

**INFORMATIONAL
MINUTE ITEM
70**

10/01/02
W 9777.252
D. Hermanson

**CALIFORNIA STATE LANDS COMMISSION
(INFORMATIONAL)**

Regular Calendar Item 70: Commission listened to staff report on California Port security. This item was considered informational; no action was taken.

002136

MINUTE PAGE

MINUTE ITEM
This Calendar Item No. 70
was submitted for information
only, no action thereon
being necessary.

**INFORMATIONAL
CALENDAR ITEM
70**

A)		10/01/02
	Statewide	W 9777.252
S)		G. Gregory
		D. Hermanson

**CONSIDER REPORT ON THE STATE OF SECURITY AT CALIFORNIA'S MAJOR
COASTAL SEAPORTS BY DONALD HERMANSON, MARINE SAFETY
SUPERVISOR OF THE MARINE FACILITIES DIVISION**

At it's meeting of April 9th, 2002, the California State Lands Commission requested a report on security efforts at all ports within the State. This report has been completed by Donald Hermanson, Marine Safety Supervisor of the Commission's Marine Facilities Division, and is attached as Exhibit "A".

EXHIBIT A

The State of Security at
California's Major Coastal Seaports

What has changed since September 11, 2001?

Staff Report
Marine Facilities Division
California State Lands Commission

000432
CALENDAR PAGE

002138
MINUTE PAGE

Introduction:

Before September 11, 2001 "security" at marine terminals was more likely to be an afterthought rather than an active, aggressive means to prevent unauthorized access or damage. Before September 11, 2001, fences demarcated property lines, lighting was for safety, and communications were used for operating the terminal. Ship traffic and small craft transiting harbors and bays were there for the sole purpose of commerce or recreation. September 11, 2001, brought seaport security to the forefront and with it a broad spectrum of problems without ready solutions.

This report describes the variety of security initiatives that have either taken place or are taking place in California's five¹ major coastal seaports since September 11, 2001. Measures to secure the seaports include those of federal, state, and local governments as well as individual marine terminal operators. They will be treated in that order in this report.

Security is continually evolving throughout the United States and, logically, California will experience some of the angst felt by other states as new security measures are implemented. Security resources and their application at California's seaports will change over time. Additionally, "security" creates a conflict between disclosure and secrecy. Stakeholders at the seaports want the public to know that precautions have been taken to bolster security, yet the precise nature of these precautions cannot be revealed for to do so would impair their very effectiveness. For this latter reason, certain sensitive information in this report is purposely general in description. This report may be disclosed to the public.

Federal Security Efforts:

U. S. Coast Guard

Perhaps the Coast Guard bears the greatest burden in securing California's approximate 1,000-mile coastline. The smallest of the U.S. armed forces, the Coast Guard divides the California coast into three captain-of-the-port (COTP) zones. COTP San Francisco Bay oversees Humboldt Bay and the San Francisco Bay Port Complex, which includes: Port of San Francisco, Port of Oakland, Port of Richmond, Port of Redwood City and numerous facilities on lands not granted to port authorities. COTP Long Beach/Los Angeles includes the Ports of Los Angeles and Long Beach as well as Port Hueneme. COTP San Diego includes only the Port of San Diego. The COTPs are responsible for

¹ San Diego, Long Beach/Los Angeles, Port Hueneme, Humboldt Bay, and the San Francisco Bay Port Complex of San Francisco/Oakland/Redwood City/Richmond

seaport security. Each COTP is given broad federal discretion² to enforce safety zones and security requirements within the port environs as well as harbor approaches and littoral waters. Since September 11, 2001, safety and security zones, established in federal regulation by COTPs, are usually used for exclusionary purposes and have been established at the San Onofre and Diablo Canyon nuclear power plants. Safety zones have also been established around most offshore oil facilities. Each COTP has also established moving security zones around cruise ships calling at California seaports, around U. S. Naval vessels, around liquid hazardous gas (LHG) ships calling at the Port of Los Angeles, and fixed zones at Oakland and San Francisco International Airports as well as at the entrance to Port Hueneme Harbor. In the case of Port Hueneme, ships calling at the harbor must obtain clearance before entering.

Each COTP must also enforce new national rules. These include new Advance Notice of Arrival provisions that require ship owners or operators to disclose additional cargo, crew, destination, and vessel particulars. Vessels that had been previously exempted by the old rule must now report as well.

