

Harbor Safety Committee

of the San Francisco Bay Region

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

Harbor Safety Committee of the San Francisco Bay Region

Thursday, July 8, 2010

Port of Richmond Harbor Master's Office, Port of Richmond, California

Joan Lundstrom, Chair of the Harbor Safety Committee of the San Francisco Bay Region (HSC), San Francisco Bay Conservation and Development Commission (BCDC); called the meeting to order at 1005. **Alan Steinbrugge**, Marine Exchange of the San Francisco Bay Region (Marine Exchange), confirmed the presence of a quorum of the HSC.

Committee members (M) and alternates (A) in attendance with a vote: **Capt. Marc Bayer** (M), Tesoro Refining & Marketing Company; **John Berge** (M), Pacific Merchant Shipping Association; **Margot Brown** (M), National Boating Federation; **Ron Chamberlain** (M), Port of Benicia; **Norman Chan** (M), Port of Richmond; **Lt. Col. Laurence Farrell**, United States Army Corps of Engineers (USACE); **Aaron Golbus** (M), Port of San Francisco; **Capt. Jay Jewess**, United States Coast Guard (USCG); **Carol Keiper** (M), Oikonos Ecosystem Knowledge; **Capt. George Livingston** (M), Francisco Bar Pilots (Bar Pilots); **Capt. Jonathan Mendes** (M), Starlight Marine Services; **Capt. Pat Murphy** (M), Blue & Gold Fleet; **William Nickson** (A), Transmarine Navigation; **Capt. Eric Osen** (M), Chevron Shipping Company; **Walter Partika** (A), Foss Maritime; **Chris Peterson** (M), Port of Oakland, **Capt. Ray Shipway** (A), International Organization of Masters, Mates, and Pilots

Alternates present, and those reporting to the HSC on agenda items: **Capt. Esam Amso** (A), Valero Marketing and Supply Company; **Chris Beckwith**, California State Lands Commission (State Lands); **Capt. Jeff Cowan**, California Office of Spill Prevention and Response (OSPR), **Steve Chesser**, USACE; **Capt. Noapose Fotu** (A), National Cargo Bureau; **Capt. Jack Going** (A), Baydelta Maritime; **Capt. Bruce Horton** (A), Bar Pilots; **Lt. Cmdr. Desarae Janzen**, USCG; **Capt. Lynn Korwatch**, Marine Exchange; **William Needham** (A), National Boating Federation; **Linda Scourtis** (A), BCDC;

The meetings are always open to the public.

Approval of the Minutes

Lundstrom asked that the minutes of the meeting of June 10, 2010 be corrected to show that on the last page, the date and time of the next meeting had been announced by Rich Smith Vice-Chair of the (HSC), Westar Marine Services. A motion to accept the minutes as corrected was made and seconded. The motion carried without discussion or dissent.

Comments by the Chair – Lundstrom

- **Lundstrom** present a certificate of appreciation to **Lt. Col. Farrell** for his exemplary work and close cooperation with the HSC and maritime community. She said that the HSC had never been able to get as

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much cooperation from USACE prior to Lt. Col. Farrell's arrival, and she hoped that his fine example would be followed up on in the future. Capt. Bayer said that his successor had big shoes to fill. **Capt. Horton** thanked **Lt. Col. Farrell** on behalf of the Bar Pilots for the great improvements in response time, and said the he had been a "bright light."

- **Lt. Col. Farrell** said that it had been an honor, and a pleasure to work with the HSC. He said that the monthly meetings of the HSC were one of the few meetings he looked forward to and complimented the HSC for its constructive balance of environmental and business concerns.
- **Lundstrom** said that the letter discussed by **Brown** during her report on the Prevention through People Workgroup at the June meeting had been resubmitted.
- A full report on the first joint national meeting of HSC's and Area Maritime Security Committees (AMSC) would be given later in the meeting.
- San Francisco had recently been announced as the lone US city candidate to compete to host the America's Cup. If the competition were to come to San Francisco, it would have a huge impact on the maritime community.

Coast Guard Report – Capt. Jewess

- **Capt. Jewess** introduced himself as the new deputy commander of Sector San Francisco. He said that Capt. Paul Gugg, USCG, sent his apologies for missing Lt. Col. Farrell's last meeting.
- Sector San Francisco continued to provide support to the response to the Deepwater Horizon pipeline blowout. He said that nineteen active duty and forty reserve USCG personnel were serving in the region. Local response posture was not affected.
- Coast Guard personnel were saddened by the death of three of their compatriots in a helicopter crash near La Push, Washington, on July 7, 2010, the day before the HSC meeting.

Lt. Cmdr Janzen read from a report that is attached to these minutes.

Capt. Horton asked if it was really the case that a passenger on board the ferry Peralta had reported the vessels allision with a pier. **Cmdr. Kara Satra**, USCG, said that was definitely part of the investigation.

Capt. Cowan asked whether low sulfur fuel had played a part in the loss of propulsion suffered by the *Ocean Pearl*. **Cmdr. John Taylor**, USCG, said that the O ring in the fuel pump was worn, and that it seemed to be a maintenance issue.

Capt. Jewess presented **Lt. Col. Farrell** with the Coast Guard Achievement Medal in recognition of the superior performance of his duty during his tour in the Bay Area. **Lt. Col. Farrell** thanked **Capt. Jewess**, and said that he would remember the professionalism of the members of the HSC, and their ability to get things done, as the hi-light of his tour.

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US Army Corp of Engineers Report – Lt. Col. Farrell

- Introduced **Lt. Col. Torrey DiCiro**, USACE, and his successor as commander of the San Francisco District.
- Realignment of the North Bay ship channel remained on track.
- Three debris boats were active in the region for the first time since 2000.

Chesser read from a report that is attached to these minutes.

Capt. Shipway asked whether the Stockton dredge project was a new one. **Lt. Col. Farrell** said that it was not a new project, but that it fell under general construction rather than operations and maintenance in the USACE budget.

Clearing House Report – Steinbrugge

Ortega read a report that is attached to these minutes.

OSPR Report – Capt. Cowan

- Assembly Bill 234 would amend drill requirements for crews to demonstrate booming qualifications to qualify for stand-by booming exemptions during oil transfers. The bill would also increase funding to OSPR through increased fees. **Lundstrom** said that AB 234 would be addressed during the report of the Navigation Work Group.
- Assembly Bill 2739 would require OSPR to assess the environmental threat posed by the tanker *Montebelol*, sunk off Cayucos, California by a Japanese submarine December 23, 1941. She was carrying seventy-three thousand barrels of Santa Maria crude, plus bunker fuel, and is resting in nine hundred feet of water near two marine sanctuaries.

