THE VOTES ARE IN: WASHINGTON, DC
CONVENTION A BIG SUCCESS!

For the first time in modern history, the APA Convention was held in Washington, DC. With all votes counted, the results are clear—the Convention was a winner! Pilots from more than 30 associations around the United States, as well as those representing pilot groups in nearly a dozen other countries, gathered in the Nation’s Capital from October 15-19 to share professional experiences, discuss developing trends in piloting and navigation technology, hear updates from maritime vendors and government officials, and seek ways to foster continued improvement in the piloting profession.

Before the Convention’s business meetings started, dozens of pilots and pilot supporters gathered for the traditional golf outing. While everyone had a great time trying to tame a course comprised of replicas of famous golf holes from around the world, a group from the Pilots’ Association for the Bay & River Delaware took home the grand prize...the coveted Admiral’s Cup (see page 6).

Convention business began on Monday with the Attorneys’ Meeting. Dozens of attorneys and advisors discussed legal developments in piloting, including court decisions, legislative and agency actions, and marine casualty investigations. This important session was followed by meetings of the Finance, Bylaw, Resolutions, and Nominating Committees. On Tuesday, Captain Mike Watson gave the President’s Report. Throughout the remainder of the week, pilots heard reports and updates from Captain Whit Smith (Secretary Treasurer), each APA Vice President, as well as various government officials.

During the Convention, attendees heard from Rear Admiral Joe Servidio, the Coast Guard’s Assistant Commandant for Prevention Policy. During his address, RDML Servidio discussed the professionalism of state pilots and the critical service they offer to the American public. “I respect the vital role pilots play in securing the Nation’s navigation safety. Pilots are the first aboard foreign vessels and provide important information to the Coast Guard.” Servidio also praised state pilots for their leadership in U.S. ports, including providing critical advice to COTPs, taking on leading roles with local harbor safety committees, and participating in federal advisory committees.

The Admiral also praised the APA for its support on U.S. delegations to the International Maritime Organization. He concluded by saying that the Coast Guard and the APA have a “strong, vibrant, and essential partnership that I’m confident will grow in the future.”

Pilots were also addressed by Dr. Kathryn Sullivan, Assistant Secretary of Commerce and Deputy NOAA Administrator. Dr. Sullivan also emphasized how important state pilots are to America’s maritime transportation system. “I have seen your value to the marine transportation system first hand...tirelessly keeping our economy moving in and out of some of the busiest waterways on the planet. You are the eyes and ears of the port...serving as the gatekeepers to our Nation’s economic system.”

“I respect the vital role pilots play in securing the Nation’s navigational safety. Thanks for what you’ve done in the past...we’re counting on you for the future.”

- Rear Admiral Joe Servidio

The APA Staff wishes all Members and their families a Happy Holiday Season and a Safe and Healthy New Year!
IMO AGREES TO NEW RULES FOR PASSENGER VESSELS

At its 91st Session, the International Maritime Organization’s (IMO) Maritime Safety Committee (MSC91) agreed on draft SOLAS amendments that would require passenger safety drills to take place prior to, or immediately upon, departure. Presently such drills are voluntary on the part of the cruise lines. The proposed new requirement was prompted by the tragic COSTA CONCORDIA incident. If finally approved by the IMO, these new rules would be included in SOLAS and could enter into force in 2014.

In addition to the passenger drill issue, IMO has adopted several non-mandatory measures to improve the safety of passenger vessel operations, including equipment recommendations, suggestions on improved emergency communications, and measures aimed at improving passenger vessel voyage planning. APA will monitor development of this latter measure very closely.

IMPA and APA President, Captain Mike Watson, attended the MSC91 meeting, which was held at IMO headquarters in London from November 26-30.

APA ENTERS INTO NEW MEMORANDUM OF AGREEMENT WITH PANAMA CANAL PILOTS

During the APA Convention, the APA and the Panama Canal Pilots’ Association (PCPA) signed an updated memorandum of agreement (MOA). The two pilots’ associations have had an MOA in place since 2005, but as the new agreements states, “considering the expansion and modernization of the Panama Canal and its lock systems and the resulting arrivals and departures of “post-Panamax” vessels in the U.S., [we] believe it is in [our] mutual interest to renew the alliance of cooperation.”

