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**NOME PORT COMMISSION
WORK SESSION & REGULAR MEETING AGENDA
THURSDAY, DECEMBER 20, 2018 @ 5:30/6:30 PM
COUNCIL CHAMBERS IN CITY HALL**

WORK SESSION – 5:30 PM:

1. Tariff No. 14 Markup - Review and Discussion on Proposed Revisions

REGULAR MEETING – 6:30PM:

- I. ROLL CALL**
- II. APPROVAL OF AGENDA**
- III. APPROVAL OF MINUTES**
 - 18-11-15 Regular Meeting
- IV. CITIZEN’S COMMENTS**
- V. COMMUNICATIONS**
 - 18-11-08 NSEDC to City – Award Notice, Launch Ramp Repair
 - 18-11-08 USCG to Port - Facility Security Amendment
 - Alaska Sea Grant- Ecosystem-wide Changes in the Bering Sea
 - US DOD- USCG Wants Bigger Arctic Presence
 - ADN Article- Military Operations in the Arctic
 - Arctic Today - USCG Launches First Satellites for Arctic Security and SAR
- VI. HARBORMASTER REPORT**
 - Update on Planning, Repairs & Maintenance
- VII. PORT DIRECTOR REPORT/PROJECTS UPDATE**
 - 18-12-17 Port Director/Projects Status Report
 - Briefing from Jay Sterne re: CMTS Arctic Shipping & Wilson Center Events
 - Planning Commission Comprehensive Plan Update – Port Section
 - USDOT/MARAD America’s Marine Highway System – M5 Arctic Extension
- VIII. OLD BUSINESS**
 - Boundary Line Summary Report from Marine Exchange
- IX. NEW BUSINESS**
 - Proposed Tariff No. 14 Revisions for Consideration
- X. CITIZEN’S COMMENTS**
- XI. COMMISSIONER COMMENTS**
- XII. NEXT REGULAR MEETING**
 - January 17, 2019 - 5:30 pm
- XIII. ADJOURNMENT**



PORT OF NOME TARIFF RULES AND REGULATIONS

TARIFF NO. 14

DRAFT MARKUP

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ADOPTED: ~~MARCH 26, 2018~~

Ordinance No: ~~O-18-02-02~~

CITY/PORT OF NOME
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CHAPTER 1

GENERAL PROVISIONS

01.010 Legal Effect:

(a) These tariff regulations, published online at www.nomealaska.org, constitute notice to all persons and entities that these rules, regulations, rates and charges apply to all traffic and activities at the Port of Nome without further specific notice or quotation or other arrangement.

(b) In addition to this Port and Harbor Tariff, the public, shippers, consignees and carriers using the Port of Nome should consult and be aware that the City of Nome Code of Ordinances, including, but not limited to, Chapter 10 (Health, Safety & Welfare), Chapter 15 (Public Utilities & Services), and Chapter 13 (Ports & Harbors) all as amended apply and govern where not specifically provided otherwise in this tariff. Also, the City reserves the right to adopt specific tariffs governing particular marine-related facilities operated by the Port of Nome.

(c) The rules, regulations, rates and charges described in this tariff shall be effective immediately upon being published electronically. For the convenience of port users this tariff is posted on the Internet at www.nomealaska.org.

01.020 Port Use Constitutes Tariff Acceptance:

USERS ARE HEREBY ADVISED THAT ANY AND ALL USES OF THE PORT OF NOME CONSTITUTE ACCEPTANCE OF ALL RESPONSIBILITY, LIABILITY AND WAIVERS CONTAINED IN THESE TARIFF REGULATIONS. Any person, entity or vessel enjoying the beneficial use of the premises, facilities, equipment or services of the Port of Nome is deemed to have thereby accepted all of the terms, conditions, rates, liabilities and indemnifications of these tariff regulations, and is deemed to have thereby agreed to all limitations and waivers contained in these tariff regulations.

01.030 Notice:

All legal notices, inquiries, requests for information and applications to the Port of Nome shall be addressed and delivered to:

**PORT DIRECTOR
CITY OF NOME
P.O. BOX 281
102 DIVISION ST.
NOME, AK 99762
port@nomealaska.org**

01.040 Hold Harmless and Indemnification:

Each and every vessel, permittee, carrier, shipper, agent and other user of the Port of Nome hereby agrees to hold harmless and to indemnify the City of Nome, its employees and agents from and against any and all claims, liabilities and damages, including actual attorney fees, arising from or caused by an act or omission of the same port user, its employees, agents or assigns.

Rates in this Tariff do NOT include insurance of any kind. All companies and persons engaged in the business of trucking, storing, and/or shipping, fuel, general cargo, gravel, and equipment, providing haulout services, vessel repairs and/or any type of labor services anywhere on Port of Nome property shall have on file with the Port a current certificate of liability insurance in the amount of \$1,000,000.00 (one Million dollars) naming the Port as a certificate holder and additionally insured before they are allowed to work within the facility, and listing all equipment and vehicles owned by the company or person that are being used at the port facility and are covered by the policy. Companies, persons, and operators required to file a certificate under this paragraph are also subject to restrictions in Section 01.050(d) and (e) of this Tariff. It is the responsibility of the insured to provide renewal certificates to the Port Director prior to the policy expiration.

01.050 Facility Use and Bonding:

(a) Each and every permittee, carrier, shipper, agent or other port user covenants and agrees to maintain in good condition and safeguard all structures and improvements in the Port of Nome. The Port Director may at any time order any port user to additionally post a bond and/or create a cash escrow account protecting the Port of Nome from and against any and all liability and damage caused by or resulting from an act or omission of that port user and/or to ensure collection of incurred fees or charges.

(b) All permittees, carriers, shippers, agents, or other users of the Port of Nome hereby covenant and agree to repair and restore any and all damage that the port user may cause to the submerged lands, causeway, breakwaters revetment, marine headers, floating docks, ramps or other facilities of the Port of Nome, reasonable wear and tear excepted.

(c) Each vessel owner/operator must maintain a local and emergency contact name ~~and~~ phone number ~~and valid winter and summer mailing addresses~~ on file with the Harbormaster's office at all times. It is the vessel owner's responsibility to update this information as needed and to notify the Port Director if the vessel may be left unattended. All unattended vessels are required to have a caretaker who is responsible for monitoring the vessel. Each caretaker must have current contact information on file with the Harbormaster's office. Anytime a vessel is transferred or conveyed to a new owner, both the seller and buyer shall contact the Harbormaster's office within three (3) business days of the transaction and provide all information necessary on the transfer.

(d) All users with vessels over 20 feet in length must provide proof of liability insurance. Vessels using the Belmont Beach and Snake River exclusively for the purposes of sport and/or subsistence fishing and hunting are exempt from this insurance requirement. Vessels using the Small Boat Harbor exclusively for the purposes of sport and/or subsistence fishing and hunting prior to June 15th or after October 15th are also exempt from the insurance requirement. This exemption does not apply to any vessels on charter or operating for hire. The Port Director has sole authority to determine whether a vessel is exempt under this subsection.

(e) Any entity required to have a current insurance certificate on file with the Port who fails to provide a current certificate after a written or oral request from the Port Director, shall be considered a trespasser on Port property and subject to one or more of the following actions: 1) summary eviction; 2) issuance of a stop work order by the Port Director, his or her designee, or any Public Safety officer; 3) daily fines of \$300 for each day of operation without the required certificate; 4) future denial of use of the Port of Nome; and/or 5) additional fees and penalties as set out in this Tariff.

01.055 Snake River area:

(a) Vessels drawing less than 20 inches of water, including support vessels, may only moor in the Snake River area, and may not dock anywhere else in the Harbor unless specifically allowed by the Port Director or Harbormaster.

(b) Support vessels may not remain attached to main vessels, or dock in the Small Boat Harbor unless approved by the Port Director ~~for safety or weather reasons~~. All users must keep mooring areas alongside their vessels clear of obstructions to allow for other vessels to raft during periods of overcrowding.

(c) Any vessel, regardless of size, may apply to the Harbormaster for a Snake River permit, which shall be issued in his or her discretion, subject to availability and compliance with use restrictions. The Port Director and Harbormaster may also require or permit vessels to use the Snake River area at his or her discretion.

(d) All provisions of this tariff, the rules and regulations, and other Port policies apply equally to vessels and users of the Snake River area.

(e) Users should exercise due care when anchoring along the bank or in the mudflats. All moorage is undertaken at the user's own risk. The Port is not responsible for any damage to persons or property on Port property, including the Snake River area, the Belmont Beach launch, and all other facilities.

(f) Vessels must be properly anchored and secured. Vessel owners should monitor or check their vessels frequently in order to ensure compliance with this section, especially during high wind and surge.

(g) No sewage or waste may be disposed of anywhere in the Port FacilitySnake River, except in authorized disposal containers provided.

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01.060 Compliance with Law:

(a) All persons entering or using the Port of Nome agree to comply with all rules, regulations, ordinances, statutes and laws applicable to the activities and circumstances.

(b) Open containers and/or consumption of alcohol will not be permitted on any parts of the Port of Nome premises. Persons found in violation of this rule will be asked to leave the premises immediately, will be reported to the local and State authorities, and may be denied future access to and the use of the Port and its facilities. Consumption of alcohol onboard a vessel that is underway will be reported to the United States Coast Guard for necessary action.

(c) Any person whose conduct while on Port of Nome property is in violation of law or this tariff may be refused further access to the Port in addition to any other fine or penalty imposed by law,. Any vessel located within the Port of Nome upon which any conduct occurs that is in violation of the law or this tariff, may be refused future access to the Port. Any person who refuses or repeatedly refuses to obey a direct order of the Harbormaster or Port Director may be subject to fine under Section 01.060(d) of this tariff and **permanently** denied access to the facility. The Port Director shall have full discretion to take the appropriate action to enforce the rules contained in this tariff and other municipal, state, and federal laws, up to and including permanent denial of access to the Port and Port facilities and/or impounding and disposing of the vessel.

(d) Any person or vessel or vessel owner or operator who violates any provision of this tariff or the rules and regulations of the Port of Nome shall be subject to a civil fine in an amount of \$500 for the first violation, \$750 for the second violation, and \$950 for subsequent violation, plus any surcharge required to be imposed by AS 12.55.039. In cases of continuing violations, each day during which a violation continues shall be considered a separate offense.

(e) The amount of fines assessed shall be added to any invoice for services issued by the Port Director. If an invoice would not otherwise be issued, a fine may be imposed by civil action.

(f) A person who disputes whether a fine has been properly added to an invoice shall have the right to request in writing an informal administrative hearing with the Port Director within thirty (30) business days of the date of receipt of the invoice. The Port Director shall schedule the informal administrative hearing within thirty (30) business days of receipt of the request for the hearing, and shall issue a written decision regarding the matters discussed at the hearing no later than ten (10) business days after the day of the hearing. Any person aggrieved by said written decision may appeal the matter to the Nome City Council no later than thirty (30) business days after receipt of said written decision. The Mayor shall outline reasonable procedures for appeals to the Nome City Council. The decision of the Nome City Council shall be final and may be appealed to the Superior Court for the State of Alaska, Second Judicial District.

(g) Any vessel that has incurred an unpaid account or fine, or that is owned or operated by a person who has incurred an unpaid account or fine may, in the sole discretion of the Port Director, be denied use of the Port until such time as the fine has been paid in full. Any user who facilitates or assists a person with an unpaid fine in using Port facilities when the person is banned from using Port facilities, or in an effort to avoid such a ban or fine from being imposed, enforced, or collected, may likewise be denied use of the Port for up to ten (10) days or until the fine is paid, at the sole discretion of the Port Director.

(h) The Port Director, Harbormaster, their designees, and employees shall at all times have the right to refuse the use of any port or harbor facility by any person, equipment materials or vessel, or to remove any vessel or, person or cargo at any time from any port, or harbor facility. This right shall be reserved at all times to the Port of Nome without responsibility for demurrage, loss or damage when:

(1) previous arrangements for berthing, space, receiving or unloading have not been made with the Port Director; or

(2) the vessel is deemed unstable, a fire hazard, or threat to the environment and may pose risk to life or property; or

(3) the value of the vessel, in the opinion of the Port Director, is less than the probable service and other charges accruing or likely to accrue for its use of the city dock or terminal, or harbor facility; or

(4) during periods of congestion or in cases of emergency, in the judgment of the Port Director, the circumstances are likely to prevent the city docks or terminal, or harbor facilities, or any portion of them from providing customary services to the public.

For vessels that may be hazardous or become a menace to other vessels, their occupants, or city facilities, the Port Director may require an operator or owner of a vessel to furnish evidence that there is currently in effect liability insurance in an amount satisfactory to the City by filing a certificate of insurance or other satisfactory evidence signed by an agent or officer of the insurance company and stating the effectiveness and expiration date thereof. Upon demand of such proof of coverage, the operator or owner shall be subject to the penalties set forth in Section 01.050(e) of this tariff.

(i) The Port Director shall at all times have the right to impound a vessel for failure to pay required fees or obey other provisions of this tariff.

(1) The Port Director and/or Harbormaster is authorized to impound any vessel in or on the Harbor, terminal, or dock facilities if the vessel is in violation of any provisions of this tariff; or any vessel whose owner or operator has not paid any fee or charge due to the City for the vessel by the due date of such fee or charge and such fee or charge is **thirty (30) calendar days past due**; or any vessel which is unsafe and whose owner or operator has failed to remove it after notice. The Harbormaster may impound a vessel by immobilizing it or removing or having it removed from the water and placed in City or commercial storage with all expenses and risk of haul-out and storage to be borne by the owner of such vessel.

(2) The owner or operator of any vessel impounded by the City shall be subject to and liable for all costs incurred by the City by reason of impounding or removal, as well as all costs associated with collecting unpaid fees or charges, including all reasonable and actual attorney's fees.

(3) In addition to the rights described in this section, the Port Director and/or Harbormaster may immobilize, impound, or seize any personal property located on Port property, including machinery, containers, trailers, gear, tools, and equipment of any kind, in order to secure payment of unpaid fees, accounts, or fines. If the personal property is not redeemed by complete payment of the account, it may be sold as surplus property and the proceeds applied to the delinquent account.

(j) Any vessel that is deemed delinquent, derelict, or abandoned as defined in NCO 12.30.010 and which is located within the boundaries of the Port of Nome may be impounded and disposed of in accordance with the procedures outlined in NCO 12.30.010 - .080.

(k) Any equipment or cargo that is deemed delinquent, derelict or abandoned within the boundaries of the Port of Nome shall cause a written notice to be sent to the owner of record via certified mail. If no response is received within thirty (30) business days, the cargo and/or equipment shall become the property of the Port of Nome and may be disposed of immediately. All costs associated with the handling of such items will be billed to the owner on a time-and-materials basis.

01.070 Housekeeping and Safety:

(a) All persons entering or using Port of Nome property are required to maintain the same in an orderly and clean manner. If any user of Port of Nome property does not leave areas of the Port used by the user in an orderly and clean condition, the Port Director shall order the work necessary to return the area to

an orderly and clean condition and the user shall be responsible for all charges for said work. Users shall be responsible for all charges associated with cleanup, including disposal of hazardous or non-hazardous materials and storage of non-disposable items and materials. Such items and materials will be kept at the user's expense for no more than sixty (60) business days and then disposed of in a manner deemed appropriate by the Port Director, with costs of disposal also chargeable to the user. Users may be allowed to obtain a dockside vessel work area immediately adjacent to their vessel for a limited period of time, at the discretion of the Port Director. Dock face walkways must be kept clear at all times for safe access.

(b) No smoking shall be allowed on any Port of Nome premises where posted. Safety and warning signs shall be observed and adhered to at all times by all persons within the Port of Nome.

(c) Per NCO 10.30.020, unattended animals are prohibited. No animal may run loose within the Port and Harbor facilities. All vessels arriving into Nome with animals onboard must contact the local Animal Control Officer (through the Harbormaster or Nome Police Department) for a visual assessment of the animal and current vaccination records, prior to the animal being allowed to leave the vessel. Non-aggressive animals, in compliance with this section and NCO Chapter 10.30 will be permitted on the dock or a vessel, but must remain properly restrained or leashed at all times while in the port area. Violators will be reported to the Nome Police Department, and loose animals captured and impounded by the Animal Control Officer.

(d) All persons utilizing underwater divers for repair and/or maintenance anywhere inside the Port of Nome and/or Small Boat Harbor, are required to notify the Harbormaster's office of the scheduled dive activity and display the "Diver Down Flag" on the vessel mast for the entire duration of the dive. The Harbormaster's office must be notified once the operation is complete and all divers are out of the water.

(e) At the Port Director's discretion, the Port Director shall at all times have the right to immediately remove any hazardous vessel, or any vessel containing hazardous cargo, or one containing cargo, which by its nature, is liable to damage other vessels, or other cargo, or harbor or port facilities. The vessel may be removed from its location to any other location and all expenses and risk of loss or damage shall be charged to the account of the owner, shipper, vessel or consignee.

(f) No person shall cause or allow to occur any nuisance property in or on Port of Nome Facilities. The Harbormaster may take immediate possession of and/or remove such nuisance property.

(1) Nuisance property shall be subject to impound if not removed, or written permission from the Harbormaster for such placement or storage is not received, within 48 hours of placement on port property. Written notice shall be placed on the property to the extent practicable.

(2) In the event property impounded under this section remains impounded for 30 days and impound charges and fees remain unpaid, the Harbormaster may sell the property at public auction to the highest and best bidder. Such sale shall be conducted pursuant to a procedure generally similar to that set forth in Nome Code of Ordinances Chapter 2.12 for sale of abandoned property, and, in addition to the notice requirements of Chapter 2.12, shall post notice in the Harbormaster's office as well as one other conspicuous place in the port; provided that if impounded property is reasonably believed by the Harbormaster to have a market value of less than \$250, the Harbormaster shall make reasonable effort to give notice of the impoundment to the owner and post notices in the Harbormaster's office and at least one other conspicuous place in the port, if not redeemed within 30 days, the Harbormaster destroy, retain for a public purpose, donate, or sell the property as he or she deems fit.

01.075 CARE IN THE PERFORMANCE OF OPERATIONS:

(a) Third party employees shall exercise care in the performance of their operations in order to prevent injury to, or death of, any person and damage to, or destruction, or loss of property, whether of the Port, of the third party, of the vessel being loaded/unloaded, or of another party.

(b) When cargo/freight is in an elevated position, such as suspended from a crane hook, a safety line should be attached to the load and handled by a Safety Watch person to prevent spillage, or unplanned descent, which has the capability to produce injury, or death. In all cases, the Safety Watch should ensure

that individuals are prevented from walking under a raised load and remain clear of cargo/freight operations.

(c) Safety helmets (hard hats) and safety vests are required when working cargo, gravel and equipment on, or at, Port of Nome facilities. The use of steel-toed shoes/boots is strongly recommended.

(d) Any third party operating at the Port of Nome shall take all necessary safety and fire precautions, and comply with recognized commercial and marine safety practices, procedures, and regulations.

01.080 Used Oil Handling:

(a) Used oil in increments of five (5) gallons or less from small vessels (less than 75 feet) will be accepted free of charge when disposed of properly by Port users in the specified containment bin located in the Small Boat Harbor facility. Used sorbents and filters are collected in a tote near the containment bin in reasonable quantities for incineration. Please contact the Harbormaster's office regarding larger quantities.

(b) Used oil from any source other than small vessels or in quantities greater than five (5) gallons will be accepted by the port for a fee (designated in Section 05.035 of this tariff). Port users shall contact the Port Director to arrange for a place where such used oil will be accepted.

(c) Any unpermitted disposal or abandoning of used oil in the Port of Nome will subject the person disposing of or abandoning the used oil, the vessel from which the used oil originated, and the owner of the vessel from which the used oil originated, to the fine established by this tariff. Glycol, solvents or any other non-petroleum based product disposal shall not be permitted. Users are hereby notified that surveillance cameras may be operating at any time, and shall be used to determine whether a user has improperly or unlawfully disposed of or abandoned prohibited materials.

