

Confirm.

Brd. of

Marine

Pilots

1. CALL MEETING TO ORDER
  
2. NOTE THE DATE: THURSDAY, APRIL 16, 1992  
NOTE TIME:
  
3. ROLL CALL OF MEMBERS PRESENT

4. DURING TODAY'S MEETING WE WILL TAKE UP:

Confirmation hearings - Board of Marine Pilots  
Dale Collins - Ketchikan  
Keith Greba - Sitka  
Bob Watt - Ketchikan

Overview/worksession on the 6 year plan

5. INTRODUCE ANY SPECIAL GUESTS OR V.I.P.s

ANNOUNCEMENTS AT CLOSE OF MEETING

7. THE NEXT MEETING OF THE HOUSE TRANSPORTATION COMMITTEE WILL BE:

To be announced

8. HAPPY EASTER  
ADJOURN MEETING. NOTE TIME OF ADJOURNMENT.

February 10, 1992

The Honorable Ben Grussendorf  
Speaker of the House  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear Speaker Grussendorf:

In accordance with AS 39.05.080 and Article III, Sections 25 and 26, of the Alaska Constitution, I submit the following names for legislative confirmation of appointment to the positions noted:

Alaska State Board of Public Accountancy

Elaine Damm - Kodiak  
Term began 11/14/91 expires 4/25/92  
Bruce J. Ogle, CPA - Anchorage  
Term began 8/14/91 expires 4/25/92  
Jean B. Schmitt, CPA - Fairbanks  
Term began 11/4/91 expires 4/25/93  
Bradley L. Shaffer, CPA - Sitka  
Term began 8/14/91 expires 4/25/93  
Joanne Stoots - Fairbanks  
Term began 1/27/92 expires 4/25/95  
John C. Swalling, CPA - Anchorage  
Term began 7/17/91 expires 4/25/95

Alcoholic Beverage Control Board

William M. Bishop - Kodiak  
Term began 1/14/92 expires 1/31/93  
W.E. "Brad" Bradley - Anchorage  
Term began 1/31/92 expires 1/31/95  
James B. Elkins - Ketchikan  
Term began 6/12/91 expires 1/31/94  
James J. McNamee - Fairbanks  
Term began 6/12/91 expires 1/31/94

State Board of Registration for Architects, Engineers, and Land Surveyors

Phil R. Holdsworth, P.E. - Juneau  
Original term began 9/2/88 reappointed 7/22/91  
expires 7/1/95  
B. David Spell - Fairbanks  
Term began 9/20/91 expires 7/1/95  
Mike Taurialnen, P.E. - Soldotna  
Term began 7/1/91 expires 7/1/93

Athletic Commission

Earl W. Davis - Anchorage  
Term began 6/6/91 expires 5/14/96  
John N. Hansen - Juneau  
Term began 8/15/91 expires 5/14/92  
Ward M. Merdes - Fairbanks  
Term began 7/22/91 expires 5/14/92

Board of Governors of the Alaska Bar

Patricia B. Browner - Anchorage  
Term began 7/26/91 expires 6/30/94  
Ethel Staton - Sitka  
Term began 7/25/91 expires 6/30/93

Board of Barbers and Hairdressers

Elmo O. Kienbaum - Ketchikan  
Term began 9/30/91 expires 7/1/93  
Jerry R. Mayfield - Anchorage  
Term began 6/15/91 expires 7/1/92  
Mariann Stoffel - Wasilla  
Term began 10/9/91 expires 7/1/93  
Barbara Watkins - Anchorage  
Term began 8/14/91 expires 7/1/95

Big Game Commercial Services Board

Peter R. Buist - Fairbanks  
Term began 8/1/91 expires 6/30/95  
Susan Entsminger - Tok  
Term began 8/1/91 expires 6/30/93  
Thomas N. Scarborough - Fairbanks  
Term began 8/1/91 expires 6/30/93  
Eric C. Stirrup - Kodiak  
Term began 9/24/91 expires 6/30/95

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Board of Chiropractic Examiners

Lou Ann Hedden, D.C. - Soldotna  
Term began 11/29/91 expires 7/15/94  
William F. Risch, D.C. - Anchorage  
Term began 10/1/91 expires 7/15/93

Alaska Commercial Fisheries Entry Commission

Frank M. Homan - Juneau  
Term began 8/5/91 expires 7/1/95

Board of Dental Examiners

T. Greg Remaklus, DMD - Anchorage  
Term began 6/7/91 expires 2/1/95  
Royann Royer, RDH - Anchorage  
Term began 1/21/92 expires 2/1/95  
Louis J. Thornley, DDS - Fairbanks  
Term began 6/7/91 expires 2/1/95

Board of Dispensing Opticians

Alicia L. Musser - Anchorage  
Term began 6/7/91 expires 6/14/93

Board of Education

John E. Hotzfield - Wasilla  
Term began 5/31/91 expires 1/31/94  
Patricia Norheim - Petersburg  
Original term began 1/7/91 reappointed 1/31/92  
expires 1/31/97

Board of Electrical Examiners

Aaron H. Downing, P.E. - Palmer  
Term began 10/30/91 expires 7/1/94  
Ralph W. Perdue - Fairbanks  
Term began 1/21/92 expires 7/1/95

Board of Fisheries

Trefon Angasan Jr. - Anchorage  
Term began 1/31/92 expires 1/31/95  
Larry Edfelt - Auke Bay  
Term began 7/23/91 expires 1/31/93  
Thomas M. Elias - Anchorage  
Term began 7/23/91 expires 1/31/94

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State Commission for Human Rights

Edna DeVries - Palmer

Term began 2/1/92 expires 1/31/97

Commission on Judicial Conduct

Patrick T. Brown - Fairbanks

Original term began 4/10/87 reappointed 7/17/91  
expires 4/28/95

Susan A. Burke - Juneau

Term began 7/17/91 expires 4/28/95

Sharon Nahorney - Anchorage

Original term began 7/16/91 reappointed 1/1/92  
expires 12/31/95

Kenneth E. Peavyhouse - Anchorage

Term began 11/14/91 expires 12/31/94

Judicial Council

Jim A. Arneson - Anchorage

Term began 10/4/91 expires 5/18/95

Alaska Labor Relations Agency

James W. Elliott - Anchorage

Term began 1/22/92 expires 6/30/94

Board of Marine Pilots

Dale O. Collins - Ketchikan

Term began 6/12/91 expires 6/1/95

Keith Greba - Sitka

Term began 6/12/91 expires 6/1/95

Robert M. Watt - Ketchikan

Term began 7/22/91 expires 6/1/94

Board of Mechanical Examiners

Jack B. Wilbur, Sr. - Fairbanks

Term began 7/17/91 expires 6/9/94

State Medical Board

Noel W. DeVries - Palmer

Term began 12/9/91 expires 8/13/92

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Violent Crimes Compensation Board

Robert E. Congdon - Anchorage  
Term began 7/23/91 expires 12/15/93

Alaska Workers' Compensation Board

John Giuchini - Fairbanks  
Term began 10/10/91 expires 7/1/93  
Steve T. Hagedorn - Anchorage  
Term began 8/19/91 expires 7/1/93  
Don Koenigs - Petersburg  
Term began 8/20/91 expires 7/1/94  
Michael McKenna - Anchorage  
Term began 11/15/91 expires 7/1/94  
Robert W. Nestel - Eagle River  
Term began 8/14/91 expires 7/1/93  
Darrel F. Smith - Anchorage  
Original term began 8/19/88 reappointed 8/20/91  
expires 7/1/94  
Marc D. Stemp - Copper Center  
Term began 8/14/91 expires 7/1/94  
Jeffery A. Wertz - Anchorage  
Term began 8/20/91 expires 7/1/94

In accordance with AS 39.05.080 and Article III, Section 19, I submit the following name for legislative confirmation of appointment to the position noted.

Alaska Air National Guard

Commander Alaska Air National Guard, Brigadier General Kenneth M. Taylor Jr. - Anchorage.

The resumes for these appointments are attached.

With best regards.

Sincerely,

S/S Walter J. Hickel

Walter J. Hickel  
Governor

## MARINE PILOTS

MEMBER	APPT	REAPT	REAPPT	TERM
Ann Boudreaux DCED/P.O. Box D Juneau 99811 Commissioner/DCED	0/00/00	0/00/00	0/00/00	0/00/00
✓ Dale Collins P.O. Box 6100 Ketchikan 99901 Pilot/Southeast	91/06/12	0/00/00	0/00/00	95/06/01
✓ Keith Greba 504 Monastery Street Sitka 99835 Public	91/06/12	0/00/00	0/00/00	95/06/01
William C Lorch P.O. Box 19-0224 Anchorage 99519 Agent	88/10/28	0/00/00	0/00/00	92/06/01
Michael J O'Hara P.O. Box 1443 Palmer 99645 Pilot/Southwest	89/08/28	0/00/00	0/00/00	93/06/01
Russell M Sell 1727 West 11th Street Anchorage 99501 Public	88/10/28	0/00/00	0/00/00	92/06/01
✓ Bob Watt 6227 S. Tongass Ketchikan 99901 Agent	91/07/22	0/00/00	0/00/00	94/06/01

Keith Greba  
504 Monastery Street  
Sitka Alaska..... 7478309

Born Sept. 29 1953 Detroit Mich.

Education

1971 Graduated Bishop Benny High St Petersburg Fla.

1973 Entered United States Coast Guard

Schools...

ship handling navigation...

aton training

law enforcement training

boarding officer training school

small boat training

Awards

Presidential Unit Citation Award.. for lifesaving

Unit citation .. for lifesaving

1977.. discharged.... Honorable.....

Entered college Sitka Alaska 1977

Graduated 1979 from University Of Alaska South East..

Work... self employed fisherman .. artist..

Recieved various awards for art....

Operate.. own Hannahs Bed and Breakfast

Operate own charter fishing boat .. hold a US Coast  
Guard Captians Lic..

Active USCG AUX... US MERCHANT MARINE LIC....

