



CITY OF SAINT PAUL

POUCH 1  
SAINT PAUL ISLAND, ALASKA  
99660  
(907) 546-2331  
Telecopy (907) 546-2365

IN REPLY  
REFER TO:

ORDINANCE 89-02

AN ORDINANCE FOR THE CITY OF SAINT PAUL ADOPTING A HARBOR  
OPERATIONAL MANAGEMENT PLAN AND ADDING THE PLAN TO THE  
CITY CODE OF ORDINANCES

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF ST. PAUL:

Section 1. Classification. Section 3 of this ordinance shall become a permanent part of the Code of Ordinances of the City of Saint Paul, Alaska.

Section 2. Amendment. Title 18, Boat Harbor Facilities, of the City Code of Ordinances shall be amended by adding a section, to be numbered Chapter 18.14, and shall read as set forth in the attached document.

Section 4. Severability. As provided in the City Code of Ordinances Chapter I, Section 1.7 Severability, if any portion of this ordinance is subsequently found to be invalid, such invalidity shall not affect the other parts of this ordinance.

Section 5. Duration. This ordinance shall remain in effect until revised by the City Council in accordance with the procedures set forth in Chapter I, Section 1.8, Amendments to the Code.

Section 6. Effective Date. This ordinance shall become effective immediately following its adoption by the City Council.

First Reading August 3, 1988

Second Reading August 24, 1988

Public Hearing September 27, 1988

ADOPTED by a duly constituted quorum of the Council of the City of Saint Paul this \_\_\_\_\_ day of \_\_\_\_\_, 1988.

\_\_\_\_\_  
Andrey Mandregan, Jr., Mayor

ATTEST:

\_\_\_\_\_  
City Clerk Date

Harbor  
Operational  
Management  
Plan

Chapter 18.14.

follows

~~in front of book~~  
~~orig kept for~~  
~~copying.~~

42+ pages

SAINT PAUL, ALASKA  
HARBOR OPERATIONAL MANAGEMENT PLAN

Approved By:

\_\_\_\_\_  
Harbormaster

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor

ORD 89-02

9/27/89  
\_\_\_\_\_  
Date

SAINT PAUL HARBOR  
OPERATION MASTER PLAN

TABLE OF CONTENTS

Preface.....	1
Introduction.....	1
Ownership.....	1
Application.....	1
Policy and Intent - Use of Harbor.....	1
Safe Harbor Conditions Defined.....	2
Maintenance of Navigational Features.....	2
Use of Harbor - Implied Agreement.....	2
Hold Harmless Requirements.....	2
Open Moorage Designations.....	3
HARBOR REGULATIONS.....	4
Vehicle Traffic.....	4
Behavior.....	4
Children.....	4
Swimming, Water-skiing, Scuba-diving Fishing Prohibited.....	4
Speed Limit.....	4
Boat Registration.....	5
Boat Identification.....	5
Maneuvering.....	5
Seaworthiness.....	5
Living Aboard.....	6
Garbage.....	6
Discharge of Sewage.....	6
Sewage Pumpout Station.....	7
Oil Spill Cleanup and Prevention.....	7
Waste Oil Station.....	7
Water Quality Monitoring Program.....	7
Moorage of Boats.....	8
Storage on Docks, Piers, or Floats.....	8
Boat Maintenance and Repair.....	9
Fire Fighting Equipment.....	9
Other Regulations.....	9
Optimum Utilization of Moorage.....	9
Inspection of Premises.....	10
Bilges.....	10
Saint Paul's Coastal Zone Management Plan.....	10
Land Use.....	11
Mooring and Docking Tackle.....	11
Harbor Administration.....	11
Jurisdiction.....	11
Administration and Government of Harbor Facilities.....	12
Harbor Master - Powers and Duties.....	13
Appointment and Duties.....	13
Powers.....	13
Aid.....	13
Arrest.....	14

Refusal of Moorage Facilities.....	15
Assignment of Moorage Facilities.....	15
Posting.....	15
Traffic Direction.....	16
Moving Boats.....	16
Dockage and Mooring.....	17
Safe Condition of Vessel.....	17
Duties of Boat Owners.....	18
Prohibited Acts.....	19

Rules and Regulations.....	14
Refusal of Moorage Facilities.....	15
Assignment of Moorage Facilities.....	15
Posting.....	16
Traffic Direction.....	16
Moving Boats.....	17
Private Entities Using Harbor Facilities.....	18
Vessel Masters.....	18
Waterfront Facility Owners/Operators.....	18
Tug Assistance From Local Companies. (Reserved).....	19
Communications.....	20
Safety Zones.....	20
The National Weather Service.....	20
Pre Storm Surveys.....	20
Port Storm Surveys.....	21
Dockage and Mooring.....	21
Safe Condition of Vessel.....	21
Heavy Weather and Unsafe Wave Conditions, Plans For.....	29
Heavy Weather or Unsafe Wave Conditions (Introduction).....	32
General Preparedness and Actions to be Taken.....	33
Heavy Weather, and Unsafe Waves Forecast Plan.....	36
Exhibit 1.....	43
Exhibit 2.....	44
Appendix A Request to Remain in Port.....	45
Appendix B Orders to Vessels Requesting Permission to Remain in Port.....	46
Appendix C Corps of Engineers Plan #47.....	47
Appendix D Permit and Regulatory Authorities.....	48-51

