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## **Minutes: Forum #107**

**Date:** September 14, 2016  
**Time:** 10:00 AM  
**Location:** NH Department of Environmental Services (Conference Room)  
NHDES Portsmouth Regional Office  
Pease International Tradeport  
222 International Drive, Suite 175  
Portsmouth, NH 03801

### **1. Introductions and Administration:**

*Introductions* – The meeting was called to order at 10:00 by the Port Safety Forum Co-Chair John Henshaw representing the Maine Port Authority with Commander John Humpage as the Co-Chair representing the Coast Guard. A quorum was comprised of 26 individuals.

*Review and Approval of the April 13, 2016 Port Safety Forum Meeting Minutes* – Hearing no objections to the content of the June 16, 2016 minutes, Mr. Henshaw accepted the minutes as approved. One addition to the agenda was made to include discussion of the U.S. Navy Atlantic Sturgeon monitoring program which was added under Agenda item 5, “New Business.”

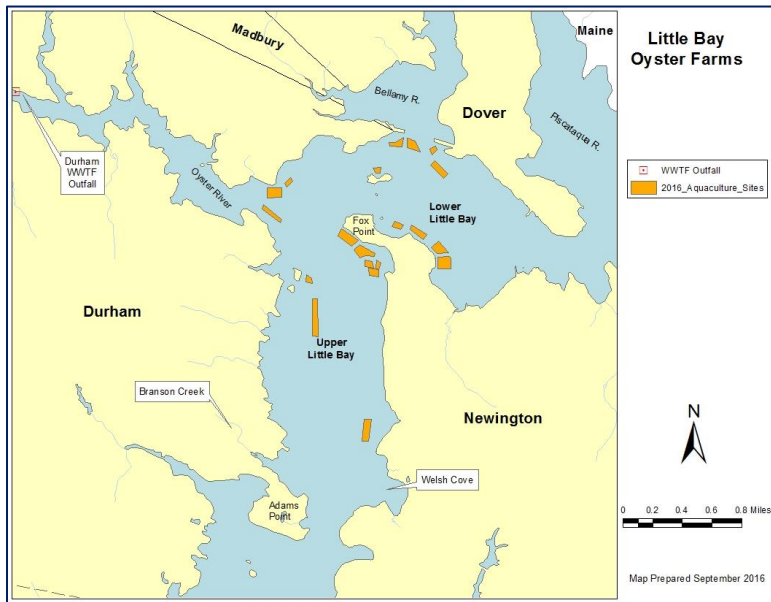
### **2. Waterfront Structures Inspection - Cheryl Coviello – GZA**

Ms. Coviello detailed the importance of facility structural inspections and assessments to assure the integrity of mooring and cargo handling facilities. Completing regular assessments by qualified engineers is critical to maintaining a sound transportation system, especially in an unforgiving marine environment. To help facilities, the American Society of Civil Engineers have developed a guide entitled Waterfront Facilities Inspection and Assessment. The publication helps inspectors focus on the key areas that are critical to ensuring structural integrity of docks as well as the mooring and fender systems needed for marine transportation. Among the considerations in completing a facility structural assessment include sea level rising scenarios (storm surge), coastal hazards, storm history/modeling, site specific issues (shoaling, current, wakes, etc.), and resiliency. The inspection standard helps facility operators identify small issues for correction before the environment and continued service allow for further deterioration which protects shipping and lowers risk to the facility owner. Book orders may be made through [www.asce.org](http://www.asce.org) (Stock No. 41357 / ISBN: 9780784413579).

### **3. Port Activities Update:**

*Oyster Farm Awareness & Sewage Discharge* – Chris Nash and Melanie Cofrin, NH DES

Chris Nash and Melanie Cofrin discussed the expanding oyster aquaculture industry in New Hampshire. The bulk of the industry is in Little Bay and consists of about 18 farms. According to 2015 NH DES statistics, New Hampshire oyster aquaculture produced over 207,000 oysters.



Oysters, the same as other aquaculture is susceptible to pollution. The State is raising awareness in the Seacoast and Little Bay area of pollution prevention measures including sewage.

