



ON STATION

The Newsletter of the American Pilots' Association

June 15, 2013

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APA URGES COAST GUARD NOT TO DISMANTLE NDGPS

In response to a Notice published in the April 16, 2013 Federal Register, the APA and its Navigation and Technology Committee submitted comments to the Coast Guard emphasizing that the National Differential Global Positioning System (NDGPS) is critically important to compulsory pilots in many ports around the country and urging the Coast Guard not to discontinue this system. The APA comments are available at www.americanpilots.org (click the "Activities" button at the top of the page).

In its April 16 Federal Register Notice, the Coast Guard announced that it is analyzing the

"The NDGPS provides pilots with highly accurate, reliable, repeatable, and real-time positioning information as they safely maneuver large vessels in narrow channels and in close proximity to other vessels and navigational hazards. APA is of the strong view that ending the NDGPS at this time would be a mistake that would have a significantly negative impact on the safety of navigation on America's waterways."

“current and future user needs and requirements of the [NDGPS].” This analysis is being done in conjunction with the Research and Innovative Technology Administration (RITA), an agency within DoT that is charged with advancing the deployment of cross-cutting technologies

to improve the Nation's transportation system.

The Notice indicates that the Coast Guard and RITA analysis will be used by the Departments of Homeland Security and Transportation to help determine future federal funding decisions for NDGPS.

The full text of the Federal Register Notice is available at:

www.gpo.gov/fdsys/pkg/FR-2013-04-16/html/2013-08844.htm

APA REPORT EMPHASIZES BRIDGE RESOURCE MANAGEMENT & MASTER PILOT INFORMATION EXCHANGE

On May 30, APA sent a Report to all member pilot groups that discussed bridge resource management (BRM) and the Master-Pilot Information Exchange (MPX). The Report noted what appears to be a renewed emphasis by government agencies on BRM and the MPX, as well as a renewed push by some ship interests for advanced submission by pilots of detailed written passage plans. This latest interest by oversight officials in BRM and MPX, as well as the recycled and discredited idea of pilots submitting inflexible written advance passage plans, seems to be based on the recognition that masters and bridge teams are not as actively engaged in the navigation of their vessels as they should be.

The Report details how the APA has been at the forefront in the maritime community regarding the development of BRM concepts, including the creation of pilot specific BRM training (BRM-P). The Report also emphasizes that pilots, who routinely work with different types and nationality of ships and bridge teams, recognize the value of BRM principles and support the inclusion of BRM-P training in pilot education programs. The APA Report also discusses the value of the MPX, not only in the context of exchanging important information between the pilot and the master, but also in order to establish an appropriate professional rapport between the pilot and bridge personnel. The Report concluded with:

"APA recommends that member-groups and pilots continually review personal MPX practices to ensure they remain aligned with local pilotage needs, optimize the exchange of information needed by both the pilot and the master/bridge team, and help to facilitate robust communications and a cooperative working relationship between the pilot and the master/bridge team that is respectful of the roles and responsibilities of each."



44TH SESSION OF STW SUBCOMMITTEE MEETS

IMO's STW Subcommittee met in London for its 44th Session (STW44) from April 29 - May 3. Captain Mike Watson, APA/IMPA

President, led IMPA's Delegation, while Clay Diamond, APA Deputy Director-Associate General Counsel, and Captain Andrew McGovern (Sandy Hook Pilots) served on the U.S. Delegation. Actions taken included (1) making IMO's Member Audit Scheme mandatory; (2) approve guidance on vision standards; and (3) validate several "model courses."

A mandatory audit scheme would require IMO member countries (including the U.S.) to face periodic audits to ensure compliance with various standards for port state control actions, inspections, and STCW Code requirements, such as fatigue and drug and alcohol abuse prevention. This proposal must be approved by the 92nd session of the Marine Safety Committee (MSC92), which meets this month.

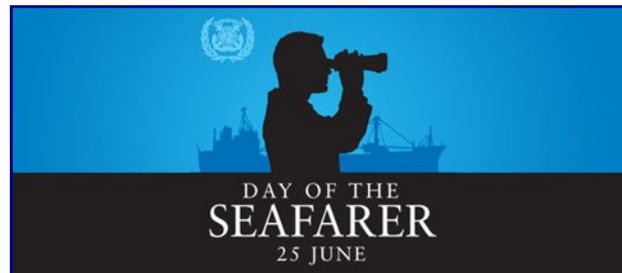
STW44 also developed interim guidance on color vision testing and approved draft amendments to the STCW Code that sets minimum in-service eyesight standards for seafarers. Both of these vision agenda items were sent to MSC92 for approval.

