



AMERICAN PILOTS' ASSOCIATION

INCORPORATED

499 SOUTH CAPITOL STREET, S.W., SUITE 409

WASHINGTON, D.C. 20003

PHONE: 202-484-0700

FAX: 202-484-9320

www.americanpilots.org

CAPTAIN JORGE J. VISO
PRESIDENT

CAPTAIN WHIT SMITH
SECRETARY-TREASURER

PAUL G. KIRCHNER
EXECUTIVE DIRECTOR-GENERAL COUNSEL

CLAYTON L. DIAMOND
DEPUTY DIRECTOR-ASSOCIATE GENERAL COUNSEL

LISA P. TOWNSHEND
OPERATIONS DIRECTOR

WILLIAM R. CAIRNS
NAVIGATION TECHNOLOGY DIRECTOR

COMMENTS OF THE AMERICAN PILOTS' ASSOCIATION ON NOAA'S PLAN TO "SUNSET" PAPER RASTER NAUTICAL CHARTS [DOCKET NUMBER 2019-24807]

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Introduction

The American Pilots' Association (APA), on behalf of its nation-wide membership, is pleased to submit the following comments in response to the National Oceanic and Atmospheric Administration (NOAA) Notice that appeared in the November 15, 2019 *Federal Register*, 84 Fed. Reg. 221, requesting public comments regarding the raster and paper chart product sunset transition ("Federal Register Notice"). In addition to general comments on the sunset transition, NOAA specifically requested: (1) suggestions for improving the NOAA Custom Chart web application, and (2) information on non-navigational uses for paper or raster nautical charts.

The APA is the national association of the piloting profession. Virtually all of the more than 1,200 state-licensed pilots working in the 24 coastal states of the United States, as well as all of the U.S. registered pilots operating in the Great Lakes system under authorization by the Coast Guard, belong to APA member pilot groups. These pilots handle well over 90 percent of large ocean-going vessels moving in international trade in the waterways of the United States. The role and official responsibility of these pilots is to protect the safety of navigation and the marine environment in the waters for which they are licensed. As a result, the APA and member pilots take a keen interest in all of NOAA's National Ocean Service products, including its charting services.

Comments

a. General Comments on NOAA's raster and paper chart product sunset transition

APA and its members have long been strong supporters of, and active participants in, the development, improvement, and use of continually evolving navigational technology, including specifically NOAA's primary chart product, the Electronic

CAPT. ERIC A. NIELSEN
SENIOR VICE PRESIDENT
NORTH ATLANTIC STATES

CAPT. W. CRAYTON WALTERS, III
VICE PRESIDENT
SOUTH ATLANTIC STATES

CAPT. MICHAEL C. TORJUSEN
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PACIFIC STATES

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VICE PRESIDENT
GREAT LAKES

Navigational Chart (ENC). Given the continually changing technology associated with marine navigation, as well as changes to chart carriage requirements initiated by the U.S. Coast Guard and the International Maritime Organization, APA understands NOAA's focus on modernizing how it carries out its critical function of making up-to-date and accurate chart products. Subject to the comments below, APA does not oppose NOAA's 5-year program to "sunset" the production of all raster and paper nautical chart. We understand that this sunset will include ceasing production of all NOAA paper nautical charts, Raster Navigational Charts, and related products, such as BookletCharts™.

In the Federal Register Notice and in the publication "Sunsetting Traditional NOAA Paper Charts" (November 14, 2019), NOAA stresses that the underlying purpose of ceasing the production of paper navigational products is to focus on improving the "consistency and level of detail" provided in its ENCs, as well as to dramatically increase the number of ENCs that are available to mariners. NOAA advertises that the number of ENCs will increase from roughly 1,200 to over 9,000. In addition, NOAA states that many of these ENCs, including harbor and "berthing charts," will be "compiled at larger scales than the ENCs they replace, providing more detailed coverage than ever before."