01.090 Facility Security and Access:

(a) All persons within the Port of Nome must comply with any security signage and barricades defining restricted or secured areas and controlled access points. Specific regulations regarding the handling of cargo and fuel and access within these areas are outlined in the Port of Nome's USCG approved Facility Security Plan. As of February 12, 2009, all personnel needing access to restricted or secure areas within the facility during regulated operations will be required to present their Transportation Worker's Identification Credentials (TWIC) and have a valid reason for entry. **Cargo and fuel shore-side operators will operate under the Port's Security Plan and be responsible for controlling access to the restricted and secure areas during their respective operations.** No unauthorized personnel (including customers of shore-side operators) will be allowed in the restricted and secure areas, unless specifically authorized by the Port Director or Harbormaster. Failing to comply with any of these requirements may result in the imposition of the fines set forth in Section 1.060 of this tariff, and removal of the operator from the Port's Security Plan. Operators removed from the Port's Security Plan shall not operate at the facility until a stand-alone company security plan, approved by the USCG, is submitted to the Port. Regulated cargo and fuel vessels will maintain security watch whenever remaining dockside without actively conducting any cargo operations. The Port of Nome will provide access control to these areas during all passenger and foreign-flagged vessel operations.

(b) All foreign-flagged and/or passengers vessels requiring active port security under MTSA will be charged one security fee for each 12 hour period of security (shift), providing the over-time labor hours do not exceed 6 total hours during the 12 hour shift. For security shifts exceeding 6 hours of over-time, labor hours will be billed per the rate and type identified in Chapter 5, Section 05.035(a)8 of this tariff. All shift hours classified as Holiday Time will be billed per the rates in Section 05.035 (a) 8 of this tariff.

(c) All film, video and/or photography production companies are required to complete a license application, pay the application fee, and receive an approved license prior to any production operations commencing on Port facilities. This licensing requirement applies to commercial entities only, and not private photographs or video.

01.100 Maneuvering and Navigation:

(a) All vessels traveling in and out of the Nome Port and Harbor will be required to have at least one fully operational marine VHF radio on board at all times, and must monitor VHF Marine channel 16 when

maneuvering within the navigation channel into or out of the port or harbor entrances. All vessel operators, regardless of size, must adhere to standard rules of navigation at all times, and grant the right of way to larger vessels that are underway in an approach or departure. Vessels larger than 75 feet in length are required to give security calls before entering or departing the navigation channel.

(b) The narrow 500' wide breakwater entrance and large waves, strong winds and currents challenge safe transits to and from the Port of Nome. The Port of Nome has accordingly prescribed navigation safety parameters to enhance maritime safety. All vessels seeking access to port facilities shall comply with the written navigation safety directives as provided by the Harbormaster.

(c) All vessels operating within the Small Boat Harbor and navigation channel shall do so in a safe manner so as not to cause a wake, wash or wave action which will cause damage or endanger any other vessels or occupants. Vessels shall travel at a speed no faster than 5 mph while in the Small Boat Harbor or portion of the navigation channel that extends from the Inner Harbor to the southern limits of the armored slopes of the Small Boat Harbor entrance. Violators of this section will be subject to fines as defined in Section 01.060(d) of this tariff.

(d) Fish nets that extend across or below the water's surface may not be used or deployed in or around any portion of the facility between the entrance to the Port at the breakwaters, through the entire outer and inner harbor, and extending to 300 feet above the Snake River Bridge. [Additionally, no hunting or discharge of firearms is permitted anywhere within the Port facility.](#)

(e) The Port of Nome currently hosts an active National Oceanic and Atmospheric Administration (NOAA) tidal station, located at the Causeway City Dock. Station information can be found through a link on the Port & Harbor page of the City of Nome website at www.nomealaska.org.

01.110 Closed Season:

(a) The Port of Nome facilities are considered closed during the iced-in period of each year, typically between mid-November and late-May/early-June. Activities within the Port may not be carried out during the closed season without prior authorization by the Port Director. The Port Director shall have sole discretion to determine whether the user requesting access shall be allowed to use the Port under such circumstances. Users should submit cost estimates and work plans when seeking approval to conduct operations during the closed season. The Port Director shall evaluate any request to use the Port during the iced-in months according to the cost and burden the facilities may reasonably be expected to incur by approving the request, in comparison with its overall value to the community, the Port and City of Nome.

(b) If the operation is approved, all reasonable charges incurred by the Port of Nome over and above the typical summer season expenses for a similar operation will be the responsibility of the user. The rate may be negotiated or based on actual incurred costs, as determined by the Port Director. Any damage to the Port of Nome during these winter operations will also be the responsibility of the user and/or company conducting the operation.

CHAPTER 2 BERTHING

02.010 Permission Required:

(a) Prior to any non-home-ported/transient vessel mooring, anchoring, or berthing within the Port of Nome, they shall first receive approval for a berth assignment from the Port Director. Written berthing applications must be submitted for all vessels requiring use of the Causeway facility and all cargo vessels requiring use of the Small Boat Harbor, at least 7 days in advance of the requested day of use. When a vessel requesting use of the Causeway facility require the stand-by of emergency services or security services, such as vessels loading or unloading hazardous materials and passenger vessels, written requests for the specific services shall be submitted no less than five days in advance of the requested date of use. Vessels arriving at the Port of Nome without prior notification will be granted dockside access only after all scheduled traffic has completed operations or an open berth is available and sufficient time exists for operations to be completed prior to the arrival of the next scheduled vessel.

(b) All berthing assignments approved by the Port Director shall be granted on a first-in-time basis of receipt of berthing requests, provided however that preferential berthing requests shall be granted in accordance with the procedures described in Section 02.020 of this tariff below, and emergency berthing may be granted at any time at the discretion of the Port Director.

(c) Docking permits are available but not required for vessels using the Small Boat Harbor (inner harbor) facility only, provided the Port of Nome is given notification of vessel's initial arrival or launch, and a docking permit defining a particular period (weekly, monthly or seasonal) is issued by the Port of Nome for the vessel. It is the responsibility of the vessel owner/operator to obtain renewals for expired docking permits. Users choosing not to obtain a docking permit will pay dockage at the full daily rate identified under Section 05.010, with all tariff rules and stipulations in effect.

(d) All docking permit holders must sign and file with the Harbormaster's office a Dock Use Agreement stipulating compliance with harbor rules, including the use requirements set forth in Section 01.050 of this tariff, and file the required paperwork and/or fee under the applicable provisions of Section 01.050(d) of this tariff. Users who cannot provide proof of coverage are subject to additional fees and may be denied use of the Port.

(e) All berthing and docking permits assigned shall apply to a specific vessel at a specific location (or area) for a specific period of time, and are non-transferable, non-refundable, conditional permits, revocable without notice or claim, except as otherwise provided in these tariff regulations.

02.020 Preferential Berthing:

(a) The Port Director shall review and consider all written requests for preferential berthing, for specific dates and times, received by the Port of Nome based on the date received. Preferential berthing permits shall be based on a 24-hour period constituting one day.

(b) If two or more applicants apply for preferential berthing for the same time and location, the Port Director shall convene an informal telephonic or personal conference with representatives of all conflicting applicants, and shall attempt to obtain a good faith accommodation that minimizes costs or damages to all of the conflicting applicants. If the Port Director is unsuccessful in obtaining a consensus accommodation among conflicting applicants, then the Port Director shall arrange and execute a fair and impartial drawing of lots to determine which conflicting applicant shall receive the preferential berthing reservation.

(c) No holdover rights are derived from the award of preferential berthing. A vessel delayed in arrival to its reserved, preferential berthing, or a vessel choosing to hold over beyond the term of its preferential berthing, shall be accommodated only during the period of its original preferential berthing reservation, and shall be treated as any other application on a first-in-time basis for any holdover berthing time. Delays resulting from inclement weather will be handled on a case-by-case basis as determined by the Port Director or Harbormaster.

02.030 Alteration or Revocation of Berthing Assignments:

The Port Director may, at his or her sole discretion, alter or revoke any and all berthing assignments whenever he or she determines that such an alteration or revocation is necessary to prevent illegal activities, to prevent damage to the Port of Nome, to avoid undue delay in port operations, to avoid unsafe congestion in the port, to avoid grossly excessive operational costs to the Port of Nome or to other users of the Port of Nome, to prevent further accumulation of charges on an already outstanding account, or to accommodate emergencies, the public health, safety and welfare.

02.040 Reassignment or Return to Berth:

Whenever the revocation of a berthing assignment is not caused by culpable acts or omissions of any person associated with the permittee of the berthed vessel, the Port Director shall make all reasonable effort to assign another berth to the vessel if a satisfactory alternative is available. Whenever the revocation of a berthing assignment is not caused by culpable acts or omissions of any person associated with the permittee of the berthed vessel, the Port Director shall make all reasonable effort to return the vessel to the original berth as soon as possible, provided however that no decision to return the vessel to its original berth shall result in interference with other berthing reservations existing at the time of the revocation.

Comment [LS1]: Do we also want to allow permits for the transients at the Cswy?

Zolotoi (Cswy)
Tagiuk Provider (Cswy)
Tuvli 160 (SBH)

Comment [JB2]: Cswy is prime dock space. SBH permits are allowed for homeported and transient vessels laying over. Cargo vessels warrant daily rate in SBH unless laid up for at least two weeks (space available). Discuss approach with PC on Tuvli 160, Zolotoi and Tag Prov, and reaffirm policy - perhaps if laid up, permit will be issued. Otherwise daily rate to use as needed is preferred since barge/ship demand on these docks is typically high, or if having an emergency.....more discussion needed.

02.050 Orders of Alteration, Revocation or Reassignment of Berthing:

The Port Director may require or cause any vessel's berthing assignment to be changed or reassigned to facilitate access and efficiency in the Port, or if the Port Director determines that doing so is in the best interest of the public health, safety, or welfare. Any and all orders from the Port Director demanding the alteration, revocation or reassignment of berthing arrangements for a vessel shall be delivered to the vessel orally or in writing, or to the permittee if the vessel is not in the Port of Nome. The vessel shall comply fully with the Order no later than four (4) hours after the time of receipt of the Order, provided, however, that the Port Director can require compliance within a shorter time if an emergency so requires.

02.060 Securing Vessels:

(a) All vessels berthing in the Port of Nome shall be moored, anchored and secured in a safe manner according to generally accepted practices of seamanship. All vessels lying at a wharf, pier, causeway, revetment, dock, floats, other improvements or alongside another vessel shall be secured with head and stern lines to mooring bitts, bollards or cleats. Any securing of lines to scupper holes, tires, chains or ladders is not permitted. All methods of securing a vessel and all rigging of a vessel in the Port of Nome shall be subject to inspection and approval by the Port Director at any time. Orders of the Port Director to change or improve vessel security or rigging shall be executed by the permittee immediately. Each vessel owner or operator is responsible for checking and re-securing all lines, anchors, and rigging in use by his or her vessel during all weather conditions.

(b) The Port Director may require vessels to raft on the floats and sheet pile docks during periods of heavy traffic and/or bad weather. If so ordered, all vessels shall comply immediately. Volunteer rafting of like-owned or buddy vessels are encouraged. No vessel, owner, agent, etc. has the right to refuse outside berthing if it has been authorized by the Port Director or their designee. Vessels tied to the outside of a vessel already tied to any part of the dock facilities (rafting), will adhere to the same Tariff Rules and Regulations as any vessel tied to the dock, and is subject to the same charges as if moored directly to the dock. When rafted vessels are moved to allow for departure of another vessel, the remaining vessel will be securely re-tied in the manner described above. Users are required to maximize the use of all sheet pile and floating dock space by mooring as close to neighboring vessels as is safe under the circumstances.

(c) Every vessel secured to a structure, or lying alongside another vessel berthed at the Causeway facility within the Port of Nome shall, from sunset to sunrise, be equipped with stable access secured in a manner subject to inspection and approval by the Port Director at any time. Every gangway shall be brightly illuminated between sunset and sunrise, and shall be monitored by the vessel watch. Any vessel over 75 feet in length moored, and all vessels at anchor within the Port of Nome shall be sufficiently illuminated between sunset and sunrise so as to not compromise navigational safety.

(d) All vessels moored in the Port of Nome shall always and continuously, **without fail**, maintain on board the vessel such crew members as are necessary to care for the vessel and to move the vessel immediately on emergency order of the Port Director. Skiffs and other small craft in the Small Boat Harbor and Snake River may be exempt from this requirement if the Port Director approves of an alternative method of ensuring that a vessel can be contacted and the vessel relocated without delay in the event of an emergency.

(e) Failure to comply with these regulations may result in the imposition of the fines set forth in Section 1.060 of this tariff against the person violating this provision, the owner and operator of the improperly secured vessel, and the improperly secured vessel, all of whom shall be jointly and severally responsible for payment of all fines assessed. In addition to the fine assessed, the vessel, vessel owner, and vessel operator may be denied use of Port facilities.

02.070 Floating Dock:

The floating docks are provided for vessels that are 40 feet and under in length unless otherwise allowed by the Port Director. All moorage on the floating docks is on a first-come-first-served basis, as space permits. Rafting is required during periods of heavy traffic and/or bad weather, provided that this does not cause a safety or navigation hazard. When rafted vessels are moved, they will be securely re-tied. The floating docks and ramp areas shall not be used for storage of any kind and shall be kept entirely clear and

tidy of all gear, supplies and debris by its users. Storage is available on the uplands near the floats on arrangement with the Harbormaster's office.

02.080 Vessel Condition:

All vessels moored in the Small Boat Harbor and Snake River must be in a functional status, unless actively conducting repairs dockside with the consent of the Port Director. At least once in each 30-calendar-day period during the ice-free season, all vessels must leave the Small Boat Harbor under their own power, travel at least half (½) mile outside the Port, and return under their own power unless an exemption is authorized with the Port Director for vessel under long-term repairs. Any vessel that does not or cannot do so will be deemed "inoperable." Any vessel deemed inoperable for a period exceeding 15 calendar days, may seek authorization for one (1) extension of no more than 15 calendar days to allow repairs to continue dockside. After 30 calendar days of being inoperable, the vessel must be removed from the harbor until such time as it is deemed functional again and authorized to be moored within the facility.

02.085 Repairs and Maintenance:

When work is performed on tugs, boats, barges, or other types of maritime craft while they are in temporary storage or moored at the dock, the area where the work is being performed must be cleaned up and reasonably consolidated at the end of each working day. Failure to clean up after the work is performed could result in the owner/operator being assessed a clean-up fee plus being denied future storage and moorage privileges. Tarpaulins, or some form of heavy-duty material must be placed under the section of the hull being scraped, or worked on, so as to preclude any of the residue being left on the land where the craft is located. Owners/operators shall be responsible for disposal of any debris, or residue, and for restoring the ground base to original condition when work is completed. Users performing maintenance and repairs with wheeled equipment that can be moved immediately upon order of the Harbormaster are authorized to occupy port property at no charge for a maximum of one week to conduct the work. Upon conclusion of that week, the Harbormaster may approve up to one additional week at his or her discretion, provided there is sufficient justification.

02.090 Barge Ramp Use:

Use of the Barge Ramp in the Small Boat Harbor must be scheduled to prevent vessel conflicts. Vessels under twenty-five (25) feet will be exempt from this requirement, provided that the operation requiring use of the ramp occurs in less than **twenty (20) minutes**. Vessel trailers are subject to inspection by the Port Director and required to be adequately constructed to support the length and weight of the vessel. Launching operations must likewise be conducted in a safe and reasonable manner. Operations deemed unsafe by port staff will cease immediately until alternative methods or equipment are obtained. Users are responsible for any damage resulting from use, and are required to clean up ramp after vessel launch or haulout. Facility users with vessels over 50 ft in length must submit a written Haul Out/Launch Plan to the Harbormaster for approval prior to moving the vessel. Use of the facility to launch or haul out vessels without first obtaining an approved plan from the Harbormaster will subject users to fines as outlined in Section 01.060(d) of this tariff.

CHAPTER 3 CARGO HANDLING

03.010 Permission Required:

(a) All movement and placement of cargo within the defined cargo handling areas in the Port of Nome shall occur only in compliance with the prior approval of the Port Director. No person may place or deposit cargo or other property at any location within the cargo handling areas in the Port of Nome without first obtaining this approval from the Port Director. Cargo and other property shall be off-loaded from or loaded to vessels only at specific locations as designated by the Port Director. The Port Director may establish a time by which cargo must be removed from the port cargo handling area. Failure to comply with this regulation may result in the imposition of the fines set forth in Section 1.060 of this tariff against the person violating this provision, the owner and operator of the vessel, and the vessel, all of whom shall be jointly and severally responsible for the payment of all fines assessed. In addition to the fines assessed, the vessel, vessel owner and vessel operator may be denied use of Port facilities.

(b) Fire lanes and a strip of land extending twenty (20) feet uplands from all revetments shall remain

Comment [LS3]: Add language concerning vessel's hauling out utilizing cable/chains under tension?
-Require designated "flagger or safety watch" to monitor surrounding area and other traffic during haulout?
-Require vessels using cables that would extend across Port Road to get permission from Port Director and submit traffic/safety plan?
-Have form for this or put burden on user to provide plan?

Comment [JB4]: Getting too specific for tariff. Instead, insert new text requiring large operators (will determine size) to submit written haulout/launch plans for approval prior to moving vessel. (Then sketch an outline on 1 pager for info required from users for their plan - then make a list of most likely (NSEDC tenders and larger??) we can discuss w/PC.

clear of any resting cargo and vehicles at all times unless special arrangements are made with the Port Director. The Port Director may allow for the temporary placement of cargo in otherwise prohibited areas for purposes of loading/unloading or authorized and active repairs. Unauthorized cargo and vehicles will be removed by the Port of Nome and all associated charges will be the responsibility of the person that deposited the unauthorized cargo, including any fines imposed pursuant to Section 1.060 of this tariff.

(c) The dock-side staging of rock, sand and/or gravel products must be made by special arrangement with the Port Director at least seventy-two (72) hours prior to the vessel's arrival. The exact staging location shall be determined by the Port Director. Specific written directives for loading/unloading all rock, sand and gravel materials are available at the Harbormaster's office and at www.nomealaska.org. Every contractor should review the directives prior to the start of each season. Staging areas and dock facilities must be returned to their original condition by the port user within twenty (24) hours of the vessel's departure unless gravel exports continue over a prolonged period, in which case the gravel staging areas shall be returned to their original condition by a date approved in advance in writing by the Port Director. Any damage to facility or significant material loss overboard must be reported to the Port Director immediately. Continued overboard material loss that goes unreported will subject contractors to fines as outlined in Section 01.060(d) of this tariff, and the expense of retrieving overboard materials. Repeat offenses may result in the contractor being denied use of port facilities.

(d) Over-side cargo being discharged or loaded between vessels when one vessel is berthed at a Port of Nome facility shall be charged according to the wharfage rates identified in Section 05.020(a) for that cargo. Manifest requirements and all other rules of cargo handling shall apply in these circumstances.

(e) All cargo containers, their contents, flats and loose stow are the full responsibility of the carrier or consignee while stored anywhere on Port property. No cargo security will be provided by the Port of Nome. All cargo, flats and loose stow MUST be removed from the face of the Causeway docks during storms to prevent damage and potential loss. It is the responsibility of the carrier or consignee to monitor the weather when using the Causeway docks, and remove any cargo or equipment prior to each storm event or at the direction of Port staff.

(f) All hazardous cargo shall be handled on a first-on, first-off basis when being loaded to or unloaded from a vessel moored at the Port of Nome. Hazardous cargo shall not be left unattended unless authorized by the Port Director.

03.020 Manifests and Cargo Information:

(a) Any approved cargo handling permittee shall furnish to the Port Director a complete copy of the manifest of the vessel, including names of consignees or consignors, a detailed description of all cargo to be loaded or discharged, the weights or measurements of all cargo to be loaded or discharged at the Port of Nome, Dangerous Cargo Manifests (DCM) as required by the USCG, and such other information as the Port Director may require. The manifest must also designate the basis, weight or measurement on which the ocean cargo was assessed. **Manifests shall be provided prior to actual unloading of a vessel and within forty-eight (48) hours after loading a vessel**, except on special arrangement with the Port Director. Failure to supply this information may result in the imposition of the fines set forth in Section 1.060 of this tariff against the person violating this provision, the owner and operator of the vessel, and the vessel, all of whom shall be jointly and severally responsible for the payment of all fines assessed. In addition to the fines assessed, the vessel, vessel owner and vessel operator, may be denied use of Port facilities.

