

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



**2017**

**Annual Legislative Report**

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

**Commissioners/Board Members**

Jennifer Ferrera Schmid, President, Public Member  
Dave Connolly, Vice President, Public Member  
David Hoppes, Dry Cargo Industry Member  
Captain George Livingstone, Pilot Member  
Captain Einar Nyborg, Pilot Member  
John Schneider, Wet Cargo Industry Member  
Brian C. Annis, Secretary of the California State Transportation Agency

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Report Date: April 14, 2018

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## I. Introduction

The Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun (Board) – sometimes called the “BOPC” or “Pilot Commission” – licenses and regulates up to 60 maritime pilots who guide ships of 750 gross tons or greater on the Bays of San Francisco and Monterey, and tributaries to ports in Stockton and Sacramento. The pilots are organized for business operational purposes as the “San Francisco Bar Pilots.”

The Board consists of seven members (also known as Commissioners), six of whom are appointed by the Governor with the consent of the Senate, and one ex officio, non-voting member as follows:

- Two are pilots licensed by the Board;
- Two are “industry members”—one from the tanker industry and one from the dry cargo industry;
- Three are public members who are neither pilots nor work for companies that use pilots; and,
- The Secretary of the California Transportation Agency, who serves as the ex officio non-voting member.

The Board was created by the first legislative session of the new state of California in 1850, and has been serving continuously ever since. Statutory references to the Board can be found in the Harbors and Navigation Code §1100 *et seq.* Board regulations can be found in California Code of Regulations, Title 7, §201 *et seq.*

The Legislature, based upon recommendations by the Board, sets pilotage rates that are charged by the Board-licensees for delivery of pilotage services. Board-licensees also charge, collect, and remit or expend various surcharges as set and directed by the Board. These surcharges fund the Board’s operations and programs, as well as boats and navigation technology owned and used by the Board-licensees.

Section 1157.5 of the Harbors and Navigation Code was added to the code by Senate Bill 1217 (2008), and mandates that the Board annually submit a report to the Secretary of the Senate, the Chief Clerk of the Assembly, and the Secretary of the California Transportation Agency on or before April 15<sup>th</sup> describing the Board’s activities for the preceding calendar year and providing certain specified information.

The statutory reporting requirements include the following data: the number of vessel movements across the bar (a sand bar approximately 8 miles west of the Golden Gate Bridge), on the bays, and on the rivers within the Board's jurisdiction; the names of pilots and trainees and license status; and, summaries of closed and open navigational incident or misconduct reports involving a pilot or pilot trainee. The following report is hereby submitted in compliance with the statutory requirements.

## **II. Summary of Major Board Activities in Calendar Year 2017**

Below is a summary of major Board activities in calendar year 2017:

### **1. Pilot Fitness**

The Board, under a contract with the Regents of the University of California, on behalf of the San Francisco Campus and its Division of Occupational and Environmental Medicine, continues to operate one of the most comprehensive and advanced pilot and pilot trainee medical assessment programs in the nation, with requirements that exceed the U.S. Coast Guard's medical guidelines for maritime pilots.

Some highlights of the Board's fitness regulations include: biennial agility testing that simulates the physical demands of providing pilotage service; toxicological testing for prescription and over-the-counter medications along with physician notification when there are changes in medications; establishing minimum qualifications for Board-appointed physicians including ensuring the physicians are personally familiar with the physical and cognitive challenges encountered by pilot licensees and trainees; and, a dual-physician evaluation process that includes Medical Review Officer approval on all fitness assessments.

### **2. Personnel Matters**

During calendar year 2017, the Governor appointed three Commissioners to the Board: In February, Captain Einar Nyborg, a pilot member, was appointed to his first four-year term, David Hoppes, a dry cargo industry member, was appointed to his first four-year term, and David Connolly, a public member, was re-appointed to his second four-year term. The Board has one public member seat that has been vacant since 2016.

The Board has a staff of four full-time employees who receive administrative and program support through agreements with other governmental entities including: the Department of Justice; the California Highway Patrol, the Department of Transportation; the California Department of Human Resources; the State Controller's Office; the Department of Technology; the California State University Maritime Academy; and the Regents of the University of California. The Board also contracts with private-sector Commission Investigators who provide independent investigations of maritime incidents involving Board-licensees. During 2017, the Board had one vacant position for a majority of the year.