The Coast Guard's local innovations have benefited all of California's seaports. In developing innovative security requirements the COTP in Long Beach/Los Angeles requested the Southern California Maritime Transportation System Advisory Committee (SoCalMTSAC) to take up the many issues involving seaport security. The SoCalMTSAC directed its Security Subcommittee, composed of a cross-section of waterfront stakeholders, including the Commission's Marine Facilities Division, to create a plan that would enhance the safety and security of shore and waterside operations, facilities, and vessels. Within weeks, the Security Subcommittee produced a draft of security guidelines³ for all port facilities. These security guidelines were later adopted by the Coast Guard Pacific Area Command for the entire U. S. West Coast, as well as Alaska, Hawaii, and Guam.

The COTP for San Francisco Bay created the Coast Guard Sea Marshal program for vessels entering San Francisco Bay. Shortly thereafter, the Sea Marshal program was adopted by the Coast Guard for nationwide application. Coast Guard sea marshals board "high interest"⁴ vessels prior to harbor entry. The armed sea marshals check crew lists and cargo, look for stowaways, and examine vessels for anything else out of the ordinary. If a problem is found, the vessel is directed to an anchorage for further inspection. Vessels may also be excluded from entering port.

² See Code of Federal Regulations, Title 33, Part 6.

³ See U. S. Coast Guard Pacific Area Instruction for Security

⁴ The Coast Guard determines "High Interest" based on a number of factors, some classified.

The COTP at San Diego initiated Naval Protection Zones that provide larger exclusive areas around naval vessels and facilities. In addition, the COTP has commenced "Operation Port Watch;" a means to involve the public in reporting suspicious activity to the Port Operations Department of the San Diego COTP Zone. All three of the COTPs in California continue to issue Port Security Bulletins as necessary.

Back on the national scene, the Coast Guard is establishing "Maritime Safety and Security Teams" for deployment to key U. S. ports. The teams will be responsible for protecting critical domestic ports and the U. S. maritime transportation system from terrorist and warfare attacks. Each team will be composed of 73 active duty Coast Guardsmen and 33 reservists. Team equipment will include six fast response boats, communications and protective equipment, and weapons. The San Pedro based Los Angeles-Long Beach team was commissioned on Sunday, September 8, 2002. At this time, no other California ports are scheduled for a team.

To help all U. S. seaports implement security measures, the Coast Guard commenced a Port Vulnerability Assessment Program in April 2002. TRW Inc. has been given the prime contract for development of an assessment model that will be useable for evaluating security conditions and making improvements within the seaports. The Port of Boston has been selected to act as the model port for development of this program.

U.S. Customs Service

The U. S. Customs Service, criticized for its cargo container inspection methods, has instituted its Customs-Trade Partnership Against Terrorism (CTPAT) program. The program is an initiative sponsored by government and business to protect global commerce from terrorism. It calls for business to establish policies to enhance security practices and those of their partners in the supply chain. Once these policies are in effect, imports from these companies would be given expedited processing at U. S. ports of entry. The Customs Service, through its Container Security Initiative, is also placing inspectors in foreign seaports where they work with local officials to ensure the security of cargo bound for the U. S. Presently, there are U. S. Customs inspectors at the Ports of Rotterdam, Antwerp, Le Havre, Halifax, Montreal, Vancouver, and Singapore. Talks are underway to include additional seaports. At U. S. seaports, Customs has increased its container inspection rate from 1 to 3 percent to about 15 percent. Other security enhancements such as electronic seals on cargo containers are in the works as well.

The Immigration and Naturalization Service

Effective in May 2002, the Immigration and Naturalization Service (INS) requires passenger and crew manifests to be submitted prior to vessel arrival

and departure. These manifests must show complete names, passport numbers, dates of birth and other identifying information. Presumably, this information will be shared among U. S. law enforcement agencies through the auspices of the Federal Bureau of Investigation and, in the future, the Department of Homeland Security.

Department of Transportation

The Department of Transportation has issued \$92.3 million in port security grants during June 2002. These grants are for the purpose of building security infrastructure at U. S. seaports and include items like fencing, communications equipment, and surveillance measures. California benefits from over \$17 million in the following grants: \$4,335,000 for the Port of Long Beach; \$340,000 for the City of Long Beach; \$1,500,000 for the Port of Los Angeles; \$4,867,071 for the Port of Oakland; \$500,000 for the Port of San Francisco; \$2,233,000 for the Port of San Diego; \$1,900,000 for Eagle Marine Services' terminal operation in Los Angeles; \$1,300,000 for American President Lines operations in (among other locations) Los Angeles; and \$80,000 for Pasha Stevedoring and Terminals in Los Angeles.

State Security Efforts:

On September 12, 2001, staff of the Marine Facilities Division (MFD) contacted marine oil terminal operators for the purpose of conducting a brief telephone survey of security arrangements at these terminals. We learned that most terminals were not prepared to prevent or deter a terrorist act. Staff determined that emergency security regulations were necessary to address this void. Within a week, we developed a 13-point checklist based on the U.S. Navy and the U.S. Coast Guard's Physical Security Manuals.

