

**Minutes**  
September 26, 2008

**OPEN MEETING**

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 September 26, 2008, Commissioner Miller presiding. A quorum was present including Commissioners Johnston, Soares, Tate, Wagner and Wainwright. Commissioner Osen participated by speakerphone as non-voting member of the public. Also present were SFBP Port Agent Captain McIsaac, Board Counsel Paetzold, Executive Director Moloney and Secretary Alice Evans.

Commissioner Miller introduced Tyler Pon Supervising Deputy Attorney General, Judith Loach, Deputy Attorney General and Jeffrey Vincent Deputy Attorney General from the Oakland office and noted they would be participating in the closed session to give Board members an update on the pending litigation in United States of America vs. M/V COSCO BUSAN.

Commissioner Miller introduced Lynda Jacobsen, AGPA (Associate Government Program Analyst) who will be working on new tasks with Board staff as noted in the Spring Finance Letter, pending contract approval.

Request approval of Minutes of the August 21, 2008 regular Board meeting. (Including announcement of Board actions taken during closed meeting at the conclusion of the August 21, 2008 regular Board meeting.) The minutes were unanimously approved. Commissioner Miller reported that there was no Board action taken in the closed meeting at the end of the August Board meeting.

President's Report -- Commissioner Miller noted that several projects had been delayed pending the signing of the budget and can not go forward: Adding AGPA as addressed in the Spring Finance Letter; Navigation Technology rulemaking; Incident Review Committee, (Commissioner Osen will chair a committee to review and audit the current incident investigation procedures); a review of Pilot Fitness Standards and evaluation procedures.

Commissioner Miller reported that he and Executive Director Moloney will attend a regional conference hosted by the State of Oregon Pilot Commission November 6 and 7, 2008. NTSB investigation training will be attended by Executive Director and Commissioner Johnston, dates to be determined.

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

1. The Board received a letter dated September 19, 2008 from David Botelho, Chief Office of State Audits and Evaluations, Department of Finance, acknowledging receipt of Financial Integrity and State Manager's Accountability Act (FISMA) report for the two-year period ended December 2007.

2. Commissioner Miller read the following Commendation:

**COMMENDATION**

*The Board of Pilot Commissioners is pleased to commend the crew of the pilot boat EAGLET and SFBP Captain David Weiss for their actions in saving the life of an injured line handler at the Port of Oakland on August 6, 2008.*

*On the morning of August 6, 2008, the pilot boat EAGLET was outbound in the Oakland Estuary after embarking Captain Weiss from a vessel at Berth 67. As the pilot boat passed Berth 55 it was hailed by radio by SFBP Captain Peter Fuller the pilot docking a vessel at that berth, and informed that there may be a line handler in the water at the vessel's stern. After EAGLET reversed course and rounded the stern of the vessel, the crew observed the line handler in the water holding a heaving line that had been passed down from the dock.*

*As EAGLET approached the man in the water the line handlers on the pier informed the crew that the man had broken his arm. EAGLET had a man overboard recovery system, but the line handler's life vest did not have the D-ring needed to utilize it.*

*Boat Operator O'Neill maneuvered the boat close to the line handler and Able Seaman Clark and Captain Weiss deployed the lifesling harness to the man. The line handler was unable to get into it himself because of his broken arm, and appeared to be going into shock. Clark and Captain Weiss were able to assist the man into the harness and secure him to the recovery boom.*

*At that point an Oakland Fire Department crew arrived on scene and boarded the EAGLET to assist in bringing the man aboard.*

*Due to security reasons, there were no ladders leading up to the piers and EAGLET was too small to transfer the man directly to the pier. The boat was brought alongside the tug PATRIOT and the injured line handler was transferred to the tug. With the assistance of the Fire Department responders, he was then moved across the tug and onto the pier.*

*The response by the mariners onboard the pilot boat was prompt and skillful. The crews of the San Francisco Bar Pilots' pilot boats are trained in regular recovery drills. The actions of the crew of the EAGLET demonstrated their proficiency.*

*Boat Operator O'Neill, Able Seaman Clark and Captain Weiss are commended for their actions, upholding the finest traditions of the sea services. Well done.*

**Other Pilot Matters -- Executive Director Moloney**

1. The Board issued license renewals to SFBP Captains Burger, Coney and Holl during the month of September 2008.
2. The Board received manpower reports and statements for Pilotage fees and surcharges collected from SFBP and Inland Pilot Captain Slough through July 2008.

*Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun*

## Port Agent's Report -- SFBP Captain Peter McIsaac

1. NFFD: Captain Morgan Hoburg has been found FFD by the USCG but is awaiting final clearance from the BOPC physician; Captain Frank Hoburg has been NFFD since July 2. He recently underwent knee replacement surgery; Captain John Gans has been NFFD since September 3 while being treated for a condition not related to piloting; Captain Bill Atthowe has been NFFD since September 17 while being treated for a back strain.
2. Recommended Minimum Rest Period Exceptions:  
  
1 occurred on August 2; 1 pilot was NFFD and 1 was suspended, 27 pilots were on the board.  
1 occurred on August 5, 1 pilot was NFFD and 1 was suspended, 27 pilots were on the board.  
1 occurred August 6, 2 pilots were NFFD and 2 pilots were on comp time, 27 pilots were on the board.  
8 occurred on August 5, 2 pilots were NFFD and 2 pilots were on comp time, 27 pilots were on the board.  
6 occurred on August 8, 1 pilot was NFFD and 1 was suspended, 23 pilots were on the board.  
1 occurred on August 27, 2 pilots were pulled personal business, 4 were training.  
The shortest MRP was 6.2 hours although that involved a pilot called in early for a river move.  
The average MRP was 10.4 hours.
3. Boat Report:  
  
P/V PITTSBURG was taken out of service for one day to replace a broken control cable.  
  
P/V CALIFORNIA was out of service for 28 days for her annual dry dock period with included major tail shaft repairs.  
  
P/V SAN FRANCISCO went into the yard September 26 for her annual dry-docking and is expected to be out of service for 19 days.
4. Billed Vessel Moves through August 2008 compared to 3-year average:  
Bar Crossings: -1.4%  
Bay Moves: +3.3%  
River Moves: -21.0%  
Total Moves: -1.4%  
GRT: +3.5%  
When compared to the first eight months of 2007 total moves are down 3% and GRT is down 1.2%.

## Unfinished Business

1. Board office lease -- Executive Director Moloney said there is no report. Commissioner Miller explained that the Board office is subleased through Signature Yachts and is currently on a month-to-month lease.

2. Open Incidents -- Executive Director Moloney
  - a. M/V COSCO BUSAN, allision while underway with Bay Bridge, November 7, 2007, SFBP Captain John Cota -- The IRC report may be presented at the October 23, 2008 meeting after the stipulation is completed.
  - b. M/V ST. NICHOLAS, allision with Parr 5A, Richmond while docking, June 13, 2008, SFBP Captain K. Carlson

Executive Director Moloney distributed copies of the Findings of Facts. Commissioner Miller noticed a 10-minute recess to allow time for Board members to read the Findings of Facts.

## PROBABLE CAUSE

M/V ST. NICHOLAS is a Liberian flag bulk freighter with a Ukrainian crew. The vessel is single screw, fixed pitch, 4 blade, right turning propeller. There is no bow thruster. The length was 611.7', beam: 98.4'. The draft was 21' 02" fwd, 27' 08" aft

tonnage: 25,190 grt 14,166 net

Engine: diesel, MAN B&W, 6 cylinder, 11,340 bhp

Full ahead: 12 .0 kts

Half ahead: 10.0 kts

Slow ahead: 7.5 kts

Dead slow ahead: 6.0 kts

Encl: (4, 8, 10)

The M/V ST. NICHOLAS was being shifted from, and returned to Richmond berth 21 (Parr 5A). The wind was S'y, 5-8 kts, visibility clear and negligible current.

There were two tugs involved. The *Arthur Foss*, a 4,000 bhp, twin Voith drive vessel and the *Revolution*, a 5000 bhp twin Z-Drive vessel

On the morning of 13 June 2008, Capt Carlson and trainee Cavender boarded the bulk freighter ST. NICHOLAS at Richmond berth 21 (Parr 5A). The job was to shift the vessel off berth, move to the Richmond Harbor Channel and hold position while another vessel passed and docked at berth 20 (Parr 5B). The ST. NICHOLAS would then return to berth 21 and moor in the same position as before.

The pilot and trainee boarded at 0425. At 0429 the tug *Revolution* put a line up on the port bow. At 0500 the tug *Arthur Foss* put a line up on the port quarter. At 0510 after line handlers arrived the vessel began unmooring, with last line at 0523. Passing arrangements had been made with the other vessel and ST. NICHOLAS was pulled clear of the berth with the trainee at the conn. The vessel was maneuvered to the vicinity of berth 23 on the east side of the inner harbor and held in position while the other vessel passed and docked.

