

<p><b>Meeting Date:</b> <b>February 22, 2018</b></p>	<p><b>Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun 660 Davis Street, San Francisco, CA 94111</b></p> <p><b>BOARD MEETING MINUTES</b></p>	<p><b>Page 1 of 15</b></p>
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**Board Members Present**

Jennifer Ferrera Schmid, President, Public Member  
 Dave Connolly, Vice President, Public Member  
 Captain Einar Nyborg, Pilot Member  
 John Schneider, Wet Cargo Industry Member  
 David Hoppes, Dry Cargo Industry Member

**Board Members Absent**

Captain George Livingstone, Pilot Vacant, Public Member  
 Brian Annis, Secretary, California State Transportation Agency (CalSTA), ex officio member

**Staff Present**

Allen Garfinkle, Executive Director  
 Roma Cristia-Plant, Assistant Director  
 Dennis Eagan, Board Counsel  
 Luis Cruz, Associate Governmental Program Analyst

**Public Present**

Captain David McCloy, Acting Port Agent and San Francisco Bar Pilots (SFBP); Ray Paetzold, SFBP Business Director-General Counsel;

**OPEN MEETING**

**1. Call to Order and Roll Call – President Schmid**

President Schmid called the meeting to order at 9:34 a.m. Associate Governmental Program Analyst Cruz called the roll and confirmed a quorum.

**2. Review and approval of Board meeting minutes – President Schmid  
 Board action to approve meeting minutes from the Board meetings held on  
 December 14, 2017, and January 25, 2018.**

Board members were presented the draft minutes from the Board meetings held on December 14, 2017, and January 25, 2018. There was no discussion.

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**MOTION:** President Schmid moved to approve the draft minutes of the meeting held on December 14, 2017. Commissioner Schneider seconded the motion.

**VOTE:** YES: Schmid, Connolly, Hoppes, Nyborg, and Schneider.  
NO: None.  
ABSTAIN: None.

**ACTION:** The motion was approved.

**MOTION:** Vice President Connolly moved to approve the draft minutes of the meeting held on January 25, 2018. Commissioner Nyborg seconded the motion.

**VOTE:** YES: Schmid, Connolly, Nyborg, and Schneider.  
NO: None.  
ABSTAIN: Hoppes.

**ACTION:** The motion was approved.

### **3. President Announcements and Activities – President Schmid**

President Schmid announced that on January 30, 2018, she attended the “State of the Port of Oakland” luncheon co-hosted by the organization “Women in Logistics” and the Pacific Merchant Shipping Association (PMSA). She reported the Port of Oakland’s Executive Director, Chris Lytle, addressed several new investments and developments with the goal of making Oakland a first-call port.

### **4. Board Member Announcements and Activities – Board Members**

There were no announcements.

### **5. Directors’ Report – Executive Director Garfinkle/Assistant Director Cristia-Plant**

#### **A) Correspondence and activities since the Board meeting held on January 25, 2017.**

Executive Director Garfinkle reported on the correspondence and activities since the Board’s January meeting as follows:

- On January 29, 2018, Board staff received a copy of an article from the San Francisco Chronicle, authored by Carl Nolte, titled “Young Oakland Woman part of Maritime Industry’s New Guard.” The young woman featured, Bonnie Muchnick, currently is employed by Crowley Maritime, but aspires to earn a master’s license and perhaps eventually work as a pilot.
- On February 5, 2018, Board staff received a web link to a Maritime Executive article entitled, “Grounding Report: Pilot Lacked Information After Engine Failure,” that detailed the events aboard the bulk Carrier NENITA as it was outbound on the Columbia River and suffered an engine failure. Even though the event was the result of an engine failure, the event is notable due to the lack of information relayed to the

