

Harbor Safety Committee

of the San Francisco Bay Region

*Mandated by the California Oil Spill
Prevention and Response Act of 1990*

Harbor Safety Committee of the San Francisco Bay Region

Thursday, April 13th, 2006

Port of Richmond, Harbor Master's Office, Richmond, California.

Joan Lundstrom, Chair of the Harbor Safety Committee of the San Francisco Bay Region (HSC), Bay Area Conservation and Development Commission (BCDC); called the meeting to order at 1005. **Alan Steinbrugge**, Marine Exchange of the San Francisco Bay Region (Marine Exchange); confirmed a quorum of the HSC.

The following committee members and alternates were in attendance: **Capt. Marc Bayer**, Tesoro Maritime; **Capt. Michael L. Beattie**, Ferry Operator; **Ted Blanckenburg**, AMNAV Maritime Services; **Capt. Pete Bonnebakker**, ConocoPhillips; **Margot Brown**, National Boating Federation; **Len Cardoza**, Port of Oakland; **Ron Chamberlain**, Port of Benicia; **Norman Chan**, Port of Richmond; **John Davey**, Port of San Francisco; **Daniel Massey**, Foss Maritime; **Richard Nagasaki**, Chevron Texaco; **Capt. Peter Peers**, National Cargo Bureau; **Capt. Robert Pinder**, San Francisco Bar Pilots (Bar Pilots); **Linda Scourtis**, BCDC; **Capt. William J. Uberti**, United States Coast Guard Sector San Francisco (USCG); **Gerry Wheaton**, National Oceanic and Atmospheric Administration (NOAA).

Also present and reporting to the HSC, **Margaret Chang**, Army Corps of Engineers (COE); **Mike Coyne**, California Office of Spill Prevention and Response, (OSPR); **Sean Kelley**, USCG Vessel Traffic Service (VTS); **Capt. Lynn Korwatch**, Marine Exchange; **Ken Leverich**, California State Lands Commission (State Lands); **Cmdr. Gordon Loebel**, USCG; **LtCmdr. Ross Sargent**, USCG.

The meeting was open to the public.

Approval of the Minutes

There were corrections to the minutes of March 9th, 2006:

Page three, Navigation Workgroup Report, first bullet, second sentence should read: "There will be a safety clause if fuel changes cause problems."

It was moved, and seconded, to accept the minutes as amended. The motion passed without discussion or dissent.

Comments by the Chair – Lundstrom

- Capt. Fred Henning, Chair of the Tug Escort Work Group, Baydelta Maritime; was doing well after open-heart surgery. The HSC would send a card.
- At the state HSC summit, OSPR's legal department said that the Brown Act required that all meetings be accessible to those with disabilities. All of the HSC meeting sites meet that requirement. A notice of compliance will be included at the bottom of each agenda from now on.
- Paul Milkey, California Air Resources Board (CARB); will give a presentation at the May HSC meeting. CARB is aware of the complexity of the regulations they are proposing.

Coast Guard Report – Capt. Uberti

- **LtCmdr Sargent** read from reports that were attached to the minutes.
- USCG continues to work with stakeholders on channel closures due to the removal of the old Benicia Bridge and the construction of the new one. Heavy rains pushed scheduled closures into May.
- USCG is working closely with all agencies interested in the stability of levees in the delta, including the Federal Emergency Management Agency and the California Office of Emergency Services. The Bar Pilots are only making

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daylight trips upstream of the Antioch and Rio Vista bridges. The California Department of Boating and Waterways had banned recreational boating in the delta waterways of Contra Costa and San Joaquin counties.

There were questions and comments during **LtCmdr. Sargent's** report:

- **Massey** said that there had been no injuries to the crewmember knocked overboard in the *Point Vicente* case.
- The word *absconder*, as used in the report, is meant to describe those who jump ship.
- **Capt. Bayer** said that the *Seabulk Challenge* is a US flagged vessel, rather than British Virgin Islands.
- **Capt. Pinder** asked how to get published results on the conclusion of an investigation. **LtCmdr. Sargent** said that it would require a request under the Freedom of Information Act. **Davey** said that he had made such requests in the past and that there had never been any problems getting the report. **Capt. Uberti** said that the request should be made after the case had been closed by USCG Head Quarters.
- The fuel discharge in the Richmond Inner Harbor had occurred at IMTT.

Kelley Reported:

- There were three GS11 positions open to apply for till May 3rd.
- High winds had been causing vessels to drag their anchors in the anchorages. Broadcast notifications to vessels had corrected the problem.

Capt. Uberti reported:

- Due to rains and flooding, Sector was checking in with District 11 twice a day, and other interest agencies once to twice a day.
- The ship that had stowaways in Seattle was thoroughly inspected by USCG and Customs and Border Protection during its stay in Oakland.

Clearinghouse Report – Alan Steinbrugge

Steinbrugge read from a report that was attached to the minutes.

OSPR Report – Coyne

- The State HSC summit was well attended.
- The timing of the summit prior to the national HSC conference was discussed. The summit is usually held in the fall. If the summit is held closer to the conference it might be possible to coordinate a statewide agenda. **Lundstrom** said that the summit had happened a little too close to the conference to coordinate an agenda.
- There was a great deal of interest in Physical Ocean Real Time Systems on the second day of the summit.
- **OSPR** had just completed a week of staff review, training, and planning.
- Anyone that would like to request a two-year extension on bollard pull testing should get their request in early.

NOAA Report – Wheaton

- VTS had finished reviewing and documenting Automated Identification System (AIS) codes for local berths. That information is now ready to be submitted for addition to the charts.
- NOAA's Safe Seas emergency response drill will be held August 11th and 12th. The scenario will be a collision in one of the Marine Sanctuaries west of the Golden Gate Bridge. Response Team Six will participate if they aren't called away by hurricanes.

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- A tabletop exercise to test response to a levee break is being discussed.

During a brief discussion of the Safe Seas exercise it became clear that no one else in the community was aware of the event. **Lundstrom** asked **Wheaton** to remind NOAA that the HSC, USCG Sector San Francisco, and Bar Pilots should be kept up to date on plans for the event.

COE Report

Chang read from a report that is attached to these minutes.

Anyone with concerns or comments about proposed sand mining at Pinole Shoals or Suisun Channel may **contact Steve Chesser** at 415.977.8679 or **Philip Shannin** at 415.977.8445.

State Lands Commission Report – Leverich

- Ballast water regulations are in effect now. The transition has mostly been smooth. The only issue to be worked out is for those tankers sailing between Southern California and the Bay Area. They have a lot of ballast water and a limited amount of time to deal with it.
- The Prevention First Symposium will be held September 13th and 14th.
- Thirty-four million barrels were moved in the previous month, of which, fourteen million barrels were crude oil.

Wheaton said that he would be able to get the ballast water regulations into the *Coast Pilot* if **Leverich** could send him a copy.

Water Transit Authority, Technical Advisory Committee Report – Cardoza

There was no report

OSPR Volunteer Service Agreement – Coyne

Coyne asked for the matter to be taken up at the May meeting. **Lundstrom** said that it would be on the May agenda.

