

**BOARD FOR BRANCH PILOTS MEETING
MINUTES**

The Virginia Board for Branch Pilots met on Thursday, November 1, 2007, 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 Milton B. Edmunds
Thomas P. Host, III
William M. Martin, III
Douglas E. Miller
Captain W. Hugh McCrory, Jr.
Meade G. Stone, Jr.

Board member Captain J. William Cofer was not present at the meeting.

Staff present for the meeting were:

Jay W. DeBoer, Director
Karen W. O'Neal, Deputy Director of Licensing and Regulation
Marian H. Brooks, Program Administrator
Nick Christner, Deputy Director of Compliance and Investigation

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

Finding a quorum of the Board present, Mr. Cherry, President, called the meeting to order at 9:31 a.m.

Call to Order

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

**Approval of
Agenda**

Mr. Martin moved to approve the minutes from the July 27, 2007, meeting as amended. Captain Callis seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Edmunds, Host, Martin, Miller, McCrory, and Stone.

**Approval of
Minutes**

The Board reviewed a letter from Captain Robert H. Dozier, III, regarding an incident on October 13, 2007, involving the M/V SKS TANARO.

**Captain Robert H.
Dozier, III, M/V
SKS TANARO**

On October 13, 2007, Captain Dozier was ordered to transfer the M/V SKS TANARO at 0330 from Lynnhaven North Anchorage to DTA Coal Pier in Newport News, Virginia, taking the berth of the M/V PROTEUS. The winds at that time were NNE at 15 to 20 knots. The sky was partly cloudy,

visibility was good and the current was near maximum ebb.

Captain Dozier boarded the vessel at 0315. After greetings with the Captain, the master pilot exchange and discussion of the passage and mooring plan, a lookout was posted and they began to heave anchor. At approximately 0342 they were underway. The passage to Thimble Shoal Light was normal and uneventful. Captain Dozier remained inside the wheelhouse near the radar which he periodically checked. Contact was made with the JHOC tower at approximately 0430 in the vicinity of buoys 15 and 16, and the vessel was given clearance to proceed. As they approached buoy 18, Captain Dozier ordered a rudder command of 10 degrees to port. Captain Dozier observed no vessels on radar in the channel ahead. As the vessel was swinging, Captain Dozier ordered a heading of 260 degrees for the approach to Old Point Comfort. At that time the vessel was traveling at 12.5 knots. As they neared their heading Captain Dozier observed a sailboat fine on the starboard bow. The sailboat had no visible navigation lights from his perspective and was generally heading outbound while crossing the channel from starboard to port. Captain Dozier ordered the immediate sounding of the danger signal. The sailboat immediately turned to its port and began heading directly for the ship's bow, at which time Captain Dozier noticed the sailboat's dim navigation lights. Captain Dozier then heard on VHF channel 13, (paraphrasing) "Inbound ship, this is the sailboat. Which way should I go?" Captain Dozier told the sailboat to head east to clear the ship's bow to port. The sailboat altered course to its starboard taking it away from the ship's bow to port. After the sailboat was safely clear of the ship's bow, it suddenly turned hard to its port, turning directly toward the ship's bow. The Captain of the M/V SKS TANARO and Captain Dozier witnessed this from the port wing.

Captain Dozier ordered the rudder starboard 10 degrees to try to avoid a collision. Captain Dozier did not use full starboard rudder as the vessel had shoal water close on its starboard side and Captain Dozier was uncertain the vessel could recover in time to avoid grounding. The sailboat continued to turn to its port until they lost sight of it. The time was approximately 0445. When the sailboat again became visible on the port side, Captain Dozier immediately put the rudder midship and then hard to port to lift the stern away from the sailboat. After the sailboat cleared the port quarter Captain Dozier steadied the vessel on a safe course and reduced speed. Captain Dozier immediately attempted to contact the sailboat but received no reply. Captain Dozier then promptly contacted the pilot of the outbound M/V PROTEUS and informed him of the situation, and that they did not know whether or not they had made contact with the sailboat. They asked the pilot on the M/V PROTEUS to try and ascertain the name and condition of the sailboat in question.

Captain Dozier contacted the USCG immediately after that and informed

them of the situation and that the M/V PROTEUS was in the vicinity, and was attempting to assess the condition of the sailboat. The USCG contacted the pilot on the M/V PROTEUS and requested his assistance. While approaching Newport News Channel, Captain Dozier overheard a conversation with the USCG and the S/V POQUITO, the sailboat in question. The USCG asked the operator of the S/V POQUITO if the sailboat had been in a collision and he replied that a ship "hit my starboard side with the ship's port bow." The operator of the S/V POQUITO said, "there are no injuries and no visible damage" to the vessel and that he was returning to Portsmouth, Virginia.

Captain Dozier continued the transit and finished mooring at 0720. Captain Dozier was taken by the pilot launch to Pier C. Captain Dozier then drove immediately to Doctors On Call on Great Neck Road in Virginia Beach, Virginia, where a drug test was performed.

After review and discussion, the Board members agreed that more information is needed in order to properly assess the situation. The Board requested that staff request the following information from Captain Dozier: the size of the vessel in question; the results of the drug test taken immediately after the incident; a chart which physically indicates where both vessels were at the time of the incident and if there was any follow-up inquiry from the USCG.

The Board members discussed whether bylaws were needed. After discussion, the Board took no action.

Ms. Brooks explained that the Board must periodically review its regulations in accordance with Executive Order No. 36. A notice of review will be sent to all members of the Public Participation Guidelines list with the opportunity to comment, and a notice will also be published in the Register of Regulations. Captain Callis moved to conduct the review and direct staff to file the notice. Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Edmunds, Host, Martin, Miller, McCrory, and Stone.

Ms. Brooks reminded the Board that license renewals would be considered by the Board in December. Ms. Brooks also noted that the renewal of the apprenticeship program and the annual review of the Board's regulations will be considered at the December Board meeting.

Conflict of Interest forms were completed by all members present.

**Discussion and
Determination of
the Need for
Bylaws**

**Periodic Review of
Regulation**

Other Business

**Conflict of Interest
Forms**

There being no further business, the meeting was adjourned at 10:23 a.m. **Adjourn**

Bruce R. Cherry, President

Jay W. DeBoer, Secretary

DRAFT