

MINUTES

HARBOR SAFETY COMMITTEE OF THE SAN FRANCISCO BAY REGION

10:00 a.m., Thursday, April 12, 2001

Port of Oakland, 530 Water Street, 2nd Floor, Oakland, CA

Grant Stewart, American Ship Management, Chair, called the public meeting to order at 10:05 a.m. and welcomed those in attendance. The secretariat confirmed the presence of a quorum. The following committee members or alternates were in attendance: **Len Cardoza**, Port of Oakland; **Tom Wilson**, Port of Richmond; **Nancy Pagan**, Benicia Industries; **John Davey**, Port of San Francisco; **Brian Dorsch**, Chevron Shipping Company; **Don Watters**, CSX Lines; **Scott Merritt**, Foss Maritime; **Michael Beatie**, Golden Gate Ferries; **Ray Shipway**, Masters, Mates & Pilots (alternate for Gunnar Lundeborg); **Margot Brown**, National Boating Federation; and **Joan Lundstrom**, Bay Conservation and Development Commission. U. S. Coast Guard representative **Capt. Larry Hereth**, NOAA representative, **Michael Gallagher**, U. S. Army Corps of Engineers representative, **Arjis Rakstins**; State Lands representative, **Ted Mar** and OSPR representative, **Al Storm**. Also in attendance, more than forty representatives of the interested public.

The Chair welcomed those in attendance and the Secretariat confirmed the presence of a quorum.

The following corrections were made to the minutes of the 3-8-01 meeting. **J. Lundstrom**: p. 4, Human Factors Report; should read, "HSC consideration of the Navigational Safety Amendment to the Bay Plan has been put to bed." **M. Brown**: p. 3, COE Report; #3; should read, "A contract for geophysical sampling will be awarded this month" and the reference to a removal contract should be deleted. **M. Brown**: p. 5, Prevention through People Report; delete reference to a cost of \$20,000 to print the terminals naming chart for boaters. There will be virtually no cost. MOTION by **M. Brown**, seconded by **J. Lundstrom**, "to approve the minutes of the 3-8-01 meeting as corrected." Motion passed unanimously.

COE REPORT, A. Rakstins. (*The report was moved ahead on the agenda to accommodate the COE representative's schedule.*) The written COE Report, as submitted to the HSC orally, is made a part of these minutes and will become a part of the minutes for all future minutes of the HSC. **James Haussener**, Executive Director of the California Marine Affairs and Navigation Conference (CMANC), provided statistics on the disparity in the amount of Harbor Maintenance Tax money

California marine commerce generates versus the amount of federal money allocated for California navigational projects. 31% of international waterborne trade goes through California. California receives only 25% of the tax revenues generated in California. For every \$1.00 of federal money invested in navigation maintenance projects in California, \$161 is returned to the U. S. Treasury. In addition, of the five Pacific Rim States, only California does not provide grants or appropriations to its ports. He recommended that people become involved in informing the California Congressional delegation of these facts; work to increase the amount of operations and maintenance money that comes to the South Pacific Division of the COE; advise both the Senate and House Energy and Water Development Appropriations sub-committees of these facts and encourage the California legislature and governor to provide economic support for California's ports. **A. Storm** stated that the State provides money for navigational safety projects, such as PORTS. **L. Cardoza** responded that no money is provided for dredging to maintain ports of call.

COAST GUARD COTP'S REPORT, L. Hereth. **P. Gautier** submitted a written report of port operations statistics for pollution response and investigations and significant port safety events for the period 3-1-01 to 3-31-01, which is made a part of these minutes. It was a quiet month. Secretary of Transportation Mineta will be in the SF Bay Area on the 21st. **Capt. Hereth** will brief the committee on HSC issues later in the meeting.

CLEARINGHOUSE REPORT, A. Steinbrugge. A written report with statistics for the month of March, 2001 is made a part of these minutes. There were no calls to OSPR in March.

