



**YACHT RACING ASSOCIATION
QUARTERS 35S, FORT MASON
SAN FRANCISCO, CALIFORNIA, CA 94123
415-771-9500 - fax 415-276-2378
E-mail = info@yra.org**

DECISION ON APPEAL, Appeal #10-01
Alpha Puppy vs S1 Fleet, ex Deception
Jeannette vs S2 Fleet, ex Jarlen
Corinthian YC Midwinter Race2, 1/17/10

March 24, 2010

SUMMARY OF SITUATION:

This race was the second of a series of four that constituted the 2010 Corinthian Midwinter Regatta. Eleven groups of boats (divisions) were expected to participate with the starting sequence scheduled to begin at noon. On the morning of Race #2, the Race Committee developed concerns about approaching weather systems. In the interest of safety, prior to the starting sequence, the RC made several announcements, by loudspeaker and VHF radio, and distributed hand-amended sailing instructions relating to course changes to racers who were assembling near the CYC clubhouse.

Some of the boats in the second and third groups (designated S1 and S2) either did not “get the word” and/or were confused by the changes. Consequently, they sailed longer courses than others, and protested most of the other boats in their respective divisions for not sailing the proper course. A few days later, a protest hearing was scheduled. Because the issues were almost all identical (RRS 28.1), a group hearing took place. After the hearing, the Protest Committee prepared and distributed a six-page analysis of the situation. The protests were denied. Two boats, one from each of the two groups, submitted this joint appeal.

FACTS FOUND BY PROTEST COMMITTEE:

The facts found by the protest committee are incorporated in their analysis which is entitled PROTEST DECISION and attached to this document. The Association Appeals Committee accepts their facts as presented.

CONCLUSIONS, APPLICABLE RULES, AND DECISIONS OF THE PROTEST COMMITTEE

A sufficient number of protests were judged to be valid to proceed with a hearing

Applicable rules included RRS 28.1; Appendix J2.1 (5); Appendix L

Protests were denied, no protested boat broke any RRS, including RRS 28.1

BASIS FOR APPEAL BY ALPHA PUPPY and JEANNETTE:

1. *Alpha Puppy* and *Deception* (group S1) sailed “the buttonhook” around Mark 4, as required by RRS 28.1; but the other boats in their group did not.
2. *Jeannette* and *Jarlen* (group S2) sailed “the buttonhook” around Mark 4, as required by RRS 28.1, but the other boats in their group did not.

3. RC failed to properly change, **in writing**, the Finish Line for Course 21.
4. Possible misapplication of RRS 33

DECISION OF APPEALS COMMITTEE:

A major issue in this situation relates to Mark 4 and whether it was identified as a rounding mark as required by the sailing instructions (RRS J2.1(5)). There is no definition of rounding mark in the racing rules. We believe that for Mark 4 to be a rounding mark in Course #21 (modified), it had to be clearly indicated as such in a course diagram or specifically listed as such in the sailing instructions (RRS L9.2). Since it was neither, Mark 4 was not a rounding mark in this race.

After a review of some interpretations of RRS 28.1, it is clear that competitors could sail from Mark 8 to the finish line, leave Mark 4 to port, and observe it as a passing mark only. Fortunately, most competitors recognized this and sailed the modified course correctly.

Another issue developed when the RC announced that the Finish Line was being moved from the Knox area to the Club location. This change resulted in a new course configuration and the unexpected need for some competitors to more clearly understand the application of RRS 28.1. Regrettably, the RC did not put these changes in writing, as required by RRS 90.2(a), a serious omission by the RC.

We note that some boats sailed to Mark 4 and looped it to port before proceeding to the new Finish Line at the Club location. Looping Mark 4 in this manner did NOT break RRS 28.1 as Mark 4 was passed on the correct side, so these boats also sailed the new course correctly.

It is not clear exactly when each boat became aware of the modified Course 21, however it is clear that boats which looped Mark 4 became aware of the new course prior to arriving at Mark 4. Consequently, we believe these boats looped the mark, in part because they misinterpreted RRS 28.1, and NOT because of the omission by the RC referenced above.

The appeal is denied.

THE APPEALS COMMITTEE OF THE YACHT RACING ASSOCIATION OF SAN FRANCISCO BAY.

Thomas V. Allen, Jr. Chairman (email: tomallen2@comcast.net)

w/ attachment (PROTEST DECISION)

copy: *Alpha Puppy* (Hans Opsahl), email: hans@opsahl.net
Jeannette (Henry King), email: tartanj@earthlink.net
Protest Committee (Michael Moradzadeh), email: mdm@yachtpc.com
S1 Distribution List, via email
S2 Distribution List, via email
Appeals Committee Members, via email