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# Sidelights

April 2013

Vol. 43, No. 2

Published by The Council of American Master Mariners, Inc.

## PONYNJ CAMM Chapter

Captain  
George Sandberg  
takes the helm

### **CAMM's PDC/AGM**

**April 2013, Oakland, CA**

**Ocean Adventurer**

**Places of Refuge**

**ISPS Code - 10 years on**

**Ballast Water Pollution**



#### **Mission Statement**

The Council of American Master Mariners is dedicated to supporting and strengthening the United States Merchant Marine and the position of the Master by fostering the exchange of maritime information and sharing our experience. We are committed to the promotion of nautical education, the improvement of training standards, and the support of the publication of professional literature. The Council monitors, comments, and takes positions on local, state, federal and international legislation and regulation that affect the Master.

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# In This Issue



## ON THE COVER

Port of Oakland.  
Photo by Jay Galvin, CC2.

## SIDELIGHTS

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## TO SUBMIT MATERIAL

We welcome your articles, comments, illustrations and photographs. Please email or send your submissions to *Sidelights* Chair Capt. Tom Bradley at the above address. All submissions will be reviewed, but are not guaranteed to be published.

## PUBLICATION DEADLINES

Issue	Submission	Release
February	Jan. 15	Feb. 5
April	March 1	April 1
June	May 1	June 1
October	Sept. 1	Oct. 1
December	Nov. 1	Dec. 1

## View From the Bridge

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President Captain R.J. Klein welcomes the PONYNJ Chapter back into action and urges CAMM to take actions to back our position statements. All and more are on the agenda for discussion at CAMM's 2013 Annual Business Meeting in Oakland in April.



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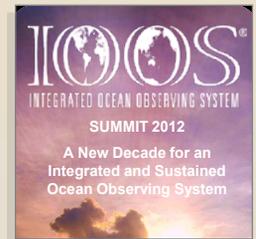


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**NOTICE** The articles in this magazine are entirely those of the writer, and do not necessarily reflect the views of CAMM nor its Board of Governors. CAMM is an independent professional organization, and is not affiliated with nor endorses any union or political party.



# CAMM Annual Professional Development

April 24-26, 2013

Hosted by the San Francisco

## Wednesday April 24

**CAMM Welcome Social**  
Hospitality suite hosted by  
SFBA CAMM Chapter

## Thursday April 25

**Professional Development Conference**  
\$65 per person, lunch included  
Guest Speakers

## Friday April 26

**Annual General Meeting**  
\$65 per person, lunch included  
Officer Reports  
Council Business  
Views & Positions Discussion  
CAMM Strategic Plan Discussion

**Gala Dinner**  
\$52 per person  
Keynote Speaker Rear Admiral  
Thomas A. Cropper  
*Lalonde Spirit of the Seas Award*  
Presentation\*  
Recognitions

Venue:



**WATERFRONT HOTEL**

10 Washington Street  
Oakland, CA 94607  
www.waterfronthoteloakland.com  
1-888-842-5333  
Group Rate Code: CAMM2013

### Event Chairperson:

Captain Klaus "Nick" Niem  
captniem@mastermariner.org  
Sponsorship Opportunities Available

\*Subject to change.

## Professional Development Conference Speakers\*



**Captain Cindy Stowe**  
Commander, USCG Sector San Francisco  
TOPIC: Vessel Traffic Control and the America's Cup



**Dr. Captain John A.C. Cartner, #2475-R**  
Maritime Lawyer  
Principal Author "The International Law of the Shipmaster"  
TOPIC: Important changes to the TWIC program



**Mr. C. James Patti, President, Maritime Institute for Research and Industrial Development (MIRAID)**  
TOPIC: Congressional lobbying efforts in the maritime industry



**Captain Jeff Cowan, #3070-R**  
Office of Spill Prevention and Response, State of California  
TOPIC: North American Emission Control Areas



**Ms. Jan Newton, Ph.D.**  
NANOOS Executive Director, Principal Investigator: Puget Sound  
TOPIC: NANOOS® and Ocean Currents

**Ms. Jenifer Rhoades**  
IOOS® Regional Focal Point, NOAA

**Mr. Thomas Bethel**  
American Maritime Officers Union President



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Registration, remittance and  
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# General Meeting

## ment Conference

Oakland, CA USA

Bay Area CAMM Chapter

### CAMM Business Meeting



State of CAMM Address by CAMM President Captain R.J. Klein

Officers' Reports

CAMM Views and Positions

CAMM Strategic Plan

Anyone interested may register to attend the business meeting; however, only CAMM members in good standing will have a voice.

### Gala Dinner

Formal evening



Gala Dinner Keynote Speaker

Rear Admiral Thomas A. Cropper

President, California Maritime Academy

TOPIC: Maritime Schools and Education

Rear Admiral Cropper began his presidency on July 1, 2012 after a 31-year career in the United States Navy. Most recently, Cropper directed education and at-sea training for Navy ships and aviation squadrons deploying to the western Pacific and

the Middle East.

### Lalonde Spirit of the Seas Award Presentation\*

The Father Maurice Lalonde Spirit of the Seas Award is the highest honor that the Council of American Master Mariners can award a member for all of the following: humanitarianism, professionalism, seamanship, life-time achievement and noteworthy accomplishments, along with contributions to the maritime industry and the 'Spirit of the Seas' in their everyday lives.



### Cash Raffle Ticket Winners Drawn

Buy, sell and return the raffle tickets in your annual dues packet for a chance to win cold hard cash. Join in CAMM's only fundraiser for the year!

### Silent Auction

A Silent Auction will open during the PDC, continue through the AGM, and close at the Gala Dinner.

### Registration

Registration forms are now available on CAMM's website. Follow the links to 2013 PDC & AGM. Registration and remittance are due **now**.

### Accommodations

Book your room at the Waterfront Hotel **now using our group rate code CAMM2013**. CAMM has secured room rates at \$159 + tax per night. Parking is \$12/day. Complimentary continental breakfast and lunch are available for registered meeting attendees in the conference room.

### Activities / Day Trips

Spouses and guests are invited to join hostesses for a ferry ride across the bay into San Francisco City on Thursday, April 25.

### Dining

Scott's Seafood Grill & Bar (adjacent the Waterfront Hotel) is offering 15% off lunch and dinner menu items to PDC/AGM attendees and their significant others. Mention CAMM2013 when ordering.

### Sponsorship Opportunities

Corporate and organization sponsorships are available at different levels. Please contact event chairman Captain Klaus Niem for a sponsorship packet.

room bookings due now!

[www.mastermariner.org/2013pdc-agm](http://www.mastermariner.org/2013pdc-agm)

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## **North Atlantic Region**

### **NEW YORK / NEW JERSEY**

**Captain George Sandberg, President**

captsandberg@mastermariner.org  
631-375-5830 cell; 631-878-0579 home

Meeting locations TBD.

Mailing Address: Box 581

Center Moriches, NY 11934

### **BALTIMORE / WASHINGTON D.C.**

**Captain Joe Hartnett, President**

410-867-0556  
capthartnett@mastermariner.org

Meetings at 1130 monthly, except June - August. Check website for date and location. Locations vary between Baltimore and D.C.

Mailing Address: P.O. Box 700  
Edgewater, MD 21037-0400

### **NORFOLK / HAMPTON ROADS / TIDEWATER**

**Chapter Inactive**

Anyone interesting in restarting this chapter, please contact Regional VP Captain Frank Zabrocky.

## **Gulf Coast Region**

### **NEW ORLEANS**

**Captain Karl Jaskierny, President**

504-737-4849

Meetings at 1200 on the 2<sup>nd</sup> Thursday of each month, except July and August at Don's Seafood Hut, 4801 Veterans Blvd., Metairie, LA.

Mailing Address: 8112 Ferrara Drive  
Harahan, LA 70123

### **MOBILE BAY**

**Captain Jerome "Rusty" Kligore, President**

251-490-2741

Meetings on the 2<sup>nd</sup> Tuesday of each month at 1300. Felix's Fish Camp Grill: 1530 Battleship Pkwy, Spanish Ft., AL.

Mailing Address: 6208 Pier Ave,  
Fairhope, AL 36532

### **HOUSTON**

**Captain Michael J. Mc Cright, President**

captmccright@mastermariner.org

Meetings monthly, September - May. Check website for specific dates. 1130 hrs, TAMUG Blue Room, Galveston, TX.

Mailing Address:

4620 Fairmont Pkwy, Suite 203  
Pasadena, TX 77504

## **South Atlantic Region**

### **PORT EVERGLADES / MIAMI**

**Captain David Goff, President**

561-392-5476  
captgoff@mastermariner.org

Meetings at 1200, the 3<sup>rd</sup> Wednesday of the month, except July and August. Location varies, so please call or check website for current location.

Mailing Address: 1106 S.W. 12<sup>th</sup> Road  
Boca Raton, FL 33486

### **TAMPA BAY**

**Captain David H. Williams, President**

352-637-1464  
captwilliams@mastermariner.org

Meetings at 1130 on the 2<sup>nd</sup> Tuesday of each month, except July, August and September. Columbia Restaurant, 7<sup>th</sup> Ave. and 22<sup>nd</sup> St.

Mailing Address: 1760 E. Littleton Ct.  
Inverness, FL 34453

## **North Pacific Region**

### **SEATTLE / PACIFIC NORTHWEST**

**Captain Richard Klein, President**

425-746-6475  
captklein@mastermariner.org

Meetings at 1130 on the 1<sup>st</sup> Thursday of each month. Rock Salt Steaks and Seafood, Lake Union, 1232 Westlake Ave. N, Seattle.

Mailing Address: PO Box 99392  
Seattle, WA 98139

### **COLUMBIA RIVER**

**Captain Vic Faulkner, President**

360-798-9530  
captfaulkner@mastermariner.org

Meetings are at 1200 on the 2<sup>nd</sup> Friday of each month. Red Lion Inn at the Quay in Vancouver, WA (I-5 and the Columbia River).

Mailing Address: 121 Hazel Dell View  
Castle Rock, WA 98611

## **South Pacific Region**

### **LOS ANGELES / LONG BEACH**

**Captain David Boatner, President**

805-479-8461  
captboatner@mastermariner.org

Meetings at 1200 on the 2<sup>nd</sup> Tuesday of each month, except August. Crowne Plaza Hotel, Beacon Room, 601 S Palos Verdes St., San Pedro, CA.

Mailing Address: 533 N. Marine Ave  
Wilmington, CA 90744-5527

### **SAN FRANCISCO BAY AREA**

**Captain Klaus Niem, President**

707-255-6567  
captniem@mastermariner.org

Meetings on the 1<sup>st</sup> Tuesday of each month, 11:30, Sinbad's Pier 2 Restaurant in San Francisco, south of Ferry Building.

Mailing Address: 4207 Chardonnay Ct.  
Napa, CA 94558-2562



Captain R.J. Klein  
CAMM National  
President  
#1751-R

## NEW YORK AREA CHAPTER RESTARTED PREPARING FOR THE ANNUAL MEETING TIME TO ACT ON OUR POSITIONS NEW SECRETARY OF TRANSPORTATION

### New York/ New Jersey Chapter

Just before going to press, I learned that the New York/New Jersey Chapter is being reactivated. Captain George Sandberg has agreed to take the helm as Chapter President and Captain Carl Winter has volunteered to become Vice President. They are in the process of setting up the chapter and meeting place(s). North Atlantic Regional Vice President, Captain Frank Zabrocky is assisting and will have more information for this issue.

Thank you to Captains Sandberg, Winter, and Zabrocky for their efforts. With over 90 members in N.Y., N.J. and Conn., an active CAMM Chapter will enhance our organization and its effectiveness.

### Annual General Meeting Preparation

The Annual General Meeting (AGM) is fast approaching. While the requested deadline has passed, if you are planning on attending and have not registered, please indicate your intentions to the San Francisco Bay Area Chapter ASAP. As always, we will welcome walk-ups. The SFBA Chapter has put together an excellent program and I encourage members to make an effort to attend.

In preparation for the AGM, now is the time for chapters and individual

members to bring forth any issues or concerns they wish to be discussed at the meeting. You can email me with matters of concern at [captklein@mastermariner.org](mailto:captklein@mastermariner.org) or have your chapter representative present a topic at the meeting. Early notice will be appreciated so the item can be included in the agenda.

### Focus on Key Positions

CAMM has twenty-five (25) current Positions. As always at the AGM, we will review and discuss all Positions. Any new Positions presented by members or chapters will be entertained, discussed and voted upon.

CAMM's current positions are well thought out and address definite concerns related to the maritime industry. I know CAMM members have provided input during industry discussions on some of our positions and I applaud their efforts and commitment. For other positions, we have simply taken a stand with little or no follow-up. Stating a position should not be the end of CAMM's involvement.

An agenda item this year will be "target positions." I propose that three to five positions be selected as target positions. Selected positions will be the focus of CAMM for the year. We will make a concerted effort to move these positions forward in an attempt to resolve these issues. Our position on the *Seaman's Manslaughter Act* and *Watch Stander's Fatigue and Task-based Manning* are two

that come to mind. I ask that all review our current positions and provide your opinions on which ones should be on the "target" list.

### New Secretary of Transportation

Secretary of Transportation Ray LaHood will soon be stepping down. Secretary LaHood was not a strong supporter of the U.S. Merchant Marine and MARAD as was noted in an article by Tony Munoz in the February 28th edition of *Maritime Executive*.

In 2008, then-Senator Barack Obama sent a letter to the presidents of our maritime unions in which he said:

*A strong U.S.-flag commercial fleet needs our nation's cargo preference laws. Whether it is carrying needed goods to those overseas in distress or moving government-generated cargo, American mariners aboard American ships make sure the job is done. People around the world look to the U.S. flag as a symbol of hope and determination. Ships flying Old Glory with American crews are important icons of our resolve.*

We must hope that President Obama remembers these thoughts when he appoints a new Secretary of Transportation.

See you at Jack London Square,

*RJ Klein*  
Captain R.J. Klein

## Secretary & Treasury Report



by Captain  
David H. Williams  
CAMM National  
Secretary / Treasurer  
#2318-R

The year started off at a fast pace. Dues invoices and information sheets were sent during January. Response so far has been good.

Several lost members have been found and their information made current in the CAMM database. At the time of this writing we have only six members missing. An additional effort will be made to find these members.

