Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun
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BOARD OF PILOT COMMISSIONERS
BOARD MEETING MINUTES
January 17, 2013 9:30 a.m.

OPEN MEETING

1. Call to Order and Roll Call – President Miller

President Knute Michael Miller called the meeting to order at 9:31 a.m. Vice President RADM Frank Johnston and Commissioners Capt. David Wainwright, Capt. Steve Roberts, Capt. John Cronin, and RADM Jack Brooks were present, constituting a quorum. Business, Transportation, and Housing (BTH) Agency Acting Secretary Brian P. Kelly was represented by BTH Special Assistant to the Secretary Ben DeAlba. Members of staff present were Executive Director Allen Garfinkle, Board Counsel Dennis Eagan, Staff Services Analyst Kelly Dolcini, and Office Technician Sigrid Hjelle. Traci Ruth, Office Chief, Caltrans Office of Public Affairs, who serves the Board as its temporary Public Information Officer at the direction of BTH Agency, was present throughout the meeting. San Francisco Bar Pilots (SFBP) President Capt. Peter McIsaac was also seated at the Commission table. Commissioner Eric Osen listened to the meeting from a remote location outside of California and did not speak or otherwise participate in the meeting.

2. Request Approval of Minutes – President Miller

President Miller requested approval of the minutes of the December 13, 2012 Board meeting. Vice President Johnston moved approval of the minutes with authority to Board staff to make clerical, non-substantive changes. Commissioner Wainwright seconded the motion, which passed unanimously on a voice vote.

3. Announcements – President Miller

President Miller reported that, in response to an invitation from Captain Cyndi Stowe, USCG Captain of the Port, he, Vice President Johnston, Executive Director Garfinkle, and Board Counsel Eagan had attended a meeting held at Yerba Buena Island on Friday, January 11, 2013. Dr. Barry Strauch, Chief, Marine Investigations Division, Office of Marine Safety of the National Transportation Safety Board, also was in attendance. The purpose of the meeting was for all investigating organizations to brief each other on the status and progress of their investigations. President Miller stated that Executive Director Garfinkle would provide details later in today's meeting.

President Miller noted that all Commissioners are required to timely file Fair Political Practices Commission (FPPC) Form 700, Statement of Economic Interests. He urged Commissioners to file with the Executive Director as soon as possible, but not later than April 2, 2013.

4. Board Member Activities – Board Members.

President Miller reported that he had on January 9, 2013 attended a meeting of the Bay Area Maritime Trades Counsel. The speaker was former Assembly Member Fiona Ma. He also reported that on January 16, 2013 he had attended a meeting of the Bay Region Propeller Club. The speaker was Chronicle reporter Carl Nolte.

5. Executive Director's Report – Executive Director Garfinkle

A) Correspondence and activities since the December, 2012 monthly meeting.

Executive Director Garfinkle reported that, on December 26, 2012 Board staff received a letter from the Department of Finance dated December 7, 2012, granting the Board request to reduce the Board Operations Surcharge from 1.5% to 1% effective January 1, 2013.

On December 27, 2012 Board staff sent the San Francisco Bar Pilots president Capt. McIsaac the First Quarter 2013 surcharges and mill rate letter reflecting the change in the Board operations surcharge and an increase in the pilot training surcharge from $11 per trainee per move to $15 per trainee per move to cover the expected costs of holding a pilot trainee applicant exam.

On January 2, 2013 Executive Director Garfinkle received a letter from Mike Jacob, Vice President of Pacific Merchant Shipping Association addressed to the Executive Director and Port Agent Capt. Peter McIsaac jointly, wherein he requests that the Board and its Port Agent immediately cease the collection of any miscellaneous charges on vessels going to and from sea subject to rates specified by the Legislature under Harbors and Navigation Code section 1190 and all surcharges that are collected as a result of those charges.

On January 4, 2013 Executive Director Garfinkle received a letter from Port Agent Capt. Peter McIsaac in direct response to the PMSA letter of January 2, 2013, in which Capt. McIsaac argues that such a request as made by PMSA is contrary to existing law and points out that the issue is currently before the Ad Hoc Committee on Blue Card rates.