NOAA Report –

There was no report.

State Lands Report – Beckwith

Beckwith read from a report that is attached to these minutes.

Air Resources Board (ARB) Report –

Lundstrom said that ARB staff had submitted their usual report, which is attached to these minutes. She called attention to their contact information at the end of the report, and encouraged people to get in touch with ARB if they had any questions.

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Report on National HSC Meeting & National Area Maritime Security Meeting – Lundstrom & Capt. Korwatch.

- **Lundstrom** said that the Los Angeles/Long Beach HSC had received the HSC of the Year Award for establishing new voluntary traffic lanes and communications protocols with the US Navy since ARB fuel-switching regulations had caused traffic in their region to take new routes through the Channel Islands and the Navy's missile range.
- **Lundstrom** gave a presentation on our HSC's work with ARB on the fuel switching issue as part of the session on best practices and lessons learned. She said that many were unaware that similar regulations would be coming to US and Canadian waters in 2012, so there was a great deal of interest in the efforts of this committee, and the study from the California Maritime Academy commissioned by ARB. A video record of her report can be seen at this site:
http://www.bethereglobal.com/content/449_trb_harbor_safety/docs/1.3.htm
- **Capt. Korwatch** said that this was the first time that the Coast Guard had combined their national AMSC meeting with the HSC community. She said that this would be the policy going forward as the Coast Guard recognized the alignment between safety and security. She encourages everyone to attend the next conference scheduled for Houston in June 2011.

Tug Work Group – Capt. Mendes

- They were scheduled to meet on July 22 to discuss vessel bitt strength issues.

Capt. Shipway asked if he was on the work group meeting notification list. **Steinbrugge** said that meeting notifications go to everyone that has signed up for the mailing list and are publically posted at <http://www.sfm.org/support/hsc/workgroups/>. **Lundstrom** said that all meetings are open to the public and encouraged those interested to attend.

Navigation Work Group – Capt. Horton

- **Capt. Horton** deferred to **Lundstrom** to summarize the HSC's letter regarding AB234 that was attached to the minutes of the last meeting. The letter noted that conditions in San Francisco Bay are different than in Puget Sound where regulations similar to those proposed in AB234 have been enacted. The letter also addressed the concern that conditions in San Francisco Bay could actually cause the booms to become tangled in a vessel's rudder, propeller, and anchor chain which could prevent the vessel from maneuvering as needed.

Brown suggested that the letter quote existing regulations as appropriate and asked why the letter was addressed to **Steve Edinger**, OSPR Administrator. **Lundstrom** said that it was her understanding that controlling regulations required that the HSC's could only provide advice to OSPR. **Brown** asked whether it would be possible to provide the members of the Assembly Committee with a copy of the letter. **Capt. Cowan** said that he would check on that. **Lundstrom** said that existing regulations that would be duplicated by the proposed bill would be attached to the letter.

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A person from the public in attendance, who identified herself as Lisa, asked why Anchorage 9 was used for bunkering if it was so dangerous. She asked where bunkering had been conducted in the past. **Capt. Horton** said that it was the widest and deepest area in the Bay. Lisa asked if there were a safer area, and **Capt. Horton** said that he did not think so. No one could remember bunkering operations being conducted in another anchorage.

Jackie Dragon, Pacific Environmental, asked members of the HSC to vote against the letter because AB 234 provided safety exemption discretion to OSPR in line with the USCG field guide. She said that the bill would amend the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act that already requires the use of best achievable protection technologies. **Dragon** cited evidence from Washington and New York waterways where booms were working effectively in high speed current conditions. She said that if crews could be trained to deploy booms in an emergency, they could also be trained to pick them up in an emergency.

Keiper asked that a map of the area in question be attached to the letter.

A motion to adopt the letter, as amended, opposing AB 234 which would require pre-booming for bunkering operations in San Francisco Bay was made and seconded. It passed without dissent.

Ferry Operation Work Group – Capt. Murphy

- Their next meeting was scheduled for August 26.

Dredge Issues Work Group – Capt. Bayer

- They met with the Navigation Work Group on June 22 to discuss clarifying the language in the *Harbor Safety Plan* defining under keel clearance. Capt. Bayer summarized the language that was attached to the minutes of the last meeting.

Capt. Osen said that he had suggested an amendment to the proposed language that had been rejected at the work group meeting. He asked that his proposal be attached to these minutes.

There was no further discussion. A motion to accept the new language amending the definition of underkeel clearance was made and seconded. The motion carried, with **Capt. Osen** voting no.

Physical Oceanographic Real Time System (PORTS) Work Group – Capt. Amso

There was nothing to report

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Prevention through People Work Group – Brown

At **Lundstrom's** request, the presentation of the new version of the *Sharing the Bay* video was scheduled after New Business on the agenda.

PORTS Report – Steinbrugge

- The railroad drawbridge wind sensor was off line due to data collection problems. The AMORCO wind sensor was operational. The first expansion site to go online in the fall would likely be the Pittsburg wind sensor. Maintenance was scheduled for buoy mounted sensors in mid September.

Public Comment

There was none

Old Business

There was none

New Business

Margot Brown, Chair Prevention Through People Work Group Chair presented the updated video of 'Sharing the Bay' which the Work Group prepared.

Lundstrom adjourned the meeting at 1200 on conclusion of the video.

Respectfully submitted:



