



MEETING MINUTES 18 April 2018

STATE OFFICE BUILDING, NINTH FLOOR, CONFERENCE ROOM 'A'
333 W. WILLOUGHBY AVE., JUNEAU

By authority of AS 08.01.070(2), AS 08.62.030 and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Marine Pilots was held.

Item 1. Roll call/Call to order

Marine Pilot Coordinator Charles Ward called the roll at 0900

Board members present: Chairman Mike Navarre, Mr. Tom Rueter; Capt. David Arzt, Capt. Ronald Ward, Mr. Les Cronk and Ms. Peggy McLaughlin. A quorum was present.

Charles Ward was in attendance and recorded minutes. Melissa Dumas, Administrative Officer II and Marylene Wales, Accountant III from the Division of Corporations, Business and Professional Licensing attended a portion of the meeting to provide the financial report.

Captains Frank Didier, Mark Lundamo, Ed Sinclair, Scott Jones, Jeff Baken and Kathleen Flury from Southeast Alaska Pilots Association (SEAPA); Capt. Andrew Wakefield and Ms. Jenni Zielinski from Southwest Alaska Pilots Association (SWAPA); Capt. Bill Gillespie from Alaska Marine Pilots (AMP); Mr. Paul Axelson from North Pacific Maritime, Inc. (NPMI); Mr. Jim Lee from Alaska Maritime Agencies; Lt. Bart Buessler from the NOAA Coast Survey; Cmdr. Nick Neely from the U.S. Coast Guard (USCG); Mr. Mike Tibbles from the Alaska Steamship Association (ASA); Mr. Gary Messer from Pacific Reefer Logistics (PRL); Mr. Rick Erickson from Cruise Line Agencies of Alaska (CLAA) and Mr. Ron Hildebrandt of Trident Seafoods were in attendance.

Item 2. Review Agenda

Ronald Ward moved the agenda be approved as presented. McLaughlin seconded. There was no discussion. The motion passed unanimously.

There were no declarations or recusals.

Item 3. Approval of minutes

Arzt moved approval of the minutes from the 17 January meeting as presented. Ronald Ward seconded. There was no discussion. The motion passed unanimously.

Item 4. Recognitions

Ronald Ward welcomed Navarre and Cronk to the Board. Navarre thanked the Board for electing him its chairman.

Item 5. Report on possible changes to Southeast Alaska federal pilotage requirements

Neely said a Southeast Alaska Pilotage Action Committee (SEAPAC) workgroup was looking into the possible changes to Southeast Alaska pilotage. Said some of the proposed changes got the group to look at the fundamental definitions used in federal pilotage. Said there were disagreements about the meanings of those terms and the implications of those disagreements. Said questions were defining the boundaries of the authorities for federal endorsements, and determining what endorsements are on the license, and what does Coast Guard need to do to ensure vessels have a properly trained pilot. Said federal pilotage only applies to U.S. vessels of a certain size, oil tankers, barges, vessels carrying passengers and other inspected vessels more than 1,600 gross tons. Said the only vessels in Southeast that required federal pilotage were Alaska Marine Highway System (AMHS) vessels. Said there needed to be enough vessels requiring a first-class federal pilot in a given area to justify requiring a federal pilotage endorsement for that area. Said large foreign vessels are taken care of by state pilots. Said Coast Guard was solely focused on U.S. tonnage traffic. Said a long-standing tradition included foreign vessels, particularly cruise ships, and their routes, in federal pilotage requirements. Said goal was to look at what federal pilots need to do without going too far into state pilotage. Said that leads to a debate as to what areas will be designated, meaning having federal pilotage endorsements for those areas, and which places would be non-designated. Said there were proposals on the table that have been given to the workgroup, and said the U.S. Coast Guard was waiting on feedback from SEAPA and AMHS.

Hildebrandt asked how many vessels this would affect that are not currently covered by the state.

Neely said state pilots cover foreign vessels. Neely said the only vessels that needed federal pilotage he was aware of were AMHS vessels weighing more than 1,600 tons.

Hildebrandt asked what had triggered the proposed changes.

Neely said there was a disagreement about what the definitions meant. Said the stakeholders had different interpretations of the terms.

Arzt asked how long the workgroup had been composed.

Neely said the workgroup had begun in the fall of 2017, and would finish up in fall of 2018.

Arzt asked if there was public comment for this process.

Neely said there was not.

Arzt asked if other Regional Exam Centers (REC) in Alaska or outside Alaska were conducting a similar process.

Neely said all Officers in Charge, Marine Inspection (OCMI) decide how to manage federal pilotage. Said they will do what makes sense for their area. Said Juneau had one of the most up-to-date set of rules and guidelines in the Coast Guard.

Arzt asked if the Anchorage REC was involved in this process.

Neely said it was not. Said Anchorage REC did not have authority over Southeast.

Rueter asked if AMHS vessels were the only vessels subject to federal pilotage.

Neely said that was correct. Said there had been no large U.S. vessels or tank barges subject to federal pilotage. Said there were smaller vessels with different requirements.

Rueter asked what the minimum size of tank barge is that needs a federal pilot.

Neely said 10,000 gross tons.

Rueter asked if other U.S. vessels weighing more than 1,600 gross tons were subject to pilotage.

Neely said yes, if they had to be inspected. Said NOAA vessels, for example, did not have to be inspected, so they were not subject to federal pilotage.

Navarre asked for a list of stakeholders in the SEAPAC workgroup.

Neely said SEAPA, AMHS, the Marine Pilot Coordinator and Masters, Mates and Pilots union had been involved.

Arzt asked if the traffic patterns being analyzed were for 1-2 years, or if the evaluation went beyond that.

Neely said the evaluation was based on AIS traffic over the past year.

Arzt asked if the changes to federal pilotage requirements were based on a one-year traffic pattern.

Neely said they were based on that traffic pattern, plus local knowledge about traffic in the area. Said if anyone knew of additional vessels that required federal pilotage that the Coast Guard was unaware of, he said he would be happy to take that information.

Wakefield asked what the advantages were of having AMHS vessels transit the potentially non-designated areas were if the pilots were not properly trained.

Neely said federal pilotage is required for all areas AMHS transits.

