

## Minutes

### OPEN MEETING

The Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun regular meeting was held in the Board office, Pier 9 Suite 102, San Francisco, CA commencing at 9:30 a.m. on December 18, 2008. Commissioner Miller presiding. A quorum was present including Commissioners Johnston, Osen, Wagner and Wainwright. Also present were Port Agent McIsaac, Board Counsel Paetzold, Executive Director Moloney and Secretary Evans.

Commissioner Miller introduced Business Transportation and Housing (BTH) representatives John V. Hummer, Deputy Secretary for Goods Movement, Gabor Morocz, Deputy General Counsel and Karin Fish, Deputy Secretary for Administration and Finance. Commissioner Miller noted that BTH would oversee the BOPC effective January 1, 2009, pursuant to SB 1627.

Request approval of Minutes of the November 20, 2008 regular Board meeting. (Including announcement of Board actions taken during closed meeting at the conclusion of the November 20, 2008 regular Board meeting.)

The minutes were unanimously approved as amended.

Commissioner Miller reported that the closed meeting minutes were unanimously approved. The Board approved a change to the probation of one trainee and reviewed pending litigation with Board counsel. No additional Board action taken.

President's Report: Commissioner Miller reported that he, Board Counsel and the Executive Director participated in interviews with Master and several officers of the COSCO BUSAN with NTSB during the week of December 2nd. The transcript is expected to be ready for review sometime in January and a report by NTSB staff made sometime thereafter. Executive Director Moloney and Board Investigator Reynolds will attend NTSB investigation training in January 2009.

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

1. The Board received a letter dated October 31, 2008 from SFBP Captain Ellsworth F. Hoburg regarding his intent to retire December 31, 2008.
2. The Board forwarded a letter to Mark Tollefson, Department of Finance requesting an approval to increase the Board Operations Surcharge to 6.6% effective January 1, 2009.

The Board received a letter dated December 9, 2008 from the Department of Finance providing approval to increase the Board's Operation Surcharge to 6.6 percent effective January 1, 2009.

3. The Board received a letter dated December 8, 2008 from Alice A. Evans, BOPC Administrative Assistant regarding her intent to retire effective March 1, 2009.

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4. The Board received a letter dated December 12, 2008 from SFBP Trainee Captain Dobson responding to the evaluation review dated November 20, 2008.
5. The Board was copied on a letter dated December 17, 2008 from San Francisco Bar Pilots to American Pilots' Association, regarding American Pilots' Association Dues as Authorized Expenses.

E. Other Pilot Matters -- Executive Director Moloney

1. The Board issued licenses to SFBP Captains Gans, McBride and Welch during the month of December 2008.
2. The Board has received manpower reports and statements for pilotage fees and surcharges collected from SFBP and Inland Pilot Captain Slough through October 2008.

F. Port Agent's Report -- SFBP Captain Peter McIsaac

1. NFFD: Captain Frank Hoburg is NFFD. He intends to retire December 31, 2008. Captain Gans has been NFFD since September 3 while being treated for a condition not related to piloting. Captain Pinetti has been NFFD since October 22 while recovering from knee replacement surgery. Captain Welch has been unavailable for assignment since November 12 as per BOPC physician. Captain Pinder has been NFFD since December 3 while recovering from rotator cuff surgery. Captain Atthowe has been NFFD after being found permanently NFFD by his personal physician.

Port Agent Captain McIsaac gave an overview of definition of Not-Fit-For-Duty (NFFD).

2. Recommended Minimum Rest Period Exception: There were 11 in November.

6 occurred on November 4; 3 pilots were NFFD and 1 was on comp time, 23 pilots were on the board (OTB). 1 occurred on November 5; 3 pilots were NFFD and 1 was on comp time, 23 pilots were OTB. 1 occurred on November 6; 3 pilots were NFFD and 2 pilots were pulled pilot business, 21 pilots were OTB. 3 occurred on November 20; 1 pilot was NFFD and 2 were pulled pilot business, 22 pilots were OTB. 3 occurred on November 20; 1 pilot was NFFD and 2 were pulled pilot business, 22 pilots were OTB. The shortest MRP was 8.3 hours. One of the exceptions was caused by a pilot being called in early for special assignment.

Port Agent Captain McIsaac gave an overview of the 12-hour MRP.

3. Pilot Vessel New Build: The new ocean class station boat being built at the Foss yard in Rainier, OR will be named the P/V DRAKE. Due to ABS approval issues the

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delivery date has been set back about 50 days to early July. SFBP is currently in the process of determining what to do with the old P/V DRAKE.

