

<p>Meeting Date: February 25, 2021</p>	<p>Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun 660 Davis Street, San Francisco, CA 94111</p> <p>VIRTUAL BOARD MEETING MINUTES</p>	<p>Page 1 of 14</p>
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Board Members Present

Joanne Hayes-White, President, Public Member
Jennifer Ferrera Schmid, Vice President, Public Member
Captain Robert Carr, Pilot Member
David Hoppes, Dry Cargo Industry Member
Captain Einar Nyborg, Pilot Member
Captain Oscar Prada, Tanker Company Industry Member
Karen Tynan, Public Member
Stephanie Dougherty, Designee of the Secretary of the California State Transportation Agency (CalSTA)

Board Staff Present

Allen Garfinkle, Executive Director
Roma Cristia-Plant, Assistant Director
Dennis Eagan, Board Counsel
Alethea Wong, Administrative Assistant II

Identified Public Present

Captain John Carlier, San Francisco Bar Pilots (SFBP) President and Port Agent; Captain Anne McIntyre, SFBP Business Director; Captains Steven Teague and Matt Lingo, SFBP; Captain Amanda Wallace; John Schneider, Marathon Petroleum; Eric Osen, Chevron; Robert Booker; Henry Palmer; and Brenda Pugh.

OPEN MEETING AGENDA

1. Call to Order and Roll Call (Executive Director Garfinkle)

President Hayes-White called to order at 9:30 a.m. Administrative Assistant II Wong called the roll and confirmed a quorum.

2. Review and approval of Board meeting minutes (President Hayes-White)

Board action to approve the minutes from the Board meeting held on January 28, 2021.

Board members were presented with the draft minutes from the January 28, 2021, meeting. Commissioner Nyborg requested minor edits to the minutes. There was no further discussion.

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MOTION: Commissioner Nyborg moved to approve the draft minutes of the meeting held on January 28, 2021, as amended. Commissioner Carr seconded the motion.

VOTE: YES: Hayes-White, Schmid, Carr, Hoppes, Nyborg, Prada, and Tynan.
NO: None.
ABSTAIN: None.

ACTION: The motion was approved.

3. Public comment on matters on the agenda or not on the agenda.

There were no public comments.

4. President Announcements and Activities (President Hayes-White)

President Hayes-White presented Certificates of Appreciation to former Board President Connolly and Commissioners Hoppes and Captain Nyborg. She also announced that she established an ad hoc committee to review the pilotage rate setting process, and appointed Commissioner Captain Carr as the chair, along with Commissioners Tynan and Captain Prada as committee members.

5. Board Member Announcements and Activities (Board Members)

Commissioner Nyborg thanked everyone for their efforts and collaboration.

Commissioner Carr reported that the P/V MIRA received a Baird Maritime Award 2020 Work Boat World Best Large Pilot Boat award for its Camarc hull design. He noted that Captain McCloy should be recognized for his research and recommendation of this vessel design for the replacement of the P/V GOLDEN GATE.

6. Directors' Report (Executive Director Garfinkle/Assistant Director Cristia-Plant)

A) Correspondence and activities since the Board meeting held on January 28, 2021.

Executive Director Garfinkle reported on the following:

- On January 29, 2021, three candidates from the 2019 Pilot Trainee Training Program eligibility list accepted his invitation to join the Board's pilot training program, and stated the candidates will start the program on March 15, 2021.
- On February 2, 2021, Board staff received Maritime Safety Information Bulletin (MSIB) 02-21, *COVID-19 Safety Requirements in the Maritime Transportation System*. He noted that this bulletin reported that the President's Executive Order 13998 requires masks be worn on all public maritime vessels, including ferries.

