

State of California

Board of Pilot Commissioners

for the Bays of San Francisco, San Pablo, and Suisun

Draft Minutes of the Meeting of the Board of Pilot Commissioners held on February 27, 2025, at 9:30 a.m.

Members of the public are encouraged to participate in meetings of the Board, either in person or via telephone.

Location:

Board of Pilot Commissioners
660 Davis Street
San Francisco, California 94111

To participate via telephone please use:

888-808-6929

Access Code:

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SERVING THE PEOPLE OF CALIFORNIA SINCE 1850



**Board of Pilot Commissioners (BOPC)
for the Bays of San Francisco, San Pablo, and Suisun
Board Meeting
Thursday, February 27, 2025, at 9:30 a.m.**

Board Meeting Minutes

ATTENDANCE

Board Members Present (in person and by phone)

Karen Tynan, President, Public Member
Joanne Hayes-White, Vice President, Public Member
Captain William Benedict, Pilot Member
Captain Robert Carr, Pilot Member
Captain Lynn Korwatch, Dry Cargo Industry Member
Sam Rodriguez, Public Member
Christine Casey, Designee for the Secretary of the California State Transportation Agency (CalSTA)

Board Members Absent

Vacant, Wet Cargo Industry Member

Board Staff Present (in person and by phone)

Allen Garfinkle, Executive Director
Matthew Millspaugh, Assistant Director
Alethea Wong, Licensing and Training Programs Manager
Greg Shepherd, Records Management and Program Support Coordinator
Mari McNeill, Administrative Coordinator
Patrick Tuck, Board Counsel
Nina Lincoff, Board Counsel
Roma Cristia-Plant, Consultant to the Board (by phone)

Identified Public Present (in person and by phone)

Kevin Baldwin, San Francisco Bar Pilots (SFBP) General Counsel
Captain Anne McIntyre, SFBP Business Director
Captain Paul Ruff, SFBP Pilot
Captain David McCloy, SFBP Pilot
Captain Steven Teague, SFBP Pilot
Heather Teague
Mike Jacob, Pacific Merchant Shipping Association (PMSA)
Rex Clack, Esq., RMC Law
Roy Mathur, Petroplus, Blackstone, and First Reserve (PBF) Energy

OPEN MEETING

1. Call to Order and Roll Call (President Tynan)

President Tynan called the meeting to order at 9:30 a.m. Board Administrative Coordinator Marjorie (Mari) McNeill called the roll and confirmed a quorum.

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

Ms. Cristia-Plant, consultant to the Board, noted that she was participating remotely by phone.
Board of Pilot Commissioners | Board Meeting Minutes (Draft) | February 27, 2025

3. Review and approval of Board meeting minutes from the meeting held on January 23, 2025 (President Tynan)

Board action to approve the minutes from the Board meeting held on January 23, 2025.

MOTION: Commissioner Carr moved to approve the draft January 23, 2025, Board meeting minutes. Commissioner Hayes-White seconded the motion.

VOTE: YES: Tynan, Hayes-White, Benedict, Carr, Korwatch, Rodriguez.
NO: None.
ABSTAIN: None.

ACTION: The motion was approved.

4. President Announcements and Activities (President Tynan)

President Tynan announced that she has been reappointed to the Board by Governor Newsom, and she has taken her oath.

5. Board Member Announcements and Activities (Board Members)

The Board welcomed Commissioner Benedict.

Commissioner Korwatch noted that she attended the California State University Maritime Academy (CMA) Scholarship and Awards Gala on February 22, 2025.

Commissioner Korwatch noted she had been reappointed to a second term on the Board.

Commissioner Carr noted that he visited the Orange Coast College (OCC) simulator as a follow-up to the conversation at the February 20, 2025, Ad Hoc Committee to Review Pilot Trainee Training Program Selection Exam meeting and recommended considering use of their facilities for the exam while detailing why he felt they were a strong choice.

6. Directors' Report (Executive Director Garfinkle/Assistant Director Millspaugh)

A) Correspondence and activities since the Board meeting held on January 23, 2025.

