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Annual Report Covering Fiscal Year 2014

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1. Preamble: Pursuant to Maine Revised Statute, Annotated (MRSA) 38 § 90-A, this annual report of the Maine Pilotage Commission is provided to the Commissioner of Transportation covering fiscal year 2014 (ending June 30, 2014). As required by the aforementioned law, this report provides details on the Pilot Commission's operations and financial position. The report also offers comments and recommendations that the Commission considers essential.

2. Background: Following MSRA Chapter 38 (Waters and Navigation), the Maine Pilotage Commission oversees and maintains the state marine pilotage system devoted to the preservation and protection of lives, property, the environment and vessels entering or leaving state waters at the highest standard of efficiency. The Commission achieves this mission by ensuring the availability of pilots well qualified for the discharge of their duties in aid of commerce and navigation.

Additionally, the Commission establishes the rules, policies, and procedures that govern the licensing, training, and discipline of marine pilots in the state waters under the jurisdiction of the Commission. The Commission also approves the rates, which pilots may charge for services. Administrative responsibility for the Maine Pilotage Commission was transferred to the Department of Transportation in July 1998. Since that time the Office of Freight and Business Services has served as the administrative arm of the Commission.

3. Maine Pilot Commission Details: The MRSA 38 § 89 requires the Maine Pilotage Commission to be comprised of seven individuals who are citizens of the United States and Maine and appointed by the Governor as follows:

- Three licensed pilots who are active in pilotage representing each of the Commission's coastal zones;
- Two members who are not licensed pilots but are from a maritime industry that utilizes pilots; and
- Two members representing the public who are not licensed pilots but have a maritime background.

The Commission elects a Chairperson who liaises with the Commissioner of Transportation and the Governor as needed. Captain Weeks was the Chairperson for the period of this report and was re-elected at the March Commission meeting.

The table below depicts the current membership of the Maine Pilotage Commission.

| Seat | Name | Date of Commission | Expiration | Status | Component |
|------|------------------------------|--------------------|------------------|--------|-----------|
| 1 | David Gelinias | October 10, 2013 | October 10, 2016 | Active | Pilot |
| 2 | Earl Walker | August 18, 2012 | August 18, 2015 | Active | Pilot |
| 3 | Gerald Morrison ¹ | August 18, 2011 | August 18, 2014 | Active | Pilot |
| 4 | Shawn Moody ¹ | August 18, 2011 | August 18, 2014 | Active | Industry |
| 5 | Tom Dobbins | August 18, 2013 | August 18, 2016 | Active | Public |
| 6 | John Worth | October 10, 2013 | October 10, 2016 | Active | Industry |
| 7 | Charles Weeks ¹ | August 18, 2011 | August 18, 2014 | Active | Public |

¹ Commission members are due for Commission renewal. Renewal packages submitted to the Governor's Office and confirmed to be in good order and awaiting final approval of renewal.

4. Operations: The following paragraphs offer the specific details of the Commission during the period of July 1, 2013 – June 30, 2014. Commission operations are divided into Pilotage Commission Meetings, Hearings and Pilot Licensing Activities.

- a. Meetings: Typically, routine and recurring Pilotage Commission business is managed with three or four meetings per year. The Commission meetings were held as follows:

Commission Meeting July 18, 2013

Location: Augusta, ME

Commission Quorum: 6

Parties in Interest/DOT Reps/Others: 16

Length of Meeting: 2.25 hours

Commission Meeting November 7, 2013

Location: Augusta, ME

Commission Quorum: 5

Parties in Interest/DOT Reps/Others: 12

Length of Meeting: 1.75 hours

Commission Meeting March 17, 2014

Location: Augusta, ME

Commission Quorum: 6

Parties in Interest/DOT Reps/Others: 8

Length of Meeting: 1.75 hours

Commission Meeting June 19, 2014

Location: Augusta, ME

Commission Quorum: 5

Parties in Interest/DOT Reps/Others: 14

Length of Meeting: 1.75 hours

- b. Hearings: There were no public hearings held during Fiscal Year 2014. A Public Hearing will be held on November 23, 2014 at the MaineDOT address to provide a public venue to address pending non-substantive Pilotage Rules updates.
- c. Pilot Licenses Activities: The current roster of state licensed pilots includes 11 individuals. During Fiscal Year 2014 pilot license transactions were as follows:
 - i. New Licenses Issued: None.
 - ii. Current Licenses Renewed: 2.
 - iii. Licenses Suspended (for cause): None.
 - iv. Licenses Deactivated: None.
 - v. New Route Endorsements Issued: 1.

5. Financial: The Commission maintains “Marine Accounts” which is the repository from which license income and insurance expenses flow. The current Marine Account balance at the close of Fiscal Year 2014 is \$14,969.89.

Additionally, there is a remaining balance of training funds provided by the Maine Department of Environmental Protection. Through a Memorandum of Understanding, the Maine DEP had provided an annual allocation of \$20,000 to support the Continuing Education Program for Marine Pilots Program. Specifically, the \$20,000 had been drawn from the Marine Oil Spill Advisory Committee (MOSAC) through an MOU (now expired). The Maine Pilot Commission is currently working with the Maine DEP to renew the MOU and prepared a comprehensive three year training plan to articulate funding needs and spending schedules. The pilot training fund has not been replenished in the past several years as the Commission continues to maintain a positive balance. The current training fund balance is \$34,897.69. Future training opportunities will begin to be hampered without leveraging the annual funding stream.

6. Commission Comments:

- a. The Maine Pilotage Commission is updating and revising the Pilotage Rules to re-align with recent law changes, enhanced training standards and an overall administrative update. A public hearing is planned for November 23, 2014 to provide a public venue to review the enhancements. There are no substantive changes.
- b. The Commission conducted one informal inquiry into a January 18, 2014 accident in which two line handlers fell into the water. The case was determined not to relate to the navigation of the ship and fell outside of the Commission’s purview.
- c. The Commission prepared a detailed three year Pilot Training Plan to best identify training needs and to responsibly and effectively apply MOSAC funds to prevent oil spills from piloted ships.
- d. The Commission organized and sponsored (through the Pilot Training Fund) a two day Electronic Charting, Data and Information System course for the pool of pilots.
- e. The Commission issued two new policy letters to help better define:
 - Pilot inactivity and resumption of an inactive license (Policy Letter 1-14); and
 - Outline the procedures for proctoring pilotage examinations (Policy Letter 2-14)

7. Commission Recommendations: The Commission strongly recommends a renewed MOU with the Department of Environmental Protection for Pilot Training. It is well agreed that preventative measures including training, are the best means to avoid environmental damage caused by an oil spill. Pilot training in pertinent disciplines is a highly cost effective use of the Marine Oil Spill Advisory Committee (MOSAC) funds managed by the Maine DEP.