

Minutes of the Lower Coastal Commission of Pilotage Meeting

April 13, 2021

Charleston Branch Pilots Association Office

6 Concord Street

Charleston, South Carolina 29401

\*\*\*Meeting was conducted by Conference Call\*\*\*

Board Members Present:

Ms. Amy Riley (Chairwoman)

Mr. Henry Hay III

Mr. David Galloway

Mr. Kenney Riley

Capt. Chris Thornton

Excused Absences were noted for:

Mr. Joel Britt

Mr. Darrell Johnson

Staff and Others Present:

Capt. John Cameron, Pilot Commission Consultant

Capt. Whit Smith, Charleston Pilots Assoc.

Ms. Elizabeth Hills, Charleston Pilot Assoc.

Mr. Hardwick Stuart, LLR Advice Counsel

Lt. Richard Keefauver, USCG

Ms. Owen Gregory, Secretary

The Commissioners of Pilotage for the Port of Charleston met Tuesday April 13, 2021 by conference call. Whereas, proper notice of date, time, place and agenda information having been properly provided 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 a quorum having been noted as present, Chairwoman Riley called the meeting to order at 5:00 PM. All votes referenced herein were unanimous unless otherwise noted.

Chairman Riley asked the Commission to approve the agenda. **Motion:** Commissioner Thornton moved to approve the agenda and Commissioner Hay seconded. **The motion passed.** Chairwoman Riley asked the members to read and review the draft of minutes taken during the March 9, 2021 meeting. **Motion:** Commissioner Hay moved to accept the minutes and Commissioner Galloway seconded. **The motion passed.** Chairwoman Riley asked the Commission to approve the March Financial Report. **Motion:** Commissioner Galloway moved to accept the financial report and Commissioner Thornton seconded. **The motion passed.**

Under old business, Lt. Keefauver reported on behalf of the Coast Guard. Norfolk dredging has requested that buoys 34, 35 and 37 be placed off station. Plans are being made to reset Wando Terminal area buoys 2, 3, 4 and 5 back on station this month. Buoys 6 and 7 will follow once contract approval is granted from the USACE. USCG is working on buoy placement based on the new channel edge location.

Buoy 50 is off station in the Cooper; plans are to move it back on station when assets are available. USCG will discuss with the Pilots planned buoy locations as buoys are placed back on station.

Commissioner Galloway reported that Channel 13 is working well and could be removed from the agenda at this time.

Mr. Stuart reported for LLR. LLR is still awaiting Capt. Gerald Lucas' physical report. Covid extensions are still in place.

Capt. Cameron reported that there is no new information regarding the legislative bills at this time.

Capt. Cameron reported that Covid-19 precautions continue as noted previously. As of 5 pm April 13, 2021, 90% of the Pilots/employees had completed their vaccines. The Pilots and employees are still using COVID precautions.

Mr. Stuart updated the Commission on LLR issuing ID cards to the Pilots. LLR is still trying to decide on expiration dates and determining the distinction between the ID cards and the licenses.

Under New Business, the proposed Pilotage Rate Increase based on the Consumer Price Index/Cost of Living Increase was put on Public Notice for thirty days prior to this meeting. Commissioner Hay made a motion to approve the rate increase as per the Public Notice. Commissioner Thornton seconded the motion. The motion passed. Commissioner Galloway made a motion to accept the rate card as written. Commissioner Thornton seconded the motion. The motion passed.

Under Commissioners Comments, Commissioner Thornton notified the Commission that there has been some activity in Port Royal. Some cruise ships have been moving in and out of Port Royal since COVID began, and using it has a layberth area. There has been some discussion of cruise ships calling the port of Port Royal when things begin to open back up. The Pilots are working with Capt. Bob Upton on a plan to handle these vessels if these calls become a reality. Possible rate adjustments are being discussed for the port of Port Royal. Commissioner Thornton additionally commented on getting back to in-person meetings. Commissioner Galloway agreed. Options were discussed, and possibilities are being looked into.

There were no legal comments.

There were no public comments.

There were no announcements.

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

Attachments: Pilot Rate Increase Request Letter  
Bureau of Labor Statistics CPI Dec. 2020 Notice  
Newly Approved Rate Card  
Public Hearing Notice Copy  
Affidavit of Publication for Rate Increase Public Notice

Respectfully submitted,  
Ms. Amy Riley  
Chairwoman

A.Owen Gregory  
Secretary





## CHARLESTON BRANCH PILOTS' ASSOCIATION

P.O. BOX 179  
CHARLESTON, SOUTH CAROLINA 29402  
PHONE (843) 577-6695  
FAX (843) 577-0632

March 9, 2021

Chairman, Commissioners of Pilotage  
Lower South Carolina Coastal Area  
P.O. Box 20096  
Charleston, SC 29413

Dear Mr. Chairman:

1. Pursuant to Chapter 3 of the *Commissioners' Policies and Procedures Manual (PPM)*, we respectfully request that a cost of living (COLA) rate adjustment be placed on the agenda for the next meeting for the Commissioners' review.

