



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; July 10, 2003

Port of Richmond, Harbormasters Office, 1340 Marina Way South, Richmond, CA

Grant Stewart, American Ship Management, Chair, called the public meeting to order at 10:00 and welcomed those in attendance. The following committee members or alternates were in attendance: **Len Cardoza**, Port of Oakland; **Tom Wilson**, Port of Richmond; **Nancy Pagan**, Port of Benicia; **Capt. Doug Lathrop**, ChevronTexaco; **Scott Merritt**, Foss Maritime Company; **Capt. Margaret Reasoner**, Crowley Maritime Services; **Michael Beatie**, Golden Gate Bridge Highway and Transportation District, Ferry Division; **Capt. Larry Teague**, San Francisco Bar Pilots; **Steve McAdam**, Bay Conservation and Development Commission (alternate for **Joan Lundstrom**); **Margot Brown**, National Boating Federation; and **Kathy Zagzebski**, The Marine Mammal Center. Also present were U. S. Coast Guard representatives, **Cmdr. John Caplis** (MSO) and **Cmdr. David Kranking** (VTS); U. S. Army Corps of Engineers' representative, **Jim Delorey**; **Al Storm**, OSPR; **Ken Leverich**, State Lands Commission; **Capt. Lynn Korwatch**, Marine Exchange, and **Cdr. Steve Thompson**, NOAA. In addition, more than twenty-five representatives of the interested public were present.

The Secretariat confirmed the presence of a quorum.

The following corrections were made to the draft minutes of the June 12, 2003 meeting. **L. Cardoza**: page 2, in USCG Report (6) should read '**L. Cardoza** added that that the COE survey vessel that helped . . .' **D. Kranking**: page 2, in USCG Report (4) correct spelling Ebbers; and in (8) **Cmdr. Pauline Cook** will assume command of VTS in July. **A. Storm**: page 6, New Business (3), **Terry Joslin** is with Blue Water Network. **D. Lathrop**: page 1, Attendance, **Capt. Bonebakker** is with Conoco Phillips. MOTION by **M. Brown**, seconded by **S. McRobbie**, to "approve the minutes of the previous meeting as written." Motion passed without objection.

USCG REPORT, J. Caplis. (1) **J. Caplis** reported that this will be his last meeting as he has received orders for Washington, DC. He introduced his relief, **Cmdr. Greg Phillips**, who has been handling MSO port security operations for the past year. (2) **J. Caplis** reported on port operations statistics for pollution response and investigations and significant port safety events for the period June 1, 2003 through June 30, 2003. A written report is made a part of these minutes. (3) MTSA regulations were out July 1, 2003. A public meeting is scheduled for the end of July in Washington, DC and the thirty-day comment period ends at the end of July. (4) **D. Kranking** reported that the speaker at the June 18, 2003 State Lands customer service meeting, **Ken Prine** of

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Lockheed Martin, gave a very informative presentation on the Ports and Waterways System (PAWS) with inherent AIS capability. The CG is under contract with Lockheed Martin, but Seattle and SF are in a budget catch. Lockheed Martin is lobbying for funding to bring the system to the remaining west coast ports. VTS SF is interested in any opportunities for sharing/access to camera sites individual companies/facilities may develop as part of their security upgrade programs. (5) There will be a meeting next week to brainstorm about the increased reporting that would be required of non-traditional VTS user groups under MarSec 2 and 3. (6) The core group of VTS watchstanders will remain stable through the summer. Administrative staff will change. **D. Kranking** introduced new personnel. The new operations officer is **Lt. Dave Valdez**. The new XO is **Lt. Cdr. Ross Sargent**, formerly of MSO. The new VTS commanding officer is **Cmdr. Pauline Cook**. Change-of-command ceremony will be held on July 21, 2003 at 1100 hours at Casa de la Vista, Treasure Island. (7) **D. Kranking** acknowledged the high level of volunteerism and accomplishments of HSC members during his tenure.

Question: Is the problem with PAWS timing or is it a basic funding issue? **D.**

Kranking: Mainly funding. Initially, PAWS was meant to go into the existing VTS SF. It was delayed for the installation of new radar equipment for the Pt. Bonita radar site. Then the legislature mandated PAWS first go to the ports of NY, Houston and Port Arthur, TX. Funds were diverted and it then became a budget issue for the west coast ports, with 2005 now looking like the soonest for SF. **S. McRobbie**: The HSC may want to communicate with the CG regarding moving SF up on the priority list. The Chair thanked **D. Kranking** and **J. Caplis** for fine work and for their contributions to the HSC. He welcomed **Cdr. Cook**.

CLEARINGHOUSE REPORT, A. Steinbrugge. (1) A written report with statistics for the month of June 2003 is made a part of these minutes. There was one call to OSPR during the month of June for a possible escort violation and no calls from pilots to report a vessel arriving at the pilot station without escort paperwork. Year-to-date, there have been three calls to OSPR regarding escort violations. There were two calls regarding escort violations in 2002; six calls in 2001 and five calls in 2000. (2) **A. Steinbrugge** introduced **Jeff McCarthy**, Assistant Executive Director of the MX; **Kaitlin Gould**, Director of Internal Operations; and new Office Manager, **Karen Hendrickson**.

Question: Was the possible violation reported a ship or tug and barge? **L. Korwatch**: Tug and barge; the escort reported but the tug and barge didn't.

OSPR REPORT, A. Storm. (1) In June, OSPR nominated **Margo Brown** for the States BC Oil Spill Task Force Lifetime Achievement Legacy Award. The nominating letter was distributed and read. **A. Storm** thanked **L. Cardoza** for his help and presented the

