MESSAGE FROM THE PRESIDENT—

Pilots work in a profession with high standards and high expectations. As a result, any marine casualty involving a pilot will receive significant scrutiny from the public, the press, and political leaders. That is especially the case with a casualty involving an oil spill, in which the scrutiny is typically magnified many times over. Under those circumstances, it should come as no surprise to our members to learn that the APA office has been very busy responding to the November 7 allision of the container ship COSCO BUSAN with the fendering around a support tower of the Bay Bridge in San Francisco. Most APA members have been following this case and are no doubt aware that a 200-foot gash was opened in the side of the ship, and approximately 58,000 gallons of bunker fuel spilled into the Bay. At time of the accident the ship was being piloted by a 26-year veteran of the San Francisco Bar Pilots Association.

Soon after the casualty, the NTSB invited the APA to be a party to its investigation. Within hours, I appointed Captain Steven Brown of the Columbia River Pilots to be the APA representative on the NTSB investigation team. Captain Brown, a former president of his pilot group and former APA Regional Vice President for the Pacific Coast States, immediately left for San Francisco to join the team at the very start of its investigation. He eventually spent over a week in San Francisco with the NTSB team, often working long hours, and then another week at the NTSB headquarters in Washington involved in the tedious but critical process of examining the data from the ship’s VDR. Captain Brown has done a tremendous job and an invaluable service for the APA and US pilots.

I must also salute Captain Pete McIsaac, port agent for the San Francisco Pilots, on his tireless work since the accident. Beginning with his trip out to the ship minutes after the allision to get a relief for the pilot and bring the pilot in for drug and alcohol testing — in full compliance with all state and federal regulations — Captain McIsaac has handled the aftermath to the accident in a responsible and skillful manner that does credit to our profession. I especially appreciate his constant communications with the APA office. We have worked very closely with Captain McIsaac and have endeavored to give him and the SF Bar Pilots all the assistance we can.

As for the APA’s role in dealing with the accident and the various responses to it, Paul Kirchner and I have met and communicated with Congressional members and their staffs, high-ranking Coast Guard officials, and press organizations. We have had two basic messages. First, we don’t know what happened on the bridge of the COSCO BUSAN — and nobody else does yet either. We do know, however, that the pilot’s role in the accident will be thoroughly investigated, and appropriate and fair action will be taken if the facts call for that. The state pilotage system in general, and the system in San Francisco in particular, works very well and protects the public.

Second, the APA is ready and willing to provide any information on pilots, piloting, and the pilotage system in this country. I’m sure many of our members are frustrated by the misperceptions, inaccurate assertions, and speculative comments that have, not unexpectedly, been made by various parties. I can assure you that we are doing everything we can to counter these and to give an accurate picture of what pilots do and how the pilotage system in the US works.

The APA office has also provided periodic flash e-mail updates on the situation to APA trustees, officers, and group presidents. As this edition of the newsletter is sent to the printers, the many federal and state investigations into the accident are proceeding, the San Francisco Pilot Commission has brought charges against the pilot, and Congressional members and committees are holding hearings and working on legislation to respond to the accident. What has been an unusually busy holiday season at the APA office will no doubt continue into the new year.

The Editor
and staff of
ON STATION
wish all
APA Members
and their families
a very happy
Holiday Season
and A Prosperous
New Year.

—Captain Mike Watson
ROADTRIP FOR MSC

While renovation work continues on the IMO headquarters building in London, the organization moved to Copenhagen for the 83rd session of the Maritime Safety Committee from October 3 to 12. Captain Mike Watson participated in the meeting as head of delegation for IMPA, and Paul Kirchner was a member of the US delegation.

In perhaps the most heavily-followed item on the session’s agenda, a number of key decisions were made relating to the implementation of the Long Range Identification and Tracking (LRIT) System. As usual, however, the bulk of the MSC session was devoted to approving the actions of its subcommittees and directing the future work of those subcommittees. Several of those actions were of interest to pilots and have been discussed in previous editions of ON STATION.

For example, the Committee adopted the revised performance standards for Integrated Navigation Systems (INS), which had previously been developed by the Safety of Navigation subcommittee. The Committee also approved NAV’s draft of guidelines on the application of SOLAS Regulation 15 to INS, Integrated Bridge Systems (IBS) and bridge designs. The guidelines, which explain how human element considerations and Bridge Resource Management principles should be taken into account in order to facilitate the work of pilots and bridge crews, have been issued in a circular: SN.1/Circ.265.

