# MAINE STATE LEGISLATURE

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# MAINE PILOTAGE COMMISSION

**Annual Report** 

August 1, 2021

# Coverage: Fiscal Year 2021 Report Completed by: Erian J. Downey Jr. Administrator, Maine Pilotage Commission





#### MAINE PILOTAGE COMMISSION

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#### **Annual Report**

August 1, 2021



#### Preamble

Pursuant to Maine Revised Statute, Annotated (MRSA) 38 § 90-A, this annual report of the Maine Pilotage Commission is provided to the Commissioner of Transportation covering Fiscal Year 2021 (July 1, 2020 - June 30, 2021). As required by the aforementioned law, this report provides details on the Pilotage Commission's operations and financial position. The report also offers comments and recommendations that the Commission considers essential.

# Background

Following MRSA Chapter 38 (Waters and Navigation), the Maine Pilotage Commission oversees and maintains the state marine pilotage system devoted to the preservation and protection of lives, property, the environment and vessels entering or leaving state waters at the highest standard of efficiency. The Commission achieves this mission by ensuring the availability of well qualified pilots for the discharge of their duties in aid of commerce and navigation.

Additionally, the Commission establishes the rules, policies, and procedures that govern the licensing, training, and discipline of marine pilots in the state's waters under the jurisdiction of the Commission. The Commission also approves the rates which pilots may charge for services. Administrative responsibility for the Maine Pilotage Commission was transferred to the Department of Transportation in July 1998. Since that time, the Office of Freight and Passenger Services has served as the administrative arm of the Commission.

#### The Maine Pilotage Commission

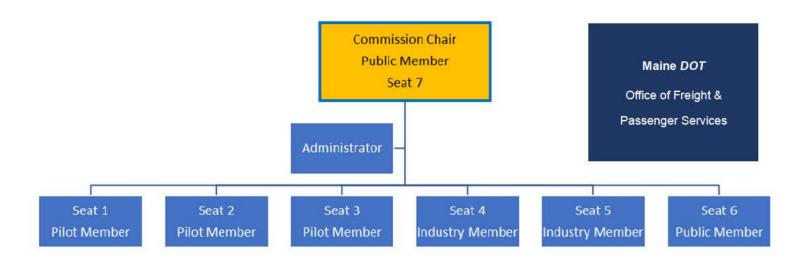
The MRSA 38 § 89 requires the Maine Pilotage Commission to be comprised of seven individuals who are citizens of the United States and Maine and appointed by the Governor as follows:

- Three licensed pilots who are active in pilotage representing each of the Commission's coastal zones;
- Two members who are not licensed pilots but are from a maritime industry that utilizes pilots; and
- Two members representing the public who are not licensed pilots but have a maritime background.

The Commission elects a Chairperson who liaises with the Commissioner of Transportation and the Governor as needed. Captain Weeks was the Chairperson for the period of this report and was re-elected at the March 2021 Commission meeting.

# **Pilotage Commission Details**

# Organization & Structure



| Seat Name |                 | Date of Commission | Expiration       | Status | Component |  |
|-----------|-----------------|--------------------|------------------|--------|-----------|--|
| 1         | David Gelinas   | October 7, 2016    | October 7, 2019  | Active | Pilot     |  |
| 2         | Vacant          |                    |                  | Open   | Pilot     |  |
| 3         | Gerald Morrison | October 23, 2017   | October 23, 2020 | Active | Pilot     |  |
| 4         | Shawn Moody     | October 23, 2017   | October 23, 2020 | Active | Industry  |  |
| 5         | Thomas Dobbins  | October 7, 2016    | October 7, 2019  | Active | Industry  |  |
| 6         | John Worth      | October 7, 2016    | October 7, 2019  | Active | Public    |  |
| 7         | Charles Weeks ↔ | October 23, 2017   | October 23, 2021 | Active | Public    |  |

Ommission Chair.

Captain Adam Philbrook applied to fill the vacant pilot seat in September 2020. The vacant pilot seat, per Maine statute, must be filled by an active pilot serving in the Southern Coastal Zone under the jurisdiction of the Maine Pilotage Commission.

#### Meet the Maine Pilotage Commission

**Captain Charles Weeks** - *Commission Chairperson;* Professor Emeritus, Maine Maritime Academy with over 50 years of shipping & education experience. Master of vessels of unlimited tonnage. *Commission member since 1998.* 

Captain David Gelinas - President, Penobscot Bay & River Pilots Association, Master of vessels of unlimited tonnage. *Commission member since 1998*.

