



MEETING MINUTES 18 July 2018

TELECONFERENCE ORIGINATING FROM THE STATE OFFICE BUILDING 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 0901.

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

A quorum was present.

Marine Pilot Coordinator (MPC) Charles Ward was in attendance and recorded minutes. Janey McCullough, Director of the Alaska Division of Corporations, Business and Professional Licensing (CBPL), Melissa Dumas, Administrative Officer II for CBPL and Marylene Wales, Accountant III for CBPL, attended a portion of the meeting.

Captains Kathleen Flury and Frank Didier from Southeast Alaska Pilots Association (SEAPA) and Mr. Mike Tibbles from Alaska Steamship Association (ASA) attended the meeting in person. Captains Peter Garay, James Cunningham, Christopher Mitchell and Ms. Jenni Zielinski, Business Manager from Southwest Alaska Pilots Association (SWAPA); Capt. Bill Gillespie from Alaska Marine Pilots (AMP); Mr. Andrew Mew and Mr. Luke Hasenbank of Alaska Maritime Agencies; and Lt. Bart Buessler of NOAA attended via teleconference.

Item 2. Review Agenda

Charles Ward requested a review of an application for exemption from the state pilotage requirement for a foreign pleasure craft (FPC) be added to the agenda. Ronald Ward requested a review of examination procedures and venues be added to the agenda.

Rueter moved to approve the agenda as amended. Ronald Ward seconded. There was no discussion. The motion passed unanimously.

There were no recusals or declarations.

Item 3. Approval of minutes

Les Cronk moved the minutes of the 18 April 2018 board meeting be approved as presented. Arzt seconded. There was no discussion. The motion passed unanimously.

Item 4. Financial report

Dumas presented the board's financial report for the third quarter (3Q of fiscal year (FY) 2018. Said the 4Q numbers would not be available until October. Said the board had \$11,850 in revenue. Said there had been no third-party reimbursement. Said personal services expenses were \$60,228. Said travel expenses were \$9,732. Said there were \$2,712 in contractual expenses. Said there was \$195 spent on supplies. Said direct expenditures through 3Q of FY '18 were \$72,867.

Dumas said the indirect expenditures would not be known until the end-of-fiscal-year accounting was complete. Said the figure of \$14,577 was a placeholder based on indirect expenditures through three quarters of FY '17. Said the board's total expenses through 3Q FY '18 were \$87,444. Said the board's deficit through 3Q FY '17 was \$75,594. Said the board's cumulative surplus was \$229,488.

Dumas said she had prepared a rough estimate of the financial report for FY '18, as she knew what those numbers were except for indirect expenditures. Said board's revenue was approximately \$91,000. Said the board's total expenses would be about \$125,000. Said surplus carry-forward for FY '19 should be close to \$275,000. Said the carry-forward balance is more than two years' worth of board expenditures. Said the surplus should be closer to one year's expenses, which led to the Division's fee-reduction proposal.

Item 5. Fee analysis

McCullough said the board was likely in a deficit several years ago, which led to higher fees. Said the \$2,500 marine pilot licensing fee was one of the highest in the division. Said if fees were not substantially reduced, the board would have an excessive surplus. Said AS 08.01.065 requires fees to be set close to expenses. Said the division's goal was for boards to have about one year's worth of expenses in surplus to carry the board through non-renewal years.

Arzt asked if the projected new renewal fee was \$1,500. Dumas said it was.

McCullough said the division was also suggesting a reduction in the application fees, from \$500 to \$300.

Ronald Ward asked how the division estimated income from foreign pleasure craft.

Dumas said the division looked at the number of licensees, and the growth and/or shrinkage rate of the program to determine a "best guess" for projected revenue.

McCullough said the projections included an accounting for the fact costs usually go up, not down, as time goes by. Said the unpredictability of investigative fees was partly of the reason the division wanted boards to have a one-year surplus account.

Ronald Ward asked what percentage of the MPC's cost was billed out to other boards. Said in the past, the MPC has done work for other boards.

Dumas said she did not have those figures in front of her, but said Charles Ward accounts for his time every pay period, which means his personal services costs paid by the board are only for time he spends on the marine pilot program.

