

**Connecticut Pilot Commission**  
**Summary Report January 15, 2013 Public Meeting**  
**Coast Guard Sector Long Island Sound**  
**New Haven, CT**

- 1.) The public meeting was called to Order at 10:00 a.m. by the Chairman, Bill Gash. Pilot Commission members Chuck Beck, Alan Blume, Bill Borek, Mike Eisele, Phil Gaughran, Ralph Gogliettino, and Dave Pohorylo were also present. Also attending were CDR Amy Beach, Keith Colwell, Paul Costabile, Tom Dubno, Charlie Jonas, Alan Richter, Joe Maco, Brad Pimer, Dave Rossiter, Alex Woodworth. All present were asked to introduce themselves.
- 2.) A motion was made to approve the summary report of the November 20, 2012 meeting by Mike Eisele and seconded by Alan Blume. There was no discussion. The motion passed by unanimous vote.
- 3.) Public Comments - None
- 4.) U.S. Coast Guard - CDR Beach stated that she had nothing to pass.
- 5.) Rotation System Executive Board Update – After nobody offered comments, Chuck Beck offered that there might be confusion as to who would be making the report. He referenced the November 20 CPC meeting minutes that had just been approved. The November minutes reflected that Charlie Jonas stated that Paul Costabile, an employee of the Joint Rotation Administrator, was not a member of the RSEB thus, had no business attending the RSEB meetings or generating meeting minutes. Beck reminded the Chairman that he had asked the pilots to figure out how to administer the RSEB meetings and report back to the CPC. After no comments offered by the pilots, Paul Costabile stated that on behalf of the NY side of the RSEB he had sent several emails to the CT State Pilots (CSP) requesting a meeting of the RSEB. Ten (10) different dates were offered. The CSP never responded. In answer to a question about when the last RSEB meeting Paul Costabile stated he thought it was November 2012b but Joe Maco later corrected to September 2012. There was some discussion as to who from the NY side and the CT side had been present. Paul Costabile closed his remarks by stating that due to the lack of participation on the part of the CSP, the RSEB has ceased to function as intended. The Chairman stated that the RSEB item should be dropped from the agenda until the pilots are ready.
- 6.) Connecticut Department of Transportation – Dave Rossiter provided an update on the shoaling and dredging needs of New Haven Harbor as he had been requested to do by the Chairman at the November 2012 meeting. Dave reported that he had obtained information from Ed O'Donnell and Craig Martin of the New England District of the Army Corps of Engineers (ACOE) Navigation Division. A survey conducted prior to storm SANDY determined that there was approximately 810K cubic yards of material that needed to be removed from the federal channel as part of a planned maintenance dredging project. Dave also reported that the rate of sediment being deposited in the channel was about 100K cubic yards per year. Dave presented handouts and a chart created by the ACOE for all to review. In response to a question from Phil Gaughran about shoaling in the approaches to the terminals, Dave stated there were 6 survey sheets and it did not appear that any of the surveys had covered outside of the federal channel. He continued stating that it was the responsibility of the terminal operator to maintain needed depth from the channel limits up to and alongside any terminal's dock, wharf, bulkhead and/or mooring structures. In response to a question from Joe Maco, Dave confirmed that the survey information dated 9/28/2012 was the most recent and was based on information collected during January-February 2012. The Chairman allowed time for anybody interested to review the charts provided by Dave.

Chuck Beck offered comments relative to the declaration by the pilots that they didn't recognize the JRA as having anything to do with the RSEB meetings. He recommended that the CPC keep the RSEB Update on the CPC meeting agenda. He reminded all that the pilots had been asked to

figure out how to administer the RSEB and report to the CPC at this meeting. If the pilots are not held accountable they will continue to refuse to meet with the NY side under the RSEB umbrella. Alan Blume recalled that it was the pilots who had asked for the RSEB Update to be added to the CPC agenda a year or so ago so it seems strange that they are not offering a report. He thought perhaps administration of the RSEB was a function of the MOA thus, the responsibility of CTDOT and NY Board vs. the CPC. Blume recommended keeping the RSEB on the agenda for at least one more month in an attempt to bring the issues to closure. Joe Maco expressed his belief that obtaining an update about or from the RSEB was an appropriate CPC agenda item and to remove it from the agenda was only avoiding addressing problems within the rotation. The Chairman stated that it was not his intent to avoid anything. The CSP has a member on the Commission and that member chooses not to discuss the RSEB. Maco repeated that is tantamount to avoiding. Phil Gaughran stated that no NY licensed pilot on the NY side of the rotation had asked for a meeting of the RSEB. Paul Costabile asked for the meeting and the CSP do not recognize him relative to the RSEB.

#### 7.) Continuing Business:

A. Apprentice Pilot Training Report - Phil Gaughran provided a quick update on the status of the two remaining apprentice pilots training. He stated that Scott Esposito had added no trips since November 2012. Thus, of the 48 trips needed he has 12 in ELIS, 11 in WLIS and 21 in New Haven harbor. Sean Bogus had 1 trip since November. Thus, of the 48 needed he has 11 in ELIS, 1 in WLIS 9 in New Haven harbor, 1 in New London harbor and 1 in Bridgeport harbor. Phil stated that on average a licensed pilot working the MOA waters can make \$125K gross pay per year. At the rate of ship rides for the apprentices are available it's not worth them pursuing obtaining a CT license. Phil blamed the regulations for the slow progress of the apprentices. When question by Chuck Beck to explain what the regulations had to do with the slow pace, Phil stated that the number of trips being required by the Apprentice Selection and Training regulation coupled with the slow economy it will take forever for the apprentices to meet the requirement. Beck asked Phil if he knew how many trips each apprentice had prior to applying for the apprentice program. He stated he was asking because the third apprentice, Alex Woodworth, was granted a license in the summer of 2012 because he was allowed to count trips made prior to his application to count towards those required by the apprentice training program, provided they were properly documented. Thus, shouldn't the "Woodworth Rule" apply to all apprentices? Alan Blume agreed stating that as long as safety is the key consideration and all trips are properly documents the standard set for Woodworth should apply. Phil Gaughran stated that he would review and report as part of his update at the February CPC meeting.

