EXHIBIT 1

BOARD OF PILOT COMMISSIONERS FOR THE BAYS OF SAN FRANCISCO, SAN PABLO, AND SUISUN

INCIDENT REVIEW COMMITTEE INVESTIGATION REPORT

REPORT OF THE ALLISION OF THE M/T CHAMPION CONCEPT WITH BERTH 9, PORT OF STOCKTON WHILE SHIFTING ON APRIL 28, 2020 PILOT: CAPTAIN SAM D'ALOISIO

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I. INTRODUCTION

a. On the morning of April 28, 2020, the M/T CHAMPION CONCEPT (hereinafter CHAMPION CONCEPT) was scheduled to shift from Stockton berth 8 (portside to), Stockton berth 9 (starboard side to), piloted by Board of Pilot Commissioner's-licensee Captain Sam D'Alosio.

b. Captain D'Alosio boarded the ship at at approximately 0024 hours for the shift to berth 9. All navigation equipment was operational, and the tugs CLEO BRUSCO and BELINDA BRUSCO came alongside.

c. Captain D'Alosio commenced the shift and during the maneuver the ship made contact with the knuckle at berth 9, with both the vessel and the dock sustaining some minor damage.

Abbreviations in the report refer to the following:

I. **IRC** – Incident Review Committee
II. **BOPC** – Board of Pilot Commissioners
III. **FOIA** – Freedom of Information Act
IV. **USCG** or **CG** – United States Coast Guard or Coast Guard

II. FINDINGS OF FACTS

1. Vessel Identification and Description

CHAMPION CONCEPT is a chemical/oil tanker registered in the Marshall Islands. It was built by Uljanik Shipyard, Pula, Croatia in 2005.

Vessel Particulars:
Length: 599 feet Beam: 106 feet
Draft: 30.0 feet deep
Tonnage: 27,472 gross tons
Owner: MR Concept Shipping, L.L.C.
Management: Thome Ship Management

2. Date of vessel movement

Date and Time: April 28, 2020, approximately 0100 hours
Location: Berth 8, Stockton, California

3. Identification of Pilot

BOPC-licensee: Captain Sam D'Aloisio

4. Weather and Sea Conditions

A. Weather Conditions

The weather conditions in the bay at the time of the transit were as follows:

Wind:	W'ly winds to 5 knots
Visibility:	good – 5 nautical miles
Weather:	Clear

B. Tidal Information

Calculated under keel clearance at Port of Stockton, CA:

o Controlling depth	35' 06"
o Height of tide at 0100	+ 2' 05"
o Depth at 0100	37' 11"
o Deep Draft	30' 04"
o UKC at shifting (0100)	7'07"

C. Current Information

- No current information available

5. Statement of the Pilot

a. Captain D'Aloisio stated that on April 28, 2018, at approximately 0024 hours, he boarded the tank vessel CHAMPION CONCEPT at Stockton Berth 8 to shift the ship to Berth 9.

b. The tug CLEO was made fast on the starboard bow, main deck with the tug's line. The tug BELINDA was made fast starboard quarter just aft of the house with the tug's line. The ship's engine was tested ahead and astern as well as the bow thruster, which only had a control in the wheelhouse.

c. The ship let go and the last line was off the dock at 0052. Standing on the port bridge wing he ordered the CLEO to stop pushing toward the dock and had the BELINDA work away at dead slow to start opening the stern from the dock. He then ordered dead slow astern on the main engine. When the astern speed reached 0.7 kts the engine was stopped. He then ordered the BELINDA to work half away to gain more clearance on berth 8. The BELINDA was then ordered to stop, take in her line, and shift to the portside.

d. Once the BELINDA had her line back he ordered the main engine to dead slow astern. The BELINDA came around the vessel's stern to the port quarter. He saw the BELINDA, from the port bridge wing, make her way toward the port quarter which had not yet cleared berth 8.

e. He told the BELINDA to watch out for the stern wash from the ship's screw. The BELINDA repeated the command back. He was worried that the BELINDA was going to be washed toward the dock. He told the BELINDA that she could lay alongside hoping that would keep from harm's way. He saw the stern start to veer to starboard and ordered the engine to stop. At that point the ship had just over one knot of sternway.

f. At this point the pilot and captain began to move from the port bridge wing to the starboard bridge wing to watch and make sure the ship cleared the knuckle at berth 9. When they reached the

starboard wheelhouse door, they found it locked and could not get onto the bridge wing. He thinks it took 5 to 10 seconds to get the door opened. When he reached the starboard wing, he saw the angle of approach to the knuckle on berth 9.

g. He ordered the engine to slow ahead and hard starboard rudder. He ordered the CLEO full away and told the BELINDA to get off the shell of the ship. The ship's quarter made "glancing" contact with the knuckle of berth 9.

h. After stabilizing the situation, the ship was brought alongside berth 9 without further incident. First line was 0116, all fast 0142. The allision occurred approximately 0100.

i. The pilot, captain and chief mate then visited the dock to inspect the damage. They found as area roughly 15 feet in length and between 18 and 24 inches wide where the vessel made contact. They found no visible structural damage to the knuckle but did see some crumbling concrete.

j. There was nothing in the pilot's statement regarding when the tug CLEO was let go from the starboard bow. Other documents confirm that the CLEO shifted and was made fast on the port bow at 0107, and that the BELINDA was made fast on the port quarter at 0103.