### **3. Progress Implementing Senate Bill 1408 (2012)—Pilot Fatigue Study**

The Board has been working diligently to meet the legislative mandate of Senate Bill 1408 (chaptered on September 29, 2012) to conduct a study of the effects of work and rest periods on the psychological ability and safety of pilots, and provide recommendations on how to prevent pilot fatigue and ensure the safe operation of vessels. As mandated by the legislation, the Board will promulgate regulations establishing requirements for adequate pilot and trainee rest periods intended to prevent fatigue based on the study results and recommendations.

Integral to that effort, the Board issued a request for proposals in December 2014, and selected a proposal from the San Jose State University Research Foundation (Foundation) in March 2015, and subsequently approved clarifications to the study scope of work originally proposed by the Foundation in August 2015. The Board entered into a contract for the study in June 2016. The study officially commenced in August of 2016, and is projected to be completed early summer 2018.

#### **4. Progress Implementing Assembly Bill 1432 (2016)—Navigation Technology Surcharge**

Assembly Bill 1432 promulgated a ship movement fee (Navigation Technology Surcharge) to be authorized by the Board on or after January 1, 2017. The surcharge monies are to be used to recover a pilot's cost for the purchase, lease, or maintenance of navigation software, hardware, and ancillary equipment determined by the Board to be reasonable and necessary. The bill specified the cumulative amount of the Navigation Technology Surcharge shall not exceed \$1.2 million dollars, and that the surcharge sunsets on January 1, 2021.

Pursuant to this law, the Board-licensees, through their organization, the San Francisco Bar Pilots, presented a preliminary navigation technology acquisition proposal to the Board's Navigation Technology Committee in January 2017. That same month, based upon the recommendation of the Navigation Technology Committee, the Board subsequently determined that the proposal was reasonable and necessary, and provided a preliminary authorization to the San Francisco Bar Pilots to proceed with a navigation technology acquisition. In June 2017, the Board approved a final authorization to the San Francisco Bar Pilots in the amount of \$1,117,813 to cover reimbursement to for both the navigation technology costs incurred, and to pay projected future costs involving software acquisition/updates and taxes. At the time of the final acquisition authorization, the Board also authorized the establishment and implementation of a Navigation Technology Surcharge at \$40/ship move, effective July 1, 2017, which monies are to be used to reimburse the San Francisco Bar Pilots for the technology acquisition costs and related financing costs.

The new state-of-the-art navigation technology will assist Board-licensees to safely navigate ultra large container vessels, and to navigate vessels in restricted visibility conditions, such as night and fog transits.

#### **5. Trainee Program Selection Examination**

The Board administers a Pilot Trainee Training Program for qualifying mariners who wish to obtain the knowledge, skills and abilities to be licensed by the Board, and to have the opportunity to join the San Francisco Bar Pilots' association. Approximately every two-to-three years, the Board conducts a rigorous Pilot Trainee Training Program selection examination to establish a ranked list of eligible candidates from which to select qualified training program participants.

The Board conducted a Pilot Trainee Training Program selection examination in 2017 with the assistance of qualified test administrators from the California Department of Human Resources, along with the assistance of staff at the California State University Maritime Academy, and the significant contribution of Board-licensees who donate their time, not only with test preparation

as subject matter experts, but also with test administration. The ranked list of 10 eligible candidates resulting from the 2017 examination will be valid for three years.

A trainee can be in the training program from a minimum of one year to no more than three years. Board-licensed pilots provide on-the-job training to trainees on ships transiting in the Board's jurisdiction. Trainee progress is overseen by the Board's Pilot Evaluation Committee, which consists of five Board-licensed pilots who have been licensed for ten or more years.

To determine the number of trainees in the program, the Board's Pilot Power Committee meets regularly, reviews a semi-annual confidential pilot retirement survey along with pilot work/rest data, and recommends to the Board the number of new trainees to induct into the training program and at what intervals. At the close of calendar year 2017, two trainees from the ranked eligibility list created in 2014 were in the training program along with a four trainees from the 2017 ranked eligibility list. The Board also directed staff to contract with two additional trainees at the start of 2018, leaving four candidates remaining on the 2017 list.