B Pilotage Rates and Fees – Status of Pilotage Rate Increase Regulation - Bill Gash stated that the pilotage rate increase regulation was on the verge of clearing OPM or at this time may have already cleared OPM. Chuck Beck added that the change to the regulation had cleared OPM and also been reviewed by the Governor's office and returned to CTDOT with some minor editorial changes to be made, some of which were to parts of the regulation that were not being changed. He stated that the CTDOT Legislative Manager was making the changes and once done would be putting the regulator change out for public notice. Beck continued the fee discussion by updating all on a recent request to extend the temporary pilot boat fuel surcharge. He stated he had included two emails from the Paul Costabile to the CTDOT Commissioner requesting on behalf of the pilots that the surcharge due to expire January 31, 2013 be extended for another and also that the fee be increased from \$260 per transit to \$280. The action is needed because of the delay in implementing the change to the pilotage rates regulation. The pilotage rate regulation has formula that would allow for an automatic adjustment to the fuel surcharge embedded based on current fuel costs. Beck stated that perhaps the CPC should weigh in on the request but also offered that perhaps the request should be dismissed out of hand since the pilots do not recognize Paul Costabile or the JRA as representing their interests. Beck stated that he had discussed the request to extend and increase the fuel surcharge with the CTDOT Commissioner just prior to departing CTDOT HQ to travel to the CPC meeting and that the Commissioner did not have any problem with the request. He asked for a consensus vote by the CPC Commissioners. Although all were nodding in agreement, the Chairman did not call for a motion and vote but stated that the CPC "acknowledged" the request.

C Investigative Processes for Marine Incidents/Accidents – Alan Blume handed out a whitepaper on the issue and led the discussion. An issue that has been around for quite some time is that in accordance with CGS Section 15-13c(g), the CPC is among other things required to "review and investigate any marine incident or casualty and conduct hearings to determine the causes of any such incident". Blume pointed out that the reality is that the CPC does not have the resources to meet the statutory requirement and for that matter neither does the CTDOT. He offered three possible options that could be pursued as a solution: (1) The CPC develop rules and procedures for investigating marine incidents or casualties as well as identify and obtain the resources necessary for conducting such investigations. (2) The CPC propose that CGS Section 15-13c(g) be revised to transfer the responsibility to the CTDOT. (3) Maintain the status quo and do nothing. There was a discussion on the pros and cons of each option. There was also a discussion on the need to define what constitutes a reportable incident/casualty. The CG has parameters that they use but they might not apply to a state license. The CG looks at the incident from a bigger picture focusing on enhancing safety of the operation and associated systems. The licensing authority/pilot commission also looks at the entire system that might have contributed to the incident with a focus on enhancing safety but with a greater focus on the role of the pilot. It was mentioned that the NY Board has an agreement with the CG relative to investigating incidents but the NY Board does conduct their own investigations involving a NY state licensed pilot because the CG has no jurisdiction over a state license. Alan Blume used the m/v COSCO BUSAN incident in San Francisco Bay as an example of positive action taken by the state marine pilot licensing authority. The conversation returned to the time and resources it would take to conduct an investigation of a major incident and the fact that the CT Pilot commission as presently constructed had neither. Mike Eisele stated that this issue had been raised and discussed over 8 years ago when he served as CPC Chair but faded. Alan Blume repeated that the do nothing solution is no longer an option due to the liability exposure. The Chairman thanked all for the discussion and Alan Blume for putting the whitepaper together. He also stated that he issue would be carried on the agenda and asked all to review the problem and be prepared to discuss viable options at the February CPC meeting. He also asked for comments or new options to be emailed to him (the Chair) over the next couple of weeks and he would forward them to Alan Blume. In response to a question from Charlie Jonas concerning if there were any incidents of interest to the CPC that would not also be of interest to the CG, Alan Blume stated that for the most part they were the same but that a CG investigation would not satisfy the statutory requirement. That led to a repeat discussion on why the CG investigates (enhance safety) and why a licensing authority still need to investigate (pilot involvement). Mike Eisele added that a cross investigation can be problematic if not properly coordinated between the two investigative bodies. Joe Maco added that he thought the CT AGs office would be involved in any investigation against a CT licensed pilot.

#### 8.) New Business

A. CPC Annual Report - Mike Eisele stated that he and Chuck Beck had drafted the 2012 CPC Annual Report that had been distributed electronically for all to review prior to the meeting. He stated that Beck had done the majority of the work and that he would be interested to hear if more or less detail should be provided, the length of the report or any other information. Alan Blume commented that the statistics in the report were good but that perhaps they could be presented in a chart format as well as the narrative. Mike Eisele asked if there should be a vote or should action on the annual report be deferred until the February CPC meeting. The chairman decided to defer action until the February meeting.

#### 9 ) Executive Session – None held

9 ) Adjourn - A motion was made by Alan Blume to adjourn. The motion was seconded by Bill Borek and unanimously approved. The meeting adjourned at 1053.

The Commission's next public meeting is scheduled for **10:00 a.m. on Tuesday February 19 2013 at the U.S. Coast Guard Sector Long Island Sound in new Haven, CT**