

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 SF BAY REGION

Thursday; May 6, 2004

Port of San Francisco, Pier One, San Francisco, CA

Grant Stewart, American Ship Management, Chair, called the public meeting to order at 10:05 and welcomed those in attendance. The following committee members or alternates were in attendance: **Len Cardoza**, Port of Oakland; **Margot Brown**, National Boating Federation; **Capt. Douglas Lathrop**, Chevron Texaco; **Scott Merritt**, Foss Maritime Company; **Gary Fleeger**, Matson Navigation; **Michael Beatie**, Golden Gate Bridge, Highway & Transportation District – Ferry Division; **Margaret Reasoner**, Crowley Maritime Services; **Capt. Larry Teague**, San Francisco Bar Pilots; **Joan Lundstrom**, Bay Conservation and Development Commission and **Marina Secchitano**, Inlandboatmen’s Union. Also present were U. S. Coast Guard representatives, **Captain Gerald Swanson** (MSO) and **LCDR Ross Sargent** (VTS); U. S. Army Corps of Engineers’ representative, **David Dwinell**; OSPR representatives **Bud Leland** and **Al Storm**; State Lands Commission representative **Ken Leverich**; **Capt. Lynn Korwatch**, Marine Exchange, and more than fifteen people from the interested public.

The Secretariat confirmed the presence of a quorum.

The Chair announced a request to add an item to the agenda. When the full committee is in attendance, a vote of the majority can approve the addition of an item, however, when not all members are present, as in this case, a unanimous vote is required. The request is to add, under the Tug Escort Work Group, a vote on HSC opposition to AB 2777. **J. Lundstrom** explained that this bill is the Assembly companion to SB 1480, which proposes to require tug escorts on chemical tankers. Since these bills address the same subject, the work group is asking the HSC to vote on AB 2777 as well as the agendaed vote to oppose SB 1480. MOTION by **J. Lundstrom**, seconded by **M. Reasoner**, to “add a vote on opposition to AB 2777 to the agenda.” Motion passed unanimously.

Corrections to minutes of previous meeting: **M. Brown**: Page 3, OSPR Report (1) should indicate that “. . . the May HSC meeting has been moved ahead one week to May 9~~6~~, 2004.” MOTION by **L. Teague**, seconded by **M. Beatie** “to accept the minutes of the April 8, 2004 meeting as corrected.” Motion passed unanimously.

In comments, the Chair noted that, for several HSC committee members, this is their last meeting. He thanked **L. Teague**, **S. Merritt** and **M. Reasoner** for their considerable work and participation on work groups throughout their terms.

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HSC PLAN REVIEW. **G. Stewart** announced that, when new committee members are in place, at the next HSC meeting, the chair will send an e-mail to members asking them to choose work group(s) to participate in. Following that, the plan document will go out, looking to identify glaring errors or things that it is necessary to change for this year's review. Then a work group will be established solely to focus on going through the plan, section by section, and to receive input from members of the HSC and public regarding recommendations that are out-of-date or have been superseded by events, so that the HSC will be ready for next summer's review. **A. Storm** emphasized that he would like to be included in the review because he is responsible for implementation and would like to avoid carrying any loose ends regarding the plan and implementation into next year.

COTP stuck in traffic, so Coast Guard Report will be delayed until his arrival.

CLEARINGHOUSE REPORT, A. Steinbrugge. (1) A written report with statistics for the month of April, 2004, is made a part of these minutes. There was one call to OSPR during the month of April involving a tug-and-barge for a possible escort violation. There was one call from a pilot to report a vessel arriving unprepared for escort. The escort proceeded smoothly because the proper tugs were ordered and on station. This year, to date, there have been eleven calls to OSPR. In 2003, there were three calls to OSPR regarding possible escort violations. There were two calls in 2002; six calls in 2001 and five calls in 2000. **L. Teague** noted the spike in the number of calls and the pattern of tug-and-barge involvement. He asked whether the problem is due to a flaw in communications and if there is a solution. **A. Storm** responded that it is an enforcement issue for OSPR. The vast majority of the reports involve a failure to notify the Clearinghouse. All reports currently go to the Bay Area warden. OSPR will look at routing reports to the civil penalties attorney and perhaps stepping up the fine for repeat offenders. **L. Teague** responded that his point was to try to avoid penalties by correcting the problem and asked if the possible violations are across-the-board or involve the same companies. **A. Storm:** One company has three or four and another two or three. **S. Merritt:** Foss Maritime was involved in two cases. One was a reporting failure and the other sending a tug without a bollard test. The warden followed through with the company and that process is good, but he has no problem with the civil penalty process as well. **Jeff McCarthy**, Marine Exchange, stated that the MX can send a notice to tug-and-barge companies highlighting the problems. The chair added that there has been an increase in tug-and-barge movements along the coast so this may be an education issue. **L. Korwatch** added that all reports to OSPR may not translate into an actual violation.

