

MINUTES

HARBOR SAFETY COMMITTEE OF THE SAN FRANCISCO BAY REGION

10:00 a.m., Thursday, November 17, 1994

Port of San Francisco Board Room, World Trade Center, San Francisco, CA

1. The public meeting was called to order by Chair, Arthur Thomas, at 10:10. The following committee members or alternates were in attendance: James Faber, Port of Richmond; Roger Peters, Port of San Francisco; Margot Brown, National Boating Federation; Geoff Landon (alternate for Maurice Croce) Chevron Shipping Company; Mary McMillan, Westar Marine Services; Marci Glazer, Center for Marine Conservation; Joan Lundstrom, San Francisco Bay Conservation and Development Commission; Rich Smith (alternate for Dwight Koops) SeaRiver Maritime; John Gosling, Matson Navigation Company; Michael Nirney, Inchcape Shipping Services; Gunnar Lundeberg, Sailors Union of the Pacific; Bob Clinton (alternate for Ron Duckhorn), Crowley Maritime; federal government representative from the U. S. Coast Guard, Captain Donald Montoro (MSO) and Commander Dennis Sobeck (VTS). Also in attendance Bud Leland and Marian Ashe (OSPR) and Jay Phelps (State Lands).
2. T. Hunter, Marine Exchange, confirmed that a quorum was present.
3. **MINUTES OF PREVIOUS MEETING.** J. Lundstrom noted that on page 3, paragraph #10, line 7, Reportable Events Sub-Committee Report, the word "not" was left out of the sentence that should read "Consensus was that the new term 'reportable event' *not* be used. MOTION by J. Lundstrom, seconded by R. Peters, "that the minutes stand as corrected." Motion passed without objection.
4. In opening remarks, A. Thomas introduced the newly elected Port Agent for the San Francisco Bar Pilots, Captain Gregg Waugh. Discussion regarding cancellation of the scheduled December HSC meeting. The question was deferred until the conclusion of this meeting.
5. **CLEARINGHOUSE REPORT,** A. Steinbrugge. There were no violations or abnormalities in October. The report, with statistics for the month of October and the year-to-date, was reviewed and distributed. Discussion of adding to the report a count of civilian manned government owned vessels which are loaded and unescorted. A. Steinbrugge responded that the MX is not advised if a SeaLift vessel is loaded or unloaded. He added that the number of SeaLift vessel transits could reported without speculation as to whether or not the vessels are loaded. A. Thomas suggested that perhaps the pilot could call the MX with information regarding cargo or a cooperative effort of the pilots and VTS could result in getting the information as to whether a vessel petroleum products on board. G. Waugh (SFBP) and D. Sobeck (VTS) agreed.
6. **COAST GUARD REPORT.** (1) D. Sobeck introduced Cmdr. Chip Sharp, District 11, Aids to Navigation; Cmdr. Jack Offeus, VTS, NY; and Cmdr. Kenneth Prine, GNVTS, Washington, D. C. (2) K. Prine reported that these three USCG staff members are on the West Coast looking at the Puget Sound VTS upgrade, which is scheduled to come to San Francisco in seven or eight months. A VTS SF User's Guide, will be distributed and will be available from VTS, as will a four page pamphlet that outlines the national rules. (3) D. Montoro reported 50 reported cases of spills in October. Three were federalized and all were the result of casualties to fishing boats. Fuel was pumped off the vessels and the batteries and paint products were removed. Investigations resulted in seven civil penalties. Also federalized was the case of a vessel which lost power off Humbolt Bay and a Crowley tug was hired to avoid a twenty hour wait for parts. (4) IMC reports problems with conditions and the state of repairs on SeaLift tankers. Every time one enters San Francisco Bay, the USCG boards. Vessel crews have been cooperative and the boardings will continue. There has been a matrix of propulsion failures. The COTP (Montoro) has required tug escorts on all transits of four of these vessels when they are loaded, the CHINA SEA, ARAB SEA, ANARTIC and PACIFIC, and has sent a letter to IMC noticing these requirements. Copies of this letter have gone to VTS and the MX and are available upon request. G. Waugh requested a copy for the SFBP. J. Lundstrom reported that MSO, Seattle, has stated that these vessels are unsafe for the crews on board. She would like the HSC to go on record in support of the COTP's required tug escorts and inspections. The Chair concurred.

MOTION by G. Lundeberg, seconded by J. Faber, that "the HSC fully supports the COTP's requirements imposed upon substandard foreign or American flag vessels and will pass this committee's support to OSPR." Motion passed unanimously. G. Lundeberg noted that MSC has other vessels, not tankers, in a contract process with fixed prices that drives down wages and creates hazards to personnel. D. Montoro stated that he will continue to update the HSC on these problems. A. Thomas noted an incongruity, in that the HSC has been working for three years to ensure safety, yet volatile cargoes are being moved on publicly owned vessels.

