

NAVIGATION SAFETY ADVISORY COUNCIL (NAVSAC)

TASK STATEMENT

Task # 09-04

I. TASK TITLE

AIS Class B carriage

II. BACKGROUND

On December 16th, 2008 (73 FR 78295), the Coast Guard published and solicited comments on a proposed rule (NPRM) that would expand the applicability of AIS Class A requirements beyond Vessel Traffic Service areas to all U.S. navigable waters, require AIS carriage by most commercial vessel, and, clarify AIS operating requirements.

Parallel to this rulemaking and through the diligent work of various standards bodies, there are now two classes of AIS devices—AIS Class A & B. AIS Class B devices differ slightly in features and nature of design than Class B, which reduces their cost (on average half the cost of the current AIS Class A devices) but also impacts their performance. They report at a fixed rate (30 seconds) versus the AIS Class A variable rate (2-10 seconds dependent on speed and course change). They consume less power but also report at lower power (2 watts versus 12 watts of AIS Class A), thus impacting their broadcast range. Despite these design limitations, AIS Class B devices offer similar AIS benefits. They broadcast and receive virtually the same vessel identification and information. They have the same ability to see targets that radar may not always show (around the bend, in sea clutter, or during foul weather). For these reasons and after conducting our own AIS Class B testing, we have concluded that AIS Class B devices would enhance navigation safety and assist in collision avoidance as do Class A devices. Therefore, the NPRM acknowledges them and permits their use, however, it cautions users (via a note in rule) that they may not be the best alternative for vessels that are highly maneuverable, travel at high speed, or routinely transit congested waters.

Notwithstanding, the NPRM also sought comment on whether AIS Class B devices should be specifically limited to certain vessels or waterways, or whether this decision should be best left to the master or owner's discretion. Overwhelming comments received were pro-AIS Class B, but, many commenters requested that we provide specific regulatory language on there usage.

III. PROBLEM STATEMENT

Should the use AIS Class B be spelled out in regulation or be left to the discretion of the owner/master of the vessel.

IV. TASK

- Review AIS-Notice of Arrival and Departure (NOAD) NPRM, pertinent comments posted to the NOAD-AIS rulemaking docket and attached AIS Class A & B comparison.
- Provide a recommendation to the Coast Guard on whether the use of AIS Class B devices should be prescribed or at the discretion of the owner/master.

IV. ESTIMATED TIME TO COMPLETE TASK

This meeting.

VI. COAST GUARD TECHNICAL REPRESENTATIVE

Jorge Arroyo (CG-5413); 202-372-1563; Jorge.Arroyo@uscg.mil

VII. NAVSAC CONTACT

Jorge Arroyo

AIS Comparison	Class A	Class B/CS
Transmit Power	12.5w / 2w (low-power)	2w
Reporting Rate	2 - 10 sec - speed and/or course dependent	30 sec. fixed
Communication Protocol	SO-TDMA Self-Organizing amongst Class A's	CS-TDMA Carrier-Sense(s), polite to Class A's
Frequency Range & Bandwidth	156.025 - 162.025 MHz @ 12/25 kHz DSC Required	161.500 - 162.025 MHz @ 25 kHz DSC & 12.5 kHz Optional
Position Source	External GNSS & Internal GPS	Internal GPS
Digital Interfaces	2 Input-Output Ports & Multiple Outputs	Optional
Display	Multiple Keyboard Display (MKD)	Optional
Safety Text Messaging	Receive & Transmit	Transmit Optional & Pre-configured
Data	All	No Rate of Turn, Navigation Status, Destination, ETA, Draft, IMO#
CG Type-Approvals	22 Models - 16 Manufacturers	8 Models - 8 Manufacturers
Approximate Cost	\$2,800 - 4,000	\$700 - 1,500



Feet Traveled Per Knots @ Each AIS Reporting Rate

Kts>	1	2	3	4.5	10	13	14	22	23	24	30	65	Class
Rpt.													A
Rate													
in													
Sec.													



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1 U.S. DEPARTMENT OF HOMELAND
SECURITY
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3 UNITED STATES COAST GUARD
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5 NAVIGATION SAFETY ADVISORY COUNCIL
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13 MAY 20, 2009
14 8:30 a.m.
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16 HYATT REGENCY SAVANNAH ON THE
HISTORIC RIVERFRONT
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18 SAVANNAH, GEORGIA
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Transcript Prepared By:

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1 CAPTAIN MARKS: Good morning,
everybody.
2 Let's go ahead and get started. I'm
3 Captain Debra Marks and I'm trying to fill the big
4 shoes left behind by our effervescent Jeff Monroe.
5 Welcome everybody. Hope your travels
6 were great here. Thank you so much for coming.
7 There's water over there and the restrooms are on the
8 other side on this floor. So, we'll have to walk
9 around the atrium to get to the restrooms over there.
10 There's sign-in sheets in the back. So, would
11 everyone please sign in.
12 And also remember to mention your name
13 before you speak so that our secretary can get your
14 name right. And if you want it spelled right, be sure
15 to sign in also.
16 And before we do the introductions,
17 we're going to Mr. Mike Sollosi, our Executive
18 Director and Chief of Navigation Systems, is going to
19 swear in our new members so we can introduce them as
20 members.
21 DFO SOLLOSI: Thank you, Captain Marks
22 and good morning to all. Welcome to the sunny south.
23 I can't believe I got sunburned up north of here last
24 weekend, but it happened.

25 I would like to particularly welcome our
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1 new members Captain Chip Boothe, Mr. Wiswall,
2 Mr. Haupt, returning new member Beth Gedney and
3 another new member Mr. Donofrio who could not attend
4 here. But before we can proceed, I would like to
5 swear in all the new members so that you can be
6 properly addressed.
7 So, could you all please rise and repeat
8 after me.
9 (The new members were sworn in at this
10 time.)
11 DFO SOLLOSI: Thank you very much and
12 welcome aboard. You have your copy of the navigation
13 rules here courtesy of the Coast Guard. We can't
14 afford coffee but we can afford copies of the
15 navigation rules and we will present all those to you
16 individually. Beth, you get one even though I hope
17 you still have your last one from when you were here
18 before.
19 MS. GEDNEY: It might be out of date.
20 CAPTAIN MARKS: Yeah, it is.
21 DFO SOLLOSI: We have the addenda --
22 MS. GEDNEY: Okay.
23 DFO SOLLOSI: -- included in there.
24 Before we begin, I'd also like to
25 recognize that Mr. J.J. Marie from Zodiac Marine is
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1 also with us. He is a member of the Boating Safety
2 Council and has been appointed by that committee as
3 the liaison to NAVSAC to serve. Thank you very much
4 for joining us and welcome aboard to you as well. We
5 look forward to your participation and thank you for
6 joining us.
7 Also with us from Canadian Coast Guard
8 is Mr. Rob Turner. Rob, thank you also for joining
9 us. It's good to see you here as well.
10 Well, a lot of has happened since our
11 last meeting and we have an active agenda for this
12 week, the next two days ahead. So, I'm not going to
13 take up a whole lot of time. But I would like to
14 specifically mention how good it was to see Maersk
15 Alabama come home. Jerry, I know you probably had
16 some anxious moments while that was going on. But
17 that sure certainly ended well. But that situation in
18 that area of the world is not over and I don't think
19 it's going to be over for a long time. So, it's
20 something that we always have to keep in the back of
21 our minds.
22 Also, I'd like to note that a lot of
23 mariners are getting their new book, looks like a
24 Chinese passport, red and gold. But particularly note
25 that Jessica Dennis got book No. 1 delivered by
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1 Captain Marks, delivered personally by Dave Stauffer
2 of Marine Safety. Congratulations. No. 1.
3 MS. DENNIS: Thank you.
4 DFO SOLLOSI: You can sell it on EBay

5 some day. The cab driver that brought me here from
6 the airport was a laid-off worker from the Port. He
7 said traffic is down 31 percent in the Port of
8 Savannah and people are being laid off all over the
9 place.

10 And, so, a lot of the predictions that
11 we based our decisions on a few years ago have seemed
12 not to come true in terms of traffic volume and
13 increasing shipping, etcetera. But I think the
14 economy is in a lull, not a recession, and things
15 should turn around. But that said, we still have to
16 keep navigation safety issues prominent, whatever the
17 cost.

18 And the Coast Guard reorganization is
19 proceeding along in response to economic situations
20 and new budgets and growing responsibilities,
21 etcetera. One thing that you might have noted in the
22 President's budget submission was that Mr. Obama and
23 the Administration have proposed to terminate LORAN
24 C,
25 and that is keeping us very busy. And though despite
the recommendations of this Council that LORAN C be
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1 retained, actually the eLORAN is being pursued. But
2 that is keeping us quite busy in the navigation world,
3 in headquarters.

4 Also, the government's stimulus package
5 has poured money into the bridge administration part
6 of the Coast Guard. A lot of people don't even
7 realize it. The Coast Guard is responsible for
8 certain bridges over navigable waters. They went from
9 managing the budget of about nine or ten million
10 dollars a year to something over 400 million dollars a
11 year. And, so, money is being poured into bridges.
12 And that's going to have an impact on navigation in a
13 lot of places around the country. And that's just
14 another outgrowth of the stimulation package.

15 Icebreakers is another thing in the
16 stimulation package. We made a resolution to the
17 subcommittee about Arctic development and money to
18 build and deploy new icebreakers, not only for high
19 latitudes, but also for the Great Lakes. There's a
20 huge, occupying a huge part of the Coast Guard's time.
21 And ice navigation for the first time is being
22 considered charting in the north ice navigation in the
23 high latitude. All those things are being considered.
24 And those are impacts of some of the resolutions that
25 came out of this committee and some of the things that
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1 we had addressed.

2 I don't want to take up too much more of
3 the time. I would like to again welcome you for
4 joining us and turn it back, with that, turn it back
5 over to our chairman, Captain Marks. Thank you.

6 CAPTAIN MARKS: Let's go around the room
7 and do introductions. If you could state your name
8 and very briefly what you do and where you're from.
9 Danny, would you like to start.

10 CAPTAIN PHILLIPS: Danny Phillips,
11 American Commercial Lines. I'm a lead facilitator for

12 vessel simulation. Also have a group of cadets that
13 I'm in charge of.

14 MR. HAUPT: I'm Karl Haupt from Texas
15 A&M University, and I've been teaching there since
16 '96. Teach GMDSS, celestial navigation and liquefied
17 gases. I was captain of the training ship for four
18 years and commandant. I also have a Deep-Sea Masters
19 license on my fifth retake. And just staying active
20 in Galveston.

21 MS. GEDNEY: Beth Gedney. I'm the
22 Director of Safety and Security for the Passenger
23 Vessel Association in Alexandria, Virginia. When I
24 was on the committee previously, I was vice --
25 operating a high-speed ferry in Seattle, Washington,
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1 from Seattle to B.C. Canada. And in my spare time, I
2 also am Vice-Chair of the Merchant Personnel Advisory
3 Committee.

4 MR. PASCOE: I'm Tom Pascoe from
5 Sandusky, Ohio. I'm Chairman of the Waterway Safety
6 Council for the Department of Natural Resources
7 Division of Watercraft.

8 MR. ALLEN: Craig Allen from the
9 University of Washington - Seattle.

10 CAPTAIN CRAWFORD: John Crawford from
11 Crawford Nautical School in Seattle.

12 CAPTAIN SHEEHAN: Clarke Sheehan. I
13 teach shiphandling and bridge research management at
14 MITAGS just west of Syracuse, New York.

15 CAPTAIN SHEEN: Bob Sheen,
16 Vice-President, Operations Ocean Ship Holdings, ship
17 operator. We're headquartered in Houston.

18 MS. KORWATCH: Lynn Korwatch with the
19 San Francisco Marine Exchange. And we are pleased
20 that we are celebrating our 160th anniversary this
21 year providing service to our marine stakeholders.

22 CAPTAIN MARKS: Debra Marks. I'm from
23 San Diego. I was Chair at the San Diego Harbor Safety
24 Committee for more years than I care to admit. And I
25 instruct new yacht owners.

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1 MR. BOBB: John Bobb, Coast Guard. I'm
2 the Assistant Designated Federal Officer for ADFO.

3 COMMANDER STOCKLIN: I'm Commander
4 Bo Stocklin, Coast Guard, and I'm the assistant to the
5 assistant designated. I'm also part of the logistics
6 team. So, please let me know if you need any help
7 with anything.

8 CAPTAIN EKER: My name is Jerry Eker.
9 I'm with Maersk Line Limited. I'm the Director of the
10 Liner Vessel Business Unit. And I appreciate your
11 comments on the Maersk Alabama, the challenge out
12 there. So we appreciate your support. Thank you.

