Eighth Annual
National Harbor Safety
Committee Conference Report

Washington, DC
26 – 28 April 2006

Forging Partnerships
to Improve Safety in
the Marine Transportation System

Developed for:
Office of Marine Transportation System (G-PWM)
U.S. Coast Guard Headquarters
2100 Second Street, SW
Washington, DC 20593-0001

Developed by:
Potomac Management Group, Inc.
510 King Street, Suite 200
Alexandria, VA 22314
Under Contract HSCG32-04-D-R00005
Delivery Order HSCG32-05-J-000021
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Appendix A: Conference Agenda

Appendix B: Attendee List
Executive Summary

Conference Overview

The National Academies of Sciences, Transportation Research Board (TRB) and the U.S. Coast Guard jointly sponsored the Eighth National Harbor Safety Committee (HSC) Conference which was held at the National Academies of Sciences Building in Washington DC on April 26 – 28, 2006.

This was the eighth in a continuing series of conferences to address issues of interest to HSCs nationwide. The HSC conference provided a forum for industry and government leaders to share their perspectives on a wide range of issues, including—

- Committee on the Marine Transportation System
- Navigation
- Maritime Disaster Planning & Preparedness
- Maritime Disaster Response & Recovery
- Hydrographic Observations in Support of Navigation Safety
- Maritime Transportation Security
- Recreational Boating
- Passenger Vessels
- Gaining Congressional Support in the MTS
- Best Practices

The conference began on Wednesday morning; there were several presentations and panel discussions that examined perspectives on the Committee on the Marine Transportation System, navigation, maritime disaster planning and preparedness, and maritime disaster response and recovery. On Wednesday evening, a reception was held on Capitol Hill to present the HSC of the Year award to the Tampa Bay Harbor Safety Committee. Presentations and panel discussions continued on Thursday, with the panels of hydrographic observations in support of navigation safety, maritime transportation security, passenger vessels, and recreational boating. The conference concluded on Friday with panels on gaining congressional support in the MTS and best practices.

This report documents the proceedings of the Eighth Annual National Harbor Safety Committee Conference. Summarized herein are the important points made during both the presentations and panel discussions based on detailed notes taken during each segment. The final conference agenda can be found in Appendix A, and a list of conference attendees is included as Appendix B.
Distinguished Speakers

Attending the Eighth National Harbor Safety Committee Conference were representatives from industry and government organizations concerned with port safety, security, and operations. Distinguished speakers included the following individuals:

- Mr. Norman Y. Mineta, Secretary of the Department of Transportation
- RADM Thomas H. Gilmour, Assistant Commandant for Prevention, U.S. Coast Guard
- Mr. Chuck Raymond, President and Chief Executive Officer, Horizon Lines
- CAPT Steve Barnum, Mission Goal Lead, Commerce and Transportation, National Oceanic and Atmospheric Administration (NOAA)
- Mr. Mark Rosenker, Acting Chairman, National Transportation Safety Board (NTSB)

Themes and Issues

In the spirit of forging partnerships to improve safety in the marine transportation system, speakers gave insights on how to enhance cooperation and participation in the decision making process.

The central issue of the conference was the introduction of the Committee on the Marine Transportation System (CMTS) and how can Harbor Safety Committees leverage the heightened importance of the maritime transportation system on the Administration’s agenda. Conference participants heard from federal agencies that form the CMTS and about the inner workings of the Committee. Throughout the conference many opportunities were offered for participants to interact and ask questions about issues addressed at the CMTS.

Participants were also able to voice their thoughts about policy issues of national significance such as the need to create and prepare plans for maritime disasters, how to respond and recover from maritime disasters, funding for observation systems, updating of charts, and carriage of automatic identification systems.

The disasters of hurricanes Katrina and Rita in 2005 were predominant in the plenary sessions. Participants heard first hand accounts of planning, response, and recovery efforts form industry, local responders, and federal agencies. Cooperation among local affected parties was a key essential point made as well as working with local stakeholders to determine appropriate decision making steps to address maritime transportation issues.
Welcome Remarks

Mr. Rajiv Khandpur  
Office of Marine Transportation System, U.S. Coast Guard

My name is Rajiv Khandpur and I’m the Chief of the Coast Guard Office of Marine Transportation System, which is in the Waterways Management Directorate. My office provides the support for putting this conference together.

Our very first conference was held back in 1999 when Admiral Loy was the Commandant of the Coast Guard. Since then, much has changed and this conference has only gotten better every year.

Generally, we hold this conference at a port and the local Harbor Safety Committee takes on most of the burden of hosting the conference. This year, we tried something different. We decided to hold the conference in Washington, DC, mainly because of the high level of interest generated by the issues related to our marine transportation system. You will hear a lot more about that later on today. In fact, as you all know and can see, Secretary Mineta is our opening Keynote Speaker this morning.

The Coast Guard teamed up with the Marine Board of the Transportation Research Board to co-host this event. We are very fortunate to be able to hold our meeting at the National Academy of Sciences. It is one of the unseen gems in our nation’s capital and many of the nation’s monuments are within walking distance from here and you may avail of them during the afternoon break.

Also serving today as our Master of Ceremonies is Mr. John Bobb. After this event, John will be announcing the various panels. I also want to introduce Ms. Joedy Cambridge, who is the Marine Board staff director. She has been crucial in bringing this event together and will be here to help with anything you need in the building.

Finally, I would also like to take this opportunity to thank all the coordinators, panelists, speakers, moderators, for all their hard work and many phone conferences leading up to this very important workshop conference.

Next, I’d like to introduce to you Mr. Bob Skinner. He is the Executive Director of the Transportation Research Board of the National Academies. He joined TRB in 1983 and was appointed as TRB’s Executive Director in 1994. Since then, he has been serving as the Executive Director.

Mr. Robert Skinner  
Transportation Research Board (TRB), National Academies

I’m really pleased to have this opportunity to welcome you here on behalf of Transportation Research Board, the Marine Board, and our parent organization, the National Academy of Sciences, National Academy of Engineering, and Institute of Medicine. It is really a pleasure to have this opportunity to host this group and to host the Secretary this morning – a real honor.
This building is the home of the National Academy of Sciences and if you have not been in it before, it is worth wandering around a bit. As Rajiv said, it is a semi-monument. You might want to wander out onto the front lawn and sit in Einstein’s lap and have your picture taken.

But, I know you have a busy couple days ahead, and your program is an impressive one. It demonstrates aptly the challenges that we face, not only in marine transportation, but in transportation generally. Of course, I’m one who thinks of research first. It is our middle name here at TRB. But, I think these challenges are ones that are not going to be overcome and addressed without research and innovation. That research and innovation is going to be more than just hard technology. It is going to be new processes, new methods; it is going to be regulatory reform; it is going to be integration of modes in ways that we haven’t done before; it is going to be whole new ways of approaching safety and security. All these things I know you know, and I’m just simply making the plea that as you think of these challenges ahead, think of the role that research and innovation can play and how that research and innovation can get initiated and how we can get new ideas into practice.

So, I know it is going to be a challenging time. I wish you well, and thanks very much for joining us here.
Day-One Morning Keynote Speaker

Secretary Norman Y. Mineta
Secretary, Department of Transportation

Thank you very much for that warm welcome. Admiral Gilmour, thank you for your very kind and generous introduction, but more importantly, let me thank you very much for your many years of service in the United States Coast Guard, and congratulations on your pending retirement.

Bob, I want to thank you for hosting us here. Of course, Bob, with the Transportation Research Board, puts on the very large conference in January, right in the middle of usually a heavy snow. You will get thousands of people here into D.C. to come to his conference and he is truly a great leader in terms of the whole facet of transportation and all of its myriad venues.

It is really a pleasure for me to have this opportunity to meet with maritime leaders from across the country. I want to thank all of you for taking time from your own very busy schedules to come here to Washington, DC for this very important Harbor Safety Conference meeting. But, more importantly, I also want to say thank you to all of you. As Tom was talking about, I was very proud to be the Secretary of the Coast Guard and especially on that horrific September 11th day. I want to thank all of the Harbor Safety Committees for the work you have done since then in terms of preparing for the safety and security of your own ports. So, again, it is something that I know you have been working very hard at and I just want to thank you very much for all that work.

President Bush also sends his regards to all of you. I was with him last Friday and Saturday in California. He was there to draw attention to the type of innovation and technology that is key to maintaining America’s competitive edge. The President appreciates the hard work that Harbor Safety Committees are doing across the country in the name of economic growth, port efficiency, and of course, safety and security. After all, our marine transportation system (MTS) is a critical link in our vast transportation network, and as such, helps support trade, growth, and deliver choice to American consumers.

Most Americans really don’t realize they benefit from a marine transportation system. In fact, when Americans think about transportation, they probably think generally about airlines or highways or maybe even train tracks. Yet, today our waterways, our ports, and all of their intermodal connections provide safe, efficient, reliable and environmentally responsible transportation for our products and for our people. The economic impact of our marine system is undeniable. Waterborne cargo and associated activities sustain more than 13 million jobs and contribute more than $742 billion annually to our gross domestic product. Keeping this vital system healthy and competitive is an absolute necessity. It is also a tremendous challenge and a shared responsibility.

Hurricanes Katrina and Rita and other recent tragic events involving the marine transportation system reinforce its enormous value, but also expose its vulnerabilities.
Quite simply, these events highlight the need for closer communication, better coordination, and improved information collection on our marine transportation system. This sort of cooperation is the vision for the Committee on the Marine Transportation System, otherwise known as CMTS.

President Bush believes our MTS plays an important role in supporting economic strength and viability, while also helping to advance the safety and security of our nation. So, he understands how important it is to have senior members of his administration focused and engaged in meeting the challenges that face the marine transportation system.

In the past, with 17 federal agencies and 10 separate cabinet-level departments participating in some facet of maritime decision-making, the approach was often disjointed. So, under his leadership, we set out to improve the coordination of federal maritime policy and the decision-making in the hands of a single entity, the CMTS. The Secretary of Transportation chairs the CMTS and we had our third meeting of that group this last Thursday. I am very pleased at the level of commitment demonstrated by each of the member agencies and I’m also pleased at the progress that the committee is making in the development of coordinated strategies in critical areas like disaster response and data collection.

While coordination at the federal level is a crucial first step, government does not have all the answers or the ability to fund every transportation need. That is why we’re placing a strong emphasis on partnerships among federal agencies as well as partnerships across modes of transportation, other levels of government, and with private industry, especially through MTSNAC – the Marine Transportation System National Advisory Committee, chaired presently by my very good friend John Gaughan, and which was previously chaired by I believe Chuck Raymond who will be speaking here at lunch today.

That is where all of you come into the picture. Harbor Safety Committees play a very important role in maintaining an efficient and effective marine transportation system while also ensuring safe and secure ports and waterways. You truly are the on-the-ground eyes and ears of our marine system. That means there is no group better suited to help shape maritime policies that respond to the systems unique needs today, while also helping to provide innovative thinking to guide the policies of tomorrow.

The nation’s Harbor Safety Committees allow us to harness the expertise of various maritime professions to better meet the increasing demands placed upon the marine transportation system. For example, local HSCs can provide us with the front-line perspective on what works and what doesn’t when it comes to security or mobility. This first-hand input helps improve awareness and promote greater understanding of the diverse challenges facing our different ports. In turn, this information helps to improve the efficiency and the effectiveness of the policy-making process. Communication, cooperation, and coordination take on the heightened sense of urgency as we face the twin challenges of capacity and congestion currently threatening our entire transportation network, including our marine system.
The American economy is strong and getting stronger every day. Under President Bush’s leadership, the United States has enjoyed 17 straight quarters of growth with businesses creating more than five million jobs since August of 2003. But, with our economy growing at such a record pace, demands on our transportation infrastructure are increasing as well. Today, our transportation network is being stretched to the limit as cargo volumes increase, ships get larger, and congestion clogs our landside facilities. And, with projections calling for freight to spike more than 60% over the next 20 years, it is critical that our transportation infrastructure support and encourage trade and economic expansion and not serve as a bottleneck to them. Therefore, policymakers, transportation planners, shippers, and others in private industry must work together to address the system’s challenges now before it is too late.

We are off to a good start with federal agencies working together to strengthen and improve our marine system. And, it is clear from the fine work that many of our Harbor Safety Committees are doing, that such a commitment is alive and well at the local level as well.

The maritime history of this great nation reveals that from the beginning, different organizations worked together to achieve a common mission – to protect the economic and individual freedom and security of a country that we cherish. Our duty today is the same as it was then in our formation. So, we look forward to working with our state and local partners to fulfill our responsibilities under this mission.

Travel safely and may God bless each and every one of you, and may God continue to bless the United States of America.

Thank you very much.

Questions? – No questions were posed to Secretary Mineta.
I would again like to welcome you to our 8th Harbor Safety Committee Conference, and as Rajiv said my 5th. I think these forums are a great exchange of information to all the folks around the country. I think they keep getting better and better. I think this one is special for a couple of reasons. One, it is in Washington, D.C. and I think we are going to have beautiful weather the whole time you're here, which is remarkable. But, I think more importantly, it is important to have this meeting in Washington, D.C. because, as the Secretary said, our Committee on the Marine Transportation System is up and running and you’re certainly going to learn a lot more about this with our first panel.

This week, I think, is maritime week in Washington. In addition to our Harbor Safety Committee Conference, the History of Containerization Foundation, in cooperation with the Containerization and Intermodal Institute, is hosting a gala celebration highlighting the 50th anniversary of containerization tomorrow in the rotunda of the Museum of National History at the Smithsonian. And tonight, in addition to our Capitol Hill reception, there is a special reception for one of our distinguished panelists, John Jamian. That reception will celebrate his service as the Deputy Administrator and Acting Maritime Administrator – welcome John.

It has already been said by the Secretary that this will be my last Harbor Safety Committee Conference in uniform. You can read into that whatever you want to because I will have my retirement ceremony on the 5th of May. Although I’ll be doing some work for the Coast Guard at IMO after that.

My successor will be RADM Craig Bone, and he will be here for most of tomorrow and moderating a panel as well. If you get the opportunity, certainly say hello to Craig. Many of you know him well.

I too would like you all to know that the Coast Guard values the work of the Harbor Safety Committees. We count on your ability to address and resolve problems on the waterway and local issues, and you’ve done this for us time and time again.

My job here today is to moderate the panel on CMTS, but before I do that and introduce the other moderators, I will take just a moment to give the Coast Guard’s perspective on the CMTS.

In previous conferences, many have voiced, especially recently, that the Coast Guard has too much focus on security and implied that we have lost some of our commitment to other missions, primarily our safety mission. Understandably, our nation’s focus has been on prevention of terrorist attacks and homeland defense, but I believe and have tried to focus on the fact that we can’t retreat from any of our missions. I think our efforts in the last hurricane season, especially with help from many here in this room on Harbor
Safety Committees and other groups, demonstrates that we irrefutably remain committed to all of our missions, especially recovery.

As Secretary Mineta said, the marine transportation system faces a number of challenges that must be successfully resolved if we are to maintain our nation’s commercial and military strength. We are a seafaring nation. We depend on the oceans for our international trade, and the economic prosperity that it brings.

Since 9-11, new and terrifying challenges have arisen, and we have to change operationally and culturally to meet these new threats, not only to meet our security needs, but also to meet our safety needs. We must protect our nation from harm, loss of life, and from material damage and economic disruption that a terrorist event could cause. But, as we have seen, terrorism is not the only cause of loss of life and economic disruption, as we just saw this past summer – national disasters can have exactly the same effect, if not worse. We all saw what the hurricanes in the Gulf did. An accidental explosion at a facility on an important waterway could shut down the waterway for weeks and have exactly the same consequences as a terrorist event.

We can’t choose which threats we want to address, but we must promote both maritime security and ports and waterways safety. Both are accomplished through the pursuit of our strategic, long-held roles of awareness, prevention, protection, response, and recovery.

Disregarding hurricane preparedness and marine safety is a risk we cannot afford to take. As Secretary Mineta said, the U.S. Commission on Ocean Policy published a report named “The Ocean Blueprint for the 21st Century.” Two months later, the President responded to the U.S. by publishing the U.S. Ocean Action Plan, and directed and created the cabinet level CMTS, which the Secretary talked about.

Under the Department of Transportation’s lead, three other key departments – Homeland Security, Commerce, and Defense – recognize the unique opportunities the President’s directive mandated. A collaborative effort to address the lack of a systematic approach to solve MTS problems, and there are many, are underway. These departments work together to develop a charter for the proposed committee. Rather than go into detail, I’ll tell you why the Department of Homeland Security and the Coast Guard saw a lot of value in this effort. Safe, secure and efficient ports and waterways are vital to our economic and environmental health, as well as our national security. The Coast Guard and DHS have missions in CMTS that include waterways management, mobility, safety, security, and critical infrastructure protection. We’re just beginning to understand the strategic role that the MTS plays in preserving our security and economic viability. Any maritime-related incident of national significance will have effects that ripple through the economy, the supply chain, and even our military preparedness.

Local effects are obvious. The regional and national effects are less obvious. The events surrounding Katrina and Rita demonstrated that any multi-agency attention is necessary to prepare and respond to such infrastructure incapacitation. The CMTS must take the lead in what will be significant effort in planning for and recovering from such an accident on the MTS.
MTS related responsibilities are disbursed amongst many agencies operating under the jurisdiction of multiple Congressional committees. The four I mentioned are the core of this effort. Each has a disparate menu of programs and projects assigned and authorized and funded by different committees and, as the Secretary pointed out, we don’t have enough money to do all of those things. As a result, no single entity has a responsibility for viewing MTS as a whole. Each agency only sees the trees, but certainly not the forest.

The Coast Guard and all agencies stand to benefit in many ways from inter-agency coordination of the CMTS. The very creation of the CMTS emphasizes the interconnected nature of our marine transportation system, and the complex jurisdictional issues associated with maintaining and improving it. These issues not only exist between agencies, but also within agencies as programs compete for the attention and funding.

The CMTS will allow for various internal Coast Guard programs. For example, our maritime domain awareness, vessel traffic services, and aids to navigation, speak with a united voice in addressing complex and multi-jurisdictional issues.

How then do Harbor Safety Committees fit into this effort? HSCs represent the model approach to dealing with the complexity of a marine transportation system. You are the foundation in a web of critical MTS partnerships. The CMTS needs your innovative ideas, your technology expertise, your willingness to change that which impedes progress, and to prepare our ports, waterways, and intermodal connections for the next generation of transportation. The very nature of HSCs and how they operate helps ensure that the Coast Guard and our CMTS partners can stay attentive to all needs of the port users. If you continue to engage us through the Harbor Safety Committees, you will ensure that we stay balanced in our mission performance and focused on the MTS. You have provided additional eyes and ears and a fresh perspective to those federal, state and local agencies present in the waterfront. Frequent interaction, earnest dialogue, and cooperation have allowed our agencies to better plan and respond to emerging events, and this give-and-take is critical to our success, I think as was shown in the response to both of the hurricanes. No equivalent forum exists within other major port modes of transportation with such a diverse group of industry professionals, end users, and government representatives working together for a common good.

I know I have a certain amount of time allotted for my panelists, and I’m going to give up my moderator’s privilege now and introduce the panelists as they come. First up will be Mr. John Jamian. For the last 14 months, John has served as Maritime Administration’s Acting Administrator. He was appointed Deputy Administrator in 2003. John brought both public and private sector views to his federal service, and I think it has been a distinct advantage, especially in the CMTS. He has served as a representative of the Michigan state legislature and six years as the Executive Director of the Port of Detroit. Since arriving at MARAD (Maritime Administration), John brought new focus on the MTS and is rightly proud of his working relationship with other MTS departments. He will talk about how the CMTS came about and how it will differ from the ICMTS (Interagency Committee for the Marine Transportation System).
Second will be Mr. Jerry Barnes. He is the U.S. Army Corps of Engineers’ Chief of Operations in the Directorate of Civil Works. He oversees the national programs for operation and maintenance of navigation locks, dams, channels, and harbors. If that is not enough, hydropower, environmental stewardship, and regulatory activities are also on his list of things to do. He is a graduate of Virginia Tech and the Center of Defense Leadership and Management, and he’ll talk to us today about his view of the current state of the CMTS.

Third will be Dr. Gerhard Kuska. He is the Senior Policy Advisor on Ocean Policy. He is currently detailed to the White House Council of Environmental Quality (CEQ). He oversees the ocean policy portfolio and provides advice to the Chairman of the CEQ and cabinet-level committee on ocean policy. He handles a broad range of ocean, coastal, and marine issues including the implementation of the President’s Ocean Action Plan. He has a Ph.D. in marine studies from the University of Delaware, and he will give us the White House and CEQ perspective of the CMTS.

Fourth is Dr. Ken Clayton. He is the Associate Administrator for the U.S. Department of Agriculture’s (USDA’s) Agricultural Marketing Service. He is responsible for a wide range of programs that facilitate the domestic and global marketing of U.S. agricultural products. Some of these are third party certificates of product quality, daily price reporting to the U.S. and foreign markets, oversight of industry-funded research and promotion programs, and regulatory programs to ensure fair trade practices. He has served as the Acting Assistant Secretary and Acting Deputy Assistant Secretary for Marketing and Inspection Programs of the USDA, and he will talk about the USDA’s relationship and importance of the MTS to the agricultural sector.

Fifth is Mr. John Gaughan, who is, as the Secretary pointed out, the chair of MTSNAC – our Marine Transportation System National Advisory Council. John certainly has had a long and distinguished career in public service and in the private industry. At various times he has been: the Vice President of the American Maritime Congress, the principal maritime policy advisor for the Iraq Coalition, provisional authority in Baghdad, Um Kasar, and Iraq, the President of the U.S. shipping company ‘First American Bulk Carrier Corporation’, Deputy Assistant to the President and Director of the White House Military Office, Chief of Staff of the Department of Transportation, and Administrator of MARAD. He is a graduate of the Coast Guard Academy and the University of Maryland Law School. He will give us the stakeholders’ perspective of CMTS.
Mr. John Jamian  
Maritime Administration (MARAD)

Thank you very much, Admiral Gilmour. It is indeed an honor and a privilege to be here as the Acting Maritime Administrator to present to you one of the things I’ve probably been most proud working on since I’ve been at the Maritime Administration. I would be remiss if I didn’t congratulate you on your retirement. It has certainly been a pleasure and a privilege to work with you. I also am going to be retiring from my position real soon, and with pending retirement, I feel that I have the liberty to talk a little bit more frankly.

As all of you know, working in government, sometimes government does not work real closely between the agencies together. The same can be said about the government agencies involved in the Marine Transportation System (MTS). As many of you know, the Coast Guard used to be with the Department of Transportation until they migrated over to the Department of Homeland Security. Within the government, even within the Department of Transportation, there is a competitive spirit between the maritime modes and the MTS. Between the different governmental agencies -- the Coast Guard, MARAD, Army Corps of Engineers, and NOAA we all recognize there was a real need for us to come together, in front of the public and in front of the users to show there is an esprit de corps. There is a common working platform, that all of us in the government can come together and work on and where we can do something really good as a team.

The Intergovernmental Committee on Marine Transportation System (ICMTS) was a committee of which Admiral Tom Gilmour and I were both co-chairs. The committee recognized that to get the attention of the senior leadership in the government to take notice of the issues that were important and crucial to the industry something needed to be done. So, we came about and said, what is it that we can do to get the proper recognition?

Simultaneously, Secretary Mineta had asked our team to draft what he called SEA-21. SEA-21 was a brand new platform for the marine transportation system as far as the Department of Transportation was concerned, with a whole lot of new initiatives, infrastructure-building and other related items. They also asked us to create this program. In order to create the program we needed a foundation to build upon. The very first thing we needed in this foundation was to have all the government pieces of the MTS – 14 different agencies and departments – come together and talk about the important things that this complex industry needs to take care of.

Simultaneously, the President came out with his Ocean Action Plan in December, 2004. In the Ocean Action Plan, the President asked that we elevate the ICMTS, to that whole new level and take it up to a cabinet level group of people to really get some things done. Therefore, the Coast Guard and MARAD worked closely in the early days to start building what we now call the CMTS. I’m very proud to tell you that we are well on our way and it has become a success.
The whole idea behind CMTS was an integrated transportation system that serves to fix or to recognize our critical national interest when it comes to maritime transportation and how it fits into our nation’s economy.

The events in the aftermath of hurricanes Katrina and Rita demonstrated a greater need for increased cooperation. Numerous federal agencies, the Coast Guard, MARAD, the Army Corps of Engineers, and NOAA, were all working for one common goal. After the public saw all the work that needed to be done, we recognized the need to put CMTS firmly in place to be able to accomplish those missions for which it was established.

Secretary Mineta using the Ocean Action Plan and SEA-21 created the cabinet level CMTS, under which all of these various agencies fit. Therefore all the secretaries or administrators of these agencies come to the meetings, to be held at the White House two or three times a year. Below the CMTS is the coordinating board made up of folks in the various agencies. Our job at the coordinating board was to vet through these issues that the industry and other government agencies are bringing to us, either sell them at that level or if need be, take them up to the secretary level, the cabinet level, and get them over to the White House to be resolved. The coordination board was developed to go through issues brought up by industry and other government agencies. These issues are then to be resolved either at the agency level, secretary level, or cabinet level as appropriate. In the development of the coordination board, we created integrated action teams. The integrated action teams are chaired by the Coast Guard, MARAD, the Army Corps of Engineers, and NOAA with each one working on a different project.

MARAD’s project, the team I lead, works on data analysis and data collection. Currently this data is not in a uniform platform that all teams can work off on. Therefore, this integrated action team is putting all this data together in a uniform platform that we will all be able to work off of.

The CMTS is comprised of many integrated action teams working on a variety of different issues. Bringing each of these teams together under the CMTS as part of the Department of Transportation and solving the problems at the secretarial / cabinet level has everyone working in harmony. I think for the MTS we are all working in harmony to take care of some critical issues.

I would illustrate one critical issue that is very important, dredging in our nation’s waterways. In addition, when the Army Corps of Engineers goes up to the Hill or talks to the administration, it is important to talk about how to get the proper funding for dredging that is critical to our nation’s waterways and fuels our nation’s economy.

The whole thing for us is accurate data, accurate information, and a group of people at a senior level that can get things done. The CMTS has just had its third meeting at the cabinet room and we are going to have many more. We have a team in place with my colleagues from NOAA, Army Corps of Engineers, and Coast Guard. But, also we have all the other groups in the government that work with the MTS sitting in the sub-cabinet level or the coordinating board level with us, and it is very, very impressive.

I would extend to everybody in this audience the invitation to learn more about the CMTS, get more involved with the CMTS. What we are really trying to do is take all of
these issues in the MTS, find out which ones are the most important, which ones can benefit the most from a consolidated group of people from all these different agencies, who can then work with that issue and get things accomplished, and in some cases, get things accomplished on an expedited fashion.

With that I’m going to conclude my remarks. I’m very proud of this group that we put together. I want to publicly wish Admiral Gilmour the very best in his retirement and I can tell you, as I sit before you today, that I opened my comments by saying that sometimes we are friendly competitors in our work together, but if there is one thing I think this CMTS has brought to all of us is a real spirit of family on these issues. I deeply respect my colleagues in these different agencies and departments. I look forward in the future to be able to work like all of you on these issues that are so important to our nation’s economy.

Thank you.

Mr. Jerry Barnes
U.S. Army Corps of Engineers (USACE)

The Corps has some responsibilities in the navigation area that are dominant in our civil works mission. We have about 1,200 miles of inland waterways we are responsible for. Those are embodied in two major inland navigation systems, on the Mississippi River and on the Ohio River and their major tributaries. Then there are other systems that are not as big, but certainly just as important to their respective users, the Tennessee Tombigbee, the Gulf Intercoastal Waterway, the Pacific Northwest, the Atlantic Intercoastal, and the McClelland Kerr systems. There are also several structures in Florida, about 200 of them, that are in an advanced state of usage. Some of them are 50 years old and older. The Corps is challenged with a relatively flat budget to keep those structures in a good state of repair from year to year.

In addition to that, we have about 300 harbors that vary in depth, between 14 and 50 feet. There is the pertinent need for navigation maintenance, deep draft navigation when new projects are approved, and of course maintaining safe, efficient, acceptable, and environmentally sustainable disposal areas. Jetties and levies that would otherwise protect those navigation channels are another responsibility of the Corps.

In dealing with this mission we are likely to face an increase in the shipment of commodities in this country in the next 10-20 years. I have heard it said that it is likely to double in its capacity. Generally, the capacity needs will only likely occur in the water transportation area, if it occurs. The other areas are essentially at near or near-term full capacity. If there is to be expansion in our nation’s ability to move essential cargo and commodities and support the engine that runs our economy, the expansion has to occur on the water system. So, it is fundamental that it occur on an efficient, operating inland and deep draft navigation system for which the Corps is responsible.

When our partner federal agencies and the Secretary of Transportation called to elevate the marine transportation system to the cabinet level, we completely agreed. We welcome the help here, and it is with absolute respect that the Secretary of Defense, of
course, has a few other things that occupy his mind than the marine transportation system. It may not be at the top of that list, as you might guess. But certainly there are some things in the marine transportation system area that deserve near-term and long-term attention so we are grateful for the CMTS. We are also grateful to participate on the committee that works for the CMTS’s coordinating board. There is a rotating chair in that committee between three or four agencies. Essentially they share and rotate chairing the committee. General Riley is the chair of the board this year. The tasks that the various agencies have given themselves are consistent with each agency’s goal and mission. The National strategy is headed by the Coast Guard as well as its other tasks of integrating a consistent data collection system and disaster response and recovery. The Corps has looked over infrastructure, assessment of infrastructure, and intermodal infrastructure.

To say that we are excited and interested to participate in the CMTS, or that we welcome the help and collegiality that it brings, would be an understatement. On behalf of the Chief of Engineers and the Assistant Secretary of the Army, we are delighted to be a part of the CMTS and look forward to what I think will be some positive developments.

Just simply talking in one voice and considering these things together for the benefit of the nation is a good thing. We look forward to continue working in the CMTS and are excited about the progress that has been made in the past few months as we have gotten this effort off the ground. We look forward to the future and thank you for being here.

Dr. Gerhard Kuska
National Oceanic and Atmospheric Administration (NOAA)

On behalf of the Honorable James Connolton, who is the chairman of the White House Council on Environmental Quality, and the Senior Advisor to President Bush on the Environment, and also the Chair of the cabinet-level committee on ocean policy. I am pleased to be able to have an opportunity to talk to you a little bit about where we have come in the last year or so since the Ocean Commission’s report has come out.

After the Ocean Commission’s report came out, the President had, by law under the Oceans Act of 2000, 90 days to respond to the Ocean Commission’s report with recommendations on a way forward. The President not only responded within the time period, but he became personally involved and issued an Executive Order (13366) establishing the first ever cabinet committee on ocean policy. At the same time, he also issued his response -- the Ocean Action Plan – which represented 88 actions that the federal government, together with its partners in state, local, tribal, private sector, and our international partners in other interests, could move forward with on a short and medium-term basis over the year or two following its issuance, December of 2004.

Our approach to ocean and coastal policy is similar to our approach on all environmental issues. We are focused on achieving meaningful results – making our oceans, coasts, and Great Lakes cleaner, healthier, and more productive.
A key challenge that we recognize and embrace, in developing resource management strategies is to ensure continued conservation of coastal and marine habitats and living resources while at the same time ensuring that the American public enjoys and benefits from those same resources. To advance the next generation of ocean, coastal, and Great Lakes policy, we will employ the best science and data to inform our decision-making.

The Administration will continue to work towards an ecosystem-based approach in making decisions related to water, land, and resource management in ways that do not erode local and State authorities and are flexible to address local conditions. Our policies will encourage innovation and employ economic incentives over mandates where possible and will establish strong partnerships between Federal, State, Tribal, and local governments, the private sector, international partners, and other interests.

This Administration strongly values the importance of local involvement and these partnerships are absolutely essential in managing and protecting our ocean, coastal, and Great Lakes resources. The President directed Executive branch agencies to work with States, tribal and local governments, communities and interested individuals to advance mutual objectives and ensure that programs are conducting effective and coordinated ocean and coastal activities.

I would be remiss if I took for granted that everyone knows what the federal government does. We tend to be very good at doing things and not advertising, and then we act surprised when people say we don’t know what you’re doing. So, I’m just going to take you on a quick tour through the ocean government structure.

I mentioned that Chairman Connelton is the chair of the Committee on Ocean Policy. It has met once in April, 2005. It is a cabinet-level group, very much like the Committee on Marine Transportation System. Secretary Mineta is a member of this, along with the other cabinet-level secretaries, and the membership is perhaps slightly broader than the CMTS because of the broad range of issues that the Committee on Ocean Policy deals with.

I would compare the Interagency Committee on Ocean Science and Resource Management Integration to what the coordinating board is on the CMTS. The acronym here is ICOSRMI. We also lovingly call it ACLABOX. This is really the working committee. The Committee on Ocean Policy has put a lot of its authority into this committee to be a working-level committee of under-secretaries and assistant secretaries. The Committee on Ocean Policy really will be the umbrella that meets on a semi-regular basis about once a year to deal with high-level decisions. But, the actual work and where we hope conflicts can be resolved are actually at this level.

There are two working sub-committees that are at the deputy/assistant secretary level. One deals with ocean science and technology; the other deals with ocean resource management. The reason there are two of these and not one is because we really need to focus not just on the individual portfolios, but also try to find ways to link these together. That is what happens at the ICOSRMI, if you will allow me to use that acronym.

There is also an existing group that deals with international ocean policy issues that is under the National Security Council structure, they continue to function and have been
around since the early 70’s. Many of you have been dealing with a law of the sea and you will know what this group is about. This next group, or the last group, is really a very important part of this ocean governing structure and I would compare it to what MTSNAC does, the National Advisory Committee on MTS, for this CMTS structure.

The Ocean Research and Resources Advisory Panel (ORRAP) is also an existing group that was formerly called the Ocean Research Advisory Panel. ORRAP was created by law through a defense authorization bill and it deals mainly with ocean science, technology and education issues. It has now been expanded to deal with resource management issues as well as advise the ICOSRMI and the two subcommittees. It is a non-federal Federal Advisory Committee Act (FACA) group. They meet twice a year, sometimes three times, and they are in the process of expanding their work.

Some important sections of the Ocean Action Plan are:

- Enhancing Ocean Leadership and Coordination
- Advancing our Understanding of the Oceans, Coasts, and Great Lakes
- Enhancing the Use and Conservation of Ocean, Coastal, and Great Lakes Resources
- Managing Coasts and their Watersheds
- Supporting Marine Transportation
- Advancing International Ocean Policy and Science

Supporting marine transportation was included because the President thought it was really important to bring this area into the broader scheme of ocean policy. It is such a large part of what we do in our U.S. waters and internationally that it would be remiss to leave it out and to deal with it separately.

I mentioned that there were 88 actions that the Ocean Action Plan put forward. At the time the Ocean Action Plan came out, there wasn’t a lot of time for the federal agencies to put this together, so it was a first step. Ten of the actions had been completed. Over the last year, we have completed about 24 additional items, leaving us about 54 action items that are ongoing and are on the way to being completed. I will point out one or two important ones here. The Committee on the Marine Transportation System, which we’ve been spending a lot of time talking about, falls under regional ocean governance. This is really something you all are involved in, on a regular basis, and it is something we will be spending a lot of time and effort on developing. There are also initiatives that are ongoing in the Great Lakes and the Gulf of Mexico. Some of you are aware that the Gulf Alliance of States recently put out an action plan. There are also some activities ongoing in the Northeast. The South East Atlantic is going to begin a regional initiative, and Alaska is working on something, as is the west coast.

These are some of the ocean action items specifically targeting marine transportation. As it has already been mentioned, the ICMTS was elevated. We are making progress in implementing the national freight action agenda. A report is being done on assessing
short sea shipping. And the reduction in taxes on MTS users was completed at the time the action plan came out.

Just to point out a few things – the Joint Subcommittee on Ocean Science and Technology is working on an ocean research priorities plan and implementation strategy. This will be the first ever coordinated plan, not just for the federal government, but for the nation on where we need to go with ocean science and technology research by addressing and promoting marine operations. This includes the marine operations sector, ports, shipping, as well as the activities that each of you is involved in.

There was a workshop recently in Denver. I urge you to take a look at our website www.ocean.ceq.gov to see how you can become involved. Input, at this point, is very important. This report will be going through the National Academies review over the summer and is scheduled to be finished by the end of the year. It will serve as a foundation, not just for maintaining and focusing our funding now, but for new funding in the future.

The ocean resources folks have already developed a work plan. Again, I urge you to look at the website which lists a work plan that has recently been approved by the deputy-level committee. One thing I would point out is that this group is really trying to reach out to external stakeholders as are the other groups, particularly in listening sessions coming up. We will be holding some listening sessions in D.C. with the marine transportation community and will be working with Mr. Gaughan and the MTSNAC.

There is a tendency for us to focus on short-term items. We need to continue implementing the ocean action plan, working on communicating what we are doing to stakeholders, while also finding ways for people to have input into the federal process. It is not just about coming to meetings, but how folks on the ground can come together. When I say improve linkages between groups, I’m referring not just to groups out in the field, but here in Washington as well. We have a whole host of interagency groups that have been created over time and even the communication between the CMTS and between the Committee on Ocean Policy are very important. We continue to look for opportunities to make sure that we are complementing each other and not duplicating each other.

We are beginning to address activities that move beyond the ocean action plan already, and although we haven’t finished, we need to focus and finish. I said we tend to focus on short-term things, but we really need to look at long-term activities as well. If we want this to be maintained, if we want to have some sense of stability over time, even through administrations, we need to find ways to make this a valuable tool, not just for the federal partners, but for the folks out in the field, in state and local government, and the private sector who rely on the federal government for a variety of reasons.

You notice the federal government is very good at creating structures. If we see a problem, we create a structure. We have staff people assigned to it and that is important. We have a good structure, but it is not everything. If we are going to be successful over the long-term, we need to focus on a number of other things that I think we’re doing, but one we need to pay attention to is leadership. We have had a lot of high level leadership,
and we need to maintain that leadership; the worst thing that can happen is that we find our attention going elsewhere.

A second thing we need is to make sure we keep the members involved, not just here in Washington, but out in the field. We need to make sure that the right people are working on the issues and we don’t devolve to levels because we lose interest or we are not focused on a purpose.

I say the purpose is really the most important thing. We need to focus on things that are meaningful, that respond to our external community. Structure, I mentioned, is important. Your mandate, whether it is an executive order or a law or whether you just have an MOU, is not the most important thing but it does play a role.

Our external considerations – the relationships with Congress, the federal agencies, the state and local governments, and the people on the ground and getting their input into the process is something we need to pay attention to. Incorporating dialogue and exchanges with them will focus our purpose and make this a viable thing over the long-term.

We do need adequate funding, but we also need to make sure the scarce funding we have we are focusing on the right issues. We need to make sure we are coordinated, that we find some innovative solutions and ways to fund these programs, and focus the money on the priorities.

I should also just mention briefly that my e-mail address is gkuska@ceq.eop.gov and it is in the website because I want people to send e-mails in. If folks have thoughts or have questions, the e-mail will come directly to me and I will answer it. Thank you

**Dr. Kenneth C. Clayton**  
U.S. Department of Agriculture (USDA)

I suspect that some of you in the audience are wondering why in the world is USDA on this panel? We obviously don’t run the marine transportation system. We don’t help fund the marine transportation system. We don’t regulate the marine transportation system. But, I think we do bring an important perspective to the workings in particular of the CMTS, but more broadly, to the policy level discussions that go on with regard to U.S. transportation, and in particular, maritime transportation.

It is interesting that when one looks at a particular sector of the economy that is a big-time user of our transportation infrastructure, one observes how things are tied to the real world. It provides a useful perspective.

If you look at U.S. agriculture and why it has been as successful as it has for many decades, if not centuries, there are probably two things one would point to. One obviously is that we were blessed with a rich endowment of natural resources which allow us to produce agricultural products. In addition to that, the sector has been a rapid adopter of technology as it has unfolded for use in agriculture. I guess there is a third leg on that stool which is probably most pertinent here today, and that is U.S. agriculture has
had the benefit of a truly remarkable transportation infrastructure. There are a lot of
countries around the world that have resource endowments and have land and water. One
of the things though that truly distinguishes U.S. agriculture is, in fact, our ability to
move product. The old adage that “you can produce it, but if you can’t market it, it
doesn’t do much good” truly does apply to agriculture. I think it is a case study that truly
makes that point.

I’m not going to give you a full-blown tutorial on U.S. agriculture, so take a deep breath,
it will be okay. What I would like to do is just quickly do a little stage-setting in terms of
why agriculture matters to the United States, to the U.S. economy, and why the marine
transportation system matters to agriculture in this country. Then, using counter-
examples and situations where we have had some sort of disruption to the maritime
transportation system, point to the effects that has had on the U.S. agricultural sector.

Just as stage-setting, I do think it is important to note that U.S. agriculture is certainly a
bright spot in the U.S. balance of trade. The agricultural sector in this country has
contributed in a positive way to the balance of trade for a great many years. In 2005, we
contributed a little over $5.0 billion to the plus side to the U.S. balance of trade and U.S.
agriculture is just a shade under 10% of the exports that move from the United States.
Importantly, agriculture’s second most important international customer is Japan. The
last time I checked, the interstates and the rail system don’t go to Japan. However, there
is a large quantity of water out there that one has to move product across.

Speaking of waterborne transportation, agricultural exports did total almost 120 million
tons in 2005. Looking at it particularly from a volume basis, things like bulk grains,
soybeans, animal feed and so forth played very prominently in that export mix. Again
looking at it from a volume point of view, it would come as no surprise too, that the ports
in the Gulf area and in the Pacific Northwest, play a particularly important role in moving
those agricultural exports.

While one can certainly talk about the role of agricultural exports in the overall balance
of trade for the United States, the fact is that when you’re looking at grains in particular,
the production from one out of four acres needs to move out of this country to find a
market. That is, roughly one-quarter of what we produce in the area of grain needs to
find a home overseas. Again, with the exception of Canada which does present some
other transportation mode possibilities, the bulk of these exports need to move by water.

Speaking of grain exports, the distribution across ports would not be a big surprise to
anyone (I think). Roughly half of our grain moves down the Mississippi River to the Gulf
of Mexico. The Pacific Northwest of course is very important as well. If you look at the
volume of grain that is moving out of the United States and particularly is moving out
through the Gulf, you’ve got to get it to the Gulf ports to put it on large ships and move it.
For that connection, the inland waterway system is absolutely critical. If we can’t move
these bulk grains down the Mississippi River and the other interior rivers that flow into
the Mississippi, then we have a real problem because the rail system at the moment is not
positioned to handle it. Also, when one looks at the economics of transportation, clearly
being able to move by barge is absolutely essential.
The reality of marine transportation on a value basis shows that other ports come into play in very prominent ways, particularly the West coast ports. We have containerized agricultural products and other high-valued products, such as horticultural products or processed products that also move via containers. All of these products need to find their way to water to get to foreign markets. Los Angeles and Long Beach figure very prominently in the movement of containerized agricultural exports.

As I mentioned at the outset to reinforce the point from a customer perspective, a user of the marine transportation system, I would like to present a few examples where things didn’t go well and what impact each had. The lock-out on the West Coast had a big impact when it occurred. It caused impacts all the way down to the farm level. Agricultural products, even under refrigeration, have a shelf life. Even though containers did ultimately get to move, the reality is that for a lot of high-valued products in the agricultural sector, timing mattered because in many cases we had product whose only destination could be a landfill. Loss of those products certainly impacted farmers and it ultimately impacted our balance of trade. And I think that truly is an important point.

Another example certainly would be our experience with the hurricanes last year. We, among others, have spent a lot of time trying to sort out what was going on down at the Gulf. The immediate impacts from the hurricanes were fairly predictable; however some of the after effects may not have been as predictable. When the grain elevators on the lower Mississippi had to shut because they were full, the grain was then piled on the ground. The grain could not be loaded onto the barges because they were not moving north. In addition the rates increased dramatically due to the shortage of barges. All of these impacts created difficult circumstances for a lot of people and the after-effects continue. The industrial canal continues to be an issue in New Orleans. As another example, there is a fairly significant cold storage for poultry that sits on the industrial canal. The inability of large ships to gain access to that facility means product has to be moved by truck across the river to get terminal access and be loaded onto ships, which comes at an extra cost.

To close, I’ll just make a couple of quick wrap-up points. Structural changes in the transportation industry are important. We spend a lot of time worrying about infrastructure and we should. As the structure of the transportation industry changes, it can impact shippers as well.

USDA is one of the cabinet-level participants in the CMTS. We are there in a bit of a different capacity, perhaps, than what finally gets referred to as the big four. But, we are very pleased to be there because we think we bring an important perspective about data collection, assessing needs, and strategic planning relative to the maritime transportation system. We are very pleased to be there and are actively participating in the CMTS and will continue to do so.
Mr. John Gaughan

Marine Transportation System National Advisory Council (MTSNAC)

I would like to obviously thank the U.S. Coast Guard and the Transportation Board for hosting this conference. I thought it might be useful for others like myself to just step back for a moment and try to put this all in layman’s terms leading up to what is MTSNAC and what we have been doing.

Where we are today, from my perspective, ladies and gentlemen, is marching down a road that probably got started due to a report by Intertanko. Their report said how difficult it was to do maritime business in the United States of America. It urged that there be some kind of one-stop shopping mechanism so that carriers coming to a port in the United States could get the necessary information they needed, whether it was about safety, security, capability, at one location. That led a former Commandant of the Coast Guard to propose what he called the waterways management system or waterway transportation system. The idea was to take all these agencies, somehow pull them together with the Coast Guard being the executive agency or the honest broker, so that issues, whether they were dredging, pollution or whatever, could proceed in a coordinated way. This is obviously well before the Oceans report and was certainly before 9-11 and so forth.

What we are now beginning to see is the coming together of those various concepts into this committee on marine transportation, the coordination and so forth. To me, that is all very encouraging. The CMTS, to me, is now going to become that hard core nucleus where the various maritime issues will coalesce and be resolved.

Certainly, the notion of “one-stop shopping” is focused within the CMTS. In terms of stakeholder interaction, there are two places that immediately come to mind. One place is the Harbor Safety Committees and the structure that is in place, as evidenced by this 8th annual conference. Another place for the interaction is the Marine Transportation System National Advisory Council, which was created by Secretary Mineta in 2000. It is a federally chartered council, to allow industry stakeholders to advise initially the Secretary, but now CMTS. It has 30 rotating members from all sectors of the industry. Right now, it includes ports, carriers, labor, truckers, counties, business interests, environmental stakeholders. The sponsor is the Maritime Administration. If you have an interest in being considered for membership on MTSNAC, you should contact Richard Lolich at the Maritime Administration. The membership is on a rotating basis and members are selected by the Secretary of Transportation.

We have, since our inception, delivered some of these following products: an MTS needs assessment, SEA-21 recommendations, U.S. shipyard capabilities, U.S. shipyard competitiveness, inland waterway conditions, global supply chain education module (How Do Things Actually Move Today – that is a very interesting module that you can use to educate people), and most recently, an intermodal capacity study. The intermodal capacity study was the subject of my presentation to the CMTS last week. We highlighted a public/private partnership, focusing on immediate steps that could be taken to reduce congestion and so forth.
Most interestingly, as we have been proceeding with our work, the CMTS is beginning to move from process and organization, into a results-oriented organization with their four working groups. In fact, MTSNAC had been working on disaster response and relief. The biggest question my stakeholders have is “if you have another Katrina and you have resources to bring to the rescue and recover, who do you call?” We now have 35 days until hurricane season begins, and I challenge the CMTS to give us a number as to who we could call to get to the correct people. And, I’m sure I will get an answer as to whom we should call in the absence. If I don’t get an answer, probably what we will do is we will tell people to call the national response center.

But, the four action items that CMTS has taken coincide incidentally with the focus and emphasis of MTSNAC. One of the forward-looking steps that I’m going to propose in a formal way, after this conference, is that there be a MTSNAC member assigned to each one of those action teams as a liaison so that the information can flow both ways and not be episodic waiting for the next meeting of the CMTS.

Thank you very much.

Questions and comments

Comment -- Mr. Gaughan. Tom, in the absence of anybody in the audience, I think it is very important for the CMTS to maintain a nexus between what they are doing and the stakeholders and the people who are out on the ground, whether it be trying to move grain or whatever. This is not meant as a criticism, but as an observation. There is a sense of urgency in the maritime community about the increase in cargo coming in and the rise of congestion. There is a need for the infrastructure not only to be maintained but to be upgraded. It is very important for the CMTS to share that sense of urgency with the stakeholders. I will be very candid ladies and gentlemen. I was at the last meeting where there were some questions raised by the OMB participant. OMB under the charter is a non-voting member of CMTS which for someone on the outside is a very good thing. The OMB observer was concerned about having a national strategy when you didn’t have your needs assessment done and you didn’t have your data organized. Well, that to me is just a way of delaying things. The data is very important. It is one of our highest priorities to get that done. The needs assessment is important, but there are needs assessments out there that took a considerable amount of time to get completed. I have heard a projection of three years to complete the assessment and that timeline may be a little out in terms what needs to be done.

Comment -- RADM Gilmour. To comment also, or certainly Jerry Barnes could – right now we have focused on forming the committee, both the CMTS and the hierarchy that leads up to it. We have focused on developing a budget and, at the same time, focused on those priorities that we feel were the highest priorities in the committees that were mentioned earlier. I think it is still a formative process. I think we share the sense of urgency and having OMB at the table I think is important, although it may be of modifying influence. Certainly having them and helping them realize how we can
coordinate budgets I think is an important thing to do. And, we have been working hard to get this thing going forward and actually two committees, when it was really formed in December. I think we have come a long way in a relatively short period of time. But, certainly, I think all the agencies share the sense of urgency. I have been amazed at how much good sharing there has been by having agencies come together while we are trying to form this new committee. In fact, as a result of the first meeting of the CMTS, the recovery project was deemed something the committee needed to do and I think in the aftermath of Rita and Katrina, there are a lot of lessons to be learned out there, and it has been a unifying influence.

**Comment -- Mr. Jamian.** Just a quick comment on OMB. One could argue that it is better to have all of the independent agencies and departments. If you were OMB, saying that they should all be separate and if they all collaborate together, we’re not sure what the outcome will be and we could be a little bit nervous about that. On the other hand, if you were OMB, and I’ve talked to OMB about this, the true benefit of a collaborative partnership between all of us is that we can help them carve out more efficiency, stretch the dollar further by all of us coordinating our budgets together and working in unison and how we want to have the administration achieve certain goals and do things for the MTS. So, it is interesting to have them as part of the group. I’ve learned a lot from them. It is really good working with them. I submit to all of you that ultimately the coordination of our budgets, when we go up to the Hill, will certainly be an improvement in how we all do business and bringing us all together with a focus on the most important issues of the day that we’re dealing with. So, that is my take on it.

**Comment -- Mr. Barnes.** – One of the things that I didn’t mention and it didn’t come out – the coordinating board has identified a need for a permanent staff that will consist of an executive secretariat. That position has been identified and a selection has been made. Pending announcement after due diligence, clearance, and so forth, the committee with that lead individual will also have three other members. Some additional staff, I’m sure, will be added for an administrative and support nature which is very critical. They will be provided and funded by the respective three other participating agencies. John and through the good offices of MARAD and DOT will both house the executive secretariat and accommodate the funds for that staff position. The Corps of Engineers, NOAA and the DHS/Coast Guard will provide GS-15 level personnel to assist that committee. So, in fact, we will be beyond hollow promises and a meeting two or three times a year. We really will actually get involved in doing work. General Riley has, in fact, committed on behalf of the USACE and the Chief that the Corps will participate. I’m sure I’m saying the same thing with no surprise for both Tom and our friends at Commerce/NOAA. So, I believe those groups will help. I agree that certainly three years is too long and once we get that committee on the ground, I believe we can take advantage of literature searches and so forth and find ways to get things done.

Let me just close that comment this way. Two days ago I had a letter come across my desk from a well-intentioned person responding to a constituent concerned about the
adequacy of a recreation system in Oklahoma. A Congress-woman had written on behalf of the constituent asking the Chief about that. Somewhere in cyberspace, that letter drafted last October arrived in the Corps of Engineers’ office on the 10th day of April. The Corps, being the good agency, leaned forward in the foxhole and we answered that letter in 48 hours, which is the way we are supposed to. It struck me that it will ring rather hollow to both the Congressman and the constituent that the federal bureaucracy, for whatever reason unexplainable to me, took five months to answer that letter: “Why isn’t there 50 amp service at my campground?”