USCG REPORT, G. Swanson. (1) **G. Swanson** reported Port Operations statistics for the month of March, 2004. That report is made a part of these minutes. (2) The COTP just attended the 11th District Commanding Officers Conference, where the main topic of interest was the only

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oil spill in California this year, which occurred last Tuesday when a pipeline ruptured releasing oil into Suisun Marsh. The response in terms of getting press releases out was too slow, but the actual effort was well handled and the pipeline was repaired and back in operation moving product by Sunday. The cause of the rupture is under investigation. To date, 30,000 gallons of decanted oil have been recovered, along with 21,000 gallons of decanted water, 56,000 gallons of oily liquid and 20 tons of oily debris. The impact on wildlife was less than expected with 25 dead birds, 7 birds in care and 7 dead mammals. The spill was contained in a relatively small area. 97 contractors and response personnel were onsite yesterday. The responsible party, Kinder Morgan, has done all that is expected of them. (3) Last night two fishing vessels collided resulting in a 250 gallon diesel spill, but no loss of life. (4) Vessels are still arriving without proper advance notice and are being held off until they are properly vetted. A \$3,000 civil penalty can be imposed. (5) The Transportation Security Administration has opened a fourth round of grants for security, with \$50 million available. Deadline for submissions is July 9, 2004. (6) **R. Sargent** gave a summary report of VTS monitored transits for April. Transits to/from sea: 30 public vessels, 173 tankers, 778 cargo vessels, 179 tug with tow, 2 ferries and 226 miscellaneous. Intra VTS Transits: 123 public vessels, 89 tankers, 190 cargo vessels, 2454 tug with tow, 7365 ferries and 42 miscellaneous vessels. Total transits facilitated by VTS in April; 11,652; included: 153 public vessels, 262 tankers, 968 cargo vessels, 2633 tug with tow, 7367 ferries and 268 miscellaneous transits. (7) **P. Cook** took a copy of *Sharing the Bay* to a conference she is currently attending at CG Headquarters.

OSPR REPORT, B. Leland. (1) Regarding the Suisun Slough pipeline incident, it was critical that the repair be completed over the week-end. The Energy Commission was concerned about a shortage in fuel flow to Northern California and Nevada, which was avoided. The timing of the spill was extremely fortunate in that the water level in the marsh was so low that the oil wasn't pushed into vegetation. The floating oil was easy to clean-up. There will be a debriefing on lessons learned in Sacramento tomorrow. OSPR is looking at notification issues and the fact that it took Kinder Morgan eighteen hours to locate the leak after a loss of pressure was noted. **G. Swanson:** The CG Spill of National Significance drill was held in Southern California April 19-23. Many participants in the drill were involved the next week in the Suisun Marsh spill. State, federal and local agencies and clean-up contractors came together quickly, worked together well and within twelve hours had a repair and clean-up plan. Again, the only part that didn't go well was getting information to the public quickly and clearly. The work done by everyone involved is much appreciated. (2) OSPR and the Administration are opposing two bills, SB 1480 and Lowenthal's AB 2388, which would put a union member on the LA/LB HSC. SB 1742, OSPR's clean-up bill goes to Appropriations Monday. (3) **A. Storm** reported that nine members will be sworn in at the June HSC meeting, perhaps ten if a second tanker representative can be sworn in at that time. There is competition for the labor representative position and a decision will be made by the Administrator. **M. Secchitano:** Regarding AB 2388, does the LA/LB HSC have

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the same opportunity as SF to assign an at-large position to a union representative? **B. Leland:** Yes, under the provisions of SB 1742, there is no limit to the number of at-large positions an HSC determines are necessary. **G. Stewart:** Should the swearing-ins take place first on the June meeting agenda, so the committee can conduct business? **A. Storm:** Yes.

NOAA REPORT. No report.

COE REPORT, D. Dwinell. The text of the COE Report is made a part of these minutes by attachment. Question: Will Bulls Head Channel be dredged to project depth? **D. Dwinell:** It is being dredged an extra 3', included in the Pinole Shoal Project.

