



LOS ANGELES/LONG BEACH HARBOR SAFETY COMMITTEE

Mandated by
California Oil Spill Prevention and
Response Act of 1990

MINUTES OF THE ONE HUNDRED AND TWENTIETH MEETING OF THE LA/LB HARBOR SAFETY COMMITTEE WEDNESDAY, 1 OCTOBER, 2008

The One Hundred and Twentieth Meeting of the Los Angeles/Long Beach Harbor Safety Committee was convened in the main auditorium of the Port of Los Angeles Beach **Chairman Strong** called the Meeting to order at 10:02 a.m. The **Executive Secretary** determined that there was a quorum present, as listed below --

FOR THE PORT OF LONG BEACH
(Absent)

FOR THE PORT OF LOS ANGELES
Capt. Jim Morgan

FOR THE LONG BEACH PILOT
ORGANIZATION
Capt. John Strong (JPS)

FOR THE TANKER OPERATORS
Capt. Laura Kovary
(BP)

FOR THE LOS ANGELES PILOT
ORGANIZATION
Capt. John Betz

FOR THE MOORING MASTERS
Mr. Dave Selga
(Chevron)

FOR TUG & BARGE OPERATORS
Capt. Doug Houghton
(Millennium)

FOR THE DRY CARGO CARRIERS
Mr. Phillip Wright
(Zim)

FOR PLEASURE BOATERS
Mr. Tom Welch
(Westrec Marinas)

FOR ORGANIZED LABOR
(Absent)

FOR THE CALIF. COASTAL COMM.
(Absent)

FOR THE MARINE OIL TERMINALS
Capt. Esam Amso
(Valero)

FOR THE U.S. COAST GUARD
SECTOR LA/LB
Capt. John Caplis
(USCG)

FOR ENVIRONMENTAL GROUPS
(SANTA MONICA BAY)
(Absent)

FOR ENVIRONMENTAL GROUPS
(LA/LB HARBOR REGION)
Mr. Garry Brown
(O.C. Coast Keeper)

FOR THE CDF&G/OSPR
Mr. Mike Coyne
(OSPR HQ)

FOR PASSENGER FERRY
OPERATORS
Mr. Ray Lyman
(Cat. Express)

FOR THE USACOE
Mr. Jim Fields

FOR THE CALIF.
STATE LANDS COMM.
Mr. Gary Gregory

FOR NOAA/NOS
Mr. Gerry Wheaton

FOR THE U.S. NAVY
CDR Lee Stephens

FOR COMMERCIAL FISHING OPERATORS
(Absent)

EXECUTIVE SECRETARY
Capt. Dick McKenna (MX-SOCAL)

ALTERNATES, MEMBERS OF THE PUBLIC,
AND OTHER PARTIES (SEE ATTACHED LIST)

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Chairman Strong opened the meeting by welcoming everyone in attendance, thanking all for their interest and participation in the Los Angeles/Long Beach Harbor Safety Committee. He expressed the Committee's appreciation and thanks to the Port of Los Angeles for making their facilities available for this gathering and for providing the snacks enjoyed by all.

The Chairman then advised the audience that they would be offered the opportunity to speak before this panel, after Item IV under "New Business" was announced. He also encouraged all present to be sure to "sign-up" on the attendance sheet located on the table just outside the meeting room. **The Chairman** explained that certain members of the LA/LB HSC panel were "non-voting" and therefore would not be participating in any "show of hands" vote called to determine a decision on any particular agenda or action item.

ITEM I -- SWEARING IN OF NEW AND REAPPOINTED MEMBERS:

Mr. Mike Coyne, of OSPR conducted a swearing-in ceremony for all new members of the Committee and those returning for another term. Those involved were: **Mr. Garry Brown**, representing Non-profit Environmental Organizations, **Captain Bent Christiansen**, Alternate Member Los Angeles Pilots, **Mr. George Cummings**, Alternate Member Port of Los Angeles, **Mr. Baz El Sayed**, Alternate Member Mooring Masters, **Captain Norman George**, Alternate Member, Tank Ship Operators, **Mr. Ray Hiemstra**, Alternate Member, Nonprofit Environmental Organizations, **Captain Sam Jebanathan**, Member, Dry Cargo Ship Operators, **Captain Laura Kovary**, Member, Tank Ship Operators, **Captain James Morgan**, Member, Port of Los Angeles, **Mr. Stephen Ruggiero**, Member, Port of Long Beach, **Mr. David Selga**, Member Mooring Masters, and **Mr. Phillip Wright**, Alternate Member, Dry Cargo Ship Operators.