13 CAPTAIN MORRIS: Mike Morris, with the
14 Houston Pilots.

15 CAPTAIN ROBSON: Cynthia Robson,
16 Professor of Nautical Science at the U.S. Merchant
17 Marine Academy. I teach shiphandling, seamanship,
18 navigation, SOLAS, etcetera.

19 MS. DENNIS: Jessica Dennis, Hornbeck

20 Offshore. I am the Regulatory Compliance Manager
and

21 Company Security Officer.

22 MR. FERRING: Ted Ferring, U.S. Coast
23 Guard. I am another assistant to the assistant.

24 MR. WISWALL: Frank Wiswall. I'm a
25 former chairman of the Legal Committee of IMO in
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1 London. And since then and presently vice-president
2 of the Comite Maritime Internacional, which is the
3 international parent of 58 national maritime law
4 associations.

5 CAPTAIN RICHARD: Alan Richard. I am
6 Assistant General Counsel with the Florida Fish &
7 Wildlife Conservation Commission. I do most of the
8 bill drafting and rulemaking dealing with boating
9 safety, reef protection. You name it, it probably
10 crosses my desk.

11 I teach boating accident investigation
12 and reconstruction and boating law to law enforcement
13 officers, prosecutors and judges. I'm also an adjunct
14 professor teaching admiralty at the Florida State
15 University College of law.

16 MR. BOOTHE: Chip Boothe. I'm with the
17 Washington Department of Ecology. I head up the
18 prevention section which basically is a group of
19 vessel inspectors and facility inspectors for the
20 state of Washington.

21 MR. MARIE: J.J. Marie, BSAC liaison. I
22 retired a couple of months ago as president of Zodiac
23 after 25 years. Started my life in French merchant
24 marine, followed by the Navy. I have some background
25 on most of boating side. Then the other side which
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1 is, I guess, why I got volunteered to come here.

2 And I'm also on the Baltimore Maritime
3 Area Security Committee. And I'm also quite involved
4 as the special operations community.

5 CAPTAIN MARKS: Jorge.

6 MR. ARROYO: Jorge Arroyo. Coast Guard
7 Headquarters, Electronic Navigation Division.

8 MR. DIAMOND: Clay Diamond. I'm the
9 deputy director and council for the American Pilots
10 Association, and also a retired Coast Guard officer.

11 MR. VONWOLSKE: Jim Vonwolske. I'm
from

12 Texas. I don't have any affiliation. I'm a retired
13 engineer and I'm advocating in conjunction with
14 Alfonso Campos for a revised or an improved
navigation

15 lighting system for recreational boats. We were at
16 the prior meeting but some of you weren't there, and
17 we have the same material to present this time. Thank
18 you.

19 MS. JAGER: Mary Jager. I'm with the
20 Coast Guard Office of Performance Management and
21 Assessment.

22 MR. TURNER: Good morning. My name is
23 Robert Turner. I'm with the Canadian Federal
24 Department Transport Canada with the Marine Safety

25 branch where I'm the manager of navigation safety and
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1 radio communications. So, Transport Canada is the
2 regulatory arm for safe shipping and environmental
3 protection.

4 MR. LARSON: Good morning. My name is
5 Jim Larson with the Coast Guard Office of Shore Forces
6 and Vessel Traffic Services.

7 MR. CAMPOS: Alfonso Campos, Chief of
8 Marine Enforcement, Texas Parks & Wildlife.

9 MR. DETWEILER: George Detweiler, Coast
10 Guard waterways manager, headquarters.

11 CAPTAIN MARKS: Okay. Thank you
12 everyone for coming. We appreciate you being here and
13 it sounds like we have all the expertise we need in
14 the room to accomplish our tasks.

15 Let's see. Just briefly, I was going to
16 go over a few of our accomplishments from the last
17 meeting as far as our resolutions. And in going back
18 just a little bit further because so much work was put
19 into it, I'd like to mention all the work that was
20 done on the rules of the road by Craig Allen and
21 John and Alan and many others. They took all the
22 resolutions and recommendations of NAVSAC since
1990
23 and they went through and compiled all those. And it
24 was a lot of work and we appreciate their efforts in
25 that.

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1 And the rules of the road are going from
2 statutory to codified. And then the recommendations
3 that we had will be going into a notice of proposed
4 rulemaking and, so, the changes will come in after the
5 codification of the rules of the road.

6 And we discussed Arctic navigation
7 issues at the last meeting, and the committee came up
8 with some items to consider for navigating safely up
9 there. A lot of unknowns, but did a good job going
10 over that.

11 And, also, we had a working group worked
12 on the offshore renewable energy installations. And
13 that was a pretty big project. So, that one's still
14 in the works for this meeting. And with oil prices
15 skyrocketing and Congress looking to ban on new
16 offshore oil exploration, we looked at shipping safety
17 fairways in the Gulf since there are so many leases
18 out there and making sure that vessels can approach
19 port in a prudent manner.

20 And then we looked at underwater
21 unmanned vessels and unmanned surface vessels after a
22 presentation by the Navy on some of their developments
23 on that. And that's it.

24 And then adopting the agenda. Did you
25 want to go over the changes there?

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1 DFO SOLLOSI: Yes. Thank you. We do
2 have one minor change in the agenda and I can give you
3 that before we propose to adopt the agenda.

4 Under presentations, we have added a
5 fifth presentation on the Coast Guard's waterways

6 management performance plan. Mary Jager, previously
7 introduced from the Coast Guard, will make that
8 presentation. And we are not going to bring that up
9 under new business at the end of the day tomorrow.

10 That's the only change to the agenda.
11 And if we can adopt the agenda, I can bring everybody
12 up-to-date next on all the resolutions that were
13 submitted at the last meeting and what action was
14 taken on those.

15 CAPTAIN MARKS: Is there a motion to
16 adopt the agenda with the change mentioned?

17 CAPTAIN RICHARD: So moved.

18 CAPTAIN MARKS: Second?

19 MR. PASCOE: Second.

20 CAPTAIN MARKS: All those in favor?
21 (All said aye.)

22 CAPTAIN MARKS: Motion carries.

23 DFO SOLLOSI: The Chair recently just
24 briefly reiterated all the tasks that the committee
25 addressed last week and I can bring you up-to-date on
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1 the status of all those

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11 DFO SOLLOSI: Thank you. Our next
12 presentation will be from Jorge Arroyo from the
13 E-Navigation Division in the office of Navigation
14 Systems at headquarters. Many of you know Jorge. He
15 is our automatic identification system expert, the
16 technical manager, project manager for the AIS
17 regulatory effort to expand AIS coverage. He's, in
18 the interest of full disclosure, Jorge is also an
19 attorney but he's also a sailor.

20 MR. ARROYO: Was that necessary?

21 DFO SOLLOSI: He's sailed the seven
22 seas. He has sailed all the world seas and has set
23 foot on every continent. Gone ashore on every
24 continent, I should say. So, please, Jorge, will you
25 step up to the podium.
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1 MR. ARROYO: Every continent and no
2 jails in any of those continents. Thanks, Mike.

3 Madam Chairman, members, new members,
4 welcome aboard. Pleasure to be with you here this
5 morning. I'm going to give you a brief update -- next
6 slide -- on the AIS rulemaking. I'm pleased to say
7 the AIS rulemaking was finally published in December
8 of last year during your last meeting, which I was
9 unable to attend.

10 For old members here, you've been
11 probably been seeing this slide now for five years. A
12 brief recap to the new members. The AIS rulemaking,
13 which is in Title 33 Code of Federal Regulations
14 Section 164-4-6 was first published in October of
15 2003, which spells out the current AIS requirements.
16

Back in that time frame, we also had a

17 request for comments regarding expansion of the AIS
18 rules. We conducted three public meetings during that
19 comment phase. And then in October 2005, and shortly
20 thereafter, here I notified all that we were going to
21 expand our AIS requirements to all waters.

22 And on December 18th of last year, we
23 finally published that proposed rule. In essence,
24 that rule does what we told you we were planning on
25 doing which is to expand AIS carriage to all
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1 self-propelled commercial vessels over 65 feet. No
2 exclusions this time. There's a current exclusion now
3 for fishing vessels and small passenger vessels. And
4 we're expanding that to all navigable waters so it
5 applies to outside of VTS areas, which is where the
6 current rules apply now.

7 The towing vessels over 26 feet and 600
8 horsepower remains the same. But once again, we
9 expand to all navigable waters. And then we changed
10 the passenger threshold, which currently is 150
11 passengers or more for hire, to a 50-passenger
12 threshold. And then add three additional classes of
13 vessels to those requirements; high-speed passenger
14 vessels carrying 12 or more passengers; certain
15 dredges or floating plants that operate near channels
16 or fairways; and any vessel that moves certain
17 dangerous cargo.

18 As you can see from the breakdown there,
19 this potentially could affect over 17,000 vessels over
20 14,000 small businesses and have a general breakdown
21 of the vessels that are impacted. Next slide.

22 In addition to expanding the
23 applicability in our proposed rule does some
24 operational changes to the requirement. In essence,
25 it spells out further operating requirements that the
0065

1 current rules do not. Primarily, it spells out what
2 effective operating conditions being which now
3 includes the ability to re-initialize the AIS.

4 What this means is that you have to have
5 the password, knowledge of the password should you use
6 any of the information in the static information in
7 the AIS or lose power to the AIS. There's a password
8 that's required to re-initialize and reboot the system
9 with the static information.

10 Also, you're going to have to know where
11 the power is to the AIS. Class AIS does not have an
12 on/off situation because they're designed to be on at
13 all times. So, it means that they have to be
14 connected to some power source. And if you turn off
15 that power source, you have to -- we want you to know
16 how to turn it back on, which was a problem with some
17 of the vessels coming into the United States that AIS
18 was off. They didn't know how to turn it on because
19 nobody told them where the power switch was or where
20 the circuit breaker was to turn that on. Well, now
21 that's a requirement that you know how to go ahead and
22 do that.

23 The AIS information has to be available
24 at the counting position on board the vessel. You

25 can't just install the AIS and put it back in your
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1 chart room and ignore it. We want you to go ahead and
2 have access to that information and we want you also
3 to make a watch on that.

4 You have to have an official MMSI. The
5 MMSI is a maritime mobile service identity which is
6 the nine-digit telephone number that uniquely
7 identifies each AIS. That's critical to the operation
8 of the AIS because it's what makes it unique with all
9 the other AIS systems that are out there. That number
10 has to be issued to you by the FCC or by your flag
11 state communication authority.

12 And you have to maintain it accurate,
13 input, upkeep and update it as necessary throughout
14 the life of the system. Next slide.

15 We also clearly spell out when an AIS
16 has to be on. The AIS has to be on at all times if
17 the vessel is underway, at anchor or moored in or near
18 a channel or fairway. We do allow exceptions, though.
19 We allow the master to be able to turn off the AIS
20 should its use compromise safety or security. If she,
21 if the vessel, if the vessel master decides to turn
22 off the AIS he has to go ahead and log that in the
23 official log and notify the Coast Guard that he's
24 doing so and then he must return it back to activation
25 as soon as the safety security situation has been

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1 mitigated. Next slide.

2 As I said before, AIS is to be used by
3 the person controlling the vessel who must maintain a
4 periodic watch. Because you have AIS, it does not
5 relieve you from all your other COLREG NAV rule
6 requirements and bridge-to-bridge telephone
7 requirements and we still expect you to do those as
8 required by those particular rulemakings.

9 AIS, for those who might not be
10 familiar, also allows you the ability to do text
11 messaging, a short safety-related text messaging. If
12 you do text messaging, that text messaging should be
13 in English and should only be related to the
14 navigation safety of the vessel.

15 And then there's also a U.S. requirement
16 regarding the pilot plug. The current requirement is
17 for vessels over 1600 gross tons to have a pilot plug
18 available for the pilot to be able to connect their
19 personal piloting unit to the system. We've expanded
20 that to all vessels subject to pilotage.

21 And then we also clearly define that
22 there should be an AC outlet that's no more than three
23 feet away from the plug so the pilot doesn't have to
24 go from one side of the bridge to the other side of
25 the bridge to hook up his personal piloting unit. So,

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1 that's clearly spelled out in the proposed rule. Next
2 slide.

3 As I said before, the regulation now
4 applies to all navigable waters. So, it extends
5 beyond VTS areas. No exceptions for the fishing
6 vessels and small passenger vessels. However, we do

7 allow for a ability for a vessel to request a yearly
8 deviation. However, we clearly spell out which
9 vessels will entertain on granting those yearly
10 deviations. It's to those vessels that solely operate
11 in very confined areas such as a ship fleeting area,
12 those that operate on shortly fixed schedules such as
13 river ferry bank service and any of those vessels not
14 likely to encounter other AIS users, say in remote
15 areas like Lake Tahoe or Snake River, things of that
16 nature. Next slide.

