

**BOARD FOR BRANCH PILOTS MEETING
MINUTES**

The Virginia Board for Branch Pilots met on Friday, December 10, 2021, 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
Christine N. Piersall

Captain Robert H. Callis, III was not present for the meeting.

Staff present for all or part of the meeting were:

Mary Broz-Vaughan, Director
Tom Payne, Deputy Director
Kathleen R. Nosbisch, Executive Director
Amy Goobic, Executive Assistant

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

Members of the Audience included:

Mark Coberly, Manager, Maritime Law Department, Representative from Vandeventer Black and Captain Chadwick Jamison, Virginia Pilots Association

Finding a quorum of the Board present, Ms. Piersall, President, called the **Call to Order** meeting to order at 10:31 a.m.

Tracy Freeman, of the Virginia Port Authority, advised the Board of the emergency evacuation procedures. **Safety
Evacuation
Instructions**

Ms. Piersall introduced Tom Payne, new Deputy Director at DPOR. Ms. Nosbisch welcomed Amy Goobic, Executive Assistant, who was filling in for Bonnie Davis. She also welcomed audience members Captain Chadwick Jamison and Mark Coberly. **Welcome and
Introduction**

Captain Chisman moved to approve the agenda as presented. Mr. Anseeuw seconded the motion which was unanimously approved by Messrs., Mme. and **Approval of
Agenda**

Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott, and Piersall.

Mr. Anseeuw moved to approve the minutes from the September 13, 2021 Board meeting as amended. Captain Collins seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott, and Piersall.

Approval of Minutes

There were no public comments.

Public Comment Period

Ms. Nosbisch informed the Board that due to scheduling conflicts, the March 2022 Board meeting would be held March 15, previously scheduled for March 14. There were no comments on, or issues with the change in date.

Revision of 2022 Meeting Date

Captain Chisman informed the Board that Captain Milton Edmunds and Captain Nathaniel Green retired. Captain Chisman stated that Captain Edmunds was retiring having served as a pilot for over 50 years, and Captain Green for 40 years. Captain Chisman congratulated Captain Edmunds and Captain Green on their career accomplishments and wished them a happy retirement.

Branch Pilot Retirement

On September 22, 2021 Captain Dodson was ordered to the M/T JOHNNY TRAVELLER for a 0700 inbound transit from Cape Henry to Kinder Morgan South Hill Terminal on the Southern Branch of the Elizabeth River. The JOHNNY TRAVELER is a tanker 600 feet in length and 105 feet in breadth. On the morning of September 22 the weather was clear with a southerly wind of 15kts.

Review of Notification Letter – Captain Zachary Dodson – M/T JOHNNY TRAVELLER

After a routine transit inbound, the docking master boarded the vessel at Town Point, and after a pilot and master to docking master exchange, took the con at Town Point. The docking master ordered the tug SEACOAST to make fast on the starboard bow and the tug MAXWELL PAUL MORAN to make fast at the center lead aft. The docking maneuver at the Kinder Morgan Terminal was routine. Once the vessel was alongside the berth with forward spring lines ashore, the southerly wind conditions caused the vessel to begin sliding aft along the berth. To counteract this movement, at approximately 1025, the docking master gave the aft tug MAXWELL PAUL MORAN the command to work ahead half at a 45 degree angle to hold the ship ahead. Due to the proximity of the berth to the Norfolk Southern Railway Lift Bridge, the stern of the tug was approximately 75' from the southeastern fender system of the bridge opening. When the propeller wash from the tug contacted the fender system several beams and pilings were broken loose. This damage was immediately reported to the Coast Guard and upon returning to the Virginia Pilot office, Captain Dodson reported for drug and alcohol testing. The File Review Committee made a recommendation 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. Behm moved to accept the recommendation. Captain Collins seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Collins, McDermott, and Piersall.

Captain Avery stated that the members of the Board for Branch Pilots License Renewal Committee have reviewed the renewal applications for the 2022 calendar year and present the following report:

E. Waightstill Avery; Christopher H. Behm; Charles I. Boggs, Jr.; Robert H. Callis, III; Julian Wythe Whiting Chisman, III; January N. Collins; William G. Diggs; Ernest W. Dodson, Jr.; Michael S. Eubanks; Mark S. Evans; Tazewell Fitzgerald; N. Turner Gray, Jr.; Herbert R. Green, III; Adam L. Halstead; Kevin D. Hartz; David H. Heath; C. Howard Hoffman; Richard Keith Hope; Charles A. Huffman; Chadwick M. Jamison; Jacob R. Johnson; Richard A. Lyons; Joseph R. McKnew; Dale Allen Meyer, Jr.; Ryan R. Nienstedt; Timothy D. Oksman; Frank M. Rabena, Jr.; Roy A. Rector, Jr.; Torrence A. Rogers; William G. Saunders, Jr.; Joseph M. Schacherer, III; G. Benjamin Schill, Jr.; Benjamin L. Speckhart; James South Trimble; David B. Ware; Gregory R. Willson; Jonathan D. Worth; and Clarence M. Young.

The members of the Board for Branch Pilots License Renewal Committee reviewed the renewal application paperwork and deemed the individuals qualified pursuant to § 54.1-906 of the *Code of Virginia*. Captain Avery moved to approve the renewal applications of the above-listed unlimited licensees. Mr. Coleman seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, Host, McDermott, and Piersall. Captains Avery, Callis, Chisman, and Collins abstained from voting on their respective licenses. Mr. Behm abstained from voting on Christopher H. Behm's license. Ms. Piersall abstained from voting on Charles A. Huffman's license.