On January 10 2013, Mike Jacob of PMSA notified Board staff that the Board's line item in the Governor's budget was available for viewing on line. The budget for fiscal year 2013-2014 is $2,214,000, a slight decrease from the last fiscal year.

Also on January 10, 2013 Board staff received a notice from the California Dept. of Fish and Game that they would be hosting its fifth Oil Spill Response Technology Workshop on February 26-28, 2013 in San Ramon, California. It is free but limited to 150

attendees. This workshop brings together government, industry, and commercial members of the oil spill response community for training, presentations and discussions on current and cutting edge technologies in the field of oil spill prevention and response.

On January 11, 2013 Executive Director Garfinkle received an invitation to participate in an informal hearing before the Assembly Transportation Committee to be held on February 4, 2013 at the State Capitol. The purpose of the hearing is to adopt Committee rules, and to introduce new and returning Committee members to departments within the Committee's purview.

Executive Director Garfinkle reported that, on January 16, 2013, he had received a letter from SFBP president Capt. Peter McIsaac endorsing San Francisco Bar Pilot Capt. Peter Fuller to replace outgoing PEC member Capt. Will Lemke whose term on the PEC expires February 24, 2013.

B) Report on pilot licensing matters in the past month and current month.

Executive Director Garfinkle reported that, between the November and December meetings, the Board had renewed licenses for Captains McIsaac, MacLachlan, Ridens, Coppo, Robinson, Teague, Rocci and Carlson. Since the December meeting, Board staff renewed Capt. Carlier's license.

C) Report on surcharges received by the Board.

Executive Director Garfinkle reported that, for the month of December, the Board received $120,919.05 to be broken down as follows:

Board Operations charge $37,076.05

Continuing Education surcharge $59,115.00

Trainee Training $24,728.00

D) Report on legislative activities and contractual matters.

Executive Director Garfinkle had nothing to report on legislation but reported to the Board that both California Highway Patrol Contract Services and the Department of General Services had both approved the name change contract for Port Revel and that it had been submitted to accounting for payment. All work on the inter-agency agreement between the BOPC and California Maritime Academy has been completed and the BOPC is working with California Maritime Academy and SFBP to schedule the classes.

Board staff is working with UCSF Medical Center for the market analysis of the fitness regulations. It has been determined that as this is a one time task and will fall under the $5,000 limit of a personal services contract.

Staff continues to work with CHP on contracting for exam professionals, psycomatricians, and CMA for the trainee applicant exam preparation. The NCB for the

services of Capt. David Gates as a consultant was returned by DGS for some minor revisions and will be re-submitted.

6. Port Agent's Report – San Francisco Bar Pilot (SFBP) Port Agent Captain Peter McIsaac

A) Monthly report on SFBP ship piloting business activity.

Capt. McIsaac reported that the P/V CALIFORNIA was out of service from December 12 through December 15, 2012 for un-planned repairs. The P/V GOLDEN GATE was out of service on December 14, 2012 for replacement of a starter.

He also reported that billed vessel moves were at 554 bar crossings, down 2.6% when compared to a three year average; there were 138 bay moves, up 0.4% compared to a three year average and there were 41 river moves, up 35.7% compared to a three year average. When compared to a three year average, total moves were down 0.7% at 733 and gross registered tonnage is up 2.9% at 27,049,675.

B) Monthly report on pilot availability and absences.

Capt. McIsaac reported that Capt. Hugo Kenyon has been absent for medical reasons (AFMR) since August 29, 2012. He was placed on medical disability leave effective October 3, 2012; Capt. Tim Holl has been AFMR since October 11, 2012, and he was placed on medical disability leave effective October 30, 2012; Capt. Randy Pinetti has been AFMR since December 21, 2012.

