

MINUTES

HARBOR SAFETY COMMITTEE OF THE SAN FRANCISCO BAY REGION

10:00 a.m., Thursday, June 13, 1996

Port of Richmond, Harbor Masters' Office, 1340 Marina Way South, Richmond, CA

1. The public meeting was called to order by Chair, Arthur Thomas, San Francisco Bar Pilots, at 10:05. The following committee members or alternates were in attendance: James Faber, Port of Richmond; Alexander Krygsman, Port of Stockton; Margot Brown, National Boating Federation; John Gosling, Richard Smith (alternate for Dwight Koops), SeaRiver Maritime; Michael Nerney, Inchcape Williams-Diamond; Geoff Landon (alternate for Maurice Croce), Chevron Shipping; Scott Merritt, Foss Maritime; James Mes, Transmarine Navigation; Joan Lundstrom, San Francisco Bay Conservation and Development Commission; Marci Glazer, Center for Marine Conservation; Roger Peters, Member at Large; U. S. Coast Guard representatives, Cmdr. Ted Mar (MSO). U. S. Navy representative Robert Mattson; and OSPR representative, Bud Leland. Also in attendance, more than fifty representatives of the interested public, including representatives from USCG VTS 2000, Washington, DC.

2. T. Hunter, Marine Exchange, confirmed that a quorum was present.

3. **MINUTES OF PREVIOUS MEETING.** MOTION by M. Brown, seconded by J. Lundstrom "to approve the minutes of 4-11-96 as written and distributed." Motion passed without objection.

4. In opening remarks, the Chair reported on the International Maritime Pilots Association's Bi-Annual Convention, which was held in Rio de Janeiro the last week of May. Of the 35 member nations, 27 were represented. The General Assembly passed three resolutions of import to the HSC addressing (1) compulsory pilotage; (2) the incompatibility of economic competition among pilot groups with the pilots' duty to ensure safety; and (3) pilot ladders and the fact that in the 1995 survey of nearly 2,000 vessels, 28% of the ships didn't meet SOLAS standards. In addition, ten pilots have died as a result of faulty ladders in the past two years. These resolutions will be forwarded to IMO, the maritime arm of the United Nations. Copies of the resolutions will be submitted to the record of the HSC. The issue of tug escorting is receiving attention in oil ports in the rest of the world and they are beginning to look at the efficiency of escort tugs. A. Thomas has provided the SF HSC tug escort work to the International Maritime Organization. The report on the catastrophic spill that resulted from the grounding of the SEA EMPRESS in Wales may establish the benefit of escort tugs, as she had assist tugs, but no escort tugs on station.

5. The Chair introduced Captain Jim Rutkovski; USCG; Chief of Vessel Traffic Management, Washington, DC, under the Director of the Marine Safety Office; and Project Manager, VTS 2000 Acquisition. J. Rutkovski reported on how the VTS program is changing within strict budget restrictions. The Government Accounting Office report of 4-96 stated that VTS personnel should get out with pilots, representatives of the ports, and users to look at partnering, cooperation and privatization issues. The report added that VTS should be designed for each port, rather than a universal system. There may be better ways to run VTS than with one blanket radar. J. Rutkovski

will be in SF for four weeks and is looking for better ways to get together with users of the port. Under current regulations, the federal role in standards and enforcement can't and won't be surrendered. However, the USCG doesn't want to pour money in and lay down a VTS program. Instead they are looking at sharing costs and liability with the state, Marine Exchange, pilots, other federal agencies, port authorities, freight forwarders, ship owners and any other maritime industry VTS users.

6. J. Rutkovski introduced Captain Dan Farrell, Project Manager VTS 2000, who continued the presentation. VTS 2000 is a two year old project. D. Farrell's role is on the acquisition side, defining requirements and getting contractors on board. The object is to design, develop and implement a national state-of-the-market program to increase safety, protect the environment and improve waterways management. The Marine Board report contracted by the federal government is due out the end of this month. The scope of the project includes 17 ports throughout the US, evaluating the benefits where the system is already in effect, including Valdez and SF. The Port Needs Study looks at establishing new VTS' where none now exist, in cooperation with existing local or other agencies that have some type of system in place where possible. The ten year long acquisition project will have an open architecture throughout its life and will retrofit existing systems as technology advances, striving to an end of common hardware and software. NY, SF and Seattle upgrades are being completed. One goal is towards voiceless VTS, reducing VHF communications. Another is to provide a common user environment and hardware for the watch stander and mariner, no matter which port they are in nationwide and eventually internationally. Significant user involvement and input, in cooperation with the USCG and other government agencies, is needed for development of a system. Technology refreshing will be implemented, rather than replacement, to reduce costs. Reducing the number of sectors will result in cost reductions. Ten companies initially bid to develop the system. The field has been narrowed to three: Raytheon, Hughes and Lockheed Martin. The prototype will be tested in New Orleans. A copy of the written presentation, showing how the system will promulgate, which ports and in what order, is made a part of these minutes.