6. Statement of the Master of the CHAMPION CONCEPT

a. The Master confirmed that when it was seen that the vessel's stern was heading toward the Pier 9 knuckle, the engine was ordered to half ahead and the rudder to hard starboard. He added that the bow thruster was put to full starboard. This did not prevent the stern from contacting the pier.

b. When interviewed orally by the Commission Investigator, the Master did not fault the pilot for the allision and said that there was a very strong, unexpected ebb current.

7. Statement of the Operator of the tug CLEO BRUSCO

a. The tug CLEO BRUSCO was working on the starboard bow of the ship and could not see the stern.

b. The operator thought the stern was getting close to the dock but could not see from his angle. He did not hear or see the vessel make contact.

8. Statement of the Operator of the tug BELINDA BRUSCO

a. The tug BELINDA BRUSCO was working on the starboard quarter of the ship. After the tug assisted the vessel off the dock, he was directed to let go his line and move to the port quarter to be prepared to push/pull the vessel around the corner of Pier 9.

b. When the tug shifted to the port side, he lost visual of the starboard side. He was not aware the ship had made contact with the pier.

9. Statement of the Able-Bodied Seaman at the helm during the event

a. When maneuvering began, pilot and master were on port bridge wing. The order was given for dead-slow astern.

b. The master was monitoring distance off reporting from chief officer and pumpman. The pumpman was reporting five meters off, then one meter. Following this report, pilot hurried (almost running)

from portside bridge wing towards starboard bridge wing, laptop in hand. The door from the bridge to the starboard bridge wing was locked, so the second officer had to assist in getting the door open, which caused a short delay (5-7 seconds).

c. After a couple of minutes, the ship made contact on the starboard quarter twice. He overheard master order "hard to starboard" and "dead-slow ahead".

10. Estimate of Damages

a. A surveyor representing the class society DNV-GL (Det Norske Veritas – Germanischer Lloyd), found the aft starboard quarter side shell plating indented and abraded/scraped (with no visible cracks), and interior supporting web frames located within the purifier room and cofferdam deformed/deflected. He added that the contact damage on the ship's side shell plating and internal structures was evaluated as having a minor effect to ship's strength and stability. There were no invoices provided, but estimates of the damages were $120,000.00.

b. While no repair invoices or surveyor notes were provided by the Port of Stockton, the initial damage to the pier was estimated to be approximately $2,500.00

11. Names of Witnesses

The written statements of witnesses included are as follows:

Captain Sam D'Aloisio	Pilot of the CHAMPION CONCEPT
Captain Rupert Gracias	Master of the CHAMPION CONCEPT
Captain William Nern	Operator of the tug CLEO BRUSCO
Captain Jason Woodworth	Operator of the tug BELINDA
Name withheld	Able Seaman on the helm at the time of the event

12. Nature and Extent of Injuries

None.

13. Relevant Records from U.S. Coast Guard

In response to a Freedom of Information Act request, the following documents were provided by the United States Coast Guard:

1. Report of Marine Casualty (Form CG-2692), Report of Mandatory Chemical Testing (Form CG-2692B); 3 pages.
2. Case ID 1215870 Report from USCG MISLE database; 33 pages.
3. Port State Control Report of Inspection - Form B (Form CG-5437B); 1 page.
4. USCG Witness Statement Form; 1 page.
5. Survey Statement; 2 pages.
6. AIS track image; 1 page.

14. Pilot work/rest history

Captain D'Aloisio's work/rest history is as follows:

4/25/20: Piloted the M.V. MISTRAL from New York Point to the Port of Stockton, beginning at 0600 hours and returning home at approximately 1400 hours.

4/26/20: Piloted the M.V. CARMEL from SCKRRI 14 Port Side to New York Point starting at 0700 hours and returning home at approximately 2230 hours.

4/27/20: No assignments.

CHAMPION CONCEPT shift started at 01:00 of 4/28//20. Captain D'Aloisio reported feeling well rested at the start of the CHAMPION CONCEPT job.