So, if this committee can do anything, and I’m optimistic it can do way more than anything to speed the process of bringing the 19 well-intentioned agencies together to do good work and to talk to each other, we will speed the process up and it will go better. So, I’m optimistic about that we will commit to it.

Comment -- Mr. Gaughan-- Jerry, I am very encouraged about that also and have stressed to the membership of MTSNAC that there needs to be a certain amount of organizing that goes on if you want to be effective. They have now reached the point where they believe that, but now they are saying, who is it going to be, let’s move on, and so forth.

Admiral, there are arguments for each of the four assignments out there to be the priority. However, I will take the opportunity to suggest my assignment, how to interact, be made the priority. An informal survey of my members shows that contingency planning, referring to rescue and recovery is their priority because of the potential impact it has. We saw what Katrina did to agriculture and what the lock-out did to agriculture and related businesses. My members look forward to sitting down with the government to make sure these plans are together. However, as soon as you start talking about any contingency plan it raises the broader questions – what if there is another hurricane, what if there is a terrorist attack, what if there is a work stoppage. These have all had impacts with ripple effects, regardless of what started it. They could cause great problems for this country if we don’t start to address them on a kind of system-wide basis.

Comment -- RADM Gilmour -- I guess I would point out a couple of things. Capt. Thomas, who is going to moderate a panel on response and recovery, was part of a Coast Guard group after Katrina and then Rita, that attempted to bring the agencies together to look at just that issue. That is one of the things that the coordinating board actually did focus on so, we are moving in that direction. How quickly we will get there, I think will certainly be a little prepared from a structural point in the Coast Guard, and I think in all of the CMTS to look at that area.

Another issue on that point, and maybe I’ll have Admiral Bone discuss it a little bit tomorrow, we are sponsoring a recovery workshop that will happen, I believe it is in June sometime, in the D.C. area. That workshop certainly will work with all the agencies on looking at that issue also.
**Question** — Admiral, I’m curious how CMTS & MTNSAC will interact with DHS led flurry of activity surrounding infrastructure protection and the 2nd specific look that will involve inputting input. I’m concerned that they have certain initiatives that mirror the initiatives we just spoke about from MTS but they are focused on protection & we are focused on safety, security, & recovery, are those two going to get linked up?

**Response — RADM Gilmour.** Certainly through the membership of the Coast Guard, on both the coordinating board and the CMTS, they will be linked up. But, I think those are points that are well made and I tried to make that in my introductory words. Perhaps I didn’t do it quite as well as I should have. It really doesn’t make any difference how these things happen. The effects will be the same. Certainly, that message has been carried forth by me, the Commandant, and others. And I think Secretary Chertoff certainly sees that natural disasters can be just as bad as a terrorist.

We have a separate advisory committee, as you know, for security and we will work to coordinate those efforts. I don’t know that we have a formal mechanism, but then again, I am not sure that it really matters. We have the knowledge of what we have done on the security side, but I don’t think it really matters how it happens. Perhaps somewhat in response, if the ship sinks in the middle of the channel, the recovery and the result is the same, no matter how it gets done.

**Response -- Mr. Jamian.** I would just like to say real quick – that is a great question. I’ve been working with the Coast Guard from day one on the maritime domain awareness issue, but also when President Bush put together, through Fran Townsend, the Homeland Security Presidential Directive (HSPD), one of the things that the Department of Transportation weighed in real heavy on was the issue of the transportation system making sure that it was imperative that the thing continue to operate because of the economic consequences of a shut-down anywhere. Both the Coast Guard and Department of Transportation has been working hand-in-hand to identify what happens and when does that captain of the port turn things back on. I would tell you that to questions like yours over the last couple of years we have been finely tuned in to if there is another national disaster in any capacity, that the efficient flow of freight or people in the transportation system is of paramount importance in the recovery.

**Question -- Dr. Clayton,** I’m from Southern California and we’ve been involved in all that congestion so we understand very well what that impact was on the nation. But there is a perception in the maritime industry that the agricultural congressional delegation is really not a friend of the maritime industry as far as funding or infrastructure, so I’m wondering if that is a correct perception, could you tell me that? If so, could you tell me what we could do about it?

**Response -- Dr. Clayton --** I don’t specifically deal with Congressional affairs, so I approach that question with some trepidation. I do think though there certainly an appreciation on the part of Congress, those folks that represent agricultural interests, as to the critical role that transportation plays. That is not limited to maritime certainly. It also
relates to rail and things like rural bridges and roads and other kinds of things. So, I think there is quite a significant appreciation that goes on there. How ultimately things get traded off and the Congressional process, I suppose, is a bit of a different question. But, I can assure you that parts of agriculture that have been impacted by incidents such as the one on the west coast, those industry interests have certainly conveyed to their elected representatives how significant the impacts were, and not just in some historical sense I think. There is a lot of forward-looking folk who are dealing with these issues from a shipper point of view, and are very concerned about, as they try to grow export markets, particularly in the pacific rim and parts of the world over there, are they going to be able to, in fact, move product where it is highly perishable, where it seems the whole world has gone to some form of just-in-time delivery – how does one do that, and one needs the infrastructure in place to do it. So, I can’t answer your question specifically, but I can certainly assure you there is awareness and communication by industry to elected representatives as to the importance of all of this.
Navigation

Mr. M. Nuns Jain
MARAD

I’m sure all of you are wondering what is a marine engineer doing up here moderating a panel on navigation. Well, I searched long and hard for the answer to that and couldn’t find one. So, I went down on the web last night and I finally got the answer – navigation was invented in India in the Indus River civilization, almost six thousand years ago. It is derived from the Sanskrit word, Navguttee. I can tell you that a lot of historians believe that.

Navigation has advanced a lot in the last six thousand years. Now we have all sorts of technological advancement, GPS, etc. But, at its heart, it is you, that provide information, communication and coordination that the Secretary talked about earlier today.

You heard the broad strategy for the nation in the morning’s panel. Now, I’m starting to get down to some brass tacks and talk about specifics as to what you, as member of the Harbor Safety Committees, can do to improve the coordination and communication and cooperation between yourselves, between industry, and between the various federal and local agencies to improve navigation in your ports.

Fifty years ago today the first container was loaded aboard a vessel. In 50 years, it has totally revolutionized maritime and international trade. The cost of freight today is approximately 1% of value of general commerce as compared to about 15% of the total cost 50 years ago. That has led to just-in-time logistics. I realize I am speaking to the choir, but the rest of the country found out about this last year through Katrina and Rita when we had difficulty getting petroleum tankers in. As you heard this morning, our grain could not get to the market.

But, besides the impact in commerce, our relief supplies, our relief ships, ships like the ready-reserve force ships from MARAD fleet, had some difficulties in responding timely due to navigation issues. The Coast Guard and the Navy also faced those same issues. So, I’m very pleased today to have a distinguished panel of experts from both the Coast Guard and industry to initiate a national discussion with you all about some of the lessons that were learned regarding navigation recovery after incidents. As we prepare for this hurricane season, please remember, like my boss, John Jamian said in the morning panel, this could happen not just because of a hurricane, but we may have to recover from a terrorist incident or from a pandemic flu or, unfortunately, an earthquake on the west coast.

So, I would ask you to think about what can we do better. I know that all of you have done a tremendous job in responding to our emergencies over the last year, and there have been a lot of lessons learned. But, can we do something better to communicate those lessons to each other in different ports. We brainstorm better. I would hope that if we can go away with a couple of ideas that we can take back and work on, we would be very successful.
We will hear first from Robert Trainor, who has served in the U.S. Coast Guard since 1975. Mr. Trainor retired from active duty earlier this year, and has been at his current position as an aids to navigation specialist in the U.S. Coast Guard headquarters Office of Navigation Systems, with the Navigation Division, since February of this year.

Second, we will hear from Capt. Robert Thompson who is the Presiding Officer for the Houston Pilots Association.

Last, we will hear from Steve Vogt to give us a perspective from one of the premiere cruise boats in the country, and an industry perspective. Steve Vogt is the Deputy Executive Director for Operations and Public Safety at Port Canaveral.

**Mr. Robert Trainor**
**U.S. Coast Guard**

My remarks will discuss briefly how the Coast Guard restores the aids to navigation system in our nation’s waterways after a major storm event. We will basically go over some generic national disaster preparations, and we will go into the post-storm recovery. Then we will talk a little bit about the unique challenges posed by hurricanes Katrina and Rita.

When reacting to any national disaster such as major storms, the Coast Guard’s mission priorities are: (1) saving lives; (2) flood relief; (3) repairing damage to Coast Guard facilities; (4) and restoring aids to navigation in the affected waterways. In most cases, these missions are being performed by various Coast Guard units somewhat simultaneously. The Coast Guard, along with other federal, state and local agencies, has developed plans to prepare for natural disasters and mitigate their effects long before a particular storm bears down on the coast. For example, all levels of command within the Coast Guard have developed detailed plans to react and recover from major storm events such as hurricanes. The procedural steps delineated in these plans are triggered by the season, storm proximity and intensity of projected storm path and the resulting damage.

Our Atlantic coast hurricane season begins on the 1st of June and lasts until the 1st of November. All appropriate Coast Guard units assume a higher state of readiness during this hurricane season. But, even before the season arrives, the Coast Guard units update their plans, ensure necessary aids to navigation gear is staged, and review the aids to navigation restoration priority list. This list, which priorities restoration of specific critical aids to navigation after a storm event, has been developed with inputs from waterway stakeholders, Army Corps of Engineers personnel, captain of the port, pilots associations, and other waterways users. When a storm threatens a particular area, Coast Guard units in that affected area assume an even higher status of readiness. Appropriate incident management teams are activated and final logistical arrangements are begun, including executing unit personnel and dependent evacuation plans. Other Coast Guard units who are not in the projected path of the storm begin making preparations to deploy to the affected area to assist in the recovery operations.
Once the storm has passed and no longer threatens coastal areas, Coast Guard units immediately move into the post storm recovery phase. As mentioned earlier, saving lives is the priority. Thus, the initial activities conducted by Coast Guard units after the storm passes include search and rescue, providing humanitarian relief, and assisting with security. As soon as possible, the process of re-opening the affected areas’ waterways begins by surveying the affected areas to assess damage. After this, the aids to navigation discrepancy lists are established, recovery areas are assigned to available aids to navigation assets, and equipment staging areas are established close to the affected areas. Again, most of these steps are happening simultaneously.

For example, for the inland waterways and some of the channels, three to five person aids to navigation technical teams will be repairing temporarily some of the aids to navigation, marking some hazards such as downed aids to navigation structures, and at the same time, they are accumulating their discrepancy lists and surveying the channels. Other agencies survey the channels via air. The Army Corps of Engineers auxiliary and a whole lot of folks are out there surveying the damage to get that information up to us.

As waterways restoration operations progress, requests for any special equipment and routine supply needs are forwarded to sector and district offices to arrange for logistical support. Those few major aids to navigation that are beyond the Coast Guard’s in-house capability to repair or rebuild, and I’m talking mainly about the Gulf Coast area, are contracted to commercial marine construction outfits. The constructing process often takes a little bit longer time to complete than the Coast Guard’s in-house construction operations. So, usually temporary aids to navigation are erected or set up in the interim. Of course, the goal is to restore the aids to navigation system and re-open the ports and waterways in the affected area for maritime traffic as soon as practical and in most cases, the ports and waterways are initially re-opened with limited restrictions. For example, draft limitations due to shoaling, like the Mississippi River Gulf outlet, after hurricane Katrina, daylight only transits the lower Mississippi River for awhile until some of the critical ranges were built and areas such as these, with some limitations. But, the main thing is to get it open so we can get the maritime traffic moving.

We are going to talk a little bit now about the unique challenges posed by Hurricane Katrina and Rita, but primarily Hurricane Katrina. Her aftermath posed some unique challenges to the post-storm recovery efforts. To start with was the storm’s enormous magnitude. It made landfall as a category III hurricane. Storm winds extended out to 200 nautical miles. That is 35-63 knots. The hurricane-force winds extended out 90 nautical miles. The affected area was also enormous. Excluding southern Florida, it stretched from Louisiana almost to the Texas coast, including Mississippi and Alabama. It also directly impacted the district office as well as two sector offices, displacing many of the personnel who typically coordinate the waterway restoration efforts. The alternative command centers were established in Alexandria, Louisiana, St. Louis, Missouri, and Maxville Air Force Base in Alabama.

Another unique challenge was the humanitarian crisis. Katrina also left in her wake massive humanitarian issues. The unique topography of New Orleans, coupled with its large population, made it extremely difficult to get people out and supplies in. Most of the aids to navigation assets were occupied during the first week following Katrina,
performing rescue and assistance operations and saving lives. In fact, in one operation, aids to navigation cutters and small boats with commercial vessel assistance safely ferried over 7,000 people from the heavily damaged east bank of New Orleans to the west bank, where their immediate needs could be met and where assets were available for further evacuation. You can see these folks here are standing on a barge and were ferried from Chaumett to Algiers where they had some waiting supplies and some evacuation assets.

Hazardous material concerns in the flooded areas and in pockets of anarchy complicated these humanitarian efforts.

Aids to navigation restoration – we had some unique challenges there as well. Restoring the waterways aids to navigation system was an enormous task. Approximately 1,780 aids to navigation were in the affected area. A great many of them were destroyed, damaged, or missing. Now, over 78% of the area’s aids to navigation are fixed structures. So, the lion’s share of the recovery efforts fell to our aging fleet of construction tenders, and the 8-15 person aids to navigation teams working out of a variety of small boats.

This is just a picture of one of the construction tenders and one of the aids to navigation boats is tied up next to it.
Here is another shot of some of the construction tenders. They were gearing up for the aids to navigation restoration.

The aids to navigation assets included ten Coast Guard cutters, personnel on boats from at least nine aids to navigation teams, and various reserve, auxiliary units, and Coast Guard volunteers from around the country – as far away as Alaska and Hawaii folks were coming in TAD to help in this recovery effort. We also had a Canadian Coast Guard cutter assist us with some of our NOAA mission.

Some specific challenges to the waterway restoration efforts included finding suitable staging areas for the tons of aids to navigation material required to restore the aids to navigation system in the nation’s seventh largest port and other major ports along the Louisiana, Mississippi and Alabama Gulf coast. Another challenge was the task of re-supplying remote staging areas where, due to flooding, vehicular transportation was out of the question in a lot of them.

Communications, logical needs, and waterway communications, communicating logical needs and waterway restoration progress was also a significant challenge. A lot of the smaller units did not have adequate communications gear, in some of the very remote areas.

The other thing is because the majority of the aids to navigation were fixed and we had the construction tender, the work was heavily laid on these construction tenders. Two of the district’s six construction tenders were unable to participate. One was in the yards and one had an engineering casualty. So, they were down to one-third of their assets in that area was gone.

Finally, the last challenge was when Hurricane Rita moved to shore on the 24th of September.

How did we overcome the challenges? Coast Guard aids to navigation personnel using machinery, a good deal of muscle, were able to take a pile of debris and transport it into a functioning logistical staging area. We were able to overcome a lot of the
communications problems by moving in our 175 ft. buoy tender vessels (WLMs) into Venice, Louisiana area where they could act as a communication center.

Also, we were able to use one of our river tenders to couple up with the construction barge of one of the construction tenders that were unable to participate, so we had that other asset. And, we had some teams from the 7th Coast Guard District, including the Coast Guard cutter Hudson from Miami was able to help out with some of the construction efforts.

The bottom line is by the 14th of September, just 16 days after Katrina made landfall, all major waterways were open, although there were some restrictions. For example, the industrial canal, the barge traffic that runs through there, that wasn’t opened for a long time because of a sunken dry dock, but there was an alternate route – albeit it was 220 miles alternate route.

By the time Hurricane Rita made landfall on the 24th of September, 79% of the discrepancies had been permanently or temporarily repaired. As you can tell, a significant amount of resources were needed for restoring the waterway.

Thank you.

Capt. Robert Thompson
Houston Pilots Association

I was invited to talk about post-hurricane activities and what we learned from Rita, which thank God we weren’t in the brunt of Rita. It went to the east of us and hit our fellow pilots in the Port Arthur area and Louisiana harder. But, when we saw Katrina and when Rita was approaching we started getting anxious. To be there after a hurricane, I think you really have to do pre-hurricane preparedness to have the necessary equipment to start up afterwards.

We’ve taken several steps, and you might want to see how it might relate to your local port. We are creating an off-site location from which to handle information. Our office will have a satellite office in Austin. We’re going to also share this with several other industries in Houston. The one thing that must take place after or post-hurricane is the ability for industry and all the users to feel they have a place for communication to call in orders for the vessels, to see when a channel might open. It is also very important for your pilots and your employees to have a place to call. We found that out after Katrina.

We started getting random phone calls from pilots saying “do you know anything about what we are supposed to do?” You may not want to or be able to afford to go to an offsite location, depending on your port. We first chose another pilot organization. You might want to choose somebody else in the industry, but we chose another pilot organization and we chose San Francisco. We have an agreement that if anything is to happen to us, our people, when they evacuate, can call San Francisco and start getting information, at least even information that we know they are alive and well and can be able to call on them when they come back.

I think the off-site location is going to prove very positive if and when an event does happen to us. It is built with satellite, internet. There is also a place to be manned. We
found out, in talking to other pilot groups, that there is nothing or no supplies to support
life after the hurricane. There is no water, no electricity, and no fuel. So, in order to
operate efficiently, we feel you must have a place where you can have your employees
take down information and maintain all the life services necessary.

Most important, we hear from industry, that post-hurricane, they must have information.
They are going to make decisions of 24 hours of where they are going to start routing
their vessels. So, it is very important to them that you have the ability to hear their needs,
and that you also have a place to get your information.

Before hurricanes, pilots need to think about equipment. This is the first time ever in
Houston’s existence that we actually sent our boats to Corpus Christi because of the
oncoming thought of a category five hurricane. Never before had we done that. The
other places I know they probably pull their boats out. Our boats are pretty large, but it is
something you might want to think about where to relocate your vessels during these
times.

That also relates into how to get your vessels back. It takes about 24 hours to get vessels
back to operations. In post-hurricane two, we ran into the problem of no fuel. We have
made arrangements now to have a fuel tank as hurricane-proof as it can be. I’m not sure
you can get it that way, but they say it can be completely submerged in water and it won’t
take on water and we’ll have fuel when we come back.

Also, we have made plans with the tank truck company that as soon as they are up and
able, we will be able to get fuel back in from them.

The pre-hurricane planning to me is important too that we have several phases in
Houston. I’m not sure other places have this, but the captain of the port can implement
port orders. He implements them. It is called a Whiskey, X-ray, Yankee and Zulu. He
implements Whiskey conditions, 72 hours prior of sustained gale force winds, X-ray at 48
hours prior to suspected gale force winds, Yankee at 24, and Zulu at 12 hours, and then
the port is closed. These are the captain of the port’s orders and they are the final line.
We have learned that advancing the timeframe as an industry could be a form of
prevention. Instead of the 72, you might want to start 12 hours earlier.

We have a very useful tool in Houston called a port coordination team. It is a team that
the Coast Guard chairs, but we are on it, barge users, all industry users are on it, and
agents. This is convened not only for hurricanes, but all other times when the channel
might have a problem. But, you can start talking at 72 hours out of the needs of the users,
which is very important. Sometimes there are ships that do have to come in – maybe it is
fuel or getting ready to put fuel to hopefully be ready for post-hurricane. It is also to start
telling people that your ships shouldn’t come here. Knowing your area and as we do as
local pilots in the local navigation, we can be dealing with as much as 70-80 ships at port
in Houston, and it doesn’t necessarily happen that 72 hours or 48 hours you’re supposed
to start shutting down cargo and leaving. Sometimes, operations to get this many ships
out takes a lot longer. Twelve hours before a storm hits, your port, I can tell you, is a
little bit shy of time, if I was even navigating the ship, to want to head out into the ocean
at 12 hours before a storm. Twenty-four is probably marginal, but that is our goal this
year. We would like to be shut down as pilots 24 hours before the storm.
Texas legislation has now allowed the local cities to do their own mandatory evacuations and I don’t know if you all saw the pictures from the news – we were at gridlock. We were trying to get our vessels out. Once we got to Galveston, everything was one-way traffic. We had to come from Galveston back up to Houston, and there was no way to get on the roads to get back up. We eventually had to run our pilot boat all the way back up into Houston and board the pilots and then come back out, which took time and also ate up precious fuel for when we were getting ready to run our boats to Corpus.

We have expanded this year, and we have contracted to a helicopter company for the six-month period of hurricane season. It is quite a costly venture. I’m not sure that every port could do it, but I believe that the price of one ship left in a dock could easily cost the same as the helicopter service. So, it might be something you want to think about. One ship left up there could easily break away and cause as much damage or even worse of all, sink in the channel. So, we are looking at that. The Coast Guard is very busy. I can say that you should try to attend the post-hurricane flyover if the Coast Guard will let you. We were able to do it last year in Houston. If they are busy, we are probably planning to use our helicopter to fly over and assess the situation, assess the navigational aids.

Another very important tool is a personal navigation unit that we all carry. If your pilots don’t carry that, I would strongly support a program to try to get on board with that. Pre-hurricane and evacuating the ships, as the weather deteriorates, these units make it possible to keep on navigating and heavy rain squalls during the lack of visibility, they are excellent tools. Post-hurricane, with no aids to navigation, it is possible to do navigation with these units. The accuracy is down to a foot. If your people are used to running with them, you can probably start smaller draft ships, the tankers which you may need to get back up in a port and get the fuel going to America. These units are priceless, we feel, in the post-hurricane efforts.

After we were hit by Rita, it took us four days before we started navigation; a lot of that time is due to surveying the navigation channels performed by the Coast Guard. I would strongly implement that whether it is done by the Corps of Engineers or whether it is done by private industry. You should probably try to have a survey vessel around to speed this up. The timeframe for that was quite a while. If that was done sooner, we would have been able to start running sooner.

For pilots too, making sure that your pilots and crew have a place to work from is, quite frankly, one battle we haven’t quite tackled yet for this hurricane season. Whether we bring in a trailer or what we have to do depends on the damage of the port.

These are all my comments for now and maybe you’ll have some thoughts for me during the questions.
Mr. Steve Vogt  
Port Canaveral, FL

I came to Port Canaveral coming from middle America, land-locked, blizzards, tornadoes. My first day at Port Canaveral was August 9, 2004 at 7:30 a.m. August 13, we had Hurricane Charlie and then two weeks later, we had Hurricane Frances, and then two weeks later, we had Hurricane Genie. This year, we were impacted by Ofelia, and we were then impacted by Wilma. We were impacted by five hurricanes in 15 months. They impacted our operations in some cases. They impacted the port itself. But we, in no way, felt what our port partners felt in the Gulf coast felt. It was not catastrophic. We recovered from it. Our longest delay was just over two weeks, getting back to full operation. We faced some challenges, but it was nothing like what they faced over on the Gulf coast.

As I listened to Captain Thompson talk, it is interesting to me and I know that is the reason why we have these types of conferences, but it is interesting to me that what we went through in 2005. Industry didn’t seem to learn a lot from our experiences because everything he expressed, had he and I sat down before the start of the 2005 hurricane season and debriefed my 2004 hurricane season, I could have probably helped him with the roadmap of how to get from point A to point B because I would echo everything that he said. Industry doesn’t seem to be really good about sharing that kind of information and staying a step ahead of the game which my background in emergency management and incident management lends me to think that way sometimes.

One of the things – Port Canaveral sits on the south edge of the Kennedy Space Center and the Cape Canaveral Air Force Station. So, all manned space flight comes out of our northern boundary. Most of the satellites launched come out of our northern boundary. We have a running battle with Port Everglades. We are usually within 100,000 of each other in passenger and cruise passengers. This year, we are anticipating that we are going to move about five million cruise passengers. We are the home port of Disney Cruise Lines. It is the only port that Disney sails out of, since we got the Magic back from Los Angeles. We move a tremendous amount of passengers. We move about 600 containers per year, so we are not a container port. We move some fruit. We mostly move, from a cargo standpoint, powder concrete, lumber, drywall, plywood, paper, and the impact on our port if you think about, as anybody who has been through this knows, what are the first things that you need immediately prior to a hurricane and immediately after a hurricane. If your port is impacted, you’re going to deplete our stores fairly quickly – there is not a lot of re-supply.

When I came to Port Canaveral, the very first thing I heard was that NASA had intentionally built their facility there because NASA rocket scientists and weather folks had done a survey and decided that there was a bubble over the top of the Kennedy Space Center and they wouldn’t be impacted there. If you haven’t heard that myth before, it is prevalent through central Florida. I’m here to tell you that the myth is not true much.

Port Canaveral I think is unique because even though we really move a lot of cruise passengers, we are a child of sector Jacksonville, which is 180 miles to the north, and they are a child of district 7, which is 360 miles south of them, or 180 miles south of us. So, we have minimal resources on site. We have minimal things on site with us. Our
The captain of the port is 180 miles away on the north side. However, in much complement to them, since the very start of this, we have instituted twice a day conference calls with the captain of the port from the time we find out there is a remote possibility that we will be impacted. The Coast Guard sponsors the conference calls. They provide the lines. Everybody is there. In the port’s conference room, we bring in the pilots; we bring in some of the tenants, port staff, the engineering staff, etc. We also allow other members of industry to call in and listen on this conference call. I think there were 24-30 slots on the conference call, and usually if you don’t get in early, you’re not going to get a slot on the call. But, those have been absolutely critically instrumental into building the partnerships that we need to get through these events. From a communications standpoint, they are very candid. The information flows across. You know what to expect. You know what is happening. You know what is going on. And, I think they have actually gone a great distance towards forming the partnerships, which is the recovery side of this – the partnership is with everybody. The recovery side of this, the pilots, the Coast Guard, NOAA, the tug operators, finding out what is actually going on in your channel and finding out where you’re at and what you can get in is absolutely critical and that is a part of those partnerships. The conference calls don’t end when we get hit. The conference calls go on afterwards and in recovery and we have been able to trouble-shoot some things as a result of that.

Hurricane Charlie came from the west. Nobody expected it to. At that point, I didn’t know Yankee from Zulu. I didn’t know anything about any of that stuff. It hit us with tropical storm force winds. It had a bigger impact on Orlando. We had building damage. There was no major harbor impact. And, it was an eye-opener for me four days into my tenure there. It was scary, but it was nothing compared to what we saw two weeks later when Hurricane Francis hit. Hurricane Francis came right at us, just to the south, hit somewhere a little south of Vero. That was my first experience with Whiskey, X-ray, Yankee, and Zulu.

We went through the entire process. The port set up its landside evacuation orders in accordance with the Coast Guard’s evacuation orders, waterside evacuation orders. We also evacuated. We took it upon ourselves. The county had issued an evacuation order for the entire Barrier Islands area. We found it very critical, and part of this is my background. We got very involved with the county emergency management agency, the state emergency management agency. We had somebody sitting in the EOC. The EOC understood that the port was slightly different than the residents and the visitors that were out on the Barrier Islands. They didn’t make us enforce the evacuation order at the same level, which gave us the ability to get prepared. It gave us the ability to get some things done. The last thing we always do waterside, is pull the pilot boat. We sling the pilot boat out of the water. It is the last thing to leave the waterway, and it is the first thing to go back in.

We lost the roofs off of cruise terminals, the sides off of warehouses, and we had rip-rap that was damaged. Port Canaveral is very complex. We have draw bridges, locks, and all kinds of things going on. It had actually damaged the side of the approach to the drawbridges. The waves had actually knocked the concrete out of there. So, we had an issue – you can’t get to the north side of our port unless you go across the drawbridges. At least we did not have any dock damage or any bulkhead damage. We didn’t have
anything floating or sunk in our channel. The reason for that is because as the Coast
Guard was making all the vessels over 500 gross tons leave, we were making everything
else leave. As a result of that, we didn’t see any damage. It was pre-planning and it was
by accident. We were playing it by ear at the time.

The biggest issue that we experienced was the height of waves and wind direction
especially on navigation. Depending on where the wind and the waves are coming out
of, the aids to navigation become more susceptible from certain directions than they are
from other directions. You can’t really prepare for that except from the standpoint of, as
you are pre-staging assets to come in after the fact, it is good to know that you’re
probably going to need extra assets.

What we had happen is that our channel is 42 + 2 – that is the project depth of the
channel. We have a dog-leg in our channel, right off the end of the jetty. Because of the
direction of the waves and the wind, it actually pounded the corner of that dog-leg in, and
it shoaled the channel in and it shoaled it in from 44 feet to I think 24 feet. Well, we
were in big trouble because we could not get cruise ships or cargo ships in. It literally
knocked every ATON off station. There was a lot of scrambling to figure out how we
were going to address that. We partnered the biggest vessels with some tugs as well as
Coast Guard folks and ATON folks. So, we put ATON folks and Coast Guard folks on
the tugs, and they went out with the pilots and they went back and forth and they could
survey the channel – we didn’t know how bad it had been hit because there were still
fairly substantial waves. We were probably within 12 hours of the peak of the hurricane,
and we knew that we had a substantial problem in the mouth of the channel.

At that point, our partnership with the Corps of Engineers became critical because they
had some dredges that we desperately needed to get in because we couldn’t move
anything. Initially, they were going to send us a clam shell dredge from Norfolk. There
was a flurry of phone calls made and we ended up with a hopper dredge that was closer
but was on a different contract, but it got diverted. We ended up getting the channel open
for most vessels – not the heavy vessels, but for most vessels the channel was open
within about five days, with restrictions.

Subsequent to that, while we were still coming out of the recovery of that, we got hit by
Genie. Everything that could have been blown away had been blown away by Francis.
When Genie hit, we convinced the guys from the Padre Island, the Great Lakes dredge,
into leaving the vessel in port for a while longer. They were finishing up their part of that
project at the time. So, we were very lucky the second time that we had the dredge there,
although we didn’t need it. The damage had been done the first time.

The second time we completely lost one of the ATON. One of the buoys completely
broke loose, and it was found down on the beach at NASA. Then there was another one
that was substantially off-site. I got really knowledgeable about the cutters, Maria Brae
and Oak, because they spent a lot of time coming back and forth to Port Canaveral
repositioning the ATON.

Unfortunately, they couldn’t get out of Jacksonville, and they couldn’t get down to us
because of the size of the seas. So, we had an agreement with the captain of the port that
with the pilots, and I think the ATON folks that were down there, and the tug operators,
we actually used a tug to move the ATON that was really off-station, move it back into proximity with the understanding that it was not appropriate. It was off-station, but with the help of the pilots we were actually able to reposition it to get the channel re-opened with restrictions at the time.

There were some interesting and fun things about Disney Cruise Lines and evacuation routes, and we were turning the whole thing west-bound and nobody is going to be able to get in the port and Disney didn’t like that because they couldn’t get passengers for the happiest cruise on earth – but we won’t go into all that.

The next thing that hit us – the first one this year was Hurricane Ofelia. It churned off the coast for about 48 hours – just 70 miles off the coast. We operated between condition whiskey and x-ray, or between Whiskey and Yankee. We operated for about four days under those conditions. Different groups were making decisions about whether they were going to divert their vessels away. It was right at the mouth of our channel. It was just 70 miles out and it just churned out there for two or three days.

Pre-staging resources, and that includes the ATON, cutters, and those kinds of things is essential – everything needs to be pre-staged. The conference calls have been absolutely critical for us – preparing your infrastructure and getting it in. Partnerships always link better if everybody knows each other. The last place you want to be shaking hands is over the carnage. So, if everybody knows each other like we know the pilots and we know the Coast Guard folks and we know everybody else, the tug operators, it is a lot easier for us to get the captain of the port to buy off on the fact that we are going to use the pilots and the tugs to move the ATON around. It is a lot better for those things if you pre-plan for this kind of stuff.

So, at that point, I’ll stop. Thank you.

Questions and comments

Comment -- Mr. Jain. I started off by saying that I would hope to start a discussion amongst all the Harbor Safety Committees regarding how we can learn from each other. Steve gave me a good opening. He talked about the fact that he wished there had been a mechanism to share lessons better. So, I would like to ask the panelists and all of you for your ideas and your thoughts on what you’re going to do to set up a mechanism to share lessons amongst all of you as you move ahead before the next hurricane season, and even after that. Captain Thompson talked about the 77 lessons that were learned and listed in the Houston area. Maybe some of those would help us on the east coast, and they may even be beneficial on the west coast. I would appreciate any ideas you all may have, or anybody from the floor, as to how those lessons can be shared.
**Question --** FEMA is putting on national hurricane conferences. In two weeks, I'm supposed to go to the Florida Governors’ Hurricane Conference. Those are mostly dealing with land-side issues. I’m not aware of anybody who is bringing port, industry, pilots, Coast Guard together in a room for say a day or two days to talk about basically a debrief of what happened last year, what are our lessons learned on a macro basis. I’m not aware. If it is happening, I’d like to know about it because I’d like to be there.

**Answer -- Mr. Thompson** – I can say that is one thing we did have last year with the Coast Guard and Jerry Torok up there. We had a hot wash and a lot of things came out and everybody who was involved in Rita came there and told what their needs were. So, it was enlightening. If you get everybody together, you can get a lot of information out and you understand their needs.

Steve hit on that thing. But, for these port coordination teams, it sounds like they have the same thing – that is probably the most valuable tool, I believe, in Houston right now. No matter what our crisis is – it could be a disaster or a terrorist or whatever, but even for long periods of fog, three or four days of fog, we convene this team on a conference call and for us as pilots to hear the needs of industry and to prioritize our vessels for their needs is a great asset for them, I believe. As far as us, we normally take a first-come/first-serve, but to better take care of business, if we do get on this conference call and you have needs of a vessel or certain needs of a product needs to be here – plywood or if the water needs to get in or whatever needs to be at Wal-Mart, those kinds of needs are things we need to know that we wouldn’t know unless industry tells us.

**Comment -- Mr. Jain** – I wonder if the HSC website could be a potential mechanism to share lessons amongst different ports and different agencies?

**Question --** Hurricane plan have been in progress over many years and it is still not complete. Finally I saw a draft about a month ago. I’m just wondering, do we have a timeline for finishing that because there are a lot of issues in that which are important. Just an example – a lot of good people did a lot of good work on that plan and it has some really good stuff in it. The idea that vessels under 500 tons, tug boats which effect us, can shelter in port instead of being kicked out is great. Unfortunately, the barges have to leave, and since the tug boats have to take the barges, we still have major problems with these plans. Until we settle it and get the plan issued and published, there is going to be the potential for great conflict, as there was last season where tugs and barges came into play. Is there a sense that this thing will be completed soon, and is that last really big remaining thorny issue being attacked?

**Clarification --** Are you talking about the Atlantic area in Portsmouth? Is that the American Waterways Operators (AWO) you’re talking about sir?

**Clarification --** The AWO Conference was about a month ago, at which we were shown the latest draft of the hurricane plan. It is getting better each time we see it.

**Response --** Each captain of the port develops their plans for that area. It sounds like that is a good blueprint, but each port is going to have some unique situations that they have
to address and as far as I know, a good part of that is already in place.

Response – This is the guidance to the ports from the Coast Guard to the captains of the ports on how to set up a plan, what the boundaries of their authority are. I think that is what that document we were looking at is, and it is not complete. That is what we are trying to get to.

Response – I think the individual ports have kind of done that on their own, probably waiting for a supplement to supplement what they have already got in place.

Comment – Hence the problems with the tugs and barges.

Comment -- Mr. Jain – We will see if we can try to get an answer for you from the Coast Guard.

Question – Along those lines, Steve, when you’re talking about using the tug boats to reposition ATONs and all that kind of stuff, did you have worked out in advance contract issues for those tugs and liability issues for getting a private company to help reestablish the aids to navigation – is that something you had in place?

Response – Mr. Vogt – No. They kind of stepped to the plate. I don’t know why, but everybody who was there just said we are going to work this out and the port ended up paying for it. We ended up paying for that and we ended up paying for a part of the dredge. But, we didn’t have a contract in place. They were more interested in we want to get the harbor open, so whatever we can do to do that. They threw in with that and they took everybody out on the vessel with them and they were doing everything with them. I don’t recall ever, in any of those meetings, ever talking about liability issues and the only thing is my CEO, my boss said, we will worry about the cost of this when it is done. We will pick it up. The critical issue is how do we get this place open right now.

Question – Do you have anything in place now?

Response – Mr. Vogt – To be honest with you, I don’t think we do. I think that we would probably revert to the same thing. We have three tug operators and signing a contract with one of them creates some political issues. So, it is kind of a round-robin thing as to who gets used for what.

Question –I want to join the crew who talked to Robert about congratulating the quick restoration of aids to navigation. I want to talk a little bit about the past, and I’m going to ask a question about the future, Robert. Steve talked a bit about this, but you mentioned a two-week period of restoration of aids to navigation before channels were opened. Could you talk a little bit generically about the clearance of obstructions and the clarification and the certification that those channels were indeed free? That is the question for the past.

The question for the future then is where are we going with the virtual aids to navigation as we are going to paperless charts and so forth. When will we get to the time of lesser number of buoys and your opinion of how that will impact safety?
**Response -- CAPT Thompson** – The first question, the major ports such as New Orleans and Pascagoula, Mobile, the Corps of Engineers played a significant role in surveying the area for shoaling and wrecks, as well as the aids to navigation teams and the exhilarates and the air assets as they can see some of the hazards from the air.

The Coast Guard removed what they could remove and re-built what they could re-build. We established initially the aids to navigation system with what we call temporary aids to navigation, the smaller unlit buoys and smaller lit buoys to open that up. So, for instance, the aids to navigation restriction in the lower Mississippi River had to do with a center line range. Pilots needed that centerline range to be reestablished so that they could bring the big ships in. Once that was established, they could start commencing with the nighttime one-way traffic in that area.

As far as the virtual aids to navigation, there are a lot of folks that think that with the Global Positioning System (GPS) and the electronic chart system (ECS) that we don’t need aids to navigation anymore. But, what happens is that aids to navigation is used less now as a tool to fix your position as more of setting up where a hazard might be, or reminding you where a hazard is. If the aids to navigation system were set for the perfect day, you would say “gee, it seems like we have too many aids to navigation here.” But, of course, it is set up for the limited visibility, weather, and traffic density. So, I really don’t ever see visual aids to navigation going completely away. However, with technology with the Light Emitting Diode (LED) systems and similar technology, it can be less cumbersome and cheaper to operate. I don’t know if that answers your question, but there is still a valuable and a valued use for visual aids to navigation system.
Day-One Pre-Lunch Keynote Speaker

Mr. Chuck Raymond  
President and Chief Executive Officer, Horizon Lines

Good morning. I guess we are getting into the afternoon here. I’ve got some slides here, but I think what I’m going to do, if you don’t mind, is just dispense with those and talk with you a little bit about our MTS and my own views about it.

I’ll cover a number of items, but the first, 30 years ago today I was coming back from Europe after running our Northern Europe operations at SeaLand, and just reflected that at that time, $10 billion of international trade took place every day. This was 30 years ago. Today, that happens every second. The container has been one of the major facilitators of that tremendous growth in international trade and communication that we witnessed in the last 50 years.

The value of the container is more than just moving goods from one country to another, or from one port to another. It really has created a network where countries are really dependent upon one another. Also, as we trade with our partners, funds flow, and those countries invest in our economy. The container, as a means of enhancing trade, has had an awful lot to do with bringing nations together. It is a fabulous story.

I want to touch on one thing about my background, and that is, when we sold SeaLand back in 1999 to Maersk, at that time I was responsible for container operations around the globe and that included 120 ports in 80 countries. We had a group of people in our company that managed the port operations on a day-to-day basis. Today, we carry still a lot of that knowledge. My perspective is that it is very unfortunate that when the Dubai World issue came up two months ago we missed the boat. The issue is not who holds the checkbooks and who owns the port companies or who hires the longshoremen. The issue is the cargo.

There are three elements to maritime security, in my view. It starts with the vessels. In our country, the Coast Guard does a fabulous job of inspecting, certifying, and making sure that ships are operating safely in our waters. We make sure we have qualified mariners; so, the people are known. Hopefully soon we will have the transportation worker identification credential (TWIC) that we talked about some four or five years ago. That will close the loop on people that are able to have access to our facilities as well as to the information about the cargo that is moving.

Another element is the physical facilities in the ports. Having cameras, gates, access control, knowing who is coming or going, who is taking what in, and who is taking what out from the ports are critical parts of our port security. But, the one thing people are still missing is the cargo itself. When one thinks about it, 97% of our 11 million containers coming into our ports by ocean every year are coming from foreign countries. The cargo within each container is made by people in foreign countries. The trucking that takes the cargo to the port of origin happens in a foreign country. The cargo boxes that are made
are made in foreign countries. The ships that carry them are made in foreign countries. The workers that produce the goods that are inside the container are from foreign countries. Now, how much of that information do we truly know when we allow one of these containers to come into our ports.

Let me ask you, when you book an airline ticket, like I did this morning, and you realize that you are going to get on the plane, that you will be frisked after the plane lands, or you baggage will be looked into after you arrive at the airport, would you want to fly on that plane today? What I described is what we have in the cargo system. There is a little bit of inspection that takes place at ports of origin, but there is so much more time that a terrorist has to prepare an attack because the cargo is being made 30-40 days ahead of time.

Who knows what trucker is moving a container down a road in China. There is no way today for U.S. Customs knowing if a container box goes into a terminal in Bremerhaven coming in from the Middle East, goes out for a couple days, and comes back in again – they don’t track that data. Again I think we are missing the boat on the cargo deal.

I want to talk to you about how we can solve that. First, we address port security itself, the physical structures that you put up – cameras and gates and law enforcement individuals that will control access and egress into the ports. The second is the operational tracking information. The third is documentation and data. Let me talk a little bit about those, particularly the last two.

Again, let’s take the example of carpets coming from Pakistan to Atlanta. There is a person who has a company over in Pakistan and makes oriental carpets, and ships them every week in a 40-foot container to the Port of Charleston. They are cleared by U.S. Customs at Charleston. The carpets come in, go down to Atlanta, go into a boutique down in Buckhead, GA, and they are sold every week – whole cargo movements financed by Citibank – same shipper, same consignee. After awhile, we get comfortable with that.

On a second example, it is not a 40-foot container bringing the carpets in, but a 20-footer that is booked. It doesn’t go to the Port of Charleston. It is consigned to move to the Port of Baltimore. It is not financed by Citibank. Maybe it is financed by the Bank of Beirut. It doesn’t have carpets in it at all – it has something else that is bad. We know that information today. I guarantee you that, in the marine transportation system, we have all of that information I just described. The information is known, but it is not acted upon.

My thesis to you is that we need to have a process where we collect that data, we array it, and we profile – which is a word people don’t like to hear the cargo – at the national targeting center in a much more significant way than we do today.

The last item is documentation. There is a lot that could be learned by just looking at the paper involved in moving a shipment from point A to point B. To give you an example of where we missed the boat, in the United States if you want to export even your household goods to Japan, you have to go to the Department of Commerce and file a shippers export declaration. On that, you have to notify who the shipper is, who the
consignee is, which bank is financing it, etc., etc., and you get it approved – you get an export license.

We don’t require anything of that sort for an import. It just gets here. You don’t know who is financing it. You don’t know who is buying it and who is selling it until you file your manifest with Customs. That is static data. They are looking at what somebody said is supposed to be in a container. They are not looking at – who owns the contents, where did it come from, where has that box been since that transaction started, etc.

Let me talk to you a little bit about the supply chain and its sufficiency or inefficiency. I’m going to take a real risk here before lunch and ask you to just close your eyes for a second and visualize a screen, almost like a CNN TV screen where you have ribbons going across the bottom of the screen, the top of the screen, and the middle of the screen. Picture a ship filled with containers going very slowly across the ocean. You also see information moving kind of haphazardly very slowly across the ocean, and then you see money flowing back in the other direction. So, there are three flow channels: the goods conduit; the information conduit; and, going backwards, the money that pays for those things.

Let me talk to you about what happens in the real world today. Reebok wants to buy sneakers from a producer in Korea. Reebok opens a letter of credit with a corresponding bank. That bank has funds from Reebok ready to pay an exporter once an exporter presents a bill of lading to the Korean Export-Import Bank. Then the shipper of the sneakers in Korea calls to an ocean carrier or trucker and says, I’ve got a box I want to send to the United States. It is going to go to Portsmouth, Virginia. Now, the Korean doesn’t want to tell anybody else in Korea who the customer is on the other end. I’m not picking on the Koreans, but they just don’t seem to want to trust one another. Nobody wants to go out and say “I’m selling these things to Reebok.” The box then gets dispatched from a terminal in Pusan, it goes up to Seoul, picks up these sneakers, brings them back to the port of Pusan and all of a sudden, the terminal operator running that terminal has to gather the information as to where is that box going? He is not given a lot of information. In fact, when it comes in, he probably doesn’t know what is in the container. But, we are now requiring, as a country, that they declare that before we put it on the ship. Well, that’s great.

In the meantime, the terminal operator has had that box in the terminal for three, four, or five days. Eventually, the container is loaded up on a ship which comes to the United States. It may come through China, Hong Kong, Japan, or directly from Korea to a U.S. port. The captain of the vessel operator gets a stow plan, but it doesn’t even say what is in the box, unless it happens to be hazardous. He doesn’t know what the box weighs or anything else. He just carries it on the ship and gets it to Portsmouth, Virginia. There, at the marine terminal, for the ship the documentation on that load has been filed 48 hours ahead of time, or in some cases, 96 hours ahead of time. Then, the process begins to clear the cargo. U.S. Customs will go through the information and determine if a shipment is good. U.S. Customs often sets some containers aside for a set team to examine. Then, four or five days later, the container is discharged once the Customs clearance has been received unless there is an in-transit clearance; the ocean carrier has been paid his freight bill; if USDA is involved, they have inspected the cargo. Or, it may
be released to a drayage operator who is going to take it to a railhead and put it on a railroad. Then, eventually it gets into a warehouse in Framingham, MA to be sold to a retailer.

Now, think about this – when that transaction first started, there was a company in Massachusetts opening a letter of credit for a company in Korea. There is a transaction about to take place, and two people are aware of what is going to happen – the buyer and the seller. Think about all the other people in between in the supply chain that don’t find out what their role is going to be until it becomes their turn to act. It starts with the trucker at the beginning and the terminal operator, the vessel operator, the terminal operator destination, Customs, the trucker, the warehousemen. It is almost as if you had an 11-man football team and you had no play – just kind of like we did in high school – everybody run deep.

The fact is, this system is patently inefficient. We talk about just-in-time cargo – that is a joke. It is not just-in-time. I wish Secretary Mineta was still here because he would laugh and recall a trip that we made on his plane going up to Kings Point a couple years ago for one of the meetings. He was looking out the window of the plane, and we were flying over Newark, NJ. He said, “Chuck, look at all those containers down there. Why are all those containers sitting there stacked up the way they are?” I said, “Well, Mr. Secretary, your responsible for all the airports in the country – can you imagine if every airline passenger that came into an airport got off a plane, went up that corridor, came into the airport, got into the terminal, scratched their head, looked up, and said ‘gee, I don’t know what I’m going to do next – I think I’ll hang around here for four or five days.’” He laughed, but I said “that is exactly right.” The average container coming into this country comes into port and stays in the port four and a half days before it goes out of the port. Now, is that a security concern? Why should that be? If two guys knew they were going to move some product then why didn’t we clue the other people in?

This is the big issue that I personally had in 2002 as a member of the Pacific Maritime Association (PMA) board when we took on the International Longshore and Warehouse Union (ILWU) on the west coast. We didn’t want to have a fight with the union. But, the ILWU would not allow us to move goods in or out of the ports. They would print out manifest data and stowage data and then re-key it in causing errors in the information being provided. These are great people, but they are not great typists. They have big fingers, they are strong people, and they make a lot of errors. The data integrity is not there, and we said look, this is something that needs to be corrected.

We had a terminal at SeaLand in Hong Kong in 1993. The terminal had 8,000 parking spaces in it. Our marine productivity in that facility got down to as low as 19 moves an hour. We had 8,000 boxes. Every time a container came in, whether it came in off of a relay vessel or through the gate, we handled that box eight times before we finally got it out of Hong Kong. Can you imagine that?

We went to a company called August Design in Princeton, NJ and we said, we want to have a rules engine build here that allows us to do a better job of planning where we are going to put these boxes. So, we put together a very simple system – did it in about six months. We know whether the contents of a box are hazardous or not. Is it heavy or is it
medium or is it light? Is it refrigerated or does it have to be stowed on deck? Where is it coming from? Where is it going to? That is all we had to know. So, with that data we knew in that 8,000 parking facility which space in that facility was the optimal space to put that particular box, based upon the data we had. In a matter of a year, our productivity went from 19 moves an hour to 46 moves an hour, and today, that facility is the most efficient marine facility in the world.

The point is this – we have data out here. If we use that data effectively, we are going to move the products much faster. We will not have a stop and go kind of a process for moving cargo around the globe. It is going to move in a much more fluid way and it will move faster. It won’t sit around in export yards. It won’t sit around in truckers’ depots. It won’t sit around in destination ports. It will get to the warehouses on time. How will that happen? That is going to happen by releasing information that we’re going to demand – because we have a right to do so – and because we want to know all about that cargo when it is coming into this country. Every one of those 11 million containers is a potential Trojan horse. And, I submit to you that the data is there.

Now, operation safe commerce – a study was concluded last year. It cost $75 million, and it states that we have some risks with the cargo and the containers. We could have found that out on our own without spending $75 million. But, what is happening is Customs border patrol is reconfiguring a 20-year-old manifesting system that is going to cost them billions of dollars, has already taken five years, and it is only about a third of the way completed. Go to private enterprise and partner with private enterprise and use this data because it is out there. The information from international ports through Encomium Data International (EDI) into tracking systems – like we have – can provide a trip plan for every box we move. It can collect the car location messages in the United States. How would you like to be on this end of a phone call – Massad calls up and says we have three containers, here they are, and they all three have explosives on them. So, either the Coast Guard, DOT, TSA, the FBI, or somebody, are going to call the customer service department in some shipping company and try to find out where those boxes are. It is ludicrous.

We are actually spending more money putting our name on the side of the box than it costs to put a transponder on that container so you can track it around the world today. There is a lot that is going to be done.

I appreciate your time and your attention and as was said by the previous panel, this 50th anniversary of containerization is a fabulous time. It is a time to reflect back on what we do and how we do it. But, let’s not be silly – the cargo and the containers are the biggest risk we have to our marine facilities in the U.S. today.

Thank you very much.

Questions – No questions were posed to Mr. Raymond.
Maritime Disaster Planning and Preparedness

Mr. Douglas Dillon
Tri-State Maritime Safety Association and Delaware/New Jersey/Pennsylvania Maritime Incident Response Team

Before I introduce the speakers in this panel, I would like to talk to you about some of the things that happened after Hurricane Katrina and Hurricane Rita. Really, are we ready? What have we learned? From the maritime standpoint, I think there are some great lessons learned. We have heard some of them already this morning with the panels. I want to address a little bit more in-depth of consequence management planning.

Things like our area contingency plans. We learned a lot during the two hurricanes down in the Gulf. We now see that the massive number of oils spills that occurred and things like our area contingency plans, are they really up to speed and should they be enough to actually handle the situation? Should there be a spill of national significance declared and very quickly afterwards and expectations in the planning process that is going to happen right up front? We prepare for mass casualties. We prepare a lot for folks to be having additional equipment, water, food and things like that from FEMA brought in. But, from the standpoint of responders in the ports, look at what our existing plans are and looking at gearing up for those kinds of things right from the beginning. Look at things we haven’t expected before – like the new anchorages and the traffic issues that now occur when you’re dealing with hurricanes.

Is the average tow service going to be able to clear this highway? Is the maritime industry a good source for salvage and bringing these things back out and ensuring that we get the port back open again?

The general public is not really aware of the maritime transportation system, but when you stick a barge in the middle of their downtown, in the middle of their neighborhoods, they just all of a sudden get that awakening.

The infrastructure obviously is a problem. It has the potential down the line for impacting both incoming and outgoing commerce. We have heard the criticality of bringing the port back up to speed as fast as possible. This will become more critical as disasters happen.

The key thing I want to bring today deals more with ourselves inside the port community – whether it is Katrina, Rita, or another event on the east coast or west coast, or a tsunami up in the northwest. If you are part of the group that is being affected, in that first 48-72 hours, you are pretty much on your own, despite everything the federal government is going to bring to you or despite everything that is going to happen in the long-term. We learned a lot in the first responder community in the numerous events. It was brought back home during Katrina. Hopefully, we will have some of those things taken care of. Whether it is federal, state or local, it doesn’t make a difference. If you are local responder, you are going to be doing things on your own until the additional resources come in.
It’s the same thing in the maritime industry, whether it is the pilots, the shipping industry. All of you are basically on your own until the things can be cascaded in and we can work together to get the ports back open. Emergency management faces the same thing.