The following information is submitted in the format prescribed by the PPM:

- a.) The published Consumer Price Index (CPI) for CY2020 is 1.4 percent.
  - b.) The mean gross tonnage (GT) and mean draft feet (DF) for commercial vessels piloted during the calendar year for which rate adjustment is requested is presented herewith. Mean vessel GT for 2020 was 65,524 GT; mean deep draft was 32.8 feet. According to the rate structure, these factors applied to an "average" vessel of that GT and DF would be charged at 66(000) GT and 33 DF, respectively.
2. Pursuant to the PPM, the COLA adjustment may be made to the gross tonnage rate or to the draft feet rate, or may be distributed to both. We request a CPI adjustment be distributed to both gross tonnage and deep draft feet.
    - a.) The PPM formula for determining the amount of increase per average-sized vessel follows:

The pilotage charge per movement of an average size/draft vessel typified in subparagraph 1(b) above, pursuant to the pilotage rate approved during CY2020, is the sum of the applied GT rate plus the sum of the applied DF rate:

**GT Rate:** 66(000) GT x \$67.4 per (000) GT = \$4448.40

**DF Rate:** 33 DF x \$27.50 per DF = \$ 907.50

**Average vessel under CY2020 rate paid, one way: \$5355.90**

- b.) Applying the published CPI of 1.4 percent to both gross tons and draft feet yields proposed rates of \$68.35 and \$27.90, respectively, when rounded upwards to the next \$0.05 increment, as per Chapter 3, Section 3 of the PPM.
- c.) A vessel of our 2020 average size (66,000 GT) and average draft (33 DF) would under the proposed CPI adjusted rates above pay \$4,511.10 (GT Rate) plus \$920.70 (DF Rate) for a one-way total of \$5,431.80. The difference is \$75.90.
3. Further, regarding the rates for minimum pilotage charge (set at \$1,300.00 in 2019) and shift charges (set at \$325.00 for a single zone and \$350.00 each for multiple zones in 2013), we have elected not to request a CPI adjustment applying to these charges at this time, as the cumulative annual CPI adjustments through 2020 does not result in a round number. Each annual rate adjustment letter reports what a CPI adjustment for these rates would have been. We wish to document that an increase in these charges in accordance with the cumulative CPI since 2019 would now be \$1,348.52 for minimum pilotage, and \$337.13 and \$363.06 respectively for shifts within the port. Therefore, we respectfully request that the minimum charge for pilotage remain at \$1300, and the charge for shifts remain at \$325 for a single zone and \$350 per zone for a multi-zone shift within the port. Please note we intend to report CPI increases annually for these rates and reserve the option to again request an adjustment at such time as is appropriate, when cumulative CPI adjustments indicate an appropriate adjustment.
4. Further, regarding rates for cancellation, delay, detention, and carrying off of a pilot, we began documenting annual CPI effect on these rates in 2019, to justify a future request for these rates to be adjusted. These rates are all currently set at \$200, \$500 or \$1000 as shown in paragraphs 2, 3 and 5 on the enclosed rate card. Applying the cumulative CPI adjustments to these rates, those set at \$200 would adjust to \$211.40, those set at \$500 would adjust to \$528.52, and those set at \$1000 would adjust to \$1057.03. We do not wish to request these rates be adjusted at this time, but annual CPI rate adjustment letters will continue to document the cumulative effect of CPI on these rates, in order to justify a rate adjustment for these as appropriate in the future.
5. Accordingly, at this time we request that the Commissioners adjust the pilotage rates for the coming year as follows:

**Gross Tonnage: That the present rate of \$67.40 per (000) GT be adjusted to \$68.35 per (000) GT**

**Draft Feet: That the present rate of \$27.50 per DF be adjusted to \$27.90 per DF**

Should this request be granted, we note Commission policy allows for the new rates to go into effect on the first day of the next month following 60 days after the decision by the Commissioners.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Whitemarsh S. Smith III". The signature is fluid and cursive, with the first name "Whitemarsh" being more prominent and the last name "Smith" following in a similar style. The initials "S." are visible between the first and last names.

