



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

BOARD OF MARINE PILOTS

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**State of Alaska
Department of Commerce, Community and
Economic Development
Division of Corporations, Business and Professional Licensing**

BOARD OF MARINE PILOTS

**MINUTES OF MEETING
January 16-17, 2020**

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Marine Pilots was held January 16-17, 2020.

Call to Order/Roll Call January 16, 2020

The meeting was called to order by Chairman Curtis Thayer, at 9:01 a.m. Those present, constituting a quorum of the Board were:

Curtis Thayer
Tom Rueter
Les Cronk
Rick Harris
Peggy McLaughlin
Captain Ed Sinclair
Captain Ron Ward

Present from the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing, were:

Renee Hoffard, Marine Pilot Coordinator
Cori Hondolero, Executive Administrator
Sara Chambers, Director (agenda item #4)

Visitors present included:

Captain John Herring, Southeast Alaska Pilots Association (SEAPA)
Captain Luke Sloane, Southeast Alaska Pilots Association (SEAPA)
Jeff Logan, Southeast Alaska Pilots Association (SEAPA)
Captain Andrew Wakefield, Southwest Alaska Pilots Association (SWAPA)

Jenni Zielinski, Southwest Alaska Pilots Association (SWAPA)
Captain David Arzt, Alaska Marine Pilots (AMP)
Paul Axelson, Northern Pacific Maritime
LCDR Bart Buessler - National Oceanic and Atmospheric Administration (NOAA)

Agenda Item 1 – Review Agenda

MPC Hoffard notified the board that Alaska Marine Pilots had requested to remove their operating agreement update from the agenda for January 17. It was suggested by Captain Ward that the regulation proposals by SEAPA and SWAPA be moved to board business and out of the association reports.

Upon a motion duly made by Captain Ward, seconded by Ms. McLaughlin, and approved unanimously, it was:

RESOLVED to approve the agenda as amended.

Agenda Item 2 – Introduction of New MPC

Renee Hoffard, Marine Pilot Coordinator was introduced to the board. Ms. Hoffard was appointed by Governor Dunleavy December 16, 2019 to fill the vacant position. Ms. Hoffard has been with the Division of CBPL since April 2015 as an Occupational Licensing Examiner before being promoted to a Records & Licensing Supervisor in June 2017. Prior to that she was the Division Director’s secretary. She has many years of management experience in the health field before moving from the private sector to state employment. Chairman Thayer stated that upon his review of MPC Hoffard’s resume he was confident that her skills and abilities would be an asset to the board in the MPC position. The board thanked Cori Hondolero for stepping in and providing excellent support during the interim and welcomed MPC Hoffard.

Agenda Item 3 – Review Meeting Minutes

The Board reviewed the minutes of the October 2019 teleconference meeting; Mr. Harris noted 2 corrections, page 13 and page 15.

Upon a motion duly made by Mr. Rueter, seconded by Captain Sinclair, and approved unanimously, it was:

RESOLVED to approve the minutes of the October 9, 2019 teleconference meeting as amended.

Agenda Item 4 – Public Comment

There was no one present that made a request to address the Board.

Agenda Item 5 – Board Business

- Review Board Actions – Actions taken June 17, 2019 – September 25, 2019

Date	Motion	Voting Tabulation	Action
12 Dec 2019	Approve as a training pilot - Andrew WAKEFIELD	Ward (Y), Cronk (Y), Sinclair (Y), McLaughlin (Y), Rueter (Y)	Approve as Training Pilot
8 Jan 2020	Approve as a training pilot - Keith AUSTIN	Cronk (Y), Ward (Y), Sinclair (Y), Thayer (Y)	Approve as Training Pilot

- Exam Update

Ms. Hondolero spoke to the board about the exams; the division has contracted with a consultant to acquire new exam software. The current software is outdated and has no support to fix the issues within the system. The board had questions about the estimated costs and time before a new system could be in place. Ms. Hondolero recommended the board ask Director Chambers those questions.

