



ON STATION

The Newsletter of the American Pilots' Association

April 8, 2024

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RIGHT WHALE RULE GOES TO FINAL STAGE

The National Oceanic and Atmospheric Administration's (NOAA) proposal to amend the North Atlantic Right Whale (NARW) vessel speed regulations was received by the Office of Management and Budget (OMB) on March 5, 2024 for Executive Order (EO) 12866 Regulatory Review. This Regulatory Review will be conducted by the Office of Information and Regulatory Affairs (OIRA). All "significant" rule-makings, which the NARW speed rule most certainly is, require OIRA review before they can become final. The OIRA review is limited to 90 days and there is no minimum time. OIRA may return a rule to the agency for reconsideration if OIRA finds the rule is incompatible with law. This is very rare and APA expects that the final rule will be published in the next few months.

APA has made every effort to address the serious safety of life, navigation safety, and business impacts of this rule. In addition to submitting comments to the rulemaking docket, continuously engaging with NOAA over the past 19 months since the proposed rule was published, and working with Congress, APA requested a meeting with OIRA and sent a Freedom of Information Act (FOIA) request to NOAA.

APA remains committed to working with NOAA to find a workable solution to protect NARWs, but one that takes into account the safety of pilots, pilot boat crews, the safe navigation of ocean-going vessels, and the tremendous economic and other impacts the proposed rule is expected to have.

APA PARTICIPATES IN NOAA NARW TECHNOLOGY WORKSHOP

On March 5-6, APA Executive Director-General Counsel, Clay Diamond and Deputy-Director Brendan O'Shea participated in NOAA's NARW Strike Reduction Technology Workshop in Arlington, VA. Diamond was a speaker on two separate panels. The

workshop was meant to be a collaborative effort between NOAA, industry, and technology representatives to explore better ways to use technology to reduce the risk of NARW vessel strikes. APA will continue the discussion with NOAA and others on how to best use technology to protect NARWs.



Clay Diamond (center) speaking at the NOAA NARW Vessel Strike Reduction Technology Workshop

FORMER SENIOR APA VICE-PRESIDENT AND TAMPA PILOT PASSES

On February 26, 2024, Captain Gary Maddox passed away at the age of 76. Maddox was the first APA Senior Vice President. Captain Maddox was son of the late Robert, Jr. and Virginia Maddox and husband to his high-school love, Linda. He enjoyed being with his family and friends for any occasion. He was a doer in the ultimate sense and thankful for every day on this earth.



Captain Gary Maddox

Over 38 years, Maddox safely piloted more than 8,500 vessels on the waters of Tampa Bay. He quickly ascended towards leadership positions, including Board of Pilot Commissioner, President of the Florida State Pilots Association, and later Vice President of the APA's South Atlantic Region, where he remained until retiring in 2013. Captain Maddox brought the best out of everyone and will be missed by the many people he touched.



HTW SUBCOMMITTEE MEETS

The 10th Session of the International Maritime Organization’s (IMO) sub-committee on Human Element, Training and Watchkeeping (HTW10), met February 5-9, 2024. The meeting was attended by APA Executive Director-General Counsel Clay Diamond and Deputy Director-Associate General Counsel Brendan O’Shea who were both members of the U.S. delegation.

The next few years will be significant at HTW as the sub-committee undertakes a comprehensive review of the International Convention on Standards of Training, Certification, and Watchkeeping for Seafarers (STCW) and the accompanying STCW Code. The STCW Code establishes basic requirements on training, certification, and watchkeeping for seafarers on an international level.

At a past meeting, HTW agreed on a roadmap, methodology, and a list of 22 specific areas for the comprehensive review of the STCW. These areas include addressing training requirements for emerging technologies on ships, e-certification, mental health, and others. The sub-committee will first review the Convention and Code to identify gaps (Phase 1) and then propose revision to the Code to address those gaps (Phase 2).

