

APPROVED MINUTES

RI STATE PILOTAGE COMMISSION MEETING

April 5, 2012

held at 235 Promenade Street, Room 300

Providence, Rhode Island 02908

MEMBERS IN ATTENDANCE:

Capt. E. Howard McVay Jr., Chair

Larry Mouradjian, Member

Chief Steve Hall, Member

Capt. Peter Fritz, Member

OTHERS IN ATTENDANCE:

Evan Mathews, EDC

Tom Sullivan, Moran Shipping

Capt. Paul Costabile, Ex. Director, NEMP

Joanne Scorpio, Recording Secretary

Atty. Gary Powers, legal Counsel

Hank Nelson, Goff & Page Co.

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 March 1, 2012 minutes. Member Chief Hall made a motion to accept the minutes;

Member Capt. Fritz seconded the motion. The minutes were approved by assent.

II. OLD BUSINESS:

1) Apprentice Pilot Update – Capt. McVay stated that he received the quarterly report from the State Pilot Board. He then read the report to the commissioners.

(See RI State Pilot Board file for copy of report)

The Board is recommending Capt. Bogus for a full branch license. Capt. Peter Fritz made a motion to approve Capt. Bogus for a full branch license. Member Chief Hall seconded the motion. Voted 3-0 in favor. Chair McVay went on to state that Capt. Bogus has not been approved to dock ships in Promet Pier, Wilks Barre Pier, or Brighton Point to date.

Capt. Bruce Barnaby has completed his second quarter and has demonstrated some areas of concern. He will need to focus and show improvement for successful completion of the Apprentice Training Program.

Capt. Costabile advised the commissioners that Capt. Patrick Donovan is currently master on a ship and out at sea. He will be returning on April 23. He also stated that Capt. Donovan has been piloting on his ship. Chair McVay said that Capt Donovan needs to pilot three to five more trips to complete the Block Island Sound

apprentice program. Once he completes successful trips he can then schedule a date for an exam.

2) Continued discussions of RI Pilotage Statutes - Chair McVay read the statutes and then asked for any comments from the Commissioners. Members continued to discuss the following statutes:

§46-9-10, Examination of applicants – No action will be taken to make revisions.

§46-9-11, Deferment of Applications for Future Examination - No action will be taken at this time.

§46-9-12, Duration and Renewal of License – No action will be taken at this time.

§46-9-13, License Fees – Member Larry Mouradjian stated that he wanted to investigate this statute further. He said that fees should not be included and locked in state law because of the procedure involved in making revisions. He would like to see the statute changed where it would give the Commission the regulatory authority to make fee adjustments through state regulation instead. He went on to say the he would like to: 1) find out what comparable fees are and to keep RI consistent and competitive with other states. 2) To investigate a process that will allow flexibility in adjusting the fee over time. The Commission will continue discussions on the aforementioned statute.

§46-9-16, Pilots Bond – Atty. Powers stated that a pilot license is required in a sum of a \$25,000.00 bond. He will confirm this amount

and get back to the commissioners at the next meeting.

3) Americas Cup, Tall Ships, Bermuda Race Update – Evan Mathews inquired about Americas Cup. The Chair responded by saying that the bay would be closed from 11 to 5 every day during the event and that the USCG will be making the decision on that. Chair McVay also said that he emailed the commissioners the docket and notice that the Coast Guard published regarding the temporary safety zones in the East Passage during the event. He also attached a copy of his draft comments for their review. He strongly advised each of the commissioners to make their comments regarding the bay closure.

Member Chief hall advised that the Cup will run from 2:00pm-5:30pm and that have the event timeframe has been shortened. The practice races will take place on June 27 and then the actual Cup race will take place on June 28, 29, 30 and July 1. He also reported that the tall ships are up to three Class A vessels.

Chair McVay say that the Save the Bay annual swim will also be taking place this summer starting by the naval war college and then across Potters Cove above the Newport Bridge. It lasts approximately three hours.

III. NEW BUSINESS:

1) Chair McVay advised the Commission that the Army Corps of Engineers recently sent out the new soundings of Narragansett Bay,

Providence River channel, Harbor of Refuge, and Pt. Judith. A copy of the charts can be downloaded from US Army Corps of Engineers website.

2) Comments on Americas Cup – The members approved Chair McVay’s draft comments concerning the closure of Narragansett Bay East Passage to commercial vessels during the races. Chair McVay will send them to the USCG before the April 10, 2012 deadline.

IV. EXECUTIVE SESSION:

No executive session

V. PUBLIC COMMENTS:

No public comments

VI. 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, May 3, 2012 starting at approximately following the public hearing.

VII. ADJOURNMENT:

The meeting adjourned at 10:45 a.m.