

## MINUTES

### HARBOR SAFETY COMMITTEE OF THE SAN FRANCISCO BAY REGION

10:00 a. m., Thursday, April 13, 2000

Port of Oakland, 530 Water Street, 2<sup>nd</sup> Floor, Oakland CA

**Lynn Korwatch**, Chair, called the public meeting to order at 10:00 a.m. The secretariat confirmed the presence of a quorum. The following committee members or alternates were in attendance: **Gary Hallin**, Port of Oakland; **John Davey**, Port of San Francisco; **Ronald W. Kennedy**, Port of Richmond; **Nancy Pagan**, Benicia Industries; **Margot Brown**, National Boating Federation; **Scott Merritt**, Foss Maritime; **Brian Dorsch**, Chevron Shipping Company; **J. Grant Stewart**, American Ship Management; **Rich Smith**, Westar Marine Services; **Larry Teague**, San Francisco Bar Pilots; and **Joan Lundstrom**, Bay Conservation and Development Commission. U.S. Coast Guard representatives were: **CDR Kristi Plourde**, (MSO) and **CDR Danny Ellis** (VTS); NOAA representative, **LCDR Michael Gallagher**; California State Lands Commission representative, **Jay Phelps** and OSPR representative, **Ted Mar**. Also in attendance were more than fifteen representatives of the interested public.

**MOTION** by **M. Brown**, seconded by **J. Lundstrom**, to “accept the minutes of the previous meeting as written.” Motion passed unanimously.

In her opening remarks, **L. Korwatch** announced that this would be her last meeting. Since leaving Matson Navigation, she no longer represents the dry cargo operators. The new Chair will be **Captain J. Grant Stewart** of American Ship Management. **L. Korwatch** expressed her gratitude for having had the opportunity to work with this group, adding that it was an honor and a privilege to serve.

**COAST GUARD COTP’S REPORT, K. Plourde.** Prior to giving the CG Report, **K. Plourde** introduced **Kevin Mercer** of the California State Lands Commission who reported on the International Maritime Information Safety System (IMISS). He also distributed a background paper, a sample reporting form and an announcement and agenda for a working group meeting. The USCG, MARAD and the maritime industry have been working together for two years to develop a voluntary maritime safety information and lessons learned system modeled after the Aviation Safety Reporting System, with the cooperation and participation of the FAA, NASA and ASRS. A working group meeting to roll out IMISS is scheduled for 17 May 2000 at the California Maritime Academy, Vallejo. The purpose of the meeting is to introduce the system and

to seek comments and input. The goal of IMISS is to build a data bank of information on situations that involve unsafe occurrences, e.g., near-accidents and hazardous situations involving vessels, their crews, and/or passengers and cargo that go undetected. This information can ultimately be used to identify root causes. IMISS will allow the maritime community to identify vulnerabilities and weaknesses will before failures or accidents occur. NASA will run the program for the maritime industry through an inter-agency agreement with the USCG and MARAD in the same way they run a similar program for the aviation industry. NASA intends to fund the program as an R&D project for the first two years during which time legislative issues regarding confidentiality and liability will be addressed. Eventually MARAD will take over the management full time and would put out bids for a commercial vendor to operate the data center. Any interested parties are invited to attend the working group meeting. For more information or to register for the meeting, contact **CDR Scott Ferguson**, USCG at 202-267-0715 or by email at [sferguson@comdt.uscg.mil](mailto:sferguson@comdt.uscg.mil) or **Alexander Landsburg** of MARAD at 202-366-1923; email at [alex.landsburg@marad.dot.gov](mailto:alex.landsburg@marad.dot.gov) . IMISS is slated to begin in October 2000. It will take a great deal of work to promote participation. The Steering Committee has worked to obtain legislation to protect the anonymity of incident reporters. All the forms will go to NASA. This system would avoid the “freedom of information and discovery” process. There is no protection when reporting a criminal act. Filing a IMISS report does not preclude reporting as currently required by law. Question: Who will have access to the database? **K. Mercer**: Anybody. The data will be universally available. However, it is unlikely that there will be enough data to analyze for several years. The CG will cover the budget for the first three to five years after which they hope that IMISS will be self-supporting. This may be done through a subscription program. **J. Lundstrom**: Seven or eight years ago, California Harbor safety representatives met to look at a near-miss reporting system. They were advised by a OSPR counsel that the sticking point is anonymity and liability. Legislation is the only way to address this. **K. Mercer**: The DOT supports the program and this system will be the model for trucking, rail and other transportation industries. The Justice Department does not want to give up any arrows in their quiver. However, anything submitted to NASA under R&D is protected. The question is where will it stand when IMISS is no longer an R&D project. It would be easy to get legislation if the Administration and Justice bought off. If just Administration supported the legislation, it could be attached to other sponsorship. **M. Brown**: The reporting form asks for names and phone numbers. This won't work because a reporter would fear repercussions. **K. Mercer**: Having the information on the reporter, vessel, etc. is crucial to the success of the reporting system. Often an investigator finds it necessary to talk with the reporter to clarify details and to translate