The key thing with first responders is that local plans for local responses need to be made, and response needs need to be asked for early and often. The one thing we saw down in Katrina, and it was overwhelming, we saw the states, the local and, the feds get together, and they kept pointing fingers at each other. If you remember on television, one side would say “well, they never asked”, then the other would say “oh yes we did”, then the other would say “no they didn’t.” So, it got very clear that responders and organizers need to have a plan in place and ask for assistance right up front. Learn from what we did in Katrina.

Think about marine response. Is this going to be a priority as it was prior to the particular incident? Well, with other things going on, it may not be as high. You might find yourself on your own. You might have to come up with other ways of dealing with it. Sure, they are going to work on ATON, but the local emergency responders are probably going to focus more on the people than they are the port area. So, they have to be keyed in quickly and they have to be brought into the planning process early.

Remember that first one – that first 48 hours to 72 hours? One of the biggest failures that we’ve seen on a national basis at any of these natural disasters is the fire departments, the police departments, the emergency management, EMS are all basically just left on their own. They have found that they get burned out. They obviously have a limited ability to respond and take care of things. I think it is incumbent on ourselves locally, whether it is the Coast Guard that can take this back because certainly the maritime world brings a lot to the table as we see from a response standpoint.

So, whether it is industry, a local responder, or the Coast Guard, each of them needs to start looking at how to bring in additional resources so that two, three, or four days delays do not occur. Then, we would not see police officers walking off the job because they are too busy putting their lives together. We have come accustomed to expect them to be there. They will give everything for 48 hours, 72 hours, or whatever it takes, but their expectation is that they are going to be relieved. That is the same thing I’ve heard for industry. If you are there locally, your expectation is you are going to be relieved at some point and hopefully very quickly.

As you can see here, this is back to the President’s Commission – basically identifying emergency services as being critical to those being taken care of as part of the critical infrastructure. We don’t always do a good job with that because they are part of the process that actually keeps the infrastructure going. But when they become part of the problem, it becomes a little bit more difficult. Hopefully, a future national response needs to be organized, whether it is through DHS, FEMA, or Coast Guard. Fortunately for us, the Coast Guard really stepped up to the plate and did a wonderful job in the hurricanes. Hopefully FEMA will learn from that and will be able to get better resources in a timely fashion.

Simple things – the big problem was that there were a lot of first responders all over the country that were waiting to come in and help but there was no plan. There was no
expectation to bring them in within that 72-hour period so the other first responders could go home. You need to have that addressed locally in your plan so that it is part of the process so that you have that capability with the maritime industry.

The resources aren’t effective if they are not used. We talked about pre-staging and other things this morning. Those are critical, whether it is water, food, or fuel – all those things are going to play a major aspect in the response down the line. Know what you need locally and ask for it because there has to be a good process, there has to be a good understanding.

One of the things that came out of this is that there was a national request for fireboats. Certainly there were problems along the waterfront in New Orleans and in the waterways. There is really no process at this point, beyond simple things like the ATON the Coast Guard is taking care of. FEMA doesn’t have the resources and the knowledge to take care of this side of the first responder equation. Again, if you know you need those resources, it should be part of the planning process so that you have the surge forces, they are planned; they are rapid. They should not be sitting up-state 200 miles away waiting to come in because someone hasn’t asked for them.

Again, some of the original routes are not going to be there. So, what does that usually mean? That is going to turn around to mean the marine aspect and the marine response is going to be critical as it was again. Those of you who experienced 9-11, played a major role. Andy McGovern gave a great presentation up here in 2002 on the maritime aspects and the evacuation of lower Manhattan and New York City. It is critical that marine component becomes a critical component of a response, but you have to have the pre-incident planning. You’ve got to have the states involved, and you’ve got to have other federal agencies besides the Coast Guard there, and include the industry.

I think of some of the things that just happened recently. We saw medical teams coming in. We saw relief supplies coming in by barge because they couldn’t make it by road. Emergency housing – this was done for the Super Bowl and it has been done for other major events. From an emergency response standpoint, it gave a quick, accurate, available resource that was there. But, if you pre-plan for that particular aspect, know where you are going to put the cruise ships. Look at that as a part of your plan. You don’t have to wait until FEMA goes out and takes care of that for you. It could be either for the local or for the displaced residents.

DOD certainly played a major component. Local resources – we looked at some flooding up in Philadelphia and the ducts were a major asset that we looked at. They are in a lot of major areas now. They are great amphibious vehicles – something to keep in mind.

It has to be the maritime community working together. As you can see, in this case, this worked really well. Also, military vessels were used as command posts and support bases. They are mobile. They can be brought in quickly. Again, if the plan is there, you know what to ask for – it’s available.

The Coast Guard certainly played a major role. This is one of the key things I think needs to be planned for. They are putting on basically communications capabilities in high rises. Very quickly, communications have to be restored. It is the number one thing that makes things work better is being able to talk to each other – whether it is cellular on
wheels, whether it is temporary cellular, whether it is VHF communication for the port and harbor. You need a plan. You need to know where the equipment is, and how you are going to communicate back and forth.

There are a lot of good lessons learned. Again, don’t wait until it happens to you. We have heard that time and time again this morning. So, I think it is a great thing that we are doing here.

Thank you.

Capt. Lou Guzzo  
Fire Department City of New York

Good afternoon. I’m going to steal a little joke from my boss in the Reserves, Nuns Jain, who said that the Indians invented navigation. Well, the Italians invented firefighting about 6,000 years ago.

But anyway, I did a paper on a disaster emergency in the harbor. I was going to do the Staten Island Ferry, but I ended up doing the S.O. Brussels Sea Witch. The incident occurred about 33 years ago. At the time, New York City Fire Department had five fire boats, each with a pump and at least 15,000 gallons each. If you are not familiar with the incident of the S.O. Brussels Sea Witch, it was a clear night, a summer night, brand new or fairly new containership. The Sea Witch was outbound at the New York Harbor. It hit a tanker, on anchorage on the Staten Island side. Again, perfect conditions – ended up being a mechanical failure. The ships collided, and caught fire. They drift underneath the Verizono Bridge. Apparently, the flames were so bad people abandoned their cars on the bridge and it ended up going aground over on the Brooklyn side. I said to myself, we had a decent size marine division there, we had five boats that were 33 years young, and what would happen today? Today, we have the firefighter Marine 9 which is pushing 70 years old. We have the McKeean currently in drydock, but it is over 50 years old, and we have the Cain, which is my company, which is a 50-foot fireboat which pumps 5,000 gallons a minute. It is an aluminum hull and it is 15 years old. So, we are coming down the home stretch on that too. That is the bad news – the age of the fleet and what we are going to respond to and all that kind of stuff.

The good news is that right now currently there is funding for two new fireboats, 140-foot fireboats, which will quadruple our capacity to pump water. That is a plug for my boss, Chief Dalton. He is the one who is putting that all together.

But, a couple incidents have happened recently that I think we have dodged a bullet a little bit. The first one, Staten Island Ferry collision, ended up being from a response point of view a pretty successful operation. I’m sure you guys here are familiar with it, but basically the ferry ended up back in its slip. There happened to be a tugboat nearby to assist it. As bad as it was, a lot of things from a response point of view went well. It ended up occurring right next to where the captain of the Port of New York is stationed. We also had a good response between fire, police department and the Coast Guard.

I say we dodged a bullet because if that ferry had stayed at the point of impact on that pier, from a logistics point of view it would have been a lot tougher getting the victims
off and getting things done. I don’t say impossible, because we would have made it happen (that is the arrogance of New York City Fire Department). Because the ferry ended up in the pier, things ended up working out very well.

Another incident was the Bell Mariner, which blew up approximately 24 hours out of New York. Again, if that had blown up in New York, what would have happened? How would it have affected things? What would have been the response? Again, most Coast Guard guys think their concerns are security and they are doing a good job. But, from a fire department point of view, it is response. How are we going to handle it? I think a lot of people are mistaken when they think that fire boats are the only way to respond to these incidents. Fire boats are great to have and they are a great asset, but they are not the only tools needed to respond to a shipboard fire in the harbor.

To that end, we have just trained. We have trained about 2,500 of the 10,000 members of the New York City Fire Department about fire control plans. We told them about the captain of the port. We are telling them all sorts of information and the firemen are sitting listening. Participants are writing down everything we tell them, almost verbatim, about the relationship between the Coast Guard and the captain of the port and all the various assets in the harbor. If we get a major fire in any harbor – you guys already know this, but firemen don’t – the expertise in this room is going to make things happen. It is not just going to be fire or police or the Coast Guard. It is going to be everybody working together.

It is quite apparent that when you ask for something from the maritime community, it seems to happen. The New York City Fire Department has no budget. You ask for something and the response is usually not sufficient. When you ask for a ship to use for training, the guys in the fire department think you can pull them out of your back pocket. You guys happen to know that asking for a ship might cost a couple of bucks. So, again, you guys understand that. They look at me and say, can you get a ship, and I tell them “sure – no problem.” We had a full-scale exercise in Red Hook Container Terminal and the Kings Point training vessel and played the role of containership. Clint Catucci, who is in charge of the Red Hook Container Terminal, gave us his facility for the day. We had 100 Marines, 200 firemen. Everybody came down and it was a good opportunity to see how things really were.

The nice thing about the industry once again is if you ask for help, you get it. Whether it is Mr. McGovern providing some help up to the division of training for a simulator, or Ed Paige with his advice. I’m sure I’m missing some other guys – the Maritime Administration providing ships, whether it is the Kings Pointer or the training ship, Empire State. MSC – we’ve done exercises with them I don’t know if there is anybody from MSC here, but we did and the captain of that ship was very nice to us. You guys provide platforms for training so that the first time the firemen goes through a structural fire, they can handle it. When they go to a ship, they are in a whole different world and that is what we are trying to do – make these guys aware of it.

We have had various exercises – the Red Hook Container Terminal, there was one on the Staten Island Ferry sponsored by OEM. From the exercises we have learned that the Captain of the Port is the person in charge in these incidents. Not to get into politics of New York City, but determining who is in charge is always a problem. The one thing I
like in dealing with this industry and dealing with captains of the port is that the captain of the port is in charge of the operation. He may be politically astute, and obviously he is going to draw upon the different agencies. But the final line is the captain of the port who is going to call the shot. The fire department guys work for the chief, the police department work for their boss. But, other agencies aren’t aware that the captain of the port is in charge of the harbors. Again, I’m not going to tell the captain of a port how to do his job, and I’m sure he is going to come up against that kind of stuff, but that is an important aspect of this whole decision process.

The future – what does the future have to hold? We have guys being trained. We are doing exercises. We want to do more exercises. The exercises are getting more involved. We want to have some inter-agency exercises with the Coast Guard and the Police Department. They actually sent me to school in Emmitsburg – National Fire Academy – for three weeks on how to do an exercise. I really thought it was a bunch of nonsense initially, but actually it was pretty good.

I know Chief Dalton is in charge of the marine division right now. What he wants to do in the future is mirror a lot of the things that have happened in Seattle. The Seattle Fire Department, Seattle Port, it seems to be in good shape as far as response is concerned. From what I understand, and I could stand corrected by my brethren in Seattle, is that it started with A.D. Vickery -- the fire chief. He is a proactive guy. Mike Moore and Bob Bohlman – marine exchange. They developed a relationship. They realized that what had to be done as far as a response is concerned and they seemed to have gotten the ball rolling. Anyway, my boss, Chief Dalton, he wants to do the same thing in New York. He wants to develop a relationship with the marine exchange, with the Coast Guard. That is important. As we heard this morning, it is nice to have these exercises just so you that you meet each other; so that when something bad happens, it is not the first time we get to see each other.

In conclusion, I want to say thank you very much for having me. I really appreciate it. It has been my honor to be able to come to this conference and address you.

CAPT Steve Metruck  
Sector Houston-Galveston, U.S. Coast Guard

It is great to be here this afternoon.

That was a great lead-in from the captain, especially mentioning A. D. Vickery and some of the folks. When I came to Seattle this past summer, a lot of this was already in motion. So, what I’m going to talk about is really an initiative which really the captain was alluding to is the marine terrorism response project which is where we went since I’ve been there, and where we are headed in the future.

The genesis of this effort, and I think it was already laid down, is that in the maritime side, in Seattle, the fire department, headed up by A.D. Vickery and other stakeholders there, realize that on the maritime side, it is not strictly the Coast Guard that owns it. That is a really important thing for us to realize. The Coast Guard has a valuable role in
leadership in the maritime side, but it is a complete community effort. We, in Puget Sound have a 124 mile international border. We have the third largest Naval base in the United States. We have nine ballistic submarines that come in and out. We have 24 million passengers that ride our ferries. It is an incredible system – 500 movements per day with 16 million cars a year travel on the ferry system there. With cruise ships – zero in 1999 and 200 this year. It is just growing the use of the ports as well as the military outload port. So, it is a great macro-chasm of the world on a lot of different issues. So, that is why it makes a great model to look at these things.

The Marine Terrorism Response (MTR) project is developing tools for tactical responses, looking at what is out there for guidance and then moving on to the next level. It is intended to improve readiness to respond to minimize loss of life, property. Of course, we have heard about the marine transportation system and that is why we are here at the Harbor Safety Committee Conference to do.

The Office of Domestic Preparedness funded this project. It came to the Port of Seattle, and then went to the Puget Sound Marine Fire Fighting Commission. Then it went into A.D. Vickery’s back pocket. Then, being a real visionary he brought in folks from around the country and set up a senior advisory group to make sure that we discuss these ideas at a national level. He brought people in when we did a major exercise, to critique what we did and provide feedback on our role there.

The objectives, as I said, were to engage local and national agencies in the development of regional and national terrorism plan that can be exported. The lessons learned – already thinking about exporting them to other folks. We will talk about that at the end.

Of course, this supports the implementation of Homeland Security Presidential Directive (HSPD) 5 and 8. It is also compliance with the national response plan and the National Interagency Incident Management System (NIIMS).

The MTR really fills a gap on some more tactical type tools for responding to marine terrorism.

One thing we looked at is how do we determine that we are ready? What is the present state of readiness? This isn’t just looking at the commercial side or at the federal side, but this really is all across. It starts at the local level and then goes to the regional level, then the state level, the feds, private industry, etc.

It looks at the following different areas – planning, personnel, training, equipment and technology and ranks them by color of readiness. Red means we are not ready; yellow means we have work to do to be ready; and green means we are ready. Qualitatively, I think we are in a yellow situation. Some areas are in green. Some are in red. Also, each part of the country is in different areas.
Reach out for regional input. This all started before I got there. I just benefited from this. We looked at regional input from different stakeholders. Then, also including the federal agencies at those local levels, the industry, police departments, fire departments, county response, all the first responders plus the federal agencies, the group put together a senior advisory group. The group is made up from representatives from New York, Philadelphia, Jacksonville, Miami, New Orleans, South Louisiana, Houston, and Los Angeles/Long Beach and Seattle, of course.

They looked at scenarios – we included various cruise ships, container ships, bulk cargo vessels, tankers (don’t forget we get 18 million barrels of crude oil a year), the Alaska fishing fleet, tugs, and barges. We looked at a wide range of scenarios from fire down to hostage.

Then we looked at the different stages pre-response, initial response, command support and decision-making, restoration, and administration. We then grouped all these things into buckets, as we say, and we lined them up. There is preparedness and there is also response, each one having different components. Then we developed the different products that would be developed. We created several volumes.

Volume I now is the preparedness plan. It gets more tactical into some of the other ones and pulls together things. Volume II is the response plan. Volume III is a field operations guide. Then IV is a dynamic, interactive plan. We will have more information when these products are available on-line and actually available through the MTR project office.

The model plan benefits the response community. It accelerates the development and implementation of the plans and it increases preparedness. It will identify gaps. Of course, we have already heard about planning and exercises to identify those gaps but that is what we’re doing here.

Elements of readiness – we want to be in the green readiness scale on all items and across all hazards.
Typing of resources – we have started in Seattle to type all resources across all agencies and capabilities across all those different hazards. This meets the national standards. We want to make them in compliance with the NIIMS standard for preparedness. That is in effect for us now and that is part of MTR.

Technology – we want to have different technology solutions and applications. We have a web-based training system that allows more training of responders. This is available for folks to take a look at and use. There is awareness training that we were just talking about and that is part of this web-based system, part of MTR coming out. Again, folks can have access to this.

Web-based Emergency Operations Center (EOC) – this is an important thing for us. It is important to determine how to collaborate between these proliferation of operation centers. That is one thing to address – how do we connect. Web-EOC you will see was one method we used, but it wasn’t the only solution. We just think this is something that we will continue to struggle with – how to get information updated continuously and how to get these command centers to talk to each other. We are working on within MTR.

Also, technology-wise, Incident Command System (ICS) forms – all this information is part of what we look at of trying to display this technology on this web-EOC application that we are using.

This is part of the situational awareness tool. Part of that common operational picture needed in order to respond to an incident. Really, this shows something we don’t have right now which is vessel traffic tracking for blue forces as a responding asset. This is actually from the exercise we ran with some transponders that Ed Paige supplied there. We can actually show where things were with the tools on the side. We are looking for that situational awareness as we actually went through the exercise.

There is a website related to that. We actually did an exercise. We did three asymmetrical incidents. We did a containership in Tacoma; a ferry attack in Seattle and a cruise ship in Ballard. The cruise ship scenario involved a contagious disease. These are three major incidents. How do we manage that? We tested for this in the MTR exercise. More than a 1,000 SWAT teams, everybody participated. We put smoke generators on board the ship, had fires, and triage, and moulage on the ferry. Everybody thought there was an actual attack because they hadn’t listened to the news. So, it was very exciting. We brought everybody together and tried to communicate from those three command posts into one. That is where we thought we needed the practice – to manage multiple incidents in a given region. That is where we want to go in the future.

Next steps for us – we want to continue the MTR process. We will continue to make these products available to folks, and I think we have some of the products here today and will be outside. There is the website for the information. We are going to continue to work on the MTR process and look at doing the command and control which is next. We also need to continue working on the technology aspects. We are going to look at the command and control issues among different operation centers and how to do better.

One of my last two points is the dashboard gauges. We have a qualitative dashboard gauge now, but, in Puget Sound, we need to work on a quantitative one. What goes into each one of these? What is our baseline? What is green – defining what is red and what
is green – not just for the federal resource but for all the resources. Then, how do you get to that green so that you can give decision-makers in a given region the necessary information. Are we in green, yellow, or red? Then you identify gaps. But again, not just for the Coast Guard resources but all across all those entities. That is where we want to go and that is the next way we are going to try to go in Puget Sound. It is a big lift, but we think that’s where we need to go as a region to get across the board all green.

The final point is to make an MTR cubed, not just for marine terrorism response or marine threat response but also for marine transportation recovery, response, recovery and restoration, which is across all hazards. That is where we are heading in this next iteration. That is if other stakeholders including A.D. Vickery can get more grant money to do that. Of course, all this planning takes money.

Thank you.

**CDR Jerry Torok**  
U.S. Coast Guard

The theory of cooperative competition is as valid today as it was in the 50’s when Dr. John Nash first conceived the idea. So, I want to welcome you to crisis port coordination – cooperative competition applied.

We have to have a plan. I don’t care if you’re in Port Canaveral, New York, Philadelphia – your port, big or small, is important nationally, regionally, locally. You’re important. As such, you have to have a way to coordinate anything that goes down. So, why do we need a port coordination team?

The captain of the port, while we believe we know a lot of things, we actually know very little about the inter-workings and top secret movements of industry throughout ports and regions and transportation. But, on the other hand, if we build a committee that can advise and inform the captain of the port, utilizing core constituencies to consolidate that information, ultimately focusing on operational needs, we can achieve our ends.

In the Port of Houston we use port coordination teams for essentially four generic scenarios: storms, fog, environmental incidents, and Maritime Security (MARSEC) conditions. Now, this isn’t to say that they are the only ones – but these are the ones that we use and everything else is just a morph of one of those.

So, how does it work? Actually, we do it two different ways. We convene functionally for fog, storms, and environmental incidents. We activate, geographically, for MARSEC II or MARSEC III. When we convene functionally, it is basically a convening of representatives of various constituencies. The goal is to hear everybody out – scheduled conference calls, information exchange, and then of course, at least one person to advise the captain of the port, allowing the captain of the port to focus on whatever incident he is doing, but he allows for somebody to be there to be his rep.

When we activate geographically, it takes on a little different scenario. We look at this as a liaison with ports and agencies. In this case, this looks more like an ICS system if you
just take a look at it. Each port authority stands up to port coordination center. Each port coordination center works with all the entities that work for them, report to them, interact with them. Then they provide information up to the Port Coordination Team (PCT) through their liaison officer that is assigned with us. We use an industry representative to run the port coordination team with Coast Guard advisors at hand.

This is a geographical depiction of what we basically do. Now, some folks have small ports and some folks have big ports. Ours is somewhere in between with about 54 miles of port waterways – about 150 miles of inter-coastal waterway, and we look out about 150 miles offshore because we have lightering zones out there that we exercise oversight to.

We use network integration – a system of systems. If you’re part of the system, your voice gets heard. If you can provide reasonable, good, sound input, you get heard. If you don’t play, your constituency is not represented; you may not achieve your ends or get to the result that you’re looking for.

In order to get there, there is an information flow that requires our working, and it has to be broken down just a little bit. We have to have some level of defined information flow. If we don’t, we can start working rapidly outside the boundaries of what we hope to achieve. So, in our case, for hurricanes, you can see we basically look to account for readiness; account for what is in port. We look at what we are going to do afterwards. For MARSEC II and III on the other hand, our goal is to implement the requirement and receive the reports of attainment. In each case, Port Coordination Center (PCC) has their duties and responsibilities as well as PCT has their duties and responsibilities.

Are we going to achieve our ultimate goal? I hope we do. We convene functionally to ensure the port reopens, prioritization of traffic optimizes supply and commodities to facilities. Basically, which facilities are ready to receive vessel traffic and are in the greatest need.

Geographic – the role is to get the word out to implement protective strategies. Continued communication to keep those strategies relevant to the evolving situation, and to re-open the port in an orderly manner, appropriate to the threat condition (THREATCON).

So, now we really get to the meat. I set the pattern for you. How did we do? It looks like we did very well. We actually were very successful in putting together MARSEC II activation in Christmas 2003 and actually held on to it for 40-plus days. We have done a number of exercises. We have handled fog incidents which are only closures for 2-3 days. Ultimately, Hurricane Rita – we have heard some touches on this.

Effective convening – we started moving traffic with restrictions within 24 hours after passage. Within five days, we had re-opened the channel with no restrictions, with generally most of the infrastructure re-set so that facilities that were ready to receive could receive. But, while we thought we did pretty good, you heard this morning, on our hot wash we find out that we actually did not do well. Otherwise, we couldn’t have come up with 76 points. The fact of the matter is that it was wild. You guys in industry are much harder on yourselves than us guys in government are ever on you.
We identified 76 potential problems that existed with our response. While it was good, we still found these issues. We broke them down into seven categories. They are:

1. Recovery & Restoration
2. PCT Organization & Effectiveness
3. Outreach & Training
4. Security
5. Agency issues
6. Communications
7. Logistics & Planning

Some of them have been hit on, but I would like to reinforce them. Cellular phones – I don’t even remember my phone number, but I sure got it programmed into every other cellular phone I have. Our reliance on cellular phones could, in fact, be the downfall. When a natural disaster comes in, it doesn’t matter if it is a hurricane, lightning storms, an earthquake – if the communication infrastructure is gone, our reliance on cell phones and regular phones is not going to meet our needs.

I think Doug had some beautiful pictures of Naval vessels rolling in and Coast Guard – remember, I don’t care if it is a towboat, a passenger ship, a Naval vessel – you have a ready-made communications station right there. Everything is supplied power, food, and communications. Don’t forget to schedule these or look at these as part of your plan.

One of the greatest things we thought is we cleared the port, we got all the vessels out, everybody is gone to sea. We made the Coast Guard leave because there was nobody at the port so why does the Coast Guard have to be around? We let the ATON cars go, we let the response boats go. Then about 100 fishing vessels showed up and they went everywhere – no control. They parked wherever they wanted to – up in the port, in the channel – anywhere they wanted to go. No control. We thought they weren’t coming there, but obviously we were wrong and when they left, they left a couple of sunken boats. Fortunately, through luck and some other things, towing vessels were around, and we ended up pushing the sunken boats out of the channel. We got lucky on some things.

Then, the last example involves the port constituency. As part of competitive competition, the goal is to bring back your industry entirely as fast as possible. The port coordination team is your avenue to do that. If you feel slighted, please – I don’t want anybody to take this too hard – if you feel slighted, don’t call your congressmen. The answer is he is not going to get us to reconstitute any faster. The fact of the matter is that your congressman’s push is just going to create obstacles to resolving the issue. In this case, they wanted us to have a vessel be delivered to a facility that wasn’t even ready to receive. How do I prioritize that one? I’m not – too bad, so sad, it’s not going to happen. If the facility can’t receive, why do I want to run a boat to it? Keep these things in mind. It is a major miss in the whole system.

So, parting thoughts – have you planned what you will do? Have you planned what others will do? I think Doug made the good point – we have families. While we are all good responders and we have a good plan, most of us forgot to plan for our families and
what happened? More than 50% didn’t show up. It was wonderful when the bridge operators evacuated with the entire rest of the whole community that evacuated out of every county, and there were hundreds of towing vessels stuck between bridges with no place to go because we lowered the gates on them. We have to remember – have you planned what others will do?

Knowing your plan – notice I say simplify the initial actions. That does not mean simplified pre-planning. That means you should have very detailed pre-planning. You should have very detailed recovery ideas and plans. But, the fact of the matter is if you have a complicated plan, a voluminous list of your initial action, I can’t remember four things on any one given day. So, if you have five things in your plan, one of them is going to be missed. Don’t forget this.

What I want to do, as we close, I want to pose one rhetorical question for you. The port coordination plan that I just showed you is four pages long because it takes into account the fact that most of the constituencies do the jobs as they are. It took the port constituencies doing exactly what they do and we do it as part of the team. Guess what? We could implement it without training. Why? You are already doing that job. So, if we don’t train today – you didn’t forget how to do your job – you are going to be heard, you are going to get your message heard, you are going to get your ships in, and we are going to get the port open on time.

So, just remember when a disaster strikes, are you confident and competent enough to adapt and to overcome if your well thought-out plan just does not work or it is only marginally successful? It is just not carried out as planned.

Lastly, why do we plan? Because hope is not a method folks. Hope is all we got at the end, but you better have a plan.

Thank you.

Questions and comments

*Question – Steve, I was just curious how NORTHCOM interacts with the MTR project, and specifically how they work with the industry or work through the Harbor Safety Committee or if there is any involvement through NORTHCOM at all?*

*Response – CAPT Metruck – NORTHCOM that is homeland defense. So, basically on the terrorism side, they are not involved. They are supporting command for the individual events. These things go into that communication, and we want to get that information. I think the big thing is to provide the information polls to them of what is going on so they can address what they can see from their avenue. But, in our view with NORTHCOM, it is feeding that common operational picture, getting the information in from the existing command centers. I will just have to say that, although not specific to MTR but that is something. MTR is connected to theirs, connecting horizontally various disparate operations centers that are out there and then supply the information vertically up through whatever entity needs them. I think the primary information on some of the situational awareness goes up through the Coast Guard command center, then to
NORTHCOM for the track information. But, the individual incidents right now aren’t being fed up to NORTHCOM.

**Question – Jerry - How are you going to solve the Shrimp boat problem?**

**Response – CDR. Torok –** The crux of the matter is that fishing is a movable industry. I know it operates that way in the northeast in any port down along the Gulf coast as well as the lower coast. If the shrimp season is off in Texas and a hurricane comes into Texas, you better expect to receive a couple hundred boats. If it is off of Mobile, Alabama, you’re going to get them there. If it is off of Tampa, they are coming to see you. The fact of the matter is we are not going to close the port and have these people go to sea and jeopardize their lives. The biggest thing is if you have the capability and can designate areas where they could go safely, and if they sink at least they sunk in a known area. We can go out and respond to the oil pollution incident, the personnel loss, or whatever it might be. But, if they sink right in the channel, it creates a new incident that we may not be able to resolve in an expedient manner.

**Comment – CDR Torok –** There are questions about virtual buoys here. As part of the port reconstitution effort in your preplanning evolutions, each of the Coast Guard units went out and worked with pilot associations, port authorities and the like. We looked at the priority buoys in the channels. We know how to reestablish based on your information and what the pilots feel they need and what the towing vessel community knows that they need. We know the minimum number of aids to navigation we’re going to set out. So, if we have 400 buoys in there, we may only reset 75. Seventy five allows us to re-open the channel. It allows us to start traffic moving on the surface side.

The second part of the question I have received was, what is a good survey? Well, a good survey is anytime you take a vessel through there that does not hit anything – that could constitute a good survey. But, the fact of the matter is we like to generally use our NOAA friends, our Army Corps of Engineer friends to do certified surveys. But, certified survey is not the first part. The towing industry, light boat tows, even those fishing vessels going out, provide us information on surveys because if they don’t hit anything, we know it is clear at least seven feet down. Towing vessels draw in 8-10-12 feet. We know it is clear 12 feet down. They look for obstructions.

The captain of the port can make his decisions on risk-based determinations and then the folks come in and NOAA and the Army Corps and contractor surveyors can do court or center lines, and edges. With that, I would never set the draft to the maximum extent of the port because the risk indicates that was not a full survey, and if an Aframax tanker hits something on the bottom, guess what? We might as well just have the hurricane all over again. So, what we do is re-open ports with draft limitations based on risk management and those surveys.

Then finally when we get a side-scan sonar survey that doesn’t find anything there, that is a good time to let everybody into the maximum draft. Hopefully some folks get some ideas from that. It doesn’t preclude from using contract industry boats, fire boats, police boats, anybody with sonar or a survey that can map it or tell you about it. Do not turn away from using those folks.
Comment – During Katrina we had the first six aids to navigation on the river by day three. By day four we had 27 foot drafts and increased a foot a day for a while. We also asked the pilots which aids they had to have and the answer was about 15 then we got about 20. It took two weeks to get everything done but within four days we had enough. The pilots themselves had challenges, half of them almost destroyed they were pretty much wiped out. It was a cooperative effort, everyone contributed something.

Response – CAPT Metruck – I don’t know if I can comment on that. This goes back to your original comment which is the resiliency of the marine transportation system to natural disasters and other manmade attacks and everything else. In Puget Sound, the threat from an earthquake is just as big as in other areas like Southern California. We realize this throughout Puget Sound, you just saw the diagram of Puget Sound and a lot of the land-side resources are going to be shut down. So, you are going to have to move petroleum and food products and people and everything throughout 3,500 square miles. We believe the marine transportation system is the way to bring that back into effect. So, that is why it is the first choice when you have a major disaster within your area of responsibility.
CAPT Paul Thomas  
U.S. Coast Guard

As a means of introduction to this panel, and also to serve as a context for a lot of the discussion that has already happened today and will happen in the following days, I want to talk to you about a mental model I used this fall about system recovery in general, more specifically, MTS recovery.

When I was asked, what is this MR2 Task Force, why do we need it, and what are you guys doing? If you think of a system -- especially one as complicated as the marine transportation system -- recovery is not simply fixing what is broken. It is simultaneous management of several recovery functions. I have listed five here.

You can probably list five more and you may want to change the wording on the ones I’ve listed. But, the idea is you have to do a lot of different things to really comprehensively manage the recovery of any system.

You take a system as simple as, say, the heating system in your home, a pipe breaks on the second floor and you’re going to do what you can to quickly stop the leak and repair the hole in that pipe. But, you might also want to make sure you isolate that so that the damage doesn’t spread to another zone. You might end up turning the heat up downstairs so the upstairs will stay warm. Or, you might put a log in the fireplace or bring in an electric heater so that while the repairs are made, the overall home doesn’t suffer. Well, the same concept applies to the maritime transportation system, except that I would argue these functions have to be managed throughout the breadth and the depth of the national...
response system. Locally it is done very well I believe, with the captain of the port and with his or her stakeholders. Regionally and nationally it needs to be managed as well.

If you buy into this construct that you need to manage several functions simultaneously across the breadth of the organization, you can do some mapping. I recognize that there are things that are probably best managed locally and then there are some things that probably need some regional attention. Also, there are some national issues as well.

So, I’d like you to keep that model in mind as we go through this panel because the panelists are going to discuss their experiences and lessons learned in Katrina and work in mostly this portion of the model. We have, in place, plans, processes, resources, organization in terms of response organizations, and most importantly, relationships to do that part of the model.

I’m going to talk about the plans, the processes, the response organization, which in my opinion, are not as well in place. They are certainly not as well understood. In fact, my experience is that there is a void in this part of the model. So, it is precisely that void that our area commander and Admiral Duncan in the eighth district was trying to fill when they set up the Maritime Recovery and Restoration Task Force. We need it to assist the operations that were going on locally – certainly not run those operations, but understand them and assist them. Then we also need to look after the rest of the system so that we could make up the lost capacity, either through tweaking of the MTS or by tweaking other adjacent systems like rail systems, road systems, pipelines in from Canada, etc.

We also wanted to make sure we understood the progress of the recovery and we had some top level measures so that we could communicate that progress. We needed to make sure we reached out to stakeholders who were not in the immediately impacted area, the local captains of the port and the harbor safety committees and PCTs did a great job of local stakeholder relations. We wanted to make sure we did it on a regional/national level. Finally, we are charged with evaluating how well we do this by making some recommendations to do it better.

This slide just shows some of the stakeholders that were engaged by the MR2 Task Force. Most of these groups you will find were also engaged locally. We tried to reach out to the national groups, so we worked with AWO rather than individual towing companies. We worked with the National Refiners Association, and that kind of stuff, so that we could understand how their industry segments were being impacted, both inside the Gulf region and outside the region.
Engaging Stakeholders

- US Coast Guard leads the industry & interagency team for MTS recovery (partial list)

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We developed several different tools to help us with this outreach. We had interactive web page. We had articles in trade journals. We also had daily interaction with these groups by telephone. And, we had some of the members of these groups actually with the Task Force in St. Louis.

We developed several dimensions of recovery. There are 20-some odd dimensions of recovery that we focused on. We grouped them the way we did for two reasons: (1) it made it a little bit easier to organize our work within the Task Force; but probably most importantly, (2) although there is some bleed-over between these groups, most of our stakeholders can identify primarily with one of these major groupings, and therefore, they were able to easily latch on to a point of contact within the Task Force.

Again, you could probably identify dimensions of recovery of the MTS that aren’t listed here. These are the 20 dimensions that we focused on.

Dimensions of Recovery

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This is self-explanatory. This is a bit of an eye chart, but the point is that for each of those 20 dimensions, we developed top level measures of both what we call recovery and restoration. Recovery is that dimension operating in any capacity, and restoration is it operating like it was prior to the storm. The whole point here was that by developing these measures, we were able to provide a common focus on the critical elements of the MTS. I’m talking about at the highest levels of the government. So, we could communicate to them what the problem really was in a way that they would understand quickly.

We could quantify the damage done by the storm. Developing these measures themselves helped us identify stakeholders. They helped us to impact issues that might effect the recovery down the line, especially secondary and tertiary impacts. They gave everybody a better understanding of what the linkages were between the dimensions, and why we were making the decisions that we were making. It is interesting, as these concepts grew, you could see the relationship between getting the channel open, for example, and getting passengers moving. It was intuitive to us, but not so intuitive on Capitol Hill.

So, as successful as the Task Force was, we were very limited in what we could accomplish because we were setup up in an ad hoc fashion. We were setup after the crisis emerged, and we were essentially trying to operate on all three levels – local, regional and national – from one location. In addition, we found it really tough to get information, especially from the industry who was worried about proprietary concerns. But, in all fairness, we were asking them for this information while they were in the middle of a crisis; they had not had time to plan to provide us this information. And, by the way, a lot of people were asking for the same type of data.

Another big problem was that the Task Force itself was not part of the overall national response structure. You can’t find the MR2 Task Force in the NRP. You can’t find MTS restoration in NIIMS. So, when you reach out to stakeholders and you tell them what you are doing, the first question they ask is who are you? How do you relate to the Joint Field Office (JFO)? Are you part of the Principal Federal Officer (PFO) staff? Does the captain of the port know about you as well?

So, all these were limitations which significantly impacted how effective we could be, but also provided the basis for the recommendations. We issued a report that contains dozens of recommendations on how to do this better, particularly from an organizational structure standpoint. There are some of them listed here – I’m not going to go through them all, but there are three that I’ll highlight. First is that it is absolutely critical to imbed an industry interagency function within the planning component of the response organization that is focused on MTS infrastructure recovery at every level.

Jerry Torok talked about the Port Coordination Team (PCT) in Houston. That is essentially how they accomplished that locally in Houston. There is an inter-agency group focused on getting the MTS infrastructure restored and they advised the overall response organization within the local port area. That does not exist, as I believe it should, regionally say at the JFO or nationally at the Interagency Incident Management Group (IIMG). It really needs to exist that way.
Just one example from Katrina, the Task Force at one point identified a potential course of action that would improve a port facility in an un-impacted port outside the storm damaged area so that facility could bring in oil tankers that were originally bound for the New Orleans area. This strategy would have regained some of the lost capacity of the overall system. It would have required the diversion of some resources that were going to be employed in the storm impacted area over the non-impacted port in order to make this improvement. But, we understood the timelines well enough to know that we could divert those resources long enough that it would not impact the overall re-opening of the port. However, there is no way that was going to happen. I believe if we had this group embedded locally, regionally and nationally, especially at the IIMG level, that would have been a better success story. I think that might be the role for MTSNAC. It might be a role for CMTS to form up, as a PCC, underneath the IIMG when the NRP is activated.

Secondly, we really need to understand the MTS better in order to do this well. We need to understand and develop measures at every level of the response organization that roll up to each other.

Another quick example – when Rita came through, the restoration of the Trunk Line Liquefied Natural Gas (LNG) facility in Lake Charles was a high priority. That facility imports a large amount of the LNG that comes into our nation. Some people told me it is 30%. So, it is natural that the local organization is going to focus on getting that back up. But, we need to understand that nationally we only import 2-4% of our national gas requirements at all. So, we are talking about 30% of 2%, and that in the overall picture, natural gas only provides a small percent of our overall energy needs. So, we need to understand how those measures work so we can do a better job of prioritizing our restoration efforts.

Finally, and this is another issue the CMTS probably can and should take up long-term restoration issues from the response organization. This is the old “if we rebuild it and they do not come back, what do we do” issue. You get to the point that the response organization has done what they can do. They have restored the public infrastructure. Maybe the private infrastructure has been restored as well. But, the ships and the cargo don’t come back. There may be long-term legislative or tax incentives or investment priority issues. They need to be documented and they need to be handed off from the response organization to somebody. I have a whole list of these types of issues from Katrina, but we don’t have anywhere to hand them. We are working on that, and again I think that might be an issue the CMTS could work on.

Infrastructure protection and recovery are really two sides of the same coin. If you read the National Infrastructure Protection Plan, it sets up a local, regional and national structure. It sets up sector coordinating councils which, to me, look a lot like harbor safety committees or MTSNAC. It requires that all these things get done. A lot of these are the same things that we recommend we need to do well in order to do recovery well. So, I think it is important that as we move ahead with the infrastructure protection planning and infrastructure protection committees and organization, we leverage those efforts so we can apply them to daily management of the MTS, recovery, and restoration of the MTS.
So, I’m going to leave you with that and move you on to the much more interesting panelists.

Our first panelist is LCDR Rick Fletcher of NOAA. Rick is currently the deputy chief of the navigation services division at NOAA’s campus in Silver Spring, MD. In his capacity he coordinates NOAA’s Office of Coast Survey Navigation Response Teams or NRTs.

Second, we will hear from Richard Asher. He is currently the Deputy Director of Ocean Engineering for the Supervisor of Salvage and Diving of the Navy Sea Systems Command. During the response to Hurricane Katrina and Hurricane Rita, he spent several weeks on-site acting as the supervisor of salvage, manager in charge of Navy response in both Alexandria, Louisiana, and New Orleans.

Third, we will hear from Al Prebula who is currently the Vice President of CITGO Petroleum Refining in Houston, a position he took on earlier this year. Prior to that, he was Vice President of CITGO’s Lake Charles Manufacturing Complex.

Last, we will hear from LCDR Randall Ogrydziak.

**LCDR Richard Fletcher**  
*Office of Coast Survey, NOAA*

This past year was NOAA’s Office of Coast Surveys most extensive emergency deployment for Katrina and Rita. Office of Coast Survey has always conducted emergency response surveys and investigations as part of its nautical charting mission, which was reauthorized in the Hydrographic Services Improvement Act of 1998.

Until last year, most of our responses were localized or in small regions. We work with the Coast Guard Marine Safety Office (MSO) or local EOC. This was the first large national response that we have taken part in. When an emergency is nationalized, as was the case during Katrina and Rita, the Office of Coast Survey Response operates under the national response plan emergency support function 13 – public safety and security. The Department of Commerce is one of the support agencies and NOAA and Office of Coast Survey and the navigation response teams fall under that.

What does National Ocean Service navigation services response bring to the table? Surge and inundation modeling for emergency management managers, aerial photography, hazardous materials response, the navigation and channel surveys, water levels and the port system and the National Spatial Reference System.

The Navigation Response teams provide our primary mission. They are small, three-person small boat teams which are stationed around the United States, and they often perform chart evaluations for quality assurance, critical aspects of the nautical chart, and also to address regional constituents’ navigation issues.

In the cases of Katrina and Rita they were our emergency response capability. One point is that it is important to have a well-experienced staff on the navigation response teams. We have had discussions of the break-down in communications and about how important
it is having someone experienced and empowered to make decisions to obligate government resources to expedite the surveying and getting the channels open.

To be able to get around, the navigation response teams are fashioned after a mobile model. Generally, three people, three trailers; one of them being the boat on a trailer. This is our normal operation; however, during an emergency response, we frequently just use the boat and maybe one or two trucks.

Where are they? There are six navigation response teams (NRTs) around the United States stationed regionally. Four NRTs circled responded to Katrina and Rita. Two NRTs, although they didn’t deploy with their physical assets, were utilized for personnel. We had an extended response and we needed trained personnel to augment and relieve the persons on the other four NRTs.

Another asset that the National Ocean Service has is the 10 regional navigation managers around the United States. They serve as representatives of NOAA in the field to deal with constituencies and ports to help identify challenges and navigation issues that need to be addressed, set priorities for hydrographic surveying and also during an emergency response, act as the point man, the single point of contact to discuss issues with NOAA and communicate with NOAA so that there is no confusion – everybody knows who to go to.

For an agency to be successful, inter-agency coordination is very important. We have several programs within NOAA that provide assets and services during a national response – the National Weather Service, Office of Coast Survey, Remote Sensing Division for aerial photograph, the Co-ops for Tides and Water Levels, the port system, NOAA Marine and Aviation Operations for ships and aircraft, and Office of Response and Restoration that provide the hazardous materials support for a response.

Inter-agency coordination is also important. In all responses, as well as during Katrina and Rita, we coordinate with the U.S. Coast Guard and U.S. Army Corps of Engineers. We also coordinate with state patrol, States’ Departments of Transportation for logistics, getting access to state fuel depots, FEMA, pilot associations, port authorities, and others.
This is the timeline for our response during Hurricane Katrina. Landfall was on August 29; NOAA was planning for a response almost a week in advance to landfall. That included not only inter-agency coordination with the other programs within NOAA to come up with our plan for response, but also communicating with the U.S. Army Corps of Engineers, setting points of contact up ahead of time, setting a schedule for conference calls to coordinate assets, and coming together with a response plan before landfall so we could hit the ground running after landfall, as soon as we were able.

**Hurricane Katrina Timeline**

8/30 Coordination Meeting Held; NOAA and Contracting Hydrographic Assets Assessed for Response Capabilities; NRTs dispatched and start surveying

8/24 Navigation Managers and NRTs placed on alert

8/29 HURRICANE KATRINA STRIKES GULF COAST

8/31 NOAA Ship NANCY FOSTER and NOAA Ship THOMAS JEFFERSON tasked with hydro surveys in Mobile, Pascagoula, and Gulfport; Contract Vessel starts surveying Mississippi River; NRTs in Pascagoula and Pensacola

9/1 NRT4 deployed from Chicago, NOAA Ship NF begins to transit to Pensacola for supplies

9/2 NOAA helicopter delivers fuel; NRT 6 leaves California to help in Gulf; First Conference call with USCG and USACE New Orleans; NOAA as lead in surveying established

9/3 NRTs surveying Biloxi, Pascagoula, Port Forchon; Mississippi River opened to 35 ft draft

9/4-9/16 Survey work continues; daily Coast Survey coordination meetings continue; daily interagency coordination meetings continue

9/11- Port of New Orleans Opens

Some of the assets that were brought to the table by NOAA were two NOAA vessels, the Thomas Jefferson and Nancy Foster, also two hydrographic data providers, contractors, FUGRO and SAIC were contracted to assist in the hydrographic survey response.

We used side scan sonar for item detection, signal beam and shallow water multi-beam sonars for bathymetry and also determining critical depths, and as we found lead lines were necessary in a couple of areas like Calcasieu and Sabine River. We are not accustomed to dealing with the fluff and mud as the Corps of Engineers is, and lead lines were critical to determine actually what we were digitizing on.
As far as the response itself, this is the range of area that we responded. The red circles are all the ports and channels that NOAA surveyed. The green are the areas that were surveyed by side scan by the nation response teams. The yellow are the areas that were surveyed by the hydrographic survey ships. The same for Hurricane Rita are the blue circles.

During the response, after landfall, we were having daily and often two daily conference calls with the Army Corps of Engineers and Coast Guard in the local areas to coordinate all the survey activities.

What are our products when we are doing a response? We provide side scan imagery, digital terrain models, shoaling conditions, as well as shallow water multi-beam images or DTMs of barges critical to navigation.

NOAA was very effective in coordinating very closely with Army Corps of Engineers and the U.S. Navy to identify and remove navigationally hazardous obstructions. We found many items that could obstruct navigation. The team was able to survey, come back to the pier, sit down with SUPSALV, coordinate with the imagery and positions. SUPSALV was then able to come out the very next day and address these issues and get them removed, clearing the channels and opening it up for commerce for ships.

It was interesting, when we first started this exercise, normally it is Army Corps of Engineers’ responsibility, but they were talking about contracts and the long process to go through. In a critical response, we just don’t have that time. So, having SUPSALV there was a huge asset in this case.

Lessons learned – basically coordination is key. It worked very well for us in the Mobile district and also the Houston/Galveston district. In the New Orleans district, it would have worked except the Corps of Engineers assets got totally blow away by the hurricane and there wasn’t anyone to be able to coordinate with immediately after the response.
Communication is also a big thing – having a common language. Being that our missions are different, we have different tools and also different vocabularies.

Logistics – we often find ourselves deployed way in advance of any existing logistics.

Standards – basically primarily mission-driven and the other big one was our data transfer issues.

I’ll close by providing you with the contact information of who to contact within NOAA if there is a navigation issue out there. These are the names, telephone numbers, and e-mails of our navigation response managers around the United States.

Thank you.
Mr. Richard Asher  
Office of the Supervisor of Salvage & Diving (SUPSALV), U.S. Navy

I will be talking about something that occurred back in 2003. With the Marine Board, we envisioned some potential problem in the future for a terrorist activity on a maritime situation. So, we got together with the Marine Board and developed a workshop and held the workshop in August, 2003. This put together two different scenarios – one occurring in New Orleans and one occurring in Houston and Galveston. One of them involved a cruise ship and one of them involved a chemical tanker and lots of damage, lots of infrastructure damage, massive casualties. It actually would involve cutting off the access to four of the busiest ports in the United States. We held the workshop and ended up coming up with some conclusions and recommendations from the Marine Board. A couple of the most important ones, which will then apply to what happened with Katrina, is that there should be a marine salvage expert on the DHS National Maritime Security Advisory Committee, and that there should be a SUPSALV liaison person with the Coast Guard Director of Homeland Security. And, there should be some funding in place immediately before any of these disasters, something pre-positioned so there can be quick reaction. Some of the criticism was failure to initiate. There should be designated some places of refuge. Finally, responder immunity needs to be addressed. If something has to be done that would cause a pollution incident, there has to be some kind of immunity so that we can take steps even if it is going to damage the environment.

Fortunately, we haven’t had a terrorist attack, but we look at what occurred in Katrina and Rita as sort of an equivalent – a natural weapon of mass destruction. Both of those occurred within a month of each other.

Our mission, when this started under the direction of FEMA, was what is written in green here – to provide a coordinated, strategic direction of national assets for Katrina-related marine salvage response with an ultimate goal of critical maritime reconstitution.

We work for the Coast Guard, the Army Corps of Engineers, and FEMA. We were their salvage agent for the initial response, primarily in the New Orleans area, and occupied the command center that the Coast Guard set up, along with the Coast Guard up in Alexandria, and then moved down to New Orleans.

Katrina was very devastating, as you probably know – lots and lots of barges all over the place. We have over 3,000 incident cases in the database from the area south of New Orleans. Barges were grounded, some were moved by the responsible party (or owner). In another instance, on Highway 23 there were two 400-ton fishing vessels sitting on the highway. There were about 180-foot vessels that needed to be removed. This was done by the owners hiring Titan Marine who used some inflatable sausage floats that they put underneath the ships, inflated them, and started dragging them like logs, rolling them back into the water – a very unique application and probably something that SUPSALV has learned a lot from and will be one of our tools in the future.
Shrimpers down in Venice – those pogey boats, they were taken care of by the owners. There are resources available. A lot of these shrimpers weren’t insured. Those derelict vessels were left up to the government to take care of. There just weren’t resources available to do it.

Down in Alabama, Bayou Labatray, high surge area had very massive salvage type jobs. Some of the deeper draft vessels down in New Orleans in the Industrial Canal had lots of pretty heavy duty damage.
Offshore, here is a platform. You see the “before” on the left, and the “after” on the right. This is very heavy damage on this.

In Lake Charles, the LNG Terminal, as had been mentioned here, the turning basin of this terminal was blocked because of all the debris that was floating in there. Lots and lots of sugar cane that ships could not enter at even this point in time – the channel wasn’t open yet. This is a photograph of the debris in there. That moved back and forth with winds. You can see how bad it was.

Who normally does salvage operations? Well, it really is the responsibility of the ship owners or the operators or the insurance underwriters. They are expected to perform this salvage. If, for some reason, there is a public safety issue or a commerce issue, or they are not making the right progress, it would be taken over by the government – either the
Coast Guard or the Army Corps of Engineers. The Coast Guard or the Army Corps of Engineers would then either turn to commercial contractors to support them, which they did in response to the hurricanes, or in some cases, to supervise our salvage.

We have had, over the years, 50 times in the last 30 years where we have supported the Coast Guard in salvage operations. The Navy has the nation’s salvage responsibility – SUPSALV does. New Orleans district turned to the Navy to assist them and we were very pleased to do so.

This is another eye chart and probably doesn’t need an explanation. It is showing the two storms and the impact.

Some of the complications that occurred down there that were difficult on the front end, got resolved and all worked out, but essentially there were three different Army Corps divisions and five districts of the Corps and Coast Guard sectors and groups and four different FEMA states and Navy – NORTHCOM or Task Force Katrina for the Department of Defense. All these organizations had different missions and different requirements and had to work together to sort out who is responsible, who was funding it, what the priorities were. In an operation like this, when there is an incident of national significance like a hurricane or a forest fire or a weapon of mass destruction, it gets declared. The President would consider it a disaster and would invoke the Stafford Act and the National Response Plan. A principal federal official would be assigned who would then work with FEMA organizations in the various states that were impacted, and funding would be set up under this emergency support function either Emergency Support Function (ESF) 3 for debris removal, or ESF10 for pollution response.

All the different government agencies, kinds of monies, responsibilities, lawyers and everything else made it a more demanding job than the salvage itself.
This is just a quick shot to show you all the different organizations involved in salvage. There is only one in the middle for which clear responsibility is known, that is the vessel that is in the channel itself. That is the Corps of Engineers’ responsibility. The rest of the other examples, either up on the levy, sunk outside of the channel, are not totally defined whose responsibility it is.

**USN Supervisor of Salvage (SUPSALV)**  
*Hurricane Recovery Efforts*

Who funds what?

We demobilized. We recovered 475 vessels. The Coast Guard is still down there working hard. There is 1,000 more, or even more than that, vessels to go. But, the big ones, these are the kinds of assets we brought in and have been completed.

