

BOARD OF LOUISIANA RIVER  
PILOT REVIEW AND OVERSIGHT

MEETING HELD ON  
TUESDAY, JULY 18, 2023  
COMMENCING AT 10:00 A.M.

At the offices of the Crescent River  
Port Pilots' Association, 2640 Ridgelake Drive,  
Metairie, Louisiana 70002.

REPORTED BY:  
LESLIE L. NICOSIA  
CERTIFIED COURT REPORTER

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15                                  N E W   O R L E A N S   -   B A T O N   R O U G E   S T E A M S H I P   P I L O T S :

16                                  P H I L L I P   R O B I N S O N ,   E S Q U I R E  
17                                  2805 Harvard Avenue  
18                                  Metairie, Louisiana 70006

19

20

21                                  A L S O   P R E S E N T :

22

23                                  V a r i o u s   A u d i e n c e   M e m b e r s

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

BY CAPTAIN LEE JACKSON:

We will get started. We are  
missing two, I think maybe either  
traffic or -- there's an issue on the  
Bonnet Carre.

We will call the meeting to  
order. Please note that we have the  
court reporter in this morning, so I  
want everyone to kind of speak loudly  
so she can understand and transcribe  
what everyone is saying.

Let's start. Let's take the  
roll call. Lee Jackson.

BY MR. ROY QUEZAIRE:

Roy Quezaire.

BY JUDGE CONN REGAN:

Conn Regan.

BY CAPTAIN CHUCK GILCHRIST:

Chuck Gilchrist.

BY CAPTAIN TIM LONG:

Tim Long.

1 BY CAPTAIN JACK ANDERSON:

2 Jack Anderson.

3 BY CAPTAIN CHRIS BLACHE:

4 Chris Blache.

5 BY CAPTAIN LEE JACKSON:

6 Next, before we move on to the  
7 agenda, first I want to say I would  
8 like to take a moment to acknowledge  
9 Jack and all his efforts as chairman  
10 of the board and all the great work  
11 he's done to stand the Board of Review  
12 back up. We greatly appreciate it.  
13 We hope to continue the work that you  
14 began, as well as Mike and Ms. Mary  
15 for all their tireless efforts to  
16 getting us in line. I just want to  
17 take a moment to acknowledge them.

18 Next on the agenda is public  
19 comments. Any from the audience?

20 (NO RESPONSE)

21 BY CAPTAIN LEE JACKSON:

22 There are none.

23 Approval of minutes should be  
24 in everyone's packet from the last  
25 meeting. I'm sure you've had an

1 opportunity to review.

2 BY CAPTAIN TIM LONG:

3 Motion to accept.

4 BY CAPTAIN LEE JACKSON:

5 So moved.

6 BY CAPTAIN JACK ANDERSON:

7 Second.

8 BY CAPTAIN LEE JACKSON:

9 All in favor?

10 COLLECTIVELY:

11 Aye.

12 BY CAPTAIN LEE JACKSON:

13 The Board of Review website,  
14 what we did was we needed to make some  
15 changes to the website, which was just  
16 basically housekeeping matters. What  
17 we found -- The IT firm looked into  
18 it. The system was pretty fragile.  
19 We had to stand the system up that  
20 would be really robust enough to make  
21 changes. That has been done. All  
22 that was done in accordance with all  
23 the rules and procedures.

24 Also, what we have done in that  
25 regard, we have established an email

1 address for all board members, if they  
2 so choose to have one, to kind of  
3 separate your personal and work  
4 emails. If you-all would like a Board  
5 of Review email address, just let  
6 myself know, and we will make sure we  
7 get you contacted with the proper  
8 person to get your Board of Review  
9 email address.

10 Next on the agenda is the  
11 discussion of the attorney general  
12 opinion. Everyone has a copy in their  
13 packet. Phillip, if you want to  
14 briefly go over that real quick --  
15 it's pretty self-explanatory -- I will  
16 let you take a moment and inform the  
17 board of what the thoughts were for  
18 the attorney general.

19 BY MR. PHILLIP ROBINSON:

20 Good morning, everyone. The  
21 first issue was whether the Board of  
22 Review has authority to investigate a  
23 member of the Board of Commissioners  
24 or Examiners in that member's capacity  
25 as a pilot. The attorney general's

1 office was of the opinion that the  
2 authority set forth in Revised Statute  
3 1135G gives the Board of Review the  
4 authority to investigate individual  
5 members of the Board of Commissioners  
6 or Examiners when they are acting in  
7 the capacity as a pilot.

