

**Minutes
HARBOR SAFETY COMMITTEE
of the San Francisco Bay Region**

**10:00 a.m., Thursday, November 14, 1991
Port of San Francisco**

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; Dave Adams, Chief Wharfinger, Port of Oakland; James Faber, Operations Manager, Port of Richmond; Alexander Krygsmann, Executive Director, Port of Stockton; Dwight Koops, Ocean Fleet Manager, Exxon Shipping Company; Morris Croce, Manager of Ports/Navigation, Chevron Shipping Company; Mary McMillan, President, Westar Maritime Corporation; James McCauley, Manager, Crowley Maritime Corporation; Margo Brown, Executive Committee, National Boating Federation; Ann Notthoff, Resource Specialist, Natural Resources Defense Council; William Travis, Chief Deputy Director, SF Bay Conservation and Development Commission; Gunnar Lundeberg, 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; Floyd Shelton, Executive Director, Port of Redwood City; Joseph Gadsick, Executive Director, Benicia Port Terminal (alternate). In addition there were a number of attendees from the public who registered on a sign-in sheet, including Ed Willis and Roger Dunstan of the Office of Oil Spill Prevention and Response.

2. Chairman Thomas reported that Jim Mes, Transmarine Navigation, has been appointed to the committee.

3. It was moved, seconded and passed to approve the minutes of previous meetings as distributed to members and interested parties.

4. In his opening remarks, the Chair commended the members of the various sub-committees for their work to date.

5. R. Dunstan discussed the draft regulations for the Harbor Safety Plan. These regulations restate and expand upon the legislative mandate and provide flexibility for designing the Harbor Safety Plan. There is no public comment solicited on the regulations in the form of emergency regulations for 120 days, then public comment is actively sought. The distribution of the draft regulations to this committee constitutes a somewhat public distribution. R. Dunstan requested that comments from this committee's members be made in a timely manner as it is important to get these emergency regulations on the books as soon as possible.

6. M. Croce requested a clarification of the hierarchy of regulations. R. Dunstan noted the state develops the guiding regulations and suggests procedures for administrating the committee. These suggestions do not have the force of law. This committee, through the Rules and Procedures Sub-Committee, develops rules specific to the activity of this group, however, the state maintains control over reimbursable expenses.

7. The Chair noted that the draft regulations are not in conflict with the activities of the Rules and Procedures Sub-committee, they provide direction and guidelines. The Chair urged acceptance and this committee's support for the draft regulations as distributed. A. Notthoff stated that she needed more time to review the draft regulations and R. Dunstan reiterated his request for the expedition of individual comments.

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8.D. Koops noted his opinion that the draft regulations do not follow this committee's sub-committee structure and that it is important to capture all pieces of the state regulations in this committee's rules and procedures. He questioned the December 31, 1991, deadline for a committee-recommended Harbor Safety Plan as stipulated in SB 2040. R. Dunstan noted that the emphasis should be on the quality of the recommendation rather than adherence to the deadline. E. Willis and R. Dunstan concurred that this committee should propose a realistic deadline. A. Nothoff asked if OSPR will revise the date of the deadline. R. Dunstan will investigate, noting that a clean-up bill in 1992 will address this issue. The law does not allow the committee to change the deadline. E. Willis stated that it would be appropriate to get a time frame from the committee by the next scheduled meeting of the full committee. The Chair will agenda this item.

SUB-COMMITTEE REPORTS:

9. TIDES AND CURRENTS, C. Bowler, Chair. The Marine Exchange Tides and Currents Sub-committee met on October 29, 1991. The minutes of that meeting were distributed to the full committee members. Dr. Henry Frey, Chief, Coastal and Estuarine Oceanography Branch, National Oceanic and Atmospheric Administration, made an in-depth presentation on PORTS (Physical Oceanographic Real-Time System). This is an integrated system of measuring devices which measure tidal height, current and wind in real time. These atmospheric conditions are transmitted to a data collection point which can be accessed by telephone or computer. In the latest "Local Notice to Mariners", NOAA withdrew the local tidal current charts from use because of significant errors in predictions made from these charts. There are also some errors in the tidal tables, which are also withdrawn from use because of the amount of deviation between predictions and actual conditions. This uncertainty impacts safety on San Francisco Bay and NOAA urges mariners to "proceed with caution." The solution to the problem is to determine what the errors are and republish a tidal current atlas. Shipping companies, pleasure and commercial boaters and environmental users would all benefit. NOAA has three phases for providing the needed information. In the first step, Coastal Ocean Circulation System, data is compiled to predict tides and currents and the data is published. The Coast Guard has written to recommend and request this system, with the traffic center to house the equipment. There have been limited revisions in the original data gathered in 1923. Readings taken in the past have been taken over a two to eight day period with a stop-watch and stick. The present minimum for data gathering is thirty days and the equipment for taking the readings has become much more sophisticated. The PORTS equipment can read wind direction, speed and gust factor, with a reading every six minutes. It can also measure water height, the direction and speed of currents, barometric pressure, dew point and salinity. NOAA would set the equipment, establish quality assurance and collect data. The study would take eighteen months. This information would be used to publish the atlas and would be used to develop three-dimensional models to predict the movement of water. The system would then be turned over to the State of California to operate and maintain. The system would benefit commercial vessel operations, the entities involved in search and rescue efforts, pollution response, environmental response, and pleasure boat operators. The system would be costly; it is hard to predict the cost when the number of required stations is unknown. The quality assurance phase would cost approximately \$50,000. Installing the equipment, would cost an estimated three million dollars. The sub-committee recommends that the full committee consider including PORTS in the Harbor Safety Plan and recommend to OSPR that it be jointly funded by Fish and Game and State Lands.

M. Croce asked how PORTS compares to the Marine Exchange subscription system. T. Hunter responded that the Marine Exchange system only addressed tidal height. C. Bowler recommended that Dr. Frey be invited back to make his presentation to committee members and representatives from state agencies.

D. Adams asked if the algorithm allowed for 24 hour projections - it does. All the existing data from the Marine Exchange computer system is based on NOAA data (which has been withdrawn).

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B. Travis asked if the system could be set up so that there would be reimbursement for system costs. C. Bowler stated that the state could create user fees. The Chair noted that NOAA does not have the funds to provide the data gathering effort or the placement of the system.

J. Faber asked who is tasked by law with providing tides and current information and how can the federal agency turn this over to the state when they are responsible for the job. C. Bowler stated that the federal agency is responsible for the atlas of tides and currents.

J. MacDonald stated that the USCG has been talking with Dr. Frey. The cost for the first item in validation would be about \$50,000. A political push is needed. According to Dr. Frey, three million dollars is a line item in the federal budget. It is important to establish a need for the system. If the study is going to be done it would be better to take full advantage of all the advanced technology available. The system paid for itself in Tampa with the economic benefit of ships loaded deeper and safely. The Coast Guard has sent letters to NOAA offering to donate buoy tender time.

A. Nothoff expressed the opinion that it may be jumping ahead to support PORTS in San Francisco Bay. In order to propose a Harbor Safety Plan the committee must have tidal current information. There are other solutions and the legislature should be alerted that NOAA is unable to fulfill its role.

A. Krygsman stated that industry would have been better served if NOAA had let people know the degree of error. C. Bowler responded that the degree of error cannot be determined without a re-study and new data. Based on the 1991 analysis, the error for current speed at the Golden Gate was 2.1% on the flood and 3.1% on the ebb; at Alcatraz, 78% on flood and 4% on ebb; at Carquinez 58% on flood and 80% on ebb. M. Croce stated that there is urgency for individuals to have this information. B. Travis commented that Nancy Pelosi is on the committee that oversees NOAA's budget and that the more he hears the more the solution seems obvious.

D. Koops expressed the belief that everyone needs to be on the same level of understanding of PORTS to make an evaluation.

J. Faber questioned why not publish the results of preliminary studies. Pressure should be put on NOAA to get their act in order. The Chair responded that, since this committee is working under OSPR it may be appropriate to urge OSPR to take that step.