17 And then one other major change is, I've
18 spoken to you many times before, now with the advent
19 of the AIS Class B device which is a lower cost AIS
20 device, we allow their use to meet the requirements.
21 However, we do place a cautionary note within the
22 regulations that we do not recommend that Class B use
23 be used by highly maneuverable vessels, vessels that
24 navigate at a high speed or that routinely operate in
25 congested waters or likely to be in close encounter

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1 situations with other AIS users.

2 As I said before, this is clearly a
3 cautionary note. We're contemplating whether we
4 should make this a mandatory note. And we're
5 requesting comments on that, which I will talk about a
6 little bit later in the presentation. Next slide.

7 The rule was published on December 8th.
8 We had a 120-day comment period. Within that 120-day
9 comment period, we conducted two public meetings.

One
10 in Washington, D.C. on March 5th and one in Seattle on
11 March 25th. We had approximately over, a little bit
12 over 30 attendees at each of those meetings and about
13 11 to 12 commenters at each.

14 Regarding the docket, we had 80
15 commenters submit comments to the docket. 70 of them
16 were regarding AIS. One of the things that I state
17 here this rulemaking also deals with no arrivals and
18 departures. So, it was a joint rulemaking. So, we
19 have comments both for the notice of arrival and
20 departure section of the rulemaking and the AIS
21 section of the rulemaking. But as you can see, the
22 vast majority of commenters commented on the AIS
23 component to the rule. Next slide.

24 Some of the comments that were received,
25 a brief synopsis. Obviously, the number one comment

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1 for all regulatory rulemakings, economic burden. We
2 don't have the money to do this. We don't believe
3 that the cost is warranted for the benefit, etcetera,
4 etcetera. We see various comments in that regard. We
5 received some comments regarding our economical
6 regulatory analysis not capturing all the economic
7 impacts of the rulemaking and particularly not
8 capturing the electronic chart system requirement
9 which is a separate requirement which is not being
10 dealt with on this rulemaking. Beth's employer had a
11 heartache with that. So, provided comments on that.

12 We had the standard comments regarding
13 we don't need it. I've never been in a collision, so,

14 I don't see why I need it. Or I have a vessel
15 monitoring system with NOA for fisheries. You're
16 already tracking me. So, why do I need another box
17 for you to track me? The proverbial not here, not
18 needed, exempt my waterway because we don't have
19 any problems in my waterway.

20 Some general comments about it not
21 helping security. The only way it would help security
22 if all vessels had it. There was comments from the
23 GMDSS task force to up the horsepower on the tows to
24 1200 horsepower versus 600, and also to exempt assist
25 towers such as Sea Tow and to exempt passenger
vessels

0071
1 carrying less than 150 passengers.

2 There was a request for the waiver
3 provision to be either indefinite or beyond a one-year
4 period. Next slide.

5 Issues were brought forth to us
6 regarding the continuous operation of the unit,
7 particularly on an unmanned moored vessel, how that
8 would be problematic. Also issues requiring carriage
9 on floating plants or other vessels that lack power.

10 Most of the comments regarding the Class
11 B's were very favorable and they welcomed the lower
12 cost unit. However, there was some concerns that it
13 should only be limited to vessels that don't travel at
14 high speeds or further mandated with specific
15 provisions that we should come up with.

16 There was issues regarding having the
17 counting information available at the bridge from the
18 Class B's. The Class B's, which I'll go into later,
19 do not have the display option that the Class A's do.
20 There's concern about the sanctity of fishing areas
21 and that the AIS would attract more vessels to fishing
22 grounds. Major concern of the fishing fleets
23 obviously.

24 And there was concern about the
25 implementation period. The proposed rule has an
0072

1 implementation period of seven months after
2 publication for all vessels to be compliant with the
3 rules. There's various requests for us to extend that
4 implementation period from one to two years. Next
5 slide.

6 That was just a snapshot of some of the
7 major comments. It wasn't all the comments and we're
8 still going through the process of capturing all those
9 comments and adjudicating and moving forward with
10 drafting the final rule. For those that might be
11 interested in seeing all the comments that were posted
12 and reading the particular comments submissions, well,
13 we now have a new web site. I think I provided the
14 information on this last time I was here. But
15 regulations.gov is the new federal portal for all
16 federal rule making. And you can find our docket
17 there by either putting the docket number in, which
18 for this particular rulemaking is USCG 200528169 or
19 just putting an AISNOAD and the search box there and

20 it'll get you, next slide, to this docket here, which
21 has all the submissions. And you're able to download
22 those and plus the rulemaking itself and any
23 additional supplementary information that we have
24 posted on there, any presentations that are given
25 post-rulemaking were also posted on there. I've given
0073

1 presentations at RTCM, at TSAC and we have links to
2 those there. And then this presentation will also be
3 posted there as soon as I get back to the office.

4 I highlight one thing. On the upper
5 right-hand corner there where it says notifications,
6 on the top. Thanks, Bo. You can go ahead and click
7 that and it gives you the ability to sign up for
8 e-mail notifications. I highly encourage you to sign
9 up for e-mail notifications on this docket if you want
10 to be kept informed of any changes and any additions
11 that get added onto it. And once we publish the final
12 rule, you'll get a notification through that system
13 that we've gone ahead and done that. Next slide.

14 DFO SOLLOSI: Jorge, comment feature.
15 Did you want to --

16 MR. ARROYO: Oh, the -- next slide Bo.
17 The add comments feature is where you can add
comments
18 to a particular, one, to this rulemaking but you also
19 have the ability to comment on somebody else's
20 comments. So, we kind of created a blog system now
21 which has kind of taken us by a little -- the system
22 doesn't actually blog it like a normal blog would do.
23 Because when you click to comment on somebody else's
24 comments, it doesn't post your comments below his --
25 that person's comments. It just adds them
0074

1 successively to the list.

2 So, if you are commenting on somebody's
3 comments, please refer back to those comments so we
4 know who you're commenting back on. And I'm pleased
5 to say that various post commenters have given us some
6 good information that we might use in the drafting of
7 the final rule to go ahead and move forward.

8 Although the comment period is
9 technically closed for the rulemaking, this docket is
10 open and will remain open as long as we're continuing
11 to work on the rule. And you can still post comments
12 on the docket and we will review those comments.
13 However, I cannot promise you that all those comments
14 will be considered at the time that we go ahead and
15 move forward with the final rule. But please feel
16 free to comment on other people's comments to give us
17 information on what you feel on these things. And I
18 can assure you that we will review them and take that
19 information into consideration as best we can. But,
20 obviously, once the rulemaking has been drafted and
21 goes into clearance, we won't have the ability to go
22 ahead and reconsider those comments as we move
23 forward.

24 And that's the next phase of the
25 process. As I said, the regulatory team will start
0075

1 drafting the final rule here within -- actually
2 starting to do that now. Hopefully get that done
3 within the next 90 days, and then we will put that
4 draft into clearance internally within the
5 headquarters, which should take hopefully less than 60
6 days. And then it'll go to the department OMB for
7 final clearance which could take, if we want to use
8 this previous proposal, anywhere between
9 two-and-a-half years to three years, depending on
10 what's going on there at the department at OMB.

11 Hopefully we feel that this rulemaking
12 will go through much quicker now that we've gone
13 through the hurdle of the proposed rulemaking and
14 everybody understands the impacts. So, my guesstimate
15 is by end of this year, we will have the final rule
16 published and we'll be able to move forward with this
17 particular rulemaking.

18 And then we have a task statement, as I
19 mentioned to you before, regarding the uses of Class
20 B's, which I'll go ahead and discuss when we get to
21 that section of the agenda.

22 So, any comments at this stage? Sir?

23 MR. WISWALL: Question. The provision
24 which says that if the system is turned off, the
25 Masters will log that, and presumably when it comes
0076

1 back online, can we infer from that that you've
2 considered the situation in the Gulf of Aden, Horn of
3 Africa and determined that it's okay for Masters to
4 turn the AIS off to avoid stalking?

5 MR. ARROYO: We have considered that and
6 that's been -- that was part of the original
7 rulemaking. It's been written both in the IML
8 operating guidelines and within our own FAQ's on our
9 web site that Masters have always had the ability to
10 turn off their AIS had they felt compromised for
11 safety and security. And that was a change that was
12 done to the IMO operating guidelines in 2002. So,
13 that's --

14 MR. WISWALL: But that's been more
15 recently considered in light of the situation?

16 MR. ARROYO: Well, I can't specifically
17 tell you what everybody's doing out there. I know
18 that INTERTANKO put out guidance to their members
on
19 turning off AIS when they're in pirated waters. And
20 certain other companies have. It's a double-edged
21 sword in the sense that --

22 MR. WISWALL: It's highly controversial.

23 MR. ARROYO: Well, correct. I mean, we,
24 before we had the rash of latest incidents in the last
25 year, we had guidance put out for vessels to turn off
0077

1 their AIS when they're in the Gulf of Aden. And then
2 the American Consulate in Ecuador put out opposite
3 guidance requiring all vessels to have their AIS on.

4 It's a double-edged sword in the sense
5 that if all vessels have their AIS on, well, then,
6 those vessels who don't have the AIS you should
7 presume to be vessels of concern and you should go

8 ahead and do actions to avoid them considerably.

9 Now, if all vessels turn off their AIS,
10 well, then, everybody should be a suspect. And so
11 that you are whole level of stress, you know, gets
12 heightened. I personally lean towards everybody
13 should have their AIS on and if they don't, consider
14 them a hostile threat and act accordingly. But the
15 option's there for the master.

16 MR. WISWALL: But has it been more
17 recently considered in light of the situation?

18 MR. ARROYO: It has been more recently
19 considered. IMO has put out guidance and we have also
20 put out guidance in reiterating the master still has
21 the option of turn off their AIS.

22 CAPTAIN MORRIS: Three questions. You
23 were silent up there on your report about turning it
24 off at the dock. What's the Coast Guard's policy when
25 ships are berthed to always leave it on.

0078

1 MR. ARROYO: The current policy?

2 CAPTAIN MORRIS: Yeah. I mean, should
3 they be leaving it on? You mentioned at anchor --
4 well, for vessels at berth, is there a requirement to
5 leave AIS on or are we just silent in that regard?

6 MR. ARROYO: We're mixed.

7 CAPTAIN MORRIS: Okay.

8 MR. HAUPT: What's the purpose of having
9 it on?

10 MR. ARROYO: Well, there's two different
11 purposes in having it on. In confined waterways at
12 Houston-Galveston, they prefer to have it on so they
13 know what the vessel's doing and particularly when
14 they know when the vessel's departing the dock. In
15 more open waterways, it clutters the screen and people
16 don't want it.

17 The current guidance from IMO and the
18 operating guidelines is that it should be on at all
19 times when the vessel is underway and at anchor. So,
20 it doesn't address the mooring situation. Coast Guard
21 guidance is that we've issued guides that it should be
22 on moored, but we've been leaving it to the local
23 levels to go ahead and enforce whether or not it
24 should be actively on.

25 I know in Houston-Galveston, the VTS is
0079

1 enforcing it that it should be on. So, leave it on.

2 In other areas, we're just not actively enforcing
3 unless it becomes an issue that the pilots or the
4 locals tell us to go ahead and do that. But I know
5 specifically in Houston-Galveston, we are.

6 CAPTAIN MORRIS: I've got three
7 questions. Second question, have you ever considered
8 standards for AIS that is giving -- having a bad
9 positioning source? Is something that is, when we get
10 that occasional one that appears to be way out, you
11 know, it's at the dock, but it's actually a thousand
12 feet out into the channel. Is there anything that we
13 can do to say, hey, you've got a faulty system here?

14 MR. ARROYO: Well, I encourage everybody
15 to police everybody regarding AIS. So, I mean,

16 that's -- also in one of our FAQ's and one of our
17 advisories is if you come upon any other vessel who's
18 AIS data appears to be dubious, please call them and
19 tell them that, you know, we think that your AIS may
20 not be operating properly.

21 Now, what we have done on the standards
22 front is that we've updated the standards, the Class
23 B, and I'll talk a little bit more about this. Let me
24 hold onto that and I'll talk about this when I do the
25 task statement on the Class A, on the Class B because
0080

1 we'll talk about the Class A.

2 CAPTAIN MORRIS: And the final question,
3 I know you've heard this from our technology
4 committee, too, but certainly as pilots, we would love
5 to see that heading go out to at least tenths instead
6 of just one degree for rate of turn. But I would
7 think, and I'm just throwing this at a slightly
8 different angle, but I would think with the talk on
9 VTS's taking a more active role, that heading to the
10 tenth degree instead of just to the full degree would
11 give them much more accurate rate of turn indicator to
12 them as well is the reason we're asking for it.

13 So, there may be some synergy in trying
14 to promote that. I know you've been negative's not
15 probably the word, but you've been saying it's a tough
16 task to get that done.

