

## MINUTES

### HARBOR SAFETY COMMITTEE OF THE SAN FRANCISCO BAY REGION

10:00 a.m., Thursday May 12, 1994

Port of San Francisco, Commissioner's Board Room, Ferry Building, Suite 3100, San Francisco, CA

1. The meeting was called to order by Chair Arthur Thomas, San Francisco Bar Pilots, at 10:10. The following committee members or alternates were in attendance: Robert Clinton, Crowley Marine Services; Maurice Croce, Chevron Shipping Co.; C. James Faber, Port of Richmond; John Gosling, Matson Navigation; Alexander Krygsman, Port of Stockton; Joan Lundstrom, San Francisco Bay Conservation and Development Commission; Mary McMillan, Westar Marine Services; Ann Notthoff, Natural Resources Defense Council; Roger Peters, Port of San Francisco; Rich Smith, SeaRiver Maritime; Arthur Thomas, San Francisco Bar Pilots; and federal government representatives from the U.S. Coast Guard, J.M. MacDonald, Thomas P. Dolan and Mike Dobravec. Also in attendance Bud Leland and Marian Ashe, OSPR.
2. T. Hunter, Marine Exchange, confirmed that a quorum was present.
3. MINUTES OF PREVIOUS MEETING. MOTION by J. Faber, seconded by J. Lundstrom to adopt the minutes as written. Motion passed without objection.
4. OPENING REMARKS. The chair reported that progress was continuing on the Harbor Safety Plan and testing tug boats.
5. CLEARING HOUSE REPORT. A. Steinbrugge. Again the numbers for this month were roughly the same as previous months. Nothing irregular or out of the ordinary since last meeting. He mentioned that there will be a "Public Workshop on Pilotage in California" on June 6, 1994 at Fort Mason Center, Building C, level 3, Room 370. He added that "The Men Who Sailed the Liberty Ships", a documentary, will be premiering at Cowell Theater, Fort Mason Center, San Francisco, on the night of May 26, 1994, 6:30-9:00.
6. COAST GUARD REPORT. J. MacDonald. The F/V Carol burned and sank on April 11 and the vessel was later raised. A Navy A - 6E went down in anchorage eight on April 5. Also the Thompson Pass grounded in anchorage 9 during low tide but there was no damage to the vessel. A memorandum was sent to the alternate COTP San Francisco on May 6 addressing the overcrowding in anchorage nine. It asked that VTS work with the San Francisco Bar Pilots to keep the number of vessels in anchorage nine to a safe level of no more than 12. To accomplish this it will be policy that the 12 hour restriction on anchorage seven will be lifted when ever anchorage nine becomes crowded. A letter was sent to the Navy in regards to the USS Kansas City encouraging it to avoid anchoring in, or where they might swinging into, the traffic lanes. Dobravec reported that there have been requests to look at the question of under keel clearance. There have been several large spills in other parts of the country due to inadequate under keel clearance. Problems arise with how to measure it and how to enforce it.
7. Hunter noted that the Harbor Safety Committee should be aware that this was Capt. J.M. MacDonald's last meeting. J. MacDonald added that Capt. Donald P. Montoro will replace him. Montoro has been the C/O in San Diego so he is up-to-speed with California maritime issues. The changing of the guard will be on May 19, 1994 at 10:30. A. Thomas requested a resolution from the Harbor Safety Committee to officially thank Capt. MacDonald for all his hard work and good service and that the Committee appreciates all he has done. The MOTION was made by J. Faber, Seconded by J. Lundstrom, vote was unanimous.
8. OSPR REPORT, B. Leland. There was reference made to a letter written to David Whitmore that reiterated firm state support for the Physical Oceanographic Real System (PORTS) for the San Francisco Bay. OSPR is closer to being able to say that they can be responsible for maintaining the PORTS system. B. Leland noted that the public

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workshop on pilotage in California for the San Francisco Bay Region will be on June 6, 1994. M. Croce asked if the administrator will be in San Francisco for the pilotage workshop? B. Leland answered yes.

