

**BOARD FOR BRANCH PILOTS MEETING
MINUTES**

The Virginia Board for Branch Pilots met on September 15, 2022, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present:

Aaron Anseeuw
Captain E. Waightstill Avery
Vincent Behm, Jr.
Captain Robert H. Callis, III
Captain J.W. Whiting Chisman, III
Michael W. Coleman
Captain January N. Collins
Patrick B. McDermott
Christine N. Piersall

Staff present for all or part of the meeting were:

Demetrios Melis, Director
Kishore Thota, Chief Deputy Director
Tom Payne, Deputy Director
Kathleen R. Nosbisch, Executive Director
Breanne Henshaw, Administrative Coordinator

Elizabeth Peay was not present for the meeting with regrets.

Members of the audience included:

Mark Coberly, Manager, Maritime Law Department, Representative from Vandeventer Black.

Finding a quorum of the Board present, Ms. Piersall, President, called the meeting Call to Order to order at 10:30 a.m.

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

Safety
Evacuation
Instructions

There were no announcements.

Announcements

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

Approval of
Agenda

Mr. Coleman moved to approve the minutes from the June 13, 2022, Board meeting as amended. Captain Callis seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Callis, Chisman, Coleman, Collins, McDermott, and Piersall. Behm abstained from voting.

Approval of
Minutes

There were no public comments.

**Public Comment
Period**

Captain Callis provided the Board with a report of the examinations conducted by the Exam Administrators on September 14, 2022. The following report was made:

**Exam
Administrator's
Report**

Ryan R. Nienstedt answered oral questions related to the extension of route. The subjects included courses and distances, channel depths upon the upper James River, characteristics of the river regarding vessel placement approaching turns, usage of turning basins, local traffic, desired meeting positions, pier and dock descriptions, safe anchoring positions, safe anchoring methods in a narrow channel, bridge and power cable clearances, adverse weather conditions including freshets, and safe vessel speed.

Ryan R. Nienstedt stood a good examination and was found qualified. Captain Callis moved that Ryan R. Nienstedt be approved for an extension of route from City Point to Richmond upon the James River and the extension of route will take effect when he presents his Federal First Class Pilot Endorsement to the Board.

No second motion was required. The Board voted and the motion was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Callis, Chisman, Coleman, Collins, McDermott, and Piersall.

Richard A. Lyons answered oral questions related to the extension of route. The subjects included courses and distances, channel depths upon the upper James River, characteristics of the river regarding vessel placement approaching turns, usage of turning basins, local traffic, desired meeting positions, pier and dock descriptions, safe anchoring positions, safe anchoring methods in a narrow channel, bridge and power cable clearances, adverse weather conditions including freshets, and safe vessel speed.

Richard A. Lyons stood a good examination and was found qualified. Captain Callis moved that Richard A. Lyons be approved for an extension of route from City Point to Richmond upon the James River and the extension of route will take effect when he presents his Federal First Class Pilot Endorsement to the Board.

No second motion was required. The Board voted and the motion was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Callis, Chisman, Coleman, Collins, McDermott, and Piersall.

Timothy D. Oksman answered oral questions related to the extension of route. The subjects included courses and distances, channel depths upon the upper James River, characteristics of the river regarding vessel placement approaching

turns, usage of turning basins, local traffic, desired meeting positions, pier and dock descriptions, safe anchoring positions, safe anchoring methods in a narrow channel, bridge and power cable clearances, adverse weather conditions including freshets, and safe vessel speed.

Timothy D. Oksman stood a good examination and was found qualified. Captain Callis moved that Timothy D. Oksman be approved for an extension of route from City Point to Richmond upon the James River and the extension of route will take effect when he presents his Federal First Class Pilot Endorsement to the Board for Branch Pilots.

No second motion was required. The Board voted and the motion was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Callis, Chisman, Coleman, Collins, McDermott, and Piersall.

Captain Callis provided the Board with a report of the examination conducted by the Exam Administrators on September 15, 2022. The following report was made:

Zachary Stewart Dodson answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven, Cape Charles and Sewell's Point, anchoring deep draft vessels, vessel squat and adequate under-keel clearance, usage of the deep-water route in the southeast sealanes, limitations of bow thrusters and adequate tugboat assistance, hazards of marine construction and dredging, traffic management and safe vessel speed.