What SUPSALV believes is that there should be an NRP support annex developed and we are working on that right now. It would be marine salvage, wreck removal and waterway reconstitution.

This would establish a federal salvage coordinator position – someone who has salvage experience, someone who has strict response, contracting capability, and someone who can work with the PFO to establish priorities. A lot of different policy issues need to be codified.
Draft and approve new NRP Support Annex:

“Marine Salvage, Wreck Removal and Waterway Reconstitution”

OBJECTIVES:

(1) Establish Federal Salvage Coordinator position: Only if salvage and waterway clearance is required beyond a single jurisdiction, identify one agency (and the position within that agency) as Federal Salvage Coordinator.
   - Must be professionally knowledgeable of entire salvage operations spectrum
   - Must have broad & immediate contractual authority
   - Work with PFO to establish casualty-area-wide salvage priorities, and prioritize application of resources, including DoD salvage forces

(2) Capture, resolve and codify policy issues, e.g.:
   - Casualty Identification and Work Tasking Process
   - Funds Flow and Documentation Requirements
   - Responsible Party Notification Guidance
   - Private/Public Access Policy
   - Vessel Stowage & Security Policy
   - Vessel Turnover Policy
   - Vessel Disposal Policy

We are getting close to storm season and ’06 and a lot still needs to be done.

Thank you.
Mr. Al Prebula  
CITGO

CITGO Lake Charles Refinery is the fourth largest refinery in the U.S. out of about 150. It has capacity of 425,000 barrels a day. It is a primary fuels refinery, so we get gasoline, diesel and jet fuel. We also make other fuel products and we make lubricants, waxes and petrochemicals. We employ about 1,300 employees and about 1,000 contractors, and we are situated on about 2,000 acres. As CAPT Thomas said, I have been the Vice President and General Manager of that plant for the last 6-7 years, and I have primary responsibility for it.

I’ve got just a few slides that just show Hurricane Rita, so you can just see some of the damage in Cameron.

Here is Holly Beach before the hurricane.
Here it is after the hurricane.

![Holly Beach After](image)

We lost about 4,000 head of cattle with Hurricane Rita. We had lots of power lines down and a lot of destruction including damage to the LNG facility.
Rita’s path, you can see the red is where it had a pretty direct hit on both ConocoPhillips and CITGO there in Lake Charles and West Lake, southwest Louisiana. Then you had the four other refineries in southeast Texas. I know we saw sustained winds of 100 miles per hour for about five hours.

**Rita’s Path & Affected Refineries**

1. CITGO, Lake Charles
2. CONOCO, West Lake
3. VALERO, Port Arthur
4. EXXON, Beaumont
5. MOTIVA, Port Arthur
6. TOTAL, Port Arthur

We have a hurricane manual we update every year. We have different conditions as the hurricane comes closer. One of the reasons we take this so seriously is because a refinery is not one big machine or one big process unit. It is made up of many different processing units. In our case, since we are a very complex refinery, we have about 80 different processing units and it never shuts down. You take different pieces of it down, but you never shut it down. Our last hurricane was Audrey in 1957, so it is a major decision whether or not to shut this monster down because it takes days to weeks to restart. And, it involves both safety risks and operational risks to shut it down. Then you have risks bringing it back up. So, we hire a weather service to advise us and counsel us and consult with us on where that hurricane is really going to land, so this is real important.

We go through these different phases. We have different actions for each one. If we get to condition black on a big hurricane, we evacuate and lock the gates. I’m not going to go through all of the conditions and actions, but in condition yellow, we make sure we have satellite phones and we activate ride-out crews. These ride-out crews help us shut the refinery down and then they help start back up. Of course, we have to make sure we have liquid in our tanks so tanks don’t float away, like one of our competitors had happen to them over with Katrina.

At condition orange, we talk to the Office of Emergency Preparedness because they are the ones that call the shot on an emergency evacuation. Once they call that, everything is pretty much over because everyone heads for the hills. At this point, we release the non-essential personnel which is usually about 1,000 people in our case. We begin cutting all the units to minimum rates. Then we go to condition red. We move half of our emergency equipment out of harm’s way and then we initiate total shut-down.
This is some of the damage.

Above is a cooling tower damage with insulation coming off of towers. This was pretty standard all the way across the board. Our biggest problem was asbestos. This is an old refinery and we cannot start the plants up unless we spray a chemical on called Locktite. We also have to bring in certified asbestos abators to pick it all up.

Unique problems – this was like the science fiction movies. There was no electricity, no food, no water, no service stations, no ATM machines, and no fast food stores. It was just incredible. About 50 of us rode the hurricane out. The rest of the ride-out crew, a couple hundred, was bussed north. But when they came back, there was no place for them to stay. We had no housing. For the first two or three days, we had people sleeping on floors, on air mattresses, things like that. We had very little showers. The hotels were severely damaged.

After about three days, we were able to secure 500 FEMA trailers. But then, when we started bringing the maintenance people back, the contractors were scattered to the wind.
There was no place for them to stay either. They had no food and no place to stay. So, we ended up renting a tent compound. That is probably the most expensive tent on the planet. We housed about 800 contractors. The tent included showers, laundry and food. We had about 150 diesel generators and we were feeding our own people for awhile – 300-400 per day and pretty soon we were feeding the whole community. So, we turned it over to a food service out of Houston. We were also bringing in water by the truckloads.

One of the big surprises we had was the demand for gasoline and fuel. We provided fuel to the police and fire departments and the hospitals and the state police and the perish police and the National Guard. Our utility company was out there trying to get power back to us, but they didn’t have any fuel for their trucks, so we also provided them with fuel as well.

We had 102 employees whose homes were uninhabitable, trees coming through the roofs. So, we provided loans, cash advances, and gasoline of course. We actually removed the trees off their homes and boarded up any breaches in the walls and so forth, and the continuing of their base pay was real important.

Lessons learned – our hurricane manual basically assumed we had enough food and all that set up; that when hurricane would come, we would shut down; and then we would have the ride-out crew there to start it back up. But, we really didn’t plan for a direct hit where we wouldn’t have any of these essential services. So, we are going to do a better job this year in getting the right people in the ride-out crew because if we have damage, we better have maintenance people there as well as operations people to start the plants up. We are going to prepare housing, food and shower facilities for our personnel, including our contractors. Pay plan – we had to bring a truck in with cash to give people. We have to do a better job on that. We are going to preplan the asbestos abasement companies prior to the hurricane.

It is a big decision to shut one of these refineries down and we rarely implement it. However, our key utility suppliers, once they get the word of a mandatory evacuation, they can shut their facility down in a couple hours and be gone. We still need them. So, we are working with them to house them during the hurricane so that they will stick with us a little longer. We used other employees to help us re-start from the other plants.

It is real important to coordinate with the local and state governments on the timing of the mandatory evacuations. I know they want to leave three to four days early, but sometimes that causes us problems. If we can get those ride-out crews in, and then to preplan for interim housing is real important.

Thank you.
Are you ready for the next hurricane? Is your instant command system well staffed, trained and operational? Has your unified command developed an instant action plan that addresses recovery and restoration of your maritime transportation system’s infrastructure? Have you established a port coordination team and is it spring-loaded to conduct a thorough damage assessment of your waterways and port facilities after the storm has passed? At this point in time, you should have already planned, trained and taken action.

So, why prepare? To protect life and property, minimize economic impact to business, it is required by law, per the National Contingency Plan, and it is the right thing to do. The best way to prepare for emergencies is to include all stakeholders in the planning process.

The 2005 hurricane season taught the emergency response community many valuable lessons. Although response agencies had their hurricane plan in place, all learned a few key points to be better prepared to meet the demands up the upcoming 2006 hurricane season. Some of these key points are: learn how to operate under the incident command system; form partnerships with key maritime stakeholders; and train and conduct detailed exercises.

What is the value of an incident command system? The incident command system is the response structure designed to facilitate rapid coordination and control of an incident. Using the incident command system has three major advantages: (1) the unified command provides mission clarity to response personnel. All agencies represented in the unified command have ownership of agreed-upon decisions. This encourages teamwork from the top down; (2) the incident command system provides precise communication standards which facilitates information flow. Individual agency jargon is eliminated, and this facilitates a common language among the response personnel, and this improves response efficiency; and (3) the organizational framework of the incident command system facilitates mission management, is extremely flexible, and has the ability to expand and contract to meet mission dynamic requirements. This enables rapid and clear inter-agency and stakeholder coordination.

Let’s take a look at the incident command structure. The ICS structure is pre-defined so when an emergency occurs, little time is spent determining how to manage a response. Instead, efforts are focused on incident mitigation.

What exactly is a unified command? It is a predefined structure designed to incorporate federal, state and local emergency response agency leadership to develop coordinated objectives for the response. The sizes and scope of the unified command depends on the severity of the incident.

Planning section – they are responsible for developing strategies and tactics to meet the unified command’s objectives. The outcome of their efforts is an incident action plan.

The operations section carries out the tactical mission assignments, and that is delivered to the incident action plan.
The logistics section acquires the resources required for the operations section to carry out their tactical assignments.

Finally, the finance section manages coordinating the financial needs of the entire response.

An example of how the incident command system can be flexible is the integration of pre-defined teams of subject matter experts. In the wake of Hurricane’s Katrina and Rita, the Coast Guard developed the maritime recovery and restoration task force to assist the incident commander with restoring the integrity of the maritime transportation system. This task force ensures the unified command is aware of and is focused on issues impacting recovery and restoration of the maritime transportation system. Task force personnel track and report to the incident commander the status of the maritime transportation system’s infrastructure recovery. They also identify and address restoration issues.
So, how should you prepare your agency to operate in the incident command? Ensure your personnel are ICS trained to the fullest extent possible. Publicly available free courses are available over the internet. Plan for the next event. Know your relevant stakeholders. We have been discussing this through the whole day. Meet with your stakeholders prior to the incident, and know how to contact them during an emergency. Regularly drill your incident action plan as realistically and economically feasible to your worst case scenarios. Drills and exercises will identify the shortfalls in your plans and these can be corrected prior to you facing the real situation. The results of these efforts is a turnkey response.

One of the lessons reinforced by Hurricanes Katrina and Rita is that you need to know the key stakeholders in your area before a critical incident occurs. One example of how to do this is the formation of a port coordination team comprised of key port stakeholders. Some examples of the key port stakeholders are Coast Guard, Army Corps of Engineers, NOAA, your port authorities, maritime law enforcement, navigation districts, industry towboat and deep draft vessel associations. These entities consolidate information from their respective groups and provide to the Captain of the port infrastructure needs and waterway status. All of this information assists the captain of the port with establishing shipping priorities, implementing port reopening protocols, and managing the flow of vessel movement.

What is the value of a port coordination team? Coast Guard Marine Safety at Port Arthur’s port coordination team sprung into action shortly after the passing of Hurricane Rita. Inland towing companies conducted intercoastal waterway surveys and reported their results to the captain of the port. Port authorities conducted damage assessment and reported their findings to the Coast Guard. Coast Guard vessel traffic center at Port Arthur broadcasted notices to mariners concerning the status of the waterways and monitored VHF channels. The Army Corps of Engineers and NOAA vessels conducted rapid but thorough side scan sonar surveys of Port Arthur’s waterways. Because of these plans and timely coordinated events, barge traffic was moving within two days after the passing of Hurricane Rita. Deep draft transits commenced within four days, and within three weeks, the waterway was open to full capacity.

In summary, let’s review some lessons learned from the 2005 hurricane season. Form partnerships and relationships with federal, state and local response agencies before the next incident occurs. Know the incident command system and train with your local stakeholders. Exercise your response plan, define your weaknesses and correct them before the next event occurs. Conduct exercises at least annually and to your worst case scenario. Most importantly, communicate with all your stakeholders before the next hurricane.

Okay – you’ve practiced – now what? Take action and respond. Execute your plan and improvise fully as necessary.

Thank you

Questions? -- No questions were posed to this panel.
Day-Two Morning Keynote Speaker

CAPT Steve Barnum
Commerce and Transportation NOAA

It is a pleasure to be here. My name is Captain Steve Barnum and I’m here today to represent NOAA. I’m also honored to address this audience as I recognize many professional associates and friends from across the country, many of whom were part of the first National Harbor Safety Committee that met almost eight years ago.

Much has changed since that time, but much remains the same. The daunting challenge and opportunity of trade increase that was looming over the horizon is now beginning to poke above it. We have an opportunity in front of us today to share ideas with others and to form new ideas, and partnerships to address this challenge and keep our nation competitive in the global market.

Which brings me to the title of my presentation, “Thinking Globally: Forging Partnerships for an Effective Marine Transportation Network”, a timely topic for this conference. I hope this provides the framework for the constructive discussion you will have today.

For my talk this morning, I will first look at the world today and discuss the challenges that are forecast for maritime transportation, share what NOAA brings to the table, and talk about the partnerships critical to address the challenge before us.

What do we know about the world today? It operates in a global market, in a just-in-time delivery model where days can make the difference for a company on profit or loss, where power plants and fuel depots may only maintain a few days’ supply of fuel, where parts and supplies are shipped from around the world to be assembled in the country of destination. Look at just about anything you buy today from Wal-Mart and Home Depot, chances are pretty good it didn’t come from here, but came from the global market.

I recently went to a luncheon at the American Association of Port Authorities (AAPA) and there were many of our usual friends and contacts, but there was one person there who represented a large trade association. He was the Vice President for International Trade. I asked him what interested him in this particular conference. He was very concerned about the global marine transportation system, and in particular, our own marine transportation system for the delivery of goods and that just-in-time model. He relayed to me a story about how garments produced overseas, if they don’t make it here within the two-week timeframe of when they are expected, they go from being on the top shelf rack at Nordstroms or another high-end retainer, to the discount rack. So, two weeks makes a big difference to retailers.

So, it is an acknowledgement of the importance of our industry. That importance, I think, lies hidden or veiled behind many people. They don’t understand what it does for our economy.
This creates an enormous dependency on our transportation network, and the need for this network to be deterministic, a network that you can count on like the train that was late for me this morning.

Because commerce, the U.S. economy, our global market share, it all depends on transportation to move products to the market because products that don’t move, don’t sell. So you can see we have a serious challenge ahead of us, and managing our ports and harbors in a safe, efficient and secure manner.

I know we are here to discuss the marine transportation system, but I would be remiss not to note that all sectors of the intermodal network must function well in order to have an efficient and effective transportation system. All sectors are interdependent and interrelated. International and coastal shipping, inland shipping, trucking, rail, pipeline, aviation and the associated intermodal connections which tie these systems together are all critical to the efficient functioning of our transportation network. This may not be something we often think about as Harbor Safety Committee members, but those of you involved in port operations are probably well aware of the choke points of the interchanges between the port and the railways, and on the truck congestion in that last mile between the highways and the marine terminal yards. I mention this now because I think that we must strengthen partnerships in the future to improve the safety and security of our marine transportation system. Our partnerships need to go well beyond the traditional and, by necessity, across modes to end up in a more robust, integrated system.

But, to get back to our focus on marine transportation, here are the benefits of that system. Without international shipping, half the world would freeze and the other half would starve. Containerships carry $15 billion of Chinese goods to Wal-Mart each year. Marine transportation, in general, moves about three quarters of the weight of all U.S. international freight. Maritime commerce generates 16 million jobs nationwide and contributes almost $80 billion to the gross domestic product. I can go on and on.

The MTS is a valuable part of our nation’s overall transportation system. It is a dynamic system of waterways, ports and intermodal connections – a lifeline for commerce, a key to economic development and a swift means for military mobilization. Add to this dependency the projected doubling of international trade by 2020. To put this in perspective, it would be equivalent to adding capacity each year of the Port of Oakland to our amount of trade that is brought into this country.

Everyone relies on the MTS for something – goods, recreation, employment, energy, etc., but again, it is hidden and runs silent in the background in the minds of the American public to include many of our public servants. It is as true today as it was eight years ago.

Future challenges – given our dependence on the global market, our day-to-day continuance of exports and imports is critical to industry and consumer quality and life well-being. High impact events such as hazmat spills, ship collisions and groundings and hurricanes provide a snapshot of the vulnerable state of our transportation network. We cannot ignore these, nor ignore the reasons learned from the prior events. But, when
looking into the future, it is important to consider normal operations as well as high-impact events such as hurricanes and tsunamis.

NOAA has deployed deep-sea buoys for the Pacific Tsunami Detection Network. Just last month, NOAA began deploying similar tsunami buoys for the Atlantic and Gulf of Mexico.

As I will describe later, Hurricane Katrina recently put NOAA to the test in all of our technical and human knowledge to re-open the Gulf Coast area for international commerce. We didn’t do that alone. We were one of many groups that worked together to come together to open the ports to commerce. But, to get an idea of the impact of these events on commerce, let me reiterate a bit of what Dr. Clayton from USDA said yesterday about the impact on agriculture.

With the Mississippi River now closed to traffic, grain from the Midwest cannot be shipped out to Africa and Europe. Chiquita Bananas had to re-route shipment of bananas and other fresh produce to other areas. Twenty-five percent comes through Gulf Port Mississippi. Half of the Folgers brand of coffee comes out of New Orleans. It sat in flooded warehouses instead of our coffee cups. We all know the impact on oil – offshore oil and gas transportation infrastructure in Port Fourchon including pipelines, processing facilities and tanker traffic were all shut in, causing severe spikes in gasoline prices. One trucking company, Yellow Roadway, lost a million dollars a day with no shipments coming in and out of New Orleans.

However, many of our ports, waterways and intermodal connections are approaching capacity. Pots and their associated intermodal systems can no longer build their way out of the problems. The U.S. intermodal freight system is now being operated in many areas near capacity limits. So, we need an effective planning system to address choke points and critical gateways to keep commerce flowing.

Future challenges – knowing that our transportation is currently nearing capacity in many areas means that addressing that issue is even more critical, given the projected growth of trade. I think we should consider this impending growth as much of a crisis that we need to prepare for as we do with hurricanes and the like. Because it is a crisis, if we can’t handle the trade coming to our shores, it is going to go somewhere else – Canada, Mexico. It probably will get to here eventually, but it will cost more in dollars, time, road congestion, and general frustration.
To graphically illustrate the anticipated increase in trade, here is a picture of the roadway segments in the United States. The green are showing the links of capacity that are under-capacity in the red, and over-capacity. So, I think you can see that many of these areas that we often drive and are familiar with can relate to be as being bad traffic.

Potential segments – potential congested segments for 2020 – you can see from the picture it is not going to look pretty and that is based on our population growth, and in particular, for the amount of trade. All you have to do is look at the highways and see the trucks and imagine that doubling to handle the amount of commerce that is coming into our ports.
Here again we see the indicators on the impending changes in trade. From 1999 to 2003, containership capacity calling at U.S. ports increased by 29%. Over two million metric tons of domestic international waterborne cargo move on our waterways each year. Ferry boats are carrying over a million passengers. The U.S. MTS hosts more than five million cruise ship passengers and is growing. And, the U.S. importing 3.5 billion barrels of oil each year to meet our energy demands. And finally, the ports again are gateways for rapid military deployment and economic security.

Containerships – the evolution of the container – I think we have all seen at the ports that they keep getting larger and larger. This slide shows them in perspective from the early 1960’s when it began in the 50’s to the sixth generation 1998, carrying 8,000 Twenty-Foot Equivalent Units (TEUs). So, you can see in this graphic the change in the relative size of these and the pressures they exert on our transportation infrastructure with under keel, air draft and maneuvering room. Again, much less the impact they may have on our road, rail and pipelines.

By growth in trade, I’m talking about an increase in quantity as well as the capacity of the ships that carry our goods and products. In an effort to continually trim costs and gain efficiencies from an economy-of-scale, we will see more and larger ships coming to our ports. The Port of Oakland recently received the Hanjin Dallas, an 8,000 TEU vessel. To accept this class of ship, the port invested over $800 million in dredging the port to 50 feet, and installing gantry cranes large enough to handle this class of vessel. This is a huge investment by any measure.
This concept is illustrated by the graphic that we need to squeeze every inch out of the existing system, where one foot of draft equals and extra $3.0 million in automobiles, or $100,000 in coal. In some cases, this doesn’t sound like much, but to shippers it could mean the difference between profit and loss.

**Future Challenges**

It isn’t just cargo ships that are increasing in size. We have also been seeing larger and larger cruise ships that are almost incomprehensible. That trend continues. The newest cruise ship slated for release in the fall of 2009 will have enough room to host 6,400 passengers. Even today’s cruise ships are challenged by our nation’s waterway infrastructure with regard to bridge clearances, much less the passenger egress and boarding. These vessels present tremendous opportunities but how do we handle their infrastructure needs? The displacement is almost equal to the Nimitz – a huge ship. I understand the second one is on the books to be built. So, there is two being built.

I know you heard yesterday from Chuck Raymond about securing the supply chain, enhancing security while protecting mobility are not mutually exclusive goals. Enhanced security will occur only through effective public/private partnerships.

NOAA supported the marine transportation system. NOAA provides many products that include the familiar nautical charts, hydrographic surveys, the spatial reference network which has now reached new light in the rebuilding of New Orleans and how high do we build or levies and our infrastructure. They are the basis for the FEMA maps. The water levels in ports, particularly that are used to bring our ships in with these tight clearance, these large ships and the tight clearance of under keel clearance, the marine weather shoreline data – it is what the mariner first sees when he arrives in our port, and our regional liaisons to the local community.

Again, this is another example of some of the products we provide: Surveys, charts, and marine forecasts. We also recognize that partnerships are critical in making our products workable or useful for the user. So, we know how critical that each one of these
capabilities are. This is just as important at the local level as it is at the regional and national levels.

Again, partnerships are the essential ingredients that are so critical to us to begin addressing the growth of our ports on a local, regional and national level. It encompasses everyone who has a stake in the port.

NOAA navigation services are faces in the field. This is to support our MTS. Our navigation managers, scientists, port coordinators that respond to a spill, and our geodetic advisors that support the spatial reference network, these are the people that you probably connect with on a frequent basis. These are the faces of NOAA. They have direct access to the leadership here in DC. They are the conduit for information on the pulse of our services in the field. It is this liaison capacity that enables NOAA to partner well.

Our hydrographic survey priorities are directly derived from our local relationships in the port. Through the liaisons that I mentioned earlier, to provide input to the national level where they are consolidated and put into the plan. These plans are usually available on the internet. You can drill down to it via NOAA.gov.

The navigation response team is a tool to address some of these priorities that I mentioned. In addition to our ships and our aircraft that do shoreline mapping, we have navigation response teams. Many of you are familiar with these navigation response teams. We had two in 2004 and we are up to six. These are the tools of the navigation managers. They work hand-in-hand to address the priorities of your port. We currently have six, and we estimate that eight will cover the country adequately. These NRTs are available to you after a hurricane or a maritime accident to quickly survey and help the Coast Guard and others determine that the waterways are clear. The NRTs were seen after Isabel, Dennis, and many other hurricanes as well as the ATHOS 1 incident and the Queen Isabella causeway accident.

The NRTs help make NOAA ensure its charts of an impacted area are correct and they help get commerce moving again safely. We work through our partners at the Corps of Engineers, the Coast Guard, and our private sector partners. The NRTs primary mission is that on a day-to-day basis, work with the navigation managers and our partners in our ports to make sure our products are as accurate as possible and to facilitate commerce.

To give you an example of that, I was in a port and arrived on the NOAA Ship Whiting and there was a dangerous wreck in the middle of the channel. We talked to the pilots about what we could do while we were there, and they said “you can help us get that wreck off the chart.” So, we deployed our assets and we surveyed that wreck. We didn’t find it. We took it off the chart and then in later discussions with the pilots, it turned out that particular item was almost a deal maker for a large container company to come into the port. So, the chart was a reflection of the viability of a business model of where a containership would do business in a port. So, that is an example of where a chart could have been a deal-maker. The NRTs and the navigation managers are there to work with you in the local ports to make sure our products are as accurate as possible.

We are one of many partners that respond for hazardous material response, planning for restoration, ecosystem monitoring.
We have good private sector partnerships that we work with for survey support. Our aerial imagery was put on Google-earth where folks could look at it and see if their home was there or not. They provided critical information for the response effort.

That brings me to the cabinet-level committee on the marine transportation system. You heard about the CMTS yesterday and the President’s Ocean Action Plan. NOAA is one of the four principal agencies amongst almost 17 others. It is important because this plan elevates what was previously known as the inter-agency committee on the marine transportation to a cabinet-level body. This particular body is just getting started and it is an opportunity for us at a national level to gain the attention that the MTS needs to address the issues for the year 2020. So, we have the efforts both at the national level and most importantly at the local level. The two have to go hand-in-hand for them to succeed.

Looking towards the future, the name of the game is commerce. As I said earlier, the marine transportation system is a huge contributor to the U.S. global market share. Safety first, but efficiency follows closely behind. These are the two key words that I know are in your vocabulary. So, as you come to the table to focus on safety and efficiency in your particular port, think about the partnerships you need now and in the future. Think beyond the emergency response to preparedness. Think beyond natural disasters to preparing for the coming storm of containers and cruise ships. Think about the challenges you are trying to resolve and know we are all facing the same challenges. Consider what you bring, your expertise, and seek out the expertise you need from your peers. I believe it is in groups such as this – the Harbor Safety Committees – coming together to solve problems where we will find the answers.

Thank you.

Questions

Given the importance of NOAA’s response post hurricane, do you think this will be reflected in ’07 funding and that Congress has gotten the hint about the importance of the NOAA function?

I think not just NOAA but other partners in the MTS that include the Corps and Coast Guard and others that support the MTS would like to think optimistically that it will be reflected in the ’07 budget. But in the current climate of deficit reductions, I’m not optimistic. That’s not a good message, but that is my personal view.
Hydrographic Observations
in Support of Navigation Safety

Ms. Helen Brohl
U.S. Great Lakes Shipping Association

I’m so glad the conference organizers agreed to include a panel discussion on observing systems. At first blush, observing systems, especially when we talk about them under an integrated ocean observing system, sounds very “Jacque Cousteau-ish.” It certainly does mean ocean and oceanographic research as well as global observations. But, on a very local level and regional level, it has to do with real-time observations that are extremely important to the mariner day-to-day.

CAPT Barnum did have a great discussion and I think we are a perfect segway to talk about specifically the observing programs that are meaningful to us. He talked about the importance of trade. Trade is not just quoting numbers on imports and exports. Trade is the actual movement of a product from one place to another – Point A to Point B and to do that efficiently and safely and economically.

It makes sense then that we would hope the federal government, and perhaps even Congress, would have an interest in supporting operational components that support a safe maritime commerce system. Having come from actively working with the Marine Navigation Safety Coalition, which was organized about 15 years ago to specifically get funding for charting and mapping components, I learned that if you don’t have an up-to-date chart, it is as if a channel was never dredged. As it has evolved, funding improved on the charting and mapping components, and we have seen a strong growth of the real-time observation systems and their importance.

I’ve been very lucky to get support in the Great Lakes for improving our water level gauge system. We have 52 gauges in the Great Lakes. They are all essentially real-time. They are updated every seven minutes, and they are available on-line. Our pilots and captains actively access that information by cell phone in the pilot house. It has been a growing trend by laptop in the pilot house. So, it was a surprise that a couple of years ago I had a member of a Congressional staff call and say to me, “gee, you want funding for this ongoing real-time system in the Great Lakes, but what about the Great Lakes Observing System.” I said “what do you mean? We have a Great Lakes observing system with NOAA.” He said, “No, it’s the Great Lakes Observing System.” Honestly, I had no idea what they were talking about. It turned out this was a program related to the Integrated Ocean Observing System (IOOS) program. Then my research took me to the Great Lakes Commission, and I found out that they were organizing a regional association. Dr. Altalo will explain what those are.

That led me to then find out there was an IOOS program. When we all read the Ocean Action Plan, which was discussed yesterday morning and the maritime components as well as the fact that they wanted to elevate the CMTS to cabinet level, we all looked at those components that we thought were meaningful to us. But, if you were like me, you didn’t pay enough attention to the global observing system components and what those meant to maritime. Under the global observing system components is the integrated...
ocean observing system. If you break down the ocean observing system, you will find that there are seven societal goals, one of which is to support the marine transportation system. We have observing systems. We all share them. Sounds like a great idea. When I did a little more homework, it seemed to me that the observing systems that were underway did have a very strong emphasis on the research components.

The Marine National Safety Coalition subsequently met with Dr. Richard Spinrad who, at the time, was the Associate Administrator for NOAA for National Ocean Service, and was actively engaged in this program. That led us to ocean.US. Now, I have to confess that when I first heard about IOOS, I thought “oh boy, more people in the kitchen. We are all going to be poking elbows at each other to get a limited funding.” When you’re talking IOOS money to have a full observing system that meets every stakeholder’s needs, you’re talking billions and billions of dollars.

Then, at second blush, I realized that it was an attempt to combine all the federal organizations to come up with one kind of strategic plan for observing systems. Isn’t that a little bit like what we are trying to do with the CMTS, and they have had a couple of years under their belt. So, I know we will be looking to see how they are going to coordinate something as disparate, as very different data collection routines and strategies from different federal agencies. To some extent, we are going to try to do the same thing – take different policies, different organizations, different agencies with different cultures, different funding mechanisms, different line items and try to merge them to come up with one single vision.

So, I hope you appreciate this observing system program today because I think it directly applies both in a broad scope and on a day-to-day basis.

Our first speaker is Dr. Mary Altalo, Director of Ocean.US.

Our second speaker is Dave Zilkoski. Dave is currently the Director for the Office of Geodetic Survey under NOAA. Also, Dave is now currently the NOAA coordinator for the Integrated Ocean Observing System (IOOS).

Our last speaker is CAPT Allen Thompson, Jr. He is the Executive Director of the Tampa Bay Pilots Association. He serves as the first point of contact for professional pilotage issues regarding safety, security, provides the oversight for the association projects.

Dr. Mary Altalo
Ocean.US

Good morning ladies and gentlemen. Thank you very much for the opportunity to address you today. I think this is a real privilege, and to be able to share with you some of the visions that we have for the integrated ocean observing system of the United States, as well as how it fits into the integrated observing system or the global ocean observing system.

Let me tell you a little bit about our background. In essence, in 1998, the National Ocean Leadership Council was charged by Congress to establish an integrated ocean observing system (IOOS). The purpose was to provide data and information required for the more
rapid detection and the timely prediction of ocean and coastal state changes for better management decisions. This also includes the Great Lakes. The second is to integrate the ocean and coastal observing system assets in the United States into IOOS. That is integrate the existing assets into one program, and focus these assets on the seven societal questions. A vehicle is to use public/private partnerships. All the way through, our organizations have been trying to use this particular method for assembling the observing system.

In order to do this, the national office for the Integrated and Sustained Ocean Observations was created. Ocean.US is a federal inter-agency office. In essence, I have ten bosses from various agencies. The office has two major goals or thrusts: to develop the plan in the national capacity for this ocean observing system to meet the research and operational needs in the seven societal areas which I’ll show you later, and to serve as the national focal point for relating the U.S. observing system to the global ocean observing system which is the ocean component of what is the global earth observing system (GEOS).

The seven societal goals are extremely important. Because we were mandated by Congress to serve the information to these users, our particular product and services is the information for predicting climate change and its effects, for mitigating natural hazards, to improve maritime operations, to reduce public health risks, to protect and restore coastal ecosystems, and to enable the sustained use of coastal and ocean resources. Therefore, our meter for success is not how well the technology performs. Our meter for success is the beta test of that information from the technology – that is, how well does this information actually perform in the situation. We are trying to provide the research through the applications and we do this through research to operations.

So, the challenge for us is to integrate the existing national assets into a system of systems. From a design point of view, this is a much more difficult approach. We are designing from scratch. When one has a clean slate, one would optimize the configuration of all the buoys and the sensors and the satellites, etc. to optimize it towards the users’ needs. We don’t have that luxury. So, it is a system of systems approaches which means that we have to make all of the data from all the data streams, from all of the federal agencies who already have observing systems tailored to meet their own missions, interoperable. We had to have standards and protocol that all the agencies, private sector, and state components are going to adhere to. You have to integrate these data streams and then try to fill the gaps based on the regional needs. That is where the regional enhancements that Helen talked about. Regional associations are actually trying to determine the regional needs and to try to fill those infrastructure gaps.

The system has to remain state-of-the-art, which means that it should be always evolving. It is absolutely critical that when we deploy and implement it, that we constantly have “on-ramps” for new technology, new understanding, new models, etc. This system should be constantly in the cutting-edge. It also has to always stream through the users; this includes education, workforce training program, outreach program, as well as integrate seamlessly with the global earth observing system of systems.

IOOS has a global component that is these are the global assets in our system, which help provide information to the United States on the climate and the large scale basin scale
interactions states, such as things like El Niño Southern Oscillation (ENSO). So, we integrate the large scale or the basin scale with the coastal component. IOOS has a coastal component.

It has 11 regional associations.

So, we have a regional system which is a national backbone whereby particular sensors, systems, data streams, and models are operated by the federal government. The system includes the Exclusive Economic Zone (EEZ) and the Great Lakes, and they have networks as well as standards and protocols. They are streamed product, usually web-based. The regional associations oversee the development of the enhanced observing system and how it meets their needs. They are the gateway to the seven societal areas of the users. We urge you strongly to interact with each one of these regions.

It provides common data for research and decision-makers; many of these are very familiar to you. We have the buoys, the seaman stations, the port systems, the near-sights and various types of the Environmental Protection Agency (EPA) water monitoring program. What do these all measure? There are a number of physical, chemical, biological, and multidisciplinary values which they measure. The sea surface winds, surface waves, surface currents, sea levels, stream flows, temperature, salinity, ice distributions, bathymetry are extremely important for any kind of navigation.

What are the regional enhancements for regional needs, and what do they look like? I’m going to go around the coast very briefly and talk about the 11 regional associations and what their observing system looks like.
The Alaska region has multiple systems from a number of different types of buoys and systems. The biggest part here is what is the data used for? For Alaska, the information is often used for Coast Guard search and rescue areas. So, the Alaska observing system is very much focused on search and rescue. In order to do this, they do regional ocean modeling which is hierarchal type of modeling. It also places emphasis on ice impact and ice forecasts in this area, which is particularly important for changing of passages due to ice retreat.

Alaska Region

The Pacific Northwest. There are many systems in this region and each is a different program, very often from a very different agency. They are superimposed on each other and their integration is necessary.

Northwest Pacific Region
The Southwest Pacific Region, also has a diversity of programs that are in bold. But, they are also being used right now. One of the products and services out of that particular regional association has to do with working with the health agencies to promote one of those societal goals. They are actually using that information, streaming it and turning into decision support tools for water quality managers in the beaches. They actually have regular monthly, weekly updates between the beach managers, the health departments, and the observing system to be able to optimize the information. But, they are actually going into screen shots on a decision-makers desk, which is where you want the information.

The Southwest Pacific Region

Southwest Pacific Region

The Hawaii region, again, a diverse observing system, but the Hawaii Regional Association is a little bit bigger than that. It also has all of the territories of the U.S. so it looks like the Hawaii Regional Association is localized, but it is really not. In their particular area, one of the biggest concerns is coastal inundation and the water level signature. So, they have optimized the observing system product to actually encompass some of the water level predictions, to mitigate hazards, and to preserve some of their coastal and ecosystem resources. So, the waves and water level is a major product out of that which include now-casts, forecasts, as well as hind-casts.

The Hawaii region

Hawaii Region
The Western Gulf of Mexico, it too is very diverse. For example, USGS has most of the stream gauges on land. You will see the little diamonds. That is part of the observing system. We go through the watershed. If you want to know water quality, you better go to the heads of the river. So, watershed, all the way out through the littoral zone, and into the basin scale. So, it doesn’t stop at the coastline. Again, these are the kinds of things.

Now, this is a very interesting thing. A few days ago I was at the Minerals Management Service program, and we were looking at how the lessees have actually been able to improve the observing system information on their particular platforms. The Western Gulf of Mexico ADCP has a lot of data on platforms. This platform information is now being collected by the oil companies. It is going in partnership with the NOAA national data buoy center and being distributed from these platforms in real-time to the national data buoy center where it is distributed and we get various types of currents and these are vertical profiles of currents. It can create stick plots, for example, of currents, down to about 1,000 to 2,000 meters. This is extremely important for platform operations and navigation around these areas.
Eastern Gulf of Mexico – again, a very diverse group, but one of their emphases in addition to ports and harbors is also red tides. This information is being combined with some of the health authorities and NOAA has a program down there as well to actually look at the prediction of red tides, stream this information directly to the decision-maker. The decision-maker then disburses a public information announcement so that they can inform action decisions to safe health and human safety.

The Mid-Atlantic and Southeast Region – again, a particularly high traffic area. It has an amalgamation of various types of sponsors of various observing systems. The types of Mid-Atlantic Regional Association, sub-regional components, combine a whole suite of different observing systems, from everything from the universities to the government to the municipalities to the private sector, which are providing weather, climate, ocean information and ecosystem information into the grid.
Everyone is encouraged to contribute their observing system information to the integrated ocean observing system, having to follow certain standards and protocol for open access and of various types of measurement procedures. This is the rationale behind this program, and this is what is going to make it successful.

It is a challenge to be able to do these kinds of things. In the Northeast Region, the Gulf of Maine Ocean Observing System (GoMOOS) program, for example, streaming some of the real-time data and the NOAA integration of this, is extremely important for this.

Northeast Atlantic Region
The Great Lakes region, this is a tremendously diverse region. A lot of the water level monitoring networks, which are so critical here, are very important. This is one of the gateways for domestic and international commerce. We want to focus on this as a way to do international business – how to fit in with other countries so we can optimize the sampling procedures. I think they have done a tremendous job in getting these international agreements signed, and the commissions work well.

Great Lakes Region

So your opportunity is to put your issues into the design of the system to make sure that your voice is heard, your needs requirements. Document your requirements and concepts of operation is what we are doing now for each one of the societal goals on a regional scale. It is a huge job, but it is extremely important.

The second thing is partnering – urging you to partner with the regional associations in your area. Each one of these is a group of very dedicated people that are trying to pull together this and trying to make sure that if there are information needs that you need, you will get them.

Also, one voice for these enhancements is important. One of the things everyone knows in Washington is that everyone has to speak with one voice. It is extremely important and I think we are all in this game together. We want to see these observations. We want the real-time. We want the forecasts on a continuity basis. It is a model for the global way of doing business.

I appreciate your time and thank you very much.
Good morning and thank you for having me here. We won’t give a geodesy 101 today, but most of the people in the room probably have a better perspective of geodesy than many of my other groups that I come and talk to about IOOS, the integrated ocean observing system.

Geodesy and IOOS are about partnerships. The theme of partnerships to improve safety in the marine transportation system is really what IOOS is about. So, I’m going to describe a little bit about IOOS, NOAA, and navigation.

You heard from Steve this morning talking about commerce and transportation and that is the goal inside NOAA. I’ll show you some examples of how IOOS is working. You heard from Mary just a minute ago talking about how it got started, the IOOS and what her role is in the process, and the regional associations.

IOOS – Integrated Ocean Observing System. The “I” is integration. So, I’m going to be talking and saying over again and again integration and interoperability and that is the focus that we really want to try to get.

Why are we doing IOOS? There is a reason. Inside NOAA, we have many ocean observing systems that are done for the navigation community. The IOOS is trying to improve the process, partner with people, and end up with a product that is better than what any one individual could do. That is getting 10 federal agencies in the same room to agree on a common vision of where they want to go without disrupting their mission of what they have to do. That is primary, and it isn’t easy. But, you have to look at the benefit? What are we going to do? Safe and efficient navigation is very interesting to you, but when it goes down public health, natural hazards, and ecological forecasting become very difficult to manage. All of these things interrelate, and that is the challenge. For IOOS, getting to any one group that has a specific need or interest, and then convincing them that if we could just make their data interoperable that is the better of IOOS.

It has been mentioned that it started out as research. It still is research in IOOS. It was gathering and taking existing observing systems and making them better. So, it takes groups of people that have observing systems that meeting their needs, but they are old technology. There must be a better way of doing this. There must be a more efficient way of doing this. It is about getting people together to develop the next generations of these.

Tide gates – next generation of not only real-time but improve the technology to get the accuracy better, make it easier. Underwater vehicles – being able to really obtain better information, better depths, better knowledge about what is around you from the standpoint of navigation. You need this information. But, from a biological standpoint, they really want to know what chemicals are in the water, the make-up. So, we are trying to bring them together. Ports, we have already seen how it works for ports, and it is near and dear to everybody’s heart here.
Eighth Annual National HSC Conference Report

Hydro Observation

New technologies such as Light Detection and Ranging (LIDAR) – taking data that you are able to get faster and better and sometimes in the beginning it is not cheaper. In the end, it may not be cheaper, but if your end product is better and usable by more people than the end output is better and, in that sense, cheaper. So, you have to think a little bit different.

Water level program – this is something you are all very knowledgeable about. Steve talked about it. But, I want to emphasize that this is just one program. In IOOS, my job is to go and look at all of these programs and determine the specific function of each program. In general, the water level program assists:

- Marine Transportation
- Nautical Charting and Shoreline Mapping
- Recreational Boating
- Hazardous Material Response
- Storm Surge and Coastal Flooding
- Tidal Datums and Sea Level Determination

In this case, you can see the listing you are very well familiar with. This is what the N1 program does. I’m not changing any one of my program’s missions. Their mission is still to do certain things. So, we have to understand where those missions go and trying to get to the programs and get them to understand how we can make things integrated and interoperable. Then we need to answer the question why do we need to do that?

We looked at making the following enhancements in 2005:

- USGS water level stations in Chesapeake Bay to NOAA standards
- USCOE water level stations in Gulf to NOAA standards
- National Estuarine Research Reserve Station to NOAA water level standards in Wells, Maine
- Florida Dept. of Environmental Protection (FDEP) water level stations to NOAA standards
- 12 COMPS (U. So. FL) water level stations to NOAA standard

There are a lot of people that do water levels – not just NOAA. Some of them do it to a different standard. Some of them do it to follow the same protocol that we do, and they are not used by everybody. So, if you look at the list of upgrades, you talk about to the USGS, the Corps of Engineers, the Florida Department of Environmental Protection, and the university. All it took was getting them and saying, “with a little bit more, you will be able to upgrade your system such that other people will be able to use them because the quality will be a little bit better.”

That is what IOOS is about. IOOS is that little bit to say “now that I add this little bit, I truly have more.” The first task of this is not really worrying about integrating it into products. It is just making it interoperable. Getting out there. Being part of what you
have – just making it available to people so that they are able to use it in any way that they want to.

Some of our integrative projects are for the National Data Buoy Center (NDBC) – putting data out. This is an IOOS data assembly center. It is just taking the data, doing some minor little bit of quality assurance and quality control on it, and then getting it back out. So, if somebody wanted data, they can go and get the data. Or if someone wanted water level data, they are able to go out and get it. Right now the focus is in just getting data back out – interoperability. To get it out there, everybody has to agree on certain standards and protocols. You don’t have to change your own way of doing business in some of these cases. You can put that data as-is, as long as you have some information about how good that information is and where you’re going to use it.

Other activities that we’re looking at is the high frequency radar. A lot of people are starting to use this, but are there standard protocols? Are there standard ways of doing this? Is there one system collecting it? How do we disseminate it? What are the formats? How do you quality control it? All of these issues are things that are part of IOOS and the integration aspect of it.

Ocean observing system Data Management and Communications (DMAC) – I mentioned this several times. Interoperability plans. Inside NOAA we have 31 systems that have been identified as saying they are part of the IOOS – the ocean observing systems. That means that each one of those systems we are going to look at and say, “how can we make your data interoperable.” So, they are all going to develop a plan of saying “this is what I need because it is going to take some resources.” So, we have to determine how do we do that. It is not a difficult task, but it does take time and some thought. Part of that is about each one of those programs getting a better understanding of IOOS. As they make their data available, they are going to have more people contacting them. They are going to get a better idea of how people are using the data, and that will change the way we do business. That will change how things happen, and we’ll be able to benefit from our partners.

Community modeling pilot project is trying to be able to get other people’s data into our models and getting our models into other people’s data. We have a pilot project dealing with the search and rescue. They use a lot of our models now, but it takes more time than it should. So, part of this community modeling project is about being able to identify the certain standards and protocols, and unstructured grid designs.
Here is some future applications that we are working on that will pertain to some in the navigation community. It links biological with the physical such as marine mammals. One can model whale patterns; people do this. You know where they are going and when they are going; when they are in a shipping lane; and so forth.

You can also collect the data in real-time – fly over the area, take some pictures, pass it on down. What is the point of doing it? Linking that with navigation – where are you going and when you are going. If you can match when you think these mammals are going to be in your area, then you can change some of your routes with minimum disruption. It is going to be a little bit inconvenient to you, but it is better than the alternative of hurting the whales or moving at the last moment to change. You can plan better, but, there are two separate and distinct sets of information. They are linked through positioning information, time, and so forth. You can model those things and bring them together.

Don’t make it difficult; this was a NOAA/Navy demonstration project, but you can make it simpler. Once again, interoperability and integration of systems into the process are important to be able to plan. Determining the best and logical way of going from point A to point B is the goal. That is a prediction of their movements, but then you have to look at the near real-time data and determine what the right whales doing or where they are. There could be a time when someone flies over the area, send back information over the system, and in real-time you obtain that data in your screen. It could then show exactly where the whales are. That is the future of IOOS.

We have 31 observing systems. So, inside NOAA, I have to deal with 31 individual program managers. I have to talk to them about their programs. I have to understand their programs. I have to get them to figure out the interoperability plans and get them to think about something other than their mission. I have to get them to think about how their mission can be done a little bit better with someone else, or what their data can do to help somebody else. This is a formidable task, but inside NOAA, they are doing a lot more and to push this and make this happen and get people to talk. There is a lot of time discussing and coordinating with different programs, personalities, and offices.
Architecture – this is very important. NOAA is really reaching out and spending a lot of time focusing on how do we bring all this data together? It is not just IOOS, they have something called Integrated Surface Observing System (ISOS) and they also have something called the Integrated Upper-air Observing Systems (IUOS). So, we have all these observing systems that we need to integrate. There will be some surface observing systems that are common with the ocean observing systems, and we have to make sure we can link them together. So, we are spending a lot of time doing that inside NOAA, making sure we are following the same standards and protocols and working through the issues.

This is an example of the data assembly center that would be able to get the data in and out and how NDBC is doing a little bit of quality control. But, it is growing. You can see back some years, in the beginning of it, it was down – we had 20-30-40 systems in there and now we are up to 400 systems coming in and out.

Because we have standard protocols, standard data formats, we are able to get it in and back out to the people – which is very, very important. We are building on this and making it better, and we are seeing people that are saying “now I can get that data.” They are going to create a different product from that data. We didn’t do much other than create the server, develop the standards to protocols, and now people get their data. As we get it established, more and more people are using it.

Modeling analysis is an important aspect of this. Once again, this is where the research came in. Researchers are very critical to trying to modify new observations and techniques. But, they are also critical for looking at where observations are needed. So, in a modeling analysis, very important is observing systems simulations experiments (OSSEs), to determine how well observations can be made. More important, where and how many are observations are needed.
This is an example of one that we talked about with dealing with what NASA did where they were looking at the path of a hurricane – prediction is very important obviously. They were using LIDAR wind profile data and trying to incorporate it into the model. So, they were seeing without the LIDAR information, with the LIDAR information, and then plotted against the path of the hurricane. This is useful for determining where they need to help support the observations or not.

We need to look at doing more of those kinds of things for the navigation sector.

Helen mentioned being engaged with your regional associations. I would encourage everybody to find out about your regional associations, contact them, let them know you are part of the region and that you are a part of one of these societal goals in terms of improved safety and efficiency. But, you are one. You heard from commerce and transportation. So, you’re being heard in many different avenues. You need to get out there and get in there and state your needs and requirements. Then we have to figure out a way of being able to understand those requirements, translate those requirements into the number of observations we need, as well as the priorities that we have. So, you need to get in there and be heard; that is very important.

Thank you.
CAPT Allen L. Thompson, Jr.
(USCG ret.) Tampa Bay Pilots Association

The tone has been set that vessels are getting larger; they are drawing more water; they are pushing the channel depth limits; they are trying to derive the benefits from the last inch of cargo; and yes, they are on a just-in-time schedule.

As I looked around and listened to all the various presentations, today I will try to tell you how we use operational oceanographic information to support and enhance safe navigation in marine resource management.

At Tampa Bay Port, our physical ocean real-time system (PORTS) was developed by the National Ocean Scientists in cooperation with our Greater Tampa Bay Marine Advisory Council. This was the organization that set the tone for the development of our harbor safety conference in Tampa. It was deployed during 1990 - 1991; this was a really good operations port for NOAA and the center of operation of ocean products.

There is a very strong, local maritime interest and support; this is very important. When you look at Tampa Bay PORTS, the board of directors have members from the maritime community. The Chief Operating Officer is the Director of Operations for Tampa Port Authority. So, you have a key interest throughout for ports support in the maritime community. Our PORTS provide public information acquisition and the simulation technology.

Why is PORTS so important to Tampa Bay? I think first and foremost, I will set the tone with a challenge on Tampa Bay. This is the largest and most difficult piloting domain in Florida. Forty-two miles from the sea buoy, 9 separate ports with 90 miles of pilotage water. It is a very shallow and extensive bay with limited lines for error. You would be surprised about 30-40% of the year is listed as having violent squaws and thunderstorms, and create extreme restrictive visibility. This is significant because we’re talking about navigating a 41-mile area, and pilots having 4-5 hours of bridge time. There are no anchorage areas for deep draft vessels. Once the pilots are into the system coming into Tampa Bay, they are in the system. You have tide restrictions on several berths, current restrictions at certain channels, and then you are exposed to various wind conditions and channel shoaling.

PORTS provide what we call the operational oceanographic information in real-time. Wind currents, water levels are updated roughly every six minutes.

Taking that and the significant investment we made in our portable piloting system, which is state-of-the-art, the Tampa Bay pilots have been using our portable pilot units since 1998. In the fall of 2005, an investment of roughly a quarter-million dollars to upgrade that system was made. When we take that system and tie it in with information we are receiving from PORTS, you have significant increased situation awareness. The pilots now have a clear picture of the potential dangers along Tampa Bay.

But, probably the most important thing is that PORTS, to the Tampa Bay pilots and also to the mariners, functions as an additional tool to enhance safe navigation. I think everyone is fairly familiar that the astronomical tides can be overcome by wind and other
factors, so having real-time information is extremely valuable. Also, it increases cargo throughput. It gives the pilots, as well as the terminal operators and the vessel operators, an opportunity to lower over the tides safely, while also assisting in preventing hull damage when actual water levels fall below projections. Most importantly, it reflects the changing conditions on Tampa Bay. It also allows for the efficient movement of vessels in and out of port without having to wait, where one vessel might miss the tide and be out at anchorage for another day or two.

It will assist in detecting weather phenomenon. Roughly in the fall or December, 2004, a significant front came through. We had sustained winds at the Sunshine Skyway Bridge of greater than 50 knots, gusting to 65. We had roughly four vessels in the pipeline transiting and we did not have real good information on that. After the incident, we had several meetings with the National Weather Service, and we put three more monitors in the inner harbor that hopefully will help us detect fronts that might come through in that particular manner.

One of the things that the National Weather Service pointed out -- that we are working on now, and is the next step on the horizon -- is that we are looking to put some weather boxes. These are unique boxes for data collection for weather, onboard some of our frequent callers. These are the vessels that go between the Gulf into Tampa Bay. The National Weather Service informed us that they did not have adequate or sufficient data points so they can give us warnings of some of the storm fronts that are coming through the Gulf. It was interesting that they indicated at one point that they got a lot of these data points from military vessels. But, now military vessels do not want to identify their whereabouts, because of security, some there are some data points that are a little more limited.

Another thing that PORTS have assisted us with is that it gives a more precise definition of what some of the operating parameters are, especially for cruise vessels. The cruise ships are getting larger. They are coming between a very tight and constricted channel. They have a significant amount of sail area, and PORTS helps us define some of the operating parameters that really help the captain of the port define the protocols for those vessels coming into port. I think probably one of the unique values of PORTS and the reliability of the port is that it is used by all of the pilots, and that is a significant tool.

We also believe from the Harbor Safety and Security Committee that PORTS are one of our unique partners. I think when we talk about the membership on the board of directors, and also the connection between those members at the Harbor Safety Committee, you can see why we believe it is partners for success. The Harbor Safety Committee out of Tampa sponsored the first report of its kind on the economic assessment of benefits derived from the Tampa Bay ports. Dr. Kite-Powell from the Woodhole Oceanographic Institute did that report. That report is available and published by NOAA, and came out in July, 2005.