STATE LANDS COMMISSION REPORT, K. Leverich. (1) There were no terminal spills in April. (2) Is there any information available on reports of a recent barge fire? **S. Merritt:** The fire occurred on a Foss boat when a u-joint failed and a drive line let go on deck, igniting surface oil in bilge. The crew closed the hatch and when that didn't extinguish the fire, the Fire Department was called. There was no damage to the barge. Foss will conduct a tap root investigation next Tuesday and a report will go to the customer and the CG. (3) The State Lands Hercules office will move to the new building at 750 Alfred Nobel Drive, Suite 201, next week. Phone and fax numbers will remain the same. (4) The Prevention 1st Symposium 2004 is scheduled for September 14-15.

TUG ESCORT WORK GROUP REPORT, J. Lundstrom. The work group met yesterday to consider the two state bills that propose escorting of chemical tankers. Minutes and recommendations from that meeting are made a part of these minutes by attachment. SB 1480, which gives the Administrator the option of working with HSCs to recommend regulations, was amended in the last week to further broaden the list of chemical tankers affected. AB 2777 would mandate escorts for vessels carrying hazardous cargo. Yesterday's meeting, the fourth on the subject, was well attended with broad based representation from the maritime community, including tanker companies, tug companies, pilots, terminal operators, CG, State Lands, BCDC and OSPR. The work group believes it has exercised due diligence in response to information contained in the two newspaper articles which directly led to the proposed legislation. The Tug Escort Work Group recommends that the HSC oppose SB 1480 with Amendment 1 and AB 2777 because (a) the definition of 'hazardous materials' is too broadly written, affecting almost every ship in the bay and not enhancing safety; (b) the legislation would grant permanent, broad powers to the Administrator of OSPR, of which there have been five in the past five years, with no criteria or analysis upon which to base a decision; and (c) SF Bay has the most stringent and comprehensive tug escort regulations in the country, based upon extensive work in the work group, through the HSC reaffirms its desire to work the state legislators to develop workable legislation on this topic. The work group finds that (a) it is beyond the expertise of this

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committee to define the most hazardous materials, and in what quantity, for the purpose of this legislation; (b) the work group has carefully reviewed the record and determined that, of 23 reported casualties, only four were loss of steering or power, four were for the same ship and seven were escorted tankers because they carried oil; other reported casualties were minor and included in the database because of the broad definition of a reportable marine casualty; of the 145 chemical tankers entering the bay, 89 were escorted because they carried oil and the other carried chemicals which included tallow and a very broad list of materials; the perceived major increase in the number of chemical tankers was due to a change in the *Lloyd's* definition of 'chemical tanker' and (c) the work group noted that prevention of accidents may be effected through a number of things, including ship design, training of crew and pilots and the use of anchors and tug escorts; the majority of chemical tankers calling SF in 2001 were double hull, subject to strict standards and close vetting review. **J. Lundstrom** commended the many participants who contributed to the work group's considerations. Question: Are other HSCs looking at this issue? **A. Storm**: Only SF. **B. Leland**: The group's efforts and product have made OSPR's work with the legislature easier. It is a great piece of work, definitive and concise. Question: How does the Administration oppose legislation? **B. Leland**: OSPR analyses any legislation that addresses the department's mandate. The governor's staff asks for recommendations from OSPR. If the legislation reaches his desk, he would veto it. Question: Does OSPR want the HSC to vote to take a position on these two pieces of legislation? **B. Leland**: Yes. The HSC's position on the record supports OSPR. The fact that the HSC takes a position and represents the entire maritime community emphasizes the focus and broad-based input given to the consideration of the issue. MOTION by **M. Brown**, seconded by **M. Beatie** that "the SF HSC take a position of opposition to SB 1480 and AB 2777." Motion passed unanimously with an 11-0 vote. **A. Storm** requested that the HSC send a letter to **Carl Moore** stating the HSC's position and noting the vote. The Chair believes that there may be subsequent newspaper article(s) regarding the opposition of the HSC, OSPR and the Administration. In the event this occurs, he desires to write a letter to the editor in response, paraphrasing the work of the Tug Escort Work Group. It is important to make the record clear on how the HSC does business, with a broad base cross-section of participants in a non-political environment; the thoroughness of the work on the issue and the background demonstrating the time and attention given to the issue. Discussion. It was the consensus of the HSC membership to support such a response. **A. Storm**: It is important to emphasize to the public that the sub-committee is always looking to improve safety on the bay, but the proposed legislation doesn't enhance safety. Question: Is it possible that there may be amendments to one or both pieces of legislation that could change the HSC's position? **J. Lundstrom**: Yes, but the vote and position taken here speaks to the legislation as written and amended as of this date. Members of Senator Sher's staff were invited to attend meetings of the work group, but didn't. **B. Leland**: OSPR anticipates on-going discussions with Senator Sher's staff. Chair: A letter will be sent to OSPR with the

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HSC's position of opposition, noting the vote count and including a copy of the work group's report dated May 5, 2004.

