

## **Minutes September 22, 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, September 22, 2005, Commissioner Falaschi presiding. A quorum was present, including Commissioners Lundeborg, Miller, Sitts, Wagner and Wainwright. Also present were members of the public.

Request approval of Minutes of the August 25, 2005 regular Board meeting. The minutes were unanimously approved as written.

Correspondence and Activities since the August meeting including update on status of appointment to fill dry-cargo position on Board -- Executive Director Moloney

The dry-cargo position remains open.

1. The Board received the Emergency Preparedness and Evacuation Plan dated August 29, 2005 from the Department of Consumer Affairs.
2. The Board received a letter dated September 9, 2005 from DGS Real Estate Services Division regarding Lease agreement to allow BOPC to remain in this location until a more suitable location is located.
3. The Board received an e-mail dated September 10, 2005 from Captain Lew Picton withdrawing his acceptance to enter the SFBP training program. He was scheduled to begin training on November 1, 2005.
4. The Board received an e-mail dated September 19, 2005 from SFBP trainee Captain Reuben Rocci updating the BOPC on his fit-for-duty status.

Other Pilot Matters -- Executive Director Moloney

1. The Board issued license renewals to Captains Burger, Coney and Hurt during the month of September.
2. The Board has received the manpower reports and statements for pilotage fees and surcharges collected from SFBP through July 2005 and Inland Pilot Slough through August 2005. Copies are available in the Board office.

Port Agent's Report -- SFBP Captain Bill Greig

1. Not-Fit-For-Duty: Captain Jim Shanower continues to recover from an injury sustained while boarding off the M/V CLEAMAR on 1/9/05. Captain Russ Nyborg is recovering from an injury sustained during a hard landing on the deck of the Pilot Boat California while boarding off a ship at the ocean pilot area. Captain Mike Simenstad is recovering from an injury not related to piloting.
2. Recommended Minimum Rest Period Exceptions -- There were eleven exceptions on September 14. The minimum exception was 5 hours and 15 minutes. There were five exceptions on September 15. The minimum exception was 11 hours. Captain Greig explained that most MRP exceptions were due to scheduling problems.

3. PILOT BOATS: The P/V CALIFORNIA was in the yard from 9/1 – 9/16 for normal annual yard period and installation of a hydraulic human overboard retrieval boom.

The P/V DRAKE will go in the yard on 10/10 for approximately one week for routine maintenance and a bottom cleaning.

4. Statistics:  
Year to date vs. three-year average.

Bar Crossings	+5%
Bay Moves	+1%
River Moves	- 4%
Total Moves	+4%
GRT	+12.5%

#### Unfinished Business

1. Open Incidents --Commissioner Executive Director Moloney
  - a. M/V ZHEN HUA I, allision with Oakland Berth 33, March 5, 2005, SFBP Capt. MacLachlan – Executive Director distributed copies of the Findings of Facts and gave the following report.

#### PROBABLE CAUSE

In March 2005 the Port of Oakland received a shipment of new container cranes, delivered by a special heavy lift vessel, the M/V ZHEN HUA 1. Due to the large air draft of the vessel there would be minimal clearances at the highway bridges. Capt MacLachlan was special assigned for planning and piloting the vessel safely under the bridges to Oakland Berth 33.

On March 5th at 0845 Capt MacLachlan boarded the vessel at the offshore pilot station. The vessel was ballasted down for minimum air draft. At 1130 it passed under the Golden Gate Bridge with 10.5 feet of clearance. It was met by USCG escort vessels and the assist tugs. One tug was tethered on the center chock aft and two others stood by on either side of the bow.

At 1300 the vessel passed under the Bay Bridge with about 6.5 feet of clearance. The vessel was then held in position to the south of the bridge to begin deballasting and to wait for slack water in the Oakland Bar Channel. When the deballasting began, Capt MacLachlan was surprised to find that the rate was only half of what he had been advised at a planning conference the previous month.

After about 30 minutes, Capt MacLachlan called a dredge in the Oakland Bar Channel and was advised that the current was a third of a knot and diminishing. The dredge was shut down pending the passage of the vessel and the USCG was maintaining a security zone around it until it arrived in the Oakland Outer Harbor. Capt MacLachlan decided to start in so it would free up those assets. His plan was to make a slow transit to arrive off the dock at 1400 with a foot of underkeel clearance. He was mindful of another vessel farther up the harbor that was scheduled to get underway at 1600 and wanted to be clear of the channel.