Executive Director Garfinkle congratulated President Tynan and Commissioner Korwatch for their Board reappointments, welcomed newly appointed Commissioner Benedict and Board Co-Counsel Nina Lincoff, congratulated Commissioner Rodriguez on the Senate's unanimous confirmation of his appointment to the Board, and reported on the following:

- On January 23, 2025:
 - Board staff received a copy of a Letter of Recommendation for Captain Roy Mathur addressed to the Governor's Chief Deputy Secretary for Appointments. The letter highlighted Captain Mathur's maritime experience, as a terminal manager and as a state regulator for the Office of Spill Prevention and Response as well as for the California State Lands Commission. Captain Mathur was recommended to fill the wet cargo seat on the Board.
 - Board staff received a letter from the Secretary of the California State Transportation Agency (CalSTA) which designated Christine Casey as the Secretary's ex officio representative for the Board.

- On January 28 and 29, Assistant Director Millspaugh and Executive Director Garfinkle attended a CalSTA Leadership Conference at the California Highway Patrol (CHP) Headquarters in Sacramento.
- On January 27, 2025, Board staff obtained the Department of Finance's approval for the Pilot Boat Regulations' Economic and Fiscal Impact Statement (Form STD-399). This approval is a prerequisite for implementing the regulations.
- On January 30, 2025, Board staff received a copy of the PMSA's West Coast Trade Report for January 2025.
- On February 5, 2025, Executive Director Garfinkle attended a meeting with CalSTA Secretary Toks Omishakin.
- On February 10, 2025, Board Records Management and Program Support Coordinator Greg Shepherd and Executive Director Garfinkle attended a meeting at the law offices of Chris Tribolet, of Peacock Piper Tong and Voss LLP, attorneys for the KONA TRADER, to view evidence relevant to the Motor Vessel (M/V) KONA TRADER allision.
- On February 11, 2025, Executive Director Garfinkle attended the Finance Committee meeting.
- On February 13, 2025:
 - The Governor's Office announced that President Tynan and Commissioner Korwatch were reappointed to the Board, and Commissioner Benedict was newly appointed.
 - The Harbor Safety Committee met, wherein the United States Coast Guard (USCG) noted one loss of propulsion involving pilots on the 22nd of December 2024, and one on the 25th of January 2025.
- On February 14, 2025, Board staff received correspondence related to the M/V KONA TRADER allision from the counsel for the pilot.
- On February 19, 2025, Executive Director Garfinkle attended the open session of the Pilot Evaluation Committee.
- On February 24, 2025, Executive Director Garfinkle received a copy of a Motion to Intervene in the Matter of the Accusation Against: Ronald E. Greger from the SFBP.

B) Report on pilot licensing matters since the Board meeting held on January 23, 2025.

Since the January 2025 Board meeting, the Board has issued license renewals to the following Board licensees: Captains Hirschfeld, Lingo, Rubino, and Stultz.

C) Report on Board surcharges.

Executive Director Garfinkle reported that the SFBP wired \$825,892.30 to the Board for surcharges collected in January 2025, itemized as follows:

- | | |
|-------------------------------|--------------|
| • Operations Surcharge: | \$205,256.11 |
| • Pilot Training Surcharge: | \$21,595.00 |
| • Trainee Training Surcharge: | \$38,690.00 |
| • Pilot Boat Surcharge: | \$560,351.19 |

D) Report of pension fiduciary.

Executive Director Garfinkle reported that as of January 31, 2025, there were 84 pensioners.

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|-----------------------------------|------------------------------------|
| • Surcharge Rate for the Quarter: | \$0.04405 per gross registered ton |
|-----------------------------------|------------------------------------|

- Rolling Look Back Period: October 2023 to September 2024
- Monthly Tonnage for January: 26,549,595.00
- Surcharge Billing Total: \$1,169,509.74
- Administrative Costs for the Month: \$3,603.00
- Amount Distributed to Pension Beneficiaries: \$1,165,906.74
- Total Monthly Target Rates: \$1,215,825.70
- Amount Over Target: \$(46,315.96)

The last Cost of Living Adjustment (COLA) increase to the pension was April 1, 2023. Note: COLA rates are reviewed every 3 years and when the region has an overall cost of living increase of 12% or more.

