

Maine Pilotage Commission



Virtual Meeting
January 20, 2021

Minutes of Pilotage Rate Meeting

In considering a pilot rate adjustment proposed by the Penobscot Bay and River Pilots Association on October 1, 2020 as well as Captain Mark Klopp's e-mail of December 12, 2020, a public Pilotage Rate Meeting was convened to publicly discuss the proposed adjustments and hear public comments.

The Maine Pilotage Commission members comprising a quorum were:

Captain Charles Weeks	– Chair of the Commission
Captain Shawn Moody	– Maritime Industry Member
Captain John Worth	– Public Member (telephonically)
Mr. Tom Dobbins	– Public Member
Captain David Gelinis	– Pilot Member
Captain Gerald Morrison	– Pilot Member
Brian Downey	– Pilotage Commission Administrator (Public Meeting Facilitator)

Interested Parties present were:

Mr. Mark MacDonald	– Bay Ferries
Captain Robert Peacock	– Quoddy Pilots
Captain Skip Strong	– Penobscot Bay and River Pilot
Captain Adam Philbrook	– Penobscot Bay and River Pilot
Mrs. Susan Klopp	– Klopp Marine Services
Mrs. Jonathan Gardner	– Norwegian Cruise Lines
Captain Brendan McAvoy	– Maine Maritime Academy

Maine DOT staff present were:

Ms. Toni Kemmerle	– Maine DOT
Ms. Dawn Payne	– Maine DOT
Mr. Matt Burns	– Maine DOT

Background and Administration

Captain Weeks opened the meeting at 1000 and acknowledged a quorum. Captain Weeks took the roll and facilitated introductions of those participating virtually.

Mr. Downey reviewed the legal statute requiring the Commission to establish pilotage rates. He further reviewed the process which the Commission will follow to effect any new rates, if approved.

Striving for transparency, in addition to internal communication to the Commission members and licensed pilots, the Maine Pilotage Commission published Public Meeting Notices for this Public Meeting in the Kennebec Journal, Bangor Daily News, and Portland Press Herald. The Commission also directly mailed notices of the meeting to known pilotage users and those who may be interested in a pilotage rate discussion and followed up with e-mailed notices which included a summary of the changes.

The meeting was a hybrid in that it was a normal Pilotage Commission meeting but only discussed proposed pilotage rates. The meeting did not take on any other Commission business. The meeting was recorded by a via the Zoom recording feature which was also transcribed automatically.

Proposed Pilot Rate Adjustments

In order to organize discussion and deliberation of the two pilotage organizations' proposals, they were anecdotally split into two conversations – namely:

- Penobscot Bay and River Pilots Proposal; and
- Kennebec River Proposal.

Penobscot Bay and River Pilots Proposal

- For all regions served by the Penobscot Bay and River Pilots, an increase in the Training, Technology & Capital Construction fee (TT&CC fee) to \$200 from current \$125, to be applied on the inbound trip only.
- Rates for Penobscot Bay and River Ports (excepting Camden and Rockland) remain as currently approved, with the exception of the increased TT&CC fee.
- Bar Harbor rates remain as currently approved, with the exception of the increased TT&CC fee.
- Separate Somes Sound/Eastern Way and Blue Hill Bay from Bar Harbor on the rate schedule.
- Separate Boothbay Harbor from Kennebec River and Sheepscot River on the rate schedule.
- Eliminate Boat Hire fee for Boothbay Harbor.

- Consolidate Boothbay Harbor, Blue Hill Bay, and Eastern Way/Somes Sound and Camden/Rockland into a common rate.
- Establish a unified rate for Boothbay Harbor, Blue Hill Bay, and Eastern Way/Somes Sound and Camden/Rockland as follows:
 1. Minimum fee for first 100 Pilot Units: \$1,800.
 2. Pilot Unit fee above 100: as per published rate for Searsport.
 3. For shifting within the above named Pilotage Zones: 50% of the inbound rate.
- Establish an hourly rate of \$500/hr. for “Pilot aboard while not engaged in the expedient transit of a route.”

Kennebec River Proposal

Adjust the Kennebec River rate to \$8.24 from \$11.99 per Pilotage Unit and also increase the minimum Pilotage Units from 100 to 150 for the Kennebec River.

Pilot Rate Discussions and Public Comment

Penobscot Bay and River Pilots Association’s Proposal

Captain Gelinas offered some insight into the background of the Penobscot Bay and River Pilots’ proposal, indicating that the proposal is principally designed to better align a shift in vessel traffic from large ships to smaller yachts (due to the COVID-19 pandemic) which demand different pilotage service and corresponding adjustment to rates.

Captain Moody requested clarification that the minimum Pilotage Unit fee of 100 of \$1,800 was applicable to Boothbay Harbor, Blue Hill Bay, and Eastern Way/Somes Sound and Camden/Rockland; which was confirmed by Captain Gelinas and Brian Downey.

