One hundred and thirty five years ago this month, pilot leaders from around the U.S. met in New York City to form what is now the American Pilots’ Association.

From the founding of our nation through much of the 19th century, individual pilots struggled against one another in a mad race to the sea to provide piloting services to the first incoming ship. This race to be the first to “speak” a ship was certainly inefficient - pilots raced to provide pilotage to one ship while other ships waited in vain for a pilot. More importantly, however, many pilots perished during this senseless “race to the sea.”

Such a system of uncoordinated effort could not survive for long. Fortunately, it was the pilots themselves who organized to stop this wasteful and dangerous practice. While robust state regulation of pilots was firmly in place in the 19th century, pilots within the various ports recognized that government regulation alone was not sufficient to ensure quality piloting services. An organized and unified effort on the part of the professional pilots themselves was also necessary. By 1884, pilots in most ports had formed into a single, port-wide association. This unity and coordination served to eliminate wasteful competition, ensure appropriate responses to political efforts detrimental to compulsory pilotage, and promote the highest professional standards for pilots.

Pilot group leaders soon discovered, however, that local pilot associations would also benefit immensely from a national organization. These forward thinking pilots recognized that even though states regulated pilotage, federal law and policy - if left unchecked - had the potential of overriding state authority.

In fact, from 1837 to 1884, some Congressional proposals (made at the behest of shipping and towing interests) were advanced that were not only hostile to pilots, but to compulsory pilotage itself. These anti-pilot efforts posed a clear threat to the State Pilotage System and set the stage for the creation of a national pilot organization.

On September 30, 1884 at the Metropolitan Hotel in New York City, representatives from the various pilot groups around the United States held a conference “to organize an association of American pilots for mutual protection.” The conference produced a statement of objective, which read in part:

Notwithstanding our geographical position, the mail and telegraph can soon bring us together in spirit if not in body, and we wish, while in no way interfering with the laws of other States, to present a solid front as pilots whenever and where ever a pilotage system is attacked.

Those visionary pilot leaders who attended the 1884 conference in New York set out and unanimously approved a full set of declarations, among them:

That never since the U.S. became a nation, has there been any abatement of the necessity for the pilot’s calling, or of sincere respect for his services as a seaman expert, always on the alert to safeguard human life.

The conference attendees also adopted a resolution creating an organizational and leadership structure for the American Pilots’ Association:

BE IT RESOLVED, that a committee of five, with power to add to their number, and with a president and secretary, be and is hereby formed for the purpose of frustrating any overt act against the employment and livelihood of the pilots of the United States of America.

With this stroke of a pen, the nearly one hundred year period without a national pilot organization in the United States came to a close.

Consistent with the vision of the APA founders 135 years ago, and as expanded upon by the long line of APA Presidents and officers, today APA’s objectives include:

♦ Promote the welfare and common business interests of State pilots and pilot associations;
♦ Assist state pilots in their efforts to maintain the traditionally high standards;
♦ Promote public safety, and protect life and property on the inland and coastal waters;
♦ Cooperate with federal and state authorities in the national interest in matters relating to pilotage;
♦ Gather and distribute information pertaining, or of interest, to state pilots and state pilot organizations;
♦ Cooperate with shipping and transportation industries and organizations in matters relating to pilotage; and
♦ Encourage and aid in the development of closer relationships between the public and licensed pilots.

(The above is a summary of information contained in the book State Pilotage in America, written by Captain Ernest Clothier and Captain W. Hilton Lowe, both former Presidents of the American Pilots’ Association)
IMO APPROVES INTERIM GUIDELINES FOR “MASS” TRIALS

At the 101st session of the IMO’s Maritime Safety Committee (MSC101), held from June 5-14, interim guidelines for Maritime Autonomous Surface Ship (MASS) trials were approved. Those representing the interests of pilots at this important meeting were APA President Captain Jorge Viso, IMPA President Captain Simon Pelletier, and APA Executive Director-General Counsel, Mr. Paul Kirchner.

IMO is currently conducting a regulatory scoping exercise (RSE) for existing IMO treaties (e.g., SOLAS, COLREGS, STCW, etc.) to see how they might apply to ships with varying degrees of automation. The RSE is expected – optimistically – to be completed by 2020. In the meantime, due largely to pressure applied by technology companies and other MASS proponents, IMO prioritized development and approval of “interim guidelines” for MASS testing.