9. TUG ESCORT SUBCOMMITTEE, R. Peters. There was a working meeting on April 21 at which the subcommittee chair assigned certain regulations for members to prepare alternative draft text of the permanent guidelines. Also presented a "review of the record" and made public the suggested time line the subcommittee would like to follow: June 6, 1994 complete draft guidelines on "Lundstrom List" items, July 15, 1994 first public hearing - "Lundstrom List" items, August 8, 1994 TAG's Glostien report to Tug Escort Subcommittee, September 30, 1994 Tug Escort Subcommittee incorporates Tug Advisory Group study into guidelines, October 15, 1994 second public hearing - incorporating the Tug Advisory Group study items, November 30, 1994 distribute draft permanent guidelines to the Harbor Safety Committee and public, December 8, 1994 Harbor Safety Committee review and adoption of permanent guidelines, December 15, 1994 adopted guidelines to OSPR, January - July 1995 OSPR process: draft regulations, review by Harbor Safety Committee, publish, 45-day public comment period, August - September 1995 Harbor Safety Subcommittee/Tug Escort Subcommittee review of OSPR comments, October 1995 OSPR comment period, November - December 1995 OAL review period, February 1996 new regulations in place.
10. PLAN SUBCOMMITTEE, J. Lundstrom. Reported that Koops, Krygsman, and Gosling are working on updating the bollard pull list results with the help of a summary of violations provided by the Clearing House. There was a MOTION by J. Lundstrom for a 60 day extension (to September 1, 1994) on the submittal of the Harbor Safety Committee's annual review, seconded by Ann Notthoff. Motion was passed unanimously. A MOTION was made by J. Lundstrom to request from OSPR a two year extension for submitting the permanent guidelines by the Harbor Safety Committee, seconded by Roger Peters. Motion was passed unanimously.
11. MacDonald explained that there are two regulation packages. They deal with OPA 90 and the nationwide port specific State regulations. There is the hope that the federal regulations will take notice of all the work that has been done in specific ports and not just through the lessons learned by this and similar committees. In OPA 90 there are requirements for Z tugs for everything and it also only mentions single hull tankers. MacDonald said that it will be a minimum of a year before anything is completed. He added that there is the chance that they will not plan any hearings. Anyone could end up writing these regulations.
12. UNFINISHED BUSINESS. Smith asked if the Harbor Safety Committee was going to review or offer comments on California Maritime Commissions "Safe Passages?" A. Thomas answered that it was beyond the scope of the Harbor Safety Committee's jurisdiction, but that the chair encourage comments. A. Notthoff added that it has been the policy of the Harbor Safety Committee to refrain from commenting on things outside the Gate.
13. R. Peters asked if B. Leland was able to get something in writing about Harbor Safety Committee's indemnity question? B. Leland replied that the administrator is aware of the Committee's request and that he is talking to the Secretary but Leland does not know how long the process will take. He believes that liability is removed from boards that are strictly advisory. The liability lies within the regulatory process, not the advisory process.
14. Lundstrom stated that Sealift Command tankers are still not being escorted. They represent 5-6% of the tankers in the bay. She noted that C. Raysbrook was trying to get voluntary compliance from the Navy Military Sealift Command and wonder if he had received anything in writing. B. Leland replied no, nothing in writing. J. Lundstrom requested that the Harbor Safety Committee go on record to urge the Navy into voluntary compliance with tug escort regulations because these are actually private vessels on public contract. M. Croce agreed that the Committee should strongly recommend voluntary compliance, but suggested that it be put on the agenda for the next meeting so that everyone can become aware of the facts before discussing the subject. It was suggested that the Navy, who has a place on the Committee but has not been present for a long time, be contacted and encourage to attend the meetings so the Harbor Safety Committee could discuss these problems with them. MacDonald suggested that he make a non-official verbal request for the Navy to attend the meetings. A. Thomas added that if they fail to appear then the Harbor Safety Committee should send the Navy an official written request.

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15. NEW BUSINESS. M. Croce introduced Jeff Landen who is the new port superintendent for Chevron Longwharf. He is a Naval architect and will be very helpful with the escort study. Croce stated that J. Landen will be his alternate after he is sworn in.
16. Krygsman mentioned the meetings in Washington, D.C. he had attended where he talked about the logistics of dredging. They were not opposed to keeping the Corps of Engineers dredging. Also talked to the Corps of Engineers and communicated that the Port of Stockton is in favor of keeping the dredges active. He reported that they were very receptive. Krygsman went on to talk to a Senate Committee on behalf of the Port of Stockton about dredging. Senator Hatfield was in favor of dredging. He also talked to the acting assistant deputy for civil works who reportedly non-committal stated that there were no plans to make changes, which would mean the Corps of Engineers dredges would continue operating. J. Faber said that he believed the Corps of Engineers was going to sell them not just discontinue them. A. Krygsman replied that it is important to have alternatives. There could easily become only one dredging company to bid. Bill Capasso, Westar Marine Services, stated that he believed it would be easy to put an emergency dredge contract into place.
17. Lundstrom noted that the Coast Guard has had an aggressive program to inspect substandard vessel and the that it might be a program that the Harbor Safety Committee would want to recommend to a subcommittee. It is a positive program that focuses on personal safety as well as harbor safety. J. MacDonald said that historically the Coast Guard has had the authority to deny vessels entry to the port but if the vessels are in a severe state of disrepair the Coast Guard lets them go to anchorage or dock before they detain them. J. Faber said that if a vessel is detained at a dock no other vessel can dock there, which causes problems for the operators of the dock. J. MacDonald acknowledge that it caused problems but that there is often a threat to the crews safety if the ship were to remain in operation. He added that with the new matrix system the Coast Guard has had to detain two vessels for 2-3 week to correct the violations. MacDonald went on to say that the Harbor Safety Committee could help by getting the word out for people, when they're aboard a vessel, to keep their eyes open for violations. If the Coast Guard gets a call about suspected violations it will investigate. Thomas asked if the Coast Guard could provide the Harbor Safety Committee with a copy of their boarding forms? MacDonald said yes. A committee was formed to discuss how the Harbor Safety Committee could work with the Coast Guard to develop criteria for searching out substandard vessels: Maurice Croce, Ann Notthoff, Joan Lundstrom and Alexander Krygsman (when available).
18. Smith asked if the Coast Guard could perhaps change the current Coast Guard rule that vessels in anchorage need to be 750 yards apart, to 1000 yards. MacDonald replied that it was not a rule but a guideline and that he believed that the lifting of the 12 hour restriction on anchorage 7 would alleviate any crowding that may occur again. MacDonald noted that the recent overcrowding in anchorage 9 due to Navy salvage operations caught the Coast Guard by surprised. Normally there is not a problem but the Coast Guard will take a look at the distance question from a normal day to day operations point of view.
19. R. Smith requested that the D. Koops originally wording "near miss" replace "near accident: in the March 10, 1994 meeting minutes, because those were his actually words. It was acknowledged that the minutes would be changed.
20. MacDonald presented Chairperson A. Thomas with a humorous certificate proclaiming him licensed to serve as the master of the Harbor Safety Committee of the San Francisco Bay Region.
21. NEXT MEETING. June 9, 1994, Port of Richmond, Marina Bay Boat House.
22. MOTION by J. Lundstrom, seconded by J. Faber to adjourn. Meeting adjourned at 11:40.

Respectfully submitted,

Terry Hunter  
Executive Secretary