E) Report on legislative activities and contractual matters.

Assistant Director Millspaugh reported:

Legislative Activities

For legislative matters, Assistant Director Millspaugh reported that Board staff are not currently tracking any legislation but will monitor the legislative session for bills that may affect the Board.

Contractual Matters

Assistant Director Millspaugh reported the following regarding contractual matters:

Trainee Selection Exam Contracts

- **California State University Maritime Academy (CMA) – Trainee Selection Exam Services (Contract # To Be Determined (TBD))**

Board staff continue to pursue an agreement for use of a simulator and facilities for the simulator portion of the 2026 pilot trainee exam, including:

- The option of developing an interagency agreement with the California State University Maritime Academy (CMA) for the use of their simulator and facilities.
 - Board staff have scheduled a tour of the CMA simulator facilities for March 3, 2025.
 - Board staff have scheduled a March 10, 2025, meeting with CMA, Vice Provost Graham Benton, regarding CMA's merger with California Polytechnic University (Cal Poly), San Luis Obispo and discuss the ongoing viability of CMA providing simulator and pilot education services.
- As noted in last month's Assistant Director's report, the simulator at OCC may be an acceptable alternative testing site. Board staff will pursue an agreement with the entity that best meets the needs of the simulator portion of the trainee exam.

- **Trainee Selection Exam Services (Contract # TBD)**

Board staff continue to develop the Statement of Work (SOW) and related documents to solicit services for the 2026 Pilot Trainee Training Program Exam. This contract will cover services for the virtual, written, simulator, and oral portions of the exam. Board staff have provided a confidential copy of the draft SOW to the Exam Committee for review and comment and have also requested a review of the SOW by California Department of Human Resources (CalHR). Board staff expect to provide a final Request for Proposal to CHP for review in early March 2025, with the intended start date of an

agreement in July 2025. Assistant Director Millspaugh requested and was granted an expedited review from CHP.

- **California Department of Human Resources (CalHR) – Trainee Selection Exam Services (Contract # TBD)**

Board staff continue to work toward developing a scope of work and budget for the Pilot Trainee Training Program Exam related to services from CalHR. Board staff have requested a meeting with CalHR to review the SOW and expect the scope of services and budget will be agreed upon by April 2025.

- **State Controller’s Office (SCO) – Pilot Boat Program Audit**

Board staff provided a draft SOW to SCO for a new Inter-Agency agreement between the Board and SCO in support of the Pilot Boat Program Performance Audit. Board staff met with SCO on February 24, 2025, and received feedback on the draft SOW. Board staff expect to finalize the SOW and submit the agreement for review and approval by the end of March 2025.

- **Pilot and Pilot Trainee Fitness Assessment with University of California San Francisco (UCSF) (Contract # TBD)**

Development of a new three-year agreement, with a term date of July 1, 2025–June 30, 2028, has begun. Board staff have provided a proposed budget to UCSF which is under review by UCSF. Board staff expect to submit the agreement for review by CHP in March 2025. Assistant Director Millspaugh provided the budget for review and reached out several times regarding their review but is still awaiting a response.

Maritime Investigator Services Contracts

- **Marine Investigator Services – Invitations for Bids (IFB) (Contracts # 24M900003)**

Board staff have finalized a new IFB package for marine investigator services. The completed IFB package is with the procurement management team for approval and is expected to be posted to the California Electronic Procurement website (Cal eProcure) by the week of March 3, 2025.

Executive Director Garfinkle stated that the Board is looking for investigators and that attendees should encourage potential investigators to apply to the Board. Captain Anne McIntyre, SFBP Business Director suggest the BOPC post the announcement link to their website.

Commissioner Carr referenced the rate process and potential amendments to the Harbors and Navigation Code (HNC) 1200.

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

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

Commissioner Carr reported the below details on behalf of Port Agent Carlier, as of February 27, 2025 (for additional details, please see the report included for agenda item 7):

- There are currently 52 licensees on the SFBP roster.
- There were three Minimum Rest Period (MRP) exceptions in January 2025, with the shortest rest period being 10.5 hours.

B) Monthly report on SFBP ship piloting business activity.