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three slides that would accompany the presentation of the award in Honolulu. **M. Brown** thanked OSPR, stating that she believes the nomination belongs to the PTP Work Group and she considers the award one to the group rather than a personal award. **A. Storm** thanked Fred Henning and Scott Merritt for their help with tug escort pictures. (2) The second call was made announcing the ferry operator's representative vacancy coming in September and soliciting applications. The nomination period closes August 15, 2003. No applications have been received to date. First call was announced for a vacancy coming in one of the tanker representative positions. **S. McRobbie's** appointment expires in October. (3) The video being developed by the HSC Prevention through People Work Group is expected to be released in the spring of 2004. (4) **Steve Sawyer**, Senior Counsel, OSPR, reviewed California open meeting laws as they apply to the HSC. Until now, it was assumed that the HSC was governed by the provisions of the Bagley-Keene Act because members are appointed by a state body. However, because of the nature of HSC decisions, which have local rather than statewide effect, the HSC is governed by the provisions of the Ralph M. Brown Act. Two important requirements are (a) that the meeting agenda must be posted somewhere in the jurisdiction seventy-two hours before a meeting and (b) that the agenda must allow a section for public comment. Most other requirements are met in the proposed by-laws. If a vote is not announced on the agenda for a meeting, 2/3 of the present membership of the committee can add it at the meeting. Question: Must public comment be a separate agenda item from new business? **S. Sawyer**: Yes. Question: Scheduled work group meetings are announced by a flyer which is included with the agenda mailed to the HSC mailing list and are posted on the MX/HSC webpage. Is this adequate? **S. Sawyer**: The notice of scheduled work group meetings can be included on the HSC agenda. It is the Attorney General's opinion that even advisory committees are subject to the Brown Act. Question: If the notice of proposed work group meetings is distributed with the agenda for regular HSC meetings, is that adequate? **S. Sawyer**: Yes, but they must also be posted. **A. Steinbrugge**: Public comment will be added before new business on future agendas. The HSC meeting agenda will be available in the MX Operations binder, which is available 24-hours a day, and will be posted on the MX HSC website and in the MX office. **S. Sawyer** not certain if web posting is adequate. It is suggested that agendas be posted on the door or window glass of the room where the meeting is to be held, facing out. The by-laws cover all actual meeting requirements. An additional provision of the Brown Act provides that it is a misdemeanor punishable by up to 364 days in jail for any member to intentionally withhold information relevant to the work of the committee from other members.

NOAA REPORT, S. Thompson. (1) There are no new or proposed electronic charts (ENC) in the near future. ENC are available for distribution and downloadable for free.

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The NOAA website nauticalcharts.gov provides links and instructions to download the charts, along with freeware for display. (2) The NOAA Navigational Response Team will be in the SF Bay Area in November and will be permanently based in the SF Bay Area beginning in 2004 to cover all of California. Their primary purpose is for shoreline verification, wreck location, least depth verification and emergency chart correction issues. (3) Long term weather forecasting models predict a La Nina with a cooling effect. The southwest can expect more precipitation, the northwest less than normal, and the SF area, in the middle can expect normal precipitation.

COE REPORT, J. Delorey. The text of the COE Report is made a part of these minutes by attachment. Question: When will the results of the dredging of Bulls Head Channel be released? **J. Delorey:** Didn't know, but they will be posted on the COE website as soon as they are released. Question: When will the dredging of Pinole Shoal Channel be done? **J. Delorey:** By the 17th when the dredge Essayons leaves. Question: Will the Pinole Shoal Channel high spots that were missed be taken care of? **J. Delorey:** Yes, if possible before the 17th.

STATE LANDS COMMISSION REPORT, K. Leverich. (1) There have been no spills from terminals year-to-date. (2) State Lands is half-done with facility security plan reviews, working in full cooperation with the CG. (3) The customer service meeting was well received. The next one is scheduled for October. (4) A passing vessel study was begun this month with the cooperation of **Marc Bayer** and Tesoro. **E. Dohm** suggested State Lands contact **L. Cardoza** for information because the Port of Oakland did an extensive hydrographic study. **T. Wilson** added that Exxon also did the same type of study. (5) On behalf State Lands, thanks to **J. Caplis** and **D. Kranking** for their role in the good relationship that has developed between the two agencies. (6) **K. Leverich** asked if anyone was aware of lighting problems at Pacific Refining Dock in San Pablo Bay. **L. Teague** responded yes. The lighting is sparse, but he has heard no complaints from pilots. It would help with ships passing and tug and barge traffic for the area to be better lit.

NAVIGATION WORK GROUP REPORT, L. Teague. In connection with the Avon Turning Basin, the pilots met with representatives of the area terminals and the CG. It was agreed that the terminals will continue to follow San Francisco Bar Pilots' guidelines for turning vessels. The terminals agreed to provide quarterly soundings and place private aids, although extensive shoaling can affect the value of these alternative solutions to a federally maintained turning basin. Regarding the letter on the agenda for a vote, the work group recommends that the letter not be sent. The issues in the proposed letter are now old and the project



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has died. There is no recovering it because the funding is gone. **M. Bayer:** The oil terminals will send a letter to the HSC with their concerns and plans to address them for continued use of the existing turning area. **L. Teague:** If the Baldwin Ship Channel project were reactivated, the pilots would like support for construction of the turning basin. **E. Dohm:** The issues raised in the letter have been resolved as best as possible. The first quarterly survey has been received. The pilots will continue to turn ships in light ballast draft. While the SFBP guidelines address the situation, a federal turning basin is still the best solution. Question: Who is conducting the surveys and how are they being distributed? **M. Bayer:** The surveys are being done by Conexus Engineering to COE standards. They have been surveying for the local terminals for years. The surveys are distributed to the SFBP, CG, Tesoro and the upriver terminals. They can be made available to other interested parties.

UNDERWATER ROCKS WORK GROUP REPORT, L. Cardoza. (1) **L. Cardoza** thanked the SFBP for recently providing a harbor tour for the new COE Division Engineer, Joe Schroedel. It was useful in giving him an orientation of SF Bay and the HSC. (2) The COE completed the new bulkhead in the southeast quadrant of Oakland Inner Harbor Turning Basin on schedule and under budget. The COE and Port of Oakland partnership for 2003 contracts is working well and new work for 2004 looks good. (3) The report of the Underwater Rocks Work Group is made a part of these minutes by attachment.

FERRY OPERATORS WORK GROUP REPORT, N. Pagan. No report.

PREVENTION THROUGH PEOPLE WORK GROUP, M. Brown. The group last met two days ago and reviewed video clips. There is nearly 73 hours of tape. The group also saw the one-minute VTS section, which exceeds expectations. The voice over narration is the next step and then editing.

HSC MEMBERSHIP REVIEW AND BY-LAWS WORK GROUP REPORT, G. Stewart. The work group met weekly for seven or eight weeks. The product is a good working document to help the committee work well and facilitate conducting business. Some changes are now necessary based on the open meeting information and the proposed by-laws will be republished. Everyone is encouraged to read the document and a vote will be scheduled for August. It was suggested from the floor that the name in the title of the document and in the first paragraph of the body should match. **A. Storm** noted that passage of by-laws will take a 2/3 vote of the entire membership, so attendance is critical.



