

State of California

Board of Pilot Commissioners

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

Minutes of the Meeting of the Board of Pilot Commissioners held on March 26, 2026, 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

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**Board of Pilot Commissioners (Board or BOPC)
for the Bays of San Francisco, San Pablo, and Suisun
Board Meeting
Thursday, March 26, 2026, at 9:30 a.m.**

Board Meeting Minutes

ATTENDANCE

Board Members Present (in person and by phone)

Captain William Benedict, Pilot Member

Captain Robert Carr, Pilot Member

Christine Casey, Designee for the Secretary of the California State Transportation Agency (CalSTA)

Joanne Hayes-White, Vice President, Public Member

Captain Lynn Korwatch, Dry Cargo Industry Member

Captain Roy Mathur, Wet Cargo Industry Member

Sam Rodriguez, Public Member

Board Members Absent

Karen Tynan, President, Public 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, Board Administrative Coordinator

Patrick Tuck, Board Counsel

Roma Cristia-Plant, Consultant to the Board (by phone)

Identified Public Present (in person and by phone)

Captain John Carlier, San Francisco Bar Pilots (SFBP) President and Port Agent

Captain Anne McIntyre, SFBP Business Director

Kevin Baldwin, SFBP General Counsel

Jennifer Cohen, Pacific Merchant Shipping Association (PMSA) Vice President of Governmental Affairs

Jasmine Caniban, CalSTA

N'guessan Affi, Freight Policy Manager, CalSTA

Che J. Salinas, Partner, Manatt, Phelps & Phillips, LLP

OPEN MEETING

1. Call to Order and Roll Call. (Vice President Hayes-White for President Tynan)

Vice President Hayes-White (for President Tynan) called the meeting to order at 9:30 a.m. Board Administrative Coordinator McNeill called the roll and confirmed a quorum.

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

Ms. Cristia-Plant noted that she was participating by phone.

3. Review and approval of Board meeting minutes. (Vice President Hayes-White for President Tynan)

Possible Board action to approve the minutes from the Board meeting held on February 26, 2026.

MOTION: Commissioner Carr moved to approve the draft February 26, 2026, Board meeting minutes. Commissioner Rodriguez seconded the motion.

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

NO: None.

ABSTAIN: None.

ACTION: The motion was approved.

4. President Announcements and Activities. (Vice President Hayes-White for President Tynan)

None.

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

Vice President Hayes-White thanked Assistant Director Millspaugh and Licensing and Training Programs Manager Wong for joining the Women in Maritime Leadership 2026 Conference on March 13, 2026.

Commissioner Benedict stated that, while leaving the Bay Area on the evening of March 25, 2026, he observed pilots guiding several departing ships on alternate routes to avoid whales that had appeared in the Bay. To Commissioner Benedict, this event demonstrated the continued efforts of the pilots to protect the Bay's environment and wildlife.

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

A) Correspondence and activities since the Board meeting held on February 26, 2026.

Executive Director Garfinkle reported on the following activities:

- To date, the Board has received nine applications for the 2026 Trainee Training Exam. Applications are reviewed upon receipt, and applicants will be notified of their eligibility status.
- On March 4, 2026, Board staff posted the Trainee Training Exam application on the Board's website.

- On March 5, 2026, Board staff published a 15-day Notice of Modification to its proposed changes to the Pilotage Rate Setting Regulations. The notice period ended on March 20, 2026.
- On March 6, 2026, Board staff received a response from PMSA, which is included in the Board correspondence section of this report. Board staff will now work with The Office of Administrative Law (OAL) to finalize the regulations.
- On March 11, 2026, Board staff received the United States Coast Guard (USCG) Significant Port Safety and Security Cases for February 2026. They noted two cases of equipment failure (in one case, the engine order telegraph failed, and in another, the main engine stopped unexpectedly), and three losses of propulsion for ships offshore.
- On March 12, 2026, the Board received a copy of the National Transportation Safety Board (NTSB) Report on the Motor Vessel (M/V) PLATANOS. The report noted that possible causes for the pilot's error were distractions and fatigue. The NTSB's complete report is included in the correspondence section of this report.
- On March 13, 2026, Assistant Director Millspaugh and Licensing and Training Programs Manager Wong attended the Women in Maritime Leadership 2026 Conference hosted by Cal Poly Maritime.
- On March 18, 2026, the Board's advertising campaign for the exam cycle began on the "gCaptain" website.
- On March 19, 2026, Board staff received a copy of the National Maritime Center (NMC) notice detailing the effects of the lapse in appropriation is having on the NMC and the Regional Exam Centers (RECs). RECs remain closed, but the application portal online remains available. Mitigation efforts include extending credentials that expire during this period.
- Executive Director Garfinkle also reminded Board Members that they must file a Statement of Economic Interests form (Form 700) with the Fair Political Practices Commission (FPPC) by April 1, 2026. Fines of \$10 per day will be assessed for late filings.

B) Report on pilot licensing matters since the Board meeting held on February 26, 2026.

