

Harbor Safety Committee

of the San Francisco Bay Region

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

MINUTES
HARBOR SAFETY COMMITTEE OF THE SAN FRANCISCO
BAY REGION
10:00 A.M., THURSDAY, OCTOBER 10, 1991
WORLD TRADE CLUB

1. Chairman, Arthur Thomas, called meeting to order. The following committee members were in attendance as reflected by a sign-in sheet: Roger Peters, Director of Maritime Affairs, Port of San Francisco; James Faber, Operations Manager, Port of Richmond; Morris Croce, Manager of Ports/Navigation, Chevron Shipping Company; John Gosling, General Manager/Engineering, Matson Navigation; Mary McMillan, President, Westar Maritime Corporation; James McCauley, Manager, Crowley Maritime Corporation; Ann Notthoff, Resource Specialist, Natural Resources Defense; Gunnar Lundberg, President, Sailors Union of the Pacific; Captain J. M. MacDonald, Captain of the Port, U. S. Coast Guard; CDR Thomas Dolan, Commander, Vessel Traffic System, U. S. Coast Guard; Thomas Rose, Harbor Pilot, U. S. Navy; Joseph Gaidick, Executive Director, Benicia Port Terminal (alternate). In addition there were a number of attendees from the public who are registered on the sign-in sheet.

2. Chairman Thomas reported on meetings he attended in Seattle, Washington. Washington has legislation similar to SB 90 and is just beginning to study the same issues as this committee. This committee will interact with the Washington group because it is important to have standards that apply to the entire coast not just the San Francisco/San Pablo Bay Area. The Los Angeles/Long Beach Harbor Safety Committee is at about the same place we are in the process.

SUB-COMMITTEE REPORTS

3. RULES AND PROCEDURES SUB-COMMITTEE, T. Hunter. The committee recommends that Roberts Rules of Order be adopted with any exceptions added to the procedural rules governing this committee as they occur.

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Regarding the right of an alternate representing a non-attending committee member to vote, T. Hunter contacted Ed Willis, Acting Deputy Director, Office of Oil Spill Prevention and Response. E. Willis stated that only those committee members appointed by the governor may vote.

Anything a committee member wants made a part of the permanent record of the San Francisco/San Pablo Harbor Safety Committee should be forwarded to T. Hunter at the Marine Exchange for inclusion in the files.

E. Willis has noted that, in accordance with the Brown Act, all official sub-committee meetings should be noticed in the press. M. Croce referred to discussion at the September 18 meeting of this committee that led to agreement that sub-committees could meet in executive session (non-public) in order to facilitate getting more work done. The Chair concurred with that agreement but stated that whenever a sub-committee solicits input, the meeting must be noticed through the secretariat, the Marine Exchange. M. Croce added that with the time constraints the sub-committees are working under, it is difficult to give adequate notice for what are becoming weekly meetings.

A. Nothoff stated that sub-committee members have sent alternates to work groups. She requested a system for identifying these alternates for inclusion on distribution and notification lists. The Chair requests that the designation of alternates be made in writing.

Those alternates appointed to the Harbor Safety Committee by the governor will not have a vote, nor will alternates sent to the committee by non-attending members.

The question was asked as to whether votes would be spontaneous or noticed in advance. The Chair responded that both types of votes could and probably would occur. Those issues to be voted upon which are known in advance will be pre-announced.

4. DREDGING SUB-COMMITTEE. The sub-committee report, which was read by G. Lundberg, is hereby made a part of these minutes. The sub-committee has sent out questionnaires in four different formats to interested parties. It is anticipated that responses will be received and organized into a draft overview in time for presentation to the full committee at the November meeting.

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5. HARBOR SAFETY PLANNING SUB-COMMITTEE. A. Nothoff reported that the sub-committee met with three members and approximately ten additional interested parties in attendance. The memorandum/minutes from this sub-committee is hereby made a part of these minutes.

The sub-committee arrived at the opinion that the input of the full committee is ultimately required in the development of a harbor safety plan and that the sub-committee should function as an umbrella group to identify tasks, gather and organize information and background data and determine what sources would be needed to develop a plan.