On the surface, these interim guidelines may seem sufficient. Among other things, the guidelines indicate that: trials should be conducted in a manner that provides at least the same degree of safety, security and environmental protection as provided by current IMO treaties; risks associated with the trials should be reduced to as low as reasonably practicable and acceptable; onboard or remote operators of MASS should be appropriately qualified; and appropriate cyber security steps should be taken.

In reality, however, the interim guidelines as approved by MSC 101, are written at a very high level with generic guidance, and seem designed to allow countries to permit MASS trials with as few obstacles or delays as possible.

MSC 101 also continued to work on the RSE. The RSE is seen as a first step and touches on an extensive range of issues, including the human element, safety, security, environmental protection, liability and compensation for damage, interactions with ports, pilotage, and responses to incidents. During MSC 101, a working group met and developed terms of reference for an intersessional working group that will be held in September 2019.

This first step, the RSE, has been underway for over a year and aims to identify, in relevant IMO treaties, provisions which: apply to MASS and prevent MASS operations; or apply to MASS and do not prevent MASS operations and require no actions; or apply to MASS and do not prevent MASS operations but may need to be amended or clarified, and/or may contain gaps; or have no application to MASS.

Once the first step is completed, a second step will be conducted to analyze and determine the most appropriate way of addressing MASS operations, taking into account the human element, technology and operational factors. The analysis will identify the need for: “equivalencies” as provided in current IMO instruments or developing “interpretations”; and/or amending existing instruments; and/or developing new instruments; or none of the above.

The intersessional working group that is meeting in September has been tasked with considering the results of the first step; considering how the outcome of the second step should be reported to MSC 102; providing guidance to IMO Member States for use in the second step; and providing a report to MSC 102, which meets in May 2020. Paul Kirchner will attend the September intersessional working group.

FIRST WORLD MARINE AIDS TO NAVIGATION DAY

The first World Marine Aids to Navigation Day, sponsored by the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA), was held on July 1st. The theme for this event was: Marine Aids to Navigation: Successful Voyages, Sustainable Planet. According to an IALA press release, the event’s purpose is to:

- To promote greater awareness of IALA by bringing to the attention of the wider public the role of IALA and the significance of its technical work in enhancing the safety of navigation world-wide.
- To improve the society’s perception of AtoN as modern, technologically advanced marine aids which, alongside traditional lighthouses, embrace the latest digital developments and support new developments in all fields, including VTS.

“I am pleased that the Transportation and Infrastructure (T&I) Committee came together to find common ground in support of the Coast Guard and to address maritime transportation needs. I encourage a swift passage through the Senate and look forward to the President signing it,” said T&I Chair Peter DeFazio (D-OR). “This bill not only helps provide the Coast Guard with needed resources, but also addresses important issues for the maritime sector,” added T&I Ranking Member Sam Graves (R-MO).

There are a number of provisions in the CGAA that are of interest to pilots. Section 306 makes changes to the composition and operation of the Great Lakes Pilotage Advisory Committee. The Great Lakes pilots have concerns with some of these changes and worked with Congressional staffs, with the support of the APA, to make necessary adjustments in the Senate version of this legislation.

Aimed at further reducing “license creep,” Section 322 directs the Coast Guard to automatically set the validity date of a renewed Merchant Mariner Credential at the day after the expiration date of the existing Credential.

Section 308 seeks to set “buffer zones” near traffic separation schemes (TSS) to ensure offshore structures, such as wind farms, do not impede shipping traffic. Specifically, this section would place a 2nm buffer between the seaward boundary of a TSS and any offshore structure; and a 5nm buffer between the entry or exit of a TSS and any offshore structure. T&I Committee staff consulted with the APA during the drafting of these TSS buffer zones.

Section 420, championed by Coast Guard & Maritime Transportation Subcommittee Chair, Rep. Sean Maloney (D-NY), would prohibit or severely restrict the Coast Guard’s authority to establish anchorages on portions of the Hudson River. The Sandy Hook and Hudson River Pilots have serious concerns over some of the language in Section 420.

Finally, Section 318 strengthens the Jones Act by requiring the Department of Defense to explain to Congress, in writing, the “interest in national security” that would justify a Jones Act waiver, and to confirm that there are insufficient qualified vessels to meet the needs of national defense without a waiver.

After House passage, H.R. 3409 was sent to the Senate for its consideration.

