

**BOARD FOR BRANCH PILOTS MEETING
MINUTES**

The Virginia Board for Branch Pilots met on Tuesday, February 3, 2009, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present:

Captain Robert H. Callis, III
Bruce R. Cherry
Captain J. William Cofer
Captain Milton B. Edmunds
Thomas P. Host, III
William M. Martin, III
Douglas E. Miller
Captain John A. Morgan, Jr.
Meade G. Stone, Jr.

Staff present for the meeting were:

Mark N. Courtney, Deputy Director of Licensing and Regulation
Kathleen R. Nosbisch, Executive Director
Nick A. Christner, Deputy Director of Compliance and Investigation

Cynthia Norwood was present from the Office of the Attorney General.

Finding a quorum of the Board present, Mr. Cherry, President, called the meeting to order at 9:30 a.m.

Call to Order

Captain Callis moved to approve the agenda. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, Morgan, and Stone.

**Approval of
Agenda**

Captain Callis moved to approve the minutes from the December 15, 2008, Board Meeting. Mr. Miller seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, Morgan, and Stone.

**Approval of
Minutes**

Captain Callis provided the Board with a report of the examinations conducted by the Examination Administrators on February 2, 2009. The following report was made:

**Exam
Administration
Report**

Joseph R. McKnew

Captain McKnew answered oral questions related to the raise in grade. The subjects included safe anchorages in Lynnhaven, Newport News, and Sewell's Point, inner harbor transfers and loaded vessels, the effects of wind

on high profile containerships, under keel clearance, and anchoring techniques for loaded vessels. Captain McKnew stood a good examination and was found to be qualified. Captain Callis moved that Captain McKnew be raised from the Foxtrot classification (40,000 gross tons and 38 feet maximum draft) to the Golf classification (50,000 gross tons and 42 feet maximum draft). Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, Morgan, and Stone.

January N. Collins

Captain Collins answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven, Sewell's Point, and Newport News, under keel clearance, bank cushion and suction, anchoring techniques and limited visibility considerations. Captain Collins stood a good examination and was found to be qualified. Captain Callis moved that Captain Collins be raised from the Bravo classification (24,000 gross tons and 28 feet maximum draft) to a Charlie classification (28,000 gross tons and 30 feet maximum draft). Mr. Host seconded the motion which was approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, Morgan, and Stone.

Benjamin L. Speckhart

Captain Speckhart answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven, Sewell's Point, and Newport News, under keel clearance, bank cushion and suction, anchoring techniques and limited visibility considerations. Captain Speckhart stood a good examination and was found to be qualified. Captain Callis moved that Captain Speckhart be raised from the Bravo classification (24,000 gross tons and 28 feet maximum draft) to a Charlie classification (28,000 gross tons and 30 feet maximum draft). Mr. Host seconded the motion which was approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, Morgan, and Stone.

The Board reviewed a letter from Captain Joseph R. McKnew, regarding an incident on January 4, 2009, involving the US Flag Tug "Thomas Weeks."

Captain Joseph R. McKnew – US Flag Tug "Thomas Weeks"

On January 4, 2009, at 0900, Captain McKnew was ordered to sail the US flag tug "Thomas Weeks" towing the Weeks Marine "barge 246" from Weeks Marine yard on the Southern Branch going to sea. The "Thomas Weeks" is a twin screw 4000 hp tug, LOA is 128', breadth is 35', draft is 14', gross tons is 197. Captain McKnew's orders were to tow the "Barge 246" LOA 250', breadth 75', draft was 4', gross tons is 2,637. The barge is a standard flat deck barge and was laden with ventilation equipment. Captain McKnew boarded the tug at approximately 0830 and was met by

the tug's Captain on arrival. Captain McKnew and the tug's Captain conducted a master/pilot exchange at approximately 0835. The tug's Captain undocked the barge and retained the con through the transit of the Jordan and Beltline Bridges to Town Point.

