

Minutes
August 23, 2007

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 August 23, 2007, Commissioner Miller presiding. A quorum was present including Commissioners Lundeborg, Osen, Soares, Tate, Wagner and Wainwright. Also present were SFBP Acting Port Agent Captain Horton, Board Counsel Paetzold, Executive Director Moloney and Secretary Alice Evans.

Request approval of Minutes of the July 24, 2007 regular Board meeting. The minutes were unanimously approved.

Correspondence and Activities since the July meeting -- Executive Director Moloney

1. Board President Commissioner Miller forwarded a letter dated August 15, 2007 to Assemblymember Sandre' Swanson regarding the Board's appointment of an Ad Hoc Advisory Committee on Pilot Selection.
2. Board President Commissioner Miller forwarded a letter dated August 15, 2007 to Linda Walls-Brown, Vice President DBM, acknowledging her acceptance to serve on the Board's Ad Hoc Advisory Committee on Pilot Selection.

Other Pilot Matters -- Executive Director Moloney

1. There are no license renewals during the month of August.
2. The Board received manpower reports and statements for pilotage fees and surcharges collected from SFBP through June and Inland Pilot Slough through July 2007

Port Agent's Report -- SFBP Acting Port Agent Captain Horton

1. NFFD: Captain Plant is NFFD while being treated for a condition not related to piloting; Captain Haggerty has been NFFD since July 11 due to a back problem. He had surgery on August 21 and is recovering at home; Captain R. Nyborg has been NFFD since July 19 due to chronic shoulder pain caused by a pilot ladder incident in December 2005.
2. Recommended Minimum Rest Period Exceptions (MRP): 1 occurred on July 10 with 3 pilots on pilot business and 1 acting port agent - the MRP was 11.9 hours; 1 occurred on July 11 with 3 pilots on pilot business and 1 acting port agent - the MRP was 11.9 hours; 1 occurred on July 12 with 2 pilots NFFD - the MRP was 11.9 hours; 4 occurred on July 17 with 2 pilots NFFD and 2 pilots on pilot business - the shortest MRP was 10.4 hours; 13 occurred on July 18 with 2 pilots NFFD and 3 pilots on pilot business - the shortest was 8.4 hours; 2 occurred on July 30 with 2 pilots NFFD and 1 pilot on comp time - the shortest MRP was 11.2 hours.

It should be noted that 15 of the MRP exceptions occurred on days when the Pilot Eval committee was involved in the different testing phases of the BOPC new pilot trainee exam.

3. Pilot Vessels: The P/V CALIFORNIA completed her annual dry-docking on August 10. The P/V SAN FRANCISCO is presently going through her dry-docking and is scheduled to return to service on September 3.
4. Billed vessel moves through July 2007 compared to 3-year average:

| | |
|---------------|------|
| Bar Crossings | +8% |
| Bay Moves | +4% |
| River Moves | +4% |
| Total Moves | +7% |
| GRT: | +15% |

When compared to first 7 months of 2006 total moves are down 4% and GRT is flat.

Unfinished Business

1. Board office relocation -- Executive Director Moloney reported that Sacramento Real Estate office informed the BOPC that it is on a month-to-month lease for the next 4 months. They continue to pursue other locations.
2. Open Incidents -- Executive Director Moloney
 - a. M/V SOVI R, grounding 0.8 mi Northeast of New York Point, June 13, 2007 -- Executive Director reported 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 Miller asked for comments from the public and discussion. There were no comments and no discussion. The motion passed unanimously.
3. Pilot Ladder reportable incidents -- Executive Director Moloney gave the following report:

Executive Director reported that SFBP Capt. Maclachlan forwarded the following Pilot Ladder Report: August 21, 2007, M/V YUU YUE: the rigging freeboards were not equally spaced, not horizontal and had non-manila side ropes with no splices or knots. The Pilot Ladder Report was forwarded to the USCG and SFBP Acting Port Agent Horton forwarded the report to Vancouver B.C. port as the next port of entry.
4. Rules and Regulations Committee -- Commissioner Wainwright reported that a meeting is scheduled for August 27, 2007 at 8:00 a.m. for further discussion of Section 236, Rate Hearing Procedures.

5. Finance Committee -- Commissioner Osen - report on August 23, 2007 meeting, BOPC fund condition report, status of BOPC budgets for FY07/08, FY08/09 revenue and expenditure projections for Board operations, Pilot Training and Trainee Training; possible recommendation to seek additional expenditure authority as necessary; **possible Board action**

Commissioner Osen reported that the Committee met today for the purpose of reviewing the 07/08 and 08/09 Budgets. As the current FY's budget has not been signed and the '08/'09 budget has not been received there was nothing to review. SFBP reported that Pacific Coast Maritime resolved their overdue invoices and are no longer on a cash basis. The next meeting is scheduled for September 27, 2007 at 8:00 a.m. to continue review of FY07/08 and 08/09 budgets.

6. Pilot Training Curriculum Committee -- Commissioner Wagner said there is no report.
7. Pilot Evaluation Committee -- Capt. Roberts -- report on trainee selection examinations scheduled for week of August 13, 2007; **possible Board action re same**

SFBP Capt. Roberts reported that the 11 trainees are currently in training; they range in time in the program from 2 months to 1 year 8 months. All are working at their own individual level, and are doing well. The three trainees that started July 1 were on a schedule that was restricted to daylight, in the harbor moves, from July 1 to August 7, at which time they went to full trainee ship move status. This was due to the liability issues brought on by the budget impasse. All trainees have continued to be paid their stipend during the budget impasse.