What were some of the sources of economic benefits? Well, greater draft allowances and increased cargo capacity; reduced transit delays – when you have vessels waiting to make that four and a half-hour transit and they are constricted by the tide, a delay could be extremely costly; reduced risk of grounding; and enhanced preparations for Tampa Bay and our planning and analysis.
Dr. Kite-Powell in his study also indicated that the Tampa Bay economy receives more than $7.0 million a year in savings in direct income from operation at ports.

Is PORTS extremely important to us? Yes because we think PORTS is a direct contributor for safe passage throughout Tampa Bay. Roughly through this particular area, we see 55 million tons a year, 50% of all the seaborne commerce that passes through the state of Florida, 50% of Florida’s fuel supply. I always laugh about the 50% fuel supply because Port Everglades also indicates that they generally have 50% of Florida fuel supply. We know that Jacksonville has roughly about 5.5 – 6%. What it normally boils down to is the Port Everglades have about 47%; Tampa has about 47%. So, we both claim 50% of Florida fuel supply. $5.7 billion gallons of petroleum products; 50% of Florida hazardous chemicals; and we still are growing, maturing our cruise ship passengers – only about 800,000 cruise ship passengers a year.

The neat thing about it – I know that CAPT Barnum in his presentation this morning put a graph up that showed where Oakland invested a significant amount of money for one foot of draft. Well, I had a conversation with one of our frequent callers, tank vessel and I will not name the name of the tank vessel, but I asked him, what would one foot of draft increase do from the standpoint of economic benefit. He indicated that with a tons per inch (TPI) emersion of 120, one foot of draft equals about 1,500 more tons of cargo; which equates to about 420,000 gallons of gasoline. If you take $3.00 of current market value, that is roughly $1.2 million per transit for every foot that he can get an increase in draft. One can take it a little bit further; depending on the holding capacity of stowage tanks, it might mean that a vessel could make two less transits a year. When you think of that, from a vessel transit and operation standpoint, it is 6-7 days of transit and about $28,000 - $30,000 in operation cost. You can see very quickly how those benefits add up. So yes, PORTS, really is a unique tool for the Tampa Bay pilots and for the Tampa Bay mariners, and has definitely helped and assisted to derive safe passage throughout Tampa Bay.

Questions and comments

Question – We’ve had PORTS demonstration project that came almost a decade ago into San Francisco Bay, and we have a number of the challenges just like Tampa Bay. Plus, we have our run-offs. The challenge to San Francisco is that we have many user groups. We have seven ports, 20 oil terminals, a commuter ferry system, academia, and we have 20,000 recreational boaters around the Bay area. The Bay area has seven million people around it. Everybody says it is a great system, but it was almost turned off. It was difficult to sustain it. While NOAA puts in a demonstration project, then it is left up to the state and local to come up with the funds to sustain it. That has been the difficulty and the challenge. I would also put out that the challenge of producing data. Could you provide a demonstration of how we are locally able to come up with the funding? I would love to see a partnership between federal funding and state funding for ongoing maintenance of ports. So, my question is two-fold – could there be a federal funding for ongoing maintenance of port system in partnership with state
funding, and secondly, could you give us a demonstration of how others are able to sustain this – both the governance structure and the funding?

Response – Mr. Zilkoski – I’ll take the first part and then I’ll let Allen take the second part about that. NOAA through the National Ocean Service (NOS) has a port manager. So, this is something they are always striving to work between the feds and the states. It is a partnership program that was established that way. So, it is something we are still investigating and trying to determine the best way of getting the matching operations and maintenance funds needed to operate it. It is something we will take back to the ports manager and see if we can come up with ways of working with the state. I don’t know in the past. Mike Zabados, who is head of Center of Operations for Oceanographic Products and Services (COOPS), might be able to add more information. I’m not sure what has worked and what hasn’t worked in the past. We are always continuing trying to improve that partnership to get the states and the locals involved with it.

Response – Mr. Zabados – Let me add a few words to that. Overall, NOAA has a partnership program with the ports. The program is authorized for federal funding of the operation maintenance, but it has not been appropriated. So, the model is to continue to have a partnership program for the operation of ports.

Response – CAPT Thompson – I will add in Tampa Bay, we did have some significant challenges for providing funding. Hillsboro County provides substantial funding for ports, and the Tampa Bay pilots along with other maritime entities also contribute annually to the operation of PORTS. It is very important that once you realize the value of it, that you want to maintain it and keep it going. At sometime maritime entities must step up to the plate and contribute if the federal government is not going to fund that activity.

Response – Ms. Altalo – You hit the key point. I think that long-term financial investment strategies need to be put together. All partners, even potential partners, should be at the table at the very beginning of the integrated ocean observing system including the long-term sustainability of systems of systems. For example, if there is a pilot study or a demonstration project being proposed with a high probability of success, then all of the potential partners (the states, municipalities, the private sector, and any other types) should be at the table in the very beginning such that there is a transition procedure in place. In the architecture of IOOS, we are trying to pull together those procedures for transitioning from one source of funding to get it sustained, from basic research to pre-operational as well as the operational. It may take multiple partners to do that, but you really do have to put together a long-term financial investment strategy.

Response – Ms. Brohl – If I could add one more word because this is one of those issues that really gets to me through the Marine Navigation Safety Coalition, and that is the lack of funding for operations and maintenance of PORTS. NOAA calls it a partnership program, but technically oversees it and you pay. That is their version of a partnership program. Unfortunately, we had to go to Capitol Hill and they say it is a partnership program. I do not think it is. They boss, and we pay. Despite the fact that there has been a lot of work to get full operations and maintenance funding for PORTS as well as increase the number of PORTS sites around the country, we have been blown off by Congress. Last year, in the ’06 budget cycle, a number of members of Congress sent letters to appropriations specifically supporting full-funding for PORTS. They were
ignored. We’ve done briefings; we do our best. In the end, not only did we get no more funding, but the ports program was cut in half— from $3.0 million to $1.5 million, which is supposed to pay for all the administration of the PORTS as well as when you go on line and want to look up the port’s site that you can get that information—that it remains integrated.

One of the things we have done to try to improve this is work with the regional associations. They have a federation of regional associations. Early on they were smart enough to create a trade association so they could become self-sustaining. Perhaps that is something we need to think about out there—some kind of a trade association for ports operators. The Federation of Regional Associations joined with the Marine National Safety Coalition to sign a joint resolution in support of PORTS and the other observations under the national water level observation network at NOAA. It is our belief that one of the most important components in IOOS are the physical observations that NOAA currently does under national ocean service. It is our belief that physical observations can be used by all the stakeholders under IOOS, in particular our marine components, but the converse is not true.

Resource managers may not be able always to use tide surge information. Researchers might want to know the temperature and water level changes, current changes; yet a mariner may not necessarily want to know the number of fish moving around, the salinity of the water, and things like that. So, it is our belief that the physical observations should be a priority for funding, maintaining, observing, and it is also our belief that the physical oceanographic real-time system should be the basis for that.

I think the physical observation components are being recognized more, including the maritime components. But, I have to tell you the funding for POERA goes woefully ignored by Congress and yet there is real consideration for the big picture items. Those are important too, but I’d like to start from the bottom up. I think PORTS is one of the important components.

I could take your question, Ms. Lundstrom, and direct it to Dave and perhaps to Dr. Altalo. What is the commitment to the NOS programs? What investment is being made in them especially because they are always put upon the screen, wherever we go? We talked about IOOS, the programs that the maritime industry relies on, and the “backbone” they represent, but we don’t see a commitment. Recognizing though it is not just NOAA, but it is Commerce too. Within the Department, where do you think that those are now and what their level of importance is in IOOS, recognizing you have a lot of stakeholders, but also that they are an important part of the backbone?

Response – Mr. Zilkoski – From my view and in our ocean observing systems, they are not separate—they are part of it. But, I separate them into ocean observing systems. Then, you have the DMAC and the modeling and so forth, as well as integration and interoperability. We spend $700 million on ocean observing systems that are relative to IOOS. You saw the 31 that are there and the navigation, commerce and transportation has quite a few in there. They are probably at the 25% level of that. I don’t know the dollar figure that we actually spend by the goal. Steve Barnum might know that. But, inside NOAA, the water level system, the physical side, especially inside IOOS, they do get a high priority. It is going through the system there is a limited amount of resources inside NOAA and inside the Department. In some cases, when it goes up through the
President’s budget, there are priorities made at different levels. Often priority is given to Commerce and Transportation. But their role is how much they can have from an increase if there would be an increase. We do different scenarios. I believe the navigation side gets a lot of priority and has its own goal. The commerce and transportation is focused on the coastal, charting, and mapping. Steve could answer with more specifics, but, it is inside all of NOAA. So, it has its share. I know people think just because their program doesn’t get funded or something gets cut, that we’re not giving it priority. We are doing the best we can with the resources we are given to parcel out. I know people feel that way, and I’m not sure how I can answer it differently. Maybe Steve wants to say a few words, because he is part of the commerce and transportation goal and deals with this every day.

Response – CAPT Barnum – Dave makes a good point. As the commerce and transportation goal lead, there are three other goals within NOAA, climate, weather and water, and ecosystems. The goal is to champion these four major strategic directions in NOAA when their purpose is promote commerce. That is why my job is to tell the story and to build a story to set forth a budget. So, that story can be carried forward through NOAA, through commerce, get to OMB, and then to Congress.

In the case of this past year, the ’06 budget, it was at Congress where it was cut. So, there are many different places where the cause has to be championed, so we need to be aware of it. This year, ’07, PORTS is funded at the President’s budget. So, I can officially say to support the President’s budget, PORTS will be funded to be operational. But, if it is not, we are going to be in a state of crisis and I think Mike will attest to that. So, it is important to support the President’s budget.

Comment – Ms. Brohl – Just to clarify the budget for PORTS is only for administration. It is not for operations and maintenance or to create new sites.

Comment - My name is Lisa Curtis and currently I’m Acting Administrator with California Office of Spill Prevention and Response. I think everybody is hearing that we’re looking for funding. We are looking for something more fundamental in coordination, partnerships, and perhaps leadership. We have been struggling with this issue of funding, but different Harbor Safety Committees have worked diligently and have done the due diligence to try to establish on a local level the partnerships. We are missing the link to those regional associations. We are just looking for guidance, a little coordination and communication and that conceptual view. That is a more fundamental than the funding. Perhaps later, we can get in touch and figure out the best way to address it. I can tell you we’re feeling left out on the coast and not seeing a whole lot of communication and coordination.

Question – Mary, could you explain how they could learn more about the regional associations?

Response – Dr. Altalo – That is an extremely helpful comment. The regional associations have only started up around last September. They have essentially a two-year period. One of the very first things they are doing is holding workshops and
outreach to stakeholders, conferences to get a better feel for what is going on in the whole region. I can point you to them and make sure you are aware of those.

The second thing you hit upon is leadership. You said not money, but it is people and leaders that are important. That is what we’re hoping to glean in some of the heads of these regional associations the ability to pull together the disparate goals and to focus them to the users’ needs. So, on the Ocean.US website, which is www.ocean.us, there is a link to each one of the regional associations. Also each month this year, our newsletter is dedicated to one of the regions. It might be worthwhile going to that, and it can get you to the coordinator. You can also drop me an e-mail, and we will make sure you get involved.

Response – Mr. Zilkoski – I want to add one more thing to that. Inside NOAA, NOAA is trying to take on the leadership role of IOOS and work with all the other federal agencies. We hear your concern and we know that the regions are trying to reach out. But, it is not a simple problem because there are a lot of users that want to become part of it.

We established an IOOS project manager, which is me. We still have Rick Spinrad involved in it as the NOAA executive because he is an Assistant Administrator, so he is a part of it. We have also made the effort to identify someone to spearhead the regional groups and work with them as well as the other agencies. So, we are trying to get specific people in place, and then it becomes their job to do that. You can contact Mary, and she will get you in contact with the appropriate people. Then, from the fed standpoint, NOAA will be contacted, and we will try to organize and get the right people. Most of the time, it is communication. It is just getting the right people in the room talking to each other, and it is a lot of tense time. So, we are building that and working closer together than we ever have. So, I hope that gets better.

Response – Ms. Brohl – I think in San Francisco the marine exchange may have had some contact with the regional association. Certainly the marine exchange in Puget Sound is engaged with the one out in Seattle. Manny Aschemeyer, out of the Marine Exchange in LA/Long Beach, may have some access. A lot of the regional association contacts first came through the National Association of Maritime Organizations and that is why many members tended to be engaged. I think two or four members are now on the board of the Mid-Atlantic region. I’m on the steering committee for the Great Lakes observing system. But, as a coordinating organization it may be a good first step for that reason.

You do have the burden – they are not going to reach out to you unless they know you exist. You have to let them know you’re there and that you want to be on the outreach. You have to dedicate time to it; you’re going to have to go to meetings and participate, if that is the right avenue. I will say this, in terms of funding for PORTS, you’re going to have to start writing your Senators. You can join the Marine Navigation Safety Coalition. It doesn’t cost anything to join. The marine exchange in San Francisco is a member. That is our only connection to San Francisco at this time.

You have Senators, members of Congress, and you’ve got to get them down to see what your port site is about. That usually gets them all excited and pumped up. There is no trade association of PORTS users and stakeholders right now. The closest we come to supporting it through the Navigation Safety Coalition which is an informal coalition, and I’m the coordinator. I volunteer my time to do it; there is no staff. We do the best we
can. It means going to the Hill if you want full federal funding. Every year we ask for money to build new sites plus operation and maintain all the existing PORTS sites. Every year we ask for money and write that to appropriations.

**Question -- One of the seven Societal Goals is improving national homeland security, I was wondering what way is there to interface with the broad components of security? What sort programs are there or what ways are they providing input to the process?**

**Response --** That is probably one of the areas that is least developed at this particular time. Some of the interactions with FEMA via Katrina were some of the first interactions on a localized basis. But, homeland security is extremely broad and it is also, in our estimation, involves things like energy security, water security, food security. So, I think there is a real opportunity to expand. Ours right now is an educating mission to get them more engaged. There is very little engagement at this time.

**Question --** With the improvements in electronic charting, is there a timeline by which we think we will reach the point where there is enough reliability in place where we can eliminate the need to keep current the paper charts onboard -- at least not have to keep them up to date? We really aren’t using them much any more, and it is a significant workload to keep them current; it’s really hurting us. Is there some sort of timeline in place where we have the possibility to stop using the paper charts?

**Response -- Ms. Brohl --** Perhaps CAPT Barnum could answer that question. Probably some of it has to do with funding and the ability to get reliable, up-to-date charts. As we know, the charting and mapping line items have increased in funding which includes updating the charts, not just accumulation of data but to update them. It seems to me that the actual line item for chart production has not increased to the extent we would like. Nevertheless, if you threw all the money in the world at it, you can still only get so many done in a year. I know there is a U.S. Coast Guard regulation or one of the Coast Guard authorizations in which the use of electronic charts was mandated. I don’t recall what the deadline is for that – probably Steve Barnum knows.

**Response -- CAPT Barnum --** These programs are within the Commerce and Transportation goal, and they have to compete against the other three goals. The money is divided up between what is heard from the stakeholders. Recently there was a call for information from the Vice-Admiral to the Administrator of NOAA asking for input. That input is one of the attributes that will be used to determine how NOAA spends its money. Commerce and Transportation got about $167 million versus the total of $3.9 billion in the budget. Put that in perspective where commerce and transportation sits in NOAA.

**Response -- Ms. Brohl --** But, Captain, I can appreciate his question that it is one thing to have to keep a paper chart or have to have an electronic chart, but if you don’t get up-to-date charts to meet those needs, then you’re going to have to continue to update your paper chart from your Notice to Mariners.

**Response -- CAPT Barnum --** That is correct and we do offer an up to date product in several forms. We are working on a product to update on a weekly basis. The carriage requirement came up from the International Maritime Organization (IMO) and it
mandates the carriage of an appropriate sweep of charts, and it is the Coast Guard about the use of paper charts.

Comment -- I don’t know if the Coast Guard is going to respond to what Steve had to say. But I have just two quick points. I would again urge those of you to contact your appropriate regional associations. They are not going to be aware of your needs and requirements unless you tell them about your needs and requirements. Mary gave you the website. I don’t know if you have a particular person on staff. I know on your website Mary you have a calendar of events for upcoming regional association activities. I urge you to go there as well.

Second, MTS awareness in Congress, I understand we have a session tomorrow morning on that topic. I know there have been efforts in the past, and my compliments also Helen to the Marine National Safety Coalition. Joedy and I were talking about the whole need to make Congress more aware of the importance of the MTS its state of affairs and its needs. It just seems to be taken for granted. In the previous federal inter-agency efforts, ICMTS, we had various listening sessions around the country. We had a Congressional reception and an industry fair right in front of the Capitol, but that was a few years ago. As we all know, dollars are in greater and greater competition. So, I urge you all to be present for tomorrow’s session.

The Marine Navigational Safety Coalition has done a wonderful job of trying to speak as one voice. We would welcome more members to strengthen that voice to take the MTS message to the Hill. So, I encourage you to contact Helen about the Coalition and also contact the regional associations.
Maritime Transportation Security

RADM Craig Bone
Inspection & Compliance Directorate, U.S. Coast Guard

It is great to be here because I am a prevention guy and that is what the National Harbor Safety Committee is all about. Today, we have some very experienced panelists. Our panel discussion is on security, but I hope you’re able to capture, from this panel, the linkage of safety and security and how closely linked they are. Also, I hope we present some of the concerns, just as we have done with safety, and the implications of it. I also hope we can present the things we need to learn about security as we implement it and how it may impact safety in its operations.

Our first guest speaker is RADM Samuel De Bow, Jr. He is the director of NOAA, Commissioned Officer Corps, Director of Office and Marine and Aviation Operations.

The second speaker is Doug Stevenson. Doug is the Director of the Center of Seafarers Rights of the Seaman’s Church Institute. The Center counsels and assists seafarers with legal and work-related problems.

The third speaker is Capt. Michael Watson, President of the American Pilots’ Association

Last, I will make some remarks as well.

RADM Samuel De Bow Jr.
Office of Marine and Aviation Operations, NOAA

In my job as Director of the NOAA Marine and Aviation Operations, I have two P3 hurricane hunter aircraft that work for me. So, I took it upon myself to fly from New Orleans to Tampa and on Saturday, I flew into Katrina. The other aircraft we have is a high altitude jet that also does hurricane monitoring and surveillance. It was on Saturday and when it started, the hurricane had a double eye wall. I got in it when it had a double eye wall when it came off the Everglades. That was an experience I’ll never forget. Little did I know at that time that Katrina would have the effect that it had on our nation.

A lot of people don’t realize that not only did we deal with the hurricane monitoring, prediction, dialed in all the information for our forecast, but after the hurricane, we also did nine days of flight on all the flight lines where both Katrina and Rita hit. These data were incorporated into Google-earth.
At the NOAA website, we averaged 2.2 million hits in September alone. It was a really busy season for all of us. Just about every week we were flying into hurricanes or tropical storms somewhere in the United States. The statistics that bore out from this season is that there were 26 named storms. A lot of people forget that we also had Wilma which was 882 millibars and yesterday the gentleman talked about Rita and the people from Calcasieu and in that area how they were forgotten. People forget that Wilma did a lot of damage down in the Keys. Key West had sustained damage.

Unfortunately, I wish I could tell you it was going to be better this year, but I can’t. We’re going to put out our prediction on May 22. I can’t make any statement right now; I don’t have any expertise in this area, but I think we are in this up-tick of hurricanes. Be ready, exercise your plans.

The reason why I’m here is I participate with the United States Coast Guard. I’m NOAA’s representative at the higher level, at the bureaucratic level, on maritime domain awareness. Everyone needs to understand what this whole policy is. It is the understanding of anything associated with the global maritime environment that can affect the security, safety, economy, or environment of the United States. I can then superimpose on this NOAA’s strategic plan. So, when people want to know why is NOAA involved in the things that we are doing to support maritime security, you can see we basically have the same missions – only we are in different agencies with somewhat different customers.
If you look at port security, the folks on the left side of the slide are the agencies that have the primary responsibility for situational awareness in the marine environment and port security. But, in the middle, it involves cooperation and information collection. It is exactly IOOS. Everything in the middle there is IOOS. It is acquiring data and then getting it in a format so everyone can use it. Vulnerability assessment, prevention response and consequent management, and then you have all the activities that you’re trying to prevent, and certainly at the bottom environmental threats. We certainly can’t control them, but we have to be able to react to them.

Right after 9-11, we met with the Navy, the Coast Guard, and the Corps of Engineers one month after 9-11, down in Bay St. Louis, Mississippi and said, we have a vulnerability. We have to survey all the approaches to our ports and we have to get them done now to make sure there is nothing there that can be deemed as – it is not supposed to be there. Basically they were done under the mine countermeasure tenant of operations. Two months after 9-11, on November of that year, Captain Steve Barnum commanded one of our ships and was towing a side scan doing the port approaches to Boston. We did all the major ports in the United States. The U.S. Navy did a lot of the ports of military significance.
We scanned that the approaches of those ports that we never knew even existed before. In one of them we found things like this big boiler because we have high resolution, side scan imagery.

It is exactly what the gentleman was talking about yesterday – you can open your port, but until you have high resolution sonar, I wouldn’t really count on it.

We found a dredge pipe sticking out of the side of a channel at the approaches of Baltimore. We also found a big wreck that we never found before at the approaches to New York Harbor. So, there is a lot out there and we still don’t know it because we haven’t gotten 100% coverage everywhere in the United States. This effort was done mainly with our ships and with our small field units, the NRTs that Lieutenant Commander Fletcher talked about yesterday.

We are working also with the Coast Guard and the Department of Defense for their technology. This is basically their program – the technology support working group.

People often want to know why is it that NOAA was involved in clearing the ports after Hurricane Katrina and Rita? Well, we were pre-positioned. We coordinate with all the port authorities, and that is one of our biggest success stories. I know that some folks in this community sang our laurels, but we just have an attitude like Nike – “Just do it”. If they need it, we will just go out there and do it and we won’t ask about how it has to get done.

Why are we the experts at this? This is what we do 10 months out of the year. All of our assets, all of our vessels, this is what we do. So, everyone has a mission here to support what needs to be done for the security of this nation.

We basically have a high resolution survey and then we go back later to see if something is there that wasn’t there before. That is all done in a classified arena. The data we acquire we send to the Navy. Any of the charting features that we found needed to be updated on the chart we applied to the chart. So, everybody made out in that scenario.
After 9-11 we also put the port security zones in all the major military installations in the charts. This happened very quickly through the navigation response branch down in Norfolk. The main reason we are doing this is for the professional mariner. We did this very quickly and updated all of our charts with all the security zones that had to be put on the chart to support this operation.

We also support all the weather and physical oceanographic observation information. Our involvement in the security arena is focused more on providing the geophysical pieces of MDA puzzle which is weather and physical oceanography. It takes accurate information about the marine environment, to have navigational safety. There are few security issues that have been influenced by technology used to acquire geophysical information. All the geophysical information is acquired, it is posted, and it is available. This is important for MDAs for the situational awareness.

The main part of our support is in Coastal Ocean Dynamics Radar (CODAR). That is high resolution radar that is used to determine current movement, etc. We are also working with the Coast Guard to detect small vessels beyond the range of standard frequency radars. We are working on an MOU to start putting more CODAR installations out throughout the coast because they have all the coastal stations and we already have that arrangement with them for our differential GPS stations.

The last thing that a lot of folks may not realize that we’re doing in the homeland security arena is to install Automatic Identification System (AIS) repeaters on our weather buoys to support the MDA process. As you know the Coast Guard and certainly IMO has a requirement for AIS systems. NOAA has a picket fence of all these buoys around the United States. And, with these AIS repeaters, you can see all the information that these buoys acquire in support of just the NOAA geophysical information. But, we are putting an AIS communicator on top of the buoy and we can then extend the presence so that we know more about everything that is coming into our ports. That is the main point of MDA. This is now going to be a further picket line out because the standard repeaters are on shore-side installations. They have line-of-sight limits, and this is extending our borders further out. Certainly, this is how it is theoretically going to work.

We have some that are operational and we have an agreement in place that we are talking about putting them out on about 70 more buoys.

NOAA has its own homeland security program. NOAA continues to establish partnerships with the Department of Homeland Security and its component agencies, certainly the United States Coast Guard. Under the current version of the national response plan, NOAA contributes 10 of the 15 essential support functions, and provides support to the national response plan management structures through the homeland security operations center. We supply staff there for all the major events. We have a desk at the homeland security operations center. We work with the inter-agency incident management group at the joint field offices as well as the state and emergency operations centers. We also work with NORCOM which is being considered to play an increasing role in incidents of national significance, where state and local resources are overwhelmed.

So, these things have been going on and a lot of this stuff was going on pre-Katrina.
About a week ago, all the senior leaders in Commerce were called down to the Commerce Department. The Secretary got up and talked to us about a number of things, one of those things was leadership. He said, “no one has enough of anything to do everything.” That is a really profound statement. None of us have enough of everything and of course it comes down to resources. It comes down to dollars, people, equipment, etc. He said, “there are no lone rangers anymore.” I think that is central to the theme of this conference – which we have to all work in partnership. We have to all work together. We have to continue to build partnerships for safety and security in order to enhance the maritime transportation system, which is the economic might of our nation is our maritime transportation system.

So, thank you very much for your attention and I’ll stand by on the panel for questions.

Mr. Douglas Stevenson  
Center for Seafarers’ Rights, Seamen’s Church Institute of New York/New Jersey

I would like to begin by echoing what Admiral Bone said about everything that I’m going to talk about today regarding security has equal application to preventing safety issues. Maritime security regulations are clearly connected to improving safety as well. ADM De Bow spoke about MDA and how it covered so many things. I’m going to simplify domain awareness into a very narrow area. To me, domain awareness is quite a simple concept. It simply means know your environment. Be able to identify something suspicious, and report it to somebody. You could almost say it is like being a caring, responsible neighbor. Everybody in a neighborhood looks out for their neighbors, so you know what is unusual in your neighborhood and you take a responsible attitude when you see something amiss.

When you are looking at security in our ports and security on ships, who is better positioned to know the environment of a ship, to know the environment in the port, than a crew member on a ship? Crew members are essential to maritime security, not only on their ship, but on the ports where they are tying up or where they are moored.

This was reflected in the regulations that came about after 9-11, the Maritime Transportation Security Act regulations, and the International Ship and Port Security Code (ISPS Code) which is part of the IMO International Convention on Safety of Life at Sea (SOLAS). That is a safety convention. So, we are dealing in the same area. But, both of those areas, both of those regimes quite clearly put a very strong requirement on seafarers’ role in maritime security.

There has been some concern in the time between the adoption of the MTSA regulations and the ISPS Code with the time when they came into force. We noticed that there were some problems. There were difficulties that seemed to indicate that seafarers were not being treated like they were essential in security. In fact, we saw that seafarers were being treated as security risks rather than team members.

One very good example of that is how they were treated regarding shore leave. We all know that shore leave is important. If you want to treat somebody decently, and you want their cooperation, you don’t take away their shore leave unless you have a pretty
good reason for it. If you take away their shore leave because of security -- and there is not a good security reason -- then you’re losing the cooperation of those key elements that you want as part of your team.

So, what I’m going to talk about today are just two areas which I think are two important gaps in our port security today. Those gaps are first the credentialing of seafarers. I know the Coast Guard is working on the Transportation Worker Identity Credential (TWIC). The other area is the breaches of security by private terminals who are violating the MTSA regulations and the ISPS Code by preventing access from ships to shore leave, or from shore leave to ships. Quite clearly private terminals, as part of their port facility security plans, must accommodate shore leave. That is clearly in there. But, the private terminals are not doing that so well.

How do we know that? At Seams Church, we have conducted about four or five nationwide surveys of ports around the United States. It is almost like the Audubon bird week. We pick a distinct week. We have the chaplains record all the ships that they visit and report how many ships had cruise denied shore leave. From the beginning, we found that there were two reasons: (1) seafarers, if you don’t have a visa, you’re not going ashore; and (2) private terminals were denying shore leave.

We were watching that before and after July 1, 2004, when the ISPS and MTSA came into effect. After 2004, the numbers of shore leave denials for private terminals dropped to almost nothing. I can tell you from my personal experience in working with then captain of the port Craig Bone, we worked very closely together at looking at the shore facility security plans and we talked with the terminals operators to make sure they understood that they had to provide for access of seafarers in their security plans.

The survey that we completed shortly after 2004, when the law came into effect, there was probably six terminals in the United States of the 3,000 terminals that were still creating obstacles to shore leave.

Well, what has happened since? Unfortunately, we are finding that private terminals are creating significant obstacles. They are backsliding. I’d consider this a breach of security when private terminals do not allow crew members to go ashore. That is a breach of security because it discourages those people who we need as team members from cooperating with us.

I’ll give you two examples. KMI Terminal in Carteret, they charge $500 each way to take crew members through the terminal. The terminal is only 100 meters away. Five hundred dollars each way to take a van full of seafarers. That also applies to ship’s agents and others, but I’m not worried about them. They can take care of themselves.

Another terminal – just before I went on vacation a couple weeks ago, I was speaking in Houston and I learned that the Sunoco terminal in Houston has stopped all transit of seafarers through their facility. They are now requiring launches to take people on and off at very great expense. I get this vision of all these small boats running around and the USS Cole and the water tanker Lindberg. Is that improving security when you are getting people in and out by launch.
Let me talk about the issue of credentialing. We have the TWIC program coming out that is going to apply to domestic seafarers. There is an international convention called the seafarers identity document convention that would require every seafarer in the world to have a biometric identification document (ID) with the same biometric criteria that would identify that a specific seafarer is a specific person. Right now, there is no such system.

The United States relies upon a system of visas. The United States requires visas for any foreign seafarer who wants to apply for shore leave. It is good for ten years. The same biometric requirements as the seafarers identity document convention.

The impetus for this convention was an initiative of the United States of America. The United States of America went to the IMO then to the International Labor Organization (ILO) and said “we need international ID cards that are the same system that will positively identify ships crews as crew members.” I think we need them. I think everybody thinks we need them because we need to know who the real seafarers are. Furthermore, this document would be carried on the seafarer’s person. Right now, one of the big shortcomings of a visa system is that a visa is kept locked up on the ship when the ship is in port. So the seafarer goes ashore without any biometric ID requirement — foreign seafarer.

The other shortcoming of the visa system is that it only covers seafarers who are applying for shore leave in the United States. There is no requirement for a foreign seafarer sailing in U.S. waters or moored in a U.S. port to have a visa, or if he wants to go ashore.

Wouldn’t it be better if all the world’s seafarers had a biometric ID, whether they were applying for shore leave or not?

Now, why do I think this is so important? Well, obviously it is important for security. But, secondly, the international convention for ID cards also says if a seafarer has this ID card, he doesn’t have to have a visa. Now, it is a good idea on one hand for the United States, but is a bad idea for the United States because the United States is one of the only two or three countries in the world that requires seafarers to have visas, in violation of the IMO convention on the facilitation of maritime traffic.

So, where do we stand? I think there are two things that we really have to do to improve security in our ports. One, we have to convince the port terminals that by denying access to shore leave through their terminals to seafarers, they are in breach of the ISPS and they are in breach of the MTSA regulations. We have to stop that.

Secondly, we have to get the administration of the United States of America to ratify the international convention of seafarers identity documents so that every seafarer in the world will have this document. The problem now is that no country wants to ratify it. There have only been five countries that have ratified the convention. Why should they go to the expense of putting together a system that requires them to spend money if it is not going to do them any good, if it is not going to allow them to get shore leave in the U.S.?

I have to tell you that the Coast Guard is not the one to talk to about this. The Coast Guard has been strongly advocating U.S. ratification of this convention. It is still within
the interagency discussion phase. So, if you have friends in other parts of DHS, or perhaps the Department of State, it might be a good area in which to look. One solution that I’ve always put out was that there are regulations that would allow the Secretary of the Department of Homeland Security to waive visa requirements. So, they could issue a regulation saying visas could be waived for holders of the ID card and then still require visas for those who don’t have them.

Those are my two suggestions and I very much appreciate the opportunity to speak with you and I look forward to responding to any questions that you might have.

Thank you.

Capt. Michael R. Watson  
American Pilots’ Association (APA)

There were some interesting comments made on my panel by the previous speakers that I take note of and the previous panel this morning that I listened to – the importance of partnership, communications, and working together for safety and security. Prior to 9-11, the American Pilots’ Association had established a formal partnership relationship with Coast Guard, and since 9-11, we have reaffirmed that with a special security partnership agreement with the Coast Guard.

Doug had made some remarks about domain awareness as well as Sam did, and I might go one step further than his comment that seafarers and crew members are the people who are most qualified in existing domain awareness in our country. I would take the position that the pilots truly are the ones who have the greatest assets of domain awareness to work with our partners in establishing security for our country.

Now that the major international and national maritime security systems are in place, our attention has properly shifted to the practical realities of implementing them in a way that permits maritime commerce to continue to move safely and efficiently. I have noted that many of the current discussions about this subject will, at some point, include a statement about the need to reconcile or balance safety and security. I do not agree with that approach. Although SOLAS Chapter 11-2 specifically authorizes the ship’s master to put the safety of the ship ahead of security requirements if a conflict arises between the two. I am convinced that there should rarely, if ever, be a need to compromise one for the other. Reasonable and responsible people working together can make our ports and waterways more secure from terrorist attacks while maintaining the safety of navigation. In that respect, I suggest that it is more useful to consider our goal as accommodating rather than balancing safety and security.

With that as our goal, let’s first talk about the goal of the pilot’s perspective. Pilots are in a unique position to observe the twin requirements of safety and security. Pilots work every day at the intersection of safety and security. Pilotage waters, typically ports and their approaches and other narrow, confined waterways are the places of greatest threat of terrorist attack as well as the areas of greatest navigation risks and demands.

Most port state security measures take place in the waters where ships have been required for centuries to take pilots. In addition, a pilot on the bridge of a ship may be in the best
position to assess security vulnerabilities. As people who make their living in the maritime industry and work on the water, pilots have long been aware of the possibility that a ship could be involved in an act of terror, either as a target or as a weapon. Given this unique position of the pilot at the intersection of safety and security, I believe it would be useful at this point to consider the role that U.S. pilots play in port security and safety.

Under normal circumstances, an APA pilot is the only U.S. citizen on a foreign ship moving in the fragile ports and waterway system that is the lifeline of our country. The pilot comes aboard the ship while it is in U.S. waters to direct its navigation and to prevent it from engaging in unsafe operations. In the traditional pilotage system in the U.S., the state pilotage system, pilotage is a public service. The pilot’s overriding obligations are to the state that issues the license and to the public. The state’s pilotage system seeks to ensure that the pilot is independent of the ship and of the control by its owner and master. For that reason, the traditional state system prohibits pilots from competing for business and otherwise seeks to insulate the pilot from economic considerations that would interfere with the pilot’s professional judgment.

Indeed, most of the features of a comprehensive state pilotage system are designed to ensure that pilots are free to act in the public interest. APA member pilots operating under these systems play an important role in protecting our nation, in both normal and extraordinary circumstances. These safety functions are critical to national security. Even as U.S. pilots assist in anti-terrorism arrangements, they recognize the absolute need to focus on their piloting tasks. Pilots are not combat personnel, security guards, law enforcement officials, or inspectors. Pilots need to be careful not to do anything that would detract from or jeopardize essential piloting functions. To do so would create the risk of an accidental catastrophe that could have the effects just as devastating as one occurring by terrorist design.

While stressing the pilots’ important safety functions, we acknowledge that pilots are a valuable, security assets and accept our responsibilities as American citizens and as professionals serving the public interest to help make our ports and waterways secure from terrorist attack.

Soon after the tragic events of 9-11, the APA signed a formal partnership agreement with the Coast Guard for joint security operations. The agreement built upon an existing APA/Coast Guard partnership agreement dealing with safety matters. It also built upon the pilots’ longstanding operational relationship with the Coast Guard. APA member pilots and Coast Guard officials worked together every day in U.S. ports and waterways. The security partnership agreement addressed two particular areas where the pilots could assist the Coast Guard. First, the parties agreed to enhance communication procedures, methods and protocols so that pilots could give accurate and timely notice to the Coast Guard of any suspicious activities, particularly on board the pilot’s ship, without compromising the pilot’s duty or safety.

Second, the APA and the Coast Guard agreed to promote having pilot representatives serve on area maritime security committees. The objective was to ensure that the pilot’s knowledge of the realities of what happens on the water is provided in the development and implementation of local security measures.
Since that time, I am pleased to report that the APA and its pilots have continued their close working relationship with the Coast Guard for safety as well as security purposes. There have been, of course, some concerns about security activities that could possibly interfere with the safety of navigation. For example, we were concerned early on that the Coast Guard sea marshals boarding ships as they approach U.S. ports might disrupt or distract the bridge crew at a time of critical navigation demands. There have been very few incidents of that, however, and the few problems that have arisen have been worked out.

The Coast Guard understands that during a ship’s approach to a port, the master and the central navigating personnel must be free to attend to their navigational tasks. There have also been a few reports of ships being directed to do certain things for security reasons that might jeopardize the safety of the ship. In one example, a 900 foot ship was entering a major U.S. port with a state pilot when security authorities discovered a problem with an item on the ship’s documents. The authorities ordered the ship to “turn around and head back to sea immediately.” The ship was in a confined entrance channel at the time with a significant amount of traffic around it. There was no way it could have safely complied with the order. The order was quite firmly expressed and the threatened consequences of not obeying it were severe. After a few tense moments, the pilots and the authority worked that out.

The important point that we can take from these experiences is that the security arrangements are working well. Difficulties and conflicts have been much fewer and less serious than we should have probably expected. Reasonable and responsible people have found ways to accommodate both safety and security.

In addition, there have been important lessons learned from these early experiences that may help us as we consider new challenges to making both safety and security work.

Following on some of Doug’s comments, we have problems with access control measures. Without question, the most frequently mentioned problem for pilots posed by security measures is with access control activities by ships and port facilities. First, let me assure you that pilots accept, as they must, that solace and the ISPS code as well as the Maritime Transportation Security Act requires ships and port facilities to have access control measures and to detail these measures in their ship security plans and port facility security plans. This is simply part of the new security environment in which pilots and others have to work.

There have been instances, however, in which unreasonable access control procedures have put ships in jeopardy or unnecessarily disrupted the work of the pilots and the operations of the ships. There have been a number of reported and confirmed cases in which a properly credentialed pilot has boarded a ship at sea at the established pilot embarkation point, only to be held up by an excessively thorough process of questioning his identification, verifying his appointment, even searching his person and bags. While all this is going on, the ship is moving in pilotage water without the pilot on the bridge, and with critical maneuvers not being performed.

In some places of the United States, pilots conduct the necessary master pilot information exchange and start giving helm and engine orders in a very short time after they board the
ship. Delays in boarding the ship, delays at the top of the pilot latter, or delays in allowing the pilot boat to come alongside the ship, could place the ship in real jeopardy.

Even where pilots board an outgoing ship at the dock, there are reports of unnecessary delays in getting through the access control arrangements, first at the terminal or other port facility, and then at the ship itself. The result is that the ship misses its scheduled departure time, resulting in a great deal of expense. Sometimes the ship will miss a tidal window or other transit conditions change, resulting in significant additional delays and expense.

I’m willing to ascribe these reported problems as “to be expected” growing pains of a new system. It is important, however, that we all – ship operators, terminal operators, port authorities, security authorities and pilots work together in good faith to prevent these from happening. Occasionally problems with unnecessary access control measures in this country have usually been successfully handled at the local level, often with the assistance of the Coast Guard’s captain of the port. The IMO last year addressed this subject and provided some recommendations that may also be helpful in future disputes.

In May 2005, the Maritime Security Committee adopted MSC Circular 1156 which provides guidance on how access control measures should be conducted in relation to the boarding of pilots, public authorities, and emergency response personnel. In particular, it recognizes that pilots have important work to do on ships and recommends that pilots and ship and terminal interests get together and develop arrangements that will minimize problems of pilot access.

I have to note at this time that Commander Cindy Stow, working with the Coast Guard, working with the pilots, and it was the American delegation that pushed for this change in adoption at the IMO and even under some hostile conditions in that body they got it passed, and I thank them for that.

Whether the efforts to accommodate both safety and security in the boarding of pilots are taken at the local, national or international level, and they can certainly be done at all three, our experience suggests some useful considerations. We should respect each other and recognize the importance of what we do; private security plans are not divinely inspired. It is the requirement of the ship and the port facility to come up with their plans for adoption and exception. A lot of this is being contracted out and some of the plans and their content don’t apply to the situations and are not mandated by IMO or our Homeland Security Act. So, those should be reviewed. And, our access control measures should match the specific security risks at the time.

In summary, I would just like to say this conference has given me a great opportunity to express some of these points. I look forward and I have personally represented the American pilots in our close relationship with the United States Coast Guard at the IMO as an advisor to the team. I look forward to working with Craig at that in the future. I commend him for that and I thank all of you for your attention and look forward to any questions.

Thank you.
RADM Craig Bone

Right after 9-11, pilots were the people with the boats out there – the first boats out there. Holding off the ships and not bringing them through until the security measures had been put in place, and there were some assurances. They continued to work so closely with us, both in the safety and security aspect of all operations.

The key, quite often, with the pilot associations is that they are leaders and they are recognized for the professionalism, for their fairness, and for their care for the well being of the public, as well as the community. It is a real tribute and it is great to have partnerships with groups like that.

I’d like to talk about that a little bit because I think it is balance of safety and security, but also in terms of a balance of risk. It is not that they are really in balance because a ship presents a profile. A person presents a profile. An operation and the complexity of an operation presents a risk profile. We take our time to look at safety and security when a ship arrives offshore, we don’t just label a ship a security risk. We address whether or not something has a potential safety implication. If the inert gas system works properly on a tank vessel and it has a higher probability of blowing up in the harbor than it might be a security issue. We look at the operators and we look at the licenses and the skills of the individual. We look at their backgrounds. We look at the organizational entity. We look at history of pollution or propensity of pollution incidents, intentional or unintentional with vessel operation. We look at the full scope and measure of it.

Security is our focus because we have hundreds of years of experience in safety and environmental issues. We have really matured those systems. In implementing MTSA and ISPS, we took these systems that were our mature safety and environmental systems, and we used the same constructs to develop our security profile. We used similar mechanisms. We have a National Harbor Safety Committee. You think it is ironic that we now have a National Maritime Security Advisory Council? It is because it works.

Why do we have Area Maritime Security Committees? Why do we have Harbor Safety Committees? The only reason we didn’t merge the two together I think at the time was because we knew we didn’t want to compromise safety while we were putting so much focus into security and so much drive into there. We also didn’t want to lose this. But, down the road, we work within similar systems, and as we address issues and do exercises, we are using the same vessel traffic systems.

We heard the Admiral talk about MDA systems. Those same systems and those same capacities and capabilities before, and those buoys he’s talking about using MDA were buoys used in oceanography and ocean current studies and helping us with search and rescue and other things.

The issue of safety and security is inter-locked and actually our outcomes are, in fact, environmental safety. Our outcomes are mobility with a great economy. They are inner-locked and inner-linked. The better we develop a risk assessment, risk profiling risk model, the better MDA we will achieve. MDA is about risk profiling for security purposes, but we should be inner-locking MDA for safety and the environmental issues as well.
So, if you look at what we’re doing, although they seem to be different groups doing them, a large portion of our focus ought to be taking care of that.

Do we have gaps? Sure we have gaps. But some of those gaps are even being closed today by integrating some of these systems. Some examples are: the marine exchanges and AIS technology, information exchange, as well as employing long-range identification tracking systems to work within the safety scope and commercial scope.

How do we have these shared communications and information systems? How do we maximize the public and the private sector responsibilities and not try to overly duplicate?

We have a responsibility within government, across our agencies, to share information, share competencies and capacity. Likewise, we should maximize the ability to utilize the private sector and identify the responsibilities of the private sector versus the public sector.

I couldn’t agree more with Doug when he mentioned with the TWIC, you have to know who is operating in your system. Everybody probably heard the Secretary announced recently that soon a notice of proposed rule-making will be published, and that by this fall people will begin enrollment into that system.

It is not just important to know there is a vessel moving through the system, but remember, threat means someone with capability and intent. We have to note that is a person – not a thing. Individuals have or bring something to bear. The fact that we have a seaman’s identification document, and the good news is we’ve already got a dialogue going internationally. There is discussion at IMO about establishing even an international database of seafarers. I think that actually the transportation worker identification card, as it comes about and gets employed with biometric information, will make it much easier for the U.S. to be able to go forward. It would be easier to state type of conscripts and setup an international database that people could be vetted as well as have some competence across governments.

I question almost any condition where a vessel has an operation. You’re going to have to give me a very unique set of circumstances where it is in the best interest of safety and security to move people from a ship to a small boat at a dock than it would be to have them go through a facility where you have set access controls. It almost seems that you could bypass security and safety systems. The facility could be compromised easier, if it is not extremely well controlled and managed.

Again, I’m one of those people who tries to look at this as a system. I think that we have areas and responsibilities that we have to cover with regard to who and what is moving through the system. We focus so much on international, but there is a threat internally. We have to address USS Cole type incidents, the capacity and capability of a small boat to attack a ferry system or a high interest target such as a vessel carrying particular hazardous cargo.

Security focus has put into place the need of not just monitoring and observing, but actually controlling and influencing. In other words, you have to have the ability to detect, deter, intercept, and thwart someone with intent. Well, if you can’t control
anything and all you can do is monitor, then all you are doing is responding. We have to figure out how do we maximize the use of this system, have confidence in the safety and security and the flow of those vessels through that system. That is not just commercial, but that is private sector vessels as well. I’m glad to see the panel that follows later on with the National Association of State Boating Law Administrators (NASBLA) folks here, and the partnership that truly should exist with safety and security with the recreational boating community.

Because of my job, I have boating safety folks for the Coast Guard working with me, and I’ve had an opportunity to speak with representatives at the American Boat and Yacht Council, as well as NASBLA. There is an understanding that we have the shared responsibility. We have to make sure that commercial and recreational ships know where the hazards are involved in safe movement of vessels, and how they can play a part in the safe operations in the port. Likewise, they need to know where security zones are so their members are not compromised there as well.

Questions and comments

Question – Good morning. My name is Mimi Blaffey and I have a comment and a question for Mr. Stevenson. I think to some extent I heard an assumption on your part that foreign crew inbound to the United States are our friends and are a vital link in the protection of our port security mission. I don’t think I agree with that assumption. You mentioned several times that terminals, with regards to the MTSA, are in violation by preventing and regulating access to both the terminal and the vessel. That is what the Act requires of them. So, what specifics parts do you think they were in violation?

Response – Mr. Stevenson – I’ll respond to your first comment first. With regard to the threat of foreign seafarers, in my work -- which is dealing with foreign seafarers through port chaplains throughout the United States and all the world -- we see first-hand day-to-day foreign seafarers coming to the United States. We see that they are not threats to the United States. They love coming to America. They love Americans. They will say we hate what they are doing to us. Just from our personal contacts. I would recommend you spend a day with our chaplains in one of our seafarer centers and you’ll see what the foreign seafarers are actually like. I’m not saying that every foreign seafarer is without a threat. That is why we have the 96-hour pre-arrival notice requirement. That is why we vet every person coming to the United States through our intelligence network before they come in. If there is an issue with any particular seafarer, that seafarer is denied shore leave. So, you don’t take an approach like the Dubai Ports Authority issue.

Certainly, we have also worked with the Navy intelligence community. I asked them, have there been any studies on threat assessments of foreign crew members? The reality is they don’t have a threat assessment saying they are a threat. Now, I know it is probably through the terminals, it is a counter-intuitive to say security is decreased by allowing shore leave. But, I think that it is reality security is decreased when you don’t allow access.
The area in which I’m suggesting that it is a breach of the regulations is that the regulations that implement the MTSA and the ISPS Code both have provisions that say that every port facility security plan must accommodate access for seafarers to shore leave, for changing out or going ashore, changing crews, access for welfare workers and seafarers’ representatives. That is the area in the Code that there is a requirement for them to provide access. Many are not doing that; that is why I’m suggesting that it is a breach of the ISPS and the MTSA.
Day-Two Pre-Lunch Keynote Speaker

Mr. Mark Rosenker
National Transportation Safety Board (NTSB)

I am honored to be here at this conference. It is a pleasure. You’re probably asking (1) what is a guy who has most of his experience in the highway business doing here? (2) What is an Air Force guy doing here? And (3) what does he know much about the marine business?

I do have some experience in the recreational boating business, 20 years of being a sailor and not getting in trouble with the Coast Guard. I think that could be a record in some way, shape or form; sailing out on the Chesapeake Bay and not running into anybody, hopefully not doing anything wrong or at least not getting caught at doing anything wrong. I do know a great deal about what you’re talking about here, and I care a great deal about the marine community in general.

In my remarks, you are going to learn about what we do at the National Transportation Safety Board (NTSB) concerning marine safety and it is an important aspect of what we do. I am really honored to be here with you today. I’ve been at the Board now for three years, serving as a member, vice chairman, acting chairman, and now with the President’s confidence, and hopefully, with the Senate confirmation, I will be the next Chairman of the NTSB. It is a great organization. I am honored and privileged to be part of this small, but very important federal agency.

We only have about 400 people. You wouldn’t know it from the amount of breadth and depth that we have and how we touch virtually every transportation segment. We are probably best known though for our aircraft investigation. Half of our effort is in the aviation safety and investigation arena. However, we also are involved in highway, railroad, marine, and pipeline accidents. Most of our folks are located in the Washington headquarters. However, we have 10 regional offices where we dispatch investigators to any of the regional-type accidents. The Board has been a completely independent organization since 1974, but we have been around since 1966-67. It came from the Civil Aeronautics Board (CAB). When they began to deregulate, we got the investigation responsibility from the CAB.

Our business is very simple. It is to investigate accidents, determine the probable cause, and make recommendations to prevent them from happening again. We are safety advocates. We have no regulatory authority. We have some enforcement authority as it relates to the Coast Guard. When the Coast Guard takes your license away as a mariner, you can appeal to us. We have a judicial aspect to it; we have administrative law judges that will make a decision on the penalty. If you’re not happy with that decision, you will then appeal to the five board members. We will act as a Court, as the equivalent of the Fourth Circuit or the Fifth Circuit or the Ninth Circuit. If you are not happy with what the Board says, you can take your case to an actual Court. A District Court would be the equivalent, perhaps the Fourth Circuit or the Ninth Circuit or wherever you are located.
We do a great deal in the business of investigating marine accidents. Some of those efforts have been in advocacy areas where we go around to the states and to other areas and try to get people involved in the business of helping improve safety on the waters. We work very closely with NASBLA and with the National Safe Boating Council. We work closely with manufacturers. We have been very successful in getting children into life preservers. There are only a couple of states left that do not have these regulations. I keep saying that by the time I leave office, there will be 50 states and our territories that will require children, up to the age of 12, to wear life preservers when they are on smaller vessels; not necessarily commercial vessels.

We also have an outstanding working relationship with the Coast Guard. It is a relationship that we continually work hard to keep because many times it could be seen that we are involved in investigations that they might be involved in. Congress helped us out in that overlap and came up with some legislative language and also some direction for MOUs so that the process works extremely well. I hope my colleagues in the Coast Guard believe that as well.

In the accidents that I have been on scene with, the relationship between the United States Coast Guard and the National Transportation Safety Board has been spectacular. I believe it has come from the MOU and the working activities on a daily basis that we are involved in that have created an outstanding working relationship.

What are the types of accidents that we are involved in that we choose to investigate? We talk about things like catastrophic accidents. Catastrophic accidents are those where we will make a choice after being told and reported to by the Coast Guard that there has been a very serious accident. It may be an accident that might place passengers or crew members at serious risk. Fires, collisions, sinkings or groundings are other examples of accidents we may be involved in. One that was very interesting to us and that we got involved in was the capsizing of the Ethan Allen. There were questions about whether a federal agency should do this investigation. When we looked at our legislation, we found that clearly we had the authority to examine that accident and take the lead at the federal level for that particular accident. We are looking at the accident right now. I believe we are going to have something out on it as I continue to talk to my colleagues in Marine, in the next several months or so. The report will include a board report determination and recommendations on how to prevent that type of accident from happening again.

Other accidents we looked at are ones that seriously threaten port facilities. For example, the striking of a permanently moored vessel or high occupancy waterfront facility fall into that category.

Another type of accident we might investigate may be the fatal marine accident involving other transportation modes such as railway or highways. A good example of that was the May 2002 ramming by the U.S. towboat Robert Y. Love of the I-40 highway bridge over the Arkansas River near Weber Falls, OK. That accident resulted in the loss of 14 lives.