Cap. Lynn Korwatch

PREVENTION / RESPONSE - SAN FRANCISCO HARBOR SAFETY STATISTICS	
June-10	
PORT SAFETY CATEGORIES	
Total Port Safety (PS) Cases opened for the period:	8
1. Total Number of Port State Control Detentions for period:	0
SOLAS (0), MARPOL (0), ISM (0), ISPS (0)	
2. Total Number of COTP Orders for the period:	0
Navigation Safety (0), Port Safety & Security (0), ANOA (0)	
3. Marine Casualties (reportable CG 2692) within SF Bay: Allision (1), Collision (0), Fire (0), Grounding (1), Sinking (0), Steering (0), Propulsion (1), Personnel (0), Other (1), Power (0)	4
4. Total Number of (routine) Navigation Safety related issues / Letters of Deviation:	4
Radar (1), Steering (0), Gyro (0), Echo sounder (1), AIS (2), AIS-835 (0), ARPA (0), SPD LOG (0), R.C. (0)	
5. Reported or Verified "Rule 9" or other Navigational Rule Violations within SF Bay:	0
6. Significant Waterway events or Navigation related cases for the period:	0
7. Maritime Safety Information Bulletins (MSIBs):	0
MARINE POLLUTION RESPONSE	
Total Oil/Hazmat Pollution Incidents within San Francisco Bay for Period	13
* Source Identification (Discharges):	
TOTAL VESSELS	4
U.S. Commercial Vessels	2
Foreign Freight Vessels	0
Public Vessels (Military)	0
Commercial Fishing Vessels	0
Recreational Vessels	2
TOTAL FACILITIES	6
Regulated Waterfront Facilities	4
Regulated Waterfront Facilities - Fuel Transfer	0
Other Land Sources	2
OTHER SOURCES	3
Mystery Spills - Unknown Sources	3
Pollution Cases Requiring Clean-up	0
Federally Funded Cases	0
TOTAL OIL DISCHARGE AND HAZARDOUS MATERIALS RELEASE VOLUMES BY SPILL SIZE CATEGORY:	13
1. Spills < 10 gallons	10
2. Spills 10 - 100 gallons	1
3. Spills 100 - 1000 gallons	1
4. Spills > 1000 gallons	1
5. Spills - Unknown	0
TOTAL OIL DISCHARGE AND/OR HAZARDOUS MATERIAL RELEASE VOLUMES (GALLONS):	74.5
1. Estimated spill amount from U.S. Commercial Vessels:	3
2. Estimated spill amount from Foreign Frieght Vessels:	0
2. Estimated spill amount from Public Vessels:	0
3. Estimated spill amount from Commercial Fishing Vessels:	0
4. Estimated spill amount from Recreational Vessels:	1.5
5. Estimated spill amount from Regulated Waterfront Facilities:	20
6. Estimated spill amount from Regulated Waterfront Facilities - Fuel Transfer:	0
7. Estimated spill amount from Other Land Sources:	50
8. Estimated spill amount from Unknown sources:	0
TOTAL PENALTY ACTIONS:	2
Civil Penalty Cases for Period	0
Notice of Violations (TKs)	1
Letters of Warning	1

SIGNIFICANT PORT SAFETY AND SECURITY CASES

MARINE CASUALTIES - PROPULSION/STEERING

Marine Casualty- Grounding, Tug SIRIUS (16 June): The Sector Command Center (SCC) received a notification from Vessel Traffic Service (VTS) that the Tug SIRIUS drifted aground due to strong current while attempting to reposition their anchor in Anchorage 22. At the time of the grounding the Tug SIRIUS had an empty barge alongside her. The Tug DELTA BILLIE was nearby and assisted the Tug SIRIUS off the mud. The vsl master reported no injury, pollution risk or vsl damage as a result of the grounding. No further action was required. Case closed.

Marine Casualty- Allision, Ferry Peralta with a pier near Jack London Square (19 June): The SCC received a report from a passenger onboard the Ferry Peralta reporting that the Ferry allided with the pier at the Clay Street Ferry Terminal in the Port of Oakland. The passenger provided a written statement stating that five passengers, including herself, were injured due to the allision. The SCC contacted the vsl operator who stated that the ferry allided with the pier while at 3 knots causing a small tear on the bow of the vsl; there was no damage to the pier. The vsl operator underwent drug and alcohol testing and results are pending. An 835 (no sail) was issued requiring the vsl to remain at Pier 41 until a Marine Inspector confirmed deficiency corrections were satisfactory. On 27 June the Marine Inspector deemed all deficiencies to be repaired. Case pends.

Marine Casualty- Loss of Propulsion, M/V OCEAN PEARL (23 June): While dropping anchor at Anchorage 8, the M/V OCEAN PEARL experienced a loss of propulsion. Sector SF issued a COTP order requiring the vsl to remain in Anchorage 8 until a classification society surveyor report was submitted. On 24 June, the class survey report stating that the damaged "O" ring on the fuel pump was replaced and proper operation of the main engine was satisfactory. The COTP order was lifted. Case closed.

VESSEL SAFETY CONDITIONS

NONE

GENERAL SAFETY/SECURITY CASES

Potential Maritime Security Risk, Chevron Refinery Bomb Threat (16 June): The SCC received notification from the Chevron Richmond Refinery that the BART (Bay Area Rapid Transit) police received a bomb threat from an anonymous caller stating they were going to blow up the Chevron facility along the waterfront. The FBI, Richmond Police Department and Contra Costa Sheriffs Marine unit were all involved in security patrols of the area. After forty hours of surveillance with no further threat the facility stood down from the bomb threat and they are currently on MARSEC Level 1. Case closed.

NAVIGATIONAL SAFETY

Navigation Safety- Letter of Deviation (LOD) INOP Automatic Identification System (AIS), T/V OKEANIS (23 June): The T/V OKEANIS was issued an LOD for transit within the SF Bay for an inoperable AIS. The vsl was required to correct the deficiency prior to departing San Francisco. On 25 June, the SCC received the class report documenting the satisfactory repair and operation of the ships AIS. Case closed.

Navigation Safety - LOD INOP AIS, M/V XIN DA YANG ZHOU (23 June): The vsl was issued an outbound LOD for an inoperable AIS. The vsl was unable to make repairs in SF due to the lack of availability of parts. The repairs have been scheduled at the vsl's next port of call in China. Case closed.

Navigation Safety- LOD INOP Echo Depth Sounder, M/V ALGOL (24 June): The SCC received notification from the vsl Master reporting an inoperable Echo Depth Sounder (fathometer) on board. An LOD was granted, allowing the vsl to transit from Alameda, CA to conduct a three day sea trial with a two tug escort outbound and one tug escort inbound. Vsl intends to make repairs prior to returning to Alameda. Case pends.

Navigation Safety- LOD INOP 10CM RADAR, T/V OVERSEAS JADEMAR (25 June): The vsl was issued an inbound LOD for an inoperative 10CM radar. On 28 June, the Radio Holland Group submitted a technical report confirming proper repairs to the radar have been made; LOD was lifted. Case closed.

SIGNIFICANT INCIDENT MANAGEMENT DIVISION CASES

10 June - Sunken barge in Antioch. Discharged approximately 2 gallons, with significant potential remaining onboard. Removal efforts continue and enforcement actions are pending.

24 June- Unregulated facility. Approximately 33000 pounds of sugar liquour spilled from a sugar refinery in Crocket, CA. No material reached the water, therefore no clean-up required and no enforcement actions taken.