Berth 21 has three docking pads. They are spaced at such a distance that most vessels will rest on only two of them. Ideally the vessel would have the pads located about a third of the vessel length from the bow and from the stern. In the case of the ST. NICHOLAS, the

forward pad was further aft than the third ship length, making it easier for the vessel to pivot inboard.

The bridge wing of the ST. NICHOLAS is constricted and had room for the trainee and the Master to stand side by side. Capt Carlson stood about 10 feet inboard, out of the way, but able to observe what was happening.

At about 0600 the vessel began to maneuver back to the berth. At about 0620 it was in position and parallel to the berth. At 0622 the forward spring line was sent ashore. The forward tug was directed to stop and hold, and the Master was asked to tell the crew forward not to take a strain on the spring line yet.

Capt Carlson could see both landing pads and observed the vessel was in a good position to make a gentle landing. He moved to check the position of the bridge marker. Before he could see it he heard shouting on the pier forward he looked that direction and saw the bow closing the pier. He asked the trainee what he was doing, who replied he was pinning the bow. Capt Carlson told him to stop the forward boat and increase power on the after boat. This slowed the motion of the bow, but before it could take full effect, the bow landed on the pier in the area of the vessel's #2 hold (0627).

The vessel's bow came right off the pier and the vessel repositioned parallel to the pier on the docking pads and mooring lines run. The vessel was all fast at 0652 and the tugs let go. Capt Carlson reported the incident to the Port Agent. The pier sustained a 10 inch deformation for about 30 feet involving planking being pushed inboard toward the loading crane railing. There was no significant structural damage and when the planking was trimmed it was determined it was safe for the crane to use the rail. There was no damage to the vessel.

Pilot and trainee departed the vessel at 0725 and inspected the impact area for damage and/or pollution. They both proceeded for drug/alcohol testing (negative)

## OPINIONS

1. Environmental conditions were good, clear weather, sunrise had been at 0546.
2. Fatigue was not an issue with either Capt Cavender or Carlson.
3. Vessel response had been good.
4. It is not clear when the vessel first touched down on the forward docking pad, but having the more powerful tug forward contributed to the bow first landing.
5. Capt Carlson's response to the situation once he became aware of it was proper, but due to the crowding of the bridge wing he was not in a position to prevent it.
6. Although the trainee had the conn at the time of the incident it was under the pilot's authority and responsibility.

## RECOMMENDATIONS

1. Close this case. Pilot in error. The trainee failed to land the vessel flat on the docking pads, causing minor damage to the berth. Capt Carlson was not in a position to prevent the incident from occurring. It should be noted that the facility is an old fitting out berth for World War II Liberty Ship construction.  
The pilot was counseled. This report will serve as “lessons learned”.

It was moved and seconded to accept the IRC report. Commissioner Miller asked for comments from the public and discussion.

Commissioner Soares expressed his concern that conducting an investigation for when lines part is unnecessary. Executive Director noted that in the past there has been a high level of interest and that an investigation is conducted to make certain all areas of concern are addressed.

There were no comments and no further discussion. The motion passed unanimously.

- c. M/V RATU TEMBAGA, allision with RWC 3, Redwood City while docking, July 24, 2008 -- Executive Director said this item remains under investigation.
3. Vessel Interactions -- Executive Director Moloney
  - a. M/V STAR ISOLDANA/GOLDEN ARROW, Stockton, Berth 10, June 1, 2008, Inland Pilot Captain W. Slough  
Commissioner Miller gave an overview of vessel interaction. Water is displaced by passing vessel; water displaced sends a wave causing a reaction to the nearby vessel.

## PROBABLE CAUSE

1. M/V STAR ISOLDANA is a Singapore flag breakbulk/container combination freighter. The vessel is single screw, fixed pitch, 4 blade, right turning propeller. There is a 2000 hp bow thruster and a 1000 hp stern thruster. The length is 651', beam: 101.7', with the draft 19' 07" fwd, 27' 01" aft. The vessel was bound from sea to Berth 10, Stockton.