Finally, STW44 validated several model courses to ensure the courses comply with the 2010 amendments to the STCW Code. Model courses that are of interest to pilots include Leadership, Officer in Charge of a Navigational Watch, and Master/Chief Officer. These model courses are used by member countries and maritime training centers to develop and approve courses for credentialing purposes.

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ON STATION is published by the American Pilots' Association, a non-profit professional association composed of groups of state-licensed pilots operating in each of the coastal states, as well as groups of U.S. registered pilots in the Great Lakes region. Each pilot in APA-member groups receives **ON STATION**, the costs of which are paid from the member's dues. Any comments, suggestions or questions concerning **ON STATION** should be directed to the attention of the APA office at the above address.



IMO's annual Day of the Seafarer will be held on June 25. This year's theme is **Faces of the Sea**. In IMO's words, the day is to focus on "the unsung heroes of shipping—the seafarers themselves—and literally spotlights the human face of shipping and the sacrifices that seafarers make." For more on the this important day, visit:

www.imo.org/About/Events/dayoftheseafarer/Pages/Day-of-the-Seafarer-2013.aspx



IALA HOLDS 13th SESSION OF e-NAV COMMITTEE

IALA's e-Nav Committee held its 13th session at the organization's headquarters in St. Germain en Laye, France from March 18-22. APA's Executive Director-General Counsel, Paul Kirchner, represented the interests of pilots in the U.S. Pilots from other countries also attended, including Captain Simon Pelletier (IMPA and Canadian Pilots) and Captain Albrecht Kramer (IMPA and German Pilots).

Attendance at IALA e-Nav meetings has become increasingly important in the last several years as it has become clear that some IALA members would like to see IALA take the lead away from the IMO in all aspects of e-Navigation, including shipboard equipment and navigation practices, both of which are outside IALA's traditional jurisdiction and recognized areas of expertise and competence. These same members have also promoted a more VTS-oriented approach that envisions greater shore-side control over ship navigation. This desire seems to have intensified with the approaching end to IMO's e-Nav work (currently slated for 2014).

Fortunately, a strong majority of countries, as well as ship operator representatives, do not support such an expanded role for IALA in shipboard activities, nor is there significant support for VTS-centric vessel navigation. The APA must, however, continue to closely monitor and remain fully engaged with IALA e-Navigation activities.



CONGRESS CONTINUES TO BANG THE DRUM FOR HARBOR MAINTENANCE FUNDING

On May 23, Rep. Janice Hahn (D-Ca), Rep. Ted Poe (R-Tx) and Rep. Corrine Brown (D-Fla), submitted a resolution (H.RES. 236) for consideration by the House. This resolution addresses the harbor maintenance trust fund and the need for appropriate resources for improving the Nation's ports. The resolution was referred to the Committee on Transportation and Infrastructure. While this resolution is merely a "sense of Congress", it does contain some important information about the value of maritime transportation and our waterways, as well as a statement of Congressional commitment to improving our ports. The text of the resolution is provide below:

HOUSE RESOLUTION 236

Expressing the sense of the House of Representatives on fully spending the receipts of the Harbor Maintenance Trust Fund on United States ports and harbors each year, and for other purposes.

Whereas ports and harbors play a vital role in the United States economy;

Whereas ports move 2.3 billion tons of cargo a year in the United States;

Whereas the United States assesses a harbor maintenance tax of approximately \$1.6 billion a year on goods imported through the Nation's ports for the express purpose of keeping United States ports strong;

Whereas only a fraction of the harbor maintenance tax has been spent on maintaining the Nation's harbors;

Whereas the Harbor Maintenance Trust Fund has built a surplus of over \$8 billion, even as United States ports and harbors are egregiously under maintained and under dredged, reducing the Nation's competitiveness in the world and increasing costs for businesses and consumers; and

Whereas the failure to spend the receipts of the Harbor Maintenance Trust Fund to keep the Nation's ports and harbors strong breaks a trust with the people of the United States: Now, therefore, be it *Resolved*, that the House of Representatives--

(1) commits itself to fully spending the receipts of the Harbor Maintenance Trust Fund on United States ports and harbors each year;

(2) affirms that the surplus in the Harbor Maintenance Trust Fund should be spent down to zero on the Nation's ports and harbors as soon as possible; and

(3) urges United States ports and the Corps of Engineers to make all necessary preparations for the expansion and acceleration of port and harbor dredging to be made possible by 100 percent use of the receipts of the Harbor Maintenance Trust Fund.



