

SAN DIEGO HARBOR SAFETY COMMITTEE
Full Committee Meeting

DATE: September 24, 2008
TIME: 10:00 AM- 11:45 AM
PLACE: **Port District of San Diego**
Administration Building
3165 Pacific Highway, San Diego, CA 92101
First Floor Training Room

Minutes

I. Introductions

Voting Members: *Mr. Gary White, Mr. Jim Peugh, Capt. Rich Goblen, Capt. Bill Bartsch, Capt. Ed Brooks, Capt. Dave Rodin, Mr. Mark Schouwe, Mr. Bruce Cummings, Capt. Ken Guyer, Capt. Jeff Bentley, Mr. Harvey Vallier*

Non-Voting Liaisons and Visitors: *LCDR Mike Dolan, Ms. Jen Dobbins, Mr. Jack Prescott, Mr. Gerry Wheaton, Ms. Jessica Drewmowski, Mr. R. Mitchel Beauchamp, Capt. Josh Gaylord, Mr. Jose Beltran*

Harvey Vallier is sworn in as the alternate to Tank Barge Operators

Capt. Goblen would like to confirm that enough voting members are present to represent a quorum. There are 13 voting positions so a quorum would be 7. The rule is that a simple majority is needed.

II. Minute Review: July 23, 2008

- a. Motion to approve the minutes: Mr. Jim Peugh, Second: Capt. Ken Guyer
Yea -11, Nay - 0- Motion carries

III. Unusual/Near Miss Incidents

- a. Capt Bartsch: An incident occurred about a month ago when Capt. Bartsch was towing in some sand and two jet skis were waiting for the wire between the boat and the barge to slacken and they would try to get over the wire. The incident continues to happen each time the tug was stopped. The Harbor police came in and gave them addressed the situation with the people riding the jet skis.
- b. White: Recreation lobster fishing begins this weekend and commercial will begin on Tuesday.
- c. Goblen: There was a discussion last year about the ability to set hoops in the channel, was there a resolution?
- d. Bartsch: When the police are called, the hoops are moved.
- e. Goblen: In terms of lighting, what is the standard?
- f. White: If you do not illuminate, you may lose them but is not sure of the standard.
- g. Bentley: Capt. Bentley does not believe that there was a resolution because some of the questions were what was permitted within the Bay. Part of the concern is that the hoops are set within the channel and also everywhere else. The entire Bay outside of the channel is used, including tugs and barges so being outside of the channel line, they are forcing commercial traffic to go into the channel and it gets bottled up.
- h. Goblen: Capt. Goblen believes there was not regulation.

- i. Dolan: The Aids of Navigation team, occasionally pulls them out of the channel if the trap is not properly tagged.
- j. Goben: This is a heads up to keep your eyes open to bring any issues to the committee's attention.
- k. Dolan: Who is the permitting agency?
- l. Prescott: Fish and Game for commercial and for recreational you just need a fishing license.
- m. White: Fishing license with ocean enhancement and a punch card, the punch card is new this year. The punch card is \$7.10 and you are allowed 7 lobster a day..

- IV. USCG, San Diego Sector Update:** Captain Farris was invited to join but he was not able to attend this meeting. He will come to another meeting in the future.
- a. LCDR Dolan: At the last meeting, waking incidents were discussed and LCDR Dolan spoke to the Harbor Police dispatchers. The way they take reports is that they do not tag unless there is a person in the water. The waking incidents will have to be identified by specific location and researched. LCDR Dolan will look for specific incident that was discussed in the last meeting.
 - b. Some members attended the Prevention First Conference. There were a few presentations on Harbor Safety and Best Marine Practices.
 - c. The Coast Guard had a festival sail hot wash in Alameda for the entire coast. One thing that could have gone a little smother was the attraction vessel permitting. For future events, as the boat moves down coast, the inspection status should be passed along. San Diego is an easy port because there are no drawbridges. The Coast Guard deals with navigation of bridges. Engineering, design and construction are dealt with by the district office. There are seismic updates on the North Harbor bridge. If anyone is interested, please let LCDR Dolan know and you will be added to the e-mail list. At some point, the Aids of Navigation team to make sure the lights are squared away.
 - d. Goben: Are the inbound and outbound lights on the Coronado bridge, the green and white lights, are they Coast Guard Aids of Navigation?
 - e. Dolan: The Coast Guard would verify that the lights are properly set. When they are designed and installed, the Coast Guard makes sure that they are properly arranged. Goben: A few were extinguished the other night and Capt. Goben was not sure who needed to be contacted.
 - f. Dolan: LCDR Dolan will talk to his Aid of Navigation team and find out who is responsible. The bridge owners would probably be the first contact, Caltrans, and the Coast Guard would be secondary.
 - g. Peugh: As far as the wake issues, does either the Port or the Coastguard have facility for putting in bottom mounted wave height meters to measure the wake height and asses the wake problems over a period of time?
 - h. Wheaton: The problem is that sediment gets into the meter rather quickly and is not aware of NOAA having these meters. Scripps may be interested as a project.
 - i. Peugh: It would have to be a sampling but it seems like we hear about these problems and no one seems to know much about them so this would be a way to quantify it.
 - j. Guyer: I dock is getting ready to be rebuilt.
 - k. Wheaton: Cost to rebuild may be an important measure.
 - l. Peugh: Eventually there could be a spill problem because someone will be handling fuel when a big wake comes along. It may help to set a policy if you see there is a consistent problem in a certain area.