4. Billed Vessel Moves throughout November 2008 compared to 3-year average:

Bar Crossings:	-1.3%
Bay Moves:	+1.2%
River Moves:	-22.6%
Total Moves:	-1.8%
Gross Registered Tonnage:	+4.2%

When compared to the first eleven months of 2008 total moves are down 2.1%, bar crossings down 3.2%, GRT was slightly positive.

Port Agent Captain McIsaac noted that the 3-year average was computed per month. He gave an overview of the various moves and definition of Bay moves, River moves and Bar Crossings. He noted that the river moves were down due to the down turn in the shipment of commodities in the Stockton and Sacramento areas.

Unfinished Business

1. Board office lease -- Executive Director Moloney reported that the office remains on a month-to-month lease.
2. Open Incidents -- Executive Director Moloney
  - a. M/V DELTA PRIDE, Fender damage while docking, Bay Bulk Terminal Pittsburg, August 27, 2008 -- SFBP Captain D. Larwood

PROBABLE CAUSE

M/V DELTA PRIDE is a Korean flag bulk freighter with a South Korean and Burmese crew. The vessel is single screw, fixed pitch, right turning propeller. There is a 1360 hp bow thruster. The vessel was built in 1991 at Hyundai Heavy industries, Ulsan, South Korea.

Length: 609.5' Beam: 93.0'

Draft: 19.9' fwd, 20.7 aft

tonnage: 25,189 grt 9,935 net

Engine: diesel, B&W, 6 cylinder, 10,680 bhp

The vessel is owned and operated by Korea Line Corporation. It is chartered to Pohang Iron and Steel Co., Ltd. The vessel's agent is Fritz Maritime.

The master of the M/V DELTA PRIDE was Capt Bon Wan Jang: the pilot of the M/V DELTA PRIDE was Capt. Daniel Larwood, SFBP.

The M/V DELTA PRIDE was proceeding from the USS/POSCO dock to the adjacent Bay Bulk Terminal dock in Pittsburg.

At 1500 in Pittsburg, the environmental conditions were:

Wind: Light airs

Visibility: clear

Tide Height: 3.3 feet, falling

Current: 0.6 knot flood

Tugs involved:

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Name: **Mellennium Falcon**

Owner: Starlight Marine Svcs. Inc.

Length: 105' Beam: 34' Draft: 17' tonnage: 160 grt

Propulsion configuration: twin screw diesel Z-Drive, 4,400 bhp

Bollard pull: 125,000# ahead, 115,000# astern

Name: **Patricia Ann**

Owner: AmNav

Length: 78' Beam: 34' Draft: ' tonnage: 200 grt

Propulsion configuration: twin Z-Drive, 5,080 bhp

Bollard pull: 130,000# ahead, 120,000# astern

On 27 August 2008 Capt Daniel Larwood and Trainee Drew Aune boarded the bulk freighter DELTA PRIDE at the US Steel/POSCO dock in Pittsburg to shift it to Bay Bulk Terminal. The vessel was starboard side to at the steel dock and would proceed to Antioch to turn and moor portside to at Bay Bulk.

The vessel got underway at about noon assisted by the tugs *Mellinnium Falcon* and *Patricia Anne*. Trainee Aune was at the conn for the evolution. It was turned uneventfully at Riverview and proceeded back downstream against about a one knot flood current.

At Bay Bulk Terminal there are three docking dolphins with heavy rubber fenders or bumper mechanisms that serve as shock absorbers. These are faced with Teflon protective guards for the vessels to lay against. The enders are reinforced with 1.5 inch chain leading from the framework for the Teflon guards at an angle back to the dolphins to prevent lateral flexing of the rubber mechanism. Due to the size and configuration of the vessel, DELTA PRIDE would moor at the middle and easterly dolphins.

The tugs were made up with the *Mellinnium Falcon* on the starboard bow with one line up and *Patricia Ann* on the starboard quarter with one line up. During the last 20 minutes of the transit and docking all speeds were either dead slow or slow ahead except when backing the vessel off the dock to take the headway off.

The vessel was landed further forward than desired and was allowed to drift back into position, controlling the drift with brief use of the engine on dead slow ahead. Observers on the pier thought the vessel landed on the middle dolphin first. With the vessel alongside and drifting aft, the friction on the middle dolphin caused it to pull aft. This caused the corner of the frame attached to the preventer chain to break away. With nothing holding the forward end of the fender the rubber was deflected and bent back with the vessel movement causing cracks in the rubber.

