

# BOARD FOR BRANCH PILOTS

## Tentative MEETING AGENDA

September 12, 2024 at 10:30 a.m.

VPA Board Room

Norfolk, Virginia

1. Call to Order
2. Safety Evacuation Instructions
3. Welcome/Introductions/Announcements
4. Approval of Agenda
5. Approval of Minutes
  - June 13, 2024, Board Meeting Minutes
6. Public Comment Period\*
7. VPA Maritime Incident Response Team Presentation
8. Exam Administrator's Report
9. Regulatory Update
10. Notification Letter- Captain Dodson- MV NICKOLAS D
11. Notification Letter- Captain Morse- MV MRC BELIZE
12. Financial Statements
13. Other Business
  - i. Board Member Training Conference- October 10-11, 2024, Williamsburg, VA
14. Conflict of Interest Forms / Travel Vouchers
15. Adjourn

\*Five minute public comment, per person, with the exception of any open disciplinary or application files. See page two for instructions on providing public comment.

\*\*The meeting is open to the public; however, a portion of the Board's business may be discussed in closed session pursuant to Va. Code § 2.2-3711(A)(8).

**NEXT BOARD MEETING SCHEDULED FOR December 12, 2024 AT 10:30 A.M.**

Agenda materials made available to the public do not include written advice of legal counsel or other information protected by the attorney-client privilege pursuant to Va. Code § 2.2-3705.1(2).

- **Call to Order**
- **Safety Evacuation Instructions**
- **Announcements**

DRAFT AGENDA

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And are not to be construed as regulation or official board position

DRAFT AGENDA

**BOARD FOR BRANCH PILOTS MEETING  
MINUTES**

The Virginia Board for Branch Pilots met on June 13, 2024, 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 Clarence M. Young

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

Kishore S. Nkota, Director  
Steve Kirschner, LRPD, Deputy Director  
Tom Payne, CID Deputy Director  
Kathleen R. Nosbisch, Executive Director  
John Robertson, IV, Communications and Digital Media Manager  
Ecila Williams, Licensing Operations Administrator

Brian Wolford, Chief Deputy Director, and Jemmalyn Hewlett, BPOR Liaison were not present with regrets.

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

Member of the Audience included:

Mark Cobelli, Manager, Maritime Law Department, Representative from Wood Rogers Vandeventer Black PLC  
Captain Robert H. Callis III  
Tresana Callis

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

**Call to Order**

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

**Safety**  
**Evacuation**  
**Instructions**

Mr. Coleman introduced Captain Young as the newest board member replacing Captain Robert H. Callis III.

**Welcome/Introductions/Announcements**

Ms. Nobsisch informed the Board that Mr. Wolford, Deputy Director, was unable to be present at the meeting with regrets. Ms. Nobsisch informed the Board that Bonnie Davis accepted a position with another state agency closer to home and congratulated her on her future endeavors.

Ms. Nobsisch informed the Board that Bill Burket, Senior Director, Maritime Incident Response Team, Virginia Port Authority, was unable to give his presentation of the VPA Maritime Incident Response Team with regrets, so this item will be struck from the agenda. Mr. Burket will give his presentation to the Board at the next meeting for September 12, 2024.

Mr. Coleman initiated a moment of silence of Captain James South Trimble, who passed away on March 31, 2024. Captain Chisman spoke on Captain Trimble's career and impact as a pilot.

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

**Approval of Agenda**

Mr. Behm moved to approve the minutes from the March 14, 2024, Board Meeting. Mr. Anseeuw seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott, Piersall and Young.

**Approval of Minutes**

Mr. Anseeuw moved to approve the minutes from the April 30, 2024, Serious Incident Communications Plan Committee Meeting. Mr. Behm seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott, Piersall and Young.

Captain Avery moved to approve the minutes from the April 30, 2024, Regulatory Review Committee Meeting. Mr. Anseeuw seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott, Piersall and Young.

There was no public comment.

