

**BOARD FOR BRANCH PILOTS MEETING
MINUTES**

The Virginia Board for Branch Pilots met on Wednesday, October 31, 2012, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present:

Captain Robert H. Callis, III
Captain J. William Cofer
Captain Milton B. Edmunds
Thomas P. Host, III
Patrick B. McDermott
Captain John A. Morgan, Jr.
Christine N. Piersall
Meade G. Stone, Jr.

Board member Charles R. Amory, Jr. was not present for the meeting.

Staff present for the meeting was:

Kathleen (Kate) R. Nobsch, Executive Director

There was no representative from the Office of the Attorney General present.

Finding a quorum of the Board present, Mr. Stone, President, called the meeting to order at 10:39 a.m.

Call to Order

Ms. Nobsch informed the Board that former Board member, Bruce R. Cherry, sends his regrets, that he would not be able to attend the meeting today and receive his resolution. Ms. Nobsch also informed the Board that Mr. Dixon and Mr. Lief were not able to attend, and sent their regrets.

**Approval of
Agenda**

Mr. Host moved to approve the agenda as amended. Captain Cofer seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Morgan, Piersall and Stone.

Mr. McDermott moved to approve the minutes from the September 13, 2012, board meeting. Captain Cofer seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Morgan, Piersall and Stone.

**Approval of
Minutes**

Captain Cofer introduced Paul Ledoux, Chief Investigator for the U.S. Coast Guard Sector Hampton Roads. Mr. Ledoux stated that he was in attendance to obtain a better understanding of how the Board and the pilots work together. He shared that the Coast Guard and the pilots have a great working relationship and the Coast Guard takes appropriate corrective (not punitive) action against credentialed mariners after investigation.

**Public Comment
Period**

The Board reviewed a letter from Captain William G. Saunders, Jr., regarding an incident on August 28, 2012, involving the M/V KAN KALKAVAN.

**Captain William
G. Saunders, Jr. –**

M/V KAAN
KALKAVAN

On Tuesday, August 28, 2012, Captain Saunders was ordered to board the M/V KAAN KALKAVAN at Cape Henry at 1600, and pilot her to Norfolk International Terminals (NIT), Container Berth 4. Berthing instructions were to position the ship starboard side alongside with the bow at the 3200' mark on the pier. The M/V KAAN KALKAVAN (IMO 9365879) is a container vessel with a length overall of 600'04", and a breadth of 91'11". Her draft was 24'00". The ship is equipped with a bow thruster of 1000 hp and a stern thruster of 1200 hp.

Captain Saunders boarded the vessel at Cape Henry at 1555. Weather was calm with winds of 5 knots out of the NNW and the current was flooding. The captain of the ship declined tug boats for berthing and wished to dock the vessel himself. The ship arrived off of Sewell's Point Jetty in Norfolk, VA at 1710. At 1730, Captain Saunders turned the ship to port to enter the South Container Berth area of NIT, bow first, with Buoy "13" (Norfolk Harbor Reach) on the port beam. The vessel's Speed Over Ground (SOG) was 5 knots, and winds were NNW at 8-10 knots. Intentions were to enter the berthing area and turn the vessel around to facilitate a starboard side docking as Captain Saunders had done many times before.

At 1734, NIT Buoy "2S" was on the starboard beam and the vessel's SOG was 4 knots. Captain Saunders ordered the ship to slow astern to reduce SOG. Immediately following that order, Captain Saunders ordered the engine dead slow astern and then stop as the SOG quickly reduced to 3.5 knots. The ship's Course Over Ground (COG) was 127° True toward the desired turning position. At this time, the wind gusted to 25-28 knots out of the NNW, pushing the vessel south toward NIT buoy "4S". Captain Saunders ordered the vessel half ahead to increase SOG which would allow the vessel to clear the buoy. At this point, Captain Saunders noticed the engine appeared to be at half astern and the captain and crew were speaking in Turkish, which he could not understand. Captain Saunders again ordered the engine to half ahead, and the mate controlling the engine stated that the engine was at half ahead. Only then did Captain Saunders see the engine order indicator move from astern to stop. Captain Saunders then ordered the stern thruster full to port to lift the starboard quarter away from the buoy. The thruster position indicator showed that this command was followed. At this time, contact with buoy "4S" on the starboard quarter of the ship was imminent, and Captain Saunders ordered the engine to remain stopped in an attempt to prevent wrapping the buoy around the propeller shaft. At 1738, the starboard quarter of the ship came in contact with NIT buoy "4S". At 1739, the buoy was clear of the ship, winds were 10-15 knots out of the NNW, and the ship's engine was ordered slow ahead to proceed toward the berth. The buoy appeared to be unharmed, and the ship reported that there was no damage to the ship, with all equipment working properly.