8 The second issue was whether  
9 the Board of Review has the authority  
10 to investigate a complaint against a  
11 pilot member of the Board of  
12 Commissioners or Examiners for conduct  
13 -- for their conduct while they're in  
14 the capacity as a member.

15 The attorney general's office  
16 was of the opinion that the Board of  
17 Review does not have authority to  
18 investigate a member of the Board of  
19 Commissioners or Examiners acting in  
20 their official capacity as a  
21 commissioner or examiner.

22 But there was a third issue,  
23 which stated whether the Board of  
24 Review may investigate pursuant to the  
25 Revised Statute 341135G, a recent



1 complaint against a member of the  
2 Board of Commissioners or Examiners.

3 The attorney general's office  
4 was of the opinion that this  
5 particular matter turns to a  
6 fact-specific analysis of whether the  
7 member performed the conduct at issue  
8 while acting in their official  
9 capacity as a board member,  
10 commissioner member, or in their  
11 capacity as a pilot.

12 The attorney general also  
13 provided that they generally refrain  
14 from conducting fact-specific  
15 evaluations or analyses. At this  
16 point, they declined to address this  
17 matter as well.

18 The attorney general also  
19 stated that for this matter and any  
20 other complaint that the Board of  
21 Review receives in re of a member of  
22 the Board of Commissioners or  
23 Examiners, the board must make a  
24 determination on a case-by-case  
25 analysis.

1 BY CAPTAIN LEE JACKSON:

2 Any comments?

3 (NO RESPONSE)

4 BY CAPTAIN LEE JACKSON:

5 Okay. All right. So, moving  
6 to the next item, proposed education  
7 eligibility rule change presented by  
8 the Board of River Port Pilot  
9 Commission, Jack, I will let you take  
10 control of that one.

11 Members, in your packets, the  
12 Crescent Pilots Commission has  
13 submitted a document that basically  
14 goes over the current rules as well as  
15 the proposed rule change. Everyone  
16 should have a copy of that in their  
17 packet.

18 I think, Jack, you have some  
19 additional information you would like  
20 to provide to the board?

21 BY CAPTAIN JACK ANDERSON:

22 Thank you, Lee.

23 If you'll turn to the proposed  
24 regulations, the second page of that  
25 are the current requirements that we

1           have. The first page are proposed  
2           regulations that we would like this  
3           board to look at and comment on.

4                     Basically, just to give you a  
5           little brief history of the  
6           association, we have always had two  
7           methods of becoming eligible to enter  
8           the apprenticeship program. One --  
9           Just for clarification, we call one  
10          the school route, and we call one the  
11          brown water route. Both of them  
12          require a college degree.

13                    Recently, the other groups on  
14          the river have gone to maritime only.  
15          The commission is looking to whether  
16          we should go to maritime only or we  
17          should change our regulations to  
18          require more practical experience in  
19          lieu of the maritime degree.

20                    The reason we are taking this  
21          up is we looked at the Lake Charles  
22          statutes. They have a method of  
23          coming in without a college education,  
24          but extensive experience. So, we  
25          looked at adding experience to our

1 college requirement.

2 The other one is -- The other  
3 groups have maritime only. So, we are  
4 looking at going to maritime only. We  
5 haven't decided which way. We have  
6 taken surveys. We had a survey of our  
7 association, and we have had several  
8 meetings with comments. We have a  
9 meeting coming up. The association  
10 has a quarterly meeting coming up at  
11 the end of this month. We want to  
12 address it at that quarterly meeting  
13 and get additional input.

14 Basically, if you look at the  
15 proposed regulations, Part A would be  
16 -- would cover the maritime degree.  
17 Part B would be a regular bachelor's  
18 degree, plus additional service. As  
19 it stands right now, a 1,600-ton  
20 license, which is described in the  
21 3203, you would -- now it's one year.  
22 We increased that to a five-year  
23 period.

24 The effective date at the  
25 bottom is to be by December 31, '25.

1 Any applicant that is currently  
2 qualified or any applicant that would  
3 qualify before December 31, 2025 would  
4 be governed by the old regulations,  
5 and these new regulations would go in  
6 in 2026.

7 I don't know if you have time  
8 to read over that. We don't know  
9 exactly which way we are going to go  
10 with that, if we are going to have A  
11 and a Section B, or if Section B is  
12 going to be dropped to reflect the  
13 other two groups on the river that  
14 require a maritime degree.

15 Are there any questions?

16 BY CAPTAIN LEE JACKSON:

17 Currently, are you asking the  
18 board to -- are you just making us  
19 aware of it currently?

20 BY CAPTAIN JACK ANDERSON:

21 To make you aware of it, kind  
22 of start the process, take any comment  
23 from any board member, and if there's  
24 any objection.