NAVIGATION WORK GROUP REPORT, L. Teague. (1) There have been problems with Rio Vista Bridge lifts, mostly as a result of poor communications between tenders and pilots. Pilot representatives are working with the bridge staff to address. (2) **E. Dohm: M. Bayer** has been diligent in sending quarterly surveys of the Avon Turning Basin. Currently, the area is getting deeper.

FERRY OPERATORS WORK GROUP, M. Beatie. The first CG Certificate of Operation (COI) inspection of a high speed ferry since the issue of wheelhouse manning was addressed by the work group was held on April 29, 2004 on the *MV Del Norte*. **M. Beatie** was present. The inspector informed him that a follow-up meeting with CG and crew will be held after his inspection report is filed. **M. Beatie** will report back.

PREVENTION THROUGH PEOPLE WORK GROUP, M. Brown. (1) The next work group meeting is scheduled for June 1, 2004 at 13:00 at the new State Lands office, Hercules. (2) The work group is close to completing work on the Rules 5/9 brochure. It will go to the printer before the end of the month, with an initial run of 7,500 and a second printing before the end of the fiscal year (3) The work group will decide how many copies of *Sharing the Bay* should be made available and whether copies should be made in CD or DVD format in order to apportion funds to best serve the Bay Area boating community.

PORTS FUNDING WORK GROUP, S. Merritt. The product of the group will go to the Prevention Through People Work Group to become a pamphlet for use as a sales tool to solicit support from public and private sources.

PORTS REPORT, A. Steinbrugge. The preliminary design was received today for a mounting platform for a side-mounted sensor on the Tesoro dock. The NOAA experiment to put a side-looking sensor on the Benicia Bridge was in preliminary study phase at Scripps Pier when the unit broke free and was lost. NOAA is canceling the project.

PUBLIC COMMENT. None.

OLD BUSINESS. None.

NEW BUSINESS. (1) **G. Swanson** reported that **M. Brown** will be asked to sit on the Area Maritime Security Work Group (2) **G. Swanson** presented **M. Brown** with Certificate of Merit from the CG for her efforts that further the work and function of the CG. (3) **L. Korwatch:** The

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SF MX May Day party will be held tonight on the JEREMIAH O'BRIEN, Pier 45. California Maritime Transportation celebration events in Sacramento will be held on May 12, 2004 and May 13, 2004; with a reception in the Capitol Building on the 12th and a joint session of the Assembly and Senate at 9:00 a.m. on the 13th. On May 21, 2004, The Propeller Club will hold a maritime celebration from 11:30 – 14:30 at the World Trade Club, with a color guard and boat participation. RSVP to Jeff McCarthy, MX, 415-441-3019, for reservations.

The next meeting of the HSC will be held on Thursday, June 10, 2004 at 10:00 in the Port of Oakland.

MOTION by **L. Teague**, seconded by **M. Brown**, to “adjourn the meeting.” Motion was passed without objection. Meeting adjourned at 1130.

Respectfully submitted,



Captain Lynn Korwatch
Executive Secretary

USCG Marine Safety Office San Francisco Bay

Port Operations Statistics

April 2004

Statistics compiled by ENS John Bannon, Port Safety & Security-Waterways Management; (510) 437-3082

<u>PORT SAFETY:</u>	<u>TOTAL</u>
• Total Number of SOLAS Detentions: (M/V Vorios Ipiros Hellas)	01
• Total Number of COTP Orders:	14
• Marine Casualty: Allision/Collision (0) Grounding/Sinking (4) Fire (0)	04
• Marine Casualty (Mechanical): Propulsion (3) Steering (0)	03
• Cargo (M/V Gaz Major -2), M/V Navigator Venus (1)	03
• LOU-ANOA Violation	04
• Letters of Deviation: Radar (4) Steering (0) Gyro (1) Echosounder (1)	06
• Personnel (Crew) Casualty	00
• Crew/Immigration Issues	01
• SIV (Russian)	02
• Waterways Issues: Hazard to Navigation	00
• Safety Zones (2-SF Giants fireworks, KM oil spill), Security Zones (1-MOTCO)	03
• Deadship Tows	00
• Anchorage Waivers	01
• MSIB's	03
• Bridge Failure/Casualty	01
• Facility Issues (safety and security)	01
• General PS Cases (not covered above)	04
Total Port Safety cases open for period:	28
Long Term Projects Opened this month:	01
• M/V VIRIOS IPIROS HELLAS (See details below)	