- m. Goben: Throughout San Diego, we have no wake zones. Usually back in the inlets, technically all of South Bay is a no wake zone. How would you go about putting something in place at the 10th Ave. terminal?
- n. Guyer: A couple of new things are coming up: the mega yacht mooring next to the Maritime Museum and at the Hilton they are building docks. The estimate for putting in a wave attenuation wall for that area was put at over million dollars which is why a full marina was not built. There will now be two locations where wave or wake action is going to be reported.
- o. Goben: Wakes are an ongoing problem with a complicated solution. Rather than react, be proactive and figure out what we can do, our concern is prevention. The wake issues are something that the committee should look into.
- p. Dolan: Paul Patricio could not make the meeting but LDCR Dolan knows that he was interested in speaking about the North Island carriers and that they do occasionally get rocked. The Navy approached the Coast Guard about discussing a rule for slower speeds. Coast Guard would initiate a regulatory action which takes quite a bit of time. Bartsch: The pilots were contacted too but the problem is not every class of vessel. The Bob Hope class was only class of vessel that was identified.
- q. Dolan: The Pilotage Advisory Council meeting is October 2, sponsored by the Port.

V. US Navy Port Operations: Paul Patricio had an emergency and was not able to make the meeting.

VI. NOAA Update – Mr. Gerry Wheaton

- a. Wheaton: With elections coming up, Senior Management is leaving rapidly.
- b. An offer has been made through email for all Harbor Safety Committees to submit “Best Practices” that feel are important for the next Coast Pilot. To incorporate any San Diego Best Practices, please send Gerry an e-mail. The next edition is coming out in January, the deadline is October 10th for submissions. Changes to the Coast Pilot can be submitted anytime but for information to be published, October 10 is the deadline.

VII. OSPR Update - Mr. Jack Prescott

- a. Prescott: A spill related update on August 13th. A relatively small, red dyed diesel spill from a Navy yacht, stern in to the Embarcadero while receiving fuel from So Co truck during the morning hours. The lighting was good. The Chief engineer was taking fuel from the stern fueling connection as opposed to the midships connection and had never fueled from that location before. There was a mislabeling on the fuel connection,. When they started to fuel, it went straight over the side and they shut down about 15 gallons into the water. Jet skis were used in the clean up. The Chief engineer was not familiar with his system. There was another response in Los Angeles last month. A black oil spill of about 6 barrels in the water, 5 barrels on the deck because the fueling operation was not done according to procedures. They were taking fuel from the starboard side and the port side had a through connections. The Chief engineer was not in engine control room, two of the tanks were inadvertently closed up before two more were opened. It was about either-ten minutes before anyone noticed. This was the largest spill in the past five years and this was a communications issue. With all the technology on the vessel it is still the engineers responsibility to know the system.

- b. The New acting Administrator is Steve Edinger. He was the Enforcement Chief of Patrol for OSPR prior to this assignment.
- c. As far as the wave height meter, this might be something that could be done through a grant with an environmental organization.