Tug Escort Work Group – Lundstrom

- **Lundstrom** reviewed the draft of amended tank vessel escort regulations. The main goal had been to amend bollard pull regulations to make them uniform statewide. Industry backs those amendments and OSPR has asked the committee for a formal endorsement.
- There was an amendment unrelated to bollard pulls on page two, at 851.6 (a) (2) that had not been discussed with the HSC or at the summit. The amendment would require vessels not needing an escort to report to the Clearing House. The requirement to report non-escort conditions had previously been dropped at the recommendation of the HSC. The HSC was not aware of any interest in, or discussion of, changing the current regulation.

Brown said that on page three, at (b) (2), the word *would* should be replaced by *could*. **Leverich** said that in that same section the word *braking* had been amended to *breaking* and wondered if that was intentional. **Capt. Uberti** said that on page four, at 3, that there should be no final *s* to the Officer in Charge of Marine Inspection.

Lundstrom asked if there was a comment period on the proposed amendments. A woman in the public seating said that the comment period started when the proposal went to the Office of Administrative Law.

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Lundstrom asked for discussion of a motion to approve the draft with attached comments. **Capt. Bayer** suggested that no action be taken by the HSC until OSPR addressed their comments. **Capt. Pinder** agreed. **Lundstrom** said that it was the consensus of the HSC that they would like to see the changes before voting. There was no dissent. **Lundstrom** asked OSPR to go through the Tug Escort Work Group to resolve the issues of reporting and spelling before asking for another vote.

Navigation Work Group – Capt. Pinder

There was nothing to report.

Ferry Operations Work Group – Davey

- **Scott Humphrey**, VTS; gave a presentation at the last meeting that reviewed the route modeling work done by George Washington University. The agreed routes will create greater predictability for the captains and VTS and allow greater focus to be given to those instances requiring deviation.
- Communications protocols will be the topic of discussion at the next meeting.
- Work on the BART tube where it runs under the Ferry Building will affect the maneuver zone, as would a change of service provider on the Alcatraz ferry route.
- The committee needs to work to identify risks that the data model doesn't.

There were questions and comments:

- The Oyster Point ferry route is about two years off.
- Humphries has overlaid the proposed routes on the nautical charts.

Kelley said that the demonstration showed a substantial reduction in the number of encounters over the current situation.

Lundstrom thanked the group for their effort and progress. She reminded everyone that the meetings are open to all concerned.

Prevention Though People Work Group – Brown

- The new warning sticker for kayakers was displayed.
- The issue of dropping containers onto barges and tugs is still on the group's agenda. Input is being gathered from the Los Angeles/Long Beach HSC. The number of incidents has gone down just since discussion of the issue began.
- **Brown** attended the second meeting of the Bay Area Water Trails Steering Committee. Not all of the launch sites will be on the trail because of the lack of money for signage. There has been no discussion of safety education so far, but that should be on the agenda for the July meeting.
- State Lands proposal to eliminate copper-based paint is of great concern to the recreational boating committee. A copy of the proposal was attached to the minutes.
- April 30th would be Opening Day on the Bay. The event is much safer and more sober than it was ten or twenty years ago.
- The group wants to create a small laminated card of condensed rules and regulations to further educate the paddle sport community.

There were questions and comments:

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Capt. Peers said that the Pacific Maritime Association (PMA) had met to discuss the issue of container and barge accidents and had come up with a draft document. **Brown** said that she had not heard from them yet. **Massey** said that he attended the PMA meeting and it was intended to present the draft at the next meeting of the work group.

Wheaton recommended that the kayak sticker be taken to the national HSC conference.

Capt. Pinder said that he was very concerned that no one had discussed safety or safety education at the meetings of the Water Trails Steering Committee that he had attended. He expressed the hope that there would be a strong turnout from the HSC at the next meeting. **Brown** said that no one seemed to be aware of security zones or Rule 9.

Lundstrom said that in the past, the USCG had been very cooperative about photo-ops and press releases created with the HSC to increase safety awareness. **Capt. Uberti** said that the public affairs office could help out.

Plan Work Group – Scourtis

- Drafts of proposed changes have gone out to the chairs, and should be reviewed by the May meeting.

PORTS Work Group – Capt. Bayer

- The contract between OSPR and the Marine Exchange was executed on April 5th.
- The PORTS discussion at the state summit illuminated the different ways people use the information. David Hull, chair of the Humboldt HSC; will chair a work group to identify permanent funding for a statewide PORTS.
- The local workgroup met in Hercules on April 12th to plan restarting the system. The simplest task will be getting new modems to the existing sensors.
- In the future the work group will study new sensor locations and the Marine Exchange will work with NOAA to identify actual costs.

Lundstrom said that the goal should be to have PORTS funded as a line item in the state budget since it benefits the wider community. She submitted a draft proposal to that effect at the PORTS workshop on day two of the HSC summit meeting. OSPR would continue to administer the system. The plan is to make the system user friendly, evaluate needs, and build community support over the next year or two before attempting to get it into the budget for fiscal year '07 or '08.

PORTS Report – Steinbrugge

- The first sensors to get started up will be the wind and tide stations since they are easiest. Then the Amorco sensor followed by the two current meters.

There was one question:

- The problem with the current meters is that they are old and on the bottom at the end of three thousand feet of cable. NOAA will not certify Oakland current data until the sensor has been calibrated.

Lundstrom expressed the hope that the current meters would be up and running in time for the spring run off.

Public Comment

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Capt. Bonebakker said that a recent sounding survey in Pinole Shoals had discovered the loss of a foot of draft in the channel. This is a positive development after ten to fifteen years of shoaling discovery the hard way by ships inadvertently running aground.

Old Business

There was none.

New Business

Capt. Beattie resigned his seat on the HSC since he had retired from operating a ferry on April 1st after twenty-nine years, four months of service. **Capt. Beattie** read from a statement which is not part of the minutes at this time:

- His greatest goal on the HSC had been to increase licensed manning on the high-speed ferries. There had been much discussion but no movement on the issue.
- In 1976 the USCG Captain of the Port declared that high performance vessels required two licensed officers while in service. In 1986 the gas turbine engines were replaced by diesel and the speed of the boats was reduced to 21 knots. At that time the Captain of the Port determined that only one licensed officer was required.
- When the catamarans came into service the USCG determined that they were not high-performance vessels despite their speed of thirty-six knots. **Capt. Beattie** observed that in the interim, the Passenger Vessel Association had formed and had begun to hire former Coast Guard brass.
- **Capt. Beattie** recalled the recent near miss when a Vallejo ferry crossed the bow of a Golden Gate ferry in dense fog near the Ferry Building. He expressed the hope that the New York ferry accident would never be forgotten and the hope that someone would take up the manning issue on the HSC.

Lundstrom thanked **Capt. Beattie** for his service, his expertise, and his concerns. She reminded him that he is still invited to the meetings and reminded those present that more ferries are on the way.

Capt. Korwatch invited everyone present to the annual Marine Exchange Mayday Party. The event will begin at 1700 on May 11th at Fort Mason. Refreshments provided.

Next Meeting

Lundstrom said that the next meeting would convene at 1000, May 11th, at the Pier 1 Conference Center, Port of San Francisco

Adjournment

A motion to adjourn was made and seconded. There was no discussion. The motion passed unanimously. The meeting adjourned at 1208.

