

Annual Report

Fiscal Year 2021

Board of Marine Pilots



**Department of Commerce, Community
and Economic Development**

**Division of Corporations, Business
and Professional Licensing**

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

**Board of Marine Pilots
FY 2021 Annual Report**

Identification of Staff

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Board of Marine Pilots FY 2021 Annual Report

Narrative Statement

The Board of Marine Pilots met four times during fiscal year 2021:

- April 21, 2021 via teleconference
- January 20, 2021 via teleconference
- October 9, 2020 via teleconference
- July 29, 2020 via teleconference

Over the course of the year, the Board continued its work to establish, audit and enforce the standard as set in Alaska Statute 08.62 to:

- Ensure that persons entering the practice meet rigorous standards of competency, and maintain such standards during their practice;
- Assist the public in the knowledge of who is licensed;
- Approve the standards by which pilot organizations are operated and trainees are selected;
- Approve or disapprove rates for pilotage services;
- Ensure that drug and alcohol testing is compliant;
- Ensure that sufficient pilots are available to provide service;
- Vessels subject to pilotage have a licensed pilot while transiting compulsory waters; and
- Educate the public about the statutes and regulations governing marine pilotage in Alaska.

Throughout the year, the Board maintained its review of applications for pleasure craft of foreign registry seeking exemption from pilotage. For FY 2021, the board approved 19 applications for exemption from pilotage requirements from foreign pleasure craft (through June 17, 2021). Foreign pleasure craft exemptions generated \$77.010 in FY 2020 (through June 15, 2021).

Over the course of the fiscal year the board approved licenses for 3 Deputy Marine Pilots. Core and Local Knowledge exams were administered to 8 total candidates. Upgrades to tonnage endorsements were approved for 3 Deputy Pilots.

At the time of this report, a Marine Pilot seat on the board is vacant. The board will work with Boards and Commissions to fill the seat as quickly as possible with a qualified pilot.

Investigations

In FY 2021, no new investigations were opened. There were 9 investigations closed. 1 complaint remains open (through April 16, 2021). The division assigned Investigator III Shauna Muraco to the Board in April 2021 to better address investigations. Investigator Muraco was assigned to replace Chief Investigator Francois who had been working with the program.

Public Information

The Board website makes it possible to provide online access to meeting and exam schedules, agendas, Board minutes, meeting materials, and notices for proposed regulation. Web-based distribution helps the Board reduce costs and ensure accessibility for current and historical information and for ease of public access. The public may sign up to the Board's listserv to receive timely information from the Marine Pilot Coordinator.

**Board of Marine Pilots
FY 2021 Annual Report**

Narrative Statement (continued)

Drug and Alcohol Monitoring

The pilot associations oversee the random drug and alcohol testing of licensed marine pilots, deputy marine pilots, trainees and apprentices. The associations are required to provide annual reports on drug testing to the Marine Pilot Coordinator and are subject to requests for information on their drug testing programs upon request of the Board or MPC.

Regulations

In FY 2020 the board proposed regulation amendments to update various regulations relating to increase in gross tons endorsement requirements, training experience in an apprenticeship program, and clarifying the definition of “experience”.

Pending Issues

The COVID-19 pandemic resulted in the cancellation of all cruise ships scheduled to travel Alaskan waters for the 2020 2021 seasons. In light of the pandemic the board adopted an order waiving certain renewal requirements for the December 31, 2020 renewal of Deputy Marine Pilots and Marine Pilots.

The board also voted to permit the core examination and local knowledge examination to be administered by the pilot associations with a board member present for the duration of the pandemic. The board anticipates a return to in-person board meetings and exams for the October 2021 board meeting.

**Board of Marine Pilots
Fiscal Year 2021 Annual Report**

Budget Recommendations for FY 2022

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
October 2021	Juneau	7	1
<input checked="" type="checkbox"/> Airfare:			\$3,000.00
<input checked="" type="checkbox"/> Hotel:			\$1,200.00
<input checked="" type="checkbox"/> Ground:			\$600.00
<input checked="" type="checkbox"/> Other:			\$600.00
Total Estimated Cost:			\$5,400.00

Board Meeting Date	Location	# Board	# Staff
January 2022	Anchorage	7	1
<input checked="" type="checkbox"/> Airfare:			\$2,200.00
<input checked="" type="checkbox"/> Hotel:			\$1,050.00
<input checked="" type="checkbox"/> Ground:			\$510.00
<input checked="" type="checkbox"/> Other:			\$510.00
Total Estimated Cost:			\$4,270.00

Board Meeting Date	Location	# Board	# Staff
April 2021	Seward or Homer (TBD)	7	1
<input checked="" type="checkbox"/> Airfare:			\$4,800.00
<input checked="" type="checkbox"/> Hotel:			\$1,000.00
<input checked="" type="checkbox"/> Ground:			\$600.00
<input checked="" type="checkbox"/> Other:			\$720.00
Total Estimated Cost:			\$7,120.00

**Board of Marine Pilots
Fiscal Year 2021 Annual Report**

Budget Recommendations for FY 2022 (continued)