When the vessel arrived off Berth 33, port officials advised Capt MacLachlan that the vessel was still ballasted too deeply to contact the fenders. The vessel was held in the stream and continued to deballast while the tide rose. Port representatives in a skiff provided measurements of fenders to waterlevel and the vessel's freeboard.

Once the overlap of fenders and freeboard reached 10 inches, Capt MacLachlan started a slow approach to the berth. A port representative advised him that the vessel would have to be moored farther forward than planned, which would put the bow in proximity to some construction forms and the headline would have to be lead to Berth 30.

The vessel moved into position and was landed flat and gently. The fenders pivoted on their anchor points and allowed the vessel to come slightly inboard of the fender line. The vessel's sponson contacted some of the construction forms (wood) and pushed them out of alignment. Subsequent investigation found that the forms projected beyond the fender line.

Capt MacLachlan had the tugs pull the vessel off the fenders and repositioned it so there was no contact with the forms. The remainder of the mooring was uneventful. He departed the vessel at 1645 and was advised by a port representative that the damage was broken lumber and easily replaced. The SFBP was not advised of any damage until five days later and the Board investigator assigned the next day. He was unable to find any indication of damage.

## OPINIONS

1. The transit of the vessel under the Golden Gate and Bay Bridges was well planned to provide safe clearance of the vessel's crane cargo and the bridge structures.
2. Capt MacLachlan changed the docking plan at the request of port representatives. He docked the vessel where directed. Improper positioning allowed contact between the vessel's sponson and wooden construction forms projecting beyond the fender line.

## RECOMMENDATIONS

1. Close this case. No pilot error. Capt MacLachlan was docking the vessel where directed. The vessel was under control at all times. When he was made aware of the contact with the forms he repositioned the vessel to clear the forms.

It was moved and seconded to accept the IRC Report. Commissioner Falaschi asked whether there were any comments from the public and for discussion. There were no comments and no further discussion and the motion passed unanimously.

- b. M/V SAPPHIRE HIGHWAY, allision with Benicia Center Dock, April 12, 2005, SFBP Capt. Burger -- Executive Director distributed copies of the Findings of Facts and gave the IRC report.

In view of the Board's request for additional information noted below, a summary of the report will be included in the minutes when the additional information is obtained and presented.

It was moved and seconded to accept the IRC Report. Commissioner Falaschi asked for discussion and whether there were any comments from the public. Pilot/master conference protocol and the extent and the nature of the conference in this instance were discussed.

The motion was tabled until further information could be obtained regarding the substance of the master/pilot conference (including whether the use of the bow thruster was addressed). This item will remain on the agenda.

- c. M/V KENAI, allision with AMORCO berth, May 22, 2005 – Executive Director reported that the IRC is waiting for additional information as the pilot was out of the country 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 if there were any comments from the public regarding the motion. There were none. Commissioner Falaschi asked for discussion. There was no further discussion. The motion passed unanimously.
- d. M/V NEW AMITY, grounding Pinole Shoal, May 23, 2005, SFBP Capt. Coney -- -- Executive Director distributed copies of the Findings of Facts and gave the following report.

#### PROBABLE CAUSE

At 0930 on the morning of 23 May 2005 Capt Coney boarded the motor tanker NEW AMITY at Benicia to pilot it to sea. Shortly thereafter the Master, Capt Jellicoe, and Capt Coney discussed the transit. There were several key conditions which they agreed upon.

The first was to get away from the pier prior to flood tide, which happened uneventfully at 1036. The next was to transit Carquinez Strait and upper San Pablo Bay slowly enough to allow the tide to rise and allow a safe passage of Pinole Shoal Channel.

The tractor tug *Seariver Mare Island* was tethered astern for the transit. At 1218 the vessel entered Pinole Shoal Channel. The engine was on slow ahead and the vessel was making about 4 knots. The speed was deliberately slow to minimize squat effect and gain time for the tide to rise to improve underkeel clearance. At about 1238 the turn at markers 11 and 12 was started. The vessel was steadied on course 240°T.

As the vessel proceeded down the channel Capt Coney, thought it was taking a sheer to port. He noted the rudder was right 10° and ordered right 20°, then immediately hard right and half ahead on the engine followed by full ahead. At 1251, before the engine and rudder orders could take effect, the vessel stopped moving. There was no impact, shudder or roll. The current was almost directly ahead. The wind was almost directly on the starboard beam.

