

BOARD OF PILOT COMMISSIONERS
Minutes August 22, 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 August 22, 2002, Commissioner Falaschi presiding. A quorum was present, including Commissioners Lundeborg, Rosequist 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.

The Minutes of the July 25, 2002, meeting were unanimously approved.

Correspondence and Activities since the July meeting -- Executive Director Moloney reported there was no correspondence.

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 June and Inland Pilot Slough through July 2002. Copies are available in the Board office.
2. No license renewals during the month of August.

Port Agent's Report -- Port Agent Captain McIsaac

1. There are currently six pilots NFFD.
Captains Hughes continues to recover from heart surgery.
Captain Wainwright continues to recover from knee surgery and is expected back to work in late September.
Captain McBride injured his ankle on July 20 while coming down a gangway. The injury was diagnosed as a fracture on August 11 and his ankle was put in a cast. He is expected to return to work October 1.
Captain Rioux suffered complications from a recent surgery and has been NFFD since August 19.
Captain Alden continues to recover from a rotator cuff injury suffered in a bicycle accident.
Captain Wagner suffered a broken ankle on August 18. Surgery is scheduled for August 26.
2. On July 27 there were fourteen 12-hour MRP violations. The shortest rest period was six hours and 15 minutes. Six pilots were off the board, three NFFD, one in training, one on comp and one pulled for pilot business. Looking back through the dispatch log reveals that July 26 and 27 were unusually busy.

On August 14 there was one 12-hour MRP violation with a rest period of 11 hours. There were six pilots off the board with two NFFD, three pulled for pilot business and one on comp.

On August 17 there was one 12-hour MRP violation of 11 hours 10 minutes. There were two pilots NFFD, and four pilots in training.
3. The P/V SAN FRANCISCO went on dry dock at Stones Boatyard in Alameda on August 20. She is expected to be out of service for up to three weeks. As soon as she is back on station the P/V CALIFORNIA will be taken out of service for her annual dry-docking.

4.	Through July 2002	Bar Crossings	- 2.65%
		Bay Moves	-11.58%
		River Moves	+8.91%
		Total Moves	-3.83%
		GRT	-0.06%

Unfinished Business

1. Open Incidents -- Executive Director Moloney

- a. M/V MARE PHOENICIUM, allision with M/V GENERAL TIRONA, at OAK Inner Harbor turning basin (Schnitzer Dock), May 31, 2002, SFBP Captain D. Plant

Executive Director Moloney distributed copies of the Findings of Facts and gave the following report:

PROBABLE CAUSE

Capt Plant boarded the container ship MARE PHOENICIUM at 1845 on May 31, 2002 at Oakland berth 67, to pilot the vessel to sea. The vessel was moored portside to the berth and would have to be turned to head outbound. Directly astern of the vessel was the turning basin and beyond that, about a thousand feet away was the cargo vessel M/V GENERAL TIRONA, moored portside to the Schnitzer Scrap Dock.

At 1848 the vessel's engine was tested slow ahead and astern satisfactorily. Two assist tugs were on site and at 1855 were made up with the *Vega* at the stern with a line up through the centerline chock and the *Marin Sunshine* positioned about midship.

At 1856 the last line was let go and the vessel moved off berth using the tugs and bow thruster. The vessel was moved toward the turning basin by the tugs. At 1903 the after tug was let go and directed to stand by on the starboard quarter.

At 1905 the vessel was backed dead slow astern. At 1910 with the vessel's stern about 250 feet from the bow of the GENERAL TIRONA, Capt Plant ordered the vessel's engine stopped, then dead slow ahead. There was no response from the engine so he ordered half ahead. There was still no response. The Master called the engine room on the telephone and reported that the engine had failed. Capt Plant sounded the danger signal on the whistle and radioed VTS to advise them that an allision was imminent.

Capt Plant considered using an anchor but did not think it would halt the vessel before impact. Instead he opted to try and parallel the GENERAL TIRONA.

Using the bow thruster and forward tug he pushed the bow to port to the point that the vessel's momentum carried the stern past the bow of the GENERAL TIRONA.

At 1912, with the vessel drifting down the length of the GENERAL TIRONA, the starboard anchor was dropped for braking effect. The after tug was directed to get a line back up on the stern but not to push on the vessel in any way. At times the distance between the two vessels was as little as 2.5 feet.

At 1918 the engineroom reported that the engine was back on line but it failed to start when a slow ahead order was given. At about 1920 the port gangway of the MARE PHOENICIUM contacted the GENERAL TIRONA causing a 10-15 foot scratch and bent a stanchion on the gangway. Shortly thereafter, the tugs were able to maneuver the vessels apart.

With the assistance of another tug, Capt Plant returned the vessel to its berth and moored uneventfully

OPINIONS

1. Environmental conditions were routine.
2. Tug placement was appropriate for the anticipated job.
3. Capt Plant's orders for moving the vessel to the turning basin were appropriate. His response when the vessel's engine failed were timely and considered. In interview he described the options he thought of and why he took the actions he did.
4. Both tugs involved initially were instrumental in preventing a serious incident. The forward tug, the *Marin Sunshine*, was the key element in changing the vessel's track.

