

**BOARD FOR BRANCH PILOTS MEETING
MINUTES**

The Virginia Board for Branch Pilots met on Monday, February 1, 2008, 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
Thomas P. Host, III
William M. Martin, III
Douglas E. Miller
Captain W. Hugh McCrory, Jr.
Meade G. Stone, Jr.

Staff present for the meeting were:

Marian H. Brooks, Program Administrator
Nick A. Christner, Deputy Director of Compliance and Investigation

No representative was present from the Office of the Attorney General.

Finding a quorum of the Board present, Mr. Cherry, President, called the meeting to order at 9:32 a.m.

Call to Order

Mr. Miller moved to approve the agenda. Captain Callis seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone.

**Approval of
Agenda**

Mr. Miller moved to approve the minutes from the December 10, 2007, meeting as written. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone.

**Approval of
Minutes**

Mr. Host recused himself from the meeting and left the room as the company he works for, T. Parker Host, Inc., was the agent for the ship involved in the incident letter from Captain Herbert Roberts Green, III.

**Recusal of Mr.
Host**

Mr. Miller informed the Board that he was contacted by the Docking Master after this incident who requested that Mr. Miller represent him in this matter. Mr. Miller declined to represent him and believes he can

**Captain Herbert
Roberts Green, III,
M/V SWAN**

participate in considering this matter in a fair and impartial manner.

The Board reviewed a letter from Captain Herbert Roberts Green, III, regarding an incident on January 23, 2008, involving the M/V SWAN.

Captain Green was ordered at 1630, January 23, 2008, to transfer the M/V SWAN from Sewell's Point F-1 anchorage to the Chesapeake Energy Center on the Southern Branch of the Elizabeth River. Captain Green boarded the vessel at 1800 for an 1830 sailing. Upon his arrival on the bridge, Captain Green explained to the Master of the vessel that they needed to wait to heave the anchor until the M/V TSURU was underway from their berth at Chesapeake Energy. The M/V TSURU had to undock and back through both the Gilmerton Railway Bridge Number 7 and the Gilmerton Highway Bridge and turn outbound at the turning basin at Money Point. While awaiting the undocking of the M/V TSURU, Captain Green reviewed the ship's particulars, pilot card, and maneuvering characteristics. The M/V SWAN is a bulk ship coal carrier of 25,929 GT. She has an LOA of 597.1 ft, and a BOA of 95.2 ft. Her engine is 13,100 hp and her maneuvering speeds are 10.5 kts at full ahead, 9.5 kts at half ahead, 7.0 kts at slow ahead, and 5.0 kts at dead slow ahead. She has a right hand turning fixed propeller. At the time, she had a draft of 35 ft even keel and an air draft of 121 ft. The wind was calm and the current was flooding at about 1.0 kt.

At approximately 1915 Captain Green received a call from the pilot of the M/V TSURU stating that they were underway and backing through the bridges. It was at this time that Captain Green gave the order to start heaving the anchor. The anchor was up at approximately 1935 and Captain Green turned the vessel in the anchorage and headed up Norfolk Harbor Reach towards the Southern Branch. During this time Captain Green constantly adjusted the vessel's speed to arrive at Hospital Point at about 2100 to pick up tug boats and the Docking Master which were disembarking from the M/V TSURU. The Moran Docking Master, John Hanna, boarded the M/V SWAN at approximately 2100 from the tug boat DRUM POINT. When Captain Hanna arrived on the bridge, Captain Green informed him that the ship was making a speed of approximately 5.5 kts on a heading of 131° and that she was on dead slow ahead. Captain Hanna then spoke with the Master and reviewed the ship's particulars and pilot card. Captain Green was then relieved of the conn by the Master who turned over the conn to Captain Hanna.

The Chesapeake Energy Center is located just north of the I-64 Bridge and just South of the Gilmerton Highway and Railway Bridge Number 7 on the Southern Branch of the Elizabeth River. Both the Gilmerton Highway and

Railway bridges are located in an approximate ninety-degree bend of the river and have a 125 ft horizontal clearance. Three tugboats assisted the vessel in her voyage: the DRUM POINT, the APRIL MORAN, and the STORM. The STORM served as an escort tug while the DRUM POINT and APRIL MORAN aided the M/V SWAN to negotiate the bends leading to the Gilmerton Highway and Railway Bridge Number 7. At approximately 2240 Captain Hanna had the M/V SWAN stopped dead in the water just north of the bridges. The DRUM POINT was made fast center lead aft and the APRIL MORAN was made fast center lead forward. The STORM, which is a small enough tug to pass through the bridges alongside the ship, was positioned on the starboard bow. At approximately 2255 Captain Hanna had the M/V SWAN lined up for passage through the bridges and asked that Captain Green request the Gilmerton Highway Bridge to open. Captain Green then contacted the Gilmerton Highway Bridge on VHF channel 13 and asked that the bridge open. The Gilmerton Highway Bridge promptly replied and began opening (the railway bridge was already open).

As the ship got underway the bow started to fall to port causing a slight angle with the bow favoring the east side of the bridges. Captain Hanna ordered dead slow ahead and hard to starboard to adjust for this slight angle. At approximately 2300, with the angle of entry corrected, the bow of the M/V SWAN entered the opening for the bridges and moments later appeared again to shear in the direction of the eastern span of the Gilmerton Railway Bridge Number 7. Immediately, the Captain of the tug APRIL MORAN warned Captain Hanna that the port bow of the M/V SWAN was closing on the eastern span of the railway bridge. Captain Hanna then ordered the APRIL MORAN to back the bow of the M/V SWAN to starboard. It was at this time that the flare or sponson of the bow of the SWAN made contact with the northeastern stanchion supporting the railway bridge's cameras; and ultimately the northeastern bulkhead of the railway abutment. The bow of the M/V SWAN was in contact with the bridge for only a few seconds, and then was turned sufficiently to clear the southeastern structures of the bridge. Due to the flare of the M/V SWAN's sponsons on her bow, the fendering system for the railway bridge offered no protection for the bridge. Neither the tugs nor the port side of the vessel touched the fendering system.

