

MINUTES

HARBOR SAFETY COMMITTEE OF THE SAN FRANCISCO BAY REGION

10:00 a.m., Thursday, September 14, 2000

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

Grant Stewart, American Ship Management, Chair, called the public meeting to order at 10:15 a.m. and welcomed those in attendance. The secretariat confirmed the presence of a quorum. The following committee members or alternates were in attendance: **Gary Hallin**, Port of Oakland; **Ronald W. Kennedy**, Port of Richmond; **Nancy Pagan**, Benicia Industries; **Brian Dorsch**, Chevron Shipping Company; **Rich Smith**, Westar Marine Services; **Larry Teague**, San Francisco Bar Pilots; **Ray Shipway** (alternate for **Gunnar Lundeberg**), Masters, Mates & Pilots; **Margot Brown**, National Boating Federation; and **Joan Lundstrom**, Bay Conservation and Development Commission. The U.S. Coast representatives were: **Capt. Larry Hereth**, (MSO); **CDR David Kranking** (VTS). NOAA representative was **CDR Michael Gallagher**. State Lands representative was **Jay Phelps**. OSPR representative was **Ted Mar**. Also in attendance were more than forty-five members of the interested public.

The following corrections were made to the minutes of the August 10, 2000 meeting. **L. Teague**: p.4, **Doug Lathrop** represents the Inland Boatmen's Union. **Margot Brown**: (1) p. 4, line 5 should read, "MOTION by **M. Brown**, seconded by **G. Lundeberg** to defer the review by the HSC to the 9-6-00 meeting..."; (2) p. 5, line 2, should read, "A revision of the Rule 9 pamphlet is needed"; and (3) "the new draft will be available on 8-25-00 and is supposed to be mailed to 200 people." **Joan Lundstrom**: (1) p.2, last sentence of paragraph 2 should read "...what types of vessels actually hit the bridge and how often the bridge has malfunctioned. The HSC agreed to send a letter of concern with the record of malfunctions to the Union Pacific" and, (2) p. 3, first sentence of paragraph 2 should read "BCDC has completed the fifth draft of the navigational safety element proposed to be added to the Bay Plan" **R. Smith**: p 4, last paragraph should reflect that the "COE has developed five scopes..." **Nick Salcedo**: last sentence, paragraph 2 should read, "the following are some of the highlights of the changes to the report." **G. Hallin**: p. 5, line 3 should read, "Only astern pull testing is required now." **MOTION** by **M. Brown**, seconded by **L. Teague**, to "accept the minutes of the previous meeting as corrected." The motion was passed unanimously.

In the opening comments, **G. Stewart**, Chair, informed the committee that **Terry Hunter**, Executive Secretary of the HSC, was in St. Mary's Hospital, San Francisco, seriously ill.

COAST GUARD COTP'S REPORT, L. HERETH. The COTP introduced **Lt. Kara Satra** who reported that a UPRR Bridge failures matrix has been created. A written report of port operations statistics for pollution response and investigations and significant port safety events for the period 8-1-00 to 8-31-00 is made a part of these minutes. During that period, the MSO inspected 128 containers, investigated 20 spills, issued five letters of deviation, conducted one SOLAS intervention and received notice of two propulsion casualties. Representatives from USCG MSO met with the Local Resources Committee, the High Velocity Current Committee and the North Coast Area Committee. **L. Hereth** introduced **CDR Richard Burnke**, Chief, Aids to Navigation, Waterways Management Branch, who described the areas of jurisdiction, oversight responsibilities, and staffing his division. He advised that **David Sulouff** was out of town for this meeting and will present his report on the UPRR Bridge at the next HSC meeting. **Matt Solis**, Waterways Management Division, Waterways Management Branch, encouraged input from the local maritime community in determining changes to the placement of aids to navigation. **CDR David Kranking**, USCG VTS, (1) reported on the realignment of offshore traffic lanes, which became effective July 14, 2000. The old outbound lane now crosses over the new inbound lane. VTS tracked how many ships knew about the realignment and found that many were unaware of the changes. An appeal was made to the MX and the bar pilots to help distribute handouts regarding the changes. With their help, the percentage of vessels, which have this new information, is now over 80%. (2) Over the next one to one and one-half months, there will be equipment changes at VTS. For one day in November 2000, VTS will be working without computer displays and will need to operate manually. This will require that vessels check in more often to allow VTS to plot traffic. (3) As a result of a recent incident at the Carquinez Bridge when scaffolding was moved out in front of a vessel with air draft restrictions, the USCG caused CalTrans to stop construction until communications could be significantly improved. Effective two days ago, the USCG okayed Cal Trans returning to work over the south navigation channel from 0800-1500 hours only, with the condition that they check in and out with VTS each day. These restrictions will be in place until a plan for 100% reliable communications between CalTrans and VTS, ships and pilots, is developed.

