

**Minutes**  
**September 27, 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, September 27, 2007, Commissioner Miller presiding. A quorum was present including Commissioners Lundeberg, Osen, Soares, Tate, Wagner and Wainwright. Also present were SFBP Acting Port Agent Captain McIsaac, Board Counsel Paetzold, Executive Director Moloney and Secretary Alice Evans.

Request approval of Minutes of the August 23, 2007 regular Board meeting. The minutes were unanimously approved.

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

1. The Board members reviewed the print-out from the Appointments Office and noted corrections to counties for Tate and Wagner.
2. The Board received a letter dated September 19, 2007 from SFBP Captain Dennis Plant regarding a request for long-term disability.

Other Pilot Matters -- Executive Director Moloney

1. The Board issued license renewals to SFBP Captains Boriolo and Kleess during the month of October 2007.
2. The Board received manpower reports and statements for pilotage fees and surcharges collected from SFBP through July and Inland Pilot Slough through August 2007

Port Agent's Report -- SFBP Captain Peter McIsaac

1. NFFD: Captain Haggerty has been NFFD since July 11. He is recovering from three surgical procedures and hopes to be back to work in 30-60 days; Capt. R. Nyborg is NFFD; Captain Pinder was NFFD on September 21 after sustaining back injury when he slipped on a gangway.
2. Recommended Minimum Rest Period Exceptions (MRP): There were 39 in August; 4 occurred on August 4 with 3 pilots training and 1 NFFD - the MRP was 11 hours; 5 occurred on August 10 with 3 pilots NFFD and 3 training - the MRP was 11.9 hours; 26 occurred on August 11 with 3 pilots NFFD and 3 training - the MRP was 5.8 hours; 1 occurred on August 15 with 3 pilots NFFD and 4 pilots on pilot business - the MRP was 11.5 hours; 1 occurred on August 24 with 3 pilots NFFD and 1 pilot NFFD and 1 pilot on comp - the MRP was 11 hours; 2 occurred on August 25 with 3 pilots NFFD and 1 pilot on comp time - the shortest MRP was 10.2 hours.

3. Pilot Vessels: P/V SAN FRANCISCO was out of service from August 13 through September 11 for her annual dry docking; the P/V GOLDEN GATE was out of service from August 29- 30 to replace the zincs and a bent wheel; the P/V PITTSBURG was out of service from September 18-19 for routine repairs; the P/V DRAKE was out of service September 10-28 for her annual dry docking.

4. Billed Vessel moves through August '07 compared to 3-year average:

Bar Crossings	+7.3%
Bay Moves	+2.8%
River Moves	+4.4%
Total Moves	+6.3%
GRT	+14.0%

When compared to first 8-months of 2006 total moves are down 4.6% and GRT is down slightly.

#### Unfinished Business

1. Board office relocation -- Executive Director Moloney reported that the current office space remains on a month-to-month lease for the next four months pending possible action by Sacramento and the Port of San Francisco.

2. Open Incidents -- Executive Director Moloney

a. M/V SOVI R, grounding 0.8 mi Northeast of New York Point, June 13, 2007

#### PROBABLE CAUSE

On the evening of 13 June 2007 Capt Larry Teague boarded the bulk freighter SOVI R to pilot it to Sacramento. He boarded at 2335 just prior to passing New York Point and relieved Capt Lemke. During the relief Capt Lemke noted that the vessel had been "squirrely" and very hard to slow down. When Capt Teague was relieving Capt Lemke he noted that the vessel was making 11 knots on a slow ahead (8 knot) engine order. He (Lemke) had had a problem with the helmsman giving a wrong response to one of Capt Lemke's commands. The vessel had been delayed in the anchorage for repair to one of the radars, but it was still turned off. Capt Teague planned to have it activated and check it out himself but was busy with the pilot change and postponed it.

Capt Lemke disembarked at New York Point on the vessel's starboard side. Capt Teague waited for the pilot boat to get clear prior to turning to port toward the Sacramento River so he wouldn't pin the boat alongside in the turn. Once the boat was clear he ordered left 20° rudder and steadied on 050°T, which is the normal heading for that leg of the transit. The vessel was at slow ahead.

When the vessel steadied on that course, Capt Teague did not think things looked right. He studied the operating radar and identified a nearby tug and barge. He then walked to the port side of the bridge and observed beacon 34's flashing red light. The vessel's centerline cranes

had obscured it. He ordered left 20° rudder and half ahead, then up to full ahead at 2351. When the beacon's light became visible on the starboard bow, Capt Teague had the rudder eased to left 10°.

