

APPROVED MINUTES

RI STATE PILOTAGE COMMISSION MEETING

February 9, 2012

held at 235 Promenade Street, Room 250

Providence, Rhode Island 02908

MEMBERS IN ATTENDANCE:

Capt. E. Howard McVay Jr., Chair

Larry Mouradjian, Member

Chief Steve Hall, Member

EXCUSED FROM ATTENDANCE

Capt. Peter Fritz, Member

OTHERS IN ATTENDANCE:

Ed LeBlanc, USCG

Hank Nelson, Goff & Page Co.

Evan Mathews, EDC, QDC

David Keene, Shell

Capt. Paul Costabile, Ex. Director, NEMP

Joanne Scorpio, Recording Secretary

Atty. Gary Powers, legal Counsel

I. REVIEW OF PREVIOUS MEETING MINUTES:

Quorum being present, the chair called the meeting to order at

approximately 9:30 a.m. Commissioners reviewed the January 12, 2012 minutes. Member Larry Mouradjian made a motion to accept the minutes; Member Chief Hall seconded the motion. The minutes were approved by assent.

II. OLD BUSINESS:

1) Continued Discussions RI Statutes and Regulations - Atty. Powers addressed the Commission with the following revisions:

§46-9-2 vessels required to employ a state pilot, Atty. Powers advised that the authority to make any modifications to the statute lies within the General Assembly and that the Commission should not go forward with revisions at this time. Member Chief Hall made a motion to remove this statute from the annual hearing agenda; Member Larry Mouradjian seconded the motion. Voted 2-0 in favor.

State Regulation 14.05(2), Anti-Collision Strobe Light – The revision to delete this section from regulation has been forward to DOA, EDC, and the Governor's office for their review.

State Regulation 15.14, Rates of Pilotage Fees...- the adoption of Section 3 was added to the regulation which will exempt certain yachts from obtaining a pilot. Once approved by the Commission it will be forwarded to appropriate agencies for their review and approval to go before the public hearing on April 5, 2012.

State Regulation 15.08, Pilot Station – Atty. Powers advised the Commissioners that he drafted a modification to require any communication between vessels to use the name of the approaching or departing vessel opposed to using the name of the officer.

Member Larry Mouradjian made a motion to accept abovementioned topics for the annual hearing agenda. Member Chief Hall seconded the motion. Voted 2-0 in favor.

2) STCW - Chair McVay stated that he and two other pilots will be taking the STCW recertification class. After completion they will be STCW (Standards of Training Certification and Watchkeeping) compliant.

3) America's Cup /Tall Ships update - Member Chief Hall stated that nothing has been confirmed regarding the planning phase of this year's events. Ed LeBlanc advised that the race areas have been mapped. He distributed a map of the bay showing the travel routes of the races. He went on to state that recreational boats will still be able to travel in and out of Newport. The waterways will however be closed to commercial vessels during the racing periods. The USCG will be working with the NEMP and will consult with them on any concerns that they may have with events taking place in the Bay. The Cup will run from June 22 to July 1.

4) NTSB response - Chair McVay reported that he responded to the NTSB regarding the fatigue policy and sent a copy of that letter to the Governor's office.

III. NEW BUSINESS:

1) USCG proposed regulation change- Chair McVay stated that the USCG has proposed revisions to regulations overseeing drug and alcohol testing. The change will be from giving a 24-hour notice for a mariner to submit a sample to "reporting immediately" to the testing facility. He went on to state that the NEMP drug-testing policy is currently consistent with federal regulation and advised the members that he does not support the proposed modification. The Chair suggested that the Commission respond to the USCG by February 22, 2012. He and Capt. Costabile would look further into the proposal to get more information.

2) Update on sunken barge - Ed LeBlanc advised the Commissioners that all material at the bottom of the bay has been removed. The barge will be leaving for Lindberg Marina, New Bedford to be scrapped. He also reported that one of the crane barges on scene removing material from the bay had sustained some damage. It was alleged that a vessel piloted by one of the state pilots had passed by the barge and indirectly caused the damage. Chair McVay said that the insurance companies and attorneys will investigate and assess the damage.

3) Update on other events taking place on Narragansett Bay - Ed LeBlanc reported that the Newport/Bermuda race will take place on Friday, June 15; the same day of the air show practice. The Castle Hill waterway will be blocked off in the morning to early afternoon. Ed LeBlanc will have more information after the May meeting.

The NEMP proposed that the Delta anchorage in Newport be resized to change its shape to a square-shaped anchorage. The USCG issued a regulatory action and was approved. The new anchorage will be in operation on April 9, 2012. All electronic charts and paper charts will have the new Anchorage Delta dimensions.

V. EXECUTIVE SESSION:

No executive session

VI. PUBLIC COMMENTS:

Evan Mathews said that dredging will begin once the permit is approved. The dredging will take place in Davisville and between the piers.

VII. NEXT SCHEDULED MEETING:

The RI Pilot Commission plans to hold the next regular monthly meeting in the conference room of the Division of Law Enforcement at DEM headquarters located at 235 Promenade Street, Rm. 250, Providence, RI on Thursday, March 1, 2012 starting at approximately 9:30 a.m.

VIII. ADJOURNMENT:

The meeting adjourned at 10:49 a.m.