Wakefield said the proposal would eliminate pilotage requirements in several areas.

Neely said it would only eliminate areas where AMHS doesn't currently go. Said AMHS would see no change to its operations.

Didier said SEAPA provided federal pilots. Said the traffic the Coast Guard was unaware of was the unscheduled traffic. Said SEAPA provided a federal pilot for a tank barge coming into Ketchikan in 2017. Said SEAPA provided a federal pilot for three Crowley Maritime vessels in 2017. Said SEAPA was working with two chemical barges interested in coming into Southeast. Said since federal pilotage was the basis for training for Southeast, augmented by additional training for state pilots. Said state pilots maintained local knowledge for federal waterways. Said this created a symbiotic relationship which allowed SEAPA to meet the demand for irregular federal pilotage needs.

Neely said there were clear ways in the regulations to deal with irregular situations. Said, for example, the tank barge that came into Ketchikan in 2017 used AMHS routes.

Didier asked about Gastineau Channel.

Neely said if federal pilotage was not required in Gastineau Channel, a federal pilot would not need an endorsement for Gastineau Channel.

Didier asked if the Coast Guard would sign off on a 155,000-barrel tank barge coming into Gastineau Channel without a federal pilot.

Neely said since those types of trips were irregular, that was a risk the Coast Guard could manage.

Arzt asked how many areas the Coast Guard was looking to make non-designated. Asked if plan was tailored to the AMHS.

Neely said AMHS was the Coast Guard's main customer for federal pilotage.

Arzt said the Board had just heard about three or four vessels transiting in designated waterways, and that was not infrequent.

Neely said the Coast Guard was happy to look at whatever data SEAPA wanted to provide about irregular, nonscheduled traffic. Said other than vessels that came up in spring of 2017, AIS data did not show any other U.S. vessels required to have a federal pilot besides AMHS vessels. Said vessels required to take on a federal pilot would be big enough that they would also be required to use AIS.

Arzt asked if the stakeholders were able to see the data the Coast Guard is using.

Neely said the Coast Guard was waiting on data from the main work group. Said he could provide the traffic chart the Coast Guard was using. Said the process was not open to public comment, and the process was one that had been in use for about a decade.

Wakefield said non-designation of Southeast routes had been attempted before, about 10 years ago.

Neely said he was aware of that past process.

Wakefield asked why that process failed 10 years ago.

Neely said the issue 10 years ago, the Coast Guard was improperly issuing first-class pilotage endorsements for areas where pilots could not show their knowledge. Said the intent was to issue federal pilotage endorsements to people that have proven and shown they have local knowledge of the waterway, and be that local expert for vessels that come in. Said the Coast Guard was not doing that correctly. Said during the previous process, one of the options on the table was to cut down federal pilotage endorsements to the places where there is traffic. Said during the previous process, the OCMI at Juneau at the time said the Coast Guard wanted to expand the areas to encompass a larger area.

Axelson said traffic patterns change. Said NPMI did a lot of work with changing traffic patterns. Asked how an area would be added back in if the need arose.

Neely said the Coast Guard was looking at that process. Said there would be a set procedure in place for how to do that. Said if there are known areas that are going to open up, the Coast guard would know about that and plan for it. Said SEAPAC met twice a year, and it could adjust to anything that comes in.

Arzt asked how many federal pilotage areas there were in Southeast currently.

Neely said there were approximately 35.

Arzt asked if the Coast Guard would change the designated areas. Asked if any would be added.

Neely said under the current proposal, some areas would be removed from federal pilotage requirements. Said the areas removed would be areas where traffic requiring a federal pilot does not go. Said, for example, there was no traffic requiring a federal pilot going into Hawk Inlet, Gastineau Channel or Glacier Bay, at least to the degree that would create a risk to the waterway and justify making those designated federal pilotage areas. Said those were examples.

Arzt asked if the exposure, risk and traffic density in Gastineau Channel warranted having a federal pilotage requirement there.

Neely said no.

Arzt asked if that was based on patterns for the last year or two.

Neely said it was.

Cronk asked what happened to Southeast pilots that pilot into areas that would become federally non-designated. Said there was vessel traffic into areas proposed to become non-designated. Asked if there would be a grandfather clause.

Neely said there would be a grandfather clause for currently licensed federal pilots for areas that would become non-designated. Said areas currently listed on their first-class pilotage endorsements would remain.

Rueter said the state of Alaska depends on pilots that are federally licensed to come into the state pilotage system for training and advancement. Asked how eliminating federal pilotage areas would affect that system.

Neely said the Coast Guard was in contact with Charles Ward. Said Charles Ward said, from a state standpoint, he would check to see what pilotage was required at the time they applied, check their Merchant Mariner Credential to see if they had those things and, if they did, they would have all the areas in Southeast they could possibly get, and they could continue to work. Said impacts to training programs were outside of his purview.

Ronald Ward asked if a rising applicant successfully tested for all available federal pilotage areas, his federal license would read "Southeast Alaska."

Neely said that would need to be determined by the stakeholders.

Ronald Ward said that was extremely important to the Board, as a state regulator. Said you cannot have a state license unless you have full federal pilotage for the area you seek a state license. Said if pilotage is removed, Charles Ward will have to track the requirements. Asked if the proposed changes had been submitted to the Coast Guard's legal staff. Said there may be some legal ramifications to removing long-standing pilotage areas. Asked if AMHS entered Gastineau Channel.

Neely said AMHS entered Auke Bay, not Gastineau Channel. Said once full comments had been received and decisions had been made, Coast Guard District 17's legal staff would be consulted.

Arzt said the Board as a whole had only been aware of the issue for a short time. Said it was disturbing that changes were being considered after reviewing one or two years of traffic patterns. Said issue presented a significant maritime safety issue. Said maintaining federal pilotage in Gastineau Channel, for example, was a good standard of care.

Ronald Ward said Gastineau Channel had four large cruise ships per day on a regular basis in the summer. Said the Coast Guard would be involved in any maritime casualty.

Neely said he had full faith and confidence in the state pilot program and the pilots on the cruise ships. Said, based on available data and historical knowledge, there was not a lot of U.S. tonnage vessel traffic. Said he understood concerns, but would want those concerns founded on actual data.