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December 30, 2009

Commander
Eleventh Coast Guard District, Bridge Section
Bldg. 50-2
Coast Guard Island
Alameda, CA 94501

Subject: Proposed Drawbridge Regulation Change for Northern California-
Bridge-Oakland Inner Harbor Tidal Canal

Dear Commander:

At the December 10, 2009 meeting of the Harbor Safety Committee of the San Francisco Bay Area, the Committee discussed the proposed changes of the frequency of operation of the High Street, Fruitvale and Park Street Drawbridges over the Inner Harbor Canal.

The San Francisco Harbor Safety Committee is a 20-member committee established by California law to make recommendations to prevent vessel accidents in the Bay, which might lead to an oil spill. The Committee consists of a broad membership of the maritime community, with its publicly noticed meetings well attended.

The waterway traffic in the canal consists of commercial, recreational, search and rescue, law enforcement and disaster response vessels, which are contingent upon proceeding based on favorable tides and draft. Present regulation calls for opening of the bridges on signal, except for the hours of 8AM to 9AM and 4:30 PM to 6:30 PM when two hours notice is required. Proposed regulation would demand four hours notice from 4:30 PM to 9:00 AM – most of the afternoon and all night. The bridges would not be manned during these 16+ hours, making emergency passage impossible. This extreme change would be a major impediment, particularly to search and rescue, law enforcement and disaster response vessels. The Committee voted unanimously to oppose the change, based on these safety concerns.

Sincerely,

Joan Lundstrom, Chair
Harbor Safety Committee of the
San Francisco Bay Region

Cc: Harbor Safety Committee

Harbor Safety Committee c/o Marine Exchange of the San Francisco Bay Region
505 Beach Street, Suite 300, San Francisco, California 94133-1131
(415) 441-6600 – hsc@sfmtx.org

(8) Proceed south-southeasterly in a straight line, returning to the beginning point.

Signed: May 24, 2010.

John J. Manfreda,
Administrator.

[FR Doc. 2010-12868 Filed 5-26-10; 8:45 am]

BILLING CODE 4810-31-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2009-0803]

RIN 1625-AA09

Drawbridge Operation Regulation; Oakland Inner Harbor Tidal Canal, Oakland/Alameda, CA, Schedule Change

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to modify the drawbridge operation regulation for the Alameda County and the Army Corps of Engineers owned drawbridges across Oakland Inner Harbor Tidal Canal, between Oakland and Alameda, California so that four hours advance notice for openings would be required from the waterway user to the bridge owner, between the hours 4:30 p.m. and 9 a.m. daily. With the exception of Federal Holidays, openings at all other times would be on signal except during interstate rush hours, 8 a.m. to 9 a.m. and 4:30 p.m. to 6:30 p.m., Monday through Friday, when the drawbridges need not be opened for vessels. However, the draws would open during the above closed periods for vessels which must, for reasons of safety, move on a tide or slack water, if at least four hours advance notice is given. The proposed rule is requested by Alameda County to reduce the bridge staffing requirements during periods of reduced openings.

DATES: Comments and related material must reach the Coast Guard on or before August 25, 2010.

ADDRESSES: You may submit comments identified by the Coast Guard docket number USCG-2009-0803 using any one of the following methods:

(1) Federal eRulemaking Portal: <http://www.regulations.gov>.

(2) Fax: 202-493-2251.

(3) Mail: Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey

Avenue, SE., Washington, DC 20590-0001.

(4) Hand delivery: Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

To avoid duplication, please use only one of these methods. See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions on this proposed rule, call or e-mail David H. Sulouff, Chief, Bridge Section, Waterways Management Branch, 11th Coast Guard District, telephone 510-437-3516, e-mail address David.H.Sulouff@USCG.mil. If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted, without change, to <http://www.regulations.gov> and will include any personal information you have provided.

Submitting Comments

If you submit a comment, please include the docket number for this rulemaking (USCG-2009-0803), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online (<http://www.regulations.gov>), or by fax, mail or hand delivery, but please use only one of these means. If you submit a comment online via <http://www.regulations.gov>, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an e-mail address, or a phone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov>, click on the "submit a comment" box, which will then become highlighted in blue. In the "Document Type" drop down menu select "Proposed Rules" and insert "USCG-2009-0803" in the "Keyword" box. Click "Search" then click on the balloon shape in the "Actions" column. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and may change the rule based on your comments.

A request for comments has been published in the Coast Guard Local Notice to Mariners. All comments received will be included for the record in the electronic docket "USCG-2009-0803".

Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, click on the "read comments" box, which will then become highlighted in blue. In the "Keyword" box insert "USCG-2009-0803" and click "Search." Click the "Open Docket Folder" in the "Actions" column. You may also visit either the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. We have an agreement with the Department of Transportation to use the Docket Management Facility.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

Public Meeting

We do not now plan to hold a public meeting, but you may submit a request using one of the four methods under **ADDRESSES**. Please explain why one would be beneficial. If we determine that one would aid this rulemaking, we

will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The proposed rule would change the existing regulation. The existing regulation is found at 33 CFR 117.181 and delineates the following operating scheme: The draws of the Alameda County highway drawbridges at Park Street, mile 5.2; Fruitvale Avenue, mile 5.6; and High Street, mile 6.0; and the U.S. Army Corps of Engineers railroad drawbridge, mile 5.6 at Fruitvale Avenue, shall open on signal; except that, from 8 a.m. to 9 a.m. and 4:30 p.m. to 6:30 p.m. Monday through Friday except Federal holidays, the draws need not be opened for the passage of vessels. However, the draws shall open during the above closed periods for vessels which must, for reasons of safety, move on a tide or slack water, if at least two hours notice is given.

The proposed rule is requested by Alameda County to reduce the bridge staffing requirements during periods of reduced openings. The proposed rule is as follows: The draws of the Alameda County highway drawbridges at Park Street, mile 5.2; Fruitvale Avenue, mile 5.6; and High Street, mile 6.0; and the U.S. Army Corps of Engineers railroad drawbridge, mile 5.6 at Fruitvale Avenue, shall open on signal between the hours of 9 a.m. and 4:30 p.m. and upon 4 hours advance notice between the hours 4:30 p.m. and 9 a.m. During Interstate rush hours, 8 a.m. to 9 a.m. and 4:30 p.m. to 6:30 p.m., Monday through Friday, except Federal holidays, the draws need not be opened for the passage of vessels. However, the draws shall open during the above rush hour periods for vessels which must, for reasons of safety, move on a tide or slack water, if at least four hours notice is given to the bridge owner. For the four hour advance notice requirement, waterway users may contact the Fruitvale Avenue drawbridge operator via telephone at (510) 533-7858 or VHF-FM marine radio, or by contacting the bridge operator during daytime bridge operating hours.

