

BOARD OF PILOT COMMISSIONERS

Minutes December 19, 2002

The Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun regular meeting was held in the Board of Pilot Commissioners office, Pier 9 Suite 102, San Francisco, CA, commencing at 9:30 a.m. on Thursday December 19, 2002, Commissioner Falaschi presiding. A quorum was present, including Commissioners Bayer, Lundeborg, Rosequist, Wagner, Welch and Winn. Also in attendance were Port Agent Captain McIsaac, Board Counsel Ray Paetzold, Executive Director Moloney and Secretary Alice Evans and various members of the public.

Commissioner Falaschi reported that the USCG had a presentation that they would like to make at the beginning of this meeting regarding item F. 11. on the agenda. He then introduced Lt. Commander Judy Persall, USCG MSO San Francisco Bay. Lt. Commander Persall gave an overview of the responsibility of MSO's vessel inspection department regarding Port Control over foreign flag vessels with unrepaired deficiencies; including Coast Guard authority and procedures taken to ensure safety of boarding crews, pilots, navigation and the marine environment. Commissioner Falaschi thanked Lt. Commander Persall for her detailed and informative presentation.

Request approval of Minutes of the November 21, 2002, regular Board meeting--the minutes were approved unanimously as amended: page 3, 1st line, change NYC to MTC and page 5, item F. 4. Finance Committee, first paragraph, Overall, October traffic was down (change) ~~17%~~ 20% due to the labor dispute and Income was down (change) ~~20%~~ 17%.

Correspondence and Activities since the November meeting--Executive Director Moloney

1. The Board received a letter dated December 10, 2002, from the office of Bill Lockyer, Attorney General, regarding the appointment of Andrea Lynn Hoch, to Chief Assistant Attorney General of the Civil Law Division.

Other Pilot Matters--Executive Director Moloney

1. The Board has received the manpower reports and statements for pilotage fees and surcharges collected from SFBP through October and Inland Pilot Slough through November 2002. Copies are available in the Board office.
2. The Board issued license renewals to Captains Gans, McBride and Welch during the month of December 2002.

Port Agent's Report--Port Agent Captain McIsaac

1. There are currently five pilots NFFD;
Captain Hughes continues to recover from heart surgery;
Captain Rioux is expected to be FFD on January 15, 2003;
Captain Wagner continues to recover from an ankle injury and subsequent surgery;
Captain Coppo broke a finger on December 16 and is expected to be NFFD for six to eight weeks.

Captain Carlier fell 12' to 15' onto the deck of the P/V CALIFORNIA during inclement weather on Saturday December 14. He suffered multiple contusions and an avulsion fracture to his right knee. As is customary, Crewmember Sposeto was on deck to assist the outbound pilot while disembarking and was able to roll him inside the rail to relative safety. Captain Carlier reports in retrospect that since he could not make a good lee, he should have just remained on the ship to the next port of call. Recovery is expected to take six to eight weeks.

Captain Dowdle was returned to FFD status on December 18.

2. The P/V GOLDEN GATE was found to have six cracked cylinders in one engine. She was out of service from November 24 through December 10 while undergoing a major in-frame overhaul. The other M.E. will have a similar overhaul during the first quarter of 2003.
3. On December 18 P/V CALIFORNIA Chief Operator Fritz Minder retired after 22 years of service to the SFBP and the maritime community.
4. The inclement weather during this past weekend resulted in a decision to close the bar from 2300 December 15 to 0700 December 16. We were experiencing great difficulty transferring pilots and had one incident where the outbound vessel was blown out of the channel when the pilot slowed to maneuvering speed to avoid meeting a large tanker at the entrance of the Main Ship Bar Channel. At 2200 the wind was from the south at 40 to 55 kts with seas running 25' to 30' on the bar. The ebb was due to start at about 2215 which tends to make the seas steeper and more prone to break. The closure resulted in a delay for three arriving vessels and two departing. After the bar was reopened on Monday it took over 40 minutes to board one pilot onto a container ship.

