

**Minutes**  
**March 24, 2005**

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, March 24, 2005 Commissioner Falaschi presiding. A quorum was present, including Commissioners Lundeberg, Wagner and Wainwright. Also in attendance were Port Agent Bill Greig, Board Counsel Raymond Paetzold and Secretary Alice Evans and various members of the public.

Commissioner Falaschi welcomed and introduced Captain David Wainwright as a new Commissioner.

Request approval of Minutes of the February 24, 2005 regular Board meeting. The minutes were unanimously approved.

Correspondence and Activities since the February meeting:

1. The Board received a letter dated February 25, 2005 from James M. Humes, Chief Assistant Attorney General re consent for the BOPC to retain counsel other than the Attorney General for services related to maritime law.
2. The Board received a letter dated March 4, 2005 from PMSA in support of the recently projected increases in surcharges.
3. The Board received a letter dated March 14, 2005 from Office of Administrative Law re Executive Order S-2-03, requiring every state agency to evaluate whether or not it is using "underground regulations" and report the findings of this assessment to the OAL.

Other Pilot Matters:

1. The Board issued license renewal to SFBP Captain Russ Nyborg during the month of March.
2. The Board has received the manpower reports and statements for pilotage fees and surcharges collected from SFBP through December 2004 and Inland Pilot Slough through February 2005. Copies are available in the Board office.

Port Agent's Report -- SFBP Captain Bill Greig

1. Not-fit-for-duty (NFFD): Captain Gans is recovering from an illness not related to piloting. Captain Shanower is recovering from a leg injury sustained while disembarking M/V CLEAMAR January 19, 2005.
2. Minimum Rest Period Violation (MRPV): There were two MRPV violations since the last BOPC meeting. Both were on March 9 with the minimum rest period being 9 hour 25 minutes.
3. Pilot Boats: P/V GOLDEN GATE was out of service from February 28 - March 12 for replacement of torsion couplings and engine mounts. P/V PITTSBURG was out of service from February 9 - February 10 for planned outdrive maintenance. P/V CALIFORNIA was out of service from March 1 - March 4 to replace the clutch on the port main engine.

4. Vessel movements as of February as compared to the three-year average:

GRT	+14%
Bar Crossings	+5.6%
Bay Moves	-2.2%
River Moves	-7.7%
Total Moves	+3.4%

5. Legislation: At the Bar Pilots' request Assemblymen Leno and Torrico have introduced AB 852 that will allow the BOPC to authorize use of the pilot vessel surcharge to fund design and engineering modifications to extend the life of existing Pilot Boats. SFBP has talked to PMSA and various members of industry about this bill. As of now no one has voiced any opposition to the bill. The bill is at the Assembly Transportation Committee now and will be heard on April 10.

Unfinished Business

1. Open Incidents

- a. M/V CMA-CGM YANTIAN, alleged violation of RNA speed restrictions, San Francisco Bay, September 19, 2004
- b. M/V MANDARIN GLORY, allision with Richmond Levin Terminal 5B, November 29, 2004, SFBP Captain F. Hoburg
- c. M/V PORT PEGASUS, grounding Lt. 31, San Joaquin River, January 19, 2005
- d. M/V PORT PEGASUS, UPRRB Incident, January 24, 2005

Commissioner Falaschi noted that Executive Director Moloney is in Japan and that extensions are needed for open incidents a., b., c. and d. until the next Board meeting. It was moved and seconded to extend the reports until the next Board meeting. Commissioner Falaschi asked for discussion and whether there were any comments from the public. There were no comments from the public and no further discussion. The motion passed unanimously.

2. Pilot Ladder reportable incidents -- Executive Director Moloney -- follow-up report on M/V EVER DIADEM, SFBP Captain Chadwick, first reported at Board's January 27 meeting.

The follow-up report will be presented upon the Executive Director's return.

Commissioner Falaschi noted that the SFBP has been requested to heighten communication with PMSA pending the appointment of industry Commissioners. John Berge, who was in the audience acknowledged the Board's position and commented that PMSA continues to work to fill the Industry positions on the Board. During the interim, Commissioner Falaschi will chair the Finance Committee. It was noted that until the Pension Committee finalizes it's report on its review of the statutory pension plan and recommendations for the plan's interpretation, there is nothing further scheduled for the Rules and Regulations Committee.

3. Rules and Regulations Committee -- No report

4. Finance Committee -- Port Agent Greig gave the following SFBP report: At the February 2004 Finance Committee meeting the 2004 financial statements of the SFBP and Benevolent and Protection were provided. He asked if there were any questions or comments. There were no questions from the Board or public. The February numbers are

not yet available. There had been a problem with the new server installation interface with the accounting system, however the system problem is now fixed.