Whitemarsh S. Smith III  
President

Enclosures:

- (1) BLS News Release
- (2) Draft 2021 Rate Card



# NEWS RELEASE

## BUREAU OF LABOR STATISTICS

U. S. DEPARTMENT OF LABOR



Transmission of material in this release is embargoed until  
8:30 a.m. (ET) January 13, 2021

USDL-21-0024

Technical information: (202) 691-7000 • [cpi\\_info@bls.gov](mailto:cpi_info@bls.gov) • [www.bls.gov/cpi](http://www.bls.gov/cpi)  
Media Contact: (202) 691-5902 • [PressOffice@bls.gov](mailto:PressOffice@bls.gov)

### CONSUMER PRICE INDEX – DECEMBER 2020

(NOTE: This news release was reissued January 19, 2021, correcting 29 seasonally adjusted CPI-U special relative series in tables 2 and 6. Additional information is available at [www.bls.gov/errata/home.htm?errataID=82899](http://www.bls.gov/errata/home.htm?errataID=82899).)

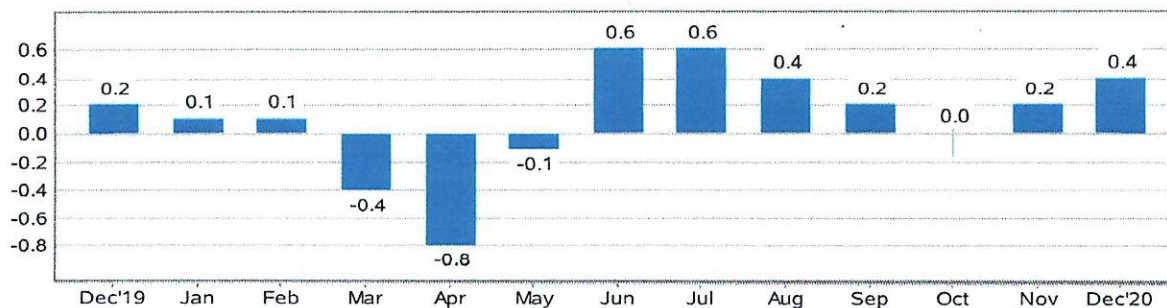
The Consumer Price Index for All Urban Consumers (CPI-U) increased 0.4 percent in December on a seasonally adjusted basis after rising 0.2 percent in November, the U.S. Bureau of Labor Statistics reported today. Over the last 12 months, the all items index increased 1.4 percent before seasonal adjustment.

The seasonally adjusted increase in the all items index was driven by an 8.4-percent increase in the gasoline index, which accounted for more than 60 percent of the overall increase. The other components of the energy index were mixed, resulting in an increase of 4.0 percent for the month. The food index rose in December, as both the food at home and the food away from home indexes increased 0.4 percent.

The index for all items less food and energy increased 0.1 percent in December after rising 0.2 percent in the previous month. The indexes for apparel, motor vehicle insurance, new vehicles, personal care, and household furnishings and operations all rose in December. The indexes for used cars and trucks, recreation, and medical care were among those to decline over the month.

The all items index rose 1.4 percent for the 12 months ending December, a slightly larger increase than the 1.2-percent rise reported for the period ending November. The index for all items less food and energy rose 1.6 percent over the last 12 months, as it did in the periods ending October and November. The food index rose 3.9 percent over the last 12 months, while the energy index fell 7.0 percent.

Chart 1. One-month percent change in CPI for All Urban Consumers (CPI-U), seasonally adjusted, Dec. 2019 - Dec. 2020  
Percent change



**SOUTH CAROLINA COMMISSIONERS OF PILOTAGE  
LOWER COASTAL AREA  
PILOTAGE RATES, FEES & CHARGES**

*Rate approved on May 11, 2021. Effective not sooner than August, 2021.*

All vessels calling at Charleston and lower coastal ports requiring or requesting pilotage will pay full pilotage rates and fees, per Title 54 of the SC code. Pilotage rates apply separately to inbound and outbound passages, and are based on the International Tonnage Convention of 1969 and deepest navigational draft.

The tonnage rate shall be **\$68.35 per 1,000 gross registered tons**, or fraction thereof. Tows are computed on the total tonnage of all tugs and towed vessels.

The draft rate shall be **\$27.90 per draft foot**, computed in half-foot increments, or fraction thereof. Tows will be computed on the deeper draft of the tug or tow.

Minimum charge for an inbound or outbound passage is \$1300.00 if tonnage and draft rates sum to a lesser amount. All ships underway and "dead" (i.e. ships without their own propulsion, or ships under tow) are charged double the applicable rates.