Through November 2002	Bar Crossings	- 2.58%
	Bay Moves	+6.07%
	River Moves	+8.24%
	Total Moves	- .55%
	GRT	-2.09%

as compared to the same period last year

Unfinished Business

1. Open Incidents --Executive Director Moloney gave an overview of the procedure to investigate an incident. Ordinarily, it is the Port Agent who first notifies Board staff that there was an incident although the first information could come from the pilot, another ship or other sources. An investigator is then assigned according to rotation, location and expertise. Upon completion of his investigation, the investigator forwards a report to the IRC. The investigator typically requests various items from the ship's captain including: registration information, deck and engine logs, statement from Captain, reports made to the Coast Guard and any tug information that may be necessary. The Pilot is also required to provide the Board with a written report. By law, the pilot's and investigator's reports are confidential documents. All other information becomes available to the public once the investigation is complete and accepted by the Board. The Executive Director then puts all information together to determine what happened. The IRC meets to discuss the incident and then meets with the Pilot to discuss the preliminary findings of facts, proposed opinions and conclusions. It was noted that the Board can request the IRC to conduct further investigation or re-evaluate its opinions and conclusions if they appear to be insufficiently supported by the facts. Executive Director Moloney then continued with the following reports:

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

- a. M/V ROYAL ACCORD, interaction with M/V DELTA PRIDE, Bay Bulk Pittsburgh, August 13, 2002, SFBP Captain Keon

PROBABLE CAUSE

Capt Keon boarded the bulk freighter ROYAL ACCORD in Anchorage 9 at about 0115 on 13 August 2002. He was to pilot the vessel to the Tesoro Terminal at Pittsburg. The vessel was underway at 0214 and made an uneventful transit to New York Point.

At 0622, off New York Point, speed was reduced to dead slow ahead (4.3 knots) and the two assist tugs were brought in to make up. At the time Capt Keon observed the current running at about 2 knots, flooding.

Ahead of the vessel, at Bay Bulk Terminal was the bulk freighter DELTA PRIDE. Capt Keon had shifted that vessel to the berth two days before. The DELTA PRIDE had been advised of the ROYAL ACCORD's transit which would take it past the DELTA PRIDE to turn off Antioch then return and moor downstream, portside to at the Tesoro Terminal. The DELTA PRIDE had tightened lines, secured loading operations, and the Master was on the vessel's bow to observe the passage.

On the ROYAL ACCORD, Capt Keon had the two tugs make up with two headlines each, one on the port bow, one on the starboard bow. The tug on the port bow is rated at about 5,000 bhp, the tug on the starboard bow is rated at about 3,500 bhp. The tugs were fast at 0625 and the vessel's engine stopped briefly to drop speed. Speed over ground was noted to be 5.0 knots by GPS. The engine was returned to dead slow ahead and the tugs directed to stop and drag on their lines.

Shortly after resuming the dead slow ahead speed, Capt Keon had to increase to slow ahead (6.0 kts) to regain steering control. He was able to return to dead slow ahead within a minute.

On close approach to the moored DELTA PRIDE both Capts Keon and Sumi noted that the headlines were tight and the vessel appeared to be securely moored. The vessel was at minimum steerageway with a 2 knot following current. Based on his prior steering difficulties, Capt Keon was not comfortable with backing the tugs in the restricted maneuvering space for braking effect. He dragged the boats instead, which reduced the speed through the water by about a knot and a half.

Despite the precautions on both vessels the passage of the ROYAL ACCORD caused vessel interaction with the DELTA PRIDE. The long lead of the springlines and headlines of the DELTA PRIDE allowed it to surge about 13 feet aft and damage the shoreside gangway and some of the vessel's railing.

OPINIONS

1. Ample tug power was available, but not utilized due to the narrow channel and following current.
2. With a dead slow ahead speed of 4.3 knots and a 2 knot following current, Capt Keon was able to reduce speed over ground to about 5 knots by dragging the tugs.

3. The DELTA PRIDE was well prepared for the passage but the long run of the spring lines allowed stretching and the vessel to surge. The headlines also have a long lead and can stretch.