Capt Coney advised VTS that the vessel was grounded on the side of the channel and tried various combinations of engine and rudder orders to lift it off. He used the tug while still tethered but that did not work. He contacted the SFBP operations pilot to ask for additional tug assistance. The *Delta Deanna* was available and headed to assist. At 1305 Capt Coney had the *Seariver Mare Island* let go and shifted to the port bow to push while he came ahead on the vessel's engine. That did not work, so he had the engine stopped. With the engine stopped the bow began to move to starboard. When it had a good angle into the channel Capt Coney had the tug shift to the port quarter to push and at 1325 came ahead on the vessel's engine. The vessel began to move. At 1330 it was fully back in the channel.

Capt Coney advised VTS that the vessel was underway and was told to proceed to anchorage. The *Seariver Mare Island* was put back on tether aft. The transit was uneventful. Capt Jellicoe had the tanks sounded frequently checking for damage. No damage was indicated. The vessel was anchored at 1606 and the tug released at 1620. Following an inspection by a diver the vessel was released and proceeded to sea at 0330 the following morning.

## OPINIONS

1. Capt Coney planned the job well. He ensured the vessel was off the berth in Benicia in a timely manner to avoid flood current due to the proximity of the highway bridge. Once underway he had to keep the vessel's speed down to allow the tide to rise sufficiently for adequate underkeel clearance at Pinole Shoal Channel.
2. Once in the channel he underestimated the effect of the wind on the broadside of the vessel and did not use enough leeway. The vessel was pushed out of the center of the channel and grounded gently on the left bank of the channel.
3. Subsequent to the grounding, Capt Coney effectively used the vessel's engine and rudder and the escort tug to return it to the channel undamaged. The Board investigator noted that Capt Jellicoe had praise for the way Capt Coney handled the incident.

## RECOMMENDATIONS

1. Close this case. Pilot in error. Capt Coney realizes that he misjudged the effect of the wind on the vessel. Incident report serves as lessons learned.

It was moved and seconded to accept the IRC Report. Commissioner Falaschi asked whether there were any comments from the public and for discussion. Executive Director Moloney noted that the new IAS system from VTS was very helpful in tracking vessel. Captain Coney's past performance was discussed. There being no further discussion, the motion passed unanimously.

2. Pilot Ladder reportable incidents -- Executive Director Moloney reported on the P/V IONIAN TRADER, September 12, 2005. SFBP Captain Lobo reported that a tag line was attached to the bottom of the ladder and was not rigged as a combination as required. Upon disembarking a combination was rigged. It was noted that the first pilot had not requested a combination.
3. Rules and Regulations Committee -- Status of Appointments of Committee Members -- Commissioner Falaschi reported that he would contact the current Commissioners to discuss assignment of committee members even though the Board is still awaiting appointment of one more industry member.
4. Finance Committee -- Results of Committee meeting of September 22, 2005 - possible recommendations for adjustments in surcharges for Board operations, Pilot Vessel, Pilot Training and Trainee Training; **possible Board action re same** -- Commissioner Falaschi reported that the Committee met today and that there is no Board action to take at today's meeting. All items will remain on the agenda for discussion and possible action at the next Board meeting.
5. Pilot Training Curriculum Committee -- Commissioner Wagner said there is no report.
6. Pilot Evaluation Committee--Capt. Melvin -- Report on June 15, July 20, August 17, and September 14, 2005 Committee meetings -- report on trainees' progress in training program and possible recommendation to issue Certificates of Completion and licenses to

two Pilot Trainees; possible recommendation to schedule testing for trainee selection -- **possible Board** action re same

Captain Melvin reported that several meetings have been held with Dr. Hertz at CMA regarding the simulator testing and that no action is required on this item today. Executive Director Moloney also commented that the Puget Sound Pilots are very interested and are patterning their testing procedures on those developed by Board.

Captain Melvin reported that the trainees continue to progress as expected and gave the following report:

“The PEC met at 1000 hrs on September 14, 2005 at which time it completed a final assessment of whether trainee Captain Timothy Holl has successfully completed all elements of the Board’s training program, including each of the criteria listed in the Board’s regulations at Section 214(h). [A summary of those criteria and a copy of that regulation is available at the Board office.]

The Committee unanimously agreed to recommend that a Certificate of Completion be issued to Capt. Holl and that he be licensed as a pilot, and has authorized me to present its recommendation to you at today’s meeting.

Before his entrance into the Board’s training program, Captain Holl worked as a tug captain for Foss Maritime from 2000-2004. During the previous four years, he had worked for several local towboat companies, including Seaways, Westar, Bruscoe and Manson. From 1986-1996, Captain Holl worked for Crowley Maritime as captain and as pilot on its 450-barges. He has a total of 19 years of towing experience, prefaced by a year of sea time shipping on oil tankers as third mate. Captain Holl graduated from the Maritime Academy in 1983.