7. NY, Valdez, LA/LB, Puget Sound and SF are scheduled for attention at the end of the project, approximately 2003. However, everything is on the table at this point, including the schedule. VTS 2000 personnel are working with the Canadian CG and the St. Lawrence Seaway Authority to develop one contiguous system. VTS 2000 is sponsoring work at the international level (IMO) to retain use of marine band waves for marine use. There are currently 300 VTSs worldwide. VTS programs in the U.S. are under serious scrutiny at the federal legislative level to determine if the programs should be government funded or privatized. The belief at the federal level is that local users want to direct and pay for their own VTS. Local users need to decide what they want and how it should be paid for. The final modernization phase for the SF VTS is nearly complete and the federal government says local interests want to run it. This creates budgetary and liability problems. The federal government is paying for the upgrades. The question is who will pay for the on-going maintenance. At this point, help can be expected from the federal government through 1997. Pete Marsh, USCG VTS, and the Chair concurred that the maritime community is happy with VTS as it is and looks forward to the upgrades. The Chair added that the maritime community has gone on record as saying that it is prepared to step in if the USCG backs out, but it should be

emphasized that the community doesn't want VTS to go away. Discussion of the need to prepare for maintenance costs on into the future. J. Lundstrom stated that the HSC should read the reports carefully and watchdog the progress of the project. To date the HSC is only on record with broad language to support VTS upgrades. B. Leland added that the Administrator has a statutory responsibility to look at the adequacy of VTS in the state. OSPR led the effort to establish VTIS in Long Beach. OSPR has a statutory responsibility to see that VTS is maintained at an appropriate level. OSPR will have a spot bill for the next legislative session (Fall) to address this issue. In response to a suggestion that the VTS Sub-Committee reconvene to follow this, M. Glazer noted that the House Appropriations Committee meets 6-17-96, which does not allow time for the sub-committee to convene and return to the full committee with a recommendation. MOTION by M. Glazer, seconded by A. Krygsman that "the HSC send a letter to local Congressional delegates expressing support for continued development and operation of SF VTS and an appropriate level of federal funding." Motion passed without objection. J. Lundstrom suggested a call to Assemblywoman Pelosi, who sits on the Appropriations Committee. The Chair will make that call.

8. COAST GUARD REPORT, Cmdr. Ted Mar, Executive Officer, MSO, reporting for Captain D. Montoro who is attending an 11th District Commanders' meeting. (1) A written report of pollution statistics and significant port safety events is made a part of these minutes. This report covers two months because there was no HSC meeting in May. Of 62 reports, 22 actual spills were identified and the responsible parties found. For 21, no source was identified and for the balance no spill was found. Two spills involved deep draft vessels, 6 military vessels and 1 oil transfer facility. The balance involved smaller craft. (2) 50 port safety cases were opened during the period. 3 controls were issued and 6 letters of deviation. There were 5 propulsion failures, one instance of reduced power and one steering failure due to an intermittent problem, the cause of which could not be identified. The vessel was required to exit the bay with a tug escort. The details of these events are included in the written report made a part of these minutes. (3) Lt. Cmdr. Sharon Richey has left the area. Her replacement is Cmdr. Rob Morgan.

9. CLEARINGHOUSE REPORT, A. Steinbrugge. (1) There were three occasions to report regulated transits that did not check in with the Clearing House since the last HSC meeting in April. All involved tug-and-barges. In two instances the tug-and-barge checked in late, but the escort boats had checked in (one 12 minutes late). All three had their escorts in place.

