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Anchorage Port Commission Meeting Agenda

Date: February 2, 2022

Time: 12:00 – 2:00pm

Virtual Meeting (call: 907-519-0237, pin: 77638 or use Microsoft Teams link)

I. Call to Order

- A. Roll Call
- B. Self Introduction by those present

II. Port Safety Minute

III. Approval of Agenda

IV. Approval of December 15, 2021 Meeting Minutes

V. Port Director's Comments

VI. Informational Items

- A. Operations and Maintenance – Ronnie Poole
- B. Engineering Matters – Brian Weigand
- C. Port Modernization Program – Sharen Walsh
- D. Finance Matters – Cheryl Beckham
- E. Security & Business Development – Jim Jager

VII. Old Business

VIII. New Business

- A. New PAMP Management Structure (Jacobs presenting)
- B. Proposed Port Terminal Tariff Section 1 changes (presented as Tariff version 9.1)
- C. Proposed Commission Resolution 22-01 in support of State Harbor Maintenance Grant Fund

IX. Commission Actions for Introduction and Consideration

X. Public Comments (Per Sign-Up List)

XI. Port Director's Closing Comments

XII. Commissioner Comments

XIII. Meeting Schedule

XIV. Adjourn

Port of Alaska
Budget to YTD Actual Comparison - Unaudited
@ 12/31/21



	2021 Budget	2021 Actuals	2021 Budget vs Actual % Target 100%
Revenues			
Cruise Ship Head Tax	-	66,755.00	0%
Reimbursed Cost	20,000.00	34,298.61	171%
Dockage	1,110,413.00	1,273,591.33	115%
Wharfage, Bulk Dry	172,029.00	225,368.88	131%
Wharfage, Bulk Liquid	2,435,067.00	3,956,807.82	162%
Wharfage, General Cargo	3,712,981.00	3,703,678.49	100%
Miscellaneous	233,025.00	83,720.28	36%
Office Rental	40,000.00	37,800.00	95%
Utilities, Water	44,704.00	21,248.81	48%
Crane Rental	56,500.00	141,913.28	251%
Pipe ROW Fee	173,000.00	208,749.13	121%
POL Value Yard Fee	291,696.00	403,063.04	138%
Security Fees	1,477,975.00	1,502,007.38	102%
Industrial Park Lease	4,273,135.00	4,498,873.14	105%
Ind Park Rental/Storage	697,781.00	280,461.28	40%
Cash & Const Investm Pool Int	203,791.00	57,585.82	28%
Total Operating/Non-Operating Revenue:	14,942,097.00	16,495,922.29	110%
Expenses			
Personnel Services	2,785,570.00	2,682,990.63	96%
Non-Labor	4,807,355.00	4,383,272.64	91%
Total Operating Expenses:	7,592,925.00	7,066,263.27	93%
Legal Services - General (PIEP Litigation)	3,045,000.00	2,641,325.56	87%
MESA & Dividend payments	2,044,244.00	2,045,664.01	100%
Debt Service	2,675,000.00	2,479,385.56	93%
Depreciation and Amortization	7,937,791.00	6,640,561.76	84%
Total Non-Operating Expenses:	15,702,035.00	13,806,936.89	88%
Charges from Depts (IGC)	1,414,288.00	1,087,065.29	77%
Total Expenses:	24,709,248.00	21,960,265.45	89%
*Net Income:		(5,464,343.16)	
Depreciation - Non Cash Item (Add back):		6,640,561.76	
*Available Cash Flow @ 12/31/21		1,176,218.60	
(* Unaudited)			

TONNAGE REPORT - Annual
Commodity Classification

	2021	2020	2019	2018
Freight NOS	36	689	1,167	2,199
Dry Bulk Goods	87,692	101,853	109,956	105,326
Petroleum, NOS (vessel fueling)	47,888	58,728	222,536	129,828
Vans/Flats/Containers	1,638,486	1,642,547	1,655,612	1,631,303
Petroleum, Shoreside	1,061,821	902,712	802,093	505,980
Petroleum, Bulk - Dockside	2,151,883	1,997,845	1,474,399	1,574,029
Total Tonnage @ 12/31/21:	4,987,806	4,704,374	4,265,763	3,948,665

Miscellaneous Revenue Detail

Equipment Rental (Crane, Yokohama Fenders, Manbasket, Dumpster):	31,118
Sanding & Snow Removal Services:	37,016
Annual Fees (ORL Agreement, FTZ 160 Fee):	15,000
Ship Creek Boat Launch Fees:	586
	83,720

**A RESOLUTION OF THE ANCHORAGE PORT COMMISSION APPROVING
AMENDMENTS TO PORT OF ALASKA TERMINAL TARIFF VERSION 9.0 SECTION
1 RULES AND REGULATIONS AND RECOMMENDING THAT THE ANCHORAGE
MUNICIPAL ASSEMBLY APPROVE ADOPTION UNDER WHAT WILL BECOME
PORT OF ALASKA TERMINAL TARIFF VERSION 9.1**

WHEREAS pursuant to Anchorage Municipal Code 11.050.030.C, the Anchorage Port Commission is charged with promulgating the Port's terminal tariff subject to the approval of Anchorage Municipal Assembly, and

WHEREAS Section 1 of the Port's terminal tariff focuses on the rules, regulations, policies, and procedures by which the maritime industry is to do business with the Port of Alaska, and

WHEREAS it is the position of the Port Commission that certain changes to Section 1 are necessary to add more clarification to those rules, regulations, policies, and procedures because of changes made to port business practices and because of the need for greater clarification of current terminology also as a result of changing times and business composition,

NOW THEREFORE be it resolved that the Anchorage Port Commission resolves and recommends:

1. That current Port of Alaska Terminal Tariff 9.0, Section 1 be amended as officially presented to the Assembly in an Assembly Memorandum.
2. That the Port of Alaska Terminal Tariff version be renumbered to version 9.1 with an effective date of March 1, 2022, to memorialize those changes.

PASSED AND APPROVED by the Anchorage Port Commission, this 2nd day of February 2022.

Commission Chair

A RESOLUTION OF ANCHORAGE PORT COMMISSION SUPPORTING FULL FUNDING (\$20,160,062) FOR THE STATE OF ALASKA MUNICIPAL HARBOR FACILITY GRANT PROGRAM IN THE FY 2023 STATE CAPITAL BUDGET.

Whereas the majority of the public boat harbors in Alaska were constructed by the State during the 1960s and 1970s; and

Whereas these harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

Whereas these harbor facilities are ports of refuge and areas for protection for ocean-going vessels and fishermen throughout the State of Alaska, especially in coastal Alaskan communities; and

Whereas the State of Alaska over the past nearly 30 years has transferred ownership of most of these State-owned harbors, many of which were at or near the end of their service life at the time of transfer, to local municipalities; and

Whereas the municipalities took over this important responsibility even though they knew that these same harbor facilities were in poor condition at the time of transfer due to the state's failure to keep up with deferred maintenance; and

Whereas, consequently, when local municipal harbormasters formulated their annual harbor facility budgets, they inherited a major financial burden that their local municipal governments could not afford; and

Whereas, in response to this financial burden, the Governor and the Alaska Legislature passed legislation in 2006, supported by the Alaska Association of Harbormasters and Port Administrators, to create the Municipal Harbor Facility Grant program (AS 29.60.800); and

Whereas the Department of Transportation and Public Facilities utilizes a beneficial administrative process to review, score, and rank applicants to the Municipal Harbor Facility Grant Program, since state funds may be limited; and

