



State of California,
Business, Transportation and Housing Agency

Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun



2010

Annual Legislative Report

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I.

I. Introduction

Section 1157.5 of the Harbors and Navigation Code introduced by Senate Bill 1217 (2008) mandates that the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun (Board) submit an annual report describing the Board's activities for the preceding calendar year and providing certain specific information.

The statutory provision calls for reporting on the number of vessel movements across the bar, on the bays, and on the rivers within the Board's jurisdiction; the names of pilots and trainees and their status; and summaries of misconduct or navigational incident reports.

The following report is hereby submitted in compliance with the cited provision.

The report has been prepared with the collaboration of the following officials:

- Knute Michael Miller, President of the Board
- Bruce Horton, Port Agent
- Brian Vu, Staff Service Analyst
- Gabor Morocz, Ex Officio Board Member

Allen Garfinkle, Executive Director

II. Summary of Major Board Activities in Calendar Year 2010

Overview

On January 1, 2009, pursuant to SB 1627 (Wiggins) enacted September 29, 2008, the Board became a constituent department of the Business, Transportation and Housing Agency (BTH). Previously, the Board had been an independent agency. As in 2009, much of the focus and activities of the Board during 2010 were the result of this important change in its status and relationships within State government, as well as other requirements of that legislation. Other legislation, SB 1217 (Yee) enacted September 29, 2008, SB 300 (Yee) enacted October 11, 2009, and AB 1888 (Ma) enacted September 29, 2010 affected Board operations as well.

Discussion

1. Transition from Independent Agency to Constituent Department of BTH.

The Board began working with executives of BTH shortly after the enactment of SB 1627 in 2008 to chart a course for the integration of the Board into the BTH structure. Integration began on January 1, 2009, with immediate oversight by BTH and the establishment of BTH Secretary Dale E. Bonner as an ex officio member of the Board. Secretary Bonner appointed Deputy Secretary John Hummer to serve as his delegate on the Board. Mr. Hummer was succeeded on April 9, 2009, by BTH Deputy General Counsel Gabor Morocz. Mr. Morocz continues to serve in that capacity at this time. Mr. Morocz is also the Secretary's designee to step in as Acting Executive Director in the absence or unavailability of the Executive Director.

For many years prior to integration into BTH, the Board contracted with the Department of Consumer Affairs for administrative and legal support services. That contract continued in force until June 30, 2009. Administrative services are now provided by the California Highway Patrol and legal services provided by the Attorney General's office. During 2010, the Board staff worked closely with CHP staff and BTH officials to develop efficient communications and administrative support protocols. Key among these activities was the development of an up-to-date accounting system by CHP to monitor Board revenues and expenditures, and to assist in budget controls and analysis.

2. Personnel Matters.

On July 1, 2009, Governor Schwarzenegger appointed Ms. Nancy Hall Bennett to be the Board's Assistant Director, a new statutory position mandated by SB 1627. She served in this capacity until June 30, 2010 when she resigned to accept a position in the private sector. Governor Schwarzenegger did not appoint a successor, and the position remains unfilled at this writing.

On October 1, 2009, the Board's long-time Executive Director resigned his position. Shortly thereafter, the Board established a Search Committee, advertised for applicants, ultimately appointing Captain Allen Garfinkle as its new Executive Director, effective February 1, 2010. In the interim, at the direction of Secretary Bonner, BTH Deputy General Counsel Morocz served as Acting Executive Director.

On March 31, 2010, the Board's staff services analyst resigned her position to accept a position in the private sector. The Executive Director had no professional or support level staff and he carried on all the administrative functions alone until August 2010.

3. Trainee Selection Exam.

The Board conducts training for qualifying mariners who wish to obtain the skills that will permit them to be licensed as San Francisco Bar Pilots. Every two to three years, the Board conducts a selection examination to establish a roster of candidates to enter the trainee training program. The Board conducted a selection examination during 2010 involving both a written examination and a bridge simulator examination. Of 51 applications received by the Board, 31 were qualified to sit for the examination based on U.S. Coast Guard licenses held and actual maritime experience. 27 applicants actually sat for the exam, 21 qualified to take the simulator exam, and of that number, 12 were successful and were placed on a ranked list. As openings in the Board's training program arise, candidates will be offered admission to the program in the order in which they appear on the list. The Board inducted four trainees into the training program on January 1, 2011.

