OREGON PILOTAGE TARIFF NO. A-10

❖ ❖ ❖ ❖ ❖ ❖

naming rates and charges for:

COLUMBIA RIVER BAR

Original Issue Date: June 1, 2010
Amended: April 8, 2014
Revised Effective: October 15, 2020

COLUMBIA AND WILLAMETTE RIVER

Original Issue Date: June 1, 2010
Revised Effective: September 1, 2020

COOS BAY BAR
YAQUINA BAY BAR

Original Issue Date: May 1, 2002
Revised Effective September 1, 2020

❖ ❖ ❖ ❖ ❖ ❖

Oregon Board Of Maritime Pilots
State Office Building, Suite 507
800 N.E. Oregon Street
Portland, Oregon 97232
Fax: (971) 673-1531
(971) 673-1530

Table of Contents

Section 1. GENERAL INFORMATION 3
Section 2. COLUMBIA RIVER BAR PILOTAGE GROUND 6
Section 3. COLUMBIA AND WILLAMETTE RIVER PILOTAGE GROUND 8
Section 4. COOS BAY BAR PILOTAGE GROUND 11
Section 5. YAQUINA BAY BAR PILOTAGE GROUND 13

NOTES:

1. This tariff supersedes the last published rates for Oregon Pilotage Tariff No. A-9. Changes from the last issued rates are noted in **bold** type. Revisions will be made by printing the revised pages, or reprinting of the entire tariff, subject to the number of revisions.

2. Board Orders 09-02 (Amends Order 08-01), 10-01 & 10-02 continue, for each pilotage ground, to fund Continuing Professional Development (CPD). Each pilotage group is required to report annually to the Board any excess or deficit in fees collected, and all expenditures in connection with CPD. This charge may be adjusted annually to reflect any excess or deficit amounts. Board Order BP 19-01 Changes the formula for adjusting CPD for the Columbia River Bar pilotage ground.

3. Board Order 09-02 for the Coos/Yaquina Bay pilotage grounds initiated a 25% increase in most tariff items effective May 1, 2009, to address a severe decline in shipping.

4. *Helicopter/Pilot Boat Transportation System.* Board Order 10-02 (Columbia River Bar pilotage ground) funds all aspects of the helicopter/ pilot boat transportation system with two surcharges in tariff item 1 of Section 2. The surcharge funds the annual cost of the mortgage payments on the pilot boats *Astoria* and *Columbia*. This is a quarterly adjustment based on an annualized vessel transit formula.

5. *Board Operations Fee.* A Board operations fee was approved by the 2013 Legislature to fund expenditures related to regulatory oversight of pilotage in the State of Oregon.

AUTOMATIC ADJUSTMENTS. There are five automatic rate adjustment mechanisms:

- *Inflation:* Board Orders 09-02, 10-01 and 10-02 continue an annual automatic rate adjustment that started September 1993, to reflect changes in the Consumer Price Index (CPI). This adjustment will continue to apply to most tariff items each September as long as this tariff remains in effect. The annual adjustment for 2018 was changed to reflect the deletion of the Portland-Salem area index. The Western Region index will be used instead (Board Order 18-01).
- *Fare-box Benefit Expenses:* Board Order 10-01 continues an annual automatic rate adjustment applicable to the Columbia-Willamette River pilotage ground, to reflect changes in fare-box benefit expenses from deaths or retirements. The adjustment is made pursuant to the formulae prescribed by the order. Each adjustment occurs immediately after the corresponding CPI adjustment. This adjustment does not apply to the surcharges and pension assessments listed in items 1, 9, 10, 11, 14, 15, and 16 of Section 3, or the surcharges in Section 2. The pension assessments are subject to the automatic CPI adjustment.
- *Fuel Pass-Through Cost:* Board Order 10-02 continues adjustment mechanism applicable to aviation fuel for the helicopter and diesel fuel for the pilot boats. The adjustments will be made on a quarterly basis on actual fuel expenses during the prior quarter.
- *Number of Pilots/TGI:* Board Order 14-01 continues a quarterly adjustment mechanism for the Columbia River Bar pilotage ground, whereby the number of pilots funded by the tariff and the target gross income will be adjusted quarterly (but not lower than 17.07 FTE) based on changes in vessel transits, billable vessels, average vessel draft and average vessel gross registered tons.
- *Traffic-Related Increases:* Board Orders 10-01 and 10-02 implement a sliding scale for adjusting tariff rates when vessel transit projections exceed certain levels.

