

**ALASKA STATE LEGISLATURE
SENATE TRANSPORTATION STANDING COMMITTEE**

April 4, 2023

1:31 p.m.

MEMBERS PRESENT

Senator James Kaufman, Chair
Senator David Wilson, Vice Chair
Senator Löki Tobin
Senator Jesse Kiehl

MEMBERS ABSENT

Senator Robert Myers

COMMITTEE CALENDAR

CONFIRMATION HEARING

Board of Marine Pilots
Edward Sinclair

- CONFIRMATION ADVANCED

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

CAPTAIN EDWARD SINCLAIR, Appointee
Board of Marine Pilots
Department of Commerce, Community and Economic Development
Juneau, Alaska

POSITION STATEMENT: Testified for reappointment to the pilot seat for the Board of Marine Pilots.

ACTION NARRATIVE

[1:31:47 PM](#)

CHAIR JAMES KAUFMAN called the Senate Transportation Standing Committee meeting to order at 1:31 p.m. Present at the call to order were Senators Wilson, Kiehl, and Chair Kaufman. Senator Tobin arrived soon thereafter.

CONFIRMATION HEARING
BOARD OF MARINE PILOTS

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CHAIR KAUFMAN announced the confirmation hearing to reappoint Edward Sinclair to the Board of Marine Pilots. He stated that AS 8.62 establishes the Board of Marine Pilots and its duties. The board adopts regulations to carry out the mission to provide efficient and competent piloting service for the protection of shipping, human life, property and the marine environment. The board makes final licensing decisions and takes disciplinary action against people who violate the licensing laws. He noted that the board meets three times a year and offers a public comment period at each meeting. He stated that Mr. Sinclair was originally appointed to the board on March 1, 2019, and was reappointed on March 10, 2023. If confirmed again, his term would expire on March 1, 2027.

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EDWARD SINCLAIR, Appointee, Board of Marine Pilots, Department of Commerce, Community and Economic Development (DCCED), Juneau, Alaska, testified for reappointment to the pilot seat for the Board of Marine Pilots. He stated that he served in the United States Coast Guard for 20 years and retired in 2002. Following retirement, he began a four-year pilot training apprenticeship. He informed the committee that he received his first marine pilot license in 2006. He remarked on his time serving on the Southeast Alaska Pilots' Association (SEPA) board as both a member and the president.

MR. SINCLAIR stated that he wished to serve another four-year term on the Board of Marine Pilots. He highlighted the board's efforts to improve regulations. He mentioned that the board navigated challenges during the Covid 19 pandemic by revising regulations for license renewals. He shared that pilots lacked the requisite number of piloting days during the pandemic. The board worked to create alternative requirements allowing pilots to retain their licenses.

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SENATOR TOBIN joined the committee.

CHAIR KAUFMAN responded that the board's priorities were relevant given the challenges during the pandemic.

SENATOR KIEHL thanked Mr. Sinclair for his service in the Coast Guard and as co-president of the elementary school parents'

association. He noted the reference to foreign pleasure craft and the historic difficulties associated with knowing when a pilot is required. He asked Mr. Sinclair for his assessment about the summertime need for pilots on pleasure craft vessels.

MR. SINCLAIR replied that the yachting industry has greater awareness of the piloting requirements. He explained that pilot associations rely on shipping agents to communicate the piloting requirements. A foreign pleasure craft is required to have a shipping agent provide information about state entry and operation requirements. The marine pilot coordinator reviews the applications and works with the shipping agents. He opined that the system improved without specific outreach. He acknowledged that gaps in the system occur, and occasionally yachts enter the Alaskan waters without establishing contact with a shipping agent.

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SENATOR WILSON asked about other challenges the Board of Marine Pilots faces that the committee should be aware of.

MR. SINCLAIR replied that challenges were addressed with the Alaska Marine Highway System (AMHS). He explained that pilots in training must travel their region's marine waterways on AMHS ferries. He relayed difficulties meeting the travel requirements as AMHS costs and availabilities changed. The board raised the issue with AMHS, and he understood that the situation improved. Pilot trainees are now better able to afford the required ferry trips. He remarked that the decrease in AMHS routes is still an issue. He stated that conversations between the board and the state remain focused on the state's needs and interests.

MR. SINCLAIR continued with a second board issue relating to investigations. He explained that investigations are initiated for marine incidents and complaints made against marine pilots. The challenge is that the investigation findings are not communicated to the Board of Marine Pilots. The board receives a report from the investigative branch with very little information about the case. He expressed concern related to the board's ability to address the investigation with the state's pilot community. He added that pilot deficiencies are difficult to remedy without communication about the investigations.

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SENATOR KAUFMAN shared Mr. Sinclair's concern about the lack of a feedback loop related to investigations.

MR. SINCLAIR expressed his wish to share the investigation findings with marine pilots, agents and the public in Alaska.

CHAIR KAUFMAN agreed that a gap exists. He asked for direction about how the committee might help remedy the situation. He wondered about the yachting industry and where a large yacht might park.

MR. SINCLAIR replied that a pilot is required to be on board to pilot most yachts. He mentioned the option for pilotage exemptions, but all foreign yachts are required to take a marine pilot upon entry into the state. He furthered that the pilot boards the vessel in a certain community and then reviews the itinerary and answers questions about local navigation regulations. If a yacht has an exemption, it will continue its itinerary without an Alaska marine pilot.

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CHAIR KAUFMAN opened public testimony on the reappointment of Edward Sinclair; finding none, he closed public testimony.

CHAIR KAUFMAN solicited a motion.

[1:49:55 PM](#)

CHAIR KAUFMAN stated that in accordance with AS 39.05.080, the Senate Transportation Standing Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Board of Marine Pilots

Edward Sinclair - Juneau, Alaska

Signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees; the nominations are merely forwarded to the full legislature for confirmation or rejection.

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At ease

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CHAIR KAUFMAN reconvened the meeting.

[1:52:07 PM](#)

There being no further business to come before the committee, Chair Kaufman adjourned the Senate Transportation Standing Committee meeting at 1:52 p.m.