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PLAN UPDATE WORK GROUP, S. Merritt. A vote on the plan will be agendaed for the August HSC meeting. All chairs should get their status reports in as soon as possible.

PORTS FUNDING, S. Merritt. L. Korwatch reported that the Delaware River MX is looking for money in the federal budget to fund PORTS. A draft letter of support was distributed in Delaware and it is important to do the same thing here. They are not asking for funding for their region alone, but for the entire system. The SF MX will electronically distribute the draft so interested individuals can get them out for the Bay Area and California Congressional delegations. The draft letter is also available on the Marine Exchange website (www.sfmex.org). Delaware faces the same issues as SF. NOAA is good at putting in the system, but local communities have a problem providing operation and maintenance funding. Proposed legislation would add \$3.5 million for PORTS operation and maintenance around the country. The draft support letter will be on the MX website. Passage of this legislation will avoid user fees. The bill is going to mark-up within a month or so. Any letters of support should go the Senator Feinstein as soon as possible. **L. Cardoza:** The bill goes to the full committee in the House next week and the Senate two weeks later, so sending letters of support immediately is important.

PORTS REPORT, A. Steinbrugge. The new side-looking meter for the Benicia Bridge is being ordered and is scheduled for installation in September. The quote for a wind sensor to be installed at Howard's Terminal at the Port of Oakland is expected soon. It is a solar-powered self-standing unit. It is hoped that the NOAA team can be hired for the installation.

OLD BUSINESS. None.

NEW BUSINESS. (1) **L. Korwatch:** The next MTS meeting is scheduled for July 17, 2003 at 10:00 at the Port of Oakland. The national MTS group will be in SF September 3-4. Public meetings will be held at the Omni Hotel, SF. New CG 11th District **Commander Eldridge** will be the speaker at the Propeller Club luncheon on September 18, 2003 at the World Trade Club, SF. On October 23, 2003, the Head of Customs will speak at the World Trade Club, 12:00. **L. Teague:** In connection with a review of the plan, an issue came up. Regulation calls for the pilot to always have a blank escort form with them. Blank forms are kept on the pilot boat, however it is the agent/shipping company responsibility to have escort information and paperwork to the ship prior to the pilot's arrival so the pilot-master conference can be conducted in a timely manner to avoid delay of the transit. Regulatory language should be changed to indicate this. The

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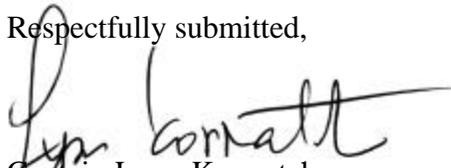
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pilots are glad to provide the form if the master doesn't have one, but the existing regulation creates liability for the pilot when it should rest with the vessel. **A. Storm:** Either the Tug Escort Work Group should be convened to look at this or, since it is a single issue recommendation, the HSC could put the change in this year's plan review for a vote at the next HSC meeting. The Chair indicated that he prefers handling the issue through the normal process, which means reconvening the Tug Escort Work Group. (3) **M. Beatie:** With respect to provisions of the Brown Act, does the HSC have to cancel a vote if 'vote anticipated' appears on the agenda and the committee decides not to vote. **S. Sawyer:** No. If an action/vote on the agenda doesn't take place, it isn't necessary to vote not to vote. Since the agenda wasn't posted, any vote would take a 2/3 majority.

The next meeting of the HSC will be held on August 14, 2003 at 10:00 at the Port of San Francisco.

MOTION by **L. Teague**, seconded by **S. McRobbie**, to "adjourn the meeting." Motion was passed without objection. Meeting adjourned at 1135.

Respectfully submitted,



Captain Lynn Korwatch
Executive Secretary

**USCG Marine Safety Office San Francisco Bay
Port Operations Statistics
June 2003**

PORT SAFETY:	TOTAL
• SOLAS Interventions/COTP Orders:	10
• Marine Casualty: Allision/Collision (0) Grounding/Sinking (0) Fire (0)	00
• Marine Casualty (Mechanical): Propulsion (1) Steering (1)	02

POLLUTION RESPONSE:	MSO
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Total oil pollution incidents within San Francisco Bay for the month:	13
▪ Source Identification; Discharges and Potential Discharges from:	
Deep Draft Vessels	00
Facilities (includes all non-vessel)	00
Military/Public Vessels	01
Commercial Fishing Vessels	00
Other Commercial Vessels	00
Non-Commercial Vessels (e.g. pleasure craft)	03
Unknown Source (as of the end of the month)	09
▪ Spill Volume:	
Unconfirmed	07
No Spill, Potential Needing Action	02
Spills < 10 gallons	04
Spills 10 to 100 gallons	00
Spills 100 to 1000 gallons	00
Spills > 1000 gallons	00

Significant Cases:

09 JUN – M/V INGENUITY arrived in port with 6 stowaways on board. COTP Order issued directing vessel to provide security while in port.

11 & 25 JUN – Unexploded ordnance was discovered in Pillar Point Harbor. Safety zone was issued in both cases. Navy EOD retrieved ordnance and detonated out at sea.

15 JUN – M/V TRONADER experience a loss of propulsion. Case file not available to expand on details.

22 JUN – M/V MAERSK BILBAO experienced a rudder casualty. Case file not available to expand on details.

26 JUN –M/V ALWADI ALGADEED arrived in port. The vessel had a history of absconding, therefore a COTP order was issued directing vessel to provide security while in port.

