



Port of Corpus Christi

Pilot Board Meeting

Tuesday, May 13, 2014 8:00 AM

Port of Corpus Christi
Pilot Board Meeting
Tuesday, May 13, 2014 - 8:00 AM
Congressman Solomon P. Ortiz International Center located at 402 Harbor Drive, Corpus Christi,
Texas

AGENDA

1. Call meeting of the Pilot Board to order and receive conflict of interest affidavits.
2. Approve the minutes of the Pilot Board meeting held on April 8, 2014. 3
3. Receive comments from the public. **(Each speaker will be limited to three minutes)** 5
4. Receive a report from Capt. Joe Harrington, Chairman of the South Texas Waterways Advisory Committee (STWAC), regarding the status of the work of STWAC's ad hoc committee on the proposed Fatigue Management Guidelines for the Aransas-Corpus Christi Pilots. 6
5. Acknowledge receipt of letter dated April 25, 2014, from Capt. John Williams, Presiding Officer of the Aransas-Corpus Christi Pilots and Chairman of STWAC's ad hoc committee, regarding the proposal to add the Duties of Additional Pilots to the Pilot Board's Rules and Regulations Governing Pilots and Pilotage on the Corpus Christi Ship Channel. 7
6. Consider and take action on the proposal to add the Duties of Additional Pilots to the Pilot Board's Rules and Regulations Governing Pilots and Pilotage on the Corpus Christi Ship Channel. 9
7. Adjourn.

**OFFICIAL MINUTES OF PILOT BOARD MEETING
APRIL 8, 2014**

The Board of Pilot Commissioners for the Port of Corpus Christi Authority (the “Pilot Board”) met on Tuesday, April 8, 2014, at 8:00 a.m., at the Congressman Solomon P. Ortiz International Center, 402 Harbor Drive, Corpus Christi, Texas.

Commissioners Present: Ms. Judy Hawley
Mr. Richard Borchard
Mr. Charles Zahn
Mr. Al Jones
Ms. Barbara Canales
Mr. David Engel

Staff Present: Mr. John LaRue
Mr. Frank Brogan
Mr. Tony Alejandro
Mr. David Krams
Mr. John Pasch
Ms. Sherry DuBois
Mr. Tyler Fuhrken
Ms. Sarah Garza
Mr. Bland Chamberlain
Mr. Bennie Benavides

Others Present: Mr. Leo J. Welder, Jr.

Others Present: Capt. John Williams
Capt. Jay Rivera
Capt. Doug Stinchcomb
Capt. Mike Kershaw
Aransas/CC Pilots Assn.
Ms. Lillian Riojas
Capt. Joe Harrington
Valero Refining
Mr. Roger TenNapel
Flint Hills Resources
Mr. Mark Avelar
CITGO
Mr. Don Rodman
Rodman Consulting

I.

Chair Hawley called the meeting to order and asked for any conflict of interest affidavits. None were submitted.

II.

On motion made by Mr. Zahn and seconded by Mr. Borchard, the minutes of the Pilot Board meeting held on February 11, 2014 were approved in the form presented to the meeting.

III.

Chair Hawley asked for comments from the public. None were received.

IV.

On motion made by Ms. Canales and seconded by Mr. Jones, the Pilot Board approved the re-appointment of Douglas Stinchcomb as branch pilot.

V.

The Pilot Board received a report from Capt. Joe Harrington, Chairman of the South Texas Waterways Advisory Committee (STWAC), regarding STWAC's approval of the Two Pilot Guidelines for the Aransas Corpus Christi Pilots, which had been prepared by STWAC's ad hoc committee given that assignment.

VI.

The Pilot Board then reviewed the Two Pilot Guidelines for the Aransas Corpus Christi Pilots, which STWAC had submitted to the Pilot Board. Mr. Zahn moved (i) that the Pilot Board's counsel convert the Two Pilot Guidelines for the Aransas Corpus Christi Pilots into proposed rules which could be added to the Pilot Board's Rules and Regulations Governing Pilots and Pilotage on the Corpus Christi Ship Channel, (ii) that the proposed rules be noticed and posted as required by law, and (iii) that the proposed rules be presented to the Pilot Board for approval at its next meeting. Ms. Canales seconded the motion and the motion passed.

VII.

The Pilot Board received a report from Capt. John Williams, Chairman of STWAC's ad-hoc committee working on the Fatigue Management Guidelines for the Aransas-Corpus Christi Pilots, regarding the status of the ad hoc committee's work on these guidelines.

VIII.