Section 1. GENERAL INFORMATION

A. Application

The rates, terms, conditions and rules specified in this tariff apply to all pilotage services provided by Oregon licensed pilots. If a dispute should arise concerning the applicability of any provision in this tariff, resolution of the dispute shall include consideration of custom and practice. In resolving disputes, consideration shall also be given to the rate order making the tariff effective and to the factual record supporting the rate order.

B. Responsibility and Insurance

The provisions of ORS 776.510 and ORS 776.540 are incorporated into and made a part of this tariff. By reason of the option granted by ORS 776.510, the rates and charges named in this tariff do not include the cost of marine insurance insuring the licensee, trainee and any organization of pilots to which the licensee or trainee belongs, the vessel, its owners, agents or operators from the consequences of negligence or errors in judgment of the licensees, trainees or organizations of pilots.

However, upon reasonable notice to the licensees in writing from the vessel, its master, owners, agents or operators, the licensees parties hereto will procure such insurance on a "trip" basis in an amount equal to the value of the vessel and its cargo, or such other amount as may be agreed upon between the licensees and the vessel, its master, owners, agents, or operators, insuring the licensees and the organization of pilots to which they belong against all claims or demands arising from or based upon, directly or indirectly, pilotage of the vessel. The premium for such insurance shall be assessed in addition to the rates and charges specified herein.

The election of the vessel, its master, owners, agents or operators not to request licensees parties hereto to procure such insurance and thereby elect to have the pilots parties hereto perform services on the rates and charges specified herein shall constitute a binding and irrevocable agreement on the part of the vessel, its master, owners, agents or operators to the terms and conditions of the following:

It is understood and agreed, and is the essence of the contract under which services of the licensee are tendered to and accepted by the vessel, its master, operators, and owners, that:

1. The services rendered hereunder are rendered by a licensee;

2. The services of any individual licensee have been voluntarily accepted and are voluntarily rendered pursuant to the election authorized by ORS 776.510;

3. Such services are advisory in nature only, the master of the vessel remains at all times in full command of the vessel and empowered to relieve the licensee of duties;

4. The services of the licensee and, if applicable, trainee are accepted on the express understanding that when the licensee and trainee go aboard the vessel the licensee and trainee become the servants of the vessel and its owners and operators. Except as to such personal liability and rights over as may arise by reason of willful misconduct or gross negligence of the licensee or trainee, the master, owners, or operators of the vessel expressly covenant and agree:

(a) Not to assert directly or indirectly, any personal liability against the licensee, trainee, any organization of pilot to which the licensee or trainee belongs, and any members of such organization;

(b) Not to respond in damage (including any rights over) arising out of or connected with, directly or indirectly, any damage, loss or expense sustained by the vessel, it master, owners, operators and crew, and any third parties (including cargo), even though resulting from acts or omissions of any organization of pilots to which the licensee or trainee belongs, from acts or omissions of its members, or any acts or omissions of the licensee or trainee; and

(c) To defend, indemnify and hold harmless the licensee, trainee, any organization of pilots to which the licensee or trainee belongs, and any members of such organization, from any claims whatsoever for damages, loss or expense arising out of, or connected with any acts or omissions of the licensee, trainee or organization of pilots which relate, directly or indirectly, to pilotage of the vessel;

5. The master, owners and operators of the vessel shall not be liable to indemnify and hold harmless the licensee, trainee and any organization of pilots to an extent greater than the amount to which the liability of the vessel, its owners and operators, is limited by reason of contract, bill of lading or statute, including but not limited to, the Limitation of Liability Act (46 U.S.C. §§ 181-189), the Harter Act (46 U.S.C. §§ 190-195), the Carriage of Goods by Sea Act (46 U.S.C. §§ 1300-1315), and the Federal Water Pollution Control Act (33 U.S.C. § 1321); and

6. The fees charged for the services rendered by the licensee and trainee have been computed and are assessed in accordance with and based upon the above stipulations.

C. Liability for Charges

Attention is directed to the provisions of ORS 776.445, reading as follows*: "In addition to the lien of the licensee upon the vessel for any sum due for piloting, the master, owner, and consignee or agent are jointly and severally liable to the licensee therefor."* This shall apply whether the person or persons ordering such services are doing so on behalf of a disclosed or undisclosed principal.