4. Implementation of 2008 and 2009 Legislation. Additional Legislation in 2010 Affecting the Board.

The Wiggins and Yee bills mandate Board action in a number of areas. Key among them are requirements that the Board:

- Establish minimum standards for the selection of Board investigators (who investigate maritime incidents involving Board-licensed pilots).
- Establish standards for the selection of Board physicians (who determine whether pilot trainees and Board-licensed pilots meet the Board's fitness standards).
- Monitor on a continuing basis changes in prescription medications taken by trainees and licensed pilots;
- Implement revised procedures for determining whether an investigated incident involves pilot error and if so, what sanctions are to be imposed.

During 2009, the Board addressed each of these mandates and in 2010 completed or substantially completed rulemaking to implement each. Minimum standards for selecting investigators have been identified and are now in regulations. Interim guidance with respect to pilot medications has been provided to pilots, trainees, and Board-appointed physicians. Rulemaking with respect to both pilot medications and selection criteria for Board physicians are part of the agenda for the Pilot Fitness Committee, as discussed below. The Board has adjusted its incident review procedures to conform to the requirements of SB 1627 and is well advanced in changing the regulations to that effect.

The 2010 legislation by Assemblymember Ma made adjustments to the terms for members of the board who are licensed pilots and members who represent the shipping industry. It also exempts from pilotage fees and surcharges noncommercial vessels that are maritime academy training vessels and vessels owned and operated by nonprofit museums or foundations. These vessels would be subject to the board operations surcharge. The legislation also exempts recreational vessels of less than 750 gross tons from the requirement to use a pilot.

5. Initiation of Studies Pursuant to 2008-2009 Spring Finance Letter.

The Board requested and was granted a 2008-2009 budget augmentation to address major new tasks stemming from the M/V COSCO BUSAN allision with the San Francisco-Oakland Bay Bridge on November 7, 2007.

In 2008, the Board established a Navigation Technology Committee which, in 2009, identified standards for “personal pilotage units” – essentially a laptop computer programmed with standardized software for use by licensed pilots as a navigation tool – and recommended that the Board adopt regulations to implement the Committee’s recommendations. The Board adopted those recommendations and in 2010 completed rulemaking to implement them. Parallel with that effort, and pursuant to Subdivision (f) of Section 1190 of the Harbors and Navigation Code, the Board established a navigation and technology surcharge for reimbursement of the equipment purchased by the pilots. The collection of the surcharges was completed successfully by the end of 2010.

In 2009, the Board established a Pilot Fitness Committee to review and, if appropriate, recommend changes to the Board’s fitness standards for trainees and licensees, to identify standards for selection of Board-appointed physicians, to consider the appropriateness of establishing a medical review officer to oversee the fitness determination process, and other medical and fitness matters. The Board has contracted with the University of California, San Francisco Medical Center, to assist with these studies. The Committee’s work commenced in 2009 and continued through 2010. Recommendations to the Board will be forthcoming early in 2011 with rulemaking and contracting changes following shortly thereafter.

6. Performance and Financial Audit by Bureau of State Audits.

SB 1627 directed the Bureau of State Audits (BSA) to conduct a comprehensive performance and financial audit of the Board. The BSA conducted the audits over the course of several months during 2009 and issued its report on November 24, 2009. The report made a number of findings and recommendations that have been quite helpful to the Board in improving its operations and procedures. During 2009 and 2010, the Board implemented procedures that addressed most of the BSA recommendations. As of November 24, 2010, the board had fully implemented corrective actions related to 19 of the 27 findings noted by the BSA and continued implementing corrective actions during the balance of the year. Several actions involving rulemaking were awaiting action by the Office of Administrative Law at yearend and the Department of General Services continued its activities in securing new office space for the Board. The Board anticipates that it will

implement actions involving Board physicians during 2011 once rulemaking is complete and a competitive procurement process can be initiated.

7. Litigation Involving the Board.

The Board is a party in five different lawsuits stemming from the M/V COSCO BUSAN accident in 2007 seeking damages directly or set-off with respect to claims by the State of California against the vessel owner and operator. The Board is defended in those actions by the Attorney General's Office. The litigation is still ongoing; however, comprehensive settlement of all the State related cases is expected in 2011.

