



ON STATION

The Newsletter of the American Pilots' Association

June 15, 2012

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REGISTRATION OPEN FOR DC CONVENTION!

"Mr. Smith" isn't the only one going to Washington...the pilots will be going too! Over the past several months, the APA staff has been busy making preparations and finalizing contracts for the upcoming 2012 Biennial Convention. As announced in *ON STATION* and at regional meetings, this year's Convention will be held from October 15th-19th in Washington, DC at the Gaylord Resort and Convention Center at National Harbor. This destination resort is located just minutes from downtown Washington and offers pilots and their families a chance to visit our Capitol's monuments, museums, and historical sites.

On Sunday, October 14th a golf event, frequently referred to by those in the know as "the Fifth Major," will take place. That's right sports fans, the 13th Biennial APA Golf Outing will again be the unofficial kick off for the Convention. This year's event will be held at a local Maryland course called "Renditions - Golf's Grand Slam Experience." "Renditions" is an award-winning course featuring replicas of holes from all of the Major Championship venues. APA golfers' day will begin with a series of replicas of U.S. Open and PGA Championship venues. Participants will then be transported "across the pond" for a taste of The Open Championship. A series of three holes bring golfers back to America for a tour of "Amen Corner", possibly the most famous series of holes from The Masters Tournament. This year's event promises to be enjoyable from the first tee shot (Mulligan?) to the hoisting of the "Admiral's Cup" by the winning team.

The first day of pre-convention meetings will be Monday, October 15th. The day will start with the Attorneys' Meeting. This gathering of APA "legal experts", including some people who are actually licensed attorneys, is always a well-attended meeting that offers an opportunity to discuss recent developments in pilotage law.

Later in the afternoon various APA working committees will also meet to finalize proposals for consideration during the Convention's General Sessions.

On Tuesday, October 16th, the Convention officially opens and will run through Friday, October 19th. During these General Sessions, association and pilot business, required to be addressed by APA By-Laws, will be taken up. In addition, attendees will hear from senior leaders from federal agencies, such as the USCG and NOAA, as well as Congressional representatives and staff.

The APA's Navigation Technology Committee (NAVTECH), under the chairmanship of Captain Jorge Viso (Tampa Pilots) will meet on Wednesday afternoon. In addition to discussing the latest issues in electronic navigation practice and equipment, NAVTECH members will hear from officials from the Coast Guard's navigation systems and waterways management programs.

The Suppliers' Exhibition, always an excellent opportunity to meet with maritime and pilotage related vendors and discuss their products, will be held on Wednesday and Thursday. In a new twist to this year's Exhibition, APA has arranged for the USCG's National Maritime Center (NMC) to have an "interactive" booth where NMC personnel can access a pilot's credentialing file "real time" and address any questions or concerns.

The Convention will also feature several exciting social events. The week will start with a Welcome Reception on Monday evening and close on Friday with a black tie Gala. This year's Convention will also feature a scenic dinner cruise on Wednesday evening. This cruise will allow attendees to enjoy a wonderful meal, catch up with old friends, and enjoy the sights of the local waterfront. This should be an evening of fun and relaxation — so no matter how tempting, NO pilots on the bridge!

To make registration and attendance arrangements as simple as possible, the APA has created, for the first time ever, a "one-stop shop" for all Convention needs. Go to www.americanpilots.org and click the "APA Store & 2012 Convention" button at the top of the page. At this one site, pilots and other attendees can purchase APA clothing and gear, book flights, make hotel reservations, and register for the Convention and golf outing.



ENHANCED PILOT LADDER REGULATIONS ENTER INTO FORCE ON JULY 1ST

As has been chronicled in *ON STATION*, over the past several years APA has been working through various Committees, Subcommittees, working groups, correspondence groups, and drafting groups at the International Maritime Organization (IMO), as well as working closely with IMPA and Coast Guard officials, to enhance the international rules governing pilot ladders and other pilot transfer arrangements. These amended rules — found primarily in Chapter V, Regulation 23 of the International Convention for the Safety of Life at Sea (SOLAS) — enter into force on July 1, 2012.

This effort to change the SOLAS regulations has been a top APA priority given the extreme dangers involved in the boarding/disembarking ships during piloting operations. During the IMO debate and adoption process, it was noted that a number of pilots have died world-wide in recent years while boarding vessels, and many more suffered serious injuries. The results of several years of negotiation and hard work are about to be realized.