Executive Director Garfinkle reported that since the February 2026 Board meeting, the Board issued a license renewal to the following Board licensee: Captain Pyne Mercier.

C) Report on Board surcharges.

Executive Director Garfinkle reported:

- The following two reports have been provided by SFBP (agenda item 6C):
 - The Cash Report: showing the amount SFBP received from shipping companies.
 - The Billing Report: showing the amount shipping companies were invoiced.

(These reports inform the Board of funds collected by SFBP on behalf of the Board and how much money remains outstanding to SFBP from shipping companies.)

- **Billed Amount:**

For February 2026, the billed amount was \$725,401. This amount was comprised of the following surcharge amounts:

- Operations Surcharge: \$196,978
- Pilot Training Surcharge: \$22,815
- Trainee Surcharge: \$39,900
- Pilot Boat Surcharge: \$465,708

- **Cash Collected:**

For February 2026, the cash collected and paid to the Board was \$787,078. This amount was comprised of the following surcharge amounts:

- Operations Surcharge: \$213,033
- Pilot Training Surcharge: \$23,355
- Trainee Surcharge: \$41,520
- Pilot Boat Surcharge: \$509,170

- **Variance:**

For February 2026, the variance between the billed amount and the cash collected (SFBP paid to the Board), was \$61,677 (cash collected was higher than billing). A variance between these two amounts is not unusual and is largely determined by the speed with which shipping companies' accounts payable departments pay invoices.

D) Report of the Pension Fiduciary.

Executive Director Garfinkle reported:

- Pension plan disbursements often exceed the revenue generated by the surcharge. The opposite may also be true. For February 2026, the net difference between the amount SFBP collected and the amount paid to plan participants was \$97,133. The variance between pension amounts was comprised of the following amounts:
 - Cash Collected: \$1,141,483
 - Disbursed Amount \$1,044,350
 - Difference (Cash minus the disbursement amount): \$97,133
- Monthly pension plan summary:
 - Surcharge Rate for the Quarter: 0.04485/gross registered ton
 - Rolling Look Back Period: October 2024 to September 2025
 - Monthly Tonnage for the Month: 23,285,397
 - Surcharge Billing Total: \$1,044,350
 - Administrative Costs for the Month: \$3,170
 - Amount Distributed to Pension Beneficiaries: \$1,041,180
 - Total Monthly Target Rates: \$1,225,652
 - Amount Over/(Under) Target: (\$181,302) (under target)

- As of February 28, 2026, there were 85 pensioners.
- The last Cost of Living Adjustment (COLA) increase to the pension was on April 1, 2023. The next increase, which the Board approved at its February meeting, will be effective on April 1, 2026, with the first increased target payments being paid out in May 2026.

E) Report on legislative activities and contractual matters.

Legislative Activities

Assistant Director Millspaugh reported that the California Legislature reconvened January 5, 2026. Board staff will continue to monitor any bills that may affect the Board.

Contractual Matters

Assistant Director Millspaugh reported the following regarding contractual matters:

- **The California Polytechnic State University (Cal Poly) Maritime Academy, Trainee Selection Exam Services (Contract # 25M900009)**

Board staff continue to pursue an inter-agency agreement with the Cal Poly Maritime Academy, formally California State University Maritime Academy (CMA) for use of their simulator and facilities for the 2026 pilot trainee simulator exam. A final draft and budget have been submitted to the California Highway Patrol (CHP) for review; CHP expects the agreement to be finalized by mid-May 2026.

- **Marine Investigator Services – Invitations for Bids (IFB) (Contract # 25M900008)**

The Board received two responses for the IFB for Investigative services, and both were found to be responsive. CHP is processing both contracts for approval, which includes review by the Department of General Services (DGS). It is estimated both agreements will be finalized in the next four to six weeks.

- **State Controller’s Office (SCO) (Contract # 25M900000)**

CHP continues to process a new agreement with the SCO for payment toward expedited warrant services to allow the Board to continue requesting expedited warrants.

- **Request for Proposal (RFP) for the Information Technology Modernization Project (ITMP) Information Technology (IT) Solution (Contract # 25M900005)**

The RFP for procurement of an IT solution for the Board’s ITMP was released February 6, 2026. During the question and answer (Q&A) portion of the RFP process, Board staff received over 100 questions. Responses for the RFP’s Phase 1 of the procurement are due April 15, 2026, at 12:00 P.M., Pacific Standard Time. Those entities that qualify under the RFP’s Phase 1 will be invited to submit responses to Phase 2 of the RFP. A contract is expected to be executed by September 2026. Information on the RFP and a link to the bid site is available on the Board’s website.