Captain Gerald Morrison - Eastport and Quoddy area pilot, Master of vessels of unlimited tonnage. Over 35 years of seagoing and pilotage experience, including extensive tanker experience. Commission member since 1999.

Captain Shawn Moody - Operations Manager at Chase, Leavitt Ship Agents, Master of vessels of unlimited tonnage. Commission member since 1999.

Mr. Thomas Dobbins - Operations consultant to Sprague Energy with over 45 years of vessel, facility and marine logistics experience. He served as Portland Harbor Commissioner and holds a Master of near coastal vessels of 100 tons. Mr. Dobbins also served the Maine marine industry as a Past President of the Portland Chapter of the Propeller Club of the United States. Commission member since 2013.

Captain John Worth - Retired professor, Maine Maritime Academy, relief captain with the Maine State Ferry Service and extensive

Maine Maritime Academy's State of Maine during a foggy mooring

experience in shipboard operations and prior tug boat company owner. Master of vessels of 1,600 tons. **Commission member since 2007.** 

**Mr. Brian Downey** - Commission Administrator, retired senior Coast Guard officer with over 30 years of experience in marine safety and regulatory compliance. Licensed deck officer of vessels of unlimited tonnage. *Commission Administrator since 2013.* 

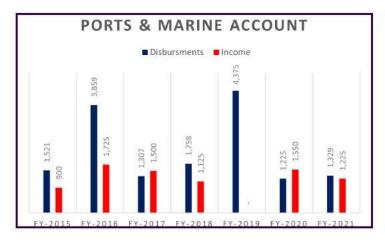
**Mr. Matthew Burns** - Maine *DOT*, Director of Ports and Marine Transportation with over 15 years of marine transportation experience. Licensed 2nd officer of vessels of unlimited tonnage. Liaises and coordinates administration for the Commission. *Commission Liaison since 2017.* 

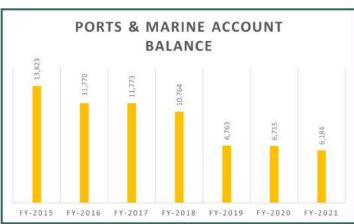
**Ms. Kim King** - Transportation Planning Specialist with the Maine *DOT* Office of Freight and Passenger Services with over 35 years of multi-modal transportation experience. Liaises and coordinates administration and financial transactions for the Commission. **Commission Liaison since 2007.** 

#### Financial Summary & Budget

#### Financial Summary - Ports and Marine Account

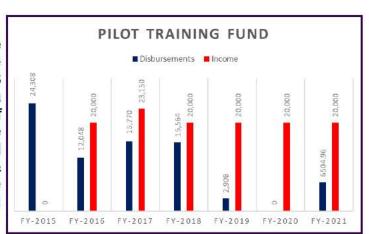
The Commission maintains a "Ports and Marine Account" which is the repository from which income and expenses (insurance, hearings, and miscellaneous costs) flow. There were three licenses renewed in Fiscal Year 2021. License renewals along with license upgrades and examination administration constitute the only source of income for the fund. The current Marine Account balance at the close of Fiscal Year 2021 was \$6,184.





#### Financial Summary - Pilot Training Fund

Limited training funds for pilots are available separately through the Maine Ground & Surface Waters Clean-up & Response Fund through 38 MRS § 551. The fund is sourced through a per-barrel fee on oil imports entering the State of Maine. The fund is managed by the Maine Department of Environmental Protection (DEP) and the Maine Ground & Surface Waters Clean-up & Response Oversight Board. The health of the Pilot Training Fund is the strongest it has been in recent memory with a current balance of \$90,777.



