

February 24, 2026

Karen Tynan, President  
Board of Pilot Commissioners  
660 Davis St.  
San Francisco, CA 94111

RE: Proposed \$1167 Adjustment to Pilot Pensions (BOPC Agenda Item #12, February 26, 2026)

Dear President Tynan and Commissioners:

The Pacific Merchant Shipping Association (PMSA) respectfully requests that the Board refrain from taking any action to increase current target pension amounts under Harbors and Navigation Code §1167 for lack of cause and evidence. In addition, PMSA renews its ongoing concern with Board actions taken under this section and other pension benefit calculations with respect to the Pension system in the absence of regulatory guidance. While a review of benefits is mandatory under §1167, action is discretionary.



While the statute creates a limitation on any such action not to exceed 50% of CPI, nothing in this statute compels an action by the Board to increase Pension benefits. PMSA does not challenge the grant of authority by the Legislature to the board to act with discretion in this regard, instead our concern is with the Board's generalized basis for the increase proposed and its regular default policy of adopting the statutory maximum. We agree with the Staff report that there are decisions to be made with respect to calculation of the caps, but those cap determinations should not constitute the entirety of the analysis upon which it acts on an increase.

Without a regulatory methodology, and without a solid review of the current benefits and evidence upon which to rely, any Board action now will be necessarily arbitrary and temporal. This is true no matter how earnestly and well-intentioned the Board action is.

In addition, PMSA objects to BOPC action under §1167(b) without the enactment of pension benefit calculation regulations. Since this sub-paragraph is a wholly-enabling statute, PMSA has consistently alerted the Board that this type of statute cannot be legally enforced without a regulation to direct the fee-setting. We incorporate by reference our hefty record of previous correspondence on these issues.

PMSA respectfully asks the Board to avoid the imposition of these §1167 adjustments.

Sincerely,

  
  
Mike Jacob  
President

cc: Members, Board of Pilot Commissioners  
Allen Garfinkle, Executive Director