ITEM II -- APPROVAL OF MINUTES:

Chairman Strong called for approval of the minutes of the 119th Meeting.. *Capt. John Betz moved, seconded by Capt. Laura Kovary, to accept and approve the Minutes of the 119th Meeting. Motion carried unanimously by a show of hands from voting members present.*

ITEM III -- OLD BUSINESS:

(A) Update on Vessel Traffic Activities:

Chairman Strong called for an update on VTS activities from **Executive Secretary McKenna**. There were nine incidents since last meeting. Eight were propulsion/material related, one a close quarters south of the LA pilot operating area. This was a particularly significant close quarters incident involving an inbound ship and a sports fisherman, with 44 souls aboard. It happened in reduced (1/2 mile) visibility, and the sports boat narrowly avoided collision by getting under way from anchor. This is a particular problem, because the sport fisherman do not have AIS. US Coast Guard investigation is pending.

The Vessel Traffic Center has recently upgraded its automated identification (AIS) capability with a software upgrade and the installation of a unit at UC Santa Barbara. There is now complete coverage of the Santa Barbara Channel and improved range coverage, often beyond 100 miles.

There is increased concern in the Santa Barbara Channel over the interaction of merchant shipping near the Channel Islands Marine sanctuary, specifically regarding blue whales. An effort is under way to provide weekly notification of blue whale sightings with the intent of assisting the mariner in avoiding these animals. The Marine Exchange serves as the industry representative on the Channel Islands, National Marine Sanctuary Council and can provide information or attempt to answer any questions the industry may have on this subject. Lorraine McKinney, the Marine Exchange Office Manager is available today to provide disk copies of the Harbor Safety Plan to anyone with an interest or a need.

(B) Update on USCG Sector LA/LB Activities:

Capt. Mark Hamilton, USCG commented:

- (1) He conveyed Rear Admiral Watson's appreciation to all harbor safety committees for their participation in the development of a new strategy for the National Marine Transportation System.
- (2) A key element to the national MTS is the recovery plan for individual ports. Locally, **Chris Robinson** has been tasked with the responsibility of the development of this plan at sector LA-LB.
- (3) **Governor Arnold Schwarzenegger** has recently signed into law AB 2798, the Good Samaritan Law, which holds harmless private activities, who volunteered to assist in emergencies.
- (4) He cited the recent Navy SupSalv seminar attended by many port participants. The seminar was very successful and will provide much benefit in any possible future disaster recovery efforts.
- (5) The Coast Guard continues to evaluate two active proposals for LNG. The first is the Woodside Ocean Way deep water port 27 miles southwest of Santa Monica Bay. The other is platform Grace off of Oxnard. US Coast Guard headquarters has the lead in both projects.
- (6) He looked forward to the development of the improved heavy weather plan in this coming year's Harbor Safety Plan deliberations.
- (7) This summer's Tall Ship Festival was an intense period of activity and was very successful. He congratulated all who participated.
- (8) As previously mentioned, the Coast Guard is actively involved in the deliberations over blue whales at the Channel Islands National Marine sanctuary. The Coast Guard is participating with the State in overflights of the area. They are also participating in Sanctuary Council meetings. There seems to be no voluntary speed reductions observed, however the good news is that no whales have been struck.
- (9) The June Port Protector Exercise was very successful with several good lessons learned. The exercise report is under development and will be promulgated shortly.
- (10) The AMSC 7B Subcommittee has been meeting, and has developed a preliminary draft grant proposal as required by FEMA. There is a follow on meeting scheduled for mid October.
- (11) The Area Maritime Security Plan is due for its five-year review and is underway.

(C) Update on OSPR Activities:

Mr. Mike Coyne OSPR, made the following comments:

- (1) He indicated that OSPR has a new **Administrator, Mr. Steve Eddinger**. His appointment is currently awaiting formal review. Also the **Deputy Administrator, Mr. Bud Leland**, has announced his retirement at the end of the year.
- (2) OSPR has recently undergone an audit by the Audit Board of the legislative branch as a result of the Cosco Busan. The general results were characterized as a "B". Several benchmarks were established as a result of the audit and will be the subject of an ongoing process. Another outgrowth of the audit process is a review of all management/supervisor positions.

(3) He also highlighted OSPR's renewed emphasis on Harbor Safety Committees' best practices, and encouraged this Committee to review other State Committees' practices for applicability here.

(4) He then introduced **Captain Gary Toledo**, OSPR's representative to the San Francisco Harbor Safety Committee, who accompanied him to this session.