Travel Required to Perform Examinations

Not applicable

Date	Location	# Board	# Staff
Description of meeting and its role in supporting the mission of the Board:			
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Conference:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Describe "Other" (break out all sections):			
Total Estimated Cost:			\$0.00

Out-of-State Meetings and Additional In-State Travel (Rank in order of importance)

#1 Rank in Importance or Not Applicable

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

**Board of Marine Pilots
Fiscal Year 2021 Annual Report**

Budget Recommendations for FY 2022 (continued)

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
		\$0.00

Description of item and its role in supporting the mission of the Board:

Other Items with a Fiscal Impact

Cost Per Event: \$0.00

- Not Applicable

Number of Events: 0

Product or Service	Provider	Total Cost
		\$0.00

Description of item and its role in supporting the mission of the Board:

Summary of FY 2022 Fiscal Requests

Board Meetings and Teleconferences:	\$2,022.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$0.00
Dues, Memberships, Resources, Training:	\$0.00
Total Potential Third-Party Offsets:	-\$0.00
Other:	\$0.00
Total Requested:	\$2,022.00

**Board of Marine Pilots
Fiscal Year 2021 Annual Report**

Legislation Recommendations Proposed Legislation for FY 2022

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

**Board of Marine Pilots
Fiscal Year 2021 Annual Report**

Regulation Recommendations Proposed Legislation for FY 2022

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

The board currently has regulations amendment projects in process for:

- 12 AAC 56.115 – Pleasure Craft Exemption requirements
- 12 AAC 56.120(a)(39) – Pilot Stations or pick-up points

**Board of Marine Pilots
Fiscal Year 2021 Annual Report**

Goals and Objectives

Part I

FY 2021's goals and objectives, and how they were met:

- ***The board shall follow the COVID-19 pandemic and review the impacts it has on the pilot organizations, training programs and license holders.***

The COVID-19 pandemic continues to affect the industry. The board received quarterly reports from stakeholders in efforts to monitor the ongoing situation.

- ***The board will monitor challenges that have been reported for trainees with the reduction in availability of Alaska Marine Highway routes used to accrue time as an observer in training programs. They will also monitor the impact that the cancellation of all 600 expected season 2020 cruise voyages have on the training programs and pilot organizations.***

The board monitored the situation via the pilot organizations; due to COVID-19 restrictions opportunities for trainees were reduced further than anticipated. All cruise voyages for 2020 were cancelled; this led to numerous pilots not working.

- ***The board will, through a work group, work to streamline the foreign pleasure craft exemption application and process to ensure compliance with statutes and regulation. This work group will also draft guidelines to ensure that the credentials of foreign captains are comparable to the required US Coast Guard mariners credential and applicable endorsements.***

The board created a sub-committee to review the regulations for streamlining and a regulations project is in process based on the recommendations of that sub-committee.

**Board of Marine Pilots
Fiscal Year 2021 Annual Report**

Goals and Objectives

Part II

FY 2022's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

- The board will advocate for a return to in-person meetings as the State of Alaska reopens; they anticipate meeting in Juneau, Anchorage and perhaps Seward or Homer in the coming fiscal year. Meeting in alternative locations will enable the board to meet its public education requirement, allow the board to meet concerned citizens in their home cities and for the board to visit pilot training centers in those locations.
- The board will continue to monitor challenges facing trainees as the industry re-opens opportunity for observers and at-the-conn training. At the time of this report the projected 2022 cruise season shows a schedule 20% busier than 2019 which was a very busy year.
- The board will move forward with regulations to clarify and streamline the application for Foreign Pleasure Craft Exemption applications. They will continue to review and vote on the exemption applications using electronic voting to expedite the process.
- The board will receive reports from the pilot associations at the October 2021 meeting outlining the impact the reduced shipping (cruise and non-cruise traffic) due to the pandemic had on training and licensing requirements (new and renewal) in order for the board to address any possible regulation changes or special consideration that may be warranted.

**Board of Marine Pilots
Fiscal Year 2021 Annual Report**

Sunset Audit Recommendations

Date of Last Legislative Audit: April 20, 2018

Board Sunset Date: June 30, 2027

Audit Recommendation:	The board should ensure applicable documents are aboard foreign pleasure crafts in accordance with regulatory requirements.
Action Taken:	The Marine Pilot Coordinator will ensure applicants for foreign pleasure craft exemptions report having all required documents on board prior to processing their applications. The department and board note that compliance enforcement will be limited to self-certification unless a complaint is filed.
Next Steps:	The Marine Pilot Coordinator (MPC) will work with vessel agents and yacht captains to ensure the documents are certified as on board prior to forwarding the applications to the board for a vote. The MPC will also ensure information and education continues with vessel agents and yacht captains on this important point.
Date Completed:	Ongoing

Audit Recommendation:	The board should ensure the Southeast Alaska Pilots' Association (SEAPA) improves its procedures for tracking drug test notifications.
Action Taken:	SEAPA has worked with the third-party contractor that performs its drug tests to ensure selected donors who were out of town when notified of random selection were adequately tracked.
Next Steps:	The board and Marine Pilot Coordinator will continue to monitor compliance.
Date Completed:	Ongoing