Commissioner Carr reported the below details on behalf of Port Agent Carlier, as of February 27, 2025 (for additional details, please see the report included for Agenda item 7):

- The status for each of the SFBP-owned pilot boats were reported as normal for P/V CALIFORNIA, P/V GOLDEN GATE, P/V PITTSBURG, P/V SAN FRANCISCO, except for:
 - Pilot Vessel (P/V) DRAKE has been in the shipyard since October 7, 2024.
- Vessel moves were as follows:
 - Bar Crossings: 418
 - Bay Moves: 143
 - River Moves: 38
 - Total Moves: 599
 - Gross Registered Tonnage (GRT): 26.5 million
- Year-over-year, when comparing the same period in 2024 to the same period in 2025, total moves were down 4.2% and GRT was down 0.2%.

C) Monthly confidential written report of licensed pilots who have been Absent for Medical Reasons (AFMR). The Board may go into closed session to discuss the contents of the Port Agent's confidential report and other relevant confidential medical information, as authorized by Harbors and Navigation Code (HNC) section 1157.1.

None.

8. Pilot Evaluation Committee (Committee Chair Captain Ruff)

A) Report on the Pilot Evaluation Committee (PEC) meeting held on February 19, 2025.

PEC Chair Ruff presented the PEC Chair's Report on the following:

- The PEC met on February 19, 2025. The members present were Captains Slack, Bridgman, Stultz and Ruff.
- Executive Director Garfinkle joined the PEC in an open session in which the following was discussed:
 - The next pilot trainee training exam and third-party proctoring, possible alternative hosting locations at Pacific Maritime Institute (PMI) or OCC, and the Board committee work being done on the exam.
 - The PEC unanimously agreed to recommend the Board raise the trainee stipend to \$10,000 (to meet Bay Area cost of living expenses and improve competitiveness with other pilot jurisdictions). This stipend is currently \$8,000 per trainee.
 - USCG Regional Exam Center (REC) has changed requirements for attaining first class pilotage and these changes make obtaining federal endorsements to pilot licenses more challenging to obtain within the prescribed timeline of the PEC's training program.
 - Chair Ruff reached out again to Oakland REC for a meeting to see if an arrangement can be made to help prevent needlessly extending the timeline to obtain endorsements. The response was that they are busy and short-staffed. Todd Johnston is the first trainee directly impacted by these changes and is in frequent direct contact with the proctor and was told there may be some local leeway on the issues.
- The six active trainees include Barron, Gallo, Johnson, Johnston, Thinger, and Ahrens. The trainees' time in the program ranges from two to 18 months.
- All trainees are completing trips to obtain their first-class pilotage endorsement for unlimited tonnage upon San Francisco Bay. They have been observing, part handling, and handling ships under direct

supervision of a licensed pilot.

- Trainees Gallo and Barron have completed testing for their federal pilotage with the USCG and have a few trips to and from Sacramento to raise their pilotage endorsements to unlimited first-class pilot. Between February 19-27, 2025, Trainees Gallo and Barron completed the trips needed to raise their pilotage endorsements to unlimited first-class pilot.
- In closed session, all trainees were individually interviewed and counseled on their progress in the training program. Time was spent answering their questions and concerns they had.
- All trainees presently meet recommended benchmarks and are progressing at their own rate.
- The PEC unanimously agreed to put Captain Barron in evaluation status. This status is the final stage of training in which the trainee is required to achieve a 4.0 or higher-grade point average for three consecutive months without “coaching” or “stepping in to correct an errant maneuver.” If Captain Barron falls below a 4.0 GPA in that period, the three-month window will restart.
- The next PEC meeting was scheduled for Wednesday, March 19, 2025, at 7:30 a.m. at the Board office.

Chair Ruff stated that no actions are recommended for agenda items 8c-e but that he anticipated the PEC would likely recommend issuance of at least one pilot license for the trainees after they complete 10 more trips each.