PERSONAL RESUME --- ROBERT M WATT  
11/90

PERSONAL

Home address:  
6227 S. Tongass  
Ketchikan, Alaska 99901  
Phone (907) 225-2795  
Date of Birth: June 19, 1940  
Married: wife - Nancy M. Watt  
Children: 2 sons, ages 18 & 13  
Health - good  
Height: 5' 6"  
Weight: 156 lbs.  
Citizenship: American

EDUCATION

1968 B.A. (cum laude) - Univ. of Victoria, Victoria, B.C.  
Major - Urban Geography  
Post Graduate: Studied toward M.A. at Univ. of Alberta, Edmonton,  
Major - Urban Geography & City Planning with special interest in Alaskan  
ports of Anchorage and Skagway

MILITARY SERVICE

Served in the Royal Canadian Air Force and was honorably discharged

WORK EXPERIENCE

Jan. 1987 - Present  
Vice President of West Coast Stevedoring Corp., a wholly owned subsidiary  
of Klukwan, Inc., responsible for the marine division. During this period  
of rapid growth of the whole corporation, there were two main areas of  
responsibility. One was for the tugs and barges that the company bought  
and/or leased and then operated. This involved hiring, training,  
dispatching and firing of the tug crews as necessary; scheduling the work  
for the boats around customer demands, tides and weather; and finally,  
preparing the payrolls and invoicing for others to finalize. The second  
area was the corporation industrial wire rope, and related hardware,  
purchases manufacturing, sales, delivery and invoicing. These two fields  
require tenacity, leadership, detail knowledge, and managerial skills. To  
accomplish the specific tasks, remain profitable, be aware of  
shareholder-hire preference and maintain a safe work environment demands  
long hours, patience and ambition.  
Specific experience was gained with the 1989 oil spill in Prince William  
Sound, purchasing a crew boat, several tugs, a fuel barge from Hawaii,  
plus leasing a variety of equipment.  
In November/December 1990, the U. S. Coast Guard invited me to participate  
in Oil Spill Disaster Plan Preparation in Yorktown, Va. and Juneau.  
Supervisor: Mr. Derry Howard, CEO, West Coast Stevedoring, Juneau

March 1983-December 1986

General Manager of Saxman Seaport, a municipally owned enterprise. In this 3 year period, the average monthly income was increased by 250% while the operating expenses were significantly reduced. The 1983 profit was the first profit made by the facility in 18 years. A sound working knowledge of governmental budget process was refined and an ability to communicate, verbally and in writing was frequently tested. The owners, the City of Saxman, are over 90% Natives so an understanding of a minority's values (as they relate to ownership and operation) was acquired. Specific examples of responsibilities included: all personnel functions; negotiating short and long term leases; working with a variety of local, state and federal agencies to resolve problems of the present and of 20 years' standing; and responsibilities of day to day supervision from design to bid process to construction of five capital improvement projects.

Supervisor: None. Worked directly for the Mayor and Saxman City Council.

May 1980-Feb. 1983

Terminal Manager of the Ketchikan Ferry Terminal. During this short period many positive changes in employee attitude and physical appearance of the building were accomplished. Also, the terminal operations were vastly improved to the betterment of the traveling public, the customers and the employees.

May 1977-May 1980

Personnel Assistant in charge of the Ketchikan personnel office for the Alaska Marine Highway.

Nov. 1974-May 1977

Terminal Assistant and Assistant Manager of the Ketchikan Ferry Terminal

April 1974-October 1974:

Owner and sole operator of Bob Watt Agencies.

Contracted with two cruise ship companies to provide line-handlers in all southeast Alaska ports. Required hiring from various union halls, knowledge of the respective contracts and an ability to negotiate, resolve disputes and generally foster a good working relationship with the employees.

Sept. 1970-March 1974

Office Manager and Manager of Agency Services for Southeast Stevedoring Corp. of Ketchikan.

Responsible for the details of arranging for cruise ship requirements through out southeastern Alaska, as well as responsible for the majority of specialty cargo vessels into Haines, Skagway, and Castle Island. An intimate knowledge of union contracts, pilot rate structure, tug tariffs and other related cost factors was necessary in order to fulfill the function of minimizing port call costs. As Office Manager the responsibility was primarily in supervising the preparation of monthly and quarterly reports as required by law and contract.

Supervisor: Mr. Cliff Taro, Pres., Southeast Stevedoring Corp.

May 1966-Sept. 1970

Various positions with Westours, Inc. of Seattle in their Alaskan field operations. These were summer jobs while attending university and varied

from driving local sightseeing busses in Anchorage to driving cross-country busses from Seattle to Whitehorse, Fairbanks, Anchorage, Haines, etc. to being District Manager and Hotel Manager in Skagway, Alaska. Last position held was Manager of the Klondike Hotel in Skagway and agent for their cruise ships at that port.  
Supervisor: Mr. Ken Friske (no longer with company). For reference, please contact Jack Musiel or Chuck West, previous president of Westours, now president of TravAlaska Tours.

#### PERSONAL BACKGROUND

Born in England. Immigrated with parents to Canada in 1948 and grew up in Victoria, B.C. Arrived in Alaska permanently in 1966, and lived in Anchorage and Skagway prior to moving to Ketchikan in 1970. Became a U.S. citizen in 1973.

Interests are in Alaskan history and renovating old buildings. In 1975 restored "Dolly's House" on Creek Street in Ketchikan and created a private museum which is still in operation.

#### COMMUNITY SERVICE AND ELECTED POSITIONS

Served 6 years on the Ketchikan Gateway Borough Assembly (1975-1981)  
Past President of the Ketchikan Visitors Bureau (1976)  
Received the Rainbird Award for Outstanding Volunteer from Ketchikan Visitors Bureau - 1981  
Vice Mayor of Ketchikan Gateway Borough 1980-1981  
Past President of Herring Bay Water Users Assoc.  
Past Chairman of Board, South Tongass Volunteer Fire Dept.  
Past Board Member of Southeast Alaska Health Systems Agency  
Soccer League coach, Jr. League - 2 yrs.  
Past Board Member, Mt. Point Water Service District  
Past Board Member, Ketchikan Rotary Club  
Individual Member, Ketchikan Chamber of Commerce  
Past President, Ketchikan Republican Club - 2 yrs.

## Southeastern Alaska Pilots' Association

CABLE ADDRESS: SEAPILOTS

P. O. BOX 6100  
KETCHIKAN, ALASKA 99901

April 7, 1991

The Honorable Walter J. Hickel  
Governor of Alaska  
P.O. Box A  
Juneau, AK 99811

Dear Governor Hickel:

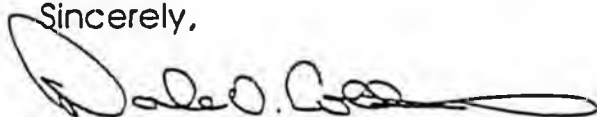
I respectfully request to be considered for an appointment to the Board of Marine Pilots.

I am a licensed marine pilot in Southeast Alaska, #AA0070, and have lived in Ketchikan since 1952 when my family moved from Kodiak. I was born in Kodiak on April 13, 1949, and raised in Ketchikan where I graduated from Ketchikan High School in 1968. After high school, I joined the U.S. Navy and served from 1968 to 1972 aboard destroyers off the coast of Vietnam. After being honorably discharged from the Navy, I returned to Ketchikan and worked for the Alaska Marine Highway from 1973 to 1981. I worked my way from Ordinary Seaman to Chief Mate and Pilot aboard the M.V. Matanuska. From 1981 to the present I have been a member of the Southeastern Alaska Pilots' Association.

Personal references include Mr. Oral Freeman, Ketchikan Mayor Ted Ferry, Wrangell Mayor Don House, Mr. Bob Pickrell and Captain R.M. (Bob) Johnson. If I can provide you with any further information, please do not hesitate to contact me.

Thank you very much for your consideration of my request for appointment to the Pilot Board. I believe that I can make a contribution to the Board and piloting issues.

Sincerely,



Captain Dale O. Collins

DOC/mj

MAR 14 02 10E 10-00

- APR 13 '92 12:14PM CITY OF ST PAUL

APR 13 1992 P. 2/3



CITY OF SAINT PAUL.

POUCH 1  
SAINT PAUL ISLAND, ALASKA  
99660  
(907) 546-2331  
Telecopy (907) 546-2366

IN REPLY  
REFER TO

April 13, 1992

Senator Fred Zharoff  
Room 416, Capitol Building  
P.O. Box V  
Juneau, AK 99811

FAX: 463-3043

RE: Alaska Board of Marine Pilots

Dear Senator:

This is to confirm my telephone conversation with your staff this morning. I am looking forward to meeting with your staff Tuesday, April 14, at 11 AM.

465-3242

your  
ind/or

The Alaska Board of Marine Pilots (ABMP) has received public comments on Wednesday, April 15, 1992 regarding a proposal submitted to them by the Marine Pilots Association (MPA). What the MPA is proposing is to extend compulsory pilotage waters around the Pribilof Islands out to 3 miles around the Islands. We suggest one of the following:

1. No designated zone/zones around the Pribilof Islands, or
2. With the zone already in place, no additional designations, or
3. A cost/benefit and economic impact analysis be done before considering any further designations.

Currently, there is a designated zone between Zapadni Point and Reef Point which is on the harbor side of the Island.

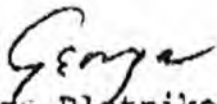
Should the ABMP accept the proposal as submitted by MPA, representatives of the floating processing industry that do business in our waters have indicated that the added expense of doing business around the Pribilof has the potential of forcing them to go elsewhere in order to remain competitive in the market. Should this happen, the loss of much needed revenues to our communities will be lost. At a time when the State and Federal governments are cutting back on revenues, we feel this will be devastating to our developing economy.

Senator Zharoff  
Page Two

We respectfully request that you support our position with the ABMP  
to not act on this proposal from the MPA.

We are looking forward to meeting with you.

Respectfully,

  
George Pletnikoff  
Admn. Asst.

cc: Representative George Jacko Jr.