Arzt said it was hard to quantify prevention.

Cronk said that a state pilot in Southeast had to have full federal pilotage for Southeast. Asked how making areas of Southeast non-designated would affect state pilotage.

Neely said he understood the state pilotage requirements to be based on the full federal pilotage available to the mariner at the time of application.

Cronk asked if an area became a non-designated federal pilotage area, would current state pilots lose that as a pilotage area.

Neely said upcoming pilots would not have that area, but existing pilots would not lose it.

Arzt said no one would have a federal pilotage license for that area, because there is no federal pilotage for that area.

Cronk asked how that would affect the state pilot license in that area.

Arzt said it wouldn't, because all the state would look at is what is required for the federal license.

Ronald Ward asked what would happen to a state-licensed pilot if a federal pilotage area was added in their region. Said they cannot work in an area they are not licensed for. Said if a federal pilotage area was added, the pilot would have to complete the federal test for that area before they could work.

Neely said that was correct, if the pilot did not previously have that federal pilotage area.

Arzt asked if there would be a grandfathering provision if a federal area was removed from and then added back to the designated list.

Neely said if a federal area was removed from and then added back to the designated area list, the pilots that previously had that area on their federal licenses would have it again.

Arzt said as transition occurs in a pilot association, and as new pilots come in without critical areas on their federal license, if that area is re-designated as a federal pilotage area, that would be a problem for those mariners needing those areas on their federal licenses for state licensure.

Neely said part of the discussion will focus on how creating a process for designating a new federal pilotage area. Said those potential areas are extraordinarily limited. Said Gastineau Channel was the area most likely to need re-designation, should large amounts of U.S. tonnage traffic begin to come in there.

Didier said he currently had an unlimited federal license without exclusion for Southeast that covered 36 areas. Asked if areas were undesignated, would such a license be obtainable for new pilots.

Neely said it would not be.

Didier said pilotage for the entire region would then be unobtainable.

Neely said that was correct, insofar as the federal license would no longer cover all of Southeast.

Didier asked if new pilots would then be issued an inclusive license.

Neely said that was one option on the table.

Didier asked how that license would read.

Neely said, based on other federal pilotage areas, the Southeast license would be based off one area, then other areas would be added as the pilot became certified for them, with a definition of the boundaries of that license.

Didier said his concern was maintaining a level of training that allows pilots to be able to safely navigate in their respective regions, both now and in the future. Said he viewed the Coast Guard as a partner with the Alaska pilot associations in establishing a standard of care. Said the standard of care was set by many things, including examinations and trip requirements. Said he currently feels he is able to fulfill his obligation to the entire region he is licensed for. Said he viewed the proposed changes as a lowering of the standard of care. Said the current system maintains the standard of care. Asked why the current system could not be maintained.

Neely said, in addition to meeting standards of care, decisions had to be risk-based. Said the current risk, based on information on hand, did not justify federal pilotage requirements for areas vessels requiring federal pilots don't go. Said federal pilots would be spending a great deal of time and effort to get an endorsement that will not be used on a U.S.-inspected vessel.

Ronald Ward said that assessment was based on one year's traffic.

Neely said that, as more data became available in subsequent years, that data would be used to evaluate the federal pilotage areas. Neely said the Coast Guard had asked SEAPA multiple times for data, and had yet to receive any.

Rueter asked if a vessel that required a federal pilot would be precluded from going into an area that did not require federal pilotage.

Neely said no. Said masters and mates could show they had knowledge of an area that did not require federal pilotage.

Arzt said familiarity comes with observation trips. Said unless that familiarity could not be created on the spur of the moment. Said coordination with the Coast Guard was not the only criteria for being able to operate in an area without a federal pilot.

Neely said there are always options for the vessel crew to propose a bridging strategy, and the Coast Guard can make a determination on a case-by-case basis.

Arzt said that would create an economic hardship on the vessel.

Neely said he didn't believe it would.

Arzt said the current system provided professional mariners that provide the necessary safety measures for a given area.

McLaughlin asked if Neely would be willing to provide the Board with the data it had been reviewing for this process.

Neely said he would.

McLaughlin asked if there was a way for the Board to weigh in on that data.

Neely said comments and concerns from the Board could be sent directly to him. Said the Board could coordinate a response with SEAPA as well.

Navarre asked if vessels could contract with the pilot's association if they chose to do so.

Neely said they could. Said that if a company was going to make something a regular route, it would probably want to have its own crew to avoid economic hardship.

Didier said the companies SEAPA had worked with wanted to take on a state or federal pilot, as a matter of policy.

Neely said he did not expect Gastineau Channel would disappear from the state testing requirements. Said if a company proposed taking on a state pilot to provide safe navigation in non-designated areas, he believed the Coast Guard would approve that plan.

Hildebrandt asked if the state would have to adjust its licensing requirements to respond to creation of new non-designated federal areas.

Neely said his understanding was that the state review would be based on what federal pilotage was available at the time of application. Said state training programs may need to be adjusted.

Arzt asked how long SEAPA had been aware of this proposal.

Neely said these discussions began at the SEAPAC meeting in the fall of 2017.

Ronald Ward said the impetus for the Coast Guard's proposal was to reduce the burden for the Coast Guard, not the burden for mariners getting endorsements.

Neely disagreed. Said he wanted a shared understanding of what federal pilotage is.

Ronald Ward said he thought he understood what it was, based on a 40-year history.

Ronald Ward asked who initiated the federal pilotage review in Southeast in 2006.

Neely said the Coast Guard's work with the National Maritime Center led the Coast Guard to the conclusion it was issuing federal pilotage endorsements incorrectly.

Ronald Ward asked what changed after 2006.

Neely said the OCMi expanded the number of areas and what they covered.

Cronk said the Coast Guard was now proposing a reduction in the amount of areas. Said that didn't make a lot of sense.

Neely said the Coast Guard was looking at what the risk was and who the primary customers for federal pilotage were. Said that was AMHS. Said where AMHS transited was the biggest risk from a federal pilotage perspective.

Zielinski asked if the Coast Guard expanded federal pilotage in Southeast in 2006, and was proposing to reduce it now, what would keep the Coast Guard from expanding the area again.