17 MR. ARROYO: Well, impossible is not too
18 big of a word. But --

19 CAPTAIN MORRIS: Well, maybe negative's
20 the right word then.

21 MR. ARROYO: The issue is is that the
22 way the AIS broadcasts, what it does is it compiles
23 all that information and puts it into a data sentence.
24 All right? So, all these fields are enumerated for
25 specific amounts of space on that data sentence to go
0081

1 ahead and broadcast that out. And, so, since every
2 data element is enumerated, that's how the box is able
3 to decode that information and move it out.

4 To get to that extra tenth degree on the
5 heading would involve us changing that. So, if we
6 went ahead -- once again, I won't say that it's
7 impossible to do, because we can go ahead and do it.
8 However, what would happen is that all the Legacy
9 systems would not be able to read that message. So,
10 we would have two different classes of AIS that would
11 not be talk to each other.

12 CAPTAIN MORRIS: That would be more of a
13 software change than a hardware change; right?

14 MR. ARROYO: Correct.

15 CAPTAIN MORRIS: So, I mean --

16 MR. ARROYO: Right. Getting 60,000
17 worldwide to update their software is not an easy
18 task.

19 Okay. So, now, what we have been
20 working on and what we could possibly do is that the
21 AIS also allows the ability to create these binary
22 messages which we've talked to you about before, kind
23 of what we're doing with the met hydro information

24 from Tampa, is that there's an envelope that allows
25 you to send additional data through the box. And
0082

1 possibly what we could consider is having a U.S.
2 requirement for a binary application that puts out the
3 heading information to a tenth of a degree. That
4 would be a potential solution to go ahead and do that.
5 And then we only have to worry about software being
6 updated to those vessels that come to the United
7 States.

8 So, it's not completely off the table,
9 but it's something that is not going to be able to be
10 addressed on the international standard, but it's
11 something that maybe locally we've been working on.

12 CAPTAIN MORRIS: I just wanted to
13 certainly point out that the VTS's might appreciate
14 that added input as well.

15 MR. ARROYO: You know what? They would
16 greatly appreciate it if we even gave them the
17 heading, but we don't even give them the heading under
18 the current status. So, that's why you're not seeing
19 support from them on this argument because right now
20 the visual display that we give them doesn't provide
21 them heading information, which was one of the issues
22 of the Cosco Busan. And one of the things that we're
23 in the upgrade process to our VTS software is that we
24 are working on that to hopefully get that.

25 CAPTAIN MORRIS: I read that in that
0083

1 report or is that some had it and some didn't. But
2 you're saying no VTS's get that?

3 MR. ARROYO: They all have it to a
4 certain degree. However, it's not on the tag on their
5 visual display of when they're monitoring the traffic.
6 You have to delve into it to go ahead and get it.

7 CAPTAIN MORRIS: Okay. Thank you.

8 DFO SOLLOSI: Any other?

9 CAPTAIN KORWATCH: Could you elaborate
a
10 little bit more. You just made a reference to Tampa
11 and ports. You didn't say ports, but I'm saying
12 ports. Met information tying into AIS. Could you
13 give me a status on how that's going?

14 MR. ARROYO: The project is going
15 excellent. We're on our Version 2 of the trial
16 software, which has been working great.

17 Speaking of the APA technology group,
18 Jorge Viso, the chairman of that group, gave a
19 presentation last week at RTCM on that and everybody's
20 happy with it. We're now in the process of starting
21 to hopefully roll that out at all the other ports here
22 shortly. I think our next one in line is the Columbia
23 River because they're under the same software that
24 we're using in Tampa. So, the upgrade there will be
25 easy for them.

0084

1 What we're kind of working out with NOA,
2 too -- for those who are new to the group, as I said
3 before, AIS allows you that ability to send additional
4 data through the same communication channel. And

5 we're using that particular message to provide
6 realtime weather met/hydro information,
7 meteorological/hydrological information under the
8 NOAA's port systems, the physical oceanographic
9 realtime systems. And we're doing that currently in
10 Tampa.

11 So, all the NOAA sensors there feed into
12 a central location at NOAA that accumulates the data
13 and then we fetch that data off their sites and then
14 rebroadcast it out via our AIS network in realtime at
15 six-minute intervals. And then for those vessels that
16 have software updates, they're getting that
17 information directly on their electronic chart system
18 with this realtime, met/hydro information.

19 The goal of that project, as we continue
20 to move forward on this, is that we'll have the
21 ability to do that at all NOAA ports, locations,
22 hopefully from all NOAA weather sensors at some point
23 in time once our nationwide AIS network gets fully
24 implemented and we have transmit capability. And, so,
25 we will be transmitting that information directly from

0085
1 ports via AIS.

2 Now, obviously you'll have to get your
3 AIS box software updated for you to go ahead and read
4 that information, but we're also working with quite a
5 few of the large charting companies and they're doing
6 that on their own. And that will be made available to
7 you as you go ahead and get new upgraded electronic
8 chart software.

9 MR. ALLEN: Does that pass to the PPU
10 if the PPU is connected into the AIS?

11 MR. ARROYO: Yes. Well, once again, let
12 me clarify. Everything passes through everything.
13 AIS is just a modem. So, it's just communicating and
14 sending these data sentences back and forth to each
15 other. The question becomes do you have software on
16 your device to decode that data stream.

17 So, right now, the PPU's that the Tampa
18 pilots are using have been updated airing the supports
19 them to do the support system information.

20 But what we're doing as part of the
21 project is, you know, it's an open system. So, we
22 will define what our message is that provides out this
23 hydro information which, by the way, is also being
24 looked at internationally. So, we will have an
25 internationally adopted message for this dynamic

0086
1 met/hydro information. And, so, once we publish that,
2 then all the software companies are free to go ahead
3 and update their software to be able to read that.

4 So, it requires really nothing on the
5 AIS boxes. You don't have to do any changes to your
6 AIS box. But you will have to do some software
7 updates to whatever you're using to display
8 information from your AIS.

9 No more questions? All right. One
10 additional item that I'd like to give you an update on
11 here which I'd forgotten, didn't provide a slide. But
12 a couple of meetings back, I spoke about the AIS

13 search and rescue transmitter, the AIS SART, which was
14 going to be another acceptable SART as compared to
the
15 radar SART that you can have and use on board.

16 I'm pleased to say that we have finished
17 that standard. That standard is going through the
18 final approval phase which should be completed here
19 shortly. And we're going to have those AIS SART units
20 probably available by mid-summer.

21 And I'm very pleased to inform you that
22 in January of this year, we conducted some trials on
23 AIS SART's in Key West with various -- with four of
24 the major SART manufacturers, and did some C-130
25 trials on it. And from a one-watt SART on the water
0087

1 at one meter at ten height, we were able to receive
2 that AIS SART signal at 132 nautical miles from a
3 C-130 at 20,000 feet, which is about, I think we
4 received the radar SART at 22 miles.

5 And out of the water at just, holding
6 the SART on an Oscar on the water, I think at 5,000
7 feet, we were able to get it at 38 miles, while the
8 radar SART we didn't get until about six miles in.
9 So, we're very pleased with that unit. It's going to
10 save a lot of lives. It's cheaper than a radar SART.
11 And we expect to see a lot of improvement on search
12 and rescue once we start deploying that.

13 And, so, given the positive results we
14 had on that, now we're starting to look at developing
15 an AIS EPIRB, to go ahead and have a 406 beacon of
16 your standard EPIRB. And instead of having a 121.5
17 megahertz homing signal, we'll have an AIS device in
18 there that broadcasts the AIS information and make
19 that device even better.

20 So, we're very happy to report that.
21 And then I'll come back to you on the task statement
22 when we go to that section. Thank you, everyone.

23 CAPTAIN MARKS: Any other questions from
24 the council or the public?

25 CAPTAIN RICHARD: When you spoke of the
0088

1 high speed in there, is that over 30 knots?

2 MR. ARROYO: Yes.

3 CAPTAIN RICHARD: Is that only when
4 they're operating over 30 knots or is that with a
5 capacity to operate over 30 knots?

6 MR. ARROYO: Capacity.

7 CAPTAIN RICHARD: Okay.

8 MR. BOOTHE: Jorge, you mentioned the
9 VMS in the one slide. I know they use a different
10 broadcast system. I'm assuming that AIS would not
11 satisfy NOAA's requirements for VMS?

12 MR. ARROYO: You're asking the wrong
13 person.

14 MR. BOOTHE: Oh, okay. I know that was
15 always an issue with the fishing industry, so, I was
16 just curious whether we had overcome that impediment.

17 MR. ARROYO: No. The -- I guess let
18 me -- VMS, for those who are not familiar with the
19 vessel monitoring system that NOAA has in place which

20 is required on newer switcheries around the United
21 States, it's a system that operates on -- it's a
22 satellite-based system. It's a one-way system that
23 just reports back up through MR Sat and provides a
24 position back to NOAA and the Coast Guard. And we
have
25 that information. It's just a one-time, an hour type
0089

1 of broadcast with very limited polling capability.
2 And it's been in place for over a decade, and that's
3 the path that they went forward with prior to us
4 having AIS.
5 From a tracking component sense itself,
6 it's an effective system. However, it's a very costly
7 system because you still have to pay for those
8 communication costs. So, you not only have to
9 purchase the equipment and have the satellite terminal
10 on board, but then you have to pay the yearly
11 communication costs for running that system plus all
12 the other ancillaries for overhead for running the
13 system, as compared to the AIS, which is a one-time
14 cost and it's a free communication cost system.

15 Now, the major problem regarding both
16 systems is that, as I said, VMS is satellite based.
17 So, it has worldwide coverage, at least northern
18 hemisphere worldwide coverage; while AIS is
19 predominantly a VHS system line of sight, so, it's
20 only as good as your land receivers can get.

21 Now, as I informed, I think, the council
22 a year ago, we have been doing trials with AIS
23 reception from satellites, and that has proven to be
24 very, very positive.

25 Now, until we have a full constellation,
0090

1 you know, we're not getting the level of reporting
2 that may be required under NOAA. We have been
working
3 jointly with them. We were tasked by Congress to do a
4 study on the various pieces of equipment that the
5 fisheries industry has to have in support of very
6 strict mandates including this.

7 I think at some point in time in the
8 future, we will have an AIS-based VMS system that will
9 be much more economically beneficial to all parties,
10 but we're not there yet.

11 MR. BOOTHE: Okay. Just one follow-on
12 question to Len's comment related to ports. And I'm
13 assuming that you're talking about the AIS
14 infrastructure that you have that you're able to
15 rebroadcast ports. And you started to mention
16 Columbia River system.

17 What is the, I guess, broadcast range
18 for that or do you have -- where you have the
19 transmitter on the Columbia River?

20 MR. ARROYO: Oh, the VOLPE, the
21 Department of Transportation research and development
22 group, they have had a project with the Columbia River
23 pilots now going on for about eight years and we've
24 been supportive of that project and we've been working
25 with them. And we gave them permission two years ago

0091

1 now to put out bay stations. So, there's three
2 stations on the Columbia River broadcasting currently
3 now.

4 So, what we're going to do is provide
5 VOLPE with what we call the software fetcher that
6 takes the NOAA information and repackages that into
7 sentences that can be broadcasted out. We're just
8 going to give them that. So, it should be a matter --
9 it's my understanding it should probably be a matter
10 of this month or next month that we'll start be
11 broadcasting ports data.

12 But once again, if you don't have the
13 software updated, you're not going to be able to read
14 it. But the pilots, they're a closed, isolated group
15 that they can go ahead and update their software and
16 their packages. And we still have the ability to do
17 it. And as we move forward with the trial process,
18 which we hope to complete, I think, in May of this
19 year, then we'll stop all development on that message
20 and then we will broadcast it as being the message
21 that the United States will use for met/hydro. Then
22 all software companies will be free to go ahead and
23 update their software to go ahead and read that. And
24 we're going to see some other additional messages that
25 are coming forth that we're working on.

0092

1 The United States is doing quite a bit
2 of work on developing these binary messages. But also
3 internationally we're doing work on them. And there
4 is a correspondence group that's been dealing with
5 this that we've been actively participating in and we
6 will meet here in the last week of July at the IMO
7 Navigation Subcommittee meeting to discuss this; and
8 we'll come to hopefully some consensus at this meeting
9 on about four to five binary messages that we will
10 agree to internationally that will pretty much provide
11 all of the additional data that you might need that
12 we'll be able to provide to you with AIS.

13 So, within the next year or so, I think
14 you'll start seeing more use of those binaries,
15 particularly from us; but also you'll be seeing your
16 software automatically come updated to be able to read
17 those binaries as we move forward on this.