OSPR REPORT, A. Storm. (1) **A. Storm** introduced **Joy Lavin-Jones**, Regulations Officer, OSPR, who reported on the status of various regulations. The non-tank COFR's emergency regulations that increased levels of financial responsibility will be extended and then adopted. Current practices for product transfer will be codified and public hearings on the proposed regulations will be held. AB 705 proposes amending OSRA regulations to give OSPR authority over oil spill response organizations. If feasible, there will be a 25% increase in the water recovery cap. Contact **J. Lavin-Jones** to get on the mailing list for regulatory updates. (2) **A. Storm** summarized the applications for seats on the HSC: commercial fishing and recreation: **M. Brown**; tankers: **B. Dorsch** and **Doug Lathrop**; dry cargo: **G. Stewart**; labor: **Marina Secchitano**, and **G. Lundeberg** as alternate; tank barges: **S. Merritt** and **Margaret Reasoner**; tug companies: **R. Smith** and **Fred Henning**, Baydelta; pilots: **L. Teague** and alternate **E. Dohm**; Port of Oakland: **L. Cardoza**; Port of Richmond: **T. Wilson** and alternate **Norman Chan**; Benicia Industries (Port of Benicia): **N. Pagan**.

OSPR has committed to make all necessary appointments by the May HSC meeting. Question: Why have there been no appointments from the environmental community? **A. Storm:** OSPR will seek out a representative, but maybe representation on HSC has become a low priority issue since the committee doesn't deal with a lot of environmental issues. **J. Lundstrom:** Environmental organizations have limited resources to cover all the meetings in various forums and, since the tug escort issue has been addressed, there are no hot environmental items here right now. (3) **A. Storm** introduced **Bill Weber**, former USCG who ran several area CG committees, and who will assume role of OSPR liaison to SF HSC.

NOAA REPORT, M. Gallagher. The new chart editions 18657, Carquinez Strait; and 18651, So. SF Bay; will be available in May. The survey team will be here May 1, with single beam and side scan sonar capabilities to survey any obstructions or anything else anyone needs done. They will be here through October. Question: Have the pilots been actively pursued to provide input into identifying subjects for this survey? **M. Gallagher:** Yes. They have identified two large scale projects; the saddle northeast of Alcatraz, which hasn't been surveyed since 1996, and the area designated for the Avon Turning Basin. Anyone with suggestions for other areas to be addressed by the survey team should contact **M. Gallagher** at 415-556-0858.

NAVIGATION WORK GROUP. No report, **L. Teague** is out of town.

HUMAN FACTORS WORK GROUP, S. Merritt. The committee held a meeting on 4-4-01 to look at propulsion and steering casualties and put together a document addressing proper procedures/practices for entering SF Bay. The document provided by **John Caplis**, USCG, at the first HSC meeting where this was discussed, and a second document put out by MSO in cooperation with Bay Area classification societies were reviewed. Participants included representatives of dry cargo, tankers, USCG, State Lands and several marine engineering companies. The work group hopes to have a document in brochure format for final review late next week. The work group will have one more meeting in May to fine tune the draft document and to develop a distribution strategy. Question: Does what has been developed meet the CG's needs as introduced by **L. Hereth** at earlier HSC meetings? **L. Hereth:** Yes, the work group took information from around the country and, as USCG requested, established a broad based group representing the SF Bay Area maritime community to develop a document. The CG is very satisfied.

PREVENTION THROUGH PEOPLE WORK GROUP, M. Brown. (1) The work group's next meeting is scheduled for 5-1-01 to bring to near completion the brochure they are working on that lists the common names of various points in the SF Bay Area for recreational boaters and fishermen who don't usually frequent the Bay Area so they will understand the references they hear on the radio. (2) **M. Brown** distributed copies of an American Waterways Operators' brochure, *Stay Alert for Safety*, published with a Coast Guard grant, which speaks to fatigue. Question: What is the status of the grant request to the USCG for the other brochure the group is working on? **M. Brown:** The request was put to the National Fish and Wildlife Federation electronically through **Capt. Whipple**. There has been no response and, to date, it has been impossible to find a physical address or name of the responsible person. **L. Hereth** volunteered to work with **M. Brown** to persist in seeking grant funding.