VIII. Acting OSPR Administrator Steve Edinger was not able to attend the meeting.

IX. Discussion and Possible Vote to Create a Petition for Authorization by OSPR for a Marina and Yacht Club Voting Member – Capt. Rich Goben

- a. Goben: The Senate bill 1742: The approval of the position should be at the sole discretion of the Administrator. There has been discussion to create a new membership position for marina and yacht clubs.
- b. Guyer: Jack Prescott came and addressed Dock Captains group about 2 years ago and this is how Capt. Guyer became involved with the Harbor Safety Committee. Capt. Guyer did not realize how much marinas and yacht clubs would be part of discussion and this evolved into with Jack, Rich and Debra to start the process of creating an additional voting member.
- c. Goben: The discussion and possible vote is for the creation of this position, not necessarily a specific person. If the position is voted to be created, the Administrator has approved the position, it would have to be opened up for the public to apply. Changing from talking as the Chair to talking as a voting member, Capt. Goben feels this is a valuable position, it fulfills the need for participation from the Maritime community and knows of one person that would do this job well if that person were to apply.
- d. Beachamp: Would this being in control of the source of the kayaks that go into the bays?
- e. Guyer: This would fall under recreational boaters.
- f. Goben: Vote to petition the Administrator to create the Marina and Yacht Club Position

Yea -11, Nay - 0- Motion carries
- g. Capt. Goben will draft a letter for the Administrator.
- h. Prescott: We do not have Commercial Tanker representatives. The next meeting we will add an agenda item to vote and possibly petition to eliminate the Commercial Tanker position due to lack of interest.

X. Standing Sub-Committees: Discussion to Remove Offshore Moorings as a Sub-Committee: Capt. Rich Goben

- a. Goben: Offshore mooring were moved to Los Angeles so the committee does not have any action and interest in the sub-committee. This will require a vote and formal recommendation letter to eliminate the sub-committee.
- b. Wheaton; Los Angeles reviewed the concept of offshore moorings and they were getting out of this business. Do we still need to be responsible for offshore mooring?
- c. Prescott: This is out of the Harbor Safety zone. There is oversight by State Lands, Coast Guard and Department of Fish and Game.
- d. Vote to remove Offshore Mooring as a sub-committee:

Yea -11, Nay - 0- Motion carries

XI. Sub-Committee Reports

A. Education:

- a. Drewnowski: At the last meeting, Bruce Cummings talked about putting in traffic light to stop traffic, but you cannot refuse boaters to be able to transit the channel. Instead a caution light will be put in. Mark Taylor is meeting with people from Pier 32 to discuss. The light will be flashing yellow when a vessel is backing in.
- b. Dolan: You have to have legal authority to limit any access area. There is not a legal existing instrument.
- c. Drewnowski: With education, the Port is hoping that people will not try to transit the channel.
- d. Dolan: Documentation is important in that process if regulatory action is sought.
- e. Peugh: What does the education program look like at this point? Do people have to take class to have a boat at Pier 32?
- f. Drewnowski: The powerpoint that was reviewed in the last Harbor Safety meeting will be shown to boaters but the owners of Pier 32 want to change the presentation to make it more user friendly.
- g. Guyer: The plain simple fact is that this is a hazard that boaters need to be aware of. The educational program should be strengthened. The Dock Captains meeting is after the Harbor Safety meeting and this issue is on the agenda.
- h. Bartsch: Capt. Bartsch's experience is that the problem is not usually the yachts, but the people in the kayaks, sail boats without an engine and the people coming out of the launch ramp going really slow.
- i. Goben: The education committee is working on a solution so the public is aware of this. The Harbor Safety Committee does not have any legal authority but we can do our very best to educate people and it sounds like the committee is doing their best to work towards that.
- j. Wheaton: Language has been put together for the Coast Pilot as far as Sweetwater Channel. Based upon the presentation, Mr. Wheaton has put together a simple paragraph that though reflected presentation and the concerns of the Harbor Safety Committee. Mr. Wheaton has a legal liability to report potential hazards.
- k. Wheaton: The information now reads: All boaters are advised to exercise extreme caution while transiting Sweetwater Channel, San Diego Bay CA when commercial carriers, assisted by tugs, are maneuvering at National 24th Street Marine Terminal. Tugs produce strong currents perpendicular to the narrow channel out to 200 feet. This current is strong enough to capsize a small boat or pushed it on to the bank of Sweetwater Marsh National Wildlife refuge where rescue is difficult. The schedule for the National Container Terminal is posted at Pier 32 Marina or www.sdms.org. Mr. Wheaton will edit the paragraph to

submit to the Coast Pilot and send to Jen to e-mail the committee.

Goben: Before moving to the Navigation and Safety, Capt. Goben would like to discuss the Best Practices working group. Best Marine Practices is not an actual sub-committee, it is a working group. We can either keep it active or not once the work is done.