The Board anticipates conducting the next Pilot Trainee Training Program selection examination in mid-2019, and projects that there will be sufficient retirements of licensed pilots to keep the demand for trainees and new licensees strong through 2021.

## **6. Litigation Involving the Board in 2017**

### **Reeder v. Board of Pilot Commissioners**

Captain Reeder was formerly licensed by the Board as an inland pilot providing pilotage on navigable rivers to ports in Stockton and Sacramento. He applied for an inland pilot's<sup>1</sup> pension from the San Francisco Bar Pilot Pension Plan in April 2009. The Board, as the administrative body of the pension plan, denied his application in February 2011 on the grounds that Captain Reeder failed to meet two of the eligibility requirements for a pension. Captain Reeder filed a petition in December 2014 in San Francisco Superior Court seeking to overturn the Board's decision. The San Francisco Superior Court denied his petition after a hearing in September 2015, and Captain Reeder subsequently submitted an appeal in early 2016. All briefs have been filed by the parties in the appeal, and the Board is awaiting a decision by the appellate court.

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<sup>1</sup> "Inland pilot" means a person holding an inland pilot license prior to January 1, 2011. Inland pilots navigated vessels only in the San Francisco bays and tributaries to ports in Stockton and Sacramento. Inland pilots were amalgamated with pilots in 1984. References to inland pilots were deleted in statutes pursuant to AB 1025 (Skinner, Chapter 324, Statutes of 2011).

### III. Number of Vessel Movements in 2017

Subdivision (a) of Section 1157.5 of the Harbors and Navigation Code mandates that the Board report the number of vessel movements across the bar, on the bays, and on the rivers within the Board's jurisdiction. The following are the 2017 vessel movement<sup>2</sup> statistics:

Number of vessel movements across the San Francisco Bar <i>(Includes 30 movements in Monterey Bay)</i>	6,716
Number of vessel movements within the Bays of San Francisco, San Pablo and Suisun	1,549
Number of vessel movements on the Sacramento and San Joaquin Rivers	597
<b>Total Moves</b>	<b>8,862</b>

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<sup>2</sup> Statistics as reported by the San Francisco Bar Pilots, and are based upon accrual (billing) data.



## IV. List of Status of Pilot Licensees and Trainees in 2017

### 1. Status of Pilot Licensees

Pilot Name	Original Licensing Date	Date Retired	Licensed and Fit for Duty Dates <sup>(1)</sup>	Licensed and Not Fit For Duty Dates	Licensed and on Mandated Manned Model Training Dates	Licensed and on Mandated Combination Course Training Dates	Licensed and on Active Military Duty Dates	Licensed and on Leave of Absence Dates	License Suspended Dates
Alden, Bruce	7/2/1993		1/1/17 - 12/31/17						
Alfers, Douglas	9/28/2017		9/28/17 - 12/31/17						
Aune, Drew	4/1/2009		1/1/17 - 12/31/17						
Billingsley, Neil	4/28/2016		1/1/17 - 12/31/17						
Boriolo, Dan	10/1/1995		1/1/17 - 12/31/17			4/9/17 - 4/14/17			
Bridgman, Daniel	4/1/2010		1/1/17 - 12/31/17						
Burger, Tom	9/4/1991		1/1/17 - 12/31/17						
Carlier, John	1/20/1989		1/1/17 - 12/31/17		6/22/17 - 7/1/17				
Carlson, Kenneth	1/1/1988		1/1/17 - 12/31/17						
Carr, Robert	6/28/2013		1/1/17 - 12/31/17						
Cloes, Don	6/26/2009		1/1/17 - 12/31/17						
Coney, Blake B	9/1/1993		1/1/17 - 12/31/17						
Coppo, George	1/1/1992		1/1/17 - 9/26/17 10/18/17 - 12/31/17	9/27/17 - 10/17/17					
Cvitanovic, David	6/22/2017		6/22/17 - 12/31/17		9/7/17 - 9/16/17				
D'Aloisio, Samuel	7/1/2014		1/1/17 - 12/31/17						
Dowdle, George	11/1/1993		1/1/17 - 9/22/17	9/23/17 - 12/31/17					
Epperson, Dylan	12/15/2016		1/1/17 - 1/16/17 8/16/17 - 12/31/17	1/17/17 - 8/15/17	9/7/17 - 9/16/17				
Favro, Orrin	12/14/2012		1/1/17 - 12/31/17						
Fawcett, Erik	6/24/2011		1/1/17 - 12/31/17		9/7/17 - 9/16/17				
Fuller, Peter	5/1/1998	4/1/2017	1/1/17 - 3/31/17						
Haggerty, Mark	7/1/1998		1/1/17 - 12/31/17						
Hirschfeld, Jubal	2/29/2016		1/1/17 - 12/31/17						
Horton, Bruce	5/8/1991		1/1/17 - 12/31/17		6/22/17 - 7/1/17				
Hurt, Richard	9/26/2003		1/1/17 - 12/31/17			4/9/17 - 4/14/17			