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- pilot from shipboard personnel about the status of the engine, which delayed the pilot's corrective action.
- On February 8, 2018, Board staff received a copy of a letter from Board Counsel Eagan to Bryan Kimura, Staff Attorney at the Department of General Services' Office of Legal Services, regarding the authority of the Board to contract for services related to San Francisco Bar Pilot Pension Plan matters. The memo asserts that the Board has such contracting authority and sets forth the basis for that authority. Mr. Kimura requested this memo as a prerequisite to Board staff contracting for services related to the pilot pension plan.
  - Also on February 8, 2018, Board staff was notified that the full Senate voted to confirm Commissioner Nyborg's appointment to the Board. Consistent with that notification, Board staff received a copy of a letter from Kevin De Leon, Chair of the Senate Rules Committee, to Commissioner Nyborg, notifying him that his appointment had been confirmed by the Senate on a vote of 37-0.
  - On February 9, 2018, Board staff received a copy of a report prepared by the Democratic Staff of the U. S. House Committee on Transportation and Infrastructure titled, *DOT Faces Significant Gaps In Outdated Drug Testing Program*. While the report doesn't focus much attention on maritime transportation related issues, it does mention the 2007 event involving the COSCO BUSAN as an example where opioid abuse was implicated in a maritime incident.
  - On February 16, 2018, Board staff received a copy of the PMSA *West Coast Trade Report* for February 2018. The report included the December 2017 loaded TEU numbers, articles about exports, environmental policies changes, and information on container dwell times.

**B) Report on pilot licensing matters in the past month and current month.**

Executive Director Garfinkle reported on the following pilot licensing matters:

- Between the December and January Board meetings, Board staff renewed the licenses of Captains Johnson, Epperson, McIsaac, Ridens, Robinson, Rocci, Teague, Carlson, Coppo, Carlier, Ruff, Hirschfeld, and Kellerman.
- Since the January Board meeting staff renewed the licenses of Captains Lingo, Stultz, and Martin, Jr.

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**C) Report on Board surcharges.**

Executive Director Garfinkle reported that the Board received a check from the SFBP in the amount of \$220,081.24 for the surcharge revenues for the month of January 2018, itemized as follows:

- Board Operations Surcharge: \$122,391.24
- Continuing Education Surcharge: \$ 4,030.00
- Trainee Training: \$ 93,660.00

**D) Report on legislative activities and contractual matters.**

On legislative matters, Assistant Director Cristia-Plant reported that Assembly Bill 3049 (Grayson) was introduced on February 16, 2018. The bill currently amends Section 1151 of the Harbors and Navigation Code to clarify that board members “shall be” residents of California as well as citizens of the United States.

On contractual matters, she reported the following:

- Board staff was notified that the Non-Competitive Bid justification supporting the contract with the San Francisco Bar Pilots is being reviewed by staff at the Department of General Services.
- The Commission Investigator Invitation for Bid documents were sent out on February 9, 2018, and bids are due on March 9, 2018.
- Board staff are still awaiting a legal opinion from counsel at the California Department of Human Resources regarding whether the two entities can enter into an interagency agreement for trainee random drug testing under CalHR’s master drug-testing contract.
- California Highway Patrol contracts staff are working on finalizing the interagency agreement with CalHR for Pilot Trainee Training Program selection-examination services.
- Contract-drafting work has commenced with new contracts and/or amendments with The Regents of the University of California, California State University Maritime Academy, the State Controller’s Office, and the California Highway Patrol.
- Board staff are awaiting the result of the review by our contracts attorney at the Department of General Services of Board Counsel’s opinion that the Board can enter into contracts for services to the San Francisco Bar Pilot Pension Plan. Upon a favorable review, Board staff will commence contracting for pension calculation, actuary, disbursement, and audit services.

Commissioner Hoppes referred to the Maritime Executive article and inquired if it was common to have language barriers with ships coming into San Francisco Bay.

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Commissioner Nyborg confirmed that on occasion there are language barriers between pilots and crew members of the ship. He stated in most cases, maritime discussions flow well and that English is the language designated for maritime use. Commissioner Nyborg confirmed for Vice President Connolly that a decline in a ship's engine tachometer reading could be an indication that a propulsion issue is developing. Captain McCloy added that the ship's crew may get involved in a reduction of propulsion issue and leave the pilot unaware. Vice President Connolly requested that the reduction in propulsion issue be referred to the Safety Committee because this issue could impact safety as much as a loss of propulsion.