## PREFACE

Saint Paul's Harbor Operational Management Plan is effective upon adoption and will become a permanent Chapter in the Saint Paul Code of Ordinances which shall be reviewed and revised as may be necessary every six (6) months for two (2) years following its effective date, and every two (2) years thereafter. This Ordinance is enacted in response to increasing pressure and competing demands for limited Port facilities, Harbor resources, and a safe Harbor. This Ordinance, among the first of its kind in the Nation, provides the enabling authority and sets forth the criteria for the enactment, enforcement, and maintenance of municipal regulations of Port and Harbor; establishes plans, rules and management regulations for implementation by and through the Saint Paul Port Control and Harbor Master Department, and, provides for the appropriate and efficient enforcement of these rules and regulations enacted by the City Council of Saint Paul, Alaska. The Port of Saint Paul is a transient, commercial Harbor and there are no provisions for permanent, public moorage facilities at the time of adoption.

This Harbor Operational Management Plan is intended to incorporate the full range of components which are included herein or may later be modified or annexed hereinto the Saint Paul City Code of Ordinances. This Plan has been prepared in

consultation with appropriate State of Alaska and Federal Government authorities having jurisdiction, and is in furtherance and fulfillment of the requirements of an agreement between the City of Saint Paul and The Department of the Army, evidenced in that certain document entitled Local Cooperation Agreement executed between the parties on \_\_\_\_\_, 1988, pursuant to 204(e) of Public Law 99-662 and incorporates all attachments by reference.



SAINT PAUL HARBOR  
OPERATIONAL MANAGEMENT PLAN

Introduction:

Ownership: This Harbor facility was built by the City of Saint Paul with assistance from the State of Alaska and the U.S. Army Corps of Engineers.

Application: This Operational Management Plan (hereinafter referred to as "plan") applies to all users of the Saint Paul Harbor. All users of the Harbor are subject to rules, regulations, procedures, conditions and charges prescribed by the City of Saint Paul.

Policy and Intent - Use of Harbor: It is hereby declared to be the intent of this plan to favor the use of the facilities of the Boat Harbor by commercial fishermen, government vessels, commercial vessels in trade and commerce, and by the general public at large. It is further the intent of this plan to prevent and discourage the use of the facilities of the Harbor by boats which may become or have been abandoned by their owners to the point of becoming derelicts or a charge and/or nuisance to the City, the Harbor Master, and the general public, or which are unsafe, or which are not used, or are not fit to be used regularly for transportation on the water.

Safe Harbor Conditions: The Port shall be considered to be in the safest condition when the vessel count is minimized, when the remaining vessels are properly moored to docks, wharves, and dolphins, when waves are less than 2.5', and when, under storm conditions, all cargo handling and servicing or provisioning have been secured and all cargo on docks and wharves has been stowed or secured, dunnaged and strapped so as to prevent breakaway, thereby assuring access to dock and wharf areas by emergency crews.

MAINTENANCE NAVIGATIONAL FEATURES: The U.S. Army Corps of Engineers will maintain the Federal Navigation Channel, which will be 250 feet wide and which will have a dredged depth of minus 18 feet at mean low lower water (MLLW), and of the Main and Inner Breakwaters. It is anticipated that channel maintenance dredging will be required periodically. Dredged material will be disposed of in the Kaminista Ridge Quarry site or other sites which may be designated.

Use of Harbor - Implied Agreement: The use or presence of any vessel within the Harbor shall constitute an agreement by the owner, operator, master, or managing agent to conform to any rule, regulation, or order duly made by the City of Saint Paul.

Hold Harmless: Anyone using the Harbor or its facilities does

so at their own risk. The City does not assume any responsibility for loss, damage, or injury to property or persons within the Harbor.

Open Moorage:

- (a) Areas not otherwise occupied or posted for restricted use shall be designated for open mooring for transients and other such temporary uses as the Harbor Master may order. Moorage at this facility shall be available to all members of the public. Upon departure, no vessel shall have a right to return to such moorage if it is occupied by another vessel during the period of absence.
- (b) A vessel mooring alongside another vessel shall moor adjacent to a vessel of similar size.
- (c) The owner or operator of a vessel, or other crewmember having the necessary capability and qualifications, shall move the vessel upon request by the Harbor Master to provide access to open mooring, to permit movement of any vessel moored in tandem, to permit better utilization of open mooring space or similar purpose. The Harbor Master may move a vessel for any reason, with or without notice to the owner or operator.

## HARBOR REGULATIONS

Vehicle Traffic: The Harbor Master may establish reasonable traffic regulations including posting of signs.

Behavior:

(a) Behavior which disturbs or creates a nuisance for others in the Harbor or in the premises adjacent thereto is not permitted.

(b) Drinking of alcoholic beverages, except in shoreside licensed premises or inside private vessels, is prohibited. Use of any illegal drug is absolutely prohibited at any place or any where in the Port or Harbor.