Whereas, for each harbor facility grant application, these municipalities have committed to invest 100% of the design and permitting costs and 50 percent of the construction cost; and

Whereas, the municipalities of the City of Valdez, City of Yakutat, City & Borough of Juneau, City & Borough of Sitka, City of Homer, Aleutians East Borough/City of Sand Point, and the Municipality of Anchorage have committed to contribute \$20,160,062 in local match funding for FY2023 towards harbor projects of significant importance locally as required in the Harbor Facility Grant Program; and

Whereas completion of these harbor facility projects is dependent on the 50% match from the State of Alaska's Municipal Harbor Facility Grant Program: and

Whereas, during the last fifteen years the Municipal Harbor Facility Grant Program has only been fully funded twice; and

Whereas a survey done by the Alaska Municipal League of Alaska's ports and harbors found that from the respondents, the backlog of projects necessary to repair and replace former State-owned harbors has increased to at least \$500,000,000; and

Whereas, over the past five years alone, municipal harbors have submitted \$70 million in capital project match requests, representing over \$116 million in shovel-ready capital projects that have received only \$20 million in funding through the Municipal Harbor Facility Grant program with zero funding in FY21 and half of the requested funding in FY22.

Now therefore be it resolved that the Anchorage Port Commission urges full funding in the amount of \$20,160,062 by the Governor and the Alaska Legislature for the State of Alaska's Municipal Harbor Facility Grant Program in the FY 2023 State Capital Budget in order to ensure enhanced safety and economic prosperity among Alaskan coastal communities.

PASSED AND APPROVED by the Anchorage Port Commission, this 2nd day of February 2022.

Commission Chair

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SECTION 1 RULES & REGULATIONS	ITEM NO.
<p>Part 1</p> <p style="text-align: center;"><u>NOTICE TO PUBLIC</u></p> <p>Tariff No. 8.2, enacted on 1 January 2020 is hereby repealed in its entirety and replaced by Tariff No. 9.0 to read as follows:</p> <p>The Port of Alaska, hereafter referred to as the Port, is a Non-Operating Port and is owned by the Municipality of Anchorage. This tariff is published and filed as required by Federal Maritime Commission law and is, therefore, notice to the public, shippers, consignees and carriers that the rates, rules and charges apply to all traffic without specific notice, quotation or arrangement.</p> <p style="text-align: center;"><u>APPLICATION OF TARIFF</u></p> <p>(a) GENERAL APPLICATION OF TARIFF:</p> <p>This tariff applies to vessels, agents, owners, masters, operators, truckers, contractors, suppliers and all other users. It is also applicable to all piers, wharfs, sheds, yards, buildings, rail lines, roadways and all properties owned and/or operated by the Port.</p> <p>Rates, charges, rules and regulations provided in this tariff will apply to merchandise received at, or shipped from, the facilities or properties operated under the jurisdiction and control of the Port, and specifically to Municipal Terminals, appurtenant structures thereto and waterways under the management of the Port Director, Municipality of Anchorage. Vessel charges and assessments provided in this tariff are applicable to all vessels, self-propelled or other than self-propelled, when such vessels are provided with dockage services or other vessel services named in this tariff.</p> <p>(b) TARIFF EFFECTIVE</p> <p>The rates, charges, rules and regulations named in this tariff, additions, revisions, or supplements thereto shall apply on all freight received at facilities subject to this tariff on and after revisions, or supplements, thereto. Unless otherwise specified, all transit freight received at terminals and undelivered prior to effective dates of tariff, revisions, or supplements thereto, shall be charged the rates in effect on the date such freight was received until entire lot or shipment has been withdrawn.</p> <p>Except as otherwise provided in this section, the rates, rules and regulations published in other sections of this tariff apply to vessels, shippers and consignees of Bulk Petroleum Products, and hose watch operators.</p> <p style="text-align: center;">(Continued on next page)</p>	100
ISSUED: 01/01/2020	EFFECTIVE: 01/01/2020

SECTION 1 RULES & REGULATIONS	ITEM NO.
<p data-bbox="469 296 1003 327" style="text-align: center;">APPLICATION OF TARIFF (Continued)</p> <p data-bbox="142 363 586 394">(a) ACCEPTANCE OF TARIFF:</p> <p data-bbox="142 430 1333 527">The use of the wharves, facilities or any other part of the terminal by anyone is conditional upon strict adherence to all applicable rules and regulations of government or port authorities:</p> <ul data-bbox="186 562 1019 699" style="list-style-type: none">• Federal, State & Local Government Laws and Regulations• Municipal Government Laws & Rules• Port of Alaska Rules and Regulations• Other Regulatory Agencies or Authorities' Rules & Regulations <p data-bbox="142 735 1333 795">Furthermore, use of these facilities shall be deemed an acceptance of this tariff and the terms and conditions as outlined.</p>	100
ISSUED: 01/01/2020	EFFECTIVE: 01/01/2020

SECTION 1 RULES & REGULATIONS		ITEM NO.
Part 2 EXPLANATIONS OF ABBREVIATIONS IN TARIFF <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>B.M. - Board Measure Bbl. - Barrel Bdl. - Bundle C.L. - Carload Cs. - Case Crt. - Crate Ctn. - Carton Cu. ft. - Cubic Foot or Feet Dkg. - Dockage Ea. - Each F.F. - Folded Flat F.M.C. - Federal Maritime Commission Gals. - Gallons Hdlg. - Handling Inc. - Incorporated K.D. - Knocked Down K.D.F. - Knocked Down Flat Lb. - Pound L.C.L. - Less Than Carload Ldg. - Loading Lgth. - Length LOA - Length Overall MBM - 1000-foot Board Measure Meas. - Measurement MHHW - Mean Higher High Water</p> </div> <div style="width: 48%;"> <p>MHW - Mean High Water Min. - Minimum Misc. - Miscellaneous MLLW - Mean Lower Low Water MLW - Mean Low Water MSL - Mean Sea Level MTL - Mean Tide Level No. - Number N.O.S. - Not Otherwise Specified Par. - Paragraph Pkg. - Package Port - Port of Alaska POL - Petroleum, Oil, and Lubricants (terminal) S.U. - Set-up Sq. ft. - Square Foot or Square Feet Stg. - Storage Term'l - Terminal Ton - Short ton of 2,000 pounds Unldg. - Unloading US - United States of America USCG - United States Coast Guard W.R. - Warehouse Receipt Wt. - Weight Yd. - Yard Viz. - Videlicet (examples, list)</p> </div> </div>		120
ISSUED: 01/01/2020		EFFECTIVE: 01/01/2020