Attendees discussed the trainee examination application process. In response to attendee questions, Executive Director Garfinkle stated:

- The USCG Regional Exam Centers delays have impacted the Board’s ability to assess endorsements. Assistant Director Millspaugh stated that, although it would be cutting it close, as long as the Cal Poly Maritime Academy agreement is in place before June 2026, the exam should remain on schedule.
- As of March 26, 2026, nine exam applications have been received by the Board. Although

the Board previously received 40-50 applications [in the last exam cycle], March is still early in the process, and additional applications are expected to be submitted before the application deadline of May 15, 2026. To date, one application has been rejected for insufficient command time. When an application is denied, the applicant is informed of their right to appeal that decision to the Selection Appeal Committee. The Board's Selection Appeal Committee reviews appeals from disqualified applicants. The Selection Appeal Committee is the only Board Committee that is not advisory and can act on an appeal without Board approval.

- In response to Commissioner Casey's question regarding the Board's interactions with National Transportation Safety Board (NTSB). Executive Director Garfinkle stated that there is generally no cross-consultation between the IRC and the NTSB during the investigation or production of the reports. The exception to that was during the COSCO BUSAN investigation, it is my understanding that the Board was invited to participate in the process.
- In response to Commissioner Carr's question regarding reaching out to advertising entities other than gCaptain to advertise the trainee examination, Executive Director Garfinkle stated that Board staff have plans to reach out to other entities by early April.
- In response to Commissioner Rodriguez's question, regarding the diversity of applicants, Executive Director Garfinkle stated that to date the Board has received one female applicant and one out-of-state applicant (out of the nine that have applied to date).

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

A) Monthly report on San Francisco Bar Pilots' (SFBP) Port Agent updates, including: a list of pilots who have been Absent for Medical Reasons (AFMR) and any Minimum Rest Period (MRP) exceptions, SFBP Fatigue Risk Mitigation Report, SFBP Pilot Boat Report, and vessel moves.

Port Agent Carlier reported that, as of March 26, 2026:

- **Absent for Medical Reasons (AFMR)**

The following pilots were AFMR, and their initial absence dates were:

- Captain Ruff since September 17, 2025.
- Captain Ridens since October 8, 2025.
- Captain Slack since March 4, 2026.

- **Recommended Minimum Rest Period (MRP) Exceptions**

The SFBP continuously monitors the dispatch list for possible 12-hour MRP exceptions. If the potential exception is likely to result in a rest period of less than 10 hours, mitigating measures are employed. These measures include, but are not limited to, suspending continuing professional development protocols, cancelling scheduled meetings or Committee assignments, cancelling previously granted compensation time requests, deferring scheduled training sessions, or calling in off-watch pilots.

- **Fatigue Risk Mitigation Report**

- There are currently 53 licensees on the SFBP roster.
- Work periods over 12 hours: 17 occurrences, 1 exceeded 14 hours.
- Night work periods over 10 hours without rest opportunity: 2 occurrences.
- Night-time hours over 18 hours in a 72-hour period: None.

- Rest periods of less than 12 hours (MRPs): 6 occurrences. The minimum rest period was 10.8 hours.

B) Monthly report on SFBP ship piloting business activity.

Port Agent Carlier reported that, as of March 26, 2026:

- The status of each of the SFBP-owned pilot boats was reported as:
 - Pilot Vessel (P/V) CALIFORNIA, DRAKE, GOLDEN GATE, and PITTSBURG: Operations normal.
 - P/V SAN FRANCISCO: The vessel has been at the shipyard since December 15, 2025.
- Vessel moves, for February 2026, were as follows:
 - Bar Crossings: 386
 - Bay Moves: 101
 - River Moves: 34
 - **Total Moves: 521**
- Total Gross Registered Tonnage (GRT): 23.3 million.
- When comparing the same period in 2025, total moves were down 5.4% and GRT was up 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 confidential contents of the Port Agent's report and other relevant confidential medical information, as authorized by Harbors and Navigation Code (HNC) section 1157.1.

None.

In response to Commissioner Rodriguez's question regarding the cause of MRPs, Captain McIntyre stated that the SFBP is required to report the MRP metrics that Port Agent Carlier reports every Board meeting, but not the reasons for MRPs.

In response to Vice President Hayes-White's question regarding the injury reporting process, Port Agent Carlier stated that the pilot notifies SFBP, the Executive Director, and the University of California San Francisco (UCSF). If a pilot is on medical disability leave for an extended period of time, the pilot is subject to re-evaluation every 120 days. Two of the pilots on AFMR seem to be very close to completing the process to return to work.

Executive Director Garfinkle stated that, while the pilots are required to immediately report changes in their health, UCSF's processing time is where most delays occur. Board staff have been working with UCSF to reduce processing times.

8. Pilot Evaluation Committee. (Commissioner Benedict for Committee Chair Ruff)

A) Report on the Pilot Evaluation Committee (PEC) meeting held on March 18, 2026.

Commissioner Benedict (for PEC Chair Ruff) presented the PEC Chair's Report on the following:

Agenda Item A:

The PEC met on Wednesday, March 18, 2026 at 7:30 a.m. The members present were Captains Wehr, Stultz, Bridgman, and Ruff. Executive Director Garfinkle joined the PEC in an open session.

