

BOARD OF LOUISIANA RIVER
PILOT REVIEW AND OVERSIGHT

MEETING HELD ON
WEDNESDAY, NOVEMBER 1, 2023
COMMENCING AT 10:00 A.M.

At the offices of the New Orleans -
Baton Rouge Steamship Pilots Association, 2805
Harvard Avenue, Metairie, Louisiana 70006.

REPORTED BY:
LESLIE L. NICOSIA
CERTIFIED COURT REPORTER

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1 A P P E A R A N C E S

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3 MEMBERS OF THE BOARD

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5 CAPTAIN LEE JACKSON
CAPTAIN CHUCK GILCHRIST
JUDGE CONN REGAN
6 ROY QUEZAIRE
CAPTAIN TIM LONG
7 CAPTAIN JACK ANDERSON
CAPTAIN CHRIS BLACHE
8 JENNIFER MARUSAK

9

10 SPECIAL INVESTIGATOR FOR THE STATE OF LOUISIANA
NEW ORLEANS - BATON ROUGE STEAMSHIP PILOTS:

11

12 PHILLIP ROBINSON, ESQUIRE
2805 Harvard Avenue
Metairie, Louisiana 70006

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15 ALSO PRESENT:

16 Brian Eiselen Esquire
Mike Delesdernier

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2 Leslie L. Nicosia, a Certified Court Reporter in
3 and for the State of Louisiana,
4 did report the following:

5 BY CAPTAIN LEE JACKSON:

6 We will call the meeting to
7 order and take roll.

8 Lee Jackson.

9 BY CAPTAIN CHUCK GILCHRIST:

10 Chuck Gilchrist.

11 BY ROY QUEZAIRE:

12 Roy Quezaire.

13 BY CAPTAIN CHRIS BLACHE:

14 Chris Blache.

15 BY JENNIFER MARUSAK:

16 Jennifer Marusak.

17 BY CAPTAIN JACK ANDERSON:

18 Jack Anderson.

19 BY CAPTAIN TIM LONG:

20 Tim Long.

21 BY JUDGE CONN REGAN:

22 Conn Regan.

23 BY CAPTAIN LEE JACKSON:

24 All right. For the next item
25 on the agenda, public comments. Not

1 many public here, so we'll move on
2 from there.

3 Prior to the meeting, counsel
4 sent out the minutes from our previous
5 meeting. I'm hoping everyone had an
6 opportunity to review those. If so, I
7 will -- if you need a moment; if not,
8 I entertain a motion.

9 BY JUDGE CONN REGAN:

10 Motion to accept.

11 BY CAPTAIN TIM LONG:

12 I second.

13 BY CAPTAIN LEE JACKSON:

14 Motion, Tim Long second. All
15 in favor?

16 COLLECTIVELY:

17 Aye.

18 BY CAPTAIN LEE JACKSON:

19 Next on the agenda is old
20 business. As you-all remember,
21 Crescent Pilots were promulgating some
22 rules. When we last spoke, there were
23 two versions of the rules.

24 Captain Anderson said that once
25 the group had agreed to a set, he

1 would come back and give us,
2 basically, what the group has decided
3 on. I'm going to hand it over to him
4 to take it from there.

5 BY CAPTAIN JACK ANDERSON:

6 Thank you, Mr. Chairman. We
7 decided to make a regulation change as
8 far as educational qualifications are
9 concerned. At the last meeting, we
10 gave two versions of what we were
11 considering. We had two meetings with
12 the Crescent Pilot membership
13 subsequent to that, and we decided to
14 go with the full maritime degree.

15 This puts us in line with the
16 other associations on the river. We
17 took a good look at Lake Charles'
18 regulations when we crafted this and
19 felt it would be best to go ahead and
20 go full maritime for several reasons.
21 I will be glad to answer any
22 questions.

23 Basically, what the change does
24 is it requires a full maritime degree
25 from an association recognized by the

1 Department of Transportation or
2 Department -- Federal Maritime
3 Administration. If you would like to
4 look over that, I will entertain any
5 questions from anyone.

6 BY CAPTAIN LEE JACKSON:

7 The question I have, Jack, what
8 was the temperature of the membership
9 with this new rule change, or
10 stakeholders, should I say?

11 BY CAPTAIN JACK ANDERSON:

12 Before the last meeting, we had
13 passed out a survey. FAVROS
14 (PHONETICALLY SPELLED) is the group we
15 used to perform surveys for us. The
16 feeling was -- We asked several
17 questions. I have a copy of the
18 questions here, if anybody wants to
19 look at it, how it was interpreted,
20 In each category, we find that 70 to
21 80 percent of the people that it would
22 affect wanted to go to the full
23 maritime degree.

24 In the past, we have always had
25 two paths to enter the apprenticeship

1 program. One, for lack of a better
2 term, would be the hawsepipe issue.
3 We always had a college degree. With
4 the onset of online degrees and things
5 like that, we felt like the value of
6 that degree wasn't what it was in the
7 past.