Board members and attendees discussed the changes to the requirements for the USCG REC for attaining first class pilotage and how those changes impact the trainee program, and the timeframe needed to complete it. Discussion involved changes to the USCG REC which have increased the difficulty of obtaining federal endorsements for pilot licenses within the prescribed timeline for the PEC’s training program. Executive Director Garfinkle volunteered to investigate what could be done to increase communication with the USCG and possibly reduce the impact to trainee timelines created from the USCG REC changes.

B) Discussion and possible PEC recommendation to increase pilot trainee stipends. The stipend is currently set at \$8,000/per month/per/trainee.

Possible Board action to increase the stipend, currently set at \$8,000 a month/per trainee.

The Board discussed the PEC’s recommendation to raise the stipend from \$8,000 to \$10,000 but agreed to postpone the vote until the next Board meeting to provide time for the Finance Committee to meet and formally review the corresponding documents and PEC recommendation prior to the Board’s potential vote.

MOTION: Commissioner Rodriguez moved to delay the vote to increase pilot trainee stipends to the March 27, 2025, Board meeting. Commissioner Carr seconded the motion.

VOTE: YES: Tynan, Hayes-White, Benedict, Carr, Korwatch, Rodriguez.

NO: None.

ABSTAIN: None.

ACTION: The motion was approved.

C) 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 or off probation or dismiss one or more trainees from the program.

No action recommended.

D) Possible PEC recommendation as to whether a trainee has, or trainees have successfully 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.

No action recommended.

E) 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.

No action recommended.

9. Reported Safety Standard Violations (Executive Director Garfinkle) (Reported safety standard violations occurring up to the start of the meeting will be included.)

Executive Director Garfinkle stated there were no safety standard violations reported since the last Board meeting.

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

A) Progress report on IRC report regarding the September 25, 2024, event involving the bulk carrier Motor Vessel (M/V) KONA TRADER which made unintended contact with the pier in the Port of Stockton.

IRC request and Board action on an extension to present the IRC report at the next monthly Board meeting.

Executive Director Garfinkle stated the progress on evidence collection for the incident involving the Motor Vessel (M/V) KONA TRADER has been steadily moving forward, with additional evidence received over the past week. To provide time to review the additional evidence received and ensure the IRC report is as thorough as possible, the IRC requested an extension for presenting the report to the next Board meeting, on March 27, 2025.

MOTION: Commissioner Korwatch moved to grant the Incident Review Committee an extension to present its report on the Motor Vessel (M/V) KONA TRADER at the next Board meeting, on Thursday, March 27, 2025. Commissioner Rodriguez seconded the motion.

VOTE: YES: Tynan, Hayes-White, Benedict, Carr, Korwatch, Rodriguez.
NO: None.

ABSTAIN: None.

ACTION: The motion was approved.

B) Progress report on IRC report regarding the October 14, 2024, event involving the Motor Tanker (M/T) PLATANOS which made unintended contact with the pier at Shell Martinez.

IRC request and Board action on an extension to present the IRC report at the next monthly Board meeting.

Executive Director Garfinkle stated the progress on evidence collection for the incident involving the M/T PLATANOS has been steadily moving forward; with more evidence recently received. To ensure the final IRC report is as thorough as possible, the IRC requested an extension for presenting the report to the next Board meeting, on March 27, 2025.

MOTION: Commissioner Rodriguez moved to grant the Incident Review Committee an extension to present its report on the M/T PLATANOS at the next Board meeting, on Thursday, March 27, 2025. Commissioner Korwatch seconded the motion.

VOTE: YES: Tynan, Hayes-White, Benedict, Carr, Korwatch, Rodriguez.

NO: None.

ABSTAIN: None.

ACTION: The motion was approved.

Recess began at 10:45 a.m.

Meeting resumed 11:00 a.m.

11. Ad Hoc Committee to Review the Pilot Trainee Training Program Selection Exam (Committee Chair Captain Carr)

Report on the February 20, 2025, Ad Hoc Committee to Review the Pilot Trainee Training Program Selection Exam meeting.

Commissioner Carr stated the committee cancelled the February 20, 2025, committee meeting. Commissioner Carr also reported that he visited OCC and toured their simulation facilities and had positive feedback regarding his visit. Commissioner Carr further reported that, in the next committee meeting, the committee could discuss the draft Requests for Proposals (RFP) from Assistant Director Millsbaugh [for exam services] including the simulator and third-party psychometrician.