During the open session, the PEC discussed the Executive Directors visit to Port Revel, the selection of the simulator testing evaluators, and changes to the California Code of Regulations (CCR) section 214(f) language to extend the trainee probation period beyond one year to one and a half years. The open session was completed at 7:50 a.m. and then the PEC moved into the small conference room for the closed session.

The report out of closed session is as follows:

- There are three active trainees: Captains Johnson, Thinger, and Roberts. Their raining time in the program ranges from seven months to 26 months.
- They are observing, part handling, and handling ships under direct supervision of a licensed SFBP pilot.
- Captains Johnson and Thinger have completed all testing for First-Class Pilotage (FCP) and continue learning piloting skills.
- PEC unanimously agreed to put Captain Thinger into the Evaluation phase of the training program. (This is "finishing school" and is a minimum of three months while maintaining a 4.0 grade point average or higher.) The supervising pilot should be letting Captain Thinger operate as though he were the pilot and only step in when absolutely necessary.
- Captain Roberts is in the beginning stage of his FCP testing. He started strong, and the PEC anticipates his success. Federal closure of the USCG Regional Exam Centers continues to impede Captain Roberts' progress, for now. PEC Chair Ruff tried to use personal contacts to see about getting Captain Roberts into CMA for FCP testing, while their mates exams were being administered, but was denied. PEC encouraged him to be ready to schedule and take the next exam when the Regional Exam Center reopens.
- In individual closed sessions with the trainees, trainees discussed issues and difficulties encountered, and the Committee came up with strategies to help with their training.

The next PEC meeting is scheduled for April 15, 2026 at 7:30 a.m. in this office.

The meeting was adjourned at 10:30.

- B) Possible PEC recommendation to place one or more Pilot Trainee Training Program trainees on probation, and/or suspend 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, and/or suspend or dismiss one or more trainees from the program.

The Board may go into closed session to discuss any confidential portions of the Committee Chair's report and/or other relevant confidential personal information of a pilot or trainee, as authorized by HNC section 1157.1.

None.

- C) 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 or trainees who has/have completed the Pilot Trainee Training Program.

None.

- D) Possible recommendation from the Executive Director for the Board to issue a state pilot license to a trainee or trainees who hold a Certificate of Completion from the Pilot Trainee Training Program.**

Possible Board action to accept a recommendation from the Executive Director that a trainee or trainees holding a Certificate of Completion from the Pilot Trainee Training Program be licensed as a state-licensed pilot, and issue said state license.

None.

- E) Possible PEC recommendation regarding amendments to the text of California Code of Regulations (CCR) section 214(f) to extend the pilot trainee probation period beyond one year, by a set period.**

Possible Board action on the PEC's recommendation to the Board to amend CCR § 214(f) to extend the pilot trainee probation period beyond one year, by a set period.

Commissioner Benedict (for PEC Chair Ruff) stated that the PEC recommended the Board amend CCR § 214(f) to extend pilot trainee probation period from one year to one and a half years.

Attendees discussed considerations for amending CCR § 214(f). Discussion points included:

- SFBP Counsel Baldwin stated that the specific language change needed to be decided.
- Commissioner Carr requested Board Counsel Tuck propose the new language.
- Board Counsel Tuck agreed to draft the revision proposal.
- Commissioner Benedict requested that the revision should also allow for absences, such as medical leave and government shutdowns.
- Captain McIntyre stated that, rather than the PEC members, it made more sense to have Board Counsel Tuck draft the language, since legal considerations do not fall under the

PEC's area of expertise. She also suggested the revision should include a note about (medical or testing related) absences requiring the Board's approval and that leave should not count towards the probation timeline.

In response to Commissioner Casey's question regarding the trainee review process at PEC meetings, Executive Director Garfinkle stated that a card is completed for every trainee trip and then referenced each month during the PEC meeting, where every trainee is individually counselled. Port Agent Carlier stated that the PEC holds an open session and then goes in to closed session, where each pilot comes in individually for counselling.

9. Reported Safety Standard Violations. (Executive Director Garfinkle)

(Reported safety standard violations occurring up to the start of the meeting will be included.)

None.

10. Reported Piloting Events from the Incident Review Committee (IRC). (Executive Director Garfinkle / Vice President Hayes-White)

(Reportable piloting events occurring up to the start of the meeting will be included.)

None.

Recess began at 10:13 a.m.

Meeting resumed at 10:22 a.m.

11. Review and discussion of 2025 San Francisco Bar Pilots (SFBP) CCR § 237(d) report. (Captain Anne McIntyre, SFBP and Assistant Director Millspaugh)

A) Presentation of the 2025 San Francisco Bar Pilots CCR § 237(d) report.

Captain McIntyre briefed attendees with a summary, including analysis, of the SFBP's CCR § 237(d) report. Talking points included:

- SFBP is required to report business details and updates annually, including vessel movements, AFMR, and the number of pilots assigned by day.
- Specific reporting requirements and definitions are listed in CCR § 237(d). Captain McIntyre encouraged attendees to review the regulation and report (included in the Board documents) for more details.