Ronald Ward asked if Charles Ward had a rough idea of the breakdown. Charles Ward said in summer, he estimated 10-15 of his time went to other boards. Said in the winter, he estimated that number to be 25-30 percent.

Rueter asked how having the MPC position filled was factored into the cost projections, as the position was only filled for part of the time in previous years.

McCullough said the division used a four-year average of costs for the MPC in its projections.

Rueter said he hoped the division's projections would be based on the MPC position being filled, as another six-month vacancy in the position is not anticipated.

Rueter asked how often the division would plan on reviewing the marine pilot program's licensing fees.

Dumas said the division reviewed fees every year.

Navarre said in looking at the division's projections, the board would likely still be running at a surplus over time even with the fee reduction.

Dumas said the FPC exemption fee projections were based on a six-year average. Said the numbers did fluctuate between \$42,000 and \$71,450 during that period. Said the division tried to meet in the middle of those numbers, which led to a projection of \$62,000 a year in FPC exemption fees.

Harris asked if there were other expenses, particularly expenses to address possible changes in state regulations in response to federal regulations or in response to the possible change in federal pilotage requirements in Southeast.

Navarre said that because this was a sunset year, there would likely be some additional board expense to attend hearings and answer questions. Said he did not expect a lot of detailed questions in response to the audit.

Charles Ward said there might be additional expenses if federal pilotage changes in Southeast led to a regulation project. Said that may require regulations specialists to spend more time on the marine pilot board. Said the allocation of his time might also be affected. Said he did not anticipate those potential increases to be significant.

Navarre asked if the board should make a motion based on the proposed fee regulations.

McCullough said the division would appreciate a motion from the board based on the proposed changes. Said this was ultimately a division decision. Said she would be the one making the final decision once public comment was received. Said she hoped the new fees would be in place for the next renewal.

Navarre said the division used a consistent process in evaluating fees for all boards.

Ronald Ward moved for the board to support the proposed fee changes. Rueter seconded. There was no discussion. The motion passed unanimously.

Item 6. Southeast Alaska federal pilotage requirements

Navarre said the board did draft a letter to the new captain of the Port of Juneau. Said SEAPA had drafted a letter to the Alaska congressional delegation. Said Charles Ward and he had met with U.S. Coast Guard (USCG) Commander Nick Neely to present some of the questions presented at the April 2018 board meeting. Said Charles Ward and he had discussed the timing of the proposed changes with

Neely. Said Neely had indicated the deadline for input into the decision was in the fall. Said Neely had requested input from the board as soon as possible. Said Charles Ward had advised Neely this was a busy season for everyone, and that it would be unlikely to get additional comments to him before early fall.

Charles Ward said Neely had told him he wanted input from the board soon. Said his understanding was the issue was dormant until later in the fall. Said Neely stated that was true, but the board wasn't under the same constraints as SEAPA. Said he told Neely that was not necessarily true, as summer was a busy season for all concerned, not just SEAPA. Said that was where he had left the matter with Neely.

Charles Ward said there had been a desire from the board to bring this matter back up at this meeting, and he wanted to present the new information to the board, which is why this was placed on the agenda.

Ronald Ward asked if the board received any response to its letter to the captain of the port. Said Neely was not the captain of the port, but was the advocate for the proposed changes. Said he would be interested in hearing what the captain of the port had to say.

Charles Ward said he did not receive anything from the captain of the port.

Arzt said the board should request a copy of the study Neely is basing these recommendations on.

Navarre said he would work with Charles Ward to meet with the captain of the port 14-15 August when Navarre was in Juneau.

Rueter asked if the proposed changes would affect the ability of new applicants for marine pilot licenses to obtain a license.

Navarre asked if Charles Ward had looked into the issue of how a change in federal pilotage requirements would affect requirements to obtain state licensure.

Charles Ward said, for example, if Gastineau Channel was removed from the federal pilotage requirements and the state or SEAPA wanted its pilots to have expert knowledge of Gastineau Channel, then the state would need to adopt regulations on how to determine if a pilot had that knowledge, and SEAPA would need to amend its training program.