On July 31 the Senate Committee on Commerce, Science & Transportation (CS&T) voted to advance the Coast Guard Authorization Act of 2019 (S. 2297) and send it to the floor for a full Senate vote. The CS&T Committee’s action took place one week after the House passed its version of the Coast Guard Authorization Act.

S. 2297, in addition to authorizing funding for Coast Guard operations and setting personnel levels, does include sections that directly impact some pilots or that relate to pilotage and navigation safety.

In an amendment offered by Sen. Todd Young (R-IN), the Great Lakes Pilotage Advisory Committee (GLPAC) would be reauthorized for 10 years. Sen. Young’s amendment (which became Sec. 310 of S. 2297) also addressed the concerns the Great Lakes pilots had with the House’s GLPAC provision.

An issue that has been the topic of discussion within the APA’s Navigation and Technology Committee (NAVTECH), is also addressed. Sec. 417 directs the Coast Guard to initiate a rulemaking to consider whether to authorize devices used to mark fishing gear to operate in radio frequencies assigned to Automatic Identification System (AIS).

Sec. 419 requires the Coast Guard to establish and publish in the Federal Register a national vessel traffic service (VTS) policy. The policy must include topics such as: standardized organization; clear directives regarding VTS authority; standard operating language; thresholds and measures for monitoring, informing, recommending and directing vessels traffic; and data collection/archiving processes for vessel incidents and near-miss events.

The Senate version did not include either of the anti-Jones Act provisions offered by Sen. Mike Lee (R-UT), nor did it include the Jones Act modifications included in the House’s version of the CGAA. Earlier this year, Sen. Lee introduced two bills, one aimed to repeal the Jones Act U.S.-build requirement and the other to expand the existing Jones Act waiver law. Neither measure had any co-sponsors, and, to date, the Senate has not taken any action on either.

Since pilot groups around the country participated in efforts to support junior enlisted members of the Coast Guard while they went without pay during the government shutdown, it is also worth noting that this legislation would ensure that members of the Coast Guard will continue to receive a paycheck should another shutdown occur.

APA will continue to monitor both the Senate and House versions of this important legislation.
HYDROGRAPHIC SERVICES REVIEW PANEL MEETS IN NEW ORLEANS

The Hydrographic Services Review Panel (HSRP), sponsored by the National Oceanic and Atmospheric Administration (NOAA), met in New Orleans from August 27-29. Captain Anne McIntyre, Columbia River Bar Pilots, serves on the HSRP.

The meeting, kicked off by Rear Admiral Shepard Smith (Acting Deputy Director, National Ocean Service), covered a wide array of topics, including “Precision Navigation Overview and Implications for the Mississippi River.” Among the panelists for this session were Captain Michael Miller (President, Associated Branch Pilots), Captain Michael Bopp (President, Crescent River Port Pilots’ Association) and Captain Stephen Hathorn (President, New Orleans-Baton Rouge Steamship Pilots’ Association).

For more about the HSRP meeting, visit: www.nauticalcharts.noaa.gov/hsrp/meeting-new-orleans-2019.htm

NOAA ISSUES REPORT ON ECONOMIC VALUE OF THE MARITIME SECTOR

In July, NOAA issued a report titled, “Report on the U.S. Ocean and Great Lakes Economy.” The Report states clearly that the oceans and Great Lakes continue to fuel economic growth in the U.S. “The oceans and Great Lakes support the lives, lifestyles, and livelihoods of all Americans. We fish from their waters, vacation on their edges, ship cargo on their surface, and extract oil, gas, sand, and gravel from their seafloors.” The report concludes that between 2015 and 2016 the oceans and Great Lakes created 85,000 new jobs, supported 3.3 million people with $129 billion in wages, and added $304 billion in GDP.

The full report is available at: https://coast.noaa.gov/data/digitalcoast/pdf/econ-report.pdf

NOAA INCREASES CHANCE FOR ABOVE-NORMAL HURRICANE SEASON

As ON STATION is going to print, Hurricane Dorian is intensifying and posing a serious threat to Florida and other eastern coastal states. Earlier in the month, NOAA forecasters said conditions are now more favorable for above-normal hurricane activity since El Nino has ended. Three named storms have formed so far this year and the peak months of the hurricane season are now underway.