12. Finance Committee (Commissioner Rodriguez)

A) Report on the Finance Committee meeting held on February 11, 2025.

Commissioner Rodriguez stated his support for the decisions made in the Finance Committee meeting held on February 11, 2025, detailed under agenda items 12(B), and stated that he attended a meeting at the Port of Long Beach on February 21, 2025. During the meeting on February 21, 2025, stakeholders and the Port of Long Beach discussed supply chain issues, impacts to the industry, and related details from various West Coast ports, noting many of pilot organizations reported to him they had undertaken IT Modernization projects.

B) Finance Committee recommendations to the Board on the following Board surcharges:

- i. To adjust or not adjust the Board Operations Surcharge rate (currently at 5.75% of all pilotage fees), and the revenues, expenditures, and reserve balance.**

Possible Board action to adjust the Board Operations Surcharge rate.

Commissioner Rodriguez reported the Finance Committee was unanimous in its support for an increase in the Board Operations Surcharge from the current 5.75% to 6.5%, starting on April 1, 2025. Further reporting, Committee members felt it was reasonable to raise the rate to 6.5% to begin collecting funds needed to support the Board's Information Technology Modernization Project (ITMP).

Assistant Director Millspaugh stated that he informed the Finance Committee that, with the surcharge rate increase from 5.75% to 6.5%, the Board would need to utilize approximately half of the Board Operations year-end Fund balance to cover the costs of the Information Technology Modernization Project (ITMP). He noted it could take two years or more (depending on shipping activity) to restore the Board Operation Fund balance to its target of maintaining one year of operating costs for emergencies.

Assistant Director Millspaugh stated that a finance letter would be submitted to the Department of Finance (DOF) regarding the change in the Board Operations Surcharge rate.

MOTION: Commissioner Carr moved to increase the Board Operations Surcharge rate of all Pilot fees from 5.75% to 6.5%, effective April 1, 2025. Commissioner Hayes-White seconded the motion.

VOTE: YES: Tynan, Hayes-White, Benedict, Carr, Korwatch, Rodriguez.

NO: None.

ABSTAIN: None.

ACTION: The motion was approved.

ii. To adjust or not adjust the Pilot Continuing Education Surcharge rate (currently at \$45 per move).

Possible Board action to adjust the Pilot Continuing Education Surcharge rate.

No action recommended.

iii. To adjust or not adjust the Trainee Training Surcharge rate (currently \$20/trainee/move).

Possible Board action to adjust the Pilot Trainee Training Surcharge rate.

No action recommended.

iv. To adjust or not adjust the Pilot Boat Surcharge rate (currently at \$0.021 per gross registered ton).

Possible Board action to adjust the Pilot Boat Surcharge rate.

Commissioner Rodriguez reported Committee members unanimously agreed to lower the Pilot Boat Surcharge to \$0.020 from 0.021 per gross registered ton.

MOTION: Commissioner Korwatch moved to decrease the Pilot Boat Surcharge rate from \$0.021 to \$0.020 per gross registered ton, effective April 1, 2025. Commissioner Hayes-White seconded the motion.

VOTE: YES: Tynan, Hayes-White, Benedict, Carr, Korwatch, Rodriguez.

NO: None.

ABSTAIN: None.

ACTION: The motion was approved.

13. Discussion regarding the status of the Pilot Boat Regulations package. (Executive Director Garfinkle)

Executive Director Garfinkle stated that the regulation package was submitted to the Office of Administrative Law (OAL) in January 2025 and the feedback received indicated it is still on track to become effective in the next quarter [April 1, 2025].

14. Discussion regarding the Pilot Boat Program and the status of the next pilot boat build. (Captain Anne McIntyre)

Captain McIntyre stated that uncertainties remain due to various proposed changes, such as tariffs. The SFBP will continue to evaluate engine issues, prepare the final determination on their external audit, and complete pre-engineering, but the decisions related to engines may be impacted by tariffs. Commissioner Rodriguez stated the 10% tariff on China was confirmed and other ports have already been preparing to accommodate costs.