San Francisco Bay Clearinghouse Report For June 2003

San Francisco Bay Region Totals

			2002
Tanker arrivals to San Francisco Bay	66		58
Tank ship movements & escorted barge movements	347		159
Tank ship movements	204	58.79%	71
Escorted tank ship movements	102	29.39%	35
Unescorted tank ship movements	102	29.39%	36
Tank barge movements	143	41.21%	88
Escorted tank barge movements	85	24.50%	47
Unescorted tank barge movements	58	16.71%	41

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	207		315		0		189		711	
Unescorted movements	93	44.93%	152	48.25%	0	0.00%	79	41.80%	324	45.57%
Tank ships	66	31.88%	100	31.75%	0	0.00%	49	25.93%	215	30.24%
Tank barges	27	13.04%	52	16.51%	0	0.00%	30	15.87%	109	15.33%
Escorted movements	114	55.07%	163	51.75%	0	0.00%	110	58.20%	387	54.43%
Tank ships	67	32.37%	94	29.84%	0	0.00%	57	30.16%	218	30.66%
Tank barges	47	22.71%	69	21.90%	0	0.00%	53	28.04%	169	23.77%

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 2003

San Francisco Bay Region Totals

			<u>2002</u>
Tanker arrivals to San Francisco Bay	414		709
Tank ship movements & escorted barge movements	2,075		3,015
Tank ship movements	1,267	61.06%	1,981
Escorted tank ship movements	634	30.55%	996
Unescorted tank ship movements	633	30.51%	985
Tank barge movements	808	38.94%	1,034
Escorted tank barge movements	428	20.63%	564
Unescorted tank barge movements	380	18.31%	470
Percentages above are percent of total tank ship movements & escorted barge movements for each item.			
Escorts reported to OSPR	2		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	1,274		1,934		1		1,069		4,278	
Unescorted movements	593	46.55%	953	49.28%	1	100.00%	497	46.49%	2,044	47.78%
Tank ships	407	31.95%	615	31.80%	0	0.00%	287	26.85%	1,309	30.60%
Tank barges	186	14.60%	338	17.48%	1	100.00%	210	19.64%	735	17.18%
Escorted movements	681	53.45%	981	50.72%	0	0.00%	572	53.51%	2,234	52.22%
Tank ships	421	33.05%	599	30.97%	0	0.00%	302	28.25%	1,322	30.90%
Tank barges	260	20.41%	382	19.75%	0	0.00%	270	25.26%	912	21.32%

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.

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

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

July 10, 2003

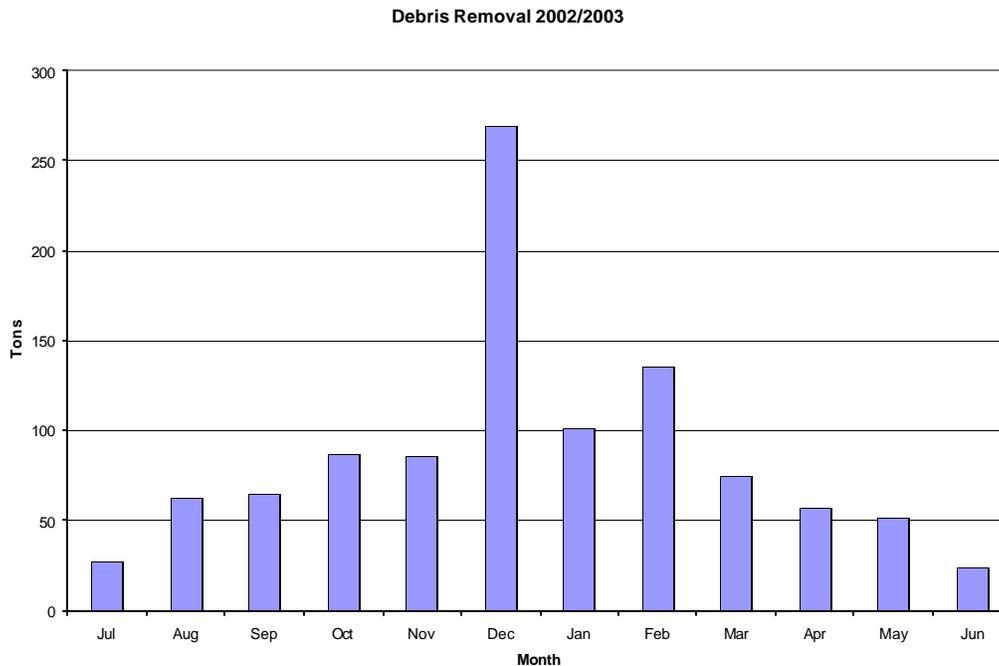
1. CORPS 2003 O&M DREDGING PROGRAM

- a. ***Main Ship Channel*** – Government dredge *Essayons* arrived on June 10, 2003 and work is almost complete. The *Essayons* is scheduled to complete all jobs and depart the bay area on approximately July 17.
- b. ***Richmond Outer and Southampton Shoal*** – Government dredge *Essayons* arrived on June 10, 2003 and work is complete.
- c. ***Richmond Inner*** – Dredging is under way with the material going to the Ocean Disposal Site. This is a continuation of the FY 2002 contract. This project is scheduled to complete the first part of August.
- d. ***Oakland (Inner & Outer)*** – Corps is coordinating O & M dredging with the deepening project time line. Material is scheduled to go to the ocean. Bid opening was July 8. The Corps performed emergency dredging on some portions of the Oakland channel. The post dredge survey shows that at depth of 41 feet or greater was attained and this is what was required by the contract.
- e. ***Suisun Bay Channel*** – Expect to start dredging approximately mid July. Corps is working with Department of Water Resources to take the material to Sherman Island. The pilot project requires 150,000 cubic yards of material. At present, there is only about 116,000 cubic yards of material including the entire over depth. If the permits and paper work are not in place to support taking the material to Sherman Island, the material will go in bay. The Corps is performing testing on this material as required by the Central Valley Regional Water Quality Control Board. The solicitation went out on June 3, 2003 and the bid opening is scheduled for July 3, 2003. The government dredge “Yaquina” has finished dredging Bullshead Reach and the high spots of Point Edith and these areas are complete. This material was not scheduled to go to Sherman Island because it was not include in the Central Valley Regional Water Quality Control Board’s Waste Discharge.
- f. ***Redwood City*** – Not scheduled for dredging this year, but Corps is working with Port and Pilots to address problem areas of channel. The Corps is using the government dredge “Essayons” to take out the high spot that is causing the major problem and this work is complete.

- g. *San Rafael* – This project is complete.
- h. *Petaluma* – Dredging stopped February 5, 2003 due to the Endangered Species Act. Contractor has demobilized for the site. There is approximately 30,000 cubic yards of material remaining on this project. We plan to resume dredging when window opens August 1, 2003.
- i. *Pinole Shoal/Suisun Bay Channel/New York Slough* – The Corps received funds to dredge Pinole Shoal, but it is not sufficient for this project to stand alone. It is our intention to dredge Pinole Shoal with the “Essaons” in mid July. Advance maintenance at Bull’s Head was performed by the “Yaquina” . New York Slough dredging to be performed with a government dredge “Essayons” in early July. Government dredge *Essayons* arrived on June 10, 2003 and work is almost complete.