The meeting adjourned at 8:56 a.m.

AGENDA ITEM NO. 3

No Attachment

AGENDA ITEM NO. 4

No Attachment

ARANSAS - CORPUS CHRISTI PILOTS

P.O. BOX 2767, CORPUS CHRISTI, TEXAS 78403
(361) 884-5899 • FAX (361) 884-1659

April 25, 2014

Mr. John P. LaRue
Executive Director
Port of Corpus Christi
Secretary - Board of Pilot Commissioners
PO Box 1451
Corpus Christi, TX 78403

Subj: Pending amendment to the Rules and Regulations Governing Pilots

Mr. LaRue,

I write with regard to the recent release of the planned addition to the subject rules regarding the Duties of Additional Pilots.

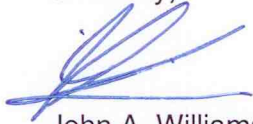
The proposed language present is not the same as the version that was approved by the South Texas Waterways Advisory Committee (STWAC) and presented to the Board as per its July 29, 2013 Order. A reason may possibly be that both the Pilots and the STWAC and perhaps the Board, did not realize until late in the process the intention of ultimately incorporating the Pilots' submitted "Two Pilot Guidelines" into the already established Rules and Regulations Governing Pilots (Rules) in lieu of a stand-alone Pilot and/or Board sanctioned guideline or rule. Had the Pilots been aware that this was the intention, perhaps the Guidelines would have been structured accordingly, and the STWAC's subsequent review would have been similarly conducted.

With the exception of one unanswered question, it appears that the proposed language in the pending amendment maintains the same essence and force found in the STWAC's recommendation. We note that it is the Board's intention to insert the Duties of Additional Pilots into the body of the already established Rules minus the last paragraph that was present within the STWAC's recommended version. It is our assumption that the Board intends to make Part IV (General Conditions) of the Rules applicable to the new Duties of Additional Pilots in lieu of the now missing last paragraph that was included in the recommendation. Prior to ratification, we respectfully request that the Board confirm that the General Conditions in the existing rules will apply to all of the Rules including the Duties of Additional Pilots.

We submit that one way of assuring that is to reposition the "General Conditions" as part V where it will be at the end of the body of the document and can more clearly be seen as the conditions that apply to ALL the rules contained within. We respectfully request that the Duties of Additional Pilots be incorporated accordingly and that any subsequent amendments be inserted in the same manner.

Putting the foregoing question aside it is our understanding that the Board's intent in its July 29, 2013 Order regarding a Harbor Safety Committee process, was to provide itself with recommendations on safety and navigation issues from a Harbor Safety Committee comprised of individuals with the applicable knowledge and expertise to assist the Board in addressing rule changes or amendments in the future. We look forward to doing our part providing the Board with the recommendations that its July Order contemplates as State Commissioned Pilots accountable to the Board and as participants in the now established Harbor Safety Committee (STWAC) and working with it toward maintaining safety on the waterway.

Sincerely,



John A. Williams
Presiding Officer
Aransas Corpus Christi Pilots & Chairman – SWTAC Ad Hoc Committee.

cc Port of Corpus Christi Deputy Director of Operations

**AN ORDER OF
THE BOARD OF PILOT COMMISSIONERS
FOR THE PORT OF CORPUS CHRISTI AUTHORITY
REGARDING THE DUTIES OF ADDITIONAL PILOTS**

Whereas, the *Rules and Regulations Governing Pilots and Pilotage on the Corpus Christi Ship Channel* attached hereto as Attachment One (“Pilotage Rules and Regulations”) were approved and adopted by the Board of Pilot Commissioners for the Port of Corpus Christi Authority (“Pilot Board”) in accordance with Chapter 70, Texas Transportation Code, effective as of August 1, 2013; and

Whereas, the Pilot Board wishes to amend the Pilotage Rules and Regulations by renumbering current Section IV of the Pilotage Rules and Regulations as Section V and adding a new Section IV thereto regarding the duties of additional pilots when a vessel transiting the Corpus Christi Ship Channel requires the services of two or more pilots; and

Whereas, notice of the proposed new rule has been given and posted in accordance with the requirements of Section 70.021 of the Texas Transportation Code;

NOW, THEREFORE, BE IT RESOLVED by the Pilot Board that:

Section 1. The Pilot Board hereby amends the Pilotage Rules and Regulations by renumbering current Section IV of the Pilotage Rules and Regulations as Section V.

