

Minutes
August 25, 2005

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, August 25, 2005 Commissioner Falaschi presiding. A quorum was present, including Commissioners Miller, Sitts, Wagner and Wainwright. Also present were members of the public.

Commissioner Falaschi welcomed new Commissioners Miller and Sitts to the Board. Each gave an overview of their background and personal interest in the Commission and stated that they were both honored to be able to serve on one of the oldest Commissions in the State of California.

Request approval of Minutes of the May 26, 2005 regular Board meeting. The minutes were unanimously approved.

Correspondence and Activities since the May meeting including update on status of appointments to fill three remaining vacancies on Board -- Executive Director Moloney

As noted Commissioners Knute Michael Miller and Michael Sitts have been appointed to the Board as public member and tanker industry member respectively. The dry cargo member position continues to await appointment.

1. The Board received a letter dated June 14, 2005 from the Port of Stockton regarding renewal of Pilot Commissions for the period July 1, 2005 through June 30, 2006 for SFBP Captains Alden, Atthowe, Gabe, Haggerty, Hartshorn, Jr., Hurt, Miller, O'Laughlin, Pinetti, Roberts, Sweeney and Inland Pilot Slough.

Other Pilot Matters -- Executive Director Moloney

1. There are no license renewals during the month of June.

The Board issued license renewals to SFBP Captains Alden, Haggerty, Kenyon, Larwood, Miller, E. Nyborg and Wainwright during the month of July.

There are no license renewals during the month of August.

2. The Board has received the manpower reports and statements for pilotage fees and surcharges collected from SFBP through June 2005 and Inland Pilot Slough through July 2005. Copies are available in the Board office.

Port Agent's Report -- SFBP Captain Bill Greig

1. Not fit for Duty:
Captain Shanower continues to recover from an injury sustained while boarding off the M/V CLEAMAR on January 9, 2005.
2. Recommended Minimum Rest Period Exceptions:
May 25-31: 15 exceptions.
June: 16 exceptions.
July: 27 exceptions.
August to date: 0 exceptions.

While we are authorized by the BOPC to have 60 pilots, we are currently operating with 58. This causes us to be short two pilots in Group 2. Until we are up to full strength we will continue the measures to mitigate these exceptions. These measures include: Assigning first and second year pilots to vessels they can pilot without supervision, restricting comp time in group 2 to one pilot per watch, no comp time during training periods and restricting the amount of Pilot participation in outside organizations. By using these measures we have both reduced the number of potential exceptions and have mitigated the consequences of the exceptions.

33 of the exceptions are in Group 2 where we are short two pilots.

16 of the exceptions took place during training.

We anticipate that the exceptions will be greatly reduced in the coming months as the cruise ship season draws to a close and training ends for the year.

3. Pilot Boats:

Unplanned: P/V GOLDEN GATE was down 3 days with a main engine starter failure and the P/V CALIFORNIA was down 10 days with a port main engine clutch failure.

Planned: The P/V SAN FRANCISCO completed her 3-week annual yard period in July, the P/V GOLDEN GATE is coming to the end of her 2-week annual yard period and the P/V CALIFORNIA will go in for her 3-week annual yard period on August 29.

Unfinished Business

1. Open Incidents -- Executive Director Moloney

- a. M/V PORT PEGASUS, grounding Lt. 31, San Joaquin River, January 19, 2005, SFBP Captain Gabe – Executive Director Moloney distributed the Findings of Facts and gave the following report.

PROBABLE CAUSE

At about 0830 on the morning of 19 January 2005, Capt Gabe boarded the bulk freighter PORT PEGASUS in the vicinity of Suisun Bay light 24A. He was to pilot the vessel to Stockton. Shortly after Capt Gabe assumed the conn, the master left the bridge. At about 0845 Capt Gabe asked the mate on watch to add ballast to the afterpeak tank to trim the stern down by 10 inches. The vessel was loaded to 33.5 feet fore and aft and was not handling well in the narrow channels.