The "Thomas" was made fast to the starboard quarter of the barge and their intentions were to tow the barge alongside on the hip outbound the Southern Branch, and then to let the barge out on the wire at Town Point, ultimately towing the barge from Town Point to sea. The wind was calm and the current was about .3 knots ebbing. They were to be assisted in undocking the barge and transiting through the Jordan and Beltline bridges by the tug "Elizabeth Weeks". The "Elizabeth" is a single screw tug LOA is 83', breadth is 26', and gross tons is 167. The "Elizabeth" was made fast with a line on the port bow of the barge. The purpose of the "Elizabeth" was to assist in towing the unit off of the dock at Weeks' yard and then to aid in lining up for the Jordan Bridge. The cargo was stacked approximately 50 feet high on the barge which restricted the visibility of the "Thomas" on the port side of the barge.

At approximately 0900 the Captain of the "Thomas" undocked the barge 246 and began lining up for the Jordan Bridge. At approximately 0913 they were approaching the Jordan Bridge and the Captain of the "Thomas" asked the Captain of the "Elizabeth" if she had enough room on the port side (western) fender system of the Jordan Bridge. The Captain of the "Elizabeth" responded that she had 50 feet of room and the distance was opening. The Captain of the "Thomas" responded that that distance was sufficient and he would proceed ahead and transit through the bridge. At this point they appeared to be in good position to transit through the center of the bridge span. At approximately 0915 the Captain of the "Thomas" asked the Captain of the "Elizabeth" again if she had enough room on the fender system of the Jordan Bridge and she again replied that they had 50 feet of room and holding steady. Approximately 3-5 seconds later the Captain of the "Elizabeth" said that she did not think she would make it through the fender system without touching the port side (western) fender. The Captain of the "Thomas" then ordered the "Elizabeth" to push him to starboard to give the "Elizabeth" more room to clear the fender. At approximately this time in the transit, the "Elizabeth" rubbed the west fender of the Jordan Bridge. They then transited safely through the Belt Line Bridge and arrived at Town Point at approximately 0945 at which time Captain McKnew assumed the con and continued safely to sea.

It appeared that the "Elizabeth" knocked off about 3 boards from the fender system. No damage was done to either tugs or the barge. The "Elizabeth" and the "Thomas" both reported the incident to the Coast Guard.

After review and discussion, Mr. Miller moved that the letter be filed and

that the Board take no action, as there appears to be no violation of the Board's regulations or statutes. Mr. Host seconded the motion which was approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, Morgan, and Stone.

Mr. Stone reviewed the committee meeting minutes, e-mails regarding the regulations, and the proposed regulation changes, with the Board. The Board members reviewed the minutes from the Chemical Testing Committee, including the recommendations. Mr. Stone moved to approve the minutes from the January 23, 2009, Chemical Testing Committee. Mr. Martin seconded the motion which was approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, Morgan, and Stone.

**Report from
Chemical Testing
Committee**

Captain Cofer presented the Board with an overview of the random chemical testing program currently in place at the Virginia Pilot Association. Currently, the medical review officer reports to the President and the Vice-President of the Virginia Pilot Association. This reporting structure will be changed having the medical review officer report to the Vice-President and an employee of the Virginia Pilot Association.

Mr. Martin moved that the Board for Branch Pilots delegate the administration of the chemical drug testing program as required by 18 VAC 45-20-50 to the Virginia Pilot Association. Mr. Stone seconded the motion which was approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, Morgan, and Stone.

After discussion, Mr. Miller moved to authorize staff to file a Notice of Intended Regulatory Action (NOIRA) for a general review to the Board's regulations including but not limited to review of the chemical testing regulations. Captain Morgan seconded the motion which was approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, Morgan, and Stone.

Other Business

The Board members were provided with an article from the *Richmond Times Dispatch* regarding a fatal fishing boat accident in the Chesapeake Bay, on January 14, 2009, where the Virginia Pilot Association was mentioned for sending a launch of their own to assist in the search.

Conflict of Interest forms were completed by all members present.

**Conflict of Interest
Forms**

There being no further business, the meeting was adjourned at 11:20 a.m.

Adjourn

Bruce R. Cherry, President

Jay W. DeBoer, Secretary