

BOARD FOR BRANCH PILOTS MEETING MINUTES

The Virginia Board for Branch Pilots met on Wednesday, July 27, 2016, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present:

Captain Robert H. Callis III
Captain J.W. Whiting Chisman III
Captain J. William Cofer
Thomas P. Host, III
Patrick B. McDermott
Captain John A. Morgan, Jr.,
Christine N. Piersall
Meade G. Stone, Jr.

Board member Charles R. Amory, Jr. was not present for the meeting.

Staff present for the meeting was:

Jay W. DeBoer, Director
Kathleen R. Nosbisch, Executive Director
Bonnie Davis, Administrative Assistant

Elizabeth Peay, Assistant Attorney General was present from the Office of the Attorney General.

Finding a quorum of the Board present, Mr. Stone, President, called the meeting to order at 10:34 a.m.

Call to Order

Board members and staff observed a moment of silence in memory of Board member, Robert T. Hasler, Jr., who passed away April 25, 2016. Mr. Hasler served as a member from June 1972 to February 2007. He was President of the Board of Branch Pilots from June 1982 to February 2007.

Moment of Silence – Robert T. Hasler, Jr.

Ms. Nosbisch welcomed and introduced, Bonnie Davis, new Administrative Assistant for the Board.

Introduction of New Staff and the Audience

Ms. Nosbisch introduced audience members: Paul Kirchner, Executive Director of the America Pilot Association, Mark Coberly, Board Council to the Virginia Pilot Association, Captain Frank Rabena, Virginia Pilot, and Shelly A. Simonds, Board Liaison.

Ms. Piersall moved to approve the agenda. Mr. Host seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Chisman, Cofer, Host, McDermott, Morgan, Piersall and Stone.

Approval of Agenda

Captain Cofer moved to approve the minutes from the April 8, 2016, board meeting. Captain Callis seconded the motion which was unanimously

Approval of Minutes

approved by Messrs., Mme. and Captains: Callis, Chisman, Cofer, Host, McDermott, Morgan, Piersall and Stone.

There were no public comments.

**Public Comment
Period**

Financial statements were provided for informational purposes.

**Financial
Statements**

Captain Cofer provided a presentation on the Ultra Large Container Vessels (ULCV's with carrying capacity of up to 14,000 containers) that the Virginia Port Authority is expecting to see transit Virginia waters in the near future. The shipping lines have asked the pilots what restrictions will be placed on the transits of these vessels. These ULCV ships have a length overall in excess of 1150' with widths greater than 150'. Because of the anticipated arrival of these vessels to the east coast, Captain Cofer reported to the board that the continuing education component, that related to the training of Virginia Branch pilots for these classes of larger vessels, needs to be accelerated.

**Presentation –
14,000 TEU
Ships Simulation
– Captain Bill
Cofer**

Captain Cofer noted that a team of nearly a dozen Virginia State pilots participated in the full scale ship computer simulation evaluation of the ULCVs at the *Maritime Institute of Technology and Graduate Studies* in Baltimore Maryland in March and April. That team of pilots developed a set of guidelines for the shipping industry that help them recognize issues and expectations for the future transit of these ships upon Virginia waters. Numerous graphs and tables (attached) were presented to the board that helped explain the rationale for the guidelines. Captain Cofer noted that he worked closely with the president of the Maryland pilots as well as pilots from the west coast, who have already been handling this class of vessel, along with maritime architects from national maritime schools in the United States, as well as Henk Henson, from the United Kingdom, who is a global leader in the use of tug force on large displacement vessels.

The Board agreed by consensus to accelerate the pilot education and training of these vessels at the *Maritime Pilots Institute*, which is the premier manned model and simulation center in the United States located in Covington La., to commence in March of 2017.

Captain Cofer introduced Paul Kirchner, Executive Director, American Pilots' Association (APA), to the Board. Mr. Kirchner discussed pilotage regulation at the state and federal levels and pointed out that the states' preeminent role in pilotage regulation in the U.S. is the result of a specific grant of authority by the first Congress in 1789. Congress has reexamined this policy many times since then and each time has reaffirmed that pilotage is best regulated by the states.

**National Issues
Related to
Governance of
Pilot Boards –
Paul Kirchner,
Executive
Director
American Pilot**

Pilot commissions have a very important role in the state pilotage system. In return for compelling a ship to take a state-licensed pilot, a state has the responsibility of ensuring that every ship receives a pilot in a timely manner without discrimination or preference and that the pilot is competent, well-trained, rested and fit for duty, and supported by a first-class modern pilotage operation. Although the Virginia Board doesn't set rates, rate-setting is also part of a state's responsibility – its objective is to ensure that the pilot operation is provided with the revenues needed for the type of operation and quality of pilotage services determined by the state to be necessary to protect and promote the well-being of the state.

Association

Mr. Kirchner noted that the International Maritime Organization (IMO) has been working on its eNavigation initiative for eleven years. The original goal was to guide the development and implementation of advanced electronic navigation and communication equipment so that the information provided by such equipment could be better integrated and coordinated and the equipment made more user-friendly. The initiative has strayed from that original goal, however, and now is dominated by countries, mostly from Northern Europe, and interests that believe that new technologies should be used to expand shore control of ship navigation. Certain cruise lines have lately also been pushing for more control over navigation from their own shore-based operation centers. Mr. Kirchner said that these efforts are threatening the traditional safety function of the compulsory pilot and are not in the best interest of state's roles of protecting their waters.