## **6. Port Agent's Report – Captain Joseph Long**

### **A) Monthly report on San Francisco Bar Pilots (SFBP) pilot availability and absences.**

Acting Port Agent McCloy reported that Captain Pinetti has been not fit for duty since February 27, 2017, that Captain Dowdle has been not fit for duty since September 23, 2017, and that Captain Wehr has been absent for medical reasons since February 7, 2018.

Acting Port Agent McCloy reported that the SFBP continually monitors the dispatch list for possible 12-hour minimum rest period (MRP) exceptions, and if the potential exception is likely to result in a rest period of less than 10 hours, mitigating measures are employed by the SFBP. He reported that the mitigating measures include, but are not limited to, suspending continuing professional development protocols, cancelling scheduled meetings, cancelling previously granted compensating-time-off requests, suspending SFBP internal working rules, or calling in off-watch pilots.

He reported that there are currently 60 licensed pilots. He reported that there were 2 MRP exceptions in January, and that the shortest rest period was 10.6 hours.

### **B) Monthly report on SFBP ship-piloting business activity.**

Acting Port Agent McCloy reported that the P/V PITTSBURG was out for planned maintenance commencing February 13, 2018, through February 16, 2018.

Acting Port Agent McCloy reported the billed vessel moves for January 2018 as follows:

- Bar Crossings: 534 Moves
- Bay Moves: 151 Moves
- River Moves: 44 Moves
- Total Moves: 729 Moves
- Gross Registered Tons (GRT): 30.9 Million

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He also reported that when comparing 2018 year-to-date vessel moves and GRT data with the same one-month period in 2017, total moves were down 2.2% and GRT was up 3.1%.

Acting Port Agent McCloy responded to a query from President Schmid, and reported that the SFBP under-keel clearance study is progressing. He stated that the data collection portion of the study is complete and that researchers are putting the data into various formats for the SFBP to use as a dispatch tool.

**C) Monthly confidential written report of SFBP pilots who have been absent for medical reasons (AFMR). The Board may go into closed session to discuss contents of the Port Agent’s confidential report as authorized by Harbors and Navigation Code § 1157.1.**

There was no discussion of the confidential written report of pilots who have been absent for medical reasons. There was no closed session discussion of this item.

**7. Pilot Evaluation Committee – Captain George Dowdle**

**A) Report on the Pilot Evaluation Committee (PEC) meeting held on February 14, 2018.**

PEC Chairman Captain Dowdle was unable to attend the meeting. Acting Port Agent McCloy read Captain Dowdle’s submitted written report and reported the following:

- The PEC met on February 14, 2018.
- All trainees were interviewed individually in closed session.
- The eight current trainees include: Captains Greger, Burchard, Freese, Pullin, Starnitzky, Corbett, Mercier and Crowl. Their time in the program ranges from 1 to 14 months.
- The newest trainees are collecting trips, continuing to test for federal pilotage endorsements, and beginning to handle ships in areas where federal pilotage endorsements have already been attained.
- All trainees are meeting established benchmarks.
- Captain Pullin remains absent for medical reasons and is expected to return in early March.
- The PEC will meet next on March 14, 2018.

Executive Director Garfinkle confirmed for Vice President Connolly that he oversees the Pilot Trainee Training Program, and works with the PEC and the trainees. He also confirmed that physicians at the University of California, San Francisco have been involved with assessing Captain Pullen’s medical issues.

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- B) Possible PEC recommendation to place one or more Pilot Trainee Training Program trainees on probation, or dismiss one or more trainees from the program. Possible Board action to place one or more Pilot Trainee Training Program trainees on probation, or dismiss one or more trainees from the program.**

There were no recommendations.

- C) Possible PEC recommendation for a determination that a trainee has or trainees have completed the Pilot Trainee Training Program. Possible Board action to award a Certificate of Completion to a trainee who has completed the Pilot Trainee Training Program.**

There were no recommendations.