10. OSPR REPORT, B. Leland. (1) The Administrator, Pete Bontadelli, has been temporarily reassigned to Fish and Game to train the newly appointed Director and is only in the OSPR office one day a week. Charles Raesbrook has been assigned to run the day-to-day affairs of OSPR. (2) OSPR representatives attended a meeting at Senator Milton Marks' office earlier in the week to hammer out the final language for SB 1641, which provides for mandatory state pilotage for San Francisco Bay. Representatives of OSPR, industry and the pilots reached consensus on the final language. (3) OSPR has received 217 comments on the tug escort regulatory package and is preparing responses to each one, looking to complete the process no later than the end of July. Once this work is completed, the package will go out for a 15 day comment period, with OSPR changes and comments. If any of the OSPR changes are not substantially related to what has gone on before, the comment period will be extended to 45 days, which would require an extension of

the existing emergency escort regulations that expire 1-1-97. B. Leland does not believe there will be a hearing at the end of the 15 days, but will defer to Marian Ashe for a sure answer. OSPR has the option to hold a hearing, but is not required to do so. Anyone who has an objection to no hearing should notify B. Leland or M. Ashe. The escort regulations are still on track for so that the new regulations will be in place by 1-1-97. To answer the comments received, OSPR has had to refer to four years of record to answer the comments received. R. Peters suggested that, to address the event unexpected issues arise, the Chair should send a letter to OSPR from the HSC advising them that the HSC wants to see continued regulations in place. R. Peters will draft such a letter. J. Lundstrom urged OSPR to give the Office of Administrative Law a heads up on the package, for comments prior to formal submission, so that the glitches can be worked out in advance. B. Leland reported that the Technical Advisory Group has elected to take no stance on the package. OSPR assumes they would have received a position paper by now if the TAC was going to take one.

11. PORTS SUB-COMMITTEE, Captain Tom Richards. (1) The final piece of PORTS equipment was installed at the Golden Gate; an acoustic Doppler in 300' of water, with a mile of cable run. He publicly thanked the USCG for their assistance and vessel support. All units are now in the water, installed, operational and on-line accessible by phone and computer. (2) A proposal has been drafted for submission to OSPR addressing continued operation and maintenance when NOAA steps back and the Marine Exchange steps forward. (3) A chart is displayed at the back of the room today, showing NOAA's hydrographic survey priorities. Some changes have resulted from the work of the Rock Removal Sub-Committee.

12. UNDERWATER ROCKS, J. Lundstrom. The sub-committee met on 6-11-96 at the Pilot Station to focus on environmental issues that might be raised by state and federal agencies. D. Sobeck (VTS) and J. Shanower (SFBP) drafted a report on related navigational safety issues in the Harbor Safety Plan which was accepted by the sub-committee. The meeting was attended by representatives from the National Marine Fisheries, EPA, the Golden Gate Recreational Area; and the SF Bay Commission. NMF doesn't like the prospect of disturbing the feeding grounds at Harding and Shag Rocks. State Fish and Wildlife sees short and long range problems, but are not as hard line as NMF as a result of their recognition of the dangers from oil spills. BCDC and the SF Bay Commission state that risk management analysis must be looked at versus any impact on fisheries and/or the environment. The National Park Service (GG Recreational Area) is concerned about the birds on Alcatraz and where they feed. The participants discussed the permitting process, with the COE or some other agency as sponsor of the project. Permitting must be done under provisions of the Federal Environmental Quality Act and the California Environmental Quality Act through the Bay Commission, the Regional Water Quality Control Board, and, for blasting, the Department of Fish and Game. The COE has indicated that an environmental quality analysis report could take 5-10 years. The sub-committee will hold its next meeting after the COE provides an additional look at the costs of the alternatives for reducing the rocks. This report is expected after the summer and then the sub-committee will look at navigational, environmental and funding issues. M. Glazer asked if the COE has committed to review the cost analysis. J. Lundstrom responded that they had indicated yes at an earlier time then, at the sub-committee meeting, stated that they would look into it.

13. **PLAN SUB-COMMITTEE**, J. Lundstrom. The fourth annual revision of the plan is in draft form for submission to the full HSC for a vote at this meeting. She thanked the sub-committee chairs, NOAA, VTS, and the MX for their contributions. The highlights of the revision include a new section on underwater rocks; a compendium of loss of vessel control incidents, broken down by tankers, etc.; and a section on near misses (tracked by VTS). It is noted that there has been a substantial increase in pilot participation. The number of reports of small craft hazards by pilots to VTS is substantially greater, with the pilots providing the names and registration numbers of the boats involved in hazardous operations. Without this information it is almost impossible to find the boats in question. The entire text of the proposed tug escort regulations and OSPR's statement of reasons has been included at the end of the review. The recommendations contained in the draft review have all been voted on at previous HSC meetings. There is nothing new that was not taken directly from the minutes of previous meetings.