The timeline for the STCW review is to identify the list of gaps by Spring 2025 and finalize draft text of amendments by Spring 2027 for consideration by the Maritime Safety Committee (MSC).

APA will continue to participate in the efforts to identify gaps in the STCW as well as any revisions, keeping a look out for, advocating for, and reporting on any issues that may impact pilots.

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ENVIRONMENTAL PROTECTION COMMITTEE ADDRESSES POWER LIMITERS

The 81st Session of IMO’s Marine Environmental Protection Committee (MEPC81) met from March 18-22, 2024. IMPA Secretary General, Matthew Williams represented pilots at this session. APA Executive Director-General Counsel, Clay Diamond, monitored key parts of the meeting remotely.

A key agenda item for pilots was efforts to update IMO’s *Guidelines on the shaft/engine power limitation system [SHaPoLi / EPL] to comply with the EEXI requirements and use of a power reserve (the Guidelines)*. As pilots know, the reduced power available to ships with SHaPoLi’s/EPL’s raises serious navigation safety concerns. Further, many vessels with power limiters installed have not modified the Pilot Card to show that substantially less power would be available when limiters are engaged.

In addition to working with APA-member pilot groups to assist in having SHaPoLi / EPL safety bulletins put in place by local COTPs and engaging with U.S. Coast Guard Headquarters on a national engine power limiter policy letter, APA worked with IMPA to address pilots’ concerns through IMO.

IMPA took immediate action by making a joint submission to MEPC81 with the International Chamber of Shipping and the International Harbor Masters Association urging IMO to address pilots’ safety concerns. As a result of this submission, MEPC 81 agreed to amend the Guidelines to make clear that engine limiters may be disengaged in scenarios “which may endanger safe navigation of ship.”

There is still work to do at IMO on this important issue, and APA will continue to work with both IMPA and the U.S. Coast Guard, but amending the Guidelines was an important step forward.



IALA VTS COMMITTEE HOLDS 55TH SESSION

Clay Diamond (APA) and Matthew Williams (IMPA), looked out for the interests of pilots at the 55th Session of IALA’s Vessel Traffic Services Committee (VTS55), which met from March 11-15, 2024.

VTS55 continued work on the Guidelines on the Implications of Maritime Autonomous Surface Ships (MASS) for VTS. The Guidelines will address how VTS should respond to a future mix of conventional, remotely operated, and autonomous ships. Significantly, a guiding principal for this important work is that “MASS will be required to participate in VTS in the same manner as conventional ships.”

APA and IMPA will remain engaged on this and other IALA issues impactful to pilots and pilotage.



HOUSE COAST GUARD AUTHORIZATION ACT

On March 20, for the second time this Congress, the House of Representatives' Transportation & Infrastructure (T&I) Committee marked-up its version of the Coast Guard Authorization Act (CGAA). The CGAA is typically the legislative vehicle where most legislation that could impact pilots ends up. The House marked-up its previous CGAA last April. The Senate has yet to introduce its CGAA, so the House T&I Committee conducted a second "lite" mark-up to address legislative items that arose over the past year.

Following this second mark-up, the T&I Committee approved *The Coast Guard Authorization Act of 2024* (H.R. 7659), bipartisan legislation to "strengthen, support, and authorize funding" for the Coast Guard. H.R. 7659 was introduced by T&I Chairman Sam Graves (R-MO), T&I Ranking Member Rick Larsen (D-WA), Coast Guard & Maritime Transportation Subcommittee (CG&MT) Chairman Daniel Webster (R-FL), and CG&MT Ranking Member Salud Carbajal (D-CA).