- D) Possible recommendation from the Executive Director for the appointment of a new pilot or pilots. Possible Board action to accept a recommendation from the Executive Director that a trainee holding a Certificate of Completion from the Pilot Trainee Training Program be licensed as a state-licensed pilot.**

There were no recommendations.

**8. Reported Safety Standard Violations – Executive Director Garfinkle  
(Reported safety standard violations occurring up to the start of the meeting will be reported on.)**

Executive Director Garfinkle reported he received a Pilot Boarding Arrangement Deficiency Report from Captain Martin, describing a pilot safety standard issue that occurred on February 17, 2018. Executive Director Garfinkle reported that the pilot’s report stated he embarked the DAIWON CHAMPION and found that rungs of the pilot ladder were not horizontal, that he discussed the issue with the vessel’s Captain, and that the offending ladder was subsequently replaced.

**9. Reportable Piloting Events – Executive Director Garfinkle  
(Reportable piloting events occurring up to the start of the meeting will be reported on.)**

- A) Progress report of an event involving the M/V SALDANHA making unintended contact with the pier structure at the Port of Stockton, Berth 12/13 on September 13, 2017. Possible Board action to grant the Incident Review Committee an extension to present the M/V SALDANHA report at the Board meeting to be held on March 22, 2018. If an extension is sought, it will be due to the report on the investigation not being fully prepared.**

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The Incident Review Committee presented its report of the M/V SALDANHA under agenda item 18.

- B) Progress report of an event involving the M/V SHEILA ANN making contact with the bottom in the vicinity of Ward Cut on July 21, 2017. Possible Board action to grant the Incident Review Committee an extension to present the M/V SHEILA ANN report at the Board meeting to be held on March 22, 2018. If an extension is sought, it will be due to the investigation being incomplete at the time of the meeting.**

Executive Director Garfinkle stated this incident was first reported to the IRC on November 11, 2017, and that the 90-day statutory limit from the date of the incident was October 18, 2017. He reported that this incident remains under investigation, and the IRC report is not yet complete due to a prioritizing of staff time. He stated the IRC is requesting an extension to present its report at the March 2018 Board meeting. Executive Director Garfinkle confirmed for Commissioner Nyborg that the Incident Review Committee is looking into the delayed reporting issue. There was no further discussion of this item by the Board or the public.

**MOTION:** Vice President Connolly moved that the Board grant an extension to the Incident Review Committee to present its report on the M/V SHEILA ANN event at the March 2018, Board meeting. Commissioner Nyborg seconded the motion.

**VOTE:** YES: Schmid, Connolly, Hoppes, Nyborg, and Schneider.  
NO: None.  
ABSTAIN: None.

**ACTION:** The motion was approved.

- C) Progress report of an event involving possible interaction of the M/V LEONORA VICTORY with a barge moored at the Port of Stockton on October 23, 2017. Possible Board action to grant the Incident Review Committee an extension to present the M/V LEONORA VICTORY report at the Board meeting to be held on March 22, 2018. If an extension is sought, it will be due to the investigation being incomplete at the time of the meeting.**

Executive Director Garfinkle reported that this incident remains under investigation, and the IRC report is not yet complete due to prioritizing of staff time. He stated the IRC is requesting an extension to present its report at the March 2018 Board meeting. He also stated that this incident involves the same pilot as the incident involving the M/V SHEILA ANN. There was no further discussion of this item by the Board or the public.



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- MOTION:** President Schmid moved that the Board grant an extension to the Incident Review Committee to present its report on the M/V LENORA VICTORY event at the March 2018 Board meeting. Commissioner Hoppes seconded the motion.
- VOTE:** YES: Schmid, Connolly, Hoppes Nyborg, and Schneider.  
NO: None.  
ABSTAIN: None.
- ACTION:** The motion was approved.

**10. Loss of Propulsion/Low Sulfur Fuel Report – Executive Director Garfinkle**

**Report on loss of propulsion events arising in January 2018, as reported by the U.S. Coast Guard, including those events suspected to be due to low sulfur fuel issues.**

Executive Director Garfinkle reported that according to the U.S. Coast Guard’s Prevention/Response — San Francisco Harbor Safety Statistics report there were 5 loss of propulsions in the month of January 2018, with none being attributed to fuel switching, and 2 reduction of propulsions.