SECTION 1 RULES & REGULATIONS	ITEM NO.
<p style="text-align: center;">DEFINITIONS</p> <p>1. AFFREIGHTMENT: a contract with a ship owner to hire all or part of his ship for the carriage of goods. Such a contract generally takes the form of a charter party or bill of lading.</p> <p>2. BEAM: the greatest overall width of a vessel.</p> <p>3. BILL OF LADING: a document by which the master of a ship acknowledges having received in good order and condition (or the reverse) certain specified goods consigned to some particular shipper, and binds the master to deliver them in similar condition – unless the perils of the sea, fire, or enemies prevent this – to the consignees of the shipper at the point of destination on their paying the master the stipulated freight.</p> <p>4. BULK CARGO: cargo that is loaded and carried in bulk without mark or count in a loose unpackaged form, having homogeneous characteristics. Bulk cargo loaded into intermodal equipment, except LASH or Seabee barges, is subject to mark and count and is, therefore, subject to the requirements of this part.</p> <p>5. BUSINESS ENTITY: any person, firm, association, organization, partnership, business trust, corporation, company or any other business entity.</p> <p>6. CARLOADING OR UNLOADING: the service performed to load cargo from wharf premises or other such terminal premises designated by the Port Director to be used for such purposes, to or from railroad cars, trucks, trailers, semi-trailers from or to wharf premises to other terminal premises.</p> <p>7. COMMISSION: Federal Maritime Commission</p> <p>8. CONSIGNEE: the recipient of cargo from a shipper, individuals or business entities to whom a transported commodity is to be delivered.</p> <p>9. CONTAINER: a demountable and reusable freight-carrying unit designed to be transported by different modes of transportation and having construction, fittings and fastenings able to withstand, without permanent distortion or additional exterior packaging or containment, the normal stresses that apply on continuous all-water and intermodal transportation. The term includes dry cargo, ventilated, insulated, refrigerated, flat rack, vehicle rack, liquid tank, and open-top containers without chassis, but does not include crates, boxes or pallets.</p> <p>10. DAYS: when calculating dockage rates, a 24-hour period starting when first line is secured; otherwise calendar days.</p> <p>11. DELINQUENT LIST: record of vessels, their owners or agents, or other users of the Port who have failed to pay charges within thirty (30) days after date of invoice or who have not furnished proper cargo statements to the Port Director.</p> <p style="text-align: center;">(Continued on next page)</p>	120
ISSUED: 01/01/2020	EFFECTIVE: 01/01/2020

SECTION 1 RULES & REGULATIONS	ITEM NO.
<p style="text-align: center;">DEFINITIONS (Continued)</p> <p>12. DEMURRAGE: a separate freight charge, in addition to ordinary shipping costs, which is imposed according to the terms of a carriage contract upon the person responsible for unreasonable delays in loading or unloading cargo. In maritime law, demurrage is the amount identified in a charter contract as damages payable to a ship owner as compensation for the detention of a ship beyond the time specified by a charter party for loading and unloading or for sailing.</p> <p>13. DERELICT: any watercraft moored or otherwise located within the Port which is forsaken, abandoned, deserted or whose owner fails to contact the Port Director within seven (7) days after written notice declaring the watercraft to be abandoned is attached to said watercraft.</p> <p>14. DIRECT LOADING OR UNLOADING: the service accorded to cargo in transferring cargo by ship's tackle between ship and open top railroad cars, vehicles, pipeline or water, raft, barge, lighter, or other waterborne vessels; or open top trucks, trailer beds or bodies, which are spotted within reach of ship's tackle or terminal's tackle.</p> <p>15. DOCKAGE: the charge assessed to a vessel for docking at a wharf, dock, pier or other facility, or for mooring to a vessel so docked.</p> <p>16. DUNNAGE: loose wood or other material used in a ship's hold for the protection of cargo and specified items approved by the Anchorage Port Commission (see Part 9,7).</p> <p>17. FLOATING DOCKS/FLOATS: docks/floats equipped with or without gangways that are secured to the appurtenance for the use of small vessels.</p> <p>18. FOREIGN COMMERCE: commerce under the jurisdiction of the Foreign Commerce Act.</p> <p>19. FOREST PRODUCTS: including, but not limited to, lumber in bundles, rough timber, ties, poles, piling, laminated beams, bundled siding, bundled plywood, bundled core stock or veneers, bundled particle or fiber boards, bundled hardwood, wood pulp in unitized bales, paper and paper board in rolls or in pallet or skid-sized sheets, liquid or granular by-products derived from pulping and papermaking, and engineered wood products.</p> <p>20. FREE TIME: amount of time cargo may remain at a terminal at no charge to the shipper.</p> <p>21. GANGWAY: a narrow, portable platform used as a passage by persons entering or leaving a vessel moored alongside a quay or pier.</p> <p>22. HANDLING: the service accorded to cargo movement from end of ship's tackle or terminal's tackle to the first place of rest on the wharf or other terminal premises designated by the Port Director to be used as the first place of rest, or from such first place of rest on the wharf or other such terminal premises to a place within reach of ship's tackle or terminal's tackle.</p> <p style="text-align: center;">(Continued on next page)</p>	120
ISSUED: 01/01/2020	EFFECTIVE: 01/01/2020

SECTION 1 RULES & REGULATIONS	ITEM NO.
<p style="text-align: center;">DEFINITIONS (Continued)</p> <p>23. HOLIDAYS: whenever in this tariff reference is made to holidays the following days are included: New Year's Day, Martin Luther King Day, President's Day, Seward's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Day After Thanksgiving, Christmas Day, and every other day appointed by the President of the United States of America and/or the Governor of Alaska. In the event that one of the above mentioned holidays occurs on Saturday, the previous Friday will be considered a holiday for the purpose of this tariff. In the event that one of the above mentioned holidays occurs on Sunday, the following Monday will be considered a holiday for the purpose of this tariff.</p> <p>24. INDUSTRIAL PARK: those parcels of real property adjacent to the Municipal Terminal, which organizations with business interests at the Port may lease/rent from the Municipality.</p> <p>25. LADDER: a metal, wooden or rope stairway.</p> <p>26. LENGTH OVERALL: the overall length of a watercraft measured from the most forward point at the beam to the aftermost part of the stern of the watercraft.</p> <p>27. MANIFEST: a detailed statement of a vessel's cargo, giving the bills of lading numbers, marks, number of packages, names of shipper, names of consignee, weight or total measurement of goods, rate of freight and where payable. Such a statement is sent by the owners or brokers at port of shipment to their agents at destination port.</p> <p>28. MOORAGE: fee assessed for the use of mooring stations, buoys or anchorages.</p> <p>29. MOORAGE RATES: generally less than dockage or berthing fees. They are applied toward the monitoring or anchorage safety, shuttle services, dredging and maintaining of mooring buoys and anchorage areas including navigation aids.</p> <p>30. MOORING: to secure a ship or vessel or any floating object in a particular place by weight, chain, rope, float, structure, or any appliance used for anchoring purposes by a watercraft which is not carried aboard a watercraft as part of it.</p> <p>31. MOTOR VEHICLE: a wheeled vehicle whose primary purpose is ordinarily the non-commercial transportation of passengers, including an automobile, pickup truck, minivan, or sport utility vehicle.</p> <p>32. MUNICIPAL DOCK: the concrete operating wharves and their associated facilities, such as cranes, transit sheds and access trestles permanently affixed thereto.</p> <p>33. MUNICIPAL TERMINALS: the Municipal Docks, Petroleum Docks, Transit Areas and their associated facilities, such as access roads, railroad tracks and the adjacent storage areas necessary to conduct normal dock or cargo handling operations.</p>	120
ISSUED: 01/01/2020	EFFECTIVE: 01/01/2020