Children: Children under sixteen (16) years of age must be accompanied by a parent or other responsible adult while in the Harbor area.

Swimming, Water-skiing, Fishing, Scuba-diving: These sports are not permitted in the Harbor.

Speed Limit: Posted criteria shall prevail. Boats shall be operated at a "No Wake" speed.

Boat Registration: Boat registration and payment of service fees are to be made at the Harbor Master's Office.

(a) All vessels are required to register at the Harbor Office upon arrival.

(b) Vessels arriving after office hours must register at the Public Safety Office. (See map at Harbor Master's Office.)

Boat Identification: All boats entering the Harbor must have valid name/number identification permanently affixed to the hull and clearly visible from the outside.

Maneuvering:

(a) The movement of boats within the Harbor must be for the purpose of mooring, entering, or leaving the Harbor; random cruising is prohibited.

(b) Boats shall be maneuvered in a safe and orderly manner.

Seaworthiness: Boats moored in the Harbor must, at all times, be completely seaworthy and ready for immediate cruising.

(a) Boat owners must grant permission, when requested, for an on-board inspection of their boats by the Harbor Management staff, Coast Guard Boarding Officer, Coast Guard Auxiliary

Boat Examiners, Municipal Police or State Troopers, or be deemed in non-compliance with this plan.

- (b) Boats which, because of their size or construction, are deemed by the Management to be hazardous to property or other boats, will not be granted moorage.

Living Aboard: Living aboard boats moored in the Harbor requires advance registration and authorization from the Harbor Master.

Garbage:

- (a) All garbage must be placed in containers provided on the dock for that purpose.
- (b) Deposit or discharge of garbage, trash, oil, fuel, debris, and other materials into the water or on land areas is strictly prohibited.

Discharge of Sewage:

- (a) Discharge of sewage from marine toilets into the Harbor is prohibited.
- (b) Boat owners may be required to seal or render inoperable all

onboard toilet facilities if a permit for live-aboard is granted.

Sewage Pumpout Station: Staff will periodically check the pumpout station for proper operation. Meter readings will be recorded once a week and the records maintained at the Harbor Master's Office. The registration form for transient moorage includes a space for recording the type of marine sewage device onboard each vessel. This information will be kept at the Harbor Master's Office and will be included in the Quarterly Report along with the sewage pumpout information.

Oil Spill Cleanup & Prevention: Contained in City Oil Spill Contingency Plan, adopted 1985, revised 1988.

Waste Oil Station: Staff will check the waste oil station daily for proper operation and oil spills. On Friday and Monday, staff will check the level of the storage tank by dip stick. When the tank is approximately 75% full, the Harbor Master will have the tank pumped. The records relating to pumpout frequency and quantities will be kept at the Harbor Master's Office and made a part of the Quarterly Report. Absorbent pads will be kept on hand specifically for cleanup of the waste oil storage tank area and for sale to vessels not having same on board.

Water Quality Monitoring Program: Port Control Office personnel

will collect water samples in order to monitor water quality in the Harbor area. Samples will be collected at different stations throughout the Port. All samples will be collected at the surface with the appropriate devices. Annual samples will be taken for purgeable aromatics and heavy metals. From May through September, monthly fecal coliform samples will be taken. A midwinter sample will be taken in January. Options include a private contractor or use of the City Sewage Treatment Plant Lab for fecal coliform testing.

The sampling results will be kept on file at the Harbor Master's Office, and will be included as part of the Quarterly Reports.

Moorage of Boats: Owners are responsible for adequate fendering to protect adjacent vessels and for securely mooring their boats with adequate bow, stern, and spring lines in satisfactory and stormworthy condition.

Storage on Docks, Piers, or Floats

- (a) Boat owners, operators, crew, or guests using the Harbor are required to keep all gear off the docks, piers or floats, and the vicinity of their boat neat, clean, and ship shape.
- (b) No material will be stored on docks, piers, or floats.



(c) Storage of oily rags, open paints or other flammable or explosive materials is not permitted.

Boat Maintenance and Repair:

Maintenance and repair extending for periods of more than four (4) hours may only take place upon advance permission in writing from the Harbor Master.

(a) Repair work performed on vessels berthed at the Harbor must be undertaken promptly and continue without delay until completion, be accomplished in such a manner as to avoid interference with other users, and must not constitute any hazard to persons or property.

(b) Boat owners are responsible for removal of debris and other boat repair materials. Costs of removal by Harbor personnel will be billed to the boat owner.

Fire Fighting Equipment: Fire hoses and other fire fighting equipment installed on the dock are to be used only for fire fighting.

Other Regulations:

1. Optimum Utilization of Moorage: The Harbor Master reserves the right to move boats at any time deemed necessary.

2. Inspection of Premises:

- (a) The Harbor Master reserves the right to inspect any boat at any time.
- (b) Failure to inspect does not create any responsibility for the Harbor.