## Alaska Coastwise Pilots' Association

P.O. BOX 22694  
JUNEAU, ALASKA 99802  
PHONE: (907) 586-2272  
FAX: (907) 463-3773

*Marine Pilotage  
Dispatch Service*

Ketchikan Office  
PHONE: (907) 225-7245  
FAX: (907) 247-4568

April 13, 1992

Governor Walter J. Hickel  
P.O. Box K  
Juneau, Alaska 99811

HAND DELIVERED  
COPY BY CERTIFIED MAIL

Re: Alaska Coastwise Pilots' Association  
Our file no. 2102.3

Dear Governor Hickel:

Attached are copies of letters which have been circulated to all deck officers employed by the State of Alaska Marine Highway System. We believe these letters were written and circulated at the request of, and in combination with, your appointee to the State Marine Pilot Board, Dale O. Collins; the International Masters, Mates & Pilots' Union; and the Southeastern Alaska Pilots' Association ("SEAPA"), of which Collins is a member and past officer.

These letters seek to discourage Marine Highway System deck officers from working with ACPA and to prevent ACPA trainees from obtaining training trips on the state ferries necessary to qualify for their United States Coast Guard and State of Alaska licenses. Recent events confirm this intent with a vengeance.

This spring, Captain Kathleen Rathgeber began participating in the ACPA's training program for prospective deputy marine pilots. Captain Rathgeber has excellent credentials. She is a graduate of the U.S. Merchant Marine Academy at Kings Point, New York; is licensed as Master of Ocean Steam or Motor Vessels of Any Tons; and has served in all capacities up to staff captain of cruise ships.

Until this week, Captain Rathgeber was riding the State of Alaska, Marine Highway System's M/V TAKU as a pilot observer, in order to obtain the area exposure and recency trips necessary for her license. It was our understanding, based on assurances from Captain Kelly Mitchell of the Marine Highway System, that she was welcome to ride the M/V TAKU as part of her effort to obtain a pilot's license.

This changed when the attached letter from the IOMM&P was circulated last week to all deck officers employed by the State of Alaska's Marine Highway System. When the M/V TAKU docked in Ketchikan this week, this letter was delivered to the vessel's deck officers. Your appointee to the State Pilot Board, Dale O. Collins, then apparently met with the Captain of the M/V TAKU.

After meeting with your appointee, the Captain of the M/V TAKU advised Captain Rathgeber that he would no longer sign her trip logs or otherwise assist her in her efforts to obtain the training required for a state pilot's license. He advised Captain Rathgeber that all other deck officers employed by the State of Alaska's Marine Highway System would join in the boycott of her efforts to obtain this necessary training. At his suggestion, Captain Rathgeber left the M/V TAKU at Auke Bay.

It is our belief that the IOMM&P circulated the attached letter at the request of, in combination with, and in furtherance of certain illegal, monopolistic or tortious goals of Collins and SEAPA. The letter interferes in contractual relations between ACPA, its associated pilots, and its customers, and is the latest in a pattern of practice by the Union, Collins and SEAPA aimed at injuring our business efforts.

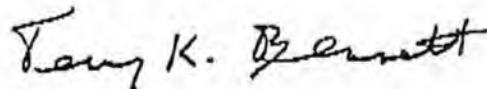
Now, as you can see from the second attached letter from the Captain of the M/V TAKU to the deck officers of the ferry system, the State of Alaska has become engaged in these efforts to injure, defame, and destroy our business. It is highly inappropriate for public employees, operating public facilities, and employed by a public agency to participate in these collusive actions.

The members of ACPA have built our business to what it is today by our own hard work and our steadfast dedication to the highest standards of our profession. To meet our high standards, and to obtain their licenses, ACPA pilot trainees need a full and fair opportunity to ride the ferries of the Alaska Marine Highway System.

If given the chance, Captain Kathleen Rathgeber will be a valuable addition to the marine pilot profession in Alaska. But Captain Rathgeber needs that chance, which you can provide by directing the Alaska Marine Highway System to open its bridges to all pilot trainees, without any form of discrimination.

We trust that you believe in private enterprise and, pursuant to our rights under Article I, Section 6 of the Alaska Constitution, we petition you to take all appropriate steps to immediately resolve this issue.

Respectfully,



Captain Terry K. Bennett  
President  
Alaska Coastwise Pilots' Association

cc: Burton Epstein, Esq.  
General Counsel  
International Masters, Mates & Pilots Union

Mr Bob Watt,  
Chairman,  
State Board of Marine Pilots

James R. Ayers  
System Director  
Captain Kelly Mitchell  
Port Captain  
Alaska Marine Highway System

Tuckerman Babcock  
Director, Boards and Commissions  
Office of the Governor

Charles E. Cole, Attorney General  
Bruce M. Botelho, Deputy Attorney General  
Gary I. Amendola and Jack B. McGee, Assistant  
Attorneys General  
Department of Law

Captain Carl Luck  
Marine Pilot Coordinator  
Department of Commerce and Economic Development

Honorable Virginia Collins  
Honorable Rick Halford  
Honorable Jim Duncan  
Alaska State Senate

Honorable Dave Donley  
Honorable Bill Hudson  
Honorable Fran Ulmer  
Alaska House of Representatives

# INTERNATIONAL ORGANIZATION OF MASTERS, MATES & PILOTS

PACIFIC MARITIME REGION

2819 First Avenue, #100 \* Seattle, Washington 98121-1128 \* Telephone: (206) 441-1070 \* FAX: (206) 443-5752



March 31, 1992

TO: Deck Officers of the Alaska Marine Highway System

Dear Fellow Deck Officer:

I am writing to you regarding the piloting situation in Southeast Alaska. I am sure most of you are aware of the non-recognized pilotage group that has split away from the Southeast Alaska Pilotage Association, which has been recognized by the International Organization of Masters, Mates and Pilots since its inception. Three members of the Pacific Maritime Region employed by the Alaska Marine Highway System, as well as members of other membership groups, have agreed to perform pilotage services for this new split-off pilot group. I have also recently heard that a number of other Deck Officers of the Alaska Marine Highway System are considering working as pilots for this splinter group in the near future.

The International Organization of Masters, Mates and Pilots is very concerned that if this situation with the Pilots continues or worsens, it will have a tremendous repercussion on the jobs and working conditions of all Deck Officers employed by the Alaska Marine Highway System.

Your Union is asking for solidarity and the support of all Deck Officers regardless of membership group in order to help resolve this situation.

I am deeply concerned that any member continuing to work, or any other members accepting employment with this new splinter group, will cause a reaction against our jobs that we may not be able to stop. \*

This Organization supports one Pilotage Group in Southeast Alaska under the umbrella and affiliation with the International Organization of Masters, Mates and Pilots and will continue efforts to bring the parties involved together in negotiations to resolve their problems.

Fraternally,

CAPTAIN DAVE A. BOYLE  
Vice President  
Pacific Maritime Region

DAB:s

cc: General Executive Board  
Mr. Burton Epstein General Counsel

\* CHARGES WILL BE FILED AGAINST IMA'S DMM-P MEMBERS WHO CONTINUE TO WORK FOR THE AK. COASTWISE PILOTS.

APR-14-92 TUE 11:52

DILLON & FINDLEY

FAX NO. JJ75863777

P. 07

Apr. 10 '92 15:27

6666 ACPA-WOODINVILLE

TEL 206-405-6583

P. 1

04-10-1992 15:13

907 225 0104

WHITE PASS ALASKA

P. 21

MV TAKU  
8 APRIL, 1992

MM & P MASTERS/MATES  
ALASKA MARINE HIGHWAY

SHIPMATES:

THE TEMPERATURE RISES IN THE DIRTY LITTLE PILOT WAR OVER SOUTHEAST TURF. IT IS A DAMN SERIOUS BATTLE THAT ALREADY INVOLVES EVERY ONE OF US.

AFTER MEETING WITH T. BENNETT, M. SPENCE, AND D. COLLINS THIS PAST WEEK, I AM CONVINCED THAT OUR MARINE HIGHWAY JOBS ARE AT RISK, MOST (NOT JUST ONE) OF THE S.E.A. PILOTS ARE INCENSED ENOUGH TO RAID OUR POSITIONS SHOULD THEIR GROUP GO DOWN (TURPIN LOVES IT!), THEY HAVE GOOD REASON TO BE PASSIONATELY PISSED; THEIR UNION "BROTHERS" (OUR CO-WORKERS) HAVE HELPED STEAL THE SWEETEST CRUISE SHIP CONTRACT, WHILE ON "VACATION" FROM THESE JOBS AND SECURE UNDER OUR HEALTH AND WELFARE UMBRELLA. LIKE MOST MARRIAGES, THIS BREAK WITH THE S.E.A. PILOTS IS LARGELY THE RESULT OF MISUNDERSTANDING AND POOR COMMUNICATION.

DOUG, CHUCK, JOHN! SIT DOWN AND TALK TO DALE AND COMPANY, YOU WILL, EVENTUALLY--BETTER NOW BEFORE ANY MORE BLOOD FLOWS. SURRENDER YOUR EGOS AND DO WHAT YOU KNOW IS RIGHT BEFORE YOU FURTHER TEAR THESE MEMBERSHIPS APART. DO NOT MAKE THE MISTAKE OF UNDERESTIMATING THE THREAT TO THESE JOBS.

FOR MY PART, I REFUSE TO SIGN ANOTHER PILOTAGE TRIP UNTIL THE PILOT GROUPS ARE ONE. I ASK MY COLLEAGUES TO FOLLOW LYNNESS' LEAD AND DO THE SAME. THE TAKU PILOT OBSERVER LEAVES THE SHIP IN AUK BAY THIS MORNING, GLAD, I BELIEVE, TO BE SPARED MORE GRIEF.

HERE'S TO SANITY NOW, NOT LATER!

VERY SERIOUSLY,

*SAEP*

K. SCHOBPPE

M E M O R A N D U M

TO: Alaska Board of Marine Pilots  
VIA FAX 465-2974

FROM: Alaska Marine Pilots

RE: Proposed Regulations 12 AAC 56.021(b) and (c)

DATE: April 10, 1992

This memorandum presents the view of Alaska Marine Pilots ("AMP") respecting proposed regulations 12 AAC 56.021(b) and (c).