TUG ESCORT WORK GROUP, J. Lundstrom . (1) The work group met before this HSC meeting this morning to wrap up their review of proposed amendments to tug escort regulations. A number of amendments have already been approved by the HSC. Because of problems in the regulatory process, they are not yet in regulation. The work group recommends that these draft proposed amendments dated 3-27-01, as distributed previously and at this meeting today, be approved with one addition from this morning's work group meeting. **J. Lundstrom** and **J. Lavin-Jones** reviewed the 3-27-01 draft, noting that a lot of the changes are housekeeping and that all the new changes are underlined and deletions are shown stricken out. There are added options for getting the plan document to the Clearing House and the matrix has been changed to reflect what's being used. Page 2, section (d) clarifies what 'fully redundant' means in detail; new sections (2) and (3) refer to navigational systems and USCG letters of deviation, respectively. Page 9, section (a)(2) adds AWO-certified responsible carrier program auditors to those who can measure and certify braking force of tugs. Question: Who will do bollard pull surveys? **J. Lavin-Jones:** The word is that the class societies can use non-exclusive surveyors. If this is true, it broadens the group of potential surveyors. AWO members are not comfortable with the proposed change and recommend keeping the existing language minus "in good standing". Page 18 changes deletes dated language regarding verification of tug stability. Question: What happens if the HSC recommends these changes? **J. Lavin-Jones** goes forward with the formal process. The proposed changes will go out for a 45-day public comment period and a hearing will be scheduled to receive oral and written comment. All comments will be reviewed. If there are any changes, they will go out for an additional 15-day comment period. The proposed changes then go to OAL, who has thirty days to review. If all goes smoothly, the changes will be in regulation in early fall. Question: Did the Bar Pilots go through this? **A. Storm:** SFBP representative **E. Dohm** was at the last Tug Escort Work Group meeting prior to this morning's

meeting. Question: If there are any changes, will they come back through the HSC? **J. Lavin-Jones:** Only if they are substantive, and then the whole process begins again. **J. Lundstrom** added that the work group recommends full HSC approval. MOTION by **M. Brown**, seconded by **R. Shipway**, to “approve the proposed changes as recommended by the Tug Escort Work Group.” Motion passed unanimously.

PLAN REVIEW, L. Korwatch. The CH sent out a request to all HSC committees and work groups that have contributed to the plan in the past asking for any changes, additions, updates. There is only one group remaining to hear from. The information will be presented for review at the May HSC meeting, with a vote anticipated at the June meeting.

PORTS WORK GROUP, A. Steinbrugge. The cable for the Benicia current meter has been severed and **A. Steinbrugge** is working to try to reconnect it as a temporary fix. Bridge work and fendering should be done in August/September. At that time, side-looking sensors will added along with a salinity sensor. The Richmond current meter stopped working last month due to cable wear and **A. Steinbrugge** is working on obtaining a new cable. The salinity meter is going back in Richmond. There have been problems with them around the country, but not here, and the plan is to install six around the Bay Area. Question: What happened to the Benicia cable. **A. Steinbrugge:** It was cut by heavy equipment. Question. What happened to the Richmond cable? **A. Steinbrugge:** It’s not certain, but the south side of Red Rock has rough rocks and it appears that the damage is due to wear from tidal action. The cable that is used is sturdy, is designed to put heavy equipment down wells by the oil industry and has 10,000-15,000 pounds breaking strength.

OLD BUSINESS. None.