(b) The Port Director may, at his or her discretion, accept certified freight lists, mates' receipts, or copies of "boat notes" in lieu of the vessel's manifest, provided the alternative sources of information contain all of the information required for the issuance of a cargo handling permit and for the levy of wharfage charges.

(c) All charges associated with a vessel's port call will be charged on one invoice, unless a different billing arrangement has been previously approved in writing by the Port Director. All manifested commodities (cargo, fuel, equipment and gravel) will be billed to the carrier transporting the commodity, unless a different billing arrangement has been previously approved in writing by the Port Director. Charges will not be split between a vessel and any other person unless deemed warranted by the Port Director.

03.030 Port Equipment and Services:

(a) The Port of Nome does not, at this time, provide stevedoring, handling, checking or other port services with the exception of monitoring inbound petroleum transfers at the Causeway City Dock header and the dispensing of potable water. Labor costs for header crew during petroleum transfers will be assessed per Section 05.035(a)(8) of this tariff. The Port of Nome may authorize an approved cargo handling permittee to monitor outbound petroleum transfers, provided all personnel participating in the transfer are first deemed qualified by the Harbormaster. Any approved cargo handling permittee shall be responsible for arranging privately any and all port services except petroleum transfers and potable water dispensing. Arrangements for conducting petroleum transfers must be made through the Port Director at least seventy-two (72) hours prior to the vessel's arrival. Failure to meet this requirement may subject the user to delays in product transfer. In the event that the user is unprepared to commence transfer after stating readiness, or delays occur that are directly related to the product carrier or recipient, the stand by rate established in Section 05.035(a)(8) of this tariff for per man per hour will be charged by the Port of Nome for port personnel until operations resume. A minimum rate of 750 GPM (gallons per minute) or 45,000 GPH (gallons per hour) must be maintained for each inbound and outbound fuel transfer or labor costs for City personnel will be charged to tank farm operator conducting transfer. A list of specific directives for conducting transfers is available at the Harbormaster's office or at www.nomealaska.org. All tank farm operators and fuel suppliers should review the directives prior to the start of each season.

(b) All cargo handling equipment shall be properly maintained and operators of cargo handling equipment shall be properly trained, supervised and directed by the cargo handling permittee, and the same permittee shall be fully and primarily responsible and liable to the Port of Nome at all times for any and all claims, losses or damages incurred or suffered by the Port of Nome as a result of acts or omissions in conjunction with or caused by the operators or operation of cargo handling equipment. Any damages to any Port of Nome facility must be reported to the Port Director immediately.

(c) Whenever the Port Director determines that the counting or checking of cargo against appropriate documents by the cargo handling permittee is inadequate to safeguard the accurate levy of wharfage, or the health, safety, economic interests or public welfare of the Port of Nome, the Port Director may retain at the expense of the cargo handling permittee alternative services as the case may require for counting, checking, measuring, grading, scaling, surveying, weighing, marking, segregating, sampling, or supplying accurate, necessary information.

(d) High Mast Lights must be used any time cargo, fuel, equipment and gravel operations occur on the City and Westgold Docks during periods of darkness. Vessel operators who intend to operate during dark hours must notify the Harbormaster or his/her designee prior to the vessel's arrival. Only port staff is allowed to operate the lighting controls unless the Harbormaster has specifically authorized a particular user to do so.

03.040 Right to Refuse Cargo:

(a) The Port of Nome reserves the right to refuse to permit the loading, off-loading or placement of any cargo on Port of Nome premises whenever the Port Director finds at his or her discretion:

- 1) That the shipper, consignee, carrier or cargo handling permittee has failed to make adequate arrangements for receiving, handling, storage or movement of cargo;
- 2) That the cargo contains illegal, perishable and deteriorating, hazardous or otherwise offensive substances;
- 3) That the cargo creates an attractive nuisance or a public nuisance;
- 4) That the cargo value is less than the probable unpaid dockage, wharfage and terminal charges; or,
- 5) That the cargo is not secured in packages or containers suitable for the nature of materials, or suitable for withstanding ordinary handling incidental to transportation from the Port of

Nome; or,

6) That the shipper, consignee, carrier or cargo handling permittee has delinquent unpaid charges with the Port of Nome.

03.050 Petroleum Products and Hazardous Substances:

(a) Acids, gasolines, fuel oil, volatile fuels, distillates, liquid petroleum products, explosives and hazardous substances ("Petroleum Products and Hazardous Substances") shall be unloaded from or loaded to vessels only at those locations within the Port of Nome designated as suitable for such purposes by the Port Director. All Petroleum Products and Hazardous Substances loaded or unloaded as cargo shall be identified on the Dangerous Cargo Manifest (DCM) (required with submittal of overall cargo manifests in Section 03.020(a) of this tariff) and clearly marked on vessel cargo manifests, including property reporting requirements. Dock-side bulk transfer of Petroleum Product cargo is restricted to the Causeway City Dock and the Harbor East Dock only, and limited to bulk transfers between vessels, or between vessels and shore-based tanks. Marine fuel retail sales are restricted to authorized locations and limited to outbound shore-based pipeline or trucked deliveries. The Port Director may from time to time impose safety conditions and such other operating procedures as are necessary for the transfer, including retail sale, of any such materials anywhere inside the Port Facility and exceptions to these restrictions may be made at the discretion of the Port Director.

(b) Each user of the Port of Nome transferring Petroleum or Hazardous Substances to or from a vessel, other than for use and/or consumption on the vessel, shall have available and be capable of implementing an Oil Discharge Prevention and Contingency Plan (ODPCP) approved by the Alaska Department of Conservation (ADEC), Environmental Protection Agency (EPA) and United States Coast Guard (USCG) capable of fully containing damages that might otherwise be caused by an explosion, fire, contamination or pollution. No ODPCP relying solely on equipment or expertise outside the immediate Nome area at the time of the cargo handling shall be acceptable.

(c) Any person possessing or keeping Petroleum or Hazardous Substances anywhere in the Port of Nome shall do so in full compliance with the terms and conditions of all applicable Federal, State and local laws and regulations, including, the requirements of the agencies responsible for the administration of such laws and regulations including the Maritime Transportation Security Agency (MTSA), the USCG and the ADEC. Additionally, any person possessing or keeping Petroleum or Hazardous Substances anywhere in the Port of Nome shall do so in full compliance with the terms and conditions of this tariff, Port rules, Port regulations, and standard regulatory safety conditions controlling the use, storage, and disposal of such materials.

(d) A weekly permit is required prior to initiating any hotwork (welding, cutting), sandblasting, or painting, whether on a vessel or dockside. A text or telephone call notification to the Harbormaster or his designee is required prior to commencing any such work in order to facilitate the safe and orderly operations of the port. Permit application forms are available at the Port office during regular office hours. Outside regular office hours, users must first obtain verbal authorization by contacting the Harbormaster via VHF radio or other means, which authorization shall be logged by the Harbormaster, followed by the completion of the permit application on the next regular business day at the Port office. Users who do not obtain advance approval will be subject to the imposition of fines set forth in Section 01.060(d). Any "hotwork" conducted on Port of Nome facilities must be done in compliance with USCG 33CFR126.30.

(e) Failure to notify the Port of Nome of the possession on a vessel or transferring to or from a vessel of Petroleum or Hazardous Substances in quantities greater than what is reasonably necessary for use and/or consumption on the vessel may result in the immediate confiscation and removal of the Petroleum or Hazardous Substances by the Port of Nome at user's expense, the imposition of the fines set forth in Section 1.060 of this tariff against the person violating this provision, the owner and operator of the vessel containing the improper cargo, and any vessel containing the improper cargo, all of whom shall be jointly and severally responsible for payment of all fines assessed. In addition to the fine assessed, the vessel, vessel owner, and vessel operator may be denied use of Port facilities.

(f) A vessel engaged in the business of supplying Petroleum or Hazardous Substances may haul or

lie alongside a vessel or port facility only at locations specifically designated as suitable for the loading or unloading of such cargo, and only for so long as is required to load or discharge the same cargo products unless alternative arrangements are made with the Port Director. All users handling materials described in subsection (a) will comply with the hazardous cargo handling requirements outlined in the Port of Nome's USCG approved Facility Security Plan. Any release of Petroleum or Hazardous Substances into the waters or property of the Port of Nome facility shall be reported to the Harbormaster and federal/state agencies listed below without delay. Clean-up efforts must commence immediately. Should the responsible party not begin clean-up efforts within a timeframe deemed reasonable by the Harbormaster, port personnel will provide such services, with all materials and labor costs charged to the responsible party.

- Port & Harbor Office 907-443-6619
- Harbormaster 907-304-1906
- National Response Center 800-424-8802
- U.S. Coast Guard – Sector Anchorage 907-271-6700
- Alaska Dept. of Environmental Conservation 907-451-2121

(g) Nothing in these tariff regulations, or discretionary instructions or orders from the Port Director, shall be construed to reduce the standard of care required by the laws and regulations of any governmental entity for the safe and proper handling of Petroleum or Hazardous Substances. In each and every instance, the requirements and regulations of the Port of Nome shall be additional and supplemental to any and all rules, regulations, ordinances, statutes and laws of all other governmental entities.

(h) A red flag shall be displayed as a danger signal at the fore top mast head of the vessel while Petroleum or Hazardous Substances are being transferred in either direction between the vessel and the Port of Nome, or between vessels. Adequate signage shall be displayed as a danger signal in plain view on all hazardous cargo in staging, transshipment or laying at rest in the Port of Nome.

(i) The standby of emergency services is required during the loading or unloading of "Designated Dangerous Cargo" as defined by 33 C.F.R. 126.09 as amended, and/or any other materials the transport of which requires a permit pursuant to 33 C.F.R. 126.17, 49 C.F.R. 176.100 and/or 49 C.F.R. 176.415. Standby emergency services will also be provided upon request by the shipper. The shipper shall pay for the standby of emergency services at the rate set in Section 5 of this tariff. A minimum of five (5) business days' notice must be provided to the Port Director of the specific date and time the stand by services are needed. Any violation of this 5-business-day notice requirement will be subject to the imposition of fines set forth in Section 01.060(d).

03.060 Risk of Damage:

The approval for cargo handling shall not be construed as the assumption of any responsibility by the Port of Nome for any loss or damage caused by or resulting from the receipt, delivery, handling, movement or loading of cargo, or any damage caused to cargo by third parties or by vessels berthed at the Port of Nome.

03.070 Removal or Transfer of Cargo:

(a) Petroleum or Hazardous Substances, volatile, toxic, explosive or otherwise dangerous cargo may in an emergency be transferred and removed by the Port Director from its staged location to a safe location within or away from the Port of Nome with all expenses and risk of loss or damage chargeable to the permittee, owner, carrier, shipper, consignee or other claimant as their interests or responsibility may appear.

(b) Cargo remaining in any staging area after the expiration of free time, and cargo shut out at the clearance of a berthed vessel, may be piled or re-piled to make space, transferred to other locations or receptacles within or away from the Port of Nome, or removed to public or private warehouses by the Port of Nome, with all expenses and risk of loss or damage attributed to the account of the permittee, owner, carrier, shipper, consignee or claimant as their interest and responsibility may appear unless special arrangements have been made with the Port Director. Any and all storage fees and all costs of removal and subsequent handling and storage shall be charged to the account of the owner of the cargo. All cargo considered abandoned under Section 01.060(k) of this tariff, shall become the property of the Port of Nome and may be disposed of immediately.

03.080 Over-Side Petroleum Products Transfers:

Over-side transfer of Petroleum Products is allowed only for the purpose of moving cargo between barge carriers for inbound delivery to shore or outbound delivery to coastal communities. Over-side transfer of Petroleum Products for the purposes of marine fuel retail sales is not allowed.

CHAPTER 4

TERMINAL STORAGE

04.010 Permission Required:

(a) The Port of Nome has designated certain lands and facilities for the storage of cargo prior to short-term staging dockside for purposes of loading aboard any vessel, and following the expiration of short-term free time for off-loaded cargo at the dockside staging area.

(b) **No cargo, vessel, equipment or other property shall be deposited or stored at any location within the Port of Nome without consent of the Port Director, or acquisition of a specified location.** No structure or improvement may be placed on the premises of the Port of Nome without the prior written consent of the Port Director. No hazardous substances or explosive material components may be stored at any location on Port of Nome property without the prior written consent of the Port Director. The Port Director has complete discretion to refuse any request for storage of hazardous or explosive materials.

(c) The Port Director will designate the location of open storage for cargo or a vessel on a daily, weekly, monthly, or annual basis. Users of the open storage areas for any duration of time are required to sign a Storage Use Permit (SUP) from the Port of Nome before placing cargo or a vessel in open storage. The recipient of a SUP shall comply with the rules and responsibilities outlined in the SUP. Cargo or vessels placed in the open storage area without a SUP may be removed from the Port of Nome at the expense of the person who placed the cargo or vessel and result in the imposition of the fines set forth in Section 01.060 of this tariff against the person violating this provision. In addition to the fine assessed, persons placing cargo or vessels in open storage without the necessary SUP may be denied use of Port facilities.

(d) Persons storing vessels on Port of Nome property shall use commercial grade boat stands with safety chains for all vessel types except flat bottom vessels or skiffs less than 20 feet. Twin screw engine vessels are to have boat stands under the bow for storage purposes. All vessel storage must be approved in advance by the Port Director. Permittees will be responsible for all aspects associated with the movement of vessels to and from storage and for ensuring the stability of the vessel when dry-docked. The Port of Nome accepts no responsibility for the placement and/or movement of these vessels. Vessels not properly stored, or that shift from inadequate storage methods, must promptly be repositioned and stabilized by the owner. Vessels remaining in an unsafe stored condition will be repositioned by a private contractor hired by the Port of Nome, with all costs chargeable to the vessel owner. In addition, violators of this section will be subject to the fines set forth in Section 01.060 of this tariff.

(e) All persons are prohibited from using vessels, containers and/or structures, or vehicles on Port of Nome property as residential units. This includes vessels in storage on port property – no liveaboards on hard ground. Violations of this provision shall be subject to fines as set forth in Section 01.060 of this tariff. Repeat violations of this provision may cause the termination of storage and removal of all user's containers, cargo or equipment at user's expense.

04.020 Termination of Storage:

The Port of Nome reserves the right to terminate storage of any and all cargo or equipment at any time following reasonable notice to the terminal storage permittee. If cargo is not removed from the Port of Nome following reasonable notice, the Port Director may cause the cargo to be removed or otherwise disposed at the expense of the terminal storage user.

04.030 Fixtures and Improvements:

(a) The Port Director may negotiate in the public interest prudent terms and conditions for a permit

allowing the construction or improvement of terminal storage areas for a period of time not to exceed five years, provided however that no such agreement shall favor one or more users among competitors, and no such agreement shall result in discouraging competition among shippers, carriers, terminal companies or consignees.

(b) A permit including the construction or improvement of terminal storage areas shall not be construed as the conveyance of any interest in real property by the Port of Nome. All structures and improvements to the real property shall remain the property of the Port of Nome upon termination of the terminal storage permit or property lease unless the Port Director orders the permittee to remove the structure or improvement.

(c) Any agreement for the lease of real property, or for the retention of ownership of improvements by the permittee, or for the issuance of a terminal storage permit or agreement for a period in excess of five years, shall be construed as a lease of real property subject to all City of Nome ordinances governing the conveyance of an interest in real property.

CHAPTER 5

SCHEDULE OF CHARGES AND TERMS OF PAYMENT

05.010 Dockage Rates:

(a) All vessels berthing at the Port of Nome shall pay dockage as follows:

1) Any vessel permitted to anchor within the Port of Nome municipal boundaries, that is loading or unloading cargo or passengers by lighters, shall pay dockage at the daily rate assessed upon the size of the anchored vessel(s), commencing when the first lighter of the operation places the first line upon any Port of Nome facility and continuing until the last lighter is free from any Port of Nome facility. Lightering vessels will not be charged dockage during this transfer of cargo or passengers, except when the vessel that is being lightered from is docked at the Causeway facility, whether or not that vessel is actively engaged in loading or unloading.

2) A vessel permitted to beach or run aground in the tidelands or at the mean high tide line away from any Port of Nome dock or landing shall pay dockage at the daily rate assessed upon the size of that vessel or, the port may determine that any vessel beached or grounded more than thirty (30) calendar days in succession can be rescheduled as an idle vessel for purposes of dockage charges. Beached or grounded vessels will not be permitted to remain throughout the winter at the high tide line anywhere within the Port of Nome.

3) Daily dockage rates for any vessel berthed at the Port of Nome facility shall be based on a 24-hour period constituting one day and will be paid in accordance with the size of the vessel as follows:

(A) Vessels up to 200 ft. in length.....	\$1.21/ft. per day
(B) Vessels over 200 ft. in length.....	\$1.85/ft. per day
(C) Vessels anchored within the breakwaters (outer harbor)....	\$0.61/ft. per day

(D) Vessels operating out of the inner harbor during the months of June through October shall have the option to apply for a docking permit and pay at the current rate (for that size vessel) as follows:

	<u>WEEKLY*</u>	<u>MONTHLY*</u>	<u>SEASONAL*</u>
Vessels 32 ft. and under	\$91.00	\$273.00	\$789.00
Vessels over 32 ft. to 52 ft.	40%	25%	15%
Vessels over 52 ft. to 72 ft.	55%	35%	25%
Vessels over 72 ft. to 92 ft.	65%	45%	35%
Vessels over 92 ft.	75%	55%	45%

*Percentages of daily dockage rate calculated on length of permit

4) The fee for any vessel docking in the Snake River area is one-half (1/2) of the rate applicable to the vessel under the schedule set forth in Section 05.010 (a) 3. Users must apply to the

Harbormaster for a Snake River area docking permit. Snake River permit holders must comply with the Port of Nome Moorage Policy and all other rules and regulations, including all applicable provisions of this tariff. Sport fishermen and subsistence users of the Snake River area are exempt from the dockage fee.

(b) Home-ported vessels dry-docked within the Port of Nome that remain idle throughout the applicable period shall pay a flat rate identified below for the winter-season (November through May) or summer-season (June through October).

	<u>Winter</u>	<u>Summer</u>
Vessels 32 ft and under	\$ 525.00	\$ 420.00
Vessels over 32 ft to 42 ft	\$ 788.00	\$ 630.00
Vessels over 42 ft to 52 ft	\$1,050.00	\$ 840.00
Vessels over 52 ft to 62ft	\$1,575.00	\$1,260.00
Vessels over 62 ft to 72 ft	\$2,100.00	\$1,680.00
Vessels over 72 ft to 92 ft	\$2,940.00	\$2,310.00
Vessels over 92 ft	\$4,725.00	\$3,465.00

(c) **No vessels** will be permitted to freeze in at the water line within the Small Boat Harbor or Port of Nome Facilities during the winter months of November through May, except with prior written approval from the Port Director, based upon specific design requirements.

(d) **No vessels** will be permitted to dry dock or to be stored on the Causeway docks or along the Causeway road at any time during the year without the expressed written consent of the Port Director.

(e) Vessels using the Belmont Beach or Snake River area for the purposes of sport and/or subsistence fishing and hunting are exempt from docking fees. This exemption does not apply to improved docking facilities within the Port and Harbor.

(f) Vessels requiring shore-side assistance from the Port of Nome to secure the vessel shall be charged one line handling fee per visit. Line handling procedures shall be established by the Harbormaster and adhered to at all times. Any variation in these procedures will be implemented or approved by the Harbormaster as needed based on the individual requirements of the vessel. Notification must be made to the Port Director at least seventy-two (72) hours prior to vessel arrival that vessel is requiring assistance to moor. Specific arrival and departure times shall be provided to the Port Director at least twelve (12) hours prior to each docking. If changes or delays to scheduled arrival and departure times occur within the 12hour notice window, a stand by time per man, per hour for port personnel will be assessed by the Port of Nome, unless notice is provided to the Harbormaster at least two (2) hours prior to the vessel's arrival or departure. Line handling services performed beyond regular operating hours will be charged per man hour at the applicable rate defined in Section 05.035(a) 8 of this tariff. Regular operating hours are 8:00 am to 5:00 pm, Monday through Friday, excluding holidays.