There was a general discussion that the fuel switching issue seems to have died down, especially since the fuel switching requirement was moved farther out to sea several years ago.

**11. Navigation Technology Equipment and Software Acquisition Update – SFBP Business Director-General Counsel Paetzold**  
**Status report on the SFBP’s navigation technology equipment and software implementation.**

Mr. Paetzold stated there was nothing new to report.

**12. Fee and Surcharge Recovery Actions Involving Hanjin Shipping Company – SFBP Business Director-General Counsel Paetzold**  
**Status report on the SFBP’s fee and surcharge recovery actions involving pilotage services provided to vessels operated by Hanjin Shipping Company.**

Mr. Paetzold reported that SFBP’s counsel in the Korean bankruptcy proceeding reports that they believe the slow progress is due to difficulties in collecting Hanjin’s assets, and that no date for final court action to distribute remaining assets to creditors has been set. He had nothing further to report, and there was no further discussion by the Board or the public.

**13. Pilot Fatigue Study Progress Report – Executive Director Garfinkle/Assistant Director Cristia-Plant**

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**Progress report on the Pilot Fatigue Study being conducted by the San Jose State University Research Foundation.**

Assistant Director Cristia-Plant provided the following study update report submitted by Dr. Hobbs:

- The SAFTE-FAST model was applied to 12 months of SFBP dispatch records, and the model is being used to identify a set of scheduling patterns that have the potential to result in predicted elevated levels of fatigue.
- Analysis of the pilot fatigue factors survey results is continuing. A follow-up survey is being prepared for distribution in March 2018.
- An invitation letter was sent to pilots in December 2017, calling for expressions of interest for the objective-monitoring phase of the study. The initial response from the pilots was sufficient to justify moving forward with this study phase. On February 7, 2018, the researchers provided a briefing to the pilots on the objective-monitoring phase, and provided the pilots the opportunity to examine an actiwatch. Although the researchers applied for approval to proceed with this study phase from the university's Internal Review Board, the researchers were notified by a number of pilots that they no longer wished to participate in the objective-monitoring phase. The researchers have concluded that this phase of the study can no longer be completed, but assured Board staff, consistent with the study proposal, that the study can still be completed with meaningful results.
- The researchers completed a literature review of existing fatigue-management guidelines in maritime and related industries.

Commissioner Hoppes commented that in his opinion it would have been intuitively useful to have the objective-monitoring data as part of the final fatigue study report. Executive Director Garfinkle reminded the Board that the objective-monitoring phase of the study was an optional study component, and that the researchers believe that they can confidently recommend fatigue-mitigation regulations to the Board absent this data.

**14. Report on Pilot Retirement Survey – Associate Governmental Program Analyst Cruz Report on the results of the most recent Pilot Retirement Survey.**

Associate Governmental Program Analyst Cruz reported the statistics of the most recent Board Pilot Retirement Survey, and reported the following:

- As of February 22, 2018, the Board's designated maximum number of licensed pilots is 60, and there are 60 licensed pilots.
- There are 8 trainees in the Pilot Trainee Training Program.
- No trainees are in evaluation stage.
- The survey was sent to all licensees on December 26, 2017, and all 60 licensees completed the survey.

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- Fifteen licensees are or will be eligible for retirement in 2018 and 20 will be eligible by 2022.
- Eight licensees anticipate retiring in 2018.
- Factors that may impact a licensee’s decision to retire include, but are not limited to, health status, age, financial security, family issues, and amendments to the pilot pension plan.

President Schmid addressed Commissioner Hoppes’ concern with the number of anticipated retirements, and stated that the Board has been aware of this issue through the Pilot Power Committee. Commissioner Nyborg commented that to ensure a sufficient supply of qualified trainee applicants, the Board should review the amount of the monthly trainee stipend.

