

Narrative MSIS LORI L and Master Steven Biernacki

/V LORI-L RAN AGROUND AT THE SURF-LINE IN LOVELADIES, NJ. MASTER REPORTS HE SET AUTO PILOT AND INSTRUCTED CREW THAT THEY WOULD HAVE TO SET WATCHS BEFORE HE WENT TO SLEEP. THE MASTER AWOKE AS THE VESSEL HIT THE BOTTOM AT THE FIRST SANDBAR OFF THE BEACH. VESSEL GROUNDED JUST BEFORE HIGH TIDE, WAS STRANDED FOR A FULL TIDE CYCLE. NO INJURIES TO CREW, ONLY DAMAGE TO VSL WAS THE RUDDER POST BEING PUSHED APPROXIMATELY 4 INCHES.

Notify Date/Time= Feb 10 1997 @ 800

Investigator = [REDACTED]

Unit Command = [REDACTED]

District Required? = N

HQ Required? = N

Last Updated in MSIS on Apr 17 1997

PA97000776 Incident Brief from MSIS

On 10 Feb 1997, while acting as the master of the F/V LORI L, Mr. Steve Biernacki failed to set and maintain a lookout in violation of rule 5 of the Rules of the Road. The vsl was allowed to sail for 7 hours with no lookout, ending with the vsl grounding and stranding on the beach at Loveladies, NJ. This violation of regulations presented a clear & present danger to other marines, the vessel itself and to the environment.

On 10 Feb 1997 at approximately 0730 the F/V Lori-L, O.N. D509007, ran aground and became stranded on the beach in Loveladies, NJ. The vessel was engaged in a return transit from a 2 week fishing trip to the Norfolk and Hudson Canyons. The vessel operator and 2 crew members were asleep at the time of the grounding and were only aroused by the impact of the vessel striking the first sandbar near the beach surf line. During low tide, the vessel's cargo of 13,000 pounds of fish was off-loaded. The vessel was refloated on the ensuing high tide, and was able to return to it's normal berth under it's own power. The fishing vessel Lori-L, O.N. D509007, is of steel construction, is 62 foot in length, and is 72 gross tons. It is propelled by a 425 hp diesel engine with a single shaft. The vessel is equipped with 2 generator sets. Each provided 30 KW of electrical power. The pilothouse is equipped with a magnetic compass, auto pilot, depth finder with a programmable alarm, loran-c receiver, GPS, and 2 auto plotters. There are 2 radar sets. One, of which, has an alarm system warning of targets entering the programed watch area. The magnetic compass had not been swung in at least 5 years. The vessel's arrangement was for longline fishing off the stern. The only remarkable feature of the vessel was it was equipped with a bulbous bow.

The vessel is normally manned with a Master and 3 crew members. For this trip it was carrying a master and 2 crew members. The vessel's Master is a Mr. Steve Biernacki, of Barnegat Light, NJ. Mr. Biernacki does not hold a Coast Guard license, nor is he required to hold one. Mr. Biernacki has no formal training as a vessel operator and has received only on the job training. He is 28 years old and has been in the fishing industry since the age of 14. He has worked on longline fishing boats since he was 17. He worked as a mate then became a master at age 25. He was the master of the F/V April Nicole from Sep 94 to Dec 95, and then the master of the Lori-L from Dec 95 to the present. The two crew members of the Lori-L were a Mr. [REDACTED], and Mr. [REDACTED]. There is little information available on these two individuals.

The Lori-L departed Barnegat Light on the 28th of January 1997 for a 14 day fishing trip to the Norfolk and Hudson Canyons. The transit to the Norfolk Canyon took a full day & half. The master and crew worked on preparing the fishing gear and standing night watches during part of the transit. They fished in the Norfolk Canyon area for 5 days. The fishing was reported as poor to fair. The fishing operation stopped only for meals, and 4 to 5 hours of sleep per night. During these rest periods, the entire crew would go to sleep. This included the master. The master indicated that they would drift, with the RED over RED mast lights energized, and no one look out. (COLREG rule 5 states "Every vessel shall at all times maintain a proper look-out by sight & hearing.." and negligent operation under 46 USC 2302 is "...the failure to preform an act which a reasonable & prudent person of the same station, under the same circumstances, would not fail to preform.") While fishing in the Norfolk Canyon area, Mr. █████ started to complain of sore hands, and back. Near the end of fishing in this area he stopped working and refused to leave his rack. This left all work to be done by the Master and other crewman. This added to the master's work load.