Zachary Stewart Dodson stood a good examination and was found qualified. Captain Callis moved that Zachary Stewart Dodson be approved for a raise in grade from a Foxtrot license (65,000 gross tons and 42 feet maximum draft) to a Golf license (75,000 gross tons and 44 feet maximum draft).

No second motion was required. The Board voted and the motion was unanimously approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Callis, Chisman, Coleman, Collins, McDermott, and Piersall.

Board members reviewed a letter from Captain Jamison regarding an incident on June 7, 2022 involving the M/V SPAR LYRA.

On Tuesday, June 7th, 2022, I was ordered to sail the M/V SPAR LYRA (IMO #9289013) from Norfolk Southern Coal Pier 6 (NSP6) in Norfolk, Virginia to Sea. The ship's draft was 41 feet 8 inches.

The weather conditions were good. The wind speed fluctuated from 10-15 knots from an east-southeast direction. Visibility was clear for 10 miles. The tidal current was flooding at approximately 0.5 knots at Craney Island Reach.

File Number
2022-02624
Notification
Letter – Captain
Jamison – M/V
SPAR LYRA

With the assistance of the Moran docking master, tugs CLAYTON and MAXWELL PAUL MORAN, the SPAR LYRA was undocked from NSP6 at 1145 (encl 1). At 1209 (encl 2), both tugs were released and the docking master disembarked. I left the engine command on half ahead as I maneuvered the SPAR LYRA from Lambert's Bend through Craney Island Reach towards Norfolk Harbor Reach. After the turn at green buoy 15 into Norfolk Harbor Reach, I communicated via VHF Channel 13 with M/V SPIRIT OF NORFOLK that I would stay toward the red side of the channel to provide as much room as possible since they were fighting a fire onboard. The SPAR LYRA's speed over ground was approximately 7.6 knots. At approximately 1232 (encl 3), I ordered the engine slow ahead. Several alarms sounded on the bridge of the SPAR LYRA. The captain informed me that the SPAR LYRA had an electrical power failure. At this point, there was no steering capability, nor engine revolutions. I told the captain to prepare both anchors. Within approximately thirty seconds, the steering capability was restored. As we passed by the SPIRIT OF NORFOLK at approximately 1234 (encl 4), the SPAR LYRA began to sheer to starboard and towards green buoy #9 near NOB. I ordered the rudder hard to Port. On VHF channel 13, I called any available tugs for assistance. Tugs Z-ONE, FORT BRAGG, and CONDOR responded and came directly to us. I requested the tug Z-ONE to push on the starboard bow and put a line up as soon as possible. Docking Master Roger Warren boarded the SPAR LYRA from the tug Z-ONE on the starboard bow. At approximately 1237 (encl 5), tug FORT BRAGG made fast on the starboard quarter and tug CONDOR was pushing on the port quarter. I asked the captain to drop the port anchor. The crew dropped the starboard anchor. At approximately 1238 (encl 6), the SPAR LYRA's speed was 4.4 knots and its course over ground was taking us toward NOB with approximately 950 feet from the ship bow to the NOB pier 7. At approximately 1239 (encl 7), the engine revolutions were restored. I immediately ordered the ship's engine dead slow ahead and rudder hard to starboard to combine the effects of the tugs pushing to move the ship bodily to port and away from NOB. At this time, I also ordered the anchor to be heaved up. Green buoy #9 was near SPAR LYRA's starboard quarter so I ordered the engine to be stopped. I told tug FORT BRAGG to stay clear of green buoy #9. Once I believed I was clear of green buoy #9, I ordered the engine dead slow ahead and the tugs Z-ONE and CONDOR to stop pushing. As I proceeded to Sewell's Point Anchorage, I was told green buoy #9 was fouled around the ship's stern so I ordered the engine stopped and proceeded to anchor with the use of the tugs. To facilitate this, Docking Master Roger Warren placed tug FORT BRAGG on the bow with a line in the center lead. He ordered the tug KAREN MORAN, which had by that time arrived on scene, to the starboard quarter with a line. Tug FORT BRAGG towed the SPAR LYRA into Sewell's Point Anchorage G4, and I anchored the ship at approximately 1420 (encl 8). At this time, I notified USCG Command Center Sector Virginia via cellphone of what had occurred. At approximately 1430, green buoy #9 became unfouled from SPAR LYRA's stern without assistance. At 1600, the USCG FRANK DREW arrived to retrieve the buoy. They reported to me that it was undamaged. They placed it back in its original position shortly thereafter. I departed SPAR LYRA at approximately 1700.