We look at some international issues, accidents where the United States has a significant interest. Clearly we have a great interest in cruise ship accidents. A good example is the recent fire aboard the cruise ship Star Princess. That, of course, is being investigated by the U.K., but because an American citizen was aboard and died, the Safety Board sent an
investigator to that one. The Star Princess accident is particularly noteworthy because of the importance of the cruise ship industry to the United States and its citizens. Efforts have been announced today to fast track amendments to the Safety of Life At Sea convention concerning fire safety on passenger ships. These amendments are the result of this fire and the joint investigation between the U.K., the NTSB, and the United States Coast Guard.

The safety accomplishments resulting from our marine safety investigation recommendations include improvements in life saving, communications between vessels, fire safety standards for cruise vessels, stability and inspection standards for small passenger vessels, stronger training requirements for seafarers, and the carriage of voyage data recorders.

Safety Board recommendations have been addressed to various maritime organizations including the vessel operating companies, marine associations, classification societies, the IMO, and the U.S. Coast Guard. The Safety Board does not have authority to regulate or require recipients to implement any of our recommendations, it has zero regulatory authority. All we have is the credibility of our investigators and the reputation of a 40-year-old organization that enjoys the confidence of Congress, the American people and the press. Other than that, we don’t have very much. Because of that credibility, 82% of what we recommend ultimately becomes a regulation, a law, an operating change, or an improvement which raises the bar of transportation safety.

I want to tell you about an accident investigation we recently finished, the Lady D. She was a pontoon water taxi that capsized in Baltimore Harbor in March 2004. Many of you will remember this accident – five people died, four were seriously injured, and twelve suffered minor injuries. The major safety recommendations that we issued included determining the safe loading conditions, revising stability criteria for pontoon vessels, revising passenger weight criteria, and establishing safe environmental conditions for operating pontoon boats. Our experience indicates that rarely can an accident be traced back to one single cause. Accidents often result from the chain of things that went wrong. In the case of the Lady D, there were some mistakes made in certifying the vessel for the number of passengers it could safely carry. These mistakes were mainly human errors relating to training and procedures. Other contributory factors related to the evolution of vessel design through the years and even to the fact that Americans have become, frankly, much heavier over the past 50 years.

The issue of passenger weight is important not only on boats, but on aircraft as well. The crash of a Beech 1900 in Charlotte, NC back in 2003 in which 19 passengers and the crew of two perished is a good reminder of this. After our recommendations, the FAA changed its basic weight. Believe it or not, they were using the weight of 140 pounds to certify aircraft. The United States Coast Guard I believe, today, not tomorrow, is still using 140 pounds. That is going to change and that is good news. I compliment my colleagues in the United States Coast Guard for their recognition that they need to change the weight for certification of vessels.

Weather was also a contributory factor in the Lady D’s capsizing. The National Weather Service saw the cold front coming through. However, because of the way they processed
their information and issued warnings, they missed an opportunity to alert boaters on the Chesapeake Bay and in the Baltimore Harbor that a storm was approaching. The National Weather Service has since revised its procedures and warnings are now getting out significantly quicker. In this accident, at least three things had to go wrong before the accident occurred. If even one of them had been avoided, I probably wouldn’t be talking to you about the Lady D. This is why each of us, who has a role in the marine industry, must be constantly vigilant in our duties and responsibilities to ensure the safety of this important system.

Currently, only ocean-going ships are required to have safety management systems. However, as a result of the Staten Island Ferry accident that occurred in 2003, the NTSB recommended that the states encourage operators of public ferries to implement safety management systems. The New York City Staten Island Ferry System implemented a safety management system in October, 2005.

The Safety Board would also like to see owners and operators of other vessels adopt similar practices. The financial benefits of a corporate safety culture for safety equipment, trained and qualified individuals, good crew work and rest cycles, and reliable equipment far outweigh the financial losses of an accident. An accident results not only in damage costs, lawsuits and lost revenues, but also in the mistrust of the American people. The government, industry, professional groups and other organizations, such as the one that promotes, plans, and looks for the cooperation for safety, are essential. They are all an essential part of a strong, successful marine transportation industry. You all play a very important role in maintaining and promoting safety. Through your efforts, you are safeguarding the integrity and the safety of our nation’s transportation system and enhancing the competitiveness of U.S. businesses.

I guess you can figure after 15-20 minutes of me talking about what we do at the NTSB, I’m very proud of the work we do. It is an agency, I must tell you that has tremendous influence and makes a great difference. I’m proud to be part of that team, small as it is. We make a great deal of impact on the nation’s transportation safety. Our business really is, if I can say it one more time, to make a safe industry even safer.

I thank you so much for your interest in this issue and your very polite behavior before lunch. I wish I could stay. I’m going back to have lettuce because I know the Coast Guard is getting ready to do its announcement of the new weights that it is looking for and I want to get down to it.

Questions – No questions were posed to Mr. Rosenker.
Passenger Vessel

Mr. Peter Lauridsen  
Passenger Vessel Association (PVA)

I’m particularly pleased to be here today because I bring representatives of the passenger vessel industry. Before you can forge a partnership, you have to understand some of the parties. I will come back to that in a second. But, I want to introduce that statement again.

Although I am from the Passenger Vessel Association (PVA), I’m not here to sell you any membership. I’m here to introduce passenger vessel operators. The domestic passenger vessel industry is somewhere in the neighborhood of 6,500 passenger-carrying vessels. Depending on what the Coast Guard tells you, it could vary 1,000 either way. But, PVA represents maybe about 2,000 or 3,000 of those. They are rather non-specific in their count and so are we.

The Passenger Vessel Association represents ferries, dinner cruise, econo tour, unique vessels such as wind jammers and ducks, sightseeing, overnight vessels, gaming vessels, and within that body, there are high-seed vessels, tug and barge operations, mono-hull, catamaran, a host of variations within all of those categories. As you can see, the passenger vessel is not a homogenous group, and that is why I brought five speakers today.

We were very excited when we were invited to the Secretary’s seminar in 1999 on the MDA mission because after three days, plenary sessions, workshops and everything else, we got two words inserted in that mission – the last two words are “and people.” We figured that was quite an accomplishment.

Because we have a very varied industry, and because we want to be a partner, we want you to understand a little bit more about it. One of the reasons we were excited about getting “and people” put in the mission statement was sometimes the rest of the maritime industry looks at the passenger vessel industry like wallpaper. If somebody points it out, you say “oh, isn’t that pretty and I see it.” But, most of the time, we operate in the background, except for some significant ports like the Orange Ferries in New York or the ferry systems in San Francisco. But, some of those 6,000 to 7,000 vessels operate in very unique places, very unique services, and very unique circumstances. To that end, I brought my five panelists.

They are credentialed, educated, and experienced.

So, the first speaker is Robin Trinko-Russel. She operates in a family-oriented business, a family-owned business, and uniquely she has been associated with the Passenger Vessel Association for several years in various roles, and she is now the current President of the Passenger Vessel Association.
Thank you, Pete. It is a pleasure to be here. My name is Robin Trinko-Russell. I’m serving as the Passenger Vessel Association President for 2006. It is an association of passenger vessel operators from the eastern seaboard to Alaska, as well as industry vendors. We have nearly 600 members. I would like to start out with a little of my background, and then talk about the effect of some of the new regulations on family businesses, such as our ferry business.

I work for Madeline Island Ferry Line in the western end of Lake Superior. It is a small, family-run operation. I married into the family business in 1984. My husband, Gary, is a third generation islander. My husband’s grandfather ran the Adora, carrying people back and forth to Madeline Island in the gasoline-powered launch. We are located at the top of Wisconsin in Lake Superior – part of the Apostle Islands. Madeline Island Ferry Line has four steel-hulled, subchapter T ferry boats. It is 2.2 miles between Bayfield on the mainland and Madeline Island. The Point’s winter population is 200, and it swells to several thousand in the summer when we have visitors and relatives coming to visit us. There are 22 islands in the archipelago. People come to sail, shop, golf, and enjoy the water. There are large parks on the island, a mile and a quarter of sandy beach. We have sailboats, and a lot of peace and quiet.

In the summer, we employ over 40 people. We typically run through January or February. This winter we had an atypically warm January and we shut down for only eight days. There was no ice road to drive on.

We have two boats. We ran all season or less than two weeks in three of the last ten years. That has never happened since the 1880’s. I think it is climate change or global warming, and it hasn’t really helped our bottom line.

Our two smaller boats break up to 7-8 inches of ice, and then in a typical winter, we run the wind sleds for two weeks and then the ice road that you just say, back to the wind sled, and the ice break-up in late March or April.

We use a handheld wireless ticketing system. Five out of our 18 captains are ladies. One of our captains helped PVA put together their alternate security plan. She worked on the tables for MARSEC levels, and the assessment tables, something that really made a difference.

Years ago, I went to a ferry conference, MARITRANS, part of PVA’s annual meeting, and a speaker said the average age of the ferry in the United States was 34 years. I thought that was funny. Then I calculated and as of today, the average age of our four boats is 45 years. We are lucky we operated in fresh water. Our ferries are obsolete more due to the fact that they can’t carry enough cars than their haulage. We pride ourselves on taking good care of our equipment, running a web-based preventative maintenance system that is correlated with the streamlined inspection process (SIP). We are using some of the printouts from this preventative maintenance system to do our U.S. Coast Guard inspections this spring.
It is a challenging ferry operation. It is an idyllic life – blue water, small town, great business. But, there is a thin line between red and black. With the long winter and the high cost of fuel, we run at a loss from mid-October to early June. Our current rates are $11.00 per car one-way. Most locals or summer residents ride between $8.00 and $9.00. I calculated that it took $36.00 to take a car one-way in January. It costs a lot of money. Frankly, with fuel prices, health insurance, hull and wages, along with lagging visitor and local ridership, we are in a bit of trouble. We are not unlike the airlines – big capital investment, labor intensive, high fixed costs.

That is where I get to today’s subject – the focus on harbor safety. I believe the focus on harbor safety should be safe, security-minded, but not stupid. Don’t throw money away or make us throw money away where there is no proven benefit. The point is, AIS would cost us at least $5,000 per boat and we have four ferries, one of which is very seldom used except for ambulance runs. AIS would cost us $20,000 plus annual maintenance, and is slated to be required on all commercial vessels over 65 feet.

We are 70 miles from Duluth. There are more trees than people in our area. There are five vessels operating in the area – four of our ferries, two of which are usually tied up, and one other potential AIS vessel in the Bayfield area. There is a contract with the park service. In this same area between Ashland, Washburn and Bayfield, and up towards Redcliff, we have 7+ marinas, over 800 slips, no AIS, no TWIC, no drug-testing and no stability tests. There is no current vessel traffic system (VTS) in our area. The closest is in Duluth which, as I said, is 70 miles. No doubt, the Coast Guard or Homeland Security won’t have the money or the effort to personally watch our five vessels. There should be a geographic carve-out for AIS. We, like other passenger vessels, are operating in remote areas. There is nothing happening. There is no need for AIS. Our operation is not alone. Like I said, other passenger vessel operations are in remote areas.

The final thing I wanted to talk about is the TWIC cards. At $150 each and a road-trip and days lost from work, plus the biometric card readers, it is going to cost us a lot of money. We have 18 captains – that would be $2,700 plus the readers. We know our employees. We know our engine mechanics, our UPS drivers, and the people that deliver fish to our boats. TWIC won’t make us safer.

I am married to one of the owners. We don’t drive a fancy car. Our company doesn’t make 15% profit a year like you might if you owned a house in Washington, DC or some stocks or bonds. Usually less than 5% net profit a year, and we use it to fix our boats. This type of regulation will cost our operation money and other passenger vessel operators. It may put us out of business with no real safety or security.

Thank you for listening.
Mr. Lauridsen
 Robin tried to give you a picture of one of our more remote operations. As President of the Passenger Vessel Association she wanted to indicate how some of the policies that are applied nationally may impact on remote operations. And, as President of PVA, that is certainly her position to do so. So, hopefully that is one piece of the puzzle, one type of operation to help you understand the breadth and the depth of the domestic passenger vessel association.

Now, I turn to another family company. This one is operating in an entirely different environment. Michael Borgstrom comes to us from Chicago. Michael Borgstrom has been very active in the Passenger Vessel Association in the Safety and Loss Committee, producing educational material for our members on safety issues, regulatory issues. Michael has now been elected as Secretary-Treasurer. If all goes according to planned, that means he will be President two years from now. So, I want Michael to give you a picture of his operation and some of the challenges or some of the benefits that he finds in his area of operation. So, please welcome Michael Borgstrom.

Mr. Michael Borgstrom
Wendella Sightseeing Company, Inc.

Good afternoon everyone, and I thank you all for the opportunity to speak to you today. As Pete said, I’m Secretary-Treasurer of the PVA currently, and I’m also a member of the Safety and Security Committee. I was also chairman for a couple of years as well. So, safety is sort of in my blood, so to speak.

I have been a licensed U.S. Merchant Officer for 25 years, and I’ve worked in this industry since 1977. I’m very proud to be part of a third generation family-owned business which was started by my grandfather, Albert. He was a carpenter by trade, came to the United States from Sweden in the 1920’s, eventually settling in Chicago’s Andersonville neighborhood on the north side. In 1935, he had an idea and started a tour boat company with a 65-foot wooden vessel named Wendella. In 1962, he founded a commuter cruiser service on the Chicago River, between the commuter rail stations at Madison Street and Michigan Avenue. In 1999, that service was expanded and renamed the Wendella River Bus, which is currently Chicago’s only intermodal water transportation system.

Today, Wendella is the oldest tour boat company in Chicago. We operate four 65-foot vessels, give or take a foot or two, with a total capacity of around 700 passengers. We use those for primarily guided tours and private charters on the Chicago River and Lake Michigan. We have two other vessels with a total capacity of around 200, and they are used for the river bus service.

In 2005, we had about 3,000 tours and charters, and approximately 18,000 river bus departures. Daily, we offer 16 scheduled departures for our tours, operating seven days a week, April through November. Those tours vary with the seasons, of course.
During peak season, we employ approximately 100 people, anywhere between the ages of 16 and 75 years old. The 75-year-old happens to be a woman who is one of our captains. She is a great person to have working for us.

Various capacities including captain, we have deckhands, engineers, customer service representatives, group sales agents, bartenders, and tour guides. In fact, we have 25 employees that have been with us at least five seasons or more, and 12 that have been with us for more than 10 seasons. So, it is a real tight-knit family so to speak.

Our main dock is located at the Wrigley Building on Chicago’s magnificent mile – Michigan Avenue.

The river bus briefly operates on a closed loop route in the Chicago River, shuttling rail commuters between Madison Street and the south branch of the Chicago River, the LaSalle Street and Michigan Avenue on the main branch, river east on the main branch in Ogden Slip which is out toward Navy Pier. We operate that service 10-12 hours a day, April through November, seven days a week in the summer, five days a week in the spring and fall.

This gives you a general idea of what my company does. However, we obviously aren’t the only waterborne operation on the Chicago River. Directly across the river there is another family-owned company. When I say across the river, if you’ve ever been to Chicago River, you know the Chicago River isn’t really quite a wide river – it is probably only about 300 feet wide where we are. But, nonetheless, there is another family-owned company over there. They have been in business just about as long as we have. They have four vessels ranging 65-96 feet, capacity of around 500 passengers. Then, just east of our dock is Ogden Slip which has two more similar operations. Combining those two operations, they have about ten more vessels between 65-85 feet, carrying about 1,000 passengers. These are really the only four main tour boat companies on the Chicago River.

As I’m sure you’ve probably figured out by now, the Chicago River can be a little crowded at times. Add to that, the ever-growing number of rowing shelves, canoes, kayaks, recreational power boats, towboats and barges which carry things like grain, gravel, stone and petroleum products, and over the years we have actually had gondolas and water bikes, and neither one of those proved to be very practical on the Chicago River.

The City of Chicago Department of Transportation basically oversees the Chicago River, sort of run it and establishes what goes on out there. They encourage great use of the river for recreational purposes. Plans include a river walk to be built out as much as 50 feet into the navigation channel along the main branch of the Chicago River. As I mentioned, it is only about 300 feet wide, so you’re trying to clog up the river with more boats, but you are going to take some of the navigation channel away, so that is an issue with some of us on the Chicago River.

The City engages in more and more rowing events throughout the year, and being the busiest part of the river at peak times, they want to have these events right by our dock at say Saturday at noon in July. This causes a little bit of a problem for us.
Chicago has 80 bridges altogether and that is a good thing for us because we don’t get sailing vessels or large ships through there typically. However, in the spring, the City of Chicago tries to consolidate its bridge openings so they have these flotillas with anywhere between 10 and 50 sailboats going along the river between bridges. That causes very serious safety concern several times throughout the year.

On Lake Michigan, we have one of the largest recreational boat harbor systems in the United States, as well as Navy Pier, the biggest tourist attraction in the Midwest. Navy Pier has its share of water taxis, speed boats, tour and dinner boats, altogether I think there are about 20 vessels out at Navy Pier, and they also get the occasional cruise ship coming in and out of there.

Most of the vessels on the river and the pier operate within one mile from shore, so you can see things can be a little crowded out on the lake as well.

To the south of course, that is Indiana Harbor and Kaluman Harbor – that is basically an international port facility. We don’t really see them much in our neck of the woods.

One of our biggest concern is the Chicago Lock. The Lake Michigan and the Chicago River are linked by this lock. It is one of the busiest in the United States and Wendella, my company, is its best customer. Although the lock is one of the biggest attractions on our lake and river tours, it is also one of the biggest problems. The lock is old and constantly in need of repair. It was built in 1938. Frequent break-downs occur in peak operations which lead to delays and, of course, loss of revenue for us and similar operations.

I’ve been told by the lock master that although it is one of the busiest locks, traffic volume is not necessarily considered by the Army Corps of Engineers to fund major repair or replacement as funding is generally based on cargo tonnage. In the summer, as it is most everywhere in the United States, the waterways are crowded with recreational boats. Chicago Lock is the only way to get in and out of the main branch of the river and Lake Michigan, and as a result, lock traffic becomes very heavy.

Recreational boats, as a whole, are very cautious, courteous and responsible group. However, they are a major concern of the passenger vessel industry in Chicago. Reckless operation and operating under the influence presents a danger of the operators to the operators and themselves and others as well. Many boaters, of course, take courses with the Auxiliary and have general knowledge of rules of the road. Others are totally clueless. It has been said many times before, but I feel we should consider some sort of licensing of recreational boats. I’ve seen my share of accidents over the years. Some of them have been fatal. Explosions because of a fuel tank wasn’t vented properly, collisions because running lights weren’t on, and simply driving while intoxicated, hitting a break wall or another boater. You can’t do much about common sense, but I’d like to see some sort of recreational license issue – something like a simple 10-question test would do, I would think.

We also have our share of security concerns on the lake and river, although we have security vessel plans with the traffic on the river, especially the Chicago Lock, the possibility looms of an attack similar to that of the USS Cole. There can be up to 10 passenger vessels in the lock at one time, with up to 2,000 passengers altogether, not to
mention other vessels. It wouldn’t be too difficult for someone to pull off an event like that.

We also have an issue with the bridges on the river. People can drop anything off the bridges onto a boat passing by, biological, radiological, things like that wouldn’t be too far of a consideration.

I would also like to see improved communication with the Coast Guard at the marine safety unit as it is now called in Chicago. I think Homeland Security has taken up a considerable amount of time and resources from the Coast Guard and I’d like to see renewed vigor in the partnership side in working with the mariners.

On a positive note, there is a new marine safety center opened earlier this year near the Chicago Lock which houses the marine unit of the Chicago Police Department, Illinois Department of Natural Resources, and of course the Coast Guard. They left that station back in the 60’s leaving stations 15 miles in each direction. It is good to have them back. I would like to see a rescue helicopter, however, and that is quite a ways away in Michigan.

Overall, things are very good in Chicago. Mayor Daley and the City of Chicago Department of Tourism continue to sell Chicago as a visitor destination. We deal with many tourists, of course. More visitors come to our clean, friendly, world-class city every year. In recent years, Chicago has hosted such major events as World Cup, the Democratic National Convention, the World Series last year of course was good for many of us. We continue to grow our business and serve those discovering Chicago for the first time, those returning for a visit, and the local residents showing their city off.

It has been an honor and a privilege to speak to all of you today. I hope I have given you a better understanding of the whole industry in Chicago and the issues affecting my industry specifically. Thank you very much.

Mr. Lauridsen
As you can see, some of his challenges are unique, some are the same as Robin. Again, the operating environment, the type of service you offer, the clientele you have, and the regulatory environment tend to have a great deal to say about how you can operate. Mike did point out that the lock is an issue, and certainly an area where the passenger vessel industry and other entities controlling the waterway come into sometimes conflict. I think Mike did mention the 80 bridges, but they are down to zero bridge tenders. You have to make an appointment to open up a bridge, and then they go find the bridge tender.

The next person we are going to give you yet another view, another type of structure and another ownership – Brian McEwing has held a number of shipboard and management positions with the Delaware River and Bay Authority. He is currently the Port Captain of the Cape May Lewis Ferry. He is a licensed master and pilot. The Cape May Lewis Ferry carries over 1.0 million passengers a year and it is a five vessel fleet. So, we will get to see the perspective of the harbor safety or the security or all challenges from Brian’s point of view. Please welcome Brian McEwing.
Mr. Brian McEwing
Cape May-Lewes Ferry

As Pete said, I work for the Delaware River and Bay Authority. We are a bi-state authority created by Congress. We have three divisions. We operate the Delaware Memorial Bridge between New Jersey and Delaware. We operate five airports, and we also operate the Cape May-Lewis Ferry.

Our charter is for regional economic development and also for crossings between the two states, no matter what those crossings may be. The ferry has been in service since 1964. We operate year-around. The five subchapter H vessels are 28 years old, on average, and our deck officers are required to have pilotage. Both the captain and the pilot must have their pilotage. Crossing is about 14 miles for our vessels.

This is our Cape May terminal. I’d show you the Lewis Terminal in Delaware, but I’m from New Jersey. If you look behind our terminal here, you see a canal that serves Cape May Harbor and in the summertime, we get approximately 500 pleasure craft through there a day.

So, when we talk about the pleasure boaters, I think Coast Guard would be well served to reach out into the marinas and make sure that Coast Guard is aware of what is going on in the local marinas. We’ve been told by Coast Guard that our vessel may be used to attack a larger target. I don’t know about you guys, but I don’t think I’d take a 12 knot ferry to go attack a supertanker. I’d want the black speed boat in the marina.

Ferries are a little bit unique. As rights of security, terminal access, we want to be open to the public. We heard about sailors not getting off and people not getting in. We want you to come to our terminal. We’d like you to get on our boat. We maintain a published schedule and I’ll tell you a little story. Back in 2002, I was here in this town, not far from this room, and we were talking with Coast Guard at some meetings about security and a
gentleman from the Chemical Tanker Industry said that we ought to keep people from the boats. I said, wait a minute – we want people on our boats. Then about five minutes later, he talked about having random departure schedules. The moderator said, of course, I think I am going to hear from this ferry guy again. Of course, he did. So, back to the one-size-doesn’t-fit-all, I’m a different operator than the two you have heard already. They are private operators. We are a public operator. I’m going to show you some financials later on and you can see the shape we are in, and then think about these poor folks.

AIS has been a popular topic. So, when we are talking about security and what value do we get from AIS systems, I know we have already had one collision that was AIS assisted, much like we had in World War II with radar. More are to come – I’m certain of it. We found some great discrepancies with AIS use on radars where we had a total of 180 aspect of a vessel and a difference of many, many miles when AIS is turned on in your radar. So, for the mariners in the room, turn your AIS off. It is an automatic identification system – it is not a navigation system. I’ve had a conversation with Admiral Bone about this discrepancy and hopefully the Coast Guard is looking into that.

Another point to make is we’ve been asked by Coast Guard to turn our AIS on so they know our vessels are where they are supposed to be. Well, they are $20 million each and we keep a pretty good eye on them. What that does to us though is that when we approach the dock, every single time during critical maneuvers, we have 3-4 bow-crossing alarms. There is no value of that to us, the operators. We, we ought to think about what we are doing with this identification system.

But, what does work? We found out what works is training initiatives. What we did at the outset, back in very early 2002, we brought in some experts to teach our folks about maritime domain awareness, which you heard this morning. We’ve taught our employees what to look for, to approach people, to get that psychological strike when somebody doesn’t look right. Go have a conversation with them. Go say hi. That kind of stuff works. Look at your workplace when you come to work in the morning. Look at it when you leave. Make sure it is where it is supposed to be and there is nothing extra where you are supposed to be. Our experience is that the way you are going to find somebody doing a bad thing is the gift shop clerk who is 65-years-old is going to come and tell you.

We are a year-around operation but we are driven by seasonal economics. You will be amazed. We heard earlier from a gentleman with National Transportation Safety Board (NTSB). With all due respect to NTSB about public operators and what public operators ought to be doing with safety management systems, I’m going to show you some data here quickly that will maybe change your mind.

Traffic trends for our operation, 1998 – 2005, are of course down, both in passengers and vessels. We are pretty much flat. Average vehicles, we are doing better lately because we are shrinking. We are having to shrink our operation. We are a public operator. We own a bridge to pay for our ferry and if you attend enough of these conferences, you will hear that as a common theme. If you are going to operate a year-around ferry, you had better own a bridge.
Operating expenses – you can see in the last three years in particular, are through the roof. So, last year we lost $7.0 million in our operation. So, my recollection is that Staten Island Ferry had to hire 95 new employees to implement safety management systems in their operation. When we start out with our budget, our revenues are $13.5 million a year. Just our wages and benefits are $12.0 million. Our fuel is now $3.5. So, we haven’t run a boat yet and we have lost over $2.0 million. And, we are going to hire 95 more employees. I don’t think that is happening.

Fare box return, which is a good indicator for our industry, as you can see since 2002, has been slipping dramatically. While we are a public operator, the commissioners we report to have to answer to Wall Street who underwrites our debt. Wall Street wants to know what you’re going to do with this division that is losing $7.0 million a year on $14.0 million in revenue. When Coast Guard makes regulations, I hope they keep that in mind.

We looked at our fares and said what can we do? Some of this pain was self-borne. We thought we were doing okay by keeping passengers and vehicles together, but then we talked about a family which we have a lot of families ride our vessel. A family of four, as you can see in 1999, became astronomical to ride our vessel. As you look at 2005, we fixed that. We reduced our fares so we are making a little bit of a recovery on our own. But, keep in mind while we are paying attention to your regulations, we also have to pay attention to our business.
Fuel pricing for us is a significant burden. We are paying $2.22/gallon for low-sulfur diesel fuel. So, what does that mean to us? It means to us that our costs for this year are estimated at $3.4 million. Our market used to be people going to motels and taking week or two-week vacations. Now, they are people with second homes, and the folks who have the second homes are mortgaged to the hilt and there is no extra money.

Small boat traffic we already talked about. That is a big problem for us trying to get in and out of that canal.

Dredging – we fight every single year to get our Congressional channel dredged. It seems like they are struggling more and more every year to get it done for us. We actually had a grounding three years ago because the Corps of Engineers delayed the dredging. The Commandant of the Fifth District called me and said, what happened? I gave him the Corps of Engineers’ number in Philadelphia and said, ask them.

Our terminals are a huge overhead for us – heating and cooling is all interrelated to the cost of fuel. We are looking for vessel maintenance and repair, cost reductions, new materials and all that kind of stuff. We are trying to shrink what we can. What we can’t shrink right now are wages and benefits, and fuel, of course. Who knows where that is going?

Thank you.

Mr. Lauridsen

Thanks for filling us in. Sometimes we assume that if you got a bridge in your back pocket, you probably don’t have money issues.

There have been several references to AIS and TWIC. These are public policy issues, probably solved on a national level. But, I don’t want you to forget that there is a local relationship and a local relationship that deals with many of these multi-users, some of the conflicts on the waterway, and the Harbor Safety Committee is a great environment for that. I’m not sure our people are present in all of the appropriate Harbor Safety Committees.

So, with that said, my next speaker, Brian, will give you yet a different view. Michael Glasfeld is President of Spirit Marine. Spirit Marine operates vessels in Boston, New York, New Jersey, Philadelphia, Washington, DC, Norfolk and Chicago. He is also the owner of Bay State and a part-owner of New England Fast Ferry. Here maybe we will find out a little bit about Fast Ferry and a little bit about different economics and different issues.

Michael is a valuable resource. I took him to Yorktown to talk to the basic marine inspection course quite a while ago. Not only did the marine inspectors learn a lot, but I learned a lot. Please welcome, Michael Glasfeld.
Mr. Michael Glasfeld  
Spirit Marine

I want to talk about are similar things to what we have heard before. I will try to vary the particular sub-topics, but before I get to addressing those questions, let me just give you a quick background of the various vessels that I’m working with.

Spirit Marine is the largest group that I’m doing business with. It has a lot of boats. It carries a lot of people – a million people a year. It has been in business since 1979. I’ve been with them for about 21 years.

In addition to the administrative offices and the equity holdings I have, I’ve also been a licensed operator for 20 years. The boats are in Boston, as Pete said. They are about 200 feet long, most of them, with the certificate of inspection (COI) for 600. We have several boats in Boston and New York. At one point, we had a very active French partner and they wanted to bring a Seine–like boat into New York. It is a delightful experience, but very different from any other boat that we see operating in the American waterways.

Right here in Washington, we have the newest boat in our fleet. We have three boats here in Washington. Then in Norfolk, where it all started in 1979, and then out in Chicago. So, I’m sure that my business dealings have sometimes touched upon some other folks here, because of all the various ports we have worked in. I’ve managed the vessels in all these ports at one time or another in my career.

In addition to that, a slightly different business structure, plus the big business, biggest as far as boats go, none of us are big businesses. We are a very small industry. New England Fast Ferry is medium. It is a partnership brought by my colleagues, my partners, who came from other maritime realms – Moran Towing, Interlake Steamship. So, they have 90 tugs, but they didn’t have any passenger vessel experience so I came aboard.

We have two boats operating to Martha’s Vineyard. We are carrying about 120,000 people a year. The business is only two years old now. We operate a vessel from Providence to Newport. They are both small subchapter T vessels – all of them.

Three-State Cruise Company is a little near and dear to my heart or at least in my bank account. This is the thing that makes me shake my head when I hear Robin talk about her thin margins and when I hear Brian talk about his no margins – don’t I know it. It is a difficult business where I am one of the people that Brian says has the home equity line up to the hilt. That is what it takes to run a business.

We have two boats, Providence II and the Providence III. The Providence III is brand new, two years old now, the Providence II has been operating for about 25 years now.

So, back to the questions – measures and regulations? I’m not going to beat a dead horse with AIS. But, AIS offended me when we were asked to submit comments and I did. It offends me today as I wanted to make sure I didn’t perjure myself before coming to you here. So, I called my operations manager in New York where we have six skippers – they all said the same thing I did three years ago. There is no benefit to this. I want us to stop and think before we ask all boats 65 feet and over to have this. This is what AIS is
doing for my captains in New York harbor. It tells us that the big, black ship, the one that has Cuenard covers, is in fact, the Cuenard ship. It is telling us that the tugboat unit down there, four miles away, with a big M on the stack and marine colors, AIS is telling us that by gosh you’re right. That is a MORAN tugboat. It is telling us that the circle line boat that we see there has a circle on it. At best, AIS is telling us that around the corner, where we can’t see, there is a gas and barge unit, but they called us on the radio to issue a security call three times in the last half-hour. Yes, indeed, that gas barge and marine unit are there. You would know that because we heard on the radio and we just had AIS confirm it. There is no benefit to this system and it costs us – that was when AIS cost us $8,000 a piece installed. That is $150,000 across our Spirit fleet, 6,500 vessels nationwide – please let’s stop and think do we really want to spend our money that way. It is fruitless. It provides no benefit. As Brian said, I don’t want to know when I’m driving a boat (and I still drive a boat about 12 times per year), I don’t want to know if that is really the Moran unit that I think it is. I want to know who is that Zodiac and why aren’t they dressed in appropriate recreational clothing. Usually people look different when they are in that type of boat. Or, this little cabin cruiser over there – whose is that boat?

Unfortunately, if the answer is to put AIS on all of these boats, I’m not sure that really answers anything either. As I came in today, we submitted our driver’s license as we checked in. The question is, does that drivers license mean that I’m safe to be here? Does that Zodiac having an AIS on board mean it is safe for it to run beside my vessels? Stop and think – I don’t want to spend another $150,000 next year – stop and think.

TWIC we talked about. It was interesting I heard in an earlier dialogue the benefits that TWIC brings to one segment of the marine industry. I respect that. That is not the case, however, for our industry. What you’re telling us is that a pilot -- licensed, had to submit to four or five years of sea-time, go through exams, get the endorsements of other vessel operators, get the endorsement of a company, sit for the license, -- is, in fact, who he says he is.

Folks, that is a waste of time. We have to send these people sometimes to remote regional exam centers (RECs) to get this stuff done. It is an expense that we would rather not incur. It doesn’t apply – one size does not fit all in other segments of the industry.

Earlier on also, I recall a gentleman from the NTSB talking about the safety management systems. I once got involved with safety management systems, and we were running boats internationally in the Caribbean. This was heralded in one marine periodical or another how it would have prevented the Staten Island Ferry incident. Maybe it would have folks, but I can tell you that document has sat on our bridge. It is a good document and it is basically composed of all the things we do on any given day. So, we have been doing them. Now we just had to put them in a three-ring binder. But, the comments my skippers give me about that document is the same that I’ve heard from the thousands of ship operators; which is, it sits there and we know what is in it, because we are the ones who compiled it, but it is not making us safe. Doing what is in it makes us safe. If the Staten Island Ferry people had done what was already a company policy, they would have been safe as well.
This is not a high-cost item. It is not the same as AIS. It took about 24 man-hours to compile and it was my manpower and I work for free anyway, so it was really a low cost. But, we need to be thoughtful as to what these regulations and these measures are actually accomplishing. I’m all too aware that we have to do something and I’m also aware that it is easier to have one size fits all. But, while I have this audience, and I really value having you as my audience today, to hear me say that let’s stop and think what the real practical value of these are.

Now, the voyage data recorder (VDR) – VDR is a concrete example of what has affected me as an operator. I used to send my high-speed boat from Boston down to the Caribbean to operate in the wintertime. It is a very difficult business. I have to pay a lot of debt every month – I’d rather put that debt to work. I can no longer do that because now there is an international requirement. We ran between St. Thomas and Tortola. To have VDR on board, at that point, it was $110,000. Now, a simplified VDR is around $50,000 to $60,000.

Without sharing all my finances, I can tell you it is many years to make a return on investment for that just six month season. I cannot do it. I stopped employing people. Worse yet my modern vessel is not allowed to trade down there, but instead the primitive vessels, which are aged 30 or 40 and maintained to a terrible standard, are free to run about. A good operator has been stopped from making money and doing good business for the people because of a VDR requirement that makes no sense for our tiny, little industry.

So, folks, one thing that is working is awareness. Awareness works. We had FBI, INS, Coast Guard, dogs, helicopters, down on our docks recently for what could have been a real incident. We still don’t know if it was. There were a couple suspicious gentlemen, and it worked great.

The punch-line here is that was on a subchapter T vessel with no security plan, no vessel security officer. It was brought to our attention by a water taxi operator. No company security officer. Common sense trumps security plans any day of the week. So, I herald common sense. I herald awareness building, such as we are doing here. So, let’s keep that up.

Thank you very much.

Mr. Lauridsen

Thank you, Mike, for another perspective. We are about to shift gears a little bit. But, before we do, I want to emphasize that we’ve been talking about national policies, maybe where we fit in the big picture. Sometimes we don’t fit in the big picture. On the other hand, the relationship generally between our industry and the Coast Guard and all of those that they interact with are very good. We have many, many members who will say that they appreciate the Coast Guard, the extra set of eyes. They appreciate when they call and they need ice breaking. They appreciate when they call and they need some interpretation. So, before I shift gears, I don’t want to leave you with the idea that we are trying to paint a target on you because we’re not. Again, we are trying to indicate our
industry, some of the economics, some of the challenges, some of the operating environments, and maybe how some of those public policies will impact.

So, let me shift gears just a little bit. The next speaker is Ed Welch. Ed Welch was Majority Counsel on the House Merchant Marine and Fisheries Committee. He has worked with the Passenger Vessel Association as the Legislative Director and has been very effective for us. I’m bringing Ed on because there is that other segment of the industry, the marine transportation system if you will, that is represented by vessels like the Ethan Allen or vessels that are state-inspected or vessels that aren’t inspected at all. Sometimes, they gain the headlines and that carries over.

Ed is going to give you a little background on how he helped members regionally and probably how we’re perceiving things nationally.

Mr. Edmund Welch
PVA
Good afternoon and thank you. The common denominator of our four previous speakers, despite the diversity of their geography and the types of vessels they operate, is that they all operate Coast Guard inspected vessels. The Ethan Allen was a tour boat in Lake George, New York and last October on a beautiful, calm day, it capsized suddenly with nearly 50 passengers on board and there were 20 fatalities. The Ethan Allen was a state-inspected commercial passenger vessel. The Passenger Vessel Association does not represent more than a handful of state-inspected commercial passenger vessels. Most of our membership is Coast Guard inspected. But, there are a significant number of state-inspected vessels around the country -- perhaps more than we at PVA realize, and perhaps more than you, the Coast Guard, think there are. Their safety is significant. It is significant for Coast Guard inspected vessels, and it is significant for the federal government because when there is an accident, and there are fatalities, the press, the public, and the politicians don’t care whether it is a Coast Guard inspected vessel or a state-inspected vessel. They want to make sure that the traveling public and the recreational public is safe when they go out on commercial passenger vessels. With Coast Guard inspected vessels, people can say with a high degree of assurance that yes, people are safe. You can, with confidence, go out on Coast Guard inspected passenger vessels.

With state-inspected vessels, you can’t make that statement quite as confidently. There are a variety of inspection regimes in the states. The state laws on inspection standards vary. Some of them are fairly extensive, approaching Coast Guard standards. Others are lesser. There are a few states that don’t have any standards. They have basically made a decision to let commercial insurers take care of the safety of passenger vessels that they write policies for. So, my talk today is to say let’s explore a little bit more of this different world of state-inspected passenger vessels.

Let’s take New York, for example, where the Ethan Allen occurred. The agency that inspects passenger vessels, state-inspected passenger vessels, in New York State is the Department of Parks, Recreation and Historic Preservation. That sounds like a long way
from the U.S. Coast Guard. They have a small inspection office which is, in fact, staffed with retired Coast Guard inspectors.

I don’t want to leave you the impression that there is no expertise there. But, there are about three inspectors in that office. The New York state laws that set the passenger vessel standards address many of the topics that the Coast Guard regulations do, but not anywhere as extensively or exhaustively. There is a lesser standard in New York and there is a lesser capability within the New York state agency. I would say there is a lesser degree of enforcement of what the state regulations are. New York is one of the better states. Other states can’t compare with New York. Some states do take the approach that they will pass regulations that basically say our state regulations will mirror the Coast Guard subchapter T regulations, whatever they might be. So then, in those situations when the Coast Guard makes an adjustment with its regulations, the state regulations automatically track that. There is an exception – most states put out standards in their own regulatory structure and those standards are less than what a Coast Guard inspected vessel should do.

Is this good public policy? Why are we doing this? Well, the reason is there is a differentiation between federal waterways that are part of the federal navigable waterway system, and state waterways. Now, there is not a difference on these waterways as to whether they are navigable in fact. All these waterways are navigable in fact, but for various reasons some of them are not so designated as navigable in the federal sense by the Coast Guard and by the Army Corps of Engineers. So, for example, in New York State, we have Lake George. Lake George is considered to be not a federal navigable water even though there are several tour boat operators that carry passengers commercial with some large vessels. Some of the vessels up there carry 200 or 300 passengers.

Now, what differentiates Lake George from Lake Champlain which is right up the road which is a federal waterway. Therefore, the commercial vessels that operate in Lake Champlain are Coast Guard inspected. Lake Champlain happens to be on the border between Vermont and New York. So, it is interstate traffic across there and that justifies that body of water being considered to be a federal navigable waterway.

I wonder, for purposes of public policy, does this distinction make a lot of sense. After all, if what we are interested in is passenger vessel safety, do we care more as to whether somebody drowns on a federal waterway than we do if they drown on a state waterway? I would submit that was a pretty sorry distinction.

After the Lake George accident, there was a small organization known as the New York State Tour Boat Association. It represents about 35 vessel operators in New York State. These are both Coast Guard inspected vessels and state-inspected vessels. We don’t have the staff. They are basically all marketing organization, but they called us down here in Arlington, at the Passenger Vessel Association, and they asked us to give them some guidance as to how they should respond in a public policy sense to the accident at Lake George. The governor of New York and state legislators in Albany were responding by saying we need to beef up our New York State laws. We need to enhance the inspection capabilities of the state inspectors. So, I’ve spent a fair amount of time with them analyzing the New York State laws, making recommendations to them, things they could recommend to their legislators about how to improve the safety regulation for state-
inspected vessels in New York. That process is going on now, but the three types of things that are being considered up there are a host of changes to the actual vessel regulations, more frequent inspections, required notification to the New York State inspector, enhanced fire protection, enhanced life-saving protection, etc.

Another proposal that is working its way through the legislature is alcohol and drug testing that moves towards the Coast Guard standard, particularly as far as post-accident, but doesn’t quite get there as well as compulsory liability insurance in the case of marine accident. It turned out that the operator for this particular vessel, the Ethan Allen, the insurance that he purchased over the internet apparently did not cover marine perils. While it sounds funny, it is a horrible situation because 20 families have deceased relatives and they have no insurance to turn to. We have 25-30 survivors, and there is no insurance. This raises fundamental questions as to what should the state, the federal government, and the industry do in terms of compulsory insurance.

So, these are some of the types of things that have generated in the public policy realm in Albany as a result of this Lake George accident.

Finally, and I’m not speaking for PVA here, I’d like to just put in your mind the question of state inspection. What can we do about it? We can enhance the ability of state agencies. That seems to be the approach they are taking in New York. Or, states can suggest that they will just mirror the Coast Guard regulations. And some states, like Maine, for example, are moving in that direction. But, I wonder, should we consider the pros and the cons of the Coast Guard taking over inspection of these vessels? Why is the Coast Guard not doing it now? What is the distinction between state and federal waterways? I can tell you as a lawyer there is no Constitutional reason that the Coast Guard could not inspect vessels on state waters. I believe the Coast Guard is applying MTSA, the security law, to vessels of sufficient size that operate on state waters. If they aren’t, why not? Why would a terrorist strike of a passenger vessel carrying more than 150 passengers be any better or worse if it occurred on a vessel on state waters as opposed to federal waters? So, I foot that question over to safety.

There is a question of federalism – in other words, would the states resist this. That might be the case, but I don’t see any Constitutional reason why the Coast Guard and the Congress, if they so chose, could not say we will have Coast Guard inspections on state waters.

So, I just leave that question hanging for you to think about. After all, safety in our industry is important to us. If there are accidents on one vessel anywhere, the regulatory and the financial implications strike all of us. So, we cannot afford to just say that was a state-inspected vessel – we don’t need to worry about that – that has no consequences for the rest of us.

Thanks very much.

Questions and comments
Question — With the new TWIC background checks, how do you see this affecting sea captains, dock workers or others who come and go? What will happen with the seasonal workers and the ability to get them certified, documented, and through the necessary amount of procedures? We are terrified that this will prevent some of the high school kids from getting through the system in time to get them on board for the season?

Response – What I can tell you that we do right now, we actually drive high school kids down to Baltimore. We have found, more so lately than in the past, that we are having not only new employees but long-time employees having documents expire while waiting in the process at regional exam centers. So, I guess my answer is I hope TWIC doesn’t originate from regional exam centers.

Response – I would like to comment on that. I remember the national hearings that we had on the implementations of the MTSA regulations and the Coast Guard officers that were conducting those hearings made several statements as they opened the hearing saying “we want to come up with regulations that ensure security but do so in a way that do not cause undue interference with the economic well-being of businesses that are regulated.” I can tell you that seasonal workers who haven’t had TWIC are going to have and cause a major implication and a major undue economic burden on their employers. There is no way the Coast Guard or the Transportation Security Administration is going to be able to convince people otherwise. It is going to take a certain amount of time for these seasonal workers, once they apply, to have the background checks and then have the cards issued. As Mike Glasfeld said, let’s think – if you have a seasonal worker who has a limited amount of time to work and they have the option of (1) applying for a transportation worker identity credential and paying $150 for it and having to wait, even if it is just 10 days before it is issued to them; or (2) going down to the store or the McDonalds or the restaurant and starting to work that evening for the same salary, what are they going to do?

Response – I can tell you that they get a job in town. We lose them all.

Comment – Mr. McGovern -- On the AIS issue, AIS is now being used as a security tool, but its original intent was to prevent collisions. I’ve heard a lot of the things everybody has said. I think there are places where AIS is appropriate, NY being one of them. To find out who is where, what speed they are going, and other similar things, it is helpful. I’m not saying AIS is perfect or that you need it in the more remote places, but I think it can be a safety and security tool. I think things can be used for multiple reasons. I think the ultimate cost is going to come down on AIS, at least that is what we hear. As these things become more popular, the price keeps dropping, like everything else, but there are places where it is helpful.

Comment – I appreciate that. I agree. If I were you, I’d want that and many of my colleagues on the larger ships like it as well because they don’t have maneuverability. Folks, again, one size does not fit all. It is great for these boats and not for small boats. Of course, remember AIS is only as good as the GPS sender unit on the vessels and we have all heard about AIS-aided collisions where the GPS was in tune drag. So, I also
know that the vessels that have the AIS with the big displays, companies will often say please don’t use that or depend on that for collision avoidance because we can’t trust the other guy has a reliable GPS signal.

Comment – Mike, if I could add, when the Coast Guard did the initial phase of AIS regulation and they did their cost benefit ratio, they said that for the domestic passenger vessel industry, putting AIS on domestic passenger vessels that operated in VTS zones was no where near having a positive cost benefit ratio. It had a profound negative cost benefit ratio for that segment of the marine industry – the domestic passenger vessels that operated in VTS zones. Now, extrapolate that and say we are going to put AIS on all the domestic passenger vessel industry outside the VTS zones and the cost benefit ratio gets even worse. But, the Coast Guard has said we are going to let security considerations trump economic considerations in this particular case.

What troubles us is that the Congressional law on AIS gives the Coast Guard the authority, the legal authority, and there was the expectation by Congress that the Coast Guard would designate waters of the U.S. where there were very few security risks or navigational challenges or remote areas and exempt those waterways from AIS requirements. The law also says the Coast Guard should set up and can exempt vessels from an AIS requirement on a vessel-by-vessel, case-by-case basis. We have seen absolutely no sign that the Coast Guard shows any inclination of complying with these two aspects of the AIS law. So, in other words, Congress was saying one size doesn’t have to fit all, but so far, the Coast Guard is going down the road of one size fits all.

Comment – Two quick comments. One, in part we are reacting to the fact that the semi-annual agenda that came out last October that says the Coast Guard was going to AIS interim final rule – slam bang, thank you, by February 2006. The new semi-annual agenda says they are going to come out with a notice of proposed rulemaking in October. So, Andrew, you and we are going to be loading up Jorge and let’s see how Jorge comes out. But, I do appreciate your statements, Andy.

Comment – RADM Bone – This discussion is exactly why there is a Notice of Proposed Rulemaking out and is exactly why that process is important, so that people can get up and state why they think something should be or what should be taken into consideration. Most of the discussion about a regulation is what Ed is referring to; how it is applied, where it is applied, how it can be useful, what are the problems associated with it and what are the different views are being expressed. I think that is good discussion and I’m glad to see this forum supporting it

Comment – If I might, a few weeks ago when it appeared the Coast Guard was going to implement the second phase of AIS requirement by interim final rule that would go into effect immediately with comments afterwards, several organizations, including PVA and the American Waterway Operators, went down to Coast Guard headquarters and we had a very cordial meeting with Admiral Bone and basically stated why we felt this was not
the best way to proceed, that we would very much like the opportunity to go through the normal regulatory process with a notice of proposed rulemaking. We walked out of that meeting saying we gave it our best shot, but I think we are going to have to deal with an interim final rule. About a week later, we answered the phone and it was Admiral Bone and he said that we made a good case. The Coast Guard were going to go with a notice of proposed rulemaking. So, that tells me two things: (1) you should speak up for yourself, but (2) the Coast Guard is willing to hear you out – so thank you, Admiral.

Comment – One last closing statement, I said you need to know somebody if you are going to partner with them. Hopefully you know us a little better. The Harbor Safety Committee, and if in your area the Harbor Safety Committee does not include passenger vessels, please seek them out. Sometimes they are a little timid. Sometimes they are seasonal and might not – they don’t normally congregate around port issues like dredging and where you are going to put the next refinery and the next 500 acre cargo terminal and so forth. So, sometimes you might have to go out and invite them two or three times, but I think it is beneficial and I need not point out – I will point out 9-11, the earthquake in San Francisco, if it wasn’t for, in part, passenger vessels, things would have been a heck of a lot different. So, call them in, make them part of your Harbor Safety Committee team and talk to them and let them talk to you.
Recreational Boating

Ms. Joan Lundstrom  
San Francisco Harbor Safety Committee

Those of us serving on Harbor Safety Committees work to promote the safety of both large and small vessels. The State of California, by state law, in 1991 established five Harbor Safety Committees in California. Our state charge under the legislation is to prevent vessel accidents in our harbors, and that is all vessels – not just tankers because we were established in response to the oil spill created by the Exxon Valdez. That was our birthright – to prevent oil spills.

We have had, from the beginning, and it is set by state law, a recreational boater representative on our committee. Los Angeles/Long Beach and San Diego have a representative from recreational boating, as well.

Recreational boating encompasses a vast mix and array making it a challenge. We deal with motor boats, yachts, to inflatable motorboats, sailboats, whether it is 70-feet, we get 110-feet for the America’s Cup-type boats, as they do in San Diego, smaller sailboats, along with windsurfers, some personal watercraft, canoes, kayaks, outriggers and rowing skulls. The challenge is how to reach out and educate this very diverse group to the issues of our shipping lanes, our ferry lanes and the security areas in our harbors.

That is the challenge we on this panel in this room are all faced with.,

I would like to introduce our first speaker, who is Jim Muldoon. Jim is the Founder and Chief Executive Officer of METCOR, Chairman of the Board for Learning Systems International. He is currently chair of the National Boating Safety Advisory Council.

Our second speaker is Charlie Sledd. He is from the Virginia Department of Game and Inland Fisheries, Richmond, Virginia. He is currently the Program Development Director and the State Boating Law Administrator for that Department.

Our third panelist is CAPT Debra Marks. Debra is the Chair of the San Diego Harbor Safety Committee. She has been a yacht captain for a number of yachts ranging in size from 42 to 130 feet for several decades.

Our final speaker represents the Coast Guard. Mike Sollosi is Chief of the Office of Navigation Systems in Coast Guard headquarters. In that capacity, he has the current responsibility for short-range aids to navigation electronic navigation system, vessel traffic service, and navigation equipment standards and navigation rules.
Mr. James Muldoon  
METCOR, Ltd.; National Boating Safety Advisory Council (NBSAC); and U.S. Sailing

Thank you very much. I’m going to talk about the Coast Guard’s National Boating Safety Advisory Council and what we’re up to, and then a little bit about the Baltimore Area Maritime Security Committee. I’m chairman of NBSAC and chairman of a subcommittee on the Maritime Security Committee.

For those of you who are not familiar with what NBSAC, it was established by Congress in the Boating Act of 1971. That law requires the Coast Guard consult with the Council in prescribing regulations and other boating safety matters. Because of the times, the Council is also spending some time looking at the effect of homeland security measures on the recreational boater. The Council is comprised of 21 members. We are all chosen by the Secretary of Homeland Security. Seven of those people are state boating law administrators, seven represent the marine industry, and the other seven represent national recreational boating organizations or the general public.

In addition to boating safety issues, last year we had a very special task and we are proud of it. At the direction of Homeland Security, the Coast Guard and NBSAC initiated a new strategic planning process to establish goals for national recreational boating safety programs. They wanted to do that in a way that it could be supported by government, industry and the boating public, and that is a tough thing to get to. To handle this task, we augmented the Council with 15 other people involved in the field and they have worked diligently now for almost two years to come up with very clear-cut goals for this organization, developing objectives, identifying and prioritizing strategies to be used in the implementation, and most of all, determining a way to measure the effectiveness of what we are trying to do. When this group gets done, they will take it to NBSAC, NBSAC will endorse it, and then it will go to the Coast Guard for their consideration.