The Committee approved the ongoing work of the Standards of Training and Watchkeeping subcommittee (STW) undertaking a comprehensive review of the STCW Code for the purpose of making revisions and additions to the Code. It specifically endorsed draft amendments to the STCW Code, Convention and regulations requiring security-related training for all seafarers, including those without designated security-related duties as well as those serving on ships that are not subject to the security provisions of SOLAS and the ISPS Code. The amendments will be included in STW’s comprehensive review.

In an item that was more curious than important, the Cruise Line International Association (CLIA) introduced a paper objecting to what it described as incidents in which governmental officials and pilots have refused, or been reluctant, to show identification when boarding their members’ ships. CLIA officials indicated to APA and IMPA representatives that they did not have any examples of such problems with US pilots and have had only a handful of such problems with pilots in other areas of the world, which they did not want to identify. Nevertheless, many delegations and the press understood that pilots were the primary targets of the CLIA complaint. Although several delegations proposed that the MSC take some action in response to the complaint, the Committee eventually decided merely to note the complaint and urge governments to follow existing IMO guidance on the subject—a non-action for a non-problem.

IMO ASSEMBLY MEETS

The 25th Assembly of the IMO met in London from November 19 to 30 at the Royal Lancaster Hotel. The assembly meets every two years to review the work of the organization’s various bodies, approve the bodies’ work programmes and determine the budget and financial arrangements. Among other things, the Assembly confirmed the decision of the IMO Council to extend the term of Secretary-General Efthimios E. Mitropoulos for another four years, ending December 31, 2011. Captain Mike Watson attended the meeting as head of the IMPA delegation.
CONGRESS Responds To COSCO BUSAN OIL SPILL

On December 7, California's two US Senators, Barbara Boxer and Diane Feinstein, introduced two bills in response to the COSCO BUSAN allision in San Francisco Bay and the resulting oil spill. The first bill, S.2429, would extend the higher OPA 90 liability limits on spills from single-hull tank vessels to “cargo vessels” such as the COSCO BUSAN. The bill has been referred to the Senate Committee on Environment and Public Works, which is chaired by Senator Boxer.

The second bill, S.2430, the “Maritime Emergency Prevention Act of 2007,” addresses two subjects: VTS authority and pilot laptops. It has been referred to the Senate Committee on Commerce, Science, and Technology.

Section 2 of the S.2430 provides that a VTS “may command the person directing the movements of a vessel to modify the speed or direction of a vessel in the event of an emergency or hazardous condition as determined by the local Coast Guard VTS director.” This would not appear to be a significant increase in VTS authority. Most observers, including Senator Boxer and her staff but apparently not the Coast Guard, believe that the Coast Guard already has such authority. According to Senator Boxer, “This legislation makes it clear that the Coast Guard has the authority to intervene if a ship is in imminent danger or distress.” The bill also would prohibit civil suits against the Coast Guard for damages arising from a command given by the VTS under such authority and would authorize $20 million for the upgrading of VTS equipment and technology.

A second provision states that the Coast Guard shall require that any pilot with a federal pilot license “who directs the movement of a vessel in circumstances in which the applicable State or local pilotage authority determines that utilization of a laptop computer equipped with a navigation system aboard is practicable and necessary, ... shall carry and utilize a laptop computer so equipped for navigation purposes.” The intent is to apply the federal laptop requirement to state pilots operating in an area in which the state pilotage authority has determined that a laptop is “practicable and necessary.” Although the wording is somewhat difficult to follow and would no doubt be improved as the bill moves through the legislative process, the requirement reflects a recognition that a national laptop requirement would be impractical and unwise and that decisions as to the use of laptops should be made on a local or state basis considering the particular needs and demands of each pilotage area.

There may well be other legislative responses to the COSCO BUSAN accident. Coast Guard Authorization bills for fiscal year 2008 are pending in the House and the Senate, and either or both could become a vehicle for such legislation.