Read more here: www.noaa.gov/media-release/noaa-increases-chance-for-above-normal-hurricane-season

EPA PROPOSES AMENDMENTS TO MARINE DIESEL ENGINE EMISSION STANDARDS

On August 26, the Environmental Protection Agency (EPA) issued a notice proposing to amend its regulations to “provide additional lead time for implementing the Tier 4 standards for [certain] marine engines.” Specifically, EPA is proposing to delay the implementation of the Tier 4 standards until 2022 for qualifying engines installed in some small high-speed vessels, such as pilot boats.

When the marine diesel engine program was approved in 2008, regulators “didn’t realize the impact on smaller critical vessels like pilot boats,” said EPA Region 4 Administrator Mary S. Walker. “Given that there are not many pilot boats being produced, manufacturers really needed the time to design a vessel and an engine that would work together to provide the needed emission controls with the power y’all need,” Walker said at a roundtable discussion at the Georgia Ports Authority on August 26. “This action is a win-win for builders and bar pilots and allows goods to continue moving at our ports.”

Rep. Buddy Carter (R-GA), who pushed for the delay, said “The current standards have made it impossible for the bar pilots to purchase any new vessels because there simply is not a manufacturer that can meet the requirements.” Savannah Pilots President Captain Trey Thompson added, “We’re limited to 65 feet (due to right whale speed restrictions), but we’ve got a 17 mile run so we need a propulsion package that will give us 35 knots. Our builder just can’t find one that meets the current standards.”

Comments on this proposal are due by October 21. The EPA notice is available at: www.epa.gov/regulations-emissions-vehicles-and-engines/domestic-regulations-emissions-marine-compression

GAO REVIEWS GREAT LAKES PILOTAGE SYSTEM

After completing a comprehensive 9-month review of the Great Lakes pilotage system, the Government Accountability Office (GAO) has offered no recommended changes. GAO found that U.S. pilots perform a “vital safety service by using their local knowledge, navigational skills and shiphandling expertise” to protect the Great Lakes, and any proposed change to the current system could entail “potential tradeoffs” that may not be desirable.

The full Report, which may be of interest to other pilot groups, can be found at: www.gao.gov/products/GAO-19-493
USCG AMENDS RADAR OBSERVER RENEWAL REQUIREMENTS

In June, the Coast Guard published a final rule titled “Amendments to the Marine Radar Observer Refresher Training Regulations.” Below is further explanation and clarification of these new federal regulations.

It is important to stress that in order to serve and work aboard ships greater than 300GT that are equipped with radar, mariners - including pilots - are still required to have a valid ROE. The USCG has NOT eliminated the requirements to hold a ROE, they simply modified how a ROE can be renewed.

Under the new rule, to renew a ROE, a mariner must provide evidence of any one of the following:
1) Completing a USCG-approved radar recertification course; or
2) Having instructed a USCG-approved radar recertification course at least twice in the past five years; or
3) Having at least one year of sea service within the last five years in a position that routinely uses radar for navigation and collision avoidance purposes.

Based on questions asked by the Sandy Hook Pilots, APA sought clarification from the NMC regarding ROE renewals and the Merchant Mariner Credential (MMC). In this regard, there are two relevant scenarios to discuss:

A pilot already has the ROE endorsed on their MMC: The ROE has the same expiration date as the MMC with no further action required on the pilot’s part (e.g., no requirement to renew the ROE separately from the MMC). At the next MMC renewal, the pilot must submit evidence of one of the three options to renew if they want to retain the ROE on their MMC. Option #3 will be the option that will most commonly be used by pilots.

The mariner does not have the ROE endorsed on the MMC: Some mariners, including pilots, have chosen to carry their radar refresher course completion certificate with them, but not have it endorsed on their MMC (NOTE: mariners have to request that the ROE be endorsed on their MMC, which can be done using form CG-719B). Accordingly, the USCG added a provision to the new regulations that allow this practice to continue until July 22, 2024. After that date, a mariner required to have a ROE must have it endorsed on their MMC. Until then, mariners can continue to carry a valid radar certificate instead of having it endorsed on an MMC. **If any pilot has not yet had their ROE endorsed on their MMC, APA strongly recommends that they do so.**

FINAL UPDATE ON MMC EXPIRATION DATE EXTENSIONS

On August 26, the National Maritime Center (NMC) issued a bulletin outlining its final update on efforts to mitigate the effects of Merchant Mariner Credential (MMC) and medical certificate processing delays caused by the partial government shutdown earlier this year.

For MMCs and medical certificates that expired in December 2018, January 2019, February 2019, March 2019, April 2019, May 2019, June 2019, or July 2019 will remain valid only until **August 31, 2019**. The NMC stressed that no further credential extensions are authorized.

