

<p><b>Meeting Date:</b>  <b>April 22, 2021</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>VIRTUAL BOARD MEETING MINUTES</b></p>	<p><b>Page 1 of 16</b></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  
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 Members Absent**

Captain Einar Nyborg, Pilot Member  
Vacant, Dry Cargo Industry Member

**Board Staff Present**

Allen Garfinkle, Executive Director  
Roma Cristia-Plant, Assistant Director  
Dennis Eagan, Board Counsel  
Brenda Pugh, Staff Services Manager I  
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 Eric Robinson and David McCloy, SFBP; and Mike Jacob, Pacific Merchant Shipping Association (PMSA) Vice President and General Counsel; Captain David Gates, SFBP retiree, and John Schneider, Marathon Petroleum.

**OPEN MEETING AGENDA**

**1. Call to Order and Roll Call (President Hayes-White)**

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 March 25, 2021.**

Board members were presented with the draft minutes from the March 25, 2021, meeting. There was no further discussion.

**MOTION:** Commissioner Prada moved to approve the minutes as presented. Commission Carr seconded the motion.

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**VOTE:** YES: Hayes-White, Schmid, Carr, 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 a Certificate of Appreciation to Assistant Director Cristia-Plant, as she will be retiring on April 30, 2021. She thanked Assistant Director Cristia-Plant for her service to the Board. Assistant Director Cristia-Plant thanked the Board for the opportunity to serve and be a part of the Board's long history.

**5. Board Member Announcements and Activities (Board Members)**

Commissioner Carr reported that Commissioner Nyborg is unable to join the meeting due to night work prior to the meeting.

Various members of the Board thanked Assistant Director Cristia-Plant for her efforts and support she provided to Board. Ms. Dougherty reported that Assistant Director Cristia-Plant's position is an appointment by the Secretary of CalSTA, and the vacant job post was posted to the California Department of Human Resources website with this week as the deadline.

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

**A) Correspondence and activities since the Board meeting held on March 25, 2021.**

Prior to his remarks, Executive Director Garfinkle also thanked Assistant Director Cristia-Plant for her service to the Board and added that her contributions to the Board and its operation are significant and lasting. He offered that he hoped that some of her excellence rubbed off on him.

Executive Director Garfinkle reported on the following:

- On Thursday, March 25, 2021, Board staff received an email from Rich Summers, Floor Lead at the U.S. Coast Guard Regional Exam Center (REC), advising trainees and training candidates that a requirement for the First Class Pilot Endorsement is the completion of a Vessel Traffic Service (VTS) training course. Normally, the training

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- is conducted in person at the VTS facility, but due to COVID-19 restrictions, VTS personnel is offering training remotely. All trainees are encouraged to sign up for the training in a timely manner.
- On March 26, 2021, he sent a letter to all Board licensees, notifying them of action taken at the December 2020 Board meeting that was meant to assure all licensees that no action will be taken against a license due to a failure to complete mandated training, when that failure is due to the Board’s inability to provide this training due to the on-going impact of COVID-19.
  - Also on March 26, 2021, Board staff received the PMSA *West Coast Trade Report* for March 2021. There is an article by PMSA President John McLaurin concerning proposed solutions for the west coast ship backlog.
  - On April 2, 2021, Board staff received a Marine Safety Information Bulletin (MSIB) from the USCG Eleventh District, titled “Emergency Egress on Small Passenger Vessels.” This was promulgated in response to the small passenger vessel CONCEPTION tragedy, and works to ensure that all small passenger vessels have no less than two exits for evacuation in the event one of the exits is blocked. He noted that this MSIB may be useful in assessing the existing configuration and safety of the station boats.
  - On April 9, 2021, Board staff received a notice from Loodswezen, a Dutch pilotage organization, and addressed that all incoming ships are strongly recommended to check their pilot transfer arrangements and ensure that they are compliant with Safety of Life at Sea (SOLAS) and International Maritime Organization (IMO) rules. The letter noted that pilots have the right to decline a non-compliant boarding arrangement. The letter described the different types of arrangements and what is considered proper and improper rigging.
  - Also on April 9, 2021, Executive Director Garfinkle invited Captain James Pascucci to join the Pilot Trainee Training Program. Captain Pascucci accepted the invitation, he has completed the medical assessment at University of California San Francisco (UCSF), and is expected to start his orientation on May 10, 2021. There are seven candidates left on the 2019 Trainee Exam Ranked List.
  - On April 12, 2021, Board staff submitted the 2020 Annual Legislative Report to the Secretary of the Senate and to the Chief Clerk of the Assembly.