15. Status report on the Board's Information Technology Modernization Project (ITMP) (Assistant Director Millspaugh/Gartner Inc.)

Assistant Director Millspaugh summarized his continued efforts with Gartner on the ITMP. All documents (over 400 pages) for Project Approval Lifecycle (PAL) Stage 2 were submitted for review by Caltrans senior management, and, once the initial review is completed, will be sent to the California Department of Technology (CDT). Work on PAL stage 3, which focuses on building a SOW, has begun. There were some delays, but the projected completion deadline is expected to remain on track.

16. Stakeholders' report on subjects that may be of interest to the Board, including reports on shipping activity regionally and within the Board's jurisdiction (Mike Jacob, Pacific Merchant Shipping Association (PMSA)/Captain Anne McIntyre, SFBP)

Mr. Jacob stated the industry has been moving in anticipation of the tariffs. Some updates included:

- Potential disruptions have resulted in diversions from the Red Sea.
- The Port of Los Angeles and the Port of Long Beach are strong and essentially at the same place as their 2024 peak, which is very impressive.
- The current volume being processed for the San Francisco Bay region is comparable to the volume processed in FY 21/22 (when there were various large issues, such as labor disruptions, driver shortages, and warehouse congestion) despite the lack of similar issues for 2025.
- Some ports are planning to absorb some of the tariff costs for competitive pricing.
- The ports usually experience shipping increases and decreases on a cyclical schedule, but uncertainty has increased due to the 10% tariffs proposed for April 2024 and additional 10% tariffs in the future. Shippers may change ports or vessel sizes depending on the method utilized to enforce tariffs (charged by vessel or by weight).
- The San Francisco Bay region cannot absorb all the costs incurred for the tariffs and is currently maintaining volumes, but no increases are anticipated, and the volumes/number of vessels are likely to decrease as costs increase.
- The United States Dollar (USD) remains strong, which is good for imports but bad for exports. A strong USD tends to result in trade surpluses. The tariffs will temporarily strengthen the USD and increase the capital coming into the States, but it is not a sustainable increase and may result in retaliatory tariffs.
- A difficult quarter is anticipated for the Ports of San Francisco and Oakland.

- Federal grant funding, which usually drives activity, has been frozen, resulting in delays and reduced competitiveness. Some ports have been able to avoid freezes or unfreeze funds or receive reimbursements for costs incurred, while other ports, such as the Port of Oakland, have yet to regain forward momentum.

17. Discussion regarding the contract for Surcharge Collection, Pilot Education and Pilot Trainee Training between the SFBP and the Board, and issues related to reimbursement of the SFBP by the Board. Captain McIntyre)

Captain McIntyre stated there was nothing new to report but requested to keep the agenda item for the surcharge collection or to include it on SFBP's general update.

Agenda item 21 was addressed prior to agenda item 18 due to the need to go into a closed session for agenda items 18-20.

21. Proposals for the next Board meeting agenda. (President Tynan)

A) Discussion regarding the need to reschedule the March 27, 2025 Board meeting to a new date due to multiple scheduling conflicts.

Possible Board action to adjust the Board meeting schedule.

Board members agreed to keep the next Board meeting scheduled for March 27, 2025, and add an agenda item to the meeting to discuss rescheduling the May 22, 2025 Board meeting to a new day due to multiple scheduling conflicts.

B) Discussion regarding agenda items to include in the next Board meeting.

President Tynan requested the agenda retain agenda items 8(B) (stipend increase discussion – may be discussed in a separate agenda item), 11 (Ad Hoc Committee ... Exam), and 17 (surcharge collection updates from SFBP).

Captain McIntyre requested a standard rate change process and a possible change to the regulations to ensure the Finance Committee is given a chance to meet prior to the Board voting on anything that may impact surcharges.

Recess began at 11:52 a.m.

Meeting resumed 12:00 a.m.

Closed session began at 12:00 p.m.

Closed session ended at 12:22 p.m.

Open session resumed at 12:22 p.m.