(g) Vessels moving between different Port of Nome facility docks shall be assessed dockage based on the combined elapsed time at all locations.

(h) A single vessel when actively engaged as a tug boat, assisting and made fast outboard a vessel and working cargo, shall be accorded free dockage. A tug boat leaving its tended vessel shall have waived its right to free dockage and will be charged accordingly upon mooring to any other Port of Nome facilities, except during which time the vessel relocates to an open berth to receive fuel or water with the approval of the Port Director. All tug and barge vessels that arrive and remain in the "push" configuration, will be charged for the combined length of both tug and barge when alongside any dock or wharf structure. Barges moored on the "hip" of the barge will be assessed for the LOA (Length-Over-All) of the barge.

(i) Vessels drawing less than twenty (20) inches of water, including support vessels, may only moor in the Snake River area, and may not moor anywhere else in the Inner Harbor (unless authorized by the Port Director). The dockage rate set forth in Section 05.010(a) (4) of this tariff applies to all vessels utilizing the Snake River area unless the use is limited to vessel launching or haulout. Vessels using the area for launching and haulout purposes only are not required to pay the moorage fee. Improperly moored

vessels, or vessels drawing less than twenty (20) inches of water docked in the Small Boat Harbor without permission, will be relocated at the owner's expense and assessed the appropriate fee. Repeat offenders will be fined in accordance with Section 01.060(d) of this tariff.

(j) All vessel trailers stored on Port property during the ice-free season will be stored in a location and manner as defined by the Port Director and assessed charges as set forth in Section 05.035(a) of this tariff. Parking stickers will be issued by the Harbormaster's office at the per foot rate defined in Section 05.035(a) 9 of this tariff, and must be displayed on the tongue showing the current calendar year. Trailers without stickers that are left unattended for more than seven (7) calendar days will be impounded and hauled to the City monofill at the owner's expense. Payment for original parking fees, storage and moving costs will be required to retrieve trailers.

(k) The Port of Nome search and rescue vessel "The Guardian" is available for emergency and non-emergency response at rates defined in Section 05.035(a) 10 of this tariff. In order to qualify for the lesser non-emergency rate, vessels requesting assistance must specify that the situation is a non-emergency. Failure to specify will result in assessment of the higher rate.

05.020 Wharfage Rates:

(a) A wharfage charge for all cargo loaded or off-loaded between any vessel and the Port of Nome shall be paid as follows:

1) Bulk liquid products -	
Inbound only.....	\$0.035 per gal
Outbound only.....	\$0.023 per gal
Over-side only.....	\$0.012 per gal**
Inter-facility transfer.....	\$0.035 per gal
2) Dry commodities, scientific equipment, ISO Tanks and company gear - (excluding rock, sand, gravel, project cargo and ship's gear)	
Inbound/outbound.....	\$11.55 per ton
Over-side cargo.....	\$ 5.80 per ton
Over-stow cargo (outbound).....	\$ 5.80 per ton*
Inter-facility transfer.....	\$ 8.70 per ton
3) Rock, sand and gravel –	
2,000 tons or under per barge load..	\$2.55 per ton
Over 2,000 tons per barge load.....	\$1.95 per ton
Over 40,000 tons per project.....	\$1.65 per ton

(*Over-stow rate is based on qualifying cargo in which full wharfage is being paid for inbound movement, and is destined to points beyond Nome.)

(**See Section 03.050 and 03.080 for restrictions)

4) Project cargo in excess of 2,000 tons in one shipment for one consignee to be consumed in one project	75% of published rate
5) Empty containers, bottles or tanks, that are non-revenue cargo, being shipped in or out for re-fill of product <u>only</u>	No Charge
6) Ship's gear, ship's stores, and shore-side cargo handling equipment (as defined)	No Charge

05.030 Terminal Storage Rates:

(a) A terminal storage fee for all cargo and equipment stored at the Port of Nome shall be paid as

follows:

1) For open storage on uplands east and west of the Snake River (except Causeway).....	\$ 0.06 sq. ft. per week
2) For open storage on Causeway road or docks.....	\$ 0.08 sq. ft. per week
3) Secured storage (palletized or exceeds 50#).....	\$18.00 per day

05.035 Amenities & Other Charges:

(a) A charge for these amenities will be assessed as follows:

1) Line Handling (Ships over 300')	\$1,400.00 per visit*
Line Handling (Ships up to 300').....	\$ 700.00 per visit*
(Initial tie-up and throw-off)	
2) Dump Truck/Refuse (Ships over 300')	
(a) Unregulated Refuse.....	\$425.00 per load*
3) Potable Water - First 1000 gallons.....	\$182.00 Flat Fee*
1,001 – 9,999 gallons.....	\$ 0.06 per gallon
10,000 gallons and above.....	\$ 0.04 per gallon
4) Garbage Dumpster Fee.....	\$ 43.00 per visit
5) Security Fee (Foreign Flagged and/or Passenger Vessels..	\$1,820.000 per 12 hour
	Shift*
6) Used Oil.....	\$2,365.00 per 55 gal. drum* (or any portion thereof)
7) Emergency Services Stand By - (First hour).....	\$1,820.00 hour
Each additional hour	\$1,213.00 per hour
8) Personnel Labor Rates (1 hour minimum):	
a) Regular/Straight Time.....	\$104.00 per hour
b) Over Time.....	\$161.00 per hour
c)	
d) Holiday Time.....	\$290.00 per hour
e) After Hours Call Out	\$318.00 per hour
f) Stand by	\$318.00 per hour
9) Trailer Parking Fee (ice-free season)	See rates shown in Section 05.030(a) Storage
10) Smart Ash Burner Operation – (burning used sorbents)	\$122.00/per hour
11) Gangway or Brow Rental.....	\$152.00/day*
Rubber Tire Fendering	\$152.00/day*
12) Vessel Assist – 28' Guardian	
Emergency.....	\$910.00 Flat Rate
Non-Emergency.....	\$267.00 Flat Rate
Plus Fuel/Oil... (1 hr minimum)	\$ 19.00 per hour
Plus Labor	See above labor rates*
18' Skiff.....(1 hr minimum)	\$ 31.00 per hour

Comment [LS5]: Aren't we liable for the actual vessel once we take it under tow?
-If we want to provide this maybe we need to have a liability waiver onboard and have people sign something prior to use towing? (Craig does this)
-Otherwise just save people/ not boats (like Fire Department)?

Comment [JB6]: These rates are for responding to help "people", and not specific to towing vessels. We can discuss w/PC for their input, but I think we should stick with people - could possibly assist with anchoring, then they arrange for a tow. Obviously it's a situational issue so will need to talk about circumstances and taking minimal action to mitigate pollution.

Comment [LS7]: What instances are considered Non-Emergency but will still legally allow me to help?
-Cannot take under tow and still charge \$\$ (over 25ft rule)

Comment [JB8]: Good for PC discussion - bring up Craig rule.

13) Film License Application Fee..... \$300.00 Flat Fee

*Rates for these services performed beyond regular operating hours will be charged per man hour at the applicable rate defined in Section 05.035(a) 8. Regular operating hours are 8:00 am to 5:00 pm, Monday through Friday, excluding holidays.

05.040 Free Time:

Cargo being loaded or off-loaded in accordance with the Port of Nome tariff, may occupy assigned cargo-handling space at the berthing facility free of charges for a period of time not to exceed forty-eight hours prior to the commencement of berthing and seventy-two (72) hours following discharge of the vessel from its berth unless on special arrangement with the Port Director.

05.050 Negotiable Rates:

(a) The Port of Nome reserves the right to enter into negotiated agreements for the use of specific port facilities, storage space, tanks, land or other terminal facilities at rates determined by the Port Commission or Port Director.

(b) The Port of Nome reserves the right to enter into agreements with common carriers, shippers, and agents concerning rates and services, provided that such agreements shall be consistent with existing rules, regulations, statutes and laws of all governmental entities.

(c) If, in the opinion of the Port Director, any operation, use, or user of the Port is reasonably likely to require special handling, the Port Director shall have the right to charge the user additional fees to compensate the Port for actual and/or reasonable costs associated with the operation, use, or user. This may be a flat fee or a negotiated rate, depending on the circumstances. Cases requiring "special handling" shall include off-season and other operations that the Port Director believes will require substantially more resources or funds than average operations or users,

05.060 Terms of Payment:

(a) All dockage, wharfage, terminal storage fees and other charges assessed by the Port of Nome shall be paid at the time of use, except as provided in subsection (b) below.

(b) The Port Director may extend credit to any user of the Port of Nome who establishes a sound financial condition to the satisfaction of the Port Director. User must satisfactorily complete a credit application and provide all information necessary to determine creditworthiness. Charges assessed and levied to any such creditworthy user shall be due and payable within thirty (30) calendar days from the date of invoice from the Port of Nome.

(c) The creditworthy status of such a user of the Port of Nome shall terminate immediately and automatically upon failure to pay all amounts due and owing within thirty (30) calendar days of the date of invoicing. In no event shall creditworthy status attach to any user for a period of time in excess of one (1) year without additional and supplemental evidence of continuing creditworthiness that is satisfactory to the Port Director. During this time of non-creditworthiness, the user shall be required to pay all charges in full and in advance for activity conducted within the Port of Nome. Further, users in delinquent status may be denied access to the Port of Nome facilities and any cargo, gear or vessel within the Port of Nome may be held as security for payment until all unpaid charges are paid in full. At the Port Director's sole discretion and upon terms acceptable to the Port Director, including for adequate security, a user may enter into a payment agreement with the City for the purpose of satisfying debts owed for use of Port of Nome facilities, and such agreement may provide that the user shall not be considered in default or arrears if the user adheres to the terms of the agreement.

(d) No credit shall be extended to any person or entity who is delinquent in the payment of any amount due and owing to the City of Nome, the Nome Public School District, or the Nome Joint Utility System.

(e) An administration fee of 20% will be charged on all issues that require administrative services to process and handle, beyond the typical day-to-day business, such as but not limited to; known spill response incidents that require port supplies and personnel, clean up, repair or replacement of facility or infrastructure due to user neglect or damage, etc. All outstanding accounts reaching any level of collection will be assessed a 15% collection fee for balances exceeding sixty (60) calendar days beyond the payment due date, and a 20% collection fee for balances exceeding one hundred and twenty (120) calendar days. Fees will be assessed on a quarterly basis and rounded up to the nearest whole dollar. Collection fees on account balances exceeding \$1,000.00 will be capped at the applicable percentage assessed on a \$1,000.00 account balance. An NSF fee of \$35.00 will be charged on all bounced checks.

(f) Prepaid docking permits are non-refundable. Credits for unused portions of prepaid long-term storage may be credited back to user accounts at the discretion of the Port Director. The Port will not assist any user in the sale of prepaid space.

05.070 Interest Accrued:

All amounts due and owing to the Port of Nome for dockage, wharfage, terminal storage fees or other charges shall accrue interest at the rate of ten and a half percent (10.5%) per annum. All costs of collection, including actual reasonable attorney and administrative fees, shall be paid by the delinquent user of the Port of Nome.

05.080 Additional Legal Remedies:

Nothing in these tariffs shall be construed as limiting or waiving any and all legal rights and legal remedies available to the Port of Nome in pursuit of collection of all amounts due and owing to the Port.

CHAPTER 6 **DEFINITIONS**

06.005 Barge Ramp:

"Barge Ramp" shall include the boat launching area off of Port Road identified as Barge Ramp in the Port of Nome aerial photograph dated August 2011 (version v. 041213) on file with the City of Nome.

06.010 Berthing:

"Berthing" is the act of anchoring, tying up, mooring, securing, idling, grounding, dry-docking, beaching or otherwise laying a water vessel to rest within the Port of Nome.

06.020 Cargo:

"Cargo" shall include all freight, merchandise, supplies, equipment, tools, fuel, and other tangible goods held for shipment or movement within the Port of Nome.

06.030 Cargo Handling Areas:

The "cargo handling areas" shall include all dedicated and usable right of ways, the Nome causeway, the full length of the Snake River revetment improvements including the barge ramp uplands and Small Boat Harbor property for a distance of fifty (50) feet back from that revetment along the uplands.

06.040 Cargo Handling Equipment:

"Cargo handling equipment" shall mean all equipment, gear and supplies transported to and/or from a vessel which is necessary for cargo handling at the Port of Nome and that: (a) is loaded or unloaded in Nome and (b) used exclusively for cargo handling at the Port of Nome. Equipment, gear and supplies that are used for cargo handling and for another purpose while offloaded in Nome are not "Cargo handling equipment".

06.045 Cargo Handling Permittee:

"Cargo Handling Permittee" is a person, firm or company that has been issued a permit to use the Port, and which is engaged in the business of handling cargo, equipment, fuel or gravel at the Port of Nome docks and facilities, whether in the capacity of a vessel or shore-side operator.

06.047 Causeway City Dock:

"Causeway City Dock" shall include the area on the southern end of the causeway identified as City Dock in the Port of Nome aerial photograph dated August 2011 (version v. 041514) on file with the City of Nome.

06.050 Company Gear and Equipment:

"Company Gear and Equipment" includes all equipment, gear and supplies transported to and/or from a vessel which is necessary for cargo handling at another shore-side facility or is being transported by a vessel to another location or vessel for such use, but not considered part of the transporting vessel's (ship's) gear or stores.

06.060 Dockage:

"Dockage" is the charge assessed to a vessel for docking at a wharf, dock, pier, float, revetment or other facility, or for mooring to a vessel so docked at a Port of Nome facility.

06.070 Dock-Side:

"Dock-Side" is the shore-side area of any part of the Port of Nome facilities in which vessels and/or crew may conduct working activities such as loading and unloading.

06.080 Empty Containers:

"Empty Containers" qualifying for free wharfage are defined as containers being loaded or unloaded that have no contents and are owned by the carrying vessel.

06.085 Free-Time:

"Free-Time" is the specified period of time (seventy-two (72) hours) during which cargo may occupy an assigned space on port property free of charges immediately prior to the loading or subsequent to the discharge of such cargo on or off a vessel.

06.090 Harbormaster:

The "Harbormaster" is the individual charged with directly supervising and facilitating all operations of the Nome Port & Harbor, including the use of uplands, facility services, and including the assessment of charges and required compliance contained within the Port of Nome Tariff Rules & Regulations; the Port Director's designee.

06.092 Home-Ported Vessel:

A "home-ported vessel" is a seaworthy vessel laying at rest in the Port of Nome during the immediately preceding winter months of November through May, with no delinquent charges or assessments of taxes, damages, dockage, wharfage or other port charges, which operates out of the Nome Inner Harbor during the ice-free summer season.

06.095 Idle Vessel:

"Idle Vessel" is defined as a vessel in lay-up status or laying at rest on hard ground within the Port of Nome facility.

06.100 Inner Harbor:

The "inner harbor" of the Port of Nome is the Snake River and the Bourbon Creek/Dry Creek confluence also known as the turning basin or Small Boat Harbor, including the concrete barge ramp.

06.105 Inter-Facility Transfers:

The movement of cargo, equipment or fuel between facilities entirely within the Port of Nome property (excluding Cape Nome). Applies only to movements between the two facilities that are not loaded onto a vessel for shipment.

06.107 LOA or Length Over All:

The overall length of a watercraft measured from the most forward point at the stem (bow), to the after most part of the stern of the watercraft, to include the motor.

06.108 Nuisance Property:

"Nuisance property" means all personal property, including but not limited to machinery, equipment, gear, appliances, furniture, materials or parts, and Ship's Gear or Stores placed or stored on Port of Nome Facilities unless authorized by the Tariff or with the express permission of the Harbormaster, or property that otherwise constitutes a hazard and a hindrance to safe use of the Port of Nome.

06.110 Over-Side Cargo or Fuel:

"Over-Side" refers to the act of transferring cargo or fuel directly between vessels when one vessel is docked at any Port of Nome facility and the other vessel is moored alongside.

06.120 Over Stow:

"Over Stow" is defined as any cargo placed on the Port premises from common carrier or its agent, which is to be reloaded on a vessel and destined for discharge at another port. Over Stow charges will apply so long as no value has been added to the cargo while awaiting transshipment.

06.130 Port Director:

The "Port Director" is either the City Manager or such person designated by the Nome City Council or the designee of the City Manager, consistent with existing Nome Ordinances governing the Port of Nome.

06.140 Port of Nome:

The "Port of Nome" shall include all tide and submerged lands owned, occupied, managed, leased or administered by the City of Nome within and beyond the municipal boundaries, all parcels of real property contiguous to the mean high tide line of the Bering Sea, the Snake River and its tributaries, and all lands and navigable waters within the jurisdiction of the City of Nome.

06.150 Port of Nome Facilities:

"Port of Nome Facilities" includes all causeway docks, revetments, marine headers, industrial pad, barge ramp, harbor floats, east and west Small Boat Harbor docks, storage areas and tidelands of the outer harbor, Small Boat Harbor and Snake River. Unimproved beaches bordering the Bering Sea and unimproved submerged lands of the Bering Sea are not included as "facilities".

06.155 Production Film, Video, and/or Photography Crews:

A film, video and/or photography production crew is one or more people engaged in filming, video or digital taping, photography or recording on any medium in a commercial capacity or for profit.

06.160 Rafting:

When two or more boats tie alongside each other, specifically at a pier, wharf or dock.

06.162 Retail Marine Fuel Sale:

"Retail Marine Fuel Sale" refers to the transfer of non-cargo fuel, or fuel intended for use and/or consumption on the vessel, from a seller to a vessel.

06.165 Roadstead:

"Roadstead" shall include the navigable channel approach into the Port of Nome outer harbor where vessels transit in preparation for maneuvers into and away from the Causeway docks or Small Boat Harbor. No vessel shall anchor or sit idle in such a manner that obstructs the passage of any vessel transiting the approach into and out of the outer harbor.

06.170 Ship's Gear or Stores:

"Ship's Gear and Ship's Stores" shall include all equipment, gear and supplies being loaded to and/or from a vessel that is directly related to that vessel's cargo handling ability or part of that vessel's crew necessities.

06.173 Small Boat Harbor:

"Small Boat Harbor" shall include that area on the eastern entrance of the Snake River identified as Small Boat Harbor in the Port of Nome aerial photograph dated August 2011 (version v.041213) on file with the City of Nome.

06.175 Snake River Area:

The "Snake River area" means the area within the property of the Port of Nome designated by the Port Director/Harbormaster for use by small crafts and support vessels, located in and along the Snake River on the western side of the Port of Nome. The area extends from the corner of the MS 410 property, near the concrete launch ramp, to the armor stone at the end of Belmont Street, and up river to the City Limit boundary.

06.178 Support Vessel:

"Support vessel" is defined as any vessel which is used exclusively to provide assistance to another vessel by, for example, ferrying gear or persons to or from the main vessel, or to allow repairs, cleaning, and other services to occur on the main vessel.

06.179 Third Party Employers:

"Third Party Employers" refers to employers of all cargo, fuel, gravel, construction employees, service organization staff, vessel employees, longshoremen, stevedores, independent contractors, and all other non-City employees.

06.180 Through Cargo:

"Through Cargo" is defined as cargo that is transported into Nome for temporary staging, while awaiting shipment to destinations beyond Nome, and billed as over stow cargo. (See 06.120 Over-Stow)

06.190 Vessel - "Vessel" or "Vessels":

Shall mean any, ship, barge, LASH barge, SEABEE barge, tug, towboat, lighter, raft or other watercraft that is designed to float. All references to "VESSEL" or "VESSELS" in this tariff shall include, without exception, her owner, charterer, and agent.

06.195 Wharfage:

The charge assessed against any cargo placed on any shore-side property and passing over, across, under or through the Port of Nome cargo handling facilities.

06.200 Working Stow:

"Working Stow" is defined as any cargo not destined for the Port of Nome that has to be removed from a vessel and placed temporarily on the dock before being loaded to the same vessel from which it was removed and before any movement of vessel from the dock.