D. Adams asked about an update on Carquinez and the Golden Gate. C. Bowler responded that NOAA does not have the money. D. Adams suggested that the type of community effort that raised the money to save VTS might be implemented to raise the \$50,000 for the initial PORTS study. The VTS effort did raise enough money to support and retain VTS. The Chair responded that this might be possible, but it is not the purview of this committee.

M. Croce moved to "proceed to organize a presentation by NOAA to discuss currently available information on tides and currents and PORTS and to invite other agencies and interested people." The motion was seconded by D. Koops. A. Nothoff suggested including members of the legislature. The motion passed unanimously by a hand vote; 12 Yes, 0 No.

The report of the Tides and Currents Sub-Committee was accepted.

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10. RULES AND PROCEDURES, A. Nothoff. The sub-committee met on November 13, 1991. A report of that meeting was distributed to the full committee and is made a part of these minutes. The sub-committee's recommendations as stated in the report were discussed.

B. Travis stated the opinion that alternates should be able to vote in order for the committee to function. He works for a 27 member commission that operates with voting alternates. The Chair called for a response from OSPR representatives regarding alternates voting. E. Willis and R. Dunstan both stated that alternates cannot be paid, but nothing precludes them from voting. Whether or not alternates vote is not covered in the draft regulations and is up to individual committees. A. Nothoff noted that the members of the Rules and Procedures Sub-Committee misunderstood statements made in a previous meeting and believed that the state would not allow alternates to vote. She amended the sub-committee report to recommend that alternates be allowed to vote and further deleted the section on proxies (which would be unnecessary if alternates could vote).

L. Brien noted that alternates would be required to meet the same qualifications as the committee member for which they stand in. D. Koops suggested that alternates be noticed to the Chair in writing and said notice read to the full committee.

A. Krygsman stated the belief that one week is not enough time for public notice for meetings; the mail can take a week. M. Croce suggested that fax machines be used. The

Chair stated that "public notice" refers to publication in newspapers. D. Adams asked if public notice is required for sub-committee meetings. T. Hunter stated that the Marine Exchange distributes a weekly schedule of planned meetings to the mailing list it maintains. E. Willis noted that the only mandate for public notice refers to meetings of the full committee.

M. Croce asked how many alternates a member could designate. The Chair responded that "an" refers to one. M. Brown asked if it is policy that an alternate be submitted by the member seeking an alternate. The Chair responded that he reads the policy that way.

The report of the Rules and Procedures was accepted and the committee was dismissed.

11. PORT CONSTRUCTION AND CHANNEL DESIGN, D. Adams. The sub-committee met for a short period of time on October 30 but was unsure of its reason for being. D. Adams, J. Faber, A. Thomas and B. Travis met at the San Francisco Bar Pilots' office on November 13. A report on that meeting was distributed and is made a part of these minutes. A long term management strategy is needed. D. Adams noted that despite comments by some committee members to the contrary, dredging is addressed in SB 2040, where the committee is tasked to look at "port construction and dredging projects." Port construction, channel design and dredging are all part of the same arena. A questionnaire should be developed and submitted to those pinpointed as key owners, controllers and managers of marine shorefront properties. A data base and model program will be needed to fulfill the function of the sub-committee. D. Adams requested feedback to know if the resource (management information system) is available.

E. Willis stated his belief that a study should be conducted to support the need for a data base. Dredging should only be addressed from the standpoint of the safety of vessels and not from an economic perspective.

G. Lundeberg reported that the Dredging Sub-Committee has already put out such a survey and has had considerable input from most of the major players in the San Francisco Bay Region. D. Adams asked if the survey

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requested suggestions for long range plans. G. Lundberg responded that the respondents addressed safe navigation needs.

The Chair suggested that merging the two committees (Port Construction and Channel Design with Dredging) might be a good idea. The decision as to whether to develop a data base is one to be made by E. Willis and R. Dunstan.

The Chair noted that a review of proposed channel design and port facilities should be part of the Harbor Safety Plan recommended by this committee. The timing of merging the Port Construction and Channel Design Sub-Committee and the Dredging Sub-Committee will be determined by the Chair after the Dredging Sub-Committee finishes its work.

A. Nothoff noted that the Draft Regulations do not recognize the Ports as entities and suggested that this committee should investigate how to include the ports in the Regulations.