RECOMMENDATIONS

1. Close this case, no pilot error. Capt Keon had taken precautions to have the vessel at minimum steerageway. He was dragging the tugs to further reduce speed. He could have backed them to add more drag but was not comfortable doing so in the narrow channel. He had to increase speed briefly to improve steering control and felt that dead slow ahead was on the edge of maintaining control.
2. The DELTA PRIDE had also taken all reasonable precautions for the passage. Interaction incidents are usually a matter of a vessel not properly tending its lines. This was not the case here. The slack stern lines were as a result of the interaction bodily moving the vessel astern and stretching the spring lines.

It was moved and seconded to accept the IRC report. Commissioner Falaschi asked for discussion. It was noted that Ultramar is now Tesoro Pittsburg Terminal. Commissioner Bayer noted that he would recuse himself as this is one of the terminals that he oversees. There being no further discussion the motion passed unanimously with one abstention.

- b. M/V ROYAL ACCORD, grounding, Pittsburg Diablo, August 13, 2002, SFBP Captain Keon

PROBABLE CAUSE

On August 13, 2002 at about 0115, Capt Daniel Keon boarded the bulk freighter ROYAL ACCORD in Anchorage 9 to sail it to the Tesoro Pittsburg Terminal. This would involve sailing past the terminal, turning the vessel off Antioch and returning to the terminal. In making the passage there was an interaction incident with a vessel moored at the Bay Bulk Terminal just upstream of the Tesoro Pittsburg Terminal.

The vessel had met its assist tugs at New York Slough and had them made up with two lines each, the 5000 bhp *Enterprise* on the port bow and the 3500 bhp *Titan* on the starboard bow.

When the vessel arrived off Antioch Point it was turned to starboard and maneuvered to make the turn off the Riverview Restaurant. The tugs were backed to take some of the way off the vessel, which had a two knot flood current pushing it. At about 0655 the *Enterprise* was let go and shifted to the port quarter to assist in the turn. At 0656 the turn to port was started with the tugs pushing to pivot the vessel. By 0705 the vessel was passing through 000°T with the stern about 200 feet off the Riverview dock. The engine had been backed to take the way off the vessel at the start of the turn then used half ahead to assist in kicking the stern around.

At about 0708 the turn was completed on a heading of 301°T. At 0710 speed was increased to half ahead with the rudder to port. The forward tug was let go but continued to push on the bow. The after tug was backed away. At 0717 engine speed was increased to full ahead to improve steering but the vessel was not turning as Capt Keon expected. From 0718 there was no change of heading and at 0722 Capt Sumi noted that the vessel was not moving.

At 0724 the engine was stopped and the *Enterprise* directed to push on the starboard quarter. This did not float the vessel so it was shifted to the starboard bow. With both tugs pushing, the vessel was refloated at 0732.

OPINIONS

1. Ample tug power was available and was effectively used
2. Weather conditions were not a factor. Tide and current conditions did contribute to this incident. The high level of the tide minimized the grounding effect, the higher than predicted current contributed to it.
3. The initial approach to the turn was good. The distance off the Riverview was good. There was a stop engine order at 0703 off the Riverview and the tugs pushed the vessel around, but with headway on.
4. The headway took the vessel into the north half of the channel and it began to experience bottom effect. From 0708 to 0718 the vessel demonstrated a lack of steering and speed response. From 0718, by course recorder, the vessel experienced no change of heading and at 0722 Capt Sumi noted that the vessel was not moving.
5. Capt Keon had the tug on the port quarter come around and push on the starboard quarter. This did not free the vessel so he had it go to the bow and assist there. This freed the vessel in short order and it was able to proceed uneventfully to berth.

