

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

MINUTES OF TELECONFERENCE MEETING
JUNE 25, 1990

In accordance with AS 08.01.070 and AS 08.62.030, and in compliance with AS 44.62.310 and AS 44.62.320, the Board of Marine Pilots held a meeting via the ALASCOM conference operator on June 25, 1990.

Monday, June 25, 1990

Agenda Item 1 Call to Order/Roll Call

The meeting was called to order at 1:40 p.m.

The following members of the board were present, constituting a quorum:

Harold Elsensohn, Acting Chairman
Mark Foster
William Lorch
Michael O'Hara
Randall P. Burns, Commissioner's Designee
Russell Sell

Board Member Paul Taylor was unable to attend.

Also present from the Division of Occupational Licensing were Nancy Ferguson, Licensing Examiner, and Kevin Henderson, Regulations Specialist.

Also present from the Department of Law was Beth Kerttula.

Guests present:

Lisa Parker, Cominco Alaska, Inc.
Bill Sharp, Southeast Stevedoring/Ketchikan
Jim Wagner, Attorney for Cominco Alaska, Inc.

Our chairman, Paul Taylor, was called to Whitehorse. Mr. Taylor asked Captain Elsensohn to chair this teleconference.

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The sole purpose of this teleconference meeting was to consider adoption of an emergency regulation expanding the boundaries of compulsory pilotage waters for Kotzebue Sound.

Mr. Wagner read a statement into the record from Cominco. The FAX letter was received at the Juneau office at 1:05 p.m. There was not time to FAX a copy to each member before the teleconference began.

Captain O'Hara stressed the importance of using state licensed pilots. He noted that the tide runs four to five knots; the extreme edge of the ice flow below Cape Prince of Wales; the 12-mile channel has unbouyed cross currents with minimum navigational aides; the soundings are poor and made in straight lines with uncharted areas between the lines; and minimal gyro, loran, satellite fixes.

Mr. Parker advised that the ore concentrate is enclosed from the time it leaves the mine. The zinc concentrate is not considered hazardous. The company's opinion is to go without pilots. DI Stefano will head the steamship company. A contingency plan has been developed in the event that there is an oil carrier spill.

Mr. Parker advised that two years ago, the U.S.C.G. used the area as an exercise and involved Cominco. Captain Russo of the U.S.C.G. in Anchorage conducted the exercise. The results of the simulations are unknown.

The board members reviewed the "Findings of Emergency." Mr. Foster asked to add Shishmaref Shoal under 3d. The board also reviewed the pilot station wording under 12 AAC 56.120(a)(40). Both items are attached.

Ms. Kerttula felt that the board may face public litigation. She suggested going into executive session.

On a motion duly made by Mr. Burns, seconded and approved unanimously, it was:

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RESOLVED under AS 44.62.310 to enter executive session under common law to discuss with Beth Kerttula, Assistant Attorney General, any potential ramifications the adoption of emergency orders might have on potential litigation position with the state.

At this time, all members noted verbally that they did not have a conflict of interest.

Guests present were asked to hang up: Mr. Sharp, Ms. Parker and Mr. Wagner.

Off the record at 2:10 p.m.

On the record at 2:40 p.m.

Guests returned to the teleconference at 2:40 p.m.: Mr. Sharp, Ms. Parker and Mr. Wagner.

Ms. Parker advised that the only stop in Alaska will be the port site where customs and immigration will be present.

On a motion duly made by Mr. Burns, seconded and approved by Mr Lorch, Mr. Foster, Captain Elsensohn, Mr. Burns and Captain O'Hara, with Mr. Sell abstaining because he did not attend the June 1, 1990 teleconference, it was:

RESOLVED that we adopt the Finding of Emergency and the changes to 12 AAC 56.100(14) and 12 AAC 56.120(a)(40).

Captain Elsensohn will be in Juneau on Friday, June 29, 1990 to sign the Emergency Order.

The examiner advised that at the June 1, 1990 teleconference, the board had asked who the pilots were with current experience. Ms. Parker had also asked for a list. Captain O'Hara will ask Captain Murphy, President of SWAPA, to send us a list for circulation to the board.

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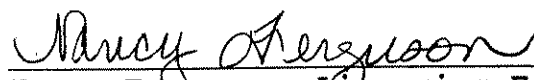
Adjournment

There was no further business, and on a motion duly made, seconded and approved unanimously, it was:

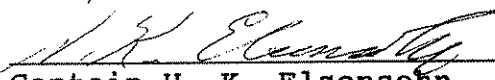
RESOLVED that the teleconference meeting adjourn.

Off the record at 2:50 p.m.

Respectfully submitted,



Nancy Ferguson, Licensing Examiner



Captain H. K. Elsensohn
Acting Chairman



PUBLIC NOTICE
BOARD OF MARINE PILOTS

NOTICE OF FORTHCOMING TELECONFERENCE MEETING

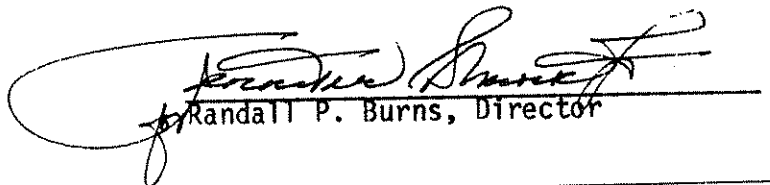
The Department of Commerce and Economic Development, Division of Occupational Licensing, Board of Marine Pilots, announces a teleconference meeting to be held Monday, June 25, 1990 starting at 1:30 p.m. via the Alascom conference call operator.

The sole purpose of this teleconference meeting is to consider adoption of an emergency regulation expanding the boundaries of compulsory pilotage waters for Kotzebue Sound.

Anyone desiring information may contact the Department of Commerce and Economic Development, Division of Occupational Licensing, P.O. Box D, Juneau, Alaska 99811, telephone (907) 465-2544.

Date:

June 15, 1990


Randall P. Burns, Director

