

Minutes of the Lower Coastal Commission of Pilotage Meeting

February 11, 2020
6 Concord Street
Charleston Branch Pilot Office
Chas, SC 29401

Board Members present were:

Mr. Henry Hay III (Chairman)
Mr. David Galloway
Ms. Amy Riley
Capt. Chris Thornton
Mr. Joel Britt
Mr. Darrell Johnson (phone)

Excused Absences were noted for:

Mr. Ken Riley

Staff and other present were:

Capt. John Cameron, Charleston Pilot Assoc.
Ms. Elizabeth Hills, Charleston Pilot Assoc.
Lt. Richard Keefauver, USCG
Ms. Laura Smith LLR (phone)
Mr. Hardwick Stuart, LLR Advice Counsel (phone)
Mrs. Noreen Milligan, Secretary

The Commissioners of Pilotage for the Port of Charleston met Tuesday February 11, 2020 at the Charleston Branch Pilot Office, 6 Concord Street in Charleston, South Carolina. Whereas, proper notice of date, time, place and agenda information having been properly provide to the Charleston Post and Courier and proper notice also having been posted on the LLR website/Pilotage 24 hours prior to the time scheduled for the meeting and quorum having been noted as present, Chairman Galloway called the meeting to order at 5:00 PM. All votes reference herein was unanimous unless otherwise noted.

Chairman Hay asked the Commission to approve the agenda. **Motion:** Commissioner Riley moved to approve the agenda and Commissioner Galloway seconded it. **The motion passed.** Chairman Hay asked the members to read the draft of minutes taken during the January 14, 2020 meeting. **Motion:** Commissioner Galloway moved to accept the minutes and Commissioner Riley seconded the motion. **The motion passed.** Next, the Financial Report showed that checks written since the last meeting totaled \$485.64 and there were no deposits, the Commission had \$21,004.63 on hand. **Motion:** Commissioner Thornton moved to accept the Financial Report and Commissioner Riley seconded the motion. **The motion passed.**

Under Old Business, Lt. Keefauver gave the Coast Guard report. Buoy #8 is repaired but is still off by 15 yards. They will have to wait until the Willow is back in Charleston to have it placed in the correct location. Buoy #6 by the Wando Terminal needs to be lined up with #4. There are still some issues with AIS but they are working on

it. The Hog Island Reach has been rebuilt but the pilots feel it is too narrow. The Coast Guard will look into it. At the NTBU there is a sub that the gangway light is very bright and is distracting to the pilots. They would like for the light to be moved. The Coast Guard will look into this. The officials from the Trans Atlantic Race gave the Coast Guard their drawings for a temporary dock to be located at CST.

Ms. Smith gave the LLR Report. There are three physicals for January. There was no new information to report on the Lower Pilotage Policies and Procedures Manual. It is time for all Commissioners to update their information on the State Ethics form. Please continue to send updates to the new LLR Web site llr.sc.gov/pilot.

Capt. Cameron said that there was nothing new to report on the Savannah River Commission.

Capt. Cameron presented the Commission with his Resume and went over his depositions and testimony as an expert witness in reference to the 11 ft. draft restrictions with the Trans-Atlantic Race, Regulation 136-003 and 136-070F. Mr. Stuart recommended that the Commission recognize Capt. Cameron as an expert in Martine operations and safety and that the Commission adopt his opinion that Reg. 136-070F with its draft of 11 feet is intended to capture cargo vessels and not to incorporate adjustable appendages on recreational sail boats, such as racing vessels for Trans-Atlantic Racing Vessels. **Motion:** Commissioner Galloway moved to accept Capt. Cameron as an expert on maritime operations and safety. Commissioner Thornton seconded it. **The motion passed.** **Motion:** Commissioner Galloway moved to accept Capt. Cameron's expert opinion on Reg. 136-070F. Commissioner Thornton seconded it. **The motion passed.**

Buoy #8 was discussed under the Coast Guard report.

The apprentices have all passed their tests and are all in good standing.

Capt. Cameron said that there is no new information on S. 689. He will continue to keep the Commission up to date.

Under new business, Capt. Cameron distributed a letter from the American Pilots' Association. The letter is a request from the American Pilots' Assoc. to State Pilotage Authorities regarding pilot safety. On December 30, 2019 a New York licensed pilot was killed from a fall while embarking an inbound container ship. The embarkation was via a combination arrangement of an accommodation ladder and a pilot ladder. This combination is required whenever the distance from the surface of the water to the point of access to the ship is more than nine meters. This arrangement, however, involved a trapdoor in the platform of the accommodation ladder with the pilot ladder hanging from a cross bar near the bottom of the platform, and with the top step of the ladder significantly below the level of the platform. This requires a pilot to pull himself or herself up through the trapdoor while twisting to get a secure footing on the platform. The Pilot fell while attempting to make that difficult maneuver to transfer from the pilot ladder to the platform above. Chairman Hay asked if any pilot has ever refused to board a vessel because of problems with the ladder. Commissioner Thornton said yes, but not often. He said that there was a problem with a vessel last week and that the next port (Houston) was going to look into it. Mr. Hardwick asked if helicopters could be used to transport pilots on and off vessels. Capt. Cameron said no, that helicopters are weather restricted and very expensive. Commissioner Britt asked if there is communication between pilots of other ports. Commissioner Thornton said yes, they call to inform the next port that

there are problems. The Commission discussed sending out a letter to all agents and having pilots hand out the letter when they board a vessel. The letter discusses pilot ladder arrangements in accordance with SOLAS Regs. and IMO guidelines with special attention to the regulations of SOLAS Chapter V, Regulation 23-3.3.2 and the guidelines of IMO Resolution A.1045 Section 3. The letter will advise licensed pilots to report non-compliant arrangements to the Commission and the Coast Guard and to reject non-compliant ladder arrangements, which could result in substantial delays. **Motion:** Commissioner Thornton moved to accept the 2nd letter that included the paragraph that contained non-compliant arrangements, to reject non-compliant ladder arrangement and to include a packet explaining SOLAS Regs and IMO guidelines. Commissioner Galloway seconded it. **The motion passed.** **Motion:** Commissioner Galloway moved to have all non-compliant vessels reported to the Commission and the Coast Guard. Commissioner Thornton seconded it. **The motion passed.**

Under Commissioner Comments, Commissioner Thornton said that the pilots are having issues with the inbound and outbound dredges. The dredging companies are saying that they cannot go over 5 knots per the Army Corp. The Army Corp. informed the pilots that if there is a safety issue that the dredges could go over that speed. They sent a letter to the dredging companies explaining the safety issues. Capt. Cameron asked for this to be placed on next month's agenda and he will ask the Army Corp. to attend the meeting.

There were no legal comments.

Under public comments, Ms. Hills handed out Charleston Branch Pilots' Assoc. letter to the Commission requesting a cost of living (COLA) rate adjustment based on the Consumer Price Index (CPI) for CY 2019 of 2.3%. She asked for this to be added to next months meeting.

Under announcements, it was brought to the Commissions attention that the pilots are having a problem with Vulcan Terminal. The terminal when it was built is facing North on the Cooper River. The Pilots have sent a letter to the Caption of the Port and to the terminal. The Coast Guard will look into this and report back at the next meeting.

There being no further business to bring before the Commission, the meeting was adjourned.

Respectfully submitted,

Henry Hay III
Chairman

Noreen K. Milligan
Secretary