

BOARD FOR BRANCH PILOTS

**Thursday, September 10, 2026 – 2:00 p.m.
Virginia Port Authority-Norfolk, VA**

**Department of Professional and Occupational Regulation
9960 Mayland Drive
Richmond, Virginia 23233**

Mission: Our mission is to protect the health, safety and welfare of the public by licensing qualified individuals and businesses enforcing standards of professional conduct for professions and occupations as designated by statute.

I. CALL TO ORDER

- a. Emergency Evacuation Procedures
- b. Determination of Quorum

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

- a. Branch Pilots Board Meeting, June 11, 2026

IV. WELCOME AND INTRODUCTIONS

V. PUBLIC COMMENT PERIOD *FIVE MINUTE PUBLIC COMMENT, PER PERSON*

VI. EDUCATION

- a. Exam Administrator's Update

VII. NEW BUSINESS

- a. 55' Project Update
- b. Virginia Pilotage Rates and Charges
- c. Finance Update
 - i. Financial Statement
- d. Regulatory Update
 - i. HB 1305 Amendment

VIII. OTHER BUSINESS

IX. COMPLETE CONFLICT OF INTEREST FORM AND TRAVEL VOUCHER

X. ADJOURNMENT

NEXT MEETING SCHEDULED FOR **THURSDAY, DECEMBER 10, 2026**

- ❖ Agenda materials made available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.
- ❖ Five-minute public comment, per person, with the exception of any open disciplinary or application file.
- ❖ Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-2785 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

DRAFT AGENDA

Materials contained in this agenda are proposed topics for discussion
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 11, 2026, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present:

Captain E. Waightstill Avery
I. Vincent Behm, Jr
Captain J.W. Whiting Chisman, III
Captain January N. Collins
Patrick B. McDermott
Christine N. Piersall
Captain Clarence M. Young

Board Members Aaron Anseeuw and President Captain Michael W. Coleman was not present at the meeting with regrets.

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

Laura McClintock, Director
Steve Kirschner, LRPD Director
Kate Nosbisch, Executive Director
Davon Jones, Administrative Coordinator

James Flarhty, Senior Assistant Attorney General with the Office of the Attorney General, was present in the absence of Elizabeth Peay.

Gaby Rengifo, BPOR Liaison, was not present at the meeting with regrets.

Member of the Audience included:

Tony Mazzeo, Maritime Law Department, Representative from Wood Rogers
Vandeventer Black PLC

Finding a quorum of the Board present, Captain Chisman, Vice President, called the meeting to order at 10:30 a.m.

Call to Order

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

Emergency Evacuation Procedures

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

Approval of Agenda

Ms. Piersall moved to approve the minutes from the March 12, 2026, Board meeting. Captain Avery seconded the motion which was approved by Messrs., Mme. and Captains: Avery, Behm, Chisman, Collins, McDermott, Piersall and Young.

Approval of Minutes

There was no public comment.

Public
Comment
Period

The Board reviewed a letter from Captain Saunders, regarding an incident on April 1, 2026, involving the M/V NEPTUN FURY.

On Wednesday April 01, 2026, Captain Saunders was ordered at 2000 to sail the M/V Neptun Fury (IMO# 9705718) at 2200 from Lambert's Point Terminals (Fairwinds) Pier N in Norfolk to Sea. The vessel is an Anchor Assist Tug with a length overall of 90'04" and a breadth of 32'10". Captain Saunders arrived on board the vessel at approximately 2100 and was met by the Captain. They conducted a Master-Pilot exchange during which time the Captain informed Captain Saunders that all navigational and propulsion equipment was fully operational. The Captain explained that he was not in a hurry to get underway and the Chief Mate would get the vessel underway when he arrived on the bridge for his watch.

Notification
Letter-
Captain
Saunders-
M/V NEPTUN
FURY

The Chief Mate arrived on the bridge to relieve the Captain at approximately 2125. The Chief Mate stated that the maximum draft of the vessel was 10'10". The vessel was starboard side alongside the bulkhead between Pier N and Pier L, with the bow facing Pier N. The wind was from a Southerly direction at a speed of 10-12 knots and gusting to 15 knots. Maximum flood current at Lambert's Point was predicted to occur at 1934 with a maximum speed of 0.71 knots. Slack current at Lambert's Point was predicted to take place at 2226. Current inside the basin where the vessel was docked was negligible.