Adding new members is still a concern and all members are

encouraged to recommend new members. The added incentive of a year's dues for every three new members is still active and has helped in referring new members. An effort is constantly needed. Everyone should make it a goal to recruit a new member this year and every year.

The convention is coming up very shortly, gathering on Wed. April 24 for a social and meetings on the 25 and 26. This year's Professional Development Conference (PDC) promises to be a very interesting one. The Annual General Meeting (AGM) is always very lively and interesting. I recommend all who can attend do so. You'll enjoy it. Details are in this issue of *Sidelights*. It's not too late to sign up if you haven't already.

One of the agenda items will be how to find the resources to update our efforts. ie. webpage and database.

Our database or Membership Administration System (MAS) badly needs updating. It is now a generation or two behind and trying to make patches to fix problems in it is not working well. If any of our members are well versed in database development, their advice is solicited.

Another agenda item should be how to use a volunteer member or members to be roving ambassadors and visit or call leadership personnel in various companies to see if they could encourage more of their Masters to join. Some funds would be required for this.

A full report will be made at the convention in Oakland in April of the status of the membership and financial condition of CAMM. The minutes of the meetings in Seattle last year will also be available to read.

A full presentation of the CAMM budget will be made carrying the budget out through 2014. This will show the trends that CAMM faces for the next couple of years financially.

There will have to be several decisions made this year

with regard to *Sidelights* and other activities such as membership drives and participation with IFSMA (International Federation of Shipmasters Association). IFSMA has a very good web site at [www.ifsma.org](http://www.ifsma.org).

Over the years CAMM has developed a good rapport with the industry and various government departments such as the Coast Guard as well as attending meetings in London of the IMO. CAMM also works with IFSMA on several current problems that face all seafarers.

I look forward to seeing many of you at the convention in Oakland. ☆

### New Members

Congratulations! You now have all the benefits of CAMM membership!

The Council of American Master Mariners, Inc.

REGULAR



MEMBER

4567-R

- 3333-S Captain **Michael S. Prejean** of Houston, TX  
*Ship's Officer and Self-Employed*  
Sponsored by Captain Augusta Roth, #3116-S
- 3334-R Captain **Sean P. Tortora** of Cold Springs, NY  
*Ship's Officer and Professor, USMMA*  
Sponsored by Captain David H. Williams, #2318-R

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Other high maritime industry distinction

\*A full list of membership qualifications are listed on CAMM's website.

Please remember applicants must include a copy of their current USCG Master's License for timely processing. \$100 application fee includes application processing and current year member dues.

[www.mastermariner.org/membership](http://www.mastermariner.org/membership)



# Council Reports

## First Vice President and Government Relations Liaison Report

*Submitted by Captain Joe Hartnett*

We have been keeping an eye on Washington and were pleased to learn that Congressman Micheal Grimm (R-NY) and Congressman Cedric Richmond (D-LA) have established the Congressional Maritime Caucus and are reaching out to the maritime community. We applaud the Congressmen for their efforts in behalf of the U.S. Merchant Marine. We have also learned that Senator Schatz (D-HI) has expressed his support for the Jones Act and the Food for Peace program. I would urge all CAMM members to correspond with members of the Senate and Congress, especially in their respective areas and request their support for the maritime industry.

## North Atlantic Region

*Submitted by Captain Frank Zabrocky, North Atlantic Regional VP*

In the movie *Jurassic Park*, a conglomerate is recreating dinosaurs for use in a sort of dinosaur zoo. The shareholders hire a mathematician to assess the risks involved. He is assured by staff scientists that they control every aspect of the dinosaurs' lives from incubation to fencing. The mathematician questions what will happen when the second generation of dinosaurs is born in the wild. He is assured that can't happen because the scientists alter the chromosomes so that all the living dinosaurs are female. In the subsequent philosophical discussion, the mathematician voices his skepticism of the effectiveness of the conglomerate's control systems with a memorable line,

*"Life will find a way."*

So it is with the New York Chapter.

It took a while, but a number of professional mariners, sea-going and not, have expressed an interest in an active New York Chapter. My thanks to Captain George Sandberg, Captain Carl Winter and Captain Ed Gras for their interest and their efforts. Captain Sandberg's connection to the Nautical Institute will give professional synergy to the group. I ask other CAMM members living within the vast area of the New York Chapter to give your support to this important effort.

## Lalonde Spirit of the Seas Award Committee

*Submitted by R.J. Klein*

No nominees were submitted for the Lalonde Award by the January 15th deadline. By a special Board of Governors vote, the nomination date was extended to April 1, 2013. Results are not yet available at time of printing.

## PDC/AGM Event Committee

*Submitted by Captain Klaus Niem, Event Chair*

Please mail your registration form and remittance to attend the PDC /AGM as soon as possible to the SFBA Chapter. Early registration helps us better manage our catering contract numbers, as well as room space and overall cash flow; much of which is paid up-front. Registration forms are online at [mastermariner.org](http://mastermariner.org); follow the links to the 2013 PDC/AGM.

Since dinner is on your own for Wednesday and Thursday evening, we've negotiated a 15% off discount rate at Scott's Seafood Grill & Bar (located adjacent to the Waterfront Hotel) for our attendees and significant others from lunch and dinner menus. Mention CAMM 2013 when ordering.

## Sidelights Committee

*Submitted by Captain Tom Bradley, Committee Chair*

The February issue was the first with our latest printer, Modern Litho, based in the mid-west. There was little noticeable difference in quality, a much speedier delivery to the West coast, and reduced printing costs. *Sidelights* is pleased with the overall outcome and will continue with Modern Litho.

## Seattle / PNW

*Submitted by Captain Douglas Subcleff, Chapter Secretary*

An excellent turn-out for our February "Valentine's Month" meeting! This event had plenty of perks including long-stemmed red roses, deliciously decadent chocolates (courtesy of Mrs. Jackie Moore) and a table piled with raffle prizes. All of that, plus a great presentation about Women in the Merchant Marine by USMMA graduate, Chief Engineer Connie Buhl.

Chapter President Captain Richard Klein opened the meeting with a Happy Birthday announcement to Captain Peter Chelemados, whose 91st birthday to be celebrated on February 10th. In addition to that, Peter and his lovely wife Kay are also celebrating their 70th wedding anniversary this month!

Connie began her slide show presentation with a look back at her own experience as a cadet at the U.S. Merchant Marine Academy. She entered King's Point in 1977 and one year later was there to see the Class of 1978 graduate the first group of women from the Academy. Also seen in the slideshow photos was fellow cadet, Denise Lucas, K.P. '81. Denise was in attendance at the meeting with her husband, Captain Paul

*Continued on page 10 >>>*

*Council >>>Continued from page 9*

Willers, KP Class of '76. Connie included in her presentation a series of Women in the Merchant Marine trivia questions. CAMM member Captain Deborah Dempsey, Maine Maritime Class of 1976, was the answer to the question about the first female graduate of any maritime or service academy. Captain Dempsey also began her career at Exxon and currently is a Columbia River Bar pilot. The answer to the first female to achieve the rank of Chief Engineer was Jeanne Marie Kraus, Kings Point, Class of 1979. She was the winner of the Julie Berke Award, which was awarded to the first female graduate of KP to achieve this license. The other Julie Berke Award winner was CAMM member Captain Nancy Wagner, Class of 1980, the first KP grad to achieve the license of unlimited Master. Another 1980 KP graduate, CE Mary Culnane, sailed for Exxon for 10 years and became the first woman to sign articles as Chief Engineer.

With regards to the number of women in the merchant marine today, Connie noted that the percentage does not seem to have increased that much from that of the 1980s. Enrollment at Kings Point is now at 87% male and 13% female. And, although Connie is no longer actively sailing, she is keeping busy as a volunteer Chief Engineer for the historic steamship *VIRGINIA V*, located right here on Lake Union. She also serves as President of the Puget Sound Chapter of

the USMMA Alumni Foundation.

Thanks to Connie for giving such a great presentation at our special February luncheon!

Keeping with the spirit of women in the Merchant Marine, CAMM Associate member Patricia Hartle is a valued volunteer for many organizations including Northwest Seaport, the Puget Sound Maritime Historical Society and our own Seattle Chapter of CAMM. So, we were very pleased and honored to acknowledge that supreme effort with a special presentation of a photo collage from MOHAI and also a unique "license" certificate recognizing her grit and determination, truly the "Iron Lady" of Seattle!

Our March 7th meeting was attended by a total of 12 at our usual Rock Salt restaurant location. Seattle Chapter member, Captain Jim Osnes, spoke about his recent two-week trip on the cruise ship *NORWEGIAN JEWEL* from Los Angeles to Miami via the Panama Canal. This Bahama-flagged ship was built in 2005, length 965 ft, beam 106 ft, draft, 27 ft, 93,000 GRT, speed 25 kts and passenger capacity of 2,376. A DVD movie about the ship's eastbound transit of the Panama Canal was shown. Included in the movie was information about the ongoing Panama Canal Expansion Project that is scheduled for completion in mid-2015. The new locks on the Atlantic and Pacific sides of the canal will feature three chambers, three water-saving basins per chamber, a lateral fill-

ing and emptying system and rolling gates. It is also interesting to note that the new locks will use tugboats to move the ships rather than the locomotives (mules) used on the current locks.

Also at the meeting was former Panama Canal pilot, Captain Norm Werner. He provided some great insights about working in the Canal Zone prior to the hand-over to the Panamanians.

Our agenda for the April 4th meeting will focus on topics for the Annual General Meeting coming up in Oakland, including a review of the CAMM Position Statements.

## San Francisco Bay Area

*Submitted by Captain Klaus Niem, Chapter President*

The Feb. 12 meeting took place on the *SS JEREMIAH O'BRIEN (JOB)* in conjunction with the USMMAAAA Chapter. They introduced RADM Helis, Superintendent of Kings Point.

At the March 5th meeting at Sinbad's Restaurant we discussed whether to buy a wreath in the name of CAMM or flower leis to be taken to sea in May by the *JOB* and to be lowered to sea in dedication and memories to the fallen Merchant Mariners. We opted for the flower leis which are more friendly to the environment. A motion was made, M/S/A, that any chapter member three years in arrears with their dues may be reinstated if they pay the current dues for the year 2013.

Our chapter will not hold a meeting in April due to the PDC & AGM.

## Los Angeles / Long Beach

*Submitted by Captain Dave Boatner, Chapter President*

The Los Angeles / Long Beach Chapter meets the second Tuesday of every month except August. We have found a new meeting home in the Crowne Plaza Hotel where we have lunch in the Beacon Room. The chapter has about a half dozen stalwart members and several who stop by on occasion.

Paul Nielsen has taken over the duties  
*Continued on page 12 >>>*



*CE Connie Buhl with SPNW Chapter President Captain R.J. Klein.*



*Ms. Pat Hartle with SPNW Chapter President Captain R.J. Klein.*

PHOTO: DOUG SUBCLEFF



## The PONY New York / New Jersey CAMM Chapter is back in action!

CAMM National is excited to announce Captain Frank Zabrocky, CAMM Regional VP, along with Captains George Sandberg, Carl Winter, and Ed Gras have named chapter officers and are in the process of setting meeting dates and locations, as well as contacting CAMM members in the area. To become a New York /New Jersey chapter member, please contact one of these captains. We look forward to once again have the greater New York / New Jersey area represented and active in CAMM!

Though no official chapter meeting dates have yet been set, Captain Sandberg invites all CAMM members in the region to informally meet at the Nautical Institute NE Branch Dinner in Boston on May 2nd.

### *PONYNJ Officers*

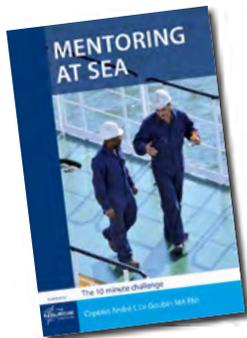
*Captain George Sandberg, #1919-R*  
Chapter President  
cptsandberg@mastermariner.org  
c: 631-375-5830; h: 631-878-0579

*Captain Carl Winter, #3315-R*  
Chapter Vice President  
captwinter@mastermariner.org

*CAMM Members invited to informally meet:*



## USA Northeast Branch Dinner – Speaker Event 2 May 2013 Boston



*featuring*  
**Captain Andre Le Goubin**  
**Author, *Mentoring at Sea***

**First...** Social 1730 — Cash Bar (downstairs)

**Next...** Dinner Served 1830

**Network with Boston Area Nautical Institute members  
and Industry Professionals**

**Let's talk about...**

*factors that have led to a reduction in the opportunities for on-the-job experience, including changes in technology, faster promotions and reduced sea-time requirements between certificates of competency. There are also many barriers to the easy transfer of experiential knowledge, including language and culture, and the ever-present pressure of work and lack of time.*

Mariners House: 11 North Square, Boston, MA 02113

RSVP and more info: [www.CarlisleMaritime.com](http://www.CarlisleMaritime.com)

Dinner-Event tickets are \$20 at the door - Cash Bar

*Council >>>Continued from page 10*  
of Chapter Secretary/Treasurer relieving Dick Bara who served as Chapter Secretary for decades. Thanks to both of these gentlemen.

The Chapter participates in the annual Maritime Day Remembrance on May 22nd each year at the American Merchant Marine Veterans Memorial. At our meetings we discuss maritime affairs and keep up to date on our ever changing industry. Visitors and new members are truly welcome.

## Houston

*submitted by Captain Michael Mc Cright, Chapter President*

The Houston Chapter held our last meeting on scheduled time. ENSCO Drilling Corp (www.ensocplc.com) spoke to our group, 10 members, 5 or 6 cadets in attendance.

Richard Roper, Vice President of Engineering and one Captain Marshall Perez, 91, Manager of Marine/ DP operations, both spoke to our group. This is an exciting company going places, well thought of throughout the world of offshore drilling and oil production. Their new building program is extensive. Mr. Roper and Captain Perez did and

excellent job fielding our TAMUG cadet questions and are looking to hire some of our graduates ASAP.

## Tampa Bay

*submitted by Captain David Williams, Chapter President*

Tampa continues to do well. We have 45 paid members this year. We meet every second Tuesday of the month, October thru June, at the Columbia Restaurant in Ybor City in Tampa. We gather at 1130 and have lunch at 1200.

Our annual social at Mimi's will be held on March 23rd this year. Spouses are free. This gathering and the annual Christmas party have been well attended in past years.