R. Peters asked whether the committee should address a wide variety of facilities, such as marine fuel dock at Fisherman's Wharf or only look at deep water facilities. E. Willis responded that he had no definitive line on the responsibility of the committee in this respect; there is a lot of latitude. He does feel, however, that any activity in port is to be included. C. Adams expressed the opinion that he is inclined to leave non-deep water entities alone. The Chair stated that it is appropriate for the Ports and Facilities sub-committee to focus on deep water facilities, but added that a small entity can seriously impact safety. W. Travis suggested that the sub-committee should proceed on a first cut to look at deep-water facilities to make the task manageable and to address the hypothetical when it comes up.

The Chair accepted the report of the Port Construction and Channel Design Sub-Committee.

12. BRIDGE MANAGEMENT, D. Koops. D. Koops asked for clarification on whether the bridges on ships are to be addressed by his sub-committee or only the bridges you drive over. The Sub-Committee will address four areas: (1) Vehicular Bridges. Traffic and physical limitations data will be reviewed to understand the bridges in the jurisdiction. (2) Navigational (Ship's) Bridges. The sub-committee will look at national and international bridge team training to mitigate one-man error. (3) Small Boat Congestion. The committee has identified the interface areas with M. Brown, National Boating Federation, and will explore this facet further. (4) Anchorage Design. D. Koops noted his feeling that inclusion of this aspect pushes the charge of the sub-committee and recommended that a new sub-committee, a Navigational Sub-Committee, be formed to address anchorage design and navigational aids.

The Chair appointed a Navigational Sub-Committee to be chaired by J. Gaidstick. The Chair requested that volunteers contact him for appointment to this sub-committee.

M. Croce stated that the VTS Sub-Committee may cover the same areas of concern as Navigation and suggested that the duties charged to a Navigation Sub-Committee be charged to the VTS Sub-Committee. D. Koops amended his recommendation to shift the responsibility for anchorage design and navigational aids. The Chair agreed to do so and J. Gaidstick was appointed to the VTS Sub-Committee, giving it three voting members.

The Chair accepted the report of the Bridge Management Sub-Committee.

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13. DREDGING SUB-COMMITTEE, G. Lundeberg. Based on input to date and internal discussion, the sub-committee has formulated a draft overview. A copy of this report was distributed and is made a part of these minutes.

The Chair recognized the importance of the work of this sub-committee, stating that without dredging the bay would be no bay and this Harbor Safety Committee would not be needed.

L. Brien suggested that his sub-committee's report go to OSPR with a letter from the sub-committee urging the appropriate entities, including BCDC and National Marine Fisheries Service, to establish dredging. G. Lundeberg added that if this becomes official state policy, it should be forwarded to federal congressional representatives.

B. Travis stated that the problem is not dredging, but rather the disposal of spoils of dredging. He doesn't want over-optimistic and unreal hopes to get in the way of a long time management strategy for the use of resources, etc. G. Lundeberg stated that safe navigation requires dredging.

E. Willis responded that a letter of this type to his office was not in keeping with the process and the task of the Harbor Safety Committee and, while anyone is welcome to write and express his or her opinion, the Harbor Safety Committee is expected to submit a plan addressing a variety of issues. He understands the desire to get out front, but OSPR can take action on a report with supporting data and background information. Such a report would get more attention than a letter.

A. Nothoff asked if the sub-committee would make recommendations regarding policies for how to maintain channels and recommend equipment, etc., noting that the Long Time Management Strategy cited in the report of the Dredging Sub-Committee is factual. A. Krygsman responded that the LTMS is not factual, but rather a projection or prediction of what is expected to happen if there is no dredging. J. MacAuley suggested finding out what are the authorized channel depths, the depth of tributaries and how often does the Corps of Engineers take readings. T. Rose responded that funding issues effect the taking of readings, which are done every year or two or when requested. The Chair noted that D. Adams sub-committee will address these concerns.

D. Adams asked if we are differentiating new dredging from maintenance dredging. Some people say new dredging is based on economics but he would not want to discount new dredging. There are new vessels, change happens and this is a safety issue. The Chair responded that everything should be looked at with an eye to maritime safety and that the sub-committee should not be concerned with other agencies.