18. Presentation and discussion of a request for a disability pension by licensee Captain Steven Teague (Executive Director Garfinkle)

Presentation and discussion of disability pension request by licensee Captain Steven Teague. Possible Board deliberation and findings on:

A) Whether Captain Teague is disabled within the meaning of Harbors and Navigation Code (HNC) section 1164(b). In this context, “disabled” means “a disability of permanent or extended and uncertain duration, as determined by the Board, based on competent medical opinion.”

Board Counsel Tuck stated that, while in closed session, the Board concluded that Captain Teague is disabled within the meaning of HNC section 1164(b).

- B) If the Board determines that Captain Teague is disabled as defined in section 1164(b) and unable to perform the duties of a pilot, the Board must determine the date that the disability became permanent (or of extended and uncertain duration), and Captain Teague was unable to perform the duties of a pilot.**

Possible Board action determining whether Captain Teague is disabled within the meaning of Harbors and Navigation Code (HNC) section 1164(b) and unable to perform the duties of a pilot, and the date that the disability became of a permanent or extended and uncertain duration and Captain Teague was unable to perform the duties of a pilot.

The Board may go into Closed Session to discuss Captain Teague's confidential medical reports as authorized by Harbors and Navigation Code (HNC) section 1157.1.

Board Counsel Tuck stated that, while in closed session, the Board concluded that Captain Teague was unable to perform the duties of a pilot effective March 27, 2024.

- 19. Closed session for the Board to confer with legal counsel regarding potential significant exposure to litigation against the Board involving an inactive licensee. (Board Counsel)**

The Board is authorized to discuss this matter in a closed session pursuant to the Open Meeting Act, Government Code section 11126, subdivisions (e)(1) and (e)(2)(B).

No action recommended and nothing to report.

Recess began at 12:24 p.m.

Closed session resumed at 12:25 p.m.

Closed session ended at 1:07 p.m.

Open session resumed at 1:09 p.m.

- 20. Performance Evaluation of the Executive Director (President Tynan)**

The Board will conduct the 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.

Board Counsel Tuck stated that no action was taken by the Board; but the Board did praise Executive Director Garfinkle and Board staff for their work. Board Counsel Tuck stated he would confirm that the language regarding the term of the Executive Director's reappointment conforms to the statutory requirements for that position.

Agenda item 21 was addressed prior to agenda item 18 so the Board continued to agenda item 22.

- 22. Comment by public and Board members on matters not on the agenda.**

Commissioner Rodriguez requested Board staff send the stipend report to the Finance Committee as a reminder to review.

23. Adjournment.

President Tynan adjourned the meeting at 1:09 p.m.

Submitted by:



Allen Garfinkle
Executive Director

DRAFT

ACRONYM INDEX

Acronyms / Abbreviations	Definition
AFMR	Absent For Medical Reasons
BOPC/Board	Board of Pilot Commissioners
CA	California
Cal eProcure	California Electronic Procurement (website)
CalHR	California Department of Human Resources
Cal Poly	California Polytechnic State University
CalSTA	California State Transportation Agency
CDT	California Department of Technology
CHP	California Highway Patrol
CMA	California State University Maritime Academy / California Maritime Academy / Cal Maritime
COLA	Cost of Living Adjustment
DOF	The Department of Finance
GRT	Gross Registered Tons
HNC	Harbors and Navigation Code
IFB	Invitation for Bids
IRC	Incident Review Committee
ITMP	Information Technology Modernization Project
MRP	Minimum Rest Period
M/T	Motor Tanker / Motor Tug
M/V	Motor Vessel
OAL	Office of Administrative Law
OCC	Orange Coast College
PAL	Project Approval Lifecycle
PBF	Petroplus, Blackstone, and First Reserve
PEC	Pilot Evaluation Committee
PMI	Pacific Maritime Institute
PMSA	Pacific Merchant Shipping Association
P/V	Passenger Vessel / Pilot Vessel
REC	Regional Exam Center
RFP	Request for Proposals
RMC	Rex M Clack Law (Law firm)
SCO	State Controller's Office
SFBP	San Francisco Bar Pilots
SOW	Scope of Work
TBD	To Be Determined
UCSF	University of California San Francisco
USCG	United States Coast Guard
USD	United States Dollar

This and other documents for this meeting can be found on the Board's website www.bopc.ca.gov.