D. Orders for Services

Orders for pilots should be made to the pilots' dispatching offices during the hours set forth and in the manner requested under the sections for each respective ground. Due care shall be exercised in placing orders and in keeping the pilots informed with respect to any changes in time of operations in order that efficient service may be provided.

E. Services for Which Rates Not Fixed

(Extraordinary pilotage services, services to vessels in distress, salvage services, etc.)

With respect to services for which rates are not fixed by this tariff, the pilot shall invoice reasonable charges for services rendered. Within ten (10) days after invoice is presented, the party invoiced may apply to the Oregon Board of Maritime Pilots for a reduction or modification of the charges. In the event of such application, the decision of the Board shall be final and binding.

F. Vessel Assistance

If weather, tide, or other conditions warrant, the pilot may recommend a tug or tugs, but the final decision shall be that of the master.

G. Rates and Charges

Rates are in dollars per move or per item of service for each pilot employed.

H. Definitions

1. **Draft and Tonnage Rates.** The rates established by the Oregon Board of Maritime Pilots pursuant to ORS 776.115 are based on the actual deepest draft and the international gross registered tonnage of the vessel being piloted.

2. **Detention (Stand-by).** Detention is the delay of a pilot for any period of time in excess of that normally required to commence or terminate pilotage services. Detention shall specifically include the detaining of a pilot aboard a vessel or craft after the termination or during interruption of services; and the interval between reporting for duty as ordered and the actual time of commencement of pilotage.

(a) Commencement

1. When anchoring for any reason whatsoever, when anchor is let go.

2. After arrival at a shore structure or other moorings; when the order is given "finished with engines", or when tugs are dismissed from tow.

3. The time a pilot is ordered to report to the vessel by the person ordering the services and the pilot reports as ordered.

(b) Termination

1. When departing from anchorage; the time when anchor is aweigh.

2. When adequate facilities are provided and are ready for the pilot to leave the vessel.

3. The time a pilot gives the first orders relative to commencement of regular pilotage service.

Detention shall not include any additional time required to pilot the vessel or craft by reason of any act of God, or any other force majeure acting directly on the vessel itself, but shall include, however, without limitation, delays or additional time occasioned by fog or adverse weather; breakdown of the vessel, its machinery and equipment; impassability of the waterway being traversed; conditions requiring the pilot to reduce speed or engage in unusual maneuvers to delay the arrival of a vessel at berth or anchorage; operating a vessel under reduced boiler capacity (or reduced horsepower); and time lost in standing by or anchoring because the vessel cannot be moored; or for any other reason apart from normal pilotage.

❖ ❖ ❖ ❖ ❖ ❖

Section 2.

COLUMBIA RIVER BAR PILOTAGE GROUND 503-325-2641			
ITEM	SERVICE	RATES & CHARGES	MINIMUM
1	Inbound or outbound between Astoria and the sea Transportation Surcharge Pilot Boat Surcharge Fuel Surcharge Traffic Adjustment Continuing Professional Development Charge	**$ 15.5363** per draft foot and **$ 0.0808** per gross registered ton **$ 2,754.06** **$ 294.49** **$ 141.51** $ 366.35 $ 49.21	
2	Vessel under tow inbound or outbound between Astoria and the sea	Towing vessel - per Item 1 Each towed vessel - per Item 1	$ 400.00 $ 400.00
3	Shifting vessels *(applies to shifts between docks, between anchorages, and/or between docks and anchorages)*	$ 750.00	
4	Pilot reporting where in his/her good judgment it is safe to proceed, but master declines to proceed	$ 300.00	
5	Pilot reporting and ship movement canceled *(Not applicable if upon advice of the pilot, cancellation due to stress of weather or tidal conditions)*	$ 300.00	
6	Swing ship for compass adjustment or calibration *(If weather and/or tide conditions warrant, tug or tugs will be recommended by the pilot, but the final decision relating thereto shall be that of the master.)*	$ 300.00	
7	When vessel enters from sea to put a person ashore or aboard a small craft or other like purpose and then returns to sea: 1. If vessel does not proceed past Clatsop Spit Buoy No.12 2. If vessel proceeds past Clatsop Spit Buoy No.12	1½ times regular inbound pilotage fee Full inbound and outbound pilotage fee	