At 0850 the vessel entered New York Slough and began its river transit. The vessel sometimes needed 20 or more degrees of rudder to maintain a steady course in the channel centerline. When the watch changed at noon Capt Gabe was not advised of it but he did notice it when a different voice responded to a helm order.

At about 1225 the vessel was making about 6.5 knots over the bottom with the engine on slow ahead and was passing Stockton Channel Light #29. It was positioned slightly to the left of the center of the channel in preparation for the 39° turn to starboard past Blackslough Landing. Capt Gabe observed the vessel start a small run to starboard due to suction on the port quarter. He considered it too soon to start the turn with a heavily loaded vessel so he attempted to check the swing by ordering "Port 10". The helmsman answered "Rudder Port 10". After about fifteen seconds Capt Gabe did not see any change in the swing to starboard and ordered "Port 20", then about fifteen seconds later ordered "Hard to Port". The helmsman responded "Rudder Port 20" and Rudder Hard to Port" respectively. The bow continued to swing to starboard so Capt Gabe increased engine speed to half ahead, followed by full ahead.

The helmsman repeated the rudder order again "Hard to Port". Capt Gabe responded "Yes. Hard to Port". The helmsman responded in a much softer voice "Rudder is hard to Starboard". Capt Gabe looked back at the helmsman and observed him turning the wheel to port. As the vessel approached the right bank the engine was eased to slow ahead and the rudder shifted to hard to port. Between bank cushion and the hard left rudder, the bow began to swing to port. About that time the master returned to the bridge.

After the stern cleared the right bank, Capt Gabe ordered the engine full ahead and hard right rudder. The vessel did not respond to the rudder and continued to head toward the left bank. When grounding appeared inevitable, the engine was ordered full astern and the bow watch directed to let go the starboard anchor. At 1228 the port bow grounded on the north side of the channel, about 100' west of Stockton Channel Light #31. Since the crew had not been able to let the anchor go the order was belayed.

With the engine running full astern the vessel would not back off the bank, so it was eased to dead slow astern in an attempt to keep the vessel from swinging with the flood current and blocking the channel. At 1231, the engine was placed dead slow ahead and the rudder hard right to maintain the vessel's heading at about 070°T. At about 1235, Capt Gabe advised VTS that the vessel was aground, then called the tugs in Stockton to come downriver to assist in refloating the vessel.

The Marine Safety Office (MSO) directed Capt Gabe not to attempt to refloat the vessel without permission from the Captain of the Port (COTP) and to have the vessel's tanks and holds sounded to check for leakage. After the soundings were taken, Capt Gabe advised the MSO that the vessel was sound and that high water would be at 1315. When the tugs arrived they put tow lines up to the vessel's stern.

At about 1320 Capt Gabe received a radio call from VTS and was advised that the COTP had approved refloating. At 1330 an attempt to refloat the vessel was made. Both tugs were pulling full on the stern and the vessel backed at full power but did not pull clear of the bank. Shortly thereafter another tug arrived from Stockton and put a line up to the vessel's stern. Ballast was added to the afterpeak tank to decrease the draft forward. At about 1345 a second attempt to free the vessel using the three tugs and the vessel's engine succeeded. At 1350 the vessel backed off the bank. The starboard anchor was dropped with one shot of chain to stabilize the vessel while the tug lines were let go. At 1400 the anchor was heaved in and the vessel proceeded to Stockton without further incident.

OPINIONS

1. The direct cause of the grounding was the helmsman putting the rudder to starboard when a succession of orders had been to place it to port.
2. Once Capt Gabe became aware of the problem his actions to control the situation prevented damage to the vessel and environment.

RECOMMENDATIONS

1. Close this case. No pilot error. From the prevailing circumstances, it was not unreasonable for Capt. Gabe to have focused his attention on the vessel's heading and position in the channel and to have been unaware of the error by the helmsman for that brief period. Once aware of the helm error, Capt Gabe handled the situation well. Communications with the USCG were timely. Refloating of the vessel was accomplished safely using assets readily at hand.

