

## MINUTES

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

9:30 a.m., Thursday, October 14, 1993

Port of Oakland, 530 Water Street, Oakland, CA

1. The meeting was called to order by Vice-Chair Ann Nothoff at 10:00. The following committee members or alternates were in attendance: David Adams, Port of Oakland; James Faber, Port of Richmond; Roger Peters, Port of San Francisco; Alexander Krygsman, Port of Stockton; Margo Brown, National Boating Federation; Dwight Koops, SeaRiver Maritime; Morris Croce, Chevron Shipping; John Gosling, Matson Navigation; Thomas Crowley, Jr., Crowley Maritime; Carl Bowler (alternate for A. Thomas), San Francisco Bar Pilots; Joan Lundstrom, San Francisco Bay Conservation and Development Commission; and federal government representatives from the U. S. Coast Guard. Also in attendance Chuck Raesbrook, Bud Leland and Carlton Moore, OSPR; and Dale Wong, State Lands.
2. T. Hunter, Marine Exchange, confirmed that a quorum was present.
3. MOTION by M. Croce, seconded by M. Brown to adopt the minutes as written. Motion passed unanimously.
4. COAST GUARD REPORT. Area Contingency Plan workshops are being held with representatives from industry, and state and local governments to "flesh out" unified command structure and logistics. There were 60 incidents in the past month, 4 of which were significant. There were no discharges from deep draft vessels. Coast Guard "Industry Day" will be held on Coast Guard Island, 11-10-93, 8:30 to 11:30.
5. OSPR REPORT, C. Raesbrook. A Technical Advisory Committee has been appointed. Comprised of nine members and alternates, this committee will gather public input and independent comment on any aspects of SB 2040. A. Nothoff and J. Holton were sworn in as members of said committee. In response to J. Lundstrom's recent recommendation that OSPR send representative(s) to sub-committee meetings, C. Raesbrook noted that OSPR is "committed to involvement and will attend all meetings."
6. CLEARINGHOUSE REPORT, A. Steinbrugge. There was only one minor incident, confusion over the size of a tug, vis dead weight of tank vessel which resulted in a too-small tug in escort service. Procedures have been instituted to ensure that this situation will not recur. No problems to report.
7. PLAN SUB-COMMITTEE, J. Lundstrom. The required update of the Harbor Safety Plan was sent to OSPR on time and the next step will be for OSPR to comment. The update will be distributed at the next full committee meeting. Those recommendations in the update which can only be implemented through regulations will be packaged by OSPR for movement through the process into regulations.

13. TUG ESCORT SUB-COMMITTEE, R. Peters. The sub-committee will work in close unison with OSPR to prepare revised guidelines based on experience gained to date. The major element of the next revision will involve hiring a consultant to conduct a professional study. A report prepared by P. Moloney and M. Hensley listing considerations for the scope of said study was distributed to committee members. The TES recommends that the study include (1) standardized full-scale performance testing procedures and protocols so one tug can be compared to another; (2) stopping and turning performance standards; (3) full-scale performance testing using conventional and tractor tugs; (4) computerized performance simulations to blend information gathered and fill in the gaps that will exist no matter how many field tests are conducted; and (5) designate red zones where no tanker traffic will be allowed. In conjunction with this study, the TES will serve as the policy group and (1) will approve the final scope of the study; (2) work closely with OSPR to make certain that the process and final products are acceptable; and (3) will make recommendations of revised permanent tug escort guidelines to the full HSC. A Technical Advisory Group to the TES has been appointed by the HSC Chair, A. Thomas. This group will manage the study and administer the contract and the consultant. The TAG will report to the TES. The appointed TAG members are: Thomas Crowley, Jr., Crowley Maritime; Morris Croce, Chair, Chevron Shipping; John Dabbar, ARCO; Russell Nyborg, San Francisco Bar Pilots; Scott Merritt, Foss Maritime; Gail Skarich, Sanders Towboat Co.; and Milton Merritt, American Navigation. Issues related to schedule, mid-term review and products of the study will be resolved in the next few weeks.

14. A. Nothoff asked how the public and HSC will interact with the TAG review process and products. R. Peters responded that the TAG will report to the TES and the public and HSC will then have access through the TES. A. Nothoff asked about public notice of TAG meetings. M. Croce responded that the TAG is specifically technical in scope and will not make policy, but will report to R. Peters, Chair of TES. J. Lundstrom added that since this TAG will work on a technical, non-voting process and does not include a group of three voting members of the HSC and is not a sub-committee of the HSC, it can meet in closed/executive session to conduct its work. A. Nothoff asked that it be noted that TAG is composed solely of industry representatives. R. Peters responded that this is because it functions solely as a consultant on technical issues.

15. In addition to the professional study to be conducted; the TES consultant will develop an inventory of open issues that won't be addressed in the professional study. Input will be solicited from the public, those doing the work, i.e., deckhands, etc. A matrix is being prepared by "issue" for the emergency, interim and permanent guidelines. TES will also be reviewing the experience gained from the current system, MSO comment and participant comment.