2. DEBRIS REMOVAL

The total tonnage of debris collected on the San Francisco Bay for June 2003 was 23.5 tons. This is down from the 51 tons collected in the month of May.



3. UNDERWAY OR UPCOMING HARBOR IMPROVEMENTS

a. Oakland 50-ft –

Construction has been continuing. There is 12 million in this year's budget for the Oakland project minus what has already been spent and saving and slippage. With this level of funding the Corps plans to let three additional contracts this year. We will let contracts for the demolishing of a building, for dredging, and for the storm water treatment unit in the Middle Harbor area. Anticipate issuing the contracts for the demolishing of the building and for the storm water treatment unit in July. The dredging contract will follow later in August.

b. S.F. Rock Removal Feasibility Study

As previously reported, based on the present information, the decision has been made to put out a final report so the work that has been accomplished can be of use in the future and then to stop work. Corps is presently working on the final report providing a summary of the work accomplished to date.

c. Avon Turning Basin

The Corps has stopped work on this project and plans no further actions based on the lack of funding required from the sponsor. The sponsor has not been able to secure the funding required because of liability issues.

4. EMERGENCY DREDGING

Oakland Inner Harbor – The emergency dredging of Oakland is complete and the post dredge survey is complete.

5. CORPS' BUDGET

Corps has received the FY 2003 budget for O & M Dredging. It appears that we will have sufficient funds for our O & M projects this year by being able to use the government dredges for some of the projects.

6. OTHER WORK

San Francisco Bay to Stockton.

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. This study is expected to take approximately 10 months and complete this July. The Department of Water Resources is performing model studies in support of the GRR. We are starting the peer review of the salinity model and finishing up the

economic analysis. So far the studies indicate that the salinity issue may not be a problem for this project.

Sacramento River Deep Water Ship Channel Deepening

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 will be doing a Limited Re-evaluation Report (LRR) that focuses on economics and updating the environmental documentation. The studies should take approximately 24 months (July 2004). We are continuing to work on this project. We are focusing on the economics to make sure that the deepening to 35 feet is justified.

draft

Tesoro Shore Valero

Re: Avon Turning Basin and Safety of Navigation

Gentlemen:

The Harbor Safety Committee's charter and most important objective is the enhancement of safety in the waters of San Francisco Bay, its approaches and its estuaries. On behalf of the committee, I want to express our disappointment and concern about the apparent withdrawal of support by your organizations for the improvements needed for the Avon Turning Basin.

Vessels servicing your facilities must be turned before they can return to sea. Since the Federal channel in your region is only 300 feet wide, any vessel greater than 300 feet in length must be turned outside the channel. Every ship, without exception, servicing your facilities is well over 300 feet; in fact the majority is over double that in length. The only area large enough and safe enough to turn such vessels is the basin at Avon.

An oil tanker was turned outside the channel at Avon and went aground five years ago. Because of this, a coalition of the Corps of Engineers, Contra Costa County, the local Congressional representative, the San Francisco Bar Pilots, USCG Captain of the Port and your organizations collectively worked together to procure funding from the Federal Government to dredge an appropriate turning basin at Avon to remove shoals and reduce the probability of grounding and spilling oil. A cost sharing agreement had been reached with the help of Congressman Miller wherein the Federal government would pick up 75% of the cost and your organizations, the terminals for these oil tankers, would pay 25%. Now, much to our disappointment, you have withdrawn your support. .

Exacerbating this situation is the fact that this adjacent area is still an active dump site for dredging spoils. Just last week, the Corp Dredge YAQUINA was using this area to dump up to 50,000 cubic yards of material while performing maintenance dredging in the Suisun Bay channel. This could have a significant impact on turning vessels.

During the Harbor Safety Committee meeting of May 8, 2003, it came to light that your organizations have apparently withdrawn your support, essentially stopping a needed safety enhancement. Since you had no representatives attending that meeting, the reasons for your withdrawal could not be ascertained.

On behalf of the Harbor Safety Committee, I express the committee's disappointment and strongly urge you to reconsider your position so that the margin of navigation safety in these waters can be increased.

Respectfully,

Grant Stewart

Cc: COTP, USCG
Corps of Engineers
Congressman Miller
Contra Costa County
: HSC Members

Memorandum

Date: July 10, 2003

To: Harbor Safety Committee, San Francisco Bay Region

From: Len Cardoza

Subject: Underwater Rocks Work Group Report

The Underwater Rocks Work Group did not meet during the last month.

As previously reported, the Corps of Engineers (CoE) is in the process of preparing a Reference Report reflecting the status of the Corps of Engineers (CoE) Feasibility Study (FS) for the project. The Reference report will summarize all work accomplished to date on the project. The CoE anticipates the draft report to be completed by the end of July. An Underwater Rocks Work Group meeting will be scheduled to review the report.

As previously reported, The Project Team, led by the CoE, arrived at following conclusions:

1. The risk assessment model for the study resulted in a cost benefit analysis significantly below the 1:1 ratio required to proceed with CoE projects under the concept of National Economic Benefit (NED). Therefore, it is extremely unlikely that the Chief of Engineers will provide a positive recommendation for the proposed project.
2. It is also unlikely that the Corps of Engineers will pursue the project's structural alternative (rock removal) under the Federal objective for National Ecosystem Restoration (NER). The FS documented that an oil spill in the San Francisco Bay will have devastating environmental impacts. However, characterizing the prevention of these impacts as environmental restoration is problematic, from the perspective of the CoE. Although prevention of these impacts is a potential project output, CoE Principles and Guidelines for project formulation might not consider these outputs as environmental restoration. The outputs result from preventing an accident rather than restoring the environment.
3. The project proponents should consider expanding the scope of the study to consider means to prevent oil spills as a result of all causes (not limited to grounding on the submerged rocks to the northwest and southeast of Alcatraz Island).
4. The study will likely conclude that other, non-structural measures (such as employing additional tractor tugs) should be pursued. It is unlikely that the Federal Government will fund these non-structural measures as a CoE civil works project.