Section 2. COLUMBIA RIVER BAR PILOTAGE GROUND

ITEM	SERVICE	RATES & CHARGES	MINIMUM
8	Vessel proceeds to sea and later returns to Astoria to anchorage: 1. If vessel does not proceed past Clatsop Spit Buoy No.12 2. If vessel proceeds past Clatsop Spit Buoy No.12	1½ times regular inbound pilotage fee Full inbound and outbound pilotage fee	
9	Detention or standby, per hour or fraction thereof *No charge for first hour unless pilot detained over one hour, in which case all detention will be charged*	$ 150.00 First hour $ 300.00 Each additional hour	
10	Pilot carried off station unwillingly or through no fault of pilot	Expenses incurred in return to station in Astoria, plus $ 300.00 per day from the time pilot is carried off station until again in a position to resume duties in Astoria	
11	Moving vessels not propelled by their own power	$ 1,150.00	
12	Pilot is ordered to board vessel at other than regular and customary boarding stations and, as a consequence, transportation expenses in excess of those normally incurred are actually expended	Actual expenses incurred in excess of those normally expended	
13	Inbound between the sea and Astoria: Board Operations Fee	$50.00	

Section 3.

COLUMBIA AND WILLAMETTE RIVER PILOTAGE GROUND 503-289-9922			
ITEM	SERVICE	RATES & CHARGES	MINIMUM
1	Inbound from Astoria or Outbound to Astoria Transit Fee: Continuing Professional Development Charge: Pension Assessment:	$ 36.3506 per draft foot and $ 0.2035 per gross registered ton $ 645.91 $ 166.51 $ 328.21	500 gross registered tons or less, $ 706.97 over 500 gross registered tons, $ 883.64
1a	Length charge	$ 353.51 each 50 feet, or fraction thereof, more than 599' LOA, inbound or outbound	
2	Stopping at points between Astoria and Portland (either inbound or outbound), each stop	$ 1,343.18	
3	Pilot reporting and ship movement canceled within Portland or Vancouver harbor, in addition to regular detention charge, if any	$ 247.47	
4	Pilot reporting and ship movement canceled outside Portland or Vancouver harbor, in addition to detention charge, if any	$ 353.51	
4a	Pilot made available and ship movement canceled at Astoria, in addition to regular detention charge, if any	$ 530.24	
5	Detention per hour or fraction thereof *No detention if pilot detained one hour or less. If pilot detained more than one hour, detention for first hour will be charged.* Maximum charge per day	$ 212.11 First hour $ 319.07 Each additional hour $ 2,142.17	

Section 3. COLUMBIA AND WILLAMETTE RIVER PILOTAGE GROUND

ITEM	SERVICE	RATES & CHARGES	MINIMUM
6	Whenever a vessel has to stand by, or anchor, and cannot proceed to berth because occupied or for any other reason, the indicated charge will be made, per hour or fraction thereof, in addition to shift charge to berth. Maximum charge per day	$ 212.11 First hour $ 319.07 Each additional hour $ 2,142.17	
7	Launch service necessary for transportation of pilots to or from vessels will be for the account of the vessels, except launch service at Astoria, which will be paid for by the pilot but invoiced to the vessel by the pilot at pilot's cost.	At cost	
8	Docking a vessel stern first in slip, or head down, at master's, owner's or agent's request (Not applicable to harbor moves)	$ 353.51	
9	Shifting or turning vessels at dock in Portland Harbor Continuing Professional Development Charge: Pension Assessment:	$ 989.64 and $ 36.3506 per draft foot $ 166.51 $ 105.59	
10	Shifting or turning vessels outside Portland Harbor Continuing Professional Development Charge: Pension Assessment:	$ 1,131.06 and $ 36.3506 per draft foot $ 166.51 $ 105.59	
11	Moving vessels not propelled by their own power outside Portland or Vancouver Harbor Continuing Professional Development Charge: Pension Assessment:	Double regular pilotage $ 166.51 $ 328.21	
12	Shifting vessels not propelled by their own power in Portland or Vancouver Harbors, or from distances of less than 10 miles outside Portland or Vancouver Harbor Continuing Professional Development Charge:	One and one-half times regular shift charge $ 166.51	