It was moved and seconded to accept the IRC report. Commissioner Falaschi asked for discussion. The Board discussed roles of the Watch Officer and Captain in ensuring helm orders are properly carried out and the location of the rudder angle indicator which would have alerted the pilot of the error. Commissioner Falaschi asked if there were any comments from the public regarding the motion. There were none. There being no further discussion the motion passed unanimously.

- b. M/V ZHEN HUA I, allision with Oakland Berth 33, March 5, 2005 – Executive Director reported the IRC is waiting for additional information and requests an extension until the next Board meeting. It was moved and seconded to extend the time for the IRC to report on the incident until the next Board meeting. Commissioner Falaschi asked for discussion. There was no further discussion. Commissioner Falaschi asked if there were any comments from the public regarding the motion. There were none. The motion passed unanimously.
- c. M/V BRASA, grounding, Pinole Shoal Beacon #11, March 31, 2005, SFBP Captain Anderson – Executive Director distributed the Findings of Facts and gave the following report.

PROBABLE CAUSE

At 0453 on the morning of 31 March 2005, Capt C. Anderson boarded the motor tanker M/V BRASA at the offshore pilot station to pilot it to Shore Terminal, Selby. During the Master/Pilot conference Capt Orehovs stated that the vessel's deep draft was 10.3 meters (33' 10"). Capt Anderson did a calculation for under keel clearance in Pinole Shoal Channel based on a 0800 transit of the channel and arrived at a 4' 05" clearance based on Corps of Engineers' soundings from June '04.

The inbound transit and passage of San Francisco Bay were uneventful. After clearing the Brothers Islands Capt Anderson asked Capt Orehovs to check the vessel's squat table to see what speed they could make safely with the calculated underkeel clearance. The table showed that the vessel could make 7 knots, which was slow ahead. When the vessel passed Echo Buoy, speed was reduced to slow ahead for the Pinole Shoal Channel transit.

At 0853, just west of lights 11 and 12, and after starting the turn into the Eastern Reach of the channel, the vessel took a slight roll to starboard. Capt Anderson asked the master to check the speed by GPS. He responded it was one knot. Capt Anderson ordered half ahead. The vessel appeared centered between light 11 and 12 and was in the channel. It completed the turn without stopping and proceeded to dock uneventfully.

When the vessel was alongside the berth and the mooring lines were being sent out, Capt Anderson asked to have the draft marks checked. A linehandler reported 10.9 meters (35' 09") aft. The difference in the vessel's draft from what Capt Anderson expected was almost two feet deeper. The level of tide calculated for 0853 left an underkeel clearance of only 1' 5".

On April 5th the Army Corps of Engineers did a post grounding survey of the channel to see if there was any shoaling. It showed a few high spots but only by a matter of several inches above project depth. After discharging, the vessel was moved to San Francisco Bay Anchorage 9 for examination by divers. No damage was found.

Subsequent investigation determined that the Master believed BRASA's draft was even less, 10.03 meters. The Board investigator noted that while the Master was very cooperative, his English was not good.

OPINIONS

1. Passage planning including checking the squat tables was proper.
2. A post-grounding survey disclosed that actual channel depth was very close to project depth. No significant shoaling was noted.
3. Since the vessel was almost two feet deeper than the pilot reasonably expected, it had insufficient underkeel clearance as it transited the channel and touched bottom in the vicinity of lights 11 and 12. Capt Anderson increased power and kept the vessel moving.

RECOMMENDATIONS

1. Close this case. No pilot error. Capt Anderson was piloting the vessel prudently using the draft information provided by the vessel. The vessel was almost two feet deeper which eliminated his underkeel clearance margin.

It was moved and seconded to accept the IRC report. Commissioner Falaschi asked for discussion. Salinity assumptions and minimum draft guidelines for under keel clearance were discussed. Commissioner Falaschi asked if there were any comments from the public. There were none. There being no further discussion the motion passed unanimously.

