

Cook Inlet Harbor Safety Committee
Navigation Workgroup
Teleconference Meeting
October 26, 2015

MEETING MINUTES

14:00: Meeting called to order

Roll call: By Jenni Zielinski, SWAPA

Workgroup attendees: Louis Audette, Kirby Offshore Marine
Patrick Callahan, OSG
Peter Garay, SWAPA **[Chair]**
Jack Jensen, Tesoro Corp.
Rachel Lord, Cook Inletkeeper
John Taylor, AK LNG

Also in attendance: Paul Mehler, Tesoro Corp.

Chairman Garay opens the meeting stating that no decisions will necessarily be made on the agenda items presented. He hopes that today's meeting will be a forum to begin dialog and to ascertain which items should be prioritized. Garay asks if any attendees have anything they wish to add to the agenda; nothing added. He also states some members were not able to be present today due to prior commitments. Garay also explains that Jenni Zielinski, SWAPA Office Manager, will take minutes today but the group should look for someone to take minutes/act as secretary at future meetings.

John Taylor has presented nine discussion items to workgroup members via email and these will be addressed first.

1. *Review the Safety of boarding a pilot off the Nikiski docks. This area has become busy and may become busier. Twenty five years ago this may have been acceptable but with other options available to board a pilot this must be looked at. A vessel boarding a pilot by helicopter at over 15+ knots is technically restricted in her ability to maneuver. There is currently a large amount of seismic research in the area that is also restricted in their ability to maneuver doing their work. With a working oil terminal and its ships and barges in near proximity this is a risk and a dangerous place to be distracted. The inlet will only get busier and it's time to look at this practice.* Taylor states this item has nothing to do with piloting but is to address the safety involved in boarding the pilot and issues with restricted maneuvering. The docks are becoming increasingly more active, there is a lot of geo-technical work being conducted plus the usual, seasonal busy times and more tugs & barges transiting the area. Jensen asks if the issue is with the pilot boarding by helicopter or by boat. Taylor confirms he is addressing the helicopter boarding's and is questioning if it is still safe to conduct these boarding's in the current location vs. using a different boarding area. Jensen asks if the boarding could just

occur further out. Garay responds that neither the helicopter pilot nor the marine pilots like boarding further out due to the darkness and thereby less reference points, such as lights at the dock, with which to orient themselves. General discussion ensues regarding the number of vessels working off the dock and whether it is still safe to perform restricted maneuvers off the docks. With the exception of the Homer Pilot Station (P/S) and Compass Rose, Garay would like the USCG to weigh in regarding grandfathered boarding areas. He states that most users do not have an issue with the P/S however, Matson do not have a representative on this navigation committee and he believes they should be invited into this dialog, along with the USCG, as it would directly affect them. Traffic lanes and areas to be avoided are then addressed and Garay confirms that, with increased shipping, it is more important to have a designated P/S. Audette asks if it is the pilots' purview where to board and Garay states that this is not that easy given historical arrangements made with CSX, Sealand (HL/Matson) and the USCG; however, established practices may not be the best given the increase in traffic. We therefore need more users to attend a roundtable in order to address this matter. Callahan asks how many transits we are talking about and Garay states it can be as many as two per week at night; however some of these may not be relevant if the pilot boards at the P/S. Garay states this item warrants further discussion and should be marked as a priority 1 or 2 for follow-up. **RECOMMENDATION: Priority follow-up for a round-table meeting with affected users. This is a safety issue given increased traffic in this area and the aim is to find both short-term and long-term resolutions.**

