

**Minutes
November 17, 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, November 17, 2005, Commissioner Falaschi presiding. A quorum was present, including Commissioners Miller, Wagner and Wainwright. Also present were members of the public.

Request approval of Minutes of the October 27, 2005 regular Board meeting. The minutes were unanimously approved.

Correspondence and Activities since the October 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 forwarded a letter dated October 31, 2005 to Mr. Justyn Howard, Department of Finance requesting an increase of the Operations Surcharge to 2% effective January 1, 2006.
2. The Board received a letter dated November 10, 2005 from SFBP advising that Captain Peter McIsaac will be acting Port Agent effective November 10 through November 15, 2005.

Other Pilot Matters -- Executive Director Moloney

- 1, The Board issued license renewals to SFBP Captains Dowdle and Simenstad during the month of November 2005.
2. The Board has received the manpower reports and statements for pilotage fees and surcharges collected from SFBP through September 2005 and Inland Pilot Slough through October 2005.

Port Agent's Report -- SFBP Captain Bill Greig

1. Not fit for duty: Captain Jim Shanower continues to recover from an injury sustained while boarding off the M/V CLEAMAR last January 9. Captain Tony Chadwick sprained his ankle boarding off M/V PUNJAB SENATOR Monday 11/14 and should return to work shortly. Captain McBride is recovering from a non-pilot related injury and should be back to work next week.
2. Minimum Rest Period Exceptions: There have been no exceptions to the Recommended Minimum Rest Period since the last commission meeting. We plan to change the way we report these exemptions. Due to staff shortages, the new report method will not be implemented until January.
3. There has been no down time on the Pilot Boats since the last commission meeting.
4. YTD statistics through October compared to a 3-year average:

Bar Crossings:	+6.6%
Bay Moves:	+2.6%
River Moves:	+ 2.7%
Total Moves:	+5.7%
GRT:	+14.0%

Unfinished Business

1. Open Incidents -- Executive Director Moloney

- a. M/V KENAI, allision with AMORCO berth, May 22, 2005, SFBP Captain Crowell (possible Board action on IRC's Report made at October 27, 2005 meeting)

The Board discussed and agreed to delay the additional presentation by the IRC until the next Board meeting because of the absence of Commissioner Sitts. Commissioner Falaschi asked Mr. John Meadows, attorney for Captain Crowell who was in the audience, if this would be an inconvenience for him. Mr. Meadows replied that he, Captain Crowell and the IRC met recently and felt that they had resolved any doubts or confusion and that they were satisfied with the IRC's findings of facts and had no objection to postponing the additional report.

- b. M/V CSL CABO, interaction with M/V ATLANTIC VENUS at Bay Bulk Terminal September 3, 2005

Executive Director Moloney distributed the Findings of Facts and gave the following IRC report.

PROBABLE CAUSE

Capt Horton boarded the M/V CSL CABO at the Domtar Terminal near Antioch at 2030 on 2 Sept 2005, to take the vessel to sea. Last line was at 2205. The vessel had some engine repairs done while inport and speed was limited to half ahead. This was not a factor in New York Slough since most maneuvering would be done at slow ahead. Capt Horton would increase speed to half ahead to improve the vessel's handling in the major turns of the transit, then return to slow ahead.

Terminals downstream had been advised of the CSL CABO's passage. At the Bay Bulk Terminal the Koch Carbon LLC personnel had secured cargo operations on the M/V ATLANTIC VENUS and had the vessel's deck crew tighten the mooring lines and were standing by.

At 2240 the CSL CABO passed the ATLANTIC VENUS and caused that vessel to surge 10-20 feet downstream. The gangway that was rigged to the pier contacted the wooden railing of the pier, damaging them. Capt Horton was not aware of the interaction and took the vessel to sea. He was advised of the interaction the following day. Damage estimates to repair the railing are \$1000-1500.

