

BOARD FOR BRANCH PILOTS MEETING

MINUTES

The Virginia Board for Branch Pilots met on Tuesday, February 3, 2004, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present:

Captain Robert H. Callis, III
Bruce R. Cherry
Captain J. William Cofer
Captain Milton B. Edmunds
Judge Edgar A. Massenburg
Captain W. Hugh McCrory, Jr.
P. Warren Spratley, Jr.
Meade G. Stone

Board member Robert T. Hasler was not present at the meeting.

Staff present for the meeting were:

Louise Fontaine Ware, Director
Mark N. Courtney, Executive Director

Ellen E. Coates, Assistant Attorney General, was present at the meeting.

Finding a quorum of the Board present, Mr. Cherry, Vice-President, called the meeting to order at 9:35 a.m.

Call to Order

Captain McCrory moved to approve the agenda as written. Captain Callis seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Massenburg, McCrory, Spratley, and Stone.

Approval of Agenda

Mr. Spratley moved to approve the minutes from the December 15, 2003, Board meeting as amended. Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Massenburg, McCrory, Spratley, and Stone.

Approval of Minutes

The Board reviewed a letter from Captain Thomas D. Rutter, dated January 12, 2004, regarding an incident involving the USNS LCPL ROY M. WHEAT.

Captain Thomas D. Rutter, USNS LCPL ROY M. WHEAT

On January 11, 2004, Captain Rutter was ordered to shift the USNS LCPL

ROY M. WHEAT from Norfolk Naval Station Pier 12 to Sewells Point anchorage G-3 for 1630 onboard and for 1700 underway. Apprentice Pilot Clarence Young accompanied Captain Rutter on the vessel. They boarded the vessel at 1620 and met with the Captain and had the Master/Pilot exchange. They discussed with the Captain their plan for maneuvering to the anchorage. The current at Sewell's Point anchorage was ebbing about 1 to 1 ½ knots, the wind was southwest around 10 knots.

The USNS LCPL ROY M. WHEAT was originally built in the Ukraine in 1987. She was converted to a military cargo ship in 2001 by Bender Shipyard. The vessel's particulars are LOA 864'; beam 98'5" maximum depth 68'10," with a twin-screw fixed propeller, single rudder. She is powered by gas turbines, total ahead power is 38,400 horsepower and astern is 10,000 horsepower. She has bow and stern thrusters (bow 1234 hp, stern 900 hp). The draft was 26 feet 8 inches. The vessel was fitted with two 23,000 pound anchors with 12 shots of chain each.

The vessel was under way at 1700, after being undocked by the Naval Station Docking Master Doug Scott. When the vessel was clear of the berth, Captain Rutter had Apprentice Young, under Captain Rutter's supervision, take the conn from Captain Scott. The vessel proceeded toward Newport News Channel buoy "2." At 1720 the buoy was abeam and the vessel's speed was 3 knots by Differential Global Positioning System (DGPS). Captain Rutter's plan was to use the current to drift into anchorage G-3. Using the current, engines and thrusters, the vessel slowly reached the center point of anchorage G-3. At 1750 the port anchor was dropped. The vessel's heading was 224 degrees heading into the current. Captain Rutter held at 3 shackles to allow the vessel to fetch up. After the vessel settled down, instructions were given for the vessel to ease out to 7 shackles in the water. At this point the DGPS speed was about 0.3 knots. The Master reported when 5 shackles were out. The strain was reported as being light. Shortly after that came the report of losing the port anchor. At 1800, the Master stated that the whole chain and anchor was lost. Captain Rutter advised the Master that he needed to report the lost anchor to the Coast Guard and the Navy.

After losing the anchor the decision was made to go to anchorage G-4. The vessel was drifted back toward anchorage G-4. At 1826 the starboard anchor was dropped. At 1845 Apprentice Young and Captain Rutter departed the vessel.

Judge Massenburg moved that the letter be filed and that the Board take no action as there appears to be no violation of the Board's rules, regulations,

or statutes. Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Massenburg, McCrory, Spratley, and Stone.

The Board reviewed a letter from Captain Robert L. Holland, Jr., along with a diagram, dated January 26, 2004, regarding an incident involving the M/V MSC DENISSE.

**Captain Robert L.
Holland, Jr., M/V
MSC DENISSE**

Captain Holland was ordered to the M/V MSC DENISSE, January 25, 2004, at 1700, sailing from Newport News Pier C to sea. The M/V MSC DENISSE is a container ship with the following particulars: 668'11" length and 101'8" beam. Draft on departure was 9 meters. Weather conditions consisted of snow, ENE winds at 20 knots, and ebb current at 2 knots.

Captain Dave Perry of Moran Towing was the docking pilot; he had the conn during the undocking maneuver. One Moran tug was on the port amidship; another Moran tug was stationed at the end of pier C. The M/V MSC DENISSE was moored starboard side to the north side of pier C. Captain Holland was in the wheelhouse monitoring the undocking, including listening to engine, bow thruster and rudder commands. The mate in the wheelhouse had some difficulty understanding the engine and wheel commands; however, Captain Holland ensured that all orders were executed properly. Undocking appeared to be normal. When the forward tug on the port side backed away, the bow of the vessel came off the pier. Because of the wind and current, the vessel twisted quickly and the stern was set into the pier. The gangway made contact with the offshore container crane at 1735.