**B) Report on pilot licensing matters since the Board meeting held on March 25, 2021.**

Executive Director Garfinkle reported that since the March Board meeting, the Board renewed the licenses of Captains Pate, Corbett, Billingsley, Murray, Horton, and Weiss.

**C) Report on Board surcharges.**

Executive Director Garfinkle reported that the SFBP wired to the Board the surcharges collected in March 2021 in the amount of \$219,223.85, itemized as follows:

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- Board Operations Surcharge: \$137,893.85
- Continuing Education Surcharge: \$ 29,250.00
- Pilot Trainee Surcharge: \$ 52,080.00

**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 Ms. Wipfler, the Department of Justice (DOJ) attorney who is representing the Board, received a Notice of Defense from the attorney representing Captain Kirk, and they have engaged in negotiations, but no settlement has been reached.

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

Assistant Director Cristia-Plant reported on Assembly Bill 807, authored by Grayson, and that the bill has been scheduled to be presented at a committee meeting on Monday, April 26, 2021, at 2:30 p.m. to be considered.

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

- Since the May manned model class was cancelled by Executive Director Garfinkle, it was initially thought that a contract amendment was necessary to shift the funding for this class to next fiscal year. However, in discussions with CHP accounting and contracts staff, the funds can be shifted internally between fiscal years without a contract amendment. Artelia is agreeable to this funding shift, and has pledged to work with the Board in scheduling up to three manned model shiphandling training classes next fiscal year. As such, agenda item 13 on today’s agenda is not needed.
- The contract amendments with both Commission Investigators to extend their respective contract terms by one year to April 30, 2022, are now executed.
- The new interagency agreement with the State Controller’s Office for future audits of pilotage rates and surcharges is expected to be signed soon. The new agreement, totaling \$163,930, will be for three years and cover the 2020, 2021 and 2022 audits.
- A contract amendment to the existing contract with the San Francisco Bar Pilots to increase the number of trainees to 10 has been executed, and the last step will be a review of the amendment by a contract attorney at the Department of General Services.
- Board staff submitted contract amendment documents to CHP to amend the current contract with the California State University Maritime Academy for pilot continuing education. The amendments will include a change to the principal instructor and the addition of one more year to the contract term with no increase in the contract amount. The additional contract year is necessary since there was no combination

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course training this fiscal year due to the pandemic. The entire contract budget will be shifted forward by one year.

- The new interagency agreement for continued administrative support with the California Highway Patrol is still in process and is expected to be executed in the near future. The current interagency agreement with the California Highway Patrol expires on June 30, 2021.
- Board staff continue to work with contract staff at the California Highway Patrol and the California Department of Transportation to amend the current interagency agreement with Caltrans for website support.
- In the contract work queue is a new interagency agreement with the Regents of the University of California for continued pilot and trainee medical assessments from physicians at the University of California San Francisco campus. The current contract with UCSF expires June 30, 2021. Board staff had not received UCSF invoices for the past two years and are currently reconciling the invoice discrepancies. SSM I Pugh is working on the new fitness regulations and submitting them to the Office of Administrative Law. In an annual meeting with UCSF, Board staff notified Dr. Kosnik that invoices have not been received for the past two years, and there may be a need to have meetings more frequently than annually.

President Hayes-White thanked Executive Director Garfinkle for ensuring that pilots return to work in a timely manner and to let the Board know if he requires additional assistance.

Executive Director Garfinkle responded to Commissioner Carr that the manned model class scheduled for June may be cancelled due to international travel restrictions. He is also considering sending the newer pilots since the some of the more senior pilots have been to Artelia as many as four times. He also noted that board staff had run a quarter-page ad for the pilot trainee training exam in 2022 in *Professional Mariner* magazine.

Vice President Schmid commented that the Information Regarding *Pilot Board Arrangements* from Loodswezen and Vlaanderen is very thorough in addressing pilot boarding arrangement issues and hopes other organizations will do the same.