**Public Comment Period**

Mr. Coleman read the following resolution for consideration by the Board:

RESOLUTION IN HONOR OF

Captain Robert H. Callis III

Resolution for  
Captain Robert  
H. Callis, III

WHEREAS, Captain Robert H. Callis III, did faithfully and diligently serve as a member of the Virginia Board for Branch Pilots from 1997 through 2024; and

WHEREAS, Captain Robert H. Callis III did devote generously of his time, talent and leadership to the Board; and

WHEREAS, Captain Robert H. Callis III did at all times render decisions with fairness and good judgment so as to promote and preserve the best interests of our citizens and the profession of piloting in Virginia; and

WHEREAS, the Virginia Board for Branch Pilots acknowledges its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, this thirteenth day of June 2024, that the Virginia Board for Branch Pilots expresses its utmost regard and respect for Captain Robert H. Callis III and his professional legacy as a member to this Board; and, so that all may know of the Board's depth of its expression, it is ORDERED that this resolution be spread upon the official minutes of the Board and that a copy hereof be presented to Captain Robert H. Callis III.

The Board members agreed to the resolution by consensus.

Director Thota arrived at 10:40 a.m.

Arrival of  
DPOR Staff

Captain Avery provided the Board with a report of examinations conducted by the Exam Administrators on June 13, 2024. The following committee members were present, Captains: Avery, Chisman, Collins, and Young; and board members Mr. Anseuw and Mr. Coleman. 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 Sewell's Point, Lynnhaven and Cape Charles Anchorage, York River Anchorage, Thimble Shoal Channel dimensions, bridge clearances, under keel clearance, vessel displacement and

hydrodynamic influence meeting deep draft vessels, proper monitoring and usage of VHF radio channels, security broadcasts, small boat traffic, use of auxiliary channels, port security, hazards of marine construction and dredging operations, adverse weather, safe vessel speed and Master/Pilot exchange procedures.

After considering the results of the examination, Captain Avery moved Austin C. Capps for a raise in grade to a Delta license (45,000 gross tons and 36 feet maximum draft). Mr. Anseeuw seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott, Piersall and Young.

Matthew C. Morse answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Sewell's Point, Lynnhaven and Cape Charles Anchorage, York River Anchorage, Thimble Shoal dimensions, bridge clearances, under keel clearance, vessel displacement and hydrodynamic influence meeting deep draft vessels, proper monitoring and usage of VHF radio channels, security broadcasts, small boat traffic, use of auxiliary channels, port security, hazards of marine construction and dredging operations, adverse weather safe vessel speed and Master/Pilot Exchange procedures.

After considering the results of the examination, Captain Avery moved Matthew C. Morse for a raise in grade to a Delta license (45,000 gross tons and 36 feet maximum draft). Ms. Piersall seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott, Piersall and Young

Ms. Nosbisch informed the Board that after consulting with DPOR Finance Department, it was determined that a fee increase is not expected until 2032. After a brief discussion, Mr. McDermott moved to rescind the vote from the December 12, 2022, meeting to propose a fee increase. Ms. Piersall seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott, Piersall and Young.

Mr. Coleman informed the Board that minor changes were made during the April 30, 2024, Regulatory Review Committee Meeting regarding license and renewal fees and a vote from the Board was not needed at this time.

**Regulatory  
Update**

The Board reviewed a letter from Captain Johnson, regarding an incident on May 28, 2024, involving the USS HARRY S TRUMAN.

**Notification**

**Letter-**

**Captain**

**Johnson, USS**

**HARRY S**

**TRUMAN**

**(CVN 75)**

On Tuesday May 28, Captain Johnson was ordered to sail the HARRY S TRUMAN (CVN 75) from Norfolk Naval Base at 0900. Captain Johnson boarded the TRUMAN around 0815 and was escorted to the bridge where Captain Johnson met with the Captain, Navigator, Officer of the Deck and the Conning Officer. They conducted a Master/Pilot discussion during which Captain Johnson was advised that all ships systems were in proper working order. Captain Johnson advised them of all pertinent information regarding the outbound transit. That information included potential traffic that they would meet as well as notifying the Navigation team that they would have to slow down at the Chesapeake Bay Bridge Tunnel for construction work. On Navy ships, Pilots are not compulsory. They are advisors to the Captain and Navigation team but never take the conn. They cannot give helm or engine orders. They give recommendations and advice.

The weather was calm and clear, and visibility was unrestricted. There was approximately 30 minutes of ebb current left before slack water at the time they were scheduled to sail. Sailing was delayed by approximately 15 to 20 minutes for a medical emergency onboard that required a sailor be removed from the ship.