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- Also on February 2, 2021, Board staff received a copy of the order from Centers for Disease Control and Prevention, Department of Health and Human Services titled, *Requirements for persons to wear masks while on conveyances and at transportation hubs*, effective February 1, 2021, and noted order remains in effect until rescinded.
- Also on February 2, 2021, Board staff received a copy of a letter from the Federal Maritime Commission, addressed to President Biden, recommending vaccination of the nation’s maritime workforce as soon as possible.
- On February 4, 2021, Board staff received an opinion piece written by Pacific Merchant Shipping Association’s (PMSA) Vice President, Thomas Jelenic, titled, *In Case You Missed It: A Year to Be Proud*, that discussed how the supply chain did not fail and was able to keep goods moving in 2020 during the COVID-19 pandemic.
- On February 4, 2021, Board staff received a copy of the National Transportation Safety Board’s (NTSB) Marine Accident Brief titled, *Contact of Liquid Petroleum Gas Carrier Levant with Mooring Dolphin*. He noted the brief reported the NTSB found that there was not an effective exchange of information between the pilot and the ship’s master prior to the incident, and that the ship was approaching too fast and at too steep of an angle. He also stated the brief commented that good bridge resource management (BRM) encompasses the use of all resources, human and technical, and noted that this incident appeared to be very similar to the POLAR DISCOVERY incident.
- On February 5, 2021, he and Assistant Director Cristia-Plant attended a virtual meeting with University of California San Francisco Campus (UCSF) doctors Kosnik and Harrison, and that the meeting included a discussion of the current medical assessment program, and how improvements could be made regarding medical assessments of Board licensees and trainees.
- On February 8, 2021, Board staff received notice of a survey on U.S. Mariner Mental Health Needs during COVID-19, and noted that the survey is being conducted to facilitate development of effective solutions that benefit mariners’ wellbeing during pandemics.
- On February 10, 2021, Board staff begin advertising the Pilot Trainee Training Selection Exam scheduled for June 2022, will place an advertisement in the April 2021 edition of *Professional Mariner*.
- On February 11, 2021, he attended Senate Budget subcommittee #5 on transportation issues where the Board’s fiscal year 2021-22 budget change proposal was being discussed, and noted that the item was passed without discussion
- On February 17, 2021, Board staff finalized and implemented a written COVID-19 prevention program in compliance with Department of Industrial Relations regulations.
- Also on February 17, 2021, Board staff received a copy of Assembly Bill 807, Grayson that could potentially amend pilotage rates.
- Also on February 17, 2021, Board staff received a copy of an article authored by Board licensee and former commissioner Captain George Livingstone, published on

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the gCaptain website, titled *Captain Livingstone: Guns, Germs, and Steel*. He noted that the article makes a case for prioritizing maritime professionals for the vaccine against the COVID-19 virus.

- On February 24, 2021, Board staff received the February 2021 PMSA *West Coast Trade Report*.

B) Report on pilot licensing matters since the Board meeting held on January 28, 2021.

Executive Director Garfinkle reported that since the January Board meeting, the Board renewed the licenses of Captains Lingo, Stultz, and Hirschfeld.

C) Report on Board surcharges.

Executive Director Garfinkle reported that the SFBP wired to the Board the surcharges collected in January 2021 in the amount of \$177,571.03, itemized as follows:

- Board Operations Surcharge: \$112,121.03
- Continuing Education Surcharge: \$ 21,350.00
- Pilot Trainee Surcharge: \$ 44,100.00

D) Report on outstanding requirements of Board actions in response to Board determination and direction on Incident Review Committee reports.

Executive Director Garfinkle reported that there were no outstanding items to report.

E) Report on legislative activities and contractual matters.

Assistant Director Cristia-Plant reported on Assembly Bill 807, authored by Grayson, and that this is a placeholder bill for potential statutory adjustments to pilotage rates.

Assistant Director Cristia-Plant reported the following on contractual matters:

- Three contracts are ready to be signed by the new trainees to the Board's Pilot Trainee Training Program. The contracts have an effective date of March 15, 2021.
- A contract amendment was sent to Artelia to extend the manned model shiphandling training contract term by one year to June 30, 2022.
- A contract amendment was sent to both of the Commission Investigators to extend their respective contract terms by one year to April 30, 2022, and to augment each contract amount by \$10,000.
- A new interagency agreement was finalized and sent to the State Controller's Office for future audits of pilotage rates and surcharges. She noted that the new contract will cover the cost for the 2020, 2021, and 2022 audits and totals \$163,093.

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- Board staff received a proposal from the California Department of Transportation (Caltrans) to transition the Board’s website from the California Department of Technology to Caltrans. She stated that it is the intent to amend the current interagency agreement with Caltrans to include this additional work.
- Board staff commenced work on a new interagency agreement with the California Highway Patrol (CHP) for continued administrative support, and that the current contract with CHP expires on June 30, 2021.
- She also noted that the current interagency agreement with the University of California Regents for pilot and trainee medical assessments at UCSF will also expire on June 30, 2021, and that staff will be working on the new contract next month.
- Lastly, she commented that the current contract with the SFBP will need to also be amended to adjust the budget to increase the number of trainees from 6 to 10, and to clarify drug testing costs.

