

**BOARD FOR BRANCH PILOTS MEETING
MINUTES**

The Virginia Board for Branch Pilots met on March 13, 2023, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present:

Aaron Anseeuw
Captain E. Waightstill Avery
I. Vincent Behm, Jr
Captain Robert H. Callis, III
Captain J.W. Whiting Chisman, III
Michael W. Coleman
Captain January N. Collins
Patrick B. McDermott
Christine N. Piersall

Staff present for all or part of the meeting were:

Tom Payne, Deputy Director
Kathleen R. Nobsch, Executive Director
Bonnie Davis, Regulatory Operation Administrator

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

Member of the Audience included:

Captain Kevin P. Eley, President of Independent Docking Pilots Inc, Mark Coberly, Manager, Maritime Law Department, Representative from Woods Rogers Vandeventer Black PLC, Captain Frank Rabena and Captain Clarence Young.

Finding a quorum of the Board present, Ms. Piersall, President, called the meeting to order at 10:30 a.m. **Call to Order**

Ms. Nobsch advised the Board of the emergency evacuation procedures. **Safety Evacuation Instructions**

Ms. Nobsch introduced and welcomed audience members Mark Coberly, Captain Rabena and Captain Young. She stated that we are expecting Ms. Hewlett, liaison board member of the Board for Professional and Occupational Regulation. **Welcome and Introduction**

Captain Avery moved to approve the agenda as presented. Mr. McDermott seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Callis, Chisman, Coleman, Collins, McDermott, and Piersall. **Approval of Agenda**

Mr. Behm moved to approve the minutes from the December 12, 2022 Board meeting as amended. Captain Callis seconded the motion which was **Approval of Minutes**

unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Callis, Chisman, Coleman, Collins, McDermott and Piersall.

Captain Eley provided information on American Harbor and Docking Pilots Association Gantry Crane Best Practices to minimize the risk of a vessel allision with a terminal gantry crane.

**Public Comment
Period**

Captain Clarence Young, Chairman of the Navtech Committee for the Virginia Pilot Association, provided a presentation on Portable Pilot Units (PPU). He informed the Board that the size of vessels continues to increase and the use of PPUs is an additional tool used for safe navigation of ships. Branch Pilots have been using PPU technology since 1999. Presently, Branch Pilots use a PPU which incorporates an iPad and two Trelleborg CAT XT antennas which communicate with each other using a Wi-Fi signal. One of the antennas is connected by wire to the ships "pilot plug" while the other one is placed outside on the bridge wing and receives position data from a constellation of GPS satellites. Captain Young stated that even with radar, Electronic Chart Display and Information System (ECDIS) and PPU technology, Branch Pilots are still trained on the importance of first looking out the window to assess position and to use all means available to determine the vessels position or risk of collision with another vessel. Captain Callis stated that the National Oceanic and Atmospheric Administration (NOAA) will stop using paper charts in 2025. Captain Chisman stated that Captain Young is nationally recognized for his expertise of Navtech. Captain Chisman reiterated that Branch Pilots are trained to navigate by looking out the window and using all means available, not just their PPU.

**Portable Pilot
Units (PPU)
Presentation by
Captain Young**

Captain Chisman presented information on the United States Coast Guard (USCG) Report on the M/V Ever Forward Grounding in Maryland in relation to Branch Pilot training and continuing education in Virginia. In Bridge Resource Management-Pilots (BRM-P) and Legal Aspects of Pilotage courses, which Branch Pilots started taking in the early 2000s, Branch Pilots are taught the danger of non-operational cell phone use on ships which results in distracted operations. In BRM-P Branch Pilot are also taught the dangers of "Power Distance" and the importance of Branch Pilots using all means available to determine a vessel's position.

**M/V Ever
Forward
Grounding -
Maryland**

He also stated that Branch Pilots are trained that cell phone usage is strictly for operational use while on the vessel. The Board agreed by consensus to form a committee to discuss if the Board for Branch Pilots should draft a cell phone policy and to present a draft to the Board. Captain Chisman, Mr. Behm, and Mr. McDermott agreed to participate in the committee and draft the cell phone use language to be presented at the next full Board meeting on June 12, 2023.

