

BOARD OF PILOT COMMISSIONERS

Minutes July 24, 2003

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 24, 2003 Commissioner Falaschi presiding. A quorum was present, including Commissioners Bayer, Lundeberg, Rosequist, Wagner, and Winn. Also in attendance were Acting Port Agent Blake Coney, Board Counsel Ray Paetzold and Secretary Alice Evans and various members of the public.

Request approval of Minutes of the June 3, 2003 regular Board meeting. The minutes were approved unanimously after being amended for clarification as follows: page 5, 2nd sentence - delete the following: “expressed...and”; insert after “concern”: “to the appropriate people requesting a review of communication procedures that led to the incident”. Delete “regarding...”.

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

1. The Board received a letter dated June 27, 2003 from SFBP advising that Captain Blake Coney will serve as Acting Port Agent from July 7 through July 25.
2. The Board received a letter dated June 24, 2003 from the Port of Stockton regarding the approved original Commissions and re-appointments of the following individuals as qualified Pilots of the Stockton Port District for the ensuing fiscal year: SFBP Captains Alden, Atthowe, Gabe, Haggerty, Hartshorn, Miller, O’Laughlin, Rhodes, Roberts, Shanower and Sweeney and Inland Pilot Captain Slough.
3. The Board received a letter dated June 23, 2003 from SFBP Captain Carlier re adjustment in statutory pension benefits for widow of former SFBP Pilot Capt. Alfred Carlier.

Other Pilot Matters--Executive Director Moloney

1. The Board has received the manpower reports and statements for pilotage fees and surcharges collected from SFBP and Inland Pilot Slough through May 2003. 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 Coney -- possible recommendation to authorize additional trainees; **possible Board action re same**

1. There are currently two pilots NFFD:
Captain Wagner is recovering from surgery for a broken ankle and is undergoing physical therapy.
Captain Simenstad is recovering from shoulder surgery.
2. There were eight 12-hour MRP violations on June 28, 2003. The shortest rest period was 9 hours and 28 minutes. There were six pilots off the board: one sick, one on pilot business, one on personal leave and three at CMA for mandated Basic Safety and Bridge Resource Management Training. There were four violations on July 4, 2003. The shortest rest period of 10 hours 54 minutes. There was one pilot sick, two pilots on comp time and

Capt. Hughes continuing refresher rides. There was one MRP violation on July 10, 2003 with a rest period of 11 hours 20 minutes. There were four pilots off the board: two sick, one on pilot business and one on comp time. There was one violation on July 18, 2003 with a rest period of 11 hours and 40 minutes. There were five pilots off the board: one on pilot business, three at CMA for mandated Basic Safety and Bridge Resource Management Training and Capt. Hughes continuing refresher rides.

3. The P/V CALIFORNIA was at Stones Boatyard for hull repairs and annual maintenance June 16, 2003 through July 11, 2003 and returned to station on July 18, 2003.

4. Through June 2003; compared to three-year daily average:

Bar Crossings	+5.2%
Bay Moves	+13.3%
River Moves	+11.4%
Total Moves	+7.0%
Gross Tons	+7.4%

5. SFBP Trainee Program Accessions -- Acting Port Agent Captain Blake Coney distributed copies and made the following presentation:

SFBP objective is to maintain 60 licensed pilots;
Currently there are 59 pilots - authorized 60;
Currently 13 pilots are over 60 years of age;
Based on the BOPC survey - 12 retirements are anticipated in the next four years;
Currently there are three individuals in the training program;
From trainee candidate notification to qualification takes approximately
15 to 39 months -
Expect all current trainees to be qualified in 2004.

SFBP recommends starting three new trainees.

It was moved and seconded to authorize Executive Director or Board President to prepare and sign contracts to authorize three additional trainees to enter the training program. Commissioner Falaschi asked for discussion. The Board discussed the data presented, the maximum number of trainees that the training system can handle comfortably and various reasons not to overload the training system, and the past experiences of trainees who completed the training program when the SFBP did not have openings. SFBP Captain Melvin, Chair of the Pilot Evaluation Committee, who was in the audience, noted that six trainees in the program is very manageable. He gave an overview of the current trainees' progress and various completion scenarios. Commissioner Falaschi asked for further discussion. There was none. The motion passed unanimously.