## **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):

- Captain Kasper – June 11, 2020
- Captain Greger – December 1, 2020

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- Captain Kirk – December 2, 2020
- Captain Haggerty – December 9, 2020

He responded to Commissioner Prada that pilots can be out for a year and that two of the pilots who have been absent for medical reasons have returned to work.

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 53 licensed pilots, that there were 5 MRP exceptions in March, and the shortest rest period was 10.9 hours.

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

For the month of March 2021, Port Agent Carlier reported normal operations for all pilot vessels except for P/V DRAKE, which was scheduled for dry dock since March 29, 2021, at Bay Ship and Yacht, and is expected to resume services next week due to rust and warranty issues. At this time, the other pilot boats will cover.

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

- Bar Crossings: 410 moves
- Bay Moves: 157 moves
- River Moves: 57 moves
- Total Moves: 624 moves
- Gross Registered Tons (GRT): 23.6 million

He also reported that when comparing 2021 year-to-date vessel move data with the same period in 2020, total moves were down 10.3% and GRT was down 19.2%.

He responded to Commissioner Carr that that bay moves have been steady, but overall, the numbers are down. He noted that 12–15 container ships are waiting in the Bay for berthing arrangements.

**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**

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**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 discussion of this item.

## **8. Pilot Evaluation Committee (Captain Teague)**

### **A) Report on the Pilot Evaluation Committee (PEC) meeting held on April 14, 2021.**

PEC Committee member Captain Robinson reported on the following:

- The PEC met on April 14, 2021, and in attendance were Committee members Captains Aune, Robinson, Slack, Teague, and Wehr.
- 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 eight current trainees include Captains Adams, Barnum, Deisher, Murney, Olmsted, Sappington, Snapp, and Weber. The range of time in the program for these trainees range from 1 month to 19 months.
- Captain Deisher is still in the evaluation stage and continues to handle vessels as much as possible, with the occasional observation trip to watch a licensed pilot work.
- Captain Adams continues to handle and is waiting for the U.S. Coast Guard to issue him the full unlimited First Class pilotage endorsement.
- Captain Murney is handling, finalizing route trips to Stockton, and has finished testing.
- Captain Weber is handling, finalizing route trips, and is almost finished testing.
- Captain Olmsted is finalizing route trips, preparing to test, and handling in areas where he meets the present requirements.
- Captains Barnum, Sappington, and Snapp are acquiring route trips and beginning to part handle.
- 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 May 19, 2021, at 7:30 a.m. at the Board office.

### **B) Possible PEC Committee Chair recommendation to the Board to appoint a new PEC Committee member to a four-year term to replace Captain Steven Teague. Possible Board action to appoint a PEC Committee member to a four-year term on the Pilot Evaluation Committee to replace Captain Steven Teague.**

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PEC Committee Member Captain Robinson reported that PEC Chair Captain Teague has been a PEC member since March 2017, and served as the PEC Chair since June 2018. Captain Teague has completed one four-year term and is not seeking another. Captain Teague is thankful for the opportunity to serve on a Committee that pilots are actively involved in.

PEC Committee Member Captain Robinson reported that the Committee authorized him to recommend to the Board that Captain Paul Ruff be appointed to the Committee for a four-year term. Captain Ruff worked as a tug captain for various companies in the Bay while conducting ship assist and tank vessel escort work prior to entering the Pilot Trainee Training Program. Captain Ruff became a Board licensed pilot in January 2011, is one of SFBP's Operations Pilots, and is the SFBP representative to the Harbor Safety Committee.

**MOTION:** Commissioner Carr moved that the Board appoint Captain Paul Ruff to a four-year appointment to the Pilot Evaluation Committee. Vice President Schmid seconded the motion.

**VOTE:** YES: Hayes-White, Schmid, Carr, Prada, and Tynan.

NO: None.

ABSTAIN: None.

**ACTION:** The motion was approved.

Board President Hayes-White and Executive Director Garfinkle thanked Captain Teague for his service to the Board and his mentoring of the pilot trainees.

**C) Possible PEC Committee Chair recommendation to the Board to appoint a new PEC chair to replace Chair Captain Steven Teague. Possible Board action to appoint a new Pilot Evaluation Committee chair to replace Chair Captain Steven Teague.**

PEC Committee Member Captain Robinson reported that the Committee authorized him to recommend to the Board that Captain Robinson serve as the new PEC Chair. Captain Robinson has been a PEC Committee member since March 2016 and is the most senior member of the Committee.