H.R. 7659 provisions that are of particular interest to APA-member pilots include: Section 215 which would give the Coast Guard more of the ports and waterways safety authorities in the St. Lawrence Seaway (**NOTE:** in this waterway, it is the St. Lawrence Seaway Development Corporation, not the Coast Guard that acts as Captain of the Port); multiple sections on the on-going efforts to revise merchant mariner deck training requirements and renewal of merchant mariner licenses and documents; Section 321 that would amend 46 U.S.C. §2302, Grossly Negligent Operations of a Vessel to make operating a vessel in a grossly negligent manner that "results in serious bodily injury a felony punishable by fine and/or imprisonment; and Section 342 that establishes of a National Advisory Committee on Autonomous Maritime Systems (this advisory committee would provide policy advice to the Coast Guard on autonomous systems and would include among its membership a licensed pilot).

APA expects the Senate to introduce its version of the CGAA in the next several months. After that time, the House and Senate will have to reconcile the differences in the two CGAAs version before they would be considered again on the House and Senate floor. The last two CGAAs have passed as amendments to the National Defense Authorization Act (NDAA), which seems to be a trend.

The APA will continue to monitor these and other legislation might impact pilots or pilotage.



26th IMPA CONGRESS SET TO CONVENE IN ROTTERDAM

The International Maritime Pilots' Association's (IMPA) will hold its 26th Congress in Rotterdam from April 21-26. The 2024 Congress will be hosted by the Dutch Pilots' Corporation.

The Congress will be attended by hundreds of pilots from around the world, senior officials from IMO and IALA, as well as representatives from international shipping and other maritime associations. The Congress, which runs daily from 9:00am to 4:30pm, includes substantive presentations and panel discussions on topics related to pilots and pilotage.

APA anticipates the "American Delegation" to the IMPA Congress will include at least 10 pilots and pilot association executive directors/business managers. In addition, APA will be well-represented on the Congress' agenda. Captain Clint Winegar (Presiding Officer, Houston Pilots and APA Gulf Vice President), Captain Anne McIntyre (Business Manager, San Francisco Bar Pilots), and Clay Diamond (APA) are speaking at the Congress.

For more information, see the below link: <https://www.impa2024.com>



The Day of the Seafarer (25 June) was established by IMO through a 2010 resolution. Its stated purpose is to recognize the unique contribution made by seafarers from all over the world to international seaborne trade, the world economy and civil society as a whole. This day is formally recognized by the United Nations as day of observance

The resolution "encourages Governments, shipping organizations, companies, shipowners and all other parties concerned to duly and appropriately promote the Day of the Seafarer and take action to celebrate it meaningfully."

DON'T FORGET THE APA PAC FUND

Send your voluntary contribution to:
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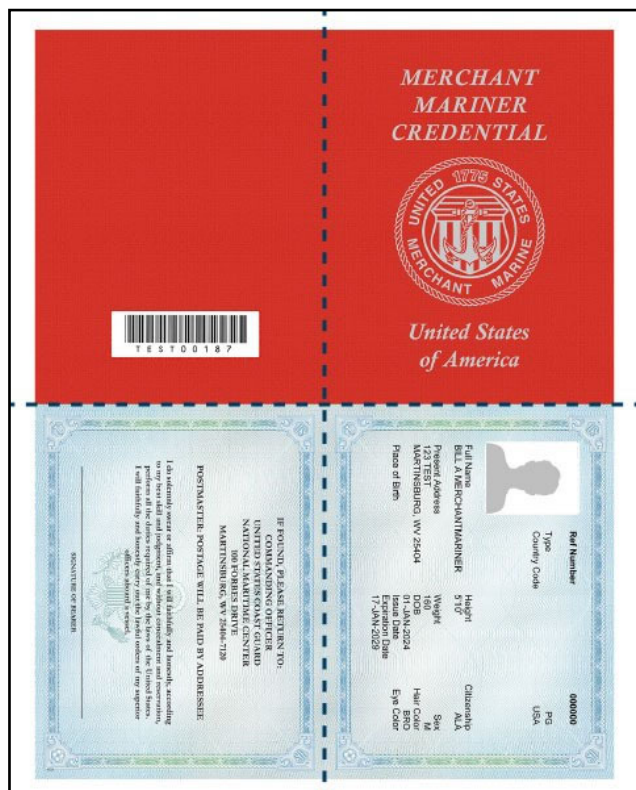
NEW MERCHANT MARINER CREDENTIAL

On March 1, 2024, the Coast Guard began issuing Merchant Mariner Credentials (MMCs) in a new format, replacing the legacy passport-style red book and associated endorsement labels. This change is due to the complexity and degraded reliability of the custom printers used to print the MMCs.