In support of their request for the regulation change, Alameda County provided the operating logs from the drawbridges to demonstrate a decrease in drawbridge openings for vessels over at least a 2 year period of time. The material submitted by the bridge owner will be entered in the electronic docket for the record.

The waterway traffic at this location is comprised of commercial, recreational, search and rescue, law enforcement and disaster response

vessels, and if necessary dredging, construction and salvage equipment, presently capable of circumnavigating the island of Alameda, CA, contingent upon tidal influences and vessel drafts. The Oakland Inner Harbor Tidal Canal is a lateral extension of San Francisco Bay.

Discussion of Proposed Rule

The Coast Guard proposes to amend 33 CFR part 117 by amending § 117.181 for the Oakland Inner Harbor Tidal Canal. In addition to the existing rush hour periods when the drawbridges need not open for vessels, the revised language of the section would require the bridges to open on signal between the hours of 4:30 p.m. and 9 a.m. daily, provided four hours advance notice is given from vessel operators to Alameda County for drawbridge operation. For the four hour advance notice requirement, waterway users may contact the Fruitvale Avenue drawbridge operator via telephone at (510) 533-7858 or VHF-FM marine radio, or by contacting the bridge operator during daytime bridge operating hours. This would include vessels which must, for reasons of safety, move on a tide or slack water. At all other times the drawbridges will be required to open on signal for the safe passage of vessels.

The Coast Guard policy regarding the promulgation of drawbridge operation regulations requires that no regulation shall be implemented for the sole purpose of saving the bridge owner the cost to operate a bridge, nor to save wear and tear mechanically on a bridge. It is the bridge owner's statutory and regulatory responsibility to provide the necessary drawbridge tenders for the safe and prompt opening of a bridge and to maintain drawbridges in good operating condition.

Regulatory Analyses

We developed this proposed rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

Regulatory Planning and Review

This proposed rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. This conclusion is based upon the fact that the proposed drawbridge regulation

change would only implement the advance notice times for bridge openings between the hours of 4:30 p.m. and 9 a.m. and for vessels which must, for reasons of safety, move on a tide or slack water, and the navigational impacts would be negligible. The Coast Guard determination to approve or deny the bridge owners request will be based upon the ability of the proposed regulation to meet the reasonable needs of navigation and not the cost to the bridge owner. A test of the proposed drawbridge operating regulation may be used by the Coast Guard to evaluate the actual impacts, during the appropriate navigational season timeframe, prior to making a final determination on the proposal.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), the Coast Guard must consider whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard requests comments to determine if this proposed rule would have a significant economic impact on a substantial number of small entities.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (*see ADDRESSES*) explaining why you think it qualifies and how, and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact David Sulouff, Chief, Bridge Section, Waterways Management Branch, 11th Coast Guard District, at (510) 437-3516. The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520.).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this proposed rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship

between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of Information and Regulatory Affairs has not designated this as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023–01, and Commandant Instruction M16475.ID which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment because it simply promulgates the operating regulations or procedures for drawbridges. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.1.

2. Revise § 117.181 to read as follows:

§ 117.181 Oakland Inner Harbor Tidal Canal.

The draws of the Alameda County highway drawbridges at Park Street, mile 5.2; Fruitvale Avenue, mile 5.6; and High Street, mile 6.0; and the U.S. Army Corps of Engineers railroad drawbridge, mile 5.6 at Fruitvale Avenue, shall open on signal between the hours of 9 a.m. and 4:30 p.m. and upon 4 hours advance notice between the hours 4:30 p.m. and 9 a.m. During Interstate rush hours, 8 a.m. to 9 a.m. and 4:30 p.m. to 6:30 p.m., Monday through Friday, except Federal holidays, the draws need not be opened for the passage of vessels. However, the draws shall open during the above rush hour periods for vessels which must, for reasons of safety, move on a tide or slack water, if at least four hours notice is given to the bridge owner. For the four hour advance notice requirement; waterway users may contact the Fruitvale Ave drawbridge operator via telephone at (510) 533–7858 or VHF–FM marine radio, or by contacting the bridge operator during daytime bridge operating hours.

Dated: May 12, 2010.

J.R. Castillo,

Rear Admiral, U.S. Coast Guard, Commander, Eleventh Coast Guard District.

[FR Doc. 2010–12737 Filed 5–26–10; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2009–0316]

RIN 1625–AA87

Security Zones; Sabine Bank Channel, Sabine Pass Channel and Sabine-Neches Waterway, TX

AGENCY: Coast Guard, DHS.

The Coast Guard will publish an Advance Notice of Proposed Rulemaking in the Federal Register. The comment period will end 45 days after the Federal Register publication date. Comments concerning navigational impacts may be submitted electronically to the Federal Register Docket Number USCG-2009-0308 or in writing to Commander (dpw) Eleventh Coast Guard District, Bridge Section, Bldg 50-2 Coast Guard Island, Alameda, CA 94501.

Chart 18661

LNM: 21/10

NORTHERN CALIFORNIA-BRIDGE-OAKLAND INNER HARBOR TIDAL CANAL, PROPOSED DRAWBRIDGE REGULATION CHANGE (COMMENTS REQUESTED) Updated 02 Jun 10

Alameda County has proposed a regulation change for the Estuary drawbridges; 33 CFR 117.181, Federal Docket Number USCG-2009-0803.

EXISTING REGULATION:

The draws of the Alameda County highway drawbridges at Park Street, mile 5.2; Fruitvale Avenue, mile 5.6; and High Street, mile 6.0; and the U.S. Army Corps of Engineers railroad drawbridge, mile 5.6 at Fruitvale Avenue, shall open on signal; except that, from 8 a.m. to 9 a.m. and 4:30 p.m. to 6:30 p.m. Monday through Friday except Federal holidays, the draws need not be opened for the passage of vessels. However, the draws shall open during the above closed periods for vessels which must, for reasons of safety, move on a tide or slack water, if at least two hours notice is given.

PROPOSED REGULATION:

The draws of the Alameda County highway drawbridges at Park Street, mile 5.2; Fruitvale Avenue, mile 5.6; and High Street, mile 6.0; and the U.S. Army Corps of Engineers railroad drawbridge, mile 5.6 at Fruitvale Avenue, shall open on signal between the hours of 9 a.m. and 4:30 p.m. and upon 4 hours advance notice between the hours 4:30 p.m. and 9 a.m. During Interstate rush hours, 8 a.m. to 9 a.m. and 4:30 p.m. to 6:30 p.m., Monday through Friday, except Federal holidays, the draws need not be opened for the passage of vessels. However, the draws shall open during the above rush hour periods for vessels which must, for reasons of safety, move on a tide or slack water, if at least four hours notice is given to the bridge owner. Bridge openings can be scheduled at any time by contacting the Fruitvale Ave drawbridge operator via telephone at 510-533-7858 or VHF-FM marine radio, or by contacting the bridge operator during daytime bridge operating hours.