**MOTION:** Commissioner Carr moved that the Board appoint Captain Eric Robinson as the Pilot Evaluation Committee Chair. Commissioner Prada seconded the motion.

**VOTE:** YES: Hayes-White, Schmid, Carr, Prada, and Tynan.

NO: None.

ABSTAIN: None.

**ACTION:** The motion was approved.



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President Hayes-White thanked Captain Robinson for volunteering to serve as Chair for the Pilot Evaluation Committee.

- D) 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.

- E) 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.

- F) 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 standard 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 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 May 27, 2021.**

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- B) 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 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 May 27, 2021.**
- C) 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 May 27, 2021.**
- D) Initial report on the M/V GLOBE PEGASUS allision with several pilings at Levin Terminal in Richmond, CA, on April 8, 2021.**

Executive Director Garfinkle reported that the incident report for M/V CHAMPION CONCEPT is complete but the Board members may desire additional time to review the report. If more time is needed to review the report, then an extension to present the incident report at the May 2021 Board meeting is needed.

He reported that the outstanding incident reports for M/V HYUNDAI NEPTUNE and M/V JIANGMEN TRADER are not available to present to the Board members. The written reports are not complete due to Board staff workload. He is requesting an extension to the June 2021 Board meeting to submit the reports, and noted that there are no safety concerns due to the delayed reports.

Executive Director Garfinkle reported that on April 8, 2021, the M/V GLOBE PEGASUS was departing Levin Terminal in Richmond, CA, and made unintended contact with the pier. There may be damage to the pilings. He reported that the investigation is still ongoing, the 90-day deadline is July 6, 2021, and that no Board action is required for this agenda item.

**MOTION:** Commissioner Prada moved that the Board grant an extension to the Incident Review Committee to present its report on the M/V CHAMPION CONCEPT, the M/V HYUNDAI NEPTUNE, and the M/V JIANGMEN TRADER at the Board meeting to be held on May 27, 2021.

Commissioner Carr seconded the motion.

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

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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 March 2021 Prevention/Response – San Francisco Harbor Safety Statistics report included a description of four losses of propulsion, one of these events was from a U.S. recreational vessel.

Commissioner Carr reported that when he was working as the Operations Pilot recently, two vessels had medical emergencies on the same day, and they may be reported on the next San Francisco Harbor Safety Statistics report. He reported that on one of the vessels, there was a fire but was under control. The captain on the second vessel had stomach pains and a pilot brought the vessel in. The captain was diagnosed with COVID-19 and the pilot was tested and will quarantine.

Assistant Director Cristia-Plant was concerned about the pilots getting vaccinated since some of the pilots will need to be vaccinated in time to travel to France for the manned model training. Commissioner Carr responded to Assistant Director Cristia-Plant that the pilots are trying to get vaccinated as quickly as possible according to their eligibility. Business Director Captain McIntyre clarified that SFBP requested for pilots to get vaccinated, but they are unable to compel pilots to do so.

## **12. Ad Hoc Committee to Review the Pilotage Rate Setting Process (Captain Carr)**

### **A) Report on the Ad Hoc Committee to Review the Pilotage Rate Setting Process meeting held on April 8, 2021.**

President Hayes-White thanked Commissioner Carr for serving as the Chair for the Ad Hoc Committee to Review the Pilotage Rate Setting Process. Committee Chair Carr reported that the Ad Hoc Committee to Review the Pilotage Rate Setting Process met on April 8, 2021.

### **B) Discussion of a Committee mission statement. Possible Board action to accept the Committee’s recommendation for a mission statement.**

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Committee members were presented with the draft of proposed mission statement and is being recommended to the Board to accept. The mission statement is stated as follows: *to evaluate the efficiency and effectiveness of the current State legislative pilotage rate setting process by reviewing various pilotage rate setting processes at other pilotage commissions, and to determine whether changes to the current pilotage rate setting process would be beneficial to the State, Board-licensees and the shipping industry. The Committee will present their findings and recommendations to the Board.* Executive Director Garfinkle presented a detailed historical report on the previous rate setting processes. The Committee also discussed goals for the Committee, and plan to meet on May 13, 2021, to discuss possible recommendations to the Board, and for SFBP and PMSA to submit briefs to Board staff.