To date, Captain Holl has satisfactorily completed in excess of one year in the training program, made over 423 trips as trainee, riding as observer on 85 trips and directing the navigation of the vessel under the direct supervision of a pilot or inland pilot on another 338 trips. Over 79 of those trips were with members of the Pilot Evaluation Committee, 32 of those were within the last three months.

As I have reported to you in the past, the Committee regularly reviews each trainee’s progress through periodic meetings with him and through its review of evaluation cards (trip reports) from other pilots. Each Committee member personally rode numerous times with Captain Holl before making this recommendation.

Captain Holl continues to meet all statutory prerequisites for being licensed as a pilot. He has maintained in excess of a 4.0 average score on his evaluations by the Committee during each of the last three months and has adequately demonstrated each of the specific items of local knowledge listed in the subsections of Section 214 before you – both in written examinations and orally during riding with members of the PEC.

In addition the Committee used detailed trip reports to ensure that Captain Holl has demonstrated a working knowledge of the fundamentals of shiphandling in each of the circumstances listed in the regulation, and has demonstrated proficiency in the skills and knowledge areas necessary to become a Board-licensed pilot.

On behalf of the Pilot Evaluation Committee, it is my great pleasure to recommend that the Board issue a Certificate of Completion of the Board’s pilot training program as authorized

by Harbors and Navigation Code Section 1171.5 and that it authorize the issuance of a Pilot's license to Captain Timothy Holl to fill one of the current vacancies. Are there any questions?"

It was discussed that each trainee is evaluated separately and that each trainee progresses differently, depending on their experience before entering the training program and that there are other trainees in the program that began before Captain Holl.

It was moved and seconded to accept the PEC report and issue Captain Timothy Holl a Certificate of Completion and Board license as of September 22, 2005. Commissioner Falaschi asked if there was any further discussion and if there were any comments from the public. There being none, the motion passed unanimously. Captain Melvin then introduced Captain Holl and the Board expressed their congratulations.

7. Pension Committee -- Status of Appointments of Committee Members -- Commissioner Falaschi reported that he would contact the current Commissioners to assign a committee chair even though the Board is still awaiting appointment of one more industry member.
  8. Vessel Interactions -- Executive Director Moloney
    - a. M/V CSL CABO, interaction with M/V ATLANTIC VENUS at Bay Bulk Terminal New York Slough September 3, 2005 -- this is noted as new business and is under investigation.
  9. Pilot Security -- Commissioner Falaschi asked if there were any concerns by SFBP that the Board may assist in the event of a major catastrophe or terrorist attack. SFBP Captain Greig noted that the SFBP identification cards could be upgraded to allow pilots entrance to secured areas in the event of a major catastrophe. Executive Director Moloney will check with Sacramento Emergency Preparedness and Evacuation office if such card is authorized.
  10. Ad hoc Committee for Pilot Fitness -- Commissioner Falaschi -- status of appointments of committee members -- Commissioner Falaschi reported that he would contact the current Commissioners to assign a committee chair even though the Board is still awaiting appointment of one more industry member.
  11. Pilot Vessel Life Extension Modifications -- SFBP Port Agent Captain Greig reported that at the October yard period SFBP will inspect and audio gauge the P/V DRAKE. After analyzing the results SFBP will present a plan to the BOPC for life extension, which will include specifications for a full survey and analysis by a Naval Architect/Marine Engineering firm.
- G. New Business
1. M/V SAGA MUSKETEER allision with T/B FOSS 248 03 at Richmond Inner Harbor Shore Terminal June 21, 2005 -- Executive Director Moloney reported that this was recently reported and remains under investigation.
  2. M/V CSL CABO, interaction with M/V ATLANTIC VENUS at Bay Bulk Terminal September 3, 2005 -- Executive Director Moloney reported that this is under investigation.
  3. Public Comment on matters not on the agenda

4. Proposals for additions to next month's agenda – Commissioner Wagner requested that the Pilot Identification Cards be placed on the agenda to address concerns about their sufficiency raised at Chevron facilities.

Schedule next regular meeting – The next meeting is scheduled for October 27, 2005 at 9:30 with the Finance Committee meeting at 9:00 a.m.

Meetings for November and December will be on the 3<sup>rd</sup> Thursday of each of those months (11/17 and 12/15) to accommodate holiday schedules.

Adjournment – the meeting was adjourned at 10:30 a.m.

Respectfully submitted,

Alice A. Evans  
Secretary