SECTION 1 RULES & REGULATIONS	ITEM NO.
<p style="text-align: center;">DEFINITIONS (Continued)</p> <p>34. NON-OPERATING PORT: means a landlord port with all port facilities generally leased, rented or preferentially assigned with the lessee, rental permittee or assignee responsible for operating the facilities.</p> <p>35. OPERATING PORTS: generally provide all port services except stevedoring with their own employees including, but not limited to, loading and unloading of rail cars and trucks and the operation of container terminals, grain elevators, and other bulk terminal operations.</p> <p>36. LIMITED-OPERATING PORTS: lease facilities to others, but continue to operate one or more facilities with port employees. These operated facilities may be specialized terminals, such as grain elevators, bulk terminals, container terminals, etc.</p> <p>37. OVERSTOWAGE: faulty loading, as when cargo for the second port of discharge is stowed above cargo for the first port and therefore the latter cannot be discharged at its destination.</p> <p>38. PETROLEUM TERMINALS: means the Petroleum Terminals of the Port which are the steel and concrete breasting platforms, pipe racks, walkways, dolphins and appurtenant structures located immediately south of the Municipal Dock.</p> <p>39. POINT OF REST: Point of Rest is defined as that area on the terminal facility which is assigned for the receipt of inbound cargo from the vessel and from which inbound cargo may be delivered to the consignee and that area which is assigned for the receipt of outbound cargo from shippers for vessel loading.</p> <p>40. PORT: a place at which a common carrier originates or terminates (by transshipment or otherwise) its actual ocean carriage of cargo or passengers as to any particular transportation movement. For purposes of this document, Port also means the Port of Alaska further defined as the enterprise department of the Municipality of Anchorage responsible for governing operations on the Municipally owned land and waterside facilities located upon:</p> <ul style="list-style-type: none"> • Tracts H and I, as shown on sheets 1 through 4 of Plat number 2011-59 • Tract J, as shown on sheets 1 through 2 of Plat number 2012-19 • Lots 7B, 8B and 8C, as shown on sheets 1 and 2 of Plat number 71-32 • A lease lot south of and adjacent to Tract H leased to the Port of Anchorage from the Alaska Railroad Corporation via ARRC Contract No. 6434 <p>and tidal waters within the corporate limits of the Municipality, exclusive of those areas which are within the exclusive jurisdiction of either the state or the United States.</p> <p>41. PORT DIRECTOR: the Director of the Port of Alaska or the Port Director's designee.</p>	120
ISSUED: 01/01/2020	EFFECTIVE: 01/01/2020

SECTION 1 RULES & REGULATIONS	ITEM NO.
<p style="text-align: center;">DEFINITIONS (Continued)</p> <p>42. PORT FACILITIES: all docks, floats, berths, wharves, and other landing, launching, mooring, cargo or other facilities located within or otherwise under the management of the Port.</p> <p>[43. SILTATION: SEDIMENT RESULTING FROM ACCELERATED EROSION WHICH IS SETTLEABLE AND/OR CAPABLE OF REMOVAL IN FAVORABLE CONDITIONS BY PROPERLY DESIGNED, CONSTRUCTED, AND MAINTAINED CONTROL MEASURES; AND WHICH HAS BEEN TRANSPORTED FROM ITS POINT OF ORIGIN WITHIN THE SITE OF A LAND-DISTURBING ACTIVITY; AND WHICH HAS BEEN DEPOSITED, OR IS IN SUSPENSION IN WATER.]</p> <p>43. [44.] TERMINAL OPERATOR: a person or company engaged in the United States or a commonwealth, territory, or possession thereof, in the business of furnishing wharfage, dock, warehouse or other terminal facilities or services in connection with a common carrier, or in connection with a common carrier and a water carrier subject to Subchapter II of Chapter 135 of Title 49, United States Code. A marine terminal operator includes, but is not limited to, terminals owned or operated by states and their political subdivisions; railroads who perform port terminal services not covered by their line haul rates; common carriers who perform port terminal services; and agents thereof who operate port terminal facilities.</p> <p>44. [45.] TERMINAL OPERATOR PERMIT: a permit issued by the Municipality of Anchorage for an agency/entity to perform one or more of the following marine related services or operations at the Port of Alaska: petroleum transfer operations; general cargo operations; dry bulk cargo operations; outloading of cargo from first place of rest within Port transit areas; vessel servicing; fish handling operations; and, passenger operations.</p> <p>45. [46.] TRANSSHIPMENT: the transfer of goods from the vessel stipulated in the contract of affreightment to another vessel before the place of destination has been reached.</p> <p>46. [47.] VESSEL: ships or crafts of all types, including, but not limited to, the following: motor ships, steam ships, canal boats, tugs, barges, sailing vessels, motor boats, and every structure adapted to be navigated from place to place for the transportation of property and persons by any means.</p> <p>47. [48.] VESSEL OWNER: the actual or registered owner, charterer, master, agent, person in navigational control or person responsible for the operation of the vessel.</p> <p>48. [49.] WATERCRAFT: any vessel, including but not limited to houseboats, floatplanes, waterborne aircraft, floats, scows, rafts, pile drivers, or any other floating structure adopted to be navigated from place to place, used for recreational, commercial, or other purpose upon the waterways within the Port or moored at any place within the Port.</p> <p>49. [50.] WHARFAGE: the charge assessed against any freight, cargo, goods placed in a transit shed or on a wharf, or passing through, over or under a wharf or Municipal terminal; or transferred between vessels, or loaded to or unloaded from a vessel at a wharf, regardless of whether or not a wharf is used. Wharfage is solely the charge for use of wharf and does not include handling, sorting, or piling of freight or charges for any other services.</p>	120

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CLASSIFICATION OF TRAFFIC

Coastwise Trade: All traffic between West Coast ports of the United States and Alaska.

Inter-Coastal Trade: All traffic between ports of the United States, other than West Coast ports, and Alaska.

Intra-Alaska Trade: Traffic between points in Alaska.

Foreign Trade: All traffic between ports outside the United States and Alaska.

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SECTION 1
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NO.

Part 3**ENVIRONMENTAL PARAMETERS****TIDES**


The Cook Inlet has one of the highest tidal ranges in North America. There is an active National Oceanic and Atmospheric Administration (NOAA) tidal station located at the Port. Tide information is published and available from NOAA. NOAA publishes the following tidal statistics for the Port:

Highest Observed Water (10/24/1980)	34.55 feet
Mean Higher High Water (MHHW)	29.00 feet
Mean High Water (MHW)	29.00 feet
Mean Sea Level (MSL)	16.45 feet
Mean Tide Level (MTL)	15.29 feet
Mean Low Water (MLW)	2.29 feet
Mean Lower Low Water (MLLW)	0.00 feet
Lowest Observed Water (03/25/1967)	-6.21 feet


TIDAL CURRENTS

Tidal currents for the Port generally vary from 2-4 knots. Extreme tidal currents in excess of 5 knots have been reported.  Tidal current information is published and available from NOAA. 

ICE

Ice can be present in the Cook Inlet from November through April. The ice can form in pans of **several acres in size and several feet thick. Ice conditions in the Cook Inlet are monitored and reported by NOAA.** 

WIND

Wind speeds of 29 knots from the west and **44 knots from the north have been recorded at the Port. Three second gust wind speeds of over 100 knots have been reported in the Anchorage area.**  

WAVES

Significant wave heights of 4.0 feet from the west and 4.5 feet from the north have been estimated. **Extreme wave heights of 6.5 feet are possible.**

TEMPERATURE


Temperatures at the Port can range from 85 degrees Fahrenheit in the summer to -40 degrees Fahrenheit in the winter.

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ENVIRONMENTAL PARAMETERS (Continued)**DEPTH OF WATER**

The waters of the Cook Inlet are heavily loaded with silts and sediments that originate from the numerous glacially fed rivers and streams that empty into the Inlet. Two glacial rivers, the Knik and Matanuska, feed the Knik Arm of the Cook Inlet near the Port. Sedimentation rates in excess of four feet per year have been recorded. 

