

[Home](#)

[Go Back](#)

Online Public Notice

State of Alaska

Public Notices

Supplemental Notice Of Proposed Changes In The Regulations Of The Board Of Marine Pilots

Submitted by: rcmaiquis/08
Date Submitted: 06/23/2008 11:52 AM
Date Modified: 06/23/2008 11:52:54 AM
Ak Admin Journal: [not printed]

Attachments:

- MAR0408AAGrev.doc.pdf
- MAR0308.pdf

Supplemental Notice Of Proposed Changes In The Regulations Of The Board Of Marine Pilots

Category: Regulations
Sub-Category: Notice of Proposed Regulations
Publish Date: 06/23/2008

Department: Commerce Community & Economic Development
Location: Statewide
Coastal District: N/A

Body of Notice:

SUPPLEMENTAL NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE BOARD OF MARINE PILOTS

The Board of Marine Pilots proposes to adopt regulation changes in Title 12 of the Alaska Administrative Code, Chapter 56, dealing with boundaries of compulsory pilotage waters of Alaska, including the following:

1. 12 AAC 56.090, GENERAL RULE FOR DETERMINING BOUNDARIES OF THE COMPULSORY PILOTAGE WATERS OF ALASKA, is proposed to be changed to alter the provisions related to boundaries of the compulsory pilotage waters of Alaska.
2. 12 AAC 56.100, ESTABLISHED BOUNDARIES OF COMPULSORY PILOTAGE WATERS OF ALASKA, is proposed to be changed to alter the provisions related to the specific boundaries of the compulsory pilotage waters of Alaska.
3. 12 AAC 56.990, DEFINITIONS, is proposed to be changed to further define terms used in AS 08.62 and 12 AAC 56.

This is a SUPPLEMENTAL NOTICE adding to the NOTICE OF PROPOSED CHANGES that was issued on March 13, 2008, and is incorporated here by reference, concerning these proposed regulations. This SUPPLEMENTAL NOTICE is being issued because the Board of Marine Pilots, during its April 18, 2008 meeting, tabled its proposed changes dealing with boundaries of compulsory pilotage waters of Alaska under its initial NOTICE OF PROPOSED CHANGES, added conforming amendments, and is extending the written comment period and conducting an oral hearing regarding these proposed regulation changes.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments by mail, fax, or e-mail to:

Jun Maiquis, Regulations Specialist
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
P.O. Box 110806

Juneau, AK 99811-0806
Fax: (907) 465-2974
E-mail: jun.maiquis@alaska.gov

The written comments must be received no later than 4:30 p.m. on September 16, 2008.

Oral comments relevant to the proposed actions, including the potential costs to private persons of complying with the proposed action, may also be given at a hearing to be held on October 1, 2008, at the Captain Cook Hotel, 939 West 5th Avenue, Anchorage, Alaska. Written comments will not be accepted at the hearing. The hearing will be held from 8:30 a.m. to 10:30 a.m. and might be extended to accommodate those present before 8:30 a.m. who did not have an opportunity to comment. If you wish to give your comments via telephone, please contact Renda Heimbigner, Marine Pilot Coordinator, at (907) 465-2548 no later than 5:00 p.m. on September 24, 2008 in order to be scheduled for the hearing. Any person who has submitted written or oral comments regarding the proposed changes to the boundaries of compulsory pilotage waters since March 13, 2008 need not resubmit comments under this notice as those comments are part of the record and will be considered by the Board of Marine Pilots before its adoption of regulation changes.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 no later than seven days before the accommodation is needed to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Jun Maiquis at the address or phone number above, or go to <http://www.commerce.state.ak.us/occ/pub/MAR0308.pdf> (first version) and <http://www.commerce.state.ak.us/occ/pub/MAR0408AAGrev.pdf> (revised version)

After the public comment period ends, the Board of Marine Pilots will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 08.62.040; AS 08.62.160

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.62.040; AS 08.62.160

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, please send your request to the Division of Corporations, Business and Professional Licensing at the address above and include your name, address, and the occupational area in which you are interested.

