



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

BOARD OF MARINE PILOTS

P.O. Box 110806
Juneau, Alaska 99811-0806
Main: 907.465.2525
Fax: 907.465.2974

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

BOARD OF MARINE PILOTS

**MINUTES OF MEETING
July 29, 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 via video/teleconference July 29, 2020.

Call to Order/Roll Call July 29, 2020

The meeting was called to order by Chairman Curtis Thayer, at 10:04 a.m. Those present, constituting a quorum of the Board were:

Curtis Thayer
Les Cronk
Rick Harris
Captain Edward Sinclair
Captain Ronald Ward II
Lucas Hasenbank
Peggy McLaughlin

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

Renee Hoffard, Marine Pilot Coordinator

Visitors present included:

Mike Tibbles, Cruise Lines International Association, Alaska (CLIA)
Captain John Herring, Southeast Alaska Pilots Association (SEAPA)
Jenni Zielinski, Southwest Alaska Pilots Association (SWAPA)
Paul Axelson, Northern Pacific Maritime and Yacht Services of Alaska
Rick Erikson, Cruise Line Agencies of Alaska

Agenda Item 2 – Review Agenda

Upon a motion duly made by Captain Ronald Ward, seconded by Captain Edward Sinclair, and approved unanimously, it was:

RESOLVED to approve the agenda as amended to include association reports from each of the state pilot associations.

Captain Ward stated that the board routinely meets in July and addresses all board business at the July meetings. He asked that MPC Hoffard ensure that review of board meeting minutes and association reports be on each agenda for scheduled meetings held via video/teleconferencing or in-person.

Agenda Item 2(B) – Ethics Declarations/Recusals

The board had no ethics declarations or recusals.

Agenda Item 3 – Yacht Packet Review

The Board reviewed the updated documents for the yacht navigation packet. After discussion it was determined that the contact list for Yacht Services of Alaska did not need to be included in the packet but should be provided to MPC Hoffard. MPC Hoffard asked the board if it would be acceptable to have each document posted to the board webpage as stand-alone documents opposed to a large packet. The packet historically had been compiled into 1 document that is too large to post and has subsequently been split into two documents.

Upon a motion duly made by Captain Ronald Ward, seconded by Captain Edward Sinclair, and approved unanimously, it was:

RESOLVED to approve the 2020 Yacht Navigation packet as updated.

The board moved to agenda item 8; discussion regarding the Annual report.

Agenda Item 8 – Annual Report

The board reviewed the annual report as presented via OnBoard and discussed the information provided in the report. It was noted that dates listed in the report for anticipated travel were incorrect; the dates listed were for 2020 when they are in fact in 2021.

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

RESOLVED to approve the annual report as edited.

Captain Sinclair asked if any clarification had been received regarding the requirement on Foreign Pleasure Craft (FPC) Exemption application to submit proof of insurance, the board had requested guidance at a previous meeting regarding this topic. This opened a discussion about issues that board members noticed during review of FPC exemption applications over the season. The issues included masters with foreign credentials, the actual information listed on the proof of insurance submitted, the 30-day requirement for applications before entering Alaskan waters and what constitutes a complete application to start the clock for both the 30-day requirement and the board's 10-day deadline for taking action. Captain Sinclair asked MPC Hoffard to determine if there is a state level of recovery requirement for insurance that the board should be looking for.

It was determined that a sub-committee should work to compile a list of the issues and propose recommendations to address those issues at the next board meeting. Captain Sinclair, Les Cronk and Rick Harris offered to work on those issues via email with the assistance of MPC Hoffard. A report will be made available at the October 2020 scheduled meeting.

Agenda Item 5 – Regulations – Dept. of Law

The board met with representative from the Department of Law (DOL) to discuss some questions regarding the current regulations project. AAG Harriet Dinegar and AAG Susan Pollard joined the meeting telephonically. Chair Thayer invited Captain Donal Ryan from Southwest Pilots Association to join the discussion as he had worked on the original draft of the regulations proposal. Captain Ryan and the board addressed the questions put forth by DOL.

12 AAC 56.033(b)(2)

It was determined that the addition of "or" to the amendment of 12 AAC 56.033(b)(2) was acceptable as the board intended to cover all the bases and allow flexibility in evaluating qualifications.

12 AAC 56.990

Definition of Experience:

A "year" means 12 months. No minimum number of hours.