SENATE PASSES HARBOR MAINTENANCE LEGISLATION

The U.S. Senate became the first of the two chambers of Congress to pass legislation addressing concerns over the lack of dredging money coming from the harbor maintenance trust fund. The Harbor Maintenance Trust Fund Act of 2013, S. 601, passed the U.S. Senate by a wide bipartisan margin (87-14) on May 15.

The stated purposes of S.601 are to: (1) ensure revenues collected into the Harbor Maintenance Trust Fund (HMTF) are used for the intended purposes; (2) increase investment in the operation and maintenance of U.S. ports, which are critical to the economic competitiveness of the U.S.; (3) promote equity among ports nationwide; (4) ensure U.S. ports are prepared to meet modern shipping needs, including the capability to receive large ships that require deeper drafts; and (5) prevent cargo diversion from U.S. ports.

The House also continues to work on this issue. In addition to H.RES. 236 (discussed in the previous story), the House version of a HMTF act was introduced on January 22 (reported in the last edition of *ON STATION*). This bill was referred to the Transportation and Infrastructure Committee and its Subcommittee on Water Resources and the Environment (WR&E) for consideration. On April 16, WR&E held a hearing to address inefficiencies, delays, and expenses involved in the Army Corps of Engineers dredging and harbor maintenance studies and permitting processes, and also to discuss the HMTF.

APA will continue to watch this important issue and related legislation as it moves through Congress.



1924-2013

SEN. FRANK LAUTENBERG, "HONORARY SANDY HOOK PILOT", PASSES AWAY

Sen. Frank Lautenberg (D-NJ), the last World War II veteran in the Senate, died of complications from viral pneumonia on June 3 at the age of 89. He was a longtime friend to mariners and member of Senate maritime committees. He rarely missed an opportunity to proudly and publicly announce that he was an "honorary Sandy Hook Pilot." APA expresses sincere condolences to Sen. Lautenberg's wife, Bonnie Englehardt Lautenberg, and his six children and 13 grandchildren.



APA ASKS NTSB TO CHOOSE WORDS MORE CAREFULLY

In a May 14 press release from the NTSB, the agency announced that it had determined that the cause of the 2012 allision of the M/V Delta Mariner with the Eggner's Ferry Bridge in Kentucky was the "reliance of the vessel's bridge team on the *independent contract pilot* who provided incorrect navigational direction." (emphasis added). As the NTSB conceded, this individual does not hold a federal or state license as a pilot, nor was he qualified under federal regulations to "serve as" a pilot. The inaccurate and misleading term "independent contract pilot" used in the NTSB press release created confusion and resulted in APA receiving inquiries from across the country and around the world.

In response, APA Executive Director-General Counsel, Paul Kirchner, sent a letter to NTSB Chairman, Deborah Hersman, urging that the Board, irrespective of what a private company may choose to call its employees, be more careful and deliberate in the wording of their official reports. The APA letter reads in part, "[R]eports by the Board are read by a broad audience (both in the U.S. and abroad) and can carry significant weight in the maritime community...Someone without a pilot license and who is not otherwise authorized to carry out pilot duties should not be called a 'pilot.'"

Tracy Murrell, Director of the NTSB's Office of Marine Safety, contacted the APA office to discuss the matter. Although the final NTSB report on the M/V Delta Mariner allision (published after the NTSB press release and APA letter) still uses the term "independent contract pilot," the report contains several footnotes and disclaimers making clear that this individual is not a licensed or "serving as" pilot.



MATSUDA STEPS DOWN AS MARAD ADMINISTRATOR

U.S. Maritime Administrator David Matsuda stepped down from his position at the end of May.