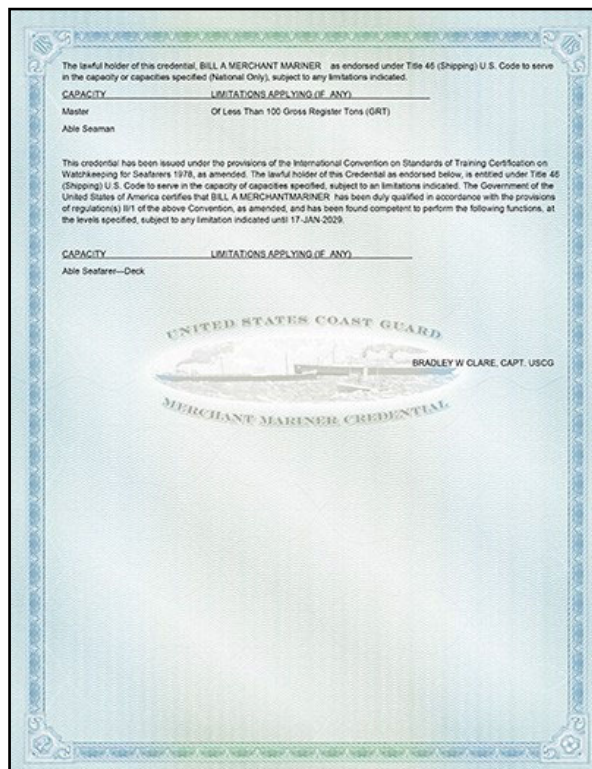
The new MMC is formatted on 8.5" x 11" waterproof and tear-resistant synthetic paper containing numerous security features. Most importantly, the new credential will be printed on readily available commercial desktop laser jet printers. This should improve print services, availability, and, hopefully, the processing time of the MMCs.

The new MMC will be issued for all approved application, including credential endorsements. You will not longer receive separate endorsement label (i.e., stickers), but rather a new MMC document with the endorsements incorporated. All legacy credentials will remain valid until the expiration date.

The new MMC is a one-page, front and back format. It may be displayed flat or folded. Folding is optional. If folder, the document should be folded so the red "cover" is on the outside. The MMC number will be found in the white box below the barcode.



Page 1—Dotted lines show where to fold if folding.



Page 2—Backside with Endorsement and Limitation

Once you receive your new MMC.

1. Verify the document for accuracy. Make sure your name is correct everywhere it appears on the document. Also, make sure that your personal information is correct. Reach out to the NMC with any concerns at 1-888-IASKNMC or IASKNMC@uscg.mil
2. Sign your new MMC using a black or blue ball-point pen. Do NOT use permanent marker or gel-type ink as it might smear.
3. Protect but do not laminate your MMC.
4. The NMC has security features, do not attempt to modify the document in any way.

CREDENTIALS AND CERTIFICATES

1. Spring Surge is on the NMC—File Early.
2. NMC processing times do not include holidays, weekends, delays for more information and intake processing (in-take processing is 20 days—that can easily creep to over a month).
3. Mariners can file renewals for their credentials up to 8 months early without losing any time for the credential expiration date.
4. Annual Physical recorded on CG-719k but only submit every 5 years unless otherwise told.
5. If there is a change to your health condition, consult the APA, and consider filing your medical certificate early.