The amendments to SOLAS make a number of significant changes, including:

- ◆ Pilot ladders must be certified by the manufacturer as complying with IMO Assembly Resolution A.1045 (27), a resolution that addresses pilot ladders and transfer arrangements.
- ◆ Records of pilot ladder inspections and servicing must be kept by the vessel for future inspection.
- ◆ Accommodation ladders, when used in combination with pilot ladders, must be secured to the ship's hull to prevent the accommodation ladder from swinging away from the ship during heavy seas.
- ◆ Clarification that pilot transfer arrangements must be

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inspected as part of the ship's safety equipment and that no safety equipment certificate should be issued or renewed by government regulators if the pilot transfer equipment has not been properly inspected.

- ◆ The new SOLAS regulation prohibits the use of mechanical hoists, a change long sought by pilots through the U.S. and the world.

In addition to making substantial changes to mandatory SOLAS regulations governing pilot transfer arrangements, IMO also adopted Resolution A.1045(27), which provides detailed recommendations to government safety agencies, ship designers, and ship operators.

Additional information relating to these new pilot transfer arrangement rules has been, and will be published by IMO and IMPA. For instance, on May 22, 2012, at the

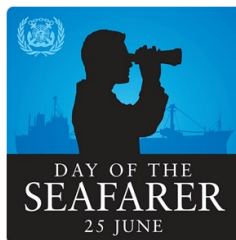
90th Session of IMO's Maritime Safety Committee, a revised poster covering "Required Boarding Arrangements for Pilots" was approved. IMPA will also produce in the very near future a new guidance booklet for Naval Architects and Shipyards that will contain all of the rele-

"When APA works with an organization, international or domestic, our goal is always to represent the piloting profession to ensure it is as safe and effective as possible. While the recent SOLAS amendments do not solve every problem, they do make the transfer process safer. APA will continue to do everything possible at IMO and other venues to advance the interest of pilots and pilotage.

- Captain Mike Watson

vant international guidance relating to pilot ladder and transfer arrangement safety. As with any newly implemented regulation, we can expect hiccups as the new SOLAS rules go into effect. These new rules, however, represent a substantial improvement to pilot safety.

For convenience, APA has placed on its website the most current information on this topic. To review this material, go to www.americanpilots.org and click the "Activities" button at the top of the page. Under the heading "Positions, Statements, Resolutions, Best Practices, etc.", "Pilot Transfer Arrangements: International Guidance and Regulations" can be found. This document contains the new SOLAS Regulation, IMO Resolution A.1045(27), and IMPA Notice No. 889 (pilot boarding arrangement poster).



2ND ANNUAL DAY OF THE SEAFARER TO BE OBSERVED

Beginning in 2011, IMO declared that each June 25th should be a day to recognize the invaluable contributions seafarers make to international trade and the world economy. According to an IMO press release, this day "offers an opportunity to pay tribute to the world's 1.5 million seafarers for the unique and all-to-often overlooked contribution to the well-being of the general public."



SOME MOVEMENT, BUT NO CERTAINTY ON HARBOR MAINTENANCE TRUST FUND

While it seems everyone on Capitol Hill, and certainly everyone associated with the maritime industry, is aware of the problem with how the Harbor Maintenance Trust Fund (HMTF) is administered, for years it has also seemed like the problem would never be addressed. There are signs of progress and growing hope this may change.

The HMTF was originally established during the Reagan Administration and was intended to provide a stable and long-term funding source, at no cost to U.S. taxpayers, to maintain authorized channel depths and widths. In recent years, HMTF expenditures have remained flat while collections grew due to increased imports, creating a nearly \$6.1 billion surplus. In 2010 alone, \$1.2 billion was collected, but only \$793 million was spent on harbor maintenance and improvements.

On April 18, the House of Representatives passed the Surface Transportation Extension Act of 2012, Part II (H.R. 4348). H.R. 4348, a broad “surface transportation” bill, did not originally address the HMTF / dredging issue, but Rep. Charles Boustany (R-LA) filed an amendment. The amendment was based on Boustany’s “Restore America’s Maritime Promise (RAMP) Act, which had 200 co-sponsors from both political parties.

“The Boustany amendment ensures revenue coming into the HMTF is used and spent for its designated purposes—harbor maintenance and dredging,” Boustany said. “According to the Army Corps of Engineers, America’s arteries of commerce and job creation are blocked—almost 30% of our nation’s ports are hindered because of inadequate channel depths attributed to a lack of proper dredging. The amendment guarantees the total amount available for spending from the HMTF each fiscal year is equal to the HMTF receipts.”