Rueter said changes in federal pilotage don't change commerce. Said his concern was how applicants would document their experience and knowledge to the state if there was no federal pilotage requirement in a given area.

Navarre asked if there were some areas being considered for removal of federal pilotage requirements that were of greater concern to the board than others.

Ronald Ward said it was unfortunate there were no pilots from Southeast available at the meeting. Said Glacier Bay was an issue. Said SEAPA had raised the issue several times of grandfathering pilotage endorsements. Said if federal pilotage was taken away from a given area, and new trainees did not have an endorsement for that area, and federal pilotage was later reinstated into that area, those trainees would have to go back and reobtain federal pilotage for that area. Said that would present an undue burden on SEAPA and the state, and create a hardship for pilots.

Rueter said he was concerned that the captain of the Port of Anchorage would likewise look to change the federal pilotage requirements in Southcentral or Western Alaska.

Arzt asked where the study was that Neely was basing his proposed changes on. Said he understood the data was only based on one year of traffic. Said there was nothing to substantiate Neely's proposal. Said the board should request data beyond what Neely presented at the April board meeting. Said Neely's presentation at the April board meeting represented Neely's views, but did not have substance.

Navarre said he and Charles Ward would collaborate on a list of questions to present to the captain of the Port of Juneau.

Charles Ward asked if board members or other interested parties had questions they would like to have presented, that they send those questions to him to help compile the list of questions.

Ronald Ward said Navarre or Charles Ward should reach out to the captain of the port to see if he supports this proposal. Said a personal conversation might be more beneficial than a letter.

Harris asked if SEAPA had received any response to its letter to the Alaska congressional delegation.

Navarre said he had not seen any such response.

Charles Ward said he had not seen a response.

Harris said if there had been a response, it would help inform the captain of the port's decision.

Harris asked if the state required federal pilotage for a state license.

Charles Ward said federal pilotage for a given area was a threshold requirement to obtain a state license.

Harris asked if the state could issue a state license if the federal pilotage for a given area was removed.

Flury and Didier joined the meeting at 0946.

Charles Ward said he believed if the federal government doesn't offer a pilotage endorsement in an area, the state would not need to require federal pilotage in that area to issue a license. Said the issues with removing a federal pilotage area are first, determining if the state wants to create additional requirements for areas in its waters that do not require federal pilotage and second, deciding how to handle state pilots without those federal endorsements if the USCG reinstates a federal pilotage requirement to a given area.

Harris asked if there would be a need to change state regulations in response to a change in federal pilotage definitions. Charles Ward said it would depend on how drastic the changes were, but that a regulation project would be likely in that case.

Navarre asked Flury if SEAPA had received a response to the letter it sent the Alaska congressional delegation.

Flury said it had not had an official response.

Navarre asked if SEAPA had had discussions with the Alaska congressional delegation.

Flury said no.

Didier said SEAPA had had a couple of meetings with USCG Capt. Stephen White, captain of the Port of Juneau. Said the expectation was to find a reasonable solution that would solve the interest of all parties.

Flury said SEAPA had discussed the letter with USCG Capt. Phillip Thorne, the previous captain of the Port of Juneau. Said that Thorne said if he had heard anything, Thorne would convey that he was on the same page and adhering to the same timeline that SEAPA was.

Navarre said he had discussed setting up a meeting with White sometime in August, and would like someone from SEAPA to join the meeting if available.

Flury said SEAPA was still working on a response to the proposed changes to the federal pilotage requirements. Said White and SEAPA agreed that the changes be done carefully and deliberately. Said SEAPA was very busy in the summer, and anticipated being able to come to a conclusion to the matter in the fall.