OPINIONS

1. This is an interaction incident with a lightly loaded mid-sized bulk freighter interacting with a heavily loaded mid-sized moored bulk freighter. The distance off in the 400 foot channel would have been about 200 feet.
2. Issues that were considered but found not to have been an issue include:
 - a. communications-well done
 - b. fatigue- not an issue
 - c. machinery-not fully functional but not an issue in the slow speed environment of the incident
 - d. performance pressure- not an issue
 - e. traffic- not an issue

- f. tugs- not an issue
 - g. visibility- not an issue
 - h. weather- not an issue
3. All parties in this incident were prepared for the passage:
 Capt Horton had the vessel at slow ahead for acceptable control of the vessel.
 The terminal had warned the ATLANTIC VENUS and secured cargo operations.
 The ATLANTIC VENUS tightened mooring lines and had the deck crew standing by.
 4. Despite being ready, the vessel did surge and damaged the dock railing. In interview with the Board Investigator the Operations Manager said that the lessons learned is to raise the gangway off the ship so in case of surges it doesn't hit the railing.

RECOMMENDATIONS

1. Close this case. No pilot error. Capt Horton was proceeding at a safe speed considering the vessel's load condition and the following current. This incident shows that despite precautions, interaction does occur. Simple actions such as raising a gangway can prevent damage.

It was moved and seconded to accept the IRC Report. Commissioner Falaschi asked for comments from the public and for discussion. The exact position of the M/V CSL CABO and M/V ATLANTIC VENUS (at Bay Bulk Terminal) was clarified. There were no comments from the public and no further discussion. The motion passed unanimously.

- c. M/V SAGA MUSKETEER allision with T/B FOSS 248 03 at Richmond Inner Harbor Shore Terminal June 21, 2005

Executive Director reported that this incident was reported to the BOPC office on September 12, 2005 and that the IRC requests an extension until the next Board meeting. It was moved and seconded to extend the IRC report until the next Board meeting. Commissioner Falaschi asked for comments from the public and for discussion. There were no comments and no further discussion. The motion passed unanimously.

Commissioner Falaschi reported that in the near future Commissioner Lundeberg would give a presentation to familiarize the new Commissioners and the public with the IRC's procedures for investigating reported piloting incidents and for arriving at its findings of fact, opinions and recommendations.

2. Pilot Ladder reportable incidents -- Executive Director Moloney

M/V PESSADA, November 1, 2005, ladder ropes parted - ladder steel lashing kept it from carrying away - reported by SFBP Captain Alden

Executive Director Moloney reported that ladder ropes parted and that the ladder steel lashing kept it from carrying away. This could have been a very serious incident, however Captain Alden did not fall into the water and was not injured. Executive Director Moloney reported the incident to the USCG and the Agent had already notified the vessel of the broken pilot ladder and had instructed vessel to replace ladder immediately.

3. Rules and Regulations Committee -- Commissioner Wainwright reported that he had met with Board Counsel to address the upcoming agenda items and work in progress by other Committees. It is anticipated that a draft outline of the Regulations Committee 2006 agenda items will be presented at the next Board meeting.
4. Finance Committee -- Commissioner Sitts -- Results of Committee meeting of November 17, 2005 - possible recommendations for adjustment in Pilot Vessel Surcharge; **possible Board action re same**

Commissioner Wainwright reported that the Committee met today and that he chaired the meeting in Commissioner Sitt's absence. PMSA's representative, Mr. John Berge in Mike Jacob's absence, also attended the meeting.

Commissioner Wainwright reported that the Department of Finance approved the Board's request of October 27, 2005 to increase the Board's Operations Surcharge from 0.5% to 2% effective January 1, 2006.