SUMMARY

Proposed regulation .021(b) is a redraft of the existing language. After it was put out for public comment and thereafter adopted by the Board at its January 1992 meeting, this subsection was redrafted by the Office of the Attorney General ("AG"). According to Mr. Amendola, the redrafting was not supposed to change the regulation in any substantive way. However, without questioning the AG's intent, AMP contends that the change is substantive and substantial. AMP asks the Board either to adopt the subsection in its original form or put it out for public comment again.

Proposed regulation .021(c) was first adopted by the Board at its Fall 1991 meeting, put out for public comment, and adopted unchanged at the Board's January 1992 meeting. The AG has indicated it will recommend to the lieutenant governor that the regulation as written is contrary to law and therefore unenforceable, and consequently should not be approved by the lieutenant governor. AMP strongly urges the Board not to change this subsection, and by this memorandum urges the AG to reconsider its position and approve the subsection as written.

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SUBSECTION .021(b)

As originally adopted, .012(b) read: "Each exemption, addition, or endorsement to a marine pilot license must be identified on the license." As rewritten by the AG's office, it reads:

(b) An exemption to a license for a pilotage region will be identified on the license for the parts of the region that the licensee is determined by the board as not qualified to pilot or the pilot does not seek licensure. An endorsement for an extended route will be identified on the license if the board issues an endorsement under this chapter.

The words "or the pilot does not seek licensure" is a significant substantive change in the regulation as adopted by the Board. AMP can see no justification in the statute or any regulation adopted by the Board for adding these words to the regulation.

The reason this is significant is that implies that pilots may make an election not to seek licensure in all of a region. AMP strongly urges the Board to adopt a policy that a pilot must have full federal and state pilotage in order to obtain an unlimited pilot's license under AS 08.62.100. There is no doubt that the Board has the authority to impose this requirement.

(AMP is aware that the statute no longer refers to anything called an "unlimited license." However, for the sake of discussion, AMP refers to the license contemplated by AS 08.62.100 as an "unlimited" license, distinguished from the deputy marine pilot license contemplated by AS 08.62.097.)

Furthermore, AMP urges the Board to impose a requirement that deputy marine pilots holding less than full state and federal licensure for a region make reasonable progress toward full licensure. In other words, the requirement should be that a deputy marine pilot will obtain the unlimited license within a reasonable time, or lose his deputy license.

The policy objective here is to ensure that each pilot eventually becomes fully licensed in his or her region, and therefore is able to provide pilotage services to all vessels in all ports of the region, at all times of the year, day or

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night. The state's interests are not served by permitting a pilot to become licensed in one or two high-volume, high-profit ports in a region, to the exclusion of the other lower-volume, lower-profit ports. If the state permits that kind of "cherry picking," pilots and pilot groups will have a strong economic incentive to work and compete only in the profitable ports. In fact, it will become an economic imperative to do so. It will become economically impossible to provide service to remote, unprofitable ports and still stay in business.

For this reason, the words "or the pilot does not seek licensure" should not be included in the regulation. Clearly, this phrase represents a significant substantive change from the regulation that was put out for public comment and then adopted by the Board in January. The Board must either insist that the regulation be written as originally adopted, or must put this new version out for full public comment. In AMP's view, the Board cannot legally adopt this substantive change without going through the entire process.

#### SUBSECTION .021(c)

This is what has become known as the "cross-regionalization" issue. Some pilots and industry representatives are strenuously urging the Board to adopt a regulation that will permit pilots to cross regional lines freely. AMP strongly urges the Board to resist this pressure, and to maintain the tough regional restrictions contemplated by the legislature in HB 194.

The current language of 12 AAC 56.012(c) was suggested by AMP and thereafter adopted by the Board at its Fall 1991 meeting. It was put out for public comment, then adopted unchanged at the Board's January 1992 meeting:

(c) A pilot may not be licensed in more than one region at a time unless the board determines that the members of the organization or organizations of that region do not have a sufficient number of qualified members to provide the kind of pilotage in the region that will assure the protection of shipping, the safety of human life and property, and the protection of the marine environment.

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The need for this regulation arises from AS 08.62.080(b), which provides:

A pilot may not be licensed in more than one pilotage region at one time, unless the board determines that it is in the best interests of the state to license pilots for parts of more than one pilotage region.

The regulation proposed by AMP and adopted by the Board was intended to define what constitutes "the best interests of the state."

The AG has indicated it will disapprove this section if the Board does not withdraw it. The AG's reasons are set out in a memo of March 20 from Mr. Amendola to Assistant AG Deborah E. Behr, and a subsequent memo dated March 20 from Ms. Behr to the Board. The bottom line is that the AG views this language as "anti-competitive" and therefore prohibited by AS 08.62.040(d). Subsection .040(d) provides that the Board may not adopt a regulation "resulting in anti-competitive practices that, if the board were subject to AS 45.50.562--45.50.596, would violate AS 45.50.562--45.50.596."

AMP respectfully contends that the AG is wrong in its determination that the current language of 12 AAC 56.021(c) is anti-competitive. AMP's threshold problem with the AG's position is that there is no discussion whatsoever in their legal memoranda to the Board explaining why the language would violate AS 45.50.562 -- .596. We can find no indication that the current language does violate any anti-trust provision of Alaska law. Without any discussion by the AG in its memoranda, it is impossible to determine where the violation might lie.

In AMP's opinion, the AG's memos gloss over the express language of AS 08.62.080(b). As written, the statutory presumption is that pilots shall not pilot in more than one region at a time UNLESS an exception must be made to serve the state's best interests. In other words, the presumption is in favor of the restriction, not in favor of the exception. The AG seems to be reading it the other way around: Mr. Amendola and Ms. Behr seem to be arguing that pilots should be able to pilot in more than one region at a time UNLESS they cannot demonstrate an ability to do so safely. This improperly reverses the language of the statute.

There is nothing in the regulation or the underlying statute that prevents a pilot from competing in any region in which he chooses to compete. However, it is undeniable that AS

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08.62.080(b) creates a heavy presumption against allowing them to compete in two or more regions at the same time. The legislature obviously balanced the state's interest in unfettered competition against its interest in promoting local expertise. It enacted Section .080(b), together with mechanism for creating smaller pilotage regions, for the purpose of making sure that pilots do not spread themselves too thin. This is a safety-promotion measure well within the legislature's police powers.

The existing language of 12 AAC 56.021(c) is not "anti-competitive" except in the most literal sense -- that is, in the sense that the entire statute is "anti-competitive" because it does not permit unfettered and unregulated marine piloting. In that sense, the entire statutory scheme is "anti-competitive": no one can pilot without a license, and that very fact means that piloting is not purely competitive. Under the current scheme, a pilot is also restricted in where he can work, with whom he can work, and how much he can charge. It follows that the mere regulation of pilots cannot be construed as inherently "anti-competitive." If it were, the entire statute would have to be thrown out. In the context of AS 08.62.040(d), the term "anti-competitive" has to mean something more than "regulated" or "restricted."

AMP remains convinced that the regulation must define what constitutes the state's interest in deciding whether a pilot can pilot in more than one region at a time. It is not the interests of pilots or of industry that are to be considered, but the interests of the state alone. What are the state's interests? The statute spells it out at AS 08.62.040(a): safe and efficient pilotage service to assure the protection of shipping, the safety of human life and property, and the protection of the marine environment. These are the state's only interests in piloting, and the entire statutory and regulatory scheme is aimed at furthering these specific enumerated interests.

As long as these specific state interests are being adequately served by the pilots who are already working exclusively in a region, then Subsection .080(b) makes it clear that there is no justification for permitting a pilot from another region to work in both regions at the same time.

Put another way, as long as the state's interests are being adequately served in a region by the pilots working exclusively in that region, then Subsection .080(b) expresses the state's overriding interest in preventing pilots from other

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regions from diluting their expertise by trying to work in two regions simultaneously.

Put yet another way, as long as the state's interests are being adequately served in a region by the pilots working exclusively in that region, then permitting pilots from other regions to work in that region serves only their own economic interests and the economic interests of industry, to the detriment of the state's interest in promoting safety by restricting pilots to one region at a time.

With all that in mind, we must disagree with the AG's office in its suggestion that the state's interest in this matter is only to make sure that pilots pass some tests and maintain their currency. Quoting from Ms. Behr's March 20 memo:

The board may consider adopting more frequent examinations, enhanced continuing education requirements, or local experience requirements for pilots licensed in two or more regions.

If that were the legislature's intent, they never would have enacted Subsection .080(b). What the AG's office proposes is no change from the prior statutory and regulatory scheme, which placed no limitation on where a pilot could work, so long as he passed the proper tests. A basic rule of statutory construction is that the legislature is never presumed to have enacted a law without a reason. If the effect of a new law is to change existing law, it must be presumed that the change was intended.

In this case, the prior law consisted of a statute that did not even mention pilotage regions, and a regulation (existing 12 AAC 56.021(a)) that divided the state into two "licensing areas." There was no restriction on any pilot who wanted to work in both "licensing areas" as long as he passed the tests required by the board.

Contrast the old statute with the new legislation. The new legislation included a statement of policy setting forth a legislative finding that

in order to assure the protection of lives and property and the marine environment of the state, licensed marine pilots having extensive local knowledge are required to pilot certain vessels on the inland and coastal waters of and adjacent to the state.

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HB 194, Sec. 1(b)(1) (emphasis added). Without doubt, the legislature was interested in encouraging "extensive local knowledge." The statement of policy goes on to say that the legislature found that

it is necessary to give the Board of Marine Pilots broad statutory authority, including the authority to establish pilotage regions . . . .

HB 194, Sec. 1(b)(5). The statute itself directs the Board to adopt regulations establishing pilotage regions, and provides that the Board may adopt regulations establishing standards for permitting a pilot to work in more than one region at a time. AS 08.62.040(a)(4)(A) and .040(b)(4). Finally, the new legislation establishes a strong presumption against allowing pilots to work in more than one region at a time. AS 8.62.080(b).

