

3. Report of suspected safety standard violations involving pilot transfer arrangements on M/V PHOENIX. Report on interim developments. **Possible further Board action re same**

Commissioner Falaschi referred to Board counsel to review a letter dated April 26, 2006 from Atlantis Tillman Langowski, Law Office Keesal, Young & Logan, representatives for Owners and Members of the M/V PHOENIX, on the interim developments since the Board's last meeting. Copies are available in the Board office. The Owners have not received all of the requested information in order to determine whether modifications to the vessel are a viable option.

Port Agent Captain Greig reported that the vessel's next call on the Bay Area is scheduled for April 30. The agent has not approved flying a pilot to ride the vessel to the Bay Area. The SFBP will be on station to board the vessel; however, if inclement weather or sea conditions make boarding unsafe, boarding may be refused.

4. Rules and Regulations Committee -- Commissioner Wainwright -- Report on results of April 19, 2006 Committee meeting -- Commissioner Wainwright reported that the Committee held its inaugural meeting for the current rulemaking calendar on April 19. After reviewing each of the items on its agenda, it agreed that, pending different prioritization by the Board or subsequent events, it would focus its attention during the next several meetings on the following: (1) Developing implementing regulations for last year's legislation which created a funding mechanism for pilot vessel life extension modifications; (2) reviewing the IRC's reporting procedures to explore possible amendments that would provide Board members more time to consider the IRC's reports before acting on them; (3) reviewing procedures to determine the number of pilots - and the data routinely gathered to determine the continuing adequacy of that number - including any lessons learned from the 2002 hearing which set that number at 60; and (4) reviewing the definition of the term "misconduct" as used in Harbors and Navigation Code dealing with piloting incident investigations and Board disciplinary hearings, and the prohibition against "running a vessel on shore" as used in the Board's regulations.

The Committee plans to contact interested parties to provide input to a review of the Board's rate hearing procedures beginning in July, including any lessons learned from the 2002 rate hearing, with the intent of having any proposed revisions in place by March 2007. The remaining items await input from the various ad hoc or standing committees (including possible regulations relative to the statutory pension plan and a review of the pilot fitness standards and medical review process.)

5. Finance Committee -- Commissioner Sitts -- Report on results of April 27, 2006 Committee meeting; possible recommendations to adjust Pilot Vessel Surcharge and Trainee Training Surcharge; -- **possible Board action re same** -- no report - the next meeting will be held at 8:30 a.m., May 25, 2006.
6. Pilot Training Curriculum Committee -- Commissioner Wagner - no report.
7. Pilot Evaluation Committee -- Capt. Roberts -- Report on April 19, 2006 Committee meeting -- report on trainees' progress; possible recommendation re increasing Trainee Stipend (Currently \$4,200/mo); **possible Board action re same**

The PEC met on April 19, 2006. All six trainees were interviewed individually, their trip cards examined, and their progress with all elements of the program reviewed. The trainees range in time in the program from 4 months to 2 years. All continue their progress satisfactorily, and at their own speed. At this time there is no recommendation to the Board.

6. The strong flood current and WSW wind pushed the vessel to the east before Capt Teague recognized his position. When he did he took immediate action to move the vessel across the channel.
7. The grounding was so gentle that neither master nor pilot were aware of it until Capt Teague moved to the bridge wing and noted the slowing then stop.

RECOMMENDATIONS

Close this case. Minor pilot error. The speed of the vessel, even on a slow ahead order, and holding course to allow the pilot boat to clear the side of the vessel after pilot transfer allowed the vessel to get too far to the east when the turn at New York Point was made. Lack of visual references delayed Capt Teague's recognition of the vessel being off track.

Lessons learned from this incident are that meeting a vessel farther from the Pittsburg pilot station and taking longer to relieve could reduce the potential for similar situations.

It was moved and seconded to accept the IRC report. Commissioner Miller asked for comments from the public and discussion. The Commissioners discussed pilot exchange protocol; vessel not coming up to correct speed; lack of visibility to see the current, second radar was not operational and that tugboats were needed to bring the vessel back into the channel. The motion was approved to accept the report as modified with the addition to the IRC report to include "lessons learned" to conduct a pilot exchange in an area with more maneuvering room.

- b. M/V CAP LARA, allision with Valero Terminal, August 2, 2007 -- Executive Director Moloney said this report remains under investigation.
3. Pilot Ladder reportable incidents -- Executive Director Moloney said there is no report.
4. Rules and Regulations Committee -- Commissioner Wainwright -- report on results of August 27, 2007 Committee meeting -- Commissioner Wainwright reported that the Committee met August 27 to discuss the final item on the Committee's rule making calendar - Article 7. Section 236, Rate Hearing procedures. After brief statements of support from both PMSA and SFBP the Committee voted unanimously to affirm the current Rate Hearing Procedures. He then thanked both PMSA and SFBP for their patience and insight.

It was moved and seconded to accept the Committee report. Commissioner Miller asked for comments from the public and discussion. There were none and the motion passed.

5. Finance Committee -- Commissioner Osen - report on September 27, 2007 meeting, BOPC fund condition report, status of BOPC budgets for FY07/08, FY/08/09 revenue and expenditure projections for Board operations, Pilot Training and Trainee Training; possible recommendation to seek additional expenditure authority as necessary; **possible Board action** -- Commissioner Osen reported that the meeting for today had been cancelled. The