the report. This has worked for the aviation industry for twenty-two years. **M. Brown:** NASA is selective in what they do. They get too many reports to handle. It's better to throw out reports that do not make sense than to ask for identifying information.

**K. Plourde** provided the CG Report in the absence of **Captain Harlan Henderson**. (1) Written reports of operations statistics for pollution response and investigations and significant port safety events for the period 3-1-00 to 3-31-00 are made a part of these minutes. March was a fairly slow month with four propulsion casualties, no steering casualties and no collision/allision incidents. Of 27 events, none were federalized, i.e., the Oil Spill Liability Trust Fund was not accessed. (2) **K. Plourde** introduced her replacement as Chief of MSO Operations, **LCDR Pete Gautier**, who reported on his attendance at the Second Annual National Harbor Safety Committees Conference 6-7 March 2000. The key purpose of the conference was to advance the HSC's role. Four major points were addressed by the attendees: (a) establishing consistency between HSC's; (b) communicating and coordinating activities between HSC's by joining a website sponsored by the CG Academy, with micro-sites for each harbor safety committee; (c) HSC's should share and export lessons learned; and (d) HSC's should let federal agencies know what they can do to help. National issues include advance planning for funding, dredging, the lack of support for timely hydrographic surveys, and long-range planning for ports anticipating larger ships. The main recommendation that came out of the conference is that all HSC's should join the CG Academy website. Another goal is to help HSC's in their infancy by getting them started with organization information for creating a strong framework. There was considerable interest in holding the third national meeting on the West Coast. **T. Mar** reviewed the process to get the Governor's approval for out-of-state travel, adding that the Governor is very selective in his choices for approval. He noted the California's HSC's did not get their request to the Governor within the necessary eight weeks advance notice to get approval. **L. Korwatch** suggested that San Francisco be offered as a host city, which would guarantee significant local participation. She also agreed that it was valuable to participate on the Coast Guard Academy website as recommended. **K. Plourde** responded that the Coast Guard will forward SF's offer to host. **T. Mar** added that holding the conference in California would make it less of a problem to get funding for travel. However, any requests for funds from the 2000-2001 budget should be made now, since the fiscal year begins in July. The Chair stated that the request for funding could come from the Chair. **Lily Ferguson** of the California Coastal Commission and a floating member on all California HSC's except for SF, reported that the chair of the LA/LB HSC, **Bob Barker**, attended the national conference with committee member **Dan Rippenger**, both had their

expenses paid by their own organizations. **S. Merritt** noted that the limited scope chartered to this committee is the prevention of oil spills and may limit the level at which this HSC can participate nationally. **L. Korwatch** responded that the value of participating is the learning experience. The information and experience that this HSC can contribute, particularly in light of the fact that the representation on this committee is far greater than the owner/operator and pilot representation on most other committees in this country. She added that LA/LB is also on record as offering to host the next conference. **K. Plourde** suggested that a letter requesting the opportunity to host should go to both coordination agencies, the CG and MARAD. (3) **CDR Danny Ellis** announced that the CG is holding a public meeting to solicit comments on the impact of high-speed commercial ferry and cargo vessels on the navigable waters of the US. The meeting is scheduled for 2 May 2000 from 0830 to 1600 hours at the Executive Inn, Bayside Room, 1755 Embarcadero, Oakland, California.

**CLEARING HOUSE REPORT, A. Steinbrugge.** (1) A written report with statistics for the Month of March 2000 and a report for 2000 year-to-date are made a part of these minutes. (2) There were no escort violations since that last meeting and none for all of Y2000. In 1999, calls averaged one per month.

