

BOARD FOR BRANCH PILOTS
Department of Professional and Occupational Regulation

Tuesday, May 20, 2025 – 10:30 a.m.
Virginia Port Authority
101 W. Main Street
Norfolk, VA 23510

Mission: Our mission is to protect the health, safety and welfare of the public by licensing qualified individuals and businesses enforcing standards of professional conduct for professions and occupations as designated by statute.

I. CALL TO ORDER

- a. Emergency Evacuation Procedures
- b. Determination of Quorum

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

- a. Branch Pilots Board Meeting, March 13, 2025

IV. PUBLIC COMMENT PERIOD *FIVE MINUTE PUBLIC COMMENT, PER PERSON*

V. NEW BUSINESS

- a. Branch Pilot Retirement Announcement – Captain Richard Keith Hope
- b. Moment of Silence- Bruce R. Cherry, Former Board Member
- c. Regulatory Update
 - i. Public Hearing

VI. OTHER BUSINESS

- a. Board Member Training

VII. COMPLETE CONFLICT OF INTEREST FORM AND TRAVEL VOUCHER.

VIII. ADJOURNMENT

NEXT MEETING SCHEDULED FOR **THURSDAY, SEPTEMBER 11, 2025**

- ❖ Agenda materials made available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.
- ❖ Five-minute public comment, per person, with the exception of any open disciplinary or application file.
- ❖ Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-2785 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

**BOARD FOR BRANCH PILOTS MEETING
MINUTES**

The Virginia Board for Branch Pilots met on March 13, 2025, 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 J.W. Whiting Chisman, III
Michael W. Coleman
Captain January N. Collins
Patrick B. McDermott
Captain Clarence M. Young

Staff present for all, or part of the meeting were:

Jeb Wilkinson, Chief Deputy Director
Steve Kirschner, LRPD Deputy Director
Kate R. Nobsch, Executive Director
Ecila Williams, Licensing Operations Administrator
John Grieser, Director of Investigations - Field Operations
Ernie Atkins, Investigator-Tidewater

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

Christne N. Piersall, Citizen Member, Brian P. Wolford, Director of DPOR, Jhustyna McBride-Dunn, Regulatory Operations Administrator, Donna Divers, Administrative Coordinator, and Enid Candalaria-Vega, BPOR Liaison, were not present at the meeting with regrets.

Member of the Audience included:

Mark Coberly, Manager, Maritime Law Department, Representative from Wood Rogers Vandeventer Black PLC
Captain George E. Watkins, Former board member

Finding a quorum of the Board present, Mr. Coleman, President, called the meeting to order at 10:30 a.m.

Call to Order

Ms. Nobsch advised the Board of the emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

Mr. Behm moved to approve the agenda. Mr. McDermott seconded the motion which was unanimously approved by Messrs. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott, and Young.

**Approval of
Agenda**

Captain Avery moved to approve the minutes from the December 12, 2024, Board meeting. Mr. Behm seconded the motion which was unanimously approved by Messrs. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott, and Young.

**Approval of
Minutes**

Ms. Nosbisch informed staff the Director Wolford and Ms. Piersall could not attend the meeting with regrets. Ms. Nosbisch introduced guests and staff of the audience.

**Welcome/Intro
ductions**

There was no public comment.

**Public
Comment
Period**

The Board reviewed a letter from Captain Lyons, regarding an incident on December 10, 2024, involving the CMA CGM DON PASCUALE.

**Notification
Letter-
Captain
Lyons- CMA
CGM DON
PASCUALE**

Captain Lyons was ordered at 03:00 to sail the CMA CGM DON PASCUALE (IMO #9318101} from Norfolk International Terminals South Berth 4 (NIT SB4} in Norfolk, Virginia to Sea at 05:00. Captain Lyons arrived on board the ship at approximately 04:30. The ship's draft was 42 feet. Once onboard the CMA CGM DON PASCUALE, Captain Lyons met with the ship's master and conducted a Master/ Pilot Exchange of information. At that time the Master advised that all ship's machinery was operating properly. The ship was delayed 30 minutes due to cargo operations.

Captain Lyons undocked without incident, and got underway down Norfolk Harbor Reach, and then continued out Thimble Shoals Channel toward sea. We passed through the Chesapeake Bay Bridge Tunnel (CBBT) at about 0700 at about 17.5 knts sog.