8 So, the other groups on the
9 river have gone to full maritime
10 degree. Lake Charles is either a full
11 maritime degree or five year service
12 as a master of a tug and barge,
13 tugboat, ship, dredge ship. We looked
14 into that. They don't have a college
15 requirement to go along with that
16 requirement of experience. We always
17 had the college.

18 When we looked into that, the
19 guy was going to be reaching the age
20 of being ineligible for us. We have a
21 40-year-maximum-age requirement to put
22 in for the apprenticeship program. We
23 decided it would be best to go full
24 maritime.

25 BY CAPTAIN LEE JACKSON:

1 I know from my perspective, the
2 one thing that was critical for me was
3 that there was a significant amount of
4 buy into whatever you guys were doing.
5 It seems as though you do have good
6 buy-in on that.

7 BY CAPTAIN JACK ANDERSON:

8 When we had the subsequent
9 meetings with the membership of the
10 Crescent Pilots, there was virtually
11 no dissent. Everybody felt like that
12 was the way to go, overwhelming
13 majority.

14 BY JENNIFER MARUSAK:

15 Nobody came -- Nobody is here
16 to -- to fuss. Are you here to fuss,
17 Mike?

18 BY MR. DELESDERNIER:

19 You should have been in the car
20 on the way over here about something
21 else.

22 BY CAPTAIN LEE JACKSON:

23 I don't have any other
24 questions. If any members of the
25 board has anything they want to ask

1 Jack --

2 BY CAPTAIN CHUCK GILCHRIST:

3 I think I know the answer. An
4 individual who qualifies to become an
5 apprentice now, are they
6 grand-fathered in?

7 BY CAPTAIN JACK ANDERSON:

8 I'm sorry. I didn't mention
9 that. That's also in the regulation.
10 They are grand-fathered. If you are
11 eligible now, you will remain eligible
12 until you become ineligible by some
13 other reason; i.e., you age out or
14 something like that.

15 BY CAPTAIN LEE JACKSON:

16 Oh, wow.

17 BY CAPTAIN JACK ANDERSON:

18 And also, if you are working
19 that path right now, you have until
20 the 26th, which means you have to have
21 an application -- 2027. I'm sorry.
22 If you have -- You have to have your
23 application in. That means by
24 December 31st of 2025. If you're
25 qualified by that date, you will

1 remain qualified until you become
2 ineligible for another reason.

3 BY CAPTAIN CHUCK GILCHRIST:

4 It gives them two years working
5 towards it, two years and still be
6 qualified.

7 BY CAPTAIN LEE JACKSON:

8 If you are eligible now, what
9 process -- does that basically mean
10 that the individual has already
11 submitted to you guys for being
12 eligible? Who determines if the
13 person is eligible currently?

14 BY CAPTAIN JACK ANDERSON:

15 Already submitted and approved
16 or who can submit before that due
17 date.

18 BY CAPTAIN LEE JACKSON:

19 Got it.

20 BY CAPTAIN JACK ANDERSON:

21 The due date for that would be
22 actually October 31st at midnight of
23 2025 for us to receive the
24 application. Then we have two months
25 to review the application and make any

1 corrections.

2 Say he doesn't have a physical
3 or he hasn't provided a transcript or
4 something like that, voter's
5 registration, whatever he is short of.
6 If he is short, we have two months to
7 remedy that situation.

8 BY CAPTAIN LEE JACKSON:

9 Okay. I don't have any more
10 questions.

11 BY JENNIFER MARUSAK:

12 I make a motion to approve.

13 BY JUDGE CONN REGAN:

14 Second that.

15 BY CAPTAIN LEE JACKSON:

16 All in favor?

17 COLLECTIVELY:

18 Aye.

19 BY CAPTAIN LEE JACKSON:

20 Last item before we adjourn the
21 meeting is, as you all know, this is
22 our final meeting for the year, unless
23 something comes up. What we've done
24 in the past is a true-up system that
25 needs to happen with the financial

1 account.

2 Pretty soon, all four groups
3 are going to receive an inquiry from
4 counsel asking you what your current
5 complement is. From that, everyone
6 will receive an invoice so that we can
7 true up the 50,000.

8 The only outstanding invoices
9 we have is, obviously, Judge, and we
10 have counsel's bill as well as some
11 hosting stuff. The goal and objective
12 is to January 1st that the count to be
13 back at \$50,000. I want to make the
14 board aware of that. All right.

15 BY JENNIFER MARUSAK:

16 Do we need to make a motion to
17 approve reimbursements?

18 BY CAPTAIN LEE JACKSON:

19 I would entertain that.

20 BY CAPTAIN TIM LANG:

21 I make the motion.

22 BY JUDGE CONN REGAN:

23 Second.

24 BY CAPTAIN LEE JACKSON:

25 All in favor of reimbursements?

1 COLLECTIVELY:

2 Aye.

3 BY MR. DELESDERNIER:

4 Over the past four or five
5 months, the pilot association in
6 conjunction with the commission has
7 been working on a program for pilots
8 to become better acquainted with the
9 tractor tugs in the port.