<u>CONTAINER INSPECTIONS</u>	<u>TOTAL</u>
Total Container Inspections for the month (goal = 168/mo)	02
Total Number of Container Violations	02
Total Number of Violations	02
• Number of Shipments put on hold	02
• Number of Containers taken out of service	00
Number of MASFOs conducted (Multi Agency Strike Force Ops)	00
*Note: Container Department completed CITAT Training April 1-2	
MOTCO Operations involving EHS/break-bulk explosives from April 8-30	
(ops completed May 6 th). 750 K LBS N.E.W loaded which included 2,706 pallets inspected and stowage supervised.	

<u>FACILITIES DEPARTMENT</u>	<u>TOTAL</u>
Total number of daily Harbor Patrols:	138
Total number of critical Infrastructure visited:	111
Total number of 105 Facility Spot-checks:	18

POLLUTION RESPONSE: **MSO**

Total oil pollution incidents within San Francisco Bay for the month:	16
▪ Source Identification; Discharges and Potential Discharges from:	
Deep Draft Vessels	00
Facilities (includes all non-vessel)	05
Military/Public Vessels	00
Commercial Fishing Vessels	00
Other Commercial Vessels	00
Non-Commercial Vessels (e.g. pleasure craft)	00
Unknown Source (as of the end of the month)	11
▪ Spill Information and Volume:	
Unconfirmed	10
No Spill, Potential Needing Action	00
Cases Requiring Clean-up	00
Federally Funded Cleanup Cases (OSLTF/CERCLA)	00
Hazardous Material Releases	00
1. Spills < 10 gallons	04
2. Spills 10 to 100 gallons	01
3. Spills 100 to 1000 gallons	00
4. Spills > 1000 gallons	01
▪ Penalty Action: Civil Penalty Action	00
Marine Violations:	01
Notice of Violation (TK):	00
Letter of Warning:	00
No Penalty Action:	15

Significant MER Cases:

1. 28Apr04 Kinder Morgan pipeline ruptured in Suisun Bay leaking diesel fuel into environmentally sensitive areas. Cause of rupture and amount released at this time is still being determined, case remains open and estimated totals spilled are 126 K gallons of which 62 K gallons of oily liquids have been recovered. MSO MER, Pacific Strike Team, and DFG have assisted.

Significant PSS Cases:

1. Feb-Apr: M/V SEA CRISTOBAL. COTP Order issued to vessel for inbound transit. Vessel incurred severe rudder damage. Vessel required tug escort to anchorage and dry-dock plan for repairs. Vessel has satisfied requirements and COTP Order has been rescinded. Vessel currently remains in dry-dock effecting repairs.
2. 19APR04: M/V VORIOS IPIROS HELLAS: Greek concrete bulk carrier achieved 4 COTP orders during over a two week period. The First COTP Order was for ANOA violation and required \$3K LOU. The second COTP Order was for a Marine Casualty main engine problems and faulty radar. Subsequent Port State Control inspection and documentation of over 50 major SOLAS violations led to a third COTP Order, which required the vessel to stay at anchorage and complete a full SMS audit. The SOLAS Detention took over the COTP Order requiring satisfactory inspection to all SOLAS violations. A fourth COTP Order allowed the vessel to transit to anchorage from Port of Stockton. The Greek vessel was a major threat to the port for environmental damage and port safety. The vessel completed requirements and departed 06May04.
3. 13-16Apr04: UP RAILROAD BRIDGE: Damage to RR Bridge led to the bridge stuck in the down position for 4 days. Deep draft traffic was halted for all up bound and down bound traffic. 7 vessels were affected during the bridge repair period.
4. 8-39Apr04: MOTCO OPERATIONS: OPS included the break bulk outload of over 2,700 pallets of military ammunitions and the EHS supervision of 6 lash barges stowage and segregation. OPS included 2 teams of EHS, 1 supervisor rover and 1 IC. MSST, Group, and Sea Marshals assisted with the enforcement of the Security Zone and escorts. Vessel departed 6May04.