As Captain Lyons approached the Chesapeake Bay Bridge tunnel, he saw on AIS that the GERI T was around the bridge tunnel but was unaware he needed a slow bell or had a barge along side because only the tug showed on AIS. At approximately 0704 after calling the vessel TSV Hunter asking if they needed a slow maneuvering bell, Captain Lyons received a call from the tug GERI T on VHF channel 13 to advise Captain Lyons that the tug and the barge it was made up to were pulled off the pilings where they were moored at the CBBT South Island due to the suction created by the passing CMA-CGM PASCUALE, and the barge being in such shallow water. During this

conversation, he informed Captain Lyons that he had been able to recover without any damage to the vessels. He stated that before this had occurred, he was just about to call the Virginia Pilot Tower to let them know they were on station with a barge alongside the vessel.

The GERI T had not made any security calls informing that they needed a slow bell prior to the incident. During his transit, Captain Lyons met several tugs with tows and they informed Captain Lyons that he was not pulling any sea that affected them. Captain Lyons also looked astern and confirmed that there was no wake from the ship. After Captain Lyons disembarked his vessel, the tug contacted his office to inform them that he would be on station all day and said everything was ok after the incident. Several moments later, someone from the tug's office called the pilot office and reported that there was some damage to the pilings of the fishing pier at the tunnel island.

The weather was good at the time. The wind speed fluctuated from 5-7 knots from a south-southwest direction. Visibility was clear for 10 miles. The tidal current was about slack for the ebb at thimble shoal lighted buoy 18 station.

After Captain Lyons departed from the CMA CGM DON PASCUALE, he immediately proceeded to ARCpoint Labs in Virginia Beach, Virginia to submit a Virginia State drug and alcohol test at approximately 8:30.

The File Review Committee made a recommendation that the letter be filed, 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 approved by Messrs. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott, and Young.

Captain Avery provided the Board with a report of examinations conducted by the Exam Administrators on March 13, 2025. The following committee members were present, Captains: Avery, Chisman, Collins, and Young. The following report was made:

Exam
Administrator's
Report

Austin C. Capps answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven, Sewell's Point and Cape Charles, anchoring techniques, characteristics of deep draft vessels, vessel squat, inner harbor transits, restricted maneuvering in narrow channels, anchoring deep loaded vessels, proper positioning of towboats in special situations, usage of the deep-water route, traffic management, timed arrivals and safe vessel speed.

Austin C. Capps successfully completed the oral examination with the Board for Branch Pilots Examining committee. After considering the results of the examination, Captain Avery moved Austin C. Capps for a raise in grade from

an Echo license (55,000 gross tons and 39 feet maximum draft) to a Foxtrot License (65,000 gross tons and 42 feet maximum draft). Mr. McDermott seconded the motion which was unanimously approved by Messrs. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott and Young.

Matthew C. Morse answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven, Sewell's Point and Cape Charles, anchoring techniques, characteristics of deep draft vessels, vessel squat, inner harbor transits, restricted maneuvering in narrow channels, anchoring deep loaded vessels, proper positioning of towboats in special situations, usage of the deep-water route, traffic management, timed arrivals and safe vessel speed.

Matthew C. Morse successfully completed the oral examination with the Board for Branch Pilots Examining committee. After considering the results of the examination, Captain Avery moved Matthew C. Morse for a raise in grade from an Echo license (55,000 gross tons and 39 feet maximum draft) to a Foxtrot License (65,000 gross tons and 42 feet maximum draft). Mr. McDermott seconded the motion which was unanimously approved by Messrs. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott and Young.

Ms. Nobsisch informed the Board that general review action for the Branch Pilots regulations has been approved by the Governor's office. The next step is submission to the Registrar by March 21, 2025, for Volume 1, Issue 17. The publication date will be April 7, 2025, with a 60-day public comment period from April 7, 2025, to June 6, 2025.

Regulatory Update

Ms. Nobsisch informed the Board that a public hearing must be scheduled during the public comment period, and requested that the Board consider moving the June 12, 2025, meeting to accommodate both the board meeting and the public hearing. After a discussion, it was decided by consensus to move the board meeting and conduct the public hearing on May 20, 2025.

Captain Chisman presented to the Board the Board for Branch Pilots Structure and Procedures to the Board with amendments. After a discussion, it was approved by consensus to adopt the bylaws.

Bylaws Update

Ms. Nobsisch and Mr. Kirchner presented to the Board legislative updates for informational purposes.

Legislative Update

Conflict of Interest Training was presented to the following Messrs. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott and Young.

Conflict of Interest Training

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

Conflict of Interest Forms and Travel Vouchers

The meeting adjourned at 11:18 a.m.

Adjourn

Michael Coleman, President

Brian P. Wolford, Secretary

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
And are not to be construed as regulation or official board position
DRAFT AGENDA