Next, we conducted a physical security survey of each marine oil terminal to establish a security profile. We ranked each terminal based on its potential for fire, explosion, and/or oil spill damage to the public health and safety and the environment. While this activity was taking place, we monitored the activities of each of the Coast Guard COTPs in California and helped to ensure that each COTP was cognizant of not only our activities, but those of the other COTPs in California as well.

Along with the Coast Guard, we engaged the Security Subcommittee of the Southern California Maritime Transportation System Advisory Committee (SoCalIMTSAC) so that the activities of these diverse stakeholders would not be at cross-purposes with our intended emergency regulations.

On January 30, 2002 the Commission adopted emergency security regulations for California's marine oil terminals. The regulations were written in consultation with the Coast Guard and SoCalIMTSAC and are based, in part, on

recommended practices and guidelines issued by the aforementioned entities. In brief, the regulations require each terminal operator to conduct a comprehensive physical security survey, implement a security program based on the results of the survey, formulate a security plan that provides for ongoing assessment and training, and to appoint a security officer to be responsible for discharging the provisions of the security program. MFD staff is now reviewing security plans and marine oil terminals are being inspected to ensure that they comport with the contents of the security plan as well as the regulatory requirements. Staff has also completed work on permanent security regulations and they are ready for submission to the Office of Administrative Law. Terminal operators, law enforcement, the Coast Guard, MFD staff, and security professionals were brought together to form a Technical Advisory Group to formulate the permanent security regulations.

Training for MFD staff has commenced in order to increase resident knowledge/expertise in security matters. In addition, we've attained membership in the Energy Security Council, a non-profit clearinghouse of security information. Our membership in the Council provides us with warnings and assessments from a variety of government sources such as the National Infrastructure Protection Center, and the Office of Homeland Security. We've also briefed the Governor's State Strategic Committee on Terrorism (SSCOT) regarding the security, as well as pollution prevention, activities of MFD. The Governor of California established SSCOT in the Office of Emergency Services in 1997 to address emerging terrorism issues and to develop terrorism prevention and response/recovery strategies.

The Commission's Mineral Resources Management Division (MRMD) is working closely with the Coast Guard and U.S. Minerals Management Service and companies that operate and produce oil and gas in the state's tidelands to update terrorism alert and response plans. Operators have been directed to update the site security section of their Operating Manuals, which are required by MRMD regulations. Responses from operators indicate that additional measures have been put in place to verify identity and control or restrict access to the oil and gas facilities.

MRMD staff also met with the Minerals Management Service, the Coast Guard, the FBI, and platform operators on September 18, 2001, to discuss methods to protect the offshore facilities and personnel. The Coast Guard recommended that all platforms have a Coast Guard Safety Zone established around the platform. The management of platforms currently without a Safety Zone was directed to request that the Coast Guard establish one. These Safety Zones are federally regulated and enforced areas that prohibit vessels longer than 100 feet from entering the area within 500 meters of the platform.

In addition, MRMD has requested that each operator participate in the Minerals Management Service's offshore terrorism alert system. The purpose of the system is to advise operators of heightened terrorist threat status.

The Executive Office of the California State Lands Commission is performing a review of internet publishing policies for posting security sensitive information on the Commission's website. Alternatives to posting detailed maps or site plans as is typical for projects pursuant to the California Environmental Quality Act (CEQA) are being investigated. Removal of security sensitive information is consistent with similar actions performed by the U. S. Departments of Transportation and the Interior. The Executive Office has coordinated this review with all Divisions within the State Lands Commission.

The California Department of Fish and Game's Office of Spill Prevention and Response has been assisting the Coast Guard by providing small craft to augment security patrols in state waters.

The California Highway Patrol and the California National Guard have also assisted in protecting various assets on or near the seaports, but details of their activities are beyond the scope of this report.

Local Security Efforts:

Port of San Diego

The San Diego Harbor Police provide 24-hour security coverage of both the water and landside areas of the port. The police have patrol cars and seven vessels, and have assumed a "higher profile" since September 11, 2001. While Port Police representatives would not discuss the exact nature of the "higher profile," an increase in shore side and on water activity by the Harbor Police has been reported. A closer working relationship with the Coast Guard and Navy has evolved since the terrorist attacks. Enhanced security measures have been instituted along with new radios for contacting the Navy. The Harbor Police have conducted a joint threat assessment of the port with the Coast Guard, Navy, FBI, and County Sheriff and perform continuing evaluations of port security. The San Diego Harbor Police predict greater involvement with the U. S. Transportation Safety Administration in the near future.

