

# Maine Pilotage Commission



MaineDOT ~ Room 227 Conference Room  
April 22, 2020

## Minutes of Meeting

In compliance with MRSA 38 § 85 and in fulfillment of the Commission's duties addressed in MRSA 38 § 90, a meeting of the Maine Pilotage Commission was held on April 22, 2020 in Augusta, ME.

Due to the Coronavirus Pandemic, this meeting was held virtually by video conference and was not conducted in person. The original meeting was initially scheduled for March 24, 2020 at the Maine DOT headquarters building in Augusta, ME but was postponed.

### Administration:

Maine Pilotage Commission Members constituting a quorum were:

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

Maine Pilotage Commission Interested Parties present were:

Captain Adam Philbrook	– Penobscot Bay and River Pilot
Captain Skip Strong	– Penobscot Bay and River Pilot
Captain Michael Ames	– Master Mariner
Mr. Dan Haley	– Portland Board of Harbor Commissioners

Maine DOT staff present were:

Mr. Matthew Burns	– Maine DOT
Ms. Kim King	– Maine DOT

## **Agenda Item 1 – Call to Order**

Captain Weeks opened the meeting at 1030 and acknowledged a quorum.

*Amendments and Carry-Over Items:* There were no carry over items from the November 20, 2019 meeting. Hearing no further amendments or objections, it was thus:

RESOLVED to accept the agenda.

## **Agenda Item 2 – Review/Approval of the Minutes from November 20, 2019**

After considering the content of the November 20, 2019 minutes, Mr. Dobbins motioned to accept the minutes from the November 20, 2019 meeting. Captain Morrison seconded the motion. Hearing no objections or abstentions it was thus:

RESOLVED to accept the minutes of the November 20, 2019 Maine Pilotage Commission meeting.

## **Agenda Item 3 – Commission Elections**

Mr. Downey explained that being the first Commission meeting of the new calendar year the Commission is required per the Maine State Pilotage Rules to elect its Chair for the next year. Captain Weeks volunteered to continue serving as the Chair of the Commission. Mr. Downey outlined that he had previously announced that the election would occur during this convening of the Pilotage Commission and solicited nominations of any new candidates. Mr. Downey reiterated the solicitation for new candidates. No new candidates were nominated. Captain Morrison motioned to retain Captain Weeks as the Chair of the Commission. Mr. Dobbins seconded the motion. Hearing no objections or abstentions it was thus:

RESOLVED that Captain Charles Weeks was duly elected as the Chair of the Maine Pilotage Commission for a term of one calendar year.

## **Agenda Item 4 – Financial**

Mr. Downey reported on *Ports and Marine Accounts* which has a current balance of \$6,288.52. License income and insurance expenses flow through this account. The *Pilotage Training Account* currently has a balance of \$57,282.68. Mr. Downey offered that the Pilotage Training Account reflects a late 2019 deposit of \$20,000 from the Department of Environmental Protection in compliance with a signed MOU. The training account does not yet reflect the expenditures of two pilots who attended a High Speed Craft BRM course in early March which have not yet been invoiced.



Ports & Marine Account Cash			
<b>Cash Balance</b>			
31 October 2019	Beginning Cash Balance		<b>\$6,763.77</b>
<b>Incoming Cash Receipts</b>			
	Cash Receipts	N/A	\$00.00
	Total Cash		<b>\$6,763.77</b>
<b>Cash Disbursements</b>			
	Operating Expenses	Board Travel	(\$475.25)
31 March 2020	Ending Cash Balance		<b>\$6,288.52</b>
Pilotage Training Fund			
<b>Pilotage Training Fund Balance</b>			
31 October 2019	Beginning Pilotage Training Fund Balance		<b>\$57,282.68</b>
<b>Incoming Training Fund Receipts</b>			
	Total Fund		<b>\$57,282.68</b>
<b>Training Disbursements</b>			
		N/A	(\$00)
31 March 2020	Current Pilotage Training Fund Balance		<b>\$57,282.68</b>

#### **Agenda Item 5 – Low Volume Port Update**

Mr. Downey reviewed the entire background, scope and actions addressing Low Volume Area pilotage.

*Background:* Recently, large yachts have shown increasing interest in visiting Boothbay Harbor as well as other smaller low volume ports. Considering that there are so few opportunities to gain pilot training in these ports on vessels of at least 1,600 gross tons, it requires alternative measures to gain pilotage competence.

*Workshop:* A workshop of several Commission members was created and led by the Administrator. The workshop collaborated to define low volume areas, identify low volume areas in the Commission’s area of responsibility and to develop a strategy to correct the regulatory structure to make it possible to train new pilots for low volume areas.