16. February, 1994, was looked to as the deadline for revised rules, however full scale testing cannot be completed that soon and it is more important to do a complete job. A more meaningful completion date would be August, 1994, for revised rules; with permanent guidelines to be in place in January, 1995. Conceivably an extension will be needed to complete the required work. The previously announced deadlines did not allow for full scale testing. J. Lundstrom asked when the TES would meet to vote on the scope of work for the professional study. R. Peters responded that TAG will meet 10-18-93 and TES will meet at the end of October or the beginning of November. He noted that the work that comes out of this study must be objective and acceptable to be useful. The key is the scope of work. A copy the draft scope and agreement will go to OSPR for comment. If it wishes, the full HSC could vote on the scope/timeline for the study. M. Croce stated that he questions the need for public comment at this stage. The draft scope includes all public comment received to date on the subject. M. Brown suggested public comment come at the point where recommendations are being considered. M. Croce stated that ARCO and Chevron have agreed to fund the study in the interest of speed - repeated meetings of the HSC delays the process. He added that the study becomes public property when OSPR decides to buy it. A. Krygsman stated that if ARCO/Chevron pay for the study, they can do it how and when they like; but if they want reimbursement from OSPR they may need HSC authorization. C. Raesbrook responded that authorization is not necessary, the planned study clearly meets the requirements for use of administrative funds held by OSPR.

17. A. Krygsman suggested that the regulations must address the situation where a tug could be of help to another vessel in immediate danger when the escorted vessel is not in immediate danger. R. Peters agreed and noted that this is the type of thing that will come out of the inventory.

18. C. Moore, OSPR, stated that the timeline stated would result in a gap where no regulations would be in effect. An August submission of recommendations for the permanent regulations would require 30 days for the state to come back with comparisons, 10 days for OAL review and publication, and then a required period for public comment, by statute. The current package (interim guidelines) cannot be extended and must be reissued as a new package. The emergency regulations expire at 1-8-94. M. Croce suggested the interim regulations be issued at 1/8/94 for greater time coverage. It was pointed out that at earlier HSC meetings OSPR representatives had not predicted such a long period for processing, and had stated that the interim guidelines could easily be extended to two years. C. Moore responded that OSPR takes six months to take recommendations to regulations. R. Peters asked if the interim regulations could be changed to a two year period at this time and if the committee is on track. C. Moore answered that he was expecting a March or April submission of recommendations for permanent regulations in order to meet the implementation schedule. The process would take a minimum of 115 days without public comment and C. Moore expects substantial comment. R. Peters emphasized that the HSC needs clear information on deadline dates in order to take appropriate action. C. Raesbrook responded that he doesn't expect substantial comment upon reissue of the interim guidelines package. R. Peters requested OSPR provide a written schedule of time necessary to process revised guidelines.

19. UNFINISHED BUSINESS. T. Hunter announced that the Chair, A. Thomas, has appointed a Federal Regulations Review Committee to look at the Captain of the Port's proposed regulations, as presented at an earlier HSC meeting. Members will include: A. Krygsman, Chair; J. Gosling; B. Clinton; C. Bowler and J. Lundstrom.

20. A. Nothoff announced that the Coast Guard has a comment period open on proposed tanker routes off the coast of California. All comments are due in early November. Although the affected area does not come within the scope of this committee's affairs, there are undoubtedly concerned people in attendance.

21. NEW BUSINESS. Max Blodgett, U. S. Army Corps of Engineers presented a report on the proposed project to lower the levels of Harding, Shag, Blossom and Arch Rocks and an unnamed rock to the west. He described the scope of the project, which would move the rock to 55' MLLW so deep draft vessels could go between Angel Island and Alcatraz Island and remove other possible hazards to navigation. The cost of the project has increased from \$33 million to \$67 million as a result of additional costs separated out for removal and disposal. He concluded that the cost savings to industry does not justify the project. D. Adams responded that the justification is not the cost benefit but rather the removal of the potential for disaster. He referred to a blasting project in New York Harbor and suggested the HSC find out how that project was handled. The corps representative added that federal projects are required to have cost benefits but other types of projects may not carry that mandate. D. Adams will investigate the New York situation.

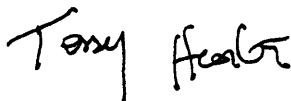
22. J. Lundstrom introduced Jeff Blanchfield and Jennifer Ruffilo who presented details of the 1982 Seaport Plan, which is currently under review. The plan includes maintenance dredging but is silent on navigational safety, hence the visit to HSC to weld linkage between what BCDC does regarding policy and the work of the HSC. The plan designates areas for port uses, but does not presently include petroleum terminals or other proprietary terminals. The update currently underway has a target completion date one year from now. The update process will address how to increase cargo processing capabilities with technology rather than the expansion of facilities; base closures; navigational safety; and dredging. The goal is to dovetail the Seaport Plan with the Harbor Safety Plan and the Long Term Management Study.

23. A. Nothoff suggested including scheduled presentations in the agenda so meeting attendees can better schedule their time.

24. The next full committee meeting will be held at the Port of San Francisco on 11-18-93, at 10:00, unless participants are notified that this creates a conflict for the Port. The usual second Thursday falls on a federal holiday.

34. Meeting adjourned by unanimous vote at 11:40.

Respectfully submitted,



Terry Hunter