On the evening of 31 May 2008, Capt Slough boarded the freighter off the San Francisco city front. The vessel made an uneventful transit of San Francisco, San Pablo and Suisun Bays, then the San Joaquin River. At 0656 speed was reduced from slow ahead to dead slow ahead in preparation for passing a vessel moored to berth 19 at Rough and Ready Island on the approach to the main part of the port. The speed was 6.2 knots by GPS as the moored vessel was passed uneventfully.

Just after passing Beacon 48 at the entrance to the port, the engine was stopped to reduce headway (0719:43). The vessel had to pass through the port to the turning basin, passing the semi-permanently moored cement processing ship GOLDEN ARROW I at berth 4/5. GOLDEN ARROW I has been at the berth for 10 years and has had a number of interaction incidents.

The width of the channel where the GOLDEN ARROW I is moored is 340'. The vessel's beam is 140' and extends slightly into the federal channel. The beam of the STAR ISOLDANA is 102', leaving about 50' on either side to pass between the GOLDEN ARROW I and the bank of the channel.

At 0721:04 the vessel lost steerageway and the engine restarted at dead slow ahead. At 0723:25 the engine was stopped again to drop speed. Steerageway was lost again at 0724:53 and the engine restarted at dead slow ahead. At 0727:25 as the vessel began to pass the GOLDEN ARROW I, the engine was stopped. The observed speed by GPS was 5.0 knots. The passing of the STAR ISOLDANA caused the GOLDEN ARROW I to surge slightly. The master estimated it to be about one foot, but that was sufficient to part an after spring line.

The GOLDEN ARROW I master was on the bridge and had a seaman forward tending lines and another aft. He was advised of the line parting and radioed Capt Slough and asked him to hold position in the turning basin while the spring line was replaced. Capt Slough accommodated him and after the new line was in place passed the GOLDEN ARROW I again uneventfully and moored STAR ISOLDANA at Stockton Berth 10.

The master of the GOLDEN ARROW I has been proactive in dealing with vessel interaction issues.. In early 2006, following a series of interactions with GOLDEN ARROW I, going back to as early as 1999, Capts Slough and Miller from the SFBP met with the master of the GOLDEN ARROW I and representatives from the cement company and the Port of Stockton to determine how to deal with interaction issues. The result was a modification of the discharge spouts to allow for more movement and improvement to the mooring arrangements on GOLDEN ARROW I. Board Investigator Capt Smith listed the extensive moorings. Forward are: two offshore headlines, two stem headlines, a short heavy chain headline, a 2 1/8" wire breast line, a short heavy chain spring line, to regular spring lines. Aft are: two offshore sternlines, a 2 1/8: wire sternline, a heavy chain sternline, an onshore sternline, two breast lines , two spring lines and a heavy chain spring line. After the mooring modifications there had been no further interaction incidents until this one. The master gets a one hour notice of vessels arriving and departing the port.

## OPINIONS

1. Capt Slough used good judgement in the engine orders to minimize speed passing GOLDEN ARROW I. He has made this transit many times and knows he must keep steerageway with judicious use of the engine while minimizing the use to prevent bank suction at the stern.
2. The master of the GOLDEN ARROW I has had much experience with interaction and is on the bridge for each passing. His observation of about a one foot surge shows that the modified moorings are working and the interaction forces were not that significant. The short spring line must have been very tight and probably well worn to have parted with only that much movement.

3. The Port of Stockton provides ample notice of vessels passing and the GOLDEN ARROW I provides personnel to tend lines and observe passing arrangements. Communications and cooperation between GOLDEN ARROW I and Capt Slough were good.

## RECOMMENDATIONS

1. Close this case. No pilot error. Capt Slough was moving at bare steerageway with minimal clearance between the vessel and the side of the channel. An overtightened or overworn line parted with minimal stretching from a very modest movement of the vessel.

It was moved and seconded to accept the IRC report. Commissioner Miller asked for comments from the public and discussion. Commissioner Osen, who participated through a conference call, inquired of the monetary damage. Executive Director Moloney reported the damage was negligible. Gary Toledo, Dept. Fish and Game OSPR, who was in the audience inquired of the procedure for disseminating the lessons learned. Executive Director Moloney advised that all pilots receive a copy of the report. The space on the bridge wing was discussed and it was noted that four people in the small space is very challenging for all to see the dock. There was no further discussion. The motion passed unanimously.

- b. M/V STAR HIDRA/HANJIN BOMBAY, Bay Bulk Terminal Pittsburg, July 4, 2008 -- Executive Director Moloney 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.