CLEARINGHOUSE REPORT, A. STEINBRUGGE. (1) A written report with statistics for the month of August 200 and a report for 2000 year-to-date are made a part of these minutes. (2) There were no escort violations reported since that last meeting for a total of three for the year 2000. In 1999, the violations averaged one per month.

OSPR REPORT, T. MAR. (1) **T. Mar** swore in the newest HSC committee member, **Michael Beatie** of Golden Gate Transit District (Golden Gate Ferry) who will represent the ferry operators. (2) AIS finally exists on the bay, with twenty units delivered to various

vessels of which 80% have been installed. (3) **Tracy Edwards** reported on the status of the SF Tug Escort Regulations. The Office of Administrative Law requested a number of clarifications in the regulations, including designating where the agent/operator should complete and send in their report; changing “may” to “shall” to reflect the new mandatory requirements; and adding the requirement that the Administrator follow up verbal authorizations with written confirmation. After a fifteen-day comment period, the OAL will have thirty days to file the new regulations, and since they are emergency regulations, they will become effective upon filing. **T. Edwards** also reviewed the status of the LA/LB regulations. Question: Is it possible to get the names of the twenty vessels that have the AIS system? **T. Mar**: Yes. Contact **Jeff McCarthy** at the MX who can identify those vessels whose systems are up and running.

NOAA REPORT, CDR. M. GALLAGHER. (1) A navigational response team will be in the SF Bay Area for three months beginning next spring or summer. The crew of five or six will staff a survey launch with high-quality equipment. While they cannot do the entire bay, they will be able to survey small areas as well as scan wrecks and underwater rocks and get GPS positions on aids to navigation with considerable accuracy. The goal is to have charts with 2-centimeter accuracy using the new technology and equipment, compared to the data on existing charts, which is only accurate within 40 meters. He reported that he will ask for a multi-beam scan of the proposed Avon Turning Basin and asks the committee for input as to other areas that the team should focus on. Question: Can the team look for the anchor lost in Suisun Bay in a recent incident? **L. Hereth**: The search for the anchor has already been scheduled with another contractor.

BCDC BAY PLAN REPORT, W. TRAVIS. **W. Travis**, Executive Director of BCDC, in his opening remarks, stated that BCDC is hoping for HSC support and their endorsement of BCDC’s efforts to incorporate elements of the Harbor Safety Plan into their Bay Plan policies. The expansion of BCDC policies to incorporate concerns for navigational safety into the Bay Plan is authority-neutral. It will not establish new authority in any agency. It will not add permitting regulations--only the state legislature can do that. It will not affect the relationship between the state and federal government--only Congress can do that. BCDC has a long history of relying on the expertise of other agencies. The proposed language explicitly states that the tradition of cooperation will continue. **Nick Salcedo** of BCDC reviewed the clarifying language contained in the current draft document based on comments received. The Bay Plan is used to guide construction-permitting decisions for the Bay Area coastlines and waterways. In updating the Plan, the goal is to recognize the importance of navigational safety. The proposed policies will help keep BCDC from doing the wrong thing in relation to navigational safety when reviewing and granting permit

requests. The current draft was not mailed on 8-25-00 as planned because the revisions requested by the USCG were not received until a couple of days before that deadline. The current draft incorporates all of the USCG's issues. BCDC will continue to work with the community and the HSC to continue to refine the language. **N. Salcedo** reviewed the findings section of the draft. New language in section (e) recognizes the role of the USCG. He indicated that the rest of the language in the "findings" section was reviewed by the HSC in the 8-4-00 draft. He then reviewed the "policies" section of the draft and explained the impact of each on the permitting process and the review of requests. The proposed revisions to the existing Bay Plan include policies related to dredging, recreation and transportation. *A document containing a staff report, the 9-14-00 Draft Proposed Bay Plan Amendment Language, the 8-4-00 Draft Proposed Bay Plan Amendment Language and a comparison of the 8-4-00 and the 9-14-00 drafts can be obtained from BCDC or the MX.*

Joan Lundstrom noted that, as a representative of BCDC, she had initial concerns regarding the need for clarity on lines of responsibility, which have been addressed in this draft. **M. Brown** stated that she believes more time is necessary to review the draft before voting on the material received at this meeting. **L. Teague** and **G. Stewart** agreed. MOTION by **M. Brown**, seconded by **R. Shipway**, that the "HSC be permitted to review this material and any other material BCDC would like to submit to the committee for consideration, prior to making any decisions on the HSC's approval or endorsement of proposed changes to BCDC's Bay Plan which are based upon the Harbor Safety Plan." Discussion. **W. Travis** suggested that the committee take a ten-minute recess to review the draft document and then vote. He indicated that BCDC will go ahead with public meetings and would like to know what the HSC wants. **L. Teague** stated that he still has questions about who has ultimate authority. **W. Travis**: Nothing that BCDC puts in policy language will change state and federal law or change the relationship between them. It will only provide BCDC with guidance. The motion was passed with **J. Lundstrom** abstaining. **R. Shipway** stated that he appreciates a policy that requires consultation with different agencies. **L. Hereth** reported that the USCG spent a lot of time in review of the document and provided many comments. He emphasized the importance of clear language because of personnel changes and changes in perspective.