Neely said the OCMI had always maintained that, as things such as casualties and traffic patterns changed in Southeast, federal pilotage would adjust. Said there was always the potential for change. Said there was currently no process for change, and the Coast Guard was trying to establish that.

Zielinski asked if that process was more work and inefficiency.

Neely said it was not.

Didier said he was uncomfortable in the change in the standard of care. Said the Coast Guard's review of traffic volume did not take into consideration the potential environmental risks. Asked if the standard was to be proactive now, or be incident-driven in the future.

Navarre thanked Neely for his presentation and his service. Said the Board would provide information to him, and would distribute information from him to the Board. Said he believed with Board participation an input, an appropriate risk assessment could be made.

Arzt asked if Charles Ward could obtain Neely's visual presentation that could not be shown due to technical difficulties.

Navarre said that could be done.

Item 6. Recognition for Rick Erickson's service to the Board of Marine Pilots

Navarre thanked Erickson for his eight years of service to the Board, and presented him with a certificate signed by all members present.

Item 7. 2018 yacht navigation packet

Charles Ward said he did not provide the entire yacht navigation packet in the Board packet for this meeting, per the Board's request. Said the entire packet was available online. Said the table of contents was available in the Board packet. Said the only changes were updates certain elements of the packet to their newest versions. Said the content was essentially the same as the 2017 packet. Said he solicited input from all six registered vessel agents, and had received none.

Ronald Ward moved the 2018 yacht navigation packet be approved as presented. Rueter seconded.

Cronk quoted Churchill in saying the length of the document guards it well against it being read. Said more items should not be added, so that critical information is more likely to be read.

The motion passed unanimously.

Charles Ward said the document would be available online.

Item 7. Public comment

Flury said SEAPA does not agree with the changes to Southeast federal pilotage requirements as proposed by the USCG. Said it believed it was a lowering of the standard of care. Said SEAPAC had been meeting, but responding to the proposed changes was too difficult, given the rising cruise season. Said the proposed removal of 14 areas needed to be looked at closely. Said SEAPA was hoping to discuss the matter in the fall of 2018, but that was only an estimate of possible response time. Said the proposed changes are big, and will affect pilots and commerce in the region.

Break at 0954.

Back on the record at 1003.

Item 7. Financial update

Dumas said the financials from the third quarter of fiscal year (FY) 2018 had become available last night, and presented those. Said the Board had \$11,850 in revenue in FY 2018 through 31 March 2018. Said figure was low compared to FY 2016 (the last non-renewal year), but said that was likely due to the influx of revenue the Board gets in the fourth quarter of fiscal years.

Cronk said that influx of revenue in the fourth quarter was due to yacht exemptions.

Dumas said personal services costs were mostly the marine pilot coordinator's time, but may include time for the regulations specialist or investigators. Said the cost for personal services was \$60,208. Said travel costs were \$9,732. Said those would increase in the fourth quarter due to this Board meeting. Said travel was all in-state, except one out-of-state trip. Said contractual costs were low compared to previous years. Said total direct expenditures were \$72,867 through the third quarter. Said expenditures were consistent with the Board's budget. Said the indirect expenditure cost provided was a placeholder, as that won't be determined until the end of the fiscal year. Said her estimate was indirect expenditures would be about \$19,800, which would be a 2 percent increase over FY 2017. Said total expenses were \$87,444. Said the Board's deficit for FY 2018 was \$78,594. Said there will be a jump in revenue in the fourth quarter, which would reduce or eliminate the annual deficit. Said the Board had a \$305,000 surplus, leaving a projected surplus of \$229,488 for FY 2018.

Said the Division was preparing to conduct a fee analysis. Said the fee proposal would be ready for the next Board meeting. Said a fee reduction was likely.

Ronald Ward asked about the personal services expenses transfer.

Dumas said that was an adjusted journal entry.

Arzt asked about House Bill 90. Said he understood it had been withdrawn, and asked if that was correct.

Dumas said there may be an attempt to reintroduce the measure as part of another bill, but said she believed it was dead for now.

Navarre said nothing is dead until the session is over.

Dumas said she was working to tweak the proposal so it could be reintroduced to a future legislature.

Arzt asked if it was not yet dead, then.

Dumas said it was not dead.

Arzt asked how the bill would impact the Board's licensees, since the marine pilots had the second-highest license fee in the state.

Dumas said the surcharge would be between \$60 and \$66. Said the proposal may be reintroduced with different surcharges based on program size. Said the Board did not seem to have high investigative costs.

Ronald Ward said that was sometimes true.

Dumas said if the proposal to scale the surcharges was reintroduced, the Marine Pilot program would likely have a smaller surcharge, based on its small size.

Arzt asked if the fee reduction would be across all boards to offset the investigative surcharge.

Dumas said the fee reduction may be greater than other boards, because of both the surcharge and the Board's surplus.

McLaughlin said the Board would likely have a better feel for the true cost once the fee analysis was complete.

Item 8. SEAPA rate objection from ASA

Flury said negotiations were still ongoing.

Item 9. NOAA marine charting update

Buesseler discussed NOAA's national charting plan. Said the Marine Charting Division was interested in posing questions to the marine pilots to ensure NOAA was on the right track. Said National Charting Plan (NCP) was prompted by the increasing size of ships, and development of advanced electronics. Said goal was to be sure NOAA provided a product mariners wanted to use. Said use of electronic charting is now mandated for everyone, and NOAA was adapting to that reality. Said NCP was broken into different parts: reducing alarms, conversion to metric, timelier and better data, minimizing uncertainties, better communication, and efficiency increases. Said the NCP was released in October of 2017. Said there was still an ability to provide input, so the NCP could be adapted as needed.

Said goal of reducing alarms was being met by correcting coding errors. Said new surveys were being instructed to get new depth information. Said Alaska has a lot of survey areas, so process would be slow. Said alarm reduction was a priority for NOAA.

Said conversion to metric would change contours. Said NOAA was switching to standard contours. Said this would reduce charts with different scales. Said new charts would be in metric, instead of a fathoms-to-metric conversion. Said electronic information could still be displayed in non-metric units.