Item 7. Review of board actions 1 April – 2 July

Date	Motion	Voting Tabulation	Action
4/3/18	Approve training pilot endorsement for William Kennedy.	Ward (Y), Harris (Y), Arzt (Y), Cronk (Y).	Request approved, endorsement issued.
4/3/18	Approve FPC exemption QUIVIRA	Cronk (Y), Arzt (Y), Harris (Y), Ward (Y), Rueter (Y).	Application approved, exemption issued.
4/4/18	Approve FPC exemption RENT SPENT	Harris (Y), Cronk (Y), Ward (Y), Rueter (Y).	Application approved, exemption issued.
4/23/18	Approve FPC exemption EVVIVA	Cronk (Y), Arzt (Y), Ward (Y), McLaughlin (Y), Navarre (Y).	Application approved, exemption issued.
4/12/18	Add Icy Bay as an authorized pilotage area for Ian Maury, 108263	Ward (Y), Cronk (Y), Arzt (Y), Harris (Y).	Pilotage area added.
4/24/18	Approve FPC exemption ELISA	Navarre (Y), Harris (Y), Cronk (Y), Ward (Y), McLaughlin (Y), Rueter (Y), Arzt (Y).	Application approved, exemption issued.
4/30/18	Approve FPC exemption TRITON	Cronk (Y), Navarre (Y), Ward (N), Rueter (Y), McLaughlin (Y), Arzt (Y).	Application approved, exemption issued.
4/30/18	Approve FPC exemption JANICE OF WYOMING	Ward (Y), Navarre (Y), Harris (Y), Cronk (Y), Arzt (Y), Rueter (Y).	Application approved, exemption issued.
5/9/18	Approve FPC exemption CV-9	Cronk (Y), Arzt (Y), Rueter (Y), Ward (Y), Harris (Y), McLaughlin (Y).	Application approved, exemption issued.

5/9/18	Approve FPC exemption SCOUT II	Cronk (Y), Navarre (Y), Ward (Y), Rueter (Y), Arzt (Y), Harris (Y).	Application approved, exemption issued.
5/18/19	Approve FPC exemption REBEL	Cronk (Y), Arzt (Y), Ward (Y), Harris (Y), McLaughlin (Y), Navarre (Y), Rueter (Y).	Application approved, exemption issued
5/17/18	Approve upgrade to 65KGT for Mark Lundamo	Cronk (Y), Ward (Y), Navarre (Y), Harris (Y), Arzt (Y).	Upgrade approved and issued
5/17/18	Approve removal of Klawock Inlet exclusion for Mark Lundamo	Cronk (Y), Ward (Y), Navarre (Y), McLaughlin (Y), Arzt (Y), Harris (Y).	Removal approved, updated license issued
5/23/18	Approve FPC exemption SARAH LISSA	Navarre (Y), Cronk (Y), Ward (Y), Rueter (Y), Arzt (Y), Harris (Y).	Application approved, exemption issued
5/25/18	Approve FPC exemption FORTUNA	Navarre (Y), Arzt (Y), Cronk (Y), Harris (Y), Ward (Y).	Application approved, exemption issued
5/25/18	Approve FPC exemption INFINITY	Rueter (Y), Ward (Y), Navarre (Y), Arzt (Y), Cronk (Y), Harris (Y).	Application approved, exemption issued
6/1/18	Approve FPC exemption CLAN VIII	Harris (Y), Ward (Y), Cronk (Y), Arzt (Y).	Application approved, exemption issued
6/1/18	Approve FPC exemption RENA	Rueter (Y), Ward (Y), Cronk (Y), Harris (Y), Arzt (Y).	Application approved, exemption issued
6/1/18	Approve FPC exemption CIELO MARE	Rueter (Y), Ward (Y), Cronk (Y), Harris (Y), Arzt (Y).	Application approved, exemption issued
5/30/2018	Approve FPC exemption ICE BEAR	Ward (Y), Cronk (Y), Harris (Y), Arzt (Y).	Application approved, exemption issued
6/11/18	Approve FPC exemption KARIMA	Navarre (Y), Cronk (Y), Ward (Y), Harris (Y), Arzt (Y), McLaughlin (Y).	Application approved, exemption issued
6/13/18	Approve FPC exemption HORTENSE	Rueter (Y), Navarre (Y), Ward (Y), Harris (Y), Arzt (Y), McLaughlin (Y).	Application approved, exemption issued

6/20/18	Approve FPC exemption BIG FISH	Cronk (Y), Ward (Y), Arzt (Y), Harris (Y), McLaughlin (Y).	Application approved, exemption issued.
6/26/18	Approve FY 2018 annual report	Arzt (Y), Cronk (Y), Harris (Y), Ward (Y).	Report approved.
6/28/18	Approve FPC exemption PICK UP	Harris (Y), Ward (Y), Cronk (Y), Arzt (Y), Navarre (Y).	Application approved, exemption issued.