4. Pilot Ladder reportable incidents -- Executive Director Moloney said there is no report.
5. Rules and Regulations Committee -- Commissioner Wainwright said there is no report.

Commissioner Miller advised that item 12 would be taken out of order.

12. Pilot Vessel Advisory Committee -- Captain Figari -- Report on September 23, 2008 meeting; SFBP's 8/29/08 request for Final Authorization to recover remaining costs incurred in completing life extension modifications to the P/V GOLDEN GATE; possible recommendation; **possible Board action re same**

Commissioner Miller requested Board Counsel to give the following report in Captain Figari's absence. The Committee met on 9/23/08 at a properly noticed public meeting at the Board office. It discussed each of the items on the noticed agenda, including a detailed review of the SFBP 8/29/08 request for Final Authorization to recover a total of \$856,952 in costs for the service life extension modifications to the P/V GOLDEN GATE. Of that amount, approximately \$287,000 were for expenses to replace wasted aluminum hull plating in the sheer strake, expenses that had not been anticipated at the time of the Board's preliminary authorization to replace the main engines and marine generator sets and



associated equipment. That wastage was discovered once the fendering system of the vessel was removed in preparation for making the life extension modifications already authorized.

Following a review of the expenses, the reasons for the wastage in the hull plating, and the corrective action taken to prevent a recurrence, the committee unanimously recommended that the Board issue both a preliminary authorization and a final authorization for the expenses incurred in replacing the wasted hull plating and other corrective action taken as detailed in the SFBP request letter of 8/29/08 in the amount of \$286,986. (This two step process is required as part of the new regulation that went into effect last July.)

In addition the committee unanimously recommended that the Board issue a final authorization for the remaining expenses to replace the main engines and marine generator sets and associated equipment in the amount of \$569,966.

The total amount of the final authorization requested and recommended by the Committee is \$856,952.

It was moved and seconded to authorize "Necessity costs" of \$286,986 for hull modifications and authorize \$569,990 for modernization and service life extension growth for a total authorization of \$856,952 to P/V GOLDEN GATE. Commissioner Miller asked for comments from the public and discussion. There were none. The motion passed unanimously. The request for new station boat (replacement for P/V DRAKE) will be addressed at a separate meeting.

6. Finance Committee -- Commissioner Osen -- report on September 10 and 26, 2008 Committee meetings, status of Budget Change Proposal to seek expenditure authority for anticipated legal defense costs in COSCO BUSAN litigation; review **Pilot Vessel Surcharge** rate (currently 7.03 mils effective July 1, 2008); possible recommendation for rate adjustment, including conditional adjustment to recover SFBP's costs for life extension modifications to P/V GOLDEN GATE (see agenda item 12 below); review **BOPC Fund Condition**, revenue and expenditure projections; including (a) **Board Operations Surcharge** (currently 2.4%); (b) **Pilot Training Surcharge** (currently \$45/move), and (c) **Trainee Training Surcharge** (currently \$9/trainee/move); possible recommendations to adjust one or more of the surcharge rates as warranted -- **possible Board action re same**

Mr. Levin, Finance Committee member, reported that the Finance Committee did not have a quorum for today's meeting, but was able to assemble the following information:

Mr. Levin provided the following information: As reported in the past, the goal has been to keep a 2-3 month reserve. Using the constant monthly expenditures of \$121,500 to CAT Finance for the principal and interest on the current station boats, this would call for a reserve of about \$350,000. The reserve balance at the end of August was \$105,303. The average GRT for January through August of 2008 is \$27,325,248. The current surcharge is 7.03 mils. The Pilot Vessel Advisory Committee recommended that the Board issue a final authorization of \$856,952 for the service life extension program (SLEP) of the P/V GOLDEN GATE to

ensure recovery of that amount within six months, the available members of the Finance Committee recommended an increase in the Pilot Boat Surcharge from 7.03 mils to a new rate of 10.74 mils effective October 1, 2008.

It was moved and seconded to increase the P/V Surcharge to 10.74 mils effective October 1, 2008. Commissioner Miller asked for comments from the public and discussion. There were no further comments and no discussion. The motion passed unanimously.

The next Finance Committee meeting is scheduled for October 22, 2008 at 9:00 a.m.