Assistant Director Cristia-Plant reported that an offer was made and accepted for the Board’s new Staff Services Manager 1 – Specialist position, and that the new staff will start with the Board on March 8, 2021.

7. Port Agent’s Report (Port Agent Carlier)

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

Port Agent Carlier reported that the following pilots have been absent for medical reasons (AFMR) and their initial absence date:

- Captain Kasper – June 11, 2020
- Captain Greger – December 1, 2020
- Captain Kirk – December 2, 2020
- Captain Haggerty – December 9, 2020

He 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 less than 10 hours, mitigating measures are employed by the SFBP. He reported that mitigating measures include, but are not limited to, suspending continuing professional development protocols, canceling scheduled meetings, canceling previously granted compensated time off requests, suspending SFBP internal working rules, and calling in off-watch pilots.

He reported that there are currently 54 licensed pilots, that there were 5 MRP exceptions in January, and that the shortest rest period was 10.2 hours.

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B) Monthly report on SFBP ship piloting business activity.

For the month of January 2021, Port Agent Carlier reported normal operations for all pilot vessels, and that the crew of the P/V SAN FRANCISCO launched the rigid hull inflatable boat to rescue a person in the water at Pier 7 on February 2, 2021.

Port Agent Carlier reported that the billed vessel moves for January 2021 were as follows:

- Bar Crossings: 394 moves
- Bay Moves: 151 moves
- River Moves: 65 moves
- Total Moves: 610 moves
- Gross Registered Tons (GRT): 23.1 million

He also reported that when comparing 2021 year-to-date vessel move data with the same period in 2020, total moves were down 17.6% and GRT was down 25.2%.

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.

Commissioner Nyborg requested that the Board have a closed session meeting to discuss the AFMR report towards the end of the meeting when discussing agenda item 16.

Commissioner Hoppes commented that the Ports of Los Angeles and Long Beach have had an increase in ship movements for the past several months, but that he was not sure why that the Bay area isn’t also experiencing increase shipping volume. Commissioner Nyborg responded that ship movements in the Bay have decreased due to a lack of passenger ships traffic usually heading south towards the tropical areas for the winter, oil companies being impacted due to a reduction in fuel consumptions, and some docks in the Bay are being converted for other usages. Commissioner Nyborg also noted that while tonnage and ship movements are down, there still has been a need for pilot manpower since newer pilots are handling bigger ships and that require two pilots, and the largest vessels also require a second pilot known as an e-pilot.

8. Pilot Evaluation Committee (Captain Teague)

A) Report on the Pilot Evaluation Committee (PEC) meeting held on February 17, 2021.

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PEC Chair Captain Teague reported on the following:

- The PEC met on February 17, 2021, and in attendance were Committee members Captains Aune, Robinson, Slack, Wehr, and Teague.
- The PEC provided Executive Director Garfinkle a report of trainee activity over the past month.
- Trainees were interviewed and counseled individually in closed session by the PEC members on their progress in the Pilot Trainee Training Program.
- The five current trainees included Captains Adams, Deisher, Murney, Olmsted, and Weber. The range of time in the program for these trainees range from 4 months to 17 months.
- Captain Deisher has the full First Class pilotage endorsements, and he continues to handle vessels as much as possible. He was placed in the evaluation stage of the Pilot Trainee Training Program.
- Captain Adams' progress in the Pilot Trainee Training Program resumed on February 8, 2021, after several calls and emails by Executive Director Garfinkle and himself to the Oakland Regional Exam Center (REC) and the National Maritime Center (NMC). Captain Adams completed all testing on February 16, 2021.
- Captain Murney is finalizing route trips for Stockton, and is testing and handling as much as possible.
- Captain Weber is acquiring route trips, testing, and handling vessels in areas where he meets the present requirements to do so.
- Captain Olmsted is acquiring route trips, preparing to test, and beginning to handle vessels in areas where he meets the present requirements.
- In closed session, all trainees were individually interviewed and counseled on their progress in the training program. All trainees are presently meeting the recommended benchmarks in the program and are progressing at their own rate.
- The next PEC meeting is scheduled for March 17, 2021, at 7:30 a.m. at the Board office.

Committee Chair Captain Teague responded to Commissioner Hoppes that the Pilot Trainee Training program has not yet reached the female candidate on the 2019 training program eligibility list. He also reported that he is expecting three new trainees to join the program on March 15, 2021, which will fill the program back up to 8 trainees.