3. Bilges:

- (a) All vessels using the Harbor with inboard power must have "absorb pads" in bilge. These are sold at the Harbor Master's Office. This is mandatory. No pad - no mooring.
- (b) No provision of this management plan shall be construed to deny a riparian owner's access to navigable waters.

4. Saint Paul's Coastal Zone Management Plan:

Tidal Wetlands and Intertidal Flats: The ecological values of intertidal resources for habitat, breeding, nutrient productivity, storm water retention and pollution control are well established. Tidal wetlands and intertidal flats, as defined by State Statute, are depicted on the Water Use Plan. Consistent with State Statutes, all regulations and

policies contained therein shall apply and are incorporated herein by reference.

5. Land Use: The Saint Paul Comprehensive Land Use Plan sets forth land uses in the Harbor area. The industrial, commercial, and institutional uses are concentrated around the federally maintained breakwater system and navigational features associated therewith as well as the municipally-operated ocean docks and associated shoreside facilities. Most of the remaining waterfront is in private ownership and under private development, in accordance with the Comprehensive Plan in effect or as may be later modified.

6. Mooring and Docking Tackle: Because of the maritime features in the Bering Sea and the Port of Saint Paul, mooring tackle shall meet at least the minimum standards for operational safety, or as required by the Harbor Master.

7. Harbor Administration

Jurisdiction

Administration and Governance

Harbormaster-Powers and Duties

Jurisdiction: The City in the exercise of its

statutorial police power, assumes control and jurisdiction over all waters within its limits as now and hereafter constituted. The provisions of this plan shall be construed to supplement Federal Laws and Regulations, in cases of concurrent jurisdiction.

Administration and Governance of Harbor Facilities:

The Harbor facilities shall be under the administration of the City, which shall have the authority to classify and designate areas of the Harbor, and is hereby empowered to set fees for the use of the Harbor facilities and to make rules and regulations by resolution for the governance of the Harbor. The Saint Paul Port Control and Harbor Master Department is hereby created and empowered to enforce the Rules and Regulations set forth in this plan and as may additionally be required by any authority having jurisdiction. A Board of Control is hereby established to provide for continuity and rule making and shall be comprised of the City Manager, the Harbor Master and the Public Works Director. The Board of Control shall report to the City Council and the Harbor Master to the Board of Control. The Board of Control shall be concerned with the long range goals and objectives of the Port of Saint Paul while the Harbor Master shall be

charged with the day-to-day ongoing operation of the Harbor.

Harbormaster - Powers and Duties:

- (a) Appointment and Duties. A Harbor Master and required assistants will be appointed to supervise and manage Harbor facilities. They shall be appointed, paid, removed and succeeded in office as other appointive officers of the City.
  
- (b) Powers. The Harbor Master is hereby charged and empowered with the duty, authority and responsibility to enforce all of the provisions of this plan as they may pertain to the Harbor and the municipal waters, and any rules and regulations duly adopted hereunder. In the performance of such duties he shall have all of the powers of a police officer of the City.
  
- (c) Aid. In order to render aid to distressed persons and vessels in the Harbor, the Harbor Master and any of his authorized deputies and any police officer of the City shall have the authority to:
  - (1) Perform any and all acts necessary to rescue

and aid persons, and protect and save property.

(2) Take charge of and protect all property saved from marine disasters until such property is claimed by persons legally authorized to receive it, or until otherwise disposed of in accordance with this plan or other pertinent ordinances or applicable regulations.

(d) Arrest. Whenever any person is arrested for violation the arresting officer may, in his discretion, serve upon him a citation and notice to appear in court. The arrested person, in order to secure release, and when permitted by the arresting officer, must give his written promise to appear in court, as required by the citation and notice by signing in the appropriate place the written citation and notice served by the arresting officer. Upon the arrested person's failing or refusing to sign such written promise, he may be taken into the custody of such arresting officer and so remain or be placed in confinement.

(e) Rules and Regulations. The Harbor Master shall submit reports required by the City and shall submit recommendations concerning new rules and

regulations to insure effective operation of Harbor facilities.

(f) Refusal of Moorage Facilities. The Harbor Master may, in his discretion, refuse mooring facilities to any boat, vessel or floating structure which is or may become or create a fire hazards or otherwise become a menace to the safety and welfare of other boats and their occupants; when the moorage facilities are crowded, he may refuse mooring facilities to floats, scows, rafts, pile drivers, boat shelters and other cumbersome floating structures. Upon refusal of mooring facilities, the boat owner, operator, master or managing agent shall be entitled to a pro rata refund of moorage fees paid in advance, less any other fees or charges the City may have against the boat, its owner, operator, master or managing agent.

(g) Assignment of Moorage Facilities. The Harbor Master shall supervise and manage the assignment of all mooring spaces in the Boat Harbor facilities; and, he may from time to time, in his discretion, in the interests of safety, order, convenience, health, require the owner or operator

of any boat, vessel or floating structure to change from one mooring space to another, and may himself move any boat which is unoccupied and in violation of this title.