These are substantial changes from the law as it existed prior to the passage of HB 194. The Board and the AG must look at the presumption against "cross-regionalization" as a significant change in the law that was intended by the legislature.

In adopting the current language, AMP believes that the Board has properly exercised the broad authority conferred upon it by the legislature. AMP questions the authority of the AG's office to interfere in this exercise of authority, where the legislature clearly intended that the collective expertise of the Board was to be given great weight. On what is essentially a safety issue, the AG appears to have substituted its determination of what constitutes the state's best interests for that of the Board.

From AMP's perspective, the real issue here is defining what is meant in Subsection .080(b) by "the best interests of the state." We remain convinced that the board must look to the rest of the statute to define those interests, and as mentioned above, the statute defines those interests in terms of protection of shipping, of human life and property, and of the marine environment. If one reads Subsection .080(b) as raising a strong presumption against "cross-regionalization" (and AMP insists it must be read that way), then it necessarily follows that cross-regionalization will not be allowed so long as the pilots already working exclusively in a region are meeting those interests.

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In discussing how best to serve the state's interests in marine piloting, the Board cannot lose sight of economic realities. Alaska will only have a corps of experienced professional marine pilots if pilots have reasonable assurance of job security and of compensation comparable to others in their profession. This is every bit as much of a safety issue as drawing charts and passing tests. Alaska cannot afford regulatory policies that drive the best marine pilots to other areas of the country or out of the profession altogether.

If the board permits multi-regional licensing in the name of competition (rather than in the name of safety), the overall quality of piloting will suffer in several ways. Pilots who are stretching themselves to work in two regions at a time will experience dilution of their local knowledge and expertise. Unrestricted competition will result in cherry-picking, with the accompanying loss of coverage in unprofitable outports. Eventually, the best and most experienced pilots will go elsewhere rather than bear the risks of inadequate compensation and uncertain employment security.

The AG's proposal would permit granting licenses for more than one region without any finding by the Board that the state's interest is being served by doing so. In effect, the AG's proposal would eviscerate AS 8.62.080(b) by substituting a scheme allowing pilots to get licensed in more than one region at a time without an independent determination by the Board that the state's best interests compelled it. As noted above, that is no change from prior law.

In order to satisfy the mandate of AS 08.62.080(b), every applicant for a license to pilot in all or part of a second region should be required to demonstrate to the Board that the state's best interests will be served thereby. That determination cannot be made by a blanket licensing scheme, but must be made on a case-by-case basis considering all the circumstances, and must be made solely on the basis of the state's interest in safe piloting, not the economic interests of the individual pilot or industry. The current language of .021(c) provides a yardstick for this determination that is itself grounded in the statute.

The AG's suggestion ignores another issue -- perhaps the central issue -- that has been brought to the Board's attention, but which the Board has so far been unwilling or unable to face head-on. It is the issue of "cherry picking," and it arises in these two related areas: whether pilots can pilot in more than one region at a time, and whether the board

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should recognized pilot organizations that cannot serve all or substantially all of a region.

The problem of "cherry picking" is this: In a region, the revenue from piloting in the high-volume ports essentially subsidizes the low-volume remote ports. For instance, in the Western Region, AMP can only service outports such as Chignik, Lost Harbor, Cold Bay, and the Aleutians at reasonable rates because of the revenues generated by the high volume of traffic in ports like Dutch Harbor. If an individual pilot or a small pilot group is permitted to skim off the cream by working exclusively in Dutch Harbor and offering to do the piloting work there for less, then AMP will inevitably be forced either to abandon the outports and compete head-to-head in Dutch Harbor, or compete head-to-head in Dutch Harbor and raise the rates for the outports to a prohibitive level.

The state's interests are very much at stake in this matter, because if individual pilots or small pilot groups are allowed to "cherry pick" in the name of promoting competition, then larger pilot groups that are trying in good faith to serve an entire region will not be able to continue doing so. Why would any pilot or pilot group continue to serve the unprofitable outports if the only way to survive is to restrict themselves to competing in the high-money ports or trades? Clearly, the state's interests are not served if service to the outports either disappears or becomes prohibitively expensive.

In trying to promote competition, the central flaw in the AG's reasoning is that marine piloting is a free-market enterprise. That is incorrect. Marine piloting, and the state's interest in marine piloting, is more like a public utility or the post office: the public interest demands that piloting, like postal service, be maintained even in remote, low-volume areas where it is not profitable or even self-sustaining. In the interests of safety, the state should be doing everything it can to ensure that regional pilot groups will continue to serve the outports, even though they are not profitable. The state should NOT be doing anything to force pilots to abandon the outports.

The fact is that marine piloting is carefully regulated in the public interest. Unlike lawyers, doctors, hairdressers, and real estate agents, all of whom are also licensed by the state, marine pilots cannot decide unilaterally where they will work, and with whom, and for how much. Instead, the state has decided to restrict them to certain regions of the state, to regulate how much they can charge, and to require that they

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become members of regional pilot organizations that must accept for membership anyone with a pilot's license. The AG's apparent assumption that marine piloting should be treated like a truly "competitive" profession is simply indefensible.

In order for the state's interests to be properly served, the state must ensure that professional pilots organizations that are making a good faith effort to provide full coverage to the entire region are NOT driven out of business. The members of these organizations MUST be permitted to make a reasonable living at least equal to professional pilots in the rest of the country, and they must have reasonable job security. The state's interests in having a solid corp of competent professional marine pilots with sound local knowledge is not furthered by encouraging a system under which remote locations cannot get pilots, good pilots are driven elsewhere for decent pay and job security, and piloting services in the busiest ports go to the lowest bidder in a cutthroat market. It is neither good nor responsible public policy. We aren't talking about cabbages here; we're talking about marine safety. Marine pilots are the equivalents of air traffic controllers, not grocers.

#### RECOGNITION OF MARINE PILOT ORGANIZATIONS

AMP supports the following policies for recognition of marine pilot organizations and the training and licensing of pilots:

1. In order to receive an unlimited license, a pilot must have full federal and state coverage for the entire region. AMP believes there should be a reasonable time in which to move from partial coverage as a deputy pilot to full coverage as an unlimited pilot, but also believe that a time limit must be established for doing that. In other words, "up or out." This would affect regulation .021(b), which implies that a pilot can elect indefinitely not to get fully licensed in the region. As noted above, AMP urges the Board to go back to the original formulation of .021(b).
2. In order to be recognized as a regional organization, a one-pilot organization must agree to provide pilotage services in the region for at least six months of the year. An organization with two or more members must provide pilotage services for the entire year.

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3. No pilot organization, regardless of its size, may refuse a request for pilot services anywhere in the region, unless there is no competent pilot then available from the organization. In other words, if a competent pilot is available, that pilot must render requested services. "Competent" means physically and mentally competent and licensed for the particular area. An organization's refusal to perform pilotage services when competent to render them should be grounds for terminating the organization's recognition.

These measures are intended to preclude seasonal and geographic cherry-picking, and AMP believes they are reasonable requirements in furthering the statutory objectives of the act.

Respectfully submitted,

ALASKA MARINE PILOTS

cc: Gary Amendola  
Office of the Attorney General  
State of Alaska  
(via fax)

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MEMORANDUM

TO: Alaska Board of Marine Pilots  
FROM: Alaska Marine Pilots  
RE: Compulsory Pilotage in the Pribilof Islands Area  
DATE: April 1, 1992

This memorandum presents the view of Alaska Marine Pilots ("AMP") respecting the need for compulsory pilotage in the Pribilof Islands (St. Paul and St. George) and nearby St. Matthew Island. (Even though St. Matthew Island is not considered one of the Pribilof Island groups, for convenience of discussion in this presentation AMP includes it in the Pribilofs.)

With this memorandum, AMP provides to the Board all the information it has been able to gather to date. If AMP is able to gather additional relevant information, it will provide it to the Board as soon as possible.

**SUMMARY:** The law requires the Alaska Board of Marine Pilots ("the Board") to designate compulsory pilotage in the State of Alaska if necessary to protect shipping, human life and property, and the marine environment. On the evidence outlined in this presentation, AMP believes the statutory criteria require the Board to create a compulsory pilotage zones to the full extent of the three-mile territorial sea surrounding the Pribilofs and St. Matthew Island. AMP asks the Board to do so by adding a new subsection to 12 AAC 56.100.

**I. LEGAL AUTHORITY AND DUTY OF THE BOARD**

AS 08.62.040(a)(1) provides that the Board shall

provide for the maintenance of efficient and competent pilotage services on the inland and coastal water of an adjacent to the state to assure the protection of shipping, the safety of human life and property, and the protection of the marine environment.

AS 08.62.160 provides: "The board shall define the mandatory pilotage water of the state." (Emphasis added.)

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Pursuant to this authority, the Board has adopted regulations governing compulsory pilotage waters, 12 AAC 56.090 through .120. Section .090 establishes a general rule for determining the boundaries of the compulsory pilotage waters of Alaska; this is a "default" provision which covers all waters "not otherwise described in this chapter."

Section .100 establishes certain specific boundaries of compulsory pilotage waters. AMP is requesting the Board to add the three-mile territorial sea surrounding the Pribilofs and St. Matthew Island to this section.

Three aspects of AS 08.62.040(a)(1) are germane to this presentation. First, this provision together with AS 08.62.160 makes it clear that it is the duty of the Board to designate compulsory pilotage waters in Alaska. Contrary to the suggestion of Board Member Bill Lorch at the Board's January 1992 meeting, the Board cannot and should not defer to local governments to make this determination. The Board certainly may consider the opinions of local government officials to the extent these opinions bear on appropriate criteria, but the ultimate decision can only be made by the Board.

The second important aspect of Section .040(a)(1) is that it expressly defines the waters that fall within the Board's jurisdiction: "the inland and coastal waters of and adjacent to the state." (Emphasis added.) This is a change from the prior statute, in which .040(a)(1) described "all waters covered by this chapter." Clearly, the waters around any Alaskan island are "coastal" waters "adjacent" to the state. There can be no doubt that the Board has authority to designate compulsory pilotage waters to the full extent of the three-mile territorial sea surrounding any Alaskan island, if the statutory criteria are met.