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 was no recommendation.

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

There was no recommendation.

- D) Possible recommendation from the Executive Director for the Board to issue a state pilot license to a trainee who holds a Certificate of Completion from the Pilot Trainee Training Program. 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 was no recommendation.

- 9. 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 stated that there were no safety violations to report on.

- 10. Incident Review Committee—Reportable Piloting Events (Executive Director Garfinkle)
(Reportable piloting events occurring up to the start of the meeting will be reported on.)**

- A) Status report on the event involving the M/V VINCENT GENESIS making unintended contact with Levin’s Terminal (RCH 20) in Richmond on December 13, 2019. Possible Board action to grant the Incident Review Committee an extension to present the M/V VINCENT GENESIS report at the Board meeting to be held on March 25, 2021.**

Executive Director Garfinkle reported that this agenda item will be presented under agenda item 16, and that there is no need for the Board to consider an extension.

- B) Status report on the event involving the M/V CHAMPION CONCEPT making unintended contact with the corner of the dock while performing a shift from Berth 8 to Berth 9 in Stockton, California on April 28, 2020. Possible Board action to grant the Incident Review Committee an extension to present the M/V CHAMPION CONCEPT report at the Board meeting to be held on March 25, 2021.**

- C) Status report on the event involving an interaction between the M/V HYUNDAI NEPTUNE, the M/V HANOVER EXPRESS and the M/V THALASSA AVRA**

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causing the M/V THALASSA AVRA to have multiple parted lines and making contact with a container crane at Berth 37 in Oakland, California on May 21, 2020. Possible Board action to grant the Incident Review Committee an extension to present the M/V HYUNDAI NEPTUNE and the M/V HANOVER EXPRESS report at the Board meeting to be held on March 25, 2021.

- D) Status report on the event involving an interaction between the M/V JIANGMEN TRADER and the moored M/V STRATEGIC ALLIANCE causing the M/V STRATEGIC ALLIANCE to have two parted spring lines at Berth #6 in Pittsburg on July 23, 2020. Possible Board action to grant the Incident Review Committee an extension to present the M/V JIANGMEN TRADER report at the Board meeting to be held on March 25, 2021.

Executive Director Garfinkle requested that agenda items B, C and D be considered together. He stated that either the Incident Review Committee (IRC) is still investigating the incidents or that the IRC reports are not yet complete. He stated that there is no danger to the public safety due to the delay in presenting the reports.

MOTION: Commissioner Nyborg moved that the Board grant an extension to the Incident Review Committee to present its report on the M/V CHAMPION CONCEPT, M/V HYUNDAI NEPTUNE, AND M/V JIANGMEN TRADER at the Board meeting to be held on March 25, 2021.

Commissioner Carr seconded the motion.

VOTE: YES: Haye-White, Carr, Hoppes, Nyborg, Prada, Schmid, and Tynan.

NO: None.

ABSTAIN: None.

ACTION: The motion was approved.

11. Significant Port Safety and Security Cases Report (Executive Director Garfinkle)

Report on marine casualties, navigational safety and significant incident management cases relevant to the Board as reported by the U.S. Coast Guard in its Prevention / Response – San Francisco Harbor Safety Statistics report.

Executive Director Garfinkle reported that the January 2021 Prevention/Response – San Francisco Harbor Safety Statistics report included a description of one loss of steering of a foreign flagged vessel, one reduction in propulsion event, and two loss of propulsion events both involving U.S. flag commercial fishing vessels.

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12. Status Report on the Navigation Technology Surcharge. (SFBP Business Director Captain McIntyre)

SFBP Business Director Captain McIntyre reported that SFPB has about \$170 left to collect of billed Navigation Technology Surcharges.

13. Discussion of pilot revenue losses due to reduction in vessel traffic caused by the COVID-19 pandemic. (President Hayes-White)

SFBP Business Director Captain McIntyre reported that Assembly Bill 807 (AB 807) was filed on February 16, 2021, as a placeholder for changes to pilotage revenue statutes related to catastrophic events. She noted that stakeholders are near on reaching a consensus regarding statutory language to include in the bill involving catastrophic costs to pilots that will allow the Board to establish a catastrophic loss surcharge that was based on California Public Utilities Commission statutes. She also stated that there is still work to be done among the stakeholders on statutory language to include in the bill that will address pilots' catastrophic revenue losses. She stated that the stakeholders will meet again in a month to continue their discussions.