A Notice of Proposed Rulemaking was published in the Federal Register/ Vol.75, No.102 / Thursday, May 27, 2010 / Proposed Rules 29693. The comment period will end August 25, 2010. Comments concerning navigational impacts should be provided for the docket as described in the Federal Register.

Chart 18649

LNM: 35/09

NORTHERN CALIFORNIA-PROPOSED-BUOY DISCONTINUANCE

The U.S. Coast Guard is proposing to discontinue the following seasonal aids to navigation: Sausalito Channel Lighted Buoy A (LLNR-4386) and Sausalito Channel Lighted Buoy B (LLNR-4387). Direct any questions, comments or feedback to LT Morgan Barbieri at 510-437-2978 or Morgan.R.Barbieri@uscg.mil no later than 17 Jun 10.

Chart 18649

LNM: 20/10

SOUTHERN CALIFORNIA-PROPOSED BUOY DISCONTINUANCE

The U.S. Coast Guard is proposing to discontinue the following aids to navigation: Souza Rock LGB 14SR (LLNR-220), Westdahl Rock LBB1 (LLNR-230), San Simeon LBB 1 (LLNR-255), Santa Monica Ent LBB 1 (LLNR-3550), San Luis Obispo Buoy 2 (LLNR-3820), San Juan Rocks LWB 2SJR (LLNR-2430), Constantine Rock Buoy 1CR (LLNR-3960). Direct any questions, comments or feedback to LT Morgan Barbieri at 510-437-2978 or Morgan.R.Barbieri@uscg.mil no later than 17 Jun 10.

Charts: 18700 18740

LNM: 20/10

SECTION VII - GENERAL

This section contains information of general concern to the Mariners. Mariners are advised to use caution while transiting these areas.

ARIZONA-BRIDGE-COLORADO RIVER

VETERAN'S MEMORIAL BRIDGE- The green center channel light on the south side is extinguished. All navigation lights are showing dim. The vertical clearance gauge on the north side is bent and illegible.

LNM: 07/10

ARIZONA-BRIDGE-COLORADO RIVER Updated 15 Mar 10

LONDON BRIDGE-The green center channel light at the most southeast side of bridge is extinguished.

LNM: 06/10

ARIZONA-CALIFORNIA-NEVADA-ENVIRONMENTAL REVIEWS for 2010 Events

The U.S. Coast Guard is conducting environmental reviews prior to taking action on marine event applications for the Laughlin and San Diego Mission Bay areas. Each review has an associated comment closure date. Directions for comment and contact information is provided in the Enclosures Section of this Local Notice to Mariners.

LNM: 04/10

ARIZONA-CALIFORNIA-NEVADA-GPS TESTING

The GPS navigation signal may be unreliable at the below listed area on the following dates:

**Harbor Safety Committee
Of the San Francisco Bay Region**

**Report of the
U.S. Army Corps of Engineers, San Francisco District
July 8, 2010**

1. CORPS FY 2010 O&M DREDGING PROGRAM

The following is this years O & M dredging program for San Francisco Bay.

- a. **Main Ship Channel (55+2)** – The Essayons has completed the Main Ship Channel.
- b. **Richmond Outer Harbor (and Richmond Long Wharf)** – Project is in contracting. Dredging targeted to begin letter part of August.
- c. **Richmond Inner Harbor** – Same as Richmond Outer Harbor.
- d. **Oakland O & M Dredging** - Conditions surveys have been completed. Dredge volumes are being calculated. Dredging is scheduled for August. **No change.**
- e. **Suisun Bay Channel** – The navigation hazard in the Bullshead Reach was removed July 3. Bid opening for the remainder of the project is scheduled for July 9.
- f. **Pinole Shoal (35+2)** – Dredging completed July 2.
- g. **Redwood City/San Bruno Shoal** – Dredging is complete. No major dredging for at least a year (mid 2011). **No Change.**

2. DEBRIS REMOVAL – The debris total for June 2010 was 70 tons: 5 tons by the Grizzly; 65 tons by the Raccoon (the boat crews have been underway more in June than in recent months and expect to be on patrol even more due to getting new crew and a new Chief of Navigation Ken Danielson)

July	7	45		52					
August	3	10		13					
September	3.5	6		10					
October	16	17		33					
November	15	45		60					
December	33	98	2	133					
Jan. 2010		228	2	230					
Feb	17	112	5	134					
March		56.00	16.50	73					
April		40	9	49					
May	7	15		22					
June	5	65		70					
Totals	106.50	737.00	39.50	879					

3. UNDERWAY OR UPCOMING HARBOR IMPROVEMENTS

None to report.

4. EMERGENCY (URGENT & COMPELLING) DREDGING

The emergency dredging in Bullshead reach was completed on July 3, 2010.

5. OTHER WORK

a. **San Francisco Bay to Stockton** No additional money appropriated in the President's budget for FY 2011. The Corps is hoping to receive a Congressional add later in FY 2011. This project is moving forward on carry-over money. A request has been made to re-program \$2 million to move this project forward to its 2010 capability.

b. **Sacramento River Deep Water Ship Channel Deepening** The \$2,000,000 was appropriate. The non-federal sponsor will be providing its portion of the cost of a quarterly basis. The Corps is scheduled to start construction by late 2011. **No change.**

6. HYDROGRAPHIC SURVEY UPDATE

Address of Corps' web site for completed hydrographic surveys:

<http://www.spn.usace.army.mil/hydrosurvey/>

Main Ship Channel: Survey completed in March 2010 has been posted.

Pinole Shoal: The pre-dredge survey of May 24, 27-28, 2010 has been posted.

Suisun Bay Channel: Condition survey of **June 6-12, 2010** has been posted.

New York Slough: Condition survey of **June 10-11, 2010** has been posted.

Bull's Head Channel: December 4 post-dredge survey has been posted.

Redwood City: Post-dredge survey completed November 2009 has been posted.

San Bruno Shoal: Surveys completed in **June 22, 2010** have been posted.

Oakland Entrance Channel: Surveys completed in August and September 2009 have been posted.

Oakland Inner Harbor Turning Basin: A multi-beam survey of April 21 has been posted.

Oakland Inner Harbor - Condition survey of February 5-7 has been posted.

Oakland Outer Harbor: The survey of February 6, 2010 has been posted.