RECOMMENDATIONS

1. Close this case, pilot in error. The combination of the two knot current and the slow ahead engine order at about 0707 allowed the vessel to proceed too far north in the turning area. Once it was into the north half of the channel shallow water effect influenced the maneuvering of the vessel.
2. Shallow water effect takes place when the keel clearance is less than 50% of the draft, in this case about halfway across the channel. Shallow water effect is due to the restricted movement of water about the vessel due to the contour of the seabed. It causes a reduction in speed, increased squat and a reduction in propeller and rudder efficiency. The "hunting" of the vessel's gyro as Capt Keon tried to turn to port is an often cited example of the effect.
3. Capt Keon's attempted maneuvers to counter the vessel's lack of response were proper. His orders were similar to what is taught at the shiphandling course at Port Revel, France. His actions after the grounding were proper and freed the vessel with no damage and no additional tug assistance required.
4. The Incident Report will serve as a lessons learned report. Capt Keon, in the interest of training, will make three trips turning vessels off Antioch with Trainee Program educated pilots. The Trainee Program pilots have had the benefit of working with most of the pilots. Capt Keon was licensed prior to the amalgamation of the Bar and Inland Pilots in 1984 and has not had the benefit of the experience that current trainees are exposed to.

It was moved and seconded to accept the IRC report. Commissioner Falaschi asked for discussion. It was noted that most pilots routinely make this turn to starboard instead of to port but that this decision is up to the individual pilot. There being no further discussion the motion passed unanimously.

- c. M/V GINGA KITE interaction w/ M/V ALLEGIANCE, Avon Dock, October 6, 2002-- Executive Director reported that this incident is under investigation and that an extension is requested. It was moved and seconded to grant an extension to the IRC to report beyond the 90-day period until the next Board meeting. Commissioner Falaschi asked for discussion, there being no discussion the motion passed unanimously.

Executive Director Moloney then reported on an incident that was not listed under new business. M/V SEALAND PATRIOT, December 16, 2002, SFBP Captain Anderson, Bouy 5. During the inclement weather the M/V SEALAND PATRIOT encountered 30 - 50 kt winds and was blown over Buoy 5. The crew noted that there was a vibration and the vessel was returned to Anchorage 8 for divers to investigate. The IRC reported that it found this to be a non-incident. The Board discussed the extent of damage and the potential for unanswered questions if the incident was not fully investigated. It was moved and seconded to request the IRC to complete a full investigation. Commissioner Falaschi asked for a roll call vote. Commissioner Welch recused himself as he is related to the pilot.

Commissioner Bayer	YES
Commissioner Falaschi	YES
Commissioner Lundeborg	YES
Commissioner Rosequist	YES
Commissioner Wagner	NO
Commissioner Winn	YES

The motion passed with five yes, one no and one abstention. The IRC will conduct a full investigation.

2. Pilot Ladder reportable incidents --Executive Director Moloney

VESSEL	PILOT	DATE	DISCREPENCY
M/V TAI POI	GATES	12/01/02	Class problem-the boarding ladder was not secured to the side and did not extend at least 2m. above the lower platform

The pilot was able to make the transfer. The report will be forwarded to the USCG. It was noted that this discrepancy will be added to the USCG matrix system for further reporting to other ports.

3. Rules and Regulations Committee--Commissioner Welch said there is no report.

4. Finance Committee--Commissioner Winn

Commissioner Winn reported that the Committee met today at 9:30 a.m. The SFBP reported that through November 2002 income from piloting was up 2%, expenses up 2%, the expense-to-income ratio was up 34%. The Sea Marshal program has netted \$14.7K, up 6%. Overall, November is down 8% compared to 2002 average. Through November, SFBP is about 1% over budget for net income.

The Committee reviewed the pilot boat surcharge. As of the end of November 2002 there is a surplus of approximately 308K. It is anticipated that it will take about 11 months to deplete this surplus at current levels and the Committee recommends no action at this time. It was noted that the Committee continues to anticipate recommending an increase in the surcharge during the second quarter of 2003 to become effective July 1, 2003.

The next Finance Committee will be scheduled at a later date for sometime in February 2003.