- d. M/V SAPPHIRE HIGHWAY, allision with Benicia Center Dock, April 12, 2005 -- Executive Director reported the IRC is waiting for additional information and requests an extension until the next Board meeting. It was moved and seconded to extend the time for the IRC to report on the incident until the next Board meeting. Commissioner Falaschi asked for discussion. There was no further discussion. Commissioner Falaschi asked if there were any comments from the public. There were none. The motion passed unanimously.
- e. USS MCCLOSKEY, pile failure, SFO Pier 27, May 20, 2005 -- Executive Director Moloney reported that the IRC found this to be a non-incident. The Port of San Francisco had fenders laying alongside a rotten piling at Pier 27. The Port was aware of the situation. When the vessel departed the piling collapsed. It was moved and seconded to accept the IRC report. Commissioner Falaschi asked for discussion. There was no further discussion. Commissioner Falaschi asked if there were any comments from the public. There were none. The motion passed unanimously.
- f. M/V KENAI, allision with AMORCO berth, May 22, 2005 -- Executive Director reported the IRC is waiting for additional information and requests an extension until the next Board meeting. It was moved and seconded to extend the time for the IRC to report on the incident until the next Board meeting. Commissioner Falaschi asked for discussion. There was no further discussion. Commissioner Falaschi asked if there were any comments from the public. There were none. The motion passed unanimously.
- g. M/V NEW AMITY, grounding Pinole Shoal, May 23, 2005 -- Executive Director reported the IRC is waiting for additional information and requests an extension until the next Board meeting. It was moved and seconded to extend the time for the IRC to report on the incident until the next Board meeting. Commissioner Falaschi asked for discussion. There was no further discussion. Commissioner Falaschi asked if there were any comments from the public. There were none. The motion passed unanimously.

2. Pilot Ladder reportable incidents -- Executive Director Moloney reported that there are no pilot ladder incidents to report.
3. Rules and Regulations Committee -- Status of Appointments of Committee Members -- Commissioner Falaschi reported that he would contact the Commissioners to assign a Committee chair and members. No report at this time.
4. Finance Committee -- Results of Committee meeting of August 25, 2005 -- Commissioner Falaschi reported that the Committee met today. The Committee continues to monitor and review the BOPC fund status. The funds seem to be right in line. He would contact the Commissioners to assign a Committee chair.
5. Pilot Training Curriculum Committee -- Commissioner Wagner said there is no report.
6. Pilot Evaluation Committee--Capt. Melvin -- Report on June 15, July 20 and August 17, 2005 Committee meetings -- report on trainees' progress in training program and possible recommendation to issue Certificate of Completion and license to Pilot Trainee; possible recommendation to schedule testing for trainee selection and; -- **possible Board action re same** -- Executive Director Moloney said there is no report.
7. Pension Committee -- Status of Appointments of Committee Members - Commissioner Falaschi reported that he would contact the Commissioners to assign a Committee chair and members. No report at this time.
8. Vessel Interactions -- Executive Director Moloney reported that there were no vessel interactions to report. The Board discussed the need for this item to remain on the agenda although there have not been any interactions for some time. It was recommended that the item remain because of the continued increase in the size of vessels entering the Bay.
9. Pilot Security -- Commissioner Falaschi reported that this item remains on the agenda to allow the Board to react on security issues in a timely manner.
10. Ad hoc Committee for Pilot Fitness -- Commissioner Falaschi -- status of appointments of committee members - Commissioner Falaschi reported that he would contact the Commissioners to assign a Committee chair and members. No report at this time.
11. Pilot Vessel Life Extension Modifications, Proposed Legislation -- SFBP Port Agent Captain Greig

AB 852: Governor Schwarzenegger signed into law AB 852 which will authorize the BOPC to increase the pilot vessel surcharge rate to finance life extension modifications to existing pilot boats. The law takes effect January 1, 2006. We plan on updating our 20-year transportation plan and conducting some in-house research before addressing life extension issues before the BOPC. The age of our current fleet is:

P/V DRAKE: 28 years
P/V PITTSBURG: 17 years.
P/V GOLDEN GATE: 14 years.
P/V SAN FRANCISCO: 5 years
P/V CALIFORNIA: 4 Years.

12. Resolution regarding appreciation of service by former Commissioners Bayer, Rosequist, Welch and Winn. Executive Director Moloney read the following Resolution using Commissioner Welch as an example.