The following limited branch pilot license was also presented for renewal: Zachary Stewart Dodson.

The members of the Examination Administrators Committee reviewed the renewal application paperwork and deemed the individual qualified pursuant to § 54.1-906 of the *Code of Virginia*. Captain Avery moved to approve the renewal application of the above-listed limited licensee at the respective limitations as of December 31, 2021. Mr. Coleman seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, Host, McDermott, and Piersall.

Board members reviewed the VPA Apprenticeship Training Program. Captain Chadwick Jamison provided a presentation on the apprenticeship program with recommended changes from the Apprenticeship Committee.

**Consideration of
Renewal of
Licenses
December 6 & 7,
2021**

**Review of VPA
Apprenticeship
Training
Program**

Captain Jamison stated that as the Apprentice Committee, they are responsible for stewardship of the Virginia Board for Branch Pilots Apprenticeship Program. Each year they evaluate the duties, curriculum, and professional schooling apprentices will experience during their six years, to evaluate if all existing elements continue to work towards the objective of “providing the Commonwealth of Virginia with the most highly skilled, most experienced pilots available.” As shipping in the Lower Chesapeake Bay has evolved in the last decade, this has required modifying the operating area of Limited Branch Pilots. With the inclusion of Cape Charles in Initial Licensing, the State has expanded opportunities for apprentices to gain “extensive practice in handling all classes of vessels in a variety of weather conditions.” The Apprentice Committee is approaching the Board today seeking approval to add the York River to Initial Licensing. The Committee believes this to be a valuable addition to the apprenticeship, as it allows Unlicensed Apprentices and Limited Branch Pilots, to become acquainted with a new route about different vessels, in a variety of circumstances and conditions. By adding the York River to Initial Licensing, we are enhancing the Commonwealth’s goal of creating an “accomplished pilot.”

Discussion was held on whether the Potomac River license language should remain on several of the pilot’s licenses, as Virginia Branch Pilots no longer navigate the Potomac River. Ms. Piersall commented that the language should remain, as it is not a misstatement to have on the license as it has been earned. The Board agreed by consensus to keep the Potomac River language as it appears on the affected licenses.

Mr. Anseeuw moved to adopt the changes to the apprenticeship program to include the York River as stated in the modifications and renew the apprenticeship program for 2022. Mr. McDermott seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, Host, McDermott, and Piersall.

Ms. Peay informed the Board that pursuant to § 54.1-100 of the *Code of Virginia*, a review had been conducted of the Board’s regulations and there were no conflicts in their 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 stated the financial statements were provided for informational purposes.

Financial Statements

Discussion was held on the change in regulatory language required by SB 1406, related to misdemeanor marijuana-related convictions. Mr. Coleman expressed concern about the accuracy of the Virginia Regulatory Town Hall website description of the regulatory action, given that the Board did not take a vote on the matter at its September meeting. Ms. Broz-Vaughan apologized for the oversight and explained that exempt actions do not go through the

Other Business

standard three-stage regulatory process when amendments are required to conform to statutory changes. Ms. Broz-Vaughan will confer with the Registrar of Regulations to determine the appropriate course of action. During this discussion, the question was asked which regulations are still in force. Ms. Peay confirmed that as the Board took no action, that the 2012 regulations are still in force.

Ms. Nosbisch congratulated Mr. Coleman for being included in the *Virginia Business* magazine 2021 Virginia 500 Power List for transportation.

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

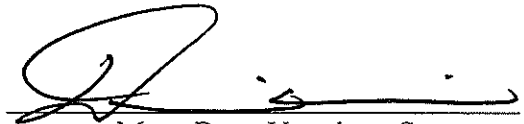
**Conflict of
Interest Forms
and Travel
Vouchers**

The meeting adjourned at 12:13 p.m.

Adjourn



Christine Piersall, President



Mary Broz-Vaughan, Secretary

Demetrios J. Melis

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: Aaron Anseeuw
- 2. Title: Board Member
- 3. Agency: Board for Branch Pilots
- 4. Meeting/IFF Date: Board Meeting December 10, 2021

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.



Signature

2021-DEC-10

Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: E. Waightstill Avery
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 10, 2021

5. I have a personal interest in the following transaction: N/A

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

E. W. Avery
Signature

12/10/2021
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: I. Vincent Behm, Jr.
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 10, 2021

5. I have a personal interest in the following transaction:

LICENSES RENEWAL - Capt Behm

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

Signature

I. Vincent Behm, Jr.

Date

12-10-21

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: J.W. Whiting Chisman III
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 10, 2021

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

J.W. Whiting Chisman III
Signature

12-10-21
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

- 1. Name: Michael W. Coleman
- 2. Title: Board Member
- 3. Agency: Board for Branch Pilots
- 4. Meeting/IFF Date: Board Meeting December 10, 2021

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:


I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.



Signature

12/10/2021

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Patrick B. McDermott
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 10, 2021

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

Patrick B. McDermott
Signature

12/10/2021
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Christine N. Piersall
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 10, 2021

5. I have a personal interest in the following transaction:

Renewal of license Charles Huffman

Nature of Personal Interest Affected by Transaction:

Client

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

Christine Piersall
Signature

12/10/2021
Date