

Maine Pilotage Commission



MaineDOT ~ Room 227 Conference Room & Video Conference
March 11, 2021

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 11, 2021.

Due to the Coronavirus Pandemic, this meeting was held virtually by video conference and was not conducted in person.

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
Captain Shawn Moody	– Maritime Industry Member
Mr. Tom Dobbins	– Maritime Industry Member
Captain John Worth	– Public 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 Mark Klopp	– Kennebec River Pilot
Captain Robert Peacock	– Quoddy Pilots
Captain Nicholas Sabbath	– Master Mariner

Maine DOT staff present were:

Mr. Matthew Burns	– Maine DOT
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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 18, 2020 meeting. Hearing no objections, it was thus:

RESOLVED to accept the agenda.

Agenda Item 2 – Review/Approval of the Minutes from November 18, 2020

After considering the content of the November 18, 2020 minutes, Mr. Dobbins motioned to accept the minutes from the November 18, 2020 meeting. Captain Worth seconded the motion. Hearing no objections or abstentions it was thus:

RESOLVED to accept the minutes of the November 18, 2020 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 solicited new candidates but no new candidates were nominated. Captain Morrison motioned to retain Captain Weeks as the Chair of the Commission. Captain Gelinas 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 \$6,379.50. License income and insurance expenses flow through this account. The current balance reflects receipts of \$750 for two license renewals and a \$704.00 expenditure for rate adjustment public advertising. The *Pilotage Training Account* currently has a balance of \$74,152.72. Mr. Downey offered that the pilot training fund received \$20,000 from Maine DEP in 2020. Due to COVID-19 no training occurred in 2020, but \$3,129.96 is currently pending for pilot reimbursement for a February 2020 Bridge Resource Management for Pilots course. Captain Gelinas also moved to open dialogue with the Maine Port Authority to return the Pilot Training Fund custodianship back to MaineDOT. Mr. Dobbins seconded the motion. Hearing no further discussion, objections or abstentions it was thus:

RESOLVED that Mr. Downey seek to move the custody of the Pilot Training Fund back to MaineDOT or Maine Pilotage Commission.

Ports & Marine Account Cash			
Cash Balance			
30 Sept 2020	Beginning Cash Balance		\$6,333.50
Incoming Cash Receipts			
	Cash Receipts	N/A	\$750.00
	Total Cash		\$7,083.50
Cash Disbursements			
	Operating Expenses	Newspaper advertising	\$704.00
28 Feb 2021	Ending Cash Balance		\$6,379.50
Pilotage Training Fund			
Pilotage Training Fund Balance			
30 Sept 2020	Beginning Pilotage Training Fund Balance		\$57,282.68
Incoming Training Fund Receipts			
	DEP Receipt		\$20,000
	Total Fund		\$77,282.68
Training Disbursements			
	Training Reimbursement	BRM-P (MITAGS)	(\$3,129.96)
28 Feb 2021	Current Pilotage Training Fund Balance		\$74,152.72

Agenda Item 5 – Emergency Rate Adjustment

Mr. Downey briefed the Commission regarding the Pilot Rate Adjustment public meeting held on January 20, 2021 (virtually via Zoom). The public meeting yielded one verbal and one written comment (both were shared directly by Mr. Mark MacDonald of Bay Ferries during the January 20, 2021 meeting). The comments were not adverse and did not object to the proposed rate adjustment. No other comments were received during the 30 day comment period. The rates as proposed during the January 20, 2021 public meeting became active and applicable on February 20, 2021 and have been posted on the Maine Pilotage Commission website (www.maine-pilotage.com).

Agenda Item 6 – COVID-19 Impacts and Forecast

Pandemic Financial Impact on Pilots – Captain Gelinias led a discussion regarding the impact of the COVID-19 pandemic on pilotage and reviewed his letter to Governor Mills of February 12, 2021. The letter highlights the dire straits that the COVID-19 virus and subsequent marine transportation slow-down has placed Maine pilots. He explained that more must be done at the state level to help support pilots through this difficult time. Additionally, while offshore wind energy is promising and welcome, the time-line is too long to best help pilots survive this extremely challenging COVID-19 down-turn. Captain Gelinias further outlined that the loss of cruise ships from the Summer economy has had an exceptionally punishing effect on pilotage groups in Maine. As of the date of the Commission meeting, Captain Gelinias, had not yet received

a response to his letter. Captain Klopp supported the position by announcing that Portland's shipping is down by 50%-60% from pre-pandemic numbers. Captain Peacock and Morrison offered similar sentiment from the Port of Eastport citing only 2 ships in 240 days piloted by one of the two pilots. There was discussion of a Jones Act waiver attempt made by Alaskan Senators, but the consensus of the group was that it is not likely to pass and it is not a feasible solution for Maine. Captain Gelinas reiterated that without a significant change in the maritime market and improvement in ship traffic, that pilot services could be negatively impacted, by laying up pilot boats, reducing active pilot rosters, and reducing healthcare benefits.