On the 3rd of February 1997, the Lori-L moved north to the Hudson Canyon area to seek better fishing grounds. During this transit, the master talked to Mr. █████ to try and get him to start working again. The vessel arrived in the area of the Hudson Canyon on the morning of 4th of February and started fishing immediately. Sometime during the 5th or 6th, Mr. Eller started to work again.

The vessel completed fishing operations on the evening of the 9th. The Master reported that after bringing up the last length of longline and checking the engine room, he set a course for home(Barnegat Light) on the auto-pilot and got the vessel underway on that course. The Master and crew then worked on cleaning the boat and securing the fishing gear. At about 2330 hours, the Master informed the 2 crew members that they would need to take watches during the trip back to Barnegat Light. Mr. Biernacki than went to the pilothouse, laid down and fell asleep. The Master reported he never indicated which crew member was to stand the first watch or when to awake him. Both of the crewmen failed to assume the watch. They instead they went below to their bunks and went to sleep. This left the vessel underway without a lookout. During this period (underway without a lookout) the vessel crossed both inner and outer shipping lanes, missed the entrance Buoy for Barnegat Inlet, and finally ran aground in Loveladies, NJ.

Mr. Biernacki indicated that he normally does all the navigating during fishing trips. This includes the operation of the installed electronic equipment, plotting of the vessel's position, and watch standing during transits. He indicated that the compass error was somewhere between 20 & 30 degrees on the plus side. Mr. Biernacki's knowledge of the compass error is indicated by the fact that he missed the entrance for Barnegat by only 1 mile after being underway for seven & half hours without course corrections.

The Master was awakened at about 0700 on the morning of 10 February by the force of the impact of the vessel striking the first sandbar just off the beach at Loveladies, NJ. He jumped up, and ran down below to awaken the crew, and then returned to the pilothouse. Once back in the pilothouse, he tried to back the vessel off the beach. In the meantime, the bulbous bow had buried itself in the sand and the next wave turned the vessel sideways to the beach. This in effect stranded the vessel until it's load condition could be changed.

The Master did contact the F/V Grand Larson for assistance, but, never did call the local Coast Guard, nor the New Jersey Marine Police. At about 0800, the local police in Loveladies, NJ reported the stranding of the vessel to both the Marine Police and Coast Guard Station Barnegat Inlet. The marine police boarded the vessel once the tide had gone out and the vessel was high and dry. At about 0805,

the Coast Guard sortied CG 44362 and CG 212031 to the scene to standby for assistance, and attempt to refloat the vessel if possible. The CG vsl's were able to pass a tow line to the Lori-L, and between 0924 to 0950 attempted to pull the vessel off the beach.

After the Coast Guard's effort to refloat the vessel failed, the Master elected to lighten the vessel's load and await the next high tide. With permission of the local police, a truck was driven onto the beach and the

vessel's catch was discharged. The amount of cargo discharged was about 13,000 pounds of fish and 5,000 pounds of ice. In addition, the vessel's forward ballast tank was pumped to help lighten the load.

At approximately 2000 hours, another attempt to refloat the Lori-L was made. This was with the aid of the Tug Defiance, Tug Ingrid N, and the F/V Grand Larson. At 2300 hours the Lori-L refloated without incident and was able to get underway under her own power.

The Lori-L was hauled out of the water on 18 Feb 1997 to inspect for damage, and make repairs if needed. The only damage detected was the rudder post had been moved up approximately 4 inches.

Conclusions:

1. The apparent cause of the grounding and subsequent stranding of the F/V Lori-L was the failure of the Master, Mr. Steve Biernacki, to set or maintain a proper navigation watch. Mr. Biernacki's lack of professional care allowed the vessel to operate for over 7 hours without a lookout. This resulted in the vessel's grounding and stranding. This was violation of rule 5 of the Rules of the Road(COLREGS).
2. A contributing cause of the grounding was Mr. Biernacki's lack of professional training. This was demonstrated by his failure to ensure the setting of a proper watch, and to ensure all watch standers had basic knowledge of the use of the vessel's navigational equipment. This lack of professional training was also demonstrated by him, in allowing the vessel to drift without a lookout, and believing RED over RED navigation lights relieved him of rule 5 of the Rules of the Road.
3. A contributing cause was the Master's chronic fatigue brought on by his lack of sleep and over work. Mr. Biernacki averaged only 4 hours of sleep per night during this 2 week period and worked during 95% of his waking hours. This lack of sleep clearly made him fatigued, This decreased his ability to stay awake or to provide guidance to the crew so that a proper navigation watch could be set.
4. A contributing cause was the Master's failure to provide adequate directions to the crew. His statement to the crew of "We have to set watches for the trip back in" failed to address who would stand watch, how long the watch would be, nor even when to wake the master. There was no effort on the part of the master to stress the importance of watch standing, or the need to let him know who was even taking the watch. The master's return to the wheel house, without directing an individual to assume the watch could have misled the crew into believing he, the master, was taking the first watch.
5. A contributing cause was the Master's failure to use the installed alarm system for the RADAR, and Fathometer. The setting of one or both of these alarms may have warned the master of the imminent danger as the vessel neared the shoreline and entered shallow water. This may have prevented the grounding and stranding of the vessel.

