

**BOARD FOR BRANCH PILOTS MEETING
MINUTES**

The Virginia Board for Branch Pilots met on Thursday, September 15, 2017, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present:

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

Board staff present for all or part of the meeting:

Kathleen R. Nobsch, Executive Director

Agency staff present for all or part of the meeting:

Jay W. DeBoer, Director

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

Finding a quorum of the Board present, Mr. Stone, President, called the meeting to order at 10:33 a.m.

Call to Order

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

**Safety
Evacuation
Instructions**

Ms. Nobsch announced she received a letter dated August 29, 2017 from Mr. Amory resigning from Board service. She notified Presiding Judge, Chief Judge Christopher Hutton of Hampton Circuit Court of Mr. Amory's resignation and indicated the upcoming meetings were scheduled for September 15, 2017 and December 15, 2017.

Announcements

There were a large number of guests in the audience to witness the three newest alpha pilots receiving their initial licenses. Guests were asked to introduce themselves to the Board.

Introductions

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

**Approval of
Agenda**

Captain Callis moved to approve the minutes from the June 15, 2017 Board meeting. Captain Morgan seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Chisman, Cofer, Host, McDermott, Morgan, Piersall, and Stone.

Approval of Minutes

Captain Chisman moved to approve the minutes from the July 25, 2017 Emergency Board meeting. Captain Callis seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Chisman, Cofer, Host, McDermott, Morgan, Piersall, and Stone.

There were no public comments.

Public Comment

Captain Cofer made a few brief remarks on behalf of the Virginia Pilot Association (VPA). He stated VPA is proud to have three new pilots who stood exam and are ready for Board consideration of their alpha licenses. Captain Cofer informed the Board that the VPA's excellent apprenticeship program creates world class seamen. The VPA, the Board for Branch Pilots, and the Commonwealth of Virginia can be proud.

Exam Administrators Report

Captain Callis provided the Board with a report of examinations conducted by the Exam Administrators on September 14, 2017. The following report was made:

Richard Austin Lyons

Richard Austin Lyons answered oral questions related to the initial license. The subjects included courses and distances from CB Buoy to Town Point and to the James River Bridge, a description of transiting the Southern and Eastern Branches of The Elizabeth River, local traffic, safe anchoring positions in Lynnhaven, Sewell's Point and Newport News, anchoring techniques, docking and undocking situations with, and without towboats, meeting and overtaking situations, pilot/dockmaster relationship, emergency ship handling, use of the auxiliary channel, bank cushion and suction, under keel clearance, safe vessel speed, the master/pilot exchange of information, vessel and terminal security, state and federal regulations, the duties of a Branch Pilot, prescription drugs and the role of the MRO (medical review officer) and reportable incidents. Richard Austin Lyons also successfully completed a chartlet demonstrating his spatial awareness of major aids to navigation and their relationship to land. Mr. Lyons stood a good examination and was found qualified. Captain Callis moved that Mr. Lyons be granted a limited branch pilot license with an Alpha classification (21,000 gross tons with a 27' draft). Richard Austin Lyons has successfully completed the first two years of the Virginia Pilot Association apprenticeship program. Captain Morgan seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Chisman, Cofer, Host, McDermott, Morgan, Piersall, and Stone. Mr. Stone presented Captain Lyons with his license and congratulated him on his accomplishment.

Ryan Robert Nienstedt

Ryan Robert Nienstedt answered oral questions related to the initial license. The subjects included courses and distances from CB Buoy to Town Point and to the James River Bridge, a description of transiting the Southern and Eastern Branches of The Elizabeth River, local traffic, safe anchoring positions in Lynnhaven, Sewell's Point and Newport News, anchoring techniques, docking and undocking situations with, and without towboats, meeting and overtaking situations, pilot/dockmaster relationship, emergency ship handling, use of the auxiliary channel, bank cushion and suction, under keel clearance, safe vessel speed, the master/pilot exchange of information, vessel and terminal security, state and federal regulations, the duties of a Branch Pilot, prescription drugs and the role of the MRO (medical review officer) and reportable incidents. Ryan Robert Nienstedt also successfully completed a chartlet demonstrating his spatial awareness of major aids to navigation and their relationship to land. Mr. Nienstedt stood a good examination and was found qualified. Captain Callis moved that Mr. Nienstedt be granted a limited branch pilot license with an Alpha classification (21,000 gross tons with a 27' draft). Ryan Robert Nienstedt has successfully completed the first two years of the Virginia Pilot Association apprenticeship program. Mr. Host seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Chisman, Cofer, Host, McDermott, Morgan, Piersall, and Stone. Mr. Stone presented Captain Nienstedt with his license and congratulated him on his accomplishment.