Harris said there was a “no” vote on the application for the TRITON, and wanted to confirm that was correct. Charles Ward and Ronald Ward confirmed that it was.

Item 8. Investigative report

Charles Ward said that through 2 July, there were two cases still in litigation with the Office of Special Prosecutions. Said litigation has been filed in one case, and is still pending in another. Said there were two new intakes since the last report. Said these were not investigations, and he did not know if they would be.

Rueter asked what the nature of the intakes were.

Charles Ward said he would rather not say.

Item 9. Legislative audit update

Navarre said the board had responded to the audit. Said the audit recommended the board be extended for a period of five years.

Charles Ward said the recommendation was actually to extend the board for eight years. Said he anticipated the audit report to be released in short order, but that it had not been released yet. Said the communications between the division and Legislative Audit were still confidential, but said it generally seemed that the audit was wrapping up, and a full public report would be available shortly.

Navarre said the audit did not seem to raise any significant concerns.

Charles Ward said he had explained to Legislative Audit that the board had asked Harris to respond to the audit report. Said Legislative Audit decided it wanted the report to go through the board chairman, even though the board chairman is also the head of the department, and ultimately responsible for the department’s response. Said Legislative Audit wanted to proceed with Navarre providing both reports.

Item 10. Public comment

Buesseler said Admiral Shep Smith, NOAA’s director of coast survey, would be in Alaska at the end of July. Said he had tentative plans to meet with pilots from SWAPA and AMP. Said Smith planned to meet with SEAPA in conjunction with the Hydrographic Service Review Panel (HSRP) at the end of August. Said HSRP would be a good opportunity to provide feedback on any of NOAA’s charting survey products. Said if any pilot organization or the board wanted to provide feedback outside of those meetings, that was welcome, and could be directed to him for distribution.

Charles Ward said he could circulate Buessler's contact information to the board and other interested parties.

Les Cronk left the meeting at 1001.

Rueter recommended the MPC collect the names of all parties in attendance. Attendees provided their names and organizational information.

Navarre left the meeting at 1005. Harris took over as meeting chair.

Item 11. Annual report

Charles Ward said the annual report was complete and had been approved by the board by mail ballot. Said he could provide a copy of the report to anyone who requested it, and that it would be available at some point on the board website.

Item 12. Application of Matthew Michalski for a marine pilot license and VLCC endorsement

Charles Ward said Michalski had submitted an application for a marine pilot's license, and a Very Large Crude Carrier (VLCC) endorsement. Said Michalski would be a licensed deputy marine pilot for three years on 24 July. Said he had an exclusion on his federal license for Alitak Bay, but that the USCG had not offered an endorsement for Alitak Bay in some time, and as there was no federal requirement, it was not necessary for his state licensure.

Ronald Ward said Alitak Bay was a minor port that used to have an endorsement, but there had been no pilotage traffic there in 4-5 years.

Ronald Ward moved acceptance of Michalski's application for his marine pilot license. Arzt seconded. Harris offered a friendly amendment to make the license effective 24 July. Ronald Ward accepted the amendment. Motion as amended passed unanimously.

Ronald Ward moved acceptance of his application of Michalski's application for his VLCC endorsement, effective 24 July. Rueter seconded. There was no discussion. Motion passed unanimously.

Item 13. Examination procedures

Ronald Ward said a situation arose with two deputy marine pilot applicants. Said in conversation with Zielinski and Charles Ward, Charles Ward suggested the examination be in Homer at the SWAPA office, with Ronald Ward available to answer questions.

Said the testing situation had changed over the years. Said the process used to require the applicant to fly to Juneau to take the examination in Juneau, in the division's office. Said the examination was always given right before a board meeting. Said it was no longer necessary to be administered immediately prior to a meeting.

Said Charles Ward called Ronald Ward and said someone had raised an issue with the test being administered in the SWAPA office. Said that called his integrity and that of SWAPA into question, and he took exception to that. Said the issue should be ironed out.