14. J. Lundstrom led the committee on a chapter-by-chapter review of the draft document. (1) a minor change on pg. 7, PORTS is a two year project, rather than this being second year and two minor typographical errors. (2) R. Smith noted that, pg. 18, regarding recommendations 22-24 and 27, action is still pending, rather than stating that no action taken to date. The language is incorrect since PORTS covered some of these issues. J. Lundstrom will reconcile the language in concert with R. Smith. This will result in a change in the reported status of some recommendations, but will not change the recommendations. (3) D. Farrell, USCG VTS, asked if pg. 19, VTS section, is the place to put language stating the HSC position on continued federal funding of VTS at the present level. M. Glazer suggested that the letter being sent as a result of her earlier motion better addresses the need for HSC support. She will draft a letter for the Chair's signature. (4) M. Glazer noted that, on pg. 24, in the section on economic impacts, language should clarify that the decline in costs are a result in a decline in traffic and state that the dollar figures come from a 1994 survey. (5) M. Glazer suggested that Bud Leland, OSPR, be acknowledged on pg. 3 as OSPR's liaison to the SF HSC. (6) pg. 12 #4 is outside the COE's jurisdiction. However, it is within the area NOAA plans to contract for survey per his earlier report. MOTION by J. Lundstrom, seconded by A. Krygsman "to accept the 1996 Annual Review of the San Francisco, San Pablo and Suisun Bays Harbor Safety Plan as amended and submit it to OSPR." Motion passed without objection. As a follow-up, this summer, J. Lundstrom will work with OSPR to consolidate the four annual reviews with the original plan and bring the consolidation into a common format with other HSCs. Anyone wishing to help should contact J. Lundstrom. A. Steinbrugge will help. J. Lundstrom added that, in the Fall, the HSC can review where to focus efforts for effectiveness.

15. The Chair thanked J. Lundstrom for her considerable work on the Underwater Rock and Plan Sub-Committees.

16. **UNFINISHED BUSINESS:** None.

17. **NEW BUSINESS:** M. Glazer announced that this is her final HSC meeting as the environmental representative. She expressed enjoyment in working with representatives from other sectors and appreciation for the dedication to safety demonstrated by all committee members. Her replacement will be Werner Chabot. The Chair stated his appreciation for her work and

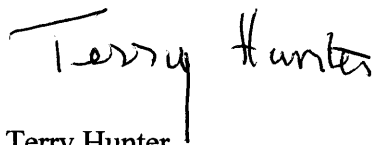
participation. R. Peters stated his pleasure in working with M. Glazer on the TES and appreciation for her work on the regulations, providing the sub-committee with more than a single interest.

18. **NEXT MEETING.** The Chair looked to B. Leland for input as to whether OSPR would have anything for the HSC that would necessitate a July meeting. B. Leland responded no. With the plan review complete, the Chair suggested that the July meeting be canceled and an August meeting only be scheduled if needed. The MX will so advise the membership and public if such a meeting is to be held on 8-8-96 at 10:00 at the Port of San Francisco. B. Leland noted that an industry-led preparation scheduled for that date would create a conflict. The Chair asked if B. Leland anticipated issues for vote by the HSC in August. B. Leland did not.

19. The Chair thanked the members of the HSC for their attendance and participation over the past year and thanked the Washington, DC, VTS staff for their presentation.

20. **MOTION** to adjourn by M. Glazer, seconded by R. Peters. Meeting adjourned at 12:20 without objection.

Respectfully submitted,

A handwritten signature in black ink that reads "Terry Hunter". The signature is written in a cursive style with a horizontal line above the first name.