25 BY CAPTAIN LEE JACKSON:

1                   We don't have it in final form,  
2                   right? You are not sure what  
3                   direction you guys are going to take?

4                   BY CAPTAIN JACK ANDERSON:

5                   No, it's not in final form. I  
6                   would do that via email so the process  
7                   can continue. If there's any  
8                   objection, of course, I assume we  
9                   would have to have a full meeting on  
10                  it if there's objection. If there's  
11                  no objection, we just move forward, if  
12                  that's agreeable.

13                  BY CAPTAIN LEE JACKSON:

14                  We'll --

15                  BY CAPTAIN CHUCK GILCHRIST:

16                  I would like to make a comment,  
17                  just to have it on the record. Lake  
18                  Charles does have a path to become a  
19                  pilot without having a college degree.  
20                  I want to make sure everybody  
21                  understands he's talking about only  
22                  his rules within his commission.

23                  BY CAPTAIN LEE JACKSON:

24                  Okay.

25                  BY CAPTAIN JACK ANDERSON:

1                   Absolutely.  These -- These are  
2                   proposed for Louisiana Revised Statute  
3                   3205, that series.

4                   BY CAPTAIN TIM LONG:

5                   Right now, your path is either/  
6                   or?

7                   BY CAPTAIN JACK ANDERSON:

8                   Our path is either/or.

9                   BY CAPTAIN TIM LONG:

10                  But a mandatory requirement for  
11                  a bachelor's degree?

12                  BY CAPTAIN JACK ANDERSON:

13                  Yes.  If you go to maritime  
14                  school, that's great.  You come out  
15                  with a license.  You have to raise  
16                  that license to at least a second mate  
17                  license or 1,600-ton inland license.  
18                  And you have to hold either one of  
19                  those licenses for a year prior to  
20                  becoming eligible.  So, there's a  
21                  little bit of experience built in as  
22                  well as education.

23                  BY CAPTAIN LEE JACKSON:

24                  What has been the opinion of  
25                  your stakeholders, the membership?

1 BY CAPTAIN JACK ANDERSON:

2 We did a survey through -- We  
3 had Ferros (PHONETICALLY SPELLED) do a  
4 survey for us. They are leaning  
5 towards going to a full maritime  
6 degree.

7 BY CAPTAIN LEE JACKSON:

8 What were the percentages?

9 BY CAPTAIN JACK ANDERSON:

10 To that particular question,  
11 which was Question 3 on the survey, it  
12 was 60 percent positive. In other  
13 words, 60 percent wanted to go to full  
14 maritime, 13 percent undecided, and 27  
15 percent negative.

16 As far as the question -- There  
17 were some other questions asked that  
18 pertained to the subject. Question  
19 No. 5 was Board of River Port Pilot  
20 Commission and Crescent River Port  
21 Pilots Association should not be  
22 perceived as having lower  
23 apprenticeship eligibility standards.  
24 That one was 85 percent positive.

25 As far as -- Question 4 was



1 maintaining comparable standards for  
2 entering the apprenticeship program  
3 across the four pilots. 68 percent  
4 was positive and 21 percent was  
5 negative. So, if you combine  
6 everything, it's probably like 70  
7 percent favorable to go to maritime.

8 BY CAPTAIN LEE JACKSON:

9 Got it. Okay.

10 BY CAPTAIN JACK ANDERSON:

11 The policy is -- You know,  
12 we've gone through our records and  
13 found that no matter which route you  
14 go, the apprenticeship is very  
15 effective and the training is  
16 sufficient to make either route  
17 successful.

18 We are at an age of change  
19 here, a lot more technological, what  
20 have you. I can understand why the  
21 other groups went to full maritime.  
22 We are taking that under  
23 consideration. As I said, either it  
24 will be only A, or, as you see it  
25 written, A and B on here. We would

1 take some more comments.

2 BY CAPTAIN LEE JACKSON:

3 Any action from the board?

4 BY CAPTAIN TIM LONG:

5 I have one more question. Do  
6 you think if you were to limit  
7 yourself only to maritime academies,  
8 the other groups would have some  
9 feedback that it would limit your pool  
10 of applicants?

11 BY CAPTAIN JACK ANDERSON:

12 Anytime you put a requirement,  
13 it's going to limit the pool, no  
14 matter what you do. It's just a  
15 comparable level. To be honest with  
16 you, Tim, most everybody is going that  
17 route now.