The US Army Corps of Engineers maintains the navigation channels to the Port thorough an annual dredging program with the following goals:

- Design **[FEDERALLY-AUTHORIZED]** depth at the Port-dock face[:] -35 feet MLLW
- ~~Maximum design~~ **[FEDERALLY-AUTHORIZED]** depth at the Knik Arm
~~Shoal~~ **[NAVIGATION CHANNEL:] -43 [-38] feet MLLW**

Seasonal ~~siltation~~  and sedimentation are likely. Dredging operations are conducted in the ice-free months **[ONLY]** and depth information is regularly updated. Vessels are advised to contact **[US ARMY CORPS OF ENGINEERS, ALASKA DISTRICT, CIVIL WORKS DIVISION FOR THE LATEST SOUNDINGS ON KNIK ARM NAVIGATION CHANNEL AND ALONGSIDE THE DOCK,]** and closely coordinate operations with the tide cycles paying special attention to low or minus tides.

130**WINTER USE OF THE PORT**

The Port is open year-round. However, extreme temperatures **[, WINTER SILTATION,]** and ice provide a number of challenges during the winter months. Ice in the navigation channel and at the berth**[S]** can cause difficulty in maneuvering and can exert unusually high mooring line forces. **[WINTER SILTATION MAY CAUSE DECREASES IN AVAILABLE DRAFT.]** Machinery, including fuel systems, cooling systems, winches, anchors, ballast water systems, and other auxiliary systems must be winterized and maintained in a state for use in the extreme environment. Tug assistance aids in mitigating these conditions.

The US Coast Guard (USCG) Captain of the Port (COTP) has published operating guidelines for ice conditions in Cook Inlet. Copies of this document are available from the USCG.

[NOTE: SECTION 1, PART 5, PARAGRAPH 1 APPLIES IN FULL.]

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Part 4**SECURITY**

The Port maintains compliance with the Maritime Transportation Security Act (MTSA) 33CFR Chapter 1-USCG, United States Department of Homeland Security.

Entry upon Port property or docking at the terminal by a person or vessel shall be regarded as constituting an agreement to comply with all rules, regulations and security requirements. All people entering the Port must have government issued photo ID and be prepared to pass through a security screening facility. Port employees or stakeholder employees working on Port grounds must undergo a security training session, receive a Port of Alaska Proximity Access Card, and secure a Transportation Worker Identity Credential.

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Part 5**GENERAL RULES AND REGULATIONS****1. LIABILITY FOR LOSS OR DAMAGE**

- (a) **RESPONSIBILITY LIMITED:** No persons other than employees or agents of the holder of an authorized Terminal Operator Permit shall be permitted to perform any services on the wharves or premises of the Port, operated under the authority of the Anchorage Port Commission, except upon written authorization of the Port Director. The Port will not be responsible for any loss, damage, injury or death, including but not limited to, loss, damage, injury or death caused by earthquakes, fire, frost, heating, dampness, leakage, the elements, [SILTATION, EROSION,] evaporation, natural shrinkage, wastage or decay, animals, rats, mice, or other rodents, moths, weevils, or other insects, leakage or discharge from sprinkler fire systems, collapse of building or equipment, or by floats, logs or pilings required in breasting vessels away from wharf, nor will it be liable for any loss, damage, injury or death or delay arising from insufficient notification or from war, insurrection, shortage of labor, combinations, riots or strikes of any person in its employ or in service of others or from any consequences arising here from, except the Port shall not be relieved from liability for its own negligence.
- (b) **HOLD HARMLESS AND INDEMNITY:** Except for that portion resulting from the negligence of the Port, if any, owners, shippers, consignees, and carriers shall indemnify, defend, save and hold the Municipality of Anchorage, Port of Alaska harmless from and against all charges, losses, damages, liabilities, expenses, causes of action, suits, claims, demands, or judgments of any nature whatsoever that may be incurred or rise from or grow out of use of Port facilities.

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GENERAL RULES AND REGULATIONS (Continued)

(c) **FORCE MAJEURE:** Any delay or failure in the conduct of business covered herein shall be excused if and to the extent caused by the occurrence of a Force Majeure. For purposes of this document, Force Majeure shall mean a cause or event that is not reasonably foreseeable or otherwise caused by or under the control of the Party claiming Force Majeure, including acts of God, fires, floods and/or tidal conditions, hydrological dynamics, explosions, riots, wars, hurricane, sabotage terrorism, vandalism, accident, restraint of government, governmental acts, injunctions, labor strikes, other than those of the vessel owner/operator or their suppliers/contractors, that prevent performing normal operations at the Port, and other like events that are beyond the reasonable anticipation and control of the Party affected thereby, despite such Party's reasonable efforts to prevent, avoid, delay, or mitigate the effect of such acts, events or occurrences, and which events or the effects thereof are not attributable to a party's failure to perform its obligations under this Tariff.

(d) **OWNERS RISK:** All watercraft, if and when permitted by the Port Director to be moored at wharves or alongside of vessels, are at owner's risk for loss or damage

2. RIGHTS OF PORT**(a) BOARDING OF VESSEL:**

The Port Director may enter upon and inspect any vessel in berth at its terminal.

Purposes include:

- Determining kind and quantity of cargo aboard
- Identifying safety or security concerns

No person or persons shall hinder, molest or refuse entrance upon such vessel for a specific purpose which must be noted.

(b) INSURANCE:

- (1) Rates named in this tariff do not include insurance of any kind.
- (2) The Port reserves the right to request insurance certificates for operators on the terminal to confirm they have required levels.
- (3) The Port can specify additional insurance for operations or terminal users if deemed necessary.

(c) RIGHTS RESERVED:

Right is reserved by the Port to furnish all equipment, supplies and materials and to perform all services in connection with the operation of terminals under rates and conditions named herein.

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GENERAL RULES AND REGULATIONS (Continued)**(d) RIGHT TO REFUSE FREIGHT:**

Right is reserved by the Port, without responsibility for demurrage, loss or damage attaching, to refuse to accept, receive, or unload, or to permit any vessel to discharge at Municipal Terminals or appurtenant premises:

- (1) Freight for which previous arrangements for berthing space have not been made in accordance with the rules and regulations as prescribed in Section 1, Part 6, Paragraph 3; and Section 1, Part 9, Paragraph 6.
- (2) Freight for which previous arrangements for receiving, unloading or handling have not been made by shipper, consignee or carrier.
- (3) Freight deemed extra offensive, perishable or hazardous.
- (4) Freight, the value of which may be determined as less than the probable terminal charges.
- (5) Freight, not packed in packages or containers suitable for standing the ordinary handling incident to its transportation. Such freight, however, may be repacked or reconditioned at the discretion of the Port and all expense, loss or damage incident thereto shall be for the account of the shipper, consignee, owner, or carrier.

(e) RIGHT TO REQUIRE VESSEL TO RELOCATE:

The Port maintains the right to determine the placement of vessels at the Port terminal.

- (1) Right is reserved by the Port to order a vessel to move with any expenses arising from said move being charged to the vessel. These charges may include but are not limited to: labor, cranes, tugs, equipment, and damages .
- (2) Vessels are required to have sufficient personnel on board in order to move the vessel in case of emergency and for protection of the vessel and property.

(f) RIGHT TO REMOVE, TRANSFER OR WAREHOUSE FREIGHT:

Hazardous or offensive freight which, by its nature, is liable to damage other freight, may be immediately removed to other locations or receptacles with all expense and risk for loss or damage charged to the account of the owner, shipper, agent or consignee.