The Work Group agreed on the following measures with respect to completing the Feasibility Study:

Terminate the Study. Complete work nearing completion to a logical (useful) point. Prepare Feasibility Study document (Reference Report) stating conclusions noted above. Recommend that the CoE Commander/Division Engineer issue a Public Notice stating that the Feasibility Study is complete with the recommendation that there is no Federal interest due to the low benefit to cost ratio.

**HARBOR SAFETY COMMITTEE OF THE SAN FRANCISCO BAY REGION
BYLAWS**

Article I: Name

Section 1. The Harbor Safety Committee of the San Francisco, San Pablo and Suisun Bays, including the Ports of Sacramento and Stockton (hereinafter referred to as the Committee).

Article II: Purpose

Section 1. The Committee is established pursuant to Section 8670.23 of the Government Code and is responsible for planning for the safe navigation and operation of tank ships, tank barges, and other vessels within the harbor, and making recommendations to the Administrator of the Office of Spill Prevention and Response (OSPR), hereinafter referred to as the Administrator.

Article III: Membership

Section 1. Membership Categories

- a. Members shall be selected from local representatives of organizations or companies in the San Francisco Bay Area region (including the Ports of Sacramento and Stockton) whenever possible.
- b. The Committee shall consist of members appointed by the Administrator as follows:
 1. Four designees representing Port authorities: One representative shall be selected from the Port of San Francisco and one from the Port of Oakland. The other two representatives shall be selected from any two of the remaining ports: Richmond, Redwood City, Benicia, Stockton or Sacramento;
 2. One representative of tank ship operators, and one representative of either a tank ship operator or a marine oil terminal operator;
 3. One designee of the San Francisco Bar Pilots Association;
 4. Two representatives of dry cargo vessel operators;
 5. One representative of commercial fishing;
 6. One representative of pleasure boat operators;
 7. One representative of a recognized nonprofit environmental organization that has as a purpose the protection of marine resources;
 8. One designee of the San Francisco Bay Conservation and Development Commission;
 9. One representative from a recognized labor organization involved with waterborne operations of vessels;
 10. One representative of tug operators and one representative of tank barge operators, neither of whom shall also be engaged in the business of operating either tank ships or dry cargo vessels.

11. One designee from each of the following: Captain of the Port from the U.S. Coast Guard; U.S. Army Corps of Engineers, U.S. National Oceanic and Atmospheric Administration (NOAA), and the U.S. Navy, to the extent that each consents to participate on the Committee as a non appointed member.

- c. Appointees filling membership categories identified in items b1 through b10, above, are specified as appointed members.

Section 2. Membership Qualifications

The members appointed from the categories listed in Section 1b (2), (3), (4), and (10) above shall have navigational expertise. An individual is considered to have navigational expertise if the individual meets any of the following conditions:

- a. Has held or is presently holding a Coast Guard Merchant Marine Deck Officer's license;
- b. Has held or is presently holding a position on a commercial vessel that includes navigational responsibility;
- c. Has held or is presently holding a shore side position with direct operational control of vessels;
- d. Has held or is currently holding a position having responsibilities relating to the safe navigation of vessels.

Section 3. At-Large Members

The Harbor Safety Committee may petition the Administrator to request up to five at-large membership categories that are needed to conduct the Harbor Safety Committee's business and which reflect the make-up of the local maritime community. One at-large member shall represent ferry operators who shall have navigational expertise as defined in Section 2, and who is specified to be an appointed member consistent with Section 1c, above. The Committee may also petition the Administrator for the removal of any at-large membership category. The approval of such petitions shall be at the sole discretion of the Administrator.

Section 4. Term of Membership for Appointed Members and their Alternates

- a. A member shall be appointed for a three-year term.
- b. A member's appointment shall be terminated as a result of any of the following circumstances:
 - 1. The member retires from, or otherwise leaves employment under which he was appointed. Members who leave their employer may, if qualified under their new employment, apply for the seat they vacated or, if qualified, apply for another Committee seat that becomes vacant.
 - 2. The member undergoes a change in work responsibilities, which alters the constituency that he represents, or alters his qualifications for the position.
 - 3. The member voluntarily resigns for any reason.
 - 4. A member is removed by the Administrator for any reason under Section 7.

- c. A member impacted by any of the conditions identified in items 1-4 above is expected to submit his resignation to the Chair (with a copy to the Administrator) within five working days.
- d. Any incumbent completing his three-year term may re-apply.
- e. Except as noted in Section 5c, below, an alternate's term expires when the primary member leaves service for any reason.

Section 5. Alternates for Appointed Members

- a. The alternate representative shall be appointed and sworn by the Administrator in a manner similar to the primary member. Only one alternate shall be appointed for each primary member, and only the appointed alternate is accorded proxy powers. The alternate shall be selected from the same membership category as the primary member, and shall meet the same qualifications. The appointed alternate may vote, participate in, or take any other action on behalf of the primary member consistent with the Committee's bylaws and any applicable statutory or regulatory provisions.
- b. An alternate may vote only in the absence of the primary member.
- c. When a primary member resigns or is removed, his alternate may continue to serve until such time as the new primary member is appointed and sworn in.
- d. The Committee offers the Administrator the following guidelines for appointing alternates:
 - 1. When possible, the primary member should be allowed to recommend his alternate;
 - 2. If there is more than one applicant for a position, the primary member and administrator should consider the other applicants when selecting alternates. The Committee requests the Administrator consider diversity of organizations within each membership category when selecting alternates.

Section 6. Attendance of Appointed Members

- a. Attendance of scheduled Committee meetings is expected. The standard of attendance is determined as follows:
 - 1. For each appointed membership category team consisting of a primary member and alternate, meeting either condition (a) or (b) is considered to be not meeting the standard of attendance:
 - (a) The primary member of the team missing four consecutive meetings, or a total of six meetings in a calendar year.
 - (b) The team missing three consecutive meetings, or a total of four meetings in a calendar year.

2. For a primary member with no alternate, meeting condition (a) is considered to be not meeting the standard of attendance:
 - (a) Missing four consecutive meetings, or a total of six meetings in a calendar year.
 - b. The Committee Chair shall review the meeting attendance records on a regular basis and shall inquire about members and teams with excessive absences.
 - c. The Chair may make an exception to the attendance standards for a member experiencing extenuating circumstances.