The Port of Long Beach

The Port of Long Beach does not have its own police department; instead it relies on the City of Long Beach for police protection. Additionally, the City provides the port with a security guard force that provides 24-hour coverage at port facilities. These non-sworn officers are employees of the city. Prior to September 11, 2001, the focus of security at the Port of Long Beach was cargo theft. Now, not surprisingly, the focus is on terrorism. The port's budget has

been increased to provide for additional City of Long Beach security guard personnel. There is also a memorandum of agreement between the port and the city to provide for enhanced police presence at port facilities. This summer, the Long Beach Police Department received a new 25-foot harbor patrol boat for enhanced coverage of the harbor.

The Port of Los Angeles

The Port of Los Angeles has its own police force. Post September 11, 2001, developments include: Extending 8 hour shifts to 12 hours; adding another patrol boat for a total of two boats providing 24 hour patrol coverage; escorting of cruise ships, tankers, and hazardous gas ships; increasing cruise terminal officers and K9 detection services; conducting underwater inspections of port facilities; and assisting the Coast Guard with vessel entry and boarding. The port police have also increased inspection of truck traffic and placed barriers around key harbor buildings. The Port of Los Angeles established the Mayor of Los Angeles' Port Security Task Force. The task force developed a tiered security response system that provides for increasing security with escalating threat conditions. The port police provide support to various legislative, industrial, and neighborhood committees on port security matters.

The Oxnard Harbor District, Port Hueneme

Port Hueneme has harbor entry controls in place. No vessel may enter the harbor without permission from either the Coast Guard or the Navy. In addition, the port authority has limited entry to and exit from the port area on land to a single gate; other gates to the port have been blocked with concrete "K" rails. Identification is checked for everyone seeking entry to the port area.

The Oxnard Harbor District does not have its own police force. It relies on the City of Port Hueneme for law enforcement support.

San Francisco Bay

The San Francisco Bay Port Complex includes the Port of San Francisco, the Port of Oakland, the Port of Richmond, and the Port of Redwood City. They are discussed individually below.

Port of San Francisco

Within the Port of San Francisco, armed security has been placed at the San Francisco Cruise Terminal. Access control has also been strengthened at the terminal. San Francisco police patrol boats are used to provide waterside security for cruise ships calling at the port. The port does not have its own police force. It relies on the San Francisco Police Department for law enforcement support.

Port of Oakland

The Port of Oakland relies on the City of Oakland for police support. The Oakland police are the first responders for port emergencies. Oakland police conduct intermittent patrols of harbor areas. The port requires identification checks before entering port facilities. Currently, it is building a perimeter video surveillance system. It is adding an emergency communications system that will give port officials direct contact with the Coast Guard and Oakland police.

Port of Richmond

The Port of Richmond has strengthened its relationship with the Coast Guard and the City of Richmond's Police Department. Port officials have been involved with threat assessments at marine terminals within the port boundary. This port also relies on the local city police department to provide law enforcement support.

Port of Redwood City

The Port of Redwood City now closes gates on nights and weekends that were formerly open during these periods. They have conducted security training with the Redwood City Police Department to increase awareness and vigilance of port personnel. The City of Redwood City provides law enforcement support to the port, including a marine patrol boat unit. The port has Pinkerton guards securing buildings owned by the port.

The Port of Humboldt Bay

The Port of Humboldt Bay performed with the Coast Guard, an inventory of existing security conditions after September 11, 2001. Security was tightened at critical facilities and heightened at all facilities within the port. The Cities of Eureka and Arcata, and the Humboldt County Sheriff's Department provide law enforcement support to the port. The Coast Guard and the sheriff maintain marine units for waterside support.

Independent Marine Terminals

Marine Terminal Operators are responsible for the internal security of their facilities. All of the California port authorities contacted for this report confirm that the internal security of their tenant's property is largely left to the tenant. With the advent of the Coast Guard's security guidelines, each port tenant, as well as the ports themselves, has enhanced its security posture.

Conclusion:

Seaport security has been continuously evolving since September 11, 2001, and will continue to do so for the foreseeable future. There are several federal initiatives taking place now that will impact the way security is handled at California's seaports. We anticipate that the federal Transportation Security Administration and the U.S. Department of Homeland Security will have major impacts on our state's marine security posture. The unifying manager of these impacts, at the federal level, will be the U.S. Coast Guard.

At the state level, no agency has the authority to address security issues at all port facilities. But, the State Lands Commission staff is working directly with the Coast Guard, Minerals Management Service and other federal entities; local port authorities; police agencies; and facility operators to ensure the best possible security at California's marine oil terminals and offshore oil production facilities.