**15. San Francisco Bar Pilot Pension Plan Litigation – Board Counsel Eagan**  
**Status report on Craig E. Reeder vs. State Board of Pilot Commissioners litigation. The Board may go into closed session to discuss with Board Counsel any matters subject to attorney-client privilege as per Government Code §11126(e) of the Bagley-Keene Open Meeting Act.**

Board Counsel Eagan stated there was nothing to report.

**16. Litigation Regarding Pension Payments of Capt. James Nolan – Board Counsel Eagan**  
**A dispute exists concerning entitlement to a portion of the pension payments of Captain James Nolan, a retired pilot. It is likely that resolution of the dispute will involve litigation. The Board may go into closed session to discuss with Board Counsel any matters subject to the attorney-client privilege, in accordance with the Bagley-Keene Open Meeting Act, Government Code section 11126(e).**

Board Counsel Eagan stated there was nothing to report, except that Mr. Nolan’s children are proceeding to resolve their mother’s estate issues.

**17. Board Discussion of Best Practices in Maritime Safety – Vice President Connolly**  
**A Board discussion of best practices in maritime safety and/or lessons learned from Incident Review Committee incident reports or other sources, and possible directions to staff to develop safety policies and procedures. Possible Board action to direct staff to develop maritime safety policies and procedures.**

Vice President Connolly stated there was nothing to report.

President Schmid turned the meeting over to Vice President Connolly, and he called for a short recess to prepare for the Incident Review Committee report.

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**RECESS BEGAN:** 11:08 A.M.  
**RETURN TO OPEN SESSION:** 11:21 A.M.

President Schmid stepped down from her Board seat, and assumed her position as a member of the Incident Review Committee (IRC) along with Executive Director Garfinkle.

**18. Incident Review Committee incident report on the M/V SALDANHA - President Schmid**  
**A presentation of the Incident Review Committee report on the event involving the M/V SALDANHA making unintended contact with the pier structure at the Port of Stockton, Berth 12/13 on September 13, 2017. Board deliberation and decision with respect to possible pilot error. Board determination with respect to further actions, if appropriate. The Board may go into closed session for the deliberation of the incident report presented under this item pursuant to Harbors and Navigation Code §1180.6(a) and Government Code §11126(c)(3).**

Executive Director Garfinkle presented the IRC’s report to the Board on the incident concerning the M/V SALDANHA (SALDANHA). He reported that:

On the afternoon of September 13, 2017, the SALDANHA was transiting from Anchorage 9 to the Port of Stockton. A pilot change was scheduled to take place in Pittsburg, where Captain Peter McIsaac, who brought the ship from Anchorage 9, was being relieved by Captain Mark Haggerty, who would relieve him and complete the trip to the Port of Stockton.

Captain Haggerty boarded the SALDANHA off Mallard Island at approximately 1007 hours, and the two pilots exchanged information, which included information of the inoperative Voyage Data Recorder (VDR) and the ship’s speed log. Captain Haggerty made a determination that the ship’s passage could be safely made even with the inoperative equipment. Captain McIsaac then departed the ship at approximately 1020 hours and the ship proceeded up river.

Captain Haggerty conducted an exchange of information with the ship’s master, and confirmed that all equipment was operative except for the VDR and speed log. The transit up river went as planned, and while Captain Haggerty was able to use all the ahead bells, he was not presented the opportunity to test the astern bells prior to entering the Port of Stockton.

Just prior to entering the port, Captain Haggerty had the crew make up two tugs, the EDWARD ESCH on the port bow and the MARIN SUNSHINE on the starboard bow. As the SALDANHA approached the dock, Captain Haggerty was receiving distances to the dock from both the Chief Officer on the ship’s bow and the MARIN SUNSHINE tug operator. The planned maneuver for the SALDANHA called for the bow to approach the

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dock, then, in combination of the tug assist and the ship's engine, to rotate the ship to starboard approximately 120 degrees and come alongside the pier.

As the ship moved slowly towards the pier, Captain Haggerty began backing the ship. The ship's Chief Officer was relaying distance off the pier to the ship's master, and the tug operator for the MARINE SUNSHINE was relaying distance to Captain Haggerty. The distances reported were reasonably close and in agreement.