Rep. Boustany (R-LA)

Immediately upon House passage, H.R. 4348 was referred to the Senate for its consideration. On April 24, the Senate passed / agreed to H.R. 4348, but the Senate’s version of the legislation included an amendment offered by Sen. Barbara Boxer (D-CA). While the Boxer amendment was not directly related to the HMTF provisions, it will have to be reconciled by the House. APA will continue to monitor and report on the progress of this important legislation.



Sen. Boxer (D-CA)



HOUSE MOVES FORWARD WITH COAST GUARD AUTHORIZATION ACT FOR 2013-15

Although the Senate has yet to act on the Coast Guard Authorization Act of 2013 (H.R. 2838), which was passed by the House of Representatives on November 15, 2011, the House has moved forward on future year authorization. The Senate’s version of the Coast Guard Authorization Act (S. 1665), sponsored by Sen. Mark Begich (D-AK), was placed on the Senate’s legislative calendar on January 26 of this year, but no action has been taken to date.

On June 1, Coast Guard and Maritime Transportation (CG&MT) Subcommittee Chairman Frank LoBiondo (R-NJ) introduced H.R. 5887, the U.S. Coast Guard Authorization Act of 2013-2015. CG&MT Ranking Member, Rep. Rick Larsen (D-WA), co-sponsored this legislation. There are no provisions in H.R. 5887 that have significance to pilots or pilotage, but APA will watch the process closely as the House and Senate pursue Coast Guard authorization legislation.



ALABAMA THE LATEST STATE TO ADOPT PILOT LIABILITY STATUTE

The State of Alabama joined eight other states that have adopted statutes allocating or limiting liability for damages caused during pilotage operations. Governor Robert Bentley signed the law on May 14. The statute provides that a Mobile Bar Pilot’s liability for damages or loss occasioned by the pilot’s errors, omissions, faults, etc. in the performance of pilotage services will not exceed \$5,000 except in the case of “willful, intentional, or reckless misconduct” on the part of the pilot.

Statutory provisions dealing with pilot liability have been in place in a number of states for decades and represent the judgment of state governments that some mechanism to allocate liability is in the public interest as a component of their state’s comprehensive pilotage regulatory system. For a more complete discussion of pilot liability limitation provisions, see pages 192-193 of the article “Understanding Pilotage Regulation...” found at APA’s website: www.americanpilots.org/activity.html



PRESIDENT PROCLAIMS “NATIONAL MARITIME DAY”

Carrying on practice dating back to 1933, President Obama declared May 22 as “National Maritime Day.” In the Proclamation, the President honors those mariners “who have served and sacrificed on our waterways” and contributed to the “robust domestic and international trade networks that power our economy.”



CAPTAIN DEBORAH DEMPSEY NAMED TO NOAA PANEL

In May, NOAA Administrator Jane Lubchenco, Ph.D. appointed four new members to the agency's Hydrographic Services Review Panel (HSRP), a federal advisory committee comprised of maritime officials and industry executives that provide independent counsel and strategic recommendations to NOAA on improving ocean and coastal navigation products, information, data, and services.

Among the four new HSRP members appointed is Captain Deborah D. Dempsey of the Columbia River Bar Pilots. In announcing the appointment Administrator Lubchenco said, "With bigger ships and busier waterways, NOAA's navigation services serve as the foundation of America's ocean economy by protecting life and property and connecting us to the global marketplace." She added, "Our new committee members will contribute important maritime and coastal expertise as we continue to position America for the future.

NOAA COMMISSIONS HIGH-TECH COASTAL MAPPING VESSEL

On June 8 at a ceremony at NOAA's Marine Operations Center-Atlantic in Norfolk, Va., NOAA commissioned the FERDINAND R. HASSLER, a state-of-the-art coastal mapping vessel. Ferdinand Hassler (1770-1843) was the founding superintendent of the Coast Survey, the precursor of today's NOAA.

The 124-foot ship will operate along the Atlantic and Gulf coasts, as well as in the Great Lakes in support of NOAA's Office of Coast Survey. The new ship's primary mission will be to detect and monitor changes to the sea floor. Data collected by the ship will be used to update nautical charts, detect potential hazards to navigation, and enhance the overall understanding of the ever-changing marine environment.



(Above) NOAA'S newest coastal mapping vessel, the FERDINAND R. HASSLER.