PON REVENUE BY CALENDAR YEAR

		2013	2014	2015	2016	2017	2018
Causeway Facility							
80.3111.2001	Causeway Dockage	65,175.55	46,235.97	79,671.64	101,405.35	82,844.40	72,401.17
80.3111.2002	Causeway Wharfage - Dry	286,889.14	195,405.39	211,007.91	132,874.94	179,589.53	188,136.44
80.3111.2003	Causeway Wharfage - Fuel	251,209.42	287,622.58	285,972.07	238,396.92	292,516.00	216,878.78
80.3111.2004	Causeway Wharfage - Gravel	42,175.85	31,989.53	96,587.04	218,733.82	80,699.71	87,577.31
80.3111.2005	Causeway Storage Rental	5,610.68	19,684.31	11,486.86	11,699.30	11,944.00	4,320.00
80.3111.2006	Causeway Utility Sales	15,519.69	15,641.44	11,727.82	44,869.42	23,936.98	13,252.34
80.3111.2007	Causeway Misc Term Revenue	39,154.50	48,279.00	40,748.44	242,602.76	77,755.62	43,182.50
80.3111.2008	Leases, Rentals, Land, Bldgs	-	-	-	-	-	-
80.3111.2009	Sale of Property & Assets	-	-	-	-	-	-
	Subtotal:	705,734.83	644,858.22	737,201.78	990,582.51	749,286.24	625,748.54
Harbor Facility							
80.3211.1001	Harbor Seasonal Dock Permit	115,610.40	134,791.80	122,975.58	108,752.31	123,623.64	94,823.10
80.3211.2001	Harbor Dockage	36,144.90	38,933.67	48,601.59	61,163.74	92,377.07	47,400.36
80.3211.2002	Harbor Wharfage - Dry	86,634.47	76,332.73	74,104.09	82,940.46	100,497.09	85,571.51
80.3211.2003	Harbor Wharfage - Fuel	80,231.12	52,915.70	62,572.35	56,903.29	66,209.09	73,421.75
80.3211.2004	Harbor Wharfage - Gravel	4,095.14	13,055.68	5,713.99	10,325.49	34,667.57	5,480.56
80.3211.2005	Harbor Storage Rental	40,090.86	12,039.45	37,237.77	32,188.91	33,383.58	24,389.47
80.3211.2006	Harbor Utility Sales	5,220.07	5,484.07	6,494.34	6,731.85	8,317.74	4,481.38
80.3211.2007	Harbor Misc Term Revenue	26,813.79	2,749.24	2,925.72	1,633.99	1,820.00	-
80.3211.2008	Leases, Rentals, Land, Bldgs	54,777.32	78,138.60	103,021.08	78,854.88	55,409.28	35,311.56
	Subtotal:	449,618.07	414,440.94	463,646.51	439,494.92	516,305.06	370,879.69
Cape Nome Quarry							
80.3311.2002	Quarry Wharfage - Dry	1,155.00	-	-	-	-	-
	Subtotal:	1,155.00	-	-	-	-	-

PON REVENUE BY CALENDAR YEAR

Industrial Park Facility

80.3411.2005	Industrial Park Storage Rental	187,949.12	200,640.91	182,882.86	200,024.18	238,595.06	265,644.82
80.3411.2008	Leases, Rentals, Land, Bldgs	183,629.16	175,172.02	134,073.01	160,492.74	158,241.92	153,158.39
80.3411.2009	Sale of Property & Assets	347,740.50	-	-	-	-	-
	Subtotal:	719,318.78	375,812.93	316,955.87	360,516.92	396,836.98	418,803.21

Other Misc Revenue

80.3511.0001	Copies, Fax, Pubs, Film Lcns	20.25	28.00	-	14.00	327.75	902.00
80.3511.0002	Banking / NSF Check Fee	60.00	35.00	140.00	16.00	0.01	35.00
80.3511.0003	Credit Card Service Fees	-	-	-	-	0.76	-
80.3511.0004	Resale-Hats,Charts,Spills,Appl	1,535.80	3,536.65	5,925.50	1,767.47	2,811.26	1,661.22
80.3511.0005	Other Port Revenue	147.65	30,433.63	59,534.26	86,719.16	5,169.02	1,643.79
	Subtotal:	1,763.70	34,033.28	65,599.76	88,516.63	8,308.80	4,242.01

Interest Earnings

80.3611.2001	Interest Earnings Port Op	8,560.12	5,502.78	4,734.40	5,084.56	5,789.02	5,621.18
80.3611.2002	Interest Earnings Causeway	1,926.14	5,520.54	(2,661.23)	1,938.87	1,219.93	1,704.79
80.3611.2003	Investment Earnings	-	-	4,872.51	11,537.12	21,096.33	14,723.36
	Subtotal:	10,486.26	11,023.32	6,945.68	18,560.55	28,105.28	22,049.33

Contributions/Other

80.3711.0001	StAK Employer On-Behalf PERS	28,919.68	52,126.38	18,526.81	40,126.33	13,133.18	12,355.91
80.3711.0002	Other Contributions	-	-	-	-	100,691.63	8,896.32
80.3711.0003	Denali Commsn High Mast Lights	92,168.72	-	-	-	-	-
	Subtotal:	121,088.40	52,126.38	18,526.81	40,126.33	113,824.81	21,252.23

Fund Balance Appropriation

80.3899.9999	Port of Nome Use Fund Balance	-	-	-	-	-	-
	Port Operating Fund Total:	2,009,165.04	1,532,295.07	1,608,876.41	1,937,797.86	1,812,667.17	1,462,975.01

PORT OF NOME

Vessel Calls By Season

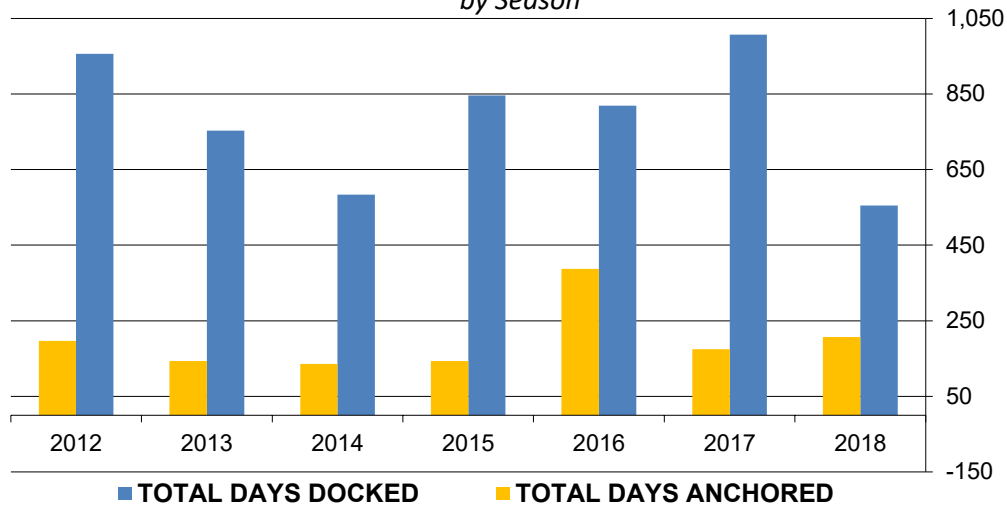
Vessel traffic categories expanded 2012-2018 to capture all anchored vessels and transient pleasure craft

NOME PORT	BULK CARGO & FUEL	BULK CARGO	BULK FUEL	GRAVEL & EQUIP. BARGES	HARBOR DOCKING PERMITS	RESEARCH	MISC. VESSELS	CRUISE SHIPS	SAILING VESSELS	GOVT SHIPS	TOTAL DAYS DOCKED	TOTAL DAYS ANCHORED
2018	246	178	68	108	91	53	2	5	33	17	555	207
+ anc - various		1	30	8		5			1	5	50	<<
+ anc - wx		9	4	5		1			3		22	<<
+ anc - draft		1	113	2		3				16	135	<<
2017	295	170	125	165	100	72	50	5	287	33	1,007	175
+ anc - various		2	23	1		3	13			7	49	
+ anc - wx		2	2								4	<<
+ anc - draft			79				20	1		22	122	<<
2016	193	123	70	# 108	109	*** 68	189	3	138	11	819	387
+ anc - various		11	63	3		3	94		3	1	178	<<
+ anc - wx											0	<<
+ anc - draft			180				11	4		14	209	<<
2015	192	121	71	# 133	133	*** 144	71	3	131	39	846	143
+ anc - various		10	44	13		5	6			10	88	<<
+ anc - wx		2									2	<<
+ anc - draft			39			2		4		8	53	<<
2014	214	149	65	# 67	148	*** 51	4	10	81	9	584	136
+ anc - various		7	31	3		3	5		7		56	<<
+ anc - wx										2	2	<<
+ anc - draft			68							10	78	<<
2013	217	124	93	# 108	134	*** 54	6	8	212	14	753	143
+ anc - various		8	66	13		5	3		3	1	99	<<
+ anc - wx			3	2							5	<<
+ anc - draft							1		4	34	39	<<
2012	333	209	125	# 85	153	*** 139	32	1	195	17	956	197
+ anc - various		6	66	10		7	11	3	3	57	163	<<
+ anc - wx		6	4	3						3	16	<<
+ anc - draft						2	4			12	18	<<

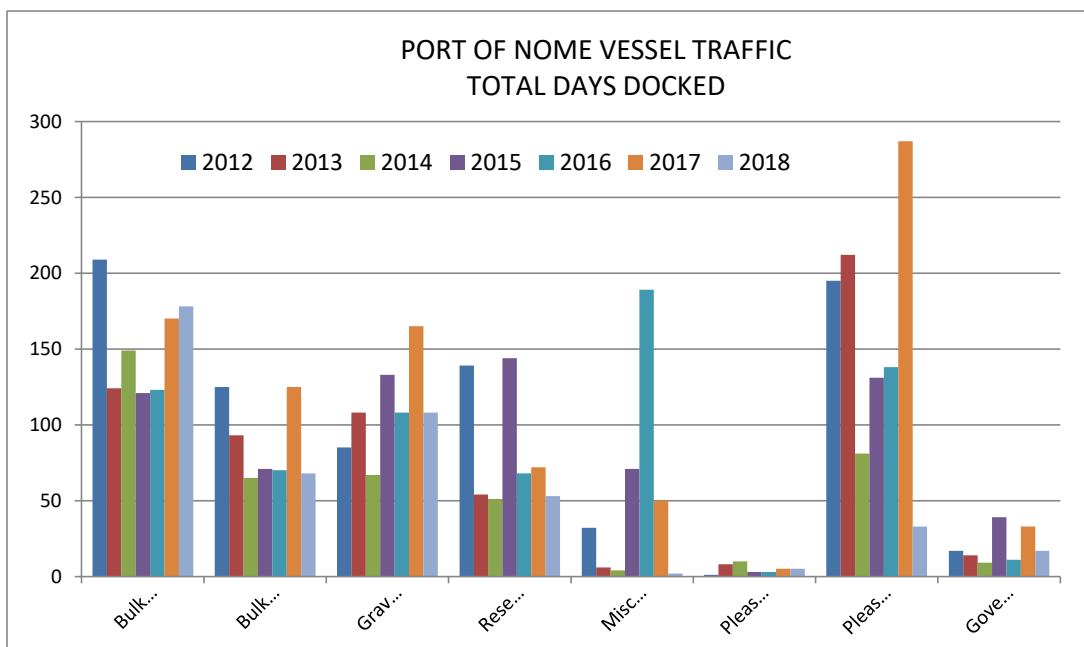
PORT OF NOME VESSEL CALL TRENDS **TOTAL DAYS DOCKED**

TOTAL DAYS DOCKED	2012	2013	2014	2015	2016	2017	2018
Bulk Cargo	209	124	149	121	123	170	178
Bulk Fuel	125	93	65	71	70	125	68
Gravel/Equipment	85	108	67	133	108	165	108
Research	139	54	51	144	68	72	53
Miscellaneous	32	6	4	71	189	50	2
Pleasure - Cruise	1	8	10	3	3	5	5
Pleasure - S/V	195	212	81	131	138	287	33
Government	17	14	9	39	11	33	17
Homeported	153	134	148	133	109	100	91
Total Vessels	956	753	584	846	819	1007	555

PORT OF NOME VESSEL TRAFFIC *by Season*

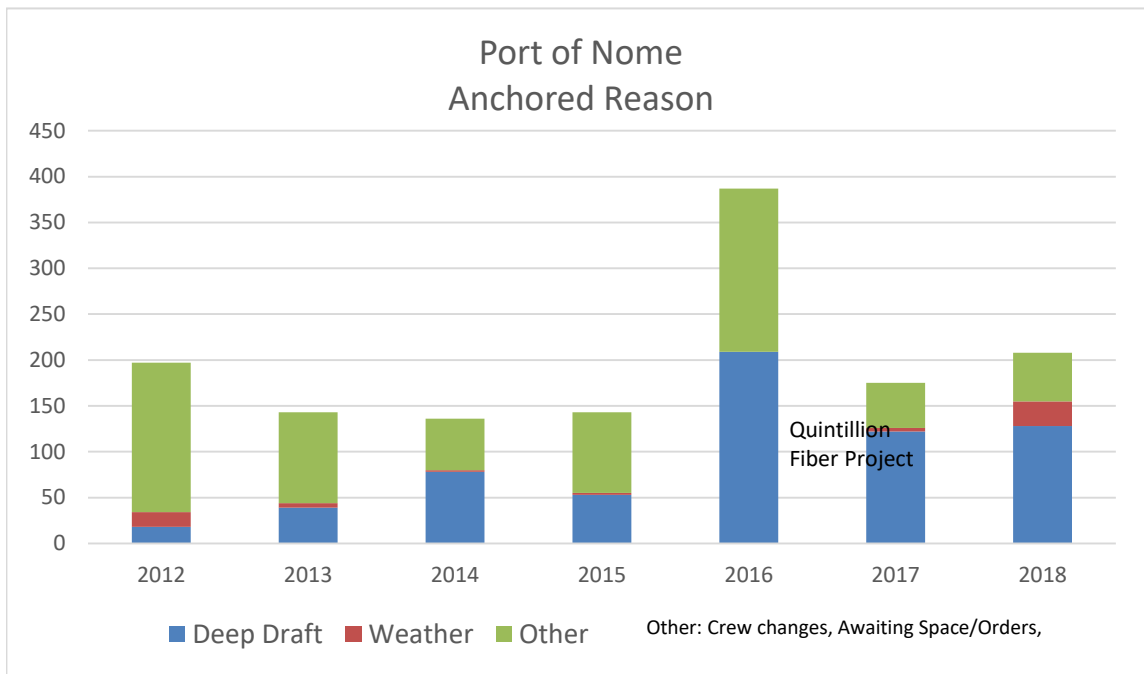


PORT OF NOME VESSEL TRAFFIC **TOTAL DAYS DOCKED**



PORT OF NOME VESSEL CALLS ANCHORED TRAFFIC

Year	Deep Draft	Weather	Other	Total
2012	18	16	163	197
2013	39	5	99	143
2014	78	2	56	136
2015	53	2	88	143
2016	209	0	178	387
2017	122	4	49	175
2018	128	27	53	208



PORT OF NOME VESSEL CALLS COMMODITY VOLUMES

CAUSEWAY	2012	2013	2014	2015	2016	2017	2018
CARGO	41,928	36,843	21,845	22,594	12,998	17,973	19,249
FUEL	13,342,440	7,644,148	8,765,455	8,715,525	7,086,590	8,867,147	6,374,270
GRAVEL	36,441	24,677	16,704	48,072	131,909	42,312	42,401

Total	AVERAGE VOLUME
173,430	24,775.74
60,795,575	8,685,082.10
342,516	48,930.92

HARBOR	2012	2013	2014	2015	2016	2017	2018
CARGO	21,398	11,635	8,788	8,550	9,920	11,382	9,867
FUEL	3,340,510	2,556,219	1,626,881	1,831,368	1,683,821	2,142,720	2,219,087
GRAVEL	400	1,773	4,583	2,241	4,049	13,596	2,627

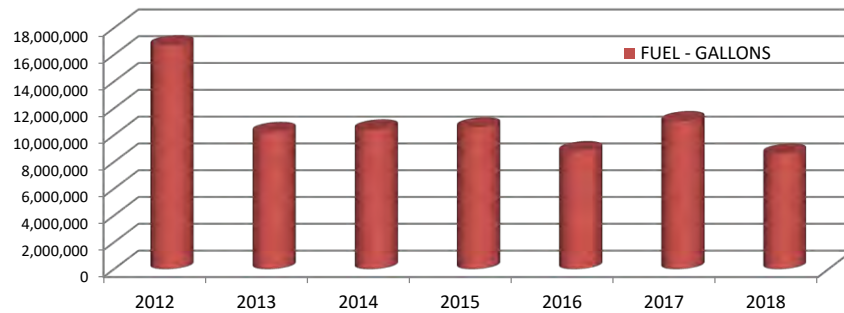
81,540	11,648.62
15,400,606	2,200,086.57
29,269	4,181.31

	AVERAGE VOLUME
CARGO - TONS	32,264.86
FUEL - GALLONS	9,657,546.29
GRAVEL - TONS	46,679.57

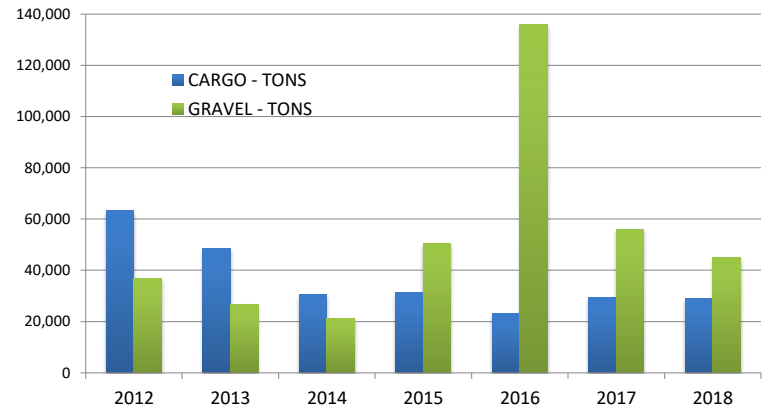
TOTAL VOLUME	2012	2013	2014	2015	2016	2017	2018
CARGO - TONS	63,326	48,478	30,633	31,144	22,918	29,355	29,117
FUEL - GALLONS	16,682,950	10,200,367	10,392,336	10,546,893	8,770,411	11,009,867	8,593,357
GRAVEL - TONS	36,841	26,450	21,287	50,313	135,958	55,908	45,029

225,854	32,264.86
67,602,824	9,657,546.29
326,757	46,679.57

PORT OF NOME
COMMODITY VOLUME



PORT OF NOME



**MINUTES
NOME PORT COMMISSION
REGULAR MEETING
November 15th, 2018**

The Regular Meeting of the Nome Port Commission was called to order at 6:37pm by Chairman West in Council Chambers at City Hall, located at 102 Division Street.

ROLL CALL

Members Present: Lean; West; Henderson; Rowe; Sheffield; McLarty; Smithhisler

Absent:

Also Present: Joy Baker, Port Director; Lucas Stotts, Harbormaster;

In the audience: Sandra Medearis, Arctic News; John Odden; Sue Steinacher; Mark Johnson; Ken Hughes

APPROVAL OF AGENDA

Chairman West asked for a motion to approve the agenda:

Motion was made by Smithhisler and seconded by Lean.

At the Roll Call:

Ayes: Henderson, Rowe, Sheffield, McLarty, West, Lean, Smithhisler

Nays:

Abstain:

The motion **CARRIED**.

APPROVAL OF MINUTES

September 20, 2018 Motion was made by Lean, seconded by Sheffield to approve the minutes:
Regular Meeting

At the Roll Call:

Ayes: Henderson, Rowe, West, McLarty, Smithhisler. Sheffield, Lean

Nays:

Abstain:

The motion **CARRIED**.