(h) Posting. The Harbor Master shall have the duty and the exclusive power to post signs and to thereby designate the limit of Harbor speeds, classification and use of Harbor areas, and the numbers designating exclusive mooring spaces within the mooring areas where such is allowed, and such other signs and notices as would inform the public at large and all boat owners and operators of authorized and prohibited uses of the Harbor facilities, as established by the Harbor Master shall have the power to make orders and decisions and rules and regulations relating to the use of the facilities.

(i) Traffic Direction. The Harbor Master and his Assistants are authorized to direct all waterborne traffic, either in person or by means of visible or audible signal in conformance with the provisions of this Management Plan, provided, that when necessary to expedite waterborne traffic, or to prevent or eliminate congestion or to safeguard



persons or property the Harbor Master or his designee, or in the event of a fire or other emergency, such officers and other authorized officers of appropriate governmental agencies or authorities may direct waterborne traffic as conditions may require, not withstanding provisions of this Management Plan.

- (j) Moving Boats. The Harbor Master may move any boat on which no person is aboard which is in violation of this Plan, or from which moorage or other fees are delinquent, or which is a derelict, a nuisance or is abandoned.

The Harbor Master shall control the movement of vessels under his responsibility and assure that vessels in Port comply with this Plan. The Harbor Master is responsible for pre-storm planning and execution of those plans for the safety and security of the Harbor. He will coordinate preparations, conduct survey, maintain communications and take action consistent with this Plan.

## Assistant Harbor Masters

The Assistant Harbor Masters are responsible for the security of docks, piers, warehouses and roadways within the Harbor area as assigned by the Harbor Master. Particular attention shall be given any dangerous cargo within the Port. At least 12 hours before any predicted storm time Port areas should be secured for heavy weather by Assistant Harbor Masters. The Harbor Master shall be notified when the Port and Harbor is secured.

### Private Entities Using Harbor Facilities:

#### 1. Vessel Masters

The vessel masters will take prompt effective action to ensure the safety of their ship and crew. If possible they will avoid heavy weather by putting to sea. Should circumstances dictate staying in Port the Harbor Master will request permission to do so as provided herein, and follow this and other relevant plans, using their best judgment to weather the storm.

#### 2. Waterfront Facility Owners/Operators

Waterfront Facility owners/operators will take prompt

effective action to ensure the safety of vessels at their facility and the safety of the facility, its personnel, and the environment. Secure or remove hazardous materials, reduce or eliminate missile hazards, secure large storage tanks, and take other appropriate action to minimize the effects of high winds and tide.

8. Tug Assistance From Local Companies

(Reserved)

9. Communications

The Saint Paul Port Control and Harbor Master Office (SPPCHMO) will monitor Channel 16 (VHF-FM 156.8 MHz). After initial contact, the Harbor Master will shift radio to Channel 23A (VHF-FM 157.150) or 81A (VHF-FM 157.075). Port Control telex number is \_\_\_\_\_. Industry representatives may be provided a special telephone number to assist emergency coordination with Port Control. During severe storms, or if damage or service interruption occurs, the Harbor Master will shift office operations to the Saint Paul Public Safety Communications Center, 546-2333. The following entities may be notified in the event of waterfront or vessel related emergencies:

- a. U.S.C.G Capt of Port, Western AK, ANX 271-5137
- b. U.S.C.G. Zenith Line, Juneau 5555
- c. Nat. Wx Svc Forecast Office, ANX 271-3250
- d. Nat Wx Svc Forecast Office, SNP 546-2215
- e. U.S.C.G Loran Sation, SNP 562-2384
- f. Nat Wx Svc Ocean Svc Unit, ANX 271-3250

#### 10. Safety Zones

Safety Zones may be designated in accordance with 33 CFR 165 during heavy weather conditions. If a Safety Zone is established, no vessel may enter into or transit that area without permission of the Harbor Master.

#### 11. The National Weather Service

The National Weather Service will broadcast over the Saint Paul Weather Radio Service (162.55 MHz, WX Channel on VHF-FM), telephone number 546-2215. SPPCHMO Weather Central will broadcast over sideband radio to vessels beyond the approximate 30-40 mile radius of VHF.

#### 12. Pre Storm Survyes

Joint Water and shoreside surveillance patrols may be conducted by the Harbor Master and waterfront interests to determine the degree of preparedness.

## 11. Port Storm Survey

After storm passage the Harbor Master and waterfront interests may conduct a survey of port areas to assess damage.

### Dockage and Mooring:

Fees and Terms. All fees and charges for use of Harbor facilities, terms of agreements, and procedures for making payments shall be established by the City. Failure of any boat owner, master, operator or managing agent to register and pay service fees provided by the City shall be presumed to be an abandonment.

### Safe Condition of Vessel:

- (a) To qualify or remain qualified for space, a boat must be seaworthy and must have sufficient motive power to permit the boat to be maneuvered and controlled safely in and out of the Harbor under wind and water conditions which are not unusual to the Bering Sea, and which does not constitute a hazard to other boats.
- (b) Whenever the Harbor Master has probable cause to believe a boat is not qualified as safe under the conditions of this

section, he shall require, upon seventy-two hours notice to its owner, operator, master, or managing agent, that it demonstrate it is, or remains qualified. An exception in writing may be made where repairs are being diligently pursued or where other extenuating circumstances prevent demonstration of qualification, but such exception shall be for only a reasonable and specified time, considering the circumstances, and only in writing from the Harbor Master to the concerned party.