RECENT GAO REPORT FINDS ONGOING PROBLEMS WITH TWIC PROGRAM

On March 26, 2012, the Government Accountability Office (GAO) issued a report on several important Transportation Security Administration (TSA) programs.

The GAO Report was particularly critical of the TWIC program, which was intended to improve maritime security by using a federally sponsored credential to enhance access control to port facilities and vessels. According to the GAO, the TWIC program's key weaknesses continue to include "an inability to provide reasonable assurance that only qualified individuals can acquire TWICs or that once issued a TWIC, TWIC holders have continued to meet eligibility requirements." The full GAO Report is available at:

<http://www.gao.gov/products/GAO-12-541T>.



NAVY RELIES ON COLUMBIA RIVER PILOTS TO LEAD FLEET INTO PORTLAND

On June 7, Captain Paul Amos and Captain Anne McIntyre (both from the Columbia River Pilots) piloted the U.S.S. WILLIAM P. LAWRENCE into Portland, leading the U.S. Navy fleet into the northwest port for the annual "Portland Rose Festival." The 509-foot guided missile destroyer, commissioned in 2011, was the central attraction at the annual Portland event.

In an interview with local press outlets, Captain Amos commented about the fine work of the naval vessel's commanding officer and navigation team, but stressed the vitally important role played by state-licensed compulsory pilots. "Pilots are the first line of defense for our state's marine environment and for the navigational safety of this river and port."



Captain Amos pilots the USS William P. Lawrence into Portland.

This is the 23rd Rose Festival for which Captain Amos has guided naval vessels into Portland.



APA HONORS VICE ADMIRAL SALERNO AT HIS RETIREMENT

On June 5, the distinguished career of Vice Admiral Brian Salerno came to an end. At a formal ceremony officiated by Coast Guard Commandant Admiral Bob Papp, Salerno retired after 36 years on active duty. VADM Salerno held some of the highest positions in the service, including Deputy Commandant for Operations and Assistant Commandant for Marine Safety, Security, and Stewardship.



From left to right: Paul Kirchner (APA Executive Director-General Counsel), Captain Mike Watson (APA President), VADM Brian Salerno, and Clay Diamond (APA Deputy Director).

The APA staff was invited to the ceremony, which was held at the USCG's Information Systems Command in Alexandria, VA. "I've known Brian for most of his career. He has been very good to work with, is a great listener, has a calm steady demeanor, and was always willing to work constructively to advance navigation safety and pilotage", APA President Captain Mike Watson said. Adding, "I know all the APA members join me in congratulating you on an outstanding career and in wishing you the very best of luck in your retirement."



VISO ACCEPTS PLIMSOLL AWARD ON BEHALF OF APA

As reported in the last *ON STATION*, the editors of *Professional Mariner* magazine chose the APA to receive the **2012 Samuel Plimsoll Outstanding Service Award**. Captain Jorge Viso (left), Chairman of APA's NAVTECH Committee and Tampa Bay Pilot, accepts the award

at the Connecticut Maritime Association's "Shipping 2012 Conference" in Stamford, CT. For more on APA's selection as the 2012 Plimsoll Award winner, go to:

www.americanpilots.org/docs/APA_wins_Plimsoll.pdf



LATEST NEWS FROM THE NMC

The NMC has recently made two announcements that should be of interest to pilots.

- ◆ **Credential Expiration "E-notice"**. On April 30, the NMC launched an improvement to their automated credentialing system. Specifically, mariners who provide an email address to the NMC will receive a "reminder" email notification 90 days prior to the expiration of their credential.
- ◆ **Expiring TWIC Policy**. Effective August 30, 2012, TWIC holders who are U.S. citizens or nationals and whose TWICs expire on or before December 31, 2014 have two options to renew their TWIC. They may either replace the expiring TWIC with a 3-yr "Extended Expiration Date" (EED) TWIC or obtain a standard 5-year replacement. The EED TWIC is a one-time temporary extension option intended to lessen the inconvenience and costs to mariners pending deployment of the long-delayed TWIC readers (readers are expected to be deployed in 2013).

For more information on the above announcements and other information from the NMC, go to:

www.uscg.mil/nmc/announcements/default.asp

MEDICAL ADVISORY COMMITTEE HOLDS LATEST MEETING AT NMC

The Merchant Marine Medical Advisory Committee (MMMAC) held its most recent meeting from May 8-9 at the NMC. The MMMAC, which was authorized by the Coast Guard Authorization Act of 2010 and is comprised of medical personnel and mariner representatives, provides advice to the USCG on matters related to medical certification for mariner credentials, medical standards and guidelines, medical examiners, and medical research.