SFBP Business Director Captain McIntyre then discussed the pilots 2020 reductions in revenue as a result of the pandemic, and commented that the pilots 2020 gross revenue was approximately \$6.6 million less than 2019 gross revenue (\$36.8 million vs 43.4 million), and noted that the cost of living is expensive in San Francisco Bay area, which negatively impacts the effective reduction in revenues. She noted that 2021 revenues are further reduced, and that the pilots' revenue situation is still dire. She also commented that there may be surges in vessel traffic as the supply chain sorts itself out, that the future is still uncertain, and that the Port of San Francisco does not anticipate a return to normal economic times until 2025. She responded to Executive Director Garfinkle and stated that the pilots did not intend to call for a rate hearing in the near future.

14. Discussion of the of the current statutory pilotage rate-setting process found in Harbors and Navigation Code section 1190. (President Hayes-White)

President Hayes-White thanked Commissioner Carr for agreeing to be the Committee Chair of the new Ad Hoc Committee on the Pilotage Rate Setting Process, and also thanked Commissioners Captain Prada and Tynan for their consent to also be on the Committee. She noted that Committee Chair Captain Carr will hold a committee meeting in the near future to, among other things, approve a committee mission statement for Board consideration. Captain Carr read a draft of a mission statement, and noted that the Committee will look into alternative pilotage rate setting processes for Board consideration.

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Commissioners Nyborg and Hoppes commented on the challenges to the Committee’s mission given the minimal Board staffing resources, the divergent stakeholder interests, and the difficulties associated with involving the Legislature to make any changes to the pilotage rates or the pilotage rate setting process. Commissioner Tynan commented that she is open to solution-oriented resolutions to the pilotage revenue setting process issue.

15. Discussion of proposed amendments to the 2021 Board meeting calendar approved by the Board on September 24, 2020. Possible Board action to approve a revised 2021 Board meeting calendar.

Executive Director Garfinkle reported that the Board previously approved a 2021 meeting schedule, but that the November 11, 2021, Board meeting was scheduled on a state holiday. He reminded the Board that the scheduled November and December board meetings are moved up to account for the holidays. There was a discussion of the October, November and December 2021 meeting dates, and a reminder from Board Counsel that regulations require the Board meet monthly.

Commissioner Carr commented that it did not seem critical to have a November Board meeting since there are only 6 weeks between the October Board meeting and the December Board meetings.

MOTION: Commissioner Carr moved that the Board cancel the previously Board-approved November 11, 2021 meeting date, and to keep the remainder of the 2021 meeting dates as previously approved by the Board.
Commissioner Prada seconded the motion.

VOTE: YES: Hayes-White, Schmid, Carr, Nyborg, Prada, and Tynan.
NO: None.

ABSTAIN: Hoppes.

ACTION: The motion was approved.

16. Incident Review Committee report on the M/V VINCENT GENESIS (Executive Director Garfinkle/Vice President Schmid)

A presentation of the Incident Review Committee report on the event involving the M/V VINCENT GENESIS making unintended contact with Levin’s Terminal (RCH 20) in Richmond on December 13, 2019. Board deliberation of the Incident Review Committee’s recommendations to the Board and determination regarding the event involving the M/V VINCENT GENESIS. 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).

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Vice President Schmid recused herself from the Board and assumed her position on the Incident Review Committee (IRC).

Executive Director Garfinkle presented the IRC report for the M/V VINCENT GENESIS. He included a PowerPoint presentation and summarized the facts of the incident as follows:

- On the evening of December 13, 2019, the M/V VINCENT GENESIS (VINCENT GENESIS) was shifting from Richmond (RCH20) to San Francisco Anchorage #9, with Captain Aune supervising trainee Captain Brett Nelson, who was conning. Also aboard was trainee Captain Chris Pyne Mercier.
- Trainee Nelson completed the master-pilot exchange with the Captain of the VINCENT GENESIS. Two assist tugs were made fast: KEEGAN FOSS on the port bow, main deck, and the CADEN FOSS on the port quarter, main deck.
- The VINCENT GENESIS cast off its last line at 1700 hours, maneuvered off the dock and began moving aft. Due to the restricted confines of the channel, the trainee's uncertainty, and communication issues with the KEEGAN FOSS, the supervising pilot took the conn after the ship had moved astern approximately 20 feet. Shortly after Captain Aune took the conn, the ship made unintended contact with the corner of the dock at the junction of Berth 20 and Berth 21 with the midsection of the vessel.
- The conn was returned to trainee Nelson when the ship was off the Richmond Foss dock and the vessel proceeded to Anchorage #9, where it was secure at anchor at 1942 hours.
- There were no injuries to persons. The Levin Terminal dock sustained damage to sections of bull rail, deck boards and deck support boards and underdeck beams. The damage to the vessel was reported to be limited to scraped hull coatings. Following the incident, the pilot and trainees were subject to chemical and alcohol testing.