Agenda Item 7 – Training Plan Update

Mr. Downey briefed the Commission regarding pilot training and the current status of the Commission three-year training plan. No training was conducted during 2020 due to the COVID-19 pandemic. Marine Casualty Investigator training, Manned Model training, and in-person ECDIS for Pilots was planned for 2020 but was all deferred due to the COVID-19 pandemic. The two-day ECDIS for Pilots refresher course through Maine Maritime Academy is notionally planned for late summer 2021 pending the trend of the pandemic. If the ECDIS for Pilots refresher course is offered, Captains Klopp, Germond, and Gelinas asked to be placed on the course roster.

Bridge Resource Management for Pilots refresher training was attended by four pilots held virtually through MITAGS. The course gained high praise by the pilots in attendance. Mr. Downey will follow-up with MITAGS to attempt to secure seats at the next convening of BRM-P by MITAGS. If a second BRM-P course is offered, Captains Klopp and Peacock asked to be placed on the course roster.

Agenda Item 8 – Boothbay Harbor Licensure Update

Mr. Downey led a discussion regarding growing interest in pilotage for Boothbay Harbor. Currently two pilots are licensed to pilot ships in Boothbay but there are now three more existing pilots who meet the eligibility requirements to test for Boothbay pilotage. Mr. Downey briefly discussed the application and testing process as well as applicable license fees. The prospective pilots were urged to contact Mr. Downey to schedule a written exam when they are ready to apply.

Captain Strong offered that similarly, there may be as many as four additional pilots who are now interested in obtaining pilotage for Eastern Way/Somes Sound and Blue Hill Bay. Those pilots too, were encouraged to apply for testing when their application packages are complete.

Agenda Item 9 – Commission/License Status

Mr. Downey reviewed the status of Pilotage Commission appointments. He reported that all of the Commission appointments have expired except for Captain Weeks which will expire later in 2020 and Captain Philbrook whose initial application is pending. All expired and pending

applications for re-appointment were properly submitted (well in advance of their respective expirations) to the Office of Boards and Commission and all remain pending.

Commission Renewals

- Mr. Dobbins (October 7, 2019)
- Captain Worth (October 7, 2019)
- Captain Gelinis (October 7, 2019)
- Captain Moody (August 21, 2020)
- Captain Morrison (August 21, 2020)
- Captain Weeks (October 21, 2021)
- Captain Philbrook (new pending)

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

- Captain Ames (July 2020 (Inactive))
- Captain Fournier (July 2020)
- Captain Peacock (December 2020)

- Captain Klopp is due for renewal in November 2021.

Added Item – Other/Miscellaneous

Captain Strong offered that pilotage groups in South Carolina and Virginia had been prioritized on the COVID-19 vaccination protocol. Although the Maine Pilotage Commission had investigated a pilot prioritization, the State implemented an age based criteria, and thus now the point is nearly moot as many pilots meet or are near the State's age grouping protocol for vaccination.

He further pointed out that the American Pilots Association have developed and deployed an "App" to photograph, document, and catalogue non-compliant pilot ladders (in response to several recent pilot fatalities involving pilot ladders). It was suggested that pilots photograph non-compliant pilot ladders and send them to the Pilot Commission Administrator for cataloguing and follow up with the Coast Guard for corrective action.

Mr. Burns offered that the Bar Harbor Breakwater Extension Project was de-authorized. The Army Corps of Engineers will now investigate the possibility to adjust the breakwater's current structure to counter expected sea level rise.

He further discussed the Searsport Maintenance Dredging project that received \$250,000 for a NEPA study. The NEPA is possibly expected to be complete and available for public review and comment by late Summer 2021.

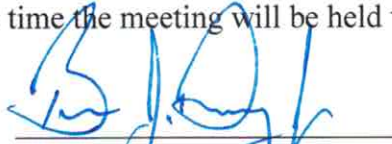
Agenda Item 10 – Adjourn

The meeting was adjourned by the Chair of the Commission, Captain Charles Weeks at 1150.

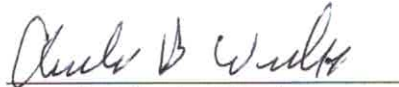
Next Meeting:

The next meeting will be held July 15, 2021 at Maine DOT at 1000 in Room 227 and posted on the Maine Pilotage Commission website - www.maine-pilotage.com. If the state's social distancing requirements are still in place at that time the meeting will be held virtually via Zoom.com.

Respectfully submitted:



Brian J. Downey Jr.
Maine Pilotage Commission Administrator



Captain Charles Weeks
Chair, Maine Pilotage Commission