APA HOSTS DELEGATION OF SENIOR BRAZILIAN OFFICIALS TO DISCUSS PILOTAGE

On November 26, APA met with senior government officials from Brazil to discuss the state pilot system, including pilot oversight and training. APA Executive Director-General Counsel Paul Kirchner led a thorough discussion of the history and development of the state pilot system in the U.S., a review of various state statutory and regulatory schemes, and an overview of key aspects of state pilot selection and training programs. Earlier in the day, the Brazilians met with Coast Guard officials for a discussion focused on Great Lakes pilotage.

The next day, the Brazilian delegation, along with Mr. Kirchner, travelled to Baltimore to meet with Association of Maryland Pilots’ President, Captain Eric Nielsen, as well as state oversight officials. This day-long visit included a pilot boat tour of Baltimore harbor.

The Brazilian government is considering some modifications to its pilotage system and was particularly interested in learning about the state pilot system in the U.S.
COAST GUARD AUTH BILL: VOLLEY BETWEEN HOUSE AND SENATE CONTINUES

It appears the back-and-forth between the U.S. House of Representatives and the Senate on competing versions of the Coast Guard Authorization bill will continue until the closing days of the 112th Congress. The latest volley comes as the House, on December 5th, passed a modified version of legislation it had received from the Senate on September 22nd.

The Coast Guard and Maritime Transportation Act of 2012 (H.R. 2838) was first introduced in the House by Transportation and Infrastructure Committee Chairman, John Mica (R-FL), and Coast Guard Subcommittee Chairman, Frank LoBiondo (R-NJ), in September 2011. This bill passed the House in November 2011 and was forwarded to the Senate for consideration. The Senate adopted its version of the bill in September and sent it to the House for its reconsideration. The most recent House-passed bill reflects a resolution of the differences between the House– and Senate-passed bills. The differences between the two chambers were primarily over reforms to the Coast Guard’s cutter and aircraft acquisition system and a national ballast water regulation scheme.

There are a number of provisions that are included in both the House and Senate versions of the bill that are of interest to pilots. Both versions of the legislation include a provision that addresses the civil liability of non-federal vessel traffic information service (VTIS) operators and seeks to ensure pilots working in such VTIS centers are treated the same with respect to liability as those working in Coast Guard vessel traffic services. The House and the Senate bills also contain a section that amends the U.S. Code to allow the Coast Guard to extend — for up to one year — a medical certificate issued to a licensed mariner if such an extension is necessary to eliminate a backlog at the National Maritime Center. Finally, the two versions also address a matter that the APA has been working on for a number of years. The bills both require the Coast Guard to submit a written report to its Congressional oversight committees in the House and Senate that explains the adequacy of its mariner medical review program and provides an analysis of how a system similar to those used by the Federal Aviation Administration and the Federal Motor Carrier Safety Administration could be used by the National Maritime Center to make medical fitness determinations for mariners.

The legislation now goes back to the Senate for reconsideration. The Senate has until the end of this session of the 112th Congress to approve the bill. Given the tense negotiations over the “fiscal cliff”, the session will likely continue right up until the end of December.

NAVSAC SENDS STRONG MESSAGE TO USCG: DON’T SHUT DOWN DGPS AND SLOW DOWN ON VIRTUAL AIDS TO NAVIGATION

The Navigation Safety Advisory Council (NAVSAC) met in Tampa, FL on November 28 and 29 to discuss matters relating to marine safety and navigation systems. NAVSAC is a statutorily mandated federal advisory committee that provides advice and recommendations to the Commandant of the Coast Guard. Two of the topics on the NAVSAC agenda led to strong recommendations to the Coast Guard. These topics were the Coast Guard’s consideration of defunding and ceasing the operation and maintenance of the Differential Global Positioning System (DGPS) in the U.S. and the Coast Guard’s ongoing program to eliminate or reduce the number of physical AtoNs in favor of so-called “virtual” AtoNs.

On the issue of DGPS, NAVSAC stressed the importance of DGPS to coastal, harbor and inland navigation, the heavy use of DGPS by all segments of the mariner population, and the current lack of a reliable alternative to DGPS. In light of these considerations, NAVSAC recommended that the USCG “Announce publically a clear policy to maintain and continue to operate DGPS in coastal, harbor entrance and approach, and inland waterway areas of the United States.”

