



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

**INCIDENT REVIEW COMMITTEE
INVESTIGATION REPORT**

**REPORT OF THE DOCKING OF THE M/V BOHOL ISLAND AT
THE PORT OF WEST SACRAMENTO, BERTH 2, ON SEPTEMBER 1, 2023
PILOT: CAPTAIN DANIEL LARWOOD**

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I. INTRODUCTION

1. On the morning of September 1, 2023, the M/V BOHOL ISLAND (hereinafter BOHOL ISLAND) was transiting from sea to the Port of West Sacramento. The BOHOL ISLAND is a 591-foot-long bulk carrier. A pilot change took place off the city front, where Captain Daniel Larwood relieved the pilot who brought the ship from the sea buoy. Captain Larwood would take the ship the remaining distance to West Sacramento.
2. The ship proceeded to West Sacramento with no incidents.
3. At approximately 1515 hours, in the vicinity of navigation lights 81 and 82, the tug BELINDA BRUSCO was made fast on the port bow, and the tug MIKE BRUSCO was made fast on the starboard bow.
4. At approximately 1522 hours, the ship entered the West Sacramento turning basin. Captain Larwood commenced to turn the ship to port to initially head northeast (from an easterly heading), followed by a turn to starboard to head southeast. He then commenced a turn to starboard to head the ship westerly in preparation for backing into Berth 2.
5. After completing the turn, with the bow of the ship facing generally WNW, he commenced to back into the 250-foot-wide channel, where Berth 2 is located, and dock starboard side to the pier.
6. At approximately 1547 hours, as the ship proceeded to back into the channel, the vessel made unintended contact with the west corner of the pier, resulting in a dent in the starboard side of the ship.
7. Following the unintended contact with the pier, the ship proceeded to its final position in Berth 2 without further incident.
8. The Incident Review Committee consists of Commission Vice President Joanne Hayes-White as Chairperson and Executive Director Allen Garfinkle. The IRC prepared this report pursuant to California Harbors and Navigation Code Section 1180.3 and Title 7, California Code of Regulations Section 210.
9. **Abbreviations in the report refer to the following:**
 - I. **IRC** – Incident Review Committee
 - II. **SFBP** – San Francisco Bar Pilots
 - III. **Lt. or Lts.** – Light or Lights
 - IV. **USCG or CG** – United States Coast Guard or Coast Guard

II. FINDINGS OF FACTS

1. Vessel Identification and Description

BOHOL ISLAND is a bulk carrier registered in Panama. It was built in 2022.

Vessel Particulars:

Length: 591 feet Beam: 98 feet
Tonnage: 23,602 gross tons
Operator: Toko Kaiun Kaisha, Ltd, Kobe, Japan



2. Date of vessel movement

Date and Time: September 1, 2023, approximately 1547 hours
Location: Port of West Sacramento, California

3. Identification of Pilot

San Francisco Bar Pilot: Captain Daniel Larwood

4. Weather and Sea Conditions

A. Weather Conditions

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

Wind: SSW winds, 20 knots
Visibility: good
Weather: clear

B. Tidal Information

Calculated under keel clearance at Port of West Sacramento, Berth 2:

- Controlling depth = 29' 04"
- Height of tide at 1545 = + 0 00"
- Depth at 1500 = 29' 04"
- Deep Draft (aft) 21' 05"
- UKC at docking at 1545 08' 11"

5. Statement of the Pilot

- a. Captain Larwood stated that he boarded on the city front, bound for Sacramento, with a maximum ebb current. He further stated the passage to the Port of West Sacramento was without incident.
- b. Adjacent to Lights. 81 and 82, he instructed the crew to make fast the tugs BELINDA BRUSCO on the port bow and the MIKE BRUSCO on the starboard bow.

- c. When the ship was abeam Light 85 and entering Sacramento Turning Basin, it commenced a turn to port to a heading of northeast, followed by a starboard turn to the southeast. Captain Larwood then continued the turn to starboard to the west in preparation to back into the 250-foot (wide) channel to moor starboard side to the pier at Berth 2.
- d. At 1547 hours, the starboard side of the vessel (just forward of amidship) allided with the west corner of the pier. Following the unintended contact, he proceeded to back the ship into final position with no further incident.
- e. Captain Larwood concluded that, due to the strong winds (SSW'yly, 20 knots) onto the port side of the ship, combined with the high freeboard (large sail area), he was not able to prevent the ship from setting onto the berth with the available tugboats.

