

**Board of Pilot Commissioners for Harris County Ports  
Pilot Board Investigation and Recommendation Committee  
Hearing Minutes**

**November 29, 2021**

A hearing of the Pilot Board Investigation and Recommendation Committee (the “PBIRC”) was convened on November 29, 2021 at 09:00, at the Offices of the Houston Pilot Board, Boardroom, at 203 Ivy Avenue, Deer Park, Texas 77536. The following members, and staff were virtually present:

Captain David Foret, Chairman  
Captain Robert Thompson  
Captain Michael Curtiss  
Captain Steve Nelson  
Captain Richard Russell  
Tom Marian  
Captain Mike Usher  
Captain Paul Brown  
David McNeal, Board of Pilot Commissioners for Harris County Ports (the “Pilot Board”)  
General Counsel  
Captain M. Tyler Gavis, PBIRC Compliance Coordinator

Chairman Foret called the hearing to order to hear the following matters:

M/T ATLANTIC GRACE collision with the T/V TIMOTHY C. ALLEN near buoys 69/70 on August 21, 2020, in the Houston Ship Channel

M/T BOW FLORA allision with M/T EAGLE KINABALU at Houston Fuel Oil #1 on February 2, 2021, in the Houston Ship Channel

1. **SUMMARY OF HEARING re M/T ATLANTIC GRACE collision with the T/V TIMOTHY C. ALLEN near buoys 69/70 on August 21, 2020, in the Houston Ship Channel**
  - a. Statements by PBIRC members and staff identifying themselves and describing their maritime expertise.
  - b. Statement by Chairman Foret as to the conduct of the hearing.
  - c. Introduction as Exhibit “A” of Incident Materials gathered by Captain Gavis regarding the above-referenced incident M/T ATLANTIC GRACE collision with the T/V TIMOTHY C. ALLEN near buoys 69/70 on August 21, 2020, in the Houston Ship Channel.
  - d. Introduction as Exhibit “B” of submission of Captain John Vassar.
  - e. Testimony by and questions put to Captain Vassar.
  - f. Concluding statement by Pilot counsel, Mr. Jim Brown.
  - g. Executive Session.
  - h. Announcement by Chairman Foret of Proposed Findings and Recommendations and description of appeal rights.
2. **Proposed Findings re Captain Vassar** Following its deliberations, by a vote of 8-0, the PBIRC proposed the following findings:

Captain Vassar was distracted by looking up mooring line arrangements, which caused a loss of situational awareness while he was piloting the vessel.

3. **Proposed Recommendations re Captain Vassar** Following its deliberations, by a vote of 5-3, the PBIRC proposes the following recommendations to the Board of Pilot Commissioners for Harris County Ports (“the Pilot Board”):

Take no action and close the matter to file.

- 1) The PBIRC directs Captain Vassar to attend Bridge Resource Management for Pilots training by the end of May 2022.
- 2) The PBIRC requests that the Lone Star Harbor Safety Committee work with the USCG to investigate and improve upon the range lights within this reach of the Houston Ship Channel.

4. **Hearing Break**

5. **SUMMARY OF HEARING re M/T BOW FLORA allision with M/T EAGLE KINABALU at Houston Fuel Oil #1 on February 2, 2021, in the Houston Ship Channel**

- a. Statements by PBIRC members and staff identifying themselves and describing their maritime expertise.
- b. Statement by Chairman Foret as to the conduct of the hearing.
- c. Introduction as Exhibit “A” of Incident Materials gathered by Captain Gavis regarding the above-referenced incident M/T BOW FLORA allision with M/T EAGLE KINABALU at Houston Fuel Oil #1 on February 2, 2021, in the Houston Ship Channel.
- d. Introduction as Exhibit “B” of submission of Captain Mike Curtiss.
- e. Testimony by and questions put to Captain Curtiss.
- f. Concluding statement by Pilot counsel, Mr. Jim Brown.
- g. Executive Session.
- h. Announcement by Chairman Foret of Proposed Findings and Recommendations and description of appeal rights.

6. **Proposed Findings re Captain Curtiss** Following its deliberations, by a vote of 6-0 (with Captain Russell recusing himself), the PBIRC proposed the following findings:

Captain Curtiss lost the ability to stop the ship in time. Captain Curtiss received inefficient information from the bow lookout, which attributed to a loss of situational awareness on Captain Curtiss’ part.

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7. **Proposed Recommendations re Captain Curtiss** Following its deliberations, by a vote of 6-0 (with Captain Russell recusing himself), the PBIRC proposes the following recommendations to the Board of Pilot Commissioners for Harris County Ports (“the Pilot Board”):

Take no action and close the matter to file.

- 1) The PBIRC directs Captain Curtiss to attend ship handling training by the end of May 2022.

**Adopted by the Pilot Board Investigation and Recommendation Committee as of July 21, 2021**



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Captain David Foret, Chairman