Captain Holland told the Captain to log the vessel's contact with the crane and told the docking master to check the condition of the crane. No one was on the pier at the time of contact. The Port police had left. During the vessel's second undocking maneuver, the vessel backed out safely and proceeded to sea.

Mr. Spratley moved that the letter be filed and that the Board take no action as there appears to be no violation of the Board's rules, regulations, or statutes. Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Massenburg, McCrory, Spratley, and Stone.

The Board members were provided with a draft letter prepared by Ms. Coates and another draft letter prepared by Mr. Cherry regarding the renewal requirements found in regulation 18 VAC 45-20-20.C.3 of the

**Discussion of 18
VAC 45-20-20.C.3
and 4**

Board's regulations, as well as regulation 18 VAC 45-20-20.C.4 which allows the Board to waive those requirements. The letter indicated that the Board does not find the requirements of 18 VAC 45-20-20.C.3 burdensome or unreasonable; finds that recency of transit is an integral part of the renewal process; and states that all waiver requests will be closely scrutinized by the Board. After discussion, the Board members agreed by consensus to send the letter to all limited and unlimited branch pilots.

The Board members were informed that, pursuant to § 54.1-100 of the *Code of Virginia*, counsel had conducted a review of the Board's regulations and there were no conflicts in their regulations with the Constitution of the United States, the Constitution of Virginia, the laws of the United States, or the laws of the Commonwealth of Virginia.

**Review of
Regulations
Pursuant to § 54.1-
100**

Captain Callis provided the Board with a report of the examinations conducted by the Examination Administrators on the morning of February 2, 2004. The following report was made:

**Examination
Administrators
Report**

Gustave B. Schill

Captain Schill answered several oral questions related to the raise in grade. The subjects included tide ships, the deepwater channel, deepwater anchorages, Navy terminology and chain of command, overtaking situations with large vessels, and shiphandling in heavy weather. Captain Schill also provided a chart sketch of the deepwater route in the southeast sealanes. Captain Schill stood a good examination and was found to be qualified. Captain Callis moved that Captain Schill be raised from the Hotel classification (725 ship units and 41 feet maximum draft or 550 ship units and 45 feet maximum draft) to an Unlimited Branch Pilot License. Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Massenburg, McCrory, Spratley, and Stone.

Chadwick M. Jamison

Captain Jamison answered several oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven, Sewell's Point, and Newport News, safe vessel speed, precision anchoring, and proper scope of chain. Captain Jamison stood a good examination and was found to be qualified. Captain Callis moved that Captain Jamison be raised from the Charlie classification (325 ship units and 29 feet maximum draft) to the Delta classification (400 ship units and 31 feet maximum draft). Mr. Stone seconded the motion which was

unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Massenburg, McCrory, Spratley, and Stone.

Herbert R. Green

Captain Green answered several oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven, Sewell's Point, and Newport News, safe vessel speed, proper rudder commands on American ships, and bridge clearances in the southern branch of the Elizabeth River. Captain Green has also acquired his 1st Class Pilot License. Captain Green stood a good examination and was found to be qualified. Captain Callis moved that Captain Green be raised from the Delta classification (400 ship units and 31 feet maximum draft) to the Echo classification (475 ship units and 33 feet maximum draft). Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Massenburg, McCrory, Spratley, and Stone.

Michael S. Eubanks

Captain Eubanks answered several oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven and Sewell's Point, precision anchoring, safe vessel speed, bridge clearances in the southern branch of the Elizabeth River, blind sectors in radars, anchoring with a following current, and proper scope of chain. Captain Eubanks stood a good examination and was found to be qualified. Captain Callis moved that Captain Eubanks be raised from the Bravo classification (300 ship units and 25 feet maximum draft or 225 ship units and 27 feet maximum draft) to the Charlie classification (325 ship units and 29 feet maximum draft). Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Massenburg, McCrory, Spratley, and Stone.

Frank M. Rabena

Captain Rabena answered several oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven and Sewell's Point, safe vessel speed in Newport News Channel and Craney Island Reach, anchoring deep draft vessels, and shiphandling in heavy weather. In addition, in compliance with the terms of the Consent Order in **File Number 2004-01885**, Captain Rabena successfully drew from memory the portions of the chart which include Lamberts Bend and Sewells Pont in the Port of Hampton Roads. Captain Rabena stood a good examination and was found to be qualified. Captain Callis moved that

Captain Rabena be raised from the Foxtrot classification (550 ship units and 35 feet maximum draft or 375 ship units and 38 feet maximum draft) to the Golf classification (625 ship units and 38 feet maximum draft or 450 ship units and 42 feet maximum draft). Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Massenburg, McCrory, Spratley, and Stone.

No other business was discussed by the Board.

Other Business

Conflict of Interest forms were completed by all members present.

**Conflict of Interest
Forms**

There being no further business, the meeting was adjourned at 10:10 a.m.

Adjourn

Bruce R. Cherry, Vice-President

Louise Fontaine Ware, Secretary

COPY TESTE:

Custodian of Records