

## **BOARD FOR BRANCH PILOTS MEETING MINUTES**

The Virginia Board for Branch Pilots met on Friday, December 11, 2015, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present:

Charles R. Amory, Jr.  
Captain J.W. Whiting Chisman III  
Captain J. William Cofer  
Thomas P. Host, III  
Patrick B. McDermott  
Christine N. Piersall (arrived 11:15 a.m.)  
Meade G. Stone, Jr.

Board members Captains Robert H. Callis III and John A. Morgan, Jr., were not present for the meeting.

Staff present for the meeting was:

Jay W. DeBoer, Director  
Kathleen R. Nosbisch, Executive Director

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 10:32 a.m.

### **Call to Order**

Captain Chisman moved to approve the agenda. Captain Cofer seconded the motion which was unanimously approved by Messrs. and Captains: Amory, Chisman, Cofer, Host, McDermott, and Stone.

### **Approval of Agenda**

Mr. McDermott moved to approve the minutes from the July 30, 2015, board meeting. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Amory, Chisman, Cofer, Host, McDermott, and Stone.

### **Approval of Minutes**

There were no public comments.

### **Public Comment Period**

Board members reviewed correspondence from National Transportation and Safety Board Chairman, Christopher Hart, to Governor Terry McAuliffe, in response to Safety Recommendations M11-19 through -21. The response indicated that as Virginia Branch Pilots already had fatigue mitigation training, physical exam requirements and bridge resource management training in place prior to the NTSB issuing the Safety Recommendations, the NTSB considered the issue closed-reconsidered.

### **National Transportation & Safety Board Response**

Captain Cofer gave a presentation regarding the 'Pilot Working Rules in Relation to Pilot Fatigue.' Captain Cofer reviewed rules contained in the 2015

### **Pilot Working Rules in Relation**

Pilot Rule Book pertaining to fatigue, stating that the Pilot Association is very sensitive to fatigue and the impact on the pilots.

**to Pilot Fatigue-  
Captain Cofer  
Presentation**

After review and discussion of the working rules of the Branch Pilots of the Virginia Pilot Association, Mr. Amory moved that the working rules have taken into account the need for rested pilots who present themselves for duty to the ships transiting the waters of the Commonwealth and closely conform to the goals of the National Transportation Safety Board. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Amory, Chisman, Cofer, Host, McDermott, and Stone.

Discussion was held on the number of continuing education hours required for branch pilots. Mr. Host moved to recommend a minimum of 60 hours of professional ship piloting continuing education over a five year period for licensed Virginia State Pilots that includes *Bridge Recourse Management for Pilots with an educational fatigue component* and an *Advanced Ship-handling Manned Model course* along with other aspects of professional training as needed. Mr. Amory seconded the motion which was unanimously approved by Messrs. and Captains: Amory, Chisman, Cofer, Host, McDermott, and Stone.

**Continuing  
Education  
Review**

Captain Chisman reported that since the Examination Administrators meeting of 2014 three pilots have retired: Wallace S. Harwood, III, Benjamin B. Lee, and Robert L. Prodan, II.

**Renewal of  
Licenses**

The Examination Administrators Committee met on December 8 and 9, 2015 and reviewed the renewal applications for the 2016 calendar year and the following branch pilot licenses are presented for renewal: Christopher H. Behm; Charles Boggs; Robert H. Callis, III; J. W. Whiting Chisman, III; January Collins; Ernest W. Dodson, Jr.; Robert H. Dozier, III; Michael S. Eubanks; Mark S. Evans; Tazewell Fitzgerald; N. Turner Gray, Jr.; Herbert R. Green; Adam Halstead; Kevin Hartz; David Heath; C. Howard Hoffman; Richard Keith Hope; B. Keith Hudgins; Chase Huffman; Chadwick Jamison; Jacob Johnson; Joseph McKnew; John G. Phillips, Jr.; Frank Rabena; Roy A. Rector; Torrence Rogers; William G. Saunders; Joseph Schacherer; Benjamin Schill; Benjamin Speckhart; Luther J. Stallings, III; Gilbert R. Swink, III; David Ware; Gregory R. Willson; Jonathan Worth; and Clarence Young.