Executive Director Garfinkle then discussed the public portions of the IRC report, the evidence gathered by the IRC, and the IRC's analysis of the incident, including whether the pilot was proceeding in a reasonable and cautious manner using the skill and care possessed by the average pilot similarly situated would have exercised, and whether or pilot's actions were reasonable and prudent and made using his best judgment. He presented the timeline, images and an estimate of damages, which included damage to parts of the dock that may eventually need repairs.

Executive Director Garfinkle stated that based on the evidence and analysis, the IRC recommended the following actions to the Board:

- That the Board find for no misconduct on the part of the pilot.
- That the case be closed with no further action.

Commissioner Captain Nyborg confirmed for Board Counsel Eagan where a vessel turns around when backing out of the channel. Executive Director Garfinkle responded to a query

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from Commissioner Captain Prada and stated he did not know if the vessel was partially or fully loaded. Commissioner Nyborg commented that it appeared to him that the trainee was having difficulties giving clear tug orders and getting concise confirmations back from the tugs, that it is important for trainees to perform this maneuver, and that Captain Aune should be commended for allowing a trainee to handle on this trip.

Board Counsel Eagan confirmed for the Board that its review of IRC reports is not subject to public comments after a request from Mr. Osen to make a comment.

MOTION: Commissioner Nyborg moved to accept the Incident Review Committee’s recommendation to the Board on the M/V VINCENT GENESIS incident that the Board find for no misconduct on the part of the pilot, and that the case be closed with no further action. Commissioner Prada seconded the motion.

VOTE: YES: Hayes-White, Carr, Hoppes, Nyborg, Prada, and Tynan.
NO: None.
ABSTAIN: None.

ACTION: The motion was approved.

President Hayes-White announced the Board would take agenda items 18 and 19 out of order, and the Board would then take a short break before discussing agenda items 7C, AFMR report and item 17, the annual performance review of the Executive Director in closed session.

18. Public comment on matters not on the agenda. (President Hayes-White)

There was no public comment,

19. Proposals for the next Board meeting agenda. (President Hayes-White)

Commissioner Captain Nyborg expressed a concern about the need to replace multiple pilot boats in the future given the current California Air Resources Board requirements. He requested that the Board have a discussion in the near future of the future need to replace pilot boats.

Commissioner Captain Nyborg also inquired if it’s possible to start a pilot boat surcharge now in anticipation of the significant costs to replace multiple pilot boats in the future, which would provide an opportunity to reduce the financing amount and costs for new pilot boats. Assistant Director Cristia-Plant noted that Board Counsel confirmed in the past that the statutes do not allow the Board to establish a pilot boat surcharge in advance of its approval of final costs to purchase a new pilot boat or to construct Board-approved major capital improvements to an existing pilot boat.

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RECESS BEGAN: 11:39 a.m.
RETURNED TO OPEN SESSION: 11:47 a.m.
CLOSED SESSION BEGAN: 11:47 a.m.
RETURNED TO OPEN SESSION: 1:15 p.m.

President Hayes-White reported out of closed session that the Board discussed the AFMR report submitted by the Port Agent as part of agenda item 7C.

17. Performance Evaluation of the Executive Director (President Hayes-White)

Annual Performance Evaluation of Executive Director. The Board may go into closed session pursuant to 11126(a)(1) of the Bagley-Keene Open Meeting Act to discuss the evaluation.

President Hayes-White reported out of closed session that the Board discussed agenda item 17, and completed its annual performance evaluation of the Executive Director.

20. Adjournment.

MOTION: Commissioner Prada moved to adjourn the meeting. Vice President Schmid seconded the motion.
VOTE: YES: Hayes-White, Carr, Nyborg, Prada, Schmid, and Tynan.
 NO: None.
 ABSTAIN: None.
ACTION: The motion was approved, and the meeting was adjourned at 1:19 p.m.

Submitted by:



Allen Garfinkle
Executive Director