2. Through working with the USCG it is recommended to make the official pilot boarding area and the Nikiski range and its approach a Regulated Navigation Area by implementing a Precautionary Area at their prospective locations and for these RNAs to be placed on Navigational Charts. This also reinforces Rule 9 COLREGs, particularly on the range. Taylor states this issue is important for every user in the inlet, especially vessel captains and pilots. In the past, the inlet has never been busy enough but every other pilot group in the U.S. has a precautionary area at the official pilot boarding location. Taylor did discuss this subject with the USCG and it was confirmed that it would be a very long process to add these areas to the charts. Mehler concurs it would be a lengthy process to add an RNA and we would be talking multiple years and not months for it to appear on charts. Furthermore, it would bring up an enforcement issue as the areas would be restricted rather than regulated; educating waterway users would therefore be the key factor. Before adding RNA's to charts, the USCG would look at data to include history, risk factors and whether the high traffic is seasonal. More marks on charts result in more complicated charts for the average person and lobbyists would likely complain. Taylor adds that the precautionary area would not prohibit other vessels from being there but would protect ships from small vessels getting under their bow for example. This item is on the agenda today to suggest we look at moving forward with this process with the understanding that it will be a long term effort in order to provide protection for pilots and captains. **RECOMMENDATION: Further discussion but lower priority on this agenda due to the length of the regulatory process.**

3. To review the current 'practice' of 10 ft UKC in Cook Inlet. This stems from an old letter from the USCG concerning tankers on Knik Arm Shoal. The 10ft UKC may be well founded but it needs to be looked at and updated if necessary but made official at any rate. It should probably be a

part of the Harbor Safety Plan as well. Attached to these minutes are copies of a USCG Navigation Advisory dated 10/23/1998 and a letter dated 02/24/1994. Taylor would like waterway users at the meeting today to discuss this current practice and believes it is worth a review. The 10' UKC has been adopted by pilots and Garay references an April 2014 letter written by SWAPA which addressed this issue (this letter is also attached). Jensen comments on the 3' UKC alongside the Anchorage POL referenced in the 1994 letter. He states he is receiving soundings every week or every month during the winter. His belief is that the 3' UKC could be reduced given current, improved technology and discusses the fact that the tankers are now double-hulled and not single-hulled as discussed in the 1998 advisory/1994 letter. Garay believes this issue does require further discussion and references SWAPA's letter, suggesting a separate workgroup to discuss. Jensen adds there are also State agreements that he must comply with. A workgroup will therefore be explored and Garay will provide further information. **RECOMMENDATION: High priority follow-up to select a small workgroup to review attached documentation and review/formalize practices.**

4. And 5. (addressed jointly) *A long range project (2-3 years) should look at working with SWAPA for official gridded out anchorages for Homer. In the past this has not been considered necessary due to the smaller amount of traffic seen in Kachemak Bay. As this changes, a more organized system may be a safety improvement. A review of best practices in Homer for anchoring. This review should look at wind parameters among other criteria.* These items are of lower priority and are long-term projects. Taylor mentions harbor safety plans that have been researched looking at mooring buoys and what should be done if there are several barges in the area working on construction projects for example. This will be good for the pilots as there have been times recently where there have been multiple vessels anchored during the winter months, at night and in high winds. This can cause vessels to drag and "gridding out" should be explored. The 2004 USCG Navigation Advisory: "Anchoring Guidelines for Kachemak Bay" is referenced and the need for this to be reviewed is discussed; a copy is therefore attached to these minutes. **RECOMMENDATION: Lower priority item at this time as this is a long-term project and requires further discussion.**

6. *Review of ice guidelines wording. Stating they are guidelines indicates they are "guidelines" and not "requirements". We know they are not optional so a wording change seems appropriate. It doesn't keep them from being revised for the season or from the COTP implementing 'on the spot requirements' if the circumstances dictate them.* These are guidelines which are modified each year and they are not in the CFR's. Taylor would like to explore if the procedures that do not change could be re-designated as "rules" rather than "guidelines". Jensen adds that he has been present at the last ten pre-winter meetings and each COTP has stated that only Congress can pass laws and the USCG/COTP are not in a position to "make laws" so these must therefore be designated as guidelines. However, Tesoro has incorporated the guidelines into their contingency plan thereby making them a requirement that they must adhere to. Mehler adds that when he was COTP he would get numerous calls asking what the guidelines mean. They are cleaner as guidelines as they are already being used and they are designed to lay out 'best practices'. The USCG cannot enforce them but they can enforce them if an entity is not following their company's policy. To designate these as rules would either require going through a legislative process or making them a CFR which would mean noticing in the Federal Register and going through the public comment/regulatory process.