Said goal of timelier data was being pursued by automating data input where possible. Said previous NOAA catalog had 321 separate chart scales, because different-size areas were being shown on paper charts. Said NOAA was going to about 20 standard scales. Said chart layout would move to a standardized grid. Said grid would allow charts to be made into higher resolution charts more easily.

Said GPS was being used to resolve charting uncertainties. Said this was not as prevalent in Alaska, since Alaska mariners are used to uncertainty. Said one goal was to ensure reported obstructions were

actually obstructions. Said previously, charts had as much information as possible, but goal now was to only put best information on the charts.

Said charting information would be available online. Said the website would be updated with corrections on a weekly basis.

Hildebrandt asked if there was a timeframe for centralizing scales in Alaska.

Buesseler said there was not yet.

Buesseler asked what the best way to make changes. Asked if focus should be on revising poor contours, or on a smoother rollout.

Buesseler asked if Electronic Navigational Charts (ENC) should be rolled out as available, or if NOAA should wait for a corresponding paper chart. Said paper charts were not going away, but the look of them will be changing. Said paper chart catalog was currently frozen while process was under review.

Buesseler asked if anyone was having issues with the ENCs.

Gillespie said he found the ENCs in Prince William Sound to be very good. Said there were still cases when ENCs were not as good as the raster charts. Said if the discussed improvements are implemented, that quality difference may go away. Said most pilots would be good with ENCs. Said ENCs would need to be improved in western Alaska.

Buesseler said western Alaska sometimes suffers from an “out of sight, out of mind” mentality.

Gillespie said he switched between ENCs and raster charts.

Gillespie said he had not experienced any issues with ENCs, but said he had been aboard a ship anchored in an uncharted area. Said ENCs did not tell crew there was no sounding information. Said he believed that was a serious issue.

Baken said the “hot spots” should be addressed right away. Said, for example, Tracy Arm now had large, uncharted areas because of the rapidly receding glaciers.

Didier said updating of paper charts should be suspended to focus on updating ENCs.

Wakefield said he was completely disconnected from paper charts. Said ENCs were really good. Said ENC updates should come out as quickly as possible.

Didier said paper had value in some small areas.

Ronald Ward said he still wanted a raster representation of certain areas on his personal pilotage unit, instead of an ENC. Said as the ENCs become better, he would use them, but he would use the best available means to determine his position. Said that might not be paper, but it might be a raster representation.

Gillespie said paper could not be disregarded in western Alaska. Said ENCs had not grown as needed in some areas.

Buesseler said paper charts often had better land contours.

Ronald Ward said topography is important. Said a lot of the job was visual. Said topography was essential, particularly when testing with the Coast Guard. Said in early days of piloting, visual cues from land were important.

Gillespie said ENC's sometimes made it difficult to tell when a survey had been done. Said some areas haven't been surveyed in quite some time, and it was important for the captain to know that. Said this information was easy to find on a raster chart.

Buesseler said there was a feature called Categories of Zones of Confidence (CATZOC) that he hoped would make that information easier to find.

Ronald Ward thanked Buesseler for the update and said updates should happen annually.

Buesseler said he had provided a link to the survey plans to all pilot organizations. Said charting ships would be in Southeast charting Tracy and Endicott arms, and near Prince of Wales Island. Said charting would also be done near Kodiak Island, St. Paul Harbor, Point Hope and near Dutch Harbor. Said charting updates would come out weekly. Said not all areas in a given survey area would be addressed. Asked pilots to let him know if there were areas they wanted particularly addressed, and he would pass those requests on.

Gillespie asked why Point Hope had been chosen for charting. Said there were several hot spots that had not been surveyed and were seeing tanker traffic, and those should have been surveyed ahead of Point Hope.

Buesseler said Point Hope was a priority at NOAA headquarters, but he was unsure as to why. Said he had asked similar questions, and expressed the viewpoint the areas seeing tanker traffic should be a survey priority. Said if weather or other conditions prevented a survey of Point Hope, he would ask the ships survey those hot spots.

Gillespie said he was concerned about the hot spots because the tankers were not talking on pilots, and were using inaccurate ENC's to enter those hot spots. Said it was a "scary situation." Said there was a grounding about two years ago.

An unidentified commenter said a breakwater had been introduced at St. Paul Harbor, but that had made navigation more, not less difficult.

Buesseler said NOAA had changed its internal workflow. Said interest had been only in NOAA surveys. Said now, especially in Alaska, the focus was on the best available data, not just NOAA-created data. Said there were now methods to evaluate and pass on data acquired from outside NOAA. Asked if anyone was aware of new survey data, he would be interested in learning about it and possibly collaborating on it.

Gillespie said he learned of a system from ships that entered Antarctica that allowed ships to share soundings with each other. Said idea was spreading to other areas. Said NOAA should look into that.

Buesseler said NOAA was looking into similar systems, but if the Antarctic system could be used as a case study, it should be looked into. Said Canada has used crowdsourced data for charting purposes. Said if that data could be identified as less than optimal, it could be valuable, as it was better than no data.

Buesseler said tidewater glaciers were an area of particular concern for NOAA, as ships wanted to get very close to them.

Item 10. Legislative update

Charles Ward said he was going to discuss House Bill 90, but Dumas had already touched on it.

Item 11. Investigative report

Charles Ward said he had opened one matter and closed two matters. Said the closed matters had been resolved at the last Board meeting. Said one intake was ongoing, but it was not yet an investigation and he did not know if it would become one. Said two matters still had ongoing litigation. Said charges have been filed in one of the matters, and there would be a preliminary hearing on 3 May in Nome. Said he did not have much to report on the other matter in litigation.

Item 12. Board actions since 17 January 2018

Charles Ward said there had been three Board ballots conducted since the last Board meeting. Said two foreign pleasure craft exemptions had been approved, along with a training pilot endorsement for Capt. William Kennedy.

Item 13. Legislative audit update

Charles Ward said the auditors had completed their work. Said he and Navarre had an exit interview scheduled for Friday of that week. Said the next step was for the auditors to issue a confidential report the Division and Board would have an opportunity to respond to. Said that information would then be incorporated into the final public report. Said it might be good for the Board to select someone other than Navarre to respond on the Board's behalf. Said Navarre was ultimately responsible for the Division's response, and someone else should be in charge of the Board's response.