Dear Captain Welch:

It was with considerable regret that the Board of Pilot Commissioners learned that you were not reappointed to a second term as a Pilot Commissioner. The Board wishes to acknowledge your participation in four years of virtually unprecedented harmonious relations between the dry cargo and tanker maritime industry and the San Francisco Bar Pilots. The Board on this date, by unanimous vote, passed the following resolution:

WHEREAS, Chapter 3 of the 1849-1850 legislative session established the Board of Pilot Commissioners for the Port of San Francisco. That bill passed and was signed by California's first Governor, Peter H. Burnett on February 25, 1850; and

WHEREAS, the Board of Pilot Commissioners for the Port of San Francisco, now known as the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, is the longest operating state board or commission in California history; and

WHEREAS, because of an amalgamation of all state licensed pilots in the San Francisco Bay Area in 1984 and the establishment of a comprehensive training program in 1986 with oversight by the Board of Pilot Commissioners, the San Francisco Bar Pilots have achieved an enviable safety record of moving approximately 9000 vessels annually with a pilot error-free rate of over 99.9%; and

WHEREAS, because of his dedication, demonstrated professional abilities and the excellent performance as a Pilot Commissioner, Captain Welch was held in the highest respect by the maritime industry, the regulated community and by his associates on the Board of Pilot Commissioners; and

WHEREAS, Captain Welch well and faithfully performed the duties of a Commissioner for the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun from 2000 to 2005; and

NOW, THEREFORE, LET IT BE RESOLVED, that the Board of Pilot Commissioners extends on behalf of the Governor and the people of California, its heartfelt vote of appreciation and confidence in success in future endeavors to Commissioner Welch. Fair winds and following seas.

It was moved and seconded to pass the Resolution as to each of the four former Commissioners. Commissioner Falaschi asked for discussion. There was no discussion. Commissioner Falaschi asked for any comments from the audience. There being none, the motion passed unanimously.

New Business

1. Contract re OER-related services to assist with preparation of trainee selection examination - HZ Assessments OER-related - **possible Board action re same** – Executive Director Moloney reported that this is for a new contract to provide for the continuation of the preparation for the upcoming trainee selection examination that will take place sometime in 2006. Drs. Hertz and Chin were originally contracted through the Office of Examination Resources and then as a private contractor under HZ Assessments and assisted the Board in the 2002 Selection Process and in subsequent efforts to incorporate lessons learned and update the written test and simulator exercise. It was moved and seconded to contract with HZ Assessments (Dr. Hertz), direct Board staff to prepare the contract and authorize Board President and or Executive Director to sign the contract. Commissioner Falaschi asked for discussion. There was no further discussion. Commissioner Falaschi asked if there were any comments from the public. There were none. The motion passed unanimously.

2. USS TARAWA – Letter of Concern to SFBP Capt. John Cota – Executive Director Moloney distributed copies of a letter of concern to SFBP Captain John Cota for informational purposes only. No Board action required.
3. M/V NEW LIGHT, grounding, San Joaquin River, July 11, 2005 – Executive Director Moloney reported that this is a non-incident. It was originally reported as a possible grounding but was determined not to have involved a grounding.
4. M/V STAR EVANGER, grounding, SFO 80, July 21, 2005 – Executive Director Moloney reported that this is a non-incident. The assist tug had stirred up mud, but did not ground. The Investigator checked with AmNav for any damage to the tug. There was no damage to the tug.
5. Public Comment on matters not on the agenda

USCG Commander Cooke, VTS reported that this is her last time to attend the BOPC meetings as a USCG VTS representative as VTS will become part of the new Sector Command Structure gave an overview of the reorganization. She commented that she had thoroughly enjoyed participating and attending the BOPC meetings. Commissioner Falaschi thanked Cdr. Cooke for her attendance and support and congratulated her on her next assignment.

6. Proposals for additions to next month's agenda – there were none.

Schedule next regular meeting – the next meeting is scheduled for September 22, 2005 at 9:30 a.m.
Adjournment – the meeting was adjourned at 10:30 a.m.

Respectfully submitted,

Alice A. Evans
Secretary