

Minutes
October 27, 2005

The Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun regular meeting was held in the Board of Pilot Commissioners office, Pier 9, Suite 102, San Francisco, CA, commencing at 9:30 a.m. on Thursday, October 27, 2005, Commissioner Falaschi presiding. A quorum was present, including Commissioners Lundeberg, Miller, Sitts, Wagner and Wainwright. Also present were members of the public.

Request approval of Minutes of the September 22, 2005 regular Board meeting. The minutes were unanimously approved as written.

Correspondence and Activities since the September meeting including update on status of appointment to fill dry-cargo position on Board -- Executive Director Moloney

The dry-cargo position remains open.

1. The Board received a thank you letter dated October 13, 2005 from Ronald V. Rosequist for the BOPC Resolution.
2. The Board received a letter dated October 17, 2005 from SFBP Port Agent Captain Greig advising that Captain McIsaac will serve as Acting Port Agent October 17 through October 21.

Other Pilot Matters -- Executive Director Moloney

1. The Board issued a license renewal to SFBP Captain Boriolo during the month of October.
2. The Board has received the manpower reports and statements for pilotage fees and surcharges collected from SFBP through August 2005 and Inland Pilot Slough through September 2005. Copies are available in the Board office.

Port Agent's Report -- SFBP Captain Bill Greig

1. There will be a reception for Captain Tim Holl who was licensed by the BOPC last month. It will be held at the Pilot office immediately after this meeting. All are invited.
2. Captain Peter Crowell went in the water at the ocean pilot station when boarding off the M/V SEALAND CHARGER at about 1900 on Monday October 24. Captain Crowell was rescued quickly by the crew of the P/V SAN FRANCISCO using the Jason's cradle. Captain Crowell is in good condition. The rapid recovery is indicative of the very high level of professionalism, skill and training of the crews of our pilot boats. I commend them for their actions. The P/V SAN FRANCISCO is coming in from station today and should be at Pier 9 shortly if anyone wants to see our human overboard retrieval system.
3. Not Fit For Duty: Captain Jim Shanower continues to recover from an injury sustained while boarding off the M/V CLEAMAR on 1/9/05. Captain Mike Simenstad is recovering from an injury not related to piloting.
4. Recommended Minimum Rest Period Exceptions: There have been a total of 21 Exceptions since the last BOPC meeting:

9/23 4 exceptions, 11h 5m minimum rest - 1 sick, 2 comp.
10/4 8 exceptions, 6h 30m minimum rest - 2 sick, 2 comp.
10/11 2 exceptions, 10h 40m minimum rest - 1 sick, 1comp, 1 jury duty.

10/15 4 exceptions, 8 h 15 m minimum rest - 1 sick, 1 personal, 2 comp.
10/21 3 exceptions, 11h minimum rest - 1 comp.
SFBP will begin a new reporting system next month to track MRPs on a monthly basis.

5. The P/V DRAKE is currently in the yard for her annual overhaul. It will be addressed under the agenda item for Service Life extension.
6. Statistics: YTD through September compared to a 3-year average.

| | |
|---------------|---------|
| Bar Crossings | +5.5% |
| Bay Moves | +3.0% |
| River Moves | -0.6% |
| Total Moves | +4.7% |
| GRT | +12.65% |

Unfinished Business

1. Open Incidents -- Executive Director Moloney
 - a. M/V SAPPHIRE HIGHWAY, allision with Benicia Center Dock, April 12, 2005, SFBP
Capt. Burger - additional information on master-pilot conference

PROBABLE CAUSE

In the late afternoon of Apr. 12, 2005 Capt Burger boarded the car ship SAPPHIRE HIGHWAY to pilot it to sea. The vessel was at Benicia Industries Dock, Center Berth. The vessel is a typical large vehicle carrier with high sides the length of the vessel. It has a large sail area, meaning it is significantly affected by the wind. The wind was about 35° on the starboard bow.

When Capt Burger met the vessel's master he noted his unusually low level of maritime English proficiency. This caused the master/pilot conference to be more abbreviated than his normal one.