#### Budget Proposal - Fiscal Year 2022

Per 38 MRS § 90-B, the following annual budget is offered to the Commissioner.

| Item | Tort & Civil<br>Rights<br>Insurance | Board<br>Vehicle<br>Liability<br>Insurance | Bond<br>Fidelity<br>Insurance | Board<br>Travel | StaCap | Steno-<br>graphy | Hearings | Legal | Other | Total       |
|------|-------------------------------------|--|-------------------------------|-----------------|--------|------------------|----------|-------|-------|-------------|
| \$   | 675                                 | 60   | 18                            | 1,200           | 8.55   | 0                | 0        | 0     | 0     | \$ 1,961.55 |

#### Anticipated Income - Fiscal Year 2022

| Fee | Initial<br>License Fees | Renewal<br>Fees | Successive<br>Area Fees | Total     |
|-----|-------------------------|-----------------|-------------------------|-----------|
| \$  | 0                       | 375             |                         | \$ 375.00 |

# Regular Commission and Public Meetings

The following offers specific details of Commission public forums during the period of July 1, 2020 – June 30, 2021 in which the Maine Pilotage Commission participated. All meetings were open to the public. Due to the social distancing precautions required to combat the Coronavirus, all meetings in Fiscal Year 2021 were held virtually using the web based technology of *Zoom*.

#### **Commission Meetings**

Meeting November 18, 2020

Location: Virtual Teleconference

Commission Quorum: 5

Parties in Interest/DOT Reps/Others: 5

Length of Meeting: 1.5 hours

#### Meeting March 11, 2021

Location: Virtual Teleconference

Commission Quorum: 6

Parties in Interest/DOT Reps/Others: 7

Length of Meeting: 1.5 hours

## **Pilotage Public Rate Meeting**

Members of the Maine Pilotage Commission held a public hearing to review and discuss proposed rate adjustments in response to changing vessel traffic patterns and demographics.

Hearing January 20, 2021

Location: Virtual Teleconference

Commission Quorum: 6

Parties in Interest/DOT Reps/Others: 11

Length of Meeting: .5 hour

Purpose: Commission members met publicly to discuss

and vote on proposed pilot rate adjustments.

#### Roster of Licensed State Pilots

| Active Pilots    | Expiration |
|------------------|------------|
| Douglas Fournier | 2025       |
| David Gelinas    | 2022       |
| Mark Klopp       | 2021       |
| Gerald Morrison  | 2022       |
| Robert Peacock   | 2025       |
| Adam Philbrook   | 2024       |
| David Smith      | 2022       |
| Prentice Strong  | 2024       |

#### **Active Pilots**

Active pilots are licensed individuals who currently serve one or more routes and maintain currency by meeting annual recency mandates, annual eye & physical exams, continuing education & drug testing requirements.

#### **Inactive Pilots**

Inactive pilots may hold a state pilotage license but do not meet one or more of the currency requirements of an active pilot. Inactive pilots cannot pilot ships until all currency requirements are met.

| Inactive Pilots | Expiration |
|-----------------|------------|
| Michael Ames    | 2025       |
| Doug Lord       | 2024       |
| Earl Walker     | 2022       |

# Pilot License Activity

The current roster of state licensed pilots includes 11 individuals. During Fiscal Year 2021, pilot license transactions were as follows:

New Licenses Issued: 0

Current Licenses Renewed: 3

Licenses Suspended (for cause): 0

Licenses Deactivated: 0

New Route Endorsements Issued: 2 (Boothbay Harbor)

# Pilot Apprentice Activity

Captain Greg Smith was formally introduced to the Maine Pilotage Commission at the November 2020 meeting as a new apprentice with the Penobscot Bay & River Pilots Association.

# **Pilot Training**

No training was conducted during 2020 due to the COVID-19 pandemic. Marine Casualty Investigator training, Manned Model training, and in-person ECDIS for Pilots was planned for 2020 but was all deferred to best protect the health of our pilots. The two-day ECDIS for Pilots refresher course through Maine Maritime Academy is notionally planned for late summer 2021 pending the trend of the pandemic.

In the late winter of 2021, Bridge Resource Management for Pilots on-line refresher training was attended by four pilots held virtually through Maritime Institute of Technology and Graduate Studies in Linthicum, MD in February 2021. This refresher course is designed to build upon lessons learned from previous BRM-P courses and meets the American Pilots' Association recommendations.

The course offers recent incidents/case studies, and includes discussions on the legal use of Portable Pilot Units as well as best practices for team piloting to allow pilots to refine their best practices on the ship's bridge. The course gained high praise by the pilots in attendance, spurring the Maine Pilotage Commission to offer a second BRM-P course in April of 2021 for five more pilots including two Portland pilots.