III. Number of Vessel Movements in 2010

Subdivision (a) of Section 1157.5 of the Harbors and Navigation Code called for reporting the number of vessel movements across the bar, on the bays, and on the rivers within the Board's jurisdiction. The following are the statistics:

Number of vessel movements across the San Francisco Bar <i>(Includes 2 movements in Monterey Bay)</i>	6,545
Number of vessel movements within the Bays of San Francisco, San Pablo and Suisun <i>(1,181 movements handled by bar pilots including 3 in Monterey Bay, and 44 movements handled by the Inland Pilot)</i>	1,225
Number of vessel movements on the Sacramento and San Joaquin Rivers <i>(282 movements handled by bar pilots and 44 movements handled by the Inland Pilot)</i>	326

IV. List of Status of Pilot Licensees and Trainees in 2010

	Pilot Name	Date of Original Licensing	Retired	Licensed and Fit for Duty	Licensed and Not Fit for Duty	Unlicensed and Absent for Medical Reasons	Licensed and Absent for Medical Reasons	On Authorized Manned Model Training	On Authorized Combination Course Training	On Active Military Duty	On Leave of Absence	License Suspended
1	Alden, Bruce	7/2/1993		1/10/10 – 12/31/10					10/9/10 – 10/15/10			
2	Anderson, Chris	1/17/1994		1/10/10 – 12/31/10					10/9/10 – 10/15/10			
3	Aune, Drew	4/1/2009		1/1/10 – 12/31/10				7/29/10 – 8/8/10				
4	Boriolo, Dan	10/1/1995		1/1/10 – 12/31/10				8/19/10 – 8/29/10				
5	Bridgman, Daniel	4/1/2010		4/1/10 – 12/31/10				7/29/10 – 8/8/10	5/8/10 – 5/15/10			
6	Burger, Tom	9/4/1991		1/1/10 – 12/31/10			10/25/10 - 11/11/10		10/9/10 – 10/15/10			
7	Carlier, John	1/20/1989		1/10/10 – 12/31/10								
8	Carlson, Kenneth	1/1/1988		1/1/10 – 12/31/10								
9	Chapman, David	5/26/1997		1/1/10 – 12/31/10				8/19/10 – 8/29/10	5/8/10 – 5/15/10			
10	Cloes, Don	6/26/2009		1/1/10 – 12/31/10				7/29/10 – 8/8/10				
11	Coney, Blake B	9/1/1993		1/1/10 – 12/31/10								
12	Coppo, George	1/1/1992		1/1/10 – 12/31/10					9/11/10 – 9/18/10			
13	Dowdle, George	11/1/1993		1/1/10 – 12/31/10					9/11/10 – 9/18/10			
14	Fuller, Peter	5/1/1998		1/1/10 – 12/31/10			1/19/10-2/8/10 9/17/10-10/15/10 11/8/10-12/6/10	8/19/10 – 8/29/10				
15	Gabe, Sean	5/1/1995		1/1/10 – 12/31/10				6/17/10 – 6/27/10				
16	Gates, David	1/1/1992	6/30/2010	1/1/10 – 4/23/10 6/11/10 – 6/30/10	4/23/2010 -6/10/10		2/18/10 – 2/19/10 4/12/10 – 4/22/10		5/8/10 – 5/15/10			
17	Greig, William	2/9/1989		1/1/10 – 12/31/10								
18	Haggerty, Mark	7/1/1998		1/1/10 – 12/31/10			1/1/10 – 1/13/10					
19	Hoburg, Morgan	2/24/2006		1/1/10 – 12/31/10								
20	Holl, Tim	9/22/2005		1/1/10 – 12/31/10				6/17/10 – 6/27/10				
21	Horton, Bruce	5/8/1991		1/1/10 – 12/31/10								
22	Hurt, Richard	9/26/2003		1/1/10 – 12/31/10				6/17/10 – 6/27/10				
23	Kelso, Arnold	1/20/1989		1/1/10 – 12/31/10					9/11/10 – 9/18/10			

