board would create and maintain an advisory committee (the "Committee") for the purpose of (i) fairly and transparently monitoring Houston Ship Channel ship traffic, in order to secure efficient pilot services, and (ii) reviewing pilot working rule proposals and safety guideline enactments applicable to pilots or the ports and navigable waters subject to the jurisdiction of the board. The Committee would work with the Houston Area Vessel Traffic Service (VTS) and Lone Star Harbor Safety Committee in connection with these matters.

The membership of the Committee would include, at a minimum, representatives of:

- (1) the Houston Pilots Association;
- (2) the barge/tow boat operator industry;
- (3) the chemical tank vessel owner/operator industry;
- (4) the container ship operator industry;
- (5) the Galveston-Texas City Pilot's Association;
- (6) the harbor tug operator industry;
- (7) the Marine Exchange;
- (8) the non-liquid/dry cargo vessel operator industry;
- (9) the Pilot Board;
- (10) the tank vessel owner/operator industry; and
- (11) the United States Coast Guard.

Committee members would meet on a regular basis to collect information and data from Houston Ship Channel stakeholders as necessary to understand current and projected ship channel traffic conditions, and regularly report back to the Pilot Board on such matters.

In addition, except as described below, the Houston Pilots would submit working rule proposals to the Pilot Board Secretary who would distribute them to the members of the Committee for their consideration. Committee members would collect comments and data from Houston Ship Channel stakeholders to permit them to review such proposals. Such submittal and consideration would occur reasonably in advance of the time the Houston Pilots intended to act on any such proposal.

Notwithstanding the foregoing, the Houston Pilots could adopt or amend navigation safety guidelines, prior to review by the Committee, if necessary:

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

The Houston Pilots would promptly advise the Pilot Board Secretary of such action, who would in turn distribute the adopted or amended guidelines to the members of the Committee.

The Committee would promptly meet after submittal of each working rule proposal or guideline action, and completion of data collection and outreach, to review such proposal(s) or guideline(s) and take action to advise the Pilot Board whether they maintain traffic in the Houston Ship Channel in a manner consistent with

- (1) best practices for the navigation of deep draft vessels;
- (2) fair and equitable access to the ship channel for all deep-draft vessels; and
- (3) federal law.

To carry out these responsibilities, the Committee would elect a chair, set policy, adopt rules and procedures, and prepare and approve budgets, and could create subcommittees and working groups to support its work. In addition, it would have the power to request that the Pilot Board hire staff, consultants, and vendors to provide manpower, expertise, data, and equipment to assist with carrying out its responsibilities.

The Committee would be funded by the Port Authority as reasonably required by its Committee-approved budget.