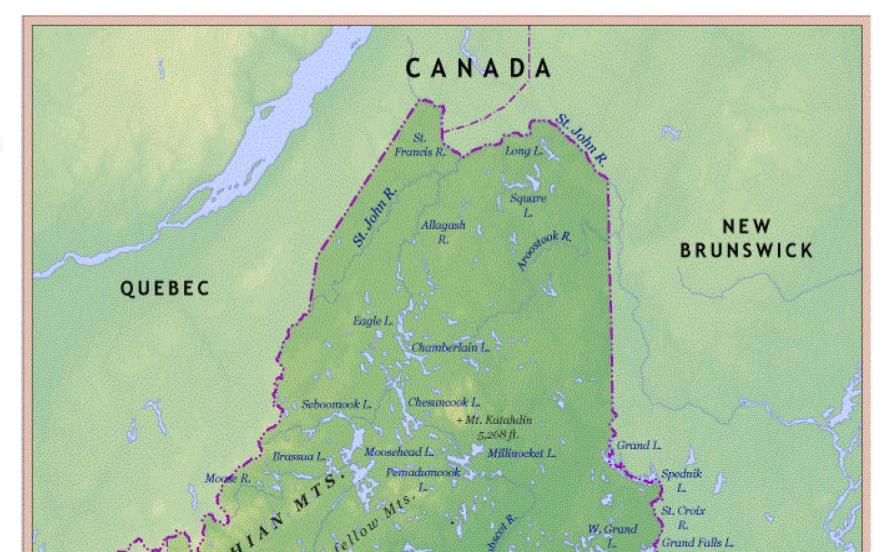
The Marine Incident and Root Cause Investigator course was finally rescheduled with the American Bureau of Shipping through a virtual classroom setting. One commission designated investigator completed the course in June 2021.

Despite the Coronavirus impacts, the Commission has maintained a sound pace in maintaining its pilot training goals. Most courses that were intended to be completed during 2020 and 2021 have been completed or are scheduled for completion in accordance with the Maine Pilotage Commission's three year training plan.

The three year training plan establishes a cycle of training to best meet pilot training needs and helps to align pollution prevention goals with the Maine Department of Environmental Protection. The plan also establishes a standardized approach to training and coincides with the recommendations of the American Pilots' Association. Moreover, the plan is utilized to facilitate the transfer of funding from the Maine Ground & Surface Waters Clean-up & Response Fund (through 38 MRS § 551) to the Maine Pilotage Commission which is managed by the Maine Department of Environmental Protection in its pursuit to avoid marine oil spills through preventative training.

The current three year training plan will conclude at the end of calendar year 2021 at which time a new cycle will begin and new courses will be selected.

# Maine's Pilotage Ports



10

#### Pilot Issues in Brief

# Aqua-Ventus Offshore Wind Project

The University of Maine Advanced Structures and Composites Center has continued to make progress toward delivering the Aqua Ventus floating offshore wind pilot project to develop a clean, renewable wind energy source off Maine's shores.

The "Aqua Ventus" project goals are to:

- Provide renewable energy;
- Demonstrate the innovative design of the smaller scale test predecessor, VolturnUS, with a full-size offshore wind turbine;
- Work with local contractors and manufacturers to generate local economic benefit; and
- Create and keep Maine jobs in Maine.

The project is born of the necessity to deliver offshore wind energy options in deep coastal water that exceeds the capability of fixed platforms as are found in southern New England's comparatively shallow water.

Maine

Monhegan Island

Latitude and Longitude of Site

Northern Boundary 43\* 43\* 18.231\*
Eastern Boundary 69\* 20\* 16.759\*
Southern Boundary 43\* 43\* 215.436\*
Western Boundary 69\* 17\* 39.544\*

The innovative Aqua Ventus prototype is planned to be deployed about 3 miles south of Monhegan Island in 2023.

Maine's coastal waters are much deeper than southern New England and other parts of the country which requires alternative systems to harness offshore wind power. The technology is based on a spar-submersible design which floats in the water and is held in place with an anchoring system.



The hull will be made of concrete modules and follows a construction process similar to modern bridge designs which makes the construction versatile and possible for most major construction providers. The structure is designed to meet the American Bureau of Shipping standards for "Building and Classing Floating Offshore Wind Turbines." The hull will house a 9.5 -10 MW turbine which will be connected to the Maine power grid by a subsea cable. The cable is intended to be largely buried and covered with an articulated concrete blanket where burial is not possible.