That group has set up two main goals for the next five years through 2011. They have two main goals: (1) we want to effect an annual reduction in the current number of boating fatalities. That would mean there would be about 15 fewer deaths per year. In 2004, there were 676 fatalities in recreational boating, and the unofficial 2005, the numbers show slightly below that. Our second goal is to reduce the number of boating injuries by approximately 5% a year; that’s about 150 boating injuries. Again, in 2004, there were 3,363 recreational boating injuries in the United States and they tell me that the 2005 numbers were down just a little bit from that.

One of the big challenges to us, and it has been a challenge to both the state people and the Coast Guard Office of Boating Safety is that the data comes from a lot of different places, so it is very difficult to get it standardized. But, they have made a lot of efforts in the last ten years to do just that; to standardize it so the statistics and the information that we’re getting from it we believe to be a lot more reliable.

In addition to the efforts of the Council, we have the Council’s ongoing advisory role and that includes a number of specific issues directly related both to safety and security of our nation’s recreational boaters.
Personal Floatation Devices (PFDs) are the first issue. This issue is particularly tied to the reduction in fatalities since about two-thirds of all boating deaths result from drowning. Over the years, the Council has unanimously adopted several resolutions aimed at increasing PFD wear. The one we are most proud of requires children 12 and under to wear PFDs on boats underway. It has had a dramatic effect in the reduction of fatalities in young people. The bad news is that the wearing of PFDs has not increased among recreational boaters in 15 years.

We are also very busy trying to get safe and reliable PFDs, but also ones that people will wear. We have always tried to come up with the optimum PFD, but the problem with it is that no one will wear it. We are looking at floatation that people will wear when they are trying to get a suntan or when they are trying to recreate. The Coast Guard is even providing money for people that design new kinds of PFDs for that. We have been able to get them to rely more on self-inflating PFDs and those are becoming popular.

Hull identification number (HINs) are another issue we have been deliberating on for a long time and it has a strong connection to safety and security in our ports. We want to have a 17-digit hull identification number similar to the vehicle identification number (VIN) that they have on automobiles. We have asked the Coast Guard to proceed in the regulatory process to implement this. We think this will be of great assistance to homeland security because it will add information about individual boats and hulls to the ID number. This would make it easier for law enforcement officers to identify stolen vessels as that is a very difficult thing for them to do at this time. What they are eventually trying to get the technology to do is to have a chip put into the HIN. This would allow it to be pulsed from a distance so that the Coast Guard and the law enforcement officers could figure out whose boat that was.

Proof of proficiency is yet another issue. I think there are probably some people in this audience that will be happy with this. This is an issue that is getting a lot of interest right now at Homeland Security and from the White House. The issue of proof of proficiency would call for legislation requiring a boat operator on U.S. waters to carry proper identification and possess a certificate showing they had completed a boater education course, probably approved by the National Associate of State Boating Law Administrators. Although there has been no final action on this, there is a lot of interest in the possibility of moving forward with it.

Very High Frequency (VHF) and Emergency Position Indicating Radio Beacons (EPIRBs), in the area of communication. NBSAC has supported the requirement for VHF radios and/or EPIRBS on boats operating more than one mile offshore of our coast or on our Great Lakes. We feel pretty strongly that effective, reliable communication can only help increase the level of safety for all recreational boaters, whether they are in port or at sea, especially in emergency-type situations.

Large lighting. Visibility has been an ongoing concern from both the commercial side and the recreational groups for years. We at NBSAC coordinate, and this is fairly new, with Navigation Safety Advisory Council (NAVSAC) and Towing Safety Advisory Committee (TSAC), both of which are Councils for the Coast Guard. We think that if the commercial boating interests and recreational boating interests talk to each other at an open table it could only help us understand the other guy’s problem a little better. For
example, we are working with TSAC in taking a look at the lights on barges. We think that will help increase the capability of recreational boaters to identify the barges. It may also increase the safety measures of crews who work on very poorly-lit barges. We think that is one example of the kind of cooperation that will be good for both sides.

I’d like to speak about the Baltimore Maritime Security Committee. We meet once a quarter and the Steering Committee meets every two weeks. We are continually working on the plan that is hopefully going to make the Port of Baltimore safe. I think something that is coming up that Captain Springer’s people, are going to be working all summer, which is to set up an exercise that will take place in September. It will be very comprehensive. Washington will have one the month after. The one in Baltimore will involve all the stakeholders and it will test how we coordinate and react to different situations in the Baltimore Harbor. Baltimore Area Maritime Security Committee (AMSC) is also working like are some other AMSCs in the United States, to try to bring the Coast Guard Auxiliary into that fold to give them more people and more boats. We also want to try to get auxiliary personnel involved in all the AMSCs. Representation from all user groups is crucial to developing effective safety and security plans that need to be implemented, especially if they need to be implemented rapidly. In fact, NBSAC, at our last meeting, passed a resolution asking the Coast Guard to make it mandatory that a recreational boater sit on the Harbor Security Committees and that they also sit on the steering committee. It is sometimes difficult for people who have a law enforcement job to take into consideration all of us recreational pests that will be out there while they are trying to do the drill.

Many ports, Baltimore would be a great example of that, go way out of their way to work with recreational boaters. They build restaurants and things around their inner harbors and they have all kinds of slips. It doesn’t make a lot of sense to ignore the fact that those people are there and can either make the problem worse, or they can maybe make it better. But, in order to do so, these committees are going to have to ask them how they feel about this.

Mr. Charles A. Sledd
Virginia Department of Game and Inland Fisheries and National Association of State Boating Law Administrators (NASBLA)

As you heard, I’m the current President of the National Association of State Boating Law Administrators. The Association is literally comprised of the 56 Boating Law Administrators from each state and the six territories including D.C. If you go to our website, or NASBLA which is www.nasbla.org, you will see that our logo talks about safe and enjoyable boating. It is the state folk, many of whom are like me and work for their state fish and wildlife agencies and not only do we work on a variety of topics including hunting, fishing, wildlife recreation, but we also work on recreational boating safety. It is those state folks who are working to ensure safe and enjoyable boating.

I printed off a couple numbers that came from the Coast Guard as a part of the preliminary allocation or the preliminary estimate for allocations of Recreational Boating Safety (RBS) dollars that come through the Coast Guard via the Wallop Bro fund. The
first number, 12,718,541 is the number of registered boats across the country; nearly 13 million recreational numbered boats. The other figure is $255,683,360. That number represents the level of state expenditures for fiscal year 2005 on recreational boating safety. These are big numbers of boats and big numbers of dollars.

I was asked to talk a little bit about the role of a State Boating Law Administrator and the emerging issues which Boating Law Administrators face. One of the emerging issues is a dilemma we all face as State Boating Law Administrators is to not be overzealous at the state level in trying to over-regulate or heavily regulate recreational boating. We always have to come back to why people recreationally boat. We will always ask ourselves that question – are we keeping in mind why people boat?

I’ve provided all sorts of testimony to our general assembly in Virginia about boating safety, and in many cases, what I tell them is that if they want to have safe boating, then it comes with a very simple piece of state legislation and that is “wear a lifejacket.” We know that year-in and year-out, across the country about 80% of fatalities likely could have been avoided if people wore a lifejacket. So, it is not very difficult to figure out how to insert an extra safety ingredient into recreational boating – wear a lifejacket.

Many states, our state included, make that one of its key messages. For a number of years now, our recreational boating program in Virginia has had three key components to its safety message, and they are: wear a lifejacket, don’t drink and boat, and take a boating safety course.

We also know that legislation or laws that require children to wear a lifejacket are important. I can tell you, Virginia is one of about a half-dozen states that still does not have a state law requiring children to wear lifejackets. We are fortunate that we do not have the statistics or the fatalities for children that speak to children wearing lifejackets. That is not an excuse of why we don’t have legislation, but it does come into play when state legislators are considering the legislation.

Other types of safety laws and regulations include mandatory boating safety education. Right now across the country we have something on the order of 35 or 36 states that have some type of mandatory boater safety education for all boaters. You may hear numbers like there are 44-45 states that have mandatory boating safety education. If you look at it from the broader view, Virginia would be one of those. We only have a requirement for age 14-15 youngsters who want to operate a personal watercraft to take a boater safety course. Virginia, again, is one of the states that currently do not have a broad encompassing mandatory boating safety education program. We had legislation introduced during our past general assembly session, and it was continued to the next year.

In many cases, what we see across the country that gets laws enacted and gets issues addressed comes from high profile accidents. The reason we had a mandatory boater safety education law even introduced, was due to a high profile accident that occurred on one of our inland lakes. It involved excessive speed, darkness, and operating under the influence. As a result of that, two people died. But, that high profile accident got a number of issues introduced into the general assembly, even though many of those did not end up being successful. We had that bill introduced in the Committee, and we had
testimony provided from National Marine Manufacturers Association, Personal Watercraft Industry Association, the National Transportation Safety Board, U.S. Coast Guard, U.S. Coast Guard Auxiliary, myself as the State Boating Law Administrator, and a homeowner’s association from the lake where that particular accident happened. Every comment that was made, every speaker who talked was in favor of mandatory boating safety education. If that was the case, you have to ask, why didn’t it pass? The one thing we were missing was the boating public; some of those 12,718,541 registered boats. In Virginia we have about 250,000 of those registered boats, and we didn’t have the boaters coming forward. We intend to make that a little bit different the next time around.

As the President of NASBLA, I’ve made a number of presentations. One of the pieces that I try to leave with folks is we have to get boaters involved. We don’t have a particularly good track record, at least in Virginia, of having boaters involved. I work for a State Fish and Wildlife Agency and when we start to do things that determine with what you can do in other activities like hunting or recreational fishing, we have lots of folks come to the table. They are vocal about how they think we ought to be doing business, and they contribute to the problem-solving. When it comes to recreational boaters, we don’t have a good track record. We have to get recreational boaters more involved in what we are doing and that allows us to continue to keep recreational boating safe and enjoyable.

Across the country there are a number of grow boating initiatives. My comment is that if we expect to do the kinds of things that will put more boaters on the water and we don’t have a way of increasing the amount of water we have in Virginia, it will lead to more congestion, more user interaction, and a different way of doing business in terms of what the boaters currently do. Without mandatory boating safety education we have no way of knowing whether other boaters on the water have any training or knowledge the way we can assume that automobile operators have some training. As we continue to grow boating, we have to be more energetic, more engaged, and do the kind of things that will have a recreational boating public both involved and safe and enjoyable.

Capt. Debra Marks
San Diego Harbor Safety Committee

I’m going to talk about a couple different things. One item is the way that Harbor Safety Committees can reach out to recreational boaters. The other one is going to be on some of the observations I’ve had teaching new boat owners how to operate their boats.

If you thought the high cost of fuel these days was going to eliminate some of those recreational boaters out on the water, I’m sorry to disappoint you but that is probably not going to happen. They are very motivated to get out there, use their boats, and sailboats don’t use much fuel anyway. So, they are still going to be out there.

In a lot of the conferences we have had for the Harbor Safety Committees, we have talked about the MTS. One of the ways to get the general public more interested in the MTS and what it means to the country and to them is to provide access to the waterways for them in recreational boating. When they see the ships going down the channel and with a little more education as to what those ships are carrying they could relate to the
idea that my new sneakers are in that ship right there. So, keeping them on the water gives them a personal connection with the MTS.

Education and community outreach efforts, either ongoing or one-time events is another way to reach the recreational boater. I’m sure a lot of Harbor Safety Committees have used a lot of these already. But, working with your state’s Department of Boating and Waterways, Fish & Game, Parks and Recreation, and the Department of Motor Vehicles would reach more of the boating public. For example, California sends out boating education with their registration of the new vessels.

Marinas – If you buy a boat, it is either going to be trailer able or you are going to have to find a slip for it. The marinas have interaction with thousands of boaters because they provide the docking space for the boat and also have launch ramps. At marinas another point of contact is signage. Verbal communication is the best way to get to people. But, rather than having regulators come in and really squeeze boaters and marinas on what is happening to their oily waste from the vessels in their marina; how are they taking care of the trash; are they discharging sewage into the waterways, other methods could be used. For example, in California there is a program that has been spreading its way across the state. In this program, the marina industry itself has come up with regulations and they go around and certify the various marinas to be in compliance with their 75-page program of what each marina needs to do to be environmentally correct. I believe their regulations and their volunteer program is tougher than the federal regulations that exist now. They are getting a lot of cooperation. They have 38 marinas signed up now in California, and six more in the works. Volunteers administer the program and each marina that gets certified.

Marine stores – Everybody that owns a boat walks into a marine store. Marine stores also put on seminars and are always looking for speakers on virtually any subject that is boating related.

Some other places to reach the public are: tackle stores, where you will get the contact with the fishermen that are out in the trailer able boats by education and publications through tackle stores, yacht clubs, sport fishing landings, fishing tournaments, boat rental companies, and of course, boat shows.

Another thing related to conference subjects that have come up with regard to security was the Republican National Convention in San Diego before 9-11. It was years ago, but the convention site was right next to a marina with 400-500 yachts in it. The FBI and Secret Service called a meeting of all the marina tenants. They didn’t close down the marina or access to the boats, but they didn’t want anybody sleeping aboard the boats. However upon discussion with the tenants of the boats, they acquiesced and people that live-aboard were able to stay there because they learned that they were more aware of the inner workings of the docks than the security personnel would have been.

Also, in relation to disaster preparedness and response, yachts, of which there are over 8,000 over 80-feet long in the country, could be a tremendous resource. These yachts have high-speed internet connections, satellite phones, electricity, accommodations, and full crews. One example is the Exxon Valdez oil spill where yachts from Seattle and the
local yachts in the Alaska area were chartered by Exxon to provide the logistics base for the clean-up effort and to house the authorities that were overseeing clean-up.

Our San Diego Harbor Safety Committee has done some interesting things that you may want to try to copy because they have been successful for us. We have created positions on our committee to be able to represent all the user groups. We have a position for recreational boaters/commercial fishing, a Navy liaison, one for passenger carrying vessels. We split the passenger carrying vessel into two positions, one for those involved in the harbor cruises and tours around the Bay and other to represent the sport fishing community. It was difficult to find a representative at first, but if you are patient as we were, you will find somebody.

In San Diego, we have 22 yacht clubs who are involved in numerous regattas. Many of these races go across the main shipping channel. The Harbor Safety Committee met with the race committees from the yacht clubs and developed instructions for the races. The instructions state that the racing sailboats must obey Rule 9 and if they don’t they will be disqualified from their race. Since that time, a number of boats have been disqualified. The message has stuck. Now, there is not a problem with the racing sailboats except for a few itinerant ones, interfering with the commercial traffic in the harbor. They just accept as one of their handicaps in the race when they have to work their way around a ship coming in.

It also works both ways. We worked with our NOAA liaison to the coast pilot when we added the “beer can” races, which are sailing regattas with 100 or more vessels in the middle of the Harbor. We also have the local Coast Guard email out to any stakeholders that are interested a list of events, whether it is a private event, fireworks, anything, that are going on that week in the Harbor so everybody knows that is going on.

A few years back we put together a pseudo-port system. It is web-based and allows you to see real-time wind speed and direction, currents, and the tide in three different locations around our Harbor. It is an easy site. It is not cluttered with too much information on it. It is comprehensive and it provides information that not only pilots and commercial operators want to know, but recreational boats too. We get about 400 hits a day on that site. We also have web cams on it, and unfortunately what we were talking about earlier today is our system is about to be shut down for lack of funding.

I’ve been teaching recreational boaters for the last 2-3 years. Although, California does not have mandatory education requirements, people call me because they have had problems and need some training. I will not teach them how to get in and out of their slip without covering safety first. I won’t take the boat out with them until I go through all the safety aspects – lifejackets and that sort of thing. Many vessels that actually cruise offshore only have the Type II jackets meant for inland calm waters. They are making long trips where they need to carry a Type I jacket. The other thing I bring with me too, which is one of my pet peeves, is a smoke detector because yachts don’t have smoke detectors on them – they are not required.

The boaters are coming in greater numbers. People who are retiring, have more time, and money are buying boats. If you can buy a boat you can operate it without having any experience in boating. It is unbelievable how little people know what is going on around
them; some don’t even know what the concepts of wind current and tide mean. In addition, boat owners will not learn how to work their new GPS plotters on their boats. One of the things the Harbor Safety Committees can do to alleviate some of these issues is to get involvement from recreational boaters. Contact them and work with them and then maybe some of the mandatory education can be put in place if you get their cooperation. One of the biggest fears is that mandatory education and the certificate and the costs associated with that and the fees is only additional taxation on wealthy boat owners. Through working with recreational boaters I think that belief could be changed.

Recreational boaters are buying higher end boats. To insure these types of boats, the operators are required to get insurance. Most marinas require proof of insurance for owners to get a slip and sometimes even the boat dealer will require that the purchaser have insurance. The owners/purchasers are lying about their experience so they can get the coverage. Many times when there is an accident, it is not reported. It doesn’t matter if it is beyond the legal limit or the requirement for reporting accidents. They don’t report it. It doesn’t matter if it is beyond their insurance deductible. They don’t want the insurance company to know they had an accident. They get it repaired on their own. Same thing with injuries; they are not reported. Unfortunately, the insurance companies don’t have the time or the manpower to verify people’s experience on boats before they insure them and just the stats are higher than people think they are.

Mr. Michael Sollosi
U.S. Coast Guard

Most of my experience in this job has been involved with large vessels and large vessel traffic, things like IMO and VTS and the International Association of Marine Aids to Navigation Lighthouse Authorities (IALA). They all have to do with large commercial craft. However, since January of this year, I have assumed new responsibilities. I took on aids to navigation and electronic radio aids to navigation, in addition to the VTS and navigation safety requirements. What I’m going to do tonight is to tell you a little bit about what the office does, hopefully staying within the context of recreational vessels, and I’m going to give you my version of where I think some of these programs are going in the Coast Guard.

My office, and the people in there, provide essential services to all mariners, whether you are deep-sea, near-shore, in-shore, off-shore, foreign, domestic, recreational, or commercial pilots; it doesn’t matter. We try to do this without discrimination. We try to establish good order and predictability on the waterway. The problem we face is aid mix. In other words, what is the appropriate combination of satellites, radio signals, lights, day marks, horns, bells, whistles, buoys, rules, regulations, oversight, all these navigation aids and aids to navigation? What is the appropriate mix so that we can provide all these users the services they need in order to be able to determine their position, determine the safe course to steer, and to avoid danger under any and all circumstances or conditions they are likely to encounter on the waterway? That is a pretty tough job.

The risk of grounding has been in place ever since the first vessel was launched and ever since the second vessel was launched we faced the risk of collision. Mankind has been
struggling with the same problems through the entire course of civilization. To alleviate these problems, some of the things people have come up with are the lead line, the lighthouse or the beacon, sextons, chronometers, all sorts of electronic lights, buoys and beacons, radar, echo sounders, ECDIS, electronic nautical charts, LORAN A, LORAN C, DECCA, OMEGA, CHICA, DPS, GPS, Galileo, AIS, VTS, LRIT the list goes on and on. You will notice the accelerating pace as we get to the end of that list. Finally, I think, through a triumph of technology we have mastered positioning. We can all know where we are, with certainty. This costs us a fortune.

Now, getting back exactly to what my office does. We operate a constellation of 53,000 short-range aids to navigation. This covers 98,000 nautical miles of coastline and 25,000 statute miles of inland rivers. We have a fleet of 320 cutters and boats, some 3,000 dedicated personnel and an annual operating cost of around $800 million. Remember that number. We provide LORAN-C at a cost of $34 million annually using 350 people at 24 stations around the country. We have 9, 10, 11 or 13 vessel traffic services, depending on how you define them, using about 240 people and an annual operating cost of around $20 million. We have 82 differential GPS sites around the nation, only 42 of which provide services to the maritime community and we administer rules and regulations with a staff of three people. All of this is seemingly free to the beneficiary and therein lies the real problem with aid mix. The question becomes not what is the best mix, but what is the most cost effective mix or, in other words, what is the least expensive mix.

Do we need or can we afford redundancy through a mix of terrestrial and satellite-based radio navigation systems? Can we cut 5% or 10% or 20% of our lights and buoys? Can we eliminate some servicing personnel and hire contractors to maintain our aids to navigation, and at the same or maybe even a slightly lowered standard of availability and quality of service? I have to ask you these questions in terms of the context of the recreational vessel. I also want you to know that I didn’t make these questions up while I was sitting there waiting for my turn to speak. These questions have been asked of us. They are rhetorical questions now, but sooner or later we are going to have to face these issues and answer those questions.

We are trying to balance aid types against a fixed or declining budget and still deliver services to a wide range of users. I know this panel represents a particular segment of the industry. They are not commercially driven to get from point A to point B in the fastest and most economical fashion.

The Coast Guard will be directed to reduce the number of aids to navigation and many of these will unfortunately be in waterways that support recreational use. The suggestion to cut 5% of our aids comes along with a suggestion to cut 5% of our operating expenses, even though the expensive part of providing the aid to navigation is not the aid itself, but in the servicing unit. It would make much more economic sense to stop marking the entire waterway and eliminate a servicing unit or distribute that workload amongst adjacent servicing units.

The Coast Guard has probably studied this issue 200 times in the last 20 years. One of those studies in 1999 called the Rolls Admission Study said that the benefit of waterborne commerce to the gross domestic product was $742 billion. In 1999, the cost to provide
aids to navigation was $463 million. That is quite a return on investment. Note that in 1999 the cost to provide those services was $463 million. The constellation has grown about 1% per year since then, but the cost to provide those services is now $800 million. The aid mix situation has changed quite a bit since 1999. In that context, we have to answer the question, with the advent of GPS and differential GPS and more affordable electronic means to navigation, do we still need all those short-range aids to navigation that we now provide? Given the pace of technology in electronic navigation, I don’t know if we can ever answer that question.

The first GPS receiver I ever saw was in the first Gulf War. It was about the size of a desktop dictionary. It cost $8,000. It looked like an 8-track tape player. It had an LED front on it that gave you the latitude, your longitude, and the Greenwich Mean Time. Now, for $100, you can buy a GPS at any sporting goods store that comes with mapping software that can tell you your position within a few feet almost anywhere in the globe. The Department of Defense has since turned off selected availability; the network of marine differential GPS system is complete. We can determine our position within a few feet so, we feel that GPS is not only the present system of navigation, but it is the future of navigation. Therefore, and as many of you may be aware, the Coast Guard has made a determination to terminate LORAN-C services. This decision has been discussed at the very highest levels for more than ten years. During that time, GPS has come into more and more frequent use, and LORAN in its present state is no substitute for GPS. We feel that we are broadcasting a signal at great expense to the taxpayer and at the expense of other more useful, usable, and accurate aids to navigation that really nobody is listening to. Therefore, LORAN is not included in our future plans for aid mix.

Another ingredient in the aid mix solution, unfortunately, is regulation. These include regulations that effect activity external to the vessel, as well as regulations that effect the internal operation of the vessel and its carriage requirement. I’m a big supporter of mandatory training for all vessel operators, and I’m a supporter of licensing and of mandatory wearing of PFDs, but those requirements come within another section of the Coast Guard so I’m going to focus my presentation strictly on navigation safety requirements onboard the vessel.

As you know, most navigation regulations target a specific user population, and recreational vessels have often been excluded or exempted, particularly from regulations involving carriage requirements. Of course, the regulations apply nearly universally across the board. But, things are changing on the waterway.

In the past, automobiles and airplanes could go where they wanted and as they wanted; however, regulations were eventually put in place to make things safer. Now, the automobile and the airplane can no longer go where they always wanted, can the vessel be that much farther behind? You might say we have freedom of navigation, freedom of the seas that we don’t need those regulations, but it has already started. We have traffic separation schemes. We have regulated navigation areas. We have exclusion areas. Do you think honestly that the number of these things is going to be increasing or decreasing over the next few years? We live in a fragile environment and we might have to declare some areas free from navigation of all types of vessels to protect either the fragile environment therein or the vessels from that area.
How best to protect everyone as we protect critical elements of our national defense, our economy, and our environmental treasures? The proliferation of movement restrictions has already begun. It is most apparent in the commercial sector, but I believe it will eventually trickle down to the recreational sector. With these restrictions come reporting requirements. Some people think reporting requirements are synonymous with AIS, the automatic identification system. I want you to know that the Coast Guard’s authority to require AIS on vessels right now is limited to commercial vessels 65-feet or greater. There are some other categories, but the two important things are commercial vessels and 65-feet and greater. That means we do not have the authority to require AIS or similar recording devices on recreational vessels.

I don’t know if many of you are aware, but in Singapore there is a requirement for vessels to carry a transponder-type device all the way down to the size of a jet ski. Some people in this country believe that a device like that will one day be required on all vessels in the United States regardless of their size or their use. It won’t be AIS, but it will be something to report the vessel’s position and identification. That is a ways off, but people have foreseen that taking place just like now you are required to have running lights and, hopefully, someday you will be required to be wearing your PFD.

That covers everything from my perspective. Short-range radio aids, regulations, and even a casual mention of VTS. I hope I didn’t paint too bleak of a picture, but our aid mix of the past will not resemble our aid mix of the future. Aid mix structures designed for a world of traditional marine navigation for all users, including recreational users, cannot survive into the coming future of electronic navigation. The service users, the old services, and the service providers must all adapt.

Questions and comments

Comment and question – Mr. McGovern –I have a few things. I know that you, Mr. Sledd, as the head of NASBLA, approve the basic boating safety course nationwide. In the curriculum, do you think there is the possibility of adding a security module to the requirement? I know some boating instructors do teach a little bit about that and in a lot of the areas there are security plans that they’re going to have to live with. Just like the recreational boaters check the weather, they should check to see what the MARSEC level is and where the security zones are. I make the security module as a suggestion that you might bring up to the rest of the NASBLA board when you meet. As a maritime security measure, I suggested in New York that marinas and boat ramps be required to put up signs letting boaters know about the security plans that are in place and that there are changes in security levels just like the weather. Boaters should check the security level before leaving. We have home port now, and maybe they can put in the web address on a sign or something like that; something very simple. It should not cost a lot of money, but a sign should be there letting boaters know to check before they leave. I just think it would be a good idea because one of the big problems we have is you spend a lot of your assets chasing boaters out of security zones that they don’t know are there. Those assets could be a lot better used doing real work.
Another issue, and again these are just some suggestions, registration numbers and names, both for search and rescue and also for law enforcement, most of these numbers are on the side underneath the flare of the bow, and if you are on a small boat, you are not going to be able to see that or to identify the vessel you’re looking for. Maybe requiring one set of those numbers to be put on the upper deck of the vessel – the name or the number, so that aircraft and larger patrol boats can read that, especially if they are looking for somebody it is very hard to see those numbers underneath.

I agree with the education part – that has to be a requirement. I was mentioning before a story that I was on a ship, a German master, unlimited oceans license, he bought a 10 meter sailboat in Germany and it is required that he has a license, even as a recreational boater. He went down with his Masters oceans license figuring they would just give him a recreational boating license, and they did not. He was required to take the test. In this country, if you got the money as we said before, you can run it.

Also a question for Mike that was asked before, but there was nobody from the Coast Guard to answer it. Regarding the AIS carriage requirements, *when does that requirement come into effect? Last I heard, was 2009? Do you have any additional information on that?*

*Response – Mr. Sollosi* – The law requires that we have regulations issued by January 1, 2007. So, the regulations will be out by then, but the schedule for implementation is going to follow that. I can’t tell you what the schedule is because it is not decided and could be adjusted in the NPRM process. But, there will be regulations by January.

*Response – Capt. Marks* – I’d like to comment on one of Andy’s things on security areas. On the chart there are restricted areas marked. I take my students through the chart, try to explain to them, but they don’t understand the symbols. On the map, as my students call it, it says there are restricted areas – see Note A or see Note C. For security zones and restricted areas, those are defined. For the ones that have the other note, you go to that note and it says, at least for our San Diego area chart, it says to contact the Corps of Engineers in Los Angeles or the Coast Guard District in Alameda, California. Essentially, it sounds like go to Alameda or go to Los Angeles to find out what this restricted area means. They throw up their hands and they say, they wanted to know why this area is restricted and I can’t find out. As an experiment, I tried calling the Corps of Engineers in Los Angeles and the Coast Guard in Alameda. In each place, I was sent through 5-7 people who had to return my phone calls. I was only trying to inquire, as to what the note on the chart means. I couldn’t get an answer. We will work with our liaison, who does a great job with us in San Diego, to try to get some more information on the chart. When I talk to my students, I also give them the website for the coast pilot and local notice to mariners. But, they don’t see why they should use the chart when they can’t get information from it.

*Response – Mr. Moldoon* – I would like to make an education comment. My council, NBSAC, is determining more and more that nobody ever learned how to run a boat in a classroom, so there is a very strong look going on at boating courses that are given on the water, the practical aspects of it. I think that is going to be a trend in the future.
Response – Mr. Sledd – A quick follow-up comment on the boating courses. In part of the introduction about me, you heard I served four years as NASBLA’s education committee. Boating courses from across the country carry a three-year validation period so, when you were chair for four years you look at every course that exists across the country. Back in 1999, NASBLA developed the national boating education standards. They were established as the minimum course content for a 6-8 hour course that basically covers what the most necessary knowledge is that you need to have. The challenge we have faced since that time is for everything you feel like you need to add, and stay within that 6-8 hour timeframe, requires you to consider what you take out? Not to say that the national standards were perfect in their development, and that they covered all of the really good stuff they needed to, and they would be that way forever, but that does present a challenge because every time we change something in the standards to either add something or take something out. That has the ripple effect over about 150-160 different courses that are issued across the country. It is a great suggestion in terms of the security information because that really has been one of the latest evolutions that we need to address.

We have a little bit in the course that speaks to homeland security, but we continue to look at that. Our NASBLA education committee, in fact, has a meeting coming up and I’ll make sure they have that information put in front of them.
Gaining Congressional Support for the MTS

Mr. Rajiv Khandpur
Office of Marine Transportation System, U.S. Coast Guard

Welcome to our last day of the HSC Conference. It has been a very informative and enjoyable conference for me and I hope it has been for you too. I know I’m a little biased because I’m one of the organizers, but I sincerely hope you have had fun.

We haven’t finished yet and we still have a few more great panels left for you this morning. First up is this panel entitled Gaining Congressional Support for the MTS.

We have all heard throughout the conference of this cabinet-level committee called the CMTS. Though this committee is a great step forward, it is still an entity within the administration and does not have any statutory or legislative backing. In order for it to survive successive administrations and provide the long-term stability that is needed for the MTS, it will have to receive some Congressional recognition.

We also heard in Helen Brohl’s panel yesterday how important it is to take the MTS message to our Congressmen and Senators, and to impress on them the criticality of funding programs such as ports, IOOS, etc.

In this panel, you will hear about the mechanics of how the Hill works and how you can deliver that message to your respective Senators and Congressmen. The panelists will focus on how to raise the issues and effectively deliver the necessary information to the appropriate committees in Congress.

I first heard Mark Ruge and Jon Waldron talk on this subject when they convened a similar panel at a short sea shipping conference in New York. Obviously, I was very impressed with what they had to say and I thought it would be an excellent idea if you all could also have the opportunity to hear that talk. I invited them and they graciously agreed to come.

Our first speaker, Mr. John Waldron is a partner with the law offices of Blank & Rome. He is the Chair for Maritime International Trade and Public Contracts. John focuses his practice in maritime, international and environmental law.

Our second speaker, Mr. Mark Ruge is a veteran of more than a decade as a staffer on Capitol Hill. He directs the Maritime Sabotage Task Force, the largest coalition in the history of the U.S. maritime industry, and represents numerous other transportation clients on federal policy issues.
Mr. Jonathan K. Waldron  
Partner, Blank Rome LLP

I appreciate the introduction and I’m very pleased to be here. I find this to be a very challenging subject and the panel, I guess, is supposed to work with the assumption that legislative Congressional support or some kind of mandate is required. Maybe some people in the audience have doubts about that. I think what I would like to do is spend a few minutes, in my view, giving you some observations of why that is important and why it is really important for everyone in this room if they are going to participate and improve our marine transportation system, to understand why we must do that. I guess I would say in looking at it from – I was in the Coast Guard for 20 years and I worked for a commercial company for five years, and now being with a law firm, it gives you some interesting perspectives, I think. So, please bear with me a minute while I look at the background we have here for this incredibly important project.

What I would like to do is give you some observations of why gaining congressional support is critical.

We know that 90+% of our cargo, I don’t know the exact statistics, arrives through the ports and waterways of the United States. It is interesting and amazing that we don’t have any Congressional policy on improving our ports and waterways. One of our challenges is that we are competing with so many other missions and responsibilities.

For those of you who may not know this, one of the underpinnings of this comes from the administration’s response to the Ocean Commission. I found it interesting in reading the Ocean Commission that the marine transportation system is not even listed as a highlight. This might give you some perspective on how important it really is today in the administration’s perspective. I don’t want anyone to be offended by what I say, but I want to give you some observations to think about as to how we heighten the interest in this area.

There is a provision on supporting marine transportation where the President directs this creation. The purpose of it is to: improve federal MTS coordination and policies to promote the environmentally sound integration of the marine transportation with other modes of transportation, other ocean, coastal, and great lakes uses: develop outcome-based goals for the MTS; and determine a method for monitoring progress towards those goals.

Now, how do you fund this? Federal annual budget requests, regulatory activities that impact the MTS, and recommendations of strategies and plans to maintain and improve the MTS must be coordinated. The outcome of coordinating these various interests is to set up a committee and ask people to organize the budget. That is a challenge as we know in our day-to-day work because we have so many competing interests in that regard. We do not have an executive order that in many cases gives you greater impetus to do something. Now we find ourselves asking how we are going to keep this going without finding some Congressional support for this.

The committee that we have has a major challenge, starting with the fact that everybody in this room has a lot of other jobs and responsibilities. Also, when you talk about
working within your administration or within your own agency to find funding, you are competing with many other entrants. I think the reality is that this will not really get off the ground unless we find some Congressional support for it, which has not been done yet.

In the Coast Guard Authorization Act of 2006, which has essentially been finalized but not voted upon, there are some provisions included that implement the Ocean Commission recommendations. Inclusion of these provisions shows that there has been recognition on the part of Congress that these issues are important enough to have a high level of emphasis placed on them. These Ocean Commission recommendations are one example of what the Marine Transportation System is competing against.

OMB plays a major role in making decisions for the administration on funding. I would suggest that one of the first priorities for the new committee should probably be to figure out how they are going to work with OMB and the White House to establish priorities within OMB to make budgeting requests. Unless you get OMB and the White House to take a lead on that, it is going to be problematic because again you are going to do things piecemeal and when you are working with the various committees on the Hill, you are going to run into the same problems. I think another part of this priority is for the committee to really focus with OMB and the White House as to how to get more interest, even if it is somehow to work to get an executive order in place to get this off the ground. I think that is one of your immediate challenges.

Another thing I would suggest to help work with Congress and also in the administration is, and I think it is something you have sometimes lost, is to keep in mind that the marine transportation system, it is not just marine. This industry is highly competitive and as we know, there are various differences in all our ports and waterways. One example that comes to mind is the Port of Norfolk. The Port competes against other ports up and down the east coast. The problem that it raises is that the whole nation should be seen as a system with the logistical issues. As we know, and this is part of what the challenges are for some of the short sea shipping things which we talked about in the past, is logistically once you bring the cargo ashore, how do you get it on the highways or the rail system or even the air system? Those are different challenges throughout the country.

Look for an example and one you can use with Congress. A good example of thinking of marine as part of a larger transportation system is to go back to the Eisenhower administration. We set up highways, federally supported highways, throughout the nation which is obviously the major transportation link. That is kind of an example that could be used well with Congress in stating the importance of linking up our transportation systems, and this is a system approach, it is not just the marine transportation side of it.

Another thing, before I have some comments on the various committees and getting up to Congress, is to look at your competing interests. I say that because if you look at the competing interests we have, some examples of which are the Oil Pollution Act, environmental issues, what has happened after 911 in security, then what you are competing against is Congressionally-mandated regimes. Look at the Oil Pollution Act. It established area committees. It established a regime of partnerships with industry and the administration to work together in resolving problems and focusing on the
Then the security regime we have was modeled after OPA 90, where you have an additional set-up of people both from industry as well as the agencies working together in the same kind of committees. What do we have with marine transportation system? Well, we know we have Harbor Safety Committees. They are not Congressionally-mandated. The other regimes are Congressionally-mandated. I realize it is a major challenge because every port is different, particularly the Harbor Safety Committees, with very different interests. Those are the competing interests that you have. In addition, the marine transportation system is competing against Congressionally-mandated systems. So, I think there needs to be some thought process as to how to unify those regimes.

One of the things I think the country is still struggling with, is how to respond to a major terrorist incident. Are we really prepared to do that at the ports? We haven’t really thought about the waterways system as a whole, but I think that is an example of figuring out a way to take the marine transportation system to a level that is coordinated with the rest of our regimes, if you will, in the United States that are Congressionally mandated.

Another thing that agencies need to do in this process is work with commercial interests and industry. Work to bring them in and clearly get their input in order to help put your program together as to what your strategy is going to be.

Going to Congress and looking for funding or some kind of mandate, will be a real challenge because Congress is going to say that they don’t want to have any new programs and you have competing interests. I think one of the similar type of things that you can look at is the harbor maintenance tax. It is very controversial, but it is an example of a funding mechanism out there that could be tapped if you get the right support for it. But, the point is that when you go up on the Hill, you are going to need to bring solutions. You are going to need to put some thought process to that and put together a model for them. I don’t think if you go up to the Hill and say I need help in this area that they are going to be able to solve it for you. I think the administration’s job and the agency’s job is to come up with the solutions. They may not like them all, but at least that is what you can market and you can react to the push-back they may have on it.

One of the challenges you have in going up on the hill is the various agencies that are a part of this initiative. It crosses the board of anybody who has some interest in the maritime transportation world, whether it is NOAA, the Corps of Engineers, or Federal Maritime Commission. In many cases, it crosses various jurisdictional lines that we have to deal with. But I think if you sort it out, you will see the two major committees that have primary jurisdiction over most of this issue on the House side – the Transportation and Infrastructure Committee and in the Senate it is the Commerce. The Corps of Engineers and the Coast Guard are primarily under the jurisdiction of those. EPA, to some degree, is also within that. Therefore, those are the committees that it will make sense to start with.

One of your challenges is going to be that those committees basically have the authorization authority, meaning they will authorize certain programs and authorize the monies. Mark may have comments on details of the various committees to go to. The other side is working appropriations and their committees. I think your challenge is to
start with focusing on those committees once you get your strategy together. I would suggest that you try to structure your own funding ideas. You may even want to model your own legislation.

In preparing for this we looked at the aviation industry to come up with some model legislation to get some initial funding. You could use this as a model to develop your own and also explain that something similar has been done on the aviation side. You will also notice that you need to get recurring reauthorization. On the aviation side they got authorization for five years to fund at least the start of their model. This is not going to be solved in five years. We know that. This is a long-term project and it was when we started 4-5 years ago trying to resolve it because of all the moving parts here. But, at least you can get started as there are many steps to it; an assessment, preparing a strategy, developing a plan that is Congressionally-mandated, to kind of vet the system, and figuring out where we need to get money for this.

I think another thing you need to sort out internally before you go to the Hill is who will be the lead agency. Somebody has to take the lead here. I think you need to propose that and you need to get the White House support and OMB for that to move forward. That may be a problem, but I think without it you would have a difficult time moving ahead. Somebody has to be in charge. Who is the federal on-scene coordinators? Department of Homeland Security. With the new national response plan – somebody has to be in charge of the marine transportation system and the administration should figure that out and it should be part of your proposal before you go up to the Hill.

Thank you very much.

Mr. Mark Ruge
Preston Gates Ellis & Rouvelas Meeds

Yes, I’m a lobbyist – I admit it. My name is Mark Ruge and I work at a law firm here in D.C. called Preston Gates. What most people think about when they hear Preston Gates, to the extent people think about Preston Gates at all, is that the “Gates” in Preston Gates is Bill Gates. Bill Gates, the father of Bill Gates, III, the richest man in the world who owns Microsoft. So, when most people, particularly out on the west coast, hear Preston Gates, they think of Bill Gates’ law firm. In D.C., however, it is a different story. The core of our practice here in D.C. is maritime law and we are one of the largest maritime policy law firms. By policy, I mean that our focus is not on things like admiralty, but rather on Congress and the federal agencies that set national maritime policy. So, I feel very fortunate to be a person both who gets to work here in Washington and deal with such exciting places as the Congress and the federal agencies, but also that I get to work in the maritime industry which I consider to be one of the most important and vital, although frequently invisible industries in our country. I’ll explain why I feel that way in just a moment.

Jonathan, who also works for one of the biggest and best maritime policy law firms in the United States, Blank Rome, and who is one of the top maritime lawyers in the city, has given you a fairly comprehensive explanation on the pitfalls and the prospects for putting
CMTS into place. So, I want to give you a more historical perspective that I think fits nicely into what you are trying to accomplish here today, and maybe a little lesson, since some of you I suspect don’t deal with the Congress every day.

A couple of introductory points that may be useful as you think of this: first of all, let me tell you that for years and years in this country, federal maritime policy in Washington was set in great part by a committee of the House of Representatives in the Congress called the Merchant Marine and Fisheries Committee. It was a committee that had the benefit of focusing solely on maritime. It was unique in a way because there was no similar committees for rail or aviation, but through some historical quirks, there had become a single committee for maritime. It was a very good thing for our industry.

Let me also just divert and say that the way the Congress works – if you ever want to know how the Congress works, the one thing you need to know more than anything else, is that most of the policy and legislation in Washington happens through the committee process. If you stop and think about it, it makes sense. If this was a town meeting back in your hometown and your Congressman was up here speaking, and it was an open town meeting, he would literally get questions on every subject. So, the result is our Congress people tend to be about an inch deep and a mile wide. They know a little bit about everything, but not very much about anything. That is just the nature of the job.

Of course, that wouldn’t make a very good system for creating federal policy if everybody was an inch deep. The way the Congress has fixed that is by setting up a whole series of committees and those committees focus on specific areas, such as defense, taxes, and that sort of thing. The members of Congress who sit on those committees end up being the ones who can really drill down into the details of those substantive areas and basically craft proposals that get presented to the rest of the Congress that they tend to sometimes amend, but essentially adopt them. So, these committees are where the real work is done in Congress.

Back to the Merchant Marine and Fisheries Committee. It was a very good thing for our industry that there was a Merchant Marine and Fisheries Committee that could set federal maritime policy. It is even better than that because the way Congress works is you don’t just get assigned to a committee. The Congressman has some ability to get on to the committees that are most important to him. So, what you ended up getting on the Merchant Marine and Fisheries Committees were members of Congress who cared about maritime, who had an interest in it, probably because they had a port in their district or they had a coastal district. You not only had a maritime committee in Congress and the House of Representatives, but you also had people populating it that really cared about maritime. So, for decades and decades in the Congress, there was a group of people who cared about maritime and set the policy for our country.

In 1995, there were sweeping changes in Congress led by the Republican revolution. One thing that was a key part of their platform was downsizing government. So, in 1995, they decided to eliminate a couple of Congressional committees to show they were serious about downsizing. Unfortunately for all of us, one of the three committees in the House of Representatives that were eliminated was the House Merchant Marine and Fisheries Committee. Its jurisdiction did not go away, of course, but it was spread over...
two other committees. It was spread over the House Armed Services Committee because, of course, there is an important element of defense with maritime and to the Transportation Committee. Essentially, the maritime sealift part of maritime got transferred to the Armed Services Committee and the commercial elements transferred to the Transportation Committee.

That, unfortunately, was a set-back for maritime policy. First of all, the jurisdiction was split and that is never a good thing. Second of all, the people who tended to sit on those committees were no longer people who really cared deeply in their core about maritime policy. In fact, maritime policy became just a tiny, tiny little footnote amongst the much bigger issues of national military policy of the Armed Services Committee.

It became worse a couple years ago when Congress created a new committee called the Homeland Security Committee and peeled off a little bit more jurisdiction from maritime and put it in the Homeland Security Committee. These were pieces of the Coast Guard’s jurisdiction that relate to homeland security. Now we find ourselves instead of one cohesive committee pushing a national maritime policy, a jurisdiction split among three areas – a major setback for coordination.

For a long time, all of maritime was in the Department of Transportation including the Coast Guard, Marad, Saint Lawrence Seaway Development Corporation, and it was in an agency that cared about it. Of course, not everything that we care about in maritime was in the Department of Transportation, but the bulk of it was. But of course, as you also know, several years ago, the federal government decided, at the direction of Congress, to do something of truly historic proportions and create a new federal department, the Department of Homeland Security. Of course, to create a department, you need some sub-departments and sub-agencies, and as they looked around the government, one that seemed to make sense to be transferred was the Coast Guard. So, the Coast Guard was removed from the Department of Transportation and put into the Department of Homeland Security. In my opinion, I think it ripped the heart of the Department of Transportation as I always felt that the Coast Guard was the heart of the Department. It was removed and transferred over to the Department of Homeland Security.

That had a number of effects on the federal level. One is, just like in the Congress a decade before, the ability of a single entity to take a cohesive approach in the long term approach to maritime policy was gone. It also had the effect, I think of completely changing the Coast Guard. The Coast Guard no longer became an agency whose first and primary mission was maritime in general. It now, of course, by necessity, has become an agency whose first and foremost mission is homeland security.

Now we find ourselves in a situation that changed over the last ten years where instead of thinking about maritime policy and a cohesive federal department caring about maritime policy, we have a situation where all that is split up in different areas. You don’t have to be an expert in Washington or on how Washington works to know it is a lot harder to do long-term planning under those circumstances.

The maritime industry is not like any other industry. It is a very special industry for our country. Despite the fact that it is totally invisible, it is special because it has two essential purposes. The first is the commercial purpose. We know that 95% of the goods
come into this country by sea, and if there was no maritime industry, it would be
catastrophic from a trade perspective. Also, it is by far the most efficient mode cost-wise,
and the most efficient mode environmentally.

Beyond its critical importance to our commercial infrastructure, the United States Navy
has essentially contracted out, its military sealift to the American commercial maritime
industry. The Navy doesn’t really have ships that move things from here to there and
Navy officials who move things from here to there. They basically rely on the
commercial maritime industry. Here you have an industry that not only moves 95% of
the cargo into the United States, but unbelievably it moves 95% of the cargo to a war
zone in the time of crisis. I’m not talking just military supplies and day-to-day supplies,
but I’m talking about everything from tanks to bullets to bombs to bread to put on the
table. We are all part of a very special industry and it is really fairly catastrophic that we
don’t have the institutions in place to set a coherent and long-term maritime policy.

Where I’m going with all of this is that CMTS hopefully can fill that void and arrange a
smoother functioning system for setting maritime policy to try to make up for this
situation we find ourselves in. I’ll tell you that I think there are two obstacles that you
will face when you go to the Congress and you will have to overcome them. The first is
by nature the whole mission of the CMTS; to bring people from a whole bunch of
different agencies together into one functioning unit. To put the legislation in place it will
also, by necessity, have to be referred to multiple committees because the way it works in
Congress, the legislation goes to different committees based on their interest in an issue.
You, by definition, have a bill that will have to go to 10-15 committees and that is usually
the kiss of death in Congress. So, it will have to be carefully done to make sure you
don’t just tie yourself in knots by going to different committees.

The second thing is that I think there will be skepticism in Congress that an entity
involving so many agencies will really work, that it won’t be a do-nothing agency that at
the end of the day will not accomplish anything. You will have to convince people in
Congress that this is a good thing, that this is worth spending money on, and that this may
be a vehicle for addressing some of the problems that I’ve described earlier related to
split jurisdictions.

But, I think that is totally within your ability. You could talk about things that have been
accomplished before, using similar situations in aviation. Perhaps you can use the MTS
as an example if you can convincingly pull examples of things that have been
accomplished because of it.
Questions and Comments

Question -- If you look at the other modes of transportation, for example, the airlines, they collect their source of money every time you buy an airline ticket. You pay the fee and it goes into the aviation trust fund. Every time you buy a gallon of gas that goes into the highway trust fund. So, the highway and aviation modes are funded that way. The maritime has no such dedicated source of funding. It comes through the general treasury. Do you have any suggestions, any comments on how that can work? We talked about the harbor maintenance tax fund. Are there any other similar avenues for maritime funding?

Response – Mr. Waldron – You certainly have touched on one of the key problems. As you pointed out, if you look historically, the marine industry has not had a funding source, and until we do, I think we are going to have the same problems. We’ve tried to crack the Harbor Maintenance Tax (HMT) and no one has been successful in doing that. I don’t know that I’ve got a magic sword on how we can do that, but I think that is one of the key things probably that needs to be focused on – coming away with that funding, whether it is somehow figuring out a way to make HMT work or something new.

With regard to the multiple committees and the jurisdictional issues as you move forward, I can tell you that, the first thing you think of when you go to the Hill and you’re working with an issue is you want to make sure the committee you’re going to is going to take full jurisdiction over this and you’re not going to lose it. If it is starting to go to other committees, you’ve already got problems. That is certainly going to be one of your big challenges but, finding a funding source for the marine industry is probably one of the foundations that we need to first have put in place.

Comment – The first thing I would teach about the Congress is to understand the committee structure – that the action is in the committee structure. I guess the second thing I would teach, is that it is all about the money. I guess that is probably true of almost anything in life, but certainly in Congress it is all about the money. Without money, there is no CMTS. Without money, there is no federal program in maritime.

There are actually a lot of existing programs in maritime now that involve money. The inland waterway system is maintained through a little tax on gas. There is a program called the maritime security program which is a large program that funds commercial ships and makes them available in times of wartime. That is funded through general appropriations – about $160 million a year. I think it is really in terms of the ability to get funding, it is a matter of deciding which programs are important and selling it to people. There are a variety of ways to do it. For example, if you think a program is important enough to the industry that they would be willing to pay for it themselves through a user fee of some kind like a gas tax, then I think that is very doable. I think Congress is willing to fund some programs out of the general treasury, but they have to be convinced of their importance.
A whole different issue related to funding is the issue of getting funding for your committee on marine transportation service. Obviously, that is another case that without the money it is going to be very difficult to do this. But, the amount of money you’re asking for, $2.0 million as a general budget for your committee is not a large amount of money in Washington, D.C. where people are dealing with billions of dollars. I think as long as you can convince people in Congress that the whole concept of having a cross-cutting committee that will try to bring some coherence to maritime policy, then I think the money will follow.

**Question – You mentioned the challenges in the House with their committees. What are the challenges in the Senate trying to get a bill through?**

**Response –** The one thing I will say about the Senate is the Senate also has a committee that has been around for a long time that has handled maritime policy. But, it is a committee that covers lots of things. It is called the Commerce Committee, so you can imagine its jurisdiction is very broad. In fact, science is in there too. So, it is a very broad committee. The challenges are, similar to what I just said about the House which is there is no one very specific single interest on maritime, although that committee tends to take a pretty good interest in maritime. And then there are the challenges of the Senate. The Senate is the greatest deliberate body in the world, but it takes its time and is very deliberate. One member of the Senate can stop something if he doesn’t want it. That is why I think historically the House has been the better place for these sorts of things to come from. It is a little more able to move things forward. Although there is a lot of positive that comes from the Senate, it often takes a long time for them to move forward on things. In general, I think there is some prospect for some success there.

**Question (to Mr. Ruge) –** Mark, I want to direct this one at you because you have worked for a champion. Congressman Davis was certainly very vocal and very pointed. I wound up at a table at NDIA’s partnership conference about three weeks ago with the Chairman, Peter King. He, as chairman, advocated more noise right to prominent Congressmen. How accessible are these Congressmen without going via the committees? Can you give us a little advice as to direct approach to a potential champion or do we have to stick to the committee route per your advice?

**Response – Mr. Ruge –** Our topic is how to get this CMTS system through the Congress and made into a permanent entity. It will be much easier for that to happen if the people in the room who are not the people who work for the federal government, but rather who are in the committees and who are influential citizens back in your hometown, work with the Congressmen and bring forward the message of the importance of this committee.

I’m seeing you all for the first time, and I have no idea how convinced you are that this is important for your industry. But, if you are convinced, you can make a much larger difference because what a member of Congress really cares about most is what his people back home think about it.
To the extent that you as a group can come together behind us and help, maybe through your harbor committees, and push this, that will infinitely improve the chances of success. Obviously the folks in the Coast Guard and elsewhere will be pushing for this themselves. I think this will be a very difficult thing for them to do if they cannot convince the Congress that the folks back home think this will advance federal maritime policy. Hopefully, some of the members back home will sit on the key committees and can take this and they can run with it through the Congress.