- OnBoard for application review/voting check-in

MPC Hoffard asked the board for clarification as to what all information they required for application review via OnBoard; the current desk manual is outdated and missing materials. As the board and new MPC move forward it would be best to set clear and precise expectations in order to not cause unwarranted delays for applicants. The board discussed parameters and guidelines for the MPC to follow. Mr. Harris requested a “cheat-sheet” for OnBoard; a tool for easier use of the system. MPC Hoffard was tasked to create such a tool and forward it to the board.

- Required documents for OnBoard app review?

Ms. Hondolero lead the discussion about the required documents for application review; the division does not want to overload the board with documentation that they are not reviewing for applications. It was determined that the only information provided in applications that the board does not review are social security numbers and medical information. Those items are required as part of the application but should only be reviewed by the MPC and investigative staff when required.

Director Sara Chambers joined via Zoom at 9:51 am.

- Right touch regulation

Director Chambers provide an overview of the administrations Right Touch Regulations project; it is a tool for boards to review statutes and regulations for their licensing program for areas that can/do cause barriers for licensure. It is also used to identify regulations that need to be updated due to current situations. The board asked Director Chambers about the travel restrictions; historically the board has held face-to-face meetings three times per year. Director Chambers informed the board that the budget requests for FY2021 have already been submitted to the administration, they are due in August or September of the prior year. She recommended the board address those meetings in their annual report and that the board submit a letter requesting approval with the travel justification that the MPC is required to submit.

- Revenue/Expenditure Report

Director Chambers reviewed the 1st quarter FY2020 fiscal report with the board. At this time the board has a surplus of \$246,147. She explained the revenue and expenditure report. The board asked about the costs associated with the consultant and testing software, Director Chambers stated that the project is still very early in the planning stage and the division hopes to have more information for the board at their spring board meeting. The board recommended the division check with the University of Alaska for advice on testing platforms.

The board returned to the discussion about OnBoard and required documents. The board and MPC discussed the differences in voting “No” and voting to “Table” an application. The agreed upon timeline for voting is 5 days for board members to vote.

Given the time the board agreed to recess early and return from lunch at 1:00 pm

Off record at 11:40 am

Return from lunch, on record at 1:00 pm

- Regulations proposals

MPC Hoffard explained the regulations process to the board for clarification as the board moved into discussion of the regulations proposals of SEAPA and SWAPA.

Chairman Thayer invited Captain Herring from SEAPA to join the board and explain the regulations proposal from SEAPA. SEAPA asked the board to consider amending regulations to increase the tonnage endorsements to better equip deputy marine pilots for the larger vessels that are coming to Alaska such as the larger oasis class cruise ships. He also requested the board amend the regulations for apprenticeships and training programs as outlined in the proposal.

Upon a motion duly made by Captain Sinclair, seconded by Mr. Rueter, and approved unanimously, it was:

RESOLVED to move the regulations amendments as proposed by the Southeast Alaska Pilots Association forward to the division regulations specialists.

Captain Ward and Captain Herring were tasked with reviewing the required FAQ sheet as completed by MPC Hoffard for accuracy before the project is submitted to the division.

Chairman Thayer invited Captain Wakefield from SWAPA to join the board and explain the regulations proposal from SWAPA. SWAPA asked the board to consider amending the regulations for apprenticeship programs to provide a path to licensing for applicants that hold the required US Coast Guard license but do not meet other criteria. He also asked the board to amend the definitions to include a definition of “experience.”

Upon a motion duly made by Captain Ward, seconded by Mr. Cronk, and approved unanimously, it was:

RESOLVED to move the regulations amendments as proposed by the Southwest Alaska Pilots Association forward to the division regulations specialists.

Captain Sinclair and Captain Wakefield were tasked with reviewing the required FAQ sheet as completed by MPC Hoffard for accuracy before the project is submitted to the division.

After board discussion it was determined that a final decision on accepting oral testimony will be made once the drafts are returned to the board for approval before the public comment period begins; MPC Hoffard will contact the board to schedule a short teleconference to approve or amend the draft language as presented by the division. The board anticipates that if oral testimony is accepted, it will be done at the April 9-10, 2020 board meeting in Juneau. At this time there are no known costs associated with this regulations project.

