

BOARD FOR BRANCH PILOTS MEETING

MINUTES

The Virginia Board for Branch Pilots met on Monday, May 1, 2006, 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
Robert T. Hasler, Jr.
Edgar A. Massenburg
Captain W. Hugh McCrory, Jr.
Meade G. Stone, Jr.

Staff present for the meeting were:

David Ashe, Chief Deputy
Mark N. Courtney, Executive Director
Nick Christner, Deputy Director of Compliance and Investigations Division
Marian H. Brooks, Program Administrator
Michelle Gowen, Administrative Assistant

Cynthia Norwood, Assistant Attorney General, was present at the meeting.

Board member William M. Martin, III, was absent from the meeting.

Finding a quorum of the Board present, Mr. Hasler, President, called the meeting to order at 9:45 a.m.

Call to Order

Mr. Stone moved to approve the agenda as written. Captain Callis seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Massenburg, McCrory, and Stone.

Approval of Agenda

Captain Callis moved to approve the minutes from the February 2, 2006, Board meeting as amended. Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Massenburg, McCrory, and Stone.

Approval of Minutes

Captain Callis provided the Board with a report of the examinations conducted by the Examination Administrators on May 1, 2006. The following report was made:

**Examination
Administrators
Report**

Michael S. Eubanks

Captain Eubanks answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven, Sewell's Point and Newport News, safe vessel speed, the effects of wind on high profile containerhips, under keel clearance, timed arrivals, vessel squat and surge. Captain Eubanks stood a good examination and was found to be qualified. Captain Callis moved that Captain Eubanks be raised from the Golf classification (625 ship units and a maximum draft of 38 feet or 450 ship units and a maximum draft of 42 feet) to a Hotel classification (725 Ship units and a maximum draft of 41 feet or 550 ship units and a maximum draft of 45 feet). Mr. Cherry seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Massenburg, McCrory, and Stone.

E. Waightstill Avery

Captain Avery answered oral questions related to the extension of route. The subjects included courses and distances from Chesapeake Channel to Pages Rock, safe vessel speed and under keel clearance, local traffic, bridge restrictions, draft limitations, and safe anchoring positions in the York River. Captain Avery stood a good examination and was found to be qualified. Captain Callis moved that Captain Avery be granted an extension of route from Cape Henry to Pages Rock upon the York River. Mr. Cherry seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Massenburg, McCrory, and Stone.

The Board reviewed a letter and accompanying charts from Captain John G. Phillips, Jr., dated February 27, 2006, regarding an incident involving the M/V APL Turquoise.

**Captain John G.
Phillips, Jr., M/V
APL Turquoise**

On Thursday, February 23, 2006, at 0506 Captain Phillips boarded the M/V APL Turquoise east of the CH buoy at Cape Henry. The ship was bound for Portsmouth Marine Terminal. The ship's Captain and Captain Phillips conducted the master-pilot exchange of information. The Captain informed Captain Phillips that all equipment was in good working order. Captain Phillips set up his GPS unit and it was functioning at all times.

The M/V APL Turquoise is a container ship with a length of 965 feet,

breadth of 106 feet, and forward draft of 36.5 feet and after draft of 38.9 feet. Visibility was one half to one and a half miles; and the wind was WNW, eight to ten knots. Maximum flood was at 0333 and slack water was at 0710. High tide was at 0420. Low tide was at 1055.

Shortly after boarding, Captain Phillips received a call from dispatch informing him that a breakdown had occurred at the terminal and availability of the assigned berth was unknown. It was stated that the ship did not have permission to go to the G anchorages (Navy), and the F anchorage was possibly committed to another vessel that was inbound at the same time. Captain Phillips made the decision to go to the Lynnhaven anchorage in the area of LN5 where he would turn the ship around to ultimately get to LN4/LN3.

The vessel was making about seven knots when the ship's engine was stopped at position number one on the chart accompanying his letter. One half mile from Thimble Shoals channel buoys 3 and 4, the ship was making four knots at position number two on the chart accompanying his letter and the ship's wheel was put hard to starboard and dead slow ahead. After clearing the buoys, the ship's engine was backed at position number three on the chart accompanying his letter. At this time, the ship had no headway and very little leeway, and heading was 67 degrees. The port anchor was ordered dropped at 0554 at position number four on the chart accompanying his letter. After approximately two minutes, the Captain advised Captain Phillips that the anchor would not release. Captain Phillips then asked the Captain to drop the starboard anchor. After another minute, the Captain told Captain Phillips that the starboard anchor was ready. Captain Phillips asked the Captain to drop it immediately, and at that time the Captain informed Captain Phillips that it would have to go out slowly. Captain Phillips told the Captain that time was critical because the ship had already started setting to the west (left bearing drift), closer to shoal water. Even though the anchor was down, it was not effective until four shackles were out, which took about ten minutes. The anchor did not hold until the scope was sufficient. Positions were being updated constantly and all charted positions showed the ship in 40 plus feet of water. Captain Phillips' GPS also confirmed the same. It was about one hour past high tide at the time. When the ship stopped, it was in Anchorage LN6 and the heading was 67 degrees. The goal was still to anchor in the area of LN4/LN3 if the assigned berth continued to be unavailable.

The anchor was ordered up, and after about twenty minutes the mate on the bow relayed that he was having problems and could not heave the anchor.

Because of the short distance to the 36 foot shoal line, Captain Phillips did not want to use the engine, so the bow thrusters were requested. This took about twenty minutes.