**OSPR REPORT, T. Mar.** (1) **T. Mar** swore in new committee member, **Nancy Pagan**, representing Benicia Industries. (2) **Tracy Edwards** of the California Department of Fish and Game Regulations Unit, reported that the 45-day comment period for the SF tug escort requirements ended 13 March 2000. There were no written comments and no one attended the hearing in Oakland. The regulations have gone to the OAL and are expected out the second week of May. There isn't much to refer to in other states since only Washington and Rhode Island have tug escort regulations. **J. Lundstrom:** What is the status of the HSC's recommendation regarding chemical tankers? **T. Mar:** They went to OSPR. The Administrator called for the Department of Fish and Game to make a legislative initiative request. F&G scrambled to respond, taking the oil tanker regulations and replacing 'oil tanker' with 'chemical tanker.' The resulting proposed legislative initiative was not one of five chosen by F&G. OSPR can only request a legislative initiative. OSPR cannot sponsor a bill. **T. Hunter:** What is the bollard pull situation? The law requires testing and SF doesn't have the equipment to test. **T. Mar:** The Administrator has extended the re-test requirement timeline for tug companies that send a letter to OSPR stating that there has been no change in their equipment. The Administrator is hoping that someone in the industry will come up with a solution. Tugs coming from outside of SF use their Seattle or LB bollard pull test numbers. **T. Hunter:**

A string gauge will cost \$30,000. The scale maximum is 40 tons. The chair referred the matter to the Tug Escort Work Group which will address and make a recommendation to the committee. **T. Edwards** reported that earlier this year, emergency regulations were developed, deleting language that allowed LB to test in Seattle because that was cost-prohibitive for tug companies.

**NOAA REPORT, LCDR M. Gallagher.** (1) In February, **M. Gallagher** reported that a hydrographic field party would be in SF in early May 2000. This has been postponed until September 2000 because the tide gauges are not available to support the survey. Real-time water level corrections are required for the survey; the field party does not use predictions and requires 90-120 days of data from the gauges. Critical areas were surveyed by NOS last September and when the data from the September 2000 survey is delivered, it can be used to justify rapid response surveys. (2) **M. Gallagher** requested that **Mike Zabados** of the NOAA NOS Center of Operations for Oceanographic Products and Services be placed on the agenda for the May 2000 HSC meeting.

**LCDR Brian Tetreault** (USCG 11<sup>th</sup> District, 510-437-2968), and **Mike Van Houten** (USCG Aids to Navigation Branch, 510-437-2951), presented an update of the Monterey Bay National Marine Sanctuary Vessel Separation Scheme. The sanctuary was established in 1992. When the original work group established had completed their development of recommendations, those recommendations were presented at public workshops for comment. The final recommendations are endorsed by NAVSAC. By agreement with WISPA, tankers have voluntarily transited 550 nautical miles offshore and participated in a reporting system for several years. This agreement is incorporated into the formalized routing measures. Transits off of Santa Barbara are extended by 18 nautical miles and the southern approach to San Francisco is shifted westward. Vessels carrying hazardous materials will transit 25-30 nautical miles offshore and large commercial vessels will transit 15-20 nautical miles offshore. IMO has approved the recommended tracks for hazmat vessels. In addition, the reporting system and AIS will be extended; a near-miss reporting system will be established; an inventory of response vessels will be compiled and an educational program will be developed to get the word out on what is being done. A *Notice of Proposed Rulemaking* on the Traffic Separation Scheme (TSS) will be in place approximately July 2000. Question: What is the definition of hazmat? **Van Houten:** It is the definition in IMGT Code. Question: Where do oil barges fall in the scheme? **Van Houten:** By industry agreement with AWO, 25 miles was already accepted as the industry practice. Question: Large container

vessels and hazmat vessels cannot be used with the same approach. So what do they do? IMO has approved hazmat vessels using the same entrance and exits as oil tankers.

**NAVIGATION WORK GROUP, L. Teague.** (1) Last meeting, **L. Teague** reported on vessels arriving at SF that were not familiar with the requirement for escort plan forms. However, there have been no similar incidences since his report. **L. Teague** is still working with **M. Gallagher** to get the information included in the *Coast Pilot*. **M. Gallagher** has sent the regulations to the *Coast Pilot* so that they can draft recommended language. The draft language will be brought back to the HSC. (2) **E. Dohm** reported that the Avon Turning Basin Project is alive and well. **Dave Patterson** is the new contact, replacing **Mark McGovern**. The Contra Costa County Water Board went to Washington, DC to lobby for the funds. **Representative George Miller** is supporting the authorization of funds for a feasibility study. In addition, the COE will expand their survey to the area actually used. Two alternatives were investigated, making the turning basin a maintenance project versus developing a formalized project for a formal turning basin. It is best to proceed with a formalized turning basin because making it a maintenance project will not guarantee regular dredging and survey. Question: In your dealings with the COE, have you talked to BCDC regarding the required permits? **Teague:** No, we are not to that point yet.