The third important element of Section .040(a)(1) provides the criteria to be applied by the Board in making this decision: "protection of shipping, the safety of human life and property, and the protection of the marine environment." Protection of the marine environment is a new criterion added to the statute by the 1991 legislation. This is critically important in the context of the Pribilofs, because the marine environment in that region is particularly rich and sensitive.

These are the only criteria the Board may consider in evaluating whether to designate compulsory pilotage waters in the Pribilofs. Contrary to suggestions by witnesses and some Board

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members at the Board's January 1992 meeting, the Board may not properly consider the economic impact of compulsory pilotage either on local governments or on the shipping or fishing industries. If economic considerations were to play a part in establishing compulsory pilotage, there would be no compulsory pilotage anywhere in the State of Alaska. If safety considerations compel establishing compulsory pilotage in a particular area, then the cost of such pilotage to industry is irrelevant.

Other witnesses at the Board's January meeting argued against compulsory pilotage because of the logistical problems that might arise in getting pilots to and from vessels. That is also an improper consideration, unless it bears directly on the three statutory criteria. If the logistics objection is purely economic, the Board cannot consider it. Everywhere in the world, logistical problems of getting pilots to and from ships are solved in one way or another, and everywhere in the world industry must bear the cost of compulsory pilotage if such pilotage is deemed necessary. In this respect, the Pribilofs are no different from anyplace else in Alaska or rest of the world.

Still other witnesses suggested that pilots are unnecessary in the Pribilofs because the masters of the foreign vessels operating there were the most skilled in the world at "high seas" dockings. This assertion, even if true, is irrelevant. The statute does not permit the Board to consider the expertise of foreign masters in deciding whether to require compulsory pilotage.

The very reason for establishing a system of compulsory pilotage is to ensure that vessels operating in state waters are under the control of someone with proper training and local knowledge and experience. The state has no way of knowing the training and experience of a foreign ship master, or whether he is sober and drug-free, or whether he is proficient in English. None of the state's requirements for a licensed pilot apply to foreign masters. In the absence of a licensed pilot, the state has no way of knowing whether the vessel even has adequate charts (see Statement of Capt. David Sanders, attached hereto as Exhibit A, entry for January 31, 1992, at 1500 hours: vessel operating near St. Paul without adequate charts).

The Board must designate compulsory pilotage waters in the Pribilofs if it determines that it is necessary to protect shipping, the safety of human life and property, and protection of the marine environment. This is a non-delegable duty. AMP believes that the situation in the Pribilofs and St. Matthew Island require imposition of a compulsory pilotage zone.

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In passing, AMP notes that if this Board does not impose compulsory pilotage in that area, the federal government has the authority to do so. The Secretary of Transportation may require a federal pilot for any self-propelled vessel when pilots are not required by state law and the vessel is both engaged in foreign commerce and operating on navigable waters of the United States. 46 USC 8503(a). This provision would cover a good deal of the vessel traffic in the Pribilofs.

## II. FACTUAL BASIS FOR IMPOSING COMPULSORY PILOTAGE IN THE PRIBILOFS

### A. Geography and weather.

The Pribilof Islands are located in the Bering Sea approximately 200 miles northwest of Unimak Pass. Under good weather and sea conditions, it is approximately one day's steaming time from Dutch Harbor. St. Matthew is approximately 200 miles north-northwest of the Pribilofs, about 145 miles west of Nunivak Island.

Because of its geography, the weather and sea conditions in the region are among the worst in the world. These islands lie exposed to hundreds of miles of open ocean, allowing seas and weather to build up over a considerable distance without obstruction. During winter, the islands are within the boundaries of the ice pack, and the presence of ice in winter is frequently a factor in vessel movements.

Attached hereto as Exhibit B is an excerpt from the United States Coast Pilot, Vol. 9 (15th Ed. 1992), describing the area. AMP points out some specific points mentioned in the Coast Pilot about the Pribilofs:

Fogs are especially thick and prevalent in this vicinity in the summer, and navigation is attended with difficulty and danger. . . . One annoying characteristic of the area is very thick fog accompanying strong winds. . . . Winds do not continue to blow from the same quarter for any length of time. . . . After September 1, gales are frequent and violent, and blow from all directions. . . . The Pribilofs are near the S limit of the ice in Bering Sea.

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Frequent windy periods are characteristic of the (St. Paul Island) area throughout the year. Frequent storms occur from October to April, and they are often accompanied by gale force winds to produce blizzard conditions.

The Coast Pilot has little to say about St. Matthew Island, but what it does say offers a suggestion of the perils of navigation there:

St. Matthew Island and adjoining islands . . . are rocky, uninhabited islands whose shores are poorly charted except for a small area between Sugarloaf Mountain and Pinnacle Island. . . . During the season of navigation, fog is prevalent in this vicinity.

The shortage of soundings and other information is readily apparent from an examination of NOAA's navigation chart No. 514, which is the only navigation chart that shows St. Matthew Island. This is a large-area, small-scale chart utterly inappropriate for coastal navigation. NOAA does not offer a high-detail navigation chart for St. Matthew Island similar to Chart No. 16380, which depicts St. Paul and St. George Islands in detail. This underscores the need for a pilot with local knowledge at St. Matthew Island.

Also part of Exhibit B is the weather chart published in the Coast Pilot at page T-9 for St. Paul Island. One of the key facts is at the bottom of the chart: the mean number of days with fog annually is 190. In other words, fog is a factor for navigation more than half the year. This chart also provides an idea of the way in which the wind comes from every direction.

For the Board's review, AMP is also providing weather information from the National Weather Service, which maintains a primary weather station on St. Paul Island. Attached as Exhibits C and D are reports from St. Paul and, for comparison, Cold Bay. These reports include historic weather data going back many years.

The Cold Bay reports are provided to demonstrate that the weather in St. Paul is, in some important ways, worse than the weather in Cold Bay, a long-time compulsory pilotage area. Examination of the Weather Service data indicates that St. Paul has almost three times as many days during which fog reduces visibility to one-quarter mile or less (57.5 days for St. Paul versus 21.7 days for Cold Bay) and that St. Paul has more severe winds (mean speed of 17.7 mph for St. Paul versus 16.9 mph for Cold Bay). This information, coupled with the fact that vessel congestion is now

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higher in the Pribilofs area than in Cold Bay, strongly supports AMP's contention that compulsory pilotage is needed in the Pribilofs.

The Weather Service included these comments in its report about St. Paul Island (Exhibit C-7):

Frequent windy periods are characteristic of the island area throughout the year. Frequent storms occur from October to April, and these often are accompanied by gale-force winds to produce general blizzard conditions. Under the influence of prolonged north and northeasterly winds between January and April, the ice pack occasionally moves south to surround the island.

As the Coast Pilot notes, the winds in the Pribilofs shift constantly and often in a surprisingly short time. This has a direct bearing on the Board's decision. Because of these weather patterns, vessels are constantly on the move trying to find a lee in which to find protected waters in which to work. Typically, as explained below, such a movement occurs in the middle of offloading cargo and therefore involves both a freighter and a floating processor. This combination of severe conditions, multiple vessels, and frequent vessel movements is a key factor for the Board to consider. In winter, ice is generally an additional factor; the expertise of a pilot is particularly valuable in ice conditions.

Another key factor is that the water around the islands is shallow to the full extent of the three-mile territorial sea and beyond. For the Board's convenience, AMP is providing the following attachments:

Exhibits E and F

Excerpts of NOAA Chart 16380  
for St. Paul and St. George

Exhibits G, H, and I

Excerpts of NOAA bathymetric  
charts for St. Paul, St. George,  
and St. Matthew

(The original of each of these charts has been sent to Pilot Coordinator Capt. Carl Luck for the use of the Board at the April meeting. Photocopies of the relevant portions are attached to each copy of this memorandum for the convenience of the Board members.)

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The shallowness of the water is important here for two reasons. First, it is well-known that seas become more severe, more confused, and more "lumpy" in shallow water. Sea conditions throughout the Bering Sea are notoriously severe, in large part because the water is so shallow. This has a direct bearing on the safety of vessel operations and on the risks to human life, property, and the marine environment.

The second relevant consequence of the shallow water surrounding these islands is that vessels can anchor almost anywhere within the three-mile territorial sea. As AMP documents below, vessels are already anchoring and operating just outside the current compulsory pilotage boundary to avoid the expense of engaging a pilot. The charts attached as Exhibits E-I will help the Board to understand why it is essential for the Board to create a compulsory pilotage zone to the full extent of its three-mile territorial jurisdiction.

As a practical matter, floating processors can anchor and operate safely in the Pribilofs in 20 to 30 fathoms of water. While these vessels prefer to operate in shallower water to improve their anchoring, it appears certain that they will move to deeper water if that will enable them to avoid pilot fees.

For this discussion, AMP asks the Board to assume that vessels can and will anchor in up to 30 fathoms of water if weather and sea conditions permit. That is 180 feet, or approximately 54 meters. AMP asks the Board to examine Exhibits E and F (NOAA Navigation Chart No. 16380), which measure depth in fathoms and feet, and Exhibits G, H, and I (NOAA bathymetric charts), which measure depth in meters.

All these charts show the three-mile territorial sea. AMP asks the Board to compare the three-mile line to the 30-fathom curve on Exhibits E and F, and to the 50-meter curve on Exhibits G, H, and I. These charts show that most of the water inside the three-mile line surrounding all three islands is shallow enough for vessels to anchor and operate. The major consideration for vessels operating within the three-mile line is not whether the water is shallow enough to anchor, but whether they can get in the lee of an island to avoid the wind.

#### **B. Increase in vessel activity in the Pribilofs Area.**

Until recently, these remote islands got relatively little vessel traffic. However, a major crab and pollock fishery has developed in the region. In the past few years, the anchorages in

the Pribilofs and St. Matthew have achieved priority importance in the fishing industry. By operating there, floating fish processors enable fishermen to avoid the delay and expense involved in running to and from Dutch Harbor. The emergence of significant vessel congestion in the Pribilofs coincided with the emergence of the large opilio crab fishery.