7. OSPR REPORT, B. Leland. (1) New dates for Coastal Protection Review Workshops are: San Francisco, 1-26-95; Eureka, 1-31-95; Monterey, 1-24-95; Los Angeles/Long Beach, 1-12-95 and San Diego, 1-10-95. Draft reports will be available before the workshops. (2) Status of the draft opinion from the Attorney General on the effect of the Brown Act on the activities of the HSC is confidential at this time due to the fact that it is an attorney/client document. An informal opinion is that the provisions of the Brown Act apply to the HSC, its subcommittees and the TAG. A formal opinion will come by next month. (3) A letter from the Administrator, OSPR, to NOAA in support of PORTS was distributed. (4) OSPR received a letter from Clean Bay regarding bunkering and lightering requirements in anchorage 9. A response will be forthcoming in two weeks. (5) The issue of liability for HSC members is still on the Administrator's desk.

8. TUG ESCORT SUB-COMMITTEE REPORT, R. Peters. Last meeting R. Peters indicated that the TES/TAG would be hosting a workshop to address the major themes coming out of the Glosten Study. The workshop was well attended and participants have a good idea of where tug escorting is going in San Francisco. M. Croce, leader of the Tug Advisory Group, has received the Glosten report. It is his intent of the TES and TAG that the plan will become public in the near future. Final resolution of funding issues is the only thing holding this up. B. Leland reported that this should be resolved in the next week. In addition to the report, the consultant and TAG have been working on two strawmen. The first involves a large ship transiting from sea to Carquinez and the controls that would need to be imposed on that vessel to comply with the findings of the study, looking at the implications of tug escort on the transit. The second involves looking at a smaller vessel in the same scenario. The meaning of the Glosten report will be depicted through these strawmen. Release of the strawman report is projected for 11-29-94. Details of the distribution to be determined with the MX.

9. The TAG is looking at a 11-30-94 public meeting where the consultant will present the study and strawmen to the TAG. The peer reviewer will be asked to be in attendance and comment on the report. The TES is looking for the TAG to adopt the study at that meeting and seek preliminary comments from the public. At the scheduled 12-15-94 TES meeting the TAG will be asked to present the adopted report and respond to preliminary public comments to date. The TES will look to accept the report subject to public comment which should be forwarded to the TES by 1-4-95. After that the TES will hold working meetings to craft guidelines from the Glosten Report strawmen and public comments. It is the intent of the Chair of the TES to keep these meetings as small and productive as possible, working within the constraints of the Brown Act as determined by OSPR. The purpose of these working meetings is to draft language, not policy. On 2-9-95 a public workshop will be held to present the guidelines for information, review and comment. On 3-9-95 the TES will present the evolved guidelines to the full HSC. The HSC will not be asked to act at that meeting, but to think through the issues and look to adopt at the 4-11-95 meeting and then transfer the final recommended guidelines to OSPR for their action and processing. S. Gibbs, MX, stated that the study can be distributed the day after receipt by the MX. A. Thomas noted that the four TES working meetings prior to the 2-9-95 workshop are public but the TES will not be looking for comment at these meetings. J. Faber added that the TES needs input on what the escort tug should look like equipment-wise. D. Montoro stated that through strawmen, by simulation or other methods, the Coast Guard will need to evaluate or analyze how a slow down in the speed of tanker traffic resulting from new guidelines will affect other traffic on the bay. A. Thomas suggested R. Peters contact D. Montoro on 11-29-94, with Glosten Report in hand, to address concerns surrounding the drastic effects on traffic in the bay and to develop a plan for risk assessment. C. Bowler,

SFBP, suggested the effects be reviewed after Baldwin 3 is completed as well as the current configuration of the channels. The channels now and post-Baldwin 3 are at MSI in a simulation project. The SFBP have been working with the COE on this simulation project, with a 1999 proposed completion date.

10. J. Lundstrom asked how HSC adoption of recommended guidelines in late spring affects the interim guidelines now in effect. **M. Ashe**, OSPR, responded that the two years for interim guidelines ends 12-96. **R. Peters** added that the TES schedule has been designed so that all comes together within the requisite timeline. **J. Lundstrom** stated that she understands the need for working meetings and asked what the deadlines will be so that written comments and input come in a timely manner. **J. Faber** asked **B. Leland** if issues other than the Glosten Report can be discussed at scheduled meetings, or does each separate issue need to be noticed. **B. Leland** responded that, unless an item is on the agenda, the body cannot take action on it, but it can discuss the issue. **R. Peters** reiterated that the TES is awaiting a surmial of the Brown Act from OSPR for guidance. **A. Thomas** noted that since the TES will be working on proposals to bring before the full HSC, a general agenda is all right because the TES will not be taking action.