Recommendations:

1. There is evidence of a violation of the rules of the road, and of negligent operation by the operator of the F/V Lori-L, Steve Biernacki, in allowing the vessel to operate for nearly 7 hours with no one standing navigation watch or lookout, which allowed the vessel to run aground. It is recommended that a Marine Violation case be initiated to investigate the actions of Mr. Steve Biernacki in this incident.

2. It is recommended that this unit send a Letter of Concern to the vessel's owners detailing this incident and expressing our concerns regarding this type of operation. The violation of the rules of the road, the negligent operations on the part of the operator and the dangerous effect of under manning should be addressed. The magnetic compass not being properly maintained, and the known dangers of unwatched autopilots operating off of magnetic compasses.

3. It is recommended that an article be written for various publication's (National Fishermen, Professional Mariner, etc.), to bring out lessons learned, and also warn of the dangers of this type of operation. The operator's statements implied that the practices he used during this voyage are industry wide, and are thought of as a safe, everyday mode of operations. This must be prevented in the future. This article should be written with commercial fishermen in mind

From: [REDACTED]

Sent: [REDACTED]

Tuesday, October 01, 2008 10:55 AM

To: [REDACTED]
Subject: FW: LE SITREP ONE AND FINAL - BOARDING AND ESCORT OF F/V GOFORIT, R 121334Z SEP 02 USCGC BLOCK ISLAND

[REDACTED] this is the only SITREP I could find on the subject vessel...

R 121334Z SEP 02 ZUI ASN-R5C256000444
FM USCGC BLOCK ISLAND
TO CI/CCGDSEVEN MIAMI FL//OSR/OLE/CC//
CI/COMCOGARDGRU CHARLESTON SC
INFO CI/CCGDFIVE PORTSMOUTH VA//OLE/CC//
CI/COMCOGARDGRU FT MACON NC
CI/COGARD AIRSTA SAVANNAH GA
USCGC STATEN ISLAND
USCGC AQUIDNECK
USCGC BLOCK ISLAND
BT

*Larry
Cherry Point Island*

UNCLAS //N16200//
SUBJ: LE SITREP ONE AND FINAL - BOARDING AND ESCORT OF F/V GOFORIT
(LE UCN 008-02)

A. AIRSTA SAVANNAH MSG DTG 111431Z (PRIORITY PRESS SITREP)

1. SITUATION:

A. CURRENT STATUS: CEASED ESCORT OF F/V GOFORIT AT THE MOUTH OF THE NORTH EDISTO RIVER ENTRANCE. POSSIBLE FOLLOW UP BY MSO CHARLESTON AND/OR LOCAL LEA.