Section 2. Pursuant to the power and authority granted to the Pilot Board in Section 70.016 of the Texas Transportation Code, the Pilot Board hereby amends the Pilotage Rules and Regulations by adding and adopting a new Section IV thereto to read as follows:

IV DUTIES OF ADDITIONAL PILOTS (Added May 13, 2014)

This Section IV applies only when a Vessel transiting the Corpus Christi Ship Channel requires the services of two or more Pilots. The additional Pilot(s) will assist in gaining, maintaining and assessing situational awareness, problem solving, and decision making throughout the transit. This will enable the conning Pilot to not become overloaded such that situational awareness can be maintained at all times allowing the conning Pilot to concentrate on the conduct of the Vessel in the waterway.

Only one Pilot will be conning a Vessel at any given time. It will be communicated to the Bridge Team during the Master Pilot Exchange which Pilot will be conning and which Pilot(s) will be assisting. It will be subsequently communicated to the Bridge Team when the conning Pilot and the additional Pilot(s) exchange duties. The additional Pilot(s) will be engaged throughout the transit and may assist any time needed as outlined below:

Boarding / Communications with crew:

- Assist during Master-Pilot Exchange.
- Evaluation of Vessel's navigation equipment.
- Review Under Keel Clearance (UKC) issues.
- Arrange traffic meeting situations.

Transit of waterway:

- The additional Pilot(s) may be stationed at different locations on the Vessel to aid with any visibility/deck obstruction issues.
- Assess any hazards to the safe navigation of the Vessel.
- Monitor position of Vessel in the channel.

Docking / Undocking:

- Assist during docking, undocking, close quarter situations, and turning.
- Positioning of Vessel at berth / liaising with dock personnel.
- Coordinate with line handlers.

Accident Avoidance and Response:

- Replace conning Pilot in case of incapacitation.
- Handle communications with authorities.
- Coordinate damage control and spill mitigation.
- Coordinate tug assist.

Section 3. The foregoing amendments to the Pilotage Rules and Regulations shall become effective as of the 13th day of May, 2014.

IT IS ACCORDINGLY SO ORDERED this 13th day of May, 2014.

Judy Hawley
Presiding Officer of the Pilot Board

ATTACHMENT ONE

RULES AND REGULATIONS GOVERNING PILOTS AND PILOTAGE ON THE CORPUS CHRISTI SHIP CHANNEL EFFECTIVE AUGUST 1, 2013

I **GENERAL**

The Rules and Regulations (“Rules”) contained herein are adopted by the Board of Pilot Commission for the Port of Corpus Christi Authority to carry out the Port of Corpus Christi Pilots Licensing and Regulatory Act, Chapter 70, Texas Transportation Code.

For purposes of these Rules, the following definitions apply:

- “CCSC” means the Corpus Christi Ship Channel
- “Cut A” means the CCSC from Port Aransas to Ingleside.
- “Cut B” means the CCSC from Ingleside to the Harbor Bridge.
- “Inner Harbor” means the CCSC westward of the Harbor Bridge.
- “Tanker” means any Vessel carrying, or designed to carry, liquid cargoes in bulk.
- “Category One Tanker” means a Tanker with the following dimensions:
 - Greater than 748 feet (227.99 meters) Length Over All (LOA), and
 - Greater than 120 feet (36.58 meters) Beam (Width), and
 - Greater than 40.9 feet (12.47 meters) Draft.
- “Category Two Tanker” means a Tanker with the following dimensions:
 - Greater than 748 feet (227.99 meters) LOA, and either
 - Greater than 120 feet (36.58 meters) Beam, or
 - Greater than 40.9 feet (12.47 meters) Draft.

II **LIMITATIONS AND RESTRICTIONS**

Draft Restrictions

The Maximum Draft for any Vessel transiting the CCSC will be 45 feet (13.72 meters), and with a positive tide reading.

Combined Beam Restrictions

The following Combined Beam Restrictions will apply to all Vessels:

- Within Cut A, the permissible combined beam for passing Vessels is 265 feet (80.77 meters).
- Within Cut B, the permissible combined beam for passing Vessels is 215 feet (65.53 meters).
- Within the Inner Harbor, at the location of the ADM and Citgo Docks, the permissible combined beam for passing Vessels (including combined beam of Vessels berthed at ADM and Citgo Docks) is 357 feet (108.81 meters).