	Pilot Name	Date of Original Licensing	Retired	Licensed and Fit for Duty	Licensed and Not Fit for Duty	Unlicensed and Absent for Medical Reasons	Licensed and Absent for Medical Reasons	On Authorized Manned Model Training	On Authorized Combination Course Training	On Active Military Duty	On Leave of Absence	License Suspended
24	Kenyon, Hugo	7/1/1998		1/1/10 – 12/31/10								
25	Kirk, Roger	4/1/2007		1/1/10 – 12/31/10								
26	Kleess, Guy	11/1/2005		1/1/10 – 8/24/10		11/9/10 – 12/31/10	8/25/10 – 11/9/10	6/17/10 – 6/27/10	10/9/10 – 10/15/10			
27	Larwood, Dan	7/1/1998		1/1/10 – 12/31/10								
28	Lemke, William	4/1/1993		1/1/10 – 10/6/10 12/28/10 – 12/31/10			10/7/10 – 12/27/10					
29	Livingstone, George	4/24/2008		1/1/10 – 12/31/10								
30	Long, Joe	7/1/2008		1/1/10 – 12/31/10								
31	MacLachlan, Steve	1/14/1987		1/1/10 – 12/31/10								
32	Martin Jr., Carl	4/1/2010		4/1/10 – 12/31/10				7/29/10 – 8/8/10				
33	McBride, David	12/10/1988		1/1/10 – 10/14/10	10/15/10 – 12/09/10	12/10/10 – 12/31/10						
34	McCloy, Dave	6/1/2008		1/1/10 – 12/31/10								
35	McIsaac, Peter	1/1/1994		1/1/10 – 3/16/10 5/3/10 – 12/31/10	5/3/10 – 8/3/10		3/17/10 – 5/2/10 5/3/10 – 8/3/10	8/19/10 – 8/29/10	5/8/10 – 5/15/10			
36	Melvin, Eddie	4/1/1998		1/1/10 – 12/31/10								
37	Merritt, David	8/27/2010		8/27/10 – 12/31/10				7/29/10 – 8/8/10				
38	Miller, Tom	7/1/1987		1/1/10 – 12/31/10								
39	Nyborg, Einar	7/1/1995		1/1/10 – 12/31/10				8/19/10 – 8/29/10	10/9/10 – 10/15/10			
40	O'Laughlin, Kenneth	2/11/1985	9/30/10	1/1/10 – 9/30/10								
41	Pate, David	4/1/2007		1/27/10 – 12/31/10			1/1/10 – 1/26/10					
42	Pinder, Robert	4/1/1997		1/1/10 – 12/31/10				8/19/10 – 8/29/10				
43	Pinetti, Randall	2/1/2004		1/1/10 – 12/31/10				6/17/10 – 6/27/10	5/8/10 – 5/15/10			
44	Ridens, Ray	1/1/2007		1/1/10 – 12/31/10				6/17/10 – 6/27/10				
45	Roberts, Steve	2/11/1985		1/1/10 – 12/31/10								
46	Robinson, Eric	1/1/2004		1/1/10 – 12/31/10								
47	Rocci, Reuben	1/1/2008		1/1/10 – 3/23/10 4/7/10 – 12/31/10			3/24/10 – 4/6/10					
48	Simenstad, Michael	11/7/1973	9/30/10	1/1/10 – 6/8/10 8/18/10 – 9/30/10	6/9/10 – 8/17/10		2/27/10 – 6/8/10					
49	Slack, Dustin	7/1/2008		1/1/10 – 12/31/10								
50	Sweeney, Michael	3/28/1985		1/1/10 – 12/31/10					10/9/10 – 10/15/10			
51	Teague, Steve	1/1/2007		1/1/10 – 12/31/10								
52	Tylawsky, Greg	5/28/2010		5/28/10 – 12/31/10				7/29/10 – 8/8/10				

	Pilot Name	Date of Original Licensing	Retired	Licensed and Fit for Duty	Licensed and Not Fit for Duty	Unlicensed and Absent for Medical Reasons	Licensed and Absent for Medical Reasons	On Authorized Manned Model Training	On Authorized Combination Course Training	On Active Military Duty	On Leave of Absence	License Suspended
53	Vilas, Tom	2/11/1985	9/30/10	1/1/10 – 9/30/10								
54	Wagner, Nancy	3/1/1990		1/1/10 – 12/31/10								
55	Wainwright, David	7/1/1991		1/1/10 – 12/31/10								
56	Wehr, Shane	6/1/2008		1/1/10 – 12/31/10								
57	Weiss, David	9/10/1993		1/1/10 – 12/31/10					9/11/10 – 9/18/10			
58	Wells, William	5/8/1991	12/31/10	1/1/10 – 12/31/10								
	Active Pilots	54										
	Retired Pilots	4										