CITIZENS' COMMENTS

Ken Hughes, with the City Planning Commission asked about the Corps economic analysis, and as they consider Port design alternatives would they consider any Boundary Line change in that analysis. He also asked the Port Commission what the current status was on potentially requesting the Boundary Line move. Ken Hughes also briefly spoke on potential changes of this Boundary Line and how those changes could positively affect the Port and its users. There was discussion on previous consideration of this issue, and that it would take Congressional movement to possibly no avail resulting from a long process. There was also discussion of Don Young in town recently, and that he and his staff had potential interest in looking into this subject. PD Baker advised that we should tread cautiously on this subject as in a number of verbal

discussions with the USCG had been advised there could be unintended consequences down the road concerning other types of vessel traffic. PD Baker suggested we ask the Marine Exchange of Alaska to provide a white paper on the various pros and cons with formally requesting a relocation of the Boundary Line at Nome.

Mark Johnson spoke as a Chamber Member, indicating that he was also at the meeting with Don Young. He clarified a few items concerning comments made in previous meetings and that those comments were not reflected in recorded minutes as it had been a Work Session discussion. He also spoke on previous Boundary Line movement discussions and there was mention that it may be easier and more beneficial to pursue an exemption for a specific fleet of vessels (dredges) rather than chase a Boundary line move. Mark noted that Sullivan's office also looked at the possibility of a fleet exemption and were told by USCG staff at Headquarters that the USCG would not be granting an exemption to the fleet on the load line requirement.

COMMUNICATIONS

- 18-10-17 EDA to City on Concrete Ramp Repair Grant Proposal Review
- 18-10-17 City to EDA Response on Grant Proposal Review
- 18-10-20 AK Senator calls for system of US Arctic Ports – Arctic Today
- 18-11-01 Is the Arctic to become a main shipping route – BBC News
- 18-11-02 Report to Congress on Changes in the Arctic – USNI News
- 18-11-02 Corps to City re: quarterly study cost-share status

Discussion: Brief comments from PD Baker on preparation of an EDA grant for the Ramp repairs, as well as USACE quarterly update on the cost-share study. PD Baker also shared that the Port had received \$300,000 from NSEDC to use as match to the EDA funds for the Ramp repairs.

HARBORMASTER'S REPORT *(Verbal)*

HM Stotts provided a brief update on winter season closing tasks and winter staffing changes at the Port Office. Update on final storage billing as well as vessels still in the water and their haul out plans. Spoke about recent commercial vessel traffic and other large gold mining operations in the region still utilizing the facility but preparing to depart for the season or haul out on the beach or freezing in the SBH like the Phoenix Marine jackup. Noted Seakers finished the bridge pipeline hanger and roller installation ahead of time due to low water. HM Stotts is executing another round of impounds on past due Port accounts.

Discussion:

There was discussion on the recent low water showing the exposed concrete and other debris in front of Subway that is an old concrete block from winches and a tram line. There was discussion of marking these for safety. Gay Sheffield asked about the FV NORTHERN LEADER that was recently here, noting it is a fish processing vessel, and with warming waters and the fish population moving north, we may start to see more processing vessels here in the future looking to export frozen fish by air. There was also discussion about the purpose for the late season offshore tanker operations being offshore.

McLarty asked about the CHARLOTTE who is still in the SBH and how it was going to haul out this season since he is not considered part of the fishing fleet. He also asked about the pontoon boat still on Belmont Beach and if the owner had had been charged for Port staff having to monitor and handle the vessel while unattended, as well as if the owner was working to remove the vessel. McLarty also wanted information on an abandoned aluminum jet boat on Belmont Beach. HM Stotts informed McLarty that both vessels had been charged for any City Staff time/equipment and that the owner of the pontoon boat was working to

remove the vessel from the water. McLarty felt that it was a problem vessel and action should've been taken to remove the aluminum jet boat earlier in the season.

PORT DIRECTOR REPORT (Projects Update) (18-11-12 Report)

PD Baker updated a few items contained in her report;

Administration

Statistical data is being compiled currently but we are seeing a little lighter traffic and cargo numbers due to recessed state fiscal condition and that info will be brought to the Commission once complete. We also saw a downturn in cruise and sailing vessels due to ice conditions in the Northwest Passage.

Cape Nome Project

All field work is finally done and all contractor and engineer invoices are paid. PD Baker and the Finance Director are wrapping up disaster funding documents for submittal to DHS/FEMA, who will process the closeout - a total of 7 years and 1 week after the storm.

Federal Highways NSFLTP Notice of Funding Opportunity

Nationally Significant Federal Lands and Tribal Projects; this is a potential funding mechanism for the Port expansion, eligible through 2020. We are currently talking with Nome Eskimo Community on a possible partnership application for future federal funds for Port development.

Discussion: Commissioner Sheffield inquired about the Corps study, and how many communities are being counted to be included in our region of viability that supports justification of the project. Mostly likely it will not be the 53 shown on the back of the Port promo folder, but somewhere between that and the current 19 Norton Sound communities. Also, CMTS (Committee on Marine Transportation) had a workshop on arctic vessel traffic in DC, which we asked our lobbyist, Jay Stern to attend. We are expecting a debriefing report in the near future.

Additional discussion was held between McLarty and West about past SAR incidents in the area and how those incidents are reported on and responded to. Sheffield asked about rules regarding subsistence hunting and net fishing in the Outer Harbor, with follow up discussion that it was currently not allowed.

OLD BUSINESS – a general discussion about the Port & Harbor Project Prioritization Spread with PD Baker providing some brief details on current and upcoming projects.

NEW BUSINESS

Parlow & Associated – Arctic Shipping Consultancy Proposal

PD Baker provided a brief description on the updates to the proposal since the September work session, and requested the Commission to consider passing a motion to support execution of a contract for this work.

Discussion:

PD Baker indicated that she had calculated approximately \$40,000 in available funds remaining in the existing \$1.6M State legislative grant. This is the same grant which is currently funding our 50/50 match to the Corps study in the amount of \$1.5M, and she proposes to use \$36K of the unallocated funds to cover this proposal PD Baker recommended that we pursue this effort and asked the PC to weigh in. Henderson noted that since this would not cost us money out of pocket (Port budget), he supports the idea. Sheffield had questions on the bullet point tasks in the proposal and asked that some of the descriptions be better clarified. PD Baker provided some clarification on those tasks, and some language adjustments to address

Sheffield's concerns. Lean indicated he had done some research, and felt that Parlow had a lot of knowledge in this field and was well versed on what other Arctic nations were doing. He also supported the bullets in the proposal. Henderson reiterated his support for the proposal and felt that the tasks listed (bullets) were going in the right direction. He added that if we have grant money to cover the costs, then we seem to be going in the right direction.

Motion:

The following motion was moved by West and seconded by Smithhisler:

Recommend the City proceed with approval and execution of a consultancy contract with A.P. Parlow & Associates for the development of a Commercial Arctic Shipping Assessment, with specific focus to the port facilities and vessel movements in the system, and Nome's future role in that dynamic.

At the Roll Call:

Ayes: Henderson, Rowe, Sheffield, McLarty, Lean, West, Smithhisler

Nays:

Abstain:

The motion **CARRIED**.

CITIZENS' COMMENTS

Ken Hughes asked whether views from the cameras around the Port Facility are public information and how to request that info. City Manager, John Handeland answered that citizens wanting to request such info would need to fill out a Public Information Request at City Hall and state specifically what they are looking for. Ken Hughes asked if the public could request a live camera feed off these cameras.

Discussion: John Handeland answered that typically City Staff or the Police Department only has access to the footage and no live feed would be available to the public, with the main reason being bandwidth issues in Nome.

McLarty brought up the idea of providing a subscription of some type to these cameras and have access to those camera feeds. John Handeland reiterated the bandwidth issues and limitations here in Nome and said that would not work nor happen. PD Baker mentioned that staff is working with the Marine Exchange of Alaska on an MOU to place an AOOS funded camera aimed at the Port entrance that would upload periodic snapshots that the public could access on the City's website.

Sandra Medearis wanted clarification on the cost of requesting footage at City Hall. John Handeland explained the costs were associated with staff time to retrieve and process the footage.

Mark Johnson wanted to thank PD Baker and the Port Commission for continuously looking for funding to avoid using money from the City budget, which is essentially out of the tax payer's pockets.

COMMISSIONERS' COMMENTS

C. Rowe – asked if there was currently a Port web cam available to users looking at the Port entrance as they are very nice from an aviation perspective. PD Baker stated there is not, but we are working on the MOU internally and with MXAK.

C. Henderson – Stated that he was excited about getting an expert in the Arctic Shipping world to take a look at what we are planning and give their perspective. He also spoke to the effectiveness of security cameras for both staff and the public and supported those ideas.

C. Lean – Spoke of the concrete pylon out in front of Subway and that Port staff should maybe mark that with an old crab buoy next season.

C. McLarty – Mentioned that Yano used to mark that concrete pylon when he used to dredge. He talked about the Port’s camera system and sharing those costs with other City entities like NJU. Lastly reiterated his concern about the CHARLOTTE not having a way to haul his vessel out of the water for winter.

C. Sheffield – Asked what was the latest date we had commercial ships in the port and if this was the latest year that we had them here. There was discussion about past years traffic but that yes, in recent years our fall traffic is getting later and later.

C. Smithhisler- Noted that it seemed like a busy season as well as a good year and was excited to see what this body can accomplish over the winter.

C. West – Noted it was nice to have all Port Commissioners attending the meeting in person. Spoke of the accident on Port Road involving a dredge hauling out of the water

SCHEDULE OF NEXT MEETING

The next meeting is SCHEDULED to December 20, 2018

ADJOURNMENT

Motion was made by Lean and seconded by Smithhisler for adjournment – 9:02 PM.

APPROVED and **SIGNED** this 20th day of December 2018.

Jim West, Chairman

ATTEST:

Joy Baker, Port Director



RECEIVED
NOV 15 2018
CITY OF NOME
CLERKS DEPARTMENT

Brevig Mission Diomedes Erim Gambell Golovin Koyuk Nome Saint Michael Savoonga Shaktoolik Stebbins Teller Unalakleet Wales White Mountain

November 8, 2018

Mr. Richard Beneville, Mayor
City of Nome
P.O. Box 281
Nome, AK 99762

Re: 2018 Large Infrastructure Program – Inner Harbor Concrete Launch Ramp Repair

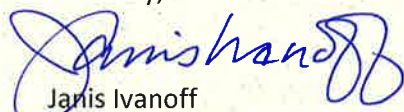
Dear Mayor Beneville,

The Norton Sound Economic Development Corporation (NSED) Board of Directors (Board) met November 1, 2018 and reviewed the City of Nome's (City) 2018 Large Infrastructure Program (LIP) application for the project titled "Inner Harbor Concrete Launch Ramp Repair" (Project). We are pleased to inform you that the NSED Board approved funding for this Project in the amount of \$300,000.

Before proceeding with an award packet and implementation of the grant, NSED is requiring the City to provide a budget following NSED's format on how the funds will be allocated. A sample budget and an NSED Financial Statement Report template are enclosed. The budget must outline in detail how the City will be applying the \$300,000 towards the Project. Upon receipt and acceptance of the budget, we will send the City an award packet.

Please submit the completed budget to Amanda Patrick, Community Development Coordinator, whom may be contacted at amandap@nsedc.com or at (888) 650-2477. Ms. Patrick will also be able to address any questions you may have on this matter.

Sincerely,


Janis Ivanoff
President & CEO

Enclosures: Sample Budget
NSED Financial Statement Report

cc: Dan Harrelson, NSED Board Chairman
Adem Boeckmann, NSED Board Member
Community Benefits Staff
File

**U.S. Department of
Homeland Security**

**United States
Coast Guard**



Captain of the Port
United States Coast Guard
Sector Anchorage

PO Box 5800
JBER, AK 99505-0800
Staff Symbol: s
Phone: (907) 428-4200
Fax: (907) 428-4218
westernalaskafacilities@uscg.mil

16611/ANC-N-044
November 8, 2018

Port of Nome
Attn: Lucas Stotts
P. O. Box 281
307 Belmont Street
Nome, AK 99762

Dear Mr. Stotts,

The Facility Security Plan (FSP) amendments, incorporating new Terminal Screening Program (TSP) regulations for the Port of Nome, submitted to meet the requirements of Title 33, Code of Federal Regulations (CFR) Part 105, have been reviewed and approved.

The Port of Nome must operate in compliance with the approved FSP and applicable requirements in 33 CFR Part 105. This facility is subject to Coast Guard inspection to verify FSP and regulatory compliance. Failure to comply with the FSP and applicable requirements in 33 CFR Part 105 may result in suspension or revocation of this approval, thereby making your facility ineligible to operate in, on, under, or adjacent to waters subject to the jurisdiction of the United States in accordance with 46 USC § 70103 (c)(5). The FSP contains Sensitive Security Information and must be protected in accordance with 49 CFR Part 1520. A copy of the FSP and any amendments must be made available to Coast Guard personnel upon request.

This approval remains valid until April 15, 2020 unless rescinded in writing by this office. Coast Guard personnel will audit your adherence to the FSP. You must review the FSP annually and submit any amendments to this office for re-approval as required by 33 CFR § 105.410 and § 105.415. Keep a copy of this letter with the FSP.

If you have any questions, please contact my port security specialist, Mr. Jeff Ahlgren, at (907) 428-4171.

Sincerely,

S. C. MACKENZIE
Captain, U. S. Coast Guard
Captain of the Port, Western Alaska

“We have never been here before” — Gay Sheffield, on ecosystem-wide changes in the Bering Sea

By **Paula Dobbyn** (<https://alaskaseagrant.org/author/paula-dobbyn/>) | November 29, 2018

The Bering Sea is undergoing massive changes that include the dramatic loss of sea ice last winter.

As Alaska Sea Grant Marine Advisory agent Gay Sheffield notes in the interview below, “we have never been here before.”

Ever since records starting being kept in 1850, sea ice had never been as scarce as it was during the winter months of 2017–2018, according to scientists. John Walsh of the International Arctic Research Center at the University of Alaska Fairbanks attributes it to three things: above average air temperatures during the fall, a very stormy winter, and warm water temperatures.



As the ice melted, the thermal barrier separating the northern and southern Bering Sea disappeared, allowing two marine ecosystems to converge. As a result, fish, birds, marine mammals and other marine wildlife have been changing patterns.

The National Oceanic and Atmospheric Administration's Alaska Fisheries Science Center recently released preliminary data from trawl surveys done during 2010, 2017, and again this summer in the Northern Bering Sea. The latest survey indicates that the biomass of walleye pollock increased over 5,000 percent compared to 2010 while Pacific cod increased more than 2,000 percent.

The multi-year gap between surveys has raised many questions about whether the cod and pollock increase came from the southern half of the U.S. Bering Sea or the Russian side of the Bering Sea. Or perhaps the fish have matured in the northern Bering Sea since the last survey. Scientists are not sure. At the same time, some species of forage fish have declined significantly. For example, the biomass of smelts and Arctic cod, important fish to northern Bering Sea marine wildlife, has dropped by 98–100 percent between 2010 and 2017.



Waters of the Bering Sea. Photo by Deborah Mercy.

Meanwhile, U.S. Fish and Wildlife Service and the National Park Service began receiving reports last May of **dead and dying seabirds from communities along the northern Bering and southern Chukchi seas** (<https://www.nps.gov/orgs/1840/2018-alaska-seabird-die-off.htm>). Investigators at the U.S. Geological Survey's National Wildlife Health Center examined carcasses and concluded that the birds died of starvation.

The die-off involves murre, shearwaters, puffins, fulmars, kittiwakes and auklets. It's continuing and now includes the Pribilof Islands and northern Gulf of Alaska, according to the U.S. Fish and Wildlife Service.

The Fish and Wildlife Service is receiving information from Alaska Sea Grant, Kawerak Inc., Aleut Community of St. Paul Island, Alaska Migratory Bird Count, <https://alaskaseagrant.org/>, National Park Service, and the Coastal Observation and Seabird Survey Team.

The approximately 1,500 seabirds reported by communities is likely only a small fraction of the overall number seabirds affected. An indicator of ocean ecosystem health, seabirds are often likened to the proverbial canary in a coal mine.

Marine mammals also struggled this summer. For example, 48 dead seals were documented in a half-mile stretch of beach near Wales. There were many other marine mammal stranding events as well.

All signs point to a quickly changing environment in the northern Bering Sea and this creates challenges and concerns for the residents of northern coastal communities who depend upon the sea's bounty for their nutritional, cultural and economic needs.

Based in Nome, Gay Sheffield has been working closely with regional communities, tribes, urban-based federal and state agencies as well as the general public to respond to what's going on. We checked in with Gay recently to ask her about latest events.



Alaska Sea Grant Marine Advisory agent Gay Sheffield prepares tissue samples for research into the health of bowhead whales. Photo courtesy of Gay Sheffield.

Question: Gay, what are some of the things that you have noticed recently as far as changes in the environment in your region?

Gay Sheffield: Lack of sea ice and the increased duration of open ocean in such a biologically rich and strategic location as the Bering Strait region is driving the environmental and industrial changes we are seeing in our ocean waters.

In the last 10 years, the regional communities have had to respond to:

- Novel unknown diseases. In 2011, a still unknown disease affected all four species of ice-associated seals and resulted in the first federally authorized Unusual Mortality Event (UME) to be declared in the

Arctic and the first UME that involved marine mammals used as food by people. In 2013, we had our first documented cases of avian cholera (<https://alaskaseagrant.org/>) on Pribilof Island, and first documented cases of avian cholera in several species of seabirds. In 2017, the region documented a harvested walrus with a high level of saxitoxin, a potent neurotoxin, in its intestine, indicating that a harmful algal bloom had occurred in the region.

- Heavily oiled wildlife was harvested over three consecutive years (2012–2014) and resulted in the first Unified Command response in the Arctic, though the source of the oil was never found in Alaska waters.
- Region-wide die-offs of seabirds and a localized walrus die-off during 2017.
- New concerns over harmful algal blooms and potential paralytic shellfish poisoning of food resources due to regional increased ocean temperatures.
- An ongoing seabird die-off in 2018 with starvation as the only known cause.

We are also witnessing industrial changes. There has been an increase in the volume, duration and type of industrial ship traffic. This includes commercial fishing, gold dredging operations, oil exploration, research vessels, cruise ships and military vessels using the Bering Strait region and the Port of Nome.

Q: What are the impacts to the people who rely on Bering Sea resources?

GS: Communities in the Bering Strait are rich in culture yet are often economically challenged. The subsistence harvest of marine resources remains essential to the nutritional, cultural and economic needs of our coastal communities. Impacts include food security, public health, increase risks to subsistence mariners, loss of income, as well as increased uncertainty and stress.

Q: How are you working with stakeholders and agencies?

GS: In multiple ways. A partial list includes:

- Responding to public health, food security and industrial concerns.
- Connecting people, agencies and information, whether it is over the telephone, community visits, radio or newspaper.
- Producing the Strait Science series in collaboration with UAF-Northwest Campus.
- Responding regionally through collaboration with Brandon Ahmasuk, Subsistence Director at Kawerak, Inc.
- Working with the subsistence community to sample the bowhead whales as part of the North Slope Borough Dept. of Wildlife Management Bowhead Health Assessment Program.
- Working with our coastal communities to sample subsistence harvests, and working with the U.S. Coast Guard, Eskimo Walrus Commission and Kawerak to sample dead stranded seals and other marine resources to test for the presence of toxins including harmful algal toxins.

Q: What could be done better?

GS: It is difficult to have a meaningful dialogue with the diverse northern Bering stakeholders or with your authorized agency employee when you have little understanding of each other's knowledge, resources and challenges. Currently, those agencies are almost exclusively located far from the Bering Strait. For example, Anchorage is 500 miles, Juneau is more than 1,000 miles, and Seattle is some 2,000 miles away. While these agencies may not be able to base staff in Nome or Bethel or Kotzebue, we must work to improve two-way communication and understanding.

Additionally, in the Bering Strait region we share the waters and all our marine resources with Russia. Transboundary communications with our neighboring coastal communities to the West is highly desirable. Right now, communications between U.S. and Russian federal marine wildlife and fisheries managers is extremely limited. We are in uncharted territory and we need to come together to address the immediate concerns that face us.