NEW BUSINESS: L. Korwatch reported on the National Harbor Safety Committees meeting. It went well and she thanked the sponsors as well as **G. Stewart**, who stepped in as moderator at the last minute. A lot of information was disseminated. There was a very significant MTS slant to the meeting and with Secretary Mineta visiting the area, MTS could become viable in California. Question: Is the intention to develop a regional harbor safety committee? **L. Korwatch:** California is unique in how harbor safety committees were established. They were established by the state legislature and don’t have the ability to expand into other areas, such as port security, rail infrastructure, trucking and intermodal transportation, in the way that HSC’s in other states do. California HSC’s cannot be used to move MTS forward and Washington, DC doesn’t understand this yet. California HSC members

specifically have navigational expertise. Question: Why can't the California HSC's form a regional group to address issues such as ballast water, dredging, etc., as a way to solidify efforts on common issues? **A. Storm:** It is unrealistic for volunteer committees to devote the required time and money to address complex intermodal and environmental issues. These things fall outside the charter and scope of this committee. It should be a different group, separately funded. **M. Brown:** Many attendees felt that the National HSC meeting was more a MTS meeting than an HSC meeting. We already have an organization of HSC's in California, under the authority of OSPR, as established by the Lempert-Keen Act, with common marching orders. Washington and Oregon have different problems and issues. **M. Beatie** stated that the meeting did not further HSC's and was an MTS meeting. **L. Korwatch:** A summary of the meeting and break-out group presentations will be made available on a CD. The thought was not to form a regional HSC organization, but rather an organization to address a version of MTS. MTS is the hub of a wheel, with spokes that include trucking, rail, HSC's, etc. MTS is bigger than the USCG alone. It is a Department of Transportation project; as the USCG can't control rail and highways. She added that the direction to focus on MTS at the National HSC meeting came from Washington, DC, and it was done because there is no other nationwide body that can be used as a vehicle. It may not be a fit for California, but it may be for other HSC's around the country. **Lily Ferguson,** California Coastal Commission, stated that she is a voting member of all California HSC's, except this one. Members of the SF HSC can take issues to her to take on to other HSC's. A web page would be a good place to share ideas.

L. Hereth stated that he doesn't want the HSC to think the CG is pushing MTS on harbor safety committees. The CG wanted the focus of the National HSC's Conference meetings to be HSC issues. The original MTS report was based on input from 150 executive level people addressing security, the environment, infrastructures development, port competitiveness and safety. Safety was only one element. If the maritime mode of transportation is going to take its rightful place in this, there must be a way to address dredging, etc. HSC's can participate **Secretary Mineta** is looking for each coastal state to designate a contact for MTS. **J. Lundstrom:** SF was first to develop tug escort regulations and recognized that the language in regulations throughout the state needed to be uniform for users. The HSC plan format was changed to be the same for all California HSC's. Information sharing on new issues like the steering and propulsion casualty prevention project is important and this HSC should keep looking to what other groups are doing. **A. Storm:** OSPR looks to standardization, i.e., PORTS in LA/LB and SF; VTS in LA/LB looking like CG VTS. As much as possible, the regulations in LA/LB and SF should be brought into conformity. Any issues or differences should be brought to the attention of OSPR. OSPR appreciates **L. Hereth's** efforts to bring SF concerns to Washington, DC.

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Question: Is there a way to get the various HSC plans to the members of the SF HSC? **A. Storm:** Electronically would be the best way. **J. Lundstrom** suggested that there be a CA HSC Plan with sections under each subject for each port, like the CFR's, which give the ship owner one document for every port of call. She also suggested that the chair of the LA/LB HSC be invited to an SF HSC meeting to talk about their hot topics and what they are working on. **A. Storm** added that, when the new Administrator of OSPR is on board, the plan is to bring all HSC chairs to Sacramento.

M. Reasoner noted that the AIS Committee is submitting a report to OSPR and asked that **Jeff McCarthy** of the MX be invited to come to the next HSC meeting and report.

The next HSC meeting is scheduled for Thursday, 5-10-01 at 10:00 at the Port of San Francisco, Pier One. Discussion of moving the June meeting to one day earlier, since June 14th is Flag Day. It was agreed to make this change and to schedule the June 13th meeting for 0900 to avoid a conflict with the SF Society of Port Engineers' Annual Golf Tournament.

MOTION to adjourn by **M. Brown**, seconded by **B. Dorsch**. Motion passed unanimously. Meeting adjourned at 1135.

Respectfully submitted,

Captain Lynn Korwatch
Executive Secretary