6. Statements of Witnesses

Ship Master

- a. On September 1, 2023, while the vessel was alongside at Sacramento Berth 2, vessel made contact with berth corner and sustained a dent on the starboard side of the ship's hull, due to mishandling/calculation by pilot during berthing maneuver.
- b. At the time of the vessel movement astern, the pilot ordered the tug MIKE BRUSCO to shift to the port quarter. The vessel motion continued swinging to starboard due to southerly wind of about 20 knots toward the corner of the berth.
- c. The pilot ordered the tug BELINDA BRUSCO to pull back and tug MIKE BRUSCO to shift back to the starboard bow to push on the vessels bow in an attempt to avoid contact with the berth, but was unable to hold (the ship) back due to the strong wind.

7. Estimate of Damages

- a. The vessels hull was dented on the starboard side. The dent was approximately 14 inches in length horizontally, 16 inches in height vertically, and approximately 2 inches deep.
- b. On September 20, 2023, Shimamura Co., LTD, supplied an estimate for paint of \$356.00 USD. On September 28, 2023, Onomichi Dockyard Co., LTD, supplied an estimate for the dent repair of \$2,832.00 USD, for a total of \$3,188.00 USD. This was later revised (by email from the ship's agent, without supplying a revised estimate from the dockyard) to a total of \$4,661.00 USD. No reason was provided for the revised estimate.
- c. Communication with the ship's agent did not produce any evidence of significant damage to the pier.

8. Names of Witnesses

The written statements of witnesses included are as follows:

Captain Daniel Larwood	Pilot of the BOHOL ISLAND
Captain Edward T. Caballero	Master of the BOHOL ISLAND

9. Nature and Extent of Injuries

There were no injuries to persons in this event.

10. Relevant Records from U.S. Coast Guard

This event did not meet the requirements for a serious marine incident, therefore no report to the U.S. Coast Guard was made and no information was sought from them.

11. Pilot Licensee Background Information

- a. Captain Larwood was first licensed as a pilot in 1998.
- b. Captain Larwood has one prior incident: In 2019, while supervising a trainee on the M.V. WASHINGTON that was mooring at the Valero pier (BNC4), the ship landed hard, resulting in minor damage to a catwalk adjacent to the pier structure. The Board found for no misconduct on the part of the pilot and the investigation was closed with no further action.

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. The 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. After reviewing the evidence and ruling out ignorance or willfulness as the cause of any damage in this event, the IRC has limited its analysis and conclusion to a consideration of negligence.

Standard of care

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

Analysis

The issue presented in this event is whether the damage to the BOHOL ISLAND was the result of a failure of the pilot to exercise reasonable care, that is, the skill and care of the average San Francisco Bar Pilot.

There appears to be ample evidence and no dispute that the BOHOL ISLAND hull was dented when the hull of the BOHOL ISLAND made unintended contact with the corner of the pier during the docking evolution on September 1, 2023. An estimate of repair was provided in which the cost of repair was quoted as being \$4,661.00.

Based on the statements provided by the pilot, Captain Larwood, and the vessel's master, Captain Caballero, the evidence indicates that during the docking evolution, the wind overpowered the tugs, allowing the ship to make unintended contact with the corner of the pier.

Captain Larwood's statement detailed the elements of his turning the vessel from an easterly heading to a westerly heading in order to moor starboard side to the dock at Berth 2, but only mentioned the initial position of the tugboats on each bow.