Mr. Matsuda, who previously worked as primary transportation counsel to Sen. Frank Lautenberg (D-NJ), led the agency for more than three years, first as "acting," then full-time Administrator. Deputy Administrator Chip Jaenichen, a USNA graduate and career naval officer, assumed the helm as Acting Administrator on June 4.



NEWS FROM THE NMC

New Website Launched. On June 7, the NMC released its newly designed website. According to a press release issued by the NMC, "the new site has been crafted to reflect the process an applicant follows to gain a Merchant Mariner Credential...[and has]...streamlined menus, simplified navigation, and easy access to information." Visit the new website at: www.uscg.mil/nmc/.

NMC's Top Doctor Departs. In June, Dr. Laura Gillis, Chief of the Medical Evaluations Division at the National Maritime Center, left the Coast Guard and government service to take a position with a private transportation company in Texas. Dr. Gillis led the NMC's medical review program, which had just recently begun to show signs of stabilizing and improving. Her sudden departure and uncertainty about a replacement (especially in light of the as yet to be implemented changes to the Coast Guard's medical review program dictated by 2010 amendments to the STCW Code) are cause for some concern.



COAST GUARD HONORS CAPTAIN GARY MADDOX RETIRED APA VICE PRESIDENT

During a June 5 ceremony in Tampa, Florida, Captain Gary Maddox, long-time APA Vice President for the South Atlantic States, was honored by Commander of USCG Sector St. Petersburg, Captain Sheryl L. Dickinson, (both are pictured below) with the Coast Guard Certificate of Merit. See page 6 for more on Captain Maddox's retirement ceremony.





GAO CALLS FOR HALT TO IMPLEMENTATION OF TWIC READERS

The Government Accountability Office (GAO), the independent, nonpartisan agency charged with investigating how the federal government spends taxpayer dollars, issued a report in May that soundly criticized the federal government's administration of the Transportation Worker Identification Credential (TWIC) program. Specifically, GAO found that the TWIC reader program is so flawed that Congress should require the Department of Homeland Security to stop implementation of the card reader program until it conducts proper testing. The GAO report also raises the question as to whether a more decentralized approach to the overall management of the TWIC program would better serve the public.

GAO ALSO PROJECTS COSTS OF GPS GROUND-CONTROL SYSTEM WILL SKYROCKET

A March GAO report says that projected costs of the next-generation GPS ground-control system, known as OCX, increased by 43% or \$1 billion over the past year. This dramatic increase brings the total estimated cost of the system to nearly \$4 billion.

OCX is intended to support the GPS III constellation's stringent accuracy, anti-jam, and information assurance requirements. According to electronic navigation trade journals, these cost overruns threaten to delay the 2016 planned delivery date for the OCX system.



PRESIDENT NOMINATES CHARLOTTE MAYOR AS NEXT TRANSPORTATION SECRETARY

On April 29, President Obama nominated Charlotte, North Carolina Mayor Anthony Foxx (D) to be his next Secretary of Transportation. If confirmed by the Senate, Foxx will replace Transportation Secretary Ray LaHood, a former republican congressman from Illinois.

In Charlotte, Mayor Foxx has been a major proponent of building public transit, helping lead the effort to create an electric tram service and expand commerce at the city's ports.



NOAA LOOKS TO EXTEND NORTH ATLANTIC RIGHT WHALE RULES

On June 5, NOAA announced plans to make permanent the rules it implemented 5 years ago to protect North Atlantic Right Whales from ship strikes. The rules, which include a 10 kt speed restriction for vessels 65 feet or greater during certain times and locations along the East Coast, expire in December 2013.

Although NOAA indicates that no ship strike deaths have occurred in the speed limit areas since the rules went into effect, data on ship strike deaths *before* the rules were issued is scant. The agency also asserts, with little analysis, that these rules have not had a significant financial impact on shipping.

NOAA also recently published its "Recovery Plan" for North Pacific Right Whales, which sets criteria to determine if this whale is endangered and if future protective measures might be needed.

U.S. CHART NO. 1 MOVES TO ELECTRONIC AGE

Since 1948 when the U.S. Coast and Geodetic Survey issued the first *U.S. Chart No. 1*, mariners have had a standard guide for understanding the symbols, abbreviations and terms used on paper nautical charts. In a major step forward, a new edition of that guide also describes the symbols specified by the International Hydrographic Organization for the display of electronic navigational charts on ECDIS.