18 MR. BOOTHE: Thank you.

19 CAPTAIN MARKS: I think we have one more
20 question.

21 MS. JAGER: I think actually I'll wait
22 until the Class B.

23 MR. ARROYO: Yes. Thank you.

24 MR. DIAMOND: Just a couple of points.
25 One, on the regulations.gov. We think that was a big
0093

1 improvement. It's very helpful. You know, we've used
2 it.

3 Secondly, just wanted to compliment
4 Jorge because of his willingness to kind of engage and
5 respond on comments to the rulemaking informally.

6 MR. ARROYO: Clarifications.

7 MR. DIAMOND: Clarifications.

8 MR. ARROYO: Please. Please. Remember,
9 no jail, no time.

10 MR. DIAMOND: Along those lines, on your
11 presentation, I just wanted to ask for a clarification
12 on one of the points that we raised was on the pilot
13 port being located near a power source. And in your
14 presentation, it seemed clear that that meant within
15 three feet of a power receptacle. And, you know,
16 meaning fixed on the bulkhead or the deck or maybe
17 even the overhead conceivably.

18 But because we've had concern because
19 we've seen configurations where extension cords
20 running the length of the bridge or up from a ladder
21 well onto the bridge and it's both unreliable and
22 dangerous. I just wanted to clarify that your
23 interpretation about that it was a fixed receptacle,
24 not an extension cord of some sort.

25 MR. ARROYO: We will directly address
0094

1 that concern in the final report. I will promise you
2 that.

3 MR. DIAMOND: Thanks.

4 CAPTAIN MARKS: Thank you, Jorge.

5 MR. ARROYO: Thanks.

6 CAPTAIN MORRIS: I'm sorry, could I?

7 CAPTAIN MARKS: Sure.

8 CAPTAIN MORRIS: If that's going to be
9 addressed, an issue that I just saw recently come up,
10 and the power plug was probably within that one meter,
11 but it was on, the plug was on the bulkhead, or the
12 AIS plug was on the bulkhead. The power supply is
13 back on the console. So, you're blocking a walkway,
14 so, by doing that.

15 MR. ARROYO: Well, if I can ask -- well,
16 two issues. Madam Chairman, if the council would like
17 to take this as a tasker to give us further input on
18 that, we will welcome that.

19 And then I also encourage APA to give us
20 additional guidance on exactly how you want to go
21 ahead and do this and post it to the docket and we'll
22 deal with it there. But, no, good point, though,
23 Mike.

24 CAPTAIN MARKS: Okay. Next
25 presentation's on the Coast Guard's waterways

0095
1 management performance plan and Mary will be giving
2 that.

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*
*

0193
1 CAPTAIN MARKS: Okay. Thank you. Right
2 now we're going to introduce the four task statements
3 and introduce the Coast Guard person that will be
4 participating in that discussion and ask you to choose
5 one of those four groups to participate in so that we
6 can break up and work on addressing the individual
7 issues.

8 First one refers to task 09-03. That's

9 VTS communications procedures and authority.
10 Lieutenant Commander Larson briefly introduced the
11 subject this morning.

12 What we're asking of the committee is to
13 review vessel traffic services communications and make
14 sure that they're as efficient as they could be and
15 they're as easily understood as they should be,
16 particularly between the master and the pilot.

17 Also, discuss the vessel traffic
18 services procedures and authority. Most particular
19 exercise of that authority, that is, should the VTS be
20 more aggressive in insisting that vessels adhere to a
21 specific track or should they be more aggressive in
22 asserting themselves into navigation watch procedures
23 on the vessels, those types of issues.

24 Commander Larson will discuss them in
25 greater detail in the working group. So, that would
0194

1 be the first working group we break into.

2 The next one has to do with task 09-04.

3 Jorge Arroyo introduced that subject this morning.

4 What we're specifically asking for the council is your
5 recommendation on what vessels should or perhaps
6 should not be allowed to use Class B AIS. And we do
7 have a slide that we can show that will describe the
8 difference between Class A and Class B right now, if
9 you'd like to see that. Jorge, can you put that up?

10 CAPTAIN RICHARD: It's on page 72.

11 MR. ARROYO: It's in your materials with
12 the task statement. If I may, Madam Chairman, just
13 post it up there to see if anybody has any questions,
14 if they don't understand anything that's in that
15 particular table.

16 MR. BOOTHE: I think there's one error.
17 12-and-a-half.

18 MR. ARROYO: That's been corrected, yes.
19 Sorry. You got an old version. So, should pen the
20 correction there on the power levels for the Class A
21 is the 12-and-a-half two watts and the Class B is the
22 two watts.

23 And is everything else pretty much
24 self-explanatory? And then we'll talk more about this
25 whatever working group is going to be working on this
0195

1 task statement. Thank you.

2 CAPTAIN MARKS: Thank you, Jorge. This
3 task, we would expect a resolution to be completed at
4 the end of this session. It's not completely
5 necessary, but we would think that a resolution could
6 be arrived at by the end of this session. Not so much
7 on the first issue, but it would be nice if it is. If
8 not, there's no sense of urgency that a resolution on
9 VTS procedures and communications be completed at
10 this session.

11 Next task refers to Rule 9, narrow
12 channels. That's 09-05. This was not introduced
13 earlier this morning. What has brought this to the
14 attention of the council is that several Coast Guard
15 captains of the port or sector commanders are

16 declaring channels to be narrow channels so that Rule
17 9 can be enforced in that area. Essentially what it
18 is is an effort to exclude small vessels from a
19 channel that they've designated to be a narrow channel
20 so that only deep draft vessels can go in there. And
21 the purpose of it is enforcement of Rule 9.

22 Now, there's been concern raised
23 actually from within the Coast Guard that this is
24 inappropriate, and we would like to present this issue
25 to the council and ask for your considered opinion and
0196

1 expertise on the rules of the road to tell us what you
2 think about this. Because it's starting to
3 proliferate. Somebody got away with it in one port
4 and there's been a proposal to designate every channel
5 in New York harbor a narrow channel, even Sandy Hook
6 channel, which I think is 1500 yards wide or something
7 like that. We would like you -- yes.

8 MR. ALLEN: I'm just curious whether any
9 other IMO member state has designated narrow
channels.

10 DFO SOLLOSI: I can't say if anybody has
11 done that internally, but through the IMO process,
12 it's impossible. It's not an alternative available to
13 declare something to be a narrow channel. But I'll be
14 very surprised if somebody has done it internally as
15 well.

16 MR. BOOTHE: I'd make a comment about
17 captains of the port, but I won't.

18 CAPTAIN MARKS: Sector command. You
can
19 say sector commanders.

20 And, finally, the review of the OREI,
21 offshore renewable energy situation. George Detweiler
22 introduced that subject this morning. We would like a
23 working group to address that and further advise the
24 Coast Guard, as had already been started at the last
25 session, on how we might improve NVIC or what could
be
0197

1 done to NVIC from wind farms to all other forms of
2 offshore installations. That will be a -- Mr. George
3 Detweiler will participate in that.

4 So, Madam Chairman, those are the four
5 tasks.

6 DFO SOLLOSI: Maybe we'll start with the
7 OREI one because I know there was a working group
that

8 was working on that last time and it was sort of in
9 the process. Anyone that was working on that before,
10 do you want to continue with where you left off that
11 same group? And I don't remember who it was. Does
12 somebody want to look at something different?

13 CAPTAIN ROBSON: Arctic navigation.

14 DFO SOLLOSI: Okay. I think we can just
15 go around the room.

16 MR. DETWEILER: Madam Chairman, if I can
17 interject real quickly.

18 DFO SOLLOSI: Sure.

19 MR. DETWEILER: As I said earlier this

20 morning, the OREI/NVIC one was placed on the docket,
I
21 think, perception may be that we were going to make
22 some changes to it. I don't know that it's that heavy
23 of a lift.

24 So, perhaps maybe the same committee
25 that might want to do Rule 9 might be willing to look
0198

1 at it. I have a draft of an updated version. That's
2 all really I foresee of the task is look at it. It
3 could wait. If it doesn't happen, I don't think it's
4 going to be the end of the world.

5 It's just that you guys were so great on
6 the first go-round of the first OREI. We gave you the
7 draft, if you remember those that were here, and you
8 really looked at it and you tried to identify all the
9 things that you thought were important to be
10 considered. And most of it's there. We've just kind
11 of tweaked it.

12 So that might just be an informal
13 suggestion from me, if it makes it easier for the
14 committees to be created and for the other work to get
15 done. That's all.

16 DFO SOLLOSI: Okay. Maybe we can
17 combine the OREI one with the Rule 9 one.

18 MR. DETWEILER: Because I'm probably on
19 the Rule 9 one as well.

20 DFO SOLLOSI: You didn't want to split
21 yourself in half.

22 MR. DETWEILER: I've done it before but
23 it would be better.

24 DFO SOLLOSI: Okay. I'll just start at
25 the top then. VTS. And I guess we'll go around. You
0199

1 can say which one you want to be on.

2 Dan, you want to start what's your
3 choice of committee?

4 CAPTAIN PHILLIPS: Rule 9/OREI, I think.

5 DFO SOLLOSI: Okay.

6 MR. HAUPT: I'll do the AIS.

7 DFO SOLLOSI: Okay.

8 MS. GEDNEY: AIS. Do I have to recuse
9 myself?

10 MR. ALLEN: Rule 9.

11 CAPTAIN CRAWFORD: VTS.

12 CAPTAIN SHEEHAN: VTS.

13 CAPTAIN SHEEN: VTS.

14 CAPTAIN KORWATCH: VTS.

15 CAPTAIN EKER: VTS.

16 CAPTAIN MORRIS: VTS.

17 DFO SOLLOSI: We can't all be on one.

18 CAPTAIN ROBSON: Rule 9.

19 MS. DENNIS: AIS.

20 MR. WISWALL: Rule 9.

21 CAPTAIN RICHARD: Rule 9.

22 MR. BOOTHE: I'm flexible. I will be on
23 anything. Obviously, VTS was my choice, but there's
24 too many already on that one.

25 DFO SOLLOSI: I guess AIS is the one
0200

1 we're short on.
2 MR. BOOTHE: AIS.
3 DFO SOLLOSI: All right. Thanks. Okay.
4 MR. MARIE: Rule 9, if I may.
5 DFO SOLLOSI: Okay.
6 MR. MARIE: I don't think VTS is an
7 option for BSAC at this point.
8 CAPTAIN MARKS: Good point. Okay. I
9 guess we can kind of split up, move around the room
10 starting with maybe, I guess, VTS down towards that
11 end.

12 (Whereupon, a recess transpired at 2:49 p.m.)

13 (The meeting was concluded at 4:50 p.m.)

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0202

1 U.S. DEPARTMENT OF HOMELAND
SECURITY

2

3 UNITED STATES COAST GUARD

4

5 NAVIGATION SAFETY ADVISORY COUNCIL

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9

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MAY 21, 2009

14

8:30 a.m.

15

HYATT REGENCY SAVANNAH ON THE
HISTORIC RIVERFRONT

16

SAVANNAH, GEORGIA

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0203

1 CAPTAIN MARKS: Let's go ahead and get
2 started. Good morning, everybody. I'm
3 Captain Debra Marks and let's go around the room
4 quickly and do introductions again. Danny, would you
5 like to start

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13 CAPTAIN MARKS: Any further discussion
14 on that?

15 We're onto our last group already? Good
16 job. AIS group. Is Beth back yet?

17 MS. GEDNEY: I am. We didn't use all
18 those pretty flowery words that you all used in yours.
19 We're short and to the point here. We were determined
20 at what point a vessel would be approved to use Class
21 B AIS in lieu of a Class A AIS. So, we did not touch

22 on the already existing provisions for exemption that
23 are in the proposed Rule already. We tried to narrow
24 ourselves to those vessels that we believed when the
25 Rule is finalized will definitely be subject to AIS

0250

1 carriage requirements. So, this is what we came up
2 with.

3 CAPTAIN MARKS: Okay. NAVSAC
recommends

4 that all vessels subject to AIS carriage requirements
5 as defined in the proposed rule.

6 CAPTAIN KORWATCH: Is that requirements?

7 CAPTAIN MARKS: Subject to carriage
8 requirements as defined in the proposed rule,
9 transiting at under 14 knots, and all vessels between
10 14 knots and 23 --

11 MS. GEDNEY: Knots.

12 CAPTAIN MARKS: Knots in non-congested
13 waters may install and use a Class B AIS unit.
14 Additionally, NAVSAC recommends that all
commercial

15 vessels that are transiting at a speed in excess of 24
16 knots should have a class A AIS. All others should
17 install Class A, but can request permission to install
18 Class B based on operating parameters. Any vessel may
19 install a class A at their discretion.