Commissioner Wainwright reported that the Committee reviewed the Pilot Vessel Surcharge including the current surplus and revenue and expenditures projections. The Committee recommends in the form of a motion to reduce the Pilot Vessel Surcharge from 5.3 mills to 4.5 mills effective January 1, 2006. Commissioner Falaschi asked for comments from the public and for discussion. The new rate is expected to reduce the current surplus to zero in approximately 14 months. PMSA's John Berge was present and stated that the industry member on the Committee is in agreement with the recommendation. There were no comments from the public and no further discussion. The motion passed unanimously.

Commissioner Wainwright reported that the next Committee meeting date would be determined by Committee Chair Commissioner Sitts.

5. Pilot Training Curriculum Committee -- Commissioner Wagner said there is no report.
6. Pilot Evaluation Committee -- Capt. Melvin -- Report on November 9, 2005 Committee meeting -- report on trainees' progress in training program and possible recommendation to schedule testing for trainee selection -- **possible Board action re same**

Executive Director Moloney reported that the trainee selection schedule needs to be set to allow Board staff to advertise the exam notice in various maritime magazines to allow sufficient notification to all seamen that are interested in taking the examination. Various magazines are published only every two months and they require additional lead-time for advertisements.

Commissioner Wagner expressed her concern that the Pilot Power Committee needs to meet and review SFBP retirement surveys to determine the number of pilot trainees and that the Committee would request a new survey.

It was discussed and clarified that the number of future trainees need not to be decided until some time in 2006, closer to the time of the examination, but that authorization to commence preparations for the next selection examination cycle should be obtained now to permit sufficient time to schedule the examinations and advertise.

It was moved and seconded to authorize the Executive Director and/or Board President to prepare and sign contracts as necessary to advertise the selection process (tentatively scheduled for the first week in May 2006) and application cut-off date for 2/15/06. Commissioner Falaschi asked for comments from the public and for discussion. There being no further comments or discussion, the motion passed unanimously.

7. Pension Committee -- Commissioner Sitts

No report.

8. Vessel Interactions -- Executive Director Moloney said there are no new vessel interactions to report.

9. Pilot Security -- Commissioner Falaschi said this item remains on the agenda 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 reported that there is no need to request pilot vessel life extension modifications at this time. It was discussed that the P/V DRAKE is estimated to remain in service until 2011. Captain Greig said this item could be taken off the agenda until a future date.

12. Pilot Identification Cards - Executive Director Moloney reported that he met with Retired Chevron Captain Reynolds as recommended by Commissioner Sitts, who reviewed the current SFBP identification I.D. Card and that he would report back all suggestions and recommendations from his security contacts to update or improve upon the Commission's SFBP I.D. cards. LCDR, USCG Ross Sargent who was in the audience commented that he is not aware of any federal I.D. cards for waterfront personnel. This item will remain on the agenda for further discussion.

New Business

Public Comment on matters not on the agenda

1. Board Counsel Paetzold reported that the UPRR Bridge Working Group met November 16, 2005 in the Board office. The meeting was well attended by Union Pacific personnel, USCG and interested stakeholders. An estimated 60 trains pass over the bridge daily; 84% of the cargo from the Port of Oakland is estimated to cross this bridge. Damage to the bridge could impact the entire Bay Area and beyond. Communication protocol again continues to plague the smooth operation of the bridge. The Working Group reviewed past recordings and documented incidents. One recent tug/barge incident closed the bridge for 2-hours to ensure bridge was not severely damaged. The Working Group will continue to monitor adherence to the communication protocol to ensure safe train and vessel traffic.

Commissioner Miller reported that the meeting was a very useful experience to see all parties working together to solve various potential problems.

Proposals for additions to next month's agenda

1. Executive Director Moloney reported that Retired Chevron Captain Reynolds is interested in becoming a Board Investigator. This will be placed on next month's agenda as an action item.

Schedule next regular meeting – the next meeting is scheduled for December 15, 2006 at 10:30 a.m.
This is a later start time due to the Christmas luncheon schedule.

Adjournment – the meeting was adjourned at 10:30 a.m.

Respectfully submitted,

Alice A. Evans
Secretary