"Navigational charts moved to electronic format more than 15 years ago, and downloads of NOAA ENC's now far outpace sales of paper charts," explains Commander Shep Smith, division chief of Coast Survey's Marine Chart Division. "Most of the symbology used to display ENC's is intuitive to the experienced mariner, but caution tells us that mariners will be safer when *U.S. Chart No. 1* explains the symbols that appear on their electronic displays."

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

COAST GUARD HONORS TWO CHARLESTON BRANCH PILOTS

On May 10, Coast Guard Sector Charleston honored two Charleston Branch Pilots for their assistance in rescuing four people from a sinking vessel near the Charleston Harbor jetties. Captain John Miles and Captain Frank Witunsky received the Coast Guard's Meritorious Public Service Award from Coast Guard Captain Michael White during a ceremony. According to the Coast Guard's website, this award is given to those individuals who show "unusual courage" in assisting the Coast Guard in carrying out search and rescue cases.



CAPTAIN MADDOX, APA SENIOR VICE PRESIDENT, RETIRES

During a June 5th ceremony in Tampa, Florida, Captain Gary Maddox was honored by pilots, shipping industry, and port officials for his years of dedicated service to the Tampa maritime community. Captain Maddox, a graduate of New York Maritime Academy, served as a pilot in Tampa for 38 years, piloting more than 8500 vessels. During his career, he served as chairman of the Tampa Pilots, chairman of the Florida pilot commission, President of the Florida State Pilots' Association and as APA South Atlantic Vice President.



Florida Pilots honor Captain Maddox. From Left to Right: Captain Jorge Viso (Tampa), Captain Joe Brown (St. Johns Bar), Captain Eric Bryson (St. Johns Bar), Captain Gary Maddox (Tampa), and Captain Stuart Lilly (Biscayne Bay).



LONG-TIME VIRGINIA PILOTS VICE PRESIDENT RETIRES

Captain William Lee Counselman has retired from the Virginia Pilot Association after a distinguished 47-year career, the past 18 years of which he served as Vice President. Captain John Little, CG Sector Hampton Roads Commander, (at right) presented Captain Counselman with a Coast Guard Award of Merit. Captain Bill Cofer, Virginia Pilot Association President, thanked Captain Counselman for "his commitment and dedicated service to our association, our port, our Commonwealth and our country."



ELECTIONS, SELECTIONS, APPOINTMENTS, ETC.

◆ The 2013 Board of Directors for the Lakes Pilots' Association are: **Captain Dan Gallagher** (President), **Captain Patrick Gallagher** (First Vice President), **Captain George Haynes** (Second Vice President), **Captain Richard Harrington** (Treasurer), **Captain Christopher Loflin** (Trustee), and **Mr. Charles Kelly** (Secretary / Legal Counsel)

◆ The Mobile Bar Pilots announced their 2013-2014 Officers. The Officers are: **Captain J. Christopher Brock** (President), **Captain David M. Berault** (Vice President), **Captain David L. Bender, Jr.** (Secretary-Treasurer), **Captain Reid Key** (Boat Captain), and **Captain J.D. Smith** (Director).

◆ The 2013 Officers for the Southeast Alaska Pilots' Association are: **Captain Larry Pullin** (President), **Captain Ed Sinclair** (Vice President), and **Captain Doug Sturm** (Secretary-Treasurer).

◆ The following are the 2013 elected Board of the Virginia Pilot Association: **Captain Bill Cofer** (President), **Captain Whiting Chisman** (Vice President), **Captain Ben Schill** (Director), **Captain Rob Prodan** (Director), **Captain Waightstill Avery** (Director), and **Captain Howard Hoffman** (Director).

◆ The 2013 Officers for the Puget Sound Pilots are: **Captain Jonathan E. Ward** (President), **Captain Richard F. McCurdy** (Vice President), **Captain Stephan E. Moreno** (Secretary-Treasurer), **Captain Peter A. Giese** (Director), **Captain David W. Grobschmit** (Director), **Captain Patrick S. Kelly** (Director), and **Captain Stuart E. Mork** (Director).