F. Unfinished Business

1. Open Incidents --Executive Director Moloney

a. S/S MAUI, grounding, entrance to Oakland Estuary, January 28, 2003 SFBP Captain J. Weiss; status of scheduling hearing -- Board Counsel reported that the accusation had been served and that potential hearing dates would be discussed after meeting with Captain Weiss' counsel to determine possible motions and discovery and after the assignment of an administrative law judge.

2. Pilot Ladder reportable incidents --Executive Director Moloney - - no report
3. Rules and Regulations Committee--Commissioner Welch -- Report on status of pending rulemaking -- Board Counsel reported that the Office of Administrative Law had forwarded its "Notice of Approval of Regulatory Action" to Section 213(i). This rulemaking provides the procedure for eligible applicants to be notified of and accept or decline admission to the Board's training program.
4. Finance Committee--Commissioner Winn--Results of Finance Committee meeting of July 24, 2003 -- possible recommendation to postpone date of Pilot Vessel Surcharge rate increase; **possible Board action re same** -- Commissioner Winn reported that the Committee met today but did not have a quorum. The SFBP variance report and BOPC fund status report were reviewed and nothing unusual was noted. The next Finance Committee meeting is currently scheduled at 8:30 a.m. before the next Board meeting. A notice will be sent out if it is to proceed as scheduled.
5. Pilot Training Curriculum Committee--Commissioner Wagner -- report on STCW requirements re pilot/pilot trainees; possible recommendation re STCW-related training for trainees; **possible Board action re same**

Commissioner Wagner reported that the Committee met on July 15. It reviewed minimum eligibility requirements for trainees, trainee training program requirements, and requirements to be licensed as pilots. It also reviewed the Coast Guard's determination that STCW-mandated training and certification requirements do not apply to piloting and the board's past policy decisions regarding STCW-related training for pilots.

At the Board's January 2001 meeting, the board recognized the value of including in the training program for pilots the 5-day Basic Safety Training course which meets current STCW requirements. That course includes such topics as first aid, CPR, personal survival techniques, shipboard safety, emergency procedures and basic firefighting. The Board has contracted with the California Maritime Academy to provide that training. The current cost is \$850 per person. The Committee assumes that most current and future trainees will have already had a Basic Safety Training (BST) course that has been certified to meet STCW standards.

The Committee recommends as a guideline for implementation by the Pilot Evaluation Committee that those trainees who are nearing the completion of the training program and have not completed an STCW-certified BST class within the last five years and who are likely to be recommended for licensing be include in the next available BST class.

It was moved and seconded to approve the Committee's recommendation and to authorize the Executive Director and/or Board President to amend the contract with California Maritime Academy as necessary. Commissioner Falaschi asked for discussion. There was no further discussion. The motion passed unanimously.

6. Ad Hoc Committee on Trainee Selection--Commissioner Bayer -- Report on review of trainee selection process; recommendation to contract with consultant (HZ Assessments) on weighting and development of revised simulator exercise portion of trainee selection process; authorize Board President and/or Executive Director to

sign contract for FYs 03/04 (\$9,975.00) and 04/05 (\$9,975.00) total amount not to exceed \$19,950; **possible Board action to authorize same**

Commissioner Bayer deferred to Board Counsel Paetzold, who reported that last meeting's agenda had not included the development of the revised simulator exercise portion of the selection process in the notice and the Board had postponed taking action on this item until the full scope of the proposed contract with HZ Assessments and the revised contract amounts could be included in the notice. HZ Assessments had assisted the Board and the Office of Examination Resources in last year's trainee selection process and in the development and administration of the simulator examination used in that process. The Ad Hoc Committee had reviewed HZ Assessments contract obligations and cost breakdown. It was moved and seconded to authorize Board President and/or Executive Director to sign contract for FYs 03/04 (\$9,975.00) and 04/05 (\$9,975.00), total amount not to exceed \$19,950. Commissioner Falaschi asked for discussion. There was none. The motion passed unanimously.