The captain then took the con and docked the vessel as planned. The vessel was alongside at 1805. At this point Captain Saunders noticed NIT buoy

“4S” appeared to be out of position and drifting to the South, and notified the U.S. Coast Guard of the situation.

Discussion was held regarding the M/V KAAN KALKAVAN incident. The Board requested that Ms. Nosbisch contact Captain Saunders, asking him to provide information for the additional questions they have regarding this matter. Captain Saunders’ response will be discussed at the December 11, 2012, Board meeting.

Mr. Host recused himself from the meeting and left the room as his company, T. Parker Host, Inc., was the agent for the ship involved in the incident letter from Captain Saunders.

**Recusal of Mr.
Host**

The Board reviewed a letter from Captain William G. Saunders, Jr., regarding an incident on, September 21, 2012, involving the M/V COLCHESTER CASTLE.

**Captain William
G. Saunders, Jr. –
M/V
COLCHESTER
CASTLE**

On September 21, 2012 Captain Saunders boarded the M/V COLCHESTER CASTLE (IMO 9137428) at 0345 to get the ship underway from G-4 anchorage at Sewell’s Point in Hampton Roads, and proceed to Elizabeth River Terminal (ERT) on the Southern Branch of the Elizabeth River. The ship was to pick up McAllister tugboats and docking master at Hospital Point, and dock starboard side to ERT Pier 2. The M/V COLCHESTER CASTLE is a bulk cargo ship with a length overall of 623’04”, breadth of 101’08”, and tonnage of 27,552 gross tons. She is equipped with a right-handed, fixed pitch propeller, and a typical 35° rudder. Her draft for the transit was 21’04”. Captain Saunders explained to the captain prior to getting underway that they would meet the tugboats at Hospital Point at 0515, where a docking master would come onboard, and with the captain’s permission, the docking master would make tugboats fast to his ship and take the ship’s con for the remainder of the trip, as was the normal procedure. He stated that he understood and agreed.

The tugboats Susan McAllister (twin screw, 2400 hp) and Steven McAllister (tractor tug, 4000 hp), along with Docking Master Harold Costner met the ship at Hospital Point at 0515. Captain Saunders relayed to the Docking Master that ship’s draft was 21’04”, and that she was on dead slow ahead with a speed over ground of 5 knots and a fair current. The Susan McAllister made her line fast on the starboard bow of the ship, the Steven McAllister followed behind the ship, and the Captain relieved me of the con, giving the con to the Docking Master. From that point, the ship proceeded down the Southern Branch, arriving off of Money Point at 0620. Winds were out of the NW at less than 5 knots, and the current was ebbing at an estimated 0.3 kts. The ship was stopped and turned to starboard in the turning basin so that it could proceed astern for the next 0.5 nm to the berth to facilitate a starboard side docking. The Steven McAllister made her line fast on the port quarter. The Susan McAllister’s line was released from the starboard bow, as the Docking

Master intended to control the bow of the ship by working either side of the ship's bow with the Susan.