- (c) The Harbor Master may refuse mooring space to any boat which does not qualify as safe. The Harbor Master may cancel the agreement for any mooring space occupied by a boat which is authorized to occupy such space, but which boat is not safely qualified in accordance with this section. Upon failure of a boat to qualify, the Harbor Master may require, upon notice to the owner, operator, master, or managing agent of such boat, that the agreement has been cancelled, that such boat be removed from the Boat Harbor forthwith. Any such boat remaining after the time specified in the notice shall be subject to impoundment seizure, or removal as a nuisance.

Duties of Boat Owners: In addition to the duties of registration and identification as herein provided, every owner, master, operator or managing agent of any boat using

the mooring or other facilities of the Harbor shall be obliged to use due diligence in performing the following requirements:

- (1) Use all reasonable precautions in keeping the boat in his charge in a reasonably clean and sanitary condition, with special attention to pure water and sanitary toilets;
- (2) Use all reasonable precautions in keeping the boat in his charge free from fire hazards of any type or nature;
- (3) Use all reasonable effort and precautions in keeping the boat in his charge well secured and properly moored with lines in fit condition, sufficiently pumped at all times to keep afloat and to otherwise attend the necessities of the boat to avoid need for attention by the Harbor Master.
- (4) Use adequate precautions to lock up, stow and otherwise safeguard all moveable gear and tackle;
- (5) To promptly pay all charges assessed or levied according to law either against the boat or its owner, and all charges for utilities requested and ordered by the boat or its owner or authorized agents;

- (6) Supply and use adequate fenders to safeguard docks, piers, dolphins or floats and or vessels from chafing and other damages.

Prohibited Acts: It is unlawful and punishable by fine or termination of moorage or service agreements for any owner, master, operator or managing agent or other person to commit any of the following acts:

- (1) To operate or cause to be operated any boat at a speed in excess the "No Wake" regulation of the Harbor;
- (2) To operate or cause to be operated any boat in a reckless manner and/or in disregard for the safety of persons or property within the limits of the Harbor;
- (3) To operate or cause to be operated any boat in a negligent manner likely to endanger the safety of persons or property, within the limits of the Harbor;
- (4) To operate or to be in control of any boat when under the influence of intoxicating liquor or narcotic or hypnotic drugs. Whenever it appears reasonably certain to any Harbor police or officer that any person under the influence of intoxicating liquor or narcotic or hypnotic drugs is about to operate a boat in violation



of subsection (4) of this section, the officer may take reasonable measures to prevent any such person from doing so either by taking from him the keys of such boat and locking the same, or by some other appropriate means. In any case, the officer shall immediately report the fact to the Harbor Master, and shall as soon as possible deposit the keys or other articles, if any, taken from the boat or person with the Harbor Master. Such keys or other articles may be returned to any person upon his demand and proper identification of himself, when it appears he is no longer under the influence of intoxicating liquor or narcotic or hypnotic drugs;

- (5) To operate any boat in a manner which shall unreasonably or unnecessarily interfere with other watercraft or vessels or with the free and proper navigation of the waterways of the harbor;
- (6) To authorize or knowingly permit any boat to be operated by any person who by reason of physical or mental disability is incapable of operating such boat;
- (7) To do, or omit to do, in or upon the Harbor, any act, if the doing or omission of doing thereof, endangers unreasonably or is likely to endanger unreasonably, any persons or property;

- (8) To violate any provision, or any rule, regulation, order or posted sign made pursuant to this plan;
- (9) To leave any boat, vessel or floating structure moored unattended at a Harbor facility while any fire is burning thereon, unless such fire is in a range, stove, space heater or furnace. The fuel flow control to such range, stove, space heater or furnace shall be of a type approved by the Harbor Master. Any fire shall be deemed unattended unless the owner or operator is within one hundred feet of the boat, or some person over the age of eighteen years and capable of moving the boat or vessel is aboard or within one hundred feet of the same. Under no circumstances shall any open flame be permitted while in the Harbor. Maintenance and repair operations requiring open flame must take place only upon receiving permission from the Harbor Master.
- (10) To create or maintain any nuisances within the Harbor or to conduct or carry on any unlawful business or occupation therein; and all of the provision of this Code of Ordinances defining offenses and prescribing penalties for the violation thereof are hereby by expressly extended to the Harbor;

- (11) For any owner or person in charge of any dog or animal to allow or permit the dog or animal to leave the vessel.
- (12) To deposit, place, or leave any cargo, merchandise, supplies, freight, articles or thing in the Harbor excepting at such places as may be designated as loading and unloading spaces by the Harbor Master;
- (13) To tap, connect, disconnect, interfere with or tamper with any utility outlet, pipe, or connection; or any electrical wiring, outlet or device of any kind, installed or maintained in the Harbor, without first having obtained the permission of the Harbor Master; or to interfere with or tamper with any float, gangplank, ramp or any other facility of the Harbor;
- (14) To write or post any written or printed matter or sign upon any bulletin board constructed or maintained by the City in the Harbor without first having obtained permission of the Harbor Master; or
- (15) To erect, place, post or maintain any advertising matter, sign or other printed matter other than legal notices on any part of the Harbor facilities, without approval thereof first being obtained from the Harbor

Master. All unauthorized advertising and signs shall  
be removed by the Harbor Master.