Said applicants ended up taking test in Anchorage.

Asked if any of the board members had the issue, or who had the issue.

Charles Ward said the testing guidelines he inherited with the MPC position. Said the proctor had to be the MPC, the MPC's designee – most likely another division employee – or a board member. Said that was why he was agreeable to the idea of the test being offered in Homer, with Ronald Ward as proctor. Said that word of the testing plan got out, and concern about it was raised. Said the plan was then changed for the candidates and Ronald Ward to travel to Anchorage for the exam.

Rueter asked if the administration policy was in the regulation, or just a division guideline. Asked if the division required exams to be administered in state offices.

Charles Ward said the procedure is largely defined by division guidelines. Said there were regulations regarding the test, but they mostly pertain to the content of the exam and the passing score needed on the exam. Said he would check with the Board of Barbers and Hairdressers as to its procedures. Said it was the only one he knew of that offered a state-specific exam administered by the division. Said other programs had state-specific exams, but they were administered by an outside testing company. Said the Board of Barbers and Hairdressers had several tests it put its candidates through, depending on the type of licensure sought. Said one of the board's licensing examiners is generally present, but he would check with that board to confirm how those tests are proctored and administered.

Rueter said the question was one of proper testing locations. Said the board wanted to encourage applicants to take the test, but needed to have some protocols about proper locations.

Ronald Ward said the examination could have been administered at the Legislative Information Office (LIO) in Homer with him as proctor. Said he wanted to establish a precedent that tests could be administered in any state office building with the MPC, a division employee or a board member as proctor.

Harris asked what action the board needed to take to adopt testing guidelines.

Charles Ward said there wasn't a regulation on point regarding where tests were to be administered. Said if the board wanted to adopt a guideline, there should be a motion and a vote on the record. Said if the test is in Juneau, it's easy to set up and administer, because the MPC is there to do so. Said setting up an exam in Anchorage was fairly easy as well, since there is a division office there. Said outside of those locations, finding available space may become more difficult. Said in some locations, LIOs were only open when legislative business was taking place. Said if the board set a guideline that tests were to be administered at state offices, setting up an exam may take longer than it does in Juneau or Anchorage, or may not be feasible at all.

Harris said asked if there were other options for testing locations outside Juneau and Anchorage besides state office space. Said the guidelines on who can proctor are clear, but the question was whether it could be in an association office, or does it need to be in an alternative location.

Ronald Ward said it was offensive that anyone would call SWAPA's integrity into question. Said if there was something untoward to be done, it could certainly happen anywhere in the process, not just specifically during the exam. Said SWAPA was not in the business of pushing candidates through who were not qualified. Said that he knew of a pilot prior to 1991 who took an examination in an airport on his way to his first job.

Charles Ward said the issues were determining what the board was comfortable with and making it clear the existing guidelines were going to be enforced, or the board could change the guidelines.

Arzt said the current guidelines are fine, and should be adhered to.

Ronald Ward said he was satisfied. Said he had made his point, and that Charles Ward was unwilling to divulge who called it into question. Said he appreciated the guidelines allow for testing outside Juneau. Said he felt testing in locations at state offices outside Juneau could be arranged.

Harris said the guideline would be the preferred location to test would be a state office, with allowance for another suitable alternative should one not be available.

Charles Ward said the lead time to set up an exam outside of Juneau or Anchorage would increase.

Arzt said he was not going to make a motion to change the guidelines, but if an exam was to be offered at a non-standard location, the board should be consulted.

Charles Ward said if the plan was to have an exam outside of the Juneau or Anchorage state office buildings, he would get guidance from the board.

Item 14. Additional business items

Charles Ward said he would be out of the office the last two weeks of August. Said he would have a procedure in place in case of an incident or investigative need, and a procedure in place for board questions. Said he believed all FPC exemption applications would have been received and processed by then. Said he could be reachable by cell phone if there was an emergency.

Said this was a renewal year. Said renewals would officially be available 1 November, but would likely be available before then. Said there was a new online renewal system that would allow renewal applicants to upload all required documents, along with their renewal application, online. Said he planned to do a presentation at the October board meeting. Said mailed applications would still be accepted.