Respectfully submitted,



Captain Lynn Korwatch
Executive Secretary

USCG SECTOR SAN FRANCISCO

PREVENTION / RESPONSE - SAN FRANCISCO HARBOR SAFETY STATISTICS

March-06

PORT SAFETY CATEGORIES

TOTAL

1. Total Number of Port State Control Detentions for period:	0
SOLAS (0), MARPOL (0), ISM (0), ISPS (0)	
2. Total Number of COTP Orders for the period:	18
Navigation Safety (8), Port Safety & Security (10), ANOA (0)	
3. Marine Casualties (reportable CG 2692) within SF Bay: Allison/Collision (3), Fire (0),	9
Grounding (1), Sinking (0), Steering (1), Propulsion (3), Personnel (1), Other (0)	
4. Total Number of (routine) Navigation Safety related issues / Letters of Deviation	12
Radar (3), Steering (0), Gyro (3), Echo sounder (1), AIS (3), AIS-835 (2)	
5. Reported or Verified "Rule 9" or other Navigational Rule Violations within SF Bay	0
6. Significant Waterway events or Navigation related cases for the period:	0
7. Maritime Safety Information Bulletins (MSIBs): None	0
Total Port Safety (PS) Cases opened for the period:	39

MARINE POLLUTION RESPONSE

TOTAL

Total Oil/Hazmat Pollution Incidents within San Francisco Bay for Period	20
* Source Identification (Discharges and potential Discharges):	
TOTAL VESSELS	9
Commercial Vessels	2
Public Vessels (Military)	2
Commercial Fishing Vessels	2
Recreational Vessels	3
TOTAL FACILITIES	5
Regulated Waterfront Facilities	0
Other Land Sources	5
UNKNOWN/UNCONFIRMED	6
*Spill Information	
Pollution Cases Requiring Clean-up	4
Federally Funded Cases	0
Oil Discharge and Hazardous Materials Release Volumes by Spill Size Category:	
1. Spills < 10 gallons	6
2. Spills 10 - 100 gallons	3
3. Spills 100 - 1000 gallons	1
4. Spills > 1000 gallons	0
5. Spills - Unknown	10
Total Oil Discharge and/or Hazardous Material release volumes:	
1. Estimated spill amount from Commercial Vessels:	51 gal
2. Estimated spill amount from Public Vessels:	11 gal
3. Estimated spill amount from Commercial Fishing Vessels:	2 gal
4. Estimated spill amount from Recreational Vessels:	1 gal
5. Estimated spill amount from Regulated Waterfront Facilities:	0 gal
6. Estimated spill amount from Other Land Sources:	111 gal
7. Estimated spill amount from unknown sources:	13 gal

Penalty Action:	
Civil Penalty Cases for Period	0
Notice of Violations (TKs)	2
Letters of Warning	4
** SIGNIFICANT PORT SAFETY & SECURITY (PSS) CASES **	
* A. MARINE CASUALTIES - PROPULSION / STEERING	
Marine Casualty - Loss of Propulsion, M/V SANTA FIORENZA; Liberia (22 Mar): Vessel lost propulsion in Oakland Estuary while enroute to Oakland Berth 59 apparently due to problem with air start system. Two tugs assisted in mooring, and propulsion was soon restored. COTP Order was issued requiring classification society survey attesting to proper operation of air start system. Survey received and COTP Order rescinded 22 March. Investigation open.	
Marine Casualty - Loss of Propulsion, F/V BASS-TUB; U.S. (26 Mar): Vessel lost propulsion w/ 29 people aboard under GG Bridge. Vessel towed to Pier 45 by good sam. After vessel moored, CG conducted post-SAR boarding and found no discrepancies. A CG-835 "no sail" order was issued. Loss of propulsion apparently due to fuel system problem. Repairs made satisfactorily; CG-835 rescinded. Investigation open.	
Marine Casualty - Loss of Propulsion, M/V YOU YA; Panama (27 Mar): Vessel lost propulsion apparently due to low engine air pressure while transiting the Northern traffic lane enroute SF Sea Buoy. Vessel made repairs and regained propulsion after 30 minutes. Investigation open.	
Marine Casualty - Loss of Steering, M/V PACIFIC ENDEAVOR; Liberia (29 Mar): Vessel lost steering under Bay Bridge apparently due to mechanical failure. Used alternate steering, anchored in A-7. COTP Order required vessel to remain until class society reported repairs. COTP Order rescinded 29 March. Invest. open.	
* B. MARINE CASUALTIES - VESSEL SAFETY CONDITIONS	
Marine Casualty - Grounding, Tug JOHN Q; U.S. (19 Mar): While pushing M/V CAPE ORLANDO at Alameda Point, tug apparently touched bottom. After incident, M/V was safely moored. Tug was not damaged and no pollution resulted. Investigation open.	
Marine Casualty - Allision, Tug MUDCAT; U.S. (17 Mar): Tug's barge (being pushed) struck Oakland Outer Harbor Lighted Buoy 5. No reported damage to tug or barge. The light and solar cell of the buoy were damaged and have been repaired. Investigation open.	
Marine Casualty - Allision, T/B CASCADES; U.S. (18 Mar): Barge allided with Pinole Shoal Channel Lighted Buoy 10 while under tow by Tug PACIFIC WOLF & Tug LIBERTY outbound. No damage to barge or bouy. Investigation open.	
Marine Casualty - Personnel, Tug POINT VICENTE; U.S. (25 Mar): While towing a barge east of Treasure Island, one of Tug POINT VICENTE's tow lines parted. A nearby tug arrived on-scene to help recover control of barge. During the recovery attempt, the severed line came under tension & a crewmember was struck in the chest and knocked overboard by the towing bridle. The crewmember's PFD absorbed most of the impact & he was recovered from the water immediately. Crewmember was taken to the hospital despite showing no signs of injury. Drug & alcohol testing was required of all crewmembers. Investigation open.	
Marine Casualty - Allision, M/V APL THAILAND; U.S. (28 Mar): While transiting inbound to Oakland, vessel allided with dump scow GULFPORT which was secured to the spudded Derrick Barge NJORD near the Oakland Bar Channel entrance. Some damage to dump scow resulted; but no pollution or injury. Drug & alcohol testing required. Investigation open.	
* C. COAST GUARD - GENERAL SAFETY/SECURITY CASES	
Navigation Safety - COTP Order, T/V CAPTAIN H.A. DOWNING; U.S. (02 Mar): Master relieved helmsman during downbound transit from Avon & notified CG. COTP Order required vessel to stay at anchorage for investigation & safe manning determination. COTP Order rescinded 02 March.	
Navigation Safety - Letter of Deviation (LOD) for Inoperable Radar, T/V CABO HELLAS; Marshall Islands (05 Mar): Vessel lost functionality of 10cm radar while enroute to the pilot station. LOD was issued w/a 2NM visibility restriction. Repairs were made and verified, LOD rescinded 06 March.	
Navigation Safety - LOD for INOP AIS, P/V ZELINSKY; U.S. (07 Mar): VTS reported that vessel's AIS system was jumping position to the Equator. After several attempts to cycle the AIS system, the vessel was directed to secure it. CG-835 was issued. Vessel's AIS system was repaired and LOD was rescinded 07 March.	