The Chief Mate stated that he was ready to get underway and acknowledged the wind direction and the fact that it was holding the tug to the dock while the lines were being cast off from the bollards. Captain Saunders' assessment of the situation indicated that the tug had sufficient power and space to safely get underway and maneuver toward the channel. The Chief Mate appeared fit for duty and comfortable getting the tug underway. Captain Saunders agreed that they could get underway, which they did at 2137.

The Chief Mate proceeded to maneuver the tug to port, away from the bulkhead at 2138. All motion indicated that the vessel was moving safely away from the bulkhead until the Chief Mate maneuvered the stern to starboard which brought the stern back toward the bulkhead. The starboard quarter briefly touched a group of piles which were used as fender pilings along the bulkhead. Each group consists of three pilings

bolted together and fastened to the bulkhead with a bracket. The contact resulted in one out of the three pilings breaking above the waterline. There was no debris noted in the water and no other damage visible. No injuries were reported on the vessel or onshore. Once away from the piling, the vessel maneuvered toward the channel and on to Cape Henry without further incident.

Notification
Letter-
Captain
Saunders M/V
NEPTUN
FURY (Cont.)

Captain Saunders had a drug and alcohol test conducted at Acorn Health Care.

The File Review Committee and DPOR staff 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. Mr. McDermott moved to accept the recommendation, Mr. Behm seconded the motion which was approved by Messrs., Mme. and Captains: Avery, Behm, Chisman, Collins, McDermott, Piersall and Young.

Captain Avery provided the Board with a report of examinations conducted by the Exam Administrators Committee, noting the committee met in accordance with procedures and entered closed session for examinations on June 11, 2026. The following committee members were present, Captains: Avery, Chisman, Collins and Young.

Exam
Administrators'
Report

J. Alexander Hanna answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Sewell's Point, Lynnhaven and Cape Charles Anchorage, 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, and safe vessel speed.

J. Alexander Hanna successfully completed the oral examination with the Board for Branch Pilots Examining committee. After considering the results of the examination, the Examining Committee recommends J. Alexander Hanna for a raise in grade from a Charlie license (38,000 gross tons and 34 feet maximum draft) to a Delta license (45,000 gross tons and 36 feet maximum draft).

J. Alexander Hanna successfully completed the oral examination with the Board for Branch Pilots Examining committee. After considering the results of the examination Captain Avery moved J. Alexander Hanna for a Charlie license (38,000 gross tons and 34 feet maximum draft) to a Delta license (45,000 gross tons and 36 feet maximum draft). Ms. Piersall seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Chisman, Collins, McDermott, Piersall and Young.

Mark S. Anderson answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Sewell's Point, Lynnhaven and Cape Charles Anchorage, 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, and safe vessel speed.

Exam
Administrators'
Report (CONT.)

Mark S. Anderson successfully completed the oral examination with the Board for Branch Pilots Examining committee. After considering the results of the examination, the Examining Committee recommends Mark S. Anderson for a raise in grade from a Charlie license (38,000 gross tons and 34 feet maximum draft) to a Delta license (45,000 gross tons and 36 feet maximum draft).

Mark S. Anderson successfully completed the oral examination with the Board for Branch Pilots Examining committee. After considering the results of the examination, Captain Avery moved Mark S. Anderson Charlie license (38,000 gross tons and 34 feet maximum draft) to a Delta license (45,000 gross tons and 36 feet maximum draft). Mr. McDermott seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Chisman, Collins, McDermott, Piersall and Young.

Captain Chisman addressed the board regarding delays in the processing of federal maritime credentials caused by United States Coast Guard application backlogs following federal government shutdowns. These delays have the potential to postpone the advancement of limited branch pilots seeking full licensure in Virginia. The board discussed possible options, including conditional approvals and emergency regulatory actions, while emphasizing the importance of maintaining existing professional standards and credential requirements. Staff and legal counsel will continue evaluating available regulatory solutions should the issue persist.