DATE: 06/23/08 /s/ Christine Wyatt, Administrative Officer Division of Corporations, Business and Professional Licensing

ADDITIONAL REGULATIONS NOTICE INFORMATION (AS 44.62.190(d))

1. Adopting agency: Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, Board of Marine Pilots.
2. General subject of regulation: Established boundaries of compulsory pilotage waters of Alaska.
3. Citation of regulation: 12 AAC 56.090, 12 AAC 56.100, and 12 AAC 56.990.
4. Reason for the proposed action: Compliance with state statute.
5. RDU/component affected: Corporations, Business and Professional Licensing - #2360.

6. Cost of implementation to the state agency and available funding (in thousands of dollars): No costs are expected in FY 2008 or in subsequent years.

7. The name of the contact person for the regulations:

Jun Maiquis, Regulations Specialist
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
P.O. Box 110806
Juneau, AK 99811-0806
(907) 465-2537
jun.maiquis@alaska.gov

8. The origin of the proposed action: Board of Marine Pilots.

9. Date: 06/23/08

Prepared by: /s/

Jun Maiquis, Regulations Specialist

Revision History:

06/23/2008 11:52:12 AM by rcmaiquis/08/State/Alaska/US

06/23/2008 11:52:54 AM by rcmaiquis/08/State/Alaska/US

\$\$WebClient [Anon]

[Home Page](#) **Notices by:** [Department](#) | [Category](#) | [Publish Date](#)



MAR0408AAGrev.doc.pdf



MAR0308.pdf

Chapter 56. Board of Marine Pilots.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not underlined.)

12 AAC 56.100(14) is amended to read:

12 AAC 56.100. Established boundaries of compulsory pilotage waters of Alaska.

Specific boundaries of the compulsory pilotage waters of Alaska are as follows:

....

(14) all waters of the Chukchi Sea and **Beaufort Sea** [KOTZEBUE SOUND] inside a line extending from Cape Prince of Wales [THREE MILES DUE] west (270° true) to a point approximately 65° **40'** [38'] north latitude, 168° **20'** [15'] west longitude; then due north (0° true) to **73° 00'** [A POINT APPROXIMATELY 66° 27'] north latitude, [168° 15' WEST LONGITUDE; THEN 59° TRUE TO A POINT APPROXIMATELY 66° 45' NORTH LATITUDE, 167° 02' WEST LONGITUDE]; then due east (90° true) to **141° 00' west longitude; then due south (180° true) to Demarcation Point** [A POINT APPROXIMATELY 12 MILES OFF THE COAST OF CAPE ESPENBERG AT THE INTERSECTION WITH A LINE DRAWN FROM CAPE ESPENBERG TO CAPE KRUSENSTERN, APPROXIMATE POSITION 66° 45' NORTH LATITUDE, 163° 40' WEST LONGITUDE; THEN TO CAPE KRUSENSTERN; THEN TO POINT HOPE];

....

(Eff. 6/11/71, Register 38; am 3/30/86, Register 97; em am 7/2/90 - 10/29/90, Register 115; am 8/17/91, Register 119; am 12/21/95, Register 136; am 1/23/99, Register 149; am 10/18/2001, Register 160; am ___/___/____, Register _____)

Authority: AS 08.62.040 AS 08.62.160

Chapter 56. Board of Marine Pilots.

12 AAC 56.090 is amended to read:

12 AAC 56.090. General rule for determining boundaries of the compulsory pilotage waters of Alaska. (a) Pilotage is compulsory in the inland and coastal waters of and adjacent to Alaska as described in 12 AAC 56.100 and this section.