EA reduction in power on the forward tug allowed the fender to release and spring back into its normal position. With the vessel in position, it was moored without further event. As Capt Larwood and the trainee left the vessel he was advised of the damage by the terminal cargo surveyor.

The Board was advised that afternoon and investigator Capt W. Smith was assigned. He met with vessel and terminal personnel. It was decided that further investigation after the vessel departed was warranted and was invited to the survey by the terminal on Sept 4<sup>th</sup>. He took more photographs and noted that the steel plate that broke off the frame has a pre-existing crack in it that stood out from the new break.

The Board Executive Director discussed the matter with the terminal's surveyor who had been on the dock at the time of the landing. He noted that the landing looked good to him; not too fast or bad angle. He said the rubber was scuffed in the area of its bolts and cracked where it had bent. The terminal has attempted temporary repairs but the manufacture has advised that the maximum deflection values have been exceeded and the shock absorber must be replaced. Continuing use of the fender has shown accelerated wear and tear. Estimated replacement cost is \$27,000.

## OPINIONS

1. Fatigue was not an issue. Capt Larwood was well rested and did not note any fatigue issues in the bridge team.
2. Communications were not an issue. The vessel is a frequent trader in the Bay Area.
3. There was no pressure to hurry the vessel into position. Adequate tugs were utilized and there was no other vessel traffic involved.
4. Speed was not an issue. The vessel was moored using minimum speed engine orders into a decreasing flood current.
5. Weather conditions were favorable for the docking and were not a factor.
6. There were no mechanical problems on the vessel, but on the fendering a pre-existing crack in the framework supporting the shock absorber system gave way due to the friction of the vessel sliding on the Teflon facing. This allowed the shock absorber to bend beyond limits and crack.

## RECOMMENDATIONS

1. Close this case. No pilot error. Capt Larwood, supervising trainee Aune made a cautious approach to the pier at minimal speed. It was landed on the center and east dolphins of the facility. As it was sliding aft into position for mooring, the friction against the center dolphin caused the downstream preventer chain to break a piece of the frame supporting the shock absorber system. The system, lacking lateral support flexed beyond design limits. The portion of the frame that broke off had pre-existing damage. The Teflon facing of the fendering system is to facilitate vessels being hauled into loading positions along the fenders. The docking of the vessel was within routine perimeters.

It was moved and seconded to accept the IRC report. Commissioner Miller asked for comments from the public and discussion. Commissioner Osen inquired of who and how the change in the rust was determined and by whom. Executive Director Moloney reported that the terminal survey gave this information to the investigator. There were no comments from the public and no further discussion. The motion passed unanimously.

- c. M/V TINA LITRICO, allision with MANSON BARGE, RCH 20 (Parr 5-B), October 9, 2008 -- SFBP Captain M. Simenstad

Executive Director Moloney gave an explanation of twin variable-pitch screws.

#### PROBABLE CAUSE

M/V TINA LATRICO is a US flag bulk freighter with a US crew. The vessel is single screw, controllable pitch, right turning propeller. There is a 1,000 hp bow thruster. The vessel was built in 1973 as the SUGAR ISLANDER.

Length: 641' Beam: 77' 10"

Draft: 20' 10" fwd, 26' 10" aft

tonnage: 15,544 grt 11,582 net

Engine: diesel, twin Colt-Pielsticks, clutched to a single shaft, 12,000 bhp

The vessel is owned/operated by U. S. United Ocean Services, Tampa, FL.

The vessel's agent is General Steam. The master of the M/V TINA LATRICO was Capt Max Stovall. The pilot of the M/V TINA LATRICO was Capt. Michael Simenstad, SFBP with trainee Capt Greg Tylawsky.

The M/V TINA LATRICO was proceeding from Richmond Berth 20 (Levine Terminal Berth 5B) to sea.

At 1515 in Richmond, the environmental conditions were:

Wind: W'yly, 12 kts

Visibility: clear

Tide Height: 2.8 feet, rising

Current: negligible in the port

Tugs involved:

Name: **Revolution** Operator: Matt Lingo

Owner: AmNav

Length: 78' Beam: 34' Draft: '

tonnage: 200 grt

Propulsion configuration: twin Z-Drive, 5,080 bhp

Bollard pull: 130,000# ahead, 120,000# astern

Name: **Patricia Anne** Operator: Scott Fuller

Owner: AmNav

Length: 78' Beam: 34' Draft: '

tonnage: 200 grt

Propulsion configuration: twin Z-Drive, 5,080 bhp

Bollard pull: 130,000# ahead, 120,000# astern

On the afternoon of 09 October 2008, Capt Simenstad and Trainee Tylawsky boarded the bulk freighter TINA LATRICO at the Levine Terminal Berth 5B. The job was to pilot the vessel to sea. The vessel was moored port side to and was partially loaded, with a 6' trim by the stern.