He further reported that the SFBP "continually monitor[s] the dispatch list for possible minimum rest period (MRP) exceptions. If the potential exception is likely to result in a rest period of less than 10 hours, mitigating measures are employed. These measures include, but are not limited to, suspending continuing professional development protocols, cancelling scheduled meetings, cancelling previously granted compensatory time requests, suspending internal working rules, or calling in off-watch pilots."

There were 11 MRP exceptions during the month of December:

December 11- there was one exception of 11.2 hours with 24 assignments and one pilot AFMR.

December 13- there were three exceptions with the shortest being 11.3 hours. There were 24 pilots, three pilots AFMR, one on compensatory time and two on pilot business.

December 14- there were two exceptions of approximately 11.6 hours. There were 25 assignments, three pilots AFMR, and one pilot on compensatory time. One exception was for a pilot called in early for a river move.

December 21- there was one exception of 10 hours with one pilot AFMR, one on compensatory time and one on bereavement leave.

December 22- there were four exceptions with the minimum being 11 hours. There were 17 pilot assignments, one pilot AFMR, one on compensatory time and one on bereavement leave.

C) **Monthly confidential written report of pilots who have been absent for medical reasons (AFMR) presented to Board. Board may go into Closed Session to discuss contents of the Port Agent's confidential report as authorized by Harbors and Navigation Code, section 1157.1.**

The Board reviewed the confidential written report. After all Board members had had the opportunity to review the report, President Miller asked whether any member wished to go into closed session to discuss the report. There were no requests.

7. **Pilot Evaluation Committee – Capt. Einar Nyborg**

A) **Report on January 16, 2013 Committee meeting.**

Captain Nyborg reported as follows:

> The Pilot Evaluation Committee met on January 16, 2013. In closed session, both trainees were interviewed individually. The current trainees include Matt Lingo and Bob Carr. Their time in the program ranges from 16 to 25 months. Both trainees are progressing well at this time.
>
> I would like to bring to the Board's attention the need to place on next month's agenda the appointment of a new PEC member. Capt. Lemke's second term will expire in February.
>
> Next month's meeting is scheduled for February 13, 2013.

B) **Possible recommendation for a determination that a trainee has or trainees have completed the pilot trainee training program;** Possible Board action.

There was no recommendation.

C) **Possible Executive Director Recommendation for the appointment of a new pilot or pilots;** Possible Board action.

There was no recommendation.

8. **Reported Safety Standard Violations and Investigations – Executive Director Garfinkle**

No reported Safety Standard Violations since the last meeting.

9. Reportable Piloting Events – Executive Director Garfinkle

A) Report of contact between M/T OVERSEAS REYMAR and the Bay Bridge on January 7, 2013.

Executive Director Garfinkle told the Board that the M/V OVERSEAS REYMAR incident is under investigation and there was nothing to report at this time.

B) Report of contact between the M/V SOPHIE OLDENDORFF and a dolphin in the Port of Redwood City on December 14, 2012.

Executive Director Garfinkle had no report as the M/V SOPHIE OLDEDORF was under investigation.

10. Rules and Regulations Committee – Commissioner Wainwright

A) Report on Rules and Regulations Committee activities since the last Board meeting.

Commissioner Wainwright reported that the Committee meeting scheduled for December 18, 2012 had been cancelled.

B) Presentation of completed portions of regulatory package on the pilot medical review regime for submission to the Office of Administrative Law (OAL). Possible Board action to approve the portions of the regulatory package that are completed and to direct staff to proceed with formal rulemaking based on draft pilot fitness regulations and completed regulatory package.

The completed portions of the regulatory package were not ready to be presented; therefore the Board took no action.

11. Finance Committee – Commissioner Cronin

Commissioner Cronin reported that the Finance Committee had not met since the last meeting but planned to schedule a meeting in March.

12. Pilot Fitness Committee – Commissioner Roberts

There was no report.