A 5,000 hp tug was positioned amidship to pin the vessel to the berth. Due to wind strength it was pushing full ahead. After lines were let go and clear (recovered) Capt Burger ordered the tug to stop to allow the vessel to be blown off the berth by the wind. The Captain was pointedly controlling access to the bow thruster.

After the tug reduced power, Capt Burger observed the bow coming off the pier much faster than the stern and noted that the Captain was using the bow thruster to push off the dock. Capt Burger had not ordered any use of the thruster. He immediately ordered the thruster to be used toward the dock to keep the vessel parallel to it.

Though Capt Burger was not aware of it, the stern of the vessel pivoted in to the dock and touched down on a piperail on the edge of the berth. It caused some shearing of retaining bolts and damage to the concrete footpads.

OPINIONS

1. The job was well planned. Capt Burger indicated he had done similar jobs at Benicia in similar conditions many times.

2. The master's unannounced use of the thruster away from the dock caused the stern to pivot in and contact the piperail. The prompt counterorder lifted the stern back away with minimal damage to the dock.

RECOMMENDATIONS

1. Close this case. No pilot error. Capt Burger had not ordered the use of the bow thruster. When he saw what had happened he countered it. This has happened before at this dock and pilots are aware that the piperail is susceptible to damage if the wide stern of the auto ships swing in.
2. In retrospect Capt Burger plans to be more forceful in gaining control of the bow thruster.
3. In questionable language proficiency situations, it may behoove a pilot to include the watch officer in the master/pilot conference.

It was moved and seconded to accept the IRC report. Commissioner Falaschi asked for comments from the public and for discussion. There were no comments and no further discussion. The motion passed unanimously.

- b. M/V KENAI, allision with AMORCO berth, May 22, 2005, SFBP Captain Crowell -- Executive Director distributed copies of the Findings of Facts and gave the IRC report.

In view of the Board's request for additional information noted below, a summary of the report will be included in the minutes when the additional information is obtained and presented.

It was moved and seconded to accept the IRC Report. Commissioner Falaschi asked for discussion and whether there were any comments from the public. The amount of damage (\$17,750), and Captain Crowell's past incidents were discussed.

The motion was tabled until Commissioners that had questions were able to review and consider at greater length the entire report. This item will remain on the agenda for Board action on the report.

- c. M/V FIDELITY, October 4, 2005, SFBP Captain Dowdle, Chock Failure

On October 4th the Board of Pilot Commissioners received word of a potential incident involving a chock failure aboard the tanker FIDELITY as it was undocking from the Shell Martinez Terminal. The pilot was Capt George Dowdle. The vessel was moored portside to, facing downstream with a less than one knot ebb current. The tug *Delta Deanna* was fast on the starboard bow and the *Mare Island* was fast on the starboard quarter. After the last lines were recovered, Capt Dowdle had the tugs pull the vessel off the terminal. The bow opened to starboard quickly so Capt Dowdle stopped the forward boat and had the vessel's engine placed slow ahead and the rudder hard left. The after tug was directed to come up to full power away.

Capt Dowdle heard a lot of noise just forward of the house and looked down to see the handrail and deck chock being torn away. He called the after tug and asked if everyone was OK and was assured that all hands were in the wheelhouse. He called again to advise that the tug's line was on the vessel's fishplate just as the line parted there. He had the tug back clear and increased the vessel speed to half ahead. The forward tug was also released.

As the vessel proceeded down Carquinez Strait the vessel's crew used the amidship crane to recover the chock which had slid down the tug's line before it parted and wound up on *Mare Island's* bow.

After reviewing Capt Dowdle's report, the IRC considered this to be a non-incident. It was material failure in a routine operation.

It was moved and seconded to accept the IRC Report. Commissioner Falaschi asked for comments from the public and for discussion. There being no further comments or discussion the motion passed unanimously.