<p>Navigation Safety - Loss of Navigation Safety Equip., M/T SEABULK CHALLENGE; British Virgin Islands (08 Mar): Vessel lost all electronic navigational equipment while inbound. COTP Order was issued requiring vessel to have a two-tug escort during daylight hours only to Anchorage 9. Repairs were made at Anchorage 9. COTP Order rescinded on 09 March. Investigation open.</p>	
<p>Security Plan - COTP Order Issued for Security Plan for M/V (08 Mar): Due to vessel's history of absconders amongst its crew, a COTP Order was issued requiring a vessel crew security plan prior to vessel's arrival. Vessel was escorted by armed security guards from Anchorage 9 to Stockton. Prior to vessel's port departure, Customs & Border Protection partnered with us and attended the vessel to ensure all crewmembers were accounted for. Vessel departed 23 March with all crew accounted for. COTP Order rescinded.</p>	
<p>Navigation Safety - LOD for INOP Radar, T/V STENA COMPASS; Bermuda (09 Mar): Vessel issued LOD for INOP 3cm radar, and COTP Order issued for #1 steering gear. Order required 2-tug escort during daylight hours with 2 NM visibility to A-8. Repairs completed and COTP Order rescinded 10 March.</p>	
<p>Navigation Safety - CG-835 for INOP AIS, Tug RACHELE BRUSCO; U.S. (16 Mar): Vessel reported to VTS that AIS signal was not broadcasting while in transiting inbound from sea to SF. VTS directed vessel to keep AIS secured until repairs were completed. CG issued a CG-835 requiring vessel to provide proof of repairs within 10 days. Repairs made, CG-835 rescinded.</p>	
<p>Security Plan - COTP Order Issued to M/V (16 Mar): Routine CG inspection yielded safety & security deficiencies. COTP Order was issued requiring vessel to have an external audit performed by its Recognized Security Organization prior to conducting cargo ops. Following a review of the vessel's ISM and security audit documentation, approval was granted to rescind COTP Order on 21 March.</p>	
<p>Navigation Safety - LOD for INOP AIS, M/V KAPITAN MASLOV; Cyprus (19 Mar): Inbound LOD was issued to vessel for INOP AIS. Technician's report was received stating that repairs could not be conducted while moored at Oakland Berth 58. Outbound LOD was issued requiring repairs to be conducted prior to vessel's next U.S. port of call. Outbound LOD entered into CG database.</p>	
<p>Navigation Safety - LOD for INOP Gyrocompass, M/V YOU YA; Panama (27 Mar): Inbound LOD was issued to vessel for INOP Gyrocompass. Repairs made, LOD rescinded 27 March.</p>	
<p>Security Breach at facilities in Port of Oakland (29 Mar): Oakland Police arrested an intruder seen climbing a facility over-water fence and through concertina wire. Full security sweeps of several terminals following the arrest yielded no other security concerns. CG following up with Facility Security Officers.</p>	
<p>SIGNIFICANT INCIDENT MANAGEMENT DIVISION (IMD) CASES:</p>	
<p>Tug BO BRUSCO; U.S., Richmond Inner Harbor (30 Mar): While conducting over-the-water transfer, Tug BO BRUSCO discharged approx 50 gals of diesel due to cracked fuel tank containing 1700 gals. CG ensured vessel was boomed and responsible party hired contractor for cleanup.</p>	
<p>Dredge SOUTH BAY; U.S., Suisun City (31 Mar): Dredge SOUTH BAY, a 60-ft wooden oyster dredge, partially sunk at berth with 800-1000 gallons of diesel fuel on board. All fuel vents were out of water, no fuel was spilled overboard but bilge slops reached water. Contractor vacuumed bilges, raised vessel. Invest. open.</p>	
<p>SIGNIFICANT PORT SAFETY INFORMATION or EXERCISES</p>	
<p>NONE IN MARCH 2006</p>	

VTS Statistics

Transits include: all inbound, outbound & intrabay transits	# Transits Last month	# Transits this month	Pct chg fm last month	# Transits a year ago	Pct chg fm a year ago
Vessel Category	Feb-06	Mar-06		Mar-05	
PUBLIC (incl ACOE, Research, USCG, Naval etc.)	167	199	19%	214	-7%
TANKER (incl: ITB's)	201	258	28%	217	19%
CARGO (incl container, bulker, & freight vsls)	362	823	127%	481	71%
TUGs with TOWS (incl: ATB's and tank barges)	1423	1889	33%	2226	-15%
FERRIES (incl both commuter and bay cruise ferries)	5006	5871	17%	6031	-3%
MISC (incl: school ships, recreation, fishing, & unknown vsls)	1359	1583	16%	1365	16%
PASSENGER (incl cruise ships, and smaller charter vessels)	13	44	238%	26	69%
TOTAL vsl transits	8531	10667	25%	10560	1%

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
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Sector San Francisco

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16750

APR 7 2006

Dear Marine Event Sponsor:

In an effort to improve Coast Guard Sector San Francisco's marine event permitting process, we are making a concerted effort to educate sponsors of the regulations that govern their events. A marine event can be defined as any organized water event of limited duration which is conducted according to a prearranged schedule, such as a regatta or marine parade. In January 2001, Title 33 Code of Federal Regulations (CFR) Section 100.15 was significantly revised to require sponsors of new marine events to submit their permit application 135 days in advance. Sponsors of annually recurring events may submit their applications no less than 60 days in advance if they meet all of the following requirements:

- the sponsor submitted an application for the event in the year immediately preceding the current year;
- the nature, location, and general information contained in the previous application are essentially the same (sponsors must still submit a new application every year);
- the Coast Guard received no objection to the previous application;
- the Coast Guard did not promulgate special local regulations for the previous event; and
- the Coast Guard approved the previous event.

We understand that some event sponsors may have to plan their events earlier than in the past. Although this change may impose an additional planning burden, it is necessary to meet federal requirements allowing agencies that must be consulted a reasonable amount of time to respond.

Each marine event application will be evaluated for safety and environmental impact concerns. Submission of an application does not automatically result in approval of the event or the issuance of a permit. Sponsors will be notified via letter or phone call upon completion of the evaluation process. We appreciate your cooperation in these efforts. If you have any questions or concerns please contact our Marine Events Coordinator, MST1 Brian Clark at 415-399-3440.

Sincerely,

A handwritten signature in black ink that reads "W. J. Uberti".

W. J. UBERTI
Captain, U.S. Coast Guard
Commander, Sector San Francisco

Enclosure: (1) Marine Event Permit Application



APPLICATION FOR MARINE EVENT PERMIT

SUBMIT APPLICATION **NO LATER THAN 135 DAYS PRIOR** TO THE EVENT
IN ACCORDANCE WITH 33 CFR 100.15 FAILURE TO MEET THE SUBMISSION
REQUIREMENTS MAY RESULT IN DENIAL OF PERMIT.

IN ORDER TO PROCESS/APPROVE YOUR APPLICATION, ALL FIELDS ARE TO BE
COMPLETED. **IT IS MANDATORY THAT YOU INCLUDE A CHARTLET** OF THE AREA
WHERE THE EVENT WILL TAKE PLACE. MARK ANY/ALL TURN POINTS ON CHARTLET.