20 John.

21 CAPTAIN CRAWFORD: In the first part
22 there, I didn't really read through this, but all
23 vessels have -- you talk about all vessels between
24 transiting at under 14 knots. But I'm just trying
25 to --

0251

1 CAPTAIN ROBSON: All vessels transiting
2 between.

3 CAPTAIN CRAWFORD: Later on you talk
4 about commercial vessels. Is that as opposed to
5 vessels subject to AIS? Is that different? I just
6 don't know.

7 MS. GEDNEY: No. Only commercial
8 vessels are subject to the AIS carriage requirements.

9 CAPTAIN MARKS: Chip.

10 MR. BOOTHE: John, I think the
11 distinction is the additional vessels in excess of 24
12 knots is not currently in the list of vessels subject
13 to the AIS proposed rule.

14 CAPTAIN CRAWFORD: Oh, okay.

15 MR. BOOTHE: So, it's another --

16 CAPTAIN CRAWFORD: That's an additional
17 thing.

18 MR. BOOTHE: That's an additional. And
19 probably what should be reflected here, it would
20 actually change that list because there is a vessel
21 category which are vessels carrying passengers for
22 hire in excess of 12 passengers or higher that exceed
23 30 knots. So, that would be substituted by this all
24 commercial vessels that are operating in excess of 24
25 knots.

0252

1 CAPTAIN MARKS: Jorge.

2 MR. ARROYO: Chip's right on point. I
3 think NAVSAC needs to, first of all, tell us to create
4 this new category of vessels that travel over 24 knots
5 as a class of vessel that should have AIS. And then
6 we go with the who should have, who may have Class
B's
7 under those.

8 CAPTAIN MARKS: Craig?

9 MR. ALLEN: I have two questions. I
10 understood Jorge's presentation to suggest that we
11 were looking at the capability rather than the actual
12 operating speed, and the language transiting at under
13 14 knots suggests that this is sort of time-specific.
14 We're dealing with an equipment requirement for a
15 vessel. It's going to install this.

16 DFO SOLLOSI: Request and use it
17 whatever it goes, whatever speed it operates at. So,
18 the equipment ought to be, in my mind, it ought to be
19 tied to the speed, the capacity of the vessel. And I
20 don't see how you're restricted to non-congested
21 waters or congested waters unless, if you move to
22 congested waters are you going to pop out your B and
23 pop in your A because you're in congested waters?
24 Because it's got an AIS. Or only certain categories
25 of waters. I, for one, don't know what congested
0253

1 waters are. How do you determine that and who
2 determines that?

3 It creates --

4 MR. PASCOE: The definition of congested
5 waters is one of our problems.

6 MR. ALLEN: Just because it is a
7 equipment requirement. Particularly, sort of the
8 hard-wired specifics of the vessel. What speed can
9 this vessel operate at? So, unless you're, you're
10 going to make something more of an operational
11 requirement, I am sort of confused by this approach.

12 MS. GEDNEY: Part of the discussion we
13 had in using the term of the speed was that to not let
14 vessels come with a piece of paper that said this
15 vessel can go 20 knots. You know, it's not a, it's
16 not something you get a delivery of your new vessel
17 that says here's your service speed.

18 So, we felt that the actual being
19 underway at that speed was the appropriate definition
20 because, for one, we had a lot of discussion about
21 everybody's going to know what your speed is. That's
22 one of the things that AIS tells you. So, I mean,
23 it's going to be a discussion between the captain of
24 the port at the time that your vessel is certificated,
25 you know, why did you pick this AIS.
0254

1 CAPTAIN ALLEN: If I were doing a 4100
2 boarding on this vessel, I may be boarding at dockside
3 and I would be asking what's your speed capability. I
4 mean, I'd have to be able to verify, to enforce the
5 regulation, I'd have to be able to verify the
6 equipment requirements, meet the requirements for this
7 vessel and I have to be able to do that without, you
8 know, clocking its speed or determining whether the

9 waters, you know, are or are not congested on this
10 particular occasion. That's how equipment enforcement
11 works.

12 CAPTAIN MARKS: Jorge.

13 MR. ARROYO: Two issues there. I mean,
14 the ECDIS going to tell you the speed. So, the
15 enforcement is taken care of by the way the ECDIS
16 operates and broadcasts.

17 I agree with you on the definition of
18 congested waters. We would need to give a more
19 specific definition of what the congested waters are
20 in our discussion. Number one, the number one
21 congested waters would be a test area. And then we
22 still would need to promulgate some criteria. And one
23 of the ones that I proposed was any waters where you
24 are likely to encounter more than six AIS users during
25 your transit would be congested waters.

0255

1 Now, can he move to areas that are or
2 are not congested? Sure he could. But the issue is
3 outfitting. When he decides to outfit his vessel, he
4 needs to determine what his operating areas are going
5 to be.

6 Now, should his port now all of a sudden
7 become congested within the next five years or ten
8 years? Well, then, we can deal with that on a waiver
9 provision. But if you have another alternative on how
10 we can carve out this population, I'm more than, you
11 know, welcome to hear some additional input. But we
12 went around and around and around on tonnage, VTS
13 users, non-VTS users. After an hour-and-a-half, this
14 is the most clean-cut way of doing it that everybody
15 would understand. Yes, the congested waters still
16 needs to be defined for people to understand what that
17 is and --

18 MS. GEDNEY: You mean do we need to
19 include a note that the Coast Guard will need to
20 include the definition of congested waters?

21 CAPTAIN MARKS: Can't you use VTS area
22 for that?

23 MS. GEDNEY: No, because we have other
24 ports that we might want to have a VTS but we don't --

25 CAPTAIN MARKS: Yeah.

0256

1 MS. GEDNEY: So...

2 CAPTAIN SHEEHAN: I just want to say
3 that there was a comment that you never know. Ships
4 are designed with a design speed. When you're
5 delivered your ship, you know what the design speed of
6 that ship is. So, you might clarify it with the, you
7 know, by changing transiting under 14 knots to say
8 with the design speed less than 14 knots.

9 CAPTAIN MARKS: Clark?

10 CAPTAIN SHEEHAN: Maybe I'm being picky
11 here. Are we including 14 knots? Should we say 14
12 knots or under?

13 MS. GEDNEY: One says under and the
14 other says between 14 and 24. So, if you're less than
15 14.

16 CAPTAIN CRAWFORD: If you go 14, you

17 don't need anything?
18 MS. GEDNEY: No. 14 and 23.
19 CAPTAIN SHEEN: If I asked you for a
20 number between 1 and 9, what would you tell me?
21 CAPTAIN CRAWFORD: 2 to 8?
22 MS. GEDNEY: Okay. So --
23 CAPTAIN RICHARD: Ask for the word not
24 where the cursor in parentheses.
25 CAPTAIN MARKS: Chip.
0257
1 MR. BOOTHE: In answer to Captain Sheen,
2 I think one of the issues that we look at and talked
3 about in reality was a vessel that may have a design
4 speed in excess of 14, but they've actually, if you
5 will, governed the vessel's maximum speed to less than
6 some threshold to stay within whatever operating
7 parameters were defined. I'm not exactly sure. I
8 think, was it you, Beth, that talked about the vessel
9 in Alaska that for whatever reason --
10 MS. GEDNEY: I would say that frequently
11 vessels in the high speed world do not always perform
12 up to the design speed. The builder may have, he may
13 sell you a boat that does 40 knots, but when you get
14 it, it doesn't always quite do that.
15 MR. BOOTHE: And, again, I think as
16 Jorge mentioned, the AIS is able to actually provide
17 that true speed that they actually ran. If you wanted
18 to use that for an enforcement purpose and say here
19 you go, you've been operating above 14 knots. And,
20 therefore, if we determine it to be a congested
21 waterway, you're subject to the Class A requirement.
22 CAPTAIN MARKS: John.
23 CAPTAIN CRAWFORD: The way to get
away
24 from the Class A requirement would be to slow down, is
25 that --
0258
1 MR. BOOTHE: That would be an option.
2 CAPTAIN CRAWFORD: So, if you decide to
3 go with Class B, that means --
4 MR. BOOTHE: You're limiting yourself.
5 CAPTAIN CRAWFORD: You're limiting
6 yourself.
7 CAPTAIN MORRIS: On the second sentence
8 there traveling between, traveling at under 14 knots,
9 should we add at any waters? I find that confusing as
10 written.
11 The second question is picky but is that
12 speed over the ground or through the water? Or do we
13 care?
14 MR. HAUPT: It's over the ground. Speed
15 over the ground. We took in effect if you had a flood
16 in the Mississippi River, you're returning 14 knots,
17 you're really doing 19. It's all speed over the
18 ground.
19 CAPTAIN ROBSON: Unless you're headed
20 the opposite way.
21 MS. GEDNEY: I would agree to that.
22 Please add the suggestion that under 14 knots should
23 include in any waters, because we were trying to

24 clarify that it was --
25 MR. HAUPT: Encompassing all vessels.
0259
1 MS. GEDNEY: Whether you were in a VTS
2 or not.
3 CAPTAIN MARKS: Craig.
4 MR. ALLEN: Looking at this, if I were
5 reading this five years from now, I would be a bit
6 perplexed trying to identify what the proposed rule
7 is. So, you're referencing a proposed rule without
8 identifying the rule. So, it's going to lose its
9 context once the proposed rule final rule -- and, in
10 fact, the final rule may not look anything like the
11 proposed rule.
12 And then the last sentence also confuses
13 me. I mean, it seems to me you're almost suggesting
14 that Class A, and it's not really what we're saying
15 here. I think what we're saying is these are going to
16 be the limited exceptions. And if anybody's required
17 to have Class A, it's not done at their discretion.
18 It's just that they don't come in under this
19 alternative.
20 MS. GEDNEY: What we're trying to say,
21 even if you go 10 knots, if you want to buy a Class A,
22 you can certainly buy a Class A and install it.
23 MR. PASCOE: Or if you're subject to
24 Class B --
25 MS. GEDNEY: You can always buy the
0260
1 higher standard. You're not restricted to the B. Is
2 what we were trying to accomplish.
3 MR. HAUPT: Ultimately we would like
4 everybody to have a Class A. It's the best refresh
5 rate, rate of return. More ID than you'll ever need.
6 Class B is for vessels that are not, don't want the
7 best.
8 MR. ALLEN: As a friendly amendment, if
9 after on the third line, may install and use a Class B
10 AIS unit in lieu of a Class A. Does that not obviate
11 the last sentence all together?
12 MR. HAUPT: It does.
13 And then my only other point, we're
14 referring to a proposed rule without identifying the
15 rule. I think the resolution needs context.
16 CAPTAIN MARKS: Clay.
17 MR. DIAMOND: This might be picky here,
18 but the purpose of NAVSAC, you know, is to advise the
19 Coast Guard on matters. And the task statement was to
20 make a recommendation to the Coast Guard. The way
21 that kind of the second-to-the-last sentence, the
22 middle sentence additionally NAVSAC recommends all
23 commercial vessels that are transiting. So, this is
24 making a recommendation to the vessels.
25 It would seem the recommendation should
0261
1 be to the Coast Guard that these things be required.
2 So, recommend that the Coast Guard --
3 MR. BOOTHE: Require.
4 MR. DIAMOND: Something like that.
5 And one other point. In that sentence,

6 is that should have a Class or shall?
7 CAPTAIN ROBSON: I was going to say
8 that, too. Shall.
9 MR. DIAMOND: Will be required to.
10 CAPTAIN RICHARD: Rather than shall, go
11 with must.
12 CAPTAIN MARKS: Okay. And then can we
13 insert the identifying the proposed rule in there?
14 MS. GEDNEY: Do you want the number? Is
15 that what you --
16 CAPTAIN MARKS: I suppose.
17 MS. DENNIS: The docket number? Is that
18 what you're looking for?
19 MR. BOOTHE: Maybe by adding a task
20 statement, we can make reference to, because that was
21 in the task statement.
22 MS. GEDNEY: I mean, the recommendation
23 only has a life that extends until the rule is final.
24 Beyond that, the recommendation has no value.
25 MR. DIAMOND: The docket number is 73 FR

0262
1 78295. 73 space FR space 78295.
2 MR. BOOTHE: No, no, no. That's not the
3 docket number.
4 CAPTAIN ROBSON: Docket number --
5 MR. BOOTHE: USCG.
6 CAPTAIN ROBSON: -- is 2005-21869.
7 CAPTAIN MARKS: Could you read it again.
8 CAPTAIN ROBSON: U.S. Coast Guard

Docket
9 No. USCG-2005-21869.
10 MS. GEDNEY: I can't believe you didn't
11 just know that, though.
12 MR. ARROYO: Putting in the docket
13 number is fine, but I think we should also reference
14 the federal register document because that is the
15 proposed rule. In that docket I might have other
16 proposed rules because we don't know what the final
17 action is going to be.
18 CAPTAIN ROBSON: Is that the one that
19 you said?
20 MR. DIAMOND: Yes.
21 CAPTAIN ROBSON: Where is that? On the
22 task. Okay. We're looking at the federal register.
23 MR. DIAMOND: 73 space FR space 78295.
24 MR. BOOTHE: It's 76, not 78.
25 MS. GEDNEY: Do we want to revise the

0263
1 documentation that says the Coast Guard use the
2 following recommendation in its consideration of the
3 final rule?
4 CAPTAIN MARKS: Danny.
5 CAPTAIN PHILLIPS: Right after the word
6 we have up there now, I'd like to go back to what
7 Craig said a minute ago. To make this enforceable, I
8 think we need to put something in there about capable
9 of transiting at.
10 MR. ARROYO: I mean, you're free
11 obviously to do what you care to do on that. The
12 problem with assignment of capability, really, that

13 would be the best scenario. However, it's unrealistic
14 for us to be able to enforce it based on capabilities
15 because I don't have all that documentation of ship
16 design and having the ability to go ahead and do that.
17 What I do have is you broadcasting your speed over
18 ground. So, you're telling me what your speed is and
19 you know what your speed is. And, so, if you are
20 going to constantly go over the 14 knots, you better
21 get yourself a Class A.