- d. M/V CSL CABO, interaction with M/V ATLANTIC VENUS at Bay Bulk Terminal September 3, 2005 -- Executive Director Moloney reported that this incident is under investigation.
 - e. M/V SAGA MUSKETEER allision with T/B FOSS 248 03 at Richmond Inner Harbor Shore Terminal June 21, 2005 -- Executive Director Moloney reported that this incident is under investigation.
2. Pilot Ladder reportable incidents -- Executive Director Moloney -- M/V WAN HAI 501, October 24, 2005, SFBP Pilot Lemke -- Outbound/sea buoy

The ladder was used in combination with the gangway. In order to fit the ladder attachment point the gangway had to be lowered so low that the pilot boat hit it. If raised high enough to clear the boat it crossed the ladder. The ladder could not be moved aft, only had about 20 rungs and could not be used by itself. Executive Director Moloney called the agent two days after receiving the report. They had not seen the report but had heard about it, had already contacted the vessel and had told them to get it fixed prior to the ship's return to San Francisco Bay.

3. Rules and Regulations Committee -- Status of Appointments of Committee Members

Commissioner Falaschi reported that a memo would be distributed to all Commissioners regarding Committee appointments.

4. Finance Committee -- Results of Committee meeting of October 27, 2005 - possible recommendations for adjustments in surcharges for Board operations, Pilot Vessel, Pilot Training and Trainee Training; **possible Board action re same**

Commissioner Sitts reported that the Committee met today and continued review of the above noted surcharges. The Finance Committee recommends in the form of a motion the following: (1) Increase the Board Operations Surcharge from 0.5% to 2% effective January 1, 2006; (2) Increase the Trainee Training Surcharge from 0 to \$6.00/Trainee/move effective January 1, 2006; and (3) Revisit the Pilot Training Surcharge in July 2006.

It was moved and seconded to accept the Finance Committee's recommendations. Commissioner Falaschi asked whether there were any comments from the public or discussion. There were no comments from the public and there was no further discussion. The motion passed unanimously.

Commissioner Sitts reported that the Pilot Vessel Surcharge would be addressed separately at the next Finance Committee meeting. The next Finance Committee meeting is scheduled for November 17, 2005 at 9:00 a.m.

5. Pilot Training Curriculum Committee -- Commissioner Wagner -- no report.
6. Pilot Evaluation Committee -- Capt. Melvin -- Report on October 19, 2005 Committee meeting -
- report on trainees' progress in training program and possible recommendation to issue Certificate of Completion and license to one pilot trainee; possible recommendation to schedule testing for trainee selection -- **possible Board action re same**

The PEC met at 1300 hrs. on October 19, 2005. Board Counsel Paetzold gave a presentation of the pilotage laws and the Committee reviewed all trainee cards.

The Committee completed a final assessment of whether Captain Guy Kleess has successfully completed all elements of the Board's regulations in Section 214 (h), (a copy of that regulation is before you). The Committee unanimously agreed on its conclusion and has authorized me to present its recommendation to you at today's meeting.

Capt. Kleess holds an unlimited MASTER's License with all federal pilotage endorsements required under the Board's regulations.

Before his entrance into the Board's pilot trainee training program in November 2003, Captain Kleess had almost 30 years of experience in the maritime industry. After graduating from the United States Merchant Marine Academy in 1976, he went to work as a Third Engineer for Exxon Oil Company, where he continued to sail on tankers, ascending to the following positions: Second Engineer, Third Mate, Second Mate, Chief Mate, and Master, respectively. Captain Kleess worked for Exxon until February 1989. From March 1986 until November 1991, he sailed as Master on the VLCC "Ocean Runner" for Boston Ocean Carriers, where he sailed extensively throughout the Persian Gulf and the Far East. In November 1991, Captain Kleess was employed as a Mooring Master at the Louisiana Offshore Oil Port, (LOOP) where he was responsible for mooring VLCC's and ULCC's to single point moorings offshore until entering the training program.

To date, Captain Kleess has over 627 trips as trainee, riding as observer on 237 jobs, (including local tugboats) and directing the navigation of the vessel under direct supervision of a pilot or inland pilot on another 390 trips.