(g) RIGHT TO HANDLE ABANDONED FREIGHT:

Freight remaining after the sailing of a vessel may be moved to other locations or receptacles or removed to public or private warehouse with all expense and risk of loss or damage charged to the account of the owner, shipper, consignee, agent, or carrier as responsibility may appear.

(h) RIGHT TO WITHHOLD DELIVERY OF FREIGHT:

Right is reserved by the Port to withhold delivery of freight until all accrued terminal charges and/or advances against said freight have been paid in full. At the Port Director's discretion, any and all such freight may be placed in public or private warehouse with all cost of removal and subsequent handling and storage charged to the account of the owner of the freight.

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SECTION 1
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NO.

GENERAL RULES AND REGULATIONS (Continued)**(i) RIGHT TO SELL FOR UNPAID CHARGES:**

Freight on which unpaid terminal charges have accrued may be sold to satisfy such charges and costs, provided such sale has been publicly advertised. Freight of a perishable nature or of a nature liable to damage other freight may be sold at public or private sale without advertising, providing owner has been given proper notice to pay charges and to remove said freight and has neglected or failed to do so within a prescribed reasonable time.

(j) EXPLOSIVES:

The acceptance, handling or storage of explosives or excessively flammable material shall be governed by rules and regulations of Federal, State and local authorities.

(k) OWNERS RISK:

All water craft, if and when permitted by the Port Director to be moored at wharves or alongside of vessels, are at owner's risk for loss or damage.

(l) VESSEL DETENTION:

If a vessel damages any properties, utilities, equipment, buildings, etc., the vessel may be detained by the Port until sufficient security has been posted to cover the actual or estimated financial liability for such damages.

150**(m) PARKING:**

Privately owned vehicles must have express permission from the Port Director to be on Port property and are permitted to park within designated parking areas only. Parking is done entirely at the risk of the owner and/or operator of the vehicle and the Port reserves the right to remove all vehicles not properly parked at owner's risk and expense.

The above rights and provisions are subject to Part 5, 1 (a) & (b).

3. SHIPPERS' REQUESTS AND COMPLAINTS

Shipper requests and complaints may be made by any shipper by filing a written statement with the Port Director, Port of Alaska, 2000 Anchorage Port Road, Anchorage, Alaska 99501

4. DEMURRAGE OR DELAYS

No responsibility for any demurrage or delays whatsoever, on vehicles, rail cars or vessels, will be assumed by the Port.

This provision is subject to Part 5, 1 (a) & (b).

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GENERAL RULES AND REGULATIONS (Continued)**5. DELAYS – NO WAIVER OF CHARGES**

Delays which may be occasioned in loading, unloading, receiving or delivering freight as a result of equipment failure or breakdown or of combinations, riots or strikes of any persons or arising from any other cause not reasonably within the control of the Port, will not excuse the owners, shippers, consignees or carriers of the freight from full wharf demurrage or other terminal charges or expenses which may be incurred under conditions stated herein.

This provision is subject to Part 5, 1 (a) & (b).

6. MANIFESTS REQUIRED OF VESSELS

Prior to vessel arrival, masters, owners, terminal operators, agents or operators of vessels are required to furnish the Port with complete copies of vessels' manifests showing names of consignees or consignors and the weights or measurements of all freight loaded or discharged at the facilities of the Port. Such manifests must be certified as correct by an authorized official of the company and must also designate the basis weight or measurement on which ocean freight was assessed. In lieu of manifests, freight bills containing all information as required above may be accepted.

7. SAFETY, SANITATION AND HOUSEKEEPING**150**

- (a) **SAFETY AND SANITATION:** Users/Operators of Port facilities will be required to comply with all safety and sanitation rules applicable on structures and facilities of the Port as required by Federal, State, local law and the Port.
- (b) Rubbish and refuse of other materials must, upon demand, be removed from the terminal by the persons placing it there.
- (c) If the user/operator does not properly clean property used, the Port Director shall order the work performed and the user/operator will be billed at cost, including 15 percent overhead.
- (d) No rubbish or materials of any kind shall be dumped overboard from vessels or wharves.
- (e) Vessels may not discharge fluids overboard.

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GENERAL RULES AND REGULATIONS (Continued)**8. RESPONSIBILITY FOR PROPERTY DAMAGE**

Damaged Port property and facilities must be reported immediately to the Port Director. The initial reporting of damages should be communicated by the most expeditious means, followed in writing. Owners/operators damaging Port property will be responsible for repairs. Should the repairs be undertaken by the Port, the owners/operators will be billed for repairs to damaged property at cost, including 15 percent over head.

9. SMOKING PROHIBITED


No smoking shall be allowed on any wharf, pier or in any warehouse or transit shed except in approved areas specifically designated for that purpose. Persons violating this rule may be barred, at the discretion of the Port Director, from the further use of any wharf and, in addition, shall be subject to prosecution under applicable Federal, State and local Laws.

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Part 6**Rates****1. RESERVATIONS OF AGREEMENT RIGHTS**

Right is reserved by the Port to enter into agreement with carriers, shippers, consignees and/or their agents concerning rates and services, providing such agreements are consistent with existing local, state and national law governing the civil and business relations of all parties concerned. 

2. APPLICATION OF RATES

(a) Except as otherwise provided, rates apply per 2,000 pounds, or per 40 cubic feet as rated by ocean carrier, or per M.B.M., or 42 gallons per barrel of bulk petroleum products corrected to 60 degrees Fahrenheit, or 376 pounds per barrel of bulk cement.

(b) **RATES ARE SPECIFIC:** Rates provided for commodities herein are specific and may not be applied by analogy. If rates are not provided for specific commodities, rates to be applied are those established for "Freight N.O.S."

(c) **PREFERENTIAL USER AGREEMENTS (PUA):** The Port reserves the right to negotiate preferential user rates and terms (i.e., a reduced charge for dockage, wharfage, and real estate) with requesting users who agree to provide profitable long-term business arrangements with the Port, guided by the following criteria:

1. One or more years of frequent and recurring business upon which PUA terms and conditions can be baselined. As a minimum, terms and conditions will be based upon:

(a) An acceptable guaranteed minimum number of annual port calls.

(b) An acceptable guaranteed minimum quantity of tonnage across the docks.

(c) Agreement that if the set minimums are not met, that published tariff dockage and wharfage rates will apply for the following year.

2. If not already a port tenant, agreement of the applicant to participate as a member of the Port Security Committee, to be a participant in the Port's cost-sharing of the security services contract, and to abide by the assigned user cost of the security services contract as calculated by the formula agreed to by all other port users.

NOTE: There is no requirement for PUAs to be standardized, beyond those requirements mandated in Municipal Code to be so. Rather, terms and conditions will be tailored to each individual applicant.

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RATES (Continued)**3. METHOD OF PAYMENT AND PENALTIES**

(a) **RESPONSIBILITY FOR CHARGES, PREPAYMENT:** All charges for services rendered by the Port or for the use of terminal facilities are due and payable cash in advance of such services or use, as follows:

1. For all charges to the vessel, from its owners or agents before a vessel commences it's loading or discharging.
2. For all charges to the cargo, from a vessel owner, charterer, shipper or consignee before the cargo leaves the custody of the terminal.
3. For all charges on perishable goods or freight of doubtful value or household goods.

(b) **TIME OF PREPAYMENT, ACCEPTABLE SECURITY, REFUND OF EXCESS:**

Terms of payment for all applicable Port charges shall be cash-in-advance. A cash deposit or acceptable security in an amount equal to 125 percent of the estimated applicable charges shall be required to be posted with the Port, four days prior to the vessel's scheduled arrival, or at such other time as may be authorized or directed by the Port, but in all cases in advance of actual services rendered. Wherever a cash deposit has been posted, any excess thereof, after satisfaction of all applicable Port charges, shall be promptly refunded by the Port to the posting party.

