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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**

**April 12, 2007**

**Ketchikan, Alaska**

**B**y the authority of AS 08.01.070(2), AS 08.62.030, and in compliance with the provisions of provisions of AS 44.62, Article 6, a meeting of the Board of Marine Pilots was held April 12, 2007, in Ketchikan, Alaska.

**Call to Order/Roll Call**

Chairman Clough called the meeting to order at 0930 and the Marine Pilot Coordinator (MPC) conducted roll call.

Members present constituting a quorum were:

Mr. Robert Arts	- Agent Member
Mr. Al Clough	- Commissioner's Designee
Captain Dale Collins	- Pilot Member
Mr. Les Cronk	- Agent Member
Mr. Joseph Miller	- Public Member
Captain Mike O'Hara	- Pilot Member
Mr. Jack Poulson	- Public Member

Staff present were:

Renda Heimburger, Marine Pilot Coordinator (MPC)

Chairman Clough announced the appointments of Mr. Miller, Captain O'Hara and Mr. Austerman to the Board, representing new public, pilot and Commissioner's designee.

**Review / Set Agenda**

Business Items on the agenda were adjusted. Badging was moved to Item 6. Correspondence from Southeast Alaska Pilots Association (SEAPA) regarding Ocean Rangers was added. Continuing education for Southwest Alaska Pilots Association was deleted.

On a motion made by Mr. Cronk and seconded by Captain O'Hara, it was:

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RESOLVED to approve the agenda as amended.

**Declaration of Potential Conflicts of Interest / Recusals**

No conflicts or recusals were declared.

**Agenda Item 1**      **Review / Approve Minutes**

Mr. Cronk identified a correction on Page 2 of the January 2007 minutes and provided the correct affiliation for Mr. I.H. Kim as Transports International. On a motion from Mr. Poulson and carried without dissent, it was:

RESOLVED to approve the January 2007 minutes with change.

**Agenda Item 2**      **Public Comment on non-agenda items**

Captain Larry Vose, President of SEAPA, addressed the Board and recognized Chairman Clough for his years of service.

**Agenda Item 3**      **Business Items**

The Board reviewed their Budget Report dated March 22, 2007. It was noted that revenues reflected income from licensing fees during biennial license renewal and expenses were less than the previous year to date.

Core Exam Audit – The MPC outlined the activities by representatives from each of the Pilot Associations and testing contractor, Dr. Norman Hertz of Comira, as they continue to reconstruct both the testing categories and individual questions. The upgrade of the database was currently short of the 200-question target but did support one complete exam. It was seen that additional effort would be required and the Board encouraged continued attention to the project.

Captain Tony Joslyn spoke to the need for review of Local Knowledge exams and Captain Tom Dundas highlighted the strengths of the audit process. Captain Collins shared the success that SEAPA experienced utilizing Dr. Hertz in the construction of their trainee application program. Discussion continued and in conclusion, the Board asked for an update at their next meeting. Appreciation was extended to those participants in the process.

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Dutch Harbor Report – Chairman Clough reported on an observation trip to Dutch Harbor in March by himself, Vice-Chair Jack Poulson and the MPC, following the unsuccessful attempt by the full Board to visit earlier in October 2006. He impressed on the Board the unique conditions which characterize the challenges for that region and encouraged continued efforts by the Board to maintain this type of first hand knowledge.

Correspondence – The Board acknowledged a letter from Bruce Weyhrauch on behalf of SEAPA with concerns for boarding and interference with orderly operation of the ship from proposed ‘Ocean Rangers’ as introduced by HB164. Discussion commenced. Kate Tesar, State Director of Alaska Steamship Association, gave clarification on the status of the initiative. She stated the regulation process was ongoing and Department of Environmental Conservation (DEC) was discovering they did not have answers yet to implement. It was agreed that Chairman Clough would contact DEC and forward the concerns expressed in Mr. Weyhrauch’s letter.

Chairman Clough then outlined the procedure to review a second letter from SEAPA which requested the Pilot Board reconsider their previous decision to approve a seasonal pilot station for vessel traffic in and out of Hawk Inlet. The letter cited an incident on March 15 involving an ore ship that lost propulsion power in Chatham Strait. The Board questioned Captain Vose for details of the incident then proceeded with discussion. Advice from Department of Law was provided that the letter invoked the right to petition per 44.62.220 and the subsequent procedure under 44.62.230 was to deny the petition or schedule the matter for public hearing. No public comment was allowed at this time.

On the motion by Mr. Poulson, and seconded by Mr. Miller with objection by Mr. Cronk, by a roll call vote 5-2, it was

RESOLVED to accept the petition and schedule the matter for public hearing.

Arts	No	
Collins	Yes	
Cronk	No	
Miller	Yes	
O’Hara		Yes
Poulson	Yes	
Clough	Yes	

The Board recessed at 1046 and returned at 1110.