Johnson, Eric	12/14/2012		1/1/17 - 12/31/17						
Kasper, Drue	3/22/2016		1/1/17 - 12/31/17						
Kellerman, Zachary	1/28/2011		1/1/17 - 12/31/17		9/7/17 - 9/16/17				
Kelso, Arnold	1/20/1989	10/1/2017	1/1/17 - 9/30/17						
Kenyon, Hugo	7/1/1998		6/7/17 - 12/31/17	1/1/17 - 6/6/17	9/7/17 - 9/16/17				
Kirk, Roger	4/1/2007		1/1/17 - 1/4/17 4/21/17 - 12/31/17	1/5/17 - 4/20/17		10/1/17 - 10/6/17			
Kleess, Guy	11/1/2005		1/1/17 - 12/31/17						
Laakso, Kristopher	8/26/2011		1/1/17 - 10/29/17 11/28/17 - 12/31/17	10/29/17 - 11/27/17	9/7/17 - 9/16/17				
Larwood, Dan	7/1/1998		1/1/17 - 12/31/17						
Lemke, William	4/1/1993		1/1/17 - 11/14/17	11/15/2017 - 12/31/17					
LeSieur, Cevan	9/26/2014		1/1/17 - 12/31/17						
Lingo, Matthew	2/22/2013		1/1/17 - 12/31/17						
Livingstone, George	4/24/2008		1/1/17 - 12/31/17			4/9/17 - 4/14/17			
Long, Joe	7/1/2008		1/1/17 - 12/31/17						
Lowe, Jeremy	11/21/2016		1/1/17 - 12/31/17			4/9/17 - 4/14/17			
Manes, Mark	6/28/2012		1/1/17 - 12/31/17						
Martin Jr., Carl	4/1/2010		1/1/17 - 12/31/17						
McCloy, Dave	6/1/2008		1/1/17 - 12/31/17						
McIsaac, Peter	1/1/1994		1/1/17 - 12/31/17						
Melvin, Eddie	4/1/1988		1/1/17 - 12/31/17			4/9/17 - 4/14/17			
Merritt, David	8/27/2010		1/1/17 - 12/31/17						
Murray, Andrew	4/28/2016		1/1/17 - 12/31/17						
Miller, Tom	7/1/1987		1/1/17 - 12/31/17			4/9/17 - 4/14/17			
Nyborg, Einar	7/1/1995		1/1/17 - 12/31/17						
Pate, David	4/1/2007		1/1/17 - 12/31/17		6/22/17 - 7/1/17	10/1/17 - 10/6/17			
Pinetti, Randall	2/1/2004		1/1/17 - 2/26/17	2/27/17 - 12/31/17					
Ridens, Ray	1/1/2007		1/1/17 - 12/31/17						
Roberts, Steve	2/11/1985	4/1/2017	1/1/17 - 3/31/17						
Robinson, Eric	1/1/2004		1/1/17 - 12/31/17						
Rocci, Reuben	1/1/2008		1/1/17 - 8/7/17 8/18/17 - 12/31/17	8/8/17 - 8/17/17		10/1/17 - 10/6/17			
Rubino, Michael	3/22/2017		3/22/17 - 12/31/17						
Ruff, Paul	1/28/2011		1/1/17 - 12/31/17		9/7/17 - 9/16/17				
Slack, Dustin	7/1/2008		1/1/17 - 12/31/17						
Stultz, Joshua	2/24/2012		1/1/17 - 12/31/17		9/7/17 - 9/16/17				
Teague, Steve	1/1/2007		1/1/17 - 12/31/17		6/22/17 - 7/1/17	4/9/17 - 4/14/17			