Section 7. Appointed Member Removal

- a. Circumstances may arise which require that a Committee member voluntarily resign or be removed from their position. Such events include:
 1. Failing to meet the attendance standards, as set in Section 6,
 2. Falsifying application materials,
 3. The member's term ending prematurely due to meeting one of the conditions described in Article III, Section 4, items b1 and b2.
- b. A member who demonstrates any of the three criteria listed above is expected to voluntarily tender his written resignation to the Chair (with a copy to the Administrator) within five working days of being informed of this condition. If the expected resignation is not forthcoming, the Chair shall privately contact the member, explain which bylaw(s) has been violated, and seek the member's written resignation. If the request is not honored within ten working days, the Chair shall write to the member (with a copy to the Administrator), explaining which bylaw(s) has been violated and, again, request a written resignation. If the resignation is not offered within 15 working days the Chair shall notify the Administrator in writing (with a copy to the member) of the situation, identify which bylaw(s) has been violated, and seek the Administrator's assistance in removing the recalcitrant member.
- c. The Chair shall announce at the next full meeting the resignation or removal or any member.

Article IV: Officers

Section 1. The Administrator shall appoint a Chairperson for the Committee from the membership specified in Article III.

Section 2. The Administrator shall appoint a Vice-chairperson for the Committee from the membership specified in Article III, from a membership category other than that of the Chairperson.

Section 3. An Executive Secretary (Secretariat) for the Committee shall be contracted by the Administrator. The Secretariat shall serve as the Administrative staff to the Committee.

Article V: Subcommittees and Work Groups

Section 1. The Committee may establish Subcommittees and Work Groups, as it deems necessary. Meetings shall be duly noticed and open to the public in accordance with Article VII to receive maximum participation.

Section 2. The Chair of the Harbor Safety Committee shall appoint the chairperson of Subcommittees and Work Groups. The Chair may appoint Subcommittee members.

Section 3. Subcommittees should be composed of an uneven number of voting Committee members with no fewer than three people on a subcommittee. Vote by the majority of the subcommittee members present shall be necessary to pass a recommendation of the subcommittee. If a majority of Committee members are voting at a subcommittee meeting, that meeting should be noticed as a meeting of the full Harbor Safety Committee.

Section 4. Work Groups may be composed of any number of participants. Work Groups should operate by consensus of those present, including interested members of the public.

Section 5. Subcommittees and Work Groups may make recommendations to the full Committee, which will vote on the recommendations as detailed in Article VIII. Recommendations should be made in writing and provided to the Committee prior to any vote on the matter.

Article VI: Recommendations from Committee

Section 1. The Committee shall make recommendations or requests to the Administrator on rules, regulations, guidelines and policies on Harbor Safety. The Committee may make recommendations or requests to other federal, state or local agencies.

Section 2. The Committee shall prepare and submit a Harbor Safety Plan and annual updates to the Administrator by July 1 of each year or as directed otherwise by the Administrator.

Article VII: Meetings

Section 1. Governing rules for meetings shall be the Bagley-Keene Open Meeting Act, the San Francisco Bay Region HSC bylaws, and Robert's Rules of Order.

Section 2. Each Committee member and alternate shall be provided a copy of the Bagley-Keene Open Meeting Act and the San Francisco Bay Region HSC bylaws.

Section 3. The Committee shall meet at least once per year.

Section 4. The Committee shall rotate meeting locations to include the Ports of Oakland, Richmond and San Francisco or other relevant locations within the San Francisco Bay Region.

Section 5. Quorum

In order for a meeting to take place, a quorum of appointed members or their alternates consisting of nine (9) individuals shall be present. Should a quorum not be present, the Committee can proceed as a committee of the whole, take public testimony, receive input on any agenda item duly noticed, but cannot take action on any item.

Section 6. Agenda for Meetings:

- a. An agenda drafted by the Secretariat in consultation with the Committee Chair shall be prepared for each meeting of the Committee. The agenda shall be distributed to members, alternates, and interested parties no fewer than ten (10) days prior to the scheduled meeting and shall comply with all provisions of the Bagley-Keene Open Meeting Act.
- b. Agendas shall include a brief general description of each item to be discussed, including whether a voting action is to be taken on an item.
- c. Each agenda item that requires Committee action shall include time for public comment.
- d. The Committee may take action on an item not appearing on the agenda by determining that an immediate need exists and it came to the attention of the Committee after the agenda was distributed. This determination must be approved by a two-thirds ($2/3^{\text{rd}}$) vote of all appointed Committee members or, if less than two-thirds ($2/3^{\text{rd}}$) of all appointed members are in attendance, by a unanimous vote of those appointed members present.
- e. A Committee member or interested member of the public may discuss an item not on the agenda under New Business. However, no action by the Committee can be taken until such time as the item is duly noticed at a regular or special meeting, and time has been allotted to receive public input prior to Committee action.

Article VIII: Voting

Section 1. Voting

- a. The San Francisco Bay Region Harbor Safety Plan annual review shall be approved by two-thirds ($2/3^{\text{rds}}$) of the appointed Committee members or their alternates.
- b. With the exception of items specified in Section 1a of this Article, Article VII, Section 6d and Article IX, passage of any item subject to a vote by Committee members shall require a simple majority of appointed members, or their alternates, present at a meeting. No action shall be taken on any item that is not on the agenda provided pursuant to Article VII, Section 6, except as allowed by Article VII, Section 6d.
- c. Due to the advisory nature of the Committee and its selected representatives, members shall not be excused from voting in case of potential conflict of interest.

Article IX: Bylaws Review, Acceptance and Amendments

Section 1. Enactment or Amendment of Bylaws

To enact or amend the bylaws, the proposed bylaws must be:

- a. Included as an agenda item at a regular meeting.
- b. Noticed to the public in accordance with provisions of Article VII, Section 6, of these bylaws.
- c. Be approved by two-thirds (2/3rds) of the appointed Committee members or their alternates.

Section 2. Bylaws Status

- a. The bylaws shall become effective after Committee approval and shall continue in force until amended or repealed.

Article X: Certification

I certify that these bylaws were approved by the Harbor Safety Committee of the San Francisco, San Pablo and Suisun Bays, including the Ports of Sacramento and Stockton, on _____, 2003, at _____, California, by a vote of _____ yea to _____ nay. This document is true and correct, and constitutes the official bylaws governing the Committee. These bylaws shall remain in force until amended or repealed in accordance with Article IX.