15. Results of chemical testing

A Post-Incident drug test was conducted on April 28, 2020, and was reviewed by the Board Medical Review Officer for both controlled substances and toxicological screening. The controlled substances test was found negative and the toxicological screening was negative for intoxicants such as ethanol and substances that might induce drowsiness.

16. Pilot Licensee Background Information

a. Captain D'Aloisio was first licensed by the BOPC on June 30, 2014.

b. Captain D'Aloisio has no prior incidents.

III. ANALYSIS AND CONCLUSIONS BY THE IRC

Jurisdiction

The Legislature has delegated authority to the Board to establish an incident review committee to review all reports of misconduct or navigational incidents involving pilots or other such matters for which a license issued by the board may be revoked or suspended. Harbors and Navigation Code §1181 defines misconduct, in part, as (g) negligently, ignorantly, or willfully running a vessel on shore, or otherwise rendering it liable to damage, or otherwise causing injury to persons or damage to property. Based on the evidence collected, the IRC has ruled out ignorance and willfulness in this instance and limited the discussion to an examination of negligence.

Standard of care

The negligence standard of care calls for an evaluation of whether a pilot exercised that degree of care and skill possessed by "the average pilot." He must exercise the degree of skill commonly possessed by others in the same employment, and although he is not liable for mere errors in judgment, he is liable for damage caused by his failure to exercise the diligence which other pilots similarly situated would ordinarily have exercised. This is a high standard of care one would expect of an expert, such as a maritime pilot.

Analysis

There is no dispute that there was damage to the CHAMPION CONCEPT and minor damage to the pier at the Port of Stockton as a result of the allision. When a moving vessel strikes a stationary object, such as a wharf, an inference of negligence arises, and the burden is then upon the owners of the vessel to rebut the inference of negligence. Here the Board is very narrowly charged with deciding whether the licensed pilot involved was negligent.

In this instance we are confronted with a ship making unintended contact with the pier while shifting a short distance, but from a narrow inlet to a wider channel, traversing around a corner and changing the sides it is tied up on. While on the face, a simple maneuver, but not without challenges. One of the key challenges is how to shift the tugs from one side of the ship, the starboard side, where they are being used to undock, to the port side, where they will need to push the ship alongside for the tie-up, without losing the control the tugs provide.

In this instance, once the ship was sufficiently off the pier at Berth 8 and moving astern, Captain D'Aloisio had the after tug, BELINDA, let go the line from where she was made up on the starboard quarter, and from his vantage point on the port bridge wing, watched her come around the stern to the port quarter.

According to his statement, once the BELINDA was on the port quarter, Captain D'Aloisio was concerned that the BELINDA was going to be pushed toward the pier, since he had the ship's engines going astern. As a response to this concern, Captain D'Aloisio offered the BELINDA the option of touching down on the port quarter, which in his word's would "keep her out of harm's way".

It was at this point that the ship's stern began to veer to starboard. Captain D'Aloisio perceived the movement and became concerned about the Pier 9 knuckle. His response was to shift his position to the starboard bridge wing, so he could monitor the actual distance off the pier. The most expeditious route from the port bridge wing to the starboard bridge wing was through the wheelhouse.[1]

While making his way through the wheelhouse, described by the helmsman as "quickly almost running", he encountered the starboard door to the bridge wing locked. Captain D'Aloisio enlisted the help of the Second Officer, on watch on the bridge, to get the door unlocked. The delay in getting to the starboard wing was estimated by the pilot to be five to ten seconds[2].

Once on the starboard wing, Captain D'Aloisio confirmed that the ship's hull was in danger of making contact with the knuckle of Pier 9. His response was to order the helm hard right and put the engines slow-ahead. He also ordered the tug CLEO full away (pulling the bow to starboard) and ordered the BELINDA to "get off the shell of the ship".

While Captain D'Aloisio's response to the situation was appropriate, it was not effective in preventing the contact with the Pier 9 knuckle.

External forces on the ship

It appears from the evidence that the primary external force on the ship causing the stern to veer to starboard was the tug BELINDA leaning on the hull. The ship's captain, in an oral statement to the Commission Investigator, claimed that they experienced a "very strong, unexpected ebb current" and that "he did not fault the pilot".

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[1] Theoretically, there was also an exterior route to the starboard bridge wing, but taking that route, in a situation where time was a factor, would not have been appropriate.

[2] The helmsman estimated the delay at 5-7 seconds.

While it is possible to experience the effects of current in this location, it is not likely that it was the cause of the veering. While it a fact that the tide was falling at the time of this event, from inquiries made of other pilots familiar with maneuvering in Stockton, it is unlikely that a strong ebb would be experienced at the inner berths, such as Berth 8 and Berth 9.