The finances of our chapter are solid.

## Baltimore / Washington D.C.

*submitted by Captain Joe Hartnett, Chapter President*

Our chapter will be participating in the Kings Point Alumni Maritime Industry Dinner on March 19, 2013. This year's event will honor Captain Tim Brown, Retired President of Masters Mates and Pilots and CAMM member and recipient of the *Lalonde Spirit of the Seas* Award in 2012.



*Captain George Sandberg, #1919-R, will take the helm of the CAMM PONY/NJ Chapter as President. Captain Sandberg spoke as part of our joint IFDMA Command Seminar at CAMM's 2011 Annual PDC/AGM in Baltimore.*

We will also be participating in the Maritime Industries Academy Baltimore 2013 Spring College and Career Day Symposium on April 8, 2013 as part of our commitment to support the school.

In honor of 2013 National Maritime Day, our chapter will participate in a celebration aboard the *N/S SAVANNAH* on May 18.

## Columbia River New Orleans Mobile Bay Port Everglades / Miami

No reports submitted. ☆



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# CASH RAFFLE

1ST PRIZE \$ 750

2ND PRIZE \$ 450 3RD PRIZE \$ 150

Winners drawn at CAMM's 2013 Gala Dinner in Oakland. Need not be present to win.

Raffle tickets were mailed with dues notices.

Please remit to Secretary Captain Dave Williams ASAP via USPS mail.

For more raffle books, please contact Captain Williams: [captwilliams@mastermariner.org](mailto:captwilliams@mastermariner.org).

**\$200** each - OR - **\$2000** 12/book

# Dear CAMM,

## Atlantic Blue Riband and Hales Trophy

In the February 2013 *Sidelights*, page 11, *Dear CAMM* letter from Capt. Geoffrey Vale, I note he used the term “blue ribbon”. The correct reference should be to the, “Blue Riband”. Wikipedia, as a source, has an interesting history of the “Hales Trophy” as does other sources which may make for an article in the next *Sidelights*.

On a personal note, I started my interest in a maritime career at age 16 as a messenger boy for a foreign freight forwarder. As such I would bring bills of lading and other documents to U.S. Lines freight offices on the 3rd floor of One Broadway. I always stopped in the passenger ticketing office to admire the trophy as well as the ship models.

The trophy was awarded to the liners *REX*, *NORMANDIE* and the *UNITED STATES*.

Very truly yours,

Captain R.P. Thompson, #1463-R

## Fifteen thousand containers, 31 knots, 1300 feet long, 207-foot beam... with a Captain and 12 souls!

The *EMMA MÆRSK* — What a ship... no wonder ‘Made in China’ is displacing North American made goods big time. This monster transports goods across the Pacific in just 5 days!! This is one of three ships presently in service, with another two ships completed in 2012.

These ships were commissioned by Wal-Mart to get all their goods and stuff from China. They hold an incredible 15,000 containers and have a 207-foot deck beam! The full crew is

just 13 people on a ship longer than a U.S. Aircraft Carrier, which has a crew of 5,000. With its 207’ beam it is too big to fit through the Panama or Suez Canals.

It is strictly Transpacific. Cruise speed: 31 knots. The goods arrive 4 days before the typical container ship (18-20 knots) on a China-to-California run. 91% of Wal-Mart products are made in China, so this behemoth is hugely competitive even when carrying perishable goods.

The ship was built in five sections. The sections floated together and then welded. The command bridge is higher than a 10-story building and has 11 cargo crane rigs that can operate simultaneously unloading the entire ship in less than two hours. Silicone painting applied to the ship bottom reduces water resistance and saves 317,000 gallons of diesel per year.

A documentary in late March 2010 on the History Channel noted that all of these containers are shipped back to China EMPTY. Yep, that’s right. We send nothing back on these ships. What does that tell you about the current financial state of the west in crisis?

So folks, just keep on buying those imported goods (mostly gadgets) until you run out of money. Then you may wonder what the cause of unemployment (maybe even your job) in the US, UK, Canada and even in Australia.

Enough said!!!

Mind you - Australia sends about 15 ships a day to China, each with 300,000 tonnes of iron ore and they come back empty to Australia !!!!

Captain Edward Pierson, #577-R



### EMMA MÆRSK

Country of Origin	<b>Denmark</b>
Length	<b>1,302 ft</b>
Width	<b>207 ft</b>
Net cargo	<b>123,200 tons</b>
Engine	<b>14 cylinders in-line diesel engine (110,000 BHP)</b>
Cruise Speed	<b>31 knots</b>
Cargo capacity	<b>15,000 TEU (1 TEU = 20 cubic feet)</b>
Crew	<b>13 people!</b>
First Trip	<b>Sept. 08, 2006</b>
Construction cost	<b>US\$145,000,000+</b>

**NOTICE** The articles in this magazine are entirely those of the writer, and do not necessarily reflect the views of CAMM nor its Board of Governors. CAMM is an independent professional organization, and is not affiliated with nor endorses any union or political party.



# Membership Application

## The Council of American Master Mariners, Inc.

I, \_\_\_\_\_ (Print Full Name) \_\_\_\_\_, hereby apply for membership in The Council of American Master Mariners, Inc., and attest to my qualifications below.

Birthplace (city, state, country): \_\_\_\_\_ DOB: \_\_\_\_\_

	Home	Business
Address		
City, State, Zip		
Email		

### Present Occupation:

- At Sea: Position: \_\_\_\_\_ Vessel: \_\_\_\_\_ Company: \_\_\_\_\_
- Ashore: Position: \_\_\_\_\_ Vessel: \_\_\_\_\_ Company: \_\_\_\_\_
- Retired: Position: \_\_\_\_\_ Date: \_\_\_\_\_ Company: \_\_\_\_\_
- Cadet: Institute: \_\_\_\_\_ Expected Graduation Date: \_\_\_\_\_

### Present USCG License:

Type:	Limit:	Expiration:
Pilotage Endorsements:	Limits:	

### Original USCG License:

Type:	Date Obtained:
Place/Institution obtained:	

**Membership Type:** All Regular, Special and Pilot members must be U.S. citizens.

- R - Regular:**
- (RU) Unlimited Master Mariner License and commanded vessels over 5,000 GRT on ocean voyages.
  - (RP) Senior or First Class Pilot with minimum of one year experience on vessels 20,000 GRT or more.
- S - Special:**
- (S) Valid USCG Unlimited Master's license and has not commanded a vessel(s) over 5,000 GRT on voyages.
  - (SP) Second or Third Class Pilot on vessels less than 20,000 GRT.
  - (S16) Valid USCG 1600 ton Master's license and commanded a vessel or vessels on voyages.
  - (S5) Valid USCG 500 ton Master's License and commanded vessel or vessels on voyages.
- A - Associate Membership:** I am not a U.S.C.G. licensed Master Mariner or Pilot, but do have the following maritime affiliations:
- Military Equivalent of Master Mariner.
  - Cadet: Student at a Maritime Institute.
  - Maritime Distinction: education, training, research, regulation or government.
  - U.S. water transportation company in an executive, administrative or operational capacity

**Sea-Going Qualifications:** Years of Service: \_\_\_\_\_

(Check boxes that apply. See above for key)

Vessel Served	GRT	Date(s)	Route(s)	R	S

**Pilotage Qualifications:** Years of Service: \_\_\_\_\_

(Check boxes that apply. See above for key)

Vessel Served	GRT	Route(s) (dock/harbor/sea bouy)	License Issuing Authority	R	S

Please return this application with a copy of your Master or Pilot's license with a \$100 check (\$60 annual dues + \$40 application fee) payable to: The Council of American Master Mariners, Inc. Mail to Liz Clark, CAMM Membership Chair, 2231 NE 46<sup>th</sup> St, Lighthouse Point, FL 33064-7252.

*To the best of my knowledge, the above information is correct and I agree, if elected member, to abide by the Constitution and By-Laws of The Council of American Master Mariners, Inc.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Sponsored/Referred by: \_\_\_\_\_

# New Views for possible Positions will be discussed at the AGM

The following views have been submitted to the Positions Chair for consideration and are posted on the CAMM website. At the General Meeting we will discuss all views and positions. At that time some views may be finalized as CAMM positions. If you are not attending the meeting but would like to comment and/or add your input please do so by contacting the Position Chair, Ms. Lyn McClelland at lyn@mastermariner.org.

## **VIEW: Flag State Responsibilities in Incidents of Piracy**

RECOMMEND that the International Maritime Organization create a regulation holding the flag state of any merchant vessel held captive by pirates politically and financially responsible for patrolling the pirate zone, freeing the crew, releasing the vessel from the control of the pirates and compensating the crew and their families for lost wages and hardship. CAMM recommends that the penalty for failure to take this action result in loss of registry.

**Discussion:** Flags of registry are not currently taking responsibility for the protection of their merchant vessels and crews from piracy, nor for freeing the vessel or its crew from captivity. The flag state must be held accountable, and it should be stripped of all legal rights to host a ship registry until the crew of any vessel registered to the state is freed and its crew compensated for lost wages and hardship.

## **View: Regulatory Burdens**

SUPPORT appeals to the International Maritime Organization to review and reduce the regulatory burden imposed on vessel masters.

**Discussion:** Extensive regulatory requirements such as those driven by STCW, Low Sulfur Fuel, Whale Strike Mitigation and numerous other regulations place a major burden on the ship's master and detract from his ability to assure that the vessel is operated in a safe and efficient manner. This would dovetail with our position on Watch Stander's Fatigue and Task-based Manning.

## **View: Emergency Response Infrastructure for Arctic Shipping**

RECOMMEND that the International Maritime Organization require that infrastructure for emergency response be established by nations boarding the Arctic Shipping routes. Financing of recourses to be offset by toll and/or tax for ships using the Arctic Passages.

**Discussion:** With the continued increase of Arctic shipping

it will be necessary to insure there are emergency response equipment and support readily available in the region. Due to the extreme weather and remote location, such infrastructure must be staged as close as practical to the Arctic Ocean. This will necessitate the adjoining nations to provide Arctic Ocean access and land area to house said support teams and attending equipment. It cannot be expected that the boarding nations be solely financially responsible to provide land, equipment and personnel.

## **View: Development of a Polar Code**

SUPPORT the development and implementation of a Polar Code by IMO.

**Discussion:** A need for a Polar Code has become necessary due to the increased shipping traffic in the Arctic regions. Once finalized (and CAMM should have some input via the USCG and IFSM) CAMM should support the implementation to insure all ships transiting said waters are in compliance with the Polar Code.

The following is from the IMO website (for additional information you can go to [www.imo.org](http://www.imo.org)):

*IMO is currently developing a draft International code of safety for ships operating in polar waters (Polar Code), which would cover the full range of design, construction, equipment, operational, training, search and rescue and environmental protection matters relevant to ships operating in the inhospitable waters surrounding the two poles.*

*The Sub-Committee on Ship Design and Equipment has been tasked with coordinating the work, reporting to the Maritime Safety Committee (MSC) and Marine Environment Protection Committee (MEPC).*

*The move to develop a mandatory Code follows the adoption by the IMO Assembly, in 2009, of Guidelines for ships operating in polar waters (Resolution A.1024(26)), which are intended to address those additional provisions deemed necessary for consideration beyond existing requirements of the SOLAS and MARPOL Conventions, in order to take into account the climatic conditions of Polar waters and to meet appropriate standards of maritime safety and pollution prevention. The Guidelines are recommendatory.*

## **View: New Maritime Administrator**

RECOMMEND to President Obama and the new Secretary of Transportation that a new Maritime Administrator be appointed. The new Administrator must have a working

*Continued on page 17 >>>*

## Final Word from Pope Benedict XVI



by Father  
Sinclair Oubre  
CAMM Chaplain  
#3220-A

*On Friday, November 23, 2012, I joined more than 400 hundred maritime ministers, seafarer welfare agents, and mariners in a special audience with Pope Benedict XVI in the frescoed Clementine Hall.*

Apostleship of the Sea, and for most of us, the last time we would have to meet with the Holy Father before his astounding announcement of February 11.

During his address, Pope Benedict made a number of points that were not only valuable for those attending, but also for the global maritime community.

### The Spread and Growth of Christianity

“Since the dawn of Christianity, the maritime world has been an effective vehicle for evangelization. The Apostles and disciples of Jesus were able to go all over the world, preaching the Gospel to the whole creation (cf. Mk 16:15) thanks to sea voyages; we need think only of St Paul’s journeys. This is how they began

This was the culminating event of the XXIII World Congress of

their journey to spread the Word of God ‘to the end of the earth’ (Acts 1:8). Today too, the Church sails the seas to bring the Gospel to all the nations and the network of your presence in all the ports of call around the world, your daily visits to ships in port and your brotherly welcome to crews during their layovers — are a visible sign of your affectionate attention to those who cannot receive ordinary pastoral care.”

### The Impact of Migration & Globalization

“This world of the sea, with the continuous migration of people today, must take into account the complex effects of globalization and, unfortunately, must come to grips with situations of injustice, especially when the freedom of a ship’s crew to go ashore is restricted, when they are abandoned altogether along with the vessels on which they work, when they risk piracy at sea and the damage of illegal fishing (cf. Angelus,

18 January 2009). The vulnerability of seafarers, fishermen and sailors calls for an even more attentive solicitude on the Church’s part...”

### The Challenge to Catholic Port Chaplains and Maritime Ministers

“Be apostles faithful to the mission of proclaiming the Gospel, show the loving face of the Church which also welcomes and makes herself close to this portion of the People of God; respond without hesitation to maritime people who wait for you on board to appease the deep longing of their soul and make them feel active members of the community.”

As I write this, I am awaiting the announcement of the conclave’s opening. Like so many Catholics, I am filled with both sadness, and anticipation. Yet, whatever occurs in the Sistine Chapel over the next few weeks, port chaplains and maritime ministers will continue to



World Congress of the Apostleship of the Sea attendees in Clementine Hall with Pope Benedict XVI.



