

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

Pier 9, Suite 102, San Francisco, CA 94111

Phone: (415) 397-2253 Fax: (415) 397-9463

E-mail: [allen.garfinkle@bopc.ca.gov](mailto:allen.garfinkle@bopc.ca.gov)

Website: [www.pilotcommission.org](http://www.pilotcommission.org)



May 18, 2010

### **April 15, 2010 RULES AND REGULATIONS COMMITTEE MEETING MINUTES 1:30 P.M.**

The Board of Pilot Commissioners Rules and Regulations Committee met on April 15, 2010, at 1:32 p.m. at the Board of Pilot Commissioners Office, Pier 9, Suite 102, San Francisco, CA, Commissioner Wainwright presided as the Chair. Committee members Commissioner Johnston and Commissioner Sullivan were present. Members of the public present were Commission President Knute "Michael" Miller, and Executive Director Allen Garfinkle. Member of the public, Ex-Officio Member Morocz, participated at times by teleconference.

#### Agenda:

#### **1. Approval of minutes for the March 23rd, 2010 meeting.**

It was moved and seconded to approve the minutes from the March 23rd, 2010 meeting. The motion passed unanimously. The minutes for the January 25, 2010 meeting were not available at the time of the meeting and the approval of these was tabled until the following meeting or the return of Assistant Director Bennett.

#### **2. Review and discussion of draft regulations on Portable Pilot units (portable navigational equipment).**

a) Presentation of revised draft of regulatory text and revised draft of statement of reasons documentation prepared for submittal.

The revised draft was reviewed and compared to previous mark-ups. Minor changes were suggested for implementation.

#### **b) Formulation of recommendation for approval by full board.**

Committee consented to have chairman recommend to full board that the revised draft go forward for formal rulemaking.

#### **3. Review and discussion of draft regulations on Commission Investigator minimum standards.**

a) Presentation of revised draft of regulatory text and revised draft of statement of reasons documentation prepared for submittal.

The revised draft was considered and discussed.

- b) Formulation of recommendation for approval by full board.

Committee consented to have chairman recommend to full board that the revised draft go forward for formal rulemaking.

4. Review and discussion of first draft of regulations cleanup package implementing changes prompted by statutory changes.

Ex Officio Board member Gabor Morocz prepared recommendations of language changes for the committee to consider. Changes to sections 202 through 213 were discussed at some length. The discussion and suggestions will be drafted and revisited at next meeting.

5. Review and discussion regarding H&N § 1157.2 statutory requirement on establishing procedures for access to confidential or restricted information from its records to protect the confidentiality of its employees and licensees; formulating action plan for implementation of the requirement.

This item tabled until next meeting.

6. Review of the H&N § 1130(c) statutory requirement calling for adoption of regulations with respect to the manner and content of the port agent's report of a suspected violation, navigational incident, misconduct, or other rules violation reported to him or her or to which he or she is a witness. Discussion on formulating an action plan for the implementation of the statutory requirement.

This item tabled until next meeting.

7. Planning agenda for next committee meeting.

It was discussed and decided to re-agenda items 4, 5, and 6 for the May meeting. The next Rules and Regulations Committee meeting will be Wednesday, May 19th, 2010 at 9:00 a.m.

8. There was a motion to adjourn. It was seconded and passed unanimously by voice vote. The meeting adjourned at 16:14 p.m.

Respectfully submitted,



Allen Garfinkle  
Executive Director