Agenda Item 6 – Correspondence

- SWAPA Notice of Rate Changes
- SEAPA Letter dated 11/12/2019
- Quarterly Movement Date

The board reviewed the correspondence as provide in the board packet and moved forward with the agenda. No responses were drafted for the correspondence received.

Agenda Item 7 – National Oceanic & Atmospheric Administration (NOAA)

LCDR Buessler was invited to join the board and provide his presentation. He discussed the 5 year plan for the sunset of paper charting products, the update on the National Charting Plan as well as general updates from NOAA.

Agenda Item 8 – Executive Session/Applicant Interviews/Exam Discussion

Upon a motion duly made by Captain Ward, seconded by Mr. Rueter, and approved unanimously, it was:

RESOLVED to enter into executive session in accordance with the provision of Alaska Status 44.62.310(c) for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion. Board staff Hoffard and Hondolero is requested to remain during the session.

Off record at 2:20 pm

On record at 3:40 pm

Agenda Item 9 – Approval of Deputy Marine Pilot Licenses

Upon a motion duly made by Mr. Cronk, seconded by Captain Ward, and approved unanimously, it was:

RESOLVED to approve the deputy marine pilot's licenses as qualified for

- **Captain Kristopher Mackie**
- **Captain Patrick Brandon**
- **Captain Jordan Gould**

Chairman Thayer recessed the meeting until 9:00 am January 17, 2020

Off record at 3:43 pm

Call to Order/Roll Call January 17, 2020

The meeting was called to order by Chairman Curtis Thayer, at 9:00 a.m. Those present, constituting a quorum of the Board were:

Curtis Thayer
Tom Rueter
Les Cronk
Rick Harris
Peggy McLaughlin
Captain Ed Sinclair
Captain Ron Ward

Present from the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing, were:

Renee Hoffard, Marine Pilot Coordinator
Cori Hondolero, Executive Administrator
Greg Francois, Chief Investigator (agenda item #10)

Visitors present included:

Captain John Herring, Southeast Alaska Pilots Association (SEAPA)
Captain Luke Sloane, Southeast Alaska Pilots Association (SEAPA)
Jeff Logan, Southeast Alaska Pilots Association (SEAPA)
Captain Andrew Wakefield, Southwest Alaska Pilots Association (SWAPA)
Jenni Zielinski, Southwest Alaska Pilots Association (SWAPA)
Captain David Arzt, Alaska Marine Pilots (AMP)
Paul Axelson, Northern Pacific Maritime
LCDR Bart Buesseler - National Oceanic and Atmospheric Administration (NOAA)

Agenda Item 10 – Investigative Report

Chief Francois joined the meeting telephonically to provide the investigative report. As of January 3, 2020, there were 7 open cases and no cases have been closed. Chairman Thayer asked what issues could be causing delays; Chief Francois noted that delays in responses to records requests sent to the US Coast Guard as one contributing factor. He also stated that he would like the board to consider approving the hiring of expert witnesses as needed to review cases. Chairman Thayer tasked Chief Francois with drafting a letter regarding the delays from the US Coast Guard and submitting to him for review; Chairman Thayer will forward the letter to the Congressional Delegate during a future trip to Washington DC in an effort to find resolution to this issue. MPC Hoffard was tasked to send a list of former board members that hold current Marine Pilot licenses to Chief Francois as potential experts for case review. She was also tasked to check the rates for expert witnesses for standard rates and rates paid to previous experts.

Upon a motion duly made by Mr. Cronk, seconded by Mr. Rueter, and approved unanimously, it was:

RESOLVED to approve the contracting and payment of an expert to review case # 2019-000928.

Agenda Item 11 – Pilot Association Reports

- Southeast Alaska Pilots' Association (SEAPA)

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Captain Herring presented the association report for SEAPA. He discussed the issues of ride along/observing with Alaska Marine Highway; in the past trainees could observe for an appropriate fee of approximately \$60. This recently changed and the trainees are now required to also pay the fare of the route or routes they are observing, one recent route was approximately over \$200 in addition to the \$60 observing fee. The trainees pay these fees out of pocket and this could be a barrier for them to accrue the required observation hours.