Members of the Apostleship of the Sea USA Executive Board at the World Congress: Jon Furukawa, graduate of California Maritime Academy and with the National Transportation Safety Board (Treasurer); Chris Fogarty - graduate New Maritime Academy and with Phillips 66 (Vice President); Fr. Bill Reynolds, priest of the Diocese of Davenport, Iowa (Secretary); and Yours Truly, Father Sinclair Oubre, President of AOS USA.

call on vessels, welcome seafarers and fishermen to their communities, and coordinate with the Coast Guard and the ITF to make sure that the safety and well being of the people of the sea is protected. ☆

The full text of Pope Benedict XVI's address can be found at: [http://www.vatican.va/holy\\_father/benedict\\_xvi/speeches/2012/november/documents/hf\\_ben-xvi\\_spe\\_20121123\\_apostolato-mare\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/speeches/2012/november/documents/hf_ben-xvi_spe_20121123_apostolato-mare_en.html)

## Apostleship of the Sea - United States of America

The professional association of Catholic Mariners and the official Organization for Catholic Cruise Ship Priests and Maritime Ministers



Please contact us if you are interested in becoming an AOS-USA member!

1500 Jefferson Drive  
Port Arthur, TX 77642  
aosusa@sbcglobal.net  
Voice: 409.985.4545

[www.aos-usa.org](http://www.aos-usa.org)

*Views >>>Continued from page 15*  
knowledge of the U.S. Merchant Marine and a well documented background in the U.S. shipping industry.

**Discussion:** A Maritime Administrator should be on connected to the U.S. Merchant Marine and the shipping industry. We may go so far as to recommend qualifications and/or requirement for the position of Maritime Administrator.

CAMM could suggest that specific qualifications be met, such as:

- Candidate shall have held a deep sea license (deck, engine or dual) in the U.S. Merchant Marine.
- Candidate shall have direct ties to the U.S. Merchant Marine.
- Candidate shall have worked in the shipping industry for a minimum of 15 years. ☆

## Suggested Target Positions for CAMM to take further action

In Captain Klein's *View from the Bridge* (page 7), he proposes CAMM choose a three to five positions to actively take part in changing policy. Here are two he suggests, as worded in CAMM's official positions.

Please email your input for target positions, as well as ideas for implementation, or to volunteer to help carry out those ideas, to Captain Klein.

### POSITION: Watch Stander's Fatigue and Task-based Manning

SUPPORT the IMO's proposal to further reduce the 91 hour week work hour limit. Additionally, CAMM

urges that the USCG change its minimum manning policy to conform with the Guidelines on the Principles of Minimum Safe Manning as adopted 30 November 2011 and require all SOLAS vessels entering U.S. ports to also comply with the Guidelines.

### POSITION: Seaman's Manslaughter Act

SUPPORT changing the Seaman's Manslaughter Act to require a higher standard of proof than simple negligence. ☆



*I have learned to be content in whatever state I am.*

— *Philippians 4:11*

Please have a "Moment of Silence" for the following departed brothers.

Captain *Charles R. Lucas* #2909-A of Boca Raton, FL

Captain *Alfred W. Sandrock, Sr.* #2715-R of Newbury Park, CA, crossed 11/22/2012

## The International Ship and Port Facility Security Code - Ten Years On



by Steven Jones  
Maritime Director  
The Security  
Association for the  
Maritime Industry  
(SAMI)

*To misquote Shakespeare, when we think of maritime security, some industries are born secure, some achieve security, and others have security thrust upon them.*

Shipping is very much in the latter category, and it is now ten years since the International Ship and Port Facility Security (ISPS) Code was first debated at the International Maritime Organization (IMO) and rolled out onto a bemused, disinterested and occasionally hostile industry.

At the time I was working in a consultancy looking to break into the maritime security sector. Fresh out of university having begrudgingly decided to move ashore, I landed in the “real world” faced with trying to create a business built on the foundations of the IMO requirements.

My personal experience of security, or perhaps the lack of it, stemmed from a rather frightening incident off Thailand. A gang of “pirates” burst into my cabin carrying knives, and while thankfully no one was injured, it made me think about how vessels should be made more secure. My experience was minor and pales into complete insignificance when we consider the terror that so many seafarers have gone through. But for me, it was a wake-up call.

It made me realize how little emphasis there was on security. With cuts to crew sizes and the increased work load introduced by the ISM Code seafarers were at risk because there was such limited appreciation of the threats they were fac-

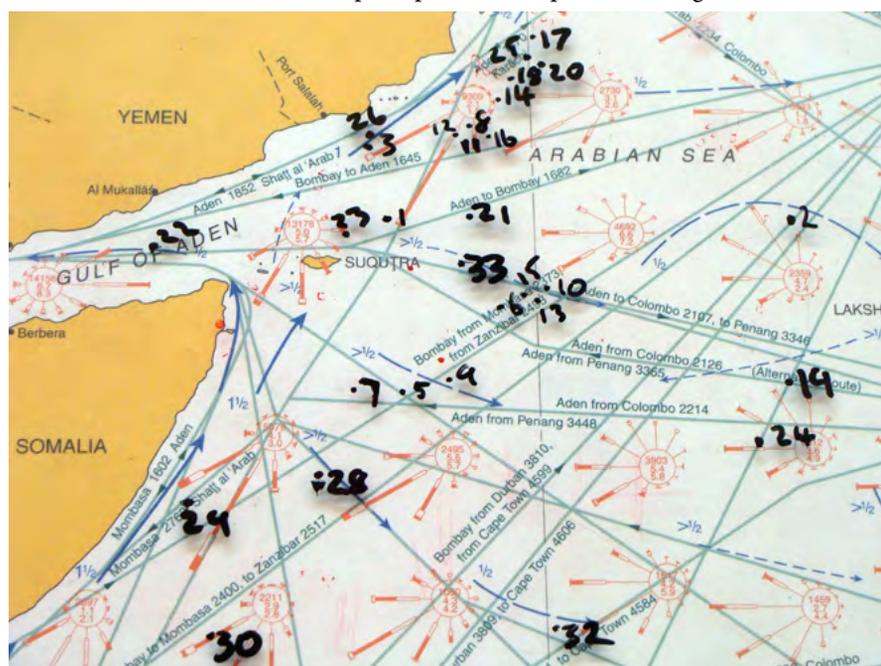
ing, and of the ways in which they could, and should, be countered.

Up until September 11, 2001 terrorism was not really considered an issue, and even piracy was deemed to be relatively contained. Issues of cargo crime remained, but on the whole, security was not on the agenda. Then everything changed with the attacks on the World Trade Center. Suddenly the maritime security rules and regulations which had hitherto lain as relatively obscure IMO and flag State guidance were dusted down and forged into the ISPS Code.

Over the past decade many in shipping have wrestled to fully see the benefits of the ISPS Code. This is perhaps

based on something of a misconception. All too often the assumption has been made that the Code was created to keep vessels “secure”. In actual fact it was primarily created as a means of ensuring that ships did not pose a threat to the ports, and thereby the nations they call into or whose waters they “innocently” pass through. Naturally a by-product of this was to be more secure vessels, but the thrust was from a different direction.

When it becomes clear that ISPS is more about ships as a threat than a victim then it perhaps easier to understand the advantages it can deliver. The Code becomes a facilitator of trade; it shows that ships are taking some measures



Typical passage planning through the High Risk Area (HRA).

GRAPHIC: COURTESY STEVEN JONES



to protect themselves, which in turn provides a degree of reassurance, and a means of verifying that compliance.

As an illustration of the true scale, extent and nature of ISPS success, the United States Coastguard (USCG)

sion to enter, and in specific cases, may be refused entry.

ISPS is the tool which drives these checks, and is also the mechanism against which judgements are possible. So, has been ISPS been a success? Yes,

so desperately needed when the pirates came attacking.

There have been many over the years who argued that the best use of the Ship Security Plan in times of pirate attack would be to drop it through the bottom of the skiff. Sadly, just as with the International Safety Management (ISM) Code before it, there have been all too many companies which have either paid lip service to the requirements, or who paid consultants to produce something for them to fill their shelves. That approach has done nothing for safety, security or the popularity of the requirements which are imposed by the Codes.

However there have been successes, and perhaps the most significant is the move towards transparency in shipping. The modern shipping industry cannot be the secretive place of the past; the competing demands for the oceans are too great for that. As Marine Spatial



GRAPHIC: COURTESY STEVEN JONES

*A privately contracted armed security guard performing operations in the High Risk Area.*

for the things which it was actually intended. However, for actual physical security and a means of keeping seafarers and vessels safe and secure it has probably fallen short. It has been the Somali pirate hijacks and *Best Management Practices* which

recently addressed a U.S. Homeland Security Committee with a report on how it manages maritime security.

The testimony was a review of the U.S. response to security threats, their application of the ISPS Code and the capabilities required to make their security systems work. This view actually paints a realistic picture of how ISPS works, and of the systems it feeds into.

The ISPS Code has been seen as a vital element of the USCG protection strategy. Indeed the requirements placed on shipping allow the U.S. to, “*combat threats furthest from our borders.*” The ISPS Code provides an international angle, regime and framework. Without the baseline common security denominator, it would be difficult to leverage their international partners and to gain reassurance that vessels are working towards their own security.

The security framework appears to be working well from this compliance perspective, and any vessels under suspicion or arriving from non-ISPS compliant countries are required to take additional security precautions. They may be boarded before being granted permis-



GRAPHIC: COURTESY STEVEN JONES

*Razor wire is used as part of a layered defence system against pirate attacks.*

have prompted that evolution.

Granted, there is some very useful guidance within “Part B” of the Code – and there are many companies which have been able to bring their safety, environmental and operational philosophies together to create a genuinely more secure environment. However, it is more about “soft security” checks and balances of identification, locks and alarms – not the hardening of the vessels which was

Planning (MSP) becomes ever more prevalent and important, vessels will find themselves vying for space at sea which they had hitherto had to themselves. In order to justify their place in this brave new world, they have (and will continue) to comply with the laws, regulation, Codes and demands of others – the need to be secure and provide information are within these demands,

*Continued on page 21 >>>*

## LUC, UNCLOS 1982 and the Italo-Indian Flap



by Dr. Captain  
John A. C. Cartner  
#2475-R

*Amidst all the head-wagging and hand-gesticulating marking the anti-pirate controversy between the Indian and Italian governments and the laws, we*

should step back and look at both the shorter and longer implications of the matter.

Above all laws there is the Law of Unintended Consequences, LUC, — which is alive and well. LUC, pronounced as it is spelled, has been formulated in many ways. It says generally that from a complex system it is impossible to predict all future states of that system. That means that we do not know enough about how the system works to make it fully determinative. Hence law, a complex system, is not fully determinative and is subject to the LUC.

We have worked out a rough and ready system to deal with these consequences in our courts. However, courts are not seers and the consequences continue to occur. Viva la difference!

So it is with the Italo-Indian dispute. There is a framework within which this dispute principally falls. It is the United Nations Convention on the Law of the Sea 1982, also awkwardly called UNCLOS 1982. It has one of the few definitions of piracy to which most agree. It also pretty well says what laws apply in the seas adjacent to a state and what laws apply aboard a ship and why.

So in the short-term, what's the problem? Sorting the mess out. Could UNCLOS 1982 have predicted such a situation? While we are sorting we can

say that it does so not very well. Here is the problem: The UNCLOS 1982 is quite clear that coastal state law prevails within the waters defined by the Convention except International Water which is water under no State's jurisdiction. By implication it says what criminal laws prevail on a vessel transiting jurisdictional waters innocently by relating the passage to the crime as to those of the coastal state.

If that is the case, then coastal state laws apply. It also defines innocent passage and says that 'any exercise or practice with weapons of any kind' by a foreign ship within jurisdictional waters shall be considered to be 'prejudicial to the peace, good order or security of the coastal State' and the vessel making the passage is therefore not innocent permitting the coastal state to act.

Refreshing the facts in the Indo-Italian dispute, Italian Ministry of Defense troops, privately contracted out, fired upon and killed fishermen thought to be pirates on waters wherein Indian criminal laws prevailed. LUC has now taken over. There is no mention in the Convention as to whether or not those who appear to be pirates may be defended against. The piracy definitions require an act of piracy, carefully worded as to place and kind, before piracy can be concluded.

The Indian position: no act, no piracy. The Italian position: so what? Piracy and all that surrounds it is a universal crime

and Italian sovereign immunity prevails and you Indians may try but you may not convict unless we agree and, even if you do, we do not have to return our people to you for your juridical acts.

So where lies the fault? Indians? No. Italians? No? Convention? Yes. It failed to foresee what might happen. LUC has prevailed. The Indians read the Convention for what it says - to a point. However, the Indians do not make any extensions of the language leading to reasonable expectations of piracy and reactions to it. The Italians rely on the ancient principles established by the Treaties of Münster and Osnabrück of 1648, ending the European religious wars. These treaties are the bedrocks of sovereignty.

In the longer term, however, we must revisit the implications of arming vessels. Article 19 of UNCLOS 1982 defines innocent passage wherein 'any exercise or practice with weapons of any kind' by a vessel not of jurisdictional registry is 'prejudicial to the peace, good order or security of the coastal State.' Therefore such passage is not innocent. If the passage is not innocent the coastal state may exercise its lawful powers of defense.

But what is arming a vessel? Are small arms naval weapons? Probably not under most states' prevailing laws. Further, under those self-same laws there is no universal definition of small arms. Is naval artillery, then, arming a vessel? Most probably, however, the definitions

of the old naval treaties describing gunnery are not apposite to the modern age of much more powerful and intelligent weapons which blur the distinction between small arms in size and naval weapons in power.

Curiously, each of the above questions is relatable to letters of marque and reprisal about which I have written in this journal. Privateering, wherein a person holds a license from a sovereign, allows the arming of persons, assumedly with small arms, and vessels, assumedly with naval artillery, all to do the sovereign's bidding. A letter of marque is issued to a vessel, not to a person, and implies that vessel arming is allowed but not necessarily expressly saying personal arming is allowed. It would seem that after nearly a millennium of this law we

could craft a solution.

I do not see it coming any closer except by precisely defining the energy transmitted to the target of a weapon and drawing a bright line as to what comprises small arms and what comprises naval artillery. After all, we carefully describe navigation lights in highly technical annexes to the collision rules. We can do the same with weaponry. We probably ought to devise some new terms while we are at it to make the definitions more nearly precise. And while we are defining we can also try to come up with something that deals with reasonable expectations of imminent piracy.