NAVTECH CHAIR, CAPTAIN MOORE "FINDING THE BLINDSPOTS IN PILOT TRAINING"

Technology has changed all aspects of the world, including pilotage. Mariners approaching the end of their careers today have seen satellite-based position determination go from once every few hours to several times per second. While pilots must still possess traditional visual and terrestrial piloting skills, these rapid technological changes have led to pilots carrying equipment that displays a ship's position with sub-centimeter accuracy. We are effectively in the first generation of training new pilots with this equipment, and it may be wise to look at the techniques and critique their effectiveness.

Pilots, the most highly trained mariners in the world, are historically their own worst critics. We see faults in our performance that go unnoticed by the master and the bridge team. We also learn and adapt accordingly. Do we take the same critical eye to our training programs?

Continually reviewing and modernizing training may be daunting to pilots, pilot organizations, and pilot oversight authorities. Materially, the job is the same, but the methodology has likely changed, so the training techniques may also need to adapt. The introduction of PPU's is a scenario we often focus on, but there are more. ECDIS is a relatively new technology that has entered the bridge within the last 15 years, but do our training programs incorporate it properly? Modern radars are invaluable tools in times of low visibility and have matured in the previous two decades. Are they part of the young pilot's training program? What about maneuvering with tugs for districts where state pilots do docking and undocking? There have been sea change advancements in assist tugs with the introduction of Z-drives. What about piloting ships equipped with azipods or DP? Mooring line material has advanced rapidly. Has pilot training fully accounted for this? Do our training programs show deference to these leaps, or are these topics an organic part of the repetition training that most pilot programs demand?

IMPA and APA have papers that offer guidance on pilot training. Most of these documents understandably keep their recommendations at a higher level and charge the local pilot organization and oversight authority to develop and maintain a good training program. Links to most of these foundation documents are on the APA's website.

The core aims of pilot training stay consistent, but in these times of continually emerging technology our training material and methods need continuous review may need to be updated.

SAN FRANCISCO BAR PILOTS WORK WITH INDUSTRY TO ENSURE PILOT BOATS MEET NEW EMISSION REGULATION

In January 2024, the California Air Resources Board issued new emissions regulations impacting all commercial craft operating in the state, including pilot vessels. Generally, the regulations establish an aggressive timeline that requires vessel operators to transition to lower and zero emission propulsion systems. These regulations presented San Francisco Bar Pilots (SFBP) with a significant challenge: All five of our pilot vessels must be replaced by December 2028 – with a price tag of over \$50 million!

Like most state pilot associations, SFBP's operations are funded solely by the pilotage rates and these new regulations have significantly accelerated pilot vessel replacement costs. When the regulations were being developed, SFBP worked closely with our rate payer partners (PMSA, WSPA and CLIA) in the legislature to exempt pilot vessels or increase the replacement timeline. When this proved unsuccessful, we turned our attention to developing a sustainable funding system. The result was a statute that established a new Pilot Vessel Construction Surcharge.

Prior to this new surcharge, SFBP would finance and build any new pilot vessel. A surcharge was then established to reimburse the loan payments, typically over a 10 year period. This resulted in significant interest expenses that benefited neither the pilots nor the rate payers. With the new surcharge, funds are collected in advance and deposited in an interest bearing account at the California Board of Pilot Commissioners (BOPC). As expenses are incurred, SFBP is then reimbursed from the account. The amount of the surcharge is determined by a BOPC committee that is comprised of both pilot and industry members. Given the timeline of our current accelerated build program, we are not planning to collect 100% of the build costs in advance; but we will significantly reduce the interest expense our customers ultimately pay and over time the account should fully fund future construction programs.

SFBP and our Industry Partners view this as a win-win for the pilotage system and a great example of what can be accomplished when working collaboratively to solve problems.

NOTE: The above article is the first of what will be a new and recurring segment in ON STATION where APA-member pilot groups can describe their association and its history or introduce a local issue that may be of interest to other member groups throughout the country.