A representative from the APA has attended every MMMAC meeting to date. This meeting was attended by APA Deputy Director Clay Diamond. A number of pilots also attended, including Captain Andrew McGovern (New Jersey Sandy Hook), Captain Paul Amos (Columbia River Pilots), and Captain Mike Morris (Houston Pilots).

DON'T FORGET THE APA PAC FUND

Send your voluntary contribution to:
APA Political Action Committee
499 South Capitol St., SW
Washington, DC 20003



APA NEWS & INFO

MARYLAND PILOT'S "GUT" FEELING SAVES A SAILOR'S LIFE ON EASTER MORNING

A sailor from a catamaran that capsized on Easter morning off of Annapolis is lucky that Maryland Pilot Captain Randy Bourgeois had a "gut" feeling that day. Captain Bourgeois never actually saw or heard the distressed vessel, but his instincts, honed by years on the water, led to the USCG's successful rescue of the sailor.

On this morning, Captain Bourgeois was piloting a Greek bulk carrier up the bay to berth in Baltimore. At 0430 he was informed that the berthing procedure was unexpectedly delayed, so he decided to anchor off of Annapolis. At about 0800, the ship swung to starboard as it began weighing anchor to head for Baltimore. The remainder of this event is described in Captain Bourgeois' own words as written in a local newspaper:

"Checking for traffic, all I saw were two other vessels anchored to the south, a southbound sailboat, another southbound yacht, a fishing boat to the east trolling, and a benign unidentified target 1-plus miles to the west on my starboard side in shallow water. Being more than a mile away, it was not clearly discernible, even when looking through the binoculars. There was no definable shape and no apparent movement. It appeared to be only white floating debris with a splotch of red. Neither the vessel's captain nor I had any clear idea of what it was but after more than 40 years piloting on the bay, my 'gut' felt very uneasy about what we were looking at. Not sure, I was hesitant to call the Coast Guard on an Easter morning for what might be nothing. I almost didn't. But in the end, better safe than sorry prevailed and I made the call. The Coast Guard responded quickly, and found that this was in fact an overturned catamaran with a man clinging to it. Within 30 to 40 minutes the sailor was plucked from the frigid bay water.

I've been re-playing the events over and over, sometimes thinking what would have happened if I had not made the call. I was very close to not doing so. Considering the sequence of events — the unexpected delay, anchoring where we did, laying at anchor in a direction that necessitated turning toward the target rather than away, sensing that something was wrong, being able to pinpoint the location, and then making the call — has made me ponder...was it luck or 'divine' intervention. I guess we'll never really know."

APA LIFE MEMBER CAPTAIN DON HUGHES PASSES AWAY



On May 6, 2012, Captain Donald E. Hughes, Columbia River Pilot and APA Life Member, passed away. Captain Hughes, who was born on Christmas Eve in 1921, served in the U.S. Navy for nearly 40 years, spanning WWII, Korea, and Vietnam. He retired from the Navy Reserves in 1976 with the rank of Captain.

Captain Hughes was accepted into the Columbia River Pilots in 1959 and served with distinction until his retirement in 1992. In addition to piloting, he served as President of the Columbia River Pilots and an APA Vice President. He is survived by his wife Anna, sons Donald, Jr. and Bradley, and five grandchildren.

Contributions may be made in his name to the Oregon Maritime Museum at 115 SW Ash St, Suite 400C, Portland, OR 97204.

IMPORTANT DATES

September 24-28: IMPA Congress in London. For information go to: www.IMPA2012.com.

October 15-19: APA Convention in Washington, DC. Information about registration, hotel reservations, and travel is posted on the APA website.

Miss an edition of ON STATION? For back issues go to:

www.americanpilots.org/newsletter_archives.html

ELECTIONS, SELECTIONS, APPOINTMENTS, ETC.

- ◆ The results of elections of officers for the Columbia River Pilots' Association are as follows: **Captain Paul D. Amos** (President), **Captain Anne L. McIntyre** (Vice President), and **Captain Chris B. Satalic** (Treasurer).
- ◆ The Mobile Bar Pilots announced their 2012-2013 officers. The officers are: **Captain J. Christopher Brock** (President), **Captain David M. Berault** (Vice President), **Captain David L. Bender, Jr.** (Secretary/Treasurer), **Captain Peter Burns** (Boat Captain), and **Captain Scott M. Driscoll** (Director).