B) Discussion of the pilot power analysis report and possible referral to the Pilot Power Committee for further action.

Possible Board action related to pilot power and/or referral to committee.

Assistant Director Millspaugh thanked Records Management and Program Support Coordinator Shepherd for compiling the relevant data. The data was reviewed, extracted, and analyzed from the CCR § 237(d) reports for 2017-2025. Assistant Director Millspaugh and Program Support Coordinator Shepherd provided a high level summary of the thorough data breakdown contained in the analysis report. The key takeaways were:

- Planning for demand does not predict exceptions due to peak traffic periods.
- Based off the data possessed by the Board staff, that data provides evidence that the

current system is working but it is up to the Board to decide (whether the current number of pilots is appropriate). The Board may wish to review the data and draw their own conclusion.

Captain McIntyre stated that:

- This analysis was in response to the question of whether staffing less than 60 pilots creates a safety concern.
- Decisions should be made based on averages, not outliers, because it is not possible to staff for a peak in shipping activity, and avoiding MRPs 100% of the time is not possible.
- No pilots are dispatched without 10-hour rest periods.
- The average of 43 MRPs per year is low.
- SFBP anticipates a significant number of retirements soon, which tends to happen in waves and should be planned for.

Commissioner Rodriguez stated that the narrative with the data was an excellent introduction to the discussion.

Commissioner Carr stated that, with three trainees in the pilot trainee training program and the 2026 [Pilot Trainee] exam in the works, the Board and SFBP are doing everything possible to increase numbers. The Board staff's analysis report shows current operations are not creating a safety risk. The system is operating as expected. He also stated that he anticipates SFBP will be able to operate with the current 52 pilots without any problems (while working to increase the number of pilots), so no additional action is needed.

12. Review and discussion of the Office of Administrative Law's recommended revisions to Section 236 of Title 7, California Code of Regulations. (Executive Director Garfinkle)

Possible Board action to approve the updated CCR Title 7, Section 236.

Executive Director Garfinkle stated that the second 15-day public comment period for revisions to this regulation closed and one public comment was received from PMSA. When reviewing the Board's initial submission, the Office of Administrative Law (OAL) recommended some language be removed from the regulations that duplicated existing statutory language. They suggested that these removals were non-substantive and could be made without withdrawing the rulemaking. However, Board staff chose to withdraw the regulations, inform stakeholders and initiated the additional comment period. Board staff will resubmit the updated CCR Title 7, Section 236 revisions to OAL.

MOTION: Commissioner Rodriguez moved to approve the updated revisions to CCR Title 7, Section 236. Commissioner Korwatch seconded the motion.

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

NO: None.

ABSTAIN: None.

ACTION: The motion was approved.

13. Discussion regarding the IRC reporting process and responses to Commissioner Carr's October 29, 2025 letter regarding the IRC. (Executive Director Garfinkle / Vice President Hayes-White)

Possible Board action regarding the IRC reporting process.

Executive Director Garfinkle stated that this agenda item was to discuss Commissioner Carr's concerns regarding the IRC, which he had raised in a written report to the Board at its offsite meeting in October 2025. On behalf of the IRC, Executive Director Garfinkle thanked Commissioner Carr for his analysis and noted that the IRC was open to improving its processes and reporting to the Board. Commissioner Carr's concerns and the IRC's responses are included in the meeting documents.

Commissioner Carr thanked the IRC for their report and stated that during the October 2025 Board offsite, he presented a report with his recommendations. He invested a lot of time into the arguments included in that report and believes they remain valid. He highlighted a few points in the report (including the 90-day deadline being regularly missed and the IRC reporting scope being beyond what's necessary) and suggested that the concerns could be addressed if the Board established a committee to review the IRC procedures.

Vice President Hayes-White stated that Commissioner Carr's suggestion would be a great recommendation to give to President Tynan.

Attendees discussed Commissioner Carr's request to include subject matter experts in the IRC. Discussion points included:

- Commissioner Rodriguez stated that, per HNC section 1156(8)(e), the Board has the authority to employ investigators.
- Board Counsel Tuck stated that the Board already employs investigators for the IRC.
- Assistant Director Millsbaugh stated contracts are being finalized to onboard new investigators and re-enter agreements with existing investigators.
- Executive Director Garfinkle explained the investigation process, citing that each incident the IRC investigates includes a Board investigator. The investigator is first called after the Port Agent notifies the Board of an incident. The investigator investigates the scene, collects data, and interviews crew members and other witnesses. The investigator then presents their findings to the IRC. The IRC combines the investigator's findings with the USCG data obtained via the Freedom of Information Act (FOIA) request. At times the investigator is prevented from collecting data at the site of the incident, in these cases the IRC reaches out to the vessel owners for additional evidence. The investigators also may express their opinions regarding what took place. The investigators' contracts contain a Statement of Work (SOW) that details the standard investigation procedures.
- In response to Commissioner Rodriguez's question regarding a Committee review of the investigator contract, Board Counsel Tuck stated that, although typically it's the President that determines new Committees and members, the Board could create a Committee or Ad Hoc Committee to review the IRC reporting process and investigator contracts if they did an official Board motion; or they could postpone the decision for President Tynan to decide. Anyone could serve on the new Committee.
- Commissioner Rodriguez asked if the Board could form a new Committee but ask President Tynan to decide the members.
- Captain McIntyre stated that it has been an extended period of time since the IRC

