



BOARD OF EXAMINERS

New Orleans and Baton Rouge Steamship Pilots for the Mississippi River

Lee A. Jackson
Commissioner

Casey E. Clayton
President

Kevin G. Alario
Commissioner

JUNE 27, 2023, QUARTERLY MEETING MINUTES

1. Call to Order

The quarterly meeting was called to order at 1:00 p.m. by President Casey Clayton.

2. Roll Call

Roll call was taken. Board members present were President Casey Clayton, Captain Lee Jackson, and Captain Kevin Alario.

Also present were Ralph Wall and Jeff Pastorek.

3. Adoption of Minutes

Captain Alario made a motion to approve the March 21, 2023, Quarterly Meeting Minutes; Captain Jackson seconded. The motion was approved with all Examiners voting in favor.

4. General Session

a. Update and Discussion: USCG Annual Physicals and Medical Certificates

Discussion: There was discussion about the change for USCG Medical Certificate compliance for pilots moving from every 2 years rather than every 5 years. Specifically, pilots who have received their medical certificate prior to the USCG rule change in February 2023 should refer to the expiration stated on the certificate and should plan on getting their renewed Medical Certificate after 2 years. If a pilot received their medical certificate after the USCG rule change in February 2023, then they should refer to the expiration stated on the certificate, which should allow for 5 years until the next renewal. It was further discussed that for those pilots who have special circumstances that require a specialized

renewal, the USCG rule change does not change their situation. Those pilots should refer to the expiration on their individual certificate.

b. Discussion: Convent Marine Terminal (CMT) Dock

Discussion: Discussion about calls received by Captain Clayton about the facility, particularly when the river was at high-water stage. This was brought to the Board's attention so that the current CMT restrictions can be discussed and so that comments may be received from the public. Members of the public present provided comments about the matter. The Examiners indicated that pilots should be further canvassed to receive their comments on the situation and indicated that discussions would be ongoing with the pilots about this matter.

c. Discussion: Continuing Education

Discussion: There are several schools or organizations that can be used for continuing education classes. This discussion was raised to bring attention to other schools or organizations that the NOBRA pilots might use to broaden the options beyond the primary organization currently being used by NOBRA pilots. Captain Clayton explained that she does not intend for the Board to dictate where pilots will receive their continuing education classes but wants to create an approved list of organizations from which pilots can choose going forward.

d. Discussion: Observers on Ships

Discussion: Examiners have received several calls from pilots voicing their concerns about the number of people riding on ships as observers, including that on some ships, up to 10 observers are riding at a time. This creates potential conflicts between pilots and vessel captains, and also among individual pilots who are asked to work around the number of observers. There was discussion about the concerns. It was re-iterated that it is the pilot who is the ultimate decision maker and must voice his or her concerns if they are not comfortable with the number of observers. Members of the public provided comments.

Comments were received that the observer program is a good program. There was discussion about the benefits of allowing observers and comments about the limited number of vessels running at this time of year. However, commenters noted that individual pilots have the responsibility to manage themselves professionally. Different pilots have different opinions about the number of observers they are comfortable allowing to ride aboard a vessel.

It was also confirmed that observers should not be involved in the operation of a vessel. The Examiners discussed the possibility of drafting a notice to pilots addressing the concerns regarding observers, but ultimately the Board of Examiners concluded that it is up to the individual pilots, to resolve any concerns related to the number of observers on a vessel at one time

e. Discussion: Recent Manpower Increase

Discussion: It was reported that NOBRA received approval from the Louisiana Pilotage Fee Commission to fund 24 new pilots. Board counsel provided a brief discussion about the legal requirements related to notices and applications relative to electing persons for the Deputy Pilot Program. Captain Clayton asked for comments from the public about how to improve the process. The Examiners determined that additional analysis may be warranted at a later time to ensure that the application process is efficient and simple.

5. Executive Session

Captain Clayton made a motion to go into executive session pursuant to La. R.S. 42:16 and 42:17(A)(1), (4), and (10) to discuss the below items; Seconded by Captain Alario. A member of the public made a comment/objection to the Board's procedure of entering Executive Session. The motion was approved with all Examiners voting in favor.

- a. Update: *In the Matter of Jeremy Smith*
- b. Individual Pilot Reviews
- c. Incidents Pending before the Board
- d. Existing Litigation Update
 - i. Ted Davisson v. Board of Examiners, et al., 24th JDC, Case No. 823705, Div. "C"
 - ii. Jeremy Smith v. Board of Examiners, et al., 24th JDC, Case No. 825241, Div. "G"
- e. Return to Regular Session

Captain Clayton made a motion to return to regular session; seconded by Captain Jackson. The motion was approved with all Examiners voting in favor.

6. Any Necessary Votes Arising from Executive Session

Captain Clayton made a motion to formally terminate the administrative matter, *In the Matter of Jeremy Smith*, because Captain Smith resigned his commission; seconded by Captain Jackson. The motion was approved with all Examiners voting in favor.

Captain Clayton made a motion to move up Captain Mediamolle immediately to unrestricted status on the route; seconded by Captain Alario. The motion was approved with all Examiners voting in favor.

7. Adjournment

Motion to adjourn meeting by Captain Clayton; seconded by Captain Alario. The motion was approved with all Examiners voting in favor. Meeting adjourned at 2:15 p.m.