Oakland Outer-Outer Harbor: The special Delta-Echo survey of May 5 has been posted.

Southampton Shoal and Richmond Long Wharf: Surveys of **May 10-13, 2010** have been posted.

Richmond Inner Harbor: Surveys completed in February 25-26 have been posted.

North Ship Channel: Surveys completed April 2009 have been posted.

San Rafael Creek and San Rafael Across-the-Flats: Surveys completed March 2010 have been posted.

Alameda Naval Station Survey (Alameda Point Navigation Channel): Survey completed in April 2010 has been posted.

Disposal Site Condition Surveys:

SF-08 (Main Ship Channel Disposal Site) April 2010;

SF-09 (Carquinez) October 2009;

SF-10 (San Pablo Bay) April 2010 survey has been posted;

SF-11 (Alcatraz): The June 3, 2010 survey has been posted.



Harbor Safety Committee of the
San Francisco Bay Region Clearing House
c/o Marine Exchange of the San Francisco Bay Region
505 Beach Street, Suite 300
San Francisco, California 94133-1131
415-441-6600 fax 415-441-3080 hsc@sfmtx.org

San Francisco Clearinghouse Report

July 8, 2010

- ✎ In June the clearinghouse did not have any possible escort violations to notify OSPR.
- ✎ In June the clearinghouse did not receive any notifications of vessels arriving at the Pilot Station without escort paperwork.
- ✎ The Clearinghouse has contacted OSPR 3 time in 2010 regarding possible escort violations. The Clearinghouse called OSPR 8 time 2009; 4 times 2008; 9 times in 2007; 9 times in 2006; 16 times in 2005; 24 times in 2004; twice in 2003; twice in 2002; 6 times in 2001; 5 times in 2000.
- ✎ In June there were 99 tank vessels arrivals; 4 Chemical Tankers, 19 Chemical/Oil Tankers, 21 Crude Oil Tankers, 2 LPG's, 1 Non Specific Tanker, 19 Product Tankers, and 33 tugs with barges.
- ✎ In June there were 301 total arrivals.

San Francisco Bay Clearinghouse Report For June 2010

San Francisco Bay Region Totals

	<u>2010</u>		<u>2009</u>	
Tanker arrivals to San Francisco Bay	66		67	
Barge arrivals to San Francisco Bay	33		39	
Total Tanker and Barge Arrivals	99		106	
Tank ship movements & escorted barge movements	349		336	
Tank ship movements	207	59.31%	193	57.44%
Escorted tank ship movements	83	23.78%	89	26.49%
Unescorted tank ship movements	124	35.53%	104	30.95%
Tank barge movements	142	40.69%	143	42.56%
Escorted tank barge movements	64	18.34%	61	18.15%
Unescorted tank barge movements	78	22.35%	82	24.40%

Percentages above are percent of total tank ship movements & escorted barge movements for each item.

Escorts reported to OSPR 0 0

Movements by Zone	Zone 1	%	Zone 2	%	Zone 4	%	Zone 6	%	Total	%
Total movements	198		330		0		148		676	
Unescorted movements	133	67.17%	202	61.21%	0	0.00%	80	54.05%	415	61.39%
Tank ships	56	28.28%	80	24.24%	0	0.00%	37	25.00%	173	25.59%
Tank barges	77	38.89%	122	36.97%	0	0.00%	43	29.05%	242	35.80%
Escorted movements	65	32.83%	128	38.79%	0	0.00%	68	45.95%	261	38.61%
Tank ships	36	18.18%	56	16.97%	0	0.00%	34	22.97%	126	18.64%
Tank barges	29	14.65%	72	21.82%	0	0.00%	34	22.97%	135	19.97%

Notes:

1. Information is only noted for zones where escorts are required.
2. All percentages are percent of total movements for the zone.
3. Every movement is counted in each zone transited during the movement.
4. Total movements is the total of all unescorted movements and all escorted movements.

San Francisco Bay Clearinghouse Report For 2010

San Francisco Bay Region Totals

	<u>2010</u>		<u>2009</u>	
Tanker arrivals to San Francisco Bay	386		758	
Barge arrivals to San Francisco Bay	221		455	
Total Tanker and Barge Arrivals	607		1,213	
Tank ship movements & escorted barge movements	1,993		4,076	
Tank ship movements	1,149	57.65%	2,314	56.77%
Escorted tank ship movements	505	25.34%	1,069	26.23%
Unescorted tank ship movements	644	32.31%	1,245	30.54%
Tank barge movements	844	42.35%	1,762	43.23%
Escorted tank barge movements	394	19.77%	778	19.09%
Unescorted tank barge movements	450	22.58%	984	24.14%

Percentages above are percent of total tank ship movements & escorted barge movements for each item.

Escorts reported to OSPR 3 8

Movements by Zone	Zone 1	%	Zone 2	%	Zone 4	%	Zone 6	%	Total	%
Total movements	1,206		1,898		0		839		3,943	
Unescorted movements	762	63.18%	1,131	59.59%	0	0.00%	433	51.61%	2,326	58.99%
Tank ships	354	29.35%	492	25.92%	0	0.00%	203	24.20%	1,049	26.60%
Tank barges	408	33.83%	639	33.67%	0	0.00%	230	27.41%	1,277	32.39%
Escorted movements	444	36.82%	767	40.41%	0	0.00%	406	48.39%	1,617	41.01%
Tank ships	252	20.90%	353	18.60%	0	0.00%	210	25.03%	815	20.67%
Tank barges	192	15.92%	414	21.81%	0	0.00%	196	23.36%	802	20.34%

Notes:

1. Information is only noted for zones where escorts are required.
2. All percentages are percent of total movements for the zone.
3. Every movement is counted in each zone transited during the movement.
4. Total movements is the total of all unescorted movements and all escorted movements.



CALIFORNIA STATE LANDS COMMISSION

HARBOR SAFETY COMMITTEE MONTHLY REPORT - JUNE COMPARISON

VESSEL TRANSFERS

	Total Transfers	Total Vessel Monitors	Total Transfer Percentage
JUNE 1 - 30, 2009	228	118	51.75
JUNE 1 - 30, 2010	221	84	38.01

CRUDE OIL / PRODUCT TOTALS

	Crude Oil (D)	Crude Oil (L)	Overall Product (D)	Overall Product (L)	GRAND TOTAL
JUNE 1 - 30, 2009	10,544,000	282,000	18,933,185	8,275,626	27,208,811
JUNE 1 - 30, 2010	12,493,000		18,748,399	12,591,655	31,340,054

OIL SPILL TOTAL

	Terminal	Vessel	Facility	Total	Gallons Spilled
JUNE 1 - 30, 2009	1	0	0	1	OTHER - 1 gallon
JUNE 1 - 30, 2010	1	0	0	1	LCO - 1 gallon

*** Disclaimer:

Please understand that the data is provided to the California State Lands Commission from a variety of sources; the Commission cannot guarantee the validity of the data provided to it.