(b) Pilotage is compulsory at all entrances from seaward to Alaska bays, sounds, rivers, straits, **or other estuaries** where the passage is within three nautical miles of **the state's coastline** [THIS STATE, OR OTHER ESTUARIES] for which specific boundaries are not otherwise described in **12 AAC 56.100** [THIS CHAPTER]. The extent of waters subject to compulsory pilotage in such Alaska bays, sounds, rivers, straits, **or other estuaries** within three nautical miles of **the state's coastline** [THIS STATE, AND OTHER ESTUARIES] are those waters in-shore of a line drawn approximately parallel with the general trend of the shore through the outermost aid to navigation, or if no aid to navigation exists, then a line drawn from headland to headland across the mouth of the entrance. (Eff. 6/11/71, Register 38; am 3/30/86, Register 97; am 10/18/2001, Register 160; am ___/___/___, Register ___)

Authority: AS 08.62.040 AS 08.62.160

12 AAC 56.100(14) is amended to read:

12 AAC 56.100. Established boundaries of compulsory pilotage waters of Alaska.

Specific boundaries of the compulsory pilotage waters of Alaska are as follows:

....

(14) all waters of the Chukchi Sea and **Beaufort Sea** [KOTZEBUE SOUND]

inside a line extending from Cape Prince of Wales [THREE MILES DUE] west (270° true) to a point approximately 65° **40'** [38'] north latitude, 168° **20'** [15'] west longitude; then due north (0° true) to **73° 00'** [A POINT APPROXIMATELY 66° 27'] north latitude, [168° 15' WEST LONGITUDE; THEN 59° TRUE TO A POINT APPROXIMATELY 66° 45' NORTH LATITUDE, 167° 02' WEST LONGITUDE]; then due east (90° true) to **141° 00' west longitude; then due south (180° true) to a point 6.5 miles east-southeast of Demarcation Point** [A POINT APPROXIMATELY 12 MILES OFF THE COAST OF CAPE ESPENBERG AT THE INTERSECTION WITH A LINE DRAWN FROM CAPE ESPENBERG TO CAPE KRUSENSTERN, APPROXIMATE POSITION 66° 45' NORTH LATITUDE, 163° 40' WEST LONGITUDE; THEN TO CAPE KRUSENSTERN; THEN TO POINT HOPE];

....

(Eff. 6/11/71, Register 38; am 3/30/86, Register 97; em am 7/2/90 - 10/29/90, Register 115; am 8/17/91, Register 119; am 12/21/95, Register 136; am 1/23/99, Register 149; am 10/18/2001, Register 160; am ___/___/___, Register _____)

Authority: AS 08.62.040 AS 08.62.160

12 AAC 56.990(a)(5) is amended to read:

12 AAC 56.990. Definitions. (a) Unless the context indicates otherwise, in this chapter

....

(5) "area" means any port, restricted passage, cruise area, or pilotage waters of the **inland** [INSIDE] or coastal waters of **or adjacent to** Alaska for which a pilot's license is required and a pilotage rate is established under AS 08.62 and this chapter;

....

12 AAC 56.990(a)(8) is amended to read:

(8) "compulsory pilotage waters" means those **inland or** [INSIDE] coastal waters

of **or adjacent to** Alaska defined in 12 AAC 56.090 and 12 AAC 56.100 where Alaska pilotage is required;

....

12 AAC 56.990(a) is amended by adding a new paragraph to read:

(39) "the state's coastline" means the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters.

....

(Eff. 6/11/71, Register 38; am 6/19/74, Register 50; am 5/12/78, Register 66; am 7/24/83, Register 87; am 12/26/86, Register 100; am 8/29/87, Register 103; am 7/26/90, Register 115; am 5/13/92, Register 122; am 4/7/93, Register 126; am 10/2/93, Register 127; am 7/15/95, Register 135; am 6/16/96, Register 138; am 6/17/96, Register 138; am 1/23/99, Register 149; am 3/21/99, Register 149; am 5/31/2000, Register 154; am 3/15/2002, Register 161; am 10/24/2002, Register 164; am 5/26/2007, Register 182; am ___/___/___, Register ___)

Authority: AS 08.62.040 AS 08.62.160