Captain Herring also presented the SEAPA Operating Rules as approved by SEAPA's voting members on May 11, 2019.

Upon a motion duly made by Mr. Harris, seconded by Captain Ward, and approved unanimously, it was:

RESOLVED to approve the Operating Rules as amended by SEAPA

Captain Herring was asked to provide a signed and dated copy to MPC Hoffard for the record.

- Southwest Alaska Pilot Association (SWAPA)

Captain Wakefield and Jenni Zielinski presented the association report for SWAPA. Ms. Zielinski presented the proposed amendments to SWAPA's Bylaws as approved by SWAPA voting members.

Upon a motion duly made by Mr. Harris, seconded by Captain Sinclair, and approved unanimously, it was:

RESOLVED to approve the Bylaws as amended by SWAPA

- Alaska Marine Pilots (AMP)

Captain David Artz provided the association report for AMP. AMP is not yet sure of the impact the reductions in the Alaska Marine Highway routes will have on the region. There has been an increase of boutique and expedition vessels over the past few years that is expected to continue; AMP has not had any issues with meeting the demands for pilots.

Chairman Thayer thanked the associations for their reports. The board discussed federal pilotage and determined the board would reach out to State of Alaska Department of Transportation regarding the fees being charged for trainees observing on vessels for the Alaska Marine Highway.

- Confirm Upcoming Meeting Dates/Locations

The board discussed future meeting dates; Captain Ward was tasked with drafting a letter to request permission for the board to have 3 face-to-face meetings per year with additional teleconferences as needed. The board agreed that the meetings should be: January in Anchorage, April in Juneau, a summer teleconference in June/July and October in Anchorage or a location as determined by the board and the needs of the licensing program. Tentative dates were set as: April 9, 2020 in Juneau, MPC Hoffard should submit travel request as soon as possible and October 8-9, 2020 in Anchorage. The exams will be scheduled for the day immediately prior to the board meeting.

Upon a motion duly made by Captain Ward, seconded by Mr. Harris, and approved unanimously, it was:

RESOLVED for MPC Hoffard to request travel for the April 9-10, 2020 board meeting in Juneau upon her return to the office.

Break at 10:30 am – off record

On record at 10:48 am

- Exam Challenges:

On the matter of exam challenges provided for board review for applicant D. Butts. Review of the challenges were that 3 of the 4 challenges were valid but the 4th was unfounded. The applicant therefore failed the exam and will be notified by the MPC.

- Board Comments

Mr. Harris: noted that the board should consider reviewing the program regulations for references to paper charts in light of NOAA's sunset of paper charting products. He also requested that a task list be included in future board packets to keep the board apprised of the status of items assigned during board meetings. He thanked Ms. Hondolero for her work and welcomed MPC Hoffard.

Mr. Cronk: echoed the comments Mr. Harris made regarding NOAA's sunset of paper chart products.

Chairman Thayer: thanked Board member Rueter for his service; this would be his last meeting as his term ends March 1, 2020. He thanked Ms. Hondolero for her work and looks forward to her input on exam software as that project moves forward. He thanked the public and associations for their attendance and cooperation.

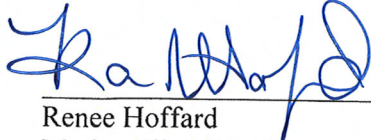
Mr. Rueter: thanked the board for their service and expressed his intentions to remain active as a licensee.

Captain Ward: stated his appreciation for Mr. Rueter's service and Ms. Hondolero's work. He will work on the draft letter regarding travel and submit it to MPC Hoffard.

Ms. McLaughlin: thanked Mr. Rueter and Ms. Hondolero; welcomed MPC Hoffard.

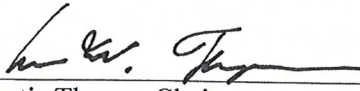
There being no further business, the meeting adjourned at 11:22 a.m.

Respectfully Submitted:



Renee Hoffard
Marine Pilot Coordinator

Approved:



Curtis Thayer, Chair
Alaska Board of Marine Pilots

Date: 4/9/20