Over 136 trips were with members of the Pilot Evaluation Committee, 37 of those were within the last three months.

As I have reported to you in the past, the Committee regularly reviews each trainee's progress through periodic meetings with him and through its review of evaluation cards (trip reports) from other pilots. Each Committee member personally rode numerous times with Captain Kleess before making this recommendation.

Captain Kleess continues to meet all statutory prerequisites for being licensed as a pilot. He has maintained in excess of a 4.0 on a scale of 5.0 on his evaluations by the Committee during each of the last three months and adequately demonstrated each of the specific items of local knowledge listed before you - both in written examinations and orally during riding with members of the PEC.

In addition the Committee used detailed trip reports to ensure Captain Kleess has demonstrated a working knowledge of the fundamentals of shiphandling in each of the circumstances listed in the regulations, and has demonstrated the skills and knowledge necessary to become a Board licensed pilot.

On behalf of the Pilot Evaluation Committee, it is my great pleasure to recommend that the Board issue a certificate of successful completion of the Board's pilot trainee training program and that it authorize the issuance of a Pilot's license to Captain Guy Kleess to fill the current vacancy in the San Francisco Bar Pilots (upon his successful completion of the physical examination required by the Board's regulations.)

It was moved and seconded to accept the PEC report and to issue Captain Guy Kleess a Certificate of Completion and Board license as of October 27, 2005. Commissioner Falaschi asked if there were any comments from the public and any further discussion. There being none, the motion passed unanimously. Captain Melvin then introduced Captain Kleess and the Board expressed their congratulations.

7. Pension Committee -- Status of Appointments of Committee Members -- no report
8. Vessel Interactions -- Executive Director Moloney -- M/V FUMAY October 4, 2005 interaction with ship at Avon, M/V PUGET SOUND, SFBP Captain F. Hoburg -- Executive Director reported that FUMAY was underway at the lowest speed for stemming the current while passing Avon and that there was a 6-foot surge fore and aft movement of the PUGET SOUND. Executive Director reported that the IRC finds this to be a non-incident. It was moved and seconded to accept the IRC Report. Commissioner Falaschi asked whether there were any comments from the public or discussion. There were no comments from the public and no further discussion. The motion passed unanimously.
9. Pilot Security -- Commissioner Falaschi -- continues as a placeholder.
10. Ad hoc Committee for Pilot Fitness -- Commissioner Falaschi -- status of appointments of committee members -- no report
11. Pilot Vessel Life Extension Modifications -- SFBP Port Agent Captain Greig gave the following report:

The P/V DRAKE is currently in the yard. In anticipation of considering the DRAKE for possible life extension, we sandblasted the hull below the waterline. Unfortunately we found extensive corrosion. With spot repair and careful monitoring our Marine Superintendent feels that we can get 5 more years out of her but the amount of steel that would need to be renewed prohibits economic life extension. None of our other vessels are immediate candidates for life extension. No Board action required at this time.
12. Pilot Identification Cards - Executive Director Moloney reported that he had contacted OES regarding identification cards and was advised that they had issued i.d. cards in the past but no longer do it. He is in the process of contacting the Port of San Francisco. It was discussed that the Port of Oakland may also be a possible resource. Mr. Ken Levin noted that the SFBP are also in contact with OES and USCG.

Port Agent Captain Greig gave an overview of the lessons learned from the Louisiana Pilots following the Hurricane Katrina, noting that the Sheriff's department had to escort the pilots to various locations following the storm.

Commissioner Wagner again requested that the Board address the problem with the Chevron Terminals that do not accept the Board I.D. card without another type of identification. This item will remain on the agenda for further discussion and action.

New Business

1. Public Comment on matters not on the agenda -- there were none.
2. Proposals for additions to next month's agenda -- there were none.

Schedule next regular meeting -- the next meeting is scheduled for November 17, 2005 at 9:30 a.m.

Adjournment -- the meeting was adjourned at 10:35 a.m.

Respectfully submitted,

Alice A. Evans
Secretary