Once underway we proceeded outbound, and Captain Johnson provided advice to the Conning Officer on what Captain Johnson felt was the safest way of dealing with traffic in Hampton Roads. They had to deviate from their Navigation Plan to pass a crane barge working in the Entrance reach and meet a Submarine in the Golf Anchorages simultaneously. After passing the submarine, the TRUMAN resumed its pre-planned track. When the ship turned into Thimble Shoal Channel, the Navigator ask if Captain Johnson was ok if they increased speed to 20 knots to make up time and get back on schedule. Captain Johnson replied that he was and reminded him that they would need to slow down at the CBBT. He confirmed that he understood, and the ships speed was increased. Subsequently, the Navigator and the Conning Officer had a short discussion about where to slow down and what speed to slow to. As the TRUMAN approached buoy set 9&10 (approximately 1.75 miles from the bridge) with no order given to slow down, Captain Johnson advised the Officer of the Deck emphatically that the ship needed to “slow down now”, and 12 Knots was ordered. At the speed the ship was traveling, this allowed about 6-8 minutes for the ship to slow. The time and distance to reach the desired speed was adequate, but the energy of the water the ship was displacing apparently carried on even after the Truman had slowed. The TRUMAN passed the construction site at Islands 1&2 of the CBBT at 12 knots with no large wake visible. After passing the construction site the tug “Geri T”

called the TRUMAN and advised that the ship had “torn everything up” at the First Island of the CBBT. By direction of the Captain, no response was given from the TRUMAN, and the ship proceeded outbound to CB Buoy where Captain Johnson was flown off.

On Friday May 31, Captain Johnson was advised through a forwarded email that several mooring lines and a push cable on the “Geri T” had been parted due to the surge from the TRUMAN passing the construction site. The ship had slowed to 12 knots by the time it crossed the tunnel, but because of the earlier speed before the ship slowed, the surge from the water being displaced not the wake of the ship apparently caused the lines to part. No other damage was reported.

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

Captain Chisman abstained from voting.

Mr. Robertson reviewed the changes and updates for the Serious Incident Communications Plan to the Board.

**Serious  
Incident  
Communications  
Plan Update**

Mr. McDermott moved to adopt the Serious Incident Communications Plan. Ms. Piersall seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Chisman, Coleman, Collins, McDermott, Piersall and Young.

The Board agreed by consensus approve the 2025 meeting dates of March 13, June 12, September 11, and December 11.

**2025 Meeting  
Dates**

Ms. Nosbisch stated the financial statements were provided for informational purposes.

**Financial  
Statements**

Ms. Nosbisch reminded the Board that the Board Member Training Conference is scheduled for October 10, 2024, to October 11, 2024 in Williamsburg, VA.

**Other Business**

Ms. Nosbisch informed the Board that a New Board Member Information Sheet is in the process to be used as a quick reference guide for new Board



Members.

Mr. Coleman asked the Board for volunteers to be a part of the Bylaws Committee to assist with creating bylaws for the Board. Captain Chisman, Mr. Behm, and Mr. McDermott volunteered for the committee. The Committee will meet on September 12, 2024 at 12:00 p.m.

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

The meeting adjourned at 11:12 a.m.

Conflict of  
Interest Forms  
and Travel  
Vouchers

Adjourn

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Michael Coleman, President

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Kishore S. Thota, Secretary

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- **Public Comment**
- **VPA Maritime Incident Response Team Presentation**
- **Exam Administrator's Report**
- **Regulatory Update**

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**Department of Professional and Occupational Regulation  
Statement of Financial Activity**

**Board for Branch Pilots  
954190**

2022-2024 Biennium

June 2024

|                                      | June 2024<br>Activity | Biennium-to-Date Comparison |                          |
|--------------------------------------|-----------------------|-----------------------------|--------------------------|
|                                      |                       | July 2020 -<br>June 2022    | July 2022 -<br>June 2024 |
| Cash/Revenue Balance Brought Forward |                       |                             | 2,258                    |
| Revenues                             | 0                     | 5,040                       | 4,800                    |
| Cumulative Revenues                  |                       | 27,669                      | 7,058                    |
| <b>Cost Categories:</b>              |                       |                             |                          |
| Board Expenditures                   | 0                     | 5,763                       | 7,671                    |
| Board Administration                 | 0                     | 286                         | 309                      |
| Administration of Exams              | 0                     | 0                           | 0                        |
| Enforcement                          | 0                     | 1                           | 1                        |
| Legal Services                       | 0                     | 8                           | 145                      |
| Information Systems                  | 0                     | 211                         | 210                      |
| Facilities and Support Services      | 0                     | 100                         | 4,662                    |
| Agency Administration                | 0                     | 135                         | 208                      |
| Other / Transfers                    | 0                     | 0                           | 0                        |
| <b>Total Expenses</b>                | <b>0</b>              | <b>6,503</b>                | <b>13,207</b>            |
| Transfer To/(From) Cash Reserves     | 0                     | 0                           | (6,149)                  |
| <b>Ending Cash/Revenue Balance</b>   |                       |                             | <b>0</b>                 |