Ronald Ward nominated Harris to coordinate the Board's response. The Board generally agreed to that proposal.

Said the sunset legislation would be in from of the Legislature in 2019. Said the Board should have one or two members ready to testify when that happens.

Item 12. Regulation update

Charles Ward said the regulation increasing the initial tonnage for a deputy marine pilot to 50,000 gross tons was approved and went into effect on 14 April. Said one deputy, Capt. Mark Lundamo, was upgraded to the new tonnage limit.

Item 13. Approval of training pilot endorsement for Capt. John Herring

Ronald Ward moved Capt. John Herring be issued a training pilot endorsement, effective 2 May 2018. McLaughlin seconded. There was no discussion. The motion passed unanimously.

Item 14. Other business items

Rueter asked if Charles Ward was an active member of the SEAPAC workgroup.

Charles Ward said he attended meetings.

Rueter asked if the Board could be informed of the proceedings at SEAPAC. Said there was a heightened level of interest in the Coast Guard's presentation. Asked for information from those meetings be distributed.

Charles Ward said there had interest from other parties to have the Coast Guard come and make a presentation. Said he also thought that was a good idea. Said in conversations with the Coast Guard that he could not speak for the Board, but did stress that if there were federal pilotage areas added that state pilots did not have federal endorsements for, that could be a huge problem, as there may all of the sudden be 45 pilots that can't be eligible for state licenses.

Navarre said Charles Ward said he thought it might be a good idea to invite the Coast Guard to make a presentation at the meeting.

Ronald Ward said he was surprised to see the presentation on the agenda. Said Charles Ward had asked the Board if the NOAA presentation was appropriate, but the Board had no notification of the Coast Guard presentation until the agenda came out. Said he would have like to have done more research ahead of the meeting. Said he was glad Neely came and explained the situation. Asked if Charles Ward had a vote on SEAPAC.

Charles Ward said there hadn't been a vote.

Lundamo said the voting members of SEAPAC were SEAPA, AMHS and the Masters, Mates and Pilots union. Said SEAPAC had met in December and the working group had met in February. Said Charles Ward just attended the meetings and provided input. Said Bryan Olson from the Juneau REC also attended.

Rueter requested the Board instruct Charles Ward to provide summary reports of the meetings he attends, so the discussion could be brought to the Board's attention. Said the information could then be passed on to other parties, instead of having a "limited exposure" to it.

McLaughlin said she would like to see the Southeast Alaska pilotage issue on the summer meeting agenda.

Ronald Ward asked if the decision was postponed to the fall.

Flury said a response had been postponed until the fall. Said the summer is upon the pilots. Said SEAPA would not have time in the summer to generate a proper response. Said the process would take time.

Rueter said it sounded like the Coast Guard OCMI was going to proceed without an up-or-down vote, and the decision would be his.

Arzt asked if the Coast Guard would suspend its decision until SEAPA responds in the fall.

Flury said the Juneau OCMI would be leaving his position soon. Said the new OCMI would have an awful lot on his plate to get up to speed. Said she didn't know what priority this project had for him. Said SEAPA had spoken with the outgoing OCMI and he would brief the new OCMI on the matter. Said SEAPA had a good relationship with the Coast Guard through SEAPAC. Said she didn't think extending the time to discuss the changes would be a problem. Said she would like to continue to push the matter down the road until SEAPA has time to respond correctly, and all parties will be able to respond. Said she hoped the Coast Guard would not push the changes through too rapidly. Said the Coast Guard did bring up one proposal in the fall, and then later and suddenly brought up the removal of 14 federal pilotage areas in Southeast. Said Neely did change his mind about

grandfathering. Said Neely had given SEAPA the impression that grandfathering would not be happening.

Didier said SEAPAC has the ability to make agreements among its members, but the decision on the proposed change to pilotage rests solely with the Coast Guard.

Flury said the originally, the Coast Guard's request for a response from SEAPA was due by 5 April. Said SEAPA appealed to the present captain of Sector Juneau, and said he was very helpful and agreed to allow SEAPA to respond in the fall.

Didier said the Course of Action cited by Neely stated there were no immediate safety concerns. Said if there were no immediate safety concerns, there should not be a rush to change anything.

Hildebrandt asked if it would be appropriate for the Board to send a letter to the rising captain of Sector Juneau stating the Board has an interest in the matter and would like to be consulted before any action can be taken.

Navarre said he believed the Board could draft such a letter. Said he had already informed Charles Ward he wanted to meet with the Coast Guard.

Gillespie said the current system allows SEAPA to work with a vessel that needs a first-class federal pilot. Said this gave those vessels a very qualified, capable pilot. Said if the Coast Guard makes changes, federal pilots may have some familiarization trips in Alaska, but lack thorough knowledge of the area. Said this proposal would create a drop in the quality of pilotage a vessel needing a federal pilot would have. Said that made the matter a Board issue. Said the letter was important. Said proposal would downgrade the protection pilots bring to Alaska.

Erickson said his concern was safety. Said the ability of the new system to accommodate changes in trade was important. Said ports open and close all the time. Said Icy Bay was an example of that. Said cruise ships were going to Icy Bay this year for the first time in at least five years. Said he was afraid ships would not be able to go where they needed to go.

Arzt said the pilots and industry should pool their institutional knowledge and provide information as to what ports had opened and closed in all of the areas and provide that information in SEAPA's response.

Didier said Neely was coming solely from a regulatory view.

Ronald Ward said the pilots were the constant. Said Coast Guard personnel came in and out every couple of years. Said Coast Guard personnel have no institutional knowledge.

Arzt said he was glad the Board was aware of it.

Navarre asked anyone with comments for the Board's letter get them to Charles Ward.

Charles Ward said he could help draft the letter, but the letter needed to come from the Board.

Navarre asked Charles Ward to draft the letter for his editing, then the draft would be circulated to the Board for input.

McLaughlin asked what the timeline for the letter was.

Charles Ward asked what everyone was comfortable with as far as a timeline.

Cronk asked if the letter should go out before the outgoing captain of Sector Juneau left his post. Said getting it out before 4 May might be a bit tight.