11. PORTS SUB-COMMITTEE REPORT. **C. Bowler** reported that three weeks ago **Dr. Wayne Wilmott** of NOAA put together a mini-PORTS project for the purpose of studying currents and improving oil spill response capabilities. The three participating agencies are the Ocean and Estuarine Branch of NOAA, the Hazardous Material and Response Division of NOAA and NOAA's Coast and Geological Survey Research Program. **C. Bowler** introduced **Dr. Ralph Chang** of the Water Resources Division of the Coast and Geological Survey Research Program who outlined the work of the planned mini-project. Questions may be directed to **Dr. Chang** at 415-354-3358. This partnership program involves two offices of NOAA, the California District Office in Sacramento and the Western Regional Headquarters in Menlo Park. The concept involves numerical modeling research using a powerful computer to show circulatory patterns from a finite number of sites. A new breed of instruments using acoustic Doppler current profilers will eliminate the problems of inaccuracy with the data from 1979/1980 study. This new generation of instruments in not intrusive in water columns so large draft vessels can transit directly above them. This partnership program, designed as a two year project, will be the pre-cursor of a full PORTS. Three sensors will be installed at the entrance of San Francisco Bay, the entrance to Oakland Harbor and Richmond Harbor. The product of this project, a high resolution numerical hydrodynamic model, will be used by the Hazardous Material Group to develop guidance for oil spill response. This mini-PORTS will demonstrate how the data can be used by commercial and recreational users and will provide information on how to best provide data in the most useable form. NOAA's cost is \$300,000; total project cost is \$800,000 with matching efforts.

12. REPORTABLE EVENTS SUB-COMMITTEE REPORT. **J. Lundstrom** reported that, since the meeting in LA/LB, representatives of the various HSCs have been looking for a more precise definition and are looking to the Washington language. The San Diego MSO requested that "near miss" be used rather than "close quarters situation". The LA/LB HSC will be voting at their next meeting. The SF Reportable Events Sub-Committee will meet in January and report back to the full HSC. The intent is to have a common terminology and definition for the West Coast, using the Washington State definition and the implementation of a voluntary system of reporting events to the Coast Guard.

13. UNFINISHED BUSINESS: (1) **J. Lundstrom**, Chair of the Plan Sub-Committee, reported that she and HSC Chair **A. Thomas** reviewed the Harbor Safety Plan and recommend that the Pilotage Sub-Committee meet regarding the study "Minding the Helm". It is also recommended that the Bridge Management meet to address infractions of USCG Rule 9. Input from the Reportable Events Sub-Committee, Tug Escort Sub-Committee and PORTS Sub-Committee is also requested since these sub-committees have been very active. (2) **R. Peters** asked about the status of the development of a synopsis of the Brown Act as it effects HSC and its sub-committees. **T.**

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Hunter and J. Lundstrom have drafted a document and forwarded it to OSPR for approval. R. Peters requested that B. Leland commit to an early review of that document. B. Leland responded that it requires the approval of the Administrator and is dependent on his schedule. He can get an informal response by the next HSC meeting, but cannot guarantee a formal response. R. Peters stated that what the HSC needs to know is: what constitutes a meeting; when does notice have to be given; when does an agenda have to be distributed and how detailed does it have to be. He requested that B. Leland not wait for the next HSC meeting to report on this issue.

14. NEW BUSINESS: D. Montoro asked if the precautionary area and offshore routing is under the purview of this group. A. Thomas responded that the HSC is not precluded from addressing the issue. D. Montoro stated that it is well advised to begin looking at options for moving farther out; he can address it within this body or take it on as a separate project. A. Thomas responded that the action of this group on the issue is perhaps not totally official, but it could input. In the event that OSPR determines that the matter is outside the task assigned to the HSC, the issue could be taken before the Marine Exchange Harbor Safety Advisory Committee, which is not constrained by state requirements and can address any issue of safety that concerns its membership. B. Leland stated that OSPR is looking at expanding the roles of HSCs into the area of coastal protection review and pilotage issues at offshore moorings. B. Leland will take the issue to the Administrator so D. Montoro can move on it. C. Raesbrook has been loaned by OSPR to a resources agency until mid-January. D. Montoro recommended that the issue go to the USCG, not the State, since the State cannot issue regulations for an area more than three miles out. J. Lundstrom and B. Leland concurred that such matters are part of the HSC charter.

15. NEXT MEETING. It was agreed, without objection to cancel the meeting scheduled for 12-8-94. The next meeting will be held 1-12-95 at 9:30 a.m. at the Port of Oakland.

16. As this is the last meeting of 1994, the Chair thanked each member for their participation and efforts. It was a year when a lot of work was done and the committee can look forward to the products of the labor in 1995.

17. MOTION to adjourn by M. Brown, seconded by R. Peters. Meeting adjourned at 1210 without objection.

Respectfully submitted,



Terry Hunter
Executive Secretary