Perhaps, too, the disputants can look ahead and see that the Italian marines are culpable under the laws of tort/delict

and wherein there may be Italian criminal negligence. After all, most states have laws supervening sovereignty in some cases so that some criminal laws may be exercised or civil action may be taken for damages against a government. ☆

© 2013 John A C Cartner, all rights reserved. John A C Cartner is an unrestricted master mariner (US) and maritime lawyer practicing in Washington, D.C. and practising in London and is the principal author of *The International Law of the Shipmaster* (2009). Captain Cartner will also be speaking at CAMM's upcoming Professional Development Conference about changes to the TWIC program. He can be reached at [jacc@cflaw.net](mailto:jacc@cflaw.net).

### ISPS >>>Continued from page 19

and they do bring benefits.

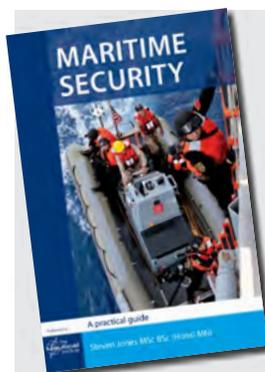
For companies who have created a genuine security management culture, then there are clear benefits; for the others it just means more work for the company and ship security officers. They say that if love hurts then you must be doing it wrong. The same perhaps can be said of maritime security.

The Nautical Institute (NI) has not shied away from the difficult issues surrounding maritime security, and in the wake of the adoption of the ISPS Code, began work on what was to be a "practical guide to maritime security." Now some six years later, and in the wake of the Somali piracy epidemic, the NI is set to re-launch a new set of maritime security guides. They have looked to develop guides which allow practitioners to break down security into its component parts, and which can provide clear guidance on what should be done, how and why. Security is vital, it can keep seafarers, vessels and cargoes safer – but it needs to be understood, appreciated and the right resources applied to get the job done. ☆

*Security Association for the Maritime*

*Industry (SAMI) is a global organisation representing companies working in the maritime security industry and a focal point for global maritime security matters. Driving a positive agenda for maritime security, the Association is at the*

*forefront of issues affecting the industry and works with a range of stakeholders to develop guidance, documentation, education, training and innovative technological solutions.*



## **Maritime Security A practical guide**

**Author: Steven Jones, MSc BSc (hons) MNI**

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ISBN: 978 1 906915 45 2

Available from The Nautical Institute: [www.nautinst.org](http://www.nautinst.org)

## IOOS: A vision for the next ten years



by Jan Newton, Ph.D.  
IOOS Summit 2012  
Co-Chair  
Executive Director  
NANOOS

*"In the United States, critical decisions affecting our lives, livelihoods and quality of life depend on successful communication and understanding of accurate and reliable scientific information about our oceans, coasts and Great Lakes. The U.S. Integrated Ocean Observing System (IOOS®) is a coordinated national, international, regional and local network of observations, modeling, data management and communications that provides the knowledge needed by society to protect life and property, to sustain a growing economic vitality, to safeguard ecosystems, and to advance quality of life for all people. Building upon progress over the past several decades, we must continue to expand, improve, and sustain the system to address the growing societal needs for ocean observations and information."*

This quote is the opening text of the *Integrated Ocean Observing System (IOOS) Summit 2012 Declaration* signed by 144 Summit participants and 32 additional supporters. The U.S. Interagency Ocean Observing Committee (IOOC) convened an IOOS Summit on November 13-16, 2012, ten years after an initial workshop defining IOOS requirements. The participants at the Summit reviewed progress in the design and implementation of IOOS, a national endeavor that has been endorsed by federal and state agencies, tribes, academia, industry and NGOs. Summit participants identified notable successes in developing a functioning system, as well as technical and practical challenges and opportunities that IOOS will face in the coming decade. Previous editions of *Sidelights* have chronicled IOOS, a federal-regional partnership of federal agencies and IOOS Regional Associations, and highlighted information and products from one of the IOOS Regional Associations, NANOOS. In this edition, we provide content from the IOOS Summit Declaration defining the need, accomplishments, and vision for IOOS in the next ten years. Future editions will feature articles by other Regional

Associations around the country.

### **Understanding of the need for IOOS**

The past ten years have seen substantial progress in designing and implementing U.S. IOOS. We are delivering real value to the American public and foresee even greater contributions in the coming decades. Recent events underscore the importance of IOOS to the economic, security and environmental interests of the United States.

Ocean, coastal and Great Lakes observations have proven to be essential for responding to weather, ocean, and human-mediated disasters on global, regional and local scales; as well as in reducing and mitigating the economic, social, and cultural risks of extreme events.

The increasingly clear understanding of the scope and impacts of environmental changes, including sea level rise, the increase in ocean acidity, and the need to respond, adapt to and manage those changes, calls for a more extensive and sustained monitoring of the oceans and coasts as critical to understanding and predicting the earth's climate systems.

Challenges of maintaining the quality

and quantity of food and water for the U.S. population and a rapidly growing global population will require improvements in our ability to predict ocean state conditions, weather, climate and extreme events including drought, harmful algal blooms and other conditions.

Economic development and job growth in areas experiencing dynamic change, such as the energy sector and maritime transportation, accentuate the need for the public and private sectors in the United States to understand ocean and coastal conditions as they relate to a transforming global economy, and to ensure safe and efficient operations.

A new dynamic of national and homeland security emphasizes that we must enhance our ability to monitor the oceans.

The increasing need for sustained marine ecosystem goods and services requires a robust infrastructure for biological, biogeochemical and ecological observations.

Ocean, coastal and Great Lakes observing leads to the creation of new high quality jobs to provide information supporting improved decision making in industries that depend on the oceans.

Now, more than ever, the United States

requires a sustained and integrated ocean observing system.

## Accomplishments

IOOS has become well-established, supporting real-time decision making, providing critical products and information for weather, climate and ocean applications. Regional implementation is established covering all coastlines and constituencies. Global implementation now covers all areas of the ice-free oceans, providing leveraged international support to coastal IOOS.

Federal law strongly supports IOOS and provides a governance framework for a federal/regional partnership with a unified policy and operational success.

Investments in observations and data assimilating models have developed essential data and more reliable techniques and methodologies for monitoring and predicting conditions above and below the water's surface.

Data have been made interoperable between diverse systems, and standards have been established so that data can now flow between federal and non-federal partners.

A broad set of different ocean observing and stakeholder communities, public and private, have been engaged in developing IOOS and the need for an ocean observing system.

## Moving forward – the next ten years

A system for ocean observing has been established over the past several decades. IOOS will continue to evolve by revising, enhancing and integrating current and planned observations systems in order to meet user requirements, emerging challenges, and to achieve societal goals. The opportunity is set for moving forward for the next ten years.

**Observing Capability:** All IOOS components currently under-observe their target phenomena. IOOS will seek to encompass deep-ocean observations, nearshore and estuarine observations, biological and chemical variables, ecosystem variables; to better integrate

remote sensing; and to meet spatial (including sub-surface) and temporal requirements for ocean data, addressing user needs. This will build on the successes of the coordinated global ocean, terrestrial, atmospheric observing systems.

**Technology And Workforce:** IOOS will promote leading edge technology development capabilities. IOOS will incorporate emerging technologies as a standard operating procedure, in particular leveraging the development of the Ocean Observatories Initiative. IOOS will foster the development of a workforce for the future, adept at developing, using and furthering these technologies.

**Modeling and Predictive Capability:** Models and observations will work together to provide the information needed by user communities. Improved and more sophisticated models will better exploit IOOS observations, leading to more precise and accurate predictions to aid in making economic, environmental and societal decisions.

**Information Products:** IOOS plays a foundational role by providing reliable access to quality-controlled data and information products that support critical decision making for multiple uses. The system preserves the value of the information now and for future generations. This information plays a critical role in ocean literacy and education at all levels.

**Partnerships:** IOOS will continue to succeed as a collaborative effort among federal and state government agencies, tribes, regional partnerships, the academic community, and the private commercial and environmental communities. The U.S. collaborative will help to sustain global efforts, as well as derive understanding and context from parallel efforts around the globe.

**User Communities:** As the demand for economic growth and stability in sectors influenced by marine resources grows, it becomes more imperative to support an increasingly diverse user community.

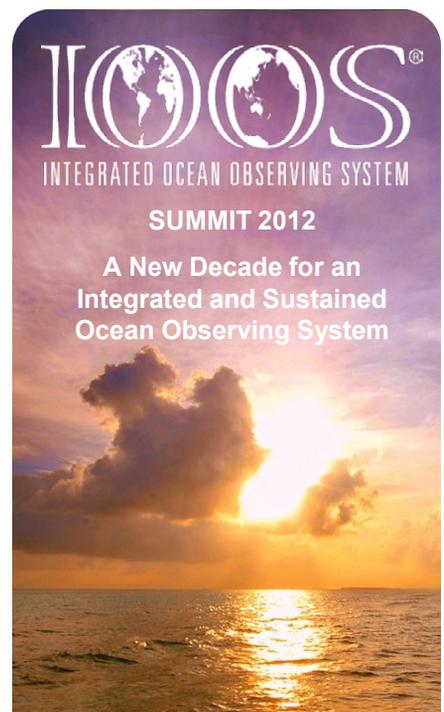
**Resources:** Federal support has been

and will continue to be critical to the success of IOOS.

New approaches to product development and distribution need to consider a broadening of funding support, additional funding sources, and innovative public-private partnerships. ☆

*Dr. Jan Newton is a Principal Oceanographer with the Applied Physics Laboratory of the University of Washington (UW) and affiliate faculty with the UW School of Oceanography and the School of Marine Affairs, both in the new UW College of the Environment. She co-chairs NOAA's Alliance for Coastal Technologies Stakeholder Council and is involved with several regional and national coastal/estuarine assessment efforts.*

White papers submitted by the U.S. IOOS Community are available at: <http://www.iooc.us/summit/cwps/>. Over a hundred submissions were received covering a wide-range of ocean observing topics. The IOOC website lists the papers which are sortable by either titles or authors and the titles contain a link to the paper uploaded in Google Docs.



## Peter Bird — Ocean Adventurer



*Captain R.J. Klein  
CAMM National  
President  
#1751-R*

*Mountain climbers are marveled at as they conquer the world's tallest peaks. Peter Bird was an Adventurer who took on the North Pacific Ocean! In a row boat! Alone!*

day after Thanksgiving, 1993 at Long Beach, Calif. The ship was on a four-week Transpacific run with stops in Honolulu, Nagoya, Yokohama, Oakland, and Long Beach. Prior to sailing, our vessel manager, Bill Cody, stopped by for a pre-departure visit. In addition to the usual operational, budget and scheduling discussions, Bill told me that Sea Land had been contacted by a group out of Britain that wanted our assistance in delivering food in mid-ocean to the boat, *SECTOR TWO*. This was a one-man row boat, being rowed by British adventurer Peter Bird. He was attempting to become the first person to solo row from Russia to the continental United States.

Details were in short supply. The food drop would be somewhere between Honolulu and Nagoya. I was told that a Mr. Kenneth Crutchlow would contact the ship, that they would meet me in Honolulu and we could develop a plan. I asked Mr. Cody how much leeway I had. He responded that as long as I maintained schedule integrity into Nagoya, it was my decision.

The *SEA-LAND SPIRIT* departed Long Beach on November 26th and arrived in Honolulu December 1st. During the passage from Long Beach to Honolulu, I was contacted by Mr. Crutchlow, the support

I rejoined my ship, the *SEA-LAND SPIRIT*, as Master the

leader for this endeavor, sponsored by Sector Sport Watches. We made arrangements to meet after docking.

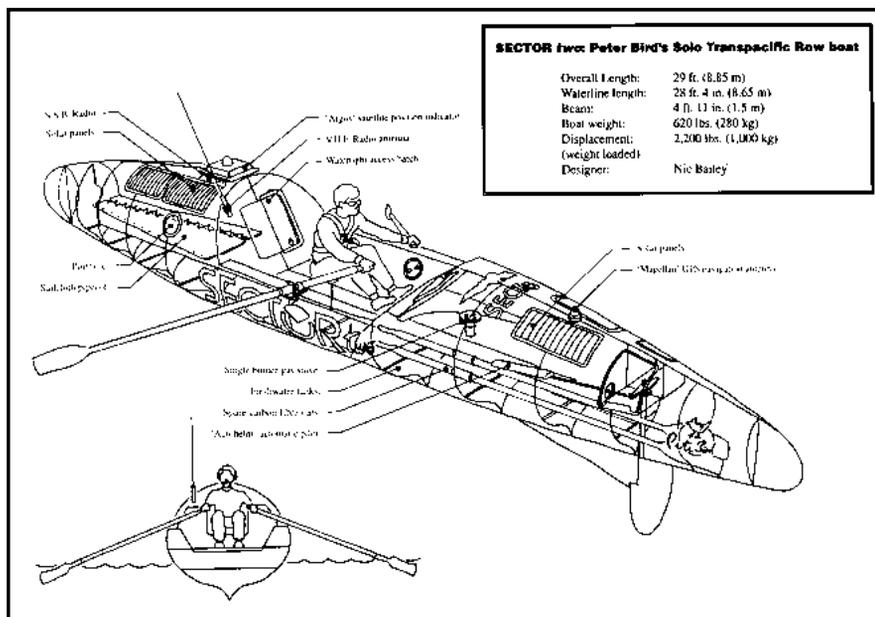
Ken filled me in on some details. Peter Bird was an adventurer whose passion was solo rowing oceans. In 1974, Bird rowed the Atlantic with Derek King from Gibraltar to the West Indies. In 1982 he solo rowed from San Francisco to Australia, spending 294 days at sea.

Peter was rowing a 29-foot boat (see design drawing and photos). He had left Vladivostok, Russia on May 12th and it took him a month to cross the Sea of Japan to the Tsugaru Straits. The current in the Sea of Japan had taken him

North where he had to fight the cold, snow and ice before gaining the straits. It took him another month to clear the coast of Japan. Bird continued to fight adverse weather and currents for the next four months. His support team was able to track his slow progress as the boat was



*Ocean Adventurer Peter Bird*





equipped with an Argos satellite positioning indicator (powered by solar panels).