1. Sponsoring organization & address:	
2. Name & address of event point of contact: (Address permit should be mailed to)	
Daytime phone number: _____ Home phone number: _____	
3. Date Submitted:	4. Date (s) and time of event: If this is an annual event, please provide a copy of the previously issued permit.
5. Name of event:	6. Event representative during event. Name: Location: Cell Phone: VHF Radio Channel:
7. Number of participants. Are there any child participants? If so, how many? Number, type, and size of participant craft:	8. " ON THE WATER " point of contact during event. (If different from person listed in block 6) Name: Vessel Name: Cell Phone: VHF Radio Channel:
9. Expected number of spectators. Number of craft on water: _____ Will they be stationary or moving with event? Number of spectators on shore:	
10a. Narrative description and geographic location of event:	

Marine Event Permit (Continued)

10b. Contingency plan in event of deteriorating weather conditions:
11. What extra or unusual hazard will be introduced into the event area by participants or spectators?
12. Name and description of vessels provided by sponsor for safety purposes (including controlling spectator craft): Is the patrol adequate for safety purposes?
13. Is a Coast Guard patrol requested for control of spectator craft and transiting traffic? If yes, how many vessels requested_____.
14. If in the event that USCG assistance is not available, will this factor affect the safety of your marine event? If yes, explain below:
15. Does the marine event consist of a fireworks event, powerboat race, or other event which could harm the environment?
16. What other local municipalities have you contacted for further event requirements? (i.e. local sheriff's dept) What other permits have been required?
17. Will this event take place in or cross the vessel traffic lanes or ferry lanes? Will it interfere with or impede the natural flow of marine traffic?
18. I have authority to sign for the sponsoring organization: Signature: Name/Title: _____ Daytime Phone: _____

If the applicant answered (YES) to question # 15 an environmental checklist will be mailed, e-mailed, or faxed to the applicant. The environmental checklist must be mailed back to this office for review. Upon receipt of the environmental checklist the marine event will be given an **Environmental Categorical Exclusion (CATEX)**, or require an **Environmental Assessment (EA)**. If an Environmental Assessment is conducted for the marine event, it will generate an **Environmental Impact Statement (EIS)** for the marine event. The National Environmental Policy Act will be further explained if a checklist is required. **For any questions concerning marine events please call either MST1 Brian Clark at 415-399-3440 or LTJG Jennifer Green at 415-556-2950 ext. 136.**

San Francisco Bay Clearinghouse Report For March 2006

San Francisco Bay Region Totals

			<u>2005</u>
Tanker arrivals to San Francisco Bay	66		62
Tank ship movements & escorted barge movements	284		325
Tank ship movements	128	45.07%	181
Escorted tank ship movements	104	36.62%	80
Unescorted tank ship movements	24	8.45%	101
Tank barge movements	156	54.93%	144
Escorted tank barge movements	84	29.58%	73
Unescorted tank barge movements	72	25.35%	71
Percentages above are percent of total tank ship movements & escorted barge movements for each item.			
Escorts reported to OSPR	3		1

<u>Movements by Zone</u>	<u>Zone 1</u>	<u>%</u>	<u>Zone 2</u>	<u>%</u>	<u>Zone 4</u>	<u>%</u>	<u>Zone 6</u>	<u>%</u>	<u>Total</u>	<u>%</u>
Total movements	216		346		0		214		776	
Unescorted movements	102	47.22%	174	50.29%	0	0.00%	99	46.26%	375	48.32%
Tank ships	69	31.94%	121	34.97%	0	0.00%	50	23.36%	240	30.93%
Tank barges	33	15.28%	53	15.32%	0	0.00%	49	22.90%	135	17.40%
Escorted movements	114	52.78%	172	49.71%	0	0.00%	115	53.74%	401	51.68%
Tank ships	64	29.63%	97	28.03%	0	0.00%	59	27.57%	220	28.35%
Tank barges	50	23.15%	75	21.68%	0	0.00%	56	26.17%	181	23.32%

Notes:

1. Information is only noted for zones where escorts are required.
2. All percentages are percent of total movements for the zone.
3. Every movement is counted in each zone transited during the movement.
4. Total movements is the total of all unescorted movements and all escorted movements.

San Francisco Bay Clearinghouse Report For 2006

San Francisco Bay Region Totals

			<u>2005</u>
Tanker arrivals to San Francisco Bay	197		718
Tank ship movements & escorted barge movements	973		3,650
Tank ship movements	549	56.42%	2,149
Escorted tank ship movements	315	32.37%	997
Unescorted tank ship movements	234	24.05%	1,152
Tank barge movements	424	43.58%	1,501
Escorted tank barge movements	224	23.02%	760
Unescorted tank barge movements	200	20.55%	741
Percentages above are percent of total tank ship movements & escorted barge movements for each item.			
Escorts reported to OSPR	4		16

Movements by Zone	Zone 1	%	Zone 2	%	Zone 4	%	Zone 6	%	Total	%
Total movements	623		978		0		577		2,178	
Unescorted movements	297	47.67%	481	49.18%	0	0.00%	273	47.31%	1,051	48.26%
Tank ships	205	32.91%	325	33.23%	0	0.00%	147	25.48%	677	31.08%
Tank barges	92	14.77%	156	15.95%	0	0.00%	126	21.84%	374	17.17%
Escorted movements	326	52.33%	497	50.82%	0	0.00%	304	52.69%	1,127	51.74%
Tank ships	187	30.02%	298	30.47%	0	0.00%	163	28.25%	648	29.75%
Tank barges	139	22.31%	199	20.35%	0	0.00%	141	24.44%	479	21.99%

Notes:

1. Information is only noted for zones where escorts are required.
2. All percentages are percent of total movements for the zone.
3. Every movement is counted in each zone transited during the movement.
4. Total movements is the total of all unescorted movements and all escorted movements.

**Harbor Safety Committee
Of the San Francisco Bay Region**

**Report of the
U.S. Army Corps of Engineers, San Francisco District**

April 13, 2006

1. CORPS 2006 O&M DREDGING PROGRAM

The FY 2006 budget has been signed. We are planning for our FY 2006 projects.

The following is this years O & M dredging program for San Francisco Bay.