J. Grant Stewart
Chairman

, 2003

PACIFIC STATES/BRITISH COLUMBIA OIL SPILL TASK FORCE

2003 LEGACY AWARD

Individual Award Nomination

Private Citizen

Margot J. Brown

Margot J. Brown has been a member of the Harbor Safety Committee (HSC) of the San Francisco (SF) Bay Region since its inception in 1991. She represents the pleasure craft community, a Committee membership specified in statute, from a perspective of maritime partner rather than a special interest. She is guided by the underlying principle of educating the small craft community on the importance of communicating with large vessels and operating safely among them. Margot's tenure is distinguished by her exceptional productivity.

Margot came to the Harbor Safety Committee with eminent qualifications. She has a record second to none of service to her constituency, and as an advocate of boater education and safety. This is witnessed by her executive and board memberships on more yachting clubs, organizations, associations, national committees, councils and foundations than can be listed within the constraints of this nomination. A prime example is her service as executive director of the National Boating Federation for the past eight years.

Margot's lifelong record of service and productivity continued with her appointment to the SF HSC. She was one of three persons charged with the complex and politically-charged task of setting tug escort requirements for tank vessels on SF Bay. After years of difficult meetings, consensus was reached and the Committee's recommendations were promulgated as state regulations. She has also chaired the Prevention Through People Workgroup since its inception. Composed of a wide cross section of maritime professionals, the workgroup has published numerous guides to instruct and assist small craft operators. These guides have received statewide and national attention.

Acting on a Coast Guard request, Margot's workgroup developed and distributed a *Safe Maritime Operations* survey to identify risks to the local maritime industry. Anonymous survey responses were forwarded to the Coast Guard for analysis. The anonymity provided by such an approach resulted in a more candid response by the harbor community. The data helped the Coast Guard identify and mitigate problem areas.

The guide titled *Mariners, Do you Speak Channel 14?* is intended to encourage and assist small craft operators in monitoring vessel traffic service (VTS), SF. The guide lists terms, locations, bridge span identifiers, anchorages and towing configurations that are commonly heard over the VTS channel (14). Using the guide, small craft operators who are unfamiliar with these technical terms can understand VTS communications and use this information to help them make better-informed navigational decisions.

Your Guide to Recreational Vessel Marine Radio Communications for San Francisco Bay discusses, in very simple terms, how to use marine radios and the types of communications that are assigned to Channels 13, 14 and 16 on SF Bay. This guide is intended to encourage uninitiated small boaters to use the marine radio, and to communicate on it properly, in order to increase their own safety as well as the safety of other craft, both large and small, in their vicinity.

Where the Heck is Collinsville? A guide to marine geography and facility names in the San Francisco Bay Area provides a detailed map, with even more detailed insets, indicating the names of numerous reference points around SF Bay and the Carquinez Strait in the vernacular likely to be heard over a marine radio. The intent is to help small craft operators, who may not be familiar with the local maritime jargon, to physically orient the locations being discussed over a marine radio, in relation to themselves, in order to determine if any navigational precautions are necessary.

While not intended to be used as a nautical chart, *Collinsville* details navigational channels, zones of separation, ports, harbors, terminals, berths, piers, anchorages, bridges, buoys and cities. The entire maritime community can be viewed on this very conveniently-sized guide, which has resulted in unexpected usages. For example, the Port of Oakland uses it for briefings of Congressional delegations, and other interested stakeholders, who visit to discuss federal funding for navigational improvements.

Sharing the Bay will be the first endeavor by any HSC to prepare a small craft educational video. This immense undertaking is being made possible through the voluntary donations of time and resources, as well as the use of some very expensive equipment, by individuals and organizations which constitute a cross section of the local maritime community. The workgroup has completed the script, and shooting has already begun. Among its many topics, the video will cover navigational channels, maneuvering limitations of large vessels, Rule 9, VTS, weather and use of marine radios. It is scheduled to be released for the 2004 boating season.

Margot's publications have been distributed within California by the tens of thousands and the demand is unceasing. The other four California Harbor Safety Committees are ramping up similar efforts. Other states, such as Washington and Florida, have requested sets of guides to use as templates for their own programs. Regional and national boating organizations are also showing a high level of interest. A "buzz" was heard at last April's National Harbor Safety Committee meeting in New York about Margot's innovative work and in anticipation of her upcoming video release.

In conclusion, Margot Brown has shown vision in ably managing a workgroup of diverse, highly opinionated professionals. Her management-by-consensus style can be painstaking and frustrating at times. No one gets everything they want but everyone gets something. The proof, of course, is in the products which have been uniformly excellent. Margot works tirelessly to keep her workgroup productive and focused, and does not let up until she has a finished product in hand for release to the maritime community. Her efforts have undoubtedly lowered the risk of vessel casualties and resultant oil spills.



June 26, 2003

To: Parties Interested in Serving on the San Francisco Bay Region Harbor Safety Committee

Subject: Harbor Safety Committee Vacancy

The Office of Spill Prevention and Response (OSPR) announces an opening on the Harbor Safety Committee for a representative of **ferry operators**. The term of the incumbent, Mr. Michael Beatie, of the Golden Gate Bridge, Highway and Transportation District, expires on September 13, 2003.

Qualified individuals representing ferry operators located in the San Francisco Bay Area are encouraged to apply. Internet site <http://www.dfg.ca.gov/ospr/forms/miscforms/appform.pdf> contains a printable Harbor Safety Committee application. Applicants must complete this form and attach a current resume which indicates their qualifications. Also, provide a copy of your U.S. Coast Guard Merchant Marine Deck Officer=s License, if using such a license to qualify. Mail application materials to:

Mr. Al Storm
Office of Spill Prevention and Response
P.O. Box 944209
Sacramento, California 94244-2090

This vacancy will be announced at the July 10, and August 14, 2003, Harbor Safety Committee meetings. Information packets for both of these meetings will include a copy of this announcement. Also, in order to reach the widest possible audience of potentially interested applicants, this notice will be mailed directly to known ferry operators located in the San Francisco Bay Area.

Applications must be post marked no later than August 15, 2003. OSPR intends to appoint the new member at the September 11, 2003, Harbor Safety Committee meeting in Oakland.

Questions regarding the position, requirements or the application process may be directed to Mr. Al Storm at: the above mailing address, e-mail address astorm@ospr.dfg.ca.gov, or telephone number (916) 324-6259. We look forward to hearing from qualified applicants.