Terry Hunter
Executive Secretary

POLLUTION STATISTICS

FOR PERIOD 01APR96 - 31MAY96

	MSO	MSD	TOTAL
1.) Total reported/investigated pollution incidents within MSO SF BAY AOR:	57	5	62
Civil Penalty Action	19	3	22
Spill, No Source	21	0	21
No Spill, Potential Only	8	0	8
No Spill, Unconfirmed Report	8	2	10
EPA Zone Reports	1	0	1
2.) Discharges of Oil from:			
Deep Draft Vessels	1	1	2
Oil Transfer Facilities	1	0	1
Military Vessels/Facilities	6	0	6
3.) Federalized Cleanups	1	0	1
4.) Non-Federal Cleanups	18	0	18
5.) Hazardous Material Releases	0	0	0
6.) Cases requiring polreps	2	0	2
7.) Tickets Issued	17	0	17

Significant Cases:

MSO SAN FRANCISCO BAY:

UCN 121-96, TUG S.T.S., GATEWAY MARINE TERMINAL, OAKLAND INNER HARBOR, ALAMEDA, CA

On April 13, 1996, MSO San Francisco Bay received a report of a sunken tug near Gateway Marine Terminal in Alameda, CA. The owner, Mr. John Seaborn had deployed sorbent boom to contain the small amount of motor oil that had escaped during the sinking. On April 29, 1996, Mr. Seaborn successfully re-floated the Tug S.T.S.. In addition, Mr. Seaborn has compiled a collection of several derelict barges and tugs containing miscellaneous oils and HAZMAT. Bay Conservation and Development Commission recently served Mr. Seaborn with an eviction notice, ordering him to remove his vessels from the premises. Due to the condition of the vessels and the potential pollution threat, a Captain of the Port Order was issued to Mr. Seaborn stating that the seaworthiness of the vessels and barges must be documented by a reputable Marine Surveyor prior to commencing any towing

operations. In addition, all items aboard the barges must be removed or properly stored and lashed to the deck to the satisfaction of the Marine Surveyor, and all oils, solvents and other hazardous materials must be properly removed prior to any movement of the vessels and/or assorted property. A Notice of Violation was issued to Mr. Seaborn in reference to the oil discharge from the Tug S.T.S.. To date, Mr. Seaborn has not fulfilled the requirements as prescribed in the COTP order.

UCN 124-96, F/V TRINITY, POINT PINOS, MONTEREY, CA

On April 20, 1996, MSO San Francisco Bay received a report of the F/V Trinity aground at Point Pinos in Monterey, CA. The vessel had a potential to discharge approximately 500-600 gallons of miscellaneous fuel and oils in an environmentally sensitive area. MSO San Francisco Bay dispatched a pollution team to investigate and evaluate the pollution threat. On April 21, 1996, the pollution team met with the vessels owner, Mr. Salvatore Randa, who initiated the salvage operations of the vessel. All fuel vents were plugged prior to salvage operations to prevent further discharge into the water. On April 21, 1996, the owner contracted Parker Diving Service to remove all fuel and HAZMAT from the vessel and perform vessel salvage. However, due to safety concerns with the vessel in a tidal zone, no product was recovered directly from the vessel until it was removed from the beach on May 01, 1996. Thereafter, the vessel was towed to a boat yard and scrapped. It is estimated 325 gallons of miscellaneous fuels was discharged from the vessel. A Report of violation was issued to the owner.

UCN 151-96, F/V BRANDY LEE, SANTA CRUZ BOARDWALK, SANTA CRUZ, CA

On April 16, 1996, MSO San Francisco Bay received a report of a 41' fishing vessel aground at the south end of the Santa Cruz boardwalk. MSO dispatched a pollution team to evaluate the pollution threat. After meeting with Mr. Don Jacobs, owner of the F/V Brandy Lee, it was determined that approximately 500 gallons of diesel fuel was on board and had a high probability to discharge in an environmentally sensitive area. After an unsuccessful attempt to remove the fuel by the owner, MSO accessed the OSLTF and initiated federal response activities. On April 19, 1996, all fuel and fuel tanks were removed from the vessel. A Report of Violation was issued to Mr. Don Jacobs.