Daylight Only Passage Restrictions

The following vessels are subject to *Daylight Only Passage Restrictions*:

- All Vessels greater than 900 feet (274.32 meters) Length Over All (LOA)
- All Vessels greater than 130,000 Deadweight Tonnage (DWT)
- All Vessels greater than 250 feet (76.20 meters) transiting “Dead Ship”
- All Vessels subject to USCG Letter of Deviation requiring Tug Escort
- All Vessels with greater than 26 feet (7.92 meters) trim, when passing under the Harbor Bridge
- All Category One Tankers

The following applies to all Vessels subject to *Daylight Only Passage Restrictions* as per these Rules:

- Inbound Passages are restricted to Pilot boarding no earlier than ½ hour before Sunrise, and no later than the times detailed below for the various locations.
- Outbound Passages are restricted to Pilot boarding no earlier than Sunrise, and no later than the times detailed below for the various locations.
 - From Viola Basin - 5 ½ hours before Sunset
 - From Tule Basin - 5 hours before Sunset
 - From Chemical Basin - 4 ½ hours before Sunset
 - From Avery Basin - 4 hours before Sunset
 - From Main Basin - 3 ½ hours before Sunset
 - From Ingleside - 2 ½ hours before Sunset

One Way Traffic Restrictions

The following Vessels will be restricted to One Way Traffic within Cut B:

- All Vessels greater than 900 feet (274.32 meters) Length Over All (LOA)

- All Vessels greater than 130,000 Deadweight Tonnage (DWT)
- All Vessels greater than 250 feet (76.20 meters) transiting “Dead Ship”

The following Vessels will be restricted to One Way Traffic within both Cut A and Cut B:

- All Category One Tankers when transiting at night

Two Pilot Requirements

The following Vessels are required to retain the services of two Pilots for the transit:

- All Vessels greater than 900 feet (274.32 meters) Length Over All (LOA)
- All Vessels greater than 130,000 Deadweight Tonnage (DWT)
- All Vessels greater than 250 feet (76.20 meters) transiting “Dead Ship”
- All Vessels subject to USCG Letter of Deviation requiring Tug Escort
- All Vessels with greater than 26 feet (7.92 meters) trim, when passing under Harbor Bridge
- All Vessels with a beam of greater than 120 feet (36.58 meters), when transiting the Inner Harbor, at the ADM and Citgo Docks, when both docks are occupied
- All Category One and Two Tankers when transiting at night

Additional Requirements

All Vessels greater than 1,600 Gross Tons shall have available a functional AIS Pilot Plug.

All Aransas – Corpus Christ Pilots shall be provided with a Portable Pilot Unit for use during the transit.

III VARIANCES

Any Vessel subject to *Daylight Only Passage Restrictions* may transit the CCSC at night, with Two Pilots onboard, subject to the approval of both the Harbor Master and the Aransas – Corpus Christi Pilots Association.

Any Vessel may be exempted from *One Way Traffic Procedures* for all (or part) of the transit of the CCSC, subject to the approval of both the Harbor Master and Aransas – Corpus Christi Pilot’s Association.

Any Vessel exceeding the parameters of these Rules may be subject to various restrictions, including additional pilots, *Daylight Only Passage Restrictions*, *One Way Traffic Procedures*, mandatory Tug assistance, or be denied entry.

These Rules are based on normal traffic patterns and typical weather/tidal conditions. Variances from these Rules may be imposed at times by Federal, State or local authorities because of weather, prevailing channel conditions, or other reasons.

IV GENERAL CONDITIONS

These Rules shall apply to all Vessels transiting the CCSC, regardless of whether the vessel is transiting under federal pilotage authority, or with a state-licensed, Aransas – Corpus Christi Pilot onboard.

In obeying and construing these Rules, due regard shall be had to all dangers of navigation and recognition is hereby given to the responsibility of the individual Pilot to exercise judgment as to any special circumstance which may render a departure from the Rules contained herein necessary in order to avoid immediate danger.

Nothing in these Rules obligates an individual pilot to move a vessel when, in that pilot's opinion, it is unsafe to do so. These Rules made in the interest of safety. They are not intended to limit or supersede the on-scene discretion of an individual Pilot or ship's Master as they navigate vessels on the CCSC. The Pilot and Master on the vessel are best situated to evaluate the specific situation confronting a Vessel and determine a proper course of action. Situations may arise in which actions that depart from or conflict with these Rules may be necessary to address special circumstances or avoid immediate danger. The Pilot, with approval of the ship's Master, may determine a variance from the Rules is appropriate without prior written request or approval.

Every foreign Vessel and every American Vessel engaged in foreign trade, including Vessels being moved dead, when underway on the CCSC shall employ an Aransas-Corpus Christi Pilot holding a valid commission or appointment as a Branch or Deputy Pilot.