The Chair accepted the report of the Dredging Sub-Committee.

14. VTS, M. Croce. The report of the sub-committee was distributed and is made a part of these minutes. D. Koops complimented M. Croce and J. MacAuley on the report. He noted recommendation #7 of the report and cautioned that the work of one sub-committee should not conflict with the work of other sub-committees. M. Croce responded that they were only referring to the speed required by VTS to track vessel movement and so that vessels did not go beyond their maneuvering capabilities; the intention was to have a maximum limit, not a minimum limit. J. MacAuley added that the intent is to address all vessel traffic, including pleasure boats, and not just tankers. T. Dolan, VTS, noted that there is presently no speed limit on the bay.

A. Nothoff asked if accepting a report meant accepting the recommendations in that report. T. Hunter responded that the term "receive" should be used rather than "accept" so that the issues can be revisited. M.

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Croce stated that because the issues were so technical the sub-committee did not solicit public input. Anyone with comments should call M. Croce or J. MacAuley or T. Hunter to discuss the issues or arrange to meet to review them.

The Chair noted that it was the intention of the full committee to "receive" rather than "accept" sub-committee recommendations at this time and all previous reports shall be received as presented.

15. **TUG ESCORT**, R. Peters. A letter went out at the end of October requesting comments by November 15; no comments have been received to date. The sub-committee would like to extend the date for response to November 20 and then schedule a sub-committee meeting for December 13. The Chair noted that this date conflicted with a scheduled Coast Guard/Industry workshop and the date was changed to December 10 at 0900 hours.

J. Faber asked if he could be appointed a voting member of this sub-committee, noting that the Procedures Sub-Committee recommended five member sub-committees. R. Peters stated that the sub-committee has tried to keep membership on the sub-committee to those with no vested interest. A. Nothoff stated that this may be one of the more controversial ones and many people may be interested in attending meetings. R. Peters responded that everyone who is interested may come to workshops to offer input, but that he would be most comfortable staying with the present voting membership of three. D. Koops expressed concern that when people who don't have a specific interest make recommendations, then you get decisions based on emotion. R. Peters noted that the committee's report was open to criticism and comments can be faxed to him. A. Nothoff asked if a time line is appropriate without input. R. Peters responded yes.

D. Adams asked if the focus on tug assists was for tankers. R. Dunstan responded yes. He added that the initial focus mandated by 2040 was, in fact, tankers, but if safety requires that other vessels be addressed then they should be.

The Chair received the report of the Tug Escort Committee.

16. **HARBOR SAFETY PLAN**, A. Nothoff. The sub-committee's report was distributed and is made a part of these minutes. The work of this sub-committee is dependent on the work of the other sub-committees and has the task of coordinating these efforts to help develop a plan to be produced by full committee.

D. Koops invited the members of the full committee to ride a tanker so as to more fully understand exactly what is involved. M. Croce extended the same invitation to ride with his company. It was agreed that an effort would be made to coordinate groups of committee members for rides.

The sub-committee recommended the appointment of a Pilotage Sub-Committee. The Chair will seek guidance from the state as to whether it is within the purview of this committee to appoint a pilotage study sub-committee.

In response to the sub-committee's request for a research assistant, E. Willis stated that he would discuss the matter in a meeting later this day with Mary Lyons, President, California Maritime Academy.

17. **UNFINISHED BUSINESS**. None.

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18. **NEW BUSINESS.** J. MacDonald distributed a flyer for the joint Coast Guard/Propeller Club Industry Day to be held Friday, December 13 and a copy of the Federal Register of November 1, 1991, Advance Notice of Proposed Rulemaking regarding structural and operational measures to reduce oil spills from existing tank vessels without double hulls. Both documents are made a part of these minutes.

The Chair noted that the joint industry day would give members of the committee to move to coordinating with federal agencies.

The next meeting of the full committee will be held at the Port of Richmond, Thursday, December 12, 9:30 a.m.

D. Adams announced that the Port of Oakland conference rooms are available for sub-committee meetings with one week's notice.

19. The meeting was adjourned at 1:20 p.m.

Respectfully submitted,



Terry Hunter
Executive Secretary