Pilot Trainees in 2010			
	Name of Trainee	Date of Beginning Training	Status
1	Tylawsky, Greg	7/1/2007	completed training on 4/27/10
2	Bridgman, Dan	10/1/2008	completed training on 3/25/10
3	Martin, Carl Jr.	10/1/2008	completed training on 3/25/10
4	Merritt, David	4/1/2009	completed training on 8/26/10
5	Fawcett, Eric	4/1/2009	in training
6	Ruff, Paul	4/1/2009	in training
7	Kellerman, Zach	6/1/2009	in training
8	Michael Peery	6/1/2009	dismissed on 6/24/10
9	Laakso, Kristopher	6/1/2010	in training
	4 trainees remaining by the end of 2010		

V. Summary of Reports of Navigational Incidents and Pilot Ladder Safety Standard Violations Occurred in 2010

Subdivision (c) of Section 1157.5 of the Harbors and Navigation Code calls for providing summaries of each report of misconduct or navigational incidents involving pilots or other matters for which a license issued by the Board may be revoked or suspended. The summaries are required to provide details including the descriptions of findings made by the Incident Review Committee (IRC) and of the resulting action taken by the Board, as well as stating prior reportable incidents of the pilots involved. Accordingly, the navigational and safety equipment incidents that occurred in 2010 are listed below.

M/V MOL PREMIUM, Allision, January 20, 2010 Pilot Kenneth Carlson

The M/V MOL PREMIUM, a 961 foot container ship, was piloted from sea to Oakland Outer Harbor, berth 32 by San Francisco Bar Pilot Captain Kenneth Carlson. The vessel was brought alongside the berth with the assistance of four tugs during high winds and heavy rain. Several days after the vessel's departure, the terminal operator reported that the berth had sustained damage during the vessel's arrival.

The M/V MOL PREMIUM had departed nearly a week before the IRC became aware of the damage. As a result, there was no opportunity for the investigator to view the hull of the MOL PREMIUM to confirm the berth damage. The IRC investigation found that there was no pilot error in this incident. Accordingly, the IRC recommended finding of no pilot error and closing the matter without further action. The Board approved the recommendation and the matter was closed.

Capt. Carlson has been a pilot since 1998. He has had the following prior incidents with finding pilot error or remedial action imposed.

- 10/31/1989. M/V WAMI RIVER. Grounding and displacing of day mark #3 off Gaylord Pier, Antioch. Remedial action: pilot counseled.
- 1/12/1991. M/T OVERSEAS NEW ORLEANS. Grounding in Richmond Inner Harbor. Remedial action: no pilot error.
- 11/10/1995. M/V ADRIANA. Allision with pier of Riverview Restaurant, Antioch. Remedial action: no pilot error
- 5/15/1999. S/S JEREMIAH O'BRIEN. Allision with pier 32, San Francisco. Remedial action: pilot error.
- 7/11/2004. M/V PACIFIC HIGHWAY. Allision with Richmond-San Rafael Bridge while avoiding a recreational vessel. Remedial action: no pilot error.
- 6/13/2008. M/V SAINT NICHOLAS. Allision with Richmond, berth 21 while docking. Remedial action: pilot error.

**M/V MARATA PROVIDENCE, Pilot Ladder
Safety Standard Violation, February 13, 2010**

A report was received by the Executive Director that the ladder's manila rope was twisted, hard and severely worn. In addition, the ladder rungs were both uneven, not equally spaced and the spreaders and rungs were not horizontal. The report was faxed to the U.S. Coast Guard for follow-up and the ship agent was also notified of the pilot ladder deficiency.

**R/V FROSTI, Allision, May 15, 2010
Pilot Capt. Hugo Kenyon**

This incident happened the morning of May 15, 2010 as the R/V FROSTI, a 129 foot research vessel, was inbound from sea to Pier 27, Port of San Francisco with San Francisco Bar Pilot Capt. Hugo Kenyon aboard. The inbound transit was made safely but during the docking, the bow of the boat made unintended contact with the wooden string piece on the dock. The Master of the R/V FROSTI assumed the conn of the vessel off Pier 33 and prior to arrival at the berth at Pier 27. Considering that the pilot is an advisor to the master but has no authority to insist on taking the conn, it was the Master's discretion to dock the vessel himself rather than have the pilot do it. The damage was minimal and the Port did not pursue a claim.