Captain Green contacted the Gilmerton Highway Bridge via VHF channel 13 at 2310 once the ship had cleared and requested that he contact the railway bridge to stop the train. Bridge Number 5, which operates Bridge Number 7 remotely, then contacted Captain Green on channel 13 and Captain Green asked to contact him on a land line. Captain Green called Bridge Number 5 and stated that the M/V SWAN had a collision with the

Railway Bridge 7 and requested that he stop the oncoming train until an inspection of the bridge could be performed in order to ensure its safe integrity. Bridge 5 then did so. Captain Green then contacted the USCG Group Hampton Roads at 2318 via land line and reported the collision to Chief Meade. Captain Hanna continued to safely maneuver the M/V SWAN to her berth starboard side to at the Chesapeake Energy Center. Captain Green disembarked the M/V SWAN at approximately 0100.

After review and discussion, Mr. Cherry requested that this matter be continued to the May 2, 2008, Board meeting for further review.

Mr. Host returned to the meeting.

Ms. Brooks explained that the Board must periodically review its regulations in accordance with Executive Order #36. A notice of the review was mailed to all members of the Public Participation Guidelines with the opportunity to comment and a notice was also published in the *Register of Regulations*. Ms. Brooks informed the Board that no comments were received from the public. Mr. Miller made a motion that no changes appear to be necessary to the Board's regulations. Captain Cofer seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone.

Captain Callis provided the Board with a report of the examinations conducted by the Examination Administrators on January 31, 2008. The following report was made:

Jacob R. Johnson

Captain Johnson answered oral questions related to the raise in grade. The subjects included safe anchorages in Sewell's Point and Lynnhaven, timed arrivals, channel congestion, crisis management, overtaking and meeting situations, and safe vessel speed. Captain Johnson stood a good examination and was found to be qualified. Captain Callis moved that Captain Johnson be raised from the Foxtrot classification (40,000 gross tons and 38 feet maximum draft) to the Golf classification (50,000 gross tons and 42 feet maximum draft). Mr. Host seconded the motion which was approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone.

Return of Mr.
Host

Periodic Review of
Regulations
Pursuant to
Executive Order
#36

Exam
Administration
Report

Joseph R. McKnew

Captain McKnew answered oral questions related to the raise in grade. The subjects included safe anchorages in Sewell's Point and Lynnhaven, timed arrivals, channel congestion, crisis management, overtaking and meeting situations, and safe vessel speed. Captain McKnew stood a good examination and was found to be qualified. Captain Callis moved that Captain McKnew be raised from the Delta classification (32,000 gross tons and 32 feet maximum draft) to the Echo classification (36,000 gross tons and 34 feet maximum draft). Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone.

Captain Cofer made a motion to make the following changes to the meeting and examination dates:

Consideration of
Change in Meeting
Dates

~~Thursday, May 1~~ Friday, May 2, 2008 8:30 a.m. - Examination Administrators

~~Friday, October 31~~ Thursday, October 30, 2008, 10:00 a.m. - Board Meeting.

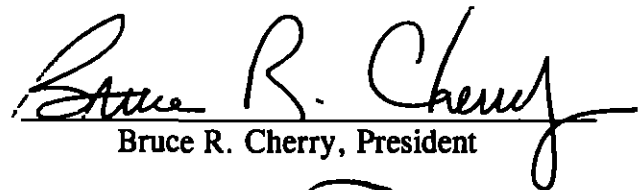
Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone.

Conflict of Interest forms were completed by all members present.

Conflict of Interest
Forms

There being no further business, the meeting was adjourned at 9:53 a.m.

Adjourn


Bruce R. Cherry, President


Jay V. 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 February 1, 2008
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
Signature

2/1/08
Date

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

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

1. Name: Bruce R. Cherry
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting February 1, 2008

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

Bruce R. Cherry

Date

2/1/08

**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 February 1, 2008

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. William Cofer
Signature

2-1-08
Date

**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 February 1, 2008

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

Nature of Personal Interest Affected by Transaction:

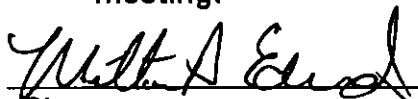
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

2/1/08

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 February 1, 2008

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

2-1-08

Date

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

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

1. Name: William M. Martin, III
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting February 1, 2008

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:

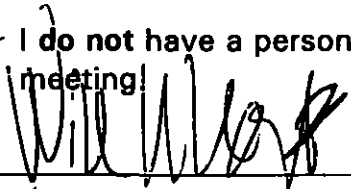
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

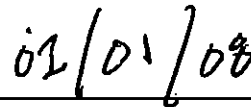
I did not participate in the transaction.

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: W. Hugh McCrory, Jr.
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting February 1, 2008

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.

Signature

W. Hugh McCrory, Jr.

Date

Feb 1, 2008

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

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

1. Name: Douglas E. Miller
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting February 1, 2008

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:

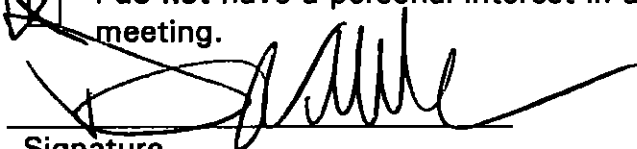
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

2/1/08

**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 February 1, 2008

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.

Meade G. Stone, Jr.
Signature

2-1-08
Date