processes have been established and noted that Commissioner Carr is not the only member of SFBP with concerns, and adding it would be beneficial to look at revising the process with the goal of preventing incidents from happening again in conjunction with reviewing new investigating technique training, etc., to streamline the process. Captain McIntyre noted this would likely be a long process, and the Board does not need to try to resolve everything at once.

MOTION: Commissioner Carr moved to recommend to President Tynan to establish a committee to review the IRC process. Commissioner Rodriguez seconded the motion.

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

ACTION: The motion was approved.

14. Status report on the Board's Information Technology Modernization Project (ITMP). (Assistant Director Millspaugh)

Assistant Director Millspaugh stated that the RFP for an IT solution question period had closed. Board staff received multiple questions showing strong interest in the solicitation. The goal of phase one of the RFP will be to review the administrative requirements of the RFP. Selection should be completed by August 2026 or September 2026, then implementation will begin. The project's progress is proceeding as expected.

15. Joint Pilot Boat Advisory Committee and the Finance Committee (Commissioner Carr)

A) Report on Joint Pilot Boat Advisory Committee and the Finance Committee meeting held on March 23, 2026.

Commissioner Carr stated that:

- The SFBP discussion points from the Committee meeting will be addressed by Captain McIntyre in agenda items 15B-C.
- The Committee voted and approved a recommendation that the Board approve the preliminary authorization to recover the pilots' costs for the construction stage of a new station pilot boat vessel.
- During the meeting, Committee Members heard a presentation regarding the shipyard. Key points included:
 - It takes 18-24 months to build a boat.
 - Upon delivery, the owner shall be supplied with all the information required to contract vendors, order spares, operate, and repair the vessel for the next 20 years.
 - It is unclear if the California Air Resources Board (CARB) waivers for current pilot station boats will be renewed.
 - Costs may be higher than initially quoted (the current proposal is \$27.1 million). Increases are due to tariffs and costs of steel, rising fuel costs, and additional fees such as legal costs. SFBP will keep the Committee and Board updated in a timely manner regarding the boat build.
- The Committee added a new Committee Member, Max VanDervoort, to replace Marty Robbins.

B) Discussion of possible Joint Committee recommendation to the Board regarding a request and supporting documentation from the SFBP and the San Francisco Bar Pilots Benevolent and Protective Association seeking preliminary authorization for the construction stage of a new station pilot boat vessel.

Possible Board action to approve a preliminary authorization to recover the pilots' costs for the construction stage of a new station pilot boat vessel.

Captain McIntyre provided an overview and details of each phase of the boat build project utilizing presentation slides (included in Board document number 15B-02).

Vice President Hayes-White left the meeting at 11:30 a.m. Commissioner Korwatch stepped into the role of Chair for the remainder of the meeting.

In response to Assistant Director Millspaugh's question regarding [maintenance] of engines, Captain McIntyre stated that the contract requires access to skilled service providers after the boat is deployed, for continued local maintenance. Concerns exist regarding the Mann engine, but the SFBP has investigated it.

In response to the RFP, SFBP received four bids, looked at three shipyards, and after careful review of each RFP response, chose Nichols Brothers. Captain McIntyre stated that Nichols Brothers:

- Has significant experience.
- Are familiar with California's regulations' requirements.
- All work is completed in-house with an efficient assembly line, running their own welding, pipes, and machine shops.
- Their base of operations is in Northern Washington on Whidbey Island.

Nichols Brothers' initial estimate for the boat build timeline is 18 months, however SFBP anticipates, based on past boat builds and the complexity of the build, it may be reasonable to expect a timeline of 18-24 months. Captain McIntyre stated that, in consideration of the size of the project and the complexity of the boat, SFBP hired a project management firm they have worked with before (Maritime Consulting Partners (MCP), located in the Pacific Northwest). MCP understands how CARB regulations work. Their proposed SOW is included in the Board documents.

Port Agent Carlier stated that the SFBP will need to take out a loan from the bank, in addition to the money that has been accumulating from the pilot boat surcharge, to allow SFBP to be nimble enough to make payments within the timeline needed to obtain the necessary services (receiving funds from the pilot boat fund can take months but payments to the contractor must be made in a much shorter period of time). It is standard practice with the bank for SFBP, as the recipient of such a substantial loan, to be required to pay the legal fees for the bank. SFBP will also need to pay fees related to the yard, change orders, the delivery of vessel, transfer and loss, and warranty issues that may arise on back end.