13. Low Sulfur Fuel – Executive Director Garfinkle

Executive Director Garfinkle had no report but yielded the floor to Capt. Jeff Cowan, Office of Spill Prevention and Response, who spoke on the subject of fuel switching. During the month of December, there were two loss of propulsion incidents on the bay, neither

suspected to be related to fuel switching. The Columbia River Pilots have also reported issues and Capt. Cowan will attend their workgroup meeting on the subject

14. Ad Hoc Working Group on Trainee Recruitment – Commissioner Wainwright

Ms. Barbara Price, Chair of the Working Group, presented a report and recommendations from the Working Group. The following is a summary of the report and the accompanying recommendations:

Section 213 of the Board's regulations prescribes the selection process for admission to the pilot trainee training program. The section sets forth minimum eligibility requirements for application to the program, including the type of federal master's license held and the required length of experience as master. (§ 213(e).) It also assigns points for various types of experience. Experience-point totals determine whether an applicant will be permitted to take the written examination and also the applicant's final score, when combined with scores on the written examination and the simulator exercise. (§ 213(f), (h), & (j).)

Subsections (e) and (f) of section 213, which prescribe minimum eligibility requirements and assign experience points, respectively, have existed in substantially their present form since their adoption in 1999. To evaluate whether section 213 is meeting the Board's recruitment needs, the President Miller created the Ad Hoc Working Group on Trainee Recruitment and appointed the following persons to it: Barbara Price as Chair, Commissioner John Cronin, Commissioner David Wainwright, and Captain William Lemke.

The Ad Hoc Working Group has concluded that the overall quality of applicants for entry into the training program as well as the overall quality of those ultimately selected for admission to the program would be enhanced by making the following amendments to the minimum eligibility requirements and the experience-point schedule of section 213:

- Under the alternative minimum eligibility requirement for those with deep-sea experience, reduce from two years to one year the required experience as master of a self-propelled vessel of not less than 1600 gross tons.
- Under the alternative minimum eligibility requirement for those with tug experience, increase slightly the minimum length of overall maritime experience so that it more closely approaches the length of overall maritime experience accumulated by those applicants qualifying with deep-sea experience.
- Alter the alternative types of qualifying tug experience to broaden the applicant pool and remove from consideration experience not deemed relevant.
- Eliminate a provision for waiver of one element of the command-experience recency requirements for persons "employed in the maritime industry in a position closely associated with the operation and navigation of vessels."
- Alter the experience-point schedule in subsection (f) to reduce the maximum number of experience points, remove credit for experience used to meet the minimum eligibility requirements of subsection (e), establish new categories of experience, and change experience credit for some existing categories of experience.

- Eliminate from the experience-point schedule piloting experience as "second in command" of the vessel piloted.
- Require certification under penalty of perjury that the experience submitted to establish service time as master and to support award of experience points is true and correct.

The Board was provided with a copy of subsections (e) and (f) of section 213, marked up to show the recommended amendments as well as a "clean" version of section 213 that includes the recommended amendments.

President Miller stated that the agenda for the February 21, 2013 meeting would include consideration of the proposed changes to section 213 and possible referral to the Rules and Regulations Committee to commence the rulemaking process.

15. Continuing Education Committee – Commissioner Roberts

Commissioner Roberts reported that the Committee had not met since the last Board meeting but was working with California Maritime Academy to develop a curriculum for the upcoming combination courses at their facility.

16. Pilot Power Committee – Commissioner Roberts

Commissioner Roberts reported that the Committee had met on January 15, 2013 to review and consider data gathered pursuant to 7 CCR 237(d). Based on its analysis of the data, the Committee recommends no change to the authorized number of bar pilot licenses currently limited to 60.

The Committee also considered the results of the most recent confidential retirement survey. Based on its analysis of the data, the Committee recommends that the Board induct two additional trainees into its trainee training program.

The Board discussed the Committee's report and recommendations. President Miller called for comments from the public. There were none.

The Board took no action on the Committee's recommendations. However, President Miller requested staff to take preliminary steps to induct two additional trainees into the Board's trainee training program. He also stated that the Board would take formal action at its February 21, 2013 meeting to authorize contracting with the new trainees.