5. Pilot Training Curriculum Committee--Commissioner Wagner said there is no report.
6. Ad Hoc Committee on Trainee Selection--Commissioner Bayer reported that a meeting will be scheduled for sometime in January.
7. Pilot Evaluation Committee --Capt. Melvin, who was in the audience reported that the PEC held a meeting December 18. The Committee met individually with each trainee to review their progress and evaluation cards. The trainees are finishing their observations and will begin handling various vessels. The Committee determined that during inclement weather, trainees (of one year or less) will not be assigned to any vessel under 850' in length or less than 30' draft. This is for the boarding safety of assigned pilot and crew. It was noted that the sea marshals will also not board vessels during the inclement weather.

The Committee reported that SFBP Captain Vilas' second four-year term on the PEC has been completed. The Board thanked Captain Vilas for his dedication and effort on the PEC. A replacement has not been determined at this time.

Captain Melvin then introduced SFBP Trainee Captain Hurt, who was in the audience and was welcomed by Commissioner Falaschi

8. ILWU -- status of settlement of labor dispute-effect on pilotage--Commissioner Falaschi—it was noted that the ILWU caucus has recommended approval of the settlement. Accordingly, Commissioner Falaschi noted that, it was not necessary to keep this item on the Board's agenda. The Commission had followed the labor dispute to remain proactive on any effect it may have had on the SFBP and vessel safety.
9. Vessel Interactions--review of incident frequency; Board's role in addressing the problem--Commissioner Falaschi/Executive Director Moloney—Executive Director Moloney reported that one half of incidents in 2002 were interactions. The majority of those involved the moored vessel's inattention to the mooring lines and not being prepared for vessels passing. The Commission will continue to monitor and report and to bring these interactions to the attention of the affected Ports.
10. Board Review of Executive Director's performance on Incident Review committee (required by §210(m) of Board regulations)--Commissioner Falaschi asked Commissioner Lundeberg to report.

Commissioner Lundeberg read the following: "Pursuant to Section 210(m) of Board Regulations and under the authority of Section 1154 of the Harbors and Navigation Code, 'The Board shall formally review the performance of the

Executive Director with respect to the performance of his or her duties as a member of the Incident Review Committee at least once each year.’

By statute, the IRC is composed of one public member of the Board and the Executive Director. I have served on the IRC with Captain Moloney since my appointment to the Board in 2000.

In my judgment, Captain Moloney’s performance in fulfilling his duties as a member of the IRC has been outstanding. With keen professionalism, Captain Moloney is scrupulous in following the mandates and the intent of the regulations and the code when incidents occur. For the record, it should be noted that when an incident does occur, Captain Moloney notifies me immediately of the nature of the incident prior to the commencement of the investigation and then keeps me apprised of the progress of the investigation.

Given Captain Moloney’s extensive maritime experience, he is most insightful in examining and analyzing the nuances of incidents under review. While he is diligent in following regulatory requirements, Captain Moloney is always fair and reasonable in maintaining the high standards to which the San Francisco Bar Pilots are held.

Captain Moloney puts considerable effort into his duties on the IRC to ensure that presentations made to the Board are detailed but understandable. Captain Moloney’s dedication to his duties on the IRC are a credit to himself and the Board.”

It was noted that PMSA had been contacted regarding any input on this review and had advised that the Board’s investigations and the IRC’s reports continue to meet industry’s needs. The Board discussed the importance of continued distribution of all completed investigation reports to pilots, trainees and commissioners.

11. USCG -- Port Control over foreign flag vessels with unrepaired deficiencies-Coast Guard authority and procedures--Captain of the Port, USCG Captain Swanson—this was reported on earlier in the meeting and will be removed from next month’s agenda.

G. New Business

1. Public Comment on matters not on the agenda—there was none.
2. Proposals for additions to next month’s agenda—there was none.

Schedule next regular meeting – Meetings for 2003 are scheduled for the 4th Thursday of each month unless otherwise noticed. The next meeting is scheduled for January 23, 2003, at 9:30 a.m., Board office, Pier 9 Suite 102, San Francisco.

Adjournment—the meeting was adjourned at 11:50 a.m.

Respectfully submitted,

Alice A. Evans
Secretary