The size of the structure is significant in that the hull will be about 60' high and 25' deep. The full scale

prototype system will be deployed in waters about three miles south of Monhegan Island in water depths of about 312' and lies outside of the Recommended Route and pilot station for the western Penobscot Bay approach for deep draft ships. Including the anchoring system, the full foot print of *Aqua Ventus* would be about 1 mile x 1 mile, which may require future consideration to shipping traffic. The system has completed and continues to undergo studies regarding environmental impacts including impacts to marine life, marine mammals, birds, bats, etc. The system is further under review with regard to shipping and fishing impacts both from a navigation safety perspective.

Construction and fabrication are proposed to occur in Searsport which would serve as the deep water assembly site. The time-line for the project is long term with construction of the full scale prototype expected to start in 2022; completion and operational deployment is anticipated in 2023.

# Cruise Ship Cancellation

In February of 2021, the government of Canada announced the suspension of all cruise ship

operations for the entire country of Canada, in response to the ongoing COVID-19 pandemic. The development was significant in that the 2020 cruise ship season had already been cancelled in Canada as well as in the United States under Center for Disease Control (CDC) direction. The loss of cruise ships in 2020 alone, cost Maine in the realm of \$30 million in summer revenue. While in the United States, the CDC provided a pathway to resume cruise ship operations in 2021, Canada continued the shutdown straining maritime support industry including pilots. Pilot organizations serving the cruise industry were particularly hard hit in Maine as business plans, including staffing



models, were carefully designed to manage the (normally) high number of cruise ships, especially in Bar Harbor. One pilot group made a significant capital investment in a pilot boat purchase during pre-pandemic 2020 specifically to support Bar Harbor cruise ships, which never came.

The cruise ship companies carefully design voyages to comply with each country's cabotage laws. In the United States, the Jones Act (U.S. cabotage law) contains domestic provisions and establishes regulations directing how goods and passengers can be transported via ship to, and from, American ports. Essentially, the Jones Act prohibits foreign flag cruise ships from transporting passengers from one domestic American port another without first visiting a foreign port. This scenario is normally facilitated with intermediate Canadian port visits by cruise ships, and usually fulfills the requirement that foreign-flagged ships sailing from U.S. ports must visit another country before returning to a United States port. The cruise ship pattern in Northern New England is very dependent on Canadian port access as most major cruise ship brands create itineraries that interweave cruise destinations within the Canadian Maritimes and Maine (Bar Harbor and Portland, principally).

On May 24, 2021, the "Alaska Tourism Restoration Act," was signed into law which temporarily allowed foreign-flagged cruise ships to sail directly from Washington to Alaska without having to dock in Canada first. This helped relieve Canadian cruise ship prohibitions due to COVID-19. The law only applied to the Washington/Alaska trade and thus offered no relief to Maine ports.

The extended closure has had a massive impact on Maine's economy. Based on Cruise Maine data, in 2019 the state welcomed 408 cruise ships to our ports infusing 423,000 passengers into the Maine economy. Those numbers fell to zero for two consecutive years (2020 and 2021). According to Cruise Maine, the cruise ship industry directly supports 400 Maine jobs, which were also impacted.

Adding to the impact, Bay Ferries tentatively cancelled the entire ferry season for *The Cat* international service between Bar Harbor and Yarmouth, NS.

#### **COVID-19 Pandemic**

# **COVID-19 Impacts and Forecast**

The COVID-19 pandemic continued to impact Maine's marine transportation and associated support infrastructure including pilots. Maine pilots continued to follow Maine Pilotage Commission Policy 1-20 (pilot operational health and safety measures) as well as continually evolving guidance from the CDC and Coast Guard. Additionally, the Commission issued Commission Policy 2-20 which outlined license renewal flexibility during the pandemic. Commission Policy 2-20 dove-tailed with the U.S. Coast Guard's policy detailed in MSIB 8-20 which extended mariner credential expiration dates due to extensive government shut-downs due to the pandemic.

During Fiscal Year 2021 no pilots were diagnosed with COVID-19 although several pilots quarantined as a precaution. Moreover, the Maine Pilotage Commission shifted to exclusively virtual meetings using Zoom to lower infection risk. The small number of qualified and active Maine Pilots made it critical to safeguard pilot health. If even one pilot were to become infected with COVID-19 it would have, at best, strained pilot schedules and reduced safety and at worst, caused a wider spread infection and could have suspended shipping in Maine. Such a disruption in commerce would have frozen the state's supply lines including critical fuel and cargo deliveries, damaging the state's economy.