Timothy Delaney Oksman

Timothy Delaney Oksman answered oral questions related to the initial license. The subjects included courses and distances from CB Buoy to Town Point and to the James River Bridge, a description of transiting the Southern and Eastern Branches of The Elizabeth River, local traffic, safe anchoring positions in Lynnhaven, Sewell's Point and Newport News, anchoring techniques, docking and undocking situations with, and without towboats, meeting and overtaking situations, pilot/dockmaster relationship, emergency ship handling, use of the auxiliary channel, bank cushion and suction, under keel clearance, safe vessel speed, the master/pilot exchange of information, vessel and terminal security, state and federal regulations, the duties of a Branch Pilot, prescription drugs and the role of the MRO (medical review officer) and reportable incidents. Timothy Delaney Oksman also successfully completed a chartlet demonstrating his spatial awareness of major aids to navigation and their relationship to land. Mr. Oksman stood a good examination and was found qualified. Captain Callis moved that Mr. Oksman be granted a limited branch pilot license with an Alpha classification (21,000 gross tons with a 27' draft). Timothy Delaney Oksman has successfully completed the first two years of the Virginia Pilot Association apprenticeship

program. Ms. Piersall seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Chisman, Cofer, Host, McDermott, Morgan, Piersall, and Stone. Mr. Stone presented Captain Oksman with his license and congratulated him on his accomplishment.

Captain Cofer indicated that Mr. Lyons and Mr. Oksman completed their training at the United States Merchant Marine Academy. Mr. Nienstedt completed his training at the Virginia Military Institute. During their tenure as apprentices, each apprentice has been on well over 600 ships.

The Board recessed from 10:50 a.m. until 11:09 a.m. for the Board and guests to review the Alpha Pilots charts.

Recess

The Board reviewed a letter from Captain Thomas D. Rutter, regarding an incident on June 29, 2017, involving the *M|V Mallika Naree*.

Notification
Letter – Captain
Thomas D.
Rutter – M|V
Mallika Naree

On June 29, 2017, Captain Rutter boarded the inbound *M|V Mallika Naree* at 1100. The bulk carrier was bound for Seagate Terminal on the Southern Branch of the Elizabeth River. The conditions were sunny with a southwest wind. At boarding it was at the end of the ebb current. Max flood at Old Port Comfort was at 1301. Upon boarding Captain Rutter conducted the Master/Pilot exchange, including reviewing the pilot card. The ship was 178 meters long with a beam of 28 meters. The draft was 8.7 meters aft and 8.3 meters forward.

The *Mallika Naree* proceeded inbound a NavFull making about 12.8 knots over ground. At 12:14 Captain Rutter ordered the engine reduced to full ahead. As the *Mallika Naree* was passing Old Point Comfort at 12:30 Captain Rutter ordered a further reduction to half ahead. At 12:39 he ordered slow ahead and 10 degrees port rudder to turn in to Norfolk Harbor Reach. The *Mallika Naree* speed was approximately 10.8 knots.

At 12:40 the generator lost power which also caused the engine to stop. Captain Rutter immediately ordered hard starboard, but the steering was also not working. The helm remained at 10 degrees port.

Captain Rutter immediately gave a security call. He called the outbound ATB Barbara Carol Ann Moran of the *Mallika Naree*'s condition. He then called Moran for assistance and then notified the Naval Base Port Operations of situation. As the ship was continuing towards the eastside of the channel the *Mallika Naree* dropped the starboard anchor at about 12:44. (This does not agree with the ships logbook time of 12:50.) The anchor was dropped at the edge of the east channel edge with 8 shots (720 feet) of chain. The anchor

was dropped in deep water prior to reaching the shallow water to prevent possible damage from running over it.

The vessel made contact with and ran over Buoy 5 and then grounded in the soft mud to the east of the channel.

At about 12:50 Captain Rutter called Sector Hampton Roads. At 13:05 Docking Master Brant Jackson boarded the ship via the Pilot Launch Norfolk which was in the area at the time. Two Moran tugs arrived shortly after. The stern of the ship was floating at the edge of the old 45 foot channel. Captain Rutter had a Coast Guard patrol boat check the draft and depth of water on the bow. They reported the bow, which was drawing about 28 feet, was in 30 feet of water. Accordingly, it appeared that the ship was mostly aground amidships.

At about 14:50 the Coast Guard gave approval to attempt refloating the ship. The ship would swing right and left but at first only moved about 10 feet. The reported bit strength on the after bits limited the tugs' ability to use more than 45 tons pull. Later they found out that the bits forward of the gangway had 62 tons capacity. After moving both tugs' line to these bits the tugs were able to free the ship. At about 15:10 the ship came off and re-floated. They had some difficulties raising the anchor but they were clear and in the channel at about 15:35. Once clear, they were directed by the Coast Guard to go to the Golf anchorages. The ship dropped the anchor in G3 at about 16:15.

At 17:10 Captain Rutter disembarked the ship and proceeded to have both a Federal and a State drug tests which were completed at 17:56.

Accompanying the report was a chartlet showing the location of the *M/V Mallika Naree* where it grounded at Norfolk Harbor Reach.

After review and discussion, Mr. Host 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, Chisman, Cofer, Host, McDermott, Morgan, Piersall, and Stone.

Mr. Stone read the following resolution:

RESOLUTION IN HONOR OF
Charles R. Amory, Jr.