17. Ad Hoc Committee on Blue Card Rates – Vice President Johnston

There was no report. Vice President Johnston requested that staff survey Committee members and schedule a meeting in February.

18. Report of the Attorney General's Office – Board Counsel Eagan

Report on current litigation: Pacific Merchant Shipping Association vs. BOPC and Bruce Horton as Port Agent, Writ of Mandate. **The Board may go into closed session to discuss with Board Counsel any matters subject to attorney-client privilege as per Government Code Section 11126(e)(i) of the Bagley-Keene Open Meeting Act.**

Board Counsel reported that on December 27, 2012 the Court of Appeal issued an Order to Show Cause directed at the Superior Court stating that they will hear the case and requested another round of briefing by the parties. Mr. Eagan also noted that the Court of Appeal had discretion as to whether to hear the appeal, and in this case they have opted to hear it.

19. Report on and Discussion of Board staff response to NTSB Safety Recommendation M-11-19: "Ensure that local pilot oversight organizations effectively monitor and, through their rules and regulations, oversee the practices of their pilots to promote and ensure the highest level of safety." – Executive Director Garfinkle

Executive Director Garfinkle reported that, because of heavy demands on staff time in the aftermath of the M/T OVERSEAS REYMAR incident on January 7, 2013, and the press of other Board business, he had been unable to draft a response to the NTSB but hoped to complete the task for review by the Board at its February 21, 2013 meeting.

20. Discussion of current committee structure and possible changes to streamline committee processes. – President Miller

Current committee structure places heavy demands on Board member time. Discussion of possible re-organization of Committee structures to make them more efficient.

President Miller provided to members of the Board and to the public copies of his memorandum discussing the Board's present committee structure and recommendations for adjustments intended to streamline the committee structure and Board processes. Given that three members of the Board are termed out at December 31, 2013 and one whose term of office expired on that date and is not seeking reappointment (but all four are continuing to serve as holdover members), President Miller stated that the purpose of the memorandum and this day's discussion is to lay the groundwork for possible adjustments once new Board members are appointed and seated.

A copy of the memorandum is attached to and made a part of these minutes.

21. Discussion of correspondence from San Francisco Bar Pilots dated March 13, 2012 with respect to Board licensee #2538 – Capt. Chapman and Board response – Vice President Johnston.

Board received a letter dated March 13, 2012 concerning the actions of San Francisco Bar Pilot Capt. Chapman as a result of events occurring at Richmond Long Wharf on February 18, 2012 involving the M/T OVERSEAS TAMPA. **Possible Board action to approve response to Port Agent's letter dated March 13, 2012.**

Vice President Johnston asked Executive Director Garfinkle to report on the status of the response to the Port Agent's letter.

Executive Director Garfinkle addressed the Board with respect to the correspondence from the (previous) Port Agent, Capt. Bruce Horton, in which he requested that the Board perform an evaluation of Capt. Chapman. The Executive Director offered as an option establishing an ad hoc committee composed of several senior pilots who had previously served on the Pilot Evaluation Committee who would ride with Capt. Chapman and evaluate his performance on those rides, reporting their evaluations to the Executive Director. There was discussion among Board members and comments were received from the public. At the conclusion of the discussion, the Board directed its Executive Director and Board Counsel to develop options with respect to Capt Horton's letter regarding Captain Chapman for the Board to consider at its February Board meeting.

22. Review and discussion of the impact of Senate Bill 1408 and specific actions called for in response Possible Board action to direct staff to initiate programs to comply with the various mandates of SB 1408.– Executive Director Garfinkle

Executive Director Garfinkle briefed the Board on the passage of Senate Bill 1408 and the nature of the changes affecting the Board and the San Francisco Bar pilots as a result of this legislation.