(c) **WAIVER OF PREPAYMENT REQUIREMENT:** The Port, in its sole discretion, may waive the cash-in-advance requirement as to all or any category or categories of its anticipated Port charges when the party responsible for such charges has been identified by the berthing agent to the satisfaction of the Port and:

1. The responsible party's credit worthiness as established is acceptable to the Port; or
2. Adequate security, acceptable to the Port, in an amount equal to 125 percent of the applicable estimated Port charges has been posted; or
3. The agent requesting the berth or another entity acceptable to the Port as credit worthy, has personally accepted financial responsibility for the applicable charges. The Port retains the right in its sole discretion to determine whether a responsible party or an agent is credit worthy.

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RATES (Continued)

- (d) COMPLIANCE WITH CONDITIONS OF BERTH RESERVATION: Use of Port facilities and services shall comply with the Conditions of Berthing set forth in ~~the Supplement to the Vessel Berthing Application as published by the Port.~~ [SECTION 1 PART 9 PARAGRAPH 6.]
- (e) PENALTY CHARGES ON DELINQUENT ACCOUNTS: All invoices will be declared delinquent thirty days after the date of the invoice and, as such, will be charged a penalty charge of \$25.00 per month for each additional thirty-day period in which the invoice is past due or not fully paid, up to a maximum penalty of \$250.00. All extra expense, including legal expense, litigation cost, or costs of agents employed to affect collection shall also be assessed to, and payable to, such accounts.

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SECTION 1
RULES & REGULATIONS

ITEM
NO.

Part 7**HAZMAT**

- (a) Neither Class 1 (explosive) nor Class 7 (radioactive) hazardous cargoes may remain on the terminal beyond what is necessary to transfer the cargo from the vessel or to the vessel.
- (b) Shippers of dangerous cargoes are required to comply with all the requirements in the tariff; as well as for procuring all permits required in accordance with federal code, state statutes and regulations, and local ordinances.
- (c) Shippers must present necessary permits from proper authorities.

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ISSUED: 01/01/2020

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SECTION 1
RULES & REGULATIONS

ITEM
NO.

Part 8**BULK PETROLEUM PRODUCTS**

- (a) **APPLICATION OF TARIFF:** Except as otherwise provided in this section, the rates, rules and regulations published in other sections of this Tariff apply to vessels, shippers, consignees of Bulk Petroleum Products, and hose watch operators.
- (b) **CLEARING PETROLEUM LINES:** Shippers, consignees or vessels and persons in charge thereof are responsible for providing means to assure the proper flow of products. Shippers, consignees or vessels and persons in charge thereof will be responsible for clearing all petroleum products, other liquid products, compounds, and residues from lines located on or adjacent to the Petroleum Terminal after vessel completes loading or discharging unless otherwise authorized by the Port Director. In the event the Port performs any of the above named services, any applicable costs will be billed to shipper, consignee or vessel at cost plus 15 percent overhead.
- (c) **REGULATIONS GOVERNING PETROLEUM PRODUCTS:** The transfer of bulk petroleum products shall be governed by applicable Federal, State and local laws, regulations, permits and ordinances/regulations including Port of Anchorage Bulk Petroleum Transfer Procedures Manual rules.
- (d) **HOUSEKEEPING:** Flammable liquids leaked or spilled on wharves shall be cleaned up immediately. Vessel operators or their agents shall remove temporary lines immediately upon completion of receipt or discharge of flammable liquids. Spillage from disconnected lines shall be the responsibility of the petroleum terminal operator, vessel owner/operator and/or their agents. All spills must be reported to the Port Director and regulatory authorities immediately.
- (e) **DEPARTURE AFTER LOADING OR DISCHARGING:** Any vessel, after having discharged or loaded any petroleum product must immediately haul away from dock, pier or wharf and depart unless otherwise authorized by the Port Director.
- (f) **POL CRANE USAGE AFTER DISCHARGE/LOADING OPERATIONS:** Upon completion of departure inspection between the Port and the Petroleum Terminal Operator Permit holder, any additional use of the POL cranes is subject to separate written agreement. 

Hose watch companies performing POL crane operations for the purpose of vessel servicing shall be subject to the electric hose handling derrick crane tariff rate.

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Part 9**USE OF TERMINAL****1. BERTHING**

Vessels berthing or departing piers or wharves subject to this tariff must use sufficient tugs so that vessel can be berthed or removed in a safe manner.

2. ALLOWABLE VESSEL APPROACH VELOCITY

The fendering system at the Port is designed for the following conditions:

Vessel Displacement	Allowable Approach Velocity Perpendicular to Dock Face		
	Knots	Feet/Minute	Feet/Second
Long Ton*			
30,000 or less	0.21	21	0.36
30,000 to 50,000	0.16	16	0.28
50,000 to 70,000	0.14	14	0.23
Greater than 70,000	0.1	10	0.18

*One long ton equals 2,240 pounds.

These velocities shall not be exceeded. Tug assist may be required.

3. MOORING LINE LOAD GUIDELINES

There are three general types of mooring points at the Port: double bitt bollards, single bitt bollards, and 36-inch cleats. The allowable line loads for these are listed below:

- 36-inch cleat – allowable line load 30,000 pounds
- Single bitt bollard – allowable line load 50,000 pounds
- Double bitt bollard – allowable line load 50,000 pounds per post

24-Hour Line Tending: Due to the extreme tide range and strong currents in the Cook Inlet, 24-hour mooring line tending is mandatory for all vessels moored at the Port.

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USE OF TERMINAL (Continued)**4. PIERS AND TRESTLES DECK LOAD GUIDELINES**

- (a) Cargo shall be stacked on the piers so as to produce a uniform load no greater than the limits as prescribed in the table below.
- (b) Sharp or angular loads shall be cushioned with timber or rubber tire dunnage so as to protect the deck from damage or marring. Any damage to the deck from loading shall be repaired at no cost to the Port.
- (c) Cargo shall not be stacked or stored on the approach trestles. Cargo shall not be stacked or stored at the petroleum terminals. Cranes and heavy loads will be evaluated and permitted on a case by case basis.

Table 1 Piers and Trestles Deck Load Guidelines

Terminal	Area	Uniform Lbs./SF	Vehicle Load	Crane Load
POL 1	South Pier Extension	600	HS-20 S16 44	30 Tons
	Loading Platform	400	HS-20 S16 44	
	Roadway Bridge		HS-20 S16 44	
	Walkway Bridge	100	None	
	Trestle 1A	200		
POL 2	Dock	400	HS20 44	
	Walkway	100	None	
Terminal 1	Dock	600	HS-20 S16 44	30 Tons
	West Trestle	0	Pedestrian Only	
	East Trestle	200	HS-20 S16 44	
	Trestles 1 and 1B	200	HS-20 S16 44	
	Crane Turnout	350	HS-20 44	38 kip per wheel, 3 wheels at 2' 11" OC 72 kip per wheel, 3 wheels at 2'-11" OC, bents A and D only

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USE OF TERMINAL (Continued)