Peak activity times for the fishing industry are from January through May for the opilio crab fishery and July through September for the "B" season of the pollock quota. Often, there is a summer blue crab fishery near St. Matthew Island. All of these fisheries typically involve floating processing vessels up to 400 feet in length (plus the OCEAN PHOENIX, a 700-foot former APL container ship converted to process surimi), a fleet of approximately 100 fishing boats, and a stream of foreign (and domestic) freighters averaging between 230 and 420 feet in length. At any given time during the season, the waters around St. Paul Island, for instance, might have up to 11 floating processors. During a typical 24-hour day, there could be up to 20 fishing boats and 6-8 freighters working simultaneously in the area.

In this connection, the Board is urged to review the attached typescript of the personal notes of Capt. David Sanders (Exhibit A), who kept a log of vessel activity at St. Paul early this year; the statement of Capt. Will Anderson (Exhibit J), who is a former master of factory trawlers and processors in the Pribilofs; and the summary of the harbor master of St. Paul (Exhibit K), which identifies the floating processors working in the area during the periods January-June 1991 and January-March 1992. Capt. Anderson's statement is particularly valuable, inasmuch as it provides the perspective of processor master with experience in the Pribilofs.

When a floating processor arrives in the Pribilofs area, its goal is to operate 24 hours per day with as few shutdowns as possible. This requires fishing vessels to come alongside the processor to unload their catch, and freighters to come alongside to receive the processed product. With its limited hold space, a typical floating processor working at full capacity must offload cargo every two to three days. Obviously, these activities demand a high degree of skill in ship-handling and the ability to communicate clearly and quickly about vessel maneuvers. The foreign freighters operate under these demanding circumstances with masters of varying degrees of skill, both in ship-handling and in speaking English.

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In this context, it is important to note that pilots are not under any economic pressure to keep a processor operating non-stop to the fullest possible extent. Pilots are more likely to make decisions about when, where, and how to move a vessel on the basis of safety considerations than economic considerations. A ship master under pressure from his owners to keep operating is better insulated from such pressure if a compulsory pilot makes decisions about vessel movements (see comments of Capt. Sanders, Exhibit A, for February 5, 1992, at 1020-1120 hours, relating to pressure on master of BANYO MARU not to use pilot; see also Statement of Capt. Anderson, Exhibit J).

Cargo operations (both offloading catch to the processor, and offloading product to the freighters) are frequently interrupted by weather, and freighters particularly may come alongside and depart two or three times before finishing the transfer of cargo. As weather and sea conditions change, and as the wind shifts, cargo operations tend to go on to the last possible minute, then the entire fleet moves "en masse" and simultaneously to a more protected spot near the island. Movements of this kind, to find more protected locations in the lee of the island, may happen more than once in a day. At these times, the vessels have to deal with conflicting schedules, deteriorating weather and sea conditions, small weather windows, parting mooring lines, dragging anchors, and language and communications barriers. Accidents are common.

In addition to the high degree of difficulty in bringing vessels alongside and departing under such conditions, many offshore hazards to navigation exist. Navigation in the waters adjacent to the islands and in and out of congested anchorages in high winds and seas, in low visibility conditions, create extreme hazards.

The wreck of the first ALL ALASKAN is on the north shore of St. Paul Island. This 4,000 gross ton floating processor (approximately 350 feet) went aground on March 20, 1987; it was blown ashore after dragging its anchor and being unable to recover in the high winds. The wreck of the 8100 gross ton Greek-flagged MYLOS REEFER is on the beach at St. Matthew Island, having gone aground in November 1989. In January 1989, the YARDARM KNOT grounded on a charted reef near St. Paul in bad weather, while trying to shift from one side of the island to another, and was damaged badly enough that it had to be towed to Dutch Harbor for temporary repairs to enable the vessel to get to Seattle for permanent repairs. The shores of these islands are littered with the hulks of smaller fishing vessels.

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Not routinely reported, but well-known to all mariners who operate in this area, is the frequency of relatively minor collisions and near-catastrophes that result from the congestion coupled with severe weather and sea conditions. Vessel casualties and near-casualties have been and continue to be frequent occurrences in the area.

One of many reported casualties was in April 1990, when the freighter HAKKO BOOMERANG collided with the processor YARDARM KNOT while trying to come alongside the YARDARM KNOT. Weather was clear and visibility was good, but the winds were blowing 20-25 knots, according casualty report filed with the Coast Guard. The HAKKO BOOMERANG did not have a pilot on board at the time.

As this memorandum is being prepared, AMP has learned of a collision that occurred on March 29 or 30, 1992, between the Japanese freighter ORION and the processor YARDARM KNOT at St. George Island. AMP understands this incident is still being investigated. AMP urges the Board to obtain all the relevant information about this incident and include it in its deliberations of this issue.

AMP believes there can be no question about whether the level of vessel activity, coupled with the severity of weather and sea conditions, justifies imposition of a compulsory pilotage zone in the Pribilofs and around St. Matthew Island.

**C. The marine environment is particularly rich and sensitive in the area, and must be protected.**

All of the vessels operating in the Pribilofs and St. Matthew Island regions carry fuel and other potential contaminants. A typical floating processor may carry up to hundreds of thousands of gallons of diesel or bunker fuel when it arrives at the beginning of the season. Processors typically carry fuel not only for their own operations, but to serve as a floating fuel dump for the fishing boats delivering catch to it. A typical freighter may carry up to 100,000 to 200,000 gallons of fuel.

When considering whether pilotage ought to be compulsory in the area, the Board must recognize the rich diversity of marine life present and the possible consequences of a marine casualty. Deep-water, nutrient-laden currents that upwell onto the shallow continental shelf in the area teem with fish, squid, crustaceans, mollusks, and lesser organisms. The islands and surrounding waters

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support immense colonies of nesting seabirds, huge rookeries of Northern fur seals (the largest in the world), Stellar sea lions, walrus, and gray and sperm whales.

The Pribilofs hold the largest seabird nesting colonies in Alaska and one of the largest single colonies in the Northern Hemisphere. The total nesting population in the islands is approximately 3.0 million, with 80 percent nesting on St. George. Even when not nesting, many species spend a good part of the year in the waters near the islands. An oil spill would cause major problems for these populations.

Well over half of the world's one million or so Northern fur seals return each year to the rookeries in the Pribilofs. The greatest concentrations on St. Paul are Zapadni-Tolstoi in English Bay, Reef Point and Village Cove, Lukanin-Kitovi in Lukanin Bay, and Northeast Point. These are also the most favored anchorages for the floating processors and the most heavily traveled by moving vessels. On St. George, the primary rookeries on the north side of the island are located near St. George Village and on the west side in Zapadni Bay; these are also areas that see the most vessel traffic. (See Exhibit L, excerpts from NOAA study of sensitivity of coastal environments and wildlife to spilled oil in the Pribilofs). Fur seals, like sea otters, rely on a dense coat of fur rather than blubber for insulation. Any amount of oil from a spill or beach residue destroys the integrity of this coat, resulting in loss of insulation and death from hypothermia.

Although the St. Matthew Island Group is surrounded by ice longer than the Pribilofs, it also supports vast colonies of nesting sea birds and some marine mammals. From an environmental point of view, St. Matthew is as important as the Pribilofs.

(The sources for this information include Island of the Seals, published by Alaska Geographic 1982, the NOAA sensitivity study attached as Exhibit L, and conversations with representatives of NMFS, including the field biologist directly responsible for the Pribilofs. The primary source documents are too voluminous to submit to the Board, but the Board is encouraged to consult these and other sources. Attached as Exhibits M and N are copies of two charts from Island of the Seals that indicate the location of Northern fur seal rookeries.)

Attached as Exhibit O is a letter to the Board dated March 27, 1992, from Steven T. Zimmerman, chief of the National Marine Fisheries Service protected resource management division. This letter reflects NMFS's support for any action, including compulsory

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pilotage, that would reduce the possibility of vessel mishaps in the Pribilofs. Attached as Exhibit P is a letter to the Board dated April 1, 1992, from John Martin, refuge manager, Alaska Maritime National Wildlife Refuge, U.S. Department of the Interior, in the same vein, and highlighting the risk of an invasion of rats from a vessel that grounds in the area.

The most detailed and current assessment of dangers from oil pollution in the Pribilofs is contained in the final environmental impact statement (FEIS) prepared by the Minerals Management Service of the U.S. Department of the Interior for Lease Sale 89 in the St. George Basin. This proposed lease sale ultimately did not take place due to lack of interest from the oil industry, but the FEIS contains a wealth of environmental information too extensive to include in this memo.

However, it is important to note that the federal Fish and Wildlife Service and the Natural Resources Defense Council requested that there be a fifty-mile deferral of leasing around the Pribilofs. NMFS and the State of Alaska joined in expressing their concerns for the welfare of the Pribilofs, and supported the deferral. While the FEIS is too bulky to submit to the Board (though AMP will have it available at the April meeting), AMP does attach as Exhibit Q excerpts of the "Proposed Notice of Sale," which does reflect the sensitivity of the Pribilofs.

It is beyond dispute that the marine environment in this area is very rich and very sensitive. The severity of a marine disaster involving a spill of pollutants is obvious. The potential damage to both commercial and non-commercial marine populations cannot be overstated. Ironically, a significant oil spill in the region could deal a serious blow to the very industry that is now fighting against compulsory pilotage on economic grounds.

The vast seabird colonies and the populations of Northern fur seals and other marine mammals are commonly held public resources. No group, whether it be the residents of the islands or the processing industry, has the right to endanger this resource. All precautions must be taken to protect this marine environment for future generations, even if operating costs are slightly increased. Comments such as "It's their island, their seals, their oil spill" (made at the Board's January meeting by member Bill Lorch) are entirely inappropriate in AMP's opinion. This Board has an affirmative duty to consider environmental concerns in deciding whether to impose compulsory pilotage.