Resolution of
Charles R.
Amory, Jr.

WHEREAS, Charles R. Amory, Jr. did faithfully and diligently serve as a member of the Virginia Board for Branch Pilots from May 2010 to September 2017; and

WHEREAS, Charles R. Amory, Jr. did devote generously of his time, talent and leadership to the Board; and

WHEREAS, Charles R. Amory, Jr. 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 fifteenth day of September 2017, that the Virginia Board for Branch Pilots expresses its utmost regard and respect for Charles R. Amory, Jr. and his professional legacy 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 Charles R. Amory, Jr..

The Board approved the resolution by consensus. Ms. Nusbisch informed the Board that Mrs. Amory sent her regrets that Mr. Amory could not attend in person to receive his resolution.

Captain Cofer announced, effective September 13, 2017, Captain B. Keith Hudgins retired. He began the apprenticeship thirty years ago; he served on the Virginia Pilot Association's Board of Directors and the Millennium Committee, and was Chairman of the Apprenticeship Committee.

**Retirement of
Captain B. Keith
Hudgins**

Financial statements were provided to the Board for informational purposes. The Board is in a good financial position, and there are no fee increases expected in the foreseeable future.

**Financial
Statements**

Mr. McDermott provided an update on the Maritime Symposium. Aubrey Layne, Jr., Secretary of Transportation for the Commonwealth of Virginia was the guest speaker. There was a great deal of discussion about supply chains, roles of trains and trucks moving goods from the port west bound, and the Virginia port being instrumental in commerce and trade. Mr. Stone stated there was so much learned, not only from the presenters, but from questions from the floor. He stated it was the best event of the year, and thanked the Director for the opportunity to attend.

**Maritime
Symposium
Update**

The Board also reviewed the article from the Port of Virginia website announcing the visit of the largest ship, the *Theodore Roosevelt* at 1,200 feet long on August 28, 2017.

**Article from The
Port of Virginia
website**

The Board also discussed the Alliance Shipping Companies comprised of Costco, Evergreen and OOCL. It is a challenge for these large ships to go through Thimble Shoal Channel which can cause a one hour delay for water traffic. The channels of Virginia will eventually be 55 feet deep which will allow more large ship traffic.

Ms. Nosbisch also shared an article from the Virginia Business magazine regarding another ultra-large container vessel (ULCV) *OOCL Malaysia*, at 1,200 feet long with a capacity of 13.2-8 TEUs that included an article quoting Pilot Jan Collins and Captain Cofer.

Captain Chisman stated he has participated in many simulations. The Virginia Pilot Authority (VPA) is hoping for a 1200 foot channel, but that is up to the Army Corps of Engineers. Savannah and Charleston have environmental issues: they cannot make their channels wider, but they can make them deeper.

Other Business


Captain Callis requested a list be prepared by staff of previous Board members who have presided over Informal Fact Finding (IFF) conferences. The Board agreed by consensus the President of the Board will be involved in selecting the Board members for future IFFs.

Conflict of Interest forms were completed by all members present.

Conflict of Interest Forms

There being no further business, the meeting was adjourned at 11:44 a.m.

Adjourn



Meade G. Stone, Jr., President



Jay W. DeBoer, Secretary

**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 September 15, 2017
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:

Virginia Pilot Association

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, III
Signature

9/15/17
Date

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

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

1. Name: J.W. Whiting Chisman III
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting September 15, 2017
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.

J.W. Whiting Chisman III
Signature

9-15-17
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 September 15, 2017

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

Nature of Personal Interest Affected by Transaction:

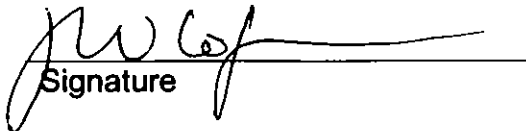
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

9-15-17
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 September 15, 2017
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

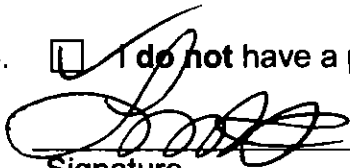
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

9-15-17

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 September 15, 2017
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:

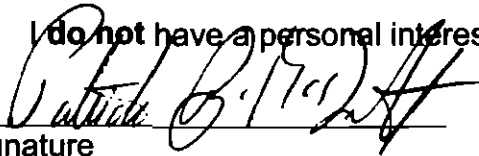
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Signature



Date

9/15/2017

**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 September 15, 2017
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

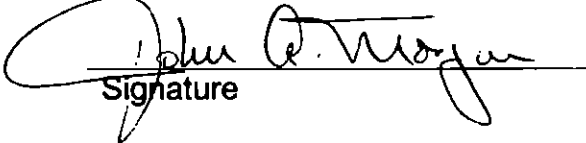
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

SEPT 15, 2017
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 September 15, 2017

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.

Christine Piersall
Signature

9/15/2017
Date

**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 September 15, 2017

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:

NONE

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

9-15-17
Date