He reviewed key elements of the legislation, which included the following:

- Requires pilots to refuse jobs if they believe they are too physically or mentally fatigued to work

- Requires Board to contract with an independent entity to conduct a study of the effects of work and rest periods on psychological ability and safety for pilots, including specified information and recommendations on how to prevent pilot fatigue and ensure the safe operations of vessels and, based on the results of, and recommendations contained in the study, to promulgate regulations for pilots establishing requirements for adequate rest periods intended to prevent pilot fatigue.

- Requires pilot trainee or applicant to a trainee position, a license applicant, or a licensee applying for renewal of a license to disclose to the board-appointed physician

conducting the required physical examination certain medical information relating to the applicant's or licensee's ability to safely operate a vessel, including information concerning prior substance abuse and medical conditions characterized by lapses of consciousness.

- Authorizes the Board to refuse to admit an applicant to the training program, continue a trainee in the training program, or issue or renew a license to any person determined to habitually use, or is addicted to, alcoholic beverages, narcotics, or dangerous drugs, and prescribes procedures the Board would be required to follow with regard to the refusal to issue or renew a license.

- Requires that any continuing education program adopted by the Board regularly inform pilots of the hazards of fatigue and of effective strategies to prevent fatigue.

- Requires that the Board participate in an employer pull notice program of driving records for every pilot, pilot trainee, and applicants to admission in the pilot training program.

- Requires the Executive Director to alert the United States Coast Guard of a violation or likely violation of safety standards when there is reason to believe that the violation will not be corrected prior to reaching the next port of call, to request that the United States Coast Guard report the specified violation to the port state control officer or pilot organization in the vessel's expected future port of call.

The Board discussed the Executive Director's briefing and responsibilities of the Board in response to the enactment of SB 1408.

At the conclusion of the Board's discussion, President Miller called for comments from the public. There were none.

President Miller asked that the Pilot Fitness Committee place on its agenda consideration of the mandated fatigue study, develop a scope of work for the study, identify possible contractors to carry out the study, estimate the likely cost of the study, and such other matters as the Committee deems relevant, with recommendations for Board action. President Miller noted that the Board's budget likely would need an augmentation to pay for the study and that action by the Legislature to appropriate the necessary funds would be required.

The Board stood in recess at 11:10 am.

The Board returned to open session at 11:25 am.

President Miller again called the meeting to order and noted that, by inspection, all six voting members of the Board were present, constituting a quorum.

23. Review and discussion of issue and correspondence concerning San Francisco Bar Pilots charges made under H & N Code section 1190 and section 1191 presently under review by the Ad Hoc Committee on Blue Card rates. – Board Counsel Eagan

Review and discussion of correspondence from Pacific Merchant Shipping Association dated January 2, 2013 and from San Francisco Bar Pilots dated January 7, 2013 on the issue of charges made under section 1190 and section 1191of the Harbors and Navigation Code.

Board Counsel Eagan reported on the progress of the Ad Hoc Committee on Blue Card rates to date. He began by reviewing the relevant recent history from the Rate Hearings of 2011 up through the present. He noted that the Blue Card rates are truncated and cryptic. The Ad Hoc Committee was created to make clearer definitions. Their report consisted of existing definitions as well as a more clear description of the service. The question remained as to if they were being properly applied. Mr. Eagan reported that for the most part there was agreement on the application, but there were a few exceptions. In the course of discussions, it became apparent that certain rates were being charged in addition to bar pilotage. These included 831SB, Stand-by time per hour (a charge levied when a ship fails to get underway or fails to arrive within one hour of the time the pilot was ordered to be there. There was also miscellaneous charges, 871DT, delay in route, including VTS ordered.

There was discussion of the subject matter, led by Board Counsel. Following the discussion it was determined that there were more issues to be determined by the Ad Hoc Committee and further meetings should be scheduled.

24. Public comment on matters not on the agenda

President Miller reminded Board members to submit their annual Form 700 report to the Fair Political Practices Commission before the April 2, 2013 deadline.

25. Proposals for next month's agenda

There were none.

26. Adjournment

There being no further business to come before the Board, it adjourned at 12:33 p.m.