The IRC investigation found conflicting accounts from the Master and Pilot. However, it was undisputed that the Master of the FROSTI was controlling both the rudder and engine orders and had direct control of the vessel when it made contact with the pier. In addition, there was clear evidence of a line fouling the propeller, possibly limiting the effect of the forward propulsion. Accordingly, the IRC recommended finding of no pilot error and closing the matter without further action. The Board approved the recommendation and the matter was closed.

Pilot Kenyon has been a pilot since 1998. He has had no other prior incidents.

**M/V MEDI OSAKA, Grounding, May 26, 2010
Pilot Capt. Guy Kleess**

This incident happened the afternoon of May 26, 2010 as the M/V MEDI OSAKA, a 620 ft. bulk carrier, was shifting from Redwood City to Richmond Inner Harbor; San Francisco Bar Pilot Capt. Guy Kleess along with Trainee David Merritt were assigned. The undocking, transit across San Francisco Bay and transit into Richmond Inner Harbor was conducted without incident. However, while transiting the Inner Harbor and on approach to the dock, the KEEGAN FOSS, one of the two tugs made fast to the ship, made contact with the bottom of the channel.

The IRC investigation found that there was a documented grounding of a tug made fast to a ship under the control of a pilot licensed by this Board, the grounding occurred in an area where a vessel would be expected to ground and there was no intervening cause outside the pilots control. Accordingly, the IRC concluded finding pilot error. However, due to the minimal damage, the IRC did not recommend any action by the Board. The Board approved the recommendation and the matter was closed. This incident highlighted the pilot trainee relationship and the necessity for continual vigilance on the part of the pilot in charge when working with a pilot trainee.

Pilot Kleess has been a pilot since 2005. He has had the following prior incidents with finding pilot error or remedial action imposed.

- 8/29/2009. M/V S.H. GRACE. Grounding in Sacramento Deep Water Ship Channel. Remedial action: no pilot error found but practice trips recommended by the IRC and agreed to by the pilot and by the Board.
- 8/29/2009. M/V VOC ROSE. Allision with wooden pylon and support structure for a catwalk. Remedial action: pilot error found with practice trips recommended by the IRC and agreed to by the pilot and by the Board.

**M/V MOL PARTNER, Pilot Ladder
Safety Standard Violation, July 11, 2010**

A report was received by the Executive Director that the ship's pilot ladder four bottom rungs were twisted and bent. The bottom rung was damaged to the point of not usable. The report was faxed to the U.S. Coast Guard for follow-up and the ship agent was also notified of the pilot ladder deficiency.

**M/V XIN TAI CANG, Pilot Ladder
Safety Standard Violation, August 31 2010**

A report was received by the Executive Director that the ship did not provide a man rope, a requirement, if requested. SFBP Pilot Capt. Pinetti filed a "Pilot Boarding Arrangements Deficiency Report" with the board and also faxed a copy to the U.S. Coast Guard. The Executive Director followed up with the U.S. Coast Guard and based on follow-up investigations, learned that the USCG did conduct a ship check on board the XIN TAI CANG and discussed with the master the requirement to have a man rope available.

**M/V BALTIC LEOPARD, Grounding, October 5, 2010
Pilot Capt. Raymond Ridens**

This incident happened when the 623 ft. bulk carrier, M/V BALTIC LEOPARD, was transiting the Stockton Deep water Channel under control of San Francisco Bar Pilot Capt. Ridens, made contact with the bottom. Capt. Ridens gave a rudder command to the helmsman to correct the ship's position in the channel; however, the command was

executed in the opposite direction. The action was admitted by the helmsman in a written statement and corroborated by the Master and Second Officer.

The IRC found that there was a documented soft grounding which was the result of a swift chain of events caused by an improperly executed helm command by the helmsman. Capt. Riden's actions prior to and following the improper helm command were appropriate. Accordingly, the IRC recommended finding of no pilot error and closing the matter without further action. The Board approved the recommendation and the matter was closed.

Capt. Riden has been a pilot since 2005. He has had no prior incidents with finding of pilot error or remedial action imposed.

**M/V SPRING LYRA, Pilot Ladder
Safety Standard Violation, November, 16, 2010**

A report was received by the Executive Director that the ship's pilot ladder was old and weather worn with the side ropes frayed and weathered. The seizing at the spreaders and rungs were loose and the wood on the rungs and spreaders were weathered and cracked. The report was faxed to the U.S. Coast Guard for follow-up and the ship agent was also notified of the pilot ladder deficiency.