Terminal	Area	Uniform Lbs/SF	Vehicle Load	Crane Load
Terminal 2	Dock Phase 1	600	HS-20 S16 44	71 kip per wheel, 6 wheels at 5' OC 72 kip per wheel, 3 wheels at 2.5' OC
	Dock Extension	650	HS-20 44	71 kip per wheel, 6 wheels at 5' OC 72 kip per wheel, 3 wheels at 2.5' OC
	Trestle 2	200	HS-20 44	
Terminal 3	Dock	650	HS-20 44	71 kip per wheel, 6 wheels at 5' OC 72 kip per wheel, 3 wheels at 2.5' OC
	Trestle 3, 3A & 3B	200	HS-20 44	
	Trestle 3C	600	HS-25	140-ton truck crane

190**5. DOCKAGE**

- (a) **DOCKAGE PERIOD – CALCULATION:** Dockage shall commence when a vessel's first line is made fast to a wharf, pier or other facility, or when a vessel is moored to another vessel so berthed and shall continue until such vessel is completely freed from and has vacated the berth. No deductions will be made for Sundays or holidays.
- (b) **BASIS FOR COMPUTING CHARGES:** Dockage charges will be assessed on the length-over-all of the vessel. For dockage billing purposes, length-over-all of the vessel as published in "Lloyd's Register of Shipping" will be used. If no such figure appears in "Lloyd's Register", the Port reserves the right to: (1) obtain the length-over-all from the vessel's register, or (2) measure the vessel.
- (c) **VESSEL DOCKED TO REPAIR, SHORE, OUTFIT OR FUMIGATE:** Full dockage will be charged if and when a vessel is permitted to make repairs or alterations, shore for special freight, outfit, store or fumigate while docked at wharf.

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5. DOCKAGE (Continued)

- (d) VESSELS REQUIRED TO OBTAIN ASSIGNMENTS/BERTHING RESERVATION: No vessel may berth at a wharf or terminal facility of the Port without an application for berth assignment and without such an assignment having been granted. Berthing applications shall be submitted as prescribed by the Port.

NOTE: Applications for berth assignments should be made as far in advance of the arrival of vessel as possible and must specify arrival and departure dates and times and the nature and quantity of the freight to be loaded or discharged. The Port Director may, when circumstances warrant, grant verbal permission to dock a vessel at the Port without a pre-approved berthing application [RESERVATION]; however, the vessel operator must fill out [COMPLETE] a berthing application [RESERVATION] immediately after docking. The application will be recorded upon submission.

6. BERTHING POLICY/BERTHING RESERVATION[S]:

A. [RECOGNIZED] Terminal Operator Permittee[S] may secure reserved dock [BERTH] space under the following conditions:

- (a) [ALL BERTHING RESERVATIONS] Applications will be processed [AND MANAGED THROUGH THE PORT'S "PORTCALL" ON-LINE SYSTEM.] ~~on a first come first served basis. This is defined based upon the date and time that the completed application is received by the Port.~~
- (b) ~~Provide the Port with a completed and signed berthing application. Incomplete and/or unsigned applications will not be considered accepted until completed.~~
- (c)[(B)] Berthing Application [RESERVATION] and, only if required by the Port Director, prepaid dockage must be received by the Port a minimum of 48 hours prior to scheduled vessel arrival.
- (d)[(C)] If required by the Port Director, full dockage fees will be paid to the Port at the time of application for a berthing reservation. Prepaid dockage fees will be non-refundable unless a written cancellation is received by the Port a minimum of 48 hours prior to scheduled vessel arrival.
- (e)[(D)] Vessels that dock at berths without prior [APPROVED RESERVATIONS] berthing application approvals do not have berthing privileges or priority and must vacate the berth to accommodate a vessel with a valid berthing reservation if directed to do so. The operator or agent shall complete a berthing application [RESERVATION] immediately after docking.
- (f)[(E)] VESSELS REQUIRED TO VACATE BERTHS: With the Port Director's approval, vessels may occupy a berth, subject to charges named in Section 2, provided such vessel shall vacate the berth upon direction of the Port Director. Vessels refusing to vacate a berth on demand may be moved by tug or otherwise, and any expenses or damages to the vessel, other vessels, or wharf structures during such removal shall be charged to the owner of the vessel so moved.

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6. BERTHING POLICY/BERTHING RESERVATION: (Continued)

- (g) ~~[(F)]~~ CHARGES ON VESSEL SHIFTING: When a vessel is shifted directly from one wharf to another wharf owned by the Port, the total time at such berths will be considered together in computing the dockage charge.
- (h) ~~[(G)]~~ CHARGES TO ASSISTING VESSELS: A single vessel, when actively engaged as a tugboat, assisting and made fast outboard of a vessel loading or discharging cargo, will be accorded free dockage. A tugboat leaving its tended vessel for any purpose shall waive its right to free dockage for the period of berthing it left its tended vessel until it secures back to its tended vessel.
- (i) ~~[(H)]~~ MOORAGE RATES:
- (a) ~~[(I)]~~ Vessels may make application to the Port Director for monthly moorage rates.
 - (b) ~~[(II)]~~ Vessels accorded the monthly rate shall not be deemed to have been given any preferential berthing right and shall vacate any particular berth when ordered to do so by the Port Director.
 - (c) ~~[(III)]~~ The monthly agreement may be revoked by the Port Director and terminated by the operator upon five days' written notice.
 - (d) ~~[(IV)]~~ The moorage rate shall be \$100.00 per 24-hour period. Moorage rates do not apply when docked in Terminals 1, 2, 3, POL 1, ~~or~~ POL 2 ~~[OR THE PCT.]~~. In those instances, dockage rates apply (see Item no. 200).

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NOTE: The Port will make every attempt possible to avoid berthing conflicts during the scheduling process. The published berthing schedule will be developed such that all berthing vessels have a discrete time window assigned in accordance with the information provided in their application. Should conflicts emerge during operations, it is the responsibility of the vessel operators and/or their agents to reach a reasonable accommodation for both parties. The final decision shall be subject to the Port Director's discretion.

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7. DUNNAGE

The specified items approved by the Anchorage Port Commission for which no wharfage charge will be assessed on outbound containers carrying the specific dunnage items, for which wharfage was assessed on the inbound movement. The qualifying dunnage materials are listed below:

- Bags, Horticultural, Growing
- Bags, bulk container, empty
- Bales of Cardboard
- Baskets
- Bins, necessary for the transportation of groceries, foodstuffs and/or department store merchandise
- Blankets, furniture
- Boxes, fiberboard, paper or pulpboard, used, collapsed
- Bread Trays
- Cans, Aluminum, empty, used
- Containers, bulk flour
- Containers, bulk liquid (Porta-feeds), used for transporting chemicals or paint, in bulk, capacity not to exceed 500 gallons each
- Cylinders
- Cribbing
- Cribs
- Dunnage, rubber, inflatable
- Dunnage, wooden
- Hampers, garment
- Hangers, garment
- Kegs, not exceeding 55-gallon capacity
- Load locks
- Material, not a part of the pallet, platform, skid or shipping container, used to protect top of lading or to secure the load to the pallet, platform or shipping container

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7. DUNNAGE (Continued)

- Milk Baskets, Milk Crates
- Pads; i.e., packing, shipping, cotton or jute, old, used per Item 148700 of NMFC (Furniture Pads)
- Pallets
- Pallets, Platforms or Skids, with or without standing or collapsible sides or ends, with or without top, and includes plastic or rubber liners used in conjunction therewith
- Platforms, Partitions or Dividers
- Racks
- Racks, Shoe
- Recyclables shipped at no cost by the carrier in question
- Reels
- Skids
- Spools
- Totes

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Note: the return provisions of dunnage will apply only when the returned articles have been assessed wharfage on inbound movement.