



200 SW Market Street, Suite 1777  
Portland, Oregon 97201-5771

T 503.225.0777  
F 503.225.1257

www.hk-law.com

Michael E. Haglund  
Michael K. Kelley  
Michael G. Neff  
Julie A. Weis  
Christopher Lundberg  
Matt Malmshiemer  
Joshua Stellmon  
Sara Ghatouri  
Eric J. Brickenstein

LeRoy W. Wilder  
Retired

February 7, 2017

Eric Burnette, Executive Director  
Oregon Board of Maritime Pilots  
800 NE Oregon Street, Suite 507  
Portland, Oregon 97232

Re: HB 2695

The Columbia River Bar Pilots join the Columbia River Pilots and the Coos Bay Pilots in opposing HB 2695. We take this position on safety grounds. Although the proponents of this bill characterize as unnecessary the current requirement for an Oregon licensed pilot on U.S. tugs and barges bringing forest products and other materials from British Columbia to Oregon ports, that characterization is short-sighted. The reality is that Oregon has laws governing pilotage and requiring a pilot in such circumstances to protect people and the environment, i.e., for fundamental safety considerations. A tug boat captain has less experience piloting in Oregon waters than an Oregon licensed pilot – the mariner license referenced in the bill is a towing license, not a pilotage endorsement. We are particularly concerned that there is no requirement in the bill for a person with a towing license to have recent experience on our waters, which is a key factor to safe pilotage. According to the federal pilotage regulations, the pilot of a tug clearing customs in Washington and entering Oregon would be required to have completed a minimum of four round trips over the route, including one at night, and including one familiarization trip in the past 60 days. 46 C.F.R. § 15.812(b). HB 2695 does not include such a requirement, which underscores our concerns about recency and a tug captain's ability to safely traverse Oregon's waters.

Put simply, in comparison with an Oregon licensed pilot, the referenced "person holding the federal mariner license" in HB 2695 is not equally qualified to protect the interests of our State. And protecting the interests of our State is a primary task of an Oregon licensed pilot. One of the main safety benefits of having an Oregon pilot on such a vessel is that the Oregon pilot is independent from the pressures vessel owners might place on their own seagoing personnel. Oregon's system of pilotage ensures that independent Oregon pilots can make safety decisions without outside influence and based instead on safety considerations.

The Columbia River Bar Pilots oppose HB 2695, as introduced. Oregon's system of pilotage is working, and legislating a cost savings to a segment of the industry is not a good reason to forego the safe and efficient provision of pilotage services by Oregon licensed pilots.

Very truly yours,

Michael E. Haglund

MEH:pav