The master's statements are more detailed on the placement of the tugs, both through the Statement of Facts he prepared and in a letter to his company describing the contact. In the Statement of Facts, he listed the MIKE BRUSCO as fast on the starboard bow at 1510 hours, and the BELINDA BRUSCO fast on the port bow at 1512 hours. Following that, he showed the MIKE BRUSCO letting go from the starboard bow at 1530 hours, to shift to the starboard quarter. It then shows the MIKE BRUSCO shifting back to the starboard bow five minutes later, apparently to halt the movement toward the corner of the berth. In his letter to his company, Captain Caballero described the sequence of events as follows: "Vessel motion continue [sic] swinging to starboard due to southerly wind (of) about 20 knots toward the berth corner. Pilot order [sic] tug BELINDA to pull back and tug MIKE BRUSCO to shift back to starboard bow to push vessel bow to avoid contact to berth but unable to hold back due to strong wind." He described the cause of the allision as due to "mishandling/calculation by pilot during berthing maneuver."

Based on the evidence, it appears that Captain Larwood shifted the MIKE BRUSCO four times in the seventeen minutes leading up to the allision. The MIKE BRUSCO was on the starboard bow at 1510 hours, then shifted to the starboard quarter at 1530 hours, then back to the starboard bow at 1535 hours. The Statement of Facts then lists the tug MIKE BRUSCO as "being ordered to the port quarter" at 1544, and one minute later "being ordered" to the starboard bow. It is unclear from the evidence whether the MIKE BRUSCO ever left the port quarter, since at 1550 hours, the MIKE BRUSCO is made fast on the port quarter. The allision occurred at 1547 hours.

Conclusion

The standard of care is whether the actions of the pilot were reasonable under the circumstances. In this event, Captain Larwood's planned maneuver was reasonable, but did not account for the strong winds that were pushing the ship towards the corner of the berth.

During the maneuver, Captain Larwood attempted to counter the wind by shifting the tug MIKE BRUSCO from the starboard quarter to the starboard bow, but he eventually ordered the tug to shift to the port quarter for docking. The BELINDA BRUSCO alone, with her 1,500 horsepower¹, could not hold the ship

¹ For comparison, an American Navigation tractor tug, REVOLUTION, has 4,730 horsepower.

up against the wind.

It might have been possible to hold the ship off the pier with both tugs working together, but Captain Larwood needed to shift the MIKE BRUSCO to the port quarter if he was going to safely dock the ship.

As stated earlier, when reviewing the standard of care, while a pilot is liable for damage caused by their failure to exercise the diligence which other pilots similarly situated would ordinarily have exercised, a pilot is not liable for mere errors in judgment. After examining the evidence in this instance, we feel that Captain Larwood exercised the diligence which other pilots similarly situated would ordinarily have exercised. While there may have been judgment errors in the timing of the shifting of the tug MIKE BRUSCO, those errors do not amount to misconduct. It is also important to note the relatively small estimate for the repair of the damage, estimated at \$4,661.00 USD.

We conclude that Captain Larwood acted reasonably when docking the BOHOL ISLAND on September 1, 2023, and recommend a finding of no misconduct.

IV. IRC RECOMMENDATIONS TO THE BOARD

Based on the above analysis and conclusions the IRC recommends:

1. That the Board find for no pilot error.
2. That this investigation be closed without further action.

Date: September 26, 2024

Joanne Hayes-White, Chairperson

Allen Garfinkle, Executive Director

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

Attachment 1 – Initial Incident Report from the Port Agent dated September 1, 2023.

Attachment 2 – BOHOL ISLAND Ship's Particulars and Pilot Card. (3 pages)

Attachment 3 – Chartlet of the Port of West Sacramento.

Attachment 4 – BOHOL ISLAND ECDIS screen shots of allision. (3 pages)

Attachment 5 – Photos of damage to hull and possible damage to pier. (3 pages)

Attachment 6 – Report from Captain Caballero to his company on allision.

Attachment 7 – Statement of Facts prepared by Captain Caballero for his company. (2 pages)

Attachment 8 – Estimate for repairs to dent in BOHOL ISLAND hull. (2 pages)

Attachment 9 – Photos of damage (with measurements) taken by ship's crew. (3 pages)

Attachment 10 – Email communication with General Steamship agent about damages. (5 pages)

Attachment 11 – Email communication with General Steamship agent about increase in damages. (6 pages)

Attachment 12 – Statement by pilot, Captain Larwood (CONFIDENTIAL)