A. Nothoff requested that, in the event the Chair determines that the sub-committee should continue to meet, a state-appointed research associate be furnished to the sub-committee as well as a secretary. Russ Abrahams, BCDC, attending as an alternate for William Travis reported that BCDC is recruiting two additional people and the Coastal Commission is recruiting three additional personnel, with a manager delegated to participate in the hiring of staff and to work closely on development of the harbor safety plan.

The sub-committee identified eight work groups, to function as sub-committees of the plan Sub-Committee, to address specific concepts and report back to the sub-committee, so that their input can be reviewed and incorporated into the harbor safety plan. These work groups, detailed in the sub-committee minutes, are: Baseline Data/Background Research; Risk Assessment; Vessel Traffic Patterns; Tug Escorts/ Aids to Navigation/Bridge Management Requirements; Vessel Traffic Systems/Communication; Pilotage; and Implementation.

6. R. Abrams noted that the governor has signed the BCDC dredging bill, AB 1059.

7. T. Hunter stated that the Marine Exchange will assist in providing record taking personnel.

8. TUG ESCORT SUB-COMMITTEE. Roger Peters presented a report on the two meetings held to date and which is made a part of these minutes. The report includes a time line and a plan to develop guidelines and regulations for tug escorts. Initially a letter will be prepared to solicit comments from vessel operators, recreational boaters and regulatory authorities, ports and terminals. Mailing lists

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will be obtained from the Marine Exchange and the Bay Planning Coalition. The comments will then be organized for presentation to a public workshop and then the sub-committee will review the findings of the workshop and prepare a draft of guidelines and regulations for consideration. The proposed time line appears on page two of the sub-committee report, with January 15, 1992, scheduled for submission of draft guidelines and regulations to the full committee. R. Dunstan, OSPR, expressed the opinion that, although the deadline for completion of the development of guidelines is December 31, 1991, there should be some flexibility because the product is more important than the deadline.

9. The Chair appointed three additional sub-committees:

BRIDGE MANAGEMENT SUB-COMMITTEE: D. Koops, Chair; M. Brown; J. Gosling; and C. Bowler (San Francisco Bar Pilots Navigation Committee Chairman). The sub-committee will look address small vessel congestion, anchorage designations and sounding checks.

PORT CONSTRUCTION AND CHANNEL DESIGN SUB-COMMITTEE: D. Adams, Chair; J. Faber; W. Travis; and representative(s) from the Corps of Engineers.

VTS SUB-COMMITTEE: M. Croce, Chair; J. MacAulay; CMDR T. Dolan (who can't officially sit on the sub-committee because of his federal affiliation, but will be a full-time advisor). The Chair requested that volunteers also contact M. Croce to participate in the efforts of this sub-committee. A. Thomas reported that the Marine Exchange has had a working VTS Committee in collaboration with the San Francisco Bar Pilots and Industry representatives for a long time and that is why the vessel traffic system currently in use on the bay is as good as it is. J. Shanower, former Commanding Officer of VTS before becoming a state licensed pilot, will be the San Francisco Bar Pilots liaison to this sub-committee and to VTS. The sub-committee will look at anchorages, communications systems and emergency routing of vessels.

10. CMDR Dolan proposed changes to the traffic separation scheme on San Francisco Bay as developed by a sub-committee of the Marine Exchange Harbor Safety Committee. The text of that report is made a part of these minutes. For a number of reasons outlined in the report, the current traffic separation scheme does not reflect

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actual traffic patterns in the San Francisco area. The recommendations include replacing traffic lanes in the vicinity of the San Francisco waterfront by extending the Precautionary Area east of Alcatraz Island south past the San Francisco Bay Bridge (reflects current traffic patterns) and establishing a "deep draft" route north of Harding Rock (with charts being drawn to reflect this route).

A. Thomas suggested that, in the interest of speed of implementation the Exchange submit a request for these changes with the support of VTS and the Harbor Safety Committee. There were no objections and the Chair so ordered. A. Nothoff requested that it be noted that these two changes are only a partial solution to the traffic problems on the bay.

The Chair recognized the time and effort of the Marine Exchange Traffic Separation Scheme Committee and noted that their recommendations will help lead the federal authorities and those of Washington and Oregon down the same road. The work done in the San Francisco Bar Area in the development of a vessel traffic system has made local VTS a leader in the field. It was only by a coordinated effort of the San Francisco Bar Pilots, the Marine Exchange and Industry that the proposed elimination of VTS several years ago was aborted.