Q: What are some of the most important things for the public to know about the Bering Sea?

GS: A cascade of physical and biological events is ongoing at the ecosystem-wide level. "Unprecedented" is the word that is being used to describe lack of sea ice, warm ocean temperatures, weather patterns, and the increases or decreases in our marine commercial and subsistence resources. In other words, we have not been here before. Two marine ecosystems are rapidly merging. What happens next is unknown and will potentially affect us all.

Q: Why should people outside of the Bering Strait region care about what is happening in the northern Bering Sea?

GS: One way or another, we all rely on the Bering Sea for food. Changes in its ecosystems have the potential to affect us all. The southern Bering Sea is home to some of the largest commercial fisheries in the world. In the U.S., the southern Bering Sea provides a large percentage of the domestically-harvested fish we eat. The western Bering Sea together with the Sea of Okhotsk substantially feeds Russia and contributes to the global seafood market.

Meanwhile, the northern Bering Sea is home to some of the largest populations of Arctic marine wildlife, including walrus, bowhead whales and bearded seals, that remain essential to remote subsistence coastal communities and to the overall health of the Arctic. There is significant change unfolding and how it plays out will affect everyone, directly or indirectly.

Q: How can people help?

GS: Regionally, people should report the unusual, whether it's dead, sick marine wildlife or whether it's something you've never seen before. Take a photo if possible and call me at (907) 434-1149 or the director of the Kawerak Subsistence Program, Brandon Ahmasuk at (907) 443-4265. We will do our best to help get information to the correct responders and help them get their results back to communities. Please spread the word that things are changing rapidly in the Bering Sea and this directly and profoundly affects many people.

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PARTNERSHIPS

Coast Guard Commandant Wants Bigger Arctic Presence – How Cool is That?

DEC. 4, 2018 | BY DAVID VERGUN



China and Russia, America's great-power competitors, are increasing their presence in the Arctic Ocean, as are many other nations, said Coast Guard Commandant Adm. Karl L. Schultz.

"Presence equals influence. If we don't have a presence there, our competitors will," Schultz said at the Wilson Center in Washington.

Here are five things to know about the Arctic, according to the commandant:

- 1 As a result of climate change, the Arctic Ocean is heating up, causing a steady melting and thinning of sea ice. As a result, cruise ships are sailing into the Arctic, and this year, a Maersk container ship transited the Arctic. Also, nations are engaged in mineral, oil and gas exploration

there. The implication is that the Arctic is vital to commerce and national security, he said.

- 2 Russia has 46 ice cutters, including seven that are nuclear powered, and 12 more are under construction, he said. Although China isn't an Arctic nation, they have two ice cutters and another under construction. "It's hard not to see [China's] activities in the Arctic as anything but an overt claim to power, pure and simple." The U.S. Coast Guard has a mere two ice cutters, he said: the Polar Sea, a heavy ice cutter commissioned in 1976, and the Healy, a medium ice cutter, commissioned in 1999. The Polar Sea can ram through ice up to 21 feet thick and operate continuously through ice 6 feet thick. How cool is that?
- 3 The two U.S. ice cutters do a variety of operations in the high latitudes, Schultz said, meaning not only in the Arctic, but also around Antarctica. The cutters go on oceanographic research expeditions, conduct search and rescue missions, and sail at the request of combatant commanders as well as the Department of Homeland Security, as do all cutters. The Polar Star is strong enough to cut channels for ships resupplying scientists in Antarctica. The Coast Guard, incidentally, is the only

military service to fall under DHS.



- 4 The Coast Guard is big on partnerships, Schultz said. The Coast Guard builds ties and trust through diplomacy and cooperation with many nations in venues such as the Arctic Council, the Arctic Coast Guard Forum, the North Pacific Coast Guard Forum and the International Maritime Organization, as well as formal and informal bilateral relations with many nations. For example, the U.S. Coast Guard cooperates with the Arctic nations, including Russia, on issues involving fishing treaties. Incidentally, the Arctic nations also include Canada, Norway, Sweden, Finland, Iceland and Denmark.
- 5 At the top of the commandant's wish list is legislative funding for the Polar Security Cutter. The Polar Security Cutter is actually more than one cutter. It's a program to

acquire three new heavy polar icebreakers, to be followed years from now by the acquisition of up to three new medium polar icebreakers. The Coast Guard wants to begin construction of the first new heavy polar icebreaker in this fiscal year and have it enter by fiscal 2023.



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ANCHORAGE DAILY NEWS



Melting ice has US military looking north to the Arctic

As the ice melts, the U.S. is preparing for possible threats from Russia and China.

 Author: **Dan Lamothe, The Washington Post**  Published 2 days ago

UNALASKA — Army helicopters began flying in and out of the scraggly wilderness near this fishing town in August, surprising even the mayor.

The tan, twin-rotor Chinook aircraft thumped over treeless cliffs and the historic port of Dutch Harbor, parking at a mountainside airstrip too small to land jet airliners.

Soldiers came and went, sometimes staying at the main hotel in town, across the street from a bar called the Norwegian Rat Saloon. Unalaska's mayor, Frank Kelty, said he called the military to find out what was going on but learned little.

"We have these Army helicopters here, and we don't know what they're doing or where they're going," he said after driving by the airport on the remote Aleutian island and seeing a Chinook resting near the runway.

The mysterious operation was part of the U.S. military's gradual growth in the Arctic as it grapples with the effects of melting polar ice and Russia's and China's increasing assertiveness in the region. The slowly evolving plan has included stationing more fighter jets in Alaska, expanding partnerships with Nordic militaries, increasing cold-weather training and designing a new class of icebreaker ship for the Coast Guard that could be armed.

The vision could take greater shape by the end of the year: Both the Navy and Coast Guard are working on new Arctic strategies in light of the quickly changing circumstances senior U.S. military officials see.

In October, the USS Harry S. Truman aircraft carrier and its associated ships sailed above the Arctic Circle, the first such unit to do so since the Cold War. The strike group, carrying thousands of sailors, practiced cold-weather operations in the Norwegian Sea, an area where Russian submarines operate.

"Certainly America has got to up its game in the Arctic. There's no doubt about that," Defense Secretary Jim Mattis said during a visit to Alaska in June. "The reality is that we're going to have to deal with the developing Arctic, and it is developing."

[Alaska experiencing some of the most extreme climate changes in the United States, says new report]

Recent upgrades include new sensors on several Aleutian islands for a radar network known as the North Warning System. It was first installed during the Cold War to watch for incoming aircraft and ballistic missiles, but the Pentagon concluded more recently that existing radar did not offer "adequate detection and identification of aircraft operating outside the continental United States," according to an Air Force assessment.

That prompted the operation involving the helicopters in Unalaska.

A military spokeswoman, Leah Garton, said the mission allowed the aircrews to practice navigating over water and landing in mountainous areas, where the sensors were installed. The new equipment will "assist in flight safety for all civilian and military aircraft in the local area," she said.

The new Navy and Coast Guard Arctic strategies would follow the national defense strategy released by

Mattis in January that made countering Russia and China a priority. Both nations have shown interest in Arctic resources as the ice melts, including fossil fuels, diamonds and metals like nickel and platinum.

Russia has more than 40 icebreakers — the U.S. military has two working ones — and stationed more troops in the region. China, meanwhile, is building its third polar icebreaker and staked a claim this year as a “near-Arctic” state, further injecting itself into policy debates.

"We're obviously watching both the Russians and the Chinese quite closely," said Vice Adm. Linda Fagan, who oversees Coast Guard operations in the Arctic and Pacific. "Russia, on their side of the Arctic in sort of the Northern Sea Route, is investing heavily in commercial infrastructure and in military infrastructure."

[Fortify Mexican border or the Arctic? Congress split on funding icebreakers to counter Russia]

Coast Guard Capt. Gregory Tlapa, who commands the lone U.S. military icebreaker traveling to the Arctic each year, said waterways like the frosty Bering Strait are not yet busy with ships, especially when compared with other maritime corridors. Waters are warming, he said, but “somewhat warmer still means mostly frozen.”

But the lack of U.S. military vessels and infrastructure in the Arctic could be problematic, said Tlapa, speaking on the red-hulled USCGC Healy while it refueled in Dutch Harbor in August. Congress recently approved initial funding for six new polar icebreakers, but they are probably still years away from deploying.

"It's that school of international realism: If you're not here, someone else will be," Tlapa said. "The nation doesn't have a deep-bench strength in terms of capabilities to operate up here and project power and protect our national interests."

The potential militarization has raised hope for investment in places like Unalaska and Nome, a port town on Alaska's western coast.

Unalaska, with nearly 5,000 full-time residents, is perhaps best known as the port in Discovery Channel's "Deadliest Catch" series. The town processes the largest volume of commercial fishing in the United States each year, with the company UniSea operating hotels, bunkhouses and bars there.

The fishing helps make Unalaska home to hundreds of bald eagles, which scavenge dumpsters, perch on lamp posts and occasionally swoop down to attack people.

The town — which takes its name from the Aleut word “Ounalashka,” meaning “near the peninsula” — has struggled with unemployment, alcoholism and bar fights. But Kelty said that has improved in recent years as the number of full-time residents increases and the success of the fishing industry has helped bankroll paved roads, schools and other municipal projects.

Echoes of World War II are still obvious across Unalaska. The hull of the SS Northwestern, a ship bombed during a Japanese air raid in 1942, rests upended in a bay, and many World War II-era buildings have been repurposed by the fishing industry. The ruins of an old Army installation, Fort Mears, overlook Dutch Harbor.

[Major federal climate report says damages are ‘intensifying across the country’]

Though nothing is planned, Kelty argued that an influx of U.S. troops could bring infrastructure projects that could benefit residents, such as the installation of undersea fiber-optic cables from mainland Alaska that could bring more affordable internet and cellphone service.

In Nome, the Army Corps of Engineers is studying whether the small city's port can be dug deeper to handle large vessels. Doing so would add another deepwater port on the Bering Sea, 730 miles closer to the Arctic Circle than Unalaska. Both towns are below the circle but are considered a part of the Arctic by the U.S. government because of how connected they are to it.

Despite its distance from the Arctic, Unalaska is the last deepwater port where large ships heading to the Arctic can refuel in the western United States, and the first when returning. However, it is not considered ideal by mariners and pilots because of its limitations, which include no highway connecting it to mainland Alaska, limited communications and wild weather in which thick fog and high winds are common and can maroon visitors for days.

Elsewhere in the Arctic, the Pentagon has begun to expand its presence through training exercises with partner nations. In Europe, the Marine Corps is deepening relationships with Norway, Finland and Sweden, training units of rank-and-file troops in the shadow of Russia. In June, Norway's government asked the United States to increase the number of Marines there from about 330 to 700, with plans to base them on a rotational basis in the Norwegian Arctic.

Russia vaguely warned Norway that there will be "consequences" to the decision, and U.S. and

Norwegian officials have sought to stress that the arrangement is meant to deepen their security partnership and build expertise on existing Arctic training ranges, rather than deter Russian aggression.

Col. John Carroll, the deputy commander of Marine Corps Forces Europe, said commanders want to make sure service members are familiar with the biting cold and can move through the countryside on skis or snowshoes.

"Everything is hard. Everything is more difficult," Carroll said. "When the wind is blowing at freakin' 30 miles per hour, it's dark 24/7, and it's minus-20 degrees Fahrenheit, and you've got to put your gear in your pack, get out of your rack, get out of your sleeping bag, get outside the tent and go do something — everything is hard."

The Air Force also has sought to strengthen its relationships with Arctic allies, said Iris Ferguson, a civilian analyst for the service. That includes the formation of the Arctic Challenge exercise over Europe that will probably test air-to-air combat and other skills and involve Denmark, Finland, Norway, Sweden and the United States at some point in the future.

"The demands of the region make alliances and partnerships all the more vital," said Gen. David Goldfein, the Air Force's top officer.

The Air Force is planning to base two squadrons of advanced F-35A fighters in Alaska by 2022, supplementing a fleet of jets that already includes two squadrons of F-22 Raptors, considered the Pentagon's best in air-to-air combat. The decision will allow the Air Force to take advantage of the Joint Pacific Alaska Range Complex, a sprawling installation that includes 65,000 square miles of space for pilots to train.

"Air power, in particular, plays such a crucial role in this region," Ferguson said. "The ice is melting, absolutely, but the reality is that it's incredibly difficult to operate from a surface perspective, either on ocean or on land. That is certainly the case in the near future, and I would argue probably much farther afield as well."

The Army and Marine Corps increasingly have trained ground forces in Alaska. In March, a joint force of about 1,500 U.S. troops trained together in an exercise known as Arctic Edge, with some driving armored vehicles across frosty terrain and others moving on foot through frigid, snowy conditions.

Army Maj. Chad Peltier, the commandant of the school at the Northern Warfare Training Center in

Black Rapids, said instructors stress to students the things that change when working in extreme subzero temperatures.

“If you bring your weapon from the temperature into a warmer environment — say, inside of a tent — and then you bring it back out into that negative-40, negative-60 temperature, the condensation that has built up is enough to freeze that weapon up,” he said. “That’s a simple thing that can disable a warfighter.”

The elevated profile of Arctic operations at the center has raised the possibility that the Army will replace a tracked personnel carrier known as the small-unit sustainment vehicle, or SUSV. The vehicle, first fielded in the 1980s, rides high on snow and sometimes tows a squad of soldiers on skis behind it, said Jared Sapp, a science adviser to U.S. Army Alaska.

At sea, the Navy has operated submarines in the Arctic since the 1940s and carries out a large training every year with them known as ICEX north of Alaska.

In April, Navy Secretary Richard Spencer told the Senate Armed Services Committee that the recent decrease in polar ice has prompted the Navy to begin preparing a new Arctic strategy just four years after the last one was released.

The plan will incorporate “blue-water Arctic operations,” in which ships without icebreaking capability sail in areas that were once more frozen, he said.

Asked by reporters after the hearing what triggered the new review, Spencer was blunt.

“The damn thing melted,” he said.

About this author

The Washington Post

Comments

U.S. Coast Guard launches its first satellites, with an eye on Arctic security

The Coast Guard recently launched two small satellites for new search-and-rescue efforts in the Arctic — with the potential to improve domain awareness and communications as well.

By **Melody Schreiber** - December 10, 2018



Two U.S. Coast Guard cubesats designed to monitor the Arctic were among several dozen satellites launched Monday Dec. 3 on SpaceX's SSO-A mission. (SpaceX)

On Monday last week, the U.S. Coast Guard launched its [first satellites into space](#). By Tuesday, operators had already successfully detected signals from the two small satellites, named Kodiak and Yukon.

These CubeSats, about the size of shoeboxes, are part of the Polar Scout mission, undertaken with the Department of Homeland Security.

Kodiak and Yukon were among 64 other small satellites and CubeSats from 17 countries catching a ride on SpaceX's SmallSat Express — the [largest rideshare mission](#) ever from a U.S. launch.

Adm. Karl Schultz, commandant of the U.S. Coast Guard, touted this mission in a discussion on Arctic security at the Woodrow Wilson Center last week.

"Just yesterday, we ventured into space," he said. "The Polar Scout initiative should also provide valuable insight on the process, cost, and feasibility of acquiring and using organic satellites to enhance mission capability in the Arctic."

The satellites will pass over the North Pole 15 or 16 times a day for about 12 minutes at a time, providing a total of about three hours of daily Arctic coverage from each satellite.

The satellites are expected to stay in orbit about two to three years. During that time, the Coast

during search and rescue operations. The tests will begin in early 2019 and continue through the summer.

Although their path is focused around the Arctic, they are able to detect the signals anywhere along that path, and the Coast Guard intends to send test beacons from the Atlantic and Pacific regions, too.

And if they happen to pick up real distress signals, the Coast Guard will coordinate a response, said lieutenant commander Grant Wyman, the agency's lead project manager of this initiative.

If this mission proves successful, Adm. Schultz said, future satellites could help with more than search and rescue.

"We're hoping the use of such satellites may help improve communications," he said. "Also, they'll assist in monitoring large areas for illegal activity, and help assist mariners in distress."

Although these CubeSats are only programmed to receive distress signals, future satellites could receive and transmit other radio signals, as well as radar, communications, and even images.

Currently, the Coast Guard relies upon 20-year-old technologies for search and rescue, with radio communication and some limited satellite capabilities in the Arctic.

Communications in the Arctic, with its harsh conditions, large area, and relative lack of infrastructure, have been difficult to build up.

"It would vastly improve Coast Guard capabilities in the Arctic," Wyman said. "That's one of the areas right now where we're looking to increase maritime domain awareness."

The CubeSats can download data to two ground control stations — one at the Coast Guard Academy in New London, Connecticut, and one at University of Alaska Fairbanks. About 85 researchers in New London's research and development lab work on this project.

There are, of course, challenges to using small and somewhat limited satellites. CubeSats are more affordable because of their small size. But more complicated missions — like improved communications — would likely require larger satellites.

"The biggest impact is the launch cost," Wyman said. "The heavier it is, the more expensive it is."

companies.

"There are a number of companies that have CubeSats up there now, or are planning to launch CubeSats, that do all sorts of earth observation missions — and you just buy the data where and when you want it," Wyman said.

In that case, the Coast Guard wouldn't even need to shell out the cash (about \$25,000 for a standard CubeSat) for the satellites themselves — they'd just rent the data from a satellite already in orbit.

"We're at the point now where we can actually compare," Wyman explained. "We have our own satellites in orbit, and there are a number of companies that are selling similar data."

Captain Greg Rothrock, commander of the project, calls this mission a "great opportunity" for improving the Coast Guard's work in the Arctic and elsewhere.

"I think this is a great first step," he said. The barriers to operating in space are being lowered because of new technology, he said; such a mission wouldn't have been feasible even 5 years ago.

Does this mean the Coast Guard is becoming the United States' next space agency?

"I would love to see that!" Wyman said. "It definitely offers a lot of advantages to conducting many of our missions. You can cover a lot more ground more quickly and more thoroughly with a satellite."

For now, they're celebrating the Coast Guard's first step into outer space.

"It's a monumental day that they both got into space, and they both turned on," Rothrock said.

"That's a big deal."



Memo

To: John K. Handeland – Interim City Manager
From: Joy L. Baker – Port Director *JLB*
CC: Nome Port Commission
Date: 12/17/2018
Re: Port & Harbor Report/Projects Update – December 2018 (revised)

The following provides a status update on active issues and projects pertaining to the Port & Harbor.

Administrative:

The F19 Port Operating Budget at 30 November shows 66.7% revenue – with 28% expended. The facility is in winter mode, with only Harbormaster Stotts remaining at the office to wrap up inventories, collections and tariff updates, and transitioning to Public Works on 2 Jan 2019 to assist with snow removal. This “winter mode” pushes periodic accounting tasks for releasing monthly statements and responding to customer questions over to the Finance and Clerk’s offices (our many thanks!), with assistance from Lucas and I as needed. My desk remains active throughout the winter to address; the Army Corps feasibility study, grant applications and reporting, statistics compilation, tariff updates, project planning, legislative coordination, contractors/engineers oversight, and long-range development.

The Port Commission will hold a work session at 5:30 pm on 20 Dec 2018 to discuss the annual evaluation of the port tariff. It is anticipated any updates to the tariff will be presented to the Council in late Jan or early Feb 2019.

Causeway:

Arctic Deep Draft Port – Modification Feasibility Study (MFS):

The Corps Project Delivery Team’s held their monthly meeting on 13 Dec 2018 - latest info is;

- Tetra Tech is finalizing the economic analysis on Other Social Effects – final draft 27 Dec 2018
- Economics is wrapping up the Harbor Sym Modeling – final draft due 27 Dec 2018
- Engineering is making final edits to group the alternatives - updated costs on 27 Dec 2018
- Tentatively Selected Plan (TSP) milestone has been tentatively set for 22 Jan 2019
- Public comment review period of draft report still scheduled for Mar/Apr 2019
- Deepening Inner Harbor to -12.5’ (Section 107) still under analysis to determine federal interest
- F19 federal funds finally received at District level – City cost-share match requested to balance
 - See attached funding breakdown for details

Harbor:**Inner Harbor Deepening to -12.5' MLLW (Section 107 Corps CAP Program):**

Corps Headquarters has approved the City's application for the Alaska District to investigate deepening the inner harbor as a stand-alone project from the larger port expansion. Dredging methodology, disposal options and cost estimates are being considered to determine whether there is federal interest to allow for a separate project.