Harris asked if board members receive medical information, or if that just went to the MPC.

Charles Ward said for an initial application, medical information would be presented to the board in a confidential manner. Said it was not subject to public records requests. Said at renewal, he would verify receipt of an updated physical form, but that would not be distributed to the board. Said medical information was something for the board to consider when determining whether or not to issue a license.

Harris said he was nervous receiving medical information. Said he was fine with simply receiving an acknowledgement from a doctor that an applicant was medically able to perform his or her duties.

Arzt said the board does not see any renewals. Said all renewal information went through the MPC.

Charles Ward said the only time a renewal goes in front of the board is if there is an issue with the application.

Arzt said the physical had to be within 60 days of the application submission.

Charles Ward said that was correct. Said it was OK for pilots who did not renew at the beginning of the year to take a physical exam when they did apply to renew.

Arzt said he may ask the board to review the timing of the physical examination. Said the USCG required an annual physical, and requiring a separate one for the state placed an undue burden on those pilots. Said that meant pilots often had to get two physicals in one year during renewal years.

Item 15. Pilot organization reports

AMP

Gillespie gave the report for AMP. Said AMP had eight marine pilots, one deputy, Capt. Keith Austin, who was nearly qualified for his marine pilot license. Said AMP had one VLCC-qualified pilot. Said Capt. Derek Nystrom had resigned from the AMP training program, and AMP had accepted his resignation. Said AMP would be assessing the impact of that resignation on pilotage in Western Alaska.

Said observers Captains Nick Garay and Wes Kuhns were actively making trips and moving forward in the AMP program.

Said AMP pilots were actively engaged in pilotage and preparing for the coming renewal period.

Ronald Ward asked if AMP anticipated replacing the trainee that resigned in the near future.

Gillespie said he believed AMP had enough trainees in the system, even with Nystrom's resignation.

SWAPA

Garay gave the report for SWAPA. Said there were currently 15 marine pilots in SWAPA, all VLCC qualified, and three deputy marine pilots. Said Matthew Michalski would become a deputy marine pilot on his three-year anniversary date later in July. Said SWAPA had two trainees that had just passed their local knowledge exams, and would sit for their oral examinations at this meeting, and should be licensed by the end of the month. Said the trainees would be licensed to pilot vessels up to 50,000 gross tons, but that SWAPA's in-house training program limited them to vessels of 25,000 gross tons upon initial licensure. Said SWAPA had one observer, Jordan Gould, who had applied to take the core examination. Said there were three members of SWAPA's rider program – Dan Butts, Chris Buckley and John Stewart – who were on the apprentice track. Said Stewart may switch to a deputy track. Said SWAPA had a new pilot boat being built on the East Coast. Said Crowley was out, and Edison Chouest was in as Alyeska's marine services provider. Said the transition was going well.

SEAPA

Flury gave the report for SEAPA. Said SEAPAC was working on a response to the proposed Southeast Alaska federal pilotage changes, and that should be ready for the fall. Said SEAPA had 45 pilots, 43 marine pilots and two deputy pilots. Said one deputy was limited to vessels under 90,000 gross tons for another year, and the other recently moved up to a 65,000-gross-ton license. Said SEAPA had 17 trainees, nine who were training at the conn, and eight who were observing. Said SEAPA's next selection process would be in March of 2019 at Pacific Maritime Institute in Seattle.

Said the Very Large Cruise Ship (VLCS) committee was still working with the large ships that were coming into Southeast. Said two pilots rode the *Anthem of the Seas*, which is the sister ship to the *Ovation of the Seas*, the latter of which will be in Southeast next year. Said they planned to ride the *Royal Princess* in November. Said SEAPA working with Princess to develop a model of the *Royal Princess* for use at AVTEC. Said there was already a model at AVTEC for the *Ovation of the Seas*. Said SEAPA planned to run simulations in November and December at AVTEC.

Said SEAPA was requesting a date for a rate hearing to establish SEAPA's liquid cargo rate. Said she and Didier had met with Tibbles and Paul Axelson and were still negotiating, but that SEAPA felt setting a date for a rate hearing was appropriate.