New pilot training exam: On August 13 through 17 we conducted the new pilot trainee exam at California Maritime Academy. 37 candidates were approved to test, 32 took the written test. 21 candidates passed the written portion and went on to the simulation exam. On August 28 we will be conducting the simulator cut-score process with 7 subject matter experts and the psychometric contractor. We would expect to have the results and a ranked passing score shortly thereafter.

Captain Roberts thanked Board staff, Counsel and pilots for their extra effort to make this testing a success. Commissioner Wagner also thanked everyone and expressed how important this testing is to have enough candidates available for the training program for the next three years.

8. Pilot Power Committee -- Commissioner Wagner -- Commissioner Wagner reported there is no report. A Committee meeting will be scheduled sometime before the next Board meeting.
9. Pension Committee -- Commissioner Miller -- Report on status of request for offer/proposal to provide fiduciary services and for actuarial study; **possible Board action if needed**

Commissioner Miller reported that Commissioner Tate would Chair the Pension Committee. He reported that the fiduciary and actuarial contract solicitations are in progress at DCA contracts. Commissioner Tate said there is no further report at this time.

10. Vessel Interactions -- Executive Director Moloney said there is no report.
11. Pilot Security -- Commissioner Miller said there is no report.
12. Pilot Identification Cards -- Executive Director Moloney -- status of federal proposal for Transportation Worker Identification Credential (TWIC), obtaining a more substantial Pilot I.D. card. Executive Director Moloney said there is no report.
13. Ad Hoc Committee on Pilot Safety -- Commissioner Soares reported that the Committee has prepared a report and that all Commissioners and audience has been provided a copy of this report. He then referred to SFBP Captain Hartshorn who gave the following report: The Ad Hoc Committee on Pilot Safety was formed by BOPC President Miller on February 22, 2007. The Committee consists of Commissioner Soares and SFBP Captain Hartshorn. The Committee was asked to review San Francisco Bar Pilot safety procedures and lessons learned from recent losses of pilots in Oregon, Hawaii, Boston, Delaware and of a pilot boat and its operator in Texas. The report includes recent transfer incidents, lessons learned, pilot transfer resources, pilot ladder placement for safe pilot boat operation, man overboard recovery system on SFBP station boats and man overboard procedures. The report is available at the Board office. It was noted that after final USCG reports regarding the incidents that remain under investigation, become available, additional lessons learned may be incorporated. Commissioner Miller thanked the Committee for the thorough report and noted that the Ad Hoc Committee would be kept in place until the various Coast Guard investigation reports had been completed and reviewed.
14. Pilot Vessel Advisory Committee -- Capt. Bill Figari -- report on August 20, 2007 meeting; status of project to build new station boat and SFBP's request for preliminary authorization to expend \$697,479 to purchase and install new main engines and generators as part of proposed Life Extension Modifications to P/V GOLDEN GATE; possible recommendation and **possible Board action re same**

Commissioner Miller referred to Mr. Jacob, PMSA Representative, who was in the audience. Mr. Jacob reported that the Committee met August 20, 2007 and reviewed the status of the project to build the new station boat and SFBP's request for preliminary authorization to expend \$697,479 to purchase and install new main engines and generators as part of proposed Life Extension Modifications to P/V GOLDEN GATE. He then referred to Board counsel who read the following Committee recommendation: The Committee found that the documentation examined by the Committee supports a preliminary authorization to expend an estimated \$697,479 for the acquisition and installation of two new main engines and two new marine generator sets and associated equipment as detailed in SFBP's August 6, 2007 request letter; and that the Committee recommends issuance of the preliminary authorization in accordance with proposed regulation §236.1(e) for those items. It was moved and seconded to accept the above noted Committee finding and recommendation. Commissioner Miller asked for comments from the public and discussion. There were no comments and no discussion. The motion passed unanimously.

15. UPRR Bridge -- SFBP Port Agent McIsaac -- possible update on UPRR's engineering study on effect of high winds on UPRR Bridge. Acting SFBP Port Agent Capt. Horton said there is no report.
16. Ad Hoc Advisory Committee on Pilot Selection -- Commissioner Tate reported that a meeting is tentatively scheduled for September 25, 2007 at California Maritime Academy and that a 10-day notice will be sent out accordingly. Linda Walls-Brown will join the Committee. Commissioner Tate thanked Commissioner Miller for meeting with Assemblymember Swanson's office to inform them of the BOPC Advisory Committee's mission.

New Business

1. M/V CAP LARA, allision with Valero Terminal, August 2, 2007 -- Commissioner Moloney reported that this incident is under investigation.
2. Public Comment on matters not on the agenda -- there were none.
3. Proposals for additions to next month's agenda -- there were none.

Schedule next regular meeting -- The next meeting is scheduled for September 27, 2007. The Continuation of the Rulemaking Hearing will immediately follow at approximately 10:30 a.m. in the BOPC office.

Adjournment -- the meeting was adjourned at 10:15 a.m.

Respectfully submitted,

Alice A. Evans
Secretary