Tylawsky, Greg	5/28/2010		1/1/17 - 2/4/17 2/15/17 - 12/31/17	2/5/17 - 2/14/17					
Vogel, Jason	11/16/2017		11/16/17 - 12/31/17						
Wehr, Shane	6/1/2008		1/1/17 - 12/31/17			10/1/17 - 10/6/17			
Weiss, David	9/10/1993		1/1/17 - 12/31/17						
<b>Active Pilots:</b>		<b>60</b>							
<b>Retired Pilots:</b>		<b>3</b>							

## 2. Status of Pilot Trainees as of December 31, 2017

<b>Name of Trainee</b>	<b>Training Program Entrance Date</b>	<b>Status on 12/31/2017</b>
Rubino, Michael	9/15/2014	Graduated 3/21/2017
Cvitanovic, David	9/02/2015	Graduated 6/22/2017
Alfers, Douglas	3/28/2016	Graduated 9/28/2017
Vogel, Jason	3/28/2016	Graduated 11/16/2017
McNamara, Leigh	1/4/2017	Resigned 10/11/2017
Greger, Ronald	1/4/2017	In Training
Burchard, David	7/17/2017	In Training
Freese, Kevin	8/14/2017	In Training
Pullin, Jesse	8/14/2017	In Training
Corbett, David	12/1/2017	In Training
Starnitzky, Maximilian	12/1/2017	In Training

## IV. Summary of Reports of Navigational Incidents Acted On or In Progress in 2017

Subdivision (c) of Section 1157.5 of the Harbors and Navigation Code requires the Board to provide 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 must provide a description of findings made by the Board's Incident Review Committee, the resulting action taken by the Board, as well as a summary of any prior reportable incidents of which a finding of pilot error was made for the pilots involved. For those cases that are still under investigation, the summary shall include a description of the reported incident and an estimated completion date for the investigation.

### 1. M/T STI ST. CHARLES

<b>Pilot</b>	Captain Daniel Larwood
<b>Incident Description</b>	Allision with pier, damaging the walkway grating.
<b>Location</b>	Martinez, California
<b>Date of Incident</b>	January 7, 2017
<b>Incident Review Committee Finding</b>	<input checked="" type="checkbox"/> No Pilot Error <input type="checkbox"/> Pilot Error Summary: While on approach to the berth at Shell Martinez, the ship, in ballast condition with substantial freeboard, made unintended contact with the metal gangway platform on the pier, slightly deforming the platform. Personnel at Shell Martinez estimated the cost to repair the damage at \$37,800.  The standard of care is whether the pilot's actions were reasonable. The evidence indicated that the pilot landed the ship nearly parallel to the pier in a controlled landing, but due to the high freeboard, the stern of the ship overrode the pier enough to make contact with the gangway platform. The Incident Review Committee found that, in spite of the resultant damage, the pilot's actions were reasonable.  The Incident Review Committee recommended to the Board that they find for no pilot error, and that the investigation be closed with no further action.
<b>Board Action</b>	The Board accepted the recommendation of the Incident Review Committee on the finding of no pilot error, and the investigation was closed with no further action.
<b>Prior Pilot Error Reportable Incidents</b>	None.

## 2. M/V SEA PROTEUS

<b>Pilot</b>	Captain Steve Roberts
<b>Incident Description</b>	Mast allision with the Benicia-Martinez Union Pacific Railroad Bridge.
<b>Location</b>	Martinez, California
<b>Date</b>	February 18, 2017
<b>Incident Review Finding</b>	<input checked="" type="checkbox"/> No Pilot Error <input type="checkbox"/> Pilot Error <p>Summary:  While underway from Anchorage 9 to Dow Chemical (Pittsburg #3), and passing under the Benicia-Martinez Union Pacific Railroad Bridge, an antenna mounted on the ship's mast made contact with the bridge, damaging the antenna. No damage was reported to the bridge. The damage to the antenna was subsequently repaired when the ship was alongside the pier in Pittsburg.</p> <p>The evidence gathered in the investigation showed that the information provided by the ship's crew, and relied upon and used by the pilot to calculate the clearance to the bridge, was in error by approximately 4.6 feet, as verified by a classification society surveyor after the incident.</p> <p>The Incident Review Committee found that the pilot exercised reasonable care in his efforts to determine the mast clearance at the bridge before getting underway, and recommended to the Board a finding of no pilot error, and that the investigation be closed without further action.</p>
<b>Board Action</b>	The Board accepted the recommendation of the Incident Review Committee on the finding of no pilot error, and the investigation was closed with no further action.
<b>Prior Pilot Error Reportable Incidents</b>	None.