When the thrusters were ready, they were used. The ship's head did not move and because the ship's charted position still showed 40 plus feet of water, the Captain and Captain Phillips were thinking that the anchor may have been fouled. Captain Phillips' concern then was grounding. The tide was dropping and Captain Phillips was sure the ship would ground at low tide. The Captain spoke with the ship's owners, and they conveyed to him that they wanted to order four big tugs as soon as possible to push the ship from the shoal. Captain Phillips knew it would be about three hours before this could happen.

Captain Phillips called the Coast Guard at 0730 and told them of his situation and concerns; they were in communication throughout the day and Captain Phillips kept the Coast Guard informed of the situation, as they offered suggestions and asked questions

The ship never had a list nor were there any indications of any damage. A Coast Guard cutter was on site about 1030 and circled twice, and called and said that he saw nothing that concerned them and wished us well and left.

After discussing the dropping tide with the Captain, he agreed to pump ballast, and when complete, the forward draft was 32.6 feet and aft draft was 37 feet.

When all tugs were on site at about 1130, they were able to push the ship sideways. The anchor was pulled in and, with the help of tugs, the vessel was backed into the channel. The anchor was up at 1345 and the ship was inbound at 1400.

The ship proceeded to PMT, finishing up about 1730. Captain Phillips had a conversation with the Coast Guard on board. Divers also came on board but Captain Phillips was not informed of the outcome of the dive. The ship did leave the next day.

Manual soundings were taken at the anchorage, but they conflicted – the tugs fathometer suggested enough water for the ship and the pilot launch fathometer showed less water than the charts.

When Captain Phillips left the ship, he went directly to Riverside Hospital, and was drug tested using the state forms.

After discussion, Judge Massenburg moved that the letter be filed and that the Board take no action, as there appears to be no violation of the Board's rules, regulations, or statutes. Mr. Cherry seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Massenburg, McCrory, and Stone.

Mr. Courtney noted that the new Director of DPOR, Jay W. DeBoer, regretted that he could not be present at the meeting and stated that he hoped he would be able to attend the meeting on July 28. Mr. Courtney introduced David Ashe, the new Chief Deputy of DPOR, and Michelle Gowen, Administrative Assistant, to the Board.

Other Business

The Board acknowledged and welcomed retired Board member, Captain George Watkins.

Captain Cofer gave a little background on the proposal of a new way to bill pilotage fees ships by gross tonnage instead of ship units. This proposal is due to the challenge by Carnival Cruise Lines and the ruling by the State Corporation Commission. If such a change is made, a corresponding change may also need to be made to the apprentice program.

Conflict of Interest forms were completed by all members present.

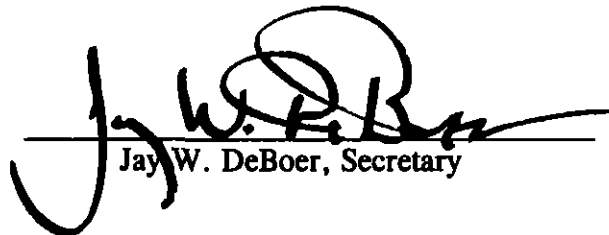
**Conflict of Interest
Forms**

There being no further business, the meeting was adjourned at 10:14 a.m.

Adjourn



Robert T. Hasler, Jr., President



Jay W. DeBoer, Secretary

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

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

1. Name: Robert H. Callis, III
2. Title: Member
3. Agency: Board for Branch Pilots
4. Transaction: Board Meeting on May 1, 2006
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

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

the Pilot Association.

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

Robert H. Callis, III
Signature

May 1, 2006
Date

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

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

1. Name: W. Hugh McCrory, Jr.
2. Title: Member
3. Agency: Board for Branch Pilots
4. Transaction: Board Meeting on May 1, 2006
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

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

VIRGINIA PILOT ASSOCIATION

(b) I am able to participate in this transaction fairly, objectively, and in the public interest

Signature

Date

W. Hugh McCrory, Jr.

May 1, 2006

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

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

1. Name: Milton B. Edmunds
2. Title: Member
3. Agency: Board for Branch Pilots
4. Transaction: Board Meeting on May 1, 2006
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

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

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


Signature

5/1/06
Date

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

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

1. Name: Robert T. Hasler, Jr.
2. Title: Member
3. Agency: Board for Branch Pilots
4. Transaction: Board Meeting on May 1, 2006
5. Nature of Personal Interest Affected by Transaction: _____

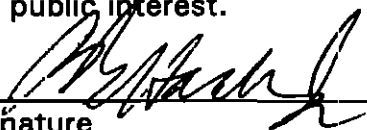
6. I declare that:

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

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

Signature

Date



May 1, 2006

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

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

1. Name: Edgar A. Massenburg
2. Title: Member
3. Agency: Board for Branch Pilots
4. Transaction: Board Meeting on May 1, 2006
5. Nature of Personal Interest Affected by Transaction: NONE
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6. I declare that:

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

NONE

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

Edgar A. Massenburg
Signature

5/1/06
Date

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

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

1. Name: Meade G. Stone, Jr.
2. Title: Member
3. Agency: Board for Branch Pilots
4. Transaction: Board Meeting on May 1, 2006
5. Nature of Personal Interest Affected by Transaction: _____

NONE

6. I declare that:

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

NONE

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

Signature

Meade G. Stone, Jr.

Date

5/1/06

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

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

1. Name: Bruce R. Cherry
2. Title: Member
3. Agency: Board for Branch Pilots
4. Transaction: Board Meeting on May 1, 2006
5. Nature of Personal Interest Affected by Transaction: NONE

6. I declare that:

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

NONE

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

Bruce R. Cherry
Signature

May 1, '06
Date