Charles Ward asked if comments could be delivered by 27 April. Said the letter could be circulated then for review and approval.

Arzt said the letter should be simple. Said it just needed to state the Board had an interest in the process and wanted to be aware of any decision-making processes.

Task: Charles Ward to provide reports of SEAPAC meetings to the Board as they happen.

Task: Charles Ward to provide a draft letter to Chairman Navarre for his review, to then be sent on to Board members for their comments. Letter to then be sent from the Board to the U.S. Coast Guard, Sector Juneau, command.

Item 14. Pilot association reports

SEAPA

Flury said Baken would provide a presentation on the Very Large Cruise Ships (VLCS) that would be coming to Alaska starting in May. Said SEAPA had a proposed bylaw change. Said the new bylaw would change the compensation rate for deputy marine pilots with a 50,000-gross-ton license.

Ronald Ward moved SEAPA's proposed bylaw changes be approved. Arzt seconded. There was no discussion. The motion passed unanimously.

Said SEAPA had 45 pilots – 43 pilot members and two deputy pilots. Said one deputy was at 90,000 gross tons for one more year, and the other deputy would be advancing to a 65,000-gross-ton license in June. Said SEAPA had 17 trainees in the pipeline. Said six were training at the conn, with up to three more doing so by the summer. Said SEAPA had eight observers. Said SEAPA expected to license four deputies in 2019, with five more in 2020. Said the next selection process would occur in early 2019.

Rueter asked if the possible changes in federal pilotage requirements in Southeast would affect the number of licensed pilots SEAPA needed.

Flury said SEAPA had sufficient pilots. Said SEAPA was being proactive to be sure it had enough pilots in the training program to cover attrition. Said SEAPA knew of one retirement coming for the next license renewal cycle. Said SEAPA was concerned about how the proposed federal pilotage changes would affect SEAPA.

Rueter asked if SEAPA could arrange for pilots to be in all the areas in Southeast needed for pilotage services. Asked if pilot assignment was based on the location of the pilot.

Flury said it depended on where the pilots were.

Navarre asked if dispatch was based on pilot rotation, or was its focus on cost to the customer.

Flury said safety was the main goal. Said efficiency was secondary to safety. Said SEAPA attempted to be efficient with its dispatch, but was required by the state to have equal dispatch and coverage for its pilots.

Baken said the VLCS committee was formed to evaluate the *Norwegian Bliss*, which would be in Alaska this year. Said the goal of the study was to propose safe operating guidelines. Said the *Bliss* was the first of several VLCSes to come to Alaska. Said two more would be in Alaska in 2019. Said committee had concluded its study, and published its report. Said the *Bliss* was on its way from its shipyard in Germany. Said the *Bliss* was currently in sea trials. Said the committee was a cooperative effort between Norwegian and SEAPA. Said the committee conducted five days of simulation study, and had put 5,000 man-hours into the study and guidelines.

Said one risk parameter was if the bow thruster needed to be used at 80 percent power, that would be the limit of its effectiveness, as that left only 20 percent power in reserve. Said one approach to Juneau's A-J Dock, with 30 knots of wind and maximum current from the same direction, the bow thruster was used at 80-100 percent of power more than 70 percent of the time. Said that was too much wind and too much current for the ship. Said the committee recommended the *Bliss* only approach the Port of Juneau with winds less than 25 knots and current less than one knot, and then only with a tugboat. Said the guideline for the Port of Juneau with no current was 30 knots. Said if the maximum wind or current speed was exceeded, the guideline was to bypass the port, or consider other options.

Said the committee was concerned with swept path in the California-Idaho Rock area. Said the committee recommended navigation there only if the wind speed was less than 20 knots and the current speed was under one knot. Said the alternate approach to the Port of Ketchikan if those conditions were exceeded was from the north. Said the captain of the ship would make that decision the day before, based on predicted conditions.

Navarre asked if the wind limits were based on sustained winds or gust winds.

Baken said the limits were based on gust winds. Said the committee was very happy with the captain of the *Bliss* in that he was very conservative with his approaches. Said if he saw conditions that were approaching the maximum recommended conditions, he would go around.

Erickson asked if "go around" meant cancelling the port.

Baken said no, the recommendation was to go to Guard Island if the approach from Twin Island would not work.

Erickson asked if that decision was based on the weather forecast the day before was for 25-knot wind.

Baken said with a 25-knot wind speed prediction, the *Bliss* would take an alternate approach.

Erickson asked what would happen if the prediction was for less than 15-knot winds, and, upon arrival, the winds were gusting to or beyond 25 knots.

Baken said if the *Bliss*' plan was to approach the Port of Ketchikan from the south, and conditions on the day of arrival prevented that, the Ketchikan port call would be cancelled. Said if weather conditions were questionable, it would be more likely to see the *Bliss* approach Ketchikan from the north.

Baken said the committee recommended approaching Dock 3 in Ketchikan from west of Buoy 4A under certain conditions. Said the traditional approach was from the east.

Erickson asked if that would be a starboard-only landing. Baken said it would.

Baken said the committee recommended the *Bliss* not enter Tracy Arm under any conditions. Said the *Bliss*' swept path, combined with the narrowness of the fjord, necessitated the recommendation.

Erickson asked if the simulation tried to go past Sawyer Island.

Baken said it did not.

Erickson asked if a ship the *Bliss*' size could even past Sawyer Island.

Baken said it could go past Sawyer Island, but not behind Sawyer Island.

Baken said the committee now had an established process for future testing. Said the committee will be testing the *Ovation of the Seas* and the *Royal Princess* this year. Said two SEAPA pilots were currently on the *Anthem of the Seas*. Said the committee's personnel would be completely turned over for the new studies.

Baken said the model of pilots and maritime industry cooperating worked well. Said there were almost no disagreements. Said the American Pilots Association really liked the model, and asked the committee to address the West Coast Conference about the cooperative effort. Said one other pilot/industry cooperative effort was ongoing in Vancouver, based on this committee's model. Said the committee was encouraged by cooperation within the industry side. Said Royal Caribbean and Norwegian collaborated on work related to bollard strength. Said databases for Tracy and Endicott arms did not exist before the committee's work. Said Royal Caribbean, Norwegian and SEAPA worked together to bring ship models to UAS-Ketchikan and AVTEC. Said the committee was working with the British Columbia Coast Pilots to build a model for the *Royal Princess*. Said committee agreed to meet after the 2018 cruise ship season to see how the guidelines worked. Said Royal Caribbean would join in that meeting. Said 26 SEAPA pilots had taken VLCS training.