As for the USCG’s plans to replace physical AtoNs with “virtual” ones, NAVSAC’s message was loud and clear—Slow Down! Specifically, the Council pointed out that more study is needed on the subject of “virtual” AtoNs and recommended that the USCG do a much better job of engaging local port stakeholders “well in advance” of any decision to eliminate physical AtoNs.
APA & NOAA SIGN MOA TO ADVANCE SAFE NAVIGATION

APA President, Captain Mike Watson, and Dr. Kathryn Sullivan, NOAA Assistant Secretary of Commerce for Environmental Observation & Prediction, signed an agreement on October 28 that recognizes the longstanding working relationship between state-licensed pilots and NOAA’s navigational services. The APA and Coast Survey have a long-term working relationship, and this agreement is aimed at strengthening the cooperative efforts between the two.

This MOA updates an earlier agreement between APA and NOAA, laying out specific cooperative activities to promote safe navigation. Among a wide range of provisions, it encourages pilot groups to provide information to update NOAA’s nautical charts and the U.S. Coast Pilot and also facilitates timely investigations of apparent discrepancies between actual and charted features, which could pose dangers to navigation safety.

APA TRUSTEES APPROVE GUIDELINES FOR COURSES FOR ECDIS USE BY PILOTS

Continuing a long tradition of pilots leading the way on navigational technology matters, the Board of Trustees for the APA recently adopted a resolution and approved “Guidelines for Courses in the Operational Use of ECDIS for Maritime Pilots.” The phase-in of IMO’s mandatory carriage of ECDIS began in July 2012, so over the next five years pilots will be encountering more ships equipped with various ECDIS.

APA has been proactive to prepare for this. Over the past year APA’s Navigation Technology Committee (NAVTECH) examined available ECDIS training courses and determined that there should be ECDIS training specifically designed for pilots. Since no such training courses existed, NAVTECH went about the work of developing guidelines that should be considered by maritime training providers when developing ECDIS training courses for pilots. The Guidelines were approved by the APA Board of Trustees at the Biennial Convention in October 2012. The guidelines are available at: www.americanpilots.org/docs/ECDIS_Training_Resolution.pdf

SEVERAL NEW DRUG TESTING POLICIES AND RECOMMENDATIONS ANNOUNCED

♦ NTSB Recommends that the USCG increase post-accident testing of its personnel.

On November 28, the NTSB recommended that the USCG increase post-accident drug and alcohol testing standards for its personnel to the level of those required for merchant mariners. Currently the testing requirements for USCG military and civilian personnel involved in a marine accident (e.g., cutter and VTS personnel) are far lower and less stringent than testing requirements for merchant mariners involved in similar incidents.

♦ USCG lowers 2013 Random Drug Testing Rate

The USCG recently announced the 2013 minimum random drug testing rate for “covered” personnel would be 25%. The 2012 rate was 50%.

Each year the USCG publishes the results of random drug testing for the previous calendar year, as well as the random testing rate for the upcoming year. The reason for setting the random rate is to assist the USCG in analyzing its current approach to detecting and deterring illegal drug use within the maritime industry.

Under existing regulations, the USCG is permitted to lower the random test rate to 25% only if the positive test rate is less than 1% for two consecutive years. 2010 and 2011 are the first two years in the history of the current drug testing regime during which the positive test rate for the maritime industry has been less than 1%. As a result, the random rate for 2013 has been lowered to 25%.

♦ DoT clarifies policy on recreational marijuana use

Recently, some states (Colorado and Washington State) have passed ballot initiatives to permit the use of marijuana for so-called “recreational” purposes. In response to numerous inquiries about whether these state initiatives will have any impact on DoT’s long-standing regulations about the use of marijuana by safety-sensitive transportation personnel, DoT’s Office of Drug and Alcohol Policy and Compliance issued a public notice. The notice “makes perfectly clear that the state initiatives will have no bearing on the DoT’s regulated drug testing program...[which] does not authorize the use of Schedule I drugs, including marijuana, for any reason.” The full Notice is available at: www.dot.gov/sites/dot.dev/files/docs/odapc-notice-recreational-mj.pdf
PHOTOS FROM THE 2012 BIENNIAL APA CONVENTION

Rear Admiral Joe Servidio (Ass’t Commandant for Prevention Policy) and APA President Captain Mike Watson (right).