Chairman Strong inquired as to whether there had been any findings related to the Cosco Busan incident that could be shared. **Captain Toledo** responded that, although he could not comment on the criminal proceedings, he could share that the NTSB draft report was due to be completed in January for promulgation in February. The Governor has requested that the San Francisco HSC review procedures aimed at preventing future incidents. Also under review is whether or not stronger measures could be taken by the Vessel Traffic Service in future situations. Further, the Coast Guard and the San Francisco Pilots Association got together and produced revised reduced visibility guidelines. They are working with NOAA to introduce these guidelines into the Coast Pilot as has already been done in LA-Long Beach. No new regulations have been forthcoming as yet. He will be happy to share any future results with this Harbor Safety Committee.

(D) Update on California State Lands Commission Activities:

Mr. Gary Gregory provided the following:

(1) He declared that this year's Prevention First conference was a complete success and thanked all who participated for their contributions.

(2) The Marine Oil Terminal Evaluations (MOTEMS) continue throughout the State of California. The 12 audits underway should be completed with preliminary reports expected by January of next year. This will probably lead to rehabilitation of all the significant terminals in the LA-Long Beach area as well as in Northern California. This will be followed by evaluations of medium and low risk terminals in the following year.

(3) For those interested, there will be a State Lands Commission meeting in San Diego on October 16 on Tidelands Trust issues. The agenda is not yet set, however, the issue of the 10th Ave terminal is expected to be a topic, if only in the public comments portion.

(4) The Propeller Club is hosting a Public Trust Workshop on the meaning of the Tidelands Trust at Keesal, Young and Logan offices on November 14.

(5) In addition to the normal ongoing operations, there will be an OSPR Technical Advisory Committee meeting in October in Monterey.

(6) He then gave a brief rundown on the Governor's handling of recent State bills of maritime interest.

(E) Update on U.S. Army Corps of Engineers:

No report.

(F) Update on NOAA/NOS:

Cdr. Gerry Wheaton made the report

(1) Charts 18725 and 18749 are in publication and will be out toward the end of October.

(2) The BSB raster charts that are on the web for free have not been getting updated because the contractor who provided access to the website recently closed their doors. It has taken some time to make adjustments, but the BSP charts and ENC charts have now been updated and are available at the site.

(3) **Vice Admiral Lautenbacher**, NOAA's Director, has announced his retirement effective at the end of October.

(4) He directed his complements to State Lands Commission for an outstanding Prevention First Conference.

(G) Update on the Area Maritime Security Committee:

Nothing further to report.

ITEM IV – New Business:

(A) Subcommittee Reports:

S/C # 1 (Navigation Safety) – Capt. John Betz: This Subcommittee last met in June. They are scheduled to convene today at 1:30 p.m. at the offices of the Marine Exchange to discuss some ongoing issues.

S/C # 2 (Planning & Outreach) – Capt. Christiansen, Chair– Nothing to report.

S/C # 3 (Tug Utilization Group; TUG) – Capt. Doug Houghton – Nothing to report.

S/C # 4 (Recreational Boats & Commercial Fishing Vessels) -- Ms. Camille Daniels Chair–Mr. Tom Welch indicated that this Subcommittee would soon be meeting to discuss issues of interest.

S/C # 5 (Port & Vessel Security; including LNG Vessels Risk Assessment) – Capt. John Strong, Chair – No meetings held recently, however, he is attending the Area Maritime Security Committee meetings and is serving on their Port Evacuation Subcommittee.

(B) Annual Review of the LA/LB Harbor Safety Plan for 2008:

Capt. Strong opined that the current Harbor Safety Plan was sound, much so because of the Committee's previous good work. He asked the Committee to review the plan for applicability of standards of care and requested of the Committee any inputs that might be addressed. **Capt. McKenna** suggested that while there were no present issues, there might be a need to be alert for topics presented by the Cosco Busan report due in the February timeframe. This may present a challenge coming so late in the Committee's year.

Other New Business:

Chairman Strong indicated that in the not-too-distant future there will be tankers of 69 foot draft and in excess of 340,000 tons that are planned for arrival into the ports. This will require a tug escort study to develop the legal requirements for tug assist. The question was, who shall fund the study that will be required? He asked **Mr. Coyne** for comments. **Mr. Coyne** indicated that the State would pay its fair share, but the State would expect other participants to contribute first. Also, it is expected that the Harbor Safety Committee define the variables by which the Glosten study is conducted. Further, moving from using two tugs to three is not a simple process. It will require rule making and the associated hearings and could take upwards of a year. **Chairman Strong** asked **Captain Houghton** to take the lead on this matter.