Harris asked if setting a date was up to the board, or if the parties would set the date. Flury and Charles Ward said the board would need to set the date.

Charles Ward said he believed a rate hearing would take half a day to complete.

Tibbles asked if the hearing would be done through the Office of Administrative Hearings.

Charles Ward said the hearing would be done through the board. Said the board could hire a hearing officer on its own, but that would be done through the Governor's Office.

Ronald Ward said hearings were usually held in conjunction with a board meeting.

Flury said October was still SEAPA's season. Said January would be preferable for it.

Charles Ward said the board could set a tentative date for its January board meeting, and set the hearing for the day before or the day after.

Flury said SEAPA was requesting changes to its training program:

- Increase the weighting of the simulation exam by making the written test strictly pass/fail.
- Add a debrief of the simulation exam, with the intent of giving a minor scoring bonus to candidates who are able to honestly and correctly analyze their own performances, and to learn more about a candidate's work history.
- Add a 5 percent bonus to those candidates who travel to Ketchikan for informal meetings with SEAPA members.
- Remove the requirement for 15 percent of maneuvers to be done between October 1 and April 1.
- Authorize the SEAPA Training Committee to allow substitutions of Endicott Arm transits for Tracy Arm based on traffic.
- Allow an additional northbound transit of Favorite Channel in lieu of a southbound trip.
- Change trainee record-keeping requirements to reflect the move to electronic filing.
- Delete the initial training phase for maneuvers: trainees will now be in either the coaching or assessment phase.
- Replace the rule that no more than three of the four required moorings could be done at one location, with a requirement that at least one mooring be done in each active mooring port in the region.

Ronald Ward moved acceptance of the changes to the SEAPA training regulations. Rueter seconded. There was no discussion. Motion passed unanimously.

Item 16. Other business

Charles Ward said the board had previously set a date of 11 October for its next board meeting, in Anchorage. Said, given the request for a rate hearing, it would be good for the board to set a tentative date for its January 2019 meeting.

There was general agreement to set the next meeting for 11 October at the Atwood Building. Ronald Ward said the third week of January would be the earliest he and Arzt could meet.

Harris said that week would work better for him as well.

Ronald Ward suggested 16-17 January 2019 as a tentative date for a board meeting and rate hearing in Anchorage. There was general agreement to set those dates as the tentative board meeting dates.

Item 16. Executive session

Ronald Ward moved to enter into an executive session to discuss two applications for a deputy marine pilot license, and an application for a foreign pleasure craft exemption. Rueter seconded. There was no discussion. The motion passed unanimously.

Off record at 1100

Back on record at 1148

Rueter moved the board end its executive session and return to regular session. Arzt seconded. There was no discussion. The motion passed unanimously.

Ronald Ward moved the board issue a deputy marine pilot's license to Capt. James Cunningham, pending receipt of a negative drug test, and excluding Seward between 1 October and 1 April. Rueter seconded.

Charles Ward and Ronald Ward clarified the motion.

Rueter asked if the removal of the Seward exclusion would require further board action.

Ronald Ward said SWAPA would notify the state with a letter, and the state would remove the exclusion.

Charles Ward said if Cunningham completed his maneuvers before SWAPA changed its program, he would seek board approval to remove the exclusion. Said if SWAPA were to change its training program before the maneuvers were completed, the issue would be moot.

The motion passed unanimously.

Ronald Ward moved the board issue a deputy marine pilot's license to Capt. Christopher Mitchell, pending his completion of two undockings at Nikiski, and excluding Seward between 1 October and 1 April. Arzt seconded.

Rueter and Ronald Ward clarified the license would not be issued until the undockings at Nikiski had been completed.

The motion passed unanimously.

Rueter moved the board approve a foreign pleasure craft exemption for the *Sunshine*. Arzt seconded. There was no discussion. The motion passed unanimously.

There being no further business, Ronald Ward moved to adjourn. Rueter seconded. There was no discussion. The motion passed unanimously.

The meeting adjourned at 1159.

Respectfully submitted:



Charles Ward
Marine Pilot Coordinator

Date: 10/15/18



Rick Harris
Acting Chairperson

Date: 10/15/18