22 CAPTAIN PHILLIPS: Okay.
23 MR. ARROYO: I'm giving you the option
24 here. And, so, it's for you to go ahead and manage it
25 on how you see fit. And we're not going to enforce --

0264
1 you know, a vessel that automatically now goes over 14
2 knots, we're going to tell them where's your Class A.
3 But if you're in an operating area, constantly aware
4 of you going over 14 knots and you have a Class B,
5 he's going to ask you why do you have a Class B when
6 you should be having a Class A.

7 CAPTAIN PHILLIPS: Okay.
8 CAPTAIN MARKS: So, it reads now
NAVSAC

9 recommends that all vessels subject to AIS carriage
10 requirements as defined in the proposed rule at 73
11 space FR all those numbers, transiting at under 14
12 knots in any waters, and all vessels between 14 knots
13 and 23 knots in non-congested waters may install and
14 use a Class B AIS unit in lieu of a Class A.

15 Additionally, NAVSAC recommends to the
16 U.S. Coast Guard that all commercial vessels
17 transiting at a speed in excess of 24 knots must have
18 a Class A AIS. All others should install Class A, but
19 can request permission to install Class B based on
20 operating parameters.

21 MS. GEDNEY: We did have one other
22 suggestion that we didn't incorporate, and that was
23 that it say all vessels transiting at 14 knots and
24 less than 23 knots. Go back to the point. Right?

25 MR. ARROYO: No. Less than 24 knots.
0265

1 MS. GEDNEY: Less than 24. Thank you.
2 CAPTAIN MARKS: Chip.

3 MR. BOOTHE: The reference to the
4 federal register is actually page No. 76295.

5 CAPTAIN MARKS: Thank you.

6 MR. BOOTHE: And one point of
7 clarification. There's only one of these, and it's
8 defined by what the nature of the rule is. In this
9 case, it's a notice of proposed rulemaking. If there
10 was a supplementary notice, or supplemental notice of
11 proposed rulemaking, then it would have a different
12 page number obviously. The docket would remain the
13 same.

14 MS. GEDNEY: The docket would remain the
15 same, yeah.

16 MR. BOOTHE: It's defined as -- it's a
17 notice of proposed rulemaking.

18 CAPTAIN MARKS: Instead of proposed
19 rule. Mike?

20 CAPTAIN MORRIS: In the last sentence
21 starting with all others, should it be all other
22 commercial vessels?
23 CAPTAIN MARKS: Jorge?
24 MR. ARROYO: Madam Chairman, instead of
25 commercial vessels, though, Mike, how about all other

0266
1 vessels subject to the carriage requirements?

2 MR. BOOTHE: Must install.

3 MR. ARROYO: Must.

4 CAPTAIN ROBSON: Yeah. I agree.

5 MS. DENNIS: Can you say must and tell
6 them they can get a waiver or say should and then
7 request a waiver in the last sentence.

8 MR. ARROYO: Must install a Class A. I
9 think the waiver should be another sentence on its own
10 that the council's asking us to consider that we
11 expand the waiver provisions to include a Class A, a
12 Class B for Class A waiver provision. Because we
13 don't currently have that provision now.

14 CAPTAIN ROBSON: May request, may
15 request.

16 MR. ARROYO: No. No.

17 CAPTAIN ROBSON: Instead of can, may.

18 MR. ARROYO: The word should be that the
19 Coast Guard should consider granting waiver requests
20 for vessels.

21 MS. GEDNEY: So now we're back to every
22 vessel.

23 MR. ARROYO: No. You're just
24 considering granting a waiver. I haven't considered
25 whether I'm going to grant the waiver.

0267

1 MR. HAUPT: But the operators will.

2 CAPTAIN RICHARD: It's vessels other
3 than the ones we just talked about above.

4 MS. DENNIS: Right.

5 MS. GEDNEY: I know. But I'm not
6 comfortable with the idea of it being a physical
7 waiver that the vessel has to produce. That goes back
8 to the, you know, discussion of every time you get a
9 new captain of the port, you're subject to your waiver
10 going away.

11 CAPTAIN MARKS: The waiver being a piece
12 of paper that you have to have?

13 MS. GEDNEY: Right. Whereas before we
14 just said these are the parameters. It wasn't a
15 waiver. These are, I mean, we're saying something
16 different now than we originally said.

17 CAPTAIN MORRIS: Isn't the waiver only
18 to all other vessels?

19 CAPTAIN MARKS: The waiver implies a
20 piece of paper?

21 CAPTAIN MORRIS: No, but it's still --

22 MR. ARROYO: Instead of granting, what
23 if we said that the Coast Guard should consider
24 permitting waiver requests from Class A users to use,
25 or consider waiver requests for the use of Class B in

0268

1 lieu of a Class A based on certain operating

2 parameters.

3 CAPTAIN RICHARD: Can we get rid of the
4 word permitting? I'd hate to need a permit to request
5 a waiver.

6 MR. ARROYO: Allowing?

7 CAPTAIN RICHARD: Yeah. That's fine.

8 MR. ARROYO: Is that better?

9 MS. GEDNEY: No. Same thing.

10 CAPTAIN MARKS: I think it's the word
11 waiver that you don't like; right? How do you want it
12 worded?

13 MS. GEDNEY: I mean, what we started out
14 with in the proposal was to say this is the
15 requirement for this type of vessel. We now have that
16 the requirement is in A and you've got to ask for
17 something less.

18 MR. ARROYO: No, no, no.

19 CAPTAIN MORRIS: All other vessels,
20 you --

21 MR. ARROYO: For all other vessels.

22 MS. GEDNEY: Oh, oh, oh. Okay. So,
23 there really is a vessel that really does need a
24 waiver. Okay. All right. Okay. It makes more sense
25 to me now.

0269

1 CAPTAIN MARKS: Carriage requirements as
2 defined in the proposed rule at such-and-such,
3 transiting at under 14 knots in any waters, and all
4 vessels between 14 knots and less than 24 knots in
5 non-congested waters, may install and use a Class B
6 AIS unit in lieu of a Class A.

7 CAPTAIN ROBSON: Thank you.

8 CAPTAIN MARKS: And all vessels
9 transiting between 14 knots and less than 24 knots in
10 non-congested waters, may install and use a Class B
11 AIS unit in lieu of a Class A.

12 John.

13 CAPTAIN CRAWFORD: Just getting back,
14 Clark and I are both a little upset here. Transiting
15 from 14 knots instead of between. Then we won't be
16 upset.

17 CAPTAIN SHEEHAN: Can't we put
18 transiting at or between?

19 MR. WISWALL: More than.

20 CAPTAIN RICHARD: Yeah, more than. At
21 14 knots, at at least 14 knots but less than 24 knots.

22 MR. WISWALL: You don't want at.

23 MR. ARROYO: At 14 knots or greater.

24 Yeah, at 14 knots, less than 24.

25 CAPTAIN MARKS: Anything else on that

0270

1 last paragraph?

2 MR. BOOTHE: I propose that we add one
3 sentence to clarify what we intended to be included,
4 at least one area intended to be included as congested
5 waters. And that is the VTS area. So, one of the
6 discussions we had related to the vessels operating at
7 14 knots or between 14 and 24 knots was that if they
8 were operating in a VTS area, that would automatically
9 be considered to be a congested area, as Jorge

10 mentioned in his discussion as well.
11 So, I would just -- VTS areas are
12 considered to be, or the Coast Guard should consider
13 all VTS areas as congested waters.

14 CAPTAIN MARKS: Craig.

15 MR. ALLEN: I'm going to vote against
16 this. But even trying to salvage the language here,
17 rather than designate all VTS areas as congested
18 areas, why don't we make a conjunctive. Either within
19 a VTS area or congested area, so, we don't consider
20 VTS's are congested areas. Because I don't think they
21 are.

22 MR. BOOTHE: What is the reason to have
23 traffic control?

24 MR. ALLEN: I mean is the entire Puget
25 Sound a VTS operating area? Is that a congested area?

0271

1 There are certainly parts of it that are not. So, I
2 think you're creating a layer to it you don't need to.
3 Just say VTS area. There's an independent need for
4 the AIS in the VTS area, whether it's a congested area
5 or not.

6 CAPTAIN MARKS: Frank.

7 MR. WISWALL: The third line in the
8 first paragraph, we have to be able to do better than
9 that. At least 14 knots but less than 24 knots. How
10 about at a speed greater than 14 knots but less than
11 24 knots? At a speed greater than.

12 CAPTAIN SHEEN: At a speed of 14 knots.

13 MR. WISWALL: A speed of 14 knots or
14 more but less than 24 knots. I don't think you need
15 at least.

16 CAPTAIN RICHARD: Get rid of the at
17 least at this point. Then you're not transiting
18 between. Transiting at a speed between.

19 CAPTAIN MARKS: Okay. Mike.

20 DFO SOLLOSI: I don't know. I don't
21 have a vote in this and council can say whatever it
22 wants. But allowing the use of non-congested waters
23 as a condition when a vessel shall install as part of
24 its equipment is unenforceable from a regulatory
25 standpoint. And I don't think the Coast Guard could

0272

1 put that in a regulation without defining what
2 congested and non-congested it. And that congestion
3 is not constant. It's a changing phenomenon. One
4 waterway could be congested one day and not congested
5 the next.

6 I think it's a non-starter from the
7 regulator's perspective, and I don't have a vote or
8 much of a say in this discussion. Thank you.

9 CAPTAIN MARKS: Okay. Any comments on
10 that congested/non-congested waters? Chip.

11 MR. BOOTHE: Well, I mean, Mike, we had
12 the very same discussion and Jorge insisted he would
13 be able to adequately define congested waters to
14 clarify what that would be.

15 MR. ARROYO: DFO Sollosi might not have
16 a vote here, but he has a vote back at the office.

17 And we have -- we already opened up the door, Mike, in

18 the sense that in our cautionary note, we state that
19 we don't recommend that you have it in congested
20 waters. So, we've already opened up that door. And I
21 agree that is a non-enforceable conjecture that we
22 need to clarify.

23 And my intent is when we draft up the
24 final rule is that we will clearly identify what is
25 congested and non-congested. I fully agree that what
0273

1 might be congested today might not be congested
2 tomorrow. But we have to create some type of criteria
3 I don't know, to distinguish between, you know, waters
4 where we want them to have it for sure and waters
5 where you only have, you know, the two vessels in Lake
6 Tahoe that don't have to have it.

7 And, so, I'm open for any other
8 suggestions on how we go ahead and define that. But I
9 don't know of any other way to define Boston Harbor
10 and Lake Tahoe and differentiate those two waterways
11 if we're not using congestion as the vehicle to
12 differentiate those two waterways that are non-B Class
13 areas.

14 DFO SOLLOSI: I understand your point,
15 Jorge, and I understand the intent behind this
16 recommendation to the Coast Guard. And we, we might
17 not be able to incorporate this directly into the
18 regulation, but we will try to incorporate this intent
19 by somehow linking the council's recommendation to
20 the
21 criteria for which we grant waivers, those three
22 criteria that we already specified in the rule. And
23 one of those alludes to congestion and non-congestion.

24 That's how I see us making a response to
25 your -- thank you.

26 CAPTAIN MARKS: Chip.

0274

1 MR. BOOTHE: Just one final comment. I
2 think one approach could be similar to the way the
3 Coast Guard regulated high volume port areas by
4 defining those areas specifically. Puget Sound,
5 Baltimore, whatever it is. That's one way of
6 articulating what the Coast Guard intends to define a
7 congested area where Class A would automatically come
8 into play.