Mr. Kirchner discussed the pilot and bridge crew relationship. The compulsory pilot in the U.S. is not merely an advisor. The pilot directs the navigation of the ship subject to the master's overall command. Pilots and bridge crews should work together, however, and support each other in their important safety tasks.

Mr. Kirchner also discussed the pilot's use of the Portable Pilot Unit (PPU). He stressed that the PPU is a pilot's tool that provides vessel position information that is typically more accurate and precise than what can be obtained from the ship's equipment. It was perhaps the earliest example of an eNavigation tool used in regular navigation practice and has been considered the best and most successful eNavigation development.

The Board recessed from 12:07 p.m. until 12:35 p.m.
Mark Coberly, Captain Frank Rabena departed the meeting

Recess

Mr. Host departed the meeting at 12:10 p.m.
Mr. Kirchner departed the meeting at 12:37 p.m.

**Board Member
Departure**

Mr. Stone informed the Board that the Virginia Maritime Association's International Trade Symposium was held May 11-13, in Norfolk. Mr. Stone and Mr. McDermott attended the symposium and provided a summary.

**Maritime
Symposium
Update**

Captain Chisman presented the Exam Administrators Report from July 14, 2016.

Other Business -
Exam
Administrators
Report

Torrence A. Rogers answered oral questions related to the extension of route. The subjects included courses and distances from Cape Henry to Pages Rock on the York River as well as courses and distances from Cape Henry to the end of York Spit Channel and Cape Charles Anchorage, cross currents in York River entrance channel, designated anchorages on the York River and anchorage regulations, safe anchoring positions on the York River and Cape Charles Anchorage including weather considerations, courses of the piers in the York River, buoy characteristics on the route, safe speed in York River Entrance channel and York Spit Channel as well as a description of both channel and general questions about ship behavior in York River Entrance channel and York Spit Channel, meeting post panamax ships in York Spit channel, visual ranges for approaching the Plains terminal on the York River, general questions about Cape Charles Anchorage including entering and exiting the anchorage in a deep loaded ship. Captain Chisman moved that Captain Rogers be granted an extension of route from Cape Henry to Pages Rock upon the York River and to include the Cape Charles Anchorage. Captain Callis seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Chisman, Cofer, Host, McDermott, Morgan, Piersall and Stone.

Christopher H. Behm answered oral questions related the extension of route. The subjects included courses and distances from Cape Henry to Pages Rock on the York River, cross currents in York River entrance channel, safe speed in York River Entrance channel, courses of piers in the York River, designated anchorages in the York River and their regulations, safe anchoring positions in the York River and weather considerations, buoy characteristics on the route, making the turn at Cape Henry on a deep loaded ship and visual ranges for making the approach to Plains Terminal on the York River. Captain Chisman moved that Christopher H. Behm be granted an extension of route from Cape Henry to Pages Rock upon the York River. The extension of route will be effective Aug. 1, 2016. Captain Callis seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Chisman, Cofer, Host, McDermott, Morgan, Piersall and Stone.

Gregory R. Willson answered oral questions related to the extension of route. The subjects included courses and distances from the James River Bridge to City Point, ship behavior in Rocklanding Shoal Channel and Dancing Point channel as well as ship behavior in shallow water, tide restrictions on the river, characteristics of the James River Bridge and Benjamin Harrison Bridge, safe anchoring positions and weather considerations, fog on the river and docking and undocking vessels at the Honeywell terminal in Hopewell, VA. Captain Chisman moved that Gregory R. Willson be granted an extension of route from James River Bridge to City Point upon the James

River. The extension of route will be effective Aug. 20, 2016.
Captain Callis seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Chisman, Cofer, Host, McDermott, Morgan, Piersall and Stone.

Ms. Nosbisch announced there will be a Regulatory Review Committee meeting directly following the Board meeting.

**Other Business –
Regulatory
Review
Committee
Meeting**

Ms. Nosbisch informed the Board that Mark Courtney, previous Executive Director of the Board of Branch Pilots, retired last month.

Mr. Stone presented the 2017 meetings dates. Ms. Nosbisch noted that there is a conflict with the March 9, 2017 board meeting date. Captain Cofer stated he will determine another available date for the March meeting. He noted that the meeting dates are driven by the exams.

**Consideration of
2017 Meeting
Dates**

Ms. Piersall moved to adopt the following meeting and examination dates for 2017, noting the March 9, 2017 board meeting date will be rescheduled.

Branch Pilots Board Meetings

March 9, 2017*

June 15, 2017

September 15, 2017

December 15, 2017

Examination Committee Meetings

September 14, 2017

December 14, 2017

State License Renewal Meetings

December 11, 2017

December 12, 2017

Mr. McDermott seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Chisman, Cofer, Host, McDermott, Morgan, Piersall and Stone.

Conflict of Interest forms and travel vouchers were completed by all members present.

**Conflict of
Interest Forms**

There being no further business, the meeting was adjourned at 12:50 p.m.

Adjourn

Meade G. Stone, Jr., President

Jay W. DeBoer, Secretary

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