According to the NMC, the backlog of credential applications and increased net processing time caused by the partial government shutdown has improved. By the second week of September, the NMC expects to resume processing all MMC applications within the stated goal of 30 net days. Applications for medical certificates are currently being processed at or under the stated goal of 20 net days.

The NMC recommends mariners submit their MMC application packages at least 2 months prior to the expiration date of their current credentials.

REPORTED GPS PROBLEMS ARE NOW AVAILABLE ON NAVCEN WEBSITE

To provide better service and situational awareness to the public, the Coast Guard Navigation Center (NAVCEN) recently announced that it is now publishing reports of GPS problems on its website. Any notes about problem resolution, if available, will also be listed. The website is: [https://navcen.uscg.gov/?Do=GPSReportStatus](https://navcen.uscg.gov/?Do=GPSReportStatus)

The NAVCEN encourages all civilian maritime users of GPS to submit reports of GPS problems to the Coast Guard Navigation Center at: [https://www.navcen.uscg.gov/?pageName=gpsUserInput](https://www.navcen.uscg.gov/?pageName=gpsUserInput)

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APA NEWS

LAKE CHARLES PILOTS HOST LOUISIANNA GOVERNOR

On Thursday, July 25 the Lake Charles Pilots had the privilege of hosting the Governor of Louisiana, The Honorable John Bel Edwards, at the Lake Charles Pilots’ Administrative Office.

At the meeting, Captain Brett Palmer (President) and Captain Chuck Gilchrist discussed with the Governor the economic importance of pilotage, state funding and dredging issues associated with the Calcasieu Ship Channel.

The Governor’s visit lasted over two hours, as he was extremely interested in the issues, including pilotage, related to the Calcasieu Ship Channel operations.

SANDY HOOK PILOTS TO REFIT OSRV TO SERVE AS NEW STATION BOAT

The United New Jersey and New Jersey Sandy Hook Pilots Benevolent Associations have procured the Maine Responder, a former oil spill response vessel (OSRV), and have plans to retrofit the vessel to replace the nearly 50 year Pilot Boat New York.

The nearly 200 foot long OSRV was pulled from service due to the shutdown of the Portland Pipeline. The Sandy Hook Pilots hope to have the refit project completed in late 2020 (in time for the APA Biennial Convention they are hosting in New York City).

On August 28, First Lady Donna Edwards, wife of Louisiana Governor John Bel Edwards, hosted a lunch for the wives and daughters of the Crescent River Ports Pilots’ Association at the Governor’s Mansion in Baton Rouge (Photo at right).

The First Lady’s luncheon was focused on the value of a person’s public service. “Keeping Louisiana’s people safe is a commitment that the Crescent Pilots, the Governor and First Lady each embrace and pivot from on a daily basis,” said Susan Bopp, wife of Captain Michael Bopp (President) and co-chair of the Crescent River Port Pilots’ Foundation.

In 2005, the Association established the Foundation for the purpose of giving to and serving the community. The luncheon with First Lady Donna provided a platform to learn about the initiatives she and Governor Edwards have established and to align them with those of the foundation.

CAPTAIN VISO VISITS MSRC

In July, Captain Jorge Viso, APA President, visited and audited courses at the Maritime Simulation & Resource Centre (MSRC) in Quebec City, CA.

Pictured (left to right) are Captain Carl Robitaille (President, Corporation of Lower St. Lawrence Pilots), Captain Tom Goodwin (Houston Pilots), Captain Bob Shearon (Houston Pilots), François-Philippe Champagne (Canadian Minister of Infrastructure & Communities), Captain Jorge Viso (APA President) and Paul Racicot (MSRC Director).

APA Board of Trustees Meeting
Washington, DC, October 20-23, 2019
eNAV Conference
Seattle, WA, December 3-4, 2019
25th IMPA Congress
Cancun, Mexico, May 24-30, 2020
2020 APA Biennial Convention
New York City, New York, October 18-23

From left to right: Captain Chuck Gilchrist, Karen Smith (Pilots’ Comptroller), Captain Brett Palmer (Pilots’ President), and Dan "Blade" Morrish (Pilots’ Business Manager and Louisiana State Senator). Governor John Bel Edwards is seated.

OSRV Maine Responder arriving at the Sandy Hook Pilots’ pier in Staten Island, NY.