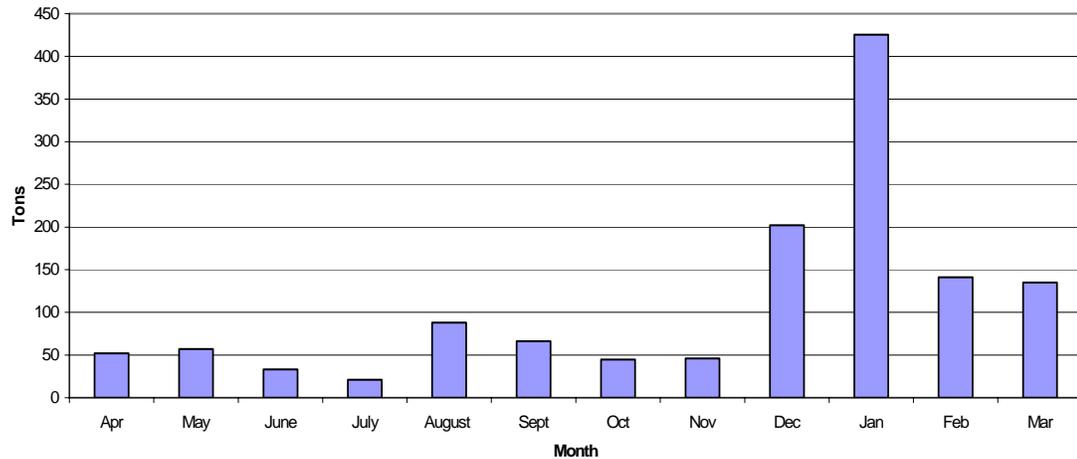
- a. **Main Ship Channel** – Scheduled to be dredged with the government dredge “Essayons” and will be disposed at SF-08 and off Ocean Beach. Dredging is scheduled to start mid May.
- b. **Richmond Outer Harbor and Southampton Shoal** – Scheduled to be dredged with the government dredge “Essayons” and will be disposed at the Alcatraz dredged Material Disposal Site (SF-11). Dredging is scheduled to start first part of June.
- c. **Richmond Inner Harbor** – The material is scheduled to go to the Ocean. Hamilton was considered as an alternate disposal site, but it will not be ready with the off loader by the time this project is dredged. Corps is currently soliciting bids. Plan to start dredging in early to mid June.
- d. **Oakland Outer and Inner Harbor** – The Corps plans to issue a new contract for the Oakland maintenance material this year. Material is scheduled to go to the Ocean. Hamilton was considered as an alternate disposal site, but it will not be ready with the off loader by the time this project is dredged. Anticipate starting O & M dredging about August 1, 2006. However, this project is currently under review and any small amount of O & M material may be taken with the deepening material.
- e. **Suisun Bay Channel** – The government dredge “Yaquina” started Pinole Shoal on approximately October 1, 2005 and then continued on to dredge the Suisun Bay Channel and New York Slough. Because the “Yaquina” was not able to finish Pinole Shoal, Suisun Bay Cannel and New York Slough, the Corps was able to get some additional days on the government dredge “Essayons” to complete these projects. Corps plans to combine Pinole Shoal and the Suisun Bay Channel in a single contract this year. We plan to solicit bids in mid-May and award this contract in the June 2006 timeframe. Dredging should start about mid June. Material is likely to be disposed of in bay.

- f. **Pinole Shoal** – The “Yaquina” started dredging Pinole Shoals on October 1, 2005. The “Yaquina” was not able to complete this project and approximately 60,000 cubic yards remained to be dredged. Because the “Yaquina” was not able to complete this project, the Corps was able to get some additional days on the government dredge “Essayons” to complete this project. The “Essayons” started dredging on November 7, 2005. Corps plans to combine Pinole Shoal and the Suisun Bay Channel in a single contract this year. We plan to solicit bids in mid-May and award this contract in the June 2006 timeframe. Dredging should start in June or July. Material is likely to be disposed in bay.
- g. **Redwood City** – Corps performed full testing on this material in FY05 – The Corps was able to reprogram approximately \$1,300,000 in funds in order to start dredging Redwood City in FY05. The contract was awarded to Dutra on September 13 and the notice to proceed was issued on September 23. Dutra started dredging Redwood City on October 31, 2005. The Corps consulted with the National Marine Fishes Service (NMFS) to allow dredging to continue into December. However, NMFS placed a 390,000 cubic yard limit on this project. We completed dredging on December 30, 2005 and barring on December 31, 2005. Hydrographic survey was completed the first part of January 2006.
- h. **San Bruno Shoal** – The San Bruno Shoal is officially part of the Redwood City Project. This area does not normally require dredging. However, this year it has shoaled and is limiting access to the rest of the project. This area was not included in the Redwood City Contract. To alleviate this problem, the Corps was issuing a contract to perform a knockdown in this area. However, the area has continued to shoal and it appeared that a knockdown would not be effective. Therefore, the Corps had the government dredge “Essayon” dredge this material and take it to SF-10 and SF-11.
- i. **Sand Dredging in Federal Channels** – The Corps is closer to allowing the sand miners to remove sand from the Federal Channels that contain a high percentage of sand. Suisun Channel and Pinole Shoals are the most likely to benefit from this. The Corps Regulatory Branch put out a Public Notice (PN) for this permit and it did not receive any comments on the PN. However, because the Harbor Safety Committee is concerned with safety, we want to make sure everyone is aware of this. If you do have any concerns or comments they can be directed to Steve Chesser (Dredging Program Manager) at 415-977-8679 or Philip Shannin at 415-977-8445.

2. DEBRIS REMOVAL

The total tonnage of debris collected on the San Francisco Bay for February 2006 was 141 tons; this is down from the 426 tons collected in January 2006. The total tonnage of debris collected in March was 135 tons; this is down from the 141 tons collected in February.

Debris Removal
2005/2006



3. UNDERWAY OR UPCOMING HARBOR IMPROVEMENTS

a. Oakland 50-ft –

The project goals are to get the Outer Harbor down to 46 feet first, then to get the Inner Harbor down to 46 feet. After the 46 foot depth is achieved, then we will take the project down to the 50-foot depth. By phasing the project in this way the project sponsor will get a greater utilization until the 50-foot depth is achieved. We continue to make progress, but there have been some delays. The Corps has four contracts underway. The first contract is for the containment structure for middle harbor. The work for this contract is complete. The second contract is the dredging contract. It combined the dredging of the Outer Harbor to an interim depth of 46 feet and the Inner Harbor to an interim depth of 46 feet. This contract is complete. We dredged approximately 3,400,000 cubic yards or more under this contract. The third contract is a marine construction contract for the last phase on the Inner Harbor Turning Basin. This contract is scheduled to complete this summer.

The Corps awarded an additional contract. This one is to deepen the entrance channel to 50 feet. This material is scheduled to go to the Montezuma Wetlands Restoration Project. This contract was awarded on October 18, 2005. Dredging under this contract started in January.

The Corps is preparing to award another contract to dredge the remainder of the project in the Inner and Outer Harbors from 46 feet to 50 feet. This contract is expected to take approximately two years to compete. This contract will go out for solicitation pending resolution of two bid protests.

There is approximately 48 million dollars in the budget for this year.

4. EMERGENCY (URGENT & COMPELLING) DREDGING

There has been no emergency dredging in FY 2005 and the Corps is working hard in its dredging program to try to eliminate the need for emergency dredging. However, we did perform a knockdown on a shoal in the Redwood City Channel in FY2005.

The Corps is preparing an Indefinite Delivery Indefinite Quantity (IDIQ) contract to perform knockdowns for shoaling incidents that are too small for dredging, but can limit the depth of the channel. This contract is for all deep draft Federal Channels. This will allow the Corps to reduce the high of some shoaling much more quickly than in the past.

5. OTHER WORK

San Francisco Bay to Stockton

Project continues to move forward

The San Francisco District is looking at a General Re-evaluation Report (GRR) to deepen the John F. Baldwin Ship and Stockton Deep Water Ship Channels. This would be only 1 or 2 feet. Division has given ok to proceed with study. The Corps received approximately \$250,000 for this project in FY 05. For FY06 there is approximately \$200,000 in the budget and another \$67,000 is scheduled to be provided by the sponsor under the cost share. The Corps has finalized the scope for the full General Re-evaluation Report (GRR) and we have completed the Project Management Plan. The Project Management Plan and the Design Agreement were approved by the Port of Stockton's Board on April 5, 2004. Contra Costa County has existing agreement in place with the Port of Stockton that they can utilize for this project. The goal is to complete the GRR by 2007. The San Francisco District has brought in the Corps Engineer Research and Development Center (**ERDC**) to address the issue of no return water from a dredge material disposal site that is being required by the Central Valley Regional Water Quality Control Board. The hydrographic survey has been completed and a salinity model for the non project condition has been completed and we are planning to complete the salinity model for the 40 foot project condition by January 2006. We have flown the orthophotos (corrected photo map) of the project while the vegetation was at a minimum. We were able to reprogram some funds which enabled us to complete this work. We are looking at how to address the areas of low dissolved oxygen and agriculture runoff for portions of this project.

