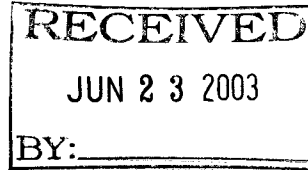




San Mateo County Harbor District



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June 20, 2003

Stephanie Harlan
Chair, Monterey Bay National Marine Sanctuary
Advisory Council
1941 42nd Avenue
Capitola, CA 95010

Ref: Establishment of an Emergency Hotline for Harbor and Other Emergencies

Dear Ms. Harlan:

This letter recounts a recent incident at Pillar Point Harbor and suggests a simple solution to the Sanctuary-related problem that arose that involved public safety and security and protection of marine life, and that resulted in sizable unnecessary public costs and extended deployment of Federal, County, and Harbor District public safety personnel, loss of business to a number of commercial establishments and fishermen, and significant loss of Marine Sanctuary credibility in the community. The proposed solution should enable the Sanctuary to more effectively pursue its overall ocean resource conservation goals, which we support.

The Incident: Late in the afternoon of June 11, 2003, the U. S. Navy's Unexploded Ordnance Disposal Team from the Fallon, Nevada Naval Air Station, identified a live World War II vintage U. S. torpedo warhead containing approximately 450-500 pounds of TNT lying on the bottom of Pillar Point Harbor. As soon as the Navy had positively identified the item as live ordnance, the appropriate agencies were notified including the Monterey Bay National Marine Sanctuary.

I am not aware of whether the Sanctuary number(s) contacted by the Navy and/or the County Sheriff's Office included the Sanctuary's emergency response pager number (888-902-2778), which is listed in the Sanctuary's June 2000 Emergency Response Plan.

The ordnance had been on the bottom, roughly ten feet from the Harbor's fuel dock, for an undetermined period of time. The Navy inspection team determined that it did not contain an exploder. Nevertheless, the item's location and the increasing instability of its explosive contents over time called for immediate removal from the Harbor.

On June 12, the Navy team removed the item from the Harbor and detonated it at sea at a location not within National Marine Sanctuary waters (neither Monterey, Gulf of the Farallones, nor Cordell Bank Sanctuaries), at a location eventually agreed upon by the Coast Guard, the Navy and the Marine Sanctuary.

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To protect the public safety, the Harbor was voluntarily evacuated during the period of removal of the ordnance. County Sheriff's Office personnel posted the Harbor (see enclosure) with the evacuation request from 10:00 AM to 12:00 PM on June 12. The actual raising of the ordnance and securing it in the Navy's vessel took approximately 15 minutes, following which the vessel left the Harbor for the disposal area escorted by two Coast Guard vessels and the Harbor's patrol boat to maintain a safety perimeter and provide navigational assistance.

The raising and disposal of the ordinance, scheduled to commence at 10:00 AM, was delayed approximately three hours by Monterey Bay National Marine Sanctuary staff, who raised concerns regarding possible detonation impacts on marine life, a legitimate concern.

A Sanctuary representative on site indicated that the Sanctuary had been contacted "after hours", implying that adequate time for review of the situation had not been provided. This response raises an important question as to the usefulness of the Sanctuary's response pager mechanism, as the Sanctuary was unable to work out a mutually satisfactory disposal location before the 10:00 AM scheduled time for start of operations, despite the approximately sixteen hours that intervened from the time of initial notification.

Another Sanctuary representative's telephone call on the morning of June 12 inquiring as to the status of things at the Harbor further indicates that the Sanctuary had not yet been in active communication with those in command regarding ordnance disposal arrangements. Moreover, that representative's comment to the effect that "another day wouldn't matter" [while a disposal location suitable to Sanctuary staff was identified] seems cavalier if not outright irresponsible, when considering the potential consequences of an explosion in the Harbor resulting from the aging and thus increasingly unstable explosive.

Had the Sanctuary responded immediately to the initial notification of June 11, the delay would doubtless not have occurred. The Sanctuary's reasonable concern regarding marine life impacts could have been addressed in a timely fashion and the disposal operation could have proceeded on schedule. Hence the following suggestion:

Suggestion for the Future: The Sanctuary should immediately install a 24-hour emergency telephone hotline that will be responded to immediately by the Sanctuary Superintendent or his/her authorized representative, who will have the authority to agree to, or otherwise take necessary action on behalf of the Sanctuary regarding, needed emergency response measures as determined by the appropriate public safety and security agencies and personnel. I suggest that the Sanctuary Advisory Council make this recommendation to the Sanctuary staff as an urgency item.

