

BOARD OF PILOT COMMISSIONERS
Minutes July 25, 2002

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 July 25, 2002, Commissioner Falaschi presiding. A quorum was present, including Commissioners Bayer, Lundeberg, Rosequist, Wagner, Welch and Winn. Also in attendance were Acting Port Agent Captain R. Nyborg, Board Counsel Ray Paetzold, Executive Director Moloney and Secretary Alice Evans and various members of the public.

The Minutes of the June 27, 2002, meeting were unanimously approved.

Correspondence and Activities since the June meeting – Executive Director Moloney

1. The Board received a letter dated July 3, 2002, from SFBP regarding the selection of the candidates for pilot training (deferral).
2. The Board received a letter dated July 8, 2002, from SFBP that Captain R. Nyborg will serve as Acting Port Agent until August 5, 2002

Other Pilot Matters -- Executive Director Moloney

1. The Board has received the manpower reports and statements for pilotage fees and surcharges collected from SFBP through May and Inland Pilot Slough through June 2002. Copies are available in the Board office.
2. The Board issued license renewals to SFBP Captains Alden, Haggerty, Kenyon, Larwood, Miller, E. Nyborg and Wainwright during the month of July.

Port Agent's Report – Acting Port Agent Captain R. Nyborg

1. There are currently two pilots NFFD. Captain Hughes is recovering from heart surgery and Captain Alden is undergoing physical therapy for a rotator cuff injury suffered in a bike allision. The injury may require surgery. Captain Keon returned to the board July 15.
2. There was one MRP violation on July 12, 2002. The rest period was ten hours 50 minutes. There were four pilots off the board; with one on bereavement leave, one on comp time, and two NFFD.

Through June 2002:	Bar Crossings	- 3.98%
	Bay Moves	-17.72%
	River Moves	+13.21%
	Total Moves	- 6.05%
	GRT	- 0.57%

Compared to the same period last year

Unfinished Business

Board President Falaschi asked that in order to accommodate the schedules of interested members of the public, the Board begin with Agenda Item 8. b. Discussion on trainee deferral matters; **possible Board action** -- Executive Director Moloney gave an overview of the Trainee Selection Process and the recent action taken to allow candidates in the 3rd and 4th position on the current trainee training program selection list to defer acceptance into the training program and offering entry into the program to the candidate in the 5th position. The Board discussed past experience with offering training position(s) to successful applicants and noted that the Board had not adopted an express policy on requests to defer entry. It was moved and seconded that the Board ratify the Executive Director's action in allowing the candidates in the 3rd and 4th position on the current trainee training program selection list to defer acceptance into the training program and in offering entry into the program to the candidate in the 5th position. This motion is made without prejudice to the Board's right to adopt a different policy for future such actions with adequate notice, as may be appropriate, to all interested parties. Board President Falaschi asked for discussion.

Executive Director Moloney noted that a letter dated July 24, 2002, was received from Office of Examination Resources (OER) regarding its views on deferrals indicating deferrals to be an acceptable practice that allows the Board to retain highly qualified candidates on the list for later selection. This letter was not distributed to the Board members pending determination why OER had marked it "confidential". Acting Port Agent Nyborg gave an overview of the SFBP past experiences and noted that being able to make a commitment is, in his opinion, an important part of becoming a pilot. It was noted that in the past, candidates had not been offered the opportunity to defer entry into the training program. There being no further discussion the motion passed unanimously.

Board President Falaschi said the future deferrals item would be added to next month's agenda for possible Committee assignment.

1. Open Incidents – Executive Director Moloney

- a. M/V GAZ DIAMOND, grounding San Joaquin River, Lt 38, May 14, 2002, SFBP Captain W. Atthowe

Executive Director Moloney said the IRC found this to be a non-incident.

- b. M/V MARE PHOENICIUM, allision with M/V GENERAL TIRONA, at OAK Inner Harbor turning basin (Schnitzer Dock), May 31, 2002, SFBP Captain D. Plant

Executive Director Moloney reported that the incident is being investigated and the IRC is waiting for one more report. The report will be deferred until the next Board meeting.

- c. M/V FORMOSA TWO, allision with dock, at Rodeo lower berth, June 5, 2002, SFBP Captain G. Waugh

Executive Director Moloney distributed the findings of facts and gave the following report.

PROBABLE CAUSE

On the morning of 05 June 2002, Capt Gregg Waugh was assigned to bring the tanker MV FORMOSA TWO from sea to Rodeo Terminal Wharf lower berth. Capt Waugh boarded the vessel at about 0515 at the offshore pilot station and had an uneventful transit inbound. The escort tug was not tethered until in the vicinity of the Golden Gate Bridge due to swell conditions in the strait.

As current was flooding at about one knot, the vessel was turned for a portside to/downtide landing. The second tug for docking joined the vessel at about 0820 and was made fast on the starboard bow. The escort tug continued to work the stern and was made up through the centerline chock. Capt Waugh brought the vessel into position off the berth and had the tugs push the vessel laterally to the pier.

With the vessel about 5-6 feet off the berth, the after springline was sent ashore. Part of the line ended in the water. The ship's Master, Capt Chen informed Captain Waugh that the vessel had to be moved aft for proper positioning. Capt Waugh agreed but could not use the ship's engine while the line was in the water. He observed the stern closing the pier and stopped and backed the after tug. Capt Chen again commented on the positioning of the vessel and Capt Waugh told him that he would properly position it but would land it first. At that point he noted the bow falling toward the pier and had the forward tug back easy. Before the tug could take a strain on its line the bow landed heavily on the pier.