### 3. M/V MSC KATIE

<b>Pilots</b>	Captain Drew Aune supervising Captain Jubal Hirschfeld
<b>Incident Description</b>	The ship's bridge wing made contact with a gantry crane collision wire, parting the wire and damaging an awning over the ship's bridge wing.
<b>Location</b>	Port of Oakland, California
<b>Date</b>	May 4, 2017
<b>Incident Review Committee Finding</b>	<input checked="" type="checkbox"/> No Pilot Error <input type="checkbox"/> Pilot Error <p>Summary:  While approaching Berth 58 in the Port of Oakland, the ship's bridge wing awning made contact with a collision wire mounted on the Port's gantry crane boom located on the pier, parting the wire and causing damage to the awing. The damage was estimated at \$650.</p> <p>Based on the size of the vessel and the short length of time since Captain Hirschfeld was initially licensed, the Board's regulations require that a supervisory pilot also be assigned to the job. Even though the ship is being piloted by the newly-licensed pilot, the supervisory pilot retains ultimate responsibility for the safe pilotage of the vessel.</p> <p>The evidence gathered indicated that the terminal personnel on the pier directed the ship first to one location, then subsequently requested that the ship move forty feet further down the pier before putting out the lines. Docking at the new location put the ship's bridge wing awning in contact with the gantry crane boom collision wire, given the placement of the crane on the pier.</p> <p>The Incident Review Committee found, based on the factual circumstances of this case, that Captain Aune had met the standard of care of reasonableness for a supervising pilot, and on that basis recommended to the Board that they find for no pilot error, and that the investigation be closed with no further action.</p>
<b>Board Action</b>	The Board accepted the recommendation of the Incident Review Committee on the finding of no pilot error, and the investigation was closed with no further action.
<b>Prior Pilot Error Reportable Incidents</b>	None for either pilot.

#### 4. M/V SHIELA ANN

<b>Pilot</b>	Captain Orrin Favro
<b>Incident Description</b>	While enroute from the Port of Stockton to sea, the M/V SHEILA ANN temporarily grounded.
<b>Location</b>	San Joaquin River near Ward Cut, California
<b>Date</b>	July 21, 2017
<b>Incident Review Committee Finding</b>	<p><b>INVESTIGATION PENDING</b>  <b>Estimated Completion Date—May 2018</b></p> <p>Summary:  The M/V SHEILA ANN ran aground in the vicinity of Ward Cut. The pilot was able to free the ship from the river bottom without assistance and continue the transit. There was no damage associated with the grounding.</p> <p>The pilot reported the grounding to the United States Coast Guard, which classified it as a “bump and go” grounding. Such a grounding occurs when a ship runs aground, and through reversing the engines the vessel is freed on the first attempt, no assist vessel is needed to free the vessel, and the grounding did not result in damage to the vessel or any marine casualty, such as pollution or injury. The Coast Guard informed the pilot that no other reporting was required.</p> <p>While the pilot did report this incident to the United States Coast Guard, he did not report the incident to the Board as required by State law. The Board did not learn of this grounding until November 11, 2017. The Incident Review Committee was still investigating the incident at the end of the calendar year, and has yet to present a report to the Board at the time this report was prepared.</p>
<b>Board Action</b>	None yet.
<b>Prior Pilot Error Reportable Incidents</b>	None.