The members of the Examination Administrators Committee reviewed the renewal application paperwork and deemed the individuals qualified pursuant to §54.1-906 of the Code of Virginia. Captain Chisman moved to approve the renewal applications of the above-listed unlimited licensees. Mr. Amory seconded the motion which was unanimously approved by Messrs. and Captains: Amory, Chisman, Cofer, Host, McDermott, and Stone. Captain Chisman abstained from voting on his license.

Virginia State Pilots E. Waightstill Avery; John B. Beasley, Jr.; William G. Diggs; Dale A. Meyer; John A. Morgan, Jr.; Thomas D. Rutter and James S. Trimble appeared before the board with renewal applications for 2016 that included request for waivers for the Potomac River in accordance to requirements of subsection C.3 of Regulation 18VAC45-20-20, pursuant to subsection C.4 of Regulation 18VAC45-20-20.

Virginia State Pilots Milton B. Edmunds; Nathaniel T. Green, II appeared before the board with renewal applications for 2016 that included request for waivers for the Upper James River from Deepwater Terminal to the Upper Terminal, and J. William Cofer for the James River from the James River Bridge to Deepwater Terminal in accordance to requirement of subsection C.3 of Regulation 18VAC45-20-20 pursuant to subsection C.4 of Regulation 18VAC45-20-20.

The members of the Examination Administrators Committee reviewed the renewal application paperwork which included requested waivers in reference to limited ship traffic upon portions of the Potomac River and the James River and deemed the individual qualified pursuant to §54.1-906 of the Code of Virginia. Captain Chisman moved to approve the renewal applications of the above-listed unlimited licensees. Mr. McDermott seconded the motion which was unanimously approved by Messrs. and Captains: Amory, Chisman, Cofer, Host, McDermott and Stone. Captain Cofer abstained from voting on his license.

There were no limited branch pilot licenses to present for renewal.

Board members reviewed the apprenticeship program manual provided by the Virginia Pilot Association's Apprenticeship Committee. Discussion was held on the changes to the program. Mr. McDermott moved to approve the proposed changes to the 2015 Commonwealth of Virginia ship piloting apprenticeship training program and delegate the operation and administration of the program to the Virginia Pilot Association for 2016. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Amory, Chisman, Cofer, Host, McDermott and Stone.

**Review of  
Virginia Pilot  
Association's  
Apprenticeship  
Program**

Ms. Peay, Board Counsel, stated, that pursuant to § 54.1-100 of the *Code of Virginia*, a review of the Board's regulations had been conducted and there were no conflicts in its regulations with the Constitution of the United States, the Constitution of Virginia, the laws of the United States, or the laws of the Commonwealth of Virginia.

**Review of  
Regulations  
Pursuant to  
§54.1-100 of the  
Code of Virginia**

Ms. Nosbisch informed the Board that every four years, the Board is required to conduct a periodic review of the regulations and public participation guidelines. The review is to ensure the regulations are supported by statutory authority; determine that the regulations are necessary for the protection of the health, safety and welfare of the public; are clearly written and easily

**Periodic  
Regulatory  
Review**

understood; and ensure the economic impact on small business is minimized as much as possible. Ms. Nosbisch stated the board must vote to either repeal, retain or amend the regulations. Mr. Host moved to retain the regulations governing the Branch Pilots 18VAC45--20 and the Public Participation Guidelines 18VAC4--11. Mr. Amory seconded the motion which was unanimously approved by Messrs. and Captains: Amory, Chisman, Cofer, Host, McDermott, and Stone.

Ms. Piersall arrived for the meeting at 11:15 a.m.

**Arrival of Board Member**

Financial statements were provided for informational purposes.

**Financial Statements**

Ms. Nosbisch reminded the Board that they must complete the required financial disclosure statement by December 15. Eight Board members have completed their statements to date. She also informed the Board that they will receive an email regarding Conflict of Interest Act training, which must be completed by December 31.

**Other Business**

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 11:25 a.m.

**Adjourn**

---

Meade G. Stone, Jr., President

---

Jay W. DeBoer, Secretary