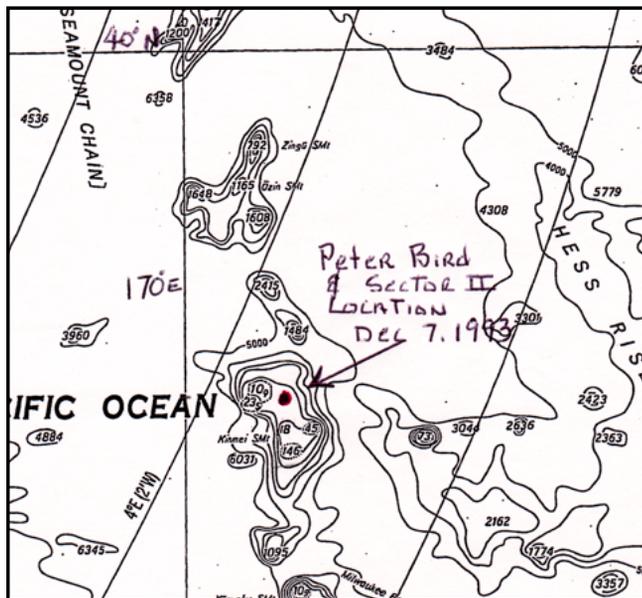
Voice communication was almost non-existent. Satellite phones and telex had put the high powered Single Side Band stations (SSB) like WLO and WOO out of business, thus SSB communications was negligible. On November 1st, the support team received a relayed phone message from Bird saying that he was running out of food. On November 10th a Philippine ship, the *OCEAN TRADER*, delivered a 4-week supply of food to *SECTOR TWO*. With over 3,300 miles to row, this would not be adequate.

It was never officially confirmed, but it has been my understanding that the “relayed phone message” was relayed by the radio officer on a Sea-Land ship. The RO may have suggested using a Sea-Land ship for the second resupply due to our trade route. My ship happened to be the one meeting the time frame. Ken Crutchlow gave me the needed information and brought the supplies packed in a life raft to the ship just prior to sailing. I would receive satellite position updates as to the location of *SECTOR TWO* from the support team.

We sailed Honolulu on December 2nd and the crew was informed of our mission. Everyone was energized as we practiced shooting our line throwing device from the main deck, planned on the best way to safely lower the supply raft into the water without spilling the contents into the ocean, added some fresh fruit and vegetables from the ship’s stores to the raft and started plotting the possible rendezvous position.

The North Pacific Ocean averages

2,000 to 3,000 fathoms in depth and boasts the world’s deepest point in the Mariana Trench of over 6,000 fathoms. We received a position for *SECTOR TWO* of 35° 20’N and 171° 30’ E. When we plotted the position on the best chart available — NOAA chart INT 53, a gen-



Above: NOAA Chart INT 53; Peter Bird's location plotted in the Hawaii Islands  
Right: Peter Bird at sea in *SECTOR TWO*.

eral chart with a scale of 1:10,000,000 — we found that Peter Bird had managed to stop in one of the shallowest parts of the ocean. He was on the Hawaiian Ridge, Milwaukee Bank, on the Kinmei Sea Mount. The chart showed *SECTOR TWO* near a 10.9 meter spot (36 feet); the *SPIRIT* was drawing 29 feet aft. With a scale of 1 to 10 million how accurate was the plot of the Kinmei Sea Mount? We had to hope the weather remained calm so that a swell of more than three feet did not develop.

The seas stayed calm, and at 0200 on the morning of December 7th we approached the rendezvous point. It

took some searching to find *SECTOR TWO* as there were several fishing boats on the bank. We located the row boat at 0306 in Latitude 35° 18’N and Longitude 171° 35’E. We had given an ETA to the support group of 0500, so Peter was not expecting us for another two hours. After several attempts to contact *SECTOR TWO* via VHF we sounded the ship’s whistle to wake Bird.

Attempting to bring my ship to a complete stop in the middle of the ocean was a new experience for me. With no land mass to judge when the ship was actually stopped, the best we could do was rely on our Doppler log. By 0400 we had Peter Bird alongside and he came aboard via the pilot ladder. After pictures and a some conversation with the ship’s company he talked with his support group and wife via sat phone.

After eating a hearty breakfast aboard we commenced the resupply operation. We filled his potable water tanks and lowered the raft of supplies. A small glitch occurred at the end of the operation



when the line between *SECTOR TWO* and the supply raft parted. With the *SPIRIT* making a lee and giving directions via VHF, Peter was able to re-capture the raft. We left him at 0700 as he began restoring his boat.

During his brief visit aboard, Dave Lettich, our chief mate, asked Peter if he counted his oar strokes. He replied, “God no, that would be the road to insanity!”

This coming from someone who had been alone at sea for 210 days and was trying to complete a solo row of more than 6,000 miles across the North Pacific!

Peter Bird was only aboard for a couple of hours, but during that brief

*Continued on the next page >>>*

# In the Membership

*Peter Bird* >>>Continued from page 25  
encounter I was impressed with his commitment to his passion. I thought of line from Hemingway's *The Old Man and the Sea*— "Man was not made for defeat." I passed the quote onto his support team as I thought it exemplified Peter Bird's

*SECTOR TWO* back to the U.S. I told them that if we could clear all the paper work with Sea-Land and government officials, I could load the boat on our foredeck and transport it to Oakland, CA.

To expedite the operation I committed to personally pay for any cost involved.

I was sure that the Sector team would reimburse me but I had no idea what the cost might be. I knew I had enough money in the ship's safe. As it turned out the cost was only 15,000 Yen (\$150 USD).

Everyone cooperated and *SECTOR TWO* was moved in bond from Chiba to the Sea-Land Terminal in Yokohama. The

*S/L SPIRIT* arrived in Yokohama on 2 April. The next day being Sunday, the longshoremen did not work. *SECTOR TWO* was parked on a flatbed near the string piece close to the bow of my ship.

Sunday morning the ship's crew load-

ed Peter Bird's boat onto the bow of our ship and secured it for the voyage back to Oakland. After I signed an actual bill of lading, we sailed at 1700 on 4 April. On April 13 the *S/L SPIRIT* passed under the Golden Gate Bridge at 0130 and we turned on the bow work lights and illuminated *SECTOR TWO* as we passed under the Golden Gate. Peter Bird, Sector Support Team, and *Dateline* were on the bridge filming the arrival. *Dateline* intended to air a feature on Peter Bird's adventures.

We docked in Oakland Outer Harbor at 0300. Customs and immigration cleared the ship on arrival. A small tow boat was standing by to tow *SECTOR TWO* to the Corinthian Yacht Club in Tiburon. The goal was to not pay import duty on this foreign-built boat. Customs first suggested that if the boat was not going to be in the U.S. for more than 90 days it could be declared as "in transit" and no duty would be collected. Unfortunately the boat was scheduled to stay longer. What to do?

I started thinking about what this boat was to Peter Bird. I remembered that as a cadet I bought my sextant in Japan and was able to declare it as a "tool of my trade." This made it duty free. I suggested to the Customs Officer that Peter Bird rowed oceans for living and there-



Loading the *SECTOR TWO* aboard the *S/L SPIRIT* in Yokohama.

character.

Three months later, Bird was still over 2000 miles from the San Francisco and fighting adverse weather and current. He again ran out of food and no resupply could be mustered in time. On March 12th, 1994, after a record 305 days alone at sea, Peter and his boat were taken aboard a log ship, the *MV EDELWEISS*. On March 22nd, 1994 Peter and his boat arrived in Japan and *SECTOR TWO* was discharged in Chiba. It was the end of the voyage for Peter and *SECTOR TWO*, but not the end of my involvement with this enterprise.

I was back aboard the *S/L SPIRIT* in late March and just prior to arriving in Japan I received a sat-phone call from Kenneth Crutchlow asking if there was any way I could help them bring



*SECTOR TWO* lashed to the deck of the *S/L SPIRIT*.



fore *SECTOR TWO* was a tool of his trade. They bought the logic and cleared the boat. The crew discharged the boat and it was towed to Tiburon.

That day the longshoremen in Oakland went on strike and the *S/L SPIRIT* sat in port for a week. This worked out well for me as the Sector Team was holding several parties for Peter and I was invited. At one of the parties, Peter had been telling the gathering about his row. He said that he had capsized over 20 times during the row (*SECTOR TWO* was a self righting boat). Bird said that rolling over wasn't so bad - it was the three times that the boat had "pitch-poled" that bothered him.

During his address to this group he



*SECTOR TWO* support Team leader Ken Crutchlow, Captain R.J. Klein, and Peter Bird.

explained several times that he did not try to row during a storm, but was lashed inside the water tight compartment. The group did not seem to grasp that concept. When asked for a third time how he rowed during adverse weather, He said with humor, "Listen, good weather outside rowing, bad weather inside resting!"

*Dateline* was also filming and interviewing during this time. As luck would have it, the program was pre-empted when OJ took over the airways. To my knowledge the segment never aired.

During the next two years Peter Bird put together another group to again row the North Pacific in a refurbished *SECTOR TWO*. I even bought a share of the adventure. Before flying to Vladivostok on February 12th, 1996, Peter Bird

stayed overnight at my home outside of Seattle. We had an excellent seafood dinner at Salty's and dessert at home. He met my wife, Lyn, and daughter over dessert. Lyn tactfully questioned Peter's physical size in relationship to the small boat he would soon inhabit. Peter just laughed and said, "I'll soon be rowing eight hours a day for over 6 months - I think that will be enough time to get in shape."

When I took him to the airport in the morning there was a display of Patrick O'Brian's Jack Aubrey series. These are the books on which the movie *Master and Commander* is based. I told Peter I had read all O'Brian's books and he asked for a recommendation of the best three. He took my recommendation and started reading *Desolation Island* on the flight to Russia. I received a letter from him shortly after his arrival and he wrote "I have to say it's nice to know that captains of container ships read Patrick O'Brian. It should be mandatory reading on all ships!"

Peter Bird left Vostochny, Russia on March 31st, 1996. He made much better progress than he had in 1993 and cleared the Tsugaru Straits on April 7th. On June 2nd an United Airlines plane picked up a distress signal from *SECTOR TWO*. The ship *WESTWOOD HALLA* responded and on June 3rd found *SECTOR TWO* capsized with no sign of Peter. The *WESTWOOD HALLA* retrieved *SECTOR TWO* and returned it to Seattle. Peter was 1100 miles off the east coast of Japan and was making very good progress in this second attempt to row the North Pacific eastbound. A major storm had transited the area on June 1-2 and it is presumed to have caused the demise of this Adventure. A



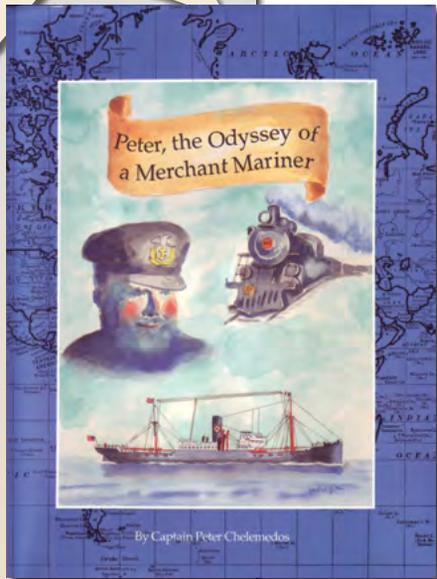
Captain R.J. Klein aboard the *S/L SPIRIT* in Oakland's Outer Harbor, 1994.

celebration of Peter's life was held at the Corinthian Yacht Club in Tiburon on June 30th.

A final note: When Peter Bird boarded the *S/L SPIRIT* in Oakland the night he retrieved *SECTOR TWO*, the first thing he did was hand me a Sector SGE 500 Chrono Watch, telling me he wanted me to have it. This was not a new watch, it was the watch he had used onboard during his 305 days at sea. I cherish this watch and on the special occasion when I wear it I always think of Peter, happily rowing alone at sea. ☆



All photos, charts and graphics courtesy Captain R.J. Klein.



by Captain  
Peter Chelemedos  
#1671-R

## Peter, the Odyssey of a Merchant Mariner

### Chapter 15: The Search for a License Spring and Summer 1942

When I reached San Francisco in early April, I placed a long-distance call to Kay in Massachusetts. When the operator asked me for the overtime charges of twenty-three dollars and some cents, I figured it would be cheaper to take a bus back to New York than to call her again.

On the Trailways bus heading east, I stopped off in Denver, hoping to look up either Esther or "Pepper." I located Esther's aunt, who told me that Esther had gotten married and was somewhere in Kansas. Since I was on my way through that part of the country, she suggested I stop by and congratulate the couple. I thought it a good idea, and waited in Denver a week until she received a postcard with Esther's new address.

I took the next bus to St. Joseph, Missouri, stopping off at Troy, Kansas, to meet the newlyweds. The reception I got was not the welcome I had anticipated; the farmer Esther had married was not sociable with "city slickers."

*The German U-boats had been busy along the Atlantic coast during the first few months since the U.S. entered the war, sinking more than 150 ships ranging from the mouth of the Mississippi River to Cape Cod.*

I returned to New York and was reading the morning paper over a cup of cocoa at an Automat, when I found a write-up of the new Merchant Marine Officers school at New London, Connecticut. I compared my sea time with the listed requirements, and promptly went down to enroll. I was just over the minimum age and had just over the minimum sea time. I was accepted, and spent four months of the summer at New London.

The navigation courses and practice I had had previously gave me an advantage at the school. I concentrated my efforts on courses in such things as signaling, first aid, ship construction, cargo stowage, and so forth. I also did some tutoring on the navigation portion with some of my classmates.

*During the summer months, the war at sea was getting extremely hot, not only along the Atlantic coast but also with convoys from Iceland to Russia being set upon by U-boats and air attacks from Norway as they passed between North Cape and the Polar ice. Convoy PQ-17 between June 24 and July 7 was particularly hard hit when the British fleet was called home from escorting the convoy because of rumor that the German battleships TIRPITZ, ADMIRAL HIPPER, ADMIRAL SCHEER and LUTZOW had left their bases in Norway and were probably on the prowl.*

*The result is that, between U-boats and air attacks, twenty-four ships out of a total of thirty-five were sunk between July 3 and July 9 from that convoy.*

*August 7: The Americans landed at Guadalcanal in the Solomon Islands.*

*August 9: A British commando force launched a raid at Dieppe, France, that was not too successful.*

After graduating with the September class and receiving my Third Mate's license September 18, I was offered a position teaching navigation at the new Kings Point Merchant Marine Academy. If I took this, I would not get sea time on my new license toward raise of grades, and I had promised Beverly in one of our conversations that I would have my Master's license by the time I was twenty-four.