The EPA has declared New Hampshire coastal waters as a no-discharge zone for sewage including treated sewage even from approved Marine Sanitation Devices. Sewage must be retained on-board and transferred ashore at pump out station or may be discharged beyond three nautical miles of shore. Even the smallest release of sewage could harm the burgeoning oyster aquaculture industry.

Non-commercial (and in some cases, commercial) vessels may be pumped at no charge through the NH DES pump-out program. The northern coastal service (known to many as the Royal Flush service) is available by appointment May through November. Call 603-670-5130 for service.

The service in Hampton Harbor is operated by Lamey LLC. Call 603-PUMPOUT (603-786-7688) for service through October 31.

***Penobscot Bay Survey – LCDR Meghan McGovern, NOAA***

Over the Summer, NOAA conducted oceanographic surveys in Penobscot Bay using a survey contractor with 2 small boats and 1 aircraft. The survey should be complete by mid-October. The scope of the survey is slightly reduced (by about 108 square nautical miles) from what was discussed at previous Port Safety Forums. This survey will enhance navigation by replacing 1950’s era survey data with current data utilizing state-of-the-art surveying equipment and techniques. Rockland was included in the survey which helped to identify suitability of certain bottom areas for possible ship anchorages. In particular, the regional pilots were interested in verifying or disproving the existence of a charted wreck (thought to be obsolete) in Rockland Harbor. If present, the wreck would have posed an unacceptable risk to cruise ship anchoring. The preliminary results of the survey indicate that the wreck is no longer present which will provide more navigation flexibility for cruise ship traffic entering Rockland. Additionally, preliminary surveys have also indicated some shallow spots in the Penobscot Bay which had not previously been identified. Among the survey highlights include a 16’ spot at Hewett I Rocks near Yellow Ledge, (adjacent to 39’ and 23’ foot depths), as well as a 21’ spot next to a 76’ depth at McIntosh Ledge in the vicinity of Buoy G “1”. All preliminary details were passed to the regional pilots for their awareness.

***Sarah Long Bridge Replacement Update – Ben Walz, MaineDOT***

Mr. Ben Walz outlined the current status of the Sarah Long Bridge replacement project. The project, which is led by *Maine DOT* is moving along well. The replacement includes significant construction in and around the channel in the vicinity of the existing bridge. Current construction milestones include: 12 of 13 approach piers installed, 1 of 2 tower footings completed, and 62 of 88 tower segments cast. Additionally, 189 of the 355 vehicular and railroad segments have also been cast.

A decision was made to close the bridge to vehicular traffic about a month early due to a lifting problem. The bridge will now remain in the elevated position until it is demolished. Vehicular traffic is rerouted to Routes 1 and 95 but marine traffic is unobstructed.

- Upcoming work includes the continued casting of the remaining vehicular and railroad and tower segments;
- Casting the remaining piers and abutments;
- Placing 3000 cubic yards of concrete for the Portsmouth Tower footing; and
- Commencing demolition of the existing bridge.

A channel closure will be required between October 10- 16. *MaineDOT* is partnering with all concerned parties including, the Coast Guard, pilots, and waterway users to ensure that traffic can be diverted or re-scheduled to avoid the needed channel conflicts. NH DES is taking measures to ensure that oil spill response equipment is pre-deployed/repositioned to ensure full river spill response coverage is achieved in the event of a spill during the channel closure.

#### ***NERACOOS Update – Tom Shyka, NERACOOS***

Tom Shyka provided an update on the NERACOOS ocean data buoy system. In addition to hourly buoy data, other data products include forecasting of water levels, coastal flooding and erosion forecasts, as well as ocean forecasts. Mr. Shyka presented routine updates on various buoys among which include a new Algal Bloom detection buoy in Wells and a new water level sensor in Saco Harbor which will help document tidal surge in storms and hurricanes.