As the beacon continued to open to starboard, Capt Teague had the rudder placed amidship. He expected to pass clear of the shoal water to starboard and enter the Sacramento River. He stepped onto the starboard bridge wing to observe the vessel's progress and realized the speed had slowed appreciably and moments later at 2354 it stopped. He left the vessel's engine on full ahead and advised Capt Lysenko that the vessel had stopped and the bow was aground. The gyro heading was 040°T.

After reporting the situation to VTS, Capt Teague called the tug he had observed on radar to see if it could assist. Due to its bow configuration it could not. He next contacted the SFBP dispatch office who arranged for the tug *Resolute* to depart from Benicia to assist. He continued to try to free the vessel using engine and rudder without success. When the *Resolute* arrived he had them put a line up to the vessel's stern. The bow remained grounded though the stern was afloat and moved through a 90° arc. The current had changed to ebb at 0052 on the 14<sup>th</sup> and the tide started falling. Refloating attempts were suspended for the night at 0340.

At about 0730 Capt T. Miller boarded to relieve Capt Teague, who left the vessel at about 0750 for the post-incident substance testing. (The test results were negative.) An additional tug, the *Marshall Foss* was assigned for the afternoon attempt. From 1520-1600 the tugs and vessel attempted to pull the bow free without success. The evening tide would have an additional half meter of water and two more boats, the *Delta Linda* and *Delta Deana* were brought in. The four tugs and the vessel started working at 0140 and at 0215, successfully refloated the vessel.

#### OPINIONS

1. Environmental conditions were routine, though it was very dark, with almost no moon. Visual references aside from beacon/buoy lights were minimal.
2. Fatigue: Capt Teague noted that while he was rested prior to the transit that taking a 2200-0000 New York Slough vicinity transit, fatigue could not be discounted.
- 3.. The vessel was a deeply loaded bulker that handled poorly. The problem with the helmsman that Capt Lemke observed does not appear to be an issue in this incident. As in past incidents, this was a wide body bulker, loaded even keel. As speed increases, the bow squats.
4. Holding course to allow the pilot boat to safely clear the side of the vessel made it run farther east than would be a standard maneuver.
5. Having the second radar on line may have allowed Capt Teague to recognize that the vessel was off track.

6. The strong flood current and WSW wind pushed the vessel to the east before Capt Teague recognized his position. When he did he took immediate action to move the vessel across the channel.
7. The grounding was so gentle that neither master nor pilot were aware of it until Capt Teague moved to the bridge wing and noted the slowing then stop.

## RECOMMENDATIONS

Close this case. Minor pilot error. The speed of the vessel, even on a slow ahead order, and holding course to allow the pilot boat to clear the side of the vessel after pilot transfer allowed the vessel to get too far to the east when the turn at New York Point was made. Lack of visual references delayed Capt Teague's recognition of the vessel being off track.

Lessons learned from this incident are that meeting a vessel farther from the Pittsburg pilot station and taking longer to relieve could reduce the potential for similar situations.

It was moved and seconded to accept the IRC report. Commissioner Miller asked for comments from the public and discussion. The Commissioners discussed pilot exchange protocol; vessel not coming up to correct speed; lack of visibility to see the current, second radar was not operational and that tugboats were needed to bring the vessel back into the channel. The motion was approved to accept the report as modified with the addition to the IRC report to include "lessons learned" to conduct a pilot exchange in an area with more maneuvering room.

- b. M/V CAP LARA, allision with Valero Terminal, August 2, 2007 -- Executive Director Moloney said this report remains under investigation.
3. Pilot Ladder reportable incidents -- Executive Director Moloney said there is no report.
4. Rules and Regulations Committee -- Commissioner Wainwright -- report on results of August 27, 2007 Committee meeting -- Commissioner Wainwright reported that the Committee met August 27 to discuss the final item on the Committee's rule making calendar - Article 7. Section 236, Rate Hearing procedures. After brief statements of support from both PMSA and SFBP the Committee voted unanimously to affirm the current Rate Hearing Procedures. He then thanked both PMSA and SFBP for their patience and insight.

It was moved and seconded to accept the Committee report. Commissioner Miller asked for comments from the public and discussion. There were none and the motion passed.

5. Finance Committee -- Commissioner Osen - report on September 27, 2007 meeting, BOPC fund condition report, status of BOPC budgets for FY07/08, FY/08/09 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 meeting for today had been cancelled. The

next Finance Committee meeting will be October 25 at 8:30 a.m. The Committee will review upcoming budgets and possible additional expenditure authority needs.