Ronald Ward asked how the manned model compared to the simulation. Asked if the captain of the *Bliss* had handled it yet.

Baken said the *Bliss* was in sea trials.

Ronald Ward said it would be necessary to match the model and the simulator after the 2018 cruise season.

Baken said he hoped the ship would handle better than it did in simulation.

Erickson asked if the captain of the *Bliss* had been on the *Breakaway*.

Baken said the captain had been on a *Breakaway*-class ship.

Erickson asked if there were any differences in characteristics between the two.

Said the *Breakaway* class was smaller than the *Bliss*, with a similar shape. Said the *Breakaway*-class was still very big, with a lot of sail area.

Erickson said the *Bliss* was built for Alaska, based off the *Breakaway* model. Said the difference was the *Bliss* had brought its lifeboats inside the ship.

Baken said the *Bliss* also had two more decks than the *Breakaway* class.

Erickson asked if Royal Caribbean and Princess was receptive with the committee's model for testing.

Baken said they were.

Gillespie asked where the committee had gotten its ship models. Said AMP had difficulty getting models for ships that frequent Dutch Harbor.

Baken said Norwegian had given the committee the *Breakaway* model, and Royal Caribbean had given the committee the *Quantum of the Seas* model. Said Princess allowed use of its model six times. Said cost for the *Bliss* model had been about \$17,500, with that cost split between SEAPA and Norwegian.

Gillespie said he was impressed with the amount of cooperation SEAPA had from the cruise ship companies.

Ronald Ward asked if the PowerPoint was the same as had been previously presented. Baken said it had been adjusted.

SWAPA

Zielinski said SWAPA had 15 full pilots, all VLCC qualified. Said SWAPA had three deputy pilots, all at the 90,000-gross-ton level. Said one deputy should become a full, VLCC-qualified pilot this year. Said SWAPA had two trainees, both hoping to get licensed in the summer. Said SWAPA had three observers and had a ballot out to its membership to add a fourth observer. Said SWAPA had both a bylaw change and a training manual change. Said the bylaw change simply changed its initial tonnage limit from 25,000 gross tons to 50,000, in response to the Board's recent regulation change.

Cronk moved SWAPA's proposed bylaw changes be approved. Arzt seconded. There was no discussion. The motion passed unanimously.

Zielinski said the training program change also addressed the regulation change increasing the initial tonnage limits for deputy marine pilots. Said Region 2 had enough vessels under 25,000 gross tons to allow deputy pilots sufficient time to train, so SWAPA's in-house clearances would remain the same.

Cronk moved SWAPA's proposed training program changes be approved. Rueter seconded. There was no discussion. The motion passed unanimously.

Zielinski said SWAPA had sufficient pilots to meet demand.

AMP

Gillespie said AMP had eight full pilots - one of which was VLCC qualified - and one deputy pilot. Said one trainee was going to test for his deputy license soon. Said AMP had two observers.

Gillespie said AMP was requesting training program changes. Said the first change was to eliminate the requirement for a candidate to complete all federal pilotage requirements prior to beginning hands-on training. Said this was because trainees would be waiting in Dutch Harbor waiting to travel to other ports to obtain their federal pilotage requirements, and couldn't do hands-on training in areas they had already obtained their federal pilotage requirements. Said another change was to eliminate the requirements for Clark's Point. Said there had been no ship traffic there for a couple of years. Said Nome was a new additional requirement. Said AMP now had to vote on trainees, instead of admitting them based on the training committee's recommendation.

Ronald Ward asked about a change which would eliminate compensation for training pilots taking classes.

Gillespie said AMP had never had to reimburse a training pilot, so the language was removed. Said the change was a housekeeping measure.

Rueter moved AMP's proposed training program changes be approved. McLaughlin seconded. The motion passed unanimously.

Gillespie said AMP was engaged with the Aleutian Waterways Safety and the Arctic Waterways Safety committees. Said AMP worked with the Army Corps of Engineers in dredging the bar at Dutch Harbor, to allow for vessels with deeper drafts.

Rueter asked if eliminating the requirement for trainees to meet all federal pilotage requirements prior to beginning hands-on training would allow trainees to have more experience.

Gillespie said it would.

Rueter asked if the change would leave gaps similar to the Clark's Point issue, where the Board would be asked to issue licenses with exclusions.

Gillespie said it wouldn't. Said areas were added as well, so the number of training requirements were still the same.

Item 14. Other business

The Board set a teleconference at 0900 on 18 July.

The Board set a tentative date of 11 October for its next meeting in Anchorage.

Navarre called for a break until 1330.

Break at 1149

Back on record at 1334

Item 15. Executive session

McLaughlin moved the Board of Marine Pilots enter an executive session in accordance with AS 44.62.310(c)(3) for the purpose of discussing an application from a foreign pleasure craft for exemption from state pilotage requirements with Board legal counsel, with Charles Ward and a representative from the Attorney General's Office to remain during the session. Arzt seconded. There was no discussion. The motion passed unanimously.

Off the record at 1335.

Back on the record 1417.

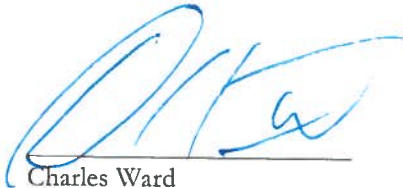
Ronald Ward moved the Board of Marine Pilots close its executive session and resume its regular meeting. McLaughlin seconded. There was no discussion. The motion passed unanimously.

Item 16. Adjournment

There being no further business before the Board, Ronald Ward moved to adjourn.
McLaughlin seconded. There was no discussion. The motion passed unanimously.

Meeting adjourned at 1419.

Respectfully submitted:



Charles Ward
Marine Pilot Coordinator

Date: 7/20/18



Commissioner Mike Navarre
Chairperson

Date: 07/20/2018

Approved at the 18 July 2018 Board meeting