Garay discusses the issues faced with foreign ships and believes guidelines are more important for them. These are the vessels which are more likely to try to force ice or they may not have the necessary sea speed given the conditions they encounter. Taylor adds that for any proposed LNG dock, they would ensure they have ice mitigation/best practice requirements in place as a company policy. This is a good discussion with the annual winter meeting coming up in early November. Jensen states that he can't talk for others but his vessels are either ice class or they are modified and can deal with the winter conditions in the inlet. **RECOMMENDATION: Subject for future discussion.**

7. *RACON on the Nikiski Range. The light is hard to see in good visby. A RACON will not only assist ships when the visby is down, but might give any fisherman with a radar a clue they are on the range and to move if a ship is coming. In our Nav philosophy I have recommended one there and one on 60 ft rock as that is the LNGC P/S (Due North).* This issue came through Risk Assessment; the sector light is hard to see at night or if you are heading off the range/down the inlet. Blowing snow and fog make things worse and a RACON would help vessels and improve safety. Jensen asks about virtual bouys as RACON's are older technology? Garay concurs that for virtual aids, this would be a good location. However, a RACON would be valuable until mariners become more comfortable with virtual aids. He would therefore advocate for both. Mehler believes a RACON is a good idea, however, with a tight budget; a letter from the group to the USCG would carry weight and help move this up as a higher priority item. Bear in mind that the USCG would be responsible for annual maintenance in addition to the initial purchase. Mehler confirms that a request would go through the 17th District (to area) rather than to D.C. It is discussed that with other items being decommissioned, there may be more dollars available for this project. Taylor adds that a RACON or electronic aid would be good for drift boats letting them know when they are on the range. **RECOMMENDATION: Chairman/designees to work on wording for request to USCG, 17th District.**

8. *Starting a "SAFE FISHING WORKGROUP" when time is right. Used to improve safety for other users when drift fishing is ongoing.* This item also originated from recent risk assessments. California and Hawaii already address this and there is currently a fishing seat on the Harbor Safety Committee. Taylor believes the Navigational Workgroup is the best place to discuss safe practices/rules of the road and to address any issues or conflicts which may arise. The fishermen make their living in this area and mutual education is a win-win situation. Garay believes this should be addressed before the 2016 fishing season. A dialog should be opened up and Mehler concurs; a workgroup to spearhead this would be a great use of the committee. It is discussed that it would be good to get a representative who can represent the fishing community as a whole rather than multiple individuals. David Martin with UCIDA has a seat on the CIHSC and Malcolm Milne with North Pacific Fisheries Association, based in Homer, is also mentioned. It would be helpful for all involved in a workgroup to review rules of the road, safety matrixes and to gather information regarding where long-liners and pot corridors will be during the busy season. With this information, those affected can be properly educated. Garay would like to move forward with this and will work with a couple of pilots to begin opening up a dialog. Mehler adds this is also a very important safety issue with room for improvement and therefore supports a workgroup to look into this.

RECOMMENDATION: Priority follow-up by Chair to select small workgroup/pilots to explore a "Safe Fishing Workgroup".

9. *What would we look at for Cook Inlet users to conduct bunkering operations by barge in Homer? Discussion regarding a workgroup to look at safe bunkering practices (Boom and boom boat, the right tug and barge, suggested weather parameters for bunkering).* Taylor asks if any comments on this subject and states this is a long term item which could fit in with the Harbor Safety Plan. Audette states that in Western Alaska, offshore booming has come up and it requires a lot of thought. Taylor adds that if it was presented as a topic for Homer, weather parameters for example, would play a major part. Discussion continues regarding low sulfur fuel requirements and non-persistent products and whether you would want to boom them? Lots of questions to think about and Taylor will start putting some research into this subject in case it is brought up in the future. Audette describes lightering and bunkering procedures that were carried out in Anchorage when three Japanese naval vessels were at the dock. Taylor will gather more information regarding these procedures following the meeting. **RECOMMENDATION: Taylor to follow up for future meeting.**

The following items were added to the agenda by Capt. Jeff Pierce, Safeguard Marine, LLC who is unable to attend the meeting due to work commitments. Garay will therefore present the items for discussion.

