

Minutes of the Lower Coastal Commission of Pilotage Meeting

December 13, 2011
899 Morrison Drive
Charleston, SC 29402

Board members present were:

Mr. David Galloway, Chairman
Capt. Chris Thornton
Mr. John Hassell, III

Excused absence was noted for:

Mr. Kenneth Riley
Mr. William Lempesis

Staff and others present were:

Capt. Whit Smith, Chas. Harbor Pilots
Capt. John Cameron, Chas. Harbor Pilots
Capt. Michael White Jr., USCG
CDR Scott Higman, USCG
Ms. Julia Winkler, TradeWorthy, Inc.
Mrs. Kitty Cox, LLR
Mrs. Noreen Milligan, Secretary

The Commissioners of Pilotage for the Port of Charleston met Tuesday, December 13, 2011, at the Maritime Association Office, 899 Morrison Drive, 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 at the Maritime Association Office 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 referenced herein were unanimous unless otherwise noted.

Chairman Galloway asked the members to read the draft of minutes taken during the November 8th meeting. **Motion:** Commissioner Hassell made a motion to accept the minutes and Capt. Thornton seconded the motion. The motion passed. Next, the Finance Report was given and showed that checks written since the last meeting totaled \$550.00 and there were no deposits. With all bills being paid, it was reported the Commission had \$1,739.00 on hand. **Motion:** Capt. Thornton made a motion to accept the Finance Report and Commissioner Hassell seconded the motion. The motion passed.

Chairman Galloway asked for public comment. There was none.

The Coast Guard reported that Buoy 13 will be back in place on Tuesday, December 20th.

Chairman Galloway asked Mrs. Cox for the LLR report. She reported on the approval of the 2012 Omnibus Bill by the Upper Commission and that Capt. Cameron had reviewed the 2012 with approval as voted on at the last meeting of the Lower

Commission. Capt. Cameron's review proposed the following changes for the 2012 Omnibus Bill and review for the future:

1. Strike Article 2 with nothing to be retained
2. Clarification of Statute 54-15-120 & Reg. 136-032, regarding examination for apprentices. Recommend no changes
3. Clarification of statutory authorization of Reg. 136-080(d). Not Necessary
4. Clarification of Statute 54-156-100 and Reg. 136-012, regarding four year degree or third mate license as prerequisite. Recommend no change
5. Consideration of statute 54-15-190 regarding launch assets. Recommend
6. Consideration of Statute 136-717, Upper Coastal Area Apprenticeship; in that the apprenticeship period in the upper coastal area is proposed to change from one year to two years. Recommend consulting with the Upper Coastal Commission, to amend this proposal to allow a 1 year familiarization apprenticeship for registered full branch pilots in the lower coastal area to suffice.

Mrs. Cox reported the Legislature has set a date for a possible hearing on the Omnibus Bill regarding Pilotage for January 24, 2012 in Charleston, if needed. It was reported three (3) pilots are due for physical in December. It was reported Regulation 136-018 is up for automatic approval on March 19, 2012. Mrs. Cox informed the Commission that there is a Board Member Reference manual web-site that they can access.

There are no new updates on the Port of Jasper. Capt. Cameron will continue to keep the Commission informed.

NOAA responded to the letter from Governor Haley in reference to the Right Whale speeds. In the coming months NOAA will conduct various analyses regarding the conservation measures and will consider whether modifications are warranted. The Commission was pleased with their response.

It was reported there is a town hall meeting tonight at the Citadel on the Charleston Harbor Post 45 project. The meeting is from 6:00 pm to 8:00 pm. Chairman Galloway asked for everyone to try and attend this very important meeting.

There was no update on the air draft issue. This issue will be tabled until next the meeting when Commissioner Lempesis will be in attendance.

The repositioning of the cranes from CST to WWT discussion was tabled until next meeting when Commissioner Lempesis will be back to give an update.

Chairman Galloway asked if there was any new business to bring before the Commission. Capt. Cameron said that the NTSB sent out a letter to all governors in reference to fatigue management among harbor pilots. The NTSB would like a response from the states in 90 days, addressing the actions that have been taken or intend to be taken to implement their recommendations. As a consultant to the Commission, he recommends that the Commission embark on a study among Charleston Branch Pilots, with the intention of reporting back a summary of the statistical analysis at the January meeting. The report will include data to determine whether existing fatigue policy is sufficient or if changes need to be implemented. Capt. Cameron said he expects the analysis to take about 80 hours. It was reported the cost for the research should not exceed \$3,000.00. Chairman Galloway asked for a motion to proceed with the research. **Motion:** Commissioner Hassell made the motion to proceed with the research and Commissioner Thornton seconded it. The motion passed.

Capt. Smith said he would like the Commission to look into a better way to handle the drug tests on the pilots. CDR Higman said that the pilots can be tested anytime of the day. Mrs. Cox recommended that they go to a Lab Corp to be tested. It was stated the Commission will look into this more at the next meeting.

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

Respectfully submitted,

Noreen K. Milligan
Executive Secretary

David Galloway
Chairman