San Francisco Bay Clearinghouse Report For April 2004

San Francisco Bay Region Totals

			2003
Tanker arrivals to San Francisco Bay	59		73
Tank ship movements & escorted barge movements	291		367
Tank ship movements	159	54.64%	238
Escorted tank ship movements	82	28.18%	120
Unescorted tank ship movements	77	26.46%	118
Tank barge movements	132	45.36%	129
Escorted tank barge movements	72	24.74%	62
Unescorted tank barge movements	60	20.62%	67
Percentages above are percent of total tank ship movements & escorted barge movements for each item.			
Escorts reported to OSPR	1		0

Movements by Zone	Zone 1	%	Zone 2	%	Zone 4	%	Zone 6	%	Total	%
Total movements	200		272		0		146		618	
Unescorted movements	91	45.50%	126	46.32%	0	0.00%	63	43.15%	280	45.31%
Tank ships	53	26.50%	77	28.31%	0	0.00%	30	20.55%	160	25.89%
Tank barges	38	19.00%	49	18.01%	0	0.00%	33	22.60%	120	19.42%
Escorted movements	109	54.50%	146	53.68%	0	0.00%	83	56.85%	338	54.69%
Tank ships	59	29.50%	79	29.04%	0	0.00%	38	26.03%	176	28.48%
Tank barges	50	25.00%	67	24.63%	0	0.00%	45	30.82%	162	26.21%

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 2004

San Francisco Bay Region Totals

			<u>2003</u>
Tanker arrivals to San Francisco Bay	264		686
Tank ship movements & escorted barge movements	1,143		3,481
Tank ship movements	623	54.51%	2,077
Escorted tank ship movements	309	27.03%	1,026
Unescorted tank ship movements	314	27.47%	1,051
Tank barge movements	520	45.49%	1,404
Escorted tank barge movements	279	24.41%	757
Unescorted tank barge movements	241	21.08%	647
Percentages above are percent of total tank ship movements & escorted barge movements for each item.			
Escorts reported to OSPR	11		2

<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	749		1,119		0		575		2,443	
Unescorted movements	344	45.93%	567	50.67%	0	0.00%	259	45.04%	1,170	47.89%
Tank ships	207	27.64%	310	27.70%	0	0.00%	126	21.91%	643	26.32%
Tank barges	137	18.29%	257	22.97%	0	0.00%	133	23.13%	527	21.57%
Escorted movements	405	54.07%	552	49.33%	0	0.00%	316	54.96%	1,273	52.11%
Tank ships	209	27.90%	296	26.45%	0	0.00%	140	24.35%	645	26.40%
Tank barges	196	26.17%	256	22.88%	0	0.00%	176	30.61%	628	25.71%

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

May 6, 2004

1. CORPS 2004 O&M DREDGING PROGRAM

The Corps has the 2004 funds. We starting to execute this years dredging projects .

For Oakland Inner and Outer Harbor and Richmond Inner Harbor, the Corps plans to combine the two projects into one Indefinite Delivery Indefinite Quantity (IDIQ) dredging contract. This contract will have a base year with two option years. This contract was awarded on March 10, 2004 to Great Lakes Dredging.

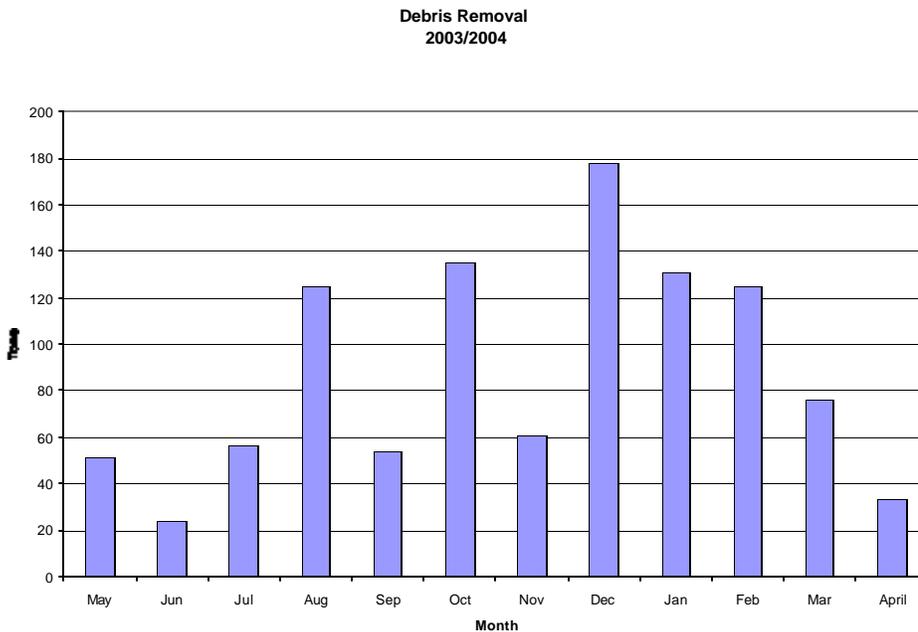
- a. **Main Ship Channel** – Expect to start dredging in late May or early June. Government dredge *Essayons* is scheduled to perform the dredging. The Corps has received a suitability call on the material from the DMMO agencies and the material is suitable for disposal at SF-8.
- b. **Richmond Outer Harbor and Southampton Shoal** – Expect to start this work in early June. Government dredge *Essayons* is scheduled to perform the dredging. Material is scheduled to go in bay to the Alcatraz Disposal Site (SF-11). We have started testing this material as required by the DMMO agencies. We are performing full ITM testing this year.
- c. **Richmond Inner Harbor** – The contract is in place and dredging should start 1 June. Material is scheduled to go to the Deep Ocean Disposal Site (SF-DODS). Corps has started testing this material as required by the DMMO agencies. We are performing full Ocean (Green Book Testing) this year. The Corps issued the notice to proceed on April 15, 2004 and the contractor should be in the process of mobilizing their equipment.
- d. **Oakland Outer and Inner Harbor** – The contract is in place and dredging should start 1 August. Material is scheduled to go to SF-DODS. We are going to perform confirmatory chemistry testing this year.
- e. **Suisun Bay Channel** – Expect to start dredging in early June. Material is scheduled to go to Winter Island with SF-16 as the back-up disposal alternative.
- f. **Petaluma Across the Flats** – Congressional addition to the budget. This project has been deleted from this year dredging program because the condition survey determined that there was not sufficient material to justify dredging this year. The survey only