Captain McIntyre stated that the total amount for all associated costs would be \$27.1 million. The SFBP is ready to proceed with final negotiations and requests the Board approve preliminary authorization. These costs include:

- Construction \$24.7 million
Including:
 - Shipyard base contract \$23,294,531
 - Engine change (estimated adjustment) \$250,000
 - Change order allowance (2%) \$466,000
 - Daughter boat contract (Safeboats) \$256,000
 - Miscellaneous owner-supplied items \$50,000
 - Contingency for Fuel (delivery) \$45,000
 - Ad hoc engineering support \$250,000
 - Pilot and staff travel/expenses \$150,000
- Construction management (MCP) \$750,000
- Legal \$50,000
- Interest and bank fees – Not Capitalized \$1.5 million
- Additional costs: pre-engineering, SFBP oversight, and potential fuel price increase (\$45,000 quoted above is for boat delivery based off current fuel rate).
- **TOTAL** **~\$27.1 million**

The Board discussed the various options for financing building the new station pilot boat, including traditional long term financing, direct payment from the pilot boat fund, and use of a short-term construction loan to finance construction, with the loan paid off with pilot boat funds upon SFBP taking possession of the boat. Captain McIntyre provided information on the overall costs and liabilities associated with each strategy.

Commissioner Rodriguez stated that he thought the pilot boat fund was created to eliminate the need for a loan and the interest connected with it.

Captain McIntyre stated that most capital projects are funded using a construction loan and then either convert to a traditional loan or are paid off upon possession of the project. She explained from a fiduciary perspective, paying interest on a short-term construction loan is the most cost effective vs. SFBP paying taxes on what would be considered by the IRS income should the SFBP receive pilot boat funds prior to taking possession of the new pilot station boat.

Commissioner Casey left the meeting at 11:59 a.m.

Captain McIntyre stated that SFBP will provide periodic updates and is open to discussions with Board staff regarding frequency (monthly/quarterly).

MOTION: Commissioner Carr moved to approve the preliminary authorization of \$27,061,531 to recover the pilots' costs for the construction stage of a new station pilot boat vessel. Commissioner Benedict seconded the motion.

VOTE: YES: Benedict, Carr, Korwatch, Mathur, and Rodriguez.

NO: None.

ABSTAIN: None.

ACTION: The motion was approved.

C) Discussion of possible Joint Committee recommendation to the Board regarding SFBP's report on the Pilot Vessel (P/V) San Francisco shipyard period and possible SFBP recovery of expenses utilizing Pilot Boat Program funds.

Possible Board action to approve reimbursement of P/V San Francisco shipyard expenses.

The Board agreed to Captain McIntyre's request to continue this agenda item to the next Board meeting, in consideration of those absent from the meeting.

16. Discussion of HNC sections 1198 and 1110, regarding indemnification of pilots and pilot trainees and piloting jurisdiction. (President Tynan / Board Counsel Tuck)

Possible Board action regarding potential changes to HNC sections 1198 and/or 1110 pertaining to indemnification of pilot and pilot trainees, and piloting jurisdiction.

Board Counsel Tuck requested that this agenda item be continued to the next Board meeting so that he could discuss these potential changes with SFBP and stakeholders.

For context, SFBP Counsel Baldwin stated that the original wording of this agenda item may be misleading and the discussion addresses two separate issues:

1. Rewriting HNC section 1198 to include trainees raises issues that need to be reviewed.
2. While the jurisdiction of the pilotage grounds was going to be addressed along with the trainee indemnification discussion, there is current language with the Transportation Omnibus bill (Assembly Bill 2788) expanding the jurisdiction of pilots to include the Ports of Sacramento and Stockton, so that could resolve that issue without Board action.

The Board agreed to continue this item to the next Board meeting.

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

Ms. Cohen reported on behalf of PMSA that there are several bills being drafted, including:

- A \$1 billion budget request has been made by Assemblymember Gipson to support port infrastructure but seems like a longshot, considering the fiscal state of California.
- California Legislative Committees have started meeting.
- Assembly Bill (AB) 1777, was introduced, and seeks to affirm CARB's authority regarding CARB adopting regulations to reduce or mitigate emissions from indirect sources of pollution. Industry is opposed to this bill.
- AB 2051, introduced by Assemblymember Wicks, pertains to permitting coastal resilience projects. Currently multiple permits are needed to build a seawall, and this legislation seeks to streamline that process.
- Last year's AB 14, authored by Assemblymember Gregg Hart, authorizes the statewide expansion of voluntary vessel speed reduction (VSR) program "Blue Sky Blue Whales". This has historically been a very successful program with high participation; however, on March 12, 2026, a massive expansion was announced without prior consultation with marine sanctuaries or industry stakeholders (related to the blue whale story Commissioner Benedict mentioned under agenda item 5). PMSA has significant concerns about the proposed

expansion and lack of details provided; and is asking to sustain the 2025 boundaries in 2026 to ensure participation. Such a substantial expansion would be difficult to accommodate and maintain schedules that were planned months in advance.