10. *Precautionary maneuvering areas for large deep draft ships:*

- A) *Homer Pilot Station: create an area from sixty foot rock to designated pilot station*
- B) *Nikiski range for Nikiski flats*
- C) *Vicinity of Nikiski docks*

Garay confirms that this item has already been discussed under item 1 above and is an ongoing situation to be addressed.

11. *Establish a RACON Nikiski range, which provides the vector for all vessels in the vicinity.* Addressed under item 7 above.

Item 12 was added to the agenda by Captain Mike O'Hara, SWAPA.

12. *Spare light bulbs for the range light across the Nikiski shoal. As an informational item, who pays for the light? Who maintains the light? What is the maintenance history? I know that SWAPA kicked in \$ for some of the cost as did the state EVOS fund for the land. As per item 7, the RACON is maintained by the USCG and Garay will report back to O'Hara. A new RACON or alternative would be added to the USCG budget if approved and money available.*

Item 13 was included on the agenda by Captain Jack E. Jensen, Tesoro Alaska Company

13. *Regarding the 10 foot UKC Policy and the USCG Letter, I think the validity and applicability of the USCG letter should be reviewed as well as the 3 foot UKC Policy for the Port of Anchorage.* The USCG letter referenced along with a 2014 letter from SWAPA is attached to these minutes.

14. O'Hara item: *Discuss need for new and complete soundings south of the Nikiski docks. Area to include Nikiski Flats and range and deep draft shipping route over to Drift river passing North of Kalgin Island.* Both Taylor and Jensen have discussed the G&G work going on in the inlet and it is safe to assume that there are a lot of fresh/official soundings. Most of O'Hara's concerns should therefore be covered but Taylor will look into this further to provide information as requested. Private companies are gathering the data and perhaps some of this will be released to NOAA, however, there could be legal/liability reasons which could preclude this. **RECOMMENDATION: Taylor to follow up for future meeting.**

Mehler asks if he can add one item: He would like to address the question of which area/port should be used when a vessel is experiencing challenges; propulsion problems for example. Mehler states that part of the big picture will be which community will be best equipped to address the needs of the vessel(s), including pre-staging areas and Homer may not be the best choice. Garay adds that ports of safe refuge have been discussed in Western Alaska and the questions of emergency towing systems and "where to stage", depending on the nature of issues, were pertinent. Mehler adds that there are harbors of safe refuge for Cook Inlet but we should have a defined, pre-designated area for vessels experiencing problems. Taylor adds that the RCAC conducted a Port of Refuge study but it did not really address large ships and was intended more for small vessels such as reefers and fishing boats. Taylor adds that this is a reason why an AKLNG project would want a tug in Homer. **RECOMMENDATION: Lower priority item at this time but should be on the next agenda. This is a long-term project pending more information.**

In closing, the following is a summary for moving forward:

- It is suggested to move work items to smaller sub-groups.
- Whilst transparency is important, the Navigation Workgroup and any sub-committees thereof are cautioned for the need to be cognizant of what information is discussed outside of the group(s). Workgroups are designed to discuss various options and ideas. This dialog therefore is not intended for public/media dissemination until it has been compiled into a format which is ready for distribution.
- Jensen would like future meetings limited to one hour where possible due to the members' busy work schedules; group concurs.

With no further business the meeting is adjourned at 15:07.

Respectfully submitted by Jenni Zielinski

Enclosures:

- (a) Letter from SWAPA to Alaska Maritime Agencies addressing UKC dated 04/23/14*
- (b) UKC requirements: USCG Navigation Advisory dated 10/23/98*
- (c) Port of Anchorage limiting drafts: USCG document dated 04/24/94*
- (d) Vessels anchoring in Kachemak Bay: USCG Navigation Advisory dated 03/18/04*