|                                |        |   |         |
|--------------------------------|--------|---|---------|
| Cash Reserve Beginning Balance | 11,475 | 0 | 17,623  |
| Change in Cash Reserve         | 0      | 0 | (6,149) |
| Ending Cash Reserve Balance    | 11,475 | 0 | 11,475  |

**Number of Regulants**

|                           |    |
|---------------------------|----|
| Current Month             | 0  |
| Previous Biennium-to-Date | 41 |

Department of Professional and Occupational Regulation  
 Supporting Statement of Year-to-Date Activity  
 Board for Branch Pilots - 954190  
 Fiscal Year 2024

|                                  | Jul       | Aug       | Sep          | Oct        | Nov       | Dec          | Jan        | Feb       | Mar          | Apr        | May        | Jun      | Fiscal YTD Charges | Planned Annual Charges | Current Balance | Projected Charges at 6/30 | Projected Variance Favorable (Unfavorable) Amount | %             |
|----------------------------------|-----------|-----------|--------------|------------|-----------|--------------|------------|-----------|--------------|------------|------------|----------|--------------------|------------------------|-----------------|---------------------------|---|---------------|
| <b>Board Expenditures</b>        | 0         | 3         | 422          | 451        | 2         | 1,032        | 147        | 1         | 1,326        | 135        | 780        | 0        | 4,250              | 4,665                  | 415             | 4,631                     | 34  | 0.7%          |
| <b>Board Administration</b>      | 13        | 12        | 18           | 6          | 13        | 20           | 8          | 14        | 20           | 8          | 23         | 0        | 155                | 201                    | 46              | 161                       | 40  | 20.1%         |
| <b>Administration of Exams</b>   | 0         | 0         | 0            | 0          | 0         | 0            | 0          | 0         | 0            | 0          | 0          | 0        | 0                  | 0                      | 0               | 0                         | 0   | 0             |
| <b>Enforcement</b>               | 0         | 0         | 0            | 0          | 0         | 0            | 0          | 0         | 0            | 0          | 0          | 0        | 0                  | 0                      | 0               | 0                         | 0   | 0             |
| <b>Legal Services</b>            | 0         | 0         | 0            | 0          | 0         | 0            | 40         | 0         | 0            | 0          | 0          | 0        | 141                | 3                      | -138            | 154                       | -151  | -4896.9%      |
| <b>Information Systems</b>       | 5         | 13        | 10           | 7          | 8         | 10           | 3          | 25        | 19           | 7          | 11         | 0        | 112                | 113                    | 1               | 121                       | -8  | -7.0%         |
| <b>Facilities / Support Svcs</b> | 3         | 3         | 4,576        | 2          | 3         | 8            | 3          | 2         | 4            | 3          | 3          | 0        | 4,620              | 53                     | -4,567          | 5,039                     | -4,987  | -9426.4%      |
| <b>Agency Administration</b>     | 9         | 9         | 15           | 5          | 10        | 14           | 4          | 8         | 13           | 5          | 14         | 0        | 105                | 124                    | 19              | 109                       | 14  | 11.7%         |
| <b>Other / Transfers</b>         | 0         | 0         | 0            | 0          | 0         | 0            | 0          | 0         | 0            | 0          | 0          | 0        | 0                  | 0                      | 0               | 0                         | 0   | 0             |
| <b>Total Charges</b>             | <b>29</b> | <b>41</b> | <b>5,041</b> | <b>472</b> | <b>37</b> | <b>1,093</b> | <b>303</b> | <b>46</b> | <b>1,382</b> | <b>158</b> | <b>781</b> | <b>0</b> | <b>9,383</b>       | <b>5,158</b>           | <b>-4,225</b>   | <b>10,214</b>             | <b>-5,056</b>                                     | <b>-98.0%</b> |

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- **Other Business**
  - **Board Member Training Conference-  
October 10-11, 2024, Williamsburg, VA**
- **Conflict of Interest Forms /Travel Voucher**
- **Adjourn**

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