HARBOR OPERATIONAL MANAGEMENT PLAN FOR HEAVY  
WEATHER OR UNSAFE WAVE CONDITIONS

General

The purpose of this Section of the plan is to advise the maritime community of steps that should be taken before, during, and after the passage of a heavy weather or unsafe wave condition.

A crucial aspect of the Saint Paul Harbor Operational Management Plan is the availability of valid climatological data. Luckily, the State of Alaska -- because of the fortunate circumstances of strategic location in the Bering Sea "weather kitchen", -- has access to a state of the art meteorological information system operated by the National Weather Service.

Under the auspices of the "Class A" Weather Service Forecast Office operated on Saint Paul by the National Weather Service (NWS), the Port of Saint Paul has access to climatological data support sufficiently expert to allow Saint Paul to provide safe Harbor operation.

Through its Class A office on Saint Paul, the NWS' Ocean Services Unit (OSU) and the Marine Observation Specialist in Anchorage regularly provide weather and wave data on a 12 hour

schedule from routine observation reports from ships and devices in the North Pacific and the Bering Sea.

For the purposes of fulfilling its commitment to operate a safe Harbor, and to increase the efficiency and effectiveness of the Harbor queueing operation, the Port of Saint Paul through its Port Control and Harbor Master Department will gather and re-broadcast supplementary weather and wave data throughout the Bering Sea as a service to the fleet.

The Port Control Office at Saint Paul will maintain and operate a Bering Sea Weather Central facility wherein the Bering Sea is displayed in approximate 100 square mile sectors. Vessels operating in any sector will be plotted and contacted by a powerful sideband radio as necessary to ascertain the local conditions in that sector. Exact locations of vessels will be protected. When climatological data from the Anchorage and Saint Paul Weather Service Forecast Offices are received on the direct wire equipment at Port Control Weather Central, and air pressure measurements indicate potential heavy weather and wave conditions, the Assistant Harbor Master on duty will radio all vessels operating in the potential storm pathway between the approaching low pressure or storm system and Saint Paul. Local conditions will be gathered from the ships and monitored. The same data will be passed to the NWS OSU for professional meteorological interpretation. This information will be used to

predict the advance, speed and severity of storm systems approaching Saint Paul and vessels in the Harbor will be advised of the potentiality for possible unsafe wave conditions. Depending upon the forecast intensity and ETA of the approaching system, vessels in the area and in the Saint Paul queueing pattern will be instructed not to enter the Harbor until conditions have been declared normal. As monitoring of an advancing storm continues, vessels in the Harbor will be required to declare their intentions to request permission to remain in the Harbor, or heave to and make for sea.

PROCEDURES FOR GENERAL PREPAREDNESS AND ACTIONS

TO BE TAKEN DURING HEAVY WEATHER OR

UNSAFE WAVE CONDITIONS

(INTRODUCTION)

The City of Saint Paul has taken the position that there is an upper limit of wave action allowable at the Harbor dock which, if a vessel remained moored to the dock, a potential damage to the dock facility, as well as to the vessel, may be possible and such Potential shall be minimized by implementation of this Plan. The magnitude or upper limit of wave action at the dock area has been selected as 2.5 feet in height as the criteria for appropriate action to be taken by the Harbor Master to implement measures to have the docked vessels move to other mooring areas or take other action to mitigate the risks.

The data access system, within the Harbor Master's Office, will provide him with wave data forecasted by the NWSFO which will have a 12-hour (minimum) lead time for determining the specific time of notification to the vessel owner/operator to undock his vessel and proceed to either a mooring dolphin or to sheltered areas on the leeward side of Saint Paul Island. For each vessel utilizing the Harbor and each waterfront facility owner, operator, or Port and marine interests, the Harbor Master will provide notification of specific standard procedures that will be taken if forecast predictions of wave action within the Harbor docking area will exceed the selected 2.5 wave height or if other heavy weather conditions are likely to occur.