At 0640, the ship was backing between Money Point and ERT Pier 1 at a speed of 1.8 kts. The captain and Docking Master were standing on the starboard bridge wing. Captain Saunders was positioned between the starboard bridge wing and the helm to insure that engine and rudder commands to the ship from the Docking Master were followed. The Docking Master ordered the Susan to work ahead on the starboard stem to push the bow to the south, away from ERT Pier 1. The Susan is a small tug and they could not visually see the tug's position, as the view was blocked by the bow. The bow of the ship moved closer to Pier 1 and the Docking Master ordered the Susan to work full ahead on the starboard stem. As he did this, he asked the Susan's captain to confirm that the tug was working on the starboard side pushing the bow away from the pier. The tug's captain responded that they were on the starboard stem, and reaffirmed this more than once. Only after the tug's engines were working full ahead, could I see from the port bridge wing the tug's propeller wash coming from the port bow, indicating that the tug was pushing on the port bow instead of the starboard bow. The Docking Master then stopped the Susan, however, at this point the Susan could not get herself between Pier 1 and the ship to prevent the ship from striking the fender on the East end of Pier 1. The Steven McAllister was ordered to full ahead on the port quarter to attempt to twist the bow away from the Pier.

At 0650, the starboard bow of the ship struck the roller fender on the East end of ERT Pier 1 with 1.0 knot of sternway. The roller fender, designed primarily to allow the ship to roll down the pier, compressed enough to allow the ship to strike the steel piling that the fender was attached to. This impact created an approximately 6' horizontal opening in the bow, under the forecastle, approximately 15' above the waterline. There did not appear to be any damage to the pier. Once clear of the end of the pier, the Susan was able to maneuver around to the starboard bow. Docking Master Costner regained control of the vessel, and docked the M/V COLCHESTER CASTLE at ERT Pier 2.

After review and discussion, Captain Cofer moved 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. McDermott seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, McDermott, Morgan, Piersall and Stone.

Mr. Host returned to the meeting.

Captain Callis provided the Board with a report of the examinations conducted by the Examination Administrators on October 31, 2012. The following report was made:

**Return of Mr.
Host**

**Exam
Administrators
Report**

Christopher H. Behm

Christopher H. Behm answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven, Sewell's Point and Newport News, overtaking situations, bank suction and cushion, under keel clearance, efficient use of bow and stern thrusters, timed arrivals and safe vessel speed. Captain Behm stood a good examination and was found to be qualified. Captain Callis moved that Captain Behm be raised from an Alpha classification (16,000 gross tons and 25 feet maximum draft) to a Bravo classification (25,000 gross tons and 28 feet maximum draft). Mr. Host seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Morgan, Piersall and Stone.

Gregory R. Willson

Gregory R. Willson answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven, Sewell's Point and Newport News, overtaking situations, bank suction and cushion, under keel clearance, efficient use of bow and stern thrusters, timed arrivals and safe vessel speed. Captain Willson stood a good examination and was found to be qualified. Captain Callis moved that Captain Willson be raised from an Alpha classification (16,000 gross tons and 25 feet maximum draft) to a Bravo classification (25,000 gross tons and 28 feet maximum draft). Mr. Host seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Morgan, Piersall and Stone.

Mr. McDermott moved to adopt the following meeting and examination dates for 2013:

**Consideration of
2013 Meeting
Dates**

January 31, 2013, Examination Administrators Meeting;
February 1, 2013, Branch Pilots Board Meeting;
March 13, 2013, Examination Administrators Meeting and Branch Pilots Board Meeting;
April 30, 2013, Examination Administrators Meeting and Branch Pilots Board Meeting;
June 12, 2013, Examination Administrators Meeting and Branch Pilots Board Meeting;
July 30, 2013, Examination Administrators Meeting;
July 31, 2013, Branch Pilots Board Meeting;
September 12, 2013, Examination Administrators Meeting and Branch Pilots Board Meeting;
December 10 & 11, 2013, Renewals; and
December 17, 2013, Branch Pilots Board Meeting.

Captain Callis seconded the motion which was unanimously approved by

Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Morgan, Piersall and Stone.

Captain Cofer explained that extra meetings were scheduled to accommodate the exam administration to two apprentice pilots that were injured in the past year.