Concrete Launch Ramp Replacement Project:

We are wrapping up the required EDA environmental and engineering documentation with PND, as well as the economics information regarding job/investment criteria, which will be incorporating into the full package and submitted prior to the grant deadline of 18 Dec 2018. The additional budget info requested by NSEDC has been submitted, and we await formal award documents. The project now awaits a positive response from EDA.

Snake River Moorage & Vessel Haulout Facility:

The USDOT BUILD grant awards were announced on 11 Dec with Nome's application not being selected for funding. However, we'd like congratulate Emmonak for their successful \$23M award to construct a dock, ramp and uplands road renovations, as it is great to see federal funding coming to Western Alaska. We have requested a debriefing on the City's Build application, and plan to reapply under the 2019 USDOT BUILD program.

Port Industrial Pad:**West Nome Tank Farm (Property Conveyance):**

The City received the draft 2nd Environmental Baseline Survey from the USAF on 25 Nov 2018, with comments due back by 20 Dec 2018. Once the EBS is final, the USAF is scheduled to begin drafting the property transfer documents, with step-by-step breakdown of tasks to be completed for the transfer to become effective.

External Facilities:**Cape Nome:**

The City has submitted all grant reports and closeout documentation required by Alaska DHS&EM/FEMA for this project. As expected, the Cook Inlet Earthquake disaster response has now taken priority over all other non-emergency staff work across the state. This will somewhat delay the state's review and analysis of our closeout submittals until staff are reassigned to their regular tasks.

Additional information is available upon request.

NOME MODIFICATION FEASIBILITY STUDY

COST-SHARE BREAKDOWN AT 14 DEC 2018

Overall Project Funding breakdown - 12.14.18

Item	Local (\$)	Federal (\$)
Cash provided	\$473,376.91	\$423,376.91
WIK provided	\$45,117.18	~
Total Received (as of 14 Dec 2018)	\$518,494.09	\$423,376.91

Cash remaining	\$726,623.09	\$1,076,623.09
Requesting FY 19 funds (Dec 2018)	\$654,882.82	\$750,000.00
Total Project funds available after receive FY19 funds	\$1,173,376.91	\$1,173,376.91

WIK remaining	\$254,882.82	~
Remaining cash balance after requested amount	\$71,740.27	\$326,623.09
Total Project Cost	\$1,500,000.00	\$1,500,000.00

Project funds acquired and spent to date (as of 12/14/18)

Source	Funds Acquired (incl WIK)	Actual Funds spent	Actual Funds Remaining
Local	\$518,494.09	\$425,080.67	\$93,413.42
Federal	\$423,376.91	\$319,386.46	\$103,990.45

Report on Arctic Shipping and National Security Conferences

CMTS Arctic Shipping Conference

The U.S. Department of Transportation's Committee on Marine Transportation (CMTS) and the Wilson Center hosted an Arctic Shipping Conference in Washington, DC from November 14-15, 2018. The purpose of the conference was to provide the CMTS with updated information regarding Arctic shipping trends in the U.S. Arctic. The CMTS is preparing a report to Congress on this issue and the analysis and data included in the report will be used to inform federal policy on safe marine transportation in the region, including the role and needs for shore-based infrastructure to achieve this goal.

Participants included experts from federal agencies, academia and the private sector. The conference addressed oil and gas exploration and development in the Chukchi and Beaufort Seas, cruise ship activities, Northern Sea Route and Northwest passage transit activities, commercial fishing, research vessels and regional barge and ship supply activities, and other drivers affecting shipping in the U.S. Arctic. Windward Strategies represented the City of Nome at the conference and ensured that the City and Port's priorities were highlighted and positioned for inclusion in the CMTS report to Congress. In general, conference participants view the Arctic Deep Draft port project in Nome as a positive priority, and there appeared to be widespread consensus that it will move forward.

Wilson Center Arctic and U.S. National Security Conference

The Wilson Center convened a high-level event in Washington, DC on December 4, focused on the rapidly evolving dynamics in the Arctic as they relate to U.S. national security interests. Participants included USCG Commandant Schultz, former USCG Commandant Zukunft, senior Arctic-specific officials from the U.S. Navy, USCG, NOAA, U.S. Air Force, Department of Homeland Security, and representatives from academia, think tanks, and the private sector. Senators Murkowski and Sullivan were scheduled to attend but due to the earthquake response efforts they were in Alaska. Mike Sfraga, Director of the Wilson Center's Polar Institute, acknowledged the strong support from and involvement in the event by the two Alaskan Senators, and he stated the Wilson Center intends to convene a follow-up event in early 2019 to allow for their participation. Senator Murkowski's Chief of Staff, Mike Pawlowski, delivered the opening address and specifically mentioned the expansion of the port in Nome as a priority.

In general, the event validated the need for serious attention by U.S. officials charged with addressing U.S. national and homeland security interests in the Arctic region. Commandant Schultz discussed how important the new Polar Security Cutters will be to allow the Coast Guard to have a more dedicated presence in the Arctic and accomplish its diverse missions. The Air Force official highlighted the significant presence the USAF has had in the region dating back to WWII and throughout the Cold War. The Air Force views Alaska as a key strategic location for the positioning of air assets and their presence should continue to grow in the coming years. The Navy official focused more on circumpolar Arctic initiatives, including the recent Trident Juncture exercises in the high latitudes of the European Arctic. When questioned about the role of U.S. Navy surface vessels in the U.S. Arctic, his response was tepid and entirely inconsistent with public statements by the Secretary of the Navy who has made it clear the U.S. must have Navy vessels in the region to show the flag and provide a stabilizing presence.

In terms of the need for shore-based infrastructure in the U.S. Arctic, several participants including the Commandant cites the problems caused by the current lack of a deep draft port closer to the Arctic, and acknowledged the need to address the shortcoming.

Jay Sterne
7 Dec 2018

Nome Comprehensive Plan 2020

Approved Nome Common Council – May 30, 2012



Nome: The Heartbeat of Western Alaska

airplanes in the event of an undershoot, overshoot, or excursion from the runway. An aircraft that strays from a runway into a safety area encounters a lower probability of sustaining damage and loss of human life.

FAA standards identify that a runway servicing commercial jet traffic should include a safety area that is 500 feet wide and extends 1,000 feet beyond each runway end (threshold). Currently, the runways at Nome Airport do not meet FAA design standards. Public law mandates all applicable airports to improve their RSAs according to FAA standards by 2015.

(Source: DOT&PF Nome Airport Master Plan Update website, <http://www.nomeairport.com>)

H. Port and Harbor

The Nome Port is the only harbor for boat moorage and services in the region. Dutch Harbor is the nearest harbor with similar facilities.

The U.S. Army Corps of Engineer's completed the Nome Harbor Improvements Project in the summer of 2006, adding a 3,025 ft. breakwater east of the existing Causeway and a 270 ft. spur on the end of the Causeway, making a total of 2,982 feet.

The City Dock (south) on the Causeway is equipped with marine headers to handle the community's bulk cargo and fuel deliveries. The City Dock is approximately 200 feet in length with a depth of 22.5 feet (MLLW). The Westgold

Dock (north) is 190 feet in length with the same depth of 22.5 feet (MLLW).

The Westgold dock handles nearly all of the exported rock/gravel for this region and is the primary location to load/unload heavy equipment.



Nome Harbor with Dock Names (www.nomealaska.org)

Buoys outline the navigation channel from the outer harbor entrance into the inner harbor.

The opening between the new breakwater and the Causeway (Outer Harbor Entrance) is approximately 500 feet in width and serves as access to both Causeway deep water docks and the new Snake River entrance that leads into the Small Boat Harbor. The old entrance along the seawall has been filled in and is no longer navigable.

The Nome Small Boat Harbor has a depth of 10 feet (MLLW) and offers protected mooring for recreational and fishing vessels alongside two floating docks. Smaller cargo vessels and landing crafts load village freight and fuel at the east, west, and south inner harbor sheet pile docks, east beach landing, and west barge ramp for delivery in the region. A new addition to the Nome facility in 2005 was a 60-foot wide concrete barge ramp located inside the inner harbor just west of the Snake River entrance.



Harbor Entrance (www.nonealaska.org)

The ramp provides bulk cargo carriers with a suitable location near to the Causeway to trans-load freight to landing crafts and roll equipment on and off barges. This location also has approximately two acres of uplands to be used for container, vessel, and equipment storage. (Nome website: www.nomealaska.org)

The federal government constructed a seawall in 1949 to protect the City of Nome from Bering Sea storms. The seawall, completed in 1951, extends 3,350 feet from the entrance channel of the Snake River to the east along Front Street. The seawall is a rock-revetted slope with a height of +18 feet MLLW. Rocks for the seawall came from Cape Nome, 13 miles east of Nome, at an estimated cost of one million dollars. The State completed a 3,750-foot eastern extension of the seawall in 1993. Prior to the State's extension, significant erosion occurred on the eastern edge of the seawall. The City of Nome maintains the seawall.

I. Housing

Housing is very hard to find in Nome. There is a great need for housing of all types, single family and multi-family units and for all income types. The new hospital (page 13) has created a housing shortage for construction workers and once the hospital is built the need will shift to new employees. The realtors in town have long waiting lists for housing. Table 8 from the U.S. Census Bureau lists vacant housing units at 263 however this number does not reflect units that are habitable.

The Nome Emergency Shelter Team (NEST) is active in the community providing shelter during the winter months.

Last winter (2009-2010) a total of 12 beds were filled 762 times. Two warm meals were provided each night that the shelter was open.

Housing in Nome (E. Bechtol)



America's Marine Highway Routes

1. Route Designation

24 MH Routes that serve as extensions of the surface transportation system

Pacific Area

- ✓ M-A1 Cook Inlet
- ✓ M-H1 Hawaiian Islands
- ✓ M-5 Pacific
- ✓ M-84 Columbia, Snake, Willamette Rivers
- ✓ M-580 Oakland to Sacramento, CA

Future

- ✓ Extend the M-5 Pacific north along Alaska coast into & towards NW Passage
- ✓ MH Route into Salish Sea



Boundary Line/Gold Dredge Summary for Port of Nome

Introduction

This paper was prepared by the Marine Exchange of Alaska at the request of the Nome Port Commission and is focused on the recent initiative to engage with the federal government on the issue of the location of “Boundary Line” in the vicinity of Nome and their impact on Nome’s gold dredge fleet. The Boundary Line marks the dividing point between internal and offshore waters for several legal and regulatory purposes, including load line regulations

This document identifies the consequences of moving the boundary line from its existing statutory location to a location that would allow Nome’s gold dredge fleet to operate shoreward of the line while engaged in their normal gold dredging operations.

Background

In the past 6-7 years the dredge fleet in Nome has experienced significant growth. The majority of these dredges work outside the Nome harbor within 3nm of the shoreline. Although most of these vessels are exempt from formal U.S. Coast Guard (USCG) inspection requirements due to their size and configuration, an informal agreement exists between the Alaska Department of Natural Resources (DNR), the dredge operators, and the USCG which results in these vessels undergoing an annual safety exam by the USCG. This exam confirms a vessel’s compliance with the Coast Guard basic safety and environmental regulations. Until recently, this informal examination program addressed all vessels involved in offshore gold dredging in vicinity of Nome and by all accounts has been a successful program. Recently, however, several larger vessels have been relocated to Nome with the intention of engaging in offshore dredging operations. Because of the size of these vessels and their intent to *operate outside the existing boundary line*, they will be subject to more stringent Coast Guard inspection regulations and the self-propelled vessels required to be operated by Coast Guard licensed mariners. Additionally, vessels over 79’ in length will be subject to the USCG’s loadline requirements that entails periodic load line inspections by the American Bureau of Shipping. Because of the cost and effort involved with complying with the USCG regulations for these larger vessels, there is interest in working with the federal government to move the boundary line in vicinity of Nome to a distance offshore that would allow all gold dredges, including these recent large dredges, to operate shoreward of the boundary line, which would exempt the vessels from the USCG inspection and loadline requirements.

Purpose of Boundary Lines

The boundary lines discussed in this document are intended to support the following U.S. statutes:

- 46 U.S.C. 3301(6) requiring the inspection of seagoing barges which are defined in 46 U.S.C. 2101(32)
- 46 U.S.C. 3301(7) requiring the inspection of seagoing motor vessels which are defined in 46 U.S.C. 2101(33)

**Existing
Boundary Line**

Boundary lines are designated by the U.S. Coast Guard and described in 46 CFR Chapter I, Subchapter A, Part 7. The boundary line in vicinity of and currently affecting Nome's dredge fleet is defined by the general rules for establishing boundary lines in the above reference: *"Boundary Lines are lines drawn following the general trend of the seaward, highwater shorelines and lines continuing the general trend of the seaward, highwater shorelines across entrances to small bays, inlets and rivers."*

In the case of Nome's boundary line, it is a line following the general trend of Nome's shoreline and across the entrance to the Nome inner harbor. By this description, a vessel outside the harbor entrance, *even if inside the breakwater*, is considered "at sea."

**Impact to
Dredge Fleet**

The existing boundary line designation affects dredges meeting the following criteria when operating seaward of the harbor entrance:

Required to have a USCG Certificate of Inspection (COI) when operating outside boundary line.	Required to have a Load Line when operating outside boundary line.
Self-propelled dredges greater than 300 Gross Tons (<i>there is currently one dredge in Nome meeting this criteria*</i>).	Dredge 79ft or longer- built 1986 or later (<i>there are currently three dredges meeting this criteria – the same three required to have a COI*</i>)
Non-self-propelled, manned dredges of any size (<i>there are currently two dredges in Nome meeting this criteria*</i>).	Dredge 150GT or greater (built before 1986)

* Based on information provided by Harbormaster and USCG

**Summary of
COI Inspection
Program**

Dredges required to have a COI will be inspected to the standards outlined in 46 CFR Part 91. Below is a summary of these inspection requirements:

Initial COI Inspection (and every 5 years thereafter)
Review of vessel plans (initial inspection)
Complete inspection of external structure of vessel
Machinery inspection (propulsion, auxiliary, steering, etc.)

Pressure vessel inspections (compressed air receivers, boilers, etc.)
Fire detecting & extinguishing equipment inspection
Pollution prevention equipment inspection
Lifesaving equipment inspection
Annual Inspections
The scope of the annual inspection is the same as the COI inspection described above but in less detail unless the marine inspector finds deficiencies or determines that a major change has occurred since the last inspection.
Drydock and Internal Structural Exams
Vessel must be drydocked and completely inspected at least twice every 5 years, with no more than 3 years between inspections.
Vessel must undergo complete internal structural exam (may be in-water) at least twice every 5 years, with no more than 3 years between inspections.

Summary of Loadline Inspection

Load line certificates are issued on behalf of the USCG by the American Bureau of Shipping or one of several other USCG-approved classification societies. The choice of assigning authority is made by the vessel owner/operator. The Coast Guard itself does not issue load lines.

In order to be issued a load line, the vessel must be constructed to meet the load line requirements. This entails review and approval of the vessel's design by the assigning authority. Surveyors then perform an inclining test to verify the vessel has sufficient stability for the waters it is operating and to approve the vessel's stability documents. The freeboard assignment is calculated, and the load line marks are inscribed on the hull. Upon final verification that all of these steps have been properly accomplished, the vessel is issued a load line certificate.

A load line certificate is normally issued for a 5-year term, subject to annual "topside" surveys to verify that hatch covers, doors, vent covers, and other critical closures are in good working condition, and that there have not been any damage or unauthorized modifications that would compromise the vessel's seaworthiness. At the end of the 5-year term, the vessel must be dry docked to inspect the underwater hull, seachests and valves, etc., before a new certificate can be issued.

Purpose of Loadline

- Ensuring a robust hull that can withstand severe sea conditions (*i.e., structural design, construction, and maintenance*)
- Ensuring weathertight & watertight integrity (*i.e., coamings; exposed doors, hatches, hull valves, etc., are in good working condition*)

- Ensuring that the vessel has reserve buoyancy and is not overloaded
(*by limiting the maximum loaded draft*)
- Ensuring that the vessel has adequate stability for all loading & operating conditions
(*by approved stability documentation & instructions*)
- Ensuring rapid drainage of water on deck (boarding seas)
(*by adequate arrangement of freeing ports in bulwarks*)
- Ensuring safety of crew while working on deck
(*by increased freeboard to reduce boarding seas, guardrails*)
- Ensuring that modifications to vessel do not compromise seaworthiness
(*modifications must be approved by LL assigning authority*)

**Consequences
of Moving
Boundary Line**

Assuming boundary line moves to a location allowing all dredges to operate offshore, but inside the boundary line	
Certain Consequences	Potential Consequences
All existing dredges, including the larger vessels described in this document, will be exempt from USCG COI and loadline requirements.	Because these larger vessels will be exempt from USCG inspection and loadline requirements, it's possible these vessels will be operated in a manner and/or condition that is less safe than if the vessels were regularly inspected. The safety of the vessel and crew will be more dependent on the owner/operator of the vessel, as the USCG will have significantly reduced oversight, particularly with regard to the structural integrity of the vessels and condition of machinery.
Larger, self-propelled vessels will have no operator licensing requirements, which they likely would if they were operating outside the boundary line and subject to the USCG's inspection requirements.	Exemption from the COI and loadline requirements could result in additional larger dredges relocating to Nome due to limited regulatory oversight and commensurate costs of compliance. This could also result in a greater need for adequate towing vessel capability in Nome, as recent USCG regulations require any towing vessel over 26ft to be inspected and operated by licensed Master.
	Moving the boundary line could affect USCG licensing requirements for other types of commercial

	vessels. For example, if the boundary line was moved to the entrance of Norton Sound, a passenger vessel could operate within the entire Sound with an inland master's license, rather than a near coastal license.
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NOTE: The location of the boundary line has no impact on the USCG's jurisdiction over any U.S. registered or documented vessel. The vast majority of Nome's dredge fleet are presently exempt from the USCG's inspection and loadline requirements due to their size, but they are all still subject to the regulations for uninspected vessels (46 CFR Subchapter C) and pollution prevention regulations. Subchapter C outlines requirements for the following:

- Navigation lights
- Life preservers and other lifesaving equipment
- Emergency position indicating radio beacons (EPIRBs)
- Fire extinguishing equipment
- Backfire flame control & ventilation
- Cooking, heating, and lighting systems
- Garbage retention

Regardless of an uninspected vessel's operation inside or outside the boundary line, the requirements of Subchapter C always apply to the vessel, and the USCG has the authority to examine the vessel to ensure compliance with these regulations.

Conclusion

Although the location of the existing boundary line in the vicinity of Nome has no effect on the majority of Nome's dredge fleet, the current location of this line does result in a significant regulatory compliance challenge for a small number of existing, larger dredges intending to operate offshore of Nome.

The Port Commission has been presented with information making an argument for the relocation of the boundary line to a location that would allow all dredges, regardless of size, to operate inside the line, thus becoming exempt from the USCG's inspection and loadline regulations. The primary focus of this argument being that many areas of the U.S., including several bodies of water within Alaska have boundary line adjustments written into the regulations that were likely introduced to facilitate commerce. Although the information provided in favor of moving the boundary line further offshore does not include any comprehensive or specific risk analysis of the effects of moving this line, it seems unlikely that Norton Sound is considerably

“riskier” for a vessel to operate within than some of the other areas that enjoy adjusted boundary lines.

The Port Commission should understand that moving the boundary line will not be an easy, or quickly-accomplished task. Any changes to boundary lines must be done by regulation, which will require not only convincing (or mandating) the USCG that the boundary line should be moved, but will require public comment and a lengthy process required for any regulatory action. This is not meant to deter the Commission from engaging in this issue, but to ensure the Commission understands that even if the Congressional Delegation supports this initiative, it is lengthy process to create and enact new regulations.