What is more likely, is that what the Captain Gracias perceived as a very strong, unexpected ebb, was in fact the force of the tug leaning on the hull. It is possible, or even likely, that he did not overhear and was not privy to, the conversation between the pilot and the tug BELINDA, where the tug was told that they could "touch down" on the vessel. Captain D'Aloisio stated that he allowed the tug to do this to this, as he was concerned that the astern propeller wash from the ship would force the tug into Pier 8, and that by touching down on the ship's hull would "keep them out of harm's way".

When a ship is backing, the pivot point moves aft, making forces on the stern less effective in rotating the ship. Nevertheless, it is impossible to know how much force the BELINDA applied to the hull and for how long.

Actions in response to the external forces

Captain D'Aloisio's response to the ship veering to starboard, was first to assess the situation. To do so, he attempted to move from the port bridge wing to the starboard bridge wing. He progress was thwarted by his encounter with a locked starboard side wheelhouse door. With the assistance of the Second Officer, he was able to get the door open and confirm that the ship was closing on the Pier 9 knuckle.

Once he was able to access the starboard bridge wing, he appeared to utilize all the tools available to him. The rudder was put hard to starboard and the engines ordered slow-ahead, in an effort to lift the stern off the knuckle. The forward tug was ordered full-away (to starboard) to pivot the stern off the knuckle, and while the pilot did not mention it in his statement (the ship's master did), the bow thruster was also put full to starboard.

Locked wheelhouse door

The evidence also revealed that the starboard wheelhouse door was found locked well after the shift had begun. The evidence that it was encountered locked is from both the pilot's and the helmsman's statements. It is not clear to what extent the delay in action caused by the pilot's inability to access the starboard bridge wing contributed to the eventual contact with the Pier 9 knuckle, but judging by the helmsman's description of the pace with which Captain D'Aloisio passed through the bridge would lead us to believe he thought every second counted.

This piece of evidence is confounding, at the very least. A proper pre-departure preparation of the bridge by the ship's crew would include accessing the starboard bridge wing, if for no other reason than to assure one's self that the offshore channel was clear of obstructions.

Likewise, as part of the pilot's pre-departure checklist, assuring access to all parts of the bridge necessary to complete the job would appear to be routine. At the very least, as stated above, to assure yourself that there were no obstructions in the offshore channel, or to confirm the tug positions. It is possible, that visibility from the interior of the bridge or the port bridge wing was good enough to confirm both the tug positions and the channel status without going on the starboard wing. It is also possible that Captain D'Aloisio relied on the tugs to relay to him if there were any obstructions in the channel.

Conclusion

Based on a review of the facts, it appears that the primary cause of the damage to both the ship's hull and Pier 9 was allowing the tug BELINDA to touch down on the hull in order to "keep her out of harm's way". While the decision to allow this was based on the noble motive of protecting the tug, the result was of possible detriment to the ship. We conclude that this was an error in judgment, rather than negligence

We also find, to the extent that it contributed to the damage to the ship, that the pilot's failure to discover the locked starboard wheelhouse door prior to the exigency requiring him to pass through it quickly, was an error in judgment. We conclude that there is a lesson to be learned from this experience and caution all pilots to assess and ensure full access to locations that may be required during the maneuvering the vessel well before they are needed. We suggest that this can be done as part of the master-pilot exchange or added to the pilot's personal pre-departure checklist.[3]

IV. IRC RECOMMENDATIONS TO THE BOARD

Based on the above analysis and conclusions the IRC recommends:

1. That the Board find for no misconduct on the part of the pilot.

2. That this report be shared with "all licensees of the board" as a lesson learned, to raise awareness of having clear access to all areas necessary for the safe navigation of the vessel.

Date:

Jennifer Schmid, Chairman

Allen Garfinkle, Executive Director

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List of Enclosures (one page each unless otherwise indicated):

Attachment 1 – Initial Incident Report from the Port Agent dated April 28, 2020.
Attachment 2 – Photos of hull damage and ECDIS display (2 pages).
Attachment 3 – Master – Pilot information exchange checklist (4 pages).
Attachment 3A – Pilot Card (2 pages).
Attachment 4 – Excerpt from CHAMPION CONCEPT rough log (4 pages).
Attachment 5 – Master's statement.
Attachment 6 – Port of Stockton investigative record obtained by Public Records request (25 pages).
Attachment 7 – U.S. Coast Guard records obtained by Freedom of Information Act request (43 pages).
Attachment 8 – MRO review of pilot's chemical testing.
Attachment 9 – San Francisco Bar Pilots Master-Pilot Information Exchange Card (2 pages).
Attachment 10 – Tide listing for April 28, 2020.z
Attachment 11 – Commission Investigator's written report (CONFIDENTIAL) (2 pages).
Attachment 12 – Pilot's statement (CONFIDENTIAL)(2 pages).

[3] The published San Francisco Master-Pilot Information Exchange card does not mention assuring access to necessary areas of the bridge.