NAVIGATION WORK GROUP REPORT, L. TEAGUE. The committee has no new issues to address. **Eric Dohm**, SFBP, is continuing to pursue attempts to work with the COE to develop a system for getting timely charts and sounding information. Question: What is the status for getting a COE representative to attend HSC meetings? **L. Teague**: The Colonel toured the bay on a pilot boat with representatives of the SFBP and the Port of Oakland where the importance of COE representation at HSC was stressed. However, to

date, there is still no representation from the COE. **G. Stewart** stated that he would call the Colonel personally, and/or send a letter reminding the Corps of the non-voting seat that was statutorily established in the HSC for them.

UNDERWATER ROCKS WORK GROUP REPORT, R. SMITH. The work group continues to work with the COE and State Lands. The studies that are preliminary to the feasibility study are underway. The shoal northeast of Alcatraz was dropped out of the project because the local sponsor (State Lands) did not want to be involved with a project that would involve on-going maintenance. The Port of Oakland has indicated some interest in being the local sponsor for that section of the project. State Lands would cover the cost to include the shoal in early studies, with the Port of Oakland stepping in as local sponsor. The COE will hold a public hearing at the end of October. The HSC work group will meet that week before that date.

HUMAN FACTORS WORK GROUP REPORT, S. MERRITT. The HSC has been invited to join the National Harbor Safety Committee web site and would have its own web page. The chair indicated that he thinks that it is a good idea to pursue. **S. Merritt** indicated that he did not believe that making the decision to participate in the national web site would require a vote of the HSC since all the information to be included on the site is public information. **T. Mar** agreed that it was all right to go ahead, with any problems being addressed as they came up. **A. Steinbrugge**, for the Secretariat, voiced the opinion that there should be a vote to ensure compliance with the Brown Act. A vote to approve participation in the national web site will be on the agenda for the October HSC meeting. **S. Merritt** will begin to gather data and links for inclusion on the SF HSC web site. Anyone with ideas should submit them to him via e-mail at smerritt@foss.com.

PREVENTION THROUGH PEOPLE WORK GROUP REPORT, M. BROWN. M. Brown emphasized for the record that the group is not looking to revise Rule 9, but rather to revise the brochure on Channel 16 use for recreational boaters and fishermen. She expects to have a draft for approval at the next HSC meeting.

PORTS WORK GROUP REPORT, A. STEINBRUGGE. One-year funding is in place and can perhaps be extended to five years. Everything is going well.

TUG ESCORT WORK GROUP, G. HALLIN. Nothing new to report. There are still a number of tugs on the Bay that need to be tested to be in compliance with the statutory requirements, which states that the tugs be tested every three years. An available scale has

been located and the Clearinghouse is in preliminary discussions with the affected tug companies. The testing process will begin soon.

OLD BUSINESS. **J. Lundstrom** reported on the *Prevention First 2000 Conference* held at the end of August in Long Beach at which she presented a paper on the SF HSC. She indicated that copies of the paper are available at this meeting or by request. She thanked all those who she interviewed and contributed to the report.

NEW BUSINESS. (1) **Lilli Ferguson** of the California Coastal Commission, reported on a grant program available statewide for programs with a marine education focus and distributed flyers with details. (2) **N. Salcedo** of BCDC showed the committee the *Harbor Safety Guide for San Pedro Harbor* and submitted it to **M. Brown**. (3) The chair recognized **CDR Greg Case**, USCG, Waterways Management Coordination Division, who asked if SF is interested in being considered to host the next National HSC Conference. LA and Seattle are also being considered. Discussion. The consensus of the committee members and the public attendees was a strong "Yes." The chair called for interested volunteers. Several people indicated their willingness to help. (4) **Randy Rotters** of MARAD indicated that he had copies of the *Marine Transport Report* and the *MARAD Annual Report* for those who are interested.

The next HSC meeting is scheduled for Thursday, October 12, 2000 at 10:00 a.m. at the Port of Oakland. The November meeting scheduled for November 9, 2000 will also be in Oakland.

MOTION to adjourn was made by **M. Brown**, seconded by **L. Teague**. The meeting was adjourned without objection at 11:45 a.m.

Respectfully submitted,

Captain Lynn Korwatch
Interim Executive Secretary