Request of
Expedite the
Processing of
Credentials

Captain Chisman advised of the 2027 Board for Branch Pilots Upgrade Schedule:

**2027 Board
for Branch
Pilots Upgrade
Schedule**

2027 UPGRADE SCHEDULE

DATES BELOW ARE WHEN APPRENTICES/LIMITED BRANCH PILOTS
BECOME ELIGIBLE FOR ORIGINAL OR LIMITED BRANCH LICENSE
UPGRADE

March 11, 2027 (Thursday)	8:30 (EXAM)	Anderson Hanna Sinisi	Foxtrot Foxtrot Charlie
	2:00 (MEETING)		
June 15, 2027 (Tuesday)	8:30 (EXAM)	Sinisi	Delta
	10:30 (MEETING)		
Sept. 14, 2027 (Tuesday)	8:30 (EXAM)	Anderson Hanna Sinisi Evans Kahler	Golf Golf Echo Alpha Alpha
Sept. 15, 2027 (Wednesday)	10:30 (MEETING)		
Dec. 6, 2027 (Monday)	9:00-4:00	Renewals – Va. Pilot Assoc.	
Dec. 7, 2027 (Tuesday)	9:00-4:00	Renewals – Va. Pilot Assoc.	
Dec. 14, 2027 (Tuesday)	8:30 (EXAM)	Evans Kahler Masterson Trader	Bravo Bravo Alpha Alpha
	2:00 (MEETING)		

Mr. Kirschner provided the Board with an update on the House Bill 1305 Amendment and presented proposed regulatory amendments resulting from the recent legislation. The amendments would provide the Board with a new disciplinary option to take cases under advisement rather than immediately imposing disciplinary action. Under this authority, minor violations may be resolved through a conditional compliance period, after which cases may be dismissed without a disciplinary record if all conditions are successfully met.

**Regulatory
Update**

Mr. Behm moved to approve the amendment as presented and authorized staff to file the exempt regulatory action and make any necessary technical or stylistic corrections. Mr. McDermott seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Chisman, Collins, McDermott, Piersall and Young.

**Regulatory Update
(Cont.)**

Mr. Kirschner presented an overview of the board's financial status and discussed the need for future fee adjustments to ensure long-term fiscal sustainability. The board currently operates with a negative cash balance and relies on temporary funding support from other boards within the agency.

Fee Update

Director McClintock explained that recent legislative changes will significantly streamline the fee adjustment process, reducing implementation timelines from several years to approximately six months. A comprehensive review of fee structures, operating costs, and comparisons with other states is underway, with a formal fee proposal expected at a future meeting. The board was advised that future fee adjustments will be reviewed more regularly to account for inflation and maintain financial stability.

Captain Chisman informed the Board that the Virginia Marine Association will host its International Trade Symposium in Norfolk, Virginia, from October 13–15, 2026. He encouraged Board members to be aware of the event and consider attending due to its significance to the maritime industry.

VMA26

Ms. Nosbisch informed the Board that the Virginia Department of Professional and Occupational Regulation will host its Board Member Training Conference on October 22–23, 2026, at the Conference Center located at 6690 Mayland Drive, Richmond, Virginia. Board members were advised that Save the Date notifications had been distributed via email and that additional information will be provided as it becomes available.

**Board
Member
Training
Conference**

Mr. McDermott and Captain Chisman updated the Board on the upcoming Sail250 celebration and related maritime activities. The event will include an international parade of sailing vessels, participation from numerous Virginia branch pilots, and coordinated operations involving the Port of Virginia, the United States Coast Guard, the United States Navy, and international partners. Board members were informed of the extensive planning efforts and anticipated operational impacts associated with the celebration.

**Other
Business**

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

**Conflict of
Interest Forms
and Travel
Vouchers**

The meeting adjourned at 11:30 a.m.

