



March 12, 2009

To: Docket Management Facility (M-30)
U.S. Department of Transportation
West Building Ground Floor, Room W12-140
1200 New Jersey Avenue, SE.
Washington, DC 20590-0001

Fm: Lower Columbia Region Harbor Safety Committee
13225 N Lombard Street
Portland, OR 97203

Re: Docket No. USCG-2008-1017

cc: LCDR Emily Saddler
Thirteenth Coast Guard District
Prevention Division, Inspections and Investigation Branch
915 2nd Avenue
Seattle, WA 98174

To whom it may concern:

The *Lower Columbia Region Harbor Safety Committee (LCRHSC)* is comprised of public and private stakeholders with vital interests in assuring safe navigation and maritime practices to protect the environment, property and personnel on the waterways of the Columbia River.

Docket No. USCG-2008-1017, Regulated Navigation Areas; Bars Along the Coasts of Oregon and Washington has become an item of interest to our General Membership.

This letter is to notify you of our specific concerns:

1. (c)(1)(i) Bar restriction. This regulation does not specify whether the Captain of the Port's (COTP) designated representative will be on scene or in Portland, nor does this regulation specify if the environmental conditions assessed will be observed or from forecasts. We believe this determination is best made by the on scene Coast Guard personnel based on current observations. The LCRHSC would like to point out that the wave reporting buoys along the coast are not located in positions that accurately report the conditions on the coastal bars.
2. (c)(1)(i) Bar restriction. This regulation is unclear if the determination that an unsafe condition exists is based on a boat by boat determination or if the formula will be used for groups of vessel sizes. If vessel sizes are to be grouped into a few categories, then those should be included in the rule.



3. (c)(1)(ii) Bar closure. This regulation states that the bars covered in this regulation will be closed “whenever environmental conditions exceed the operational limitations of Coast Guard search and rescue resources...” however the regulation does not specify the operational limitations of the relevant Coast Guard search and rescue resources or which search and rescue resources will be used as a baseline. If as past practices suggest it’s based on the 47ft motor lifeboat, we question whether large deep draft ships should be limited to the operational limitations of a 47ft boat. Consideration should be given to the life saving equipment on board as well as the training given to the professional mariners that make up the crew and the licensed pilot that will be on board.
4. (c)(1)(ii) Bar Closure. Deep draft commercial vessels are not defined in this regulation nor mentioned in any aspect of these regulations. The lack of inclusion of deep draft commercial vessels implies that this regulation does not apply to such vessels. However, the bars covered in this regulation would be closed to “all vessels” if the Coast Guard determines that conditions exceed their search and rescue resources. Such verbiage places deep draft commercial vessels under this regulation. We respectfully request that this section be changed to read “The bars located in the regulated navigation areas established in paragraph (a) of this section will be closed to all vessels defined in paragraph (b)....”
5. (c)(1)(ii) Bar closure. This regulation is unclear as to whether a bar will be closed based on forecasts or actual observations.

While safety is the primary concern of the LCRHSC, we are also sensitive to economics. There is no mention in either of these paragraphs of the procedure for opening a bar when conditions improve.

The LCRHSC recognizes the hazardous conditions of the coastal bars in the Pacific Northwest and supports the Coast Guard’s efforts to prevent accidents. The intent of this letter is to assist with the process by pointing out areas to improve the proposed rule.

We have listened to the concerns of other groups and encourage the Coast Guard to hold public meetings on this subject. Each of the stake holders have slightly different interests that should all be taken into account before this rule is finalized.

Respectfully,

Capt Paul Amos, Chairman LCRHSC

Capt Dan Jordan, Vice-Chair LCRHSC

Ms Heather Moats, Secretary LCRHSC