The applicable Congressional committees have been reviewing the accident. The House Subcommittee on Coast Guard and Maritime Transportation held a field hearing on November 19 in San Francisco. Many of the House members from the San Francisco area, including Speaker of the House Nancy Pelosi, participated in the hearing. Captain Thomas Hand from San Francisco Bar Flots appeared as a witness to answer questions about piloting and pilotage regulation in the area.

The Senate Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard is scheduled to hold a hearing on December 18. According to the Subcommittee press office: “In light of the recent spill in San Francisco Bay, this hearing will examine the oil spill threats, risks, and vulnerabilities posed by large non-tank vessels. Topics will include the prevalence and environmental impact of non-tank vessel spills, the adequacy and enforcement of vessel response plans, the status of Coast Guard rulemakings, the adequacy of non-tank liability limits, and the allocation of Coast Guard and other Federal resources toward oil spill prevention, preparedness, and oil spill research and development in a post-9/11 world.”

The Senate Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security is reportedly also considering holding a hearing after the new year. That subcommittee has jurisdiction over other issues possibly arising out of the San Francisco spill, including pilotage.

NEW HOME FOR NMC

The Coast Guard’s National Maritime Center, which was originally located in Arlington, VA and temporarily relocated to Kearneysville, WV, is moving to its new permanent home in Martinsburg, WV. The NMC describes the move as part of its planned effort to restructure and centralize the Mariner Licensing and Documentation Program. The new office will become operational on January 7, 2008. After that date, no further NMC operations will be carried out at either Arlington or Kearneysville.

Additional information, including addresses and telephone numbers, can be obtained from the NMC website: www.uscg.mil/scw/wnmnc.htm.

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WATSON SPEAKS ON E-NAV

As a featured presenter at the eNavigation 2007 conference in Seattle on November 14, Captain Mike Watson offered some perspectives from the world of ship pilots on e-Navigation. He began his address by assuring the attendees that "pilots are supporters of advanced navigation technology, extremely knowledgeable about it and experienced practitioners in its use." Moreover, he noted, "with their knowledge and training, and their experience seeing all different types of ships with all different types of navigation technology, pilots are in a unique position to assess the strengths and weaknesses and the benefits and dangers in modern navigation technology."

He then reported on a number of activities of the APA and its members, especially the APA's Navigation and Technology Committee, regarding technology developments and the e-Navigation movement in particular. For example, he described the work of the NAVTECH committee collecting information about pilot laptops and assessing the benefits and limitations of AIS. With respect to the latter, he noted the recommendation of the NAVTECH committee that VTS systems and casualty investigators should be more cautious in their use of AIS as an indicator of vessel position. "By itself, AIS is simply not a sufficiently reliable source of vessel position information to be used as the basis of shoreside traffic intervention or casualty reconstruction."

A copy of Captain Watson's address can be obtained from the APA office.

PORTS® FOR MOBILE

On December 3, the Port of Mobile, AL became the 14th location in the US to have a Physical Oceanographic Real-Time System (PORTS®) developed and operated by the National Oceanic and Atmospheric Administration. Funding for the Mobile system was made available in a supplemental post-Katrina/Rita appropriation package last year.

According to NOAA, "Studies have shown more than a 50% decrease in vessel groundings following the installation of PORTS® in other areas. Estimates of economic benefits directly attributable to PORTS® range from $7 million per year for Tampa Bay to $16 million per year for Houston-Galveston."

APA TRUSTEES MEET

The annual meeting of the APA Board of Trustees from October 31 – November 1 featured the usual full slate of reports and actions on APA matters as well as interesting presentations from outside speakers.

Rep. Elijah Cummings (D-MD), chairman of the House Transportation and Infrastructure Committee's Subcommittee on Coast Guard and Maritime Transportation gave the opening address. He discussed current activities by the subcommittee and recounted his experiences with the Maryland pilots as a state legislator. Dr. Jack Spencer, Director of the NTSB's Office of Marine Safety, and Joseph Osterman, Managing Director of the NTSB, followed with a report on NTSB's marine investigations. They expressed their desire to draw upon the APA for needed expertise and advice in future investigations. Ironically (given the COSCO BUSAN incident eight days later), Dr. Spencer also stated that he understands that there is opposition in other parts of the world to pilots using laptops and that he felt that the NTSB might be looking into that issue at some point in the future.