SIGNIFICANT PORT SAFETY EVENTS

FOR PERIOD 05 APR 96 - 11 JUN 96

1. Total Port Safety cases open for period.	50
2. Port State Controls/COTP Orders	3/2
3. Number of vessels requesting/granted Letters of Deviation to enter Bay.	6/6
4. Propulsion/Steering Failures - propulsion reduction	5/1 1
5. Deadship Tow	1
6. Vessel Fires	0

Significant Cases:

13 APR 96 M/V S.T.S. (U.S.) CAPTAIN OF THE PORT ORDER:

On Saturday, 13 April at 1937 the Marine Safety Office received a National Response Center flash fax stating that an unknown vessel was sunk at the Gateway Marina in Alameda. The Reporting Party indicated that there was a slick of dark oil heading down the channel from the sunken tug which was being raised by salvors. A Marine Environmental Response pollution team was dispatched to the scene and met with the owner of the tug. After several attempts the tug was successfully raised and rafted together with other assorted floating property, including two barges. Several unsafe conditions were observed and the vessel, along with its other assorted property, was deemed a potential pollution threat and hazard to navigation. Thus, a COTP Order was placed upon the M/V S.T.S. and assorted property not to move until certain conditions were met. Prior to movement within the Bay, a reputable Marine Surveyor must attest to the seaworthiness and safety of the aforementioned items, and all oils, solvents, batteries, and other hazardous materials must be properly removed. This case is ongoing.

20 APR 96 T/V TAMAGAWA (PANAMA) PROPULSION CASUALTY:

On Saturday, 20 April at 1015 the Coast Guard received a report that the T/V TAMAGAWA, loaded with approximately 3,828 tons of Methyl Tertiary-Butyl Ether (MTBE), was "Dead In the Water" 2.5nm North of the San Francisco Sea Buoy. The Pilot (unit #23) onboard indicated that the vessel would not respond ahead or astern. The Coast Guard immediately checked for any vessel traffic which might be transiting the area and found that none was expected. One hour and forty minutes later the vessel had drifted south to 1.5nm West of the Sea Buoy, before the Chief Engineer discovered the valve causing the problem, and was able

to restore ahead propulsion. The COTP required a tug to escort the vessel and, it proceeded safely to dock. The valve was repaired the following day and inspected by the Coast Guard. Case Closed.

09 MAY 96 USNS CAPE GIBSON (U.S.) PROPULSION CASUALTY:

On Thursday 09 May, at 1623 the Coast Guard received a report the USNS CAPE GIBSON lost power and struck the North Channel Lighted Buoy #2 near Anchorage 7. When it was determined that the vessel was not in jeopardy, the COTP required the Pilot to remain on board, and the vessel to move to Anchorage 7 discontinuing its sea trials until an inspector arrived on scene. The Coast Guard inspector thoroughly checked repairs made to the vessel and determined that a tug escort was not required. Only minor damage to the prop was incurred and the vessel was allowed to continue sea trials. Case Closed.

05 MAY 96 M/V XIN AN (SAINT VINCENT & THE GRENADINES), PORT STATE CONTROL INTERVENTION:

On Thursday 30 May, the M/V XIN AN was detained and prohibited from leaving the San Francisco Bay due to numerous discrepancies with the International Convention for the Safety of Life at Sea (SOLAS). One of the required licensed engineers was not qualified for the power plant onboard. The crew was unable to perform adequate fire and abandon ships drills. Also, fire fighting equipment and lifesaving equipment, including lifeboats, were badly damaged and inoperable. Repairs were inspected by a representative of the American Bureau of Shipping on behalf of the China Classification Society and determined to be satisfactory. Once fire and abandon ship drills were performed to the satisfaction of Coast Guard inspectors, the vessel was cleared to leave the port. Case Closed.

01 JUN 96 M/V PACIFIC SPLENDOR (BAHAMAS), CAPTAIN OF THE PORT ORDER:

On Saturday 01 June, Coast Guard received a report that the M/V PACIFIC SPLENDOR suffered momentary losses of steering while in the Stockton Deep Water Ship Channel bound for Stockton. Unit #21, the pilot onboard, reported that the helm repeatedly stuck during port turns. Due to the narrow channel, the vessel was not able to anchor, and requested a tug to escort her to Stockton. The Master and Chief Engineer conducted a thorough examination of the steering gear, but were unable to determine the cause of the problem. COTP required Det Norske Veritas (DNV) classification society to conduct a complete steering system survey. DNV could not shed any further light on the problem. Due to the inconclusive findings of DNV, a COTP order was placed on the M/V PACIFIC SPLENDOR to have a tug escort, with a minimum bollard pull of 50,000 lbs, for the outbound transit to sea from Stockton to the Golden Gate Bridge. Case Closed