The San Francisco District is working with the Sacramento District to help develop a Long Term Management Strategy (LTMS) the dredging and disposal of dredged material for the Delta. We have met with the agencies that developed the San Francisco Bay LTMS to see the best was to go about this and to learn from their experiences. There is approximately \$225,000 in the budget for the Delta LTMS in the budget this year. The Project Manager for the Delta was in the Sacramento District, but this position has been moved to the San Francisco District. The Port of Stockton and Contra Costa County have been incorporated into the LTMS group. The Division will have a Project Manager to coordinate all of the Corps issue in the Delta.

Sacramento River Deep Water Ship Channel Deepening

Status – Project has continued to move forward at a slow pace. The Sponsor was able to come up with approximately \$50,000 to continue this project.

The San Francisco District has taken over the Sacramento River Deep Water Ship Channel Deepening Project from the Sacramento District. This project is looking to continue the authorized deepening project of the channel from 30 feet to 35 feet. The Corps has received approximately \$350,000 for this year. The Corps developed a Project Management Plan (PMP) and the Port concurred to initiate the study in July 2002. We are doing a Limited Re-evaluation Report (LRR) that focuses on economics and updating the environmental documentation. The studies should take approximately 24 months. We are continuing to work on this project. We have awarded the contract for the salinity model and have received the draft report. The initial estimate is we will need capacity to dispose of approximately 6.5 million cubic yards of material. In reviewing the project we have had to reestablish the channel location and the review shows that some portions of the channel were never built to the required specifications. The San Francisco District has brought in the Corps Engineer Research and Development Center (ERDC) to address the issue of no return water from a dredge material disposal site that is being required by the Central Valley Regional Water Quality Control Board. We have developed a sampling and analysis plan (SAP) for sediment testing and it has been submitted to the Central Valley Regional Water Quality Control Board for review and approval. We have flown the orthophotos (corrected photo map) of the project while the vegetation was at a minimum. The data is being processed. The maps are due in May. The hydrographic survey has been completed. This project is not in this year's budget. However, the Port of Sacramento and the Port of Oakland want to make progress in FY 07

Hydrographic Survey Update

Address of Corps' web site for completed hydrographic surveys

<http://www.spn.usace.army.mil/hydrosurvey/>

Main Ship Channel – complete November 15, 2005. Plan to post new survey in approximately 3 weeks.

Pinole Shoals – complete 23, 28 February & 15-17, 20 March 2006

Suisun Bay Channel and New York Slough – 21 September & 18 October 2005

Suisun Bay Channel Bullshead 8 March 2006

Redwood City – complete – January 4-5, 8 & 12, 2006

San Bruno Shoal – complete – November 21 & 24

Oakland Inner and Outer Harbor – complete November 30 and December 5-9

Mr. Paul Chen of the Hydro Survey has resigned from the Corps. Paul was instrumental in getting the Corps hydro survey web site up and running.

TITLE 14, CALIFORNIA CODE OF REGULATIONS
SUBDIVISION 4. OFFICE OF SPILL PREVENTION AND RESPONSE
CHAPTER 4. VESSEL REQUIREMENTS
SUBCHAPTER 1. TANK VESSEL ESCORT REGULATIONS
FOR THE SAN FRANCISCO BAY REGION
SECTIONS 851.1 through 851.10.1

Amended March 1, 2006

851.1 Effective Date of this Subchapter

No Change.

Note: Authority: Sections 8670.17.2(a), and 8670.23.1(d), Government Code.
Reference: Sections 8670.17.2(b), 8670.23.1 (d), (e)(1) and (h) Government Code.

851.2 Purpose and Scope

No Change.

Note: Authority: Sections 8670.17.2(a) & 8670.23.1(d), Government Code.
Reference: Sections 8670.17.2(b) and 8670.23.1(e)(1), Government Code.

851.3 Definitions

No Change.

Note: Authority: Sections 8670.3, 8670.17.2(a) and 8670.23.1(d), Government Code.
Reference: Section 8670.3 and 8670.17.2(a), Government Code.

851.4 Applicability

No Change.

Note: Authority: Sections 8670.17.2(a) and 8670.23.1(d), Government Code.
Reference: Section 8670.23.1(e)(1), Government Code, and 33 USC 2002(b) and 2007, and 33 CFR 157.03(kk).

851.5 Escort Zone Requirements

No Change.

Note: Authority: Sections 8670.17.2(a) and 8670.23.1(d), Government Code.
Reference: Section 8670.17.2(a), Government Code

851.5.1 Escort Plans
No Change.

Note: Authority: Sections 8670.17.2(a) & 8670.23.1(d), Government Code.
Reference: Sections 8670.17.2(b) and 8670.23.1(e)(1), Government Code

851.6 Clearing House Responsibilities.
No Change.

Note: Authority: Sections 8670.17.1, 8670.17.2(a) and 8670.23.1(d), Government Code.
Reference: Section 8670.17.1 and 8670.23.1(e)(1), Government Code

851.7 Communication and Reporting Requirements Before, During and After an Escorted Transit

(a) No more than one hour prior to entering or transiting the marine waters of the San Francisco, San Pablo or Suisun Bays, the pilot or, if there is no pilot onboard, the master of a tank vessel shall report the vessel's name and position to the Clearing House, and shall report the status of the vessel as follows:

- (1) tank vessels carrying 5,000 or more long tons of oil as cargo shall report as "*Escort Required*"; or
- (2) tank vessels carrying less than 5,000 long tons of oil as cargo and requiring no escort shall report as "*No Escort Required*" ~~need not be reported.~~

Subsection (b): No Change.

Note: Authority: Sections 8670.17.2(a) & 8670.23.1(d), Government Code.
Reference: Section 8670.23.1(e)(1), Government Code.

851.8 Requirements for Escort Tugs; Braking Force Measurement, Crew and Training Standards, Equipment and Stationing Criteria.

Subsection (a): No Change.

- (b) Braking force measurement:
- (1) any escort tug used to comply with the requirements of this subchapter must have its braking force verified and registered with the Clearing House, as follows;
 - (A) for tractor tugs escorting in an ahead position the braking force is measured as the ahead bollard pull;
 - (B) for tractor tugs escorting in an astern position the braking force is measured as the astern bollard pull;
 - (C) for conventional tugs the braking force is measured as the astern bollard pull.
 - (2) The breaking force shall be re-measured after any modifications and/or repairs to the main engines, hull, shaft-drive line, or steering, that would affect the bollard pull. the braking force of each escort tug must be re-measured at least once every 3 years from the date of the initial measurement, or sooner if the operating capability or braking force of the tug has been degraded by 10% or more. The new measurements must be verified and registered with the Clearing House.
 - (3) The Clearing House shall publish procedures and standards to be followed when conducting braking force measurement. These procedures, entitled ASan Francisco Bay Region Clearing House, Rules for Bollard Pull Tests@, dated May 19, 2000, are incorporated by reference. These procedures and standards shall be made available upon request to the Clearing House.
 - (4) Any escort tug used to comply with the requirements of this subchapter shall also meet one of the following:
 - (A) the escort tug shall have its breaking force re-measured within 3 years of its last bollard pull test, or;
 - (B) the escort tug shall submit to an Escort Tug Inspection Program, as follows:
 1. Escort tugs over 150 gross tons and classed escort tugs shall be made available for inspection by the Administrator twice in five years during their dry dock examination. The period between inspections shall not exceed three years.
 2. Escort tug maintenance records shall be made available for inspection by the Administrator.