Bartsch: We have not received any information from up the coast yet to complete the Best Practices. Capt. Bartsch believes the BMP's can be included in some of the other sub-committees and that there is not a need for a standing working group for what is left. The same information can be covered under Navigational Safety or Education. There is not any additional information about moving vessels, restricted visibility or heavy weather.

Prescott: Mr. Prescott did not attend the Prevention First meeting but knows that some of those items were covered. Mr. Prescott will bring updates to the next meeting.

Goben: If tasks left over, the tasks should be moved to an actual sub-committee.

B. Navigational Safety and Pilotage:

- a. Goben: We do not have a chair at this point for Navigational Safety. At the last meeting, Capt. Goben asked for interested members. The Chair can designate a sub-committee chair and Capt. Bartsch is interested. Capt. Goben appoints Capt. Bartsch as the Chair of the Navigational Safety and Pilotage Sub-Committee.
- b. Wheaton: Los Angeles/Long Beach has reviewed their Best Practices and submitted their input for changes to the Coast Pilot. Mr. Wheaton will forward this information to Capt. Goben for review.
- c. Goben: We are looking for an end result and would like to see what other ports are doing.
- d. Bartsch: The Pilotage Advisory Council meeting is coming up in week and a half, which is set up by the State of California in cooperation with the Coast Guard, the pilots and industry to try to get some standards in Southern California ports. One of the issues that is important now is the yacht exemptions. The mega yachts are piloted for whole time they are underway which can be expensive and drain the pilot work force. In San Diego, the yachts are boarded by a pilot the first time they come into the area, exchange cell phones numbers and explain what we do in San Diego, fuel docks, concerns, weather patterns. The Captains abide by the rules. After the first trip, pilots tell the Port and the Coast Guard that a Captain can handle maneuvering on their own. The Coast Guard will approve the application that the Captain is able to maneuver his yacht around San Diego Bay without a pilot even though the vessel is over 300 gross tons as long as the parties are notified when he is getting underway in case of conflict.
- e. Another issue at the meeting is the wake issue. This is the biggest threat to the safety in the Bay right now.
- f. The Illegal lights shining up into the stern of the commercial and recreational sport fishers exiting the Bay

in the evening. The lights are getting more powerful and this is a safety issue.

- g. Cruise ship season starts this week. There is a need for escorts by the Coast Guard on some of the jobs especially on a Saturday or Sunday when there are more recreational boats.
- h. One thing to clarify is the distance that recreation boats need to stay clear of Navy ships and cruise ships while they are underway. The distances needs to be realistic, some of the distances do not make sense in certain parts of the Bay.
- i. Dolan: This is an education issue because you do not have to be excluded from 500 yards, you have to drop to bares minimum safe speed.
- j. Bartsch: With the complexities of San Diego Bay, it is difficult. Boaters are not likely to study the Coast Pilot so putting things in the Coast Pilot about the Sweetwater Channel, Capt. Bartsch is not sure how many people will read it. The education is very simple, adding a large sign sitting on the corner, “Be careful of the ships in the channel” would reach more people than anything we put in a federal register.
- k. Goben: Capt. Bartsch and Capt. Taylor to discuss the education/sign to be incorporated at Sweetwater Channel.

XII. Public Comment

- a. Public Comment: Guyer: The Festival of Sail was very successful. Kudos to everyone that was involved and the Coast Guard for a great event. The only objection was the inspection.
- b. Bentley: Capt. Bentley has a couple of concerns. The wake issue continues to be brought up would recommends that the Committee be proactive. The Best Marine Practices working group is going to be disbanded and if we end it, we may lose momentum. If we don’t have a plan of action, we cannot get anything done.
- c. Goben: When talking about disbanding the working group, Capt. Goben would like to see the tasks ended and if there cannot be a clear end, the left over tasks would be rolled over into the sub-committees. If this is a matter of getting all the entities together and having an ad hoc meeting, so we can be proactive from the commercial standpoint, that might be the way to go. Capt. Goben would like to direct the BMP’s into committees to keep the plan neat.
- d. Bartsch: There is not anything in the BMP’s that cannot be added to Navigational Safety.

XIII. Staff and Liaison Announcements

XIV. Next Meeting

Full Committee:

XV. Adjourn

Motion: Marc Schowe, Second: Harvey Vallier

Meeting Adjourned