

Maine Pilotage Commission



MaineDOT ~ Room 227 Conference Room
March 29, 2018

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 March 29, 2018 in Augusta, Maine.

Administration:

Maine Pilotage Commission Members constituting a quorum were:

Captain Charles Weeks	– Chair of the Commission
Captain David Gelinis	– Pilot Member
Mr. Tom Dobbins	– Maritime Industry Member (Telephonically)
Captain Shawn Moody	– Maritime Industry
Captain Jerry Morrison	– Pilot Member
Mr. Brian Downey	– Pilotage Commission Administrator

Maine Pilotage Commission Interested Parties present were:

Captain Michael Ames	– Independent
Captain Adam Philbrook	– Penobscot Bay and River Pilot
Captain Skip Strong	– Penobscot Bay and River Pilot
Captain Dave Smith	– Penobscot Bay and River Pilot
Captain Earl Walker	– Kennebec, Sheepscot/Boothbay Harbor Pilot

Maine DOT staff present were:

Matthew Burns	– Maine Port Authority
---------------	------------------------

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 16, 2017 meeting. Hearing no further amendments or objections, it was thus:

RESOLVED to accept the agenda and Agenda Item One was thus closed.

Agenda Item 2 – Approval of June 29, 2017 Commission Meeting Minutes

Mr. Downey explained that as 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. Captain Moody 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 3 – Approval of November 16, 2017 Commission Meeting Minutes

After considering the content of the November 16, 2017 meeting minutes, Captain Moody motioned to accept the minutes. Captain Morrison seconded the motion; and hearing no objections or abstentions it was thus:

RESOLVED to approve the minutes of the November 16, 2017 Maine Pilotage Commission meeting.

Agenda Item 4 – LD 1752

Mr. Downey updated the Commission regarding the status of LD 1752 “*An Act to Amend the Laws Governing Pilotage Requirements for Passenger Ferry Service between Maine and Nova Scotia.*” The Bill sought to relieve compulsory pilotage for international ferries. The Bill was presented to the Transportation Committee on January 18, 2018. At that time, Pilotage Commission Chair, Captain Weeks, and several pilots attended the public hearing to express opposition to the Bill. The Transportation Committee met again in Workshop Sessions on February 1, and 8 to further discuss the bill. The final disposition of the Bill is now listed as “Ought Not to Pass Pursuant to Joint Rule 310 as of March 27, 2018 and is considered a closed issue. Captain Strong offered that the Transportation Committee voted to meet in up to five Work Sessions to further discuss pilotage issues in general. The Transportation Committee will make recommendations to the 129th Legislature regarding pilotage following their work sessions.

Agenda Item 5 – Low Volume Areas

Mr. Downey reviewed the status of the Low Volume Area project which seeks to attract and maintain a qualified pilot pool for low volume areas. He reviewed key portions of a draft policy and solicited Pilotage Commission comment and edits. Captain Gelinis confirmed the Penobscot Bay and River Pilots Association’s plan to conduct recency trips in Eastern Way, Blue Hill Bay and Somes Sound in accordance with the plan that was approved at the November 16, 2017 Commission meeting.

No yachts have scheduled visits to Boothbay Harbor at the time of this meeting. Anecdotally, however, the pilots have heard from the yachting agents that large yachts requiring pilots, are planning Maine visits but have not specified dates or specific ports.

Separately, Captain Gelinas motioned “for the Commission to collaborate with MaineDOT to submit a legislation change to 38 MRS Section 91 to provide a legal instrument to train pilots for other Low Volume Areas.” Captain Moody seconded the motion and it was thus:

RESOLVED to partner with the appropriate entities of MaineDOT to modify 38 MRS Section 91, specifically, to permit the use of vessels under 1600 gross tons for initial route endorsements for low volume areas for pilots currently licensed by the Maine Pilotage Commission.

Agenda Item 6 – Rate Adjustments

Mr. Downey reviewed a draft policy which outlined sustainable policy in determining Pilotage Rates. Key portions of the draft policy were examined with the goal of soliciting Pilotage Commission comments and edits.