B. NOTIFICATION: CG GROUP CHARLESTON VIA VHF/FM.

C. NARRATIVE: ORIG DIVERTED TO LKP OF F/V GOFORIT DUE TO 406MHZ EPIRB ACTIVATION. ORIG WAS BRIEFED BY CG6502 OF CURRENT SITUATION (AS PER REF A). ORIG ARR O/S W/ F/V AND CARGOED SUBJ VSL; HAD 03 CREW MEMBERS MUSTER ON THE STERN AND MSTR REMAIN IN PILOTHOUSE. THE BO QUERIED MSTR AS TO PREVIOUS EVENING'S EVENTS. MSTR STATED THAT VSL SAILED AM OF 10 SEP AND WHILE IN TRANSIT TO THE FISHING GROUNDS, THE CREW, INCLUDING HIMSELF, HAD BEGAN DRINKING ALCOHOL (TOTAL OF 01 CASE BEER AND 01 BOTTLE RUM CONSUMED). A HEATED ARGUMENT ENSUED BETWEEN THE MSTR AND THE FEMALE CREW MEMBER, WHO WAS HIS GIRLFRIEND. CONSEQUENTLY, ALL 04 CREW MEMBERS BEGAN ARGUING. ONE CREW MEMBER, [REDACTED], DECIDED THAT HE DID NOT FEEL SAFE O/B. HE ATTEMPTED TO USE THE VHF RADIO TO CALL FOR HELP; THE MSTR TOLD HIM THAT HE COULD NOT USE THE RADIO. THE MSTR STOPPED THE BOAT BECAUSE HE FELT IT WAS NOT SAFE TO CONTINUE TRANSITTING FOLLOWING THE ARGUMENT AND WITH ALL OF THE CREW BEING INTOXICATED. THE MSTR THEN UNPLUGGED THE RADIO, TOOK IT W/HIM TO HIS CABIN, AND WENT TO SLEEP. BO INTERVIEWED MR [REDACTED] THE CREWMAN THAT WANTED TO GET OFF OF THE F/V. HE STATED THAT AFTER THE MSTR UNHOOKED THE VHF RADIO AND TOOK IT AWAY, HE CLIMBED ATOP THE PILOTHOUSE AND ENERGIZED THE EPIRB TO NOTIFY THE CG, AT APPROX 0100. INTERVIEWS W/THE OTHER 2 CREW VALIDATE THESE ACCOUNTS. FOLLOWING THESE EVENTS, THE ENTIRE CREW WENT TO SLEEP. THE VESSEL WAS ADRIFT 40NM EAST OF CHARLESTON HARBOR ENTRANCE BUOY, WITH NO VHF COMMS OR ACTIVE WHEELHOUSE WATCH. THE CREW WAS AWAKENED BY THE CG 6502 RESCUE SWIMMER STANDING IN THE PILOTHOUSE AROUND 0830 LOCAL TIME. FOLLOWING CGC BLOCK ISLAND BOARDING, MSTR PROCEEDED BACK TO CHERRY POINT LANDING, SC, TO DROP OF MR [REDACTED]

D. WX: WINDS 250/10KTS, SEAS 3/4FT, VIS 10NM, TEMP 80/77F, SEA WATER TEMP 77F, BAR 29.60IN.

E. POB:

1. MASTER/OPERATOR: STEVE BIERNACKI, [REDACTED]

2. CREWMEMBER: [REDACTED]

3. CREWMEMBER: [REDACTED]

4. CREWMEMBER: [REDACTED]

F. VESSEL INFO:

NAME: GOFORIT

DOC NUMBER: 592096

HOMEPORT: BARNEGAT LIGHT, NJ
HAILING PORT: CHERRY POINT LANDING, SC
LOA: 53 FT
DESCR: LONGLINER, WHITE HULL, WHITE SUPERSTRUCTURE

2. ACTION TAKEN:

110822Q DIVERTED BY GROUP CHARLESTON E/R D5 SOUTHERN SAR ZONE F/V GOFORIT IN POSIT
32 39.5N 079 00.3W.
0949Q O/S W/ SUBJ VSL.
0955Q PASSED VSL/CREW INFO FOR EPIC/NCIC CHECKS.
1001Q LAUNCHED BLOCK 1 W/ BOARDING TEAM.
1008Q BLOCK 1 A/S SUBJ VSL.
1009Q BOARDING TEAM ONBOARD SUBJ VSL.
1012Q ISI COMPLETE.
1040Q PASSED NARRATIVE EVENTS AND RECOMMENDATIONS TO GRU.
1150Q INFORMED BY GRU THAT VSL'S TRANSIT WOULD NOT BE
TERMINATED BY THE CG.
1156Q BOARDING COMPLETE W/ 04 UNRELATED SAFETY VIOLATIONS.
1158Q BOARDING TEAM O/B BLOCK 1.
1201Q BLOCK 1 A/S ORIG.
1208Q ORIG COMMENCED ESCORT OF SUBJ VSL.
1615Q ORIG CEASED ESCORT OF SUBJ VSL AT THE MOUTH OF THE
NORTH EDISTO RIVER.

3. REMARKS/INTENTIONS:

A. STRONGLY RECOMMEND GRU OR MSO CHARLESTON TAKE FOLLOW UP ACTION
W/ F/V GOFORIT'S MSTR. THIS IS THE SECOND TIME IN LESS THAN A MONTH
THAT THE VSL HAS RETURNED TO PORT TO DROP OFF A CREWMAN DUE TO
CREWMAN FEAR FOR PERSONAL SAFETY. THE CONSUMPTION OF LARGE AMOUNTS
OF ALCOHOL IN LESS THAN 12 HOURS LEFT VSL UNMANNED AND ADRIFT
IN THE COMMERCIAL SHIPPING LANES OFF CHARLESTON.
B. PATROL ALONG TRACKLINE E/R D5 SOUTHERN SAR ZONE.

4. CASE STATUS:

A. CASE CLOSED THIS UNIT.

BT

NNNN