7. Pilot Training Curriculum Committee -- Commissioner Wagner said there is no report.
8. Pilot Evaluation Committee -- Capt. Roberts -- report on September 17, 2008 meeting; possible recommendation to suspend or place on probation one or more trainees on and/or to issue Certificate of Completion and license to one or more trainees if warranted; if there is a recommendation to suspend a trainee, place a trainee on probation, report on the progress of a trainee on probation or review of a trainee's medical status, it may be heard and considered in closed session at end of agenda as authorized by Government Code Section 11126(a)(1); **possible Board action re same**

SFBP Port Agent Captain McIsaac gave the following report. The Pilot Evaluation Committee met September 17. Four trainees were interviewed individually, their trip cards examined and their progress with all elements of the program monitored. The trainees range in time in the program from (2) at 9 months, (2) at 1 year 3 months, (1) at 1 year and 6 months, and (1) at 1 year and 9 months.

Most are proceeding satisfactorily and at their own speed. One trainee is on probation. He is continuing his progress in the training program and Captain Moloney will report on that progress in closed session. One trainee's fitness for duty status is pending a report from the Board examining physician. 3 trainees are currently attending MITAGS advanced training and simulation course.

Two new trainees are in the final contracting phase and will start training on or shortly after October 1, 2008.

9. Pilot Power Committee -- Commissioner Wagner said there is no report.
10. Pension Committee -- Commissioners Tate/Miller -- Report on status of contract with third party contractor to provide actuarial study. Mr. Miller reported that the contract is fully executed and the completed actuarial study due date is December 13, 2008.
11. Ad Hoc Committee on Pilot Safety -- Commissioner Soares -- no report.
12. (See above -- taken out of order)
13. UPRR Bridge -- Executive Director -- no report.

14. Ad Hoc Advisory Committee on Pilot Selection -- Commissioner Tate -- no report.
15. Navigation Technology Committee -- Commissioner Johnston -- no report.
16. Incident Review Committee Reporting Procedures -- Commissioner Johnston report on IRC public workshop scheduled for September 26, 2008; possible recommendations to improve IRC's investigation and reporting procedures under current law, including use of subject matter experts and providing proposed findings of fact to Board members in advance of meeting; **possible Board action regarding same.**

Commissioner Johnston reported that the Committee met September 26, 2008. There is no recommendation at this time. The IRC has withdrawn its request to provide proposed findings of fact to Board members in advance of a meeting.

Board President Miller reported that he had asked Commissioner Osen to chair the IRC Review Committee contemplated in the Spring Finance Letter. That Committee will be tasked to determine the scope of the review of the IRC and its incident investigation and reporting procedures, oversee the contracting and selection of the "auditor" and recommend proposed legislative and regulatory changes, if that is part of the auditor's recommendations. It is expected that Lynda Jacobsen will staff the committee. Commissioner Miller said that he planned to also appoint a pilot and a public member, not necessarily members of the Board, and would report further at the next meeting.

17. Pilot Identification Cards -- Executive Director Moloney -- status of obtaining a more substantial Pilot I.D. card. Executive Director said no report.

#### New Business

1. M/V DELTA PRIDE, Fender damage while docking, Bay Bulk Terminal Pittsburg, August 27, 2008 -- Executive Director Moloney said this 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 meeting -- the next meeting is scheduled for October 23, 2008 at 9:30, at the Port of San Francisco Bay Side #1 Meeting Room at Pier 1, San Francisco, CA.

The meeting went into closed session at 10:55 a.m. after Board President Miller identified the items to be discussed:

Conferring with the Board's legal counsel regarding pending litigation in United States of America vs. M/V COSCO BUSAN, et al, Case No. C 07 06045 (SC) and in the People of the State of California (CalTrans) vs. Regal Stone, Ltd, et al filed in Admiralty Case No. 2268 EMC, pending in the United States District Court for the Northern District of California, including cross-actions, counter-claims and related actions pending in federal and state court arising out of the same incident, as authorized by Government Code Section 11126(e)(1).

Possible Pilot Evaluation Committee report on progress of trainee on probation; possible recommendations to place trainee on probation or suspend from training; possible report of trainees' medical status as authorized by Government Code Section 11126(a)(1).

## **RESUME OPEN MEETING**

Announce Board actions taken in closed meeting in accordance with Open Meeting Act requirements. (Any such announcements will be repeated at the Board's October meeting.)

Commissioner Miller reported there was no action taken in the closed session.

Adjournment -- the meeting was adjourned at 12:10 p.m.

Respectfully submitted,

Alice A. Evans  
Secretary