*Federal Pilotage:* In a September 14, 2017 letter, the Commission requested that the Coast Guard remove Boothbay Harbor, Sheepscot River, Kennebec River, and Penobscot River (upstream of Bucksport) from their list of Federal pilotage waters due to the limited number of vessels transiting these areas. The Coast Guard attended the last Maine Pilotage Commission meeting on November 20, 2020 to further discuss this topic. The Coast Guard verbally agreed to collaborate with Regional Examination Center Boston to remove low volume waters from Federal Pilotage. The Coronavirus Pandemic has slowed the process as all Regional Examination Centers have been closed since mid-March 2020, however, it is expected that the low volume waters in Maine will be removed from the Federal pilotage list when the pandemic subsides.

*Statute Change:* An amendment to 38 MRS 91 was prepared by Maine DOT and passed through the Legislature on March 18, 2020 which allows the Maine Pilotage Commission to adopt alternative standards including the use of vessels less than 1,600 gross tons for initial licensure training in Low Volume Areas.

*Draft Rule Change:* The Pilotage Commission finalized corresponding rules to accompany the pending statute change which are now in internal DOT/Rulemaking routing. Once the administrative preparation is complete, the rule will be announced publicly and availed for public comment for 30 days. The rule may be enacted pending no unresolved comments remain at the end of the 30 day comment period.

### **Agenda Item 6 – Coronavirus**

An open discussion was facilitated by Mr. Downey to discuss the current Coronavirus protocols in place. Currently, all pilots report as “healthy” with no pilots or associated crews reporting as “self isolated” or otherwise in a reduced operational capacity. Mr. Downey mentioned that Pilotage Commission Policy Letter 01-20 was developed in the early stages of the Pandemic which consolidated the Maine Pilotage Commission’s early informal recommendations with the Boston Pilots Associations instructions to ships to create a more formal set of guidelines. Further, the Commission participates in a weekly Marine Transportation System Conference Call led by the Coast Guard which is summarized and sent to the Commission members following each call.

The Penobscot Bay and River Pilots Association detailed some earlier concerns with domestic vessel traffic coming from New York as concerning considering New York was hardest hit by the virus. Through open dialogue between the pilots and tug and barge companies, the situation is now stabilized and sustainable with good information sharing among the concerned parties which better assures virus risks are well managed. Further, most tug companies have shifted crew rotations to 21-28 days to better control crew exposure to the virus and improve crew health tracking.

### **Agenda Item 7 – Commission/License Status**

Mr. Downey reviewed the status of Pilotage Commission appointments and reported that the Commission applications for Mr. Dobbins, Captain Worth and Captain Gelinias remain with the Office of Boards and Commission and are pending. Commission renewals for Captain Moody and Captain Morrison both expire on August 21, 2020. Mr. Downey will forward renewal application documents to those Commission members to initiate the renewal process.

- Captain Klopp (Resigned)
- Mr. Dobbins (October 7, 2019)
- Captain Worth (October 7, 2019)
- Captain Gelinias (October 7, 2019)



Mr. Downey also reviewed upcoming license renewals/actions which are as follows:

- Captain Ames (June 10, 2020)
- Captain Fournier (July 13, 2020)
- Captain Peacock (November 10, 2020)

### **Agenda Item 8– Other/Miscellaneous**

*Low Volume Area Training* - Captain Gelinas raised the issue of Maine DOT funding to support fuel/vessel costs associated with training for Low Volume Area pilotage and recency. The current fund from which such training would be paid is nearly exhausted but due for replenishment through a case-by-case monetary allocation from the Maine Submerged Lands Program.

*Searsport Dredging* - Mr. Burns mentioned that \$175,000 was Federally budgeted to the U.S. Army Corps of Engineers to study the Searsport Maintenance Dredging Project.

*Offshore Wind Energy* - Mr. Burns also mentioned that Governor Mills recently publicly declared the Port of Searsport as Maine’s designated Offshore Energy Port. He also explained that the Maine DOT is leading the bid process to initiate a study: *The Port Infrastructure and Market Potential Assessment*. The study will be led by the Maine DOT, the Governor’s Energy Office, and the Department of Economic and Community Development as a part of the Maine Offshore Wind Initiative. It will identify and assess short-term and long-term port opportunities related to the offshore wind industry.

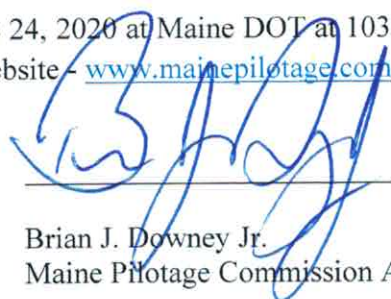
### **Agenda Item 10 – Adjourn**

The meeting was adjourned by the Chair of the Commission, Captain Charles Weeks at 1130.

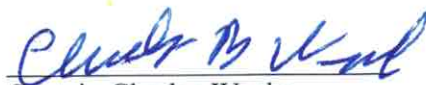
### **Next Meeting:**

The next meeting will be held June 24, 2020 at Maine DOT at 1030 in Room 227 and posted on the Maine Pilotage Commission website - [www.maine-pilotage.com](http://www.maine-pilotage.com).

Respectfully submitted:



Brian J. Downey Jr.  
Maine Pilotage Commission Administrator



Captain Charles Weeks  
Chair, Maine Pilotage Commission