Separately, the agenda item to discuss a possible Rate increase for Eastport was tabled and was thus:

RESOLVED to take up Eastport rate adjustments at the next Pilotage Commission meeting.

Agenda Item 7 – Training Update

Mr. Downey briefed the Commission regarding a March 15, 2018 meeting with Maine DEP in which the Memorandum of Understanding between Maine DEP and The Maine Pilotage Commission was discussed. The goal of the meeting was to attempt to secure a regularly recurring training fund allotment from the MOSAC Fund. The administrator will continue to keep the Commission apprised of the status of the MOU.

It was also confirmed that Captain Philbrook will be attending the Manned Model training course in Port Revel on April 16. Captain Strong indicated that he may attend the MPI Manned Model course in Covington, LA, to complete a value comparison. Both training offerings were previously approved by the Maine Pilotage Commission. Additionally, three quotas had been approved for Azipod training at MITAGS in Linthicum Heights, MD. Captain Germond had expressed interest in this course, however, no other pilots have requested to attend. Therefore, it is suggested that only one pilot (Captain Germond) be sent to the MITAGS Azipod course this calendar year in an effort to conserve scarce training funds (pending the Training MOU renewal).

Agenda Item 8 – Financial

Mr. Downey reported on *Ports and Marine Accounts* which has a current balance of \$11,268.65. License income and insurance expenses flow through this account.

Cash Report:

Total cash received since **October 31, 2017:**

- Total Cash Receipts: \$375.00 (license renewal fees)

Cash disbursements since **October 31, 2017:**

- Board Travel: \$673.28

Training Fund Balance: The *Pilotage Training Account* currently has a balance of \$46,382.70.

Total receipts since **October 31, 2017:**

- None.

Total disbursements since **October 31, 2017:**

- None. No Training occurred since June 29, 2017.

Agenda Item 9 – Commission/License Status

Mr. Downey reviewed pending transactions including:

License Status:

Captain Read submitted his license application which was reviewed and executed on November 16, 2017.

Commission Status:

Captain Klopp's commission is due to expire in August 18, 2018.

Agenda Item 10 – Other/Miscellaneous

Jurisdiction Letter: Captain Gelinis discussed a letter of March 26, 2018 to the Captain of the Port requesting Coast Guard opinion/position regarding designation of Federal jurisdiction over navigable waters.

Medical Emergency: The Commission received a briefing (at its invitation) regarding a medical emergency that occurred while he was piloting TANJA to Searsport on March 15, 2018. The case involved the Master who was ultimately medically evacuated via EMS at the dock in Searsport. While the vessel was transiting under a COTP order resulting from a pre-existing propulsion issue, the Master was found unresponsive in his stateroom following the initial Master/Pilot exchange.

After assessing the situation, the pilot determined it was safe to continue with the transit and completed the vessel docking without further incident. The Master was medically treated and later released from the hospital.

Concluding Commission tasks include:

- Follow up with MaineDOT to organize a legislative change to 38 MRS Section 91.
- Continue to develop Rate Adjustment Policy.
- Continue to develop a Low Volume Area policy.
- Continue partnering with Maine DEP to renew a long-term MOU.

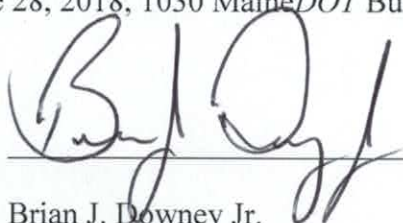
Agenda Item 11 -- Adjourn

The meeting was adjourned by the Chair of the Commission, Captain Charles Weeks at 1230.

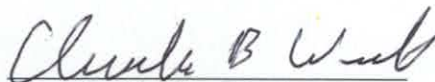
Next Meeting:

The next meeting will be set for June 28, 2018, 1030 MaineDOT Building Room 227.

Respectfully submitted:



Brian J. Downey Jr.
Maine Pilotage Commission Administrator



Captain Charles Weeks
Chair, Maine Pilotage Commission