Commissioner Korwatch stated that AB 14 was put in place as a voluntary best practice because it was the right thing to do.

Ms. Cohen continued her report, stating that in national/international news:

- In 2026, in addition to tariffs, there has been conflict in Middle East, which impacted vessels, fuel prices, and fertilizer. Container numbers remain high but are lower in year over year comparisons.
- The Vessel Traffic Service (VTS) system is strained under the Department of Homeland Security's (DHS) funding freeze. This is impacting staffing as civilian employees have had pay withheld three times in the past year. In addition to struggling to be adequately staffed, there is also a risk they will lose their long-term employees. PMSA remains concerned about the shutdown and proposals for privatization.
- Ms. Cohen stated that she did not have any sponsored bills for 2026.

Captain McIntyre stated that the SFBP does not support the privatization of VTS (private-public partnership) due to American maritime domain awareness and liability issues. In VTS, the (approximately) 20 civilian employees and 8 USCG employees are not being paid, and some have had to apply for loans and go to food banks to get by. The America Pilots' Association is also advocating and trying to get the offices to open and pay their staff. There have been similar reports from various other entities. In other news, Captain McIntyre stated that:

- Tonnage remains flat.
- The Jones Act has been suspended for tankers but not containers. The media says this is an attempt to calm the oil market by allowing ships to carry oil between ports. The daily fluctuation and oil confusion adds volatility but may bring in more ships, but it is difficult to predict.
- SFBP is required by statute to move ships, so they will continue to do so.

18. Update and discussion regarding the status of 2026 Pilot Trainee Program Exam. (Commissioner Carr and Assistant Director Millspaugh)

Commissioner Carr stated that exam evaluation survey is complete, data is being collected, and subject matter experts will be meeting with Dainis & Company, Incorporated (Dainis) this week. SFBP is also developing a webinar on being a pilot.

Assistant Director Millspaugh stated that he and Executive Director Garfinkle will be meeting with Dainis about what happened this week and discussing the plan for the next 30-60 days.

19. Closed session for the Board to confer with legal counsel regarding potential significant exposure to litigation against the Board involving a former licensee. (Board Counsel Tuck)

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

Board Counsel Tuck stated that there was no need to go into closed session this month.

20. Performance Evaluation of the Executive Director. (Commissioner Korwatch for President Tynan)

The Board will conduct the annual performance evaluation of Executive Director. The Board may go into closed session pursuant to section 11126(a)(1) of the Bagley-Keene Open Meeting Act to discuss the performance evaluation.

Commissioner Korwatch stated that the performance evaluation of the Executive Director should be delayed until the April Board meeting, when President Tynan can be present, and the Board agreed.

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

Board Counsel Tuck stated that the continuation of several agenda items was discussed, and they will be added to the next Board agenda.

22. Comments by public and Board Members on matters not on the agenda.

None.

23. Adjournment.

Commissioner Korwatch adjourned the meeting at 12:27 p.m.

Submitted by:



Allen Garfinkle
Executive Director

ACRONYM INDEX

Acronyms / Abbreviations	Definition
AFMR	Absent For Medical Reasons
AB	Assembly Bill
BOPC/Board	Board of Pilot Commissioners
Cal Poly	The California Polytechnic State University
CalSTA	The California State Transportation Agency
CARB	The California Air Resources Board
CCR	California Code of Regulations
CHP	The California Highway Patrol
CMA	The California State University Maritime Academy
COLA	Cost of Living Adjustment
Dainis	Dainis & Company, Incorporated (Psychometrician company)
DGS	The Department of General Services
DHS	Department of Homeland Security
DOF	The Department of Finance
FCP	First-Class Pilotage (test)
FOIA	Freedom of Information Act
FPPC	Fair Political Practices Commission
GRT	Gross Registered Tons
HNC	Harbors and Navigation Code
IFB	Invitation for Bids
IRC	Incident Review Committee
IT	Information Technology
ITMP	Information Technology Modernization Project
MCP	Maritime Consulting Partners
MRP	Minimum Rest Period (12 hours)
M/V	Motor Vessel
NMC	National Maritime Center
NTSB	National Transportation Safety Board
OAL	The Office of Administrative Law
PAL	Project Approval Lifecycle
PEC	Pilot Evaluation Committee
PMSA	The Pacific Merchant Shipping Association
P/V	Passenger Vessel / Pilot Vessel
Q&A	Question and Answer
REC	Regional Exam Center
RFP	Request for Proposal
RTW	Return to Work
SB	Senate Bill
SCO	The State Controller's Office
SFBP	San Francisco Bar Pilots
SOW	Statement of Work
TBD	To Be Determined
UCSF	The University of California San Francisco
USCG	United States Coast Guard
VSR	Vessel Speed Reduction
VTS	The Vessel Traffic Service

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