Captain Cofer requested the review of the apprenticeship program be deferred to the December 11, 2012 Board meeting, as there may be potential change to the program based on the increasing size of ships. Additionally, Captain Cofer provided a presentation on the history of the port and discussed the changing size of ships, the needs of the port to accommodate them and the ongoing discussions of port privatization.

**Review of
Virginia Pilot
Association's
Apprenticeship
Program**

Board members were provided a copy of the proposed regulations for review. Ms. Nosbisch informed the Board that the Governor's review of the regulations was completed September 21, 2012. The regulations were published on Town Hall by the Register October 22, 2012, for public comment. Public comment will end November 21, 2012, and the regulations will take effect December 1, 2012.

**Regulatory
Review Update**

Ms. Nosbisch updated the Board on the Walter Hugh McCrory, Jr. appeal, stating that Mr. McCrory had filed a petition for appeal and the Board filed a brief in opposition. Board Counsel is waiting for the Supreme Court's response.

**Update on Walter
Hugh McCrory,
Jr. Appeal**

Ms. Nosbisch requested a report on Hurricane Sandy, with regards to the Port of Hampton Roads. Captain Cofer stated that there were winds 55 - 60 knots, sea lanes and the port were closed late Saturday night and reopened Tuesday early afternoon. The Port Captain had two Coast Guard navigation vessels survey the buoys before the port reopened, a NOAA boat performed a quick survey of the bottom of the channel to ensure there was no shoaling from the storm. There were 12 ships in Cape Charles riding out the hurricane. Captain Cofer acknowledged that Hampton Roads has a great port community. Captain Edmunds stated there were many people to thank for their efforts including the Coast Guard, the Captain of the Port and the Virginia Pilot Association staff.

Other Business

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

**Conflict of
Interest Forms**

There being no further business, the meeting was adjourned at 11:56 a.m.

Adjourn



Meade G. Stone, Jr., President



Gordon N. Dixon, Secretary

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: Milton B. Edmunds
- 2. Title: Board Member
- 3. Agency: Board for Branch Pilots
- 4. Meeting/IFF Date: Board Meeting October 31, 2012

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

Nature of Personal Interest Affected by Transaction:

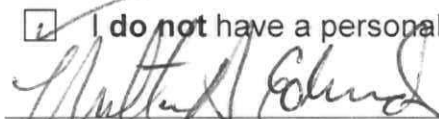
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

10/31/12
Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Thomas P. Host, III
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting October 31, 2012

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

Nature of Personal Interest Affected by Transaction:

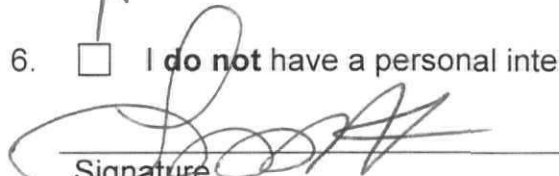
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

10-31-12
Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: John A. Morgan, Jr.
- 2. Title: Board Member
- 3. Agency: Board for Branch Pilots
- 4. Meeting/IFF Date: Board Meeting October 31, 2012

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:

VA PILOT ASSOC.

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.

John A. Morgan Jr
Signature

Oct 31, 2012
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 October 31, 2012

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

N/A

Nature of Personal Interest Affected by Transaction:

N/A

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

N/A

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

10/31/2012

Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: J. William Cofer
- 2. Title: Board Member
- 3. Agency: Board for Branch Pilots
- 4. Meeting/IFF Date: Board Meeting October 31, 2012

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

10-31-12

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 October 31, 2012

5. I have a personal interest in the following transaction: *None*
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-

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

Patrick B. McDermott

Date

10/31/2012

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Meade G. Stone, Jr.
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting October 31, 2012

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

NONE

Nature of Personal Interest Affected by Transaction:

NONE

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

10-31-2012
Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: Robert H. Callis, III
- 2. Title: Board Member
- 3. Agency: Board for Branch Pilots
- 4. Meeting/IFF Date: Board Meeting October 31, 2012

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:

Vac. Pilot Assn.

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.

Robert H. Callis
Signature

10/31/12
Date