The comparatively tiny expenditure involved in establishing and maintaining this hotline will pale in comparison to (a) the many thousands of dollars expenses incurred by the Coast Guard in maintaining two patrol vessels on site for an extra two and three-quarters hours, the U. S. Navy's ordnance disposal team, which was idled during the disposal site determination process, the County Sheriff's Office's Coastside patrol personnel and Bomb Squad personnel, the Harbor District's Harbor Patrol personnel both on shore and in harbor patrol craft, and a Federal Bureau of Investigation representative who was called in to explore possible on-land disposal alternatives; and (b) the revenues lost by all of Pillar Point Harbor's businesses and commercial and sport fishermen by the Harbor evacuation, which would have been concluded well before the lucrative lunch hour (for restaurant businesses) and fish unloading and purchasing throughout the period of the incident. Further, the engaging of at least 31 public agency personnel for an unnecessary three hours resulted in loss of service for other public purposes. This loss, too, would be obviated by the establishment of an emergency hotline and quick response by the Sanctuary regarding its legitimate concerns.

One might question the need for such a mechanism in view of the infrequent potential for such events to occur, e. g., the last such episode occurred 21 years ago, according to Harbor and County representatives. However, fishermen periodically come across naval ordnance and other debris offshore, raising the possibility of other future incidents. Moreover, other more common kinds of events, such as oil spills or other pollution occurrences or vessel sinkings, that may constitute an emergency of concern to Sanctuary resources may occur in future that would warrant the utility of a rapid response communications hotline that is more effective than the present pager arrangement.

Additionally, if it has not already been attended to, I would suggest that Part III-B, Table 2 of the 2000 Emergency Response Plan be updated to identify the current Sanctuary personnel responsible for the various functions outlined in the table, and that their names and contact numbers, in addition to the recommended Sanctuary hotline, be made available to us and others who should have this information, including all adjacent harbors and appropriate law enforcement, Coast Guard, and Navy personnel. As it happened in this incident, neither of the two Sanctuary representatives referred to above are identified in Table 2 of the Plan.

In the interests of public safety and protection of Sanctuary resources, I urge that the Council recommend the above suggestion at the earliest opportunity.

Sincerely,

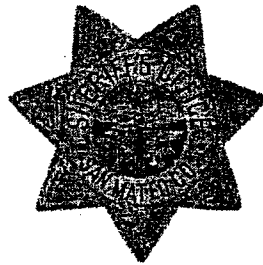
SAN MATEO COUNTY HARBOR DISTRICT



Peter Grenell
General Manager

Enclosure

cc: The Honorable Anna Eshoo, Member of Congress, 14th District
The Honorable Sam Farr, Member of Congress, 17th District
The Honorable Richard Gordon, Member, San Mateo County Board of Supervisors
Board of Harbor Commissioners, San Mateo County Harbor District
Monterey Bay National Marine Sanctuary Advisory Council Members
Conrad C. Lautenbacher, Jr., Vice-Admiral, U. S. Navy (Ret.), Under Secretary of
Commerce for Oceans and Atmosphere
Lieutenant John Lenox, EODMU Eleven, NAS Fallon
Lieutenant Thomas Stuhlfreyer, U. S. Coast Guard
Lieutenant John Quinlan, San Mateo County Sheriff's Office
Sergeant Michael Peck, Supervising Bomb Technician, San Mateo County Sheriff's Office
Bill Douros, Superintendent, MBNMS
Dan Temko, Harbor Master, Pillar Point Harbor



NOTICE

This is to notify you of an evacuation of the Pillar Point Harbor and surrounding area on Thursday, June 12, 2003 from 10:00 AM to 12:00 PM. The United States Navy will be removing a piece of explosive ordinance from the water near the fuel pump. All persons are requested to leave the harbor area no later than 9:30 AM. For information, call the Sheriff's Coastside Patrol Sub-Station: 573-2867. If an "ALL CLEAR" is given prior to 12:00 PM, this will be announced at this number. Thank you for you cooperation.