He also discussed specific water temperature data collected from NERACOOS buoys that indicated warming trends in various levels of the water column along the Maine coast. Understanding and utilizing this data can help fishermen better forecast fishing scenarios and help the market predict and prepare for catch volumes and quality. In particular, he provided sample data collected since January from Mount Desert Island, which suggested surface water temperatures tracking higher but generally along a normal average (based on a 15-year average). However, water temperatures collected at 20 meters below the surface were consistently and uncharacteristically much higher than average.

For more information, please visit <http://www2.neracoos.org> to learn more about the extremely valuable on-line tools available through NERACOOS.

#### **4. Coast Guard Update:**

##### ***CHEM VENUS After Action Brief – CDR Andy Myers, USCG***

On June 29, 2016 the chemical tanker CHEM VENUS ran aground and allided with unoccupied moored sailboats in a mooring field off Goat Island while outbound near the mouth of the Piscataqua River. The Coast Guard dispatched marine inspectors to ascertain damage and verify the condition of the vessel and issued a Captain of the Port Order to the vessel containing post-accident instructions. It was determined that the hull was breached causing flooding of several forward compartments, which was verified with an underwater dive survey. The Coast Guard also activated its specialized Salvage Engineering Response Team (SERT) located in Washington DC. The SERT was able to perform remote structural calculations to determine the safety of the vessel including its structural integrity following the accident. Responding to the threat of pollution, the vessel operator activated its Vessel Response Plan and engaged a Qualified Individual who coordinated ample resources including vessels, boom, and personnel, to respond to a potential spill. Although there was no pollution released into the environment, the potential needed to be mitigated. Due to the unique position of the grounding, the accident required input from both NH Department of Environmental Services as well as the Maine

Department of Environmental Protection, due to the proximity to the state boundary line. After being stabilized, the vessel was cleared for a trans-Atlantic voyage to discharge its remaining cargo and to effect permanent repairs. The voyage required pre-departure briefing and concurrence of the Coast Guard, the Flag State (Panama) as well as the Classification Society, and all of the Port States that the vessel would transit.

### ***Subchapter M Implementation - CDR Andy Myers, USCG***

On June 20, 2016 the Coast Guard released safety regulations governing the inspection, standards, and safety management systems of towing vessels, in a Final Rule. The Final Rule represents over 10 years of work in developing towing vessel standards for a vessel population of over 5,000 towing vessels across the country. The Coast Guard and Maritime Transportation Act of 2004 reclassified towing vessels as vessels subject to inspection and authorized the Secretary of the Department of Homeland Security to establish requirements for a safety management system appropriate for the characteristics, methods of operation, and nature of service of towing vessels. The rule, which includes provisions covering specific electrical and machinery requirements for new and existing towing vessels, the use and approval of third-party organizations, and procedures for obtaining Certificates of Inspection, will become effective July 20, 2016. However, certain existing towing vessels subject to this rule will have an additional 2 years before having to comply with most of its requirements. For more details refer to the full Final Rule at: <https://www.federalregister.gov/documents/2016/06/20/2016-12857/inspection-of-towing-vessels>

### ***TWIC Final Rule - CDR Andy Myers, USCG***

The Coast Guard released a Final Rule regarding Transportation Worker Identification Credential (TWIC) readers for some facilities on August 23, 2016. The final rule requires certain vessels and facilities regulated by the Coast Guard to conduct electronic inspections of TWICs as an access control measure. The final rule also implements recordkeeping requirements and security plan amendments that would incorporate these TWIC requirements. The final rule provides additional flexibility with regard to the purchase, installation, and use of electronic readers. Instead of requiring the use of a TWIC reader on the TSA's Qualified Technology List (QTL), owners and operators can choose to fully integrate electronic TWIC inspection and biometric matching into a new or existing Physical Access Control System (PACS). Additionally:

- The final rule only affects Risk Group A vessels and facilities, and that no changes to the existing business practices of other MTSA-regulated vessels and facilities are required.
- The final rule eliminates the distinction between Risk Groups B and C for both vessels and facilities. If and when a requirement for electronic TWIC inspection may be considered for MTSA-regulated vessels and facilities not currently in Risk Group A, the Coast Guard will provide an updated analysis of the costs and benefits of such an action and define new Risk Groups accordingly.
- The final rule clarifies that for Risk Group A facilities, electronic TWIC inspection is required each time a person is granted unescorted access to a secure area (a limited exception is permitted for Recurring Unescorted Access, or RUA). For Risk Group A vessels, electronic TWIC inspection is only required when boarding the vessel, even if only parts of the vessel are considered secure areas.
- The final rule eliminates the special requirement that barge fleeting facilities that handle or receive barges carrying Certain Dangerous Cargoes (CDC) in bulk be classified as Risk Group A. Barge fleeting facilities are instead classified the same as all other facilities.
- The final rule increases the exemption from electronic TWIC inspection requirements to vessels with 20 or fewer TWIC-holding crewmembers and defines that number as the minimum manning requirement specified on a vessel's Certificate of Inspection.

- The final rule provides additional flexibility for ferries and other vessels that use dedicated terminals in Risk Group A to integrate their electronic TWIC inspection programs with their terminals' programs.

For more details refer to the full Final Rule at:

<https://www.federalregister.gov/documents/2016/08/23/2016-19383/transportation-worker-identification-credential-twic-reader-requirements>

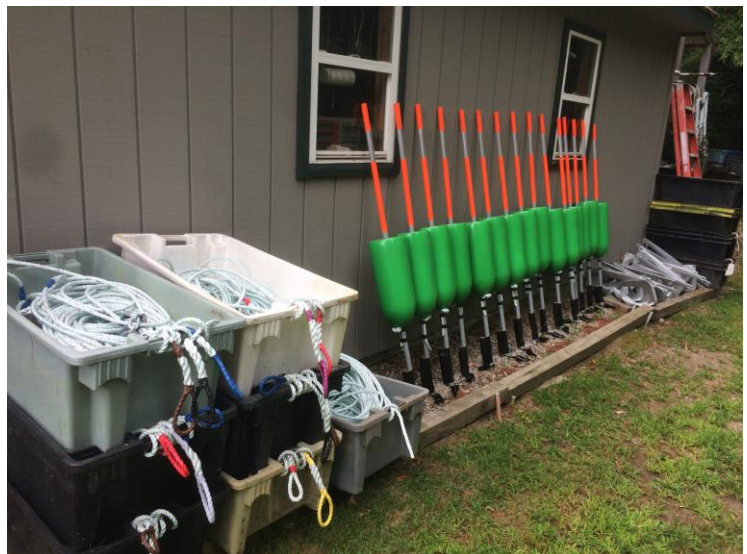
***Places of Refuge & Marine Firefighting - CDR Andy Myers, USCG***

CDR Myers discussed the Places of Refuge in the event of a marine casualty or other need for a vessel to enter a port or area under emergency conditions. Examples of events that may trigger a Place of Refuge decision include vessel low probability but high consequence situations including stability issues, flooding, cargo problems, fire, communicable disease, etc. The Coast Guard hosted several Workshops throughout the region during the Summer to discuss the thought processes and frameworks needed to determine appropriate Places of Refuge. During these meetings shore-based marine firefighting was identified as a potential training focus. Initial collaborative research is now underway between the Coast Guard and the Port Safety Forum to enhance marine firefighting training.

**5. Old Business/New Business:**

***Atlantic Sturgeon Monitoring – Mr. Ron Beck, TetraTech***

Mr. Beck discussed an ongoing Atlantic Sturgeon monitoring program which is sponsored by the U.S. Navy. The Portsmouth Naval Shipyard will be among several other East Coast Navy facilities to participate in the Atlantic Sturgeon monitoring program. The buoys indicated in the image to the right are used as part of the survey and are U.S. Navy property and should not be tampered with. For more information, contact.



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**6. Next Meeting:**

**Date:** December 14, 2016  
**Time:** 10:00 AM  
**Location:** University of Southern Maine  
 Room 216 (Second Floor) Abramson Center  
 88 Bedford Street  
 Portland, ME 04101