25% issue: This means that a person in an apprenticeship program who does 25% more than the required number of dockings and undockings may use that as one year's credit. In other words, an apprentice cannot do 50% more and get two years' credit.

"supervised dockings and undockings" means the same thing as supervised movements or maneuvers. Substitute maneuvers if you like; dockings are maneuvers so that will not change the meaning.

All of this is region-specific. The dockings and credit and years – all of it – has to be in the region in which the person is seeking to be licensed.

References to 46 CFE 10.107 can be deleted. That reference was intended to demonstrate to the board what the theory was. It was not intended to have any substantive effect.

DOL recommended the board withdraw the proposed amendments to 12 AAC 56.033 and 12 AAC 56.990 from the current regulations project and allow the other amendments to move to the Lt. Governor's office for signature. The amendments to 12 AAC 56.033 and 56.990 will be substantive changes that will require a supplemental public notice and additional public comment period.

Upon a motion duly made by Captain Ronald Ward, seconded by Les Cronk, and approved via roll call, it was:

RESOLVED to withdraw the proposed amendments for 12 AAC 56.033 and 12 ACC 56.990 from the current regulations project for additional edits. The remaining amendments to be sent forward for signature by the Lt. Governor.

Agenda Item 6 – Oral Interviews/Application Review

Upon a motion duly made by Captain Ronald Ward, seconded by Lucas Hasenbank, and approved via roll call, it was:

RESOLVED to enter into executive session for the purpose of discussing matters which by law, municipal charter, or ordinance are required to be confidential. Board staff to remain during the session.

Off record at 11:15 am

Back on record at 11:35 am

Upon a motion duly made by Captain Sinclair, seconded by Les Cronk, and approved via roll call, it was:

RESOLVED to approve the Deputy Marine Pilot license for Captain Morgan Williams for pilotage on vessels up to 50,000 gross tons in Region 1 with the exception of West Coast of Prince of Wales Island and Lisianski Inlet port of Pelican.

Agenda Item 7 – Cruise Line Association update

Mike Tibbles, Cruise Lines International Association, Alaska (CLIA) joined the board to provide an update of the cruise industry response to COVID-19. He updated the board on announcements that have been made for cancellations since he last addressed the board. A CDC no-sail order has led to the cancellation of all voyages through September 2020. The total number of voyages to Alaska cancelled is 600 with an estimated loss of revenue at just over 1 billion dollars. There have been some small returns to service internationally; Europe has developed some new guidelines through the European Maritime Safety Agency and some river cruises have resumed. Chair Thayer asked what numbers are anticipated for next year, do they think numbers will be returning to normal? Mr. Tibbles stated he cannot speculate on next year but there are simply too many uncertainties at this time.

Agenda Item 9 – Association Reports

SEAPA:

Captain John Herring provided the association report. SEAPA has had a quiet summer with a few yachts and the routine cargo ships. Current roster of 39 full pilots, 10 deputy pilots, and 18 trainees with 10 in observer status and the other 8 working at the con. They are attempting to continue training but the lack of cruise ships and changes to the Alaska Marine Highway have brought things to a standstill other than some simulation trainings. They do have 1 pilot that is planning to retire at the end of the season. The board had no questions for SEAPA.

SWAPA:

Jennie Zielinski, SWAPA Business Manager provided the report. Current roster of 16 full pilots 4 deputy pilots, and 6 trainees with 2 in observer status and 4 working at the con. SWAPA has obviously not been as affected by the pandemic to the extent SEAPA has but it has had similar effects on the training programs. Full effects on business will not be known until closer to the end of the third quarter or the end of the year but it is clear COVID-19 will have had a substantial impact on SWAPA. The board had no questions for SWAPA.

AMP:

Captain David Artz provided the report. AMP has a current roster of 9 full pilots with 2 trainees in the 4th year and 1 apprentice accepted earlier this year. AMP had a suspension of their training program for several months at the beginning of the pandemic; in the past month or so they have been able to get the apprentices on training maneuvers. They have had a reduction in vessels from the cruise sector, however, of the three regions they have been the least impacted. The board had no questions for AMP.

With no further business to discuss, Chair Thayer adjourned the meeting at 11:55 am.

Respectfully Submitted:

Renee Hoffard

Renee Hoffard
Marine Pilot Coordinator

Approved:

Curtis Thayer

Curtis Thayer, Chair
Alaska Board of Marine Pilots

Date: _____

10/9/20