18 Over the recent -- The last  
19 apprentices that are deputy pilots  
20 now, the last group, we had two that  
21 went the college degree and six the  
22 other route. The rest were all  
23 academy. In this group, we have ten  
24 more apprentices in the pipeline now.  
25 They just started their apprenticeship

1           program now. It's not -- I wouldn't  
2           say it's exclusionary, but anytime you  
3           put a requirement --

4           BY CAPTAIN TIM LONG:

5                     Okay.

6           BY CAPTAIN LEE JACKSON:

7                     Any other comments?

8           BY CAPTAIN JACK ANDERSON:

9                     That's all I have.

10          BY CAPTAIN LEE JACKSON:

11                    Next on the agenda is the  
12           report out from the commissioners and  
13           examiners of each respective group. I  
14           will get started with the Board of  
15           Examiners for the New Orleans - Baton  
16           Rouge Steamship Pilots.

17                    Since our last board meeting in  
18           February, the Board of Examiners had  
19           received reports of a total of four  
20           incidents, the last being reported on  
21           June 6th. The incident includes an  
22           allision with minor damage rounding up  
23           and two groundings. The majority of  
24           the incidents are minor in nature. We  
25           are leaving those cases open for the

1 present time. We will continue to  
2 investigate for additional  
3 information.

4 Several other matters remain  
5 open from the prior last meeting of a  
6 similar nature, and three other  
7 investigations remain open from 2021  
8 and are at different stages of the  
9 investigation. The Board of Examiners  
10 is gathering information, including  
11 reports and data from federal  
12 partners. We will keep the Board of  
13 Review updated on future meetings.

14 Adjudication, one  
15 administrative complaint was  
16 terminated, as the pilot resigned his  
17 commission.

18 Next, Chuck.

19 BY CAPTAIN CHUCK GILCHRIST:

20 We have nothing to report.

21 BY CAPTAIN LEE JACKSON:

22 Jack.

23 BY CAPTAIN JACK ANDERSON:

24 We have two incidents since our  
25 last meeting. One was January 29th at

1           the Chalmette Slip. It was an  
2           allision with the Mooring Dolphin  
3           trapping the tugboat between the ship  
4           and the dock. The other was a dock  
5           collision while undocking at UBT  
6           terminal.

7                   Minor damage on the May 25th  
8           incident at UBT. Chalmette Slip,  
9           there was damage to the tugboat, no  
10          damage to the ship or the facility, or  
11          very minor damage to the facility, if  
12          any at all.

13                   We met with Chalmette Slip to  
14          talk about the practice of putting the  
15          larger ships on the upper wall,  
16          especially during high river. They  
17          have various concerns about that issue  
18          as well. But they like to put the  
19          larger ships all the way in on the  
20          upper wall so they don't have to move  
21          them as other ships go in and out of  
22          the slip.

23                   So, we want to accommodate the  
24          customer, but realizing maybe we can  
25          make some daylight-only

1           recommendations to them. We have made  
2           several recommendations to the dock.  
3           One of them was not to put those large  
4           ships up there. The other is to do it  
5           daylight only. You know, we are  
6           working with them and working that  
7           situation out. Those are the only two  
8           incidents we have to report.

9           BY CAPTAIN LEE JACKSON:

10                  Chris.

11           BY CAPTAIN CHRIS BLACHE:

12                  We have nothing to report.

13           BY CAPTAIN LEE JACKSON:

14                  Moving on, executive counsel,  
15           discussion, approval, I think I've  
16           sent you all a CV of Mr. Phillip  
17           Robinson, who is here working the  
18           interim, executive counsel for us.

19                  Also in your package, you will  
20           see a contract for Mr. Phillip as  
21           well. It's pretty standard. I think  
22           the language in the contract also  
23           allows no commitment from either  
24           party. If Phillip chooses to leave,  
25           obviously, he can. If the board

1 chooses to go in a different  
2 direction, we can.

3 It's just pretty standard. His  
4 fees will be constricted to the amount  
5 in which the attorney general lays out  
6 under the parameters of his experience  
7 and things of that nature. It's a  
8 pretty easy setup. Is there any  
9 questions of the board?

10 (NO RESPONSE)

11 BY CAPTAIN LEE JACKSON:

12 I would entertain a motion from  
13 someone.

14 BY JUDGE CONN REGAN:

15 I'll move.

16 BY CAPTAIN LEE JACKSON:

17 Thank you, Judge.

18 BY MR. ROY QUEZAIRE:

19 Second.

20 BY CAPTAIN LEE JACKSON:

21 Thank you, Roy.

22 All in favor.

23 COLLECTIVELY:

24 Aye.

25 BY CAPTAIN LEE JACKSON:

1 Welcome aboard, Phil.

2 BY MR. PHILLIP ROBINSON:

3 Thanks.

4 BY CAPTAIN LEE JACKSON:

5 Next, we have a few  
6 administrative expenses. In your  
7 packet, you will see that Mike  
8 Delesdernier has been basically taking  
9 care of some fees that have been  
10 incurring over the last quarter or so  
11 for the previous IT -- I mean website  
12 hosting.