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The importance of this criterion in the Board's deliberations on this issue is underscored by the fact that "protection of the marine environment" is a new criterion added by the legislature in the wake of the EXXON VALDEZ disaster in Prince William Sound. AMP urges the Board to give this element of the statute particular attention.

D. The Board must extend compulsory pilotage to the full extent of the three-mile territorial sea.

At its January 1992 meeting, the Board declined to take action to declare compulsory pilotage waters in the area beyond what is already required by the "default" provisions of 12 AAC 56.090. This provision provides that, if compulsory pilotage waters are not otherwise defined, then compulsory pilotage waters

are those waters inshore of a line drawn approximately parallel with the general trend of the shore through the outermost aid to navigation, or if no aid to navigation exists, then a line drawn from headland to headland across the mouth of the entrance.

After a long discussion of "headlands" and "juridical bays," the Board determined that, under Section .090 of the regulation, compulsory pilotage waters currently exist only shoreward of a line between Reef Point and Zapodni Point on the south side of St. Paul Island.

The "default" provisions of Section .090 were adequate to meet the state's needs for compulsory pilotage waters at the time it was adopted. Historically, vessels congregated in "bays, sounds, rivers, or other estuaries" because they had to call at land-based ports for cargo operations, provisioning, repairs, and so forth. Historically, land-based ports were located only adjacent to protected waters.

Technology has overtaken Section .090. Its default provisions did not anticipate fleets of floating processors, with their attendant fishing boats and tramp freighters, that can now operate in the unprotected waters offshore of Alaska's islands and mainland. Floating processors and their fishing boats and freighters don't need "bays, sounds, rivers or other estuaries." All they need is shelter from winds and seas, and the lee of an island is usually sufficient for that purpose.

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In short, Section .090 is not adequate to cope with the problems created by a fleet of floating processors operating in waters adjacent to an island. This Board cannot solve those problems simply by drawing a line from headland to headland. It must instead create a compulsory pilotage zone around the island in order to meet its statutory obligations.

As mentioned above, the shallowness of the waters surrounding these islands creates a problem for the Board in defining where to draw the line for a compulsory pilotage zone. The waters are shallow enough that the vessels can anchor and operate anywhere within the territorial sea around all three islands.

At the January 1992 meeting, an industry witness testified that if the Board draws a line for compulsory pilotage, the processors will simply move outside the line to avoid paying for pilots. That, in fact, is exactly what has happened since the January meeting. See the typescript of the notes of Capt. David Sanders, attached as Exhibit A. Time and again, Capt. Sanders makes note of floating processors moving to locations just outside the pilotage line to avoid pilotage fees.

The line between Reef Point and Zapodni Point includes Village Cove and English Bay. These anchorages have traditionally been most favored because of the lee they provide and their close proximity to harbor and transportation facilities at St. Paul. Since the January meeting, this area has become essentially "off limits" for vessels wishing to avoid pilotage costs. Processors now work either just across the line, in non-pilotage waters, or in Lukanin Bay and the large bights on the northeast and north sides of the island. (See notes of Capt. Sanders, attached as Exhibit A.)

The resulting shipping pattern serves neither the best interests of the State of Alaska nor those of industry. The processors are anchored farther offshore in waters much less favorable to working conditions and the transport of personnel. In an effort to save piloting costs, vessels now operate in areas that are less safe than anchorages within pilotage waters, creating unnecessarily increased risks for vessels and workers.

Under these circumstances, industry will continue to move its operations outside any compulsory pilotage line drawn by the Board, so long as it is perceived as practicable and economically advantageous to do so. It may be that the majority of vessel operations now occur within a mile from the islands, but if the

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Board draws the compulsory pilotage line at one mile, it seems inevitable that the fleet will simply move outside the one-mile line. The same appears sure to occur regardless of where the Board draws the line. The shallowness of the water surrounding the islands permits them to do so (see Exhibits E-I and discussion in Section I-A above).

For that reason, AMP urges the Board to establish compulsory pilotage zones to the full extent of the three-mile territorial sea surrounding the islands of St. Paul, St. George, and St. Matthew. This would establish a clear-cut delineation of the compulsory pilotage zones around these islands, inasmuch as the three-mile territorial sea is clearly marked on all navigation charts of the region. To the full extent of the Board's authority, it would preclude vessels from avoiding pilotage by moving outside a line closer to the islands. It would also ensure that the Board has done all it legally can do to protect shipping, life, property, and the marine environment in the area.

AMP points out that the current pilot station is now four miles from St. Paul Island. 12 AAC 56.120(30). With this in mind, imposing a three-mile pilotage zone appears to be consistent with the prior decisions of this Board.

**E. Comparison of the Pribilofs and St. Matthew to other ports and areas in the Western Region.**

The justification for compulsory pilotage in the Pribilofs becomes readily apparent when one compares the level of vessel activity in the Pribilofs and St. Matthew Island with that in areas of the Western Region where pilotage is already required.

This is the salient fact: During the height of the opilio crab and pollock fisheries, the level of vessel congestion is exceeded only by Dutch Harbor (and sometimes Akutan) in the entire Western Region. The severity of weather and sea conditions in the Pribilofs is second to none in the entire Western Region, which includes the notoriously hostile Aleutian Island chain.

AMP has submitted with this memorandum information reflecting the vessel congestion in the Pribilofs. See Exhibit A (Notes of Capt. Sanders), Exhibit K (Summary of St. Paul harbormaster), and Exhibit J (statement of Capt. Anderson). These exhibits speak for themselves. If compulsory pilotage is justified in areas such as

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Chignik, Sand Point, King Cove, Lost Harbor, and Atka, all of which have significantly less vessel traffic and significantly less hostile conditions, then compulsory pilotage is more than justified in the Pribilofs.

### III. RECOMMENDATION

#### A. Amend 12 AAC 56.100

AMP urges the Board to adopt an amendment to 12 AAC 56.100, adding the following subsection:

(15) all waters within three nautical miles of St. Paul Island, St. George Island, and St. Matthew Island in the Bering Sea.

AMP believes that the Board has sufficient information to form a rational basis for this amendment. If the Board believes it needs additional information prior to adopting this amendment, then AMP recommends that the Board assign the marine pilot coordinator to visit the area, observe the situation, and report back to the Board. This will provide the Board with information from a disinterested party.

Respectfully submitted this first day of April, 1992.

ALASKA MARINE PILOTS

By Capt. Tom Dundas, President  
Capt. Will Anderson

pribmemo.amp



# House Transportation Committee

DATE: 4/28/92

PLACE: Room 17

SUBJECT OF MEETING:

Confirmation  
Board of Marine Pilots

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
PETER LIE-NIELSEN	AK. COASTWEE	PILOTS P.O.B. 22694	99802	<del>789-3231</del> <del>586-2272</del>	586-2272	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
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						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	

235-8783



\* VSE Pilots Ass - 225-9696  
 SW Pilots Ass - 235-8783  
 Alaska Marine Pilots - 581-1240

Alaska Coastwise - ~~225-7245~~ 581-2272

# House Transportation Committee

DATE: 4/16/92

PLACE: Room 17

SUBJECT OF MEETING:  
 Confirmation Hearings  
 Board of Marine Pilots

No  
 No  
 5/12/92  
 5/14/92

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
JOSEFA W. HOMER X	ALASKA COASTWISE PILOTS	174 S. FRANKLIN ST. #229 JUNEAU	99802		(907) 586-2272	<input checked="" type="radio"/>	<input type="radio"/>	CONF HEARINGS BOARD OF MARINE PILOTS
ARNT ANTONSEN	SEAPA	Box 1100, Ketchikan, AK	99901		245-9191	<input type="radio"/>	<input checked="" type="radio"/>	"
STEVE MORENO X	ALASKA	P.O. Box 730	99692		907	<input checked="" type="radio"/>	<input type="radio"/>	"
PETE GARAY	MARINE PILOTS	DUTCH HARBOR, AK. Phone 235-	2150		581-1240	<input checked="" type="radio"/>	<input type="radio"/>	"
TOM DUNDAS			99692			<input type="radio"/>	<input type="radio"/>	"
WILLIAM ANDERSON X						<input checked="" type="radio"/>	<input type="radio"/>	"
Jack Johnson	SWAPA	HUMER	99077	224-3275 225-4499	225-4791	<input type="radio"/>	<input type="radio"/>	"
JIM DRANDS X	SWAPA	181 MT. VIEW DR. #11 HOMER AK	99603	235 5100	SAME	<input checked="" type="radio"/>	<input type="radio"/>	"
ETHE WASSY	SEAPA	6100 Ketchikan	99901			<input type="radio"/>	<input checked="" type="radio"/>	"
Richard Gurry	Independent SEAK Pilot	Box 3265 Ketchikan 99901		225 8432	225 9696	<input checked="" type="radio"/>	<input type="radio"/>	"
HANIS H. ANTONSEN	SOUTHERN ALASKA PILOTS ASSOCIATION	Box 5100 Ketchikan, AK	99901		225-5478	<input checked="" type="radio"/>	<input type="radio"/>	"

CAROL JAMES



# House Transportation Committee

DATE:

PLACE:

SUBJECT OF MEETING:

Sitka  
Kahlan  
Tussock  
Homer  
Anch.

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
CAPT. JEFF PICKER <i>9/3 Steve Yoshida ATTORNEY</i>	PRESIDENT, SOUTHWEST ALASKA PILOTS ASSN	3665A BEN WALTERS LANE HOMER, AK	99603	235-7559	235-5255	<input checked="" type="radio"/>	<input type="radio"/>	CERTIFICATION Pilot Board
MICHAEL C. SPENCE	ALASKA COASTWISE PILOTS	174 S. FRANKLIN ST. #229 JUNEAU, AK.	99801		586-2272	<input checked="" type="radio"/>	<input type="radio"/>	
WILL ANDERSON	ALASKA MARINE PILOTS	Box 730 Dutch Harbor	99602		581-1240	<input checked="" type="radio"/>	<input type="radio"/>	Confirmation Relief Board
BILL SWAN	SEAPA	Box 6100 KTN	99901	225-4983	225-9540	<input checked="" type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
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