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Chairman Clough gave a Legislative Update on House Bills 108 and 164 which served to extend the Pilot Board's sunset date, one bill with language for eight years, the other bill for six years. The MPC added that Legislative Audit comments on drug and alcohol testing were being addressed and an update provided the Board at their next meeting. She addressed the issues that Leg Audit referred to in their sunset review and explained that each of the Pilot Associations had met with U.S. Coast Guard (USCG) to have their procedures reviewed with CFR requirements. Both the USCG and Leg Audit pronounced their testing to be compliant.

Tentative Meeting Dates were reviewed and Mr. Arts requested a change to the April 2008 meeting. It was decided to reschedule it to the 16<sup>th</sup>. The remaining meetings were left as listed.

### **Agenda Item 3**

#### **SEAPA Bylaws**

Captain Larry Vose presented changes to the Southeast Alaska Pilots Association (SEAPA) bylaws, as voted on by their membership. He explained the purpose of the amendments was to address pilot availability during the summer season and categories of pilot trainees. On a motion by Mr. Cronk, and carried unanimously, it was

RESOLVED to approve the amendments to SEAPA bylaws.

#### **Training Updates**

Captain Pete Garay, President of Alaska Marine Pilots (AMP), explained the need to accelerate two Deputy Pilot trainees to licensure by allowing them to test before the next scheduled Pilot Board meeting. Upon successful completion of their regional exam, Captains Arzt and Christy would receive their Deputy licenses to assist with increased demand for piloting in their region. On a motion by Captain O'Hara, seconded by Mr. Arts and carried unanimously, it was

RESOLVED to direct the MPC to facilitate an early test date for regional exams for Captain Arzt and Captain Christy.

Captain Vose summarized efforts in Region One to bring trainees along and develop consistency to evaluations with a 'Train-the-Trainer' Program. He elaborated on SEAPA's efforts to design a program that would standardize the evaluation process and promote a better understanding among their training members. Captain O'Hara commented on SEAPA's in-house simulator, stating it was more advanced than he anticipated. Captain Vose reported it had been

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recently reviewed by a consultant who assured the Association it was superior because of its specific concentration.

Captain Vince Tillion of Southwest Alaska Pilots Association (SWAPA) addressed the Board and gave projections for Deputy licensure. He added that Region Two was also addressing training and working to review their evaluations. Discussion concerning performance during training ensued. Board members gave positive encouragement to the increased attention to training.

Captain Tillion outlined the work that SWAPA was conducting in conjunction with Alaska Vocational Technical Center (AVTEC) and Alaska Marine Pilots (AMP). He explained the simulator allowed them to put the trainees through extremely difficult scenerios and was proving to be a valued training tool. Discussion concerning AVTEC and newly enacted regulations for continuing education followed.

The MPC noted a request for substitutions in required maneuvers for Captain Vermette who was scheduled for oral examination in Executive Session. Captain Tillion detailed the substitutions for the Board and asked that Captain Vermette be granted his Deputy license as fully qualified. Captain O'Hara added that Vermette's substitutions represented a greater challenge than what was prescribed in regulation and on his motion, seconded by Mr. Cronk and carried unanimously, it was

RESOLVED to accept substitute maneuvers for Captain Vermette, as allowed by 12 AAC 56.028(e), for Deputy licensure.

The Board recessed at 1155.

## **Agenda Item 5**

### **Executive Session**

The Board reconvened at 1400.

On a motion by Mr. Cronk and carried unanimously, it was

RESOLVED to move into Executive Session to conduct oral exams for Captain Merrill and Captain Vermette, and review licensing action for Captain Seigel.

The Board returned from Executive Session at 14:42. Deputy licenses for Captain Merrill and Captain Vermette were approved.

The Board revisited the tentative meeting date for October 2007 and re-established it for October 10-11.

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Yacht Exemptions. Captain O'Hara questioned an application for exemption from pilotage recently submitted by the M/Y Monoco. He identified the license for the vessel's engineer to be expired. Discussion ensued. It was noted that State regulation did not address licensing for the crew members, unless it was a violation of federal, state or local law. Discussion continued. The Board directed the MPC to gain more information to the engineer's background before the Board finalized their vote for the exemption. Mr. Miller reaffirmed his interest in seeing the full applications with each request for exemption. It was agreed the applications could and would be provided with each future request.

**Agenda Item 6      Regulations**

The MPC provided an update on badging and discussion commenced on how to issue prior to regulatory oversight. Captain Cees Deelstra of Holland America Line noted that IMO standards require a photo ID and the language suggested for 12 AAC 56.960(i) should not suggest badges as a replacement for that ID. Discussion followed. Captain Hans Antonsen of SEAPA summarized the solutions that badging was seen to provide. For the purposes of issuing the badges immediately, It was agreed that the language proposed should be amended and on a motion by Mr. Arts, seconded by Mr. Miller and carried unanimously, it was

RESOLVED to move 12 AAC 56.960(i) for public comment.

The floor was opened to public comment and none was offered. On a motion by Captain Collins, and carried unanimously, it was

RESOLVED to adjourn the meeting.

Meeting was adjourned at 1530.

Respectfully submitted:

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Renda Heimbigner  
Marine Pilot Coordinator

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Jack Poulson, Vice Chairman  
AK Board of Marine Pilots