showed minimal shoaling along the toes and that the channel is considered adequate for navigation.

- g. **Pinole Shoals** – Congressional addition to the budget. Project is on a 2-year cycle and was last dredged in FY 03. The condition survey on this project has been completed and the preliminary data shows only light shoaling. Because there is insufficient funds to let a separate contract, the Corps is planning to dredge the high spots with the Government Dredge “*Essayons*”.
- h. **Redwood City** – Congressional addition to the budget. Only enough funding to start planning for FY 05. Project is in the FY 05 Divisional capability budget briefing. Corps received a Tier I decision on this project at the March 9, 2004 DMMO meeting so no testing will be required this year. Corps is planning to dredge the high spots in the approach channel this year with the Government dredge “*Essayons*” if we can reprogram the funds. This request will have to go to Corps Headquarters for approval. This will help to keep the channel open until we can get the full funding for the full project.
- i. **Islais Creek** – Performing a condition survey. The survey is complete. The data has been worked up and is waiting to be QA/QC.

2. DEBRIS REMOVAL

The total tonnage of debris collected on the San Francisco Bay for April 2004 was 33 tons. This is down from the 76 tons collected in the month of March. The debris mission was hampered in the month of April by the illness of one of the operators resulting in a reduction of overall collection time on the bay.



3. UNDERWAY OR UPCOMING HARBOR IMPROVEMENTS

a. Oakland 50-ft –

Construction is continuing on the storm water treatment unit in Middle Harbor and the contain area in Middle Harbor. Dredging with the disposal of material at Montezuma Wetlands Restoration site has started. 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 depth is achieved, then we will take the project down to the 50 depth. By phasing the project in this way the project sponsor will get a greater utilization until the 50 foot depth is achieved.. The Corps plans to award 3 new contracts in the next several months. There will be two dredging contacts. The first will be to dredge the Outer Harbor to an interim depth of 46 feet. The second will be to dredge the Inner Harbor to an interim depth of 46 feet. The third contract will be a marine construction contract for the last phase on the Inner Harbor Turning Basin. The FY 2004 budget contains 20 million for the Oakland 50 foot project less saving and slippage. Saving and slippage may run as high as 20 % to 25 %. This is higher than in the past years. We continue to make good progress with the funds we have and estimate that we have dredged between 400,000 and 500,000 cubic yards of sediment.

b. S.F. Rock Removal Feasibility Study

Status Unchanged – the final audit of the funding is continuing.

The Final Report is complete and the Corps met with the Under Water Rocks Group on December 4, 2003 to furnish them with the Report. The Corps considers this project complete except for the final audit of the funding.

4. EMERGENCY (URGENT & COMPELLING) DREDGING

There has not been any emergency dredging in FY 2004 and the Corps is working hard in its dredging program to try to eliminate the need for emergency dredging. For example, we have been performing advanced maintenance in the Suisun Channel at Bull's Head Reach.