**MOTION:** Commissioner Tynan moved that the Board approve the Ad Hoc Committee to Review the Pilotage Rate Setting Process' mission statement. Vice President Schmid seconded the motion.

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

**ACTION:** The motion was approved.

**13. Manned Model Training Contract Amendment (Executive Director Garfinkle/Program Manager Pugh)**

**Review and approval of an amendment to the manned model training contract with Artelia to amend the contract budget with no increase to the total contract amount. Possible Board action to approve an amendment to the manned model training contract with Artelia to modify the contract budget with no increase to the contract amount.**

President Hayes-White noted that this agenda item has been addressed in agenda item 6E.

**14. Status report on the replacement of the P/V GOLDEN GATE, which the Board approved a Preliminary Determination for the purchase of a replacement vessel and eventual recovery of costs to the pilots in an amount of \$8,820,679.00 on November 12, 2020, and discussion of future pilot vessel needs of Board-licensees. (SFBP Business Director Captain McIntyre)**

SFBP Business Director Captain McIntyre thanked Assistant Director Cristia-Plant for helping her transition into the Business Director's role.

SFBP Business Director Captain McIntyre reported that SFBP finished signing the build contract agreement and financing for the vessel. Captains McCloy and Merritt travelled to

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Snow & Company in Seattle and the vendor meeting went well. The engineering process and ordering of parts will take approximately four months. She anticipates for the Pilot Boat Advisory Committee to reconvene during the third quarter of this year. She responded to Commissioner Prada that discussions with SNOW did not include the possibility of SFBP receiving discounts additional pilot vessel orders due to lack of planning for other boats. This is also the first project with SNOW, but if the build goes well, SFBP may consider placing additional orders for pilot boats.

Commissioner Carr will work with Board staff to schedule another Pilot Boat Advisory Committee meeting.

Captain McCloy reported that he and Captain Merritt went to the SNOW shipyard to meet with all key members of the project including video conference with third party engineers from the United Kingdom, and met with the waterjet contractors. The discussions included finalizing specific details. Overall, the meeting went well and he was able to see the shipyard. He noted that SNOW has one boat ahead and one boat behind theirs in the work queue. The SNOW project manager and SFBP's project manager, Jim Gow, were able to meet as well.

Mr. Jacob commented that PMSA is also in discussions with the California Air Resources Board with possible regulatory phase-in questions and he will follow up.

Captain McCloy responded to Commissioner Prada that SNOW's tradesmen work outdoors and are physically spread out, but on occasion, there is a positive case of COVID-19. He also responded to Captain Robinson that P/V GOLDEN GATE was down for 3-4 weeks in 2020 due to Caterpillar supply issues, and was down 3-4 months due to other major issues.

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

Port Agent Carlier reported that SFBP and the industry have not had a meeting since the March 2021 Board meeting, but a meeting has been scheduled.

Mr. Jacob confirmed Port Agent Carlier's information and that PMSA has been busy with legislative matters. He also commented that the revenue situation is ongoing due to reduction of GRT, which is abnormal and global in scope, but expects the issue to continue through the summer. There is still a high demand for imports and exports. The shipping industry is still trying to catch up from November and December. The vessel traffic congestion will take some time to alleviate.

SFBP Business Director Captain McIntyre reported that when comparing 2019 to the year-to-date vessel move data, Bar Crossings were down 27% and GRT was down 27.1%. She does

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not anticipate an end to this critical downturn. She noted that the majority of the pilots' business is from container ships, but the decline of other types of vessels is also affecting SFBP. She responded to Commissioner Prada that she is not sure what percentage of SFBP's business is from cruise ships, but she does not expect cruise ship traffic to return until the end of the year.

**16. Discussion of the City of Oakland's *Waterfront Ballpark District at Howard Terminal Draft Environmental Impact Report* dated February 2021, potential safety concerns to Board-licensees, the public and the environment, and determination of the need to submit written comments from the Board during the public comment period. Possible Board action to submit written comments to the City of Oakland on the *Waterfront Ballpark District at Howard Terminal Draft Environmental Impact Report* dated February 2021 addressing any Board-licensee, public or environmental safety concerns.**

Mr. Jacob requested at the March 2021 Board meeting that this agenda item be included and the report be made available, as the City of Oakland's Waterfront Ballpark District at Howard Terminal poses potential safety concerns to Board-licensees, the shipping industry, the public and the environment. The City of Oakland's *Waterfront Ballpark District at Howard Terminal Draft Environmental Impact Report* is from February 2021 and the deadline for public comments is next week. He noted that the draft environmental impact report addressed many potential commercial traffic issues and the Board does not usually comment on specific environmental impact report projects, but projects of this magnitude are not usually at the waterfront. PMSA drafted a letter for the Board, including what the shipping industry thinks the Board should be proactive in addressing. He noted that PMSA, SFBP, and others will also be commenting on this project, and requests that the Board make an affirmative statement on how this project may affect pilotage.