The Board reviewed the additional information provided by Captain Lyons. The File Review Committee made a recommendation that the letter be filed,

**Response from
Captain Lyons –**

and the Board take no action, as there appears to be no violation of the Board's regulations or statutes. The Board moved to accept the recommendation and it was unanimously approved by Messrs., Mme., and Captains: Anseeuw, Avery, Behm, Callis, Chisman, Coleman, Collins, McDermott, and Piersall.

**M/V MOL
MAESTRO**

Captain Callis provided the Board with a report of examinations conducted by the Exam Administrators on March 13, 2023. The following report was made:

**Exam
Administrator's
Report**

Zachary Stewart Dodson answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven, Cape Charles, and Sewell's Point, anchoring techniques for deep draft vessels, proper scope of chain, New Panamax containership transit guidelines, Tugboat bollard pull requirements for displacement and windage, vessel squat and adequate under-keel clearance, tidal transits through Cape Henry Channel, and safe vessel speed.

After considering the results of the examination, Captain Callis moved Captain Zachary Stewart Dodson be raised in grade from a Golf classification to a Hotel classification (91,000 gross tons and 47 feet maximum draft). Mr. Coleman seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Callis, Chisman, Coleman, Collins, McDermott, and Piersall.

Ms. Piersall stated that the proposed marijuana language was reviewed, and the Board voted to submit the Notice of Intended Regulatory Action (NOIRA) at the March 15, 2022 meeting, but there was no formal vote to adopt the language. Captain Callis moved to adopt the marijuana language. Mr. Coleman seconded the motion which was unanimously approved by Mssrs., Mme. and Captains: Anseeuw, Avery, Behm, Callis, Chisman, Coleman, Collins, McDermott and Piersall.

**Proposed
Regulations**

Ms. Nosbisch stated that Governor Youngkin's Executive Order No. 19 implements a 25% reduction in regulatory requirements. The Board has not started the review process to date. The Board agreed by consensus to form a committee to review the regulations. Captain Chisman, Captain Avery, and Mr. Coleman agreed to participate in the committee.

**Regulatory
Review Update**

Ms. Nosbisch stated the Senate Bill (SB)1213/House Bill (HB)2180 Universal License Recognition which establishes criteria for an individual licensed, certified, or having work experience in another state to apply to a regulatory board within the Department of Professional and Occupational Regulation and be issued an occupational license or government certification if certain conditions are met. Ms. Peay stated Branch Pilots are not exempt, but it would be very difficult for an applicant from another state to be approved because navigation is different in each state. Mr. Coleman asked why Virginia Branch Pilots were not exempt. Mr. Behm asked if the bill had been signed and if there

**General
Assembly Update**

is an opportunity to request an exemption. Mr. Payne will inquire if Branch Pilots can be exempt. This item will be placed on the June Board meeting agenda.

Ms. Nosbisch stated the financial statements were provided for informational purposes.

Financial Statements

Ms. Nosbisch reported that President Piersall's term as president ends May 31, 2023, but she will remain on the Board. Ms. Nosbisch thanked Ms. Piersall for her service as President and stated it was a pleasure working with her in that capacity. She stated that an election for President and Vice President is held every four years.

Election of President and Vice President

Ms. Nosbisch opened the floor for nominations for Board President. Mr. Behm nominated Mr. Coleman as President. Captain Avery seconded the motion. As there were no other nominations from the floor, Ms. Nosbisch closed the nominations. Mr. Coleman was approved by: Messrs. and Captains: Anseeuw, Avery, Behm, Callis, Chisman, Collins, McDermott, and Piersall. Mr. Coleman abstained.

Ms. Nosbisch opened the floor for nominations for Board Vice President. Mr. McDermott nominated Captain Chisman as Vice President. Mr. Coleman seconded the motion. As there were no other nominations from the floor, Ms. Nosbisch closed the nominations. Captain Chisman was approved by: Messrs. and Captains: Anseeuw, Avery, Behm, Callis, Coleman, Collins, McDermott, and Piersall. Captain Chisman abstained.

The Board congratulated Mr. Coleman and Captain Chisman.

There was no other business.

Other Business

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

Conflict of Interest Forms and Travel Vouchers

The meeting adjourned at 11:50 a.m.

Adjourn

Christine Piersall, President

Demetrios Melis, Secretary

DRAFT