7. Pilot Evaluation Committee--Capt. Melvin--Report on trainees' progress in training program -- Captain Melvin reported that the trainees are doing well. He noted that these three trainees are all pilots from different piloting areas.
8. Vessel Interactions--Review incident frequency, Board's role in addressing the problem--Commissioner Falaschi said this item will remain on the agenda.
9. Security assessment covering pilots' operations -- Commissioner Falaschi said this item continues to be a placeholder for security issues.
10. USCG Marine Safety Office, possible Investigation Department presentation -- LCDR Kristin Williams, Sr. Investigating Officer, USCG thanked the Board for the opportunity to make this presentation. She provided an overview of the role played by her office, including its jurisdiction, staffing, training provided to it investigators, geographic area of responsibility, the types of investigations conducted, the types of penalties and sanctions available for violations, and the procedures followed. Commander Williams also addressed the priority given to Rule 9 violations (small craft impeding deep draft vessels limited to navigate in narrow channels and fairways) and what pilots can do to assist the Coast Guard in providing sufficient identification of the small craft involved.

Commissioner Falaschi thanked LCDR Williams for her informative and interesting presentation.

11. Port Revel and San Francisco Bar Pilots Agreements; possible recommendation to authorize Board staff to amend Port Revel and San Francisco Bar Pilots agreements and Board President and/or Executive Director to execute amendments to include additional training classes for trainees and several pilots that may be over the mandated five-year training timeframe (Port Revel estimated cost of \$17,000 per pilot/trainee -- SFBP air fare not to exceed \$6,500 per pilot/trainee) -- Commissioner Wagner -- **possible Board action re same**

Commissioner Wagner gave an overview of the need to schedule an additional class and to reschedule a class in FY 03/04 with Port Revel France to ensure all pilots meet the Boards training mandates. It was moved and seconded to authorize Board

President and/or Executive Director to execute the necessary contract amendments to include additional training classes for those pilots who may otherwise exceed the five-year training timeframe imposed by Section 215(b)(1) (Port Revel estimated cost of \$17,000 per pilot/trainee -- SFBP air fare not to exceed \$6,500 per pilot/trainee). Commissioner Falaschi asked for discussion. It was discussed that this was to correct a scheduling problem created in part by the addition of the tractor tug training to the curriculum and that Port Revel can accommodate the additional class and rescheduling. Also noted was the value of this training for the trainees and that they should attend near completion of their training, therefore filling the June 2005 class at the Board's discretion. There being no further discussion the motion passed unanimously.

G. New Business

1. M/V MOKU PAHU and M/V KOVDOR, possible vessel interaction at Bay Bulk Terminal, July 10, 2003 -- Commissioner Falaschi said this incident remains under investigation.
2. Request by SFBP Captain Carlier dated June 23, 2003, re adjustment in statutory pension benefits for widow of former SFBP Pilot Capt. Alfred Carlier; **possible Board action re same** -- Commissioner Falaschi requested the Pension Committee to review the above request and make its recommendation to the Board.
3. Public Comment on matters not on the agenda -- Commissioner Falaschi introduced Cdr. Pauline Cook, USCG, who recently replaced Cdr. Kranking as the Commanding Officer of VTS. The Board welcomed Cdr. Cook.
4. Proposals for additions to next month's agenda - there were none.

Schedule next regular meeting - the next Board meeting is scheduled for August 28, 2003 at 9:30 in the Board office Pier 9, Suite 102, San Francisco, CA. The Finance Committee meeting is currently scheduled for 8:30 a.m. on the same date and at the same place.

Adjournment - the meeting was adjourned at 11:35 a.m.

Respectfully submitted,

Alice A. Evans
Secretary