3. If dry dock examination extensions are necessary, escort tugs shall comply with the direction of the cognizant Officer in Charge of Marine Inspections, or American Bureau of Shipping principal surveyors' direction.

4. A copy of the Class Surveyor's report confirming that the condition of the drive train (shafts, propellers, nozzles or other type drive) and main engines are in the same state as when the builder's or last bollard pull certificate was issued, shall be forwarded to the Administrator.

5. Escort tug companies shall participate and have a certificate of compliance from one of the following Management Systems:

i. American Waterways Operators Responsible Carrier Program;

ii. International Safety Management;

iii. ISO 9000 (quality management).

6. Escort tugs of less than 150 gross tons shall be made available for inspection by the Administrator once in five years during their dry dock examination. These escort tugs shall use a certified Marine Surveyor and shall comply with subsections 2, 3, and 4, above.

Note: Authority: Sections 8670.17.2(a) & 8670.23.1(d), Government Code.
Reference: Section 8670.23.1(e)(1), Government Code, and 46 CFR Sections 173.090, 173.095 and 174.145.

851.9 Tanker and Tug Matching Criteria, and Tanker Crew and Equipment Requirements

No Change.

Note: Authority: Sections 8670.17.2(a) & 8670.23.1(d), Government Code.
Reference: Section 8670.23.1(e)(1), Government Code

851.9.1 Barge and Tug Matching Criteria, and Barge Crew and Equipment Requirements

No Change.

Note: Authority: Sections 8670.17.2(a) & 8670.23.1(d), Government Code.
Reference: Section 8670.23.1(e)(1), Government Code

851.10 Penalties
No Change.

Note: Authority: Sections 8670.17.2(a) & 8670.23.1(d), Government Code.
Reference: Sections 8670.23.1(e)(1) & Article 9, Sections 8670.57 through 8670.69.6, Government Code.

851.10.1 Requests for Redetermination
No Change.

Note: Authority: Sections 8670.17.2(a) and 8670.23.1(d), Government Code.
Reference: Sections 8670.23.1(e)(1) and Article 9, Sections 8670.57 through 8670.69.6, Government Code.

**CALIFORNIA STATE
LANDS COMMISSION**

CRUZ M. BUSTAMANTE, *Lieutenant Governor*
STEVE WESTLY, *Controller*
MICHAEL C. GENEST, *Director of Finance*



EXECUTIVE OFFICE
100 Howe Avenue, Suite 100-South
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STAFF PROPOSED**RESOLUTION BY THE CALIFORNIA STATE LANDS COMMISSION REGARDING
ALTERNATIVES TO COPPER-BASED ANTI-FOULING PAINTS**

WHEREAS, to prevent reduced maneuverability, increased drag and corrosion, and decreased fuel efficiency, copper-based paints are commonly used to prevent marine organisms from becoming attached to the hulls of commercial and recreational vessels; and

WHEREAS, as of December 2005, there were 965,892 registered recreational vessels in California, of which 8,000 alone are moored in San Diego Bay; and

WHEREAS, San Diego Bay has been declared an “impaired water body” by the San Diego Regional Water Quality Control Board because of the concentration of copper in the water column that has resulted from the passive leaching of copper from biocide/anti-fouling paints coating vessel hulls, estimated at 2 ½ tons annually in the Shelter Island Yacht Basin alone; and

WHEREAS, the concentration of copper in the waters of San Diego Bay is four times greater than the concentration at which other marine organisms - muscles, oysters, sea urchins and scallops – suffer mortality and such concentration is nearly ten times greater in Newport Bay; and

WHEREAS, similar high concentrations of copper in the water column have been found in other coastal recreational boat harbors – Marina del Rey, Oceanside, Dana Point, Santa Barbara, and Morro Bay; and

WHEREAS, concern exists that the suspended copper will ultimately be incorporated into the sediments, which could necessitate a toxic cleanup of monumental proportions and cost; and

WHEREAS, the U.S. Environmental Protection Agency and the State Water Resources Control Board funded the UC Sea Grant Extension Program during 2002-03 to study non-toxic hull paints; and

WHEREAS, studies funded by the Sea Grant program suggest that non-toxic paints reduce some costs because they did not require reapplication as frequently as copper-based paints but that maintenance costs were increased because the non-toxic paints did not repel hull-fouling organisms and more frequent hull scraping was required, but further study has been limited by expiration of funding; and

WHEREAS, the State Water Resources Control Board, on September 22, 2005, adopted the San Diego Water Board's proposed Total Maximum Daily Load (TMDL) of copper that would be allowed to enter the waters of the Shelter Island Yacht Basin in San Diego Bay and further resolved to work with the San Diego Water Board and all other coastal Regional Water Boards to "develop a state policy for water quality control to address water quality impairments in coastal marinas from copper-based antifouling paints" if the USEPA and the State Departments of Pesticide Regulation, in conjunction, do not address this issue within two years of the above described action; and

WHEREAS, the development of effective, cost-efficient alternative hull paints will be facilitated through the adoption of a statewide TMDL for copper; and

WHEREAS, the environmental and boating communities of San Diego Bay are working cooperatively to address the influx of copper from passive leaching from biocide/anti-fouling hull paints into the waters of San Diego Bay, and

WHEREAS, hull-fouling organisms may be an important source of the transmission of non-indigenous invasive species into and within California waters and alternative coatings could have adverse impacts on water quality, therefore, be it

RESOLVED, by the California State Lands Commission that it recognizes and commends the ongoing efforts of the environmental, boating, regulatory and academic communities to evaluate and transition from copper-based paints to paints that are not toxic to the environment for coating vessel hulls; and be it further

RESOLVED, that the Commission urges the U.S. Environmental Protection Agency, State Water Resources Control Board, and the California Department of Pesticide Regulation to accelerate their efforts to regulate copper-based paints, which could include, but not be limited to, a phased elimination of the use of such paints in California; and be it further

RESOLVED, that the Commission urges the California Department of Boating and Waterways to develop an outreach program to yacht brokers, other retail recreational vessel retailers, and marine supply outlets to educate them about the impacts of copper-based paints and the availability of non-toxic alternatives and encourage them to make such non-toxic paints available to the boating public; and be it further

RESOLVED, that the Commission urges the State Department of Motor Vehicles, in conjunction with the UC Sea Grant Extension Program, to develop a brochure that would educate the boating public about the impacts of copper-based paints and the availability of non-toxic alternatives and include such brochure in its mailings of recreational vessel registration materials; and be it further

RESOLVED, that the Commission urges that additional funding be provided to continue research into alternative methods to copper-based paints for the prevention of hull-fouling while considering associated impacts from invasive species introductions and to water quality; and be it further

RESOLVED, that the Commission's Executive Officer, transmit copies of this resolution to the U.S. Environmental Protection Agency, the California Ocean Protection Council, the State Water Resources Control Board, the Department of Pesticide Regulation, the Department of Boating and Waterways State Department of Motor Vehicles, and the UC Sea Grant Extension Program.