6. Pilot Training Curriculum Committee -- Commissioner Wagner said there is no report.
7. Pilot Evaluation Committee -- Capt. Roberts -- report on September 19, 2007 meeting and results of trainee selection examinations held in August 2007; **possible Board action re same**

SFPB Captain Roberts reported that the Committee met September 19. All 11 Trainees were individually interviewed. Their time in the training program ranges from 3 months to 1 year and 9 months. All are doing well and progressing at their own speed. Of particular note is our most senior trainee who has attained an evaluation score by PEC members of greater than 4.0 in each of the last 8 months. We would hope to have a recommendation to the Board in the not too distant future.

September 9 - 15 three trainees attended a 7-day pilot BRM course at MITAGS in Baltimore. On October 15-17 two trainees are scheduled to do a ride-a-long with the L.A./Long Beach Pilots observing piloting vessels in another port.

We have received the final August Trainee Selection Exam results from the Psychometric Contractors.

Captain Moloney then reported that 37 candidates had met the minimum qualifications and were eligible to take the written exam; 32 candidates took the written exam; 21 passed the written exam and took the simulator exam; 12 passed the simulator exam. The Board has been provided with a ranked eligibility list in accordance with Section 213(j) of the Board's regulation.

It was moved and seconded to accept the Ranked Eligibility List of 12 candidates. Commissioner Miller asked for comments from the public and discussion. There were no comments and no discussion. The motion passed unanimously. The list will be used to fill openings in the training program for up to three years.

Captain Roberts thanked the Board staff and SFBP for their extra efforts for a successful examination.

8. Pilot Power Committee -- Commissioner Wagner -- report on September 20, 2007 meeting -- possible recommendation re contracting with additional pilot trainees for entry into training program following August 2007 trainee selection examination - timing of entry; **possible Board action**

Commissioner Wagner reported that the Committee met September 20, 2007. The Committee reviewed the updated Regulation 237(d) data through August 2007 and the results of the latest retirement survey. The Committee unanimously concluded that 60 continues to be the number of pilot licenses appropriate to ensure the availability of an

adequate number of qualified, rested pilots to provide timely pilotage services for existing traffic and that a hearing to determine the number of licensed pilots is not warranted at this time.

The retirement survey indicates that 14 pilots anticipate retirement by the end of 2010. At least 5 pilots are expected to retire effective January 1, 2008.

There are currently 11 trainees in the training program. The Pilot Evaluation Committee has indicated that one will likely be ready for licensing on January 1, 2008.

Therefore, the Committee recommends and I hereby move that the Board authorize the board President; and/or Executive Director to execute all necessary documents to contract with three trainees for entry into the training program effective January 1, 2008, thus a total of 13 trainees in the training program. It was moved and seconded to accept the Pilot Power Committee recommendation. Commissioner Miller asked for comments from the public and discussion. There were no comments or discussion. The motion passed unanimously.

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 there is no update report from Department of General Services (which has contract jurisdiction) on the requests for offer/proposals.
10. Vessel Interactions -- Executive Director Moloney said there is no report.
11. Pilot Security -- Commissioner Miller said there is no report. This item will remain the agenda as a placeholder.
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 said there is no report.
14. Pilot Vessel Advisory Committee -- Capt. Bill Figari -- there was no report. Commissioner Wagner inquired of update on progress on the new station boat. SFBP Business Director Levin reported that engines have been ordered and that the engineers and designers are meeting to put together a solicitation.
15. UPRR Bridge -- SFBP Port Agent McIsaac -- possible update on UPRR's engineering study on effect of high winds on UPRR Bridge. -- SFBP Port Agent McIsaac reported that the engineering study report would be presented at the next Harbors and Navigation Committee meeting.
16. Ad Hoc Advisory Committee on Pilot Selection -- Commissioner Tate -- report on September 25, 2007 Committee meeting

Commissioner Tate reported that the Committee met at California Maritime Academy September 25. The meeting included data gathering, identification of assignments and fact finders. The next meeting is scheduled for November 6, 2007 at 10:00 a.m. in the BOPC office.

#### New Business

1. Public Comment on matters not on the agenda -- Commissioner Miller further reported that the Department of Finance visited the Board and SFBP offices September 14. It was an informational meeting of SFBP operations and BOPC's trainee training needs for additional expenditure authority and possible mechanisms available to assist the BOPC in future expenditure authority needs. Commissioner Miller will attend a follow up meeting with DOF on October 1, 2007.
2. Proposals for additions to next month's agenda -- There were none.

The next meeting is scheduled for October 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 10:50 a.m.

Respectfully submitted,

Alice A. Evans  
Secretary