**UNDERWATER ROCKS WORK GROUP, R. Smith.** With the cost-sharing agreement between the Army Corps of Engineers and California State Lands Commission signed, the first transfer of funds was made this week. The work group will hold a meeting next month with the COE and look at where the feasibility study will go. The reconnaissance study was published recently and mailed to work group participants. The feasibility study will take three years and will determine the need and methods for rock removal.

**HUMAN FACTORS WORK GROUP, S. Merritt.** There is no report. There is nothing currently on the work group's agenda.

**PREVENTION THROUGH PEOPLE WORK GROUP, M. Brown.** (1) Distributed the port and statistical analysis of 142 responses to the *Safe Marine Operations* questionnaire. One page is missing and will go to the Secretariat for distribution with the notice for the next work group meeting. Additional comments should be forwarded to **USCG LCDR Kristin Williams** at 510-437-3149 or to **Margot Brown**. The information in the report can be sorted to reflect specific information or various

presentations. The report was presented at the most recent NAVSAC meeting. It has been distributed nationally among the other Coast Guard districts. Communications issues were the closest to everyone's heart, particularly the problems of communication between commercial vessels and recreational vessels as well as the need for all to communicate in English.

**TUG ESCORT WORK GROUP, G. Hallin.** (1) The work group has reviewed the CG's historical information regarding out-of-state tugs towing barges not using a state pilot after the master makes twelve transits. The group does not see this as a problem, but will continue to monitor the issue. If it appears to be a problem at a later date, the group will reintroduce the subject before the committee.

**PORTS WORK GROUP, T. Hunter.** No report.

**OLD BUSINESS. M. Brown** reminded the committee that Opening Day on the Bay for the recreational boating community will be held on 30 April 2000. The blessing of the fleet will take place in Raccoon Strait at 1000 hours and the decorated boat parade will begin at 1200 hours near Anita Rock. The event will end between 1330 and 1400 hours. The celebration is more organized each year.

**NEW BUSINESS.** (1) **L. Korwatch** read a letter from **Marina Secchitano**, Regional Director of the Inlandboatmen's Union of the Pacific, regarding what she believes to be a hazardous situation. Her concern is for the safety of the ferry traffic during baseball games at PacBell Park when the area of Pier 48 (McCovey Cove), China Basin is congested with pleasure craft. **Mik Beatie** of Golden Gate Ferry Service reported that he was on a ferry during the opening day game transiting to and from the temporary float and the new float. He did not see any problems or hazards with the exception of one sailing vessel that lost wind for a time and trouble maneuvering. The San Francisco Police Department issued a 'no anchoring' policy. **J. Lundstrom** reported that the CG-sponsored High-Speed Ferry Work Group met on 12 April 2000. She expressed interest in the HSC monitoring high-speed vessels. The next work group meeting is scheduled for 2 May 2000 at 0930 hours at the Executive Inn in Oakland. **T. Hunter** added that the Secretariat has received requests that the HSC look into having a representative from the ferry companies on the HSC. Law determines the membership of the committee. It would have to be changed to add a new member. **J. Davey** noted that vessel traffic and the ballpark are definite concerns of the Port of San Francisco, the San Francisco Police Department and the Giants' baseball team because there is only a few thousand square

feet for the vessels in the cove. However, they feel that it looked more chaotic than it was. The port is going to continue to watch the situation. Some ideas include the possibility of creating a buoy-line for the ferry service or creating a temporary anchorage area. The question that needs to be answered is who has jurisdictional enforcement authority in the event of a real incident? (2) **J. Phelps** announced that State Lands' Prevention First 2000 Conference would be held in Long Beach on 29-30 August 2000. There will be a break-out group for harbor safety committees and the sponsor is looking for papers, perhaps on underwater rocks, tug escorts, etc.

**T. Mar** presented **L. Korwatch** with a certificate of appreciation on behalf of OSPR. **A. Steinbrugge** presented her with a certificate on behalf of the Board of Directors of the Marine Exchange of the San Francisco Bay Region.

The next HSC meeting is scheduled for 11 May 2000 at 1000 hours at the Port of San Francisco. **J. Davey** advised that parking is becoming increasingly difficult with construction in the area of the Ferry Building and encouraged everyone to use public transportation.

**MOTION** to adjourn was made by **L. Teague**, seconded by **M. Brown**. The meeting was adjourned without objection at 1145 hours.

Respectfully submitted,

**T. Hunter**  
Executive Secretary