The remainder of the docking was uneventful and the vessel was properly positioned for working. There was no damage to the vessel. The area that landed first was in way of an empty ballast tank. There was some damage to the concrete containment curb immediately observable and later some piling damage was detected.

OPINIONS

1. Environmental conditions were not a factor in this incident.
2. On final approach to the berth, Capt Waugh was briefly distracted by the master's observations on the positioning of the vessel and the springline in the water aft which hampered using the vessel's engine.
3. While attending to the landing of the stern of the vessel, the bow was allowed to fall to port and landed heavily, causing some damage to the oil containment cap on the pier and some displacement of pilings and support structure.

RECOMMENDATIONS

1. Close this case. Minor pilot error. Capt Waugh did not land the vessel parallel which resulted in some observable damage to the pier. The internal portion of the vessel where its hull landed heavily was an empty ballast tank. There was no damage to the vessel, nor was it endangered at any time during the landing.
2. The incident report serves as a lessons learned report. No remedial action necessary. Capt Waugh observed that he should have been paying closer attention to the movement of the bow when he was concentrating on the landing of the stern and the master's concerns on positioning.

It was moved and seconded to accept the IRC report. Commissioner Falaschi asked for discussion. There being no further discussion the motion passed unanimously.

2. Pilot Ladder reportable incidents – Executive Director Moloney said there were no new incidents.
3. Rules and Regulations Committee -- Commissioner Welch said the Board's proposed rulemaking regarding Monterey Pilotage and Clean-up Review was forwarded to the Office of Administrative Law on July 22, 2002, for publication on August 2, 2002. A hearing to receive public comment is tentatively scheduled for September 19, 2002, immediately following the Board meeting.
4. Finance Committee -- Commissioner Winn report results of meeting held July 23, 2002; possible recommendation to adjust Pilot Vessel Surcharge (currently 5.13 mills); **possible Board action**

Commissioner Winn reported that the Committee met July 23. It was reported that SFBP income was down about 2% compared to the previous year. Operating expenses for the month were also down about 8% from the previous year. Income/expense ratio was about 35%.

The Committee reviewed the pilot vessel surcharge. Currently the surplus in this account is \$441K. With an average shortfall of \$31.6K per month it will take about 14 months to use up this surplus. At this time the Committee recommends to maintain the current surcharge rate. The Finance Committee will continue to monitor the status of this surplus.

The BOPC monthly expenditures were reviewed and nothing unusual was noted. There has been no reply from Department of Finance regarding the proposal to reduce the operations surcharge from 2% to 0.5% as approved by this Board at its June meeting. It was also noted that the surplus in the pilot training fund is not decreasing as rapidly as anticipated and the Committee will address this issue at the next Finance Committee meeting.

The SFBP reported that their regular quarterly audit was being conducted and they would report the results to the next Finance Committee meeting.

The next regular meeting of the Finance Committee is currently scheduled for 1:30 Tuesday August 13, 2002, at the Board office, Pier 9 Suite 102, San Francisco, CA.

5. Pilot Training Curriculum Committee -- Commissioner Wagner reported that the Committee is waiting for the MITAGS revised training/date.
6. Ad Hoc Pilot Power Committee -- Commissioner Wagner – status report re recommendation to update the 1986 San Francisco Pilots Manpower Model – Commissioner said there is no report.
7. Trainee Selection Appeals Committee – Commissioner Rosequist -- report on status/results of any Appeals by applicants to Pilot Trainee Training Program

Commissioner Rosequist said that a meeting would be scheduled to consider current appeals by applicants to the Pilot Trainee Training Program. (The Trainee Selection Appeals Committee meeting was later scheduled for August 15, 2002, at 3:00 p.m., at the office of Crosby, Heafey, Roach & May 1999 Harrison St., 25th Floor Conference Room 25-A, Oakland, CA.)

8. Trainee Selection Process – Executive Director
 - a. Report on status of contracting to begin – three contracts have been forwarded to the Department of General Services for processing. The contracting process is expected to be completed in time to start training the new trainees in September.
 - b. Discussion on trainee deferral matters; **possible Board action** – this was addressed earlier in the meeting.
9. Pilot Evaluation Committee – Capt. Melvin reported that the Committee is preparing for the new trainees to enter the program. He concurred with OER's deferral advice.

New Business

1. M/V KAULA LUMPUR EXPRESS, interaction with L.T. GLOBO at OAK 35, July 23, 2002
2. M/V CHIMBORAZO, allision with wharf at Amorco, Martinez, July 22, 2002

Executive Director said these two incidents were investigated by Investigator Capt. Smith and will be reported on at a later date.
3. Public Comment on matters not on the agenda – it was noted that USCG Captain of the Port, Captain Hereth has been promoted to Rear Admiral. It is unknown at this time when he will depart USCG San Francisco. The Board extended their congratulations.
4. Proposals for additions to next month's agenda – Development of Board policy regarding deferrals for entry into the Pilot Trainee Training Program would be added to next month's agenda

Schedule next regular meeting – the next two regular Board meetings are scheduled for August 22, and September 19, with the hearing for proposed rulemaking regarding Monterey Pilotage and Clean-up Review immediately following the September meeting.

Adjournment – the meeting was adjourned at 11:14 a.m.

Respectfully submitted,

Alice A. Evans
Secretary