13 We need to get those bills paid  
14 and, obviously, our court reporter.  
15 Phillip's time is still being  
16 calculated. So, we would like  
17 approval to get those bills paid.

18 BY CAPTAIN CHUCK GILCHRIST:

19 I second.

20 BY CAPTAIN LEE JACKSON:

21 All in favor?

22 COLLECTIVELY:

23 Aye.

24 BY CAPTAIN LEE JACKSON:

25 Next item is committee reports.



1 I don't think we have anything to  
2 report, but I will leave that to the  
3 committee chairs. I know Jennifer  
4 isn't here.

5 Anything, Jack, on the --

6 BY CAPTAIN JACK ANDERSON:

7 All is quiet on the legislative  
8 front.

9 BY CAPTAIN LEE JACKSON:

10 Beautiful. All right. So, the  
11 next item was executive session. I  
12 just put that in there in the event we  
13 had -- if something were to come up,  
14 we would have had that on the agenda  
15 so we can address it appropriately. I  
16 don't think we have anything, guys,  
17 nothing to discuss from the executive  
18 session standpoint. We will move on.

19 Financial update, in your  
20 packets, you all have the bank  
21 statements from the bank account post  
22 last meeting to current. The current  
23 amount in the bank before we paid the  
24 current obligations, including the  
25 judge, you have \$43,526.80.

1                   Please note that this is our  
2                   last meeting, for the most part,  
3                   unless an issue comes up. So, toward  
4                   the end of the year, I would like  
5                   approval from the board at the  
6                   appropriate time in December to  
7                   basically bring the level of funds  
8                   back up to its statute amount of  
9                   \$50,000. In the event we don't have a  
10                  meeting, I would like to get that  
11                  approval from the board.

12                BY CAPTAIN JACK ANDERSON:

13                   I'll make the motion.

14                BY CAPTAIN TIM LONG:

15                   Second.

16                BY CAPTAIN LEE JACKSON:

17                   All in favor?

18                COLLECTIVELY:

19                   Aye.

20                BY CAPTAIN LEE JACKSON:

21                   I don't have any other new  
22                   business and nothing else to report  
23                   out to the general public either. So,  
24                   at the appropriate time, if there's a  
25                   member that would like to --

1 BY MR. MICHAEL DELESDERNIER:

2 Captain Lee, I just have one  
3 thing. We are still at my office  
4 receiving the financial statements  
5 from the bank. So, now that Phillip's  
6 aboard, someone maybe can go to the  
7 bank to change the address, or you can  
8 keep sending the statements without  
9 the checkbook and we will send them to  
10 Phillip. I don't think you need board  
11 approval, but whoever is on that  
12 account will need to transfer that  
13 address from that bank.

14 BY CAPTAIN LEE JACKSON:

15 I do recall the difficulty we  
16 had the last time making those  
17 changes, Mike, so --

18 BY MR. MICHAEL DELESDERNIER:

19 It's not an easy thing to do.  
20 I'm happy to continue to do it.  
21 You've got to keep me around. It's  
22 job security for me.

23 BY CAPTAIN LEE JACKSON:

24 For now, let's keep it as is.  
25 We appreciate it. I do recall the

1           last time we had to get it done. It  
2           took Heaven and Earth to get it  
3           changed.

4           BY CAPTAIN JACK ANDERSON:

5                     I'm still signatory on that  
6           account, I think.

7           BY CAPTAIN LEE JACKSON:

8                     Myself, you, and Chris, I think  
9           we are fine in that regard.

10                    I'll entertain a motion to  
11           adjourn, if there's nothing else.

12           BY CAPTAIN JACK ANDERSON:

13                    So moved.

14           BY CAPTAIN LEE JACKSON:

15                    Second?

16           BY CAPTAIN CHUCK GILCHRIST:

17                    I'll second.

18           BY CAPTAIN LEE JACKSON:

19                    All in favor?

20           COLLECTIVELY:

21                    Aye.

22           BY CAPTAIN LEE JACKSON.

23                    Thank you, guys.

24           [WHEREUPON THE PROCEEDINGS WERE

25                    CONCLUDED AT 10:30 A.M.]

1 REPORTER'S PAGE

2

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.

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## C E R T I F I C A T E

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

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

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

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

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

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

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

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LESLIE L. NICOSIA, CCR  
Cert. No. 95004