Revenue from piloting is up 14%, expenses are up 5% (due to fuel and personnel) and the ratio of expenses to gross income is 29%.

The P/V surcharge: By prior Board action, the surcharge is to be reduced from 6.60 to 5.30 mils beginning April 1. By example, the pilot vessel surcharge for a 40,000 GRT vessel will go from \$264 to \$212. The P/V surplus through February 2005 is \$248,000.

There are no outstanding invoices due from vendors.

Commissioner Falaschi asked if there is any discussion or comments from the Board and public. There were no comments from the Board or public.

5. Pilot Training Curriculum Committee -- Commissioner Wagner said there is no report.
6. Pilot Evaluation Committee--Capt. Melvin -- Report on March 16 Committee meeting -- report on trainees' progress in training program; expiration of trainee eligibility list (June 2005); possible recommendation to schedule testing for trainee selection -- **possible Board action re same**

Commissioner Wagner gave the following report for Capt. Melvin: The Committee met March 16 and all trainees are performing satisfactorily. The Pilot Evaluation Committee has a workshop at California Maritime Academy (CMA) Friday March 25 for the selection process simulator exercise. The next scheduled PEC meeting is April 13 at 1:00 p.m. at the SFBP office.

7. Pension Committee -- No report.
8. Vessel Interactions -- No report.
9. Pilot Security -- Commissioner Falaschi said there is no report and that items 8. and 9. continue to remain on the agenda as placeholders.
10. Ad hoc Committee for Pilot Fitness -- Commissioner Falaschi -- status of appointments of committee members. No report.
11. Pilot Vessel Life Extension Modifications, Proposed Legislation -- SFBP Port Agent Captain Greig -- this was reported under Port Agent's report, para. 5.

#### New Business

1. M/V ZHEN HUA I, allision with Oakland Berth 33, March 5, 2005 -- Board Counsel reported that this incident is under investigation.
2. Public Comment on matters not on the agenda

USCG Cdr. Pauline Cooke, VTS, who was in the audience read the following letter from USCG Captain of the Port Capt. Gerald M. Swanson.

“Dock Address System for the San Francisco Bay Region

On March 31, 2005 Vessel Traffic Service San Francisco (VTS) will implement a new system of dock addresses to refer to dock locations throughout the San Francisco Bay Region. This new system was developed by the Navigation Working Group of the San Francisco Bay Region Harbor Safety Committee with representation from all facets of the Maritime Industry, and addresses the problem of frequently changing dock names due to changes in ownership. Because San Francisco, Oakland and Redwood City all have intuitive and easy to use dock naming conventions, they were used as the pattern for this new system.

Implementation of this system will significantly enhance the safety of vessels operating on San Francisco Bay by reducing confusion regarding each vessel’s destination. In addition, this new system offers benefits to maritime security, including the increased ability for emergency responders to quickly identify exact dock locations during a critical maritime incident.

This new system identifies each dock with a permanent name and number; it also provides a succinct destination code for each vessel’s Automatic Identification System (AIS), enhancing VTS’s use of the new system over the radio. For example, the Amorco pier will now be referred to as “Martinez 5”, and Oakland Berth 57 will be referred to as “Oakland 57”; and that AIS Destination Field will read as, “>US MRZ 5” and >US OAK 57”, respectively.

For a graphic representation of the new system and a complete list of the new names and codes, go to the VTS website, [www.uscg.mil/D11/vtssf/](http://www.uscg.mil/D11/vtssf/), and click on “Automatic Information System” or “New AIS Destination Codes”. Additional questions may be directed to the SF Marine Exchange at (415) 441-6600 or the Vessel Traffic Service at (415) 556-2760.

Please join me, the San Francisco Marine Exchange, the SF Bar Pilots, and the San Francisco Bay Region Harbor Safety Committee in supporting the use of this new system. Sincerely, Gerald M. Swanson, Captain, U.S. Coast Guard, Captain of the Port.”

Commissioner Falaschi thanked Cdr. Cooke. The letter will be submitted in today’s BOPC minutes.

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

Schedule next regular meeting -- the next meeting is scheduled for April 28, 2005 at 9:30 a.m. in the Board office Pier 9, Suite 102, San Francisco, CA.

Adjournment -- the meeting was adjourned at 10:15 a.m.

Respectfully submitted,

Alice A. Evans  
Secretary