9 MS. GEDNEY: Well, the other language
10 that we suggested in our discussion maybe relieves
11 this conversation. That if the vessel were going to
12 encounter X number of other AIS-equipped vessels, then
13 that would deem it to be waters appropriate.

14 MR. ARROYO: And I'm certain that if we
15 have five Coast Guard cutters and five AIS's in the
16 waters -- I think we all kind of understand that we
17 have to firm up this particular criterion. I don't
18 have a solution right now.

19 MS. GEDNEY: If the Committee doesn't
20 want to vote on non-congested waters, then that's an
21 alternative that we can change it to.

22 MR. ARROYO: Certain waters defined by
23 the Coast Guard.

24 MS. GEDNEY: Because one thing, it's not

25 just congested waters. It's waters where there are
0275

1 AIS units. It doesn't matter whether it's in
2 Baltimore harbor or --

3 CAPTAIN SHEEHAN: As defined by the
4 Coast Guard.

5 CAPTAIN MARKS: Just as defined.

6 CAPTAIN SHEEHAN: And then going back to
7 what Jorge said, Captain Boothe said, they can define
8 exactly what it is.

9 MS. GEDNEY: The purpose of this task
10 was to give Jorge direction on how we wanted it
11 defined; right?

12 MR. DETWEILER: Well, add in another
13 sentence. If you use in congested waters, and then
14 come back and NAVSAC recommends that the
definition of

15 non-congested waters could be blah, blah, blah or
16 include such parameters as da, da, da --

17 MR. ARROYO: What about 24 knots in
18 specified waters and then e.g. or i.e., non-congested
19 waters such as Lake Tahoe or something like that?

20 MR. PASCOE: As defined by.

21 CAPTAIN RICHARD: As specified.

22 MR. ARROYO: We'll list them.

23 CAPTAIN MARKS: Specified waters.

24 MR. ARROYO: In waters specified by the
25 Coast Guard, e.g.

0276

1 CAPTAIN MORRIS: Are we still talking
2 about commercial vessels?

3 MR. ARROYO: Yes.

4 CAPTAIN MORRIS: Right now we're talking
5 about all vessels?

6 MS. GEDNEY: All vessels subject to.

7 CAPTAIN MORRIS: Okay. Thank you.

8 CAPTAIN MARKS: Okay.

9 MR. ARROYO: We get it.

10 CAPTAIN MARKS: NAVSAC recommends
that

11 all vessels subject to AIS carriage requirements as
12 defined in the proposed rule transiting at under 14
13 knots in any waters, and all vessels transiting at a
14 speed of 14 knots or more but less than 24 knots in
15 waters specified by the U.S. Coast Guard, e.g.,
16 non-congested waters or waters outside VTS areas, may
17 install and use a Class B AIS unit in lieu of a Class
18 A.

19 Okay. Next one, additionally, NAVSAC
20 recommends to the U.S. Coast Guard that all
commercial

21 vessels transiting at a speed in excess of 24 knots
22 must have a Class A AIS.

23 Okay. All other vessels subject to the
24 carriage requirements must install Class A, but the
25 U.S. Coast Guard should consider allowing waiver

0277

1 requests to install Class B in lieu of a Class A based
2 on certain operating parameters.

3 CAPTAIN RICHARD: At the risk of life

4 and limb, we changed the first paragraph to but less
5 than 24 knots. So, the second paragraph needs to
6 track that and at a speed of 24 knots or more.

7 CAPTAIN ROBSON: So, what if the
8 vessel's going 24 knots?

9 CAPTAIN CRAWFORD: Then there's no
10 carriage requirement based on that.

11 CAPTAIN ROBSON: Right.

12 CAPTAIN CRAWFORD: It has to say 24 or
13 more.

14 MR. BOOTHE: It's 24 or more.

15 CAPTAIN RICHARD: Okay. That's fine,
16 too.

17 MR. PASCOE: I like it, Bo.

18 MS. GEDNEY: None of this language
19 exempts them from the language that already exists to
20 require them to carry it. All we're discussing here
21 is whether it's an A or whether it's a B.

22 MR. WISWALL: In the third paragraph,
23 and I'm sorry to do this again, really I don't think
24 what you're after is having the Coast Guard consider
25 allowing requests. You want them to consider granting

0278

1 waivers. You can allow requests. There could be a
2 thousand requests and you grant no waiver. That's not
3 the point, is it? Let's pretend it isn't the normal
4 federal bureaucracy.

5 MR. ARROYO: The way the provision is
6 right now, we identified whom can request a waiver.
7 We won't entertain any other waiver requests unless
8 you met the criterion that we are allowing.

9 MR. BOOTHE: One-mile radius?

10 MR. ARROYO: Correct. Actually, that's
11 the way the current language is. We haven't changed
12 that language.

13 MR. BOOTHE: At the risk of compromising
14 all of the last paragraph, I guess going back to the
15 first paragraph where we define that we expect the
16 Coast Guard would specify non-congested waters or
17 waters outside the VTS area, that we would allow a
18 Class B in lieu of Class A, do we even need the last
19 sentence or the last prepositional phrase after the
20 first, after the word Class A in the first line?
21 Because you will have already covered all those, would
22 you have not?

23 MS. GEDNEY: No. That was why we put it
24 in.

25 MR. BOOTHE: Why wouldn't we if we're
0279

1 specifying where we can have a Class B and what other,
2 what other groups of vessels would there be.

3 CAPTAIN MARKS: John.

4 CAPTAIN CRAWFORD: Jorge, in the notice
5 of proposed rulemaking as it stands, the line for
6 waivers, does it specify what -- does it just allow
7 for a waiver process?

8 MR. ARROYO: Correct.

9 CAPTAIN CRAWFORD: Then there would be
10 no need to include that sentence at all.

11 MR. ARROYO: But we need to include a

12 waiver process to -- the waiver process that's
13 proposed right now is to exempt you from the carriage
14 period.

15 MS. GEDNEY: Carriage or no carriage.

16 MR. ARROYO: So, now what we need to
17 consider is whether we will allow for a waiver of a B
18 in lieu of an A outside of the criterion that we've
19 already defined. So, we're allowing another bite at
20 the apple that, you know what, I don't meet the speed
21 thresholds of this and that, but I still think I can
22 meet the requirement with a B instead of an A because
23 of where I operate or how I operate, but not
24 sufficient enough to exempt me completely of carriage.

25 CAPTAIN MARKS: Okay. I thought I was
0280

1 reading the second paragraph. Additionally, NAVSAC
2 recommends to the U.S. Coast Guard that all commercial
3 vessels transiting at a speed in excess of 24 knots
4 must have a Class A AIS.

5 Final paragraph, all other vessels
6 subject to the carriage requirements must install
7 Class A, but the U.S. Coast Guard should consider
8 granting waiver requests to install Class B in lieu of
9 a Class A based on certain operating parameters.

10 Robert.

11 MR. TURNER: Is it clear in this, in
12 this that you're not talking about the ships that are
13 subject to the SOLAS convention for AIS? In other
14 words, it could have a coastal vessel over 500 tons
15 transiting at under 14 knots that would appear to be
16 allowed to carry a Class B when, in fact, it has to
17 carry a Class A.

18 MR. WISWALL: But wouldn't the Coast
19 Guard sort that out when they considered the waiver
20 request? Say come back and say, no, sorry, we're not
21 allowed to under the convention.

22 MR. TURNER: This would already allow
23 them directly if they follow this.

24 CAPTAIN MORRIS: Put in that first line
25 non-SOLAS vessels.

0281

1 CAPTAIN ROBSON: That's good.

2 MR. TURNER: Other than those subject to
3 SOLAS convention requirements?

4 CAPTAIN RICHARD: Or non-SOLAS
5 commercial vessels. After the word all. Top line,
6 second paragraph. After the word all. Non-SOLAS.

7 MR. BOOTHE: No, no, no.

8 MS. GEDNEY: The first line.

9 MR. PASCOE: Right. First line, first
10 paragraph.

11 MS. GEDNEY: In front of that.

12 MR. PASCOE: All non-SOLAS.

13 MS. GEDNEY: No.

14 MR. ARROYO: It should be check that all
15 not registered by the SOLAS convention and, excuse
me,

16 not subject to AIS carriage requirements under the
17 SOLAS convention.

18 CAPTAIN MARKS: That sounds better.

19 MR. ARROYO: But subject to AIS carriage
20 requirements.

21 MR. TURNER: I would say subject to AIS
22 carriage requirements other than those required by the
23 SOLAS convention.

24 CAPTAIN MARKS: I will read the whole
25 thing one last time for the motion.

0282

1 MS. GEDNEY: I have one more question.
2 I want Craig to tell us why he's not going to vote for
3 it at all. I hate to ask.

4 MR. ARROYO: Craig, do you hear? You
5 have a question.

6 MS. GEDNEY: Why you stated that no
7 matter what we did to the words, you weren't going to
8 vote for it.

9 MR. ALLEN: I don't think that it's the
10 way rulemaking ought to work. It's just my personal
11 perspective. This is a notice of proposed rules and
12 it's got a process. I just differ from using this
13 device to sort of tailor a rule underway.

14 MS. GEDNEY: Okay.

15 CAPTAIN RICHARD: Craig, this is my
16 personal view. It's a proposed rule. And we're
17 injecting in the middle of a rule that's underway.
18 It's a program manager's option.

19 MR. ALLEN: I just don't agree with
20 rulemaking in this fashion. No offense, Jorge.

21 MR. ARROYO: No. I fully agree with
22 you. But the rule specifically asked for comments on
23 this provision. So, wouldn't it be appropriate for
24 the program manager to seek comments from the
council

25 that directly inputs to the program?

0283

1 MR. ALLEN: I think NAVSAC resolution on
2 a rule that's a proposed rulemaking stage, I just
3 don't think it's the way to proceed by resolution. I
4 mean, I think soliciting the input is one thing. And
5 a resolution that is this specific, I just think
6 it's --

7 CAPTAIN RICHARD: Would it be better if
8 we resolve to provide a comment to the docket? Is the
9 comment period still open?

10 MR. BOOTHE: It's closed.

11 CAPTAIN RICHARD: Okay. I withdraw
12 that.

13 MS. GEDNEY: The committee can submit
14 comments outside of the open docket period.

15 CAPTAIN MARKS: So, should there be
16 something other than a resolution?

17 MR. ALLEN: Really, don't let me steer
18 you. That is just my opinion. I mean, I --

19 CAPTAIN RICHARD: That's the only way we
20 do anything is by resolution.

21 CAPTAIN MARKS: Okay. Let's go ahead.

22 MR. PASCOE: I'll make a motion that we
23 pass resolution 2009-0404 on the AIS Class B charge.

24 CAPTAIN MARKS: Is there a second?

25 CAPTAIN RICHARD: I second it.

0284

1 CAPTAIN MARKS: All those in favor?

2 Aye.

3 (All said aye except Mr. Allen.)

4 CAPTAIN MARKS: Opposed?

5 MR. ALLEN: Nay.

6 CAPTAIN MARKS: Abstained?

7 (No response.)

8 CAPTAIN MARKS: Motion carries. Great.

9 Thank you, guys. Mike.

10 CAPTAIN MORRIS: I'm not sure it's the
11 appropriate time or should we wait until new business,
12 but I, based on Jorge yesterday saying he'd welcome a
13 resolution from NAVSAC with regard to some stuff on
14 the AIS pilot plug, which is really to benefit pilots,
15 would this be an appropriate time to bring that up?

*

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0323

1 (The meeting was concluded at 1:01 p.m.)

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0324

1 CERTIFICATE

2 GEORGIA:

3 CHATHAM COUNTY:

4

5 I, Annette Pacheco, Registered Professional
6 Reporter and Certified Shorthand Reporter for the
7 State of Georgia, do hereby certify that the foregoing
8 is a transcription of the proceedings to the best of
9 my ability.

10 I further certify that I am neither related to
11 nor counsel for any party to the cause pending or
12 interested in the events thereof.

13

14 This, the 18th of June, 2009.

15

16

17

18

19

Annette Pacheco, CSR, RPR, RMR
B-2153

AIS Class B Carriage

RESOLUTION 09-04

NAVSAC recommends that all vessels not subject to AIS carriage requirements under SOLAS Convention, but subject to domestic AIS carriage requirements as defined in the proposed rule at 73 FR 76295 [docket # USCG-2005-21869], transiting at under 14 knots in any waters, and all vessels transiting at a speed of 14 knots or more but less than 24 knots in waters specified by the USCG, e.g., non-congested waters or waters outside VTS areas, may install and use a Class B AIS unit in lieu of a Class A.

Additionally, NAVSAC recommends to the USCG that all commercial vessels transiting at a speed at or in excess of 24 knots must have a Class A AIS.

All other vessels subject to the carriage requirements must install Class A, but the USCG should consider granting waiver requests to install Class B in lieu of a Class A based on certain operating parameters.