APA NEWS

SAN FRANCISCO BAR PILOTS AND PILOT BOAT CREW COMMENDED

The San Francisco Bar Pilots (SFBP) and the crew of their Pilot boat DRAKE were recently commended by the Coast Guard for saving the life of a kite-surfer in distress off the coast of San Francisco. A summary of the recent commendation is below.



Commendation to

San Francisco Bar Pilots and crew of the Pilot Boat DRAKE

The United States Coast Guard Eleventh District Commander commended the San Francisco Bar Pilots and crew of the Pilot Boat DRAKE: Captain Minty, Captain Olmstead, Captain Benedict, Captain Alferts, Mark Hargus, Dave Minard, and Blair Sjoberg, for their meritorious service in rescuing a distressed kite surfer in the main ship channel off the coast of San Francisco, CA.

At sunset on 18 October 2023, San Francisco Bay experienced hazardous marine conditions causing a kite surfer to be swept offshore near the Golden Gate Bridge. The situation demanded an immediate response from the pilots and crew onboard Pilot Boat DRAKE to provide emergency assistance to the distressed kite surfer.

Captain Olmsted, the pilot onboard M/V JANET MARIE in the main ship channel, reported the location and description of the person in the water (PIW) to Sector San Francisco's Vessel Traffic Service (VTS) and Command Center. Despite extreme surf conditions, Pilot Boat DRAKE proceeded to the scene. Captain Benedict, the pilot onboard M/V MAHIMAHI in the main ship channel directed his vessel's crew to deploy life rings and strobe lights to the PIW. Within minutes, Pilot Boat DRAKE arrived on scene, safely recovered the kite surfer, and rendered first aid. Pilot Boat DRAKE's crew then coordinated with Air Station San Francisco to air lift the kite surfer to a medical facility ashore. The prompt actions of the San Francisco Bar Pilots and exceptional seamanship skills of the Pilot Boat DRAKE's crew saved the kite surfer's life.

These actions are commended and in the highest traditions of public service.



2024 APA BIENNIAL CONVENTION New Orleans, Louisiana

The American Pilots' Association's (APA) 2024 Biennial Convention will be hosted by the Louisiana Pilots in New Orleans, La from October 20-25.

Pre-convention activities will include the Biennial APA Golf Tournament Sunday, a Fishing Outing at Shell Beach, and the opening of the registration and the hospitality suite on October 20th.

APA pre-convention meetings will begin on October 21st, starting with the Attorneys' Meeting in the morning followed by committee meetings in the afternoon.

On Tuesday, October 22nd, the Convention officially opens and runs through Friday, October 25th. The Suppliers' Exhibition will be on Wednesday and Thursday.

Social events include a Welcome Reception on Monday evening at the Four Seasons River Ballroom; Tuesday evening cocktails, dinner, and entertainment on the *CREOLE QUEEN*; an accompanying persons' luncheon on Wednesday at the Commanders' Palace; cocktails and heavy hors d'oeuvres in Freedom Hall at the WWII Museum on Thursday night; and the Friday night black tie Gala reception and dinner dance at the Four Seasons.

Daily breakfasts, hospitality events, and much more are being planned.

Updated APA Convention information will also be available in the near future on our website:

www.americanpilots.org

ELECTIONS, SELECTIONS, APPOINTMENTS, ETC.

The following pilots associations announced new officers:

◆ Puget Sound Pilots: **Captain Ivan Carlson** (President), **Captain Eric Klapperich** (Vice-President), and **Captain Ken Grieser** (Treasurer)

◆ Lakes Pilots Association: **Captain Tony Brandano** (President), **Captain Scott Skrzypczak** (First Vice-President), **Captain Robert Moore** (Second Vice-President), **Captain Aaron Menough** (Treasurer), and **Captain George Haynes** (Board Member)