Capt Simenstad boarded at 1436. At about 1500 the tugs were made fast with the *Patricia Ann* on the starboard bow and the *Revolution* on the starboard quarter. With the tugs holding the vessel at the berth, lines were let go and recovered. Last line was at 1512. The vessel was pulled off the berth by the tugs and at 1518 the engines were clutched in with zero pitch on the propeller.

Capt Simenstad ordered dead slow ahead but the vessel did not move. He ordered slow ahead and the vessel began to move astern. He then ordered half ahead and the sternway increased. The tugs were directed to pull the vessel ahead and the pitch returned to stop (zero).

The vessel was setting toward a pair of moored barges on the north side of the canal so the after tug was directed to push the vessel back toward the berth while the forward tug arrested the movement of the vessel. At 1524 the port anchor was let go and held at one shot

The vessel was halted with the starboard quarter resting lightly on the moored barges, resulting in scraped paint on the barges and the vessel, but no damage. The engines were declutched and at 1530 the mate on the bow was directed to recover the anchor. The tugs moved the vessel back to mid-channel

At 1536 the anchor was home. The engineroom found that the problem was the failure of the controllable pitch hydraulic pump and the controls had defaulted to full astern pitch. They had shifted to a secondary pump and the engines clutched back in to return to the berth. The vessel was moored without further event at about 1600.

By 1630 the vessel was securely moored and the tugs let go. Capts Simenstad and Stovall discussed the matter and at about 1730 Capts Simenstad and Tylawsky disembarked. The following day Capt Simenstad sent a letter of commendation to American Navigation Towing Company thanking the tug crews for their assistance in controlling an unfortunate situation.

## OPINIONS

1. Fatigue was not an issue. Capt Simenstad was well rested.
2. Communications were not a problem. The vessel was US flagged.
3. Other factors such as speed, traffic, weather and commercial pressure were not issues.
4. The failure of the controllable pitch hydraulics was the direct cause of the incident. Capt Simenstad's prompt use of the tugs and the use of the anchor got the situation under control and prevented potential serious damage to the vessel and barges moored farther up the narrow canal.

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## RECOMMENDATIONS

1. Close this case. No pilot error. The IRC commends Capt Simenstad for his actions in controlling an unexpected situation and joins him in commending the crews of the *Patricia Ann* and *Revolution*.

It was moved and seconded to accept the IRC report. Commissioner Miller asked for comments from the public and discussion. Mr. Toledo, Fish and Game, who was in the audience, inquired if the ship had a bridge wing indicator and it was noted that there was no information of this in the report.

It was suggested that a glossary of terms be provided with the reports. The IRC will take this under advisement.

Commissioner Miller gave brief explanations of terminology for item 3., 4., and 5 and noted these are placeholders in the event a report needs to be made.

3. Vessel Interactions -- Executive Director Moloney said there is no report.
4. Pilot Ladder reportable incidents -- Executive Director Moloney said there is no report.
5. Non-incidents -- Executive Director Moloney said there is no report.
6. Rules and Regulations Committee -- Commissioner Wainwright said there is no report at this time and that the Committee is ready to move forward after the first of the year.

Commissioner Miller reported that AGPA Lynda Jacobsen was attending an OAL workshop in Sacramento this week. The Legislative Report was forwarded to all Commissioners for their review. Copies are available in the Board office.

7. Finance Committee -- Commissioner Osen -- report status of Budget Change Proposal to seek expenditure authority for anticipated legal defense costs in COSCO BUSAN litigation; review **BOPC Fund Condition**, revenue and expenditure projections; including
  - (a) **Board Operations Surcharge** (currently 2.4% -- scheduled to increase to 6.6% effective January 1, 2009); (b) **Pilot Training Surcharge** (currently \$45/move), (c) **Trainee Training Surcharge** (currently \$9/trainee/move); and (d) **Pilot Vessel Surcharge** (currently 10.74 mils); possible recommendations to adjust one or more of the surcharge rates as warranted -- **possible Board action re same**
  - (b) Report on inquiry to budget analyst regarding interpretation of HNC 1159.1 regarding legal expenses resulting from the COSCO BUSAN incident.