Captain M. MacDonald has been appointed the federal liaison to this committee. It was noted that because of his federal position he may not always be able to volunteer information.

11. Dave Jenkins, of the Longshoremen's Union and Governor Brown's appointee to BCDC, asked about efforts to coordinate with Canada and Mexico. The Chair responded that he envisioned coordination by way of this committee serving an advisory and reporting role. The local maritime industry dislikes the idea of a Pacific Rim Compact, but some coordination of efforts is necessary if guidelines are going to be effective and deliver standardized regulations.

R. Dunstan, Department of Fish and Game, OSPR, stated that the Department intends to coordinate with British Columbia, Washington, Oregon, Alaska and Mexico both by reporting the efforts of California Harbor Safety Committees and by soliciting input from representatives of these other areas.

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12. A question from the floor addressed the possible formation of additional sub-committees. The Chair responded that he believed all issues have been covered by the sub-committees now in existence and added that if any committee member sees the need for additional committee(s) they should so notify him.

The possibility that pilotage, training and certification of pilots should be addressed by a sub-committee was discussed. The Chair noted that SB 2040 mandates that the Administrator address the issue of pilotage and, while the Administrator may come to Harbor Safety Committees for input, the issue of pilotage is not a priority of this committee at this time. R. Dunstan agreed that a report on pilotage is the responsibility of the Administrator, adding that it may not be completed by the December 31, 1991, target date. A. Nothoff suggested the appointment of a liaison to the Administrator's study group on pilotage so that the resultant report would apply to San Francisco. R. Dunstan recommends waiting to make such an appointment.

13. B. Capasso questioned the relationship between the Harbor Safety Committee and the California State Pilot Commission. It was noted that the President of the State Commission, C. Adam, is attending this meeting and is charged with the duty of keeping abreast of this committee's work for the Commission. R. Dunstan noted that the Office of Oil Spill Prevention and Response is required by law to consult with the State Pilot Commission.

14. A. Nothoff asked if someone could be assigned to compile information on the existing system regarding pilotage and make it available to this committee. R. Dunstan asked what type of assistance was needed. It was decided that A. Thomas, R. Dunstan, N. Carrol and A. Nothoff would meet after adjournment of the meeting of the full committee to discuss needed assistance.

15. CMDR Dolan asked R. Dunstan to restate the goal of the Harbor Safety Committees and to explain how statewide conformity will be achieved. R. Dunstan replied that the legislative intent was to create committees composed of people who know the maritime business (which is why this is not a balanced public committee) that have been assigned the task of a harbor safety plan that reflects the members technical expertise. The Administrator of the Office OSPR will rely heavily of the recommendations of the Harbor

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Safety Committees with respect to the areas addressed by the committees. And, while the Administrator has no authority to require compliance, he or she will make recommendations to the Coast Guard and the Corps of Engineers. The Administrator/State may accept or reject the plans and/or recommendations of the appointed Harbor Safety Committees as they apply to such subjects as dredging and VTS. The Coast Guard and Coastal Commission representatives will help with the coordination of the various committees.

16. CMDR Dolan noted that OP 90 makes it the federal government's job to address oil spill prevention and response and that, even within California, there are four very different areas to deal with. Both the federal government and the state have a stake in consistency. He expressed the view that California's SB 2040 includes some pre-ordained conclusions and that one should look at root problems before assuming solutions.

17.A. Thomas reported that he is in touch with Oliver Williams, Chairman of the Los Angeles/Long Beach Harbor Safety Committee and that both men will continue to communicate the work of their respective committees to one another, state and federal authorities. Because each port is different, each will by necessity make varying recommendations for consideration.

18. The next meeting of the full committee will be held Thursday, November 14, 1991, at 10:00 a.m. at the same place. M. Croce and J. MacAulay noted that they will be unavailable, but will designate alternates in writing. The following meeting will be held December 12, 1991.

The meeting was adjourned at 11:05.

Respectfully submitted,

Terry Hunter

Terry Hunter
Executive Secretary