During these months, I debated long and hard with myself over which of the two young ladies, Beverly and Kay, I should cultivate as a prospective bride. They had similar personalities and were equally attractive to me. I so enjoyed Beverly's letters, but she was a thousand miles away and Kay was nearby.

I was able to spend every other weekend at Fall River with Kay. During these visits, I more and more felt that this girl would be someone with whom I would like spend my life if I were ever to come



ashore and settle down. Of course, I had to convince her of this. Since I was still under twenty-one, I would have to get parental consent, which was, of course, not possible.

The North Atlantic didn't appeal to me with all the submarine activity going on at the time. Every day's papers brought news of more ships being sunk off the coast by the "wolf packs" that were uncontested for the year or so it took to build up our defensive navy.

I headed for San Francisco to find a West Coast ship. Even though some Japanese submarines were reported to be active in the South Pacific and Indian oceans, they were not so plentiful as the German fleet.

Conversations at the British Apprentices Club and the news of North Atlantic sinkings inspired these words:

**WHITECAPS**

*Whitecaps scudding before the wind  
covered the surface of the sea.  
The lumbering ships plunged on.  
On the bridge of each a small light  
glowed from the compass repeater  
to silhouette the dark form  
of the man at the wheel.*

*On the wing of the bridge another man  
peered into the wind and darkness  
at the ship in the next column.*

*While silently uttering a prayer  
that the watch would soon end  
so he could get into the warmth of his  
cabin.*

*The stars seemed to wink at him,  
playing hide and seek  
in the clouds that scudded past.*

*Suddenly, as the ship rolled to port,  
an explosion and a flash of fire  
came from the edge of the convoy.  
The serenity of the night was gone!  
The war had come to his cold,  
stormy section of the ocean.*

*The thousand miles the ship had traveled  
were not even traced on the surface of  
the sea.  
And now it was gone!*

*The young mate wondered at the fate  
of the crew as he coned his own ship  
through the frantic maneuvers of his  
place in the convoy. ☆*



*Visiting with Kay at Fall River, Massachusetts, summer 1942.*

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“One of the difficulties in bringing about *CHANGE* in an organization is that you must do so through persons who have been *MOST SUCESSFUL* in that organization, no matter how faulty the system or organization is.

To such persons, you see, it is the *BEST* of all possible organizations, because look *WHO* was selected by it and look *WHO* succeeded most within it.

Yet these are the *VERY PEOPLE* through whom we must bring about improvements.”

— George Washington

## IFSMA Report



by  
Captain John Dickie  
Secretary-General  
IFSMA

### *How quickly time goes between articles.*

It seems that it was only the other day that the previous article was written. February was a bad month for the passenger ship sector of the

Master needs a good crew to be effective and this requires that IFSMA supports other organizations in respect of raising the standards for all crew members.

In addition, IFSMA has taken the stance of supporting the IMO Secretary General's vision for reducing accidents and eradicating piracy. These are only two of his raft of proposals for changing the maritime industry. He is working hard to bring about change which can be seen to be of benefit to the Master and this allies itself to the goals of IFSMA. Part of this will be a two day "Safety Symposium" which will take place at the IMO HQ, London in June of this year. IFSMA has already been invited to speak and has accepted. This Symposium will be held immediately before MSC.

On 1st March, the Executive Council Meeting was completed with a number of agenda items discussed and the 2014 budget presented. Papers for the forthcoming AGA in Melbourne in April were discussed and approved for presentation.

It's good to see that a good number of delegates are registered to attend the AGA in Australia. With money tight for everyone, I can only express my appreciation for those who have taken the step to be able to attend.

On 30 and 31 January 2013, I had the pleasure to speak at and chair the 4th Maritime Piracy and Security Summit in London. This was a very interesting summit with a lot going on and the advancement of technology to serve and protect seafarers without the use of deadly force. It will all come down to cost and one major fact: *No ship carrying armed guards has been hijacked.* Armed guards are not the final solution

but they are effective. The figures speak for themselves.

In addition, the growth of piracy and criminal acts in the Gulf of Guinea is the new hot spot and how the model used for how they operate is varied against that used in Somalia. Many of these acts are not counted as piracy because they occur in national waters. While centered on Nigeria it should be noted that the Nigerian authorities are working hard against piracy. One point to note is that the IMO is looking to produce a paper and procedures for dealing with the events taking place in this area. This will be a separate issue to Somalia.

One question that I would raise is to the membership in the USA. Are my papers welcome or of no consequence? What would you like to see included or removed? I cannot do individual papers for each member but I can raise relevant issues that the membership deems to be important.

It should also be noted that on the IFSMA website there is the Secretary General's Monthly Report, which is produced for each and every month. That is why I try to add to and diversify the contents of the *Sidelights* Article, rather than repeat what is already available. 🌐

### **IFSMA Logs: a summary of monthly activities**

Out of concern that some members were not fully aware of the work that was carried out by the Secretariat in London, since April 2012, IFSMA, in addition to posting a quarterly newsletter, publishes via the website monthly logs to highlight the key activities that have kept the secretariat occupied.

[www.ifsma.org](http://www.ifsma.org)

industry. The first major incident was the *THOMSON MAJESTY*, which had a lifeboat accident which resulted in the death of five crew members and three injured. It should be said that condolences go to the families of all of the crew members involved. The second incident was the *CARNIVAL TRIUMPH*, which suffered an engine room fire which left it incapacitated with more than 4000 people on board.

What can be said about both incidents is that the companies failed in the Public Relations department. Lack of information to passengers resulted in many finding out what was going on through the internet and communications with friends and families by mobile phone. How can this be?

Although no persons were injured on board the *CARNIVAL TRIUMPH*, the bad PR from returning passengers does not bode well. This continual drip of events is increasing and giving everyone a warning that a major incident involving a passenger ship is coming. The question is not "if" but "when". What it will be is anyone's guess, but it will happen.

On a brighter side, IFSMA is working hard at the IMO by making interventions on behalf of Masters in particular and all seafarers in general. After all, a



*The Company of Master Mariners of Canada is a professional association for those qualified to command. It was established to encourage and maintain high and honourable standards within the nautical profession, further the efficiency of the Sea Service, and uphold the status, dignity and prestige of Master Mariners.*

## Ports of Refuge

*Ports of Refuge have been sought by vessels needing and requesting assistance, and refuge has been granted by those ports for centuries.*

by  
Captain Peter Turner  
CMMC

Environmental laws and recognition that pollution is damaging the marine environment has made it necessary for ports, and indeed nations, to refuse entry to vessels. The costs of environmental clean up after an incident are astronomically high, and the legal wrangling following a pollution incident are inefficient and time consuming. Nevertheless, vessels undertaking their legitimate business of trading, carrying passengers or servicing other industries may require and request assistance. It is then the Nation State, the port authority, or any level of government, who will grant the vessel permission to proceed to a location where the incident can be rectified. Because the environment, both marine and tidal upland needs the protection, this location may be unsuitable for the type of incident that is developing.

As Masters we expect that the government of a nation in whose waters we are making passage to grant us this refuge. As Port Authorities, we have to concern ourselves with the other clients in the port and the possible escalation of the incident into a serious event involving perhaps pollution, an emergency. As a Nation State there is an overriding obligation to our citizens to protect the safety of people and the environment, while preserving industries. There are

also the trans-border treaties to consider. There are many incidents when a vessel may request assistance, but not all of them are compatible with port operations. For this reason, it is necessary to identify locations other than ports where a vessel may proceed to undertake a actions to normalise the situation in relatively calm waters.

Hull damage; machinery damage; collision; fire; explosion; shifting cargo; instability; general unseaworthiness; infectious disease and countless other reasons may be causes where the vessel may request assistance. Some of these may be dealt with within a port, but others may need to be normalised before the vessel is allowed into the port.

It is therefore essential the Nation State considers locations other than ports; hence Places of Refuge. A vessel leaking a pollutant will be considered to be a bad risk to a port, particularly if the port borders a tidal river. The pollutant, let us assume oil of some kind, will adhere to infrastructure, ships hulls, foreshores and pollute the marine environment. If a river port, the oil may be carried up river to the extent of the tide damaging fish habitat, private properties, other infrastructure, water sources, and in certain cases the real property of another nation.

In Canada various exercises have been undertaken to review an incident where a vessel requests assistance. In most of

these there are confrontations between the government agencies, particularly Transport, Environment, and Fisheries and Oceans. All have laws and regulations requiring them to undertake

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**...it is necessary to identify locations other than ports where a vessel may proceed to undertake a actions to normalise the situation ... hence Places of Refuge. A vessel leaking a pollutant will be considered to be a bad risk to a port, particularly if the port borders a tidal river.**

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certain action and allowing them certain authority. TC Marine Safety, under the Canada Shipping Act 2001, may require a vessel to proceed to a location, while Port Authority, under the Canada Marine Act, may refuse entry into a port. While this wrangling progresses, the vessel has no direction or authorization to proceed to a place of refuge. Undoubtedly, similar wrangling will occur between Environment and Fisheries and Oceans.

Transport Canada Marine Safety has developed and published TP14707

National Places of Refuge Contingency Plan (PORCP) which partially addresses the concern, but is directed toward Transport Canada, and does not address the concerns of the Ports, Environment or Fisheries and Oceans. <http://www.tc.gc.ca/eng/marinesafety/tp-tp14707-menu-1683.htm>

## Conclusions

There is an urgent need for an inter-departmental committee, preferably chaired by a non-aligned person and involving ALL interested parties including industry, to ascertain ALL locations where refuge may be granted. It must recognize the needs of other industries, the limits to which the location can be used. It must recognize that the place of refuge may sustain damage by the incident, but that the overall damage will be mitigated by timely response to the request for assistance. There is an obligation for the Government of Canada to respond to a request for assistance from a vessel transiting our waters to the limits of the EEZ. We do not want an incident, such as that of the *MV PRESTIGE*, to occur on our coast.

The Views and Positions Committee has developed a paper to be considered by the Canadian Maritime Law Association (CMLA) in support of operational items of their resolution dated 16th June 2009, Report of The Committee on International Places of Refuge. CMMC approved a paper and the summary of conclusions, adjacent, were delivered to the CMLA for their Directors Meeting in January. 🍁

## Company of Master Mariners of Canada Places of Refuge Summary

The Company of Master Mariners of Canada (CMMC) recommends that assessments to identify suitable places of refuge in all coastal waters be undertaken as soon as possible, taking into account all aspects of government departmental conflicts in Laws and Regulations, by the differing concerns of and for industries, environmental protection, operating practicalities, and equipment availability.

CMMC recognises that there are conflicts within the Laws and Regulations which are governing the various interested government departments, industries and operating entities, and thereby introducing controversy into the locating of a site for a place of refuge. CMMC recommends that the assessments to identify locations be undertaken by a committee chaired by a non-governmentally aligned person, and taking into account all interventions by interested parties.

CMMC recognises that both the governments of the nation in whose waters the vessels are navigating and masters of vessels, who have responsibility for safety and the actions of those vessels and personnel, but also may be liable for criminal charges if the incident warrants, have different priorities and interests in stabilising the incident for which assistance has been requested. CMMC supports the views of the CMLA in respect to the urgency needed to develop locations where such vessels may be directed.

In the interest of providing timely and suitable support to the master of a vessel requesting assistance when navigating in Canadian waters, CMMC urges the government to identify defined locations for places of refuge suitable for specific identified incidents in all coastal waters.

CMMC recognises that Transport Canada has made initial progress in developing places of refuge identified in TP14707, but notes that the notice identifies only ports and that these may not be suitable for incidents where a vessel requests assistance. Further, because only ports are identified, distances between places may be untenable to the vessels requesting assistance.

CMMC recommends that the management of an incident where a vessel has requested assistance be a unified command, and that such command is independent of all departmental interference.

CMMC recommends that a full and thorough assessment, involving all interested parties and government departments, be made of the Canadian coast line in order that places of refuge can be defined, and that the designation of all such places of refuge be undertaken identifying the type of incident that cannot be directed to those sites.

## Pollution of our oceans by water ballast



by  
**Captain A.K. Bansal**  
*Company of Master  
 Mariners of India*

*Note from Author: I teach Master Mariners in their revalidation courses. When they come to class once in five years, under STCW Convention, I am usually amazed at their lack of practical knowledge in such matters. We have 10,000 Masters, which means that at least 2000 come every year.*

*Over millennia, the natural patterns of biogeography of our oceans remained unchallenged as marine species were dispersed in them by natural means,*

either being carried by currents or attached to floating logs and debris. Natural barriers, such as temperature and land masses, prevented many species from dispersing into alien areas. The Pan-global tropical zone

U.S. waters hourly. Asian kelp, a large leaf brown seaweed, is rapidly invading new areas and replacing native sea grasses which are feeding grounds for commercially important fish and crustaceans. *Calerpia Taxifolia CT*, a water plant transported by ballast water into the Port of Adelaide is toxic to fish. Adelaide has prohibited use of anchors within port limits because *CT* are known to hitch rides on anchors and anchor cables.

### Larger ships, more ballast

All 7 billion of us humans have freedom of the high seas. Forgetting how oceans immensely influence our lives, humanity has exploited the oceans since eternity, but in ignorance, as no one ever thought about any ill effects to local environments. Wooden ships carried solid ballast when sailing empty and drinking water in wooden casks. Quantity and distribution of ballast within her depended on her design, size and strength. Even though some marine species did migrate attached to hulls of vessels, such migration was relatively minor.

Double bottom tanks started being built inside hulls of steel ships initially to carry more drinking water than was possible in wooden casks. In time, they were incorporated in hull designs. As cellular double bottoms became an integral part of merchant ship

design, large quantities of water could be carried in them. Seawater costs nothing, is safer, gives more stability, is easier to handle as ballast, does not occupy cargo spaces and enables ships to keep their propeller under water at will. Therefore ship owners moved away from solid ballast in favor of seawater in cellular double bottoms of small height when sailing empty. Sea water ballast is pumped out when cargo is loaded. This started sea water migration across oceans without thinking of its effect on local ecosystems. Until the mid-20th century, ships were not so large and quantities of salt water ballast transferred from one location to another across the oceans was not significant.

Yet potentially devastating effects of the spread of harmful unwanted species of aquatic organisms transferred from one ecosystem to another through ballast water were recognized by scientists in 1903 when Asian phytoplankton algae *Odontella Biddulphia Sinensis* was found in the North Sea. But til the 1970s the maritime community did not appreciate the magnitude of this problem.