Respectfully submitted,

Kelly Dolcini

Kelly Dolcini
Staff Services Analyst

Appendix to Board Minutes of January 17, 2013

January 17, 2013

BOPC Committee Structure

Background

For many years, the Board has maintained a number of committees where most of the policy and other work of the Board have been addressed.

Two committees are mandated by statute – the Incident Review Committee and the Pilot Evaluation Committee. The membership of these committees is also specified in statute.

The Board has from time to time established other committees – either standing or "ad hoc" – to address issues of interest to the Board. Historically, these committees would work through substantive issues and once consensus was achieved, would report and/or make recommendations to the Board as a whole. Generally the membership in these advisory committees was structured to include a pilot commissioner, and industry commissioner, and a public member. However, there is no requirement that members of advisory committees be commissioners. Members are selected for their expertise or their particular interest in the substantive issues to be addressed by the committee. For example, the Finance Committee has been structured to include one pilot commissioner, one industry commissioner (usually serving as chairman), the Business Director of the SFBP, and a representative of PMSA. The Navigation/Technology Committee (presently inactive), the Pilot Vessel Advisory Committee (presently inactive), and the Pilot Fitness Committee (presently active) have included members with particular expertise.

The Current Challenges

In the course of addressing pilot fitness issues and revising the Board's regulations regarding fitness and fitness determinations, revising other Board regulations, holding routine Finance and other committee meetings, and seeking to clarify pilotage service codes and charges, members of the Board and non-member volunteers have experienced what may be termed "committee fatigue." There have simply been too many meetings to be attended by a limited number of people.

Another challenge is that, while use of advisory committees engenders the development of expertise among the committee members, it also means that certain activities occur twice – once in committee, and a second time at the Board. A balance must be struck between the benefits of committee consideration, and the efficiency of a single activity at the Board level.

These challenges present the question, how can the committee structure and committee process be streamlined to make it more efficient? Here are some recommendations:

Recommendations

1. Eliminate the Pension Committee. There are only two pension-related actions that the Board can take: (1) Granting a disability pension upon application by a licensed pilot; and (2) granting an adjustment to pension amounts under HNC 1167. Both require determinations by the Board. There is no reason to review the issues involved once in committee, and then all over again at the Board.

2. Continue to use the "Joint Committee" structure when writing regulations that involve specialized technical expertise not readily available to the Rules and Regulations Committee. However, the joint committee structure generally is not necessary. In most cases, as has been Board practice in the past, policy issues should be discussed, consensus achieved, and recommendations forwarded to the Board from the committee of substantive jurisdiction. The Board can then consider the issues, establish Board policy, and mandate that the Rules and Regulations Committee commence the rulemaking process based on that policy decision.

3. Consolidate several standing committees so that multiple issue areas can be addressed in a single meeting by a single panel of committee members.

4. Continue to use "ad hoc" committees to focus on non-recurring issues not clearly within the substantive jurisdiction of the standing committees. Once the purpose for which the ad hoc committee was established has been fulfilled, the committee by terms of its establishment will dissolve.

Current BOPC Committee Structure:

Incident Review Committee
Pilot Evaluation Committee
Rules and Regulations Committee
Finance Committee
Pension Committee
Continuing Education Committee
Pilot Power Committee
Pilot Fitness Committee
Navigation/Technology Committee (inactive)
Pilot Safety Committee (inactive)
Trainee Selection Appeals Committee (inactive)
Pilot Vessel Advisory Committee (inactive)
Ad Hoc Trainee Recruitment Working Group (will dissolve)
Ad Hoc Committee on Blue Card Rates (will dissolve)

Recommended BOPC Standing Committee Structure:

Incident Review Committee
Pilot Evaluation Committee
Rules and Regulations Committee
Finance Committee
Continuing Ed/Pilot Power/Pilot Safety/NavTech Committee
Pilot Fitness Committee

Recommended BOPC Inactive Committee Structure:

Trainee Selection Appeals Committee
Pilot Vessel Advisory Committee

Respectfully submitted,

Knute Michael Miller

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