Commissioner Osen reported that as noted under correspondence above, that DOF approved the increase in Board Operations Surcharge to 6.6% effective January 1, 2009.

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He also reported that an email was received December 10, 2008 from Department of Finance that DOF's interpretation of HNC 1159.1 to the effect that the Board's legal expenses resulting from the COSCO BUSAN incident would be considered a necessary expense to be paid from the Board operations surcharge under Harbors and Navigation Code 1159.1.

8. Pilot Training Curriculum Committee -- Commissioner Wagner -- report on December 17, 2008 meeting; report of training curriculum for serving pilots, including enhanced training in electronic navigation systems and other requirements set forth in Board regulations, Title 7 Calif. Code of Regulations Section 215(b)(2); possible training curriculum recommendation; possible recommendation as to selection of training contractor; possible recommendation regarding transportation costs; possible recommendation regarding amendment of Board Regulation **possible Board action re same**

Commissioner Wagner reported that the Committee met December 17, 2008. The Committee reviewed the training cycle required by Section 215(b)(2) for bridge resource management and the training curriculum for serving pilots, including enhanced training in electronic navigation systems. As required by regulation 215(b)(2), the SFBP must attend a course at least five days in length completed at least once every three years covering the following topics: (A) Bridge resource management for pilots; (B) Shiphandling on a computer driven ship's bridge simulator including emergency maneuvering and shiphandling in close quarters; (C) Emergency medical response; (D) Advanced electronic navigation systems; and (E) Regulatory review. The Committee agreed and recommends that the curriculum for the next three year training cycle required by regulation 215(b)(2) include AZIPOD and KAMEWA propulsion control systems training, azimuthing stern drive tractor and conventional tugs, fatigue/sleep/medication seminar, enhanced training in electronic navigation systems (ECS, ECDIS, IBS and AIS) and incorporate use of PPU's in multiple bridge simulators and integrated navigation systems.

The Committee reviewed written proposals from California Maritime Academy (CMA), Maritime Institute of Technology & Graduate Studies (MITAGS) and Pacific Maritime Institute (PMI). Representatives from CMA and MITAGS/PMI were present to give a brief review of the training offered. The PMI presentation was given jointly by MITAGS. The price per pilot ranged from \$5,250 at CMA, to \$6,131 average over three years for MITAGS including room and board, to \$7,020 average over 3 year for PMI including room and board. The Committee agreed that MITAGS offered the most comprehensive and highest quality training available for pilots. MITAGS has more experience with providing the AZIPOD and KAMEWA training and incorporating PPU's in pilot training.

MITAGS trains more pilots than any other school in North America -- training pilots in 40 weeks of their 44-week schedule; 28 pilot groups worldwide.

MITAGS has the most experienced pilot teaching staff in the country -- over ten shiphandling consultants that average twenty years of pilot/master experience each -- including four actively sailing pilots that are part of their associations' PPU's training and implementation committees. MITAGS is the only school in the US that incorporates PPU's in pilot training.

MITGAGS has four full-time IT/SIM engineers and a hydrodynamist in residence. They have over ten years experience each. Both the database and models are developed in-house. This allows the highest level of database and model fidelity.

MITAGS is the only school equipped with KAMEWA, AZIPOD, ASD and tractor control systems that work in conjunction with models vetted by experts.

MITAGS has the largest bridge and projection area in the world allowing for unsurpassed visual acuity and realism. The integration of the various bridges is second to none.

MITAGS develops more databases and ship models than any school in the US.

MITAGS' campus location is within minutes of a major international airport, and offers complete facilities including hotel, dining, school, and recreational amenities designed for professionals, in order to maximize the training experience. Having pilots away from the daily distractions of home and work is key to successful training. By taking them out of their normal environment, they can concentrate on the training.

MITAGS has had five years' experience in meeting the Board's training requirements.