After I departed from the SPAR LYRA, I immediately proceeded to I&O Medical Center in Virginia Beach, Virginia to submit a Virginia State drug and alcohol test at approximately 1745.

The File Review Committee informed the Board they reviewed the Initial Intake Review for file number 2022-02624 provided by DPOR staff, and the notification letter received from Captain Jamison. The 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 commended Captain Jamison for his actions described in his notification letter. The motion was approved by Messrs., Mme. and Captains: Anseeuw, Avery, Behm, Callis, Chisman, Coleman, Collins, McDermott, and Piersall.

There was discussion regarding the reasoning behind the initial review of the notification letter that was conducted by DPOR staff. Director Melis stated the initial review completed by staff is to ensure a third party outside of the Board is reviewing the information and is in APA compliance. Mr. Payne stated the initial review gives the Board a way to receive the facts about the matter in a way that is objective and without bias. Director Melis offered to meet with the File Review Committee and Board Counsel in order to further discuss the process and develop steps to be taken during the review. The Board agreed by consensus for the Committee members to meet with DPOR staff prior to the next meeting.

Ms. Nosbisch informed the Board of the upcoming VMA International Trade Symposium and indicated Captain Chisman and Mr. Coleman will be attending.

**VMA's
International
Trade
Symposium**

Ms. Nosbisch stated the financial statements were provided for informational purposes. Ms. Nosbisch also informed the Board that a fee adjustment will be needed in the near future and information will be provided at the Board meeting scheduled for December 12, 2022.

**Financial
Statements**

Captain Chisman informed the Board that Captain Lyons and Captain Oksman attended school in France in August of this year after they were not able to in March due to travel restrictions.

Other Business

Captain Chisman also informed the Board of the speed restriction regulation being looked at by NOAA Fisheries. There would be a significant impact on pilot operations as ships would be required to reduce speed off the coast of Virginia to 10 knots.

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

**Conflict of
Interest Forms
and Travel
Vouchers**

The meeting adjourned at 11:40 a.m.

Adjourn


Christine Piersall, President


Demetrios Melis, Secretary

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

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

1. Name: Aaron Anseeuw
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting September 15, 2022

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

2022-Sep-15
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 September 15, 2022

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 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, III
Signature

9/15/22
Date

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

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

1. Name: January Collins
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting September 15, 2022

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

Nature of Personal Interest Affected by Transaction:

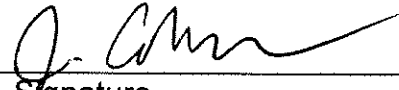
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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 / 2022

Date

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

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

1. Name: Michael W. Coleman
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting September 15, 2022

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

9/15/2022
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, 2022

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

Nature of Personal Interest Affected by Transaction:

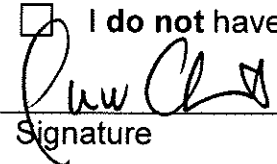
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

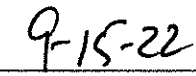
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

**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, 2022

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.

Patrick B. McDermott
Signature

9/15/2022
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, 2022

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

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

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

- 1. Name: E. Waightstill Avery
- 2. Title: Board Member
- 3. Agency: Board for Branch Pilots
- 4. Meeting/IFF Date: Board Meeting September 15, 2022

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

9/15/22
Date

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

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

- 1. Name: I.Vincent Behm, Jr.
- 2. Title: Board Member
- 3. Agency: Board for Branch Pilots
- 4. Meeting/IFF Date: Board Meeting September 15, 2022

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:

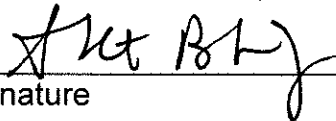
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

9.15.22