RECOMMENDATIONS

1. Close this case. No pilot error. Capt Plant is commended for his actions in a difficult situation; preventing an allision that would probably have required drydocking one or both vessels involved.
2. The operator of the *Marin Sunshine* is also commended for his rapid response to Capt Plant's orders. Capt Plant indicated in interview that the actions of the forward tug were critical in resolving the situation

It was moved and seconded to accept the IRC report. Commissioner Falaschi asked for discussion. There was none. The motion passed unanimously.

- b. M/V KAULA LUMPUR EXPRESS, interaction with L.T. GLOBO at OAK 35, July 23, 2002
- c. M/V CHIMBORAZO, allision with wharf at Amorco, Martinez, July 22, 2002

Executive Director Moloney reported that incidents under b. and c. are being investigated.

2. Pilot Ladder reportable incidents – Executive Director Moloney distributed copies of the revised Pilot Boarding Arrangements Deficiency Report now utilized by the SFBP. There were no new incidents to report.
3. Rules and Regulations Committee – Commissioner Falaschi reported that there was no report.

4. Finance Committee—Commissioner Winn—report results of meeting held August 13, 2002; possible recommendation to adjust Pilot Vessel Surcharge (currently 5.13 mills); possible recommendation to adjust the serving pilot training surcharge to further reduce surplus (currently \$30 per vessel); **possible Board action**

Commissioner Winn reported that the Finance Committee met August 13. Data for the SFBP variance and pilot vessel surcharge report was not available at the time of this meeting.

The BOPC monthly expenditures were reviewed and nothing unusual was noted. We have not had any reply from DOF regarding our proposal to reduce the Operations Surcharge from 2% to 0.5% as previously approved by this Board at the June meeting. The surplus in the Serving Pilot Training Fund was reviewed and it was decided by the Committee that a further reduction in the Surcharge is warranted in order to bring this surplus down to an acceptable level. The Committee recommends in the form of a motion that effective October 1, 2002, the Serving Pilot Training Surcharge be reduced from \$30.00 per vessel movement to \$20.00 per vessel movement. It was moved and seconded to accept the Committee's recommendation. Commissioner Falaschi asked for discussion. It was noted that the Committee discussed the surcharge reduction in great detail to strike a reasonable balance between reducing reserves to an acceptable level while ensuring that the reduction did not impair or impact the Board's training and responsibility to safety. The Committee was unanimous in this recommendation. There being no further discussion the motion passed unanimously.

The SFBP distributed a copy of their quarterly audit results. Nothing unusual was noted.

The SFBP will be requiring some design modifications to the two new pilot vessels and have asked the Committee whether or not the pilot vessel surcharge funds could be utilized to offset this expense. The Committee is now seeking legal advice from Board counsel regarding this issue before proceeding any further on this Committee agenda item.

The next regular meeting of the Finance Committee is currently scheduled for 10:30 a.m. Wednesday October 15, 2002.

5. Pilot Training Curriculum Committee—Commissioner Falaschi said there is no report.
6. Ad Hoc Pilot Power Committee—Commissioner Wagner – status report re recommendation to update the 1986 San Francisco Pilots Manpower Model – Commissioner Falaschi said there is no report.
7. Trainee Selection Appeals Committee – Commissioner Rosequist—report on status/results of any Appeals by applicants to Pilot Trainee Training Program

Commissioner Rosequist reported that the Committee met August 15, 2002, and considered inquiries by candidates #84 and #52 regarding testing procedures for the pilot training trainee positions. Both inquiries have been responded to and no further action is required.

8. Trainee Selection Process – Executive Director
 - a. Report on status of contracting with first trainees – Executive Director reported that the three trainee contracts currently authorized by the Board were being reviewed by Sacramento. Captains Robinson and Hurt will begin September 6, 2002, and Captain Pinetti October 11, 2002.
 - b. Development/adoption of Board policy regarding requests to defer entry into training program; **possible Board action** – Commissioner Falaschi stated that the assignment to a committee would be postponed until a later date. The Committee’s scope and participation will be broadened to include a review of the entire selection process. Board Counsel Paetzold reported that at the last meeting the letter from OER dated July 24, 2002, regarding Use of List for Selection, was reported as marked “confidential.” Subsequent to that report OER stated that it was intended to be confidential only during the transmittal. Therefore copies of the letter were distributed and are available at the Board office.
9. Pilot Evaluation Committee – Capt. Melvin – Executive Director said there is no report.

New Business

1. M/V NYK LYNX, Oakland Berth #37, interaction with M/V MING ZENITH, August 3, 2002
2. M/V ACADEMIK SEMENOV, lost engine power between Prisoner’s Pt and #1 and #2, August 3, 2002
3. M/V ROYAL ACCORD, interaction M/V DELTA PRIDE, Bay Bulk Pittsburgh, August 13, 2002
4. M/V ROYAL ACCORD, grounding Pittsburgh Diablo, August 13, 2002

Executive Director Moloney reported that all four new incidents remain under investigation.

5. Public Comment on matters not on the agenda – there were none.
6. Proposals for additions to next month’s agenda—there were none.

Schedule next regular meeting – the next meeting is scheduled for September 19, 2002, at 9:30 a.m., in the Board office, Pier 9 Suite 102, San Francisco.

Adjournment – The meeting was adjourned at 10:15 a.m.

Respectfully submitted,

Alice A. Evans
Secretary