5. OTHER WORK

San Francisco Bay to Stockton

Status unchanged – Project work is continuing.

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 signed the Pre-construction Engineering Design agreement with the Port of Stockton on July 11, 2002. This started Phase 1

of the GRR on salinity and economics. The Department of Water Resources has performed model studies in support of the GRR. We have completed the peer review of the salinity model and have finished up the economic analysis. The results of these studies look promising that the Corps can justify a project. Based on these studies the Port wants to continue and the Corps has finalized the scope for the full General Re-evaluation Report (GRR) and have completed the Project Management Plan. The Project Management Plan and the Design Agreement is going to the Port of Stockton's Board on April 5, 2004 for approval. Contra Costa County has existing agreement in place with the Port of Stockton that they can utilize for this project. The signing ceremony with the Port of Stockton is scheduled for April 20, 2004. This will allow the work on the GRR to continue. We should have approximately \$550,000 less saving and slippage for FY 2004. However, we are requesting an additional \$250,000 for this project is year. 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.

Sacramento River Deep Water Ship Channel Deepening

Status unchanged – Project work is continuing.

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 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. We are waiting for funding for sediment testing and for evaluating the disposal sites. The initial estimate is we will need capacity to dispose of approximately 6.5 million cubic yards of material. Funding has been reprogrammed and is \$500,000 for this project for FY 2004. 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.

Note: The Corps web page for conditions surveys is up again and can be used. Corps is in the process of approving some of the condition surveys and will be adding them to the site shortly.

Recommendation and Minutes
Tug Escort Work Group Meeting
May 5, 2004

Subject: SB 1480 and AB 2777: Proposed legislation to allow regulations governing tugboat escorts for vessels carrying hazardous materials.

Recommendation to San Francisco Harbor Safety Committee

The Tug Escort Work Group held four meetings on the proposed legislation, well attended by a broad representation of the tanker, tug, pilots, terminal operators, U.S. Coast Guard, State Lands Committee, BCDC and OSPR.

The Tug Escort Work Group recommends that the Harbor Safety Committee oppose SB 1480 with Amendment 1 and AB 2777 because:

1. The definition of “hazardous materials” is too broadly written to be meaningful in pinpointing the most dangerous chemicals and quantities hazardous to the public and the environment. As written the legislation would affect almost every ship in the Bay, from cargo ships to tankers, and would not enhance safety.
2. The Work Group is concerned that, because the definition of hazardous materials is so broadly written, permanent, broad powers would be granted to the OSPR Administrator with no criteria or analysis upon which to base his/her decision. Within the past five years, OSPR has had five Administrators.
3. San Francisco Bay has the most stringent and comprehensive tug escort regulations for oil tankers and barges in the United States, based upon extensive public hearings and discussion by the Harbor Safety Committee. The Work Group, through the Harbor Safety Committee, reaffirms its desire to work with state legislators to craft workable legislation on this topic.

Findings:

1. The Tug Escort Work Group has continued to struggle over the past two plus years to define what chemicals and what quantities are considered most dangerous to the public and the environment. It is beyond the expertise of this advisory committee to define the most hazardous materials for the purpose of establishing legislation.
2. The Tug Escort Work Group carefully reviewed the 9 year record of Coast Guard Casualty reports for Chemical Tankers, the 7 year record of Coast Guard Captain of the Port (COTP) orders to require Chemical Tankers to be tug escorted, and Chemical Tanker arrivals in the Bay for 2003. Of 23 reported Casualties, only 4 were for loss of steering or power, 4 were for the same ship and 7 tankers carried oil. The other Casualties were minor in nature because of the broad definition of a reportable Marine Casualty. Similarly of the COTP orders for 7 Chemical Tankers, 5 carried oil

and the other 2 probably carried oil. And, because there was a marked increase in the number of Chemical Tankers entering the Bay, the Work Group reviewed the list of ships, berths and whether the ships were escorted by tugs and therefore carrying oil. Of 145 Chemical Tankers, 89 carried oil and the balance carried chemicals which included tallow and a very broad list of materials. The major increase in the number of Chemical Tankers was due to the change in definition of tankers by Lloyds of London.

3. The Tug Escort Work Group also noted that prevention of accidents may occur through a number of means: ship design, training of crew and pilots, use of anchors and the use of tug escorts. Most chemical tankers are double-hulled ships subject to strict standards and close vetting review. The Work Group previously analyzed the 2001 list of chemical tankers for international classification type. The majority of chemical tankers calling in the Bay in 2001 were Type 2, double hull, affording a higher level of ship safety than most oil tankers in the Bay.