Comment – Part of what the strategy has to be is to get the commercial world to make those calls to people on the Hill.

The other thing that I wanted to reiterate is that not only do you have a problem with people on committees who don’t necessarily care as much, but you have an education problem. Don’t assume that the staff person on the Hill knows much about the industry because they probably don’t. You have to do their work for them and you have to educate them. I think that an assumption is made that the people up on the Hill probably know what is going on. However, they will not understand and that is part of the challenge of sparking their interest in the issue. Working on and promoting an issue, you clearly have to work with the committees and the staff people to get them on board. Then you have to work with the members directly, as a secondary approach of pushing your issue. You kind of have to work from all sides with the real challenge being the education process regarding the issue.

The staffers on the committees we were talking about tend to be very experienced and be experts in these areas. In fact, the people who are staffing maritime issues for the Transportation Committee and the Armed Services Committee are people who used to work on the Merchant Marine and Fisheries. They are quite sophisticated. They really know their stuff. But, if you go to see your hometown Congressman, in most cases, you will speak with the staff person in his office who deals with maritime. The staffer has a broad portfolio and will know next to nothing about maritime.

Comment – My whole thing is that this industry has for many years loved to be invisible. I understand the reason why it was invisible was because the industry wanted to be invisible. Now I think the times have changed and the visibility of the industry needs to be increased. There is a lot of funding for aviation and highway because people in those industries make a lot of noise. Congressional people are more familiar with those industries because people drive and people fly. I think we need to raise the visibility of the industry and I consider that to be similar to a public relations campaign. I don’t think that until constituents start to scream will Congress take notice. Am I wrong?

Comment – I think you are absolutely right. I think it is one of the great failings of our industry is our unwillingness to better tell our story. It kind of fits because think of your typical maritime person, we are kind of below the radar screen, just work horses – not show horses. That is just the way I think of the industry and the way we are. But, it does come to bite us if we haven’t convinced people in Congress that our industry is
important. And, maybe people like me are the people most to blame because I’m in the business of trying to convince Congress of things. You guys have other types of jobs. But, we really need to let people know how important our industry is. The ammunition is there because it is such an important industry and not only that, it is such a cool industry. Shipping – that is really cool stuff and members of Congress really are interested in it, once you get talking to them.

Today, in Baltimore for example, the new Norwegian Cruise Line ship, on its way to Hawaii is going to be in harbor there for a day. This is a big, modern cruise ship that is a really sexy, cool thing to see. The day-to-day life of the maritime industry is really cool. We need to go out and tell our story and remind people how important it is because you’re right – the average Joe has almost no dealings with the maritime industry at all, or at least none that he can see. The stuff shows up, his house is heated at night because the coal got there, his goods are there, the food is at the grocery store, but there is no point in the process where he is reminded of how it got there.

Comment – I have a couple of thoughts on that. One thought is if you look historically and traditionally at the maritime industry it consists of commercial interests and the vessel owners who are private owners, not public companies to a great degree. There has been a history of not wanting people to know about us. We are much improved due to enforced regulatory regimes and are working towards being more transparent. So, I think part of it is our culture and heritage in that regard.

On the media side or in terms of getting our message out, I think we, in the industry, have to get outside our little box. I mean we need to reach the average public, beyond the media things we do with Lloyds List or Trade winds or other publications. The only time that major papers or news, like Channel 4, 7, ABC or the like, get involved is when there is a catastrophic event and it is bad news. Our message has to be taken to the right media folks outside our own little box, where we can get them up to speed and train them.

Question – Just to follow-up on what we are saying about attention, the Dubai World Ports is an example. Is there an opportunity with that? Due to the attention brought to that – is the iron hot now to do something within Congress at this time? Is there more interest now based on the results of the Dubai World Ports?

Response – I’ve been in the maritime business for 25 years and never in those 25 years have I seen a situation involving maritime, evenly remotely rise to the level of national attention that the Dubai ports issue did.

Now, I have to agree with you – it was so obvious the level of ignorance as people dug into that issue. Many of the west coast ports have terminals that are foreign owned. Not to mention that, it apparently had not dawned on people that 97% of the cargo that comes into this country comes on ships that are foreign-owned, and sometimes from governments who are not at all friendly to us, or at least not allies.
There are certain elements of the maritime industry who would like to take advantage of that. They tend to be the domestic industry who would like to sell themselves as the guys you should turn to in situations like this. But, I think it is pretty clear that trying to take advantage of the Dubai port situation is a two-edged sword.

Comment – I guess the one comment I would have – if you look historically, is that Congress is reactionary. We react to events and incidents. You could say it is a time where this interest in the maritime industry could be used to educate. I think the industry needs to take advantage of these types of situations, even if the situation looks bad we need to turn it around to use it to our advantage. The real challenge is trying to keep the focus on what we are trying to do.
Day-Three Morning Plenary Presentation

**LCDR Karrie Trebbe**  
**Homeport Project Office, U.S. Coast Guard**

Homeport – what is Homeport? Homeport is a public accessible secure internet portal that supports diverse Coast Guard needs for critical information sharing and service delivery to maritime industry, public and Coast Guard users.

Why does Homeport exist? Homeport exists because of MTSA with a need to submit security plans online, distribute threat products and notifications, report MARSEC level attainment, and to provide collaboration support on the internet. We also took the opportunity to provide a more uniform delivery of internet information to the public and the maritime industry.

Homeport was deployed initially as a response to Hurricane Katrina. This was the first time ever that the Coast Guard offered an online search and rescue form. The form was completed within 24 hours of it being released, over 6,000 reports were received for help. In the end, we received over 16,000 requests for help following Hurricane Katrina.

When Homeport was officially deployed on October 3rd, the functionality that we provided was a portal technology for maritime security and marine safety information, the secure information sharing via logged in portion of Homeport, the display of national and local MARSEC levels, and the collaboration supported area for air and maritime security committees, harbor safety committees, safety advisory committees, and security advisory committees.

Homeport is accessible via the public. What that means is that you do not need a user name and password to access particular information at Homeport. The Homeport information block, which is highlighted in red, contains information regarding Homeport and the help block that is highlighted in red in the upper right-hand corner has access to the user guide. The user guide contains information on why Homeport exists, gives some guidance on how to navigate via the system, and explains whether or not you qualify to register for Homeport.

This is what the user guide looks like. It does contain demos that walk you through how to register for Homeport.

The missions tab contains general information that is being populated by Coast Guard headquarters and Coast Guard headquarter units. The ports and waterways channel contains content based on ports and waterways and included here is where you would find information regarding the Harbor Safety Committees.

Listed here is every one of the Harbor Safety Committees. LT Abby Benson is currently in the process of migrating content from your currently-existing web areas into this single source of information. If you have questions regarding content in these areas, please contact her.
We also offer a port directory tab. The port directory tab allows maritime industry and the public to navigate quickly from one Coast Guard captain of port to the next. The information that is displayed on the screen is located in the same location for every port. That way your eyes do not have to try to locate the information. The MARSEC level is going to show up in the same place for every port. I’ve also highlighted here the waterways management section that is provided on the port directory page.

The library tab is our “catch-all” tab. It contains forms, ICS, laws and regulations, policy, publications, the Coast Guard marine safety regulations information, as well as a link to the Coast Guard directives.

Registration – to register for Homeport, you select “register” in the upper right of the screen. A screen will load that will tell you if you meet one of these eight categories, that you are eligible to register for Homeport. Those eight categories are the owner/operator, the MTSA regulated facility or vessel, a member of the air and maritime security committee, a member of a harbor safety committee, a member of a safety advisory committee, a designated national security partner, a member of the national maritime security committee, or member of a port readiness committee. If you meet one of those eight categories, you are eligible to fill out the form. Once the form is completed, it is routed to the appropriate designated approver.

Once you are approved, you receive your log-in, your user name and password. Upon initial log-in, you are requested to change your password and your password is good for 90 days. Once you are logged in, you have a completely different view. You have access now to the My Homeport Tab, which is also highlighted in red. You have access to another user guide. And you have access to contact us which gives you the phone number to the help desk as well as an email address to the help desk. The Homeport information block will contain additional information that is not available on the outside. That additional information is interactive training, release notes, as well as feedback.

The Homeport User Guide on the inside is different from the Homeport User Guide on the outside. That is because once you are logged in, you now have access to different functionality that you did not have access to before.

One of the most popular features and highly sought-after features of Homeport is the collaboration communities. The collaboration communities are accessible via the collaboration area. This is one of the first times ever the Coast Guard has been able to collaborate from anywhere in the world on the internet.

We currently have 275 active collaboration communities. Registered users can request to join any of these collaboration communities by sending an email to the owner. All Harbor Safety Committee members are added to their respective harbor safety committee when they are approved for the registration account.

Inside the collaboration community, you have access to sending announcements, creating checklists, holding discussions, scheduling meetings, posting documents, as well as grouping participants in such a way that you can publish a document that only, say, two people out of the 500 participants can actually see that document.
We researched many discussion boards that were out there and this is tailored to meet the most commonly used functions that we saw. We do provide a community expert logo. That community expert logo belongs to the community owners. That way if they are replying to you on a discussion board, you have some validity to the answer that is coming back to you.

Your community preferences – when you are registered for Homeport, non-Coast Guard users, your profile and your email address, that information is not viewable to any of the other registered users unless you allow the system to do that. Once you are initially a community participant, you need to go to preferences and change your preferences from no to yes if you would like to share your profile information. What that means is that if you would like your email address, your phone number, your 24-hour contact number, if you would like to share that information with the other community participants, then you need to change the no to yes.

We do offer a feedback block on the inside. The survey is completed by our registered users. We offer a very large comment area. Because this system has only been out since this past October, we are very interested in improving the system and making it better to meet your needs.

Your points of contact for the Harbor Safety Committee registration are LT Abby Benson and LCDR Lloyd Banks.

I’m going to stop here to take any questions at this time.

Questions and comments

**Question – How many participants are registered from the industry, aside from the Coast Guard?**

**Response – LCDR Trebbe** – Aside from the Coast Guard, we have over 2,000 people registered from the industry in Homeport.

**Question – Can you speak a little bit about how Harbor Safety Committee members might get their information published on Homeport? What the process is?**

**Response – LCDR Trebbe** – The process for gaining access to publish your content in Homeport is to first contact Abby Benson, who just asked the question. But, how that process works is that once you are given permission to publish content, you are actually given permission to fill out the publishing form. At the end of the form, you will select the name that you route it to, to get it approved. Once the content is approved, it is published online. We provide a very simple form for you to complete. You basically enter the information, a title, a summary, some content. We limit the text type and the text size to maintain a coherent look and feel across the system. Your content will publish in the same look and feel once it is approved for standard information delivery.
Question – A lot of us have our own web pages with stuff about us and news locally, do you provide links that would just go back to instead of duplicating those efforts?

Response – LCDR Trebbe – Yes. Within the publishing form, you can link back to content that currently exists on the internet. But, we also offer this for you for your content. It updates immediately and it is readily accessible.

Comment – I just want to point out for folks that don’t know it, there is a lot of usability and functionality built into the Homeport system. One great practice that we have used down in HoustonGalveston complex is the vessel traffic center actually does the screen for arrivals and authorization for foreign flag vessels to come into the United States. You utilize the Homeport to upload the authorized to arrive list, and if there are vessels that are going to be detained because they need offshore boardings, ISMUS inspections, port safe control or anything like that, they are listed on there. What it does is it gives rapid availability for agents to pull down that list and look to see which of their vessels are going to be held up, or going to be coming straight in. You use that list also to compare the dispatch list that we receive from three different pilot organizations from Freeport to Galtech and Houston pilots. What it does is it allows the functionality of not delaying vessels unless we absolutely have a problem going on. Because we use the open end of the Homeport, the public side, this information is readily available to these folks and it does facilitate the entry process.

Comment – LCDR Trebbe – Our currently existing website, www.uscg.mil, allows our updates on that system to update at the top of the hour. So, if we are trying to get information out using that particular website, it does take longer. If you go there five minutes after noon to get it published, it is not going to show up until 1:00. Homeport does allow that immediate posting of information. I can’t stress the importance of this portal during Hurricane Katrina. That was when you found out that they lost cell phones, they lost phones, and power, but internet still worked. It was amazing.

Question – Do HSC members have access to classified information when we sign up on homeport?

Response – LCDR Trebbe – No. The Harbor Safety Committee accounts are set up as non-access to Sensitive But Unclassified (SBU) material. That means if you have a normal Harbor Safety Committee account profile, you will not have access to sensitive but unclassified information which contains the security sensitive information (SSI). When you register, if you check that you are a maritime security committee member, your application will go through a more thorough, intense approval process to gain access to that, and that includes the signing of the non-disclosure agreement.

When you fill out your registration form, based on what boxes you check, it determines where your registration form is going to go. So, if you say that you are a facility or vessel owner of an MTSA regulated facility or vessel, or if you say you’re an air or
maritime security committee member or port readiness committee member, your application is going to show up at a captain of the port designated approvers in-box. If you say you are only a Harbor Safety Committee member, your registration form is going to show up in LT Abby Benson’s registration in-box. So, depending on what boxes you check determines your profile in Homeport. At any time, you can update your profile in Homeport by selecting Profile in the upper right-hand corner once you are logged in. Depending on what you change in your profile, we will send your form back through the approval process and you will not have access to that information until you are approved for access to that.

Comment – I’m Don Thompson and I’m here from the Transportation Security Administration. I am the TSA representative on the maritime government coordinating committee that has just been set up under Coast Guard leadership. There was a lot of discussion on Wednesday about the competing demands for websites and government coordinating councils and sector coordinating councils. I would just like to share that in the discussions of the first two meetings of the Maritime Government Coordinating Council, we have chosen to attempt to recognize Homeport as the one portal under the DHS umbrella that will be used for information instead of setting up something else like Homeland Information Security Network. We are advocating from within the Government Coordinating Council that Homeport be the site, so that we don’t have a lot of competing sites out there.

Also, with the TWIC roll-out that is coming, you will see that Homeport has been chosen as the venue for the maritime community to interact with the government and pass the information on the interim vetting of TWIC. I think you are starting to see it used more and more. I would encourage you to participate in it because a lot good information is going to be there to your benefit.

Comment – LCDR Trebbe – Remember, you do not have to be a registered user to access the information that is on the outside portion of Homeport. The type of information that would be on the inside portion of Homeport would be information contained within the collaboration communities and information that is targeted specifically for a particular group, in other words, for air or maritime security committee members, or for sensitive but unclassified information.

Comment – Last week we held a hurricane preparedness meeting with all of our area industries and this Homeport was introduced. The feeling amongst our community was this was going to be a great tool for communications. We were hit by Hurricane Rita and communication is the key and this Homeport will be very useful tool for that.

Comment – LCDR Trebbe – I actually just came back into town on Wednesday afternoon. I had been down at New Orleans giving basically the same presentation to the Lower Mississippi River Waterways Safety Advisory Committee.
Best Practices

The best practices panel distinguishes itself by having HSC representatives speak about the activities of respective HSCs and the actions or creative solutions that have been implemented. This is a panel where HSC participants can share ideas and make recommendations to each other about how to best enhance safety in the harbors.

Mr. Andrew McGovern
Harbor Safety, Navigation, and Operations Committee of NY/NJ

I just want to acknowledge two distinguished former members of Harbor-Ops, otherwise known as the Harbor Safety, Navigation, and Operations Committee, Admiral Gilmour and Admiral Bone.

Best practices to me this is the most important panel. This is why we are here. The reason why we started this conference eight years ago was to be able to communicate our problems and our successes to each other. The Harbor Safety Committees were scattered all around and are mostly grass-roots organizations. We do have some state-sponsored and two federally-sponsored HSCs, but they are local in their work. In order to be able to integrate different ideas from different ports, the only way to really do it is to have something like this.

I am going to talk in general about New York. To me, one of the best things that we do is communication and facilitating that communication. With that, pretty much every problem can be solved.

Some of the big issues we have worked on – we had a drawbridge that had not been in operation for about 25 years. They repaired it, and were putting it back in. It took about 3-4 meetings between the railroad, the container terminal that was basically going to be the biggest customer of the railroad on Staten Island, and the maritime community. As soon as we threw out the bureaucrats, we were able to come to an agreement in about an hour and a half on what the new operating parameters of that bridge was going to be. So, communication obviously is everything.

We have also done a lot of programs on the wake issue from the fast ferries with some of the marinas that are up on the Hudson River.

Another big purpose of the committee is getting involved in the local politics. You heard about the IUSE program. We got involved in the regional one up by us that is called MACORA because we went to a few meetings as the industry went through a few of the organizational meetings and found out that there were probably about 200-300 people there from academia and about four people from the industry. That, to us, was not acceptable. We had to get more people from the industry involved to make sure our interests are heard because that is what is going to drive this. When these regional associations are going to drive what comes out of this IUSE program, and if the industry isn’t involved, you are not going to get what you want. Academia is going to get what they want, and you’re not going to get what you want.
We get involved with Corps funding and NOAA funding. Again, this is stuff that we need so if we have to get involved, we have to support them, we do that with the Coast Guard.

We have new operations coming in place all the time and I know all the Harbor Safety Committees work with the new operators. We fit them into the present maritime community. That is one of our main goals and I think we do that very well. We basically give them thousands of hours of free consulting in order to make them fit into our present operations as seamlessly as possible and that has worked very well.

We have just finished an advisory to the industry and to the agent on anchorage use. We have a very limited anchorage space, and with the price of oil way up, the tanks are so full in all the terminals, it has backed up the shipping. We have tried to work out the parameters to best use the anchorages and get ships moving in and out of them as quickly as possible. We have negotiated those parameters and will publish them in the Coast Pilot as recommended anchorage use. We already have our recommended under-keel clearances in the Coast Pilot, so we will put more in there.

We work with Stevens Institute on a CODAR pilot program for looking at surface currents with NOAA, and their local outlet is Stevens Institute. To help us navigate safer and better, we're willing to work with anybody and that, to me, is a big thing.

What we talked about today, getting people involved and spreading the knowledge is imperative. We worked with the State of New Jersey and the DOT has actually instituted a program educating school children on the port. To educate them, we get one of our members, several of which are ferry operators, to donate the use of a boat for a few hours. And we will get members from the industry, Coast Guard, and other agencies to come aboard with two or three classes of middle school or lower high school children and take them on a port tour where everybody then fills them in. We usually go round-robin with all the industry reps there and they will fill them in on their facet of the industry and the port. We are hoping that if you hit them young, they will remember that and will go home and talk about it to their parents.

Our passenger vessel subcommittee is very involved. We have gotten the ferries in. It is harder to get the recreational boaters in – I’ll admit that. We do reach out to them, but one thing that wasn’t brought up the other day and is the hardest part of getting recreational boaters involved in the Harbor Safety Committees, is that we meet during the workday and recreational boaters work. This isn’t their livelihood like it is ours, so to try to get a consistent representation from the recreational boating side is obviously not that easy – but we try.

The latest thing we are working on is with NASCAR. NASCAR is going to build their racetrack on Staten Island, basically on the port. It is an old terminal. Their traffic plan is to move about 30,000 – 40,000 people by water for each event on a race day. So, it is very concentrated. You have to get them in before the race, and you’ve got to get them out after the race. We have been working with them. We even set up a workgroup to work with them and all the different ferry operators so that we can do this without totally disrupting normal traffic. It can be done, and I think we have figured most of it out. They have been very cooperative. They have a lot of money, so chartering these boats
does not seem to be a problem. I’ve been very impressed working with them because they are pretty good when it comes to developing a traffic plan. They haven’t done the waterside yet in other venues, but they know what they are doing and it seems to be going very well. We are supporting them on one of our suggestions which is that they use the Staten Island Ferry where instead of using a bunch of smaller ferries that will only hold 400-500 people each, our Staten Island Ferries hold up to 6,000 people a trip. We thought if we can use one of the two ferries, it cuts down on the number of trips that we are going to have. There was a big uproar on Staten Island about allowing them to charter a ferry boat on a weekend. However most of the big boats are actually laid up for the weekends. So, we are supporting them on educating the public that it is better than using a bunch of the small ones.

The big issues are: communicate, get involved, set up workgroups and subcommittees to concentrate on this, work offline, and get things done. Also, we have zero funding. It is all volunteer run. The Coast Guard does a great job in supporting us, but they are not getting any money for it. My thanks to Admiral Gilmour and Admiral Bone because without them and their support, we couldn’t do it.

**Capt. John Z. Strong**

Los Angeles/Long Beach Harbor Safety Committee

I thought I’d just bring up three or four things that happened this past year at LA/Long Beach that kind of illustrate our theme here – partnerships and cooperation that the Harbor Safety Committee brings to the maritime industry in southern California.

The first one was brought to the Harbor Safety Committee’s attention by the pilots; that arriving vessels were not performing their engine tests 12 miles outside of U.S. waters. They were doing it as they were taking arrival at the sea buoy and there are two issues that arose due to that: (1) one was a safety issue with the pilot boarding the ship whereas the pilot boats coming alongside the ships coming astern created a safety issue for getting onboard the pilot ladder; and (2) the second issue was a vessel traffic issue in that usually when you do your engine tests astern, that is the first chance you have to see if you can come astern and if there is going to be a failure, that is when it is going to happen. So, in the course of three months, we had 8-10 vessels that lost their engines right at the sea buoy causing an interpretation. By bringing this to the Harbor Safety Committee and discussing it with the Coast Guard, and LT Gooding getting us the actual laws and the definitions, we were able to sort it out. The confusion with the shipping companies was they felt they didn’t want to do their engine tests while they were in traffic lanes. If you are familiar with the approach to LA/Long Beach, you enter a traffic lane and it dumps out into a precautionary area right at the pilot boarding area. They were waiting until they transited the traffic lanes and then did their engine tests as they approached the sea buoy.

Simply by Coast Guard cooperating with us and our review of the law and the penalties for not following the law we were able to develop and send out educational material and hand out flyers on the ships. And without ever writing a citation or anything, we haven’t had a case of this since. We activated that within the next day after the Harbor Safety
Committee finished meeting. It was one of those real simple, low-level solutions to what could have been a potentially painful problem.

The second issue we dealt with in a partnership is an issue I reported on last year at LA/Long Beach. Over the course of one year, we had nine incidents of containers being knocked off containerships while they were at the dock by the crane handlers, for whatever reason. Three of those times there happened to be a bunker barge tied up alongside the ship and the container fell onto it. So, again doing the statistics, that means one out of every three times there is going to be a bunker barge there and the container is going to land on the bunker barge. Luckily, in all three instances, there was no oil spill or injury. But, when it was brought to our attention by the bunker companies there was hesitation because they knew what the first solution was going to be and that would be not to bunker alongside of a containership during cargo operations. The trouble with implementing that locally in Los Angeles/Long Beach, with a lot of these ships going from say LA up to San Francisco and maybe Puget Sound, is that the local bunker companies were concerned that should we implement that regulation locally they would lose the business and San Francisco and Puget Sound would gain it. We wanted to try to get an even playing field.

Instead, we again went through the education route. This time we pulled in the Pacific Maritime Association which is the representing agency for all the terminals on the west coast, the Steamship Association, and IOWU, our union out there, the long-shore union. Again we had meetings and made handouts, flyers, and educational material that was sent to terminal operators and companies like Maersk Line who sent it worldwide because this isn’t a danger just in LA/Long Beach, but this could happen in any port in the world.

Coincidentally, our last meeting was last month and the FOST Tugboats representative came before our committee and noted that they just had an incident up in San Francisco I don’t recall if it was a container or stacking cones or something else, but equipment fell from the ship onto the barge and narrowly missed injuring one of their crewmen. They unilaterally have instituted a policy not to bunker when there are cargo operations going on in the containership. They came down to us and asked us for our educational material which we are sharing that with them.

One of the things that these national Harbor Safety Conferences has done for us, just within the state of California, is that we have made contact with the other HSCs in the state. The state now is having yearly meetings of the chairs of the Harbor Safety Committees in California to get together and we’re setting up this network that we never had before. I can see that developing here on a national level. Andy and I talk occasionally on issues and the Homeport internet could really help facilitate that also.

A third issue that came up that was kind of interesting this last year relates to Catalina Island and if you are familiar with LA/Long Beach you know that just offshore lies Catalina Island. Catalina Island falls within our area of responsibility as far as the VTS goes within a 25-mile boundary. It is a small, little pleasure harbor with mostly recreational boats and a ferry service that runs over there. But, in the last few years, it has become popular as a cruise ship stop. It has gone from one ship a week to two ships a week to now it has about a ship every day, sometimes two ships a day. We are even getting ships that are coming down from San Francisco, so there are days when there are
three cruise ships there. Due to the ferry traffic from the mainland to Catalina, combined with all the water taxis and shore boats coming from each of these cruise ships, taking thousands of people ashore within a short amount of time, we got a call from the Harbor Master of the City of Avalon. The master asked if we could form an Avalon Harbor Safety Committee to help them deal with this sudden traffic congestion that they had with the cruise ships, water taxis, and everything else. We were able to help them out by forming a subcommittee of the Harbor Safety Committee which is actually the Avalon Harbor Safety Committee. It allows them to get their local folks involved; their local harbor patrol, lifeguards, police, and along with the expertise of our water taxi guys, our tugboat guys, our pilots and everyone else, to share lessons learned of things that we have done in the past. Those are three examples of how things are working very nicely by addressing the issues at a lower level. It is part of that invisibility thing they were talking about. We still like being invisible. I think that is a good thing and it has been working out really well.

LT Dwayne Meekins
U.S. Coast Guard and Tampa Bay Harbor Safety Committee

I just have three quick hitters that the Tampa Bay Harbor Safety and Security Committee has implemented over the last year and actually the last one has actually been evolving over the past several years.

One of the things is we have developed the Vessel Movement Committee which is a subcommittee of the Harbor Safety and Security Committee. That subcommittee was established because of the geography of Tampa Bay and the conflicts arising from the different vessels within it. I don’t know how many of you are familiar with the geography of Tampa Bay, but we have a 41-mile transit from the sea buoy up into the port which takes about four hours to do. We have pretty heavy cruise ships, especially during the fall and winter seasons, and when the cruise ships come in with tugs alongside, our channel which is 700-feet, 600-feet outside the Skyway Bridge, the remaining 28-29 miles are only 500 feet. So, when you get a cruise ships with tugs alongside, it is pretty much one-way traffic. The cruise ships were showing up whenever they feel like it and the rest of the port community was not extremely thrilled about having to stop all of their operations and wait on these cruise ships.

What the Vessel Movement Committee did was establish some protocols. They determined when these vessels could come in and limited them to certain times. They can arrive at the sea buoy normally between 0200 and 0500 and they arrive in the port between 0500 and 0800. That actually works and the port community said okay, we can schedule around these times. For their departure times, they normally leave between 1500 and 1730. The port community has also agreed to work with those times as well. They know that between 0200 and probably 0800 on three days of the week, I probably shouldn’t schedule outbound traffic because I’m not going to be able to depart while they are coming into the port. They are able to follow the cruise ships and they normally move fairly quickly. They can do about 15 knots up the Bay. You can get in behind the cruise ships and most of our vessel traffic does not go any faster than them.
Another protocol established by the Vessel Movement Committee, is no media overtaking except for about a mile and a half stretch of that 41-mile transit. It is a fairly small area and that has to be coordinated if you want to meet or overtake. So, the Vessel Movement Committee has established those protocols.

There are also some wind protocols established by this subcommittee. Over 25 knots, the vessels won’t go up into Sparkman Channel which is the last leg. It is actually the port portion of that 41-mile transit and that is only 400 feet wide, as opposed to the rest of it. During the summer we have a lot of squalls, as CAPT Thomas mentioned earlier this week, with sustained winds over 25 knots. If there is that kind of wind activity in a narrow channel, you don’t want something that has the wind draft that a cruise ship has in that tight space. They will get pushed up against all kinds of things and destroy the port. So, we try to avoid that. They actually go to east bay, which is much wider and they have to wait until the winds die down before they can go over to that cruise terminal.

Protocols for protocol vessels were established for inspiration size vessels which are 855-860 foot cruise ships. Anything that size or larger is what we call a protocol vessel so they are subject to these protocols. We had a 960-foot vessel come in since these protocols were established and Royal Caribbean would like to bring a vessel that is even larger than that at 990 feet. They actually believe when they allowed the Miracle, which is the 960-foot vessel, come into the port that was the absolute largest that we could handle with the constrictions of our port. After they established the protocol, they said if we have any vessels that are larger than this, we will take them through a simulator, either in MITAGS or Star Center in Ft. Lauderdale. We will go through the simulator with the pilots and the Masters of those vessels with the Tampa port restrictions and see if it is actually feasible for them to bring those sizes of vessels in.

VMC meets quarterly. There will, however, be a non-regular meeting next week to discuss this Royal Caribbean vessel that they would like to bring in because it is 30-feet larger than what we already thought was the largest vessel we could accept. That will be pretty interesting.

The next subcommittee that the Harbor Safety and Security Committee established is the Port Heavy Weather Advisory Group, fondly referred to as the PHWAG. We monitor and track hurricanes. We make recommendations to the captain of the port as to when to set certain port hurricane conditions, pre-storm. We also coordinate vessel departures pre-storm. Depending on the direction that a hurricane is coming from determines who can leave – tug and barges. If a storm is coming from the west, we are on the west coast of Florida, they are pretty much going to be locked in. They don’t have the option of coming out like vessels on the east coast and going south or north depending on the direction that the storm is coming from. Then there are other things that we have to do like get lay-up plans and find berths for these vessels and things of that nature. Those are some of the things that we do pre-storm.

Post-storm, we coordinate the departure or the return of inbound vessel traffic. We also coordinate the post-storm ATON assessment. That is made easier by the fact that the ATON assets work for me. The members of the PHWAG are Coast Guard, Tampa Bay Pilots Association, each of the three port authorities that we have in Tampa Bay, and the two tug companies and some industry – CITGO and another petroleum company.
have a pretty good representation of the port and all needs and concerns are addressed in those meetings.

One thing that works really well is the fact that people are willing to do what is best for the port as opposed to what is best for them. We have established some protocols for the PHWAG as well. Once we are bringing traffic back into the port, there is a hierarchy of who comes in first. Since so much of the petroleum or the fuel that comes into Florida comes in through our port, we go petroleum, produce, and then people. We let the people in last because they are on cruise ships and are fairly comfortable most of the time. The petroleum and the produce come in first.

We also meet before hurricane season starts. We have had four or five meetings already this season, getting ready for hurricane season. We talk about best practices and lessons learned from last year, and how we can implement those into this year’s hurricane plan. The plan that we use is the sector hurricane plan which used to be the MSO’s hurricane plan. It is the sector St. Petersburg hurricane plan and that is where we take most of our guidance from.

I’m pretty much the only Coast Guard person that sits on the PHWAG. The rest of it is the port community. They read the plan, they abide by the plan and they actually appreciate that there is a plan as some guidance for them.

The last thing which has been in the works for quite a while is the Cooperative Vessel Traffic Service. It began quite a few years ago because of the major incidents that have taken place in Tampa Bay – the Blackthorn, the Skyway Bridge collision, the three-vessel collision that took place in the Bay. After those three events, the state of Florida said we need to take a look at what is going on in Tampa Bay. There are some navigational issues there. There was a consortium established which became the Harbor Safety Committee which is now the Harbor Safety and Security Committee. They decided what we needed was a vessel traffic information service. So, we have a VTS. That has evolved and developed to the point where we are now establishing a cooperative vessel traffic service between the Coast Guard and the Tampa Port Authority. It will be pretty closely modeled on the LA/Long Beach system, for those who are familiar with that. I don’t think there is any other VTS in the Coast Guard set up the way theirs is and ours will be modeled closely after theirs. We are still in our infancy, just learning to crawl now. We actually are not up and running yet, but we are making steps to do that. The Port Authority people are already there. We have hired four of the six billets that we have. I would ideally like to have 4-5 more, but that wasn’t written into the budget.

I envision by the end of the summer or early fall, we will have all of our people in place and be training to become a VTS much like LA/Long Beach. I have AIS equipment installed in the Tampa Port Authority. The sector has three locations. What used to be the MSO is the prevention department. There is a repeater so we can see the AIS at that office. We can also see the AIS in the sector command center which is down in St. Petersburg. We are progressing and like I said, we still have the regulation project to write, defining the area. That is being done now. That is the project that has been on the burner the longest, but has come to greatest fruition this past year.
Those are some of the things that have worked well for us and I think that Tampa Bay is a really good Harbor Safety Committee and the people work well together there. It makes it a joy to work there and try to get what you want to accomplish accomplished.

Ms. Joan Lundstrom  
San Francisco Harbor Safety Committee

I would like to think of our Harbor Safety Committee in San Francisco as a town meeting that both the folks who sit on the committee and anybody who is in the audience can raise an issue and then figure out how to get folks together, communicate, and try to resolve the issue.

This is a new challenge to San Francisco Harbor Safety Committee that was reported by our ferry operations representative. We have four ferry companies operating commute ferries in the Bay, plus we have tourist ferries. The four companies converge on schedule at the ferry building. Our ferry captain reported that he was backing out a ferry and there was a line of kayakers coming right in back and he just happened to see them. Somebody else said we have been seeing more kayakers and they have a bunch of rental agencies that are just off the Port of San Francisco and in the Port of Oakland. Then we pick up the newspaper and it says let’s go out kayaking at night in the Oakland estuary. We assigned a work group to that topic. This is yet a new challenge because you’ve got the shipping lanes, the fast ferries which go 35 knots, and most of our ships coming in harbor are entering under the Golden Gate Bridge are going 15 knots and you can’t see any of these folks at all. Plus, we have security areas. This is our new challenge.

We’ve done are several things. We assigned it to a workgroup which is headed by our recreational boating representative, who is on the National Boating Federation, we found out the heads of the organized kayak group, and we started going to the rental agencies. We thought we can get their attention and they have insurance issues, especially when these folks, after an hours worth of how to paddle instruction are not given an hours-worth of tides and currents, we knew we had to do something.

What we did, and this is hot off the press, was get bumper stickers go to on the kayaks themselves that state – Kayakers be alert. Big ships move fast. This was San Francisco Harbor Safety Committee working with a grant from the Oil Spill Office. We are going to go directly to the rental agencies with these. We are also going to go to the organized kayak groups. We don’t think they will want to deface their kayaks with it, but we will try. I brought extras and as I said, these are hot off the press. We are going to try to do these in glow colors so it can even be seen at night. We have party kayakers who go out through the Golden Gate, to a shore area just on the north side of the Golden Gate, and party and then they come back through the shipping lane and go home. We hope all in one piece.

So, if you think you have a challenge with folks with Rule 9, these folks are clueless about almost everything. But, we have their attention.

The thing with the organized kayak group is that they use the internet. Therefore, what I’ve done when there is a report to the Harbor Safety Committee on one of these incidents
involving kayakers, is get as much information as possible and email it to them for distribution. For example, the incident of a kayaker going into a secure area near a refinery, I got all the details about when, where and how, what happened, and emailed it to get their attention.

We are hoping that in terms of communication that perhaps cooperating with the Coast Guard to maybe do a joint press release and trying to get one of the newspapers to do a photo opportunity about going in the water and how you can be safe. If you want to be in the water, be aware, and if you want to be rescued, you’ve got to have a marine radio and you’ve got to know where you are.

Lastly, the State of California passed legislation last year to establish what is called a Bay water trail around San Francisco Bay. They are proposing 130 different sites to put in the water for these folks. Since I’m a commissioner on the Bay Commission and I heard this great presentation about how we’ve got to get more people out in the water and how wonderful it is, I asked about the water side of it and the safety aspect of it. Then, I got a representative from our Harbor Safety Committee, the gal who represents recreational boaters, to sit on the committee that will look at where they site all these, many of which are already there. At the upcoming meeting where they will discuss where to site these, our representative, a pilot, and a Coast Guard person will take a look at them to see where there is conflict. Then we will be able to get signs and notices at those launch sites about the concerns. this is an emerging issue and I think it illustrates a way, as Captain McGovern said, to get everybody together to brainstorm and to figure out what we can do.

Capt. Debra Marks
San Diego Harbor Safety Committee

In San Diego we had a fuel barge issue come up. The fuel barge operators started an operation where the fuel barge was supplying diesel and gasoline, at a capacity of 800 gallons, to the yachts in the harbors and marinas. They met all the state requirements and all the Coast Guard requirements for its operation. A one-man operation was all that was required for it. He advertised the ability to fuel your vessel 24 hours a day, which also meant you could call and say, can you come fuel my vessel in the marina – here is the slip, here is my credit card number. You would still end up with a one-man operation in the middle of the night doing fueling. They bought the barge, started the operation, and were doing business. The Harbor Safety Committee felt there were an oil spill issue, a fire issue, and that kind of thing. They went about coming up with procedures that we would like to see the operator use without shutting down somebody’s business. As a committee, we came up with safety parameters for him and then also brought more people into it. Finally, we found the right source, which was the Fire Marshall who said you can’t be fueling at these docks. There was no one stopping them except the Harbor Safety Committee.

Our Harbor Safety Committee was dealing with this issue like we always do, and to us it is just part of the day’s work, but somehow the media became interested in the story. We then had the media coming to our meetings on this issue which kind of surprised us. We
had a series of articles in the San Diego Union Tribune on this fuel barge issue. We weren’t thinking much of it because we weren’t thinking creatively enough that you get it out to the media and get these articles and television coverage on these issues. But that increases the exposure to the maritime community and our concerns and people start to think about what is going on at the waterfront.

I’m not a PR person and maybe somebody on your committee knows someone or who has a friend that is in PR. But, getting the media involved is great, they love to go down to the waterfront and film by the water. When we had our Rule 9 campaign with our signs and that sort of thing, I got television coverage on the evening news. They are always looking for stories. If you can make it at least somewhat interesting, they love it. Newsletters, newspapers, television shows – they are always looking for content. Groups of recreational boaters, be it sailing or water skiing or whatever – they are looking for speakers and something going on at their meetings. So, if you put yourself out there and ask around or have a speakers list, you can really spread the word around.

Whatever your issue is, trade jobs, and let them physically get in your shoes to see what is going on and they will get the full picture and it will increase the understanding and they’ll spread the word. For example, get the race committee chairman from the yacht club to go out on of the ships with the pilots to see what they see on a busy weekend.

I also have some of the decals for the rental boats and the signs that we put up around the marinas which you can see are very inexpensive, but there wasn’t a recreational boater in San Diego that could get to their boat without seeing this.

Mr. Tom Pace  
Houston-Galveston Harbor Safety Committee

My name is Tom Pace with the Houston Pilots and a member of the HOGANSAC. HOGANSAC is one of the federally-mandated Harbor Safety Committees, but we are also zero percent funding. It is all volunteer-based. We have established about seven subcommittees. We have 19 members. We just established the 19th member for recreational boating. It was good that we brought him in because we have also experienced some problems with the recreational boaters on the weekends, sometimes mid-day. We haven’t had any problems yet with the kayakers. But, we can see as the population of the kayakers increase, we will definitely have to go with the educational aspect. As part of the deepening and widening project we just established 4,000 acres of marsh grass and the marsh grass is also being designed with kayak access. It is a potential attraction for kayakers and of course it is right on the ship channel.

To give you a little background on the ship channel right now, last year, we had 160,000 transits of tows and ships and 120,000 ferry transits. You can easily see the pilots handling 1,400 ship movements a month. It is a very busy place and we have a lot of safety zones and there are some violations.

Here are some of the practices we have done in the past. We produced a brochure. We had a recreational boating and deep draft interaction brochure that we handed out and that was pretty successful. The second brochure that we are just finishing up now, in its last stage of editing, is a deep draft and tow vessel interaction brochure. What we found with
the deepening and widening project was a lot of additional players coming in from other parts of the country. These new players did not have the adequate local knowledge that a lot of the local tow boaters had. These new players didn’t know the local knowledge, nomenclature that we use for describing different places in the channel, or that we have established towboat lanes. We have developed the brochure as part of the deepening and widening project that we did in our channel.

Another very important committee that we have just established is a dredging subcommittee. We had some problems with shoaling at the docks and the dock terminals weren’t reporting it. There was a problem because as the deep draft people know, when a ship comes in and touches bottom, the pilot is held responsible. However, the pilot was turning around and saying that the terminal ordered it up. The terminal is saying the agent ordered it up. Therefore, the dredging subcommittee is working together to establish good quarterly soundings. We are establishing the policy with some teeth this time. In the past we would say, we really appreciate if you would help us and they would say okay, and that was it. The terminals are beginning to understand the liability involved in bringing a vessel up without enough water and working with us.

We have a Deep Draft Entry Facilitation subcommittee. We had problems after 911 with some of the deep draft vessels because of the 96-hour notification. They would show up and have a lightering service offshore which would cause them to have a delay. What we started was basically a frequent flyer program and any of the frequent callers into the facility were expedited because a lot of the same information that was required stays the same, so that was processed and kept on a database. This has allowed them to expedite movement of some ships and the terminals are very happy with that.

Part of that dredging subcommittee includes the 19th member of the committee, our recreational boater. We have a problem in Clear Lake it is a big sailboat and recreational boating center and it is shoaling in. Part of what the dredging subcommittee is working on right now is that the 19th member is trying to do a grassroots movement. As we have all heard here, that is one of the ways the squeaky wheel gets the grease and we are hoping it will help in our need to dredge out Clear Lake. I think over the last 15 years, it has gone from 9-foot to around 6-foot. So, it has become a real problem with some of the deep draft sailboats.

We have a NAV Ops committee which is an important committee. Basically the ship channel is about 54 miles long. A lot of the docks are concentrated in an area of 24 miles while 34 miles is to open Bay. We have about 175 ship docks and barge docks in this 24-mile area. So, it is pretty concentrated. It is also part of the channel that is anywhere from 400 feet down to 300 feet wide. There are a lot of problems with surging and line breaking, and this NAV Op committee has done a real good job on explaining the proper tie-up facilities. We have also established that this committee go out and audit terminals to look at their tie-up facilities and what kind of condition they are in. Also as part of this NAV Ops committee, we have linemen, we have brown water fleet, we have deep water industry people, and we have the oil terminal representatives. In auditing these facilities, you will have three members of the oil terminals that will go to the different facilities. They will try to incorporate by inviting the last facility that they audited to come along with us to the next facility so there is not an image of industry trying to pressure other
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industry members to try to upgrade because the larger the oil company, generally the better the facilities. Some of the smaller companies, of course, can’t afford the state-of-the-art gangways and stuff like that. The NAV Op committee does a pretty good job at auditing and making some recommendations. So far, we have had some excellent cooperation with the different terminals on trying to meet the requirements. Not only does it expedite tying up the vessel and securing the moorings, but it also makes for a safer operation.

Mr. George Mowbray  
Calcasieu River Waterway Harbor Safety Committee

I’m George Mowbray with the Lake Charles Pilots, and Chairman of the Navigation and Infrastructure Subcommittee of our Harbor Safety Committee.

One of the things that our Harbor Safety Committee did a year or two ago was post notices at all the public boat ramps in the two parish areas, notifying the boaters of the dangers of interacting with ships.

In our area, we have a narrow channel that is surrounded by a lot of shallow water and marshes. Pleasure fishermen are one of our biggest hazards. They are there and they can get hidden in the marshes and you can’t see them. So, some of our stuff has been taken to the civic groups in presentations, like the visibility diagrams from ships, to show them how difficult it is to see small boats from the ship.

Our main focus here in the last six or seven months has been hurricane-related stuff. While we were directly hit by Hurricane Rita, we learned a lot from Hurricane Katrina and with our communications with the pilots on the Mississippi River. We learned that communication was one of the biggest keys. The river pilots over there had set up some conference calls through the Maritime Pilots Institute in Covington, a new training facility that is run by pilots so, we piggybacked off that and went ahead and set up our conference calls. We obtained lists of all the contact numbers for the various people with the Coast Guard, the industries, and everyone so that during the evacuation and afterwards we would be able to coordinate everything.

Our local Coast Guard has really revamped their operations. They are going on their hurricane alert trip in May, a month early, and they are hitting all the facilities down around the coast. We had a tremendous problem with the oil field facilities with the fuel tanks and all kinds of tanks floating away when the storm surge came. They ended up in the marsh and it was a tremendous recovery effort involving the Environmental Protection Agency. So, now the Coast Guard is hitting all these facilities and asking, what are your plans for your tanks?

One of the things we really found useful after the hurricane were the Raven laptop portable pilot units we were demonstrating. We had two demonstration units and these came in very handy. We have about 30 miles of offshore channel and about 30 miles of inshore channel. We had no buoys. There were approximately 50 buoys in our channel. Part of the problem was this also affected the Sabine Channel with another 45-50 buoys and the Galveston entrance channel. The resources to restore all these buoys and these
navigation aids were spread very thin because all the NAV teams were still over on the Mississippi River also trying to restore all the aids there. We had one particular ship that had a draft of about 39 feet in the port. We opened the waterway in incremental portions, starting with about 20 feet and then 25 on up. By the time we finally got surveys enough to where we could get this deep draft vessel out, we had very few buoys offshore. We were able to get that deep draft vessel out with virtually no buoys using the Raven laptop units. This convinced us of the benefits we could gain from these units. Those units have also come in very handy in traffic management uses with the intercoastal waterway crossing our main ship channel.

**Mr. Douglas Grubs**  
**Lower Mississippi River Waterways Safety Advisory Committee (LMRWSAC)**

My name is Douglas Grubs and I’m from New Orleans. I’ve been a pilot for 37 years. I’ve been a member of LMRWSAC since 1990.

Your mission statement of forging partnerships, was the first thing we did between the local community and the Coast Guard, and we also brought in NOAA, the Corps of Engineers, and all the relevant agencies and we developed what is the standard for VTS in America. It is an AIS-based VTS system and in the river it is augmented with radar, camera and some other sensors.

Now, when we developed this, in New Orleans it is a large committee, LMRWSAC. It is 33 members and we try to include everyone from the relevant industries.

But, when we first started developing VTS, in 1995 to 1996, the mission statement was about what we are talking about today. This is pre-911 and of course pre-Katrina. The Coast Guard mission statement was the safe, the secure, and the efficient facilitation of commerce. Now, that term “facilitation of commerce” made them itch a bit. They weren’t quite sure if that was their job. They knew safety was their job but, we made them understand that commerce was just as important. Even today, as we go through all the post 9-11’s, the post-Katrina’s, it is still the same thing; it is the efficient facilitation of commerce. If you stop everything on the river, anywhere else in this country, you’re going to stop the United States from living. You’ve got to facilitate commerce. The key is how to balance the safety and the security too. To facilitate all parts, you need to create a synergy between all parties and we’ve able to bring the fisherman, the recreational boaters and the pilots to the table. At LMRWSAC and through the subcommittees it is sometimes difficult to gain consensus, but when we do, it is something that can be relied upon. Some of the issues we are faced with are in this AIS world, is that there are some anomalies out there, so it comes down to education. Some of the things LMRWSAC is facing is how do you get this education out there where it reaches everyone?. We really do believe that education is the best way.

From a LMRWSAC level, how do we develop that education in GPS and AIS? That is going to be a challenge for us. Do we just give people an AIS system on their boat and tell them to turn it on and go up and down the river? These are the challenges that LMRWSAC will be facing as a community. How do we educate people?
With the Coast Guard sponsorship and the involvement of the large contingency of local stakeholders at LMRWSAC, we are going to work on developing the federal standards for the AIS-based VTS system. The system will be augmented with certain sensors and it will be the state of the art VTS system around the country.

Questions – No questions were posed to this panel.
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Closing Remarks

RADM Thomas H. Gilmour
Assistant Commandant for Prevention, U.S. Coast Guard

I think it this has been a successful conference. Registered attendance was 200 and that is just about where it has been.

I think Washington, DC, as a place or setting for the conference, was important because this conference did focus around our new organization, the Committee on the Marine Transportation System (CMTS).

The good news is that RADM Bone and I were both able to attend parts of this conference, and the bad news was that neither one of us was here certainly to hear the whole thing. Yesterday I had an Oil Pollution Act of 1990 (OPA 90) hearing that I got to go to the Hill one more time for, and Admiral Bone has been in and out working on the TWIC, which I know you folks talked about a little bit yesterday in the passenger vessel session.

But, I think the important thing was Secretary Mineta was able to be here Wednesday morning and start the conference off with I think the most important message of the meeting of the CMTS. I had Rajiv put these pamphlets out so as you left you could get them, because I picked one up Wednesday after I spoke and they really are good pamphlets with a good message in it and it does have a website for the CMTS. We are going to be involved and try to make that website as good as it can be to keep all of you updated on what the committee is doing. If you have suggestions or ways for us to do a better job, certainly you can email or talk to Rajiv.

I do think that is an important message for you to take away because I think the CMTS has the potential to be very important to the industry and Doug Grubs was just talking about getting the message out, and I think that is very important because we do need to promote the MTS. I think the first panel reinforced how we were working together. And, I want you to take away that we really are just starting this process so, it can only get better.

Also, the involvement of MTSNAC or the Marine Transportation Advisory Committee is going to continue to be there and John Gaughan and I talked about that a little bit on Wednesday. But, we need to make sure that you stay connected through MTSNAC.

You also had panels on navigation, disaster planning and preparedness and disaster response and recovery. Everyone I have talked to has said they were excellent programs. Thanks to the moderators, Jane, Doug and CAPT Paul Thomas and all the panelists that helped there.

I’m told that Chuck Raymond, CEO of Horizon Lines, woke everybody up by first saying that the cargo security efforts were misdirected. I wish I had been here to hear that one because in a lot of ways I’m sure he was spot-on.

We ended the first day with what I thought was really a great reception. I got the opportunity to talk with many of you there, both in the Coast Guard and from industry. I
thought that was an excellent time, one of the better receptions I’ve been to on the Hill. We did have some attendance for at least some very important people to the Coast Guard.

Steve Barnum from NOAA kicked off the second day and emphasized the global nature of the cargo supply chain, and that most Americans don’t understand the MTS. Well, I think those two things came out loud and clear, certainly for Admiral Bone and I, and I think I spent a little more time than Craig did on the Hill, but not a whole lot. But, it is very true that I think many folks don’t understand the MTS and as Mr. Grubb said, we need to do a better job of telling them what the MTS is all about. It will only benefit us.

That was followed by a hydro-observation panel and the security panel, thanks to Helen Brohl and RADM Bone for moderating and thanks to all the panelists there.

I know Mark Rosenker of NTSB talked and led into our passenger vessel panel, and I’m willing to bet that he talked about passenger or the ever-increasing weight of all of our people, amongst a lot of other things. It is certainly a topical issue that I’ve talked with the passenger vessel industry about. But, I have to say it is the truth. We are getting bigger, taller and weighing more as a nation and the Coast Guard is going to have to adjust our regulations accordingly.

Joan Lundstrom and her panelists finished things off with I think an always important issue, and it was interesting to hear the best practices and all the talk about recreational boaters. It is very true and before the Harbor Safety Committee formed in New York, I know I was then working with the Harbor Operations Committee with a familiar face up here. We brought in the recreational boating folks while I was up there, and I think it was a very important thing to do.

I did catch the tail end of Rajiv’s panel this morning and I think it was a very important one because we do need to gain Congressional support for the MTS. I know the panelists, Mark Ruge and John Waldron, are going to stay close to that issue. It really is, when you think about it, why we formed this CMTS and got it at the cabinet level. I think it is important for us, for all of you to keep track of where we go, as I said. And continue your push and those of us in government need to continue to push the CMTS.

Well, I listened to the best practices’ entire panel and although some of the issues are similar, there are new issues and newly evolving issues. I think we especially learned a lot from the two hurricanes and hopefully we won’t have to use what we learned this summer. But, we need to be ready to do that and there is a lot of work going on around the nation. But, I certainly agree with Doug that the cooperation at least from our end was wonderful, not only with the agencies, but certainly with the industry. I think it was absolutely tremendous.

I’m glad your next meeting is going to be in Chicago because I know that RADM Bone will be forced to go to Chicago and won’t be interrupted during the whole session. If you are lucky, he will be able to get the new Commandant to go along with you who has been – those of you who have been around a long time know that he has been to some of our Harbor Safety Committee meetings and he has a great interest in that area.
I would like to thank Rajiv, John Bobb, and everyone who worked with them to put this together. I’d also like to thank the National Academy of Sciences for providing this and we look forward to their continued involvement.

One last thing I need to tell you though, Doug, is that the Coast Guard has always been about facilitation of commerce and safety and protecting the environment and balancing those things. I think as you pointed out, it is not an easy thing to do. But, I think through things, through efforts like this, when you hear all the voices and all the concerns from all of the different areas, and what you say depends on where you sit, you make better decisions. So, I would echo exactly what you said in your statements that together we can make a lot better decisions than any one of us can make separately.

So, good luck to all of you. Have a safe trip home.