5. M/V KAI XAUN

<b>Pilot</b>	Captain Donald Cloes
<b>Incident Description</b>	While transiting the Carquinez Straits, a fiberglass whip antenna mounted on the bridge of the M/V KAI XAUN made contact with the Benicia-Martinez Union Pacific Railroad Bridge.
<b>Location</b>	Martinez, California
<b>Date</b>	July 30, 2017
<b>Incident Review Committee Finding</b>	<input checked="" type="checkbox"/> No Pilot Error <input type="checkbox"/> Pilot Error <p>Summary:  The evidence collected by the Incident Review Committee showed that the crew of the ship had folded the main mast of the ship to ensure bridge clearance, and provided this information to the pilot. However, ship's crew had overlooked the fact that the fiberglass whip antenna extended approximately one meter higher than the folded mast, and did not inform the pilot of this fact.</p> <p>During the transit under the bridge, the pilot heard something strike the bridge. Further investigation revealed that the noise was that of the fiberglass whip antenna making contact with the bridge structure. There was no damage to the bridge or the ship.</p> <p>The Incident Review Committee determined that the pilot's actions were reasonable, that there was clearly no pilot error, and made the decision to discontinue the investigation as permitted by 7 CCR §210(b)(3).</p>
<b>Board Action</b>	Not applicable.
<b>Prior Pilot Error Reportable Incidents</b>	Not applicable.

## 6. M/V SALDANHA

<b>Pilot</b>	Captain Mark Haggerty
<b>Incident Description</b>	While approaching the berth in the Port of Stockton, the ship made unintended contact with the pier support structure.
<b>Location</b>	Stockton, California
<b>Date</b>	September 13, 2017
<b>Incident Review Committee Finding</b>	<input checked="" type="checkbox"/> No Pilot Error <input type="checkbox"/> Pilot Error <p>Summary:  The approach to Berth 12/13 in the Port of Stockton requires that the pilot turn the ship through an approximate 240 degree turn, during which the bow of the ship tracks along and very close to the pier. On a 738 foot ship, with the bridge located on the aft end, the pilot must rely on the ship's officer stationed on the bow, and perhaps the tug boat operators, to inform him of the proximity of the ship's bow to the dock.</p> <p>As the vessel approached the berth, the pilot received information from both the tug operator and the ship's Chief Officer regarding the closing distances between the ship's bow and the pier. During a critical point in the maneuver, the Chief Officer left the bow to attend to an alternate task, leaving the pilot to rely solely on the tug operator for this information. Later, the pilot learned that the tug operator was only providing distance estimates, as his line of sight alongside the ship was not clear to the bulbous bow.<sup>3</sup> As a result, the pilot was not able to fully arrest the forward motion of the ship in an appropriate time frame, and the bulbous bow made contact with the support structure of the pier. While there apparently was damage to the pier, the extent of the damage or the cost of repairs had not been disclosed to the Board.</p> <p>The Incident Review Committee reviewed the evidence and found that both the maneuver and the approach to the dock were reasonable, and that the pilot's reliance on the tug and ship personnel for distance information was also reasonable, in spite of ultimately being provided unreliable information.</p> <p>In consideration of the uncertainty about the extent of the damage coupled with the reasonable behavior of the pilot, the Incident Review Committee recommended to the Board that they find for no pilot error, and that the investigation be closed without further action.</p>
<b>Board Action</b>	The Board accepted the recommendation of the Incident Review Committee on the finding of no pilot error, and the investigation was closed with no further action.
<b>Prior Pilot Error Reportable Incidents</b>	None.

<sup>3</sup> In most cases, a bulbous bow is below the waterline of the ship and generally extends forward some distance beyond the stem (front) of the ship.

## 7. M/V LEONORA VICTORY

<b>Pilot</b>	Captain Orrin Favro
<b>Incident Description</b>	While entering the Port of Stockton, the M/V LEONORA VICTORY interacted with a moored unmanned barge, causing the moored barge to break free of its moorings triggering damage to the pilings it was moored to.
<b>Location</b>	Stockton, California
<b>Date</b>	October 23, 2017
<b>Incident Review Committee Finding</b>	<p><b>INVESTIGATION PENDING</b>  <b>Estimated Completion Date—May 2018</b></p> <p>Summary:  As the M/V LEONORA VICTORY approached the Port of Stockton to berth at Berth #8, an unmanned barge moored alongside the channel was pulled from its moorings triggering damaging the pilings it was moored to. A tug was called in by the Port of Stockton to retrieve the barge to moor it in an alternate location.</p> <p>According to the pilot, he did not learn of the “interaction” until a “later date.” The pilot did not report this event to the Board, and the Board did not learn of it until November 11, 2017. The Incident Review Committee was still investigating the incident at the end of the calendar year and has yet to present a report to the Board at the time this report was prepared.</p>
<b>Board Action</b>	None yet.
<b>Prior Pilot Error Reportable Incidents</b>	None.