SFBP Business Director Captain McIntyre confirmed that SFBP will be making public comments on the project. She noted that SFBP requests that the Harbor Safety Committee be included as an approving party as the project plans move forward.

Board Counsel Eagan commented that the draft letter that PMSA has submitted for the Board's signature could use some improvements, and that if the Board submits a letter, it should be a letter of its own, for institutional reasons and to enhance its credibility. He noted that the draft environmental impact report addressed the SFBP's concerns regarding lighting and recreational boating issues. He noted that should the Board submit a letter, it may be helpful if both the pilots and the Board have similar concerns.

Commissioner Prada thanked Mr. Jacob for including Commissioner Nyborg's concerns about navigation safety issues, and noted that having the Harbor Safety Committee involved as the final stakeholder to sign off the approval seems appropriate. He also commented that

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SFBP did well in expressing their concerns early on and wants to see these communications continue.

Board members request for Board staff to comment on the City of Oakland’s *Waterfront Ballpark District at Howard Terminal Draft Environmental Impact Report* dated February 2021. Executive Director Garfinkle commented that Board staff is in support of SFBP’s suggestion to include the Harbor Safety Committee in the final approval process, and Board staff will work with Board Counsel Eagan on drafting the letter.

Mr. Jacob thanked the Board for including the environmental report on the agenda for discussion and noted that there is no need for the Board to include other concerns, as others will be addressing them.

Commissioner Carr reported that he attended the Oakland Port Commission meeting in which the commission was voting on the exclusive negotiation agreement with the A’s for the waterfront ballpark at Howard Terminal. He voiced the pilot’s concerns on the project’s impact to the navigation of vessels near the ballpark. One of the Commissioners from the meeting noted the concerns and instructed the A’s to work with the pilots to resolve the issues. Commissioner Carr confirmed that the draft environmental impact report did address the pilot’s concerns and noted that he is concerned that the Harbor Safety Committee is not included in the final approval process. If the Board were to submit a letter, then it would be helpful to only be in support of including the Harbor Safety Committee in the final approval process.

**MOTION:** Vice President Schmid moved that Board staff draft a response to the City of Oakland’s *Waterfront Ballpark District at Howard Terminal Draft Environmental Impact Report*, supporting that the Harbor Safety Committee be included in the final approval process.

**VOTE:** YES: Hayes-White, Schmid, Prada, and Tynan.

NO: Carr.

ABSTAIN: None.

**ACTION:** The motion was approved.

**17. Incident Review Committee report on the M/V CHAMPION CONCEPT (Executive Director Garfinkle/Vice President Schmid)**

**A presentation of the Incident Review Committee report on the event involving the M/V CHAMPION CONCEPT making unintended contact with the corner of the dock while shifting from Berth 8 to Berth 9 in Stockton, California on April 28, 2020. Board deliberation of the Incident Review Committee’s recommendations to the Board and determination regarding the event involving the M/V CHAMPION CONCEPT. The Board may go into closed session for the deliberation of the incident report presented**

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**under this item pursuant to Harbors and Navigation Code §1180.6(a) and Government Code §11126(c)(3).**

This agenda item has been deferred to the May 2021 Board meeting.

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

Mr. Jacob thanked Assistant Director Cristia-Plant for her service to the Board and for preparing the Finance Committee documents, which made it easy for everyone to understand.

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

Assistant Director Cristia-Plant stated that it's been an honor working at the Board and will miss working with everyone. If there is an opportunity in the future, she would like to assist the Board as a retired annuitant.

**20. Adjournment.**

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

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

**ACTION:** The motion was approved, and the meeting was adjourned at 12:03 p.m.

Submitted by:

  
 Allen Garfinkle  
 Executive Director