1 **XVI. Underkeel Clearance**

2 Many of the navigation channels within the purview of the Harbor Safety Plan are subject to shoaling
3 due to the nature of the Bay estuarial system, which is more fully described in Chapter V, Surveys,
4 Charts and Dredging. Accurate tidal information is essential in order to calculate the recommended
5 underkeel clearance for a safe vessel transit. This is particularly critical as frequently there are
6 significant variances of depth in certain channels. The Harbor Safety Committee reiterates the
7 importance of utilizing and supporting the “real time” accurate measurement of tides, such as NOAA’s
8 P.O.R.T.S., which is recommended in Chapter II, General Weather, Tides and Currents.

9
10 Underkeel clearance is the distance between the deepest point on the vessel and the bottom of the
11 channel in still water conditions. The below listed underkeel clearances are minimum standards
12 recommended during normal, calm conditions.

13
14 | ~~Tank~~Vessels should adhere to the following guidelines for the minimum static underkeel clearance.

- 15
16 A. Vessels under way west of the Golden Gate Bridge: No less than ten percent (10%) of the
17 vessel’s draft
18 B. Vessels under way east of the Golden Gate Bridge: No less than two (2) feet.
19 C. Vessels at final approach to berth and at berth: Always afloat.

20
21 Masters and pilots should use prudent seamanship and should evaluate the need for additional
22 clearance to accommodate the effects of roll, list, pitch and squat.

23
24 Regarding single hull tankers, on July 30, 1996, the Coast Guard published the Final Rule (33 CFR
25 157.455, effective November 27, 1996) on Operational Measures to Reduce Oil Spills for Existing Tank
26 Vessels of 5,000 gross tons or more without double hulls. In part, the regulations require the Master to
27 calculate the vessel’s deepest navigational draft, the controlling depth of the waterway and the
28 anticipated underkeel clearance. In addition, the Master and Pilot are to discuss the tanker’s planned
29 transit. The regulations can be found on the web in the Code of Federal Regulations at
30 www.gpoaccess.gov.

DRAFT

Mr. Steve Edinger, Administrator
Office of Spill Prevention and Response
California Department of Fish and Game
1700 K Street, Suite 250
Sacramento, CA 95811

July 8, 2010

Re: Assembly Bill 234 (Huffman): Mandatory Prebooming During Bunkering Operations

Dear Mr. Edinger:

The Harbor Safety Committee of the San Francisco Bay Region was established by state law to promote the safety of navigation by making recommendations to prevent maritime accidents in the Bay Region.

The San Francisco Harbor Safety Committee (HSC) has serious concerns with Assembly Bill 234, now being heard by the state legislature. AB 234 requires vessels engaged in a bunkering or lightering operation “to preboom each oil transfer for the duration of the transfer, unless prebooming is determined not to be safe and effective.” The HSC, a firm advocate of appropriate regulations and best practices to reduce the risk of maritime incidents, believes this bill does not address the unique hydrologic conditions of San Francisco Bay that challenge the effectiveness and safety of booming.

Anchorage 9 in San Francisco Bay is the only authorized anchorage where fueling of vessels is allowed. The ability to take on fuel is particularly important for vessels transiting up-river through Pinole Shoal to the ports of Sacramento and Stockton where fuel is not available. Anchorage 9 is subject to prevailing winds, tides and current action, which render full wrap booming problematic. Booming is effective in currents up to about one knot; currents up to four knots are typical in Anchorage 9. Furthermore, the tide and current conditions in San Francisco Bay are significantly different than those in Puget Sound where the State of Washington established weather parameters for containment booming. San Francisco Bay is a very different marine environment with tide and current conditions that are more severe than in Puget Sound. Additionally, regulations already exist in California that specifically addresses bunkering and lightering preventative measures which could be more strongly enforced.

A bunkering operation in the Bay averages 6 to 8 hours, but can take up to 15 hours. During that period at least one tidal change occurs, causing an anchored vessel to swing quickly at anchor through an arc of about 180 degrees during the tidal change. This rapid change in tidal current direction will usually cause the boom to become entangled in the vessels rudder, propeller and anchor chain. When this happens a vessel is unable to use its engines to maneuver, embark a pilot or allow rescue vessels to respond to an emergency if they are dragging anchor or there is a spill. The dynamic current conditions in this open water anchorage make it very difficult to hold the boom away from the side of a vessel.

DRAFT

Existing OSPR regulations Title 14 subchapter 6 contain appropriate measures which call for boom to be standing by in areas where full encirclement booming is not the most effective strategy to employ. The maritime community is concerned that undesirable unintended consequences will occur if full wrap booming is required. Because of the dynamic conditions noted above it is not advisable to have regulations in place that develop threshold limits for booming when effective strategies have already been developed and implemented for high velocity current areas in the Area Plans, such as 'J' booming strategies that will allow a vessel to swing with the tide and still maintain its ability to maneuver.

The complexities of maritime navigation and the transfer of petroleum products are better addressed through the enforcement of existing regulations set forth by the Office of Spill Prevention and Response (OSPR) in Title 14, subchapter 6 and the California State Lands Commission Marine Facilities Division's regulations Article 5 Marine Terminals Inspection and Monitoring part 2395, and by the U.S. Coast Guard. OSPR has the statutory authority to address oil transfers and the reduction of risk from such transfers through adopted regulations, requiring stand-by equipment during bunkering and lightering.

The Harbor Safety Committee at its regular public meeting of July 8, 2010 discussed these concerns. The Committee voted and agreed that AB 234, as applied to San Francisco Bay, does not address the hydrological conditions of Anchorage 9 and San Francisco Bay where bunkering and lightering take place. Mandatory pre-booming is not practical or effective and potentially very unsafe. The San Francisco Harbor Safety Committee does not support AB 234, but instead recommends that OSPR and the USCG enforce the existing regulations as mandated in the regulations cited above.

Sincerely,

Joan Lundstrom, Chair
Harbor Safety Committee of the
San Francisco Bay Region

Cc: Assemblyman Jared Huffman
Sector Commander – San Francisco Bay
Chris Beckwith, California State Lands Commission, Marine Facilities Division
San Francisco Harbor Safety Committee