In January of 2021, President Biden issued an Executive Order federally mandating certain COVID-19 precautions. Among the chief requirements was mandatory mask wearing in the transportation industry including ships, public ferries, and port operations. The Coast Guard publicly claimed that the Maine marine industry had embraced COVID protocols, including masking, since the first days of the national emergency and was largely well within compliance. In fact, Maine pilots had exceeded the CDC standards from the earliest days of the pandemic including collaboration with inbound ships to reduce contact and risk, symptom checks, and self-quarantining.

The Penobscot Bay and River Pilots sent a February 12, 2021 letter explaining the pilotage impacts of the pandemic to Governor Mills. The letter highlighted the dire straits that the COVID-19 virus and subsequent marine transportation slow-down has placed on Maine pilots. The letter discussed that although federal assistance (e.g., *Payroll Protection Program* and *CARES Act*) has helped, more needed to be done at the state level to help support pilots through this difficult time. The marine industry was hard hit by the loss of cruise ships from the Summer economy, delivering an exceptionally punishing effect on pilotage groups in Mid-Coast and Downeast Maine.

Similarly, the Port of Portland recorded low ship arrivals logging a 50%-60% reduction in ship arrivals from pre-pandemic numbers. The Port of Eastport cited only 11 ship arrivals in calendar year 2020 with only two ships in 240 days piloted by one of the two active pilots. Such dismal numbers are not sustainable for a strong and safe marine transportation infrastructure. Absent a significant change in the maritime market and improvement in ship traffic, pilot services could be negatively impacted, by laying up pilot boats, reducing active pilot rosters, and reducing healthcare benefits, all of which could reduce safety and increase the risk of an environmental incident.

#### **Changes in Shipping Demographics**

# Mega-Yachts

The COVID-19 pandemic significantly altered the state's 2020 shipping profile with most Maine ports seeing a reduction of 50%-60% of routine deep draft ship traffic. The void was partially filled with mega-yacht traffic seeking cruising grounds that were relatively safe with modest shoreside access, which Maine offered during the Summer of 2020. Many other parts of the country as well as Europe were far more restrictive to travel than Maine, which invited more yacht traffic than normal. As a result, yacht traffic increased from nearly zero yachts in 2019 to 8 yachts in 2021 accounting for 101 pilot movements generally in low volume waterways. While the change in shipping demographic reflected a decrease in traditional



Stonington bridge, making it the largest vessel to pass under the span.

deep draft ports such as Searsport, Bucksport, Bar Harbor, and Eastport, there was a modest uptick in yachts visiting low volume waterways such as Boothbay Harbor, Somes Sound and Eastern Way.

While the yacht traffic was well served by Maine pilots during Fiscal Year 2021, the total traffic was so small it offered little relief to the near devastating lost revenue to our small pilotage groups. Further complicating the issue is that traditional pilotage assures the safe arrival and departure of large ships between offshore rendezvous areas and designated dock facilities. Yachts don't operate this way but instead favor sporadic and unpredictable schedules with last minute changes taking vessels to non-standard destinations. This new dynamic further strained our pilots to deliver service for very unpredictable and random operations at a fraction of typical pilotage rates.

Relieving some of the operational stress, two pilots earned pilotage for Boothbay Harbor in 2020 to meet the new demand. Possibly four more pilots may follow in 2021 to better serve the emerging need. Similarly, there may be as many as four pilots who are now interested in obtaining pilotage for Eastern Way/Somes Sound and Blue Hill Bay to be ready for mega-yachts in future summer yachting seasons.

#### New Boothbay Harbor Pilots

Carrying over from preparations made at the end of Fiscal Year 2020, two pilots successfully met the requirements to earn Boothbay Harbor pilotage license endorsements which formally took effect in July 2020. These license endorsements were the culmination of several years of work by the Maine Pilotage Commission and port partners to realign the Maine pilotage statute and associated rules to better fit the current vessel operating picture for low volume waterways; particularly Boothbay Harbor. The licenses were required to accommodate several very large mega-yachts into the mid-coast area in Fiscal Year 2020.

The port will likely see more large yacht traffic during the Summer of 2021 and also received survey ship traffic during March of 2021 in support of the Aqua Ventus Offshore Wind prototype project led by the University of Maine.