Similarly, Mr. MacDonald read his letter to the Maine Pilotage Commission of January 20, 2021 stating that Bay Ferries has no objection to the rate change including the Training, Technology, and Capital Construction Fee increase to \$200 for Frenchman Bay. His letter went on to request consideration of the pandemic’s impact to Bay Ferry’s burgeoning international ferry operation with regard to future rates.

There were no other public comments in favor or in opposition of the Penobscot Bay and River Pilots Association’s proposal.

Mr. Dobbins requested the last date that Boothbay Harbor’s pilotage rate was changed. Mr. Downey referred to the current Pilotage Rate Schedule to offer the rate was last adjusted on July 15, 2015.

Kennebec River Proposal

There was no public comment in favor or in opposition of the Kennebec River proposal, however, Mr. Downey offered that based on his analysis of pilotage rates in the State of Maine that the proposed Kennebec Rate was aligned with the Port of Portland.

Mr. Dobbins also requested information regarding the status of the Sheepscot River rate. Mr. Downey explained that the Sheepscot River was not included in any rate adjustment requests, and will, therefore, remain unchanged from the current rate that was established in 2015. Further, there has been no commercial vessel or yacht traffic in the Sheepscot River in recent memory and is essentially a dormant route.

Written Comments

Mr. Downey explained that written comments may be received for consideration of either of the proposals but must be received by February 19, 2021. Written comments should be mailed to:

Brian J. Downey
Administrator
Maine Pilotage Commission
16 State House Station
Augusta, Maine, 04333-0016

Comments may also be e-mailed directly to Mr. Downey at brian.downey@marinecs.com.

Commission Vote and Implementation

Rates for Penobscot Bay and River Ports (excepting Camden and Rockland) remain as currently approved, with the exception of the increased TT&CC fee. Bar Harbor rates remain as currently approved, with the exception of the increased TT&CC fee.

Pending no adverse comments during the 30 day comment period, the proposed rates will become effective February on 20, 2021.

A vote of the Commission on the proposed rate adjustments was facilitated as per the following table:

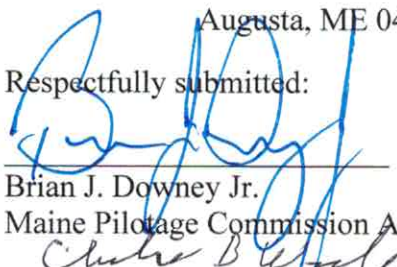
Rate Adjustment	Motion to Accept	Seconded Motion	Disposition
For all regions served by the Penobscot Bay and River Pilots, an increase in the Training, Technology & Capital Construction fee (TT&CC fee) to \$200 from current \$125, to be applied on the inbound trip only.	Mr. Dobbins	Captain Morrison	Carries (Captain Gelinas abstained)
Separate Somes Sound/Eastern Way and Blue Hill Bay from Bar Harbor on the rate schedule. Separate Boothbay Harbor from Kennebec River and Sheepscot River on the rate schedule.	Captain Worth	Captain Moody	Carries (Captain Gelinas abstained)
Eliminate Boat Hire fee for Boothbay Harbor.	Captain Worth	Mr. Dobbins	(Captain Gelinas abstained)
Consolidate Boothbay Harbor, Blue Hill Bay, and Eastern Way/Somes Sound and Camden/Rockland into a common rate. Establish a unified rate for Boothbay Harbor, Blue Hill Bay, and Eastern Way/Somes Sound and Camden/Rockland as follows: <ul style="list-style-type: none"> • Minimum fee for first 100 Pilot Units: \$1,800. • Pilot Unit fee above 100: as per published rate for Searsport. 	Mr. Dobbins	Captain Morrison	Carries (Captain Gelinas abstained)
For shifting within the above named Pilotage Zones: 50% of the inbound rate.	Mr. Dobbins	Captain Worth	Carries (Captain Gelinas abstained)
Establish an hourly rate of \$500/hour for "Pilot aboard while not engaged in the expedient transit of a route."	Captain Moody	Captain Worth	Carries (Captain Gelinas abstained)
Adjust the Kennebec River rate from \$8.24 to \$11.99 per Pilotage Unit and also increase the minimum Pilotage Units from 100 to 150 for the Kennebec River.	Captain Morrison	Captain Worth	Carries

Next Meeting


A final vote at the Maine Pilotage Commission meeting on March 11, 2021 at 10:30 a.m.

Room 216
24 Child Street
Augusta, ME 04330

Respectfully submitted:



Brian J. Downey Jr.
Maine Pilotage Commission Administrator



Captain Charles Weeks
Chair, Maine Pilotage Commission