At approximately 150 feet off the pier, Captain Haggerty ordered the tug EDWARD ESCH to work easy ahead and when working at a 90-degree angle to the ship, retrieve her line. The crew of the ship was ordered to let go of the EDWARD ESCH on the port bow. The Chief Officer, who was providing distances off the pier, joined the crew in letting go the tug, which took him off the bow. The ship was almost stopped, and distances from the pier were now being provided solely by the operator of the MARIN SUNSHINE. In his last report, the operator on the MARIN SUNSHINE reported 20 feet to the pier. When the Chief Officer returned to the bow, he reported that the ship had made contact with the pier. The MARIN SUNSHINE tug operator later revealed to the pilot that, from his vantage point he could not actually see the bulbous bow and was estimating distances from a view of the stem of the ship.

The pilot backed the ship away from the dock and the Port of Stockton ordered the ship to Berth 10/11. An engineer employed by the Port inspected the pier for damage. The pier was shortly thereafter deemed safe for mooring and cargo operations, and the ship proceeded to shift to Berth 12/13.

Executive Director Garfinkle stated the negligence standard of care calls for an evaluation of whether a particular pilot exercised the degree of care and skill possessed by "the average pilot."

Executive Director played two separate videos of the incident for the Board and public. The first video was captured from security cameras at the Port of Stockton, and the second video was captured by a longshoreman using his personal cellphone.

Executive Director Garfinkle provided the IRC's detailed analysis of the incident and concluded that Captain Haggerty reasonably believed that all the resources were in place to successfully execute his docking and maneuver the vessel safely. He stated that while in the process of executing the maneuver, information the pilot was relying upon to safely execute the maneuver was both provided inaccurately and was interrupted, resulting in the vessel's slight contact with the pier. He stated the IRC concluded that Captain Haggerty reasonably relied upon these information sources when docking the SALDANHA, and that the IRC recommends that the Board find no pilot error, and that this investigation be closed without further action.

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Vice President Connolly noted that neither the pilot nor a representative was in attendance.

Commissioner Schneider inquired if Captain Haggerty's approach and planned maneuver to the dock was standard practice. Executive Director Garfinkle and Captain McCloy confirmed that Captain Haggerty's maneuvers were common for a ship in that location.

Commissioner Nyborg noted that Captain Haggerty has had no prior incidents.

**MOTION:** Commissioner Hoppes moved to accept the Incident Review Committee's recommendation that the Board find no pilot error regarding the event involving the M/V SALDANHA making unintended contact with Pier 12/13 at the Port of Stockton on September 13, 2017, and that the investigation be closed without further action. Commissioner Schneider seconded the motion.

**VOTE:** YES: Connolly, Hoppes, Nyborg, and Schneider.  
NO: None.  
ABSTAIN: None.

**ACTION:** The motion was approved.

**19. Public comment on matters not on the agenda.**

There were no comments from the public.

**20. Proposals for the next Board meeting agenda.**

Commissioner Nyborg proposed that the Board consider adding a review of the pilot trainee stipend amount to next month's agenda. President Schmid and Commissioner Nyborg requested that the next Board meeting agenda include an item regarding the annual performance review of the Executive Director. Commissioner Connolly requested that the next Board meeting agenda include an item on the status the procurement of an actuary to conduct an update of the 2009 actuarial study of the San Francisco Bar Pilot Pension Plan.

<b>Meeting Date:</b> <b>February 22, 2018</b>	<b>Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun 660 Davis Street, San Francisco, CA 94111</b>  <b>BOARD MEETING MINUTES</b>	<b>Page 15 of 15</b>
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**21. Adjournment.**

**MOTION:** President Schmid moved to adjourn the meeting. Commissioner Nyborg seconded the motion.

**VOTE:** YES: Schmid, Connolly, Hoppes, Nyborg, and Schneider.  
NO: None.  
ABSTAIN: None.

**ACTION:** The motion was approved. The meeting was adjourned at 12:04 p.m.

Submitted by:



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Allen Garfinkle, Executive Director