Adjourn

Michael W. Coleman, President

Laura V. McClintock, Secretary

DRAFT AGENDA
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DRAFT AGENDA

[illegible]

Cash Below Zero

Cash receipts

Cash paid out

[illegible]

Project 8714 - Exempt Final

Board For Branch Pilots

HB 1305 Amendment (Board for Branch Pilots Disciplinary Powers)

18VAC45-20-40. Grounds for denial of licensure, denial of renewal, or discipline.

A. The board shall have the authority to deny initial licensure to, deny an extension of license to, or deny renewal of license to as well as to discipline, pursuant to § 54.1-902 of the Code of Virginia, existing licensees, whether limited or not, for the following reasons:

1. Having been convicted or found guilty, regardless of adjudication, in any jurisdiction of the United States of any felony or a misdemeanor involving fraudulent or dishonest acts or any alcohol-related or drug-related offense, there being no appeal pending therefrom or the time for appeal having elapsed.

Any plea of nolo contendere shall be considered a conviction for the purposes of this subdivision. The record of a conviction certified or authenticated in such form as to be admissible in evidence of the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such conviction.

2. Failing to inform the board in writing within seven calendar days of pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor involving fraudulent or dishonest acts or any alcohol-related or drug-related offense.

3. Failing to report to the board in writing any reports of the National Transportation Safety Board involving the licensee or the results of any disciplinary action taken by the U.S. Coast Guard against the licensee within seven calendar days of that report or action.

23 4. Refusing or in any other way failing to carry out an order from the pilot officers for
24 reasons other than the public health, safety, or welfare.

25 5. Negligence or misconduct in the performance of duties.

26 6. Violating or cooperating with others in violating any provision of Chapter 9 (§ 54.1-900
27 et seq.) of Title 54.1 of the Code of Virginia or any regulation of the board.

28 7. Failing to immediately file with the president or vice president of the board, with a copy
29 to the board administrator, a complete written account of any violation of the statutes of
30 Virginia or of the United States relating to pilotage or failing to report in writing to the
31 president or vice president of the board, with a copy to the board administrator, an
32 account of all collisions, groundings, or other maritime mishaps of any description that
33 may occur during the discharge of the pilot's duties. This report shall be received no later
34 than seven days after such an incident.

35 8. Failing to report to the board any physical or mental condition that may affect the
36 licensee's ability to perform the duties of a pilot. Such reports shall be provided within
37 seven calendar days of the onset of the condition.

38 9. Refusing to comply with the board's requirement for a chemical test. Such test is
39 required:

40 a. Immediately and no later than 12 hours after involvement in a collision, grounding,
41 or other incident resulting in personal injury, death, environmental hazard, or
42 property damage in excess of \$100,000;

43 b. In any instance in which the board has reasonable cause to believe there is
44 evidence of impaired performance and a test is necessary to protect the public
45 health, safety, or welfare; or

46 c. Under the provisions of 18VAC45-20-50.

Refusing to comply with this requirement of ~~subdivisions~~ subdivision 9 a or 9 b of this section may result in summary suspension of the pilot's license in accordance with § 54.1-902 of the Code of Virginia.

10. Failing to send proof of any test required by subdivision 9 of this section to the president or vice president of the board, with a copy to the board administrator, within 48 hours of the administration of the test.

11. Reasonable cause by the board to believe there is a threat to the public health, safety, or welfare based on evidence of impaired performance or substance abuse or a positive chemical test. Such a finding may result in summary suspension of the pilot's license in accordance with § 54.1-902 of the Code of Virginia.

12. Performing or attempting to perform any of the duties of the licensee's office or job while:

a. Under the influence of illegal drugs; or

b. Under the influence of alcohol, marijuana, or any medication (controlled substance or otherwise) to the extent that the licensee was unfit for the performance of the duties or the licensee's office or job.

13. Failing to comply with any of the provisions of 18VAC45-20-50.

B. In accordance with § 54.1-902 of the Code of Virginia, discipline by the board may include (i) imposition of a monetary penalty, (ii) suspension of a license, (iii) placing a licensee on probation, (iv) failing to renew a license, or (v) revocation of a license. The board may also take a case against a licensee under advisement as provided for in § 54.1-201 A 7 of the Code of Virginia.