Section 3. COLUMBIA AND WILLAMETTE RIVER PILOTAGE GROUND

ITEM	SERVICE	RATES & CHARGES	MINIMUM
13	Swing ship for compass adjustment, three turns or less	$ 530.24	
	Each additional turn	$ 212.06	
14	Harbor moves, Portland Harbor	$ 989.64 and $ 36.3506 per draft foot	
	Continuing Professional Development Charge:	$ 166.51	
	Pension Assessment:	$ 105.59	
15	Interport moves	$ 1,343.18 and $ 36.3506 per draft foot	
	Continuing Professional Development Charge:	$ 166.51	
	Pension Assessment:	$ 105.59	
16	Barges under tow:		
	Nine hours or less pilotage service	Regular pilotage	$ 706.97
	Over nine hours - under fifteen hours	1-½ times regular pilotage	$ 1,060.37
	Over fifteen hours	Double regular pilotage	$ 1,413.78
	Continuing Professional Development Charge:	$ 166.51	
	Pension Assessment:	$ 105.59	
17	Outbound to Astoria: Board Operations Fee	$50.00	

Section 4.

COOS BAY BAR PILOTAGE GROUND 541-267-6555			
ITEM	SERVICE	RATES & CHARGES	MINIMUM
1	Inbound or outbound Continuing Professional Development Charge Board Operations Fee	$ 58.7691 per draft foot and $ 0.3367 per gross registered ton $ 39.67 $ 50.00	$ 3,727.04
2	Vessels under tow, inbound or outbound Continuing Professional Development Charge	Towing vessel - per item 1 Each towed vessel - per item 1 $ 39.67	$ 3,727.04 $ 3,727.04
3	Boat service: Whenever necessary for a pilot to use boat service to and from a vessel any place in Coos Bay, the cost shall be borne by the vessel	At cost	
4	Harbor moves: A. From lower to upper bay & vice versa, through bridges, including turning at upper or lower basin B. Moving vessels in upper or lower bay, including turning at either of two basins C. Moving vessels from dock to dock including turning (upper or lower bay) D. Moving vessels from anchorage to dock, or dock to anchorage	 $ 2261.67 $ 2261.67 $ 2261.67 $ 2261.67	
5	Pilot carried away from station	Actual expenses and per diem of $ 1,128.59	

Section 4. COOS BAY BAR PILOTAGE GROUND

ITEM	SERVICE	RATES & CHARGES	MINIMUM
6	Uncorrected orders: When vessels, owners, or agents do not correct their estimated time of arrival within four hours of ETA last given, compensation will be charged and applied starting at the last estimated time of arrival given until arrival	$ 282.20 per hour	
7	Pilot requested to board a vessel other than at normal station	Actual expenses plus $ 1,128.59 per diem	
8	Detention per hour or fraction thereof *No detention if pilot detained one hour or less. If pilot detained more than one hour, detention for first hour will be charged.* Maximum detention charge per day	$ 508.57 $ 3,389.87	
9	Boarding Fee: Per each boarding/disembarking from a vessel	$ 786.51	

Section 5.

YAQUINA BAY BAR PILOTAGE GROUND 541-267-6555			
ITEM	SERVICE	RATES & CHARGES	MINIMUM
1	Inbound or outbound Continuing Professional Development Charge Board Operations Fee	$ 58.7691 per draft foot and $ 0.3367 per gross registered ton $ 39.67 $ 50.00	$ 3,727.04
2	Vessels under tow, inbound or outbound Continuing Professional Development Charge	Towing vessel - per item 1 Each towed vessel - per item 1 $ 39.67	$ 3,727.04 $ 3,727.04
3	Launch and service necessary for transportation of pilot to or from vessels	At cost	
4	Harbor moves	$ 2,261.67	
5	Pilot carried away from station	Actual expenses and per diem of $ 1,128.59	
6	Uncorrected orders: When vessels, owners, or agents do not correct their estimated time of arrival within four hours of ETA last given, compensation will be charged and applied starting at the last estimated time of arrival given until arrival.	$ 282.20 per hour	

Section 5. YAQUINA BAY BAR PILOTAGE GROUND

ITEM	SERVICE	RATES & CHARGES	MINIMUM
7	Pilot requested to board a vessel other than at normal station	Actual expenses plus $ 1,128.59 per diem	
8	Detention per hour or fraction thereof *No detention if pilot detained one hour or less. If pilot detained more than one hour, detention for first hour will be charged.* Maximum detention charge per day	$ 508.57 $ 3,389.87	
9	Boarding Fee: Per each boarding/disembarking from a vessel	$ 786.51	