The Committee recommends in the form of a motion to authorize contracting with MITAGS to provide a 7-day training course to include AZIPOD and KAMEWA propulsion control systems, azimuthing stern drive tractor and conventional tugs, fatigue/sleep/medication seminar, enhanced training in electronic navigation systems (ECS, ECDIS, IBS and AIS) and incorporate use of PPU's in multiple bridge simulators, plus all elements of training required by Title 7, Calif. Code of Regulations 215(b)(2) for the next 3-year training cycle for all Board licensed pilots and the one inland pilot, not to exceed \$155,000 per fiscal year for FYs 09/10, 10/11 and 11/12; and to amend the existing contract with San Francisco Bar Pilots to provide associated roundtrip ground and air transportation to Baltimore/Washington International Airport at the lowest available non-stop coach class fare, not to exceed \$25,000 per fiscal year for FYs 09/10, 10/11 and 11/12; and to authorize the Board president and/or Executive Director to prepare and sign all necessary associated documents.

The motion was seconded. Commissioner Miller asked for comments from the public and discussion. Mr. Hummer, BTH, who was in the audience inquired of the cost of transportation. Commissioner Wagner clarified that it is \$25,000 per year for up to 24 pilots in any one year and that the cost would be monitored closely. Commissioner Wagner reported that several schools had been contacted and that only two responded, MITAGS and CMA. She noted that CMA's facilities are not completed at this time. Commissioner Wagner noted that CMA and other facilities would be reviewed again before the end of the 3-year training cycle.

There were no other comments from the public and no further discussion. The motion passed unanimously.

9. Pilot Evaluation Committee -- Capt. Roberts -- report on December 17, 2008 meeting; possible recommendation to amend conditions of probation or take other action authorized by Section 214(f) of the Board's regulations; possible recommendation to place trainee on probation or suspend from training; 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**

Captain Roberts reported that the Committee met December 17. All 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 3 months, (2) at 11 months, (1) at 1 year 6 months, (1) at 1 year and 9 months, and (1) at 2 years. One trainee is on a short leave dealing with personal issues.

Most trainees are proceeding satisfactorily and at their own speed. One trainee is on Board probation. A letter was received dated December 12 to the Board by one trainee. The PEC is in the process of reviewing that letter. A report to the Board of the findings will be made when the PEC review is completed.

Captain Roberts reported that the trainees were counseled on boarding vessels during the upcoming winter season and that the 50-knot wind rule will be in effect prohibiting trainees from boarding vessels when winds exceeded 50 knots.

10. Pilot Power Committee -- Commissioner Wagner reported that a meeting will be scheduled in January and requested Board staff to send a retirement questionnaire out with the return date of January 14, 2009.
11. Pension Committee -- Commissioners Tate/Miller -- Report on status actuarial study. Commissioner Miller reported that the contract process is completed and the study should commence in early January.
12. Ad Hoc Committee on Pilot Safety -- Commissioner Soares -- Commissioner Miller said there is no report.
13. Pilot Vessel Advisory Committee -- Captain Figari -- Mr. Mike Jacob who was in the audience said there is no report.
14. UPRR Bridge -- Executive Director said there is no report. A briefing was provided on the working group that developed communication protocols for the UPRR Bridge. The item remains on the agenda for reporting and monitoring purposes.
15. Ad Hoc Advisory Committee on Pilot Selection -- Commissioner Tate -- Commissioner Miller said there is no report and that BTH may have resources to assist the Committee and the Board in increasing diversity among the Board's licensees.
16. Navigation Technology Committee -- Commissioner Johnston said there is no report.

17. Incident Review Committee Reporting Procedures -- Commissioner Johnston reported public meetings would be held in 2009 to discuss IRC procedure changes reflected in SB 1627. A notice will be mailed accordingly.
18. Pilot Identification Cards -- Executive Director Moloney -- status of obtaining a more substantial Pilot I.D. card. -- Executive Director said there is no report.
19. Recently-enacted SB 1627 and SB 1217 -- Commissioner Miller -- report on changes to Board structure, staffing, incident review procedures, and other changes mandated by the bills and discussion of the transition of the Board from independent agency to a constituent element of the Business, Transportation and Housing Agency; discussion of mandated rulemaking. **Possible Board action re same.**

Commissioner Miller reported that he, Board staff and Board counsel would be meeting today with BTH and that a report of that meeting would be made at the January meeting.

New Business -- no business reported.

Public comment on matters not on the agenda -- there were no comments.

Proposals for additions to next month's agenda -- there were none.

Schedule next meeting -- the next Board meeting is scheduled for January 22, 2009.

The Board went into closed session at 11:10.

## **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 January meeting.)

Commissioner Miller reported there was no PEC report and there was no action taken on the pending litigation. The closed meeting minutes were unanimously approved.

Adjournment -- the meeting was adjourned at 11:30 a.m.

Respectfully submitted,

Alice A. Evans  
Secretary