Captain Jorge Viso (Tampa Pilots and Chairman of NAVTECH) gives the NAVTECH Report to Convention attendees.

Captain Simon Pelletier, President of the Canadian Marine Pilots Association.

Captain Jorge Viso (Tampa Pilots and Chairman of NAVTECH) gives the NAVTECH Report to Convention attendees.

Paul Kirchner, Executive Director-General Counsel, addresses the APA Convention.

Captain Dave Fish, Chief of the USCG’s Office of Investigations and Analysis.

Captain Gary Maddox (APA Senior Vice President) addresses Convention attendees as the other members of the APA Executive observe from the dais.

Captain Anthony Lloyd, Commanding Officer of the National Maritime Center, discusses the Coast Guard mariner credentialing program.

Mr. Jorge Arroyo, Program and Management Analyst with the Coast Guard’s Office of Navigation Systems, gives an update on AIS and other USCG navigation initiatives and policies.

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

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APA NEWS

PILOT BOAT RESCUES DOZENS FROM CRUISE SHIP TENDER

A cruise ship tender that was transferring passengers to shore ran aground on October 4th near Bar Island, Maine with a total of 93 passengers on board. While there were no serious injuries to the passengers, nearly all of the passengers were thrown from their seats and there was considerable damage to the tender, including hull breaches below the waterline.

A number of passengers were quoted in the local press about disorganization and the lack of assistance from the cruise ship crew during the incident. Fortunately for the passengers, a pilot vessel for the Penobscot Bay & River Pilots Association was nearby. Captain David Spear and crew-member Elana Strout maneuvered the pilot vessel astern of the tender and safely transferred 35-40 passengers to shore.

TAMPA BAY PILOT NAMED BUSINESS PERSON OF THE YEAR

Captain Carolyn Kurtz of the Tampa Bay Pilots Association received the “International Business Person of the Year Award” from the Tampa Bay Organization of Women in International Trade (TBOWIT)

Each year the TBOWIT highlights the importance that global commerce plays in the Tampa Bay Economy by honoring an individual whose business and professional life reflects a dedication to the expansion of international business throughout the region.

“It is an honor to be recognized by the TBOWIT,” said Kurtz, the first female harbor pilot in Tampa. Captain Stuart Lilly, President of the Florida Harbor Pilots Association congratulated Captain Kurtz, adding, “Over the last 26 years, her service as a maritime professional has been exceptional and we are proud of her outstanding service to the Ports of Tampa, St. Petersburg and Manatee.”

COLUMBIA RIVER PILOT PROMINENT SPEAKER AT 2012 eNAV CONFERENCE

Captain Paul Amos, President of the Columbia River Pilots, was a panelist at the latest session of the eNavigation Conference held each year in Seattle, WA. The Conference, held from November 6 to 7, included sessions on the IMO’s eNav strategy, presentations by U.S. and other countries’ government agencies responsible for electronic navigation systems, and opportunities to interact with commercial navigation technology vendors. Captain Amos’ panel discussed the need for accuracy and reliability from navigation equipment and government maintained navigation systems.

“PHILLY PILOTS” CAPTURE 2012 ADMIRAL’S CUP

2012 Admiral’s Cup winners (low gross score) from left to right: Capt Jack Hanley, Capt David Cuff, Capt Matt Sullivan, and Capt Chris Guilday.

ELECTIONS, SELECTIONS, APPOINTMENTS, ETC.

♦ The San Francisco Bar Pilots Association announced their 2013 Officers: Captain Peter McIsaac (President), Captain Richard Hurt (Board), Captain Steve Teague (Board), Captain David Wainwright (Board), Captain John Carlier (Board), Captain Dan Larwood (Board) and Captain Raymond Ridens (Board).
♦ The 2013 Officers for the Alaska Marine Pilots are Captain Clayton Christy (President), Captain David Arzt (Vice President), Captain Bill Gillespie (Treasurer), and Captain David Lund (Secretary).