## GENERAL PREPAREDNESS

1. Individual company and agency heavy weather plans should be prepared and filed with the Port Control Office. These plans should include, at the very least, clearing missile hazards from wharves and piers. Drums and similar items should be loaded on pallets not more than two tiers high or laid horizontally and securely dunnaged. Tug companies should have storm recovery plans which provide earliest possible resumption of services after storm passage.
2. A general meeting may be called by the Harbor Master to review plans with local authorities and marine interests.
3. Masters, owners, operators, and agents of commercial vessels desiring to remain in Port during a storm must request permission in writing from the Harbor Master at least 8 hours prior to possible storm ETA as provided elsewhere in this plan. Owners/operators should be aware of their liability for impairment of Port operations due to negligent storm preparation. This also applies to vessels that have received prior approval to lay up in the Port.
4. Port and marine interests should maintain plots of developing storms based on National Weather Service and

SPPCHMO Weather Central Advisories; and take the following actions as they may apply:

- a. Conduct preliminary checks to identify any unsafe conditions in the Port area, such as excessive unsheltered storage, and other items or situations which could not be mitigated within 12 hours. If found, the SPPCHMO should be advised of the details.
- b. Pleasure craft should be taken to safe storage on shore. Ocean-going vessels should make plans for departure or submit a request to remain in Port within 12 hours of storm ETA, in the manner prescribed herein.
- c. Marine and Port Interests should review expected arrivals and sailings to identify potential need for assistance, or impairment of Port operations. Vessels entering or leaving Port should ensure that sufficient tug assistance has been arranged. Coordinate these activities with local marine interests.
- d. When present, the U.S. Marshal and U.S. Customs should review the status and condition of seized vessels to insure their readiness for the impending storm.
- e. Companies having vessels (including towboats) with an

estimated time of arrival less than 12 hours prior to the predicted storm ETA should make arrangements for the vessel to seek shelter in the lee of the Island.

- f. Vessel and facility operators should make storm preparations by taking such actions, for example, as ballasting ships and barges, securing exposed material, and storing potential missels.
  - g. Wharf operators shall notify SPPCHMO of any dangerous cargo which must remain in open areas by reason of insufficient sheltered storage.
5. All cargo handling operations should be planned for completion at least four (4) hours before the arrival of the storm. The Assistant Harbor Master will coordinate plans for termination of cargo handling operations.



- o New generalized data on all forecast elements; plot on master weather board

PORTCON Action:

Hours/Time:

- o Re-plot Weather Central master weather board
- o Notice to ships in Port and in queing pattern of any developing systems which appear to be moving toward Saint Paul
- o Call weather observers on ships in each grid sector via long-range side-band radio for collection of localized climatic conditions
- o Transmit ship observations to NWSFO/ANX and post conditions to Bering Sea grid chart at Weather Central, PORTCON

32/day 2+8 hours

PORTCON Action

- o Call weather observers on ships in each

grid sector via long-range side-band  
radio to collect localized climatic  
conditions

- o Transmit ship observations to NWSFO/ANX  
and ask for wave predictions from the  
Marine Forecast Specialist at the Ocean  
Services Unit (OSU) NSWFO/ANX

36/day 2+12 hours      PORTCON Action:

- o Call ships as above
- o Transmit OSU/ANX wave data to ships and  
new ship observations on localized  
conditions back to OSU/ANX
- o Transmit SNP Wave advisory to all ships  
in port and in the queing pattern of an  
impending heavy weather and wave  
condition

40/day 2+16 hours      PORTCON Action

- o Repeat all steps in section immediately  
above

- o Notify all ships in the queing pattern that the pattern is frozen until further notice and advise to hold at their present location pending further storm and wave development information
- o Begin hourly monitoring of wave heights in the Port at dock side and dolphins, and on the ocean side of the breakwaters
- o Notify all ships in Port of an impending Heavy Weather Notice and Wave Advisory within the next four hours and to effect their heavy weather plans and make ready for sea unless they have received permission to remain in Port
- o Masters, owners, operators, and agens of vessels desiring to remain in the Harbor during a heavy weather condition must request permission in writing from the Harbor Master at least 8 hours prior to the storm ETA at Saint Paul. This applies to all vessels, whether or not they have received prior approval to lay-up at any public or private facility

or moorage. The written request shall be on forms provided by and available at Harbor Master's Office, or otherwise written, but must include at a minimum the information called for in Appendix A.

o Vessels which have not given written notification of their intention by this time will be considered as having elected to put to sea or the leeward of the Island

o Vessels which elect to remain in Port and have provided the written data required in Appendix A above, shall also meet the requirements of Appendix B.

44/day 2+20 hours      Heavy Weather Conditions Declared.  
Port Closed.

o A Safety Zone is in effect. No vessel may enter within the boundary lines of the Port and no vessels or barges may



anchor within the territorial waters under the authority of the Harbor Master. Vessels not having requested permission to remain in Port should initiate action to depart to open sea at this time.

- o Marine, Port and private interests should address any unresolved problems posing a threat to continued Port operations.
- o All entities shall secure cargo handling operations.
- o Product storage tanks should be loaded to optimum level for withstanding storm winds and flooding.
- o Insure all heavy weather checklists have been completed.
- o Oil transfer and hazardous chemical terminals should ensure that all loading arms and transfer hoses are drained of all products, flanged off, and secured to the dock or stations.

o Vessels moored at wharves should be ballasted down, have the outboard anchor at short stay, maximum mooring lines out, maintain standby power (or steam), set a navigation watch, and guard CH 16 VHF-FM and have sufficient officers and men onboard to tend mooring lines and take proper care of all manner of emergency which might occur.

(All marine interests both public and private should make timely preparations using conservative estimates of the time required for necessary actions, taking into consideration scarcity of personnel materials, and supplies immediately before and after heavy weather conditions.)