The next day, Captain David Stalfort, the Commander of the Coast Guard's National Maritime Center, gave a very well-received update on the various NMC efforts to strengthen and improve the Mariner Licensing and Documentation Program.

In his President's Address, Captain Watson discussed the state of the APA and of the piloting profession in the US. He reported on the APA's healthy relationships with Congress, the Coast Guard, the NTSB, the shipowning community, and other entities and organizations. Noting problems in some parts of the international pilotage world, he suggested several fundamental values for pilotage and keys to maintaining a strong and successful pilotage system.

The APA's NAVTECH Committee met in the afternoon of the first day. Michael Sollosi, chief of the Coast Guard's Office of Navigation Systems, gave a report on e-Navigation. Other items considered during the heavily-attended meeting included: a system for zipod maneuvering commands proposed by pilots in Alaska based on their experience with zipods on cruise ships; the recent study by Dr. Lee Alexander on pilot laptops; examples of inaccurate AIS positioning information; proposed content for AIS/ECDIS training specifically designed for pilots; and developments in laptop systems and navigation software used by APA pilot groups.
SEEN AT THE TRUSTEES MEETING:

Rep. Elijah Cummings (D-MD), chairman of the House Coast Guard and Maritime Transportation Subcommittee.

Left to right: Joe Mosso, Pascagoula Pilots; Mike Torjesen, Pascagoula Pilots and APA Regional Vice President for the Gulf States; Gary Maddox, Tampa Bay Pilots and APA Regional Vice President for the South Atlantic States; Mike Watson, APA president; and Roger Paulus, St. Lawrence Seaway Pilots.

Joseph Osterman, Managing Director of the National Transportation Safety Board, commenting on the cover photo of the Journal of Commerce’s special supplement on the APA.

Joyce Miller and Mike Miller, Lake Charles Pilots.

Captain David Stalfort, Commander, USCG National Maritime Center.

Mike and Gerrie Watson
FPBA ATTORNEY CITED

During its annual convention November 7 – 9 in St. Augustine, the Florida State Pilots' Association honored its former general counsel David de la Parte. Despite his youthful and vigorous appearance, Mr. de la Parte had served as the association's counsel since 1989. His firm had represented the FSPA since 1976. Last spring, he left the private practice of law to become general counsel for the Moffitt Cancer Center in Tampa.

The Board of Directors of the FSPA presented Mr. de la Parte with a resolution making him an honorary life member of the association and recognizing him for "over 20 years of dedicated and valuable service to the state pilotage system and to the piloting profession."

The editor of ON STATION would also like to add a personal salute to David de la Parte and thank him for the valuable advice and guidance that he has provided to Paul Kirchner, APA general counsel, over the years.

APA FEATURED BY JOC

The October 22 edition of the Journal of Commerce included a special supplement profiling the APA and US pilots. The 24-page supplement contains a number of articles describing the work and contributions of APA-member pilots together with photos of pilots in action.

Copies of the supplement are available from the APA office.

ELECTIONS, SELECTIONS, ETC.

- The Florida State Pilots Association elected the following officers at its meeting on November 9: Captain Joe Brown (St. John's Bar), president; Captain Steve Gasecki (Port Canaveral), first vice president; Captain Mike McDonnell (Biscayne Bay), second vice president; Captain Stuart Lilly (Biscayne Bay), treasurer; and Captain Bob Maguire (Key West), secretary.

- The Houston Pilots have selected the following officers: Captain Robert Thompson, presiding officer; Captain Tom Pace, executive committee man; and Captain Bobby Kirk, boat keeper.

- The 2007-2008 Board of Directors for the Southeast Alaska Pilots' Association is: Captain Richard Gurry, president; Captain David Gray, vice president; Captain Scott Jones, secretary; Captain Glyn Seaberg, Captain Greg Styrk, and Captain Larry Vosc.

2008 CONVENTIONS

It may still be 2007, but the APA office is hard at work on the 2008 APA Convention to be held at the Grand Hyatt Kauai Resort and Spa, Koloa, Kauai, Hawaii. Activities will begin with registration and the golf tournament on Sunday, October 19, followed by the Attorneys' Meeting and committee meetings on Monday, the business sessions beginning Tuesday, and the concluding gala dinner dance on Friday, October 24.