**EXTRA FEES**

1. The fee for a shift within a single zone is \$325.00. Multiple zone shifts are \$350.00 per zone. "Dead" ships are charged doubled the normal shift fee. Zones are as follows:

**Zone 1:** Outboard of US Rte 17 bridges to harbor entrance.

**Zone 2:** Inboard of US Rte 17 & outboard of I-526 bridges.

**Zone 3:** Cooper River, inboard of I-526 bridge.

**Zone 4:** Wando River, inboard of I-526 bridge.

2. For cancellation after the pilot is dispatched, the fee is \$1000.

3. Delay fees, excluding local weather, per half hour or fraction thereof (applied if within 2 hrs and the pilot had been dispatched):

	1 <sup>st</sup> ½ hr	2 <sup>nd</sup> ½ hr	3 <sup>rd</sup> ½ hr	Additional ½ hrs
Arrival	no cost	no cost	\$500	Cancellation/\$1000
Departure	\$200	\$200	\$500	\$500

4. A fuel surcharge, approved November 2, 2004, is added to each inbound and outbound passage, based on current fuel costs. The surcharge changes monthly and is computed based on rack rate on the final day of the previous month, less \$0.9491/gallon, times 58 gallons. In 2020, the surcharge ranged from \$12.69 to \$89.60.

5. Detention of a pilot onboard at master's request is charged the same fee as a departure delay. When a pilot is unable to disembark, the fee is \$500.00/day, plus deck officer quarters & 1st class return travel to Charleston.

6. Payment is due upon invoicing. Balances beyond 45 days shall be considered in-arrears. Lines and agencies in arrears may be placed on a cash basis for future departures.

7. Charges for passengers and launch services are billed by Charleston Navigation Company. Please contact the dispatcher.

**CHARLESTON BRANCH PILOTS ASSOCIATION**  
P.O. BOX 179, CHARLESTON, S.C. 29402  
PHONE: 843-577-6695; FAX: 843-577-0632



# Public Hearing

The Commissioners of Pilotage will hold a public meeting on 4/13/2021 via conference call at 17:00 hrs. The Pilots' Association has requested a rate adjustment from \$67.40 GT to \$68.35 GT, \$27.50 DF to \$27.90 DF. This is based on a CPI for CY2020 of 1.4%.

Interested parties may respond then or submit written comments to P.O. Box 20096, Charleston, S.C. 29413. Copies of the request may be obtained by calling the Harbor Pilots at 843-896-4207.

Amy W. Riley

Chairman

A. Owen Gregory COMMISSIONERS OF PILOTAGE  
P O BOX 20096  
CHARLESTON SC 29413

## AFFIDAVIT OF PUBLICATION

# The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising clerk of the above indicated newspaper published in the city of Charleston, county and state aforesaid, who, being duly sworn, says that the advertisement of

**Public Hearing**  
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Amy W. Riley  
Chairman  
AD# 1927897

(copy attached)

appeared in the issues of said newspaper on the following day(s):

03/12/21 Fri PC  
03/13/21 Sat PC  
03/14/21 Sun PC  
03/15/21 Mon PC  
03/16/21 Tue PC

03/17/21 Wed PC  
03/18/21 Thu PC  
03/19/21 Fri PC  
03/20/21 Sat PC  
03/21/21 Sun PC

03/22/21 Mon PC  
03/23/21 Tue PC  
03/24/21 Wed PC  
03/25/21 Thu PC  
03/26/21 Fri PC

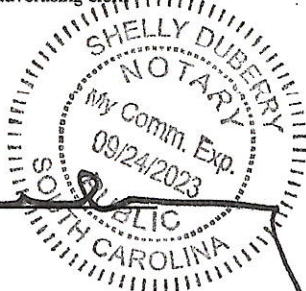
03/16/21 Tue CNW  
03/17/21 Wed CNW  
03/18/21 Thu CNW  
03/19/21 Fri CNW  
03/20/21 Sat CNW

at a cost of \$1,484.92  
Account# 103380  
Order# 1927897  
P.O. Number:

Subscribed and sworn to before  
me this 12th day  
of April  
A.D. 2021

*Edgeton Marisc*  
advertising clerk

NOTARY PUBLIC, SC  
My commission expires



03/27/21 Sat PC  
03/28/21 Sun PC  
03/29/21 Mon PC  
03/30/21 Tue PC  
03/31/21 Wed PC

03/21/21 Sun CNW  
03/22/21 Mon CNW  
03/23/21 Tue CNW  
03/24/21 Wed CNW  
03/25/21 Thu CNW

04/01/21 Thu PC  
04/02/21 Fri PC  
04/03/21 Sat PC  
04/04/21 Sun PC  
04/05/21 Mon PC

03/26/21 Fri CNW  
03/27/21 Sat CNW  
03/28/21 Sun CNW  
03/29/21 Mon CNW  
03/30/21 Tue CNW

04/06/21 Tue PC  
04/07/21 Wed PC  
04/08/21 Thu PC  
04/09/21 Fri PC  
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04/01/21 Thu CNW  
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