#### **Technical Changes**

## Pilotage Rate Adjustments

The COVID-19 pandemic caused a distinct shift in vessel demographics in Fiscal Year 2021. The resultant pandemic clearly caused a major shipping slow-down in deep draft traffic, including a painful 100% cancellation of all cruise ships nation-wide. The void was filled with a higher than usual number of mega-yachts visiting Maine during the summer of the 2020 pandemic.

The demographic change highlighted disparities and inconsistencies in rates for mega-yachts, particularly in how, when and where yachts operate, which is very different than their commercial shipping counterparts. Visiting yachts typically engage in sightseeing or other activities that require pilots to remain onboard while the vessel is underway which is not a normal pilotage function and requires much more time on-board each vessel. The Maine Pilotage Commission analyzed the disparities and pursued a rate adjustment to better align rates, especially, in the low volume areas in which mega-yacht operate.

The Commission held a public Pilot Rate Adjustment meeting on January 20, 2021 (virtually via Zoom) to openly discuss potential adjustments to Maine pilotage rates. The proposed rate adjustment sought to level the rate structure, so it is more consistent. The public meeting yielded one verbal and one written comment presented during the January 20, 2021 meeting but the comments were not adverse and did not object to the proposed rate adjustment. No other comments were received during the post meeting 30 day comment period.

The rates, as proposed during the January 20, 2021 public meeting became active and applicable on February 20, 2021 and were subsequently posted on the Maine Pilotage Commission website (<a href="www.mainepilotage.com">www.mainepilotage.com</a>).

The following is a summary of the rate modifications:

- The Commission authorized an increase in the Training, Technology & Capital Construction fee (TT&CC fee) from \$125 to \$200 to be applied on the inbound trip only for the Penobscot Bay and River Pilots Association operations.
- Rates for Penobscot Bay and River ports (excepting Camden and Rockland) shall remain as currently approved, except for the increased TT & CC fee.
- Bar Harbor rates shall remain as currently approved, except for the increased TT & CC fee.
- The Commission separated Somes Sound/Eastern Way and Blue Hill Bay from Bar Harbor on the rate schedule.
- The Commission separated Boothbay Harbor from the Kennebec and Sheepscot Rivers on the rate schedule.
- The Commission eliminated the boat hire fee for Boothbay Harbor.

- The Commission authorized the consolidation of Boothbay Harbor, Blue Hill Bay, Eastern Way/Somes Sound and Camden/Rockland into a common rate as follows:
  - Minimum fee for first 100 pilot units: \$1,800.
  - Pilot Unit fee above 100: as per published rate for Searsport.
  - For shifting within the above-named pilotage zones: 50% of the inbound rate.
- The Commission authorized an hourly rate of \$500 per hour for "pilots aboard while not engaged in expedient transit of a route."
- The Commission authorized the adjustment of the Kennebec River rate from \$8.24 to \$11.99 per Pilotage Unit and also increase the minimum Pilotage Units from 100 to 150 for the Kennebec River.

#### Recommendations per 38 MRS § 90-B

#### **Commission Recommendations**

#### Enforcement -

The Maine Pilotage Commission seeks the Department of Transportation's support in a partnership with an appropriate marine enforcement agency to aid in the enforcement of pilotage laws. While not typical, periodically, vessels may either intentionally or unintentionally violate Maine pilotage requirements putting lives, property and the environment at risk.

While the Maine Pilotage Commission prefers to compel compliance through education, this more passive method is sometimes insufficient as some violators require stronger enforcement options.

Although the Maine Pilotage Commission is not authorized any enforcement powers, Maine Revised Statute provides numerous monetary penalties designed to compel compliance with Maine pilotage requirements. The Commission needs support to ensure monetary penalties are effectively enforced.

• **Title 38 Maine Revised Statute 86** - "Vessels Required to take a Pilot" Civil Penalty of \$15,000 per day for failing to take a pilot as required by Maine pilotage laws.

# Mission Statement

It is declared to be the intent of the Maine Pilotage Commission to provide a system of state pilotage that:

- offers maximum safety from the dangers of navigation for vessels entering or leaving the waters of the State of Maine,
- is devoted to the safety of vessels, crew, and cargo, and the continuing protection of the environment, and vessels,
- provides high standards for proficiency,
- enhances commerce and navigation, and
- educates the public about the role of pilotage.

# Maine Pilotage Commission

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