Moving forward, this commitment to improve and expand the number of, and details shown on, ENCs is critical. As pilots safely maneuver very large vessels in narrow channels and in close proximity to other vessels and navigational hazards, these men and women may use the ship's navigation equipment, alone, or in conjunction with their carried aboard Portable Pilot Units (PPUs). During these operations, pilots require accurate, reliable, repeatable, and real-time positioning information that is displayed accurately on detailed ENC displays. While pilots use all navigational resources available to them, including traditional visual piloting skills, and are not wholly reliant on technology to safely conduct their operations, navigation technology, including ENCs, remains critical.

While not objecting to the 5-year sunset transition plan, APA and its members urge NOAA to honor its commitment to continuing to improve the quality, number and availability of its ENCs.

b. Suggestions for improving the NOAA Custom Chart web application

Another aspect that NOAA promotes as allowing it to end production of paper navigational products is its assertion that charts will be available to mariners either through the NOAA Custom Chart web app (APP) that NOAA is developing, or through third-party commercial providers selling ENC-based chart products. There are some potential problems with this assertion. First, as NOAA concedes, the APP is still a prototype in early development that needs "many improvements." Our initial experience with the APP confirms this. It is not intuitive or user-friendly and does not lend itself easily to a "mark and bound" exercise to select and print a desired area. As to the use of a third-party vendor, given the niche market for printed paper charts, there are legitimate questions regarding the commercial viability of this private sector service.

c. Other non-navigational uses for paper or raster nautical charts

In the Federal Register Notice, NOAA asks specifically for comments that will improve the agency's understanding of "other non-navigational uses for paper or Raster

nautical charts.” A very important non-navigational use of paper charts relates to how the U.S. Coast Guard currently tests and evaluates candidates for credentialing as deck officers and federal first class pilots (FFCP). Under Title 46 of the Code of Federal Regulations, deck officers of various levels are required to complete a number of chart plotting exercises and FFCPs are required to complete a detailed “chart sketch” of the waters where pilotage is sought. Both of these credentialing requirements, which are vital components of the overall credentialing scheme, rely on the use of traditional paper Raster charts.¹

While APA’s membership is comprised predominantly of groups of state-licensed pilots, APA has a strong interest in federal regulations and policies that impact Coast Guard-credentialed mariners. The reason for this interest rests in the fact that state-licensed pilots also hold officer endorsements as FFCPs. In the state pilotage system, state training, certification, qualification, and recency standards are far more stringent than any federal requirements, but the federal pilot endorsement does provide some benefit in that it serves as a national *minimum* standard. In the state pilotage system, obtaining a federal first class pilot endorsement can be either an entry level requirement for selection to a state pilot training program or it could be one of the many steps in such a training program preparing an individual for an eventual state pilot license. In addition, state pilots must maintain a valid federal pilot endorsement in order to hold a state license or to work under that license. As a result, APA and its members have a strong interest in how the Coast Guard administers its merchant mariner credentialing program.

Additionally, a number of states, as part of their comprehensive licensing schemes, also require prospective pilots to draw, from memory, a detailed sketch of the pilotage waters. Like the Coast Guard’s chart sketch requirement, states also rely on traditional paper Raster Navigational Charts for the chart sketch portion of their licensing process.

While there may well be viable alternatives to the use of paper charts for these testing requirements, it will be critical that there be interagency cooperation and coordination between NOAA and the Coast Guard during the 5-year sunset plan. APA has already raised this credentialing concern with the Coast Guard and also plans to share these comments with the agency. In addition, through our member-pilot associations, APA will continue to work to ensure State pilot oversight authorities are made fully aware of the potential licensing implications of NOAA’s planned ending of paper Raster Navigational Chart production.

Conclusion

For the reasons stated above, NOAA’s planned sunset of traditional paper charts is important to the APA, its member pilot groups, as well as to federal and state pilot licensing and credentialing authorities. As such, we appreciate the opportunity to offer these constructive comments.

¹ Even prior to the Coast Guard licensing phase, paper charts are important to the careers of prospective merchant mariners. “The training academies will continue teaching navigation using paper charts because, for now anyway, that is the format of Coast Guard exams.” Casey Conley, NOAA plan to ‘sunset’ traditional paper charts by 2025, Professional Mariner, Issue #242, February 2020.