

STATE OF ALASKA  
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT  
DIVISION OF OCCUPATIONAL LICENSING  
BOARD OF MARINE PILOTS

Minutes of Teleconference Meeting  
July 17, 1989

In accordance with AS 08.01.070 and AS 08.62.030, and in compliance with AS 44.62.310 and AS 44.62.320, the Board of Marine Pilots held a meeting via the Alascom conference operator on July 17, 1989.

The meeting was called to order at 10:08 a.m. The following members of the board were present, constituting a quorum:

Jeff Bush, Chairman;  
Paul Taylor, Vice Chairman;  
Russell Sell; and  
William Lorch.

Board members Barney Elsensohn, Ed Murphy, and Mark Foster were unable to attend.

Also present from the Division of Occupational Licensing were:

Randall P. Burns, Director (arrived at 10:20 a.m.)  
Nancy Ferguson, Licensing Examiner  
Kevin Henderson, Regulations Specialist

Kevin Henderson explained the sole purpose of this meeting was to adopt as permanent the emergency amendments to 12 AAC 56.120(10) originally adopted by the board on April 12, 1989. This emergency amendment effectively moved the Valdez and Whittier pilot station approximately nine (9) miles south, southwest, to a new point beyond Bligh Island (outbound). The emergency amendment expires August 9, 1989 unless adopted as permanent by the board.

On a motion duly made by Paul Taylor and seconded by Russell Sell, it was

RESOLVED, to adopt emergency regulation 12 AAC 56.120(a)(10) as permanent.

Considerable discussion followed as to the merits of this emergency regulation and whether it should be made permanent or allowed to expire and thereby causing the Valdez and Whittier pilot station to revert back to its previous location.

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Paul Taylor expressed reservations about the impact that moving the pilot station will have on other nontanker shipping and was concerned that this regulation was reactionary in the wake of the Exxon Valdez grounding.

Russell Sell felt that keeping the pilot station at this new location will further burden and perhaps compromise the safety of state pilots having to board vessels further out in Prince William Sound.

William Lorch stressed that the safety of the pilots was his greatest concern and that the new pilot station location was in the middle of the traffic lane and in a place where ice commonly flows.

Jeff Bush expressed support for making this regulation permanent, pointing out that it was the wish of the administration and that public sentiment was strongly in favor of making this change. Reacting to the Exxon Valdez accident was prudent and appropriate.

Kevin Henderson explained that only one letter of comment was received and that it was in opposition to moving the pilot station at all. The apparent lack of response indicated to him that there was little opposition to this emergency change and that apparently the shipping industry was generally in support of it. Both Lorch and Sell suggested that the lack of response was only because of the political nature of these emergency regulations and that people were afraid to speak out against it.

Members expressed regret that the two pilot members were not present so that their perspectives could be heard.

Randall Burns joined the meeting at 10:20 a.m.

Randall Burns felt that it would be a mistake not to make this emergency regulation permanent in light of the sentiment of the administration and the public. When this regulation was originally adopted at the April meeting, there was no thought at that time of making it a temporary provision. If the board wishes to move the pilot station back to its original location, there should be additional public hearing so that everyone involved is informed of that as a possibility. There currently seems to be little opposition to the new location.

William Lorch indicated that reconsidering this later will be useless because the industry will have already made a 10 million dollar capital investment necessary to comply with the new pilot station.

Randall Burns indicated that this issue would be placed on the agenda of the next meeting of the board for a more thorough reconsideration. He stressed, however, that in the meantime, this regulation change should be made permanent.

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The question was called:

"Should the Board of Marine Pilots adopt as permanent the emergency amendments to 12 AAC 56.120(a)(10)?"

The results of the roll call vote were:


William Lorch	Yes
Russell Sell	No
Paul Taylor	Yes
Jeff Bush	Yes

Motion carried. This emergency regulation will be made permanent.

The meeting adjourned at 10:45 a.m.

Respectfully submitted,

  
Kevin D. Henderson  
Regulations Specialist

  
Jeff Bush, Chairman  
Board of Marine Pilots