10 Part of that issue is dealing
11 with -- I don't know if you guys are
12 familiar with the indexing -- the
13 carbon dioxide indexing of the vessel
14 engines and EPL systems on the ship,
15 limiting EPL. We have numerous
16 unknown losses of power because the
17 ship is producing too much CO2. Then
18 we have a power loss. So, we are
19 trying to figure out that thing.

20 I think the New Orleans - Baton
21 Rouge pilots are working on the issue
22 about whether or not escorting tugs
23 should get involved. We have never as
24 a practice used escort tugs, an
25 indirect towing mechanism ever.

1 That's a procedure we are not doing.

2 Basically, we are trying to get
3 a better relationship with the tug
4 companies right now trying to develop
5 more common languages, trying to
6 identify where we are not
7 communicating. Where we think we're
8 communicating, we are really not.

9 To the extent you guys want
10 some involvement in it, there's a
11 program that's going to be tentatively
12 scheduled for March 27th at Metairie
13 Country Club. We will be sending out
14 surveys in the next couple of weeks
15 trying to identify where we are not
16 communicating well and what issues
17 need to be addressed. We are in the
18 early stages of it.

19 Brian attended. We were a
20 little late getting them in. All the
21 tugboat companies want them. One of
22 the first things they said is: It
23 really does no good. We can talk to
24 you and can't talk to all the other
25 pilots, including the federal pilots.

1 I just wanted to give that. If
2 y'all want to be a part of that, let
3 me know.

4 BY CAPTAIN LEE JACKSON:

5 I think, Tim, you were involved
6 in some of those discussions as well.
7 I think the board -- If you want to
8 take the lead on that for the board,
9 that would be great. I do agree it's
10 going to be a matter -- Probably we
11 are going to have to -- Obviously, our
12 authority is limited when it comes to
13 it.

14 I think, as a board, we can
15 probably issue best practice or
16 something, do something of that
17 nature. I don't think we have any
18 authority, best I can appreciate it.
19 I think just taking the position with
20 some sort of letter or something,
21 probably we need to look at next year.

22 Hopefully, I will see everyone
23 on the board next year. I want to
24 wish everyone the best of holidays and
25 on to the next year. I move to

1 adjourn.

2 BY JENNIFER MARUSAK:

3 I second.

4 BY CAPTAIN LEE JACKSON:

5 All in favor?

6 COLLECTIVELY:

7 Aye.

8 [WHEREUPON THE MEETING WAS

9 CONCLUDED AT 10:30 A.M.]

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1 REPORTER'S PAGE

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3 I, Leslie L. Nicosia, Certified Court
4 Reporter, in and for the State of Louisiana, the
5 officer, as defined in Rule 28 of the Federal
6 Rules of Civil Procedure and/or Article 1434 (B)
7 of the Louisiana Code of Civil Procedure, before
8 whom this testimony was taken, do hereby state
9 on the record;

10 That due to the interaction and the
11 spontaneous discourse of this proceeding, dashes
12 (--) have been used to indicate pauses, changes
13 in thought, and/or talk-overs; that same is the
14 proper method for a court reporter's
15 transcription of proceeding, and that the dashes
16 (--) do not indicate that words or phrases have
17 been left out of this transcript; that any words
18 and/or names which could not be verified through
19 reference material have been denoted with the
20 phrase "phonetically spelled."

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Leslie L. Nicosia, C.C.R.

23

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25

1 C E R T I F I C A T E

2 This certification is valid only for a transcript with my
3 original signature and original required seal on this page.

4 I, LESLIE L. NICOSIA, Certified Court Reporter in and for
5 the State of Louisiana, the "Officer" before whom this
6 testimony was taken, do hereby certify:

7 That this proceeding and testimony was reported by me in
8 stenotype method, was prepared and transcribed by me or under
9 my personal direction and supervision, and is a true and
10 correct transcript to the best of my ability and
11 understanding;

12 That this transcript has been prepared in compliance with
13 transcript format guidelines required by statute or rules of
14 the Board, and I am informed about the complete arrangement,
15 financial or otherwise, with the person or entity making
16 arrangements for deposition services;

17 That I have acted in compliance with the prohibition on
18 contractual relationships as defined by Louisiana Code of
19 Civil Procedure Article 1434 and in rules and advisory
20 opinions of the Board;

21 That I have no actual knowledge of any prohibited
22 employment or contractual relationship, direct or indirect,
23 between a court reporting firm and any party litigant in this
24 matter, nor is there any such relationship between myself and
25 a party litigant in this matter;

26 That I am not related to counsel or to the parties
27 herein, nor am I otherwise interested in the outcome of this
28 matter.

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31 LESLIE L. NICOSIA, CCR
32 Cert. No. 95004

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