Between 1948 and 1998, world ship-

separated the northern and southern temperate and cold water zones. This allowed many species to evolve quite independently in cold water zones, resulting in quite different marine biodiversity between the north and south. Species in tropical areas did not face similar barriers because of relatively homogenous marine biodiversity spanning Indo-Pacific oceans between the east coast of Africa and west coast of South America.

Today, millions of stowaways are hitching rides in 10,000 billion litres of ballast water transferred yearly round the world, on almost every ship. Australia, USA, Canada, Brazil, India and Indonesia are leading victims of this migration by over 4,000 species including plankton, algae, fish and micro-organisms. About 7.5 M litres of ballast water are released into

VESSEL	DWT	BALLAST	% of DWT
Bulk Carrier	250,000	75,000	30%
Bulk Carrier	150,000	45,000	30%
Bulk Carrier	70,000	25,000	36%
Bulk Carrier	35,000	10,000	30%
Tanker	100,000	40,000	40%
Tanker	40,000	12,000	30%



ping tonnage increased from about 85 million tons to 550 million tons. Ships became larger and faster to shorten round voyages to move more cargos on International trades. The table shows normal ballast capacities of different types and sizes of ships.

Today VLCC's and ULCC's are regularly plying the oceans. The table shows how each ship of her size may transfer large quantity of sea water across oceans, each voyage. The *JAHRE VIKING* at 565,000 DWT, transferred over 220,000 tons from ocean to ocean every voyage. About three to five billion tonnes of sea water is transferred annually across oceans.

Serious environmental problems have arisen because ballast water contains bacteria, small invertebrates, eggs, cysts and larvae of various species. This means living organisms small enough to pass through a ship's ballast water intakes and pumps. Thousands of marine species are carried across oceans this way. Virtually all marine species have life cycles that include a planktonic stage or stages. Even those species which are unlikely to be taken on in ballast water as adults, either because they are too large or because they live attached or near to the seabed, may be ballasted during their planktonic phase. Survival rate after discharge of aquatic organisms depends on temperature of local water and reduces with difference in salinity, nutrients, light intensity and other factors. Thankfully, vast majority of such stowaways do not survive ballasting and deballasting cycles, plus environment inside ballast tanks.

Even those that survive a voyage and are discharged in a new environment, suffer from predation by and/or competition from native species. Yet an introduced species MAY survive and may

also establish a reproductive population in the host environment. It MAY even become invasive against native species AND multiply into pest proportions. When ballast water is discharged, stronger foreign micro-organisms survive at the cost of weaker indigenous ones with disastrous effect on biodiversity.

Thus, ballast water carried by merchant ships has caused most areas to be polluted through marine species. Salt water ballast pumped into fresh water areas is intolerable. But even fresh water ballast released into saline waters creates problems as some organisms can survive such transfers. Therefore natural barriers against dispersal of different marine species across oceans have gradually diminished over the years. Now marine



Construction of the world's largest ship is picking up speed at the DSME shipyard in South Korea. The shipyard will build all 20 of the Maersk Triple-E vessels, the first to be delivered in July 2013.

species from temperate zones are able to pierce the natural barrier of tropical waters, by riding in ballast tanks. Some introductions have even involved northern temperate species invading southern temperate waters, and vice versa.

Modern science has found no way to clean alien life forms out of domestic environments. When such organisms are released into a non-native environment they cause havoc to local marine life, pose economic problems, health hazards and irreversible damage to coastal ecosystems. To that extent invasive marine species are one of the four greatest threats to world's oceans! It is estimated that at least 7,000 different species are being carried in ships' ballast tanks. Out

of this, an estimated 3,000 species of sea life forms are known to have migrated around the world and to have survived in alien environments. It has caused a major worldwide problem to a stage that something needs to be done.

### Invasive Species Cases

Water ballast introduced larvae of the North Pacific sea star from Japanese waters to southeastern Australia and Tasmania. Being a voracious eater of mussels, scallops and clams, it has threatened Tasmania's shellfish industry. Green crab (*Carcinus meanas*) a species from Europe, has been feeding on native molluscs which are now facing extinction. South East Asian bacteria dumped in Australian waters has caused paralytic shellfish poisoning. The Asian kelp *Undaria pinnatifida* is invading new areas rapidly, displacing the native seabed communities. In the Black Sea and Azov seas, filter-feeding North American jellyfish *Mnemiopsis leidyi* reached densities of 1kg of biomass per meter<sup>3</sup> at times. It has depleted native plankton stocks to an

extent to collapse entire Black Sea commercial fisheries and near extinction of their anchovy and sprat fisheries.

*Mytilopsis sallei*, a kind of mussel native of tropical and subtropical Atlantic waters, was introduced into the Arabian Sea and Bay of Bengal in the mid-20th century through water ballast. Since larvae and micro algae are less likely to perish in mild tropical climate, they flourish and multiply even faster. So, this mussel has invaded waters of Mumbai and Vizagapattam ports, causing a lot of damage.

In Mumbai Port alone, 5,000 ships bring in about two million tonnes of ballast water yearly. Environmental pol-

*Continued on the next page >>>*

*Ballast* >>>Continued from page 35

lution around the Indian peninsula has reached alarming proportions. With over 7,500 km of coast line, twelve major and numerous minor ports, efforts to



GRAPHICS: SIMON, NOAA

Native geographic range of the Asian kelp *Undaria pinnatifida* highlighted in green. Red coastal areas indicate where the invasive Asian kelp *Undaria pinnatifida* has colonized beyond its native range.

control marine bioinvasion through ballast water at such a colossal scale have not been effective.

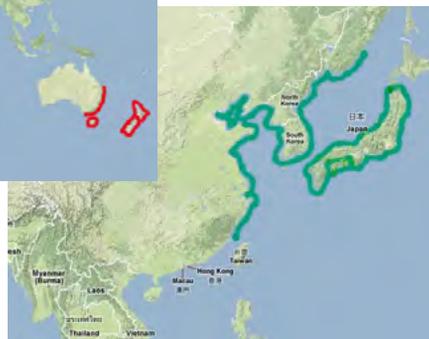
The semi enclosed Arabian Gulf serves as an incubator for invasive species. 8,000 tankers carrying 56% of the world's oil pass through Gulf waters by the Omani Coast. They often illegally dump an estimated 194 million tonnes of ballast water along the way. Thousands of marine species, including microbes, bacteria, larvae and other invertebrates,



PHOTO: SIMON, NOAA

pass in and out of ballast water to make Oman a hot bed of invasive species.

Starting in Indonesia in 1961, ballast water brought a strain of *Cholera* epidemic from South America. This deadly waterborne disease circled the globe through ballast water,



threatening human health and fishing activity. Chinese Mitten Crab, first discovered in 1992 in San Francisco Bay, is a potential health hazard to humans as it hosts Oriental Lung Fluke, a parasite that causes tuberculosis-like symptoms. Under favorable conditions, toxic dinoflagellates bloom to form 'red tides' and release toxins. Introduced through water ballast in Brazil, China, India, Iran, South Africa and the Black Sea, these micro-algae have been absorbed by filter-feeding shellfish, such as oysters and scallops. When consumed by humans who eat shellfish, oysters or scallops, these contaminated shellfish can cause paralysis and even death. There are hundreds of other such examples of catastrophic introductions around the world causing severe impact to human health, economics and/or ecology in the host environments.

Ocean going ships discharged salt water ballast into the St. Lawrence Seaway from day one to make way for cargo, without a thought that they were polluting the fresh water lakes with salt water. Ships also pumped out fresh water

Invasive Asian kelp *Undaria pinnatifida* removed from Monterey Harbor. Since December 2002 volunteers and sanctuary staff have removed and measured over 17,000 individuals of the invasive Asian kelp *Undaria pinnatifida* from Monterey Harbor. (Source: SIMON/NOAA)

to fill their drinking water tanks with the pure fresh water of Great Lakes for domestic use, as it tasted better than what they had on board. Thus, in both ways, pathogens and other invasive alien micro-organisms were introduced, which can distort and destroy the very delicate balance which exists in ecosystem of the Great Lakes basin. The European Zebra Mussel, introduced into these Lakes in 1960s, has infested over 40% of U.S. waterways. It has not only brought a lot of changes to the aquatic ecosystems of Great Lakes, but also fouls cooling water intakes of industries situated along these waters.

To control this menace involves local marine biology experts, coastal residents, fisheries, shipping and allied industries. Millions of dollars have been spent to rectify damages caused by invading species. Mandatory ballast water reporting is current for St. Lawrence Seaway including the Hudson river.

To prevent invasion by more aquatic nuisance species, all ships in the seaway and Great Lakes must comply with stringent American and Canadian rules against ballast discharge. A decanting tank is to be installed with treatment by copper ions to kill microorganisms and another to test chlorine.

## Possible Solutions

Use of copper and sodium hypochlorite to kill nuisance species in ballast is being tested for ships on ocean trades worldwide. The best solution is to exchange deep ocean water from zone to zone, world wide, while the ship is at sea. But this method has its own limitations as can be seen from the following IMO Guidelines as per resolution A 868 dated 27.11.1997.

*"Exchanging ballast at sea should be done in deep water in open ocean and as far away as possible from shore preferably not within 200 nautical miles from shore. All of the ballast water should be discharged until suction is lost. Ships using flow-through method by pumping ballast water into the tank or hold*

and allowing the water to overflow, should ensure that at least three times the tank volume is pumped through the tank. They should avoid over and under-pressurization of ballast tanks AND free surface effects on stability and sloshing loads in tanks that may be slack at any one time. They should maintain adequate intact stability in accordance with an approved trim and stability booklet, taking into consideration permissible seagoing strength limits of shear and torsional forces, wave-induced hull vibration, bending moments and minimum/ maximum F & A draughts in accordance with approved loading manual”.

“Flow through method must be used with caution as:-

1. Air pipes are not usually designed for continuous ballast water overflow.
2. Certain watertight and weathertight closures such as manholes, which may be opened during ballast exchange, should be re-secured.
3. Exchange at sea should be avoided in freezing weather conditions. But when deemed absolutely necessary, attention should be paid to hazards associated with freezing of overboard discharge arrangements, air pipes, ballast system valves together with their means of control, and the accretion of ice on deck.
4. Some ships may need a loading instrument to calculate shear forces and bending moments induced by ballast water exchange at sea and to compare with the permissible strength limits.
5. An evaluation should be made of the safety margins for stability and strength contained in allowable seagoing conditions specified in the approved trim and stability booklet and the loading manual, relevant to individual types of ships and loading conditions. Longitudinal stress values should not exceed those permitted by the ship's classification society with

regard to prevailing sea conditions”.

These guidelines recognize that it is not always practicable to exchange ballast water at sea, except in clement weather to avoid risk of damage to the ship. Furthermore it requires total cooperation from seafarers on board, as more often than not they follow the path of least resistance and declare that it was not possible to exchange ballast due to some reason. Worse still, they make log book entries that it was done when in actual fact it was not done. Therefore, unless there is will amongst the nearly 1.2 million seafarers who actively sail the oceans, plus shore managers and operators who run and manage the nearly 100,000 ocean going ships, it is impossible to properly detect activities of ships and seafarers on the oceans miles away from effective policing systems. Our mariners must develop more respect for our oceans, which provide us with livelihood. We must understand that these reservoirs of food, energy and life, gifted to us by nature, are not civic drains for our toilets or our unwanted water, sludge and oil. We must do the right thing by ourselves, by our ships and by the oceans that sustain life on earth.

### **Ballast Water Treatment Technology**

A more effective method to curb such pollution is to sterilize ballast water with heat, ozone, ultraviolet light, electric current, chemicals and/or a combination of one or more of them. But to achieve this, machinery and equipment has to be installed on each ship with resultant capital expenditure. Estimates of costs of such treatment are as high as 30 cents per ton of ballast, not including capital cost of machinery. But this is perhaps the only way this menace can be curbed, if not completely eliminated forever except that it will hit ship owners hard.

Mitsui O.S.K. Lines have completed initial tests of new technology to purify seawater in ballast tanks, using a filter that offers safe and efficient removal of marine organisms.

A new system to treat ballast water, known as the NEI system, has been recently invented in the USA and has received IMO sanction.

Dr. Anirudh Pandit of University Institute of Chemical Technology (UICIT) of Mumbai has invented ‘Hydrodynamic Cavitation.’ Bubbles are created in water at room temperature, without using any chemicals, to destroy micro-organisms. 16,000 micro-organisms were observed in 1 ml of Mumbai port seawater. When tested on 70 litres of this water, it was found completely free of them 45 minutes later. Presently it can purify 50,000 litres per hour. Hydrodynamic cavitation can purify 50% while ballasting and the other 50% while deballasting. Soon it will be possible to manufacture instruments to increase this rate to 250,000 litres per hour. The cost of hydrodynamic technology is about a third of the present method.

Some marine architects argue that first we give buoyancy to steel ships to float, and then load water ballast to reduce the buoyancy. Why not find a way to reduce buoyancy AT WILL, to sail empty ships safely across oceans and increase buoyancy to make way for cargo. A ballast free ship is being proposed by researchers at University of Michigan to eliminate trans-oceanic transport of ballast water. It involves a new paradigm that approaches ballast operation as reduction of weight to get vessels to their required ballast drafts. But this maybe easier said than done.

### **Guides, Regulations and Legislation**

Since 1988, IMO has been actively involved in solving problems of migration of pathogens through ballast water. In February 2004, delegates of 74 countries agreed to introduce global provisions to control and manage ballast water exchange and treatment internationally to safeguard biodiversity of oceans through consensus. Proposals include mandatory requirements for bal-

*Continued on the next page >>>*

*Ballast >>>Continued from page 37*

last water, sediments management plans and controls applicable to uptake and/or discharge areas of ballast. Under IMO, both ship operators and regulators have to understand the commercial solutions and technology involved, since they need to choose a ballast water management solution that works for them. To cater to its requirements, Lloyd's Register released a guide to ballast water treatment technology on July 9, 2007.

The U.S. Coast Guard imposed mandatory ballast management plans for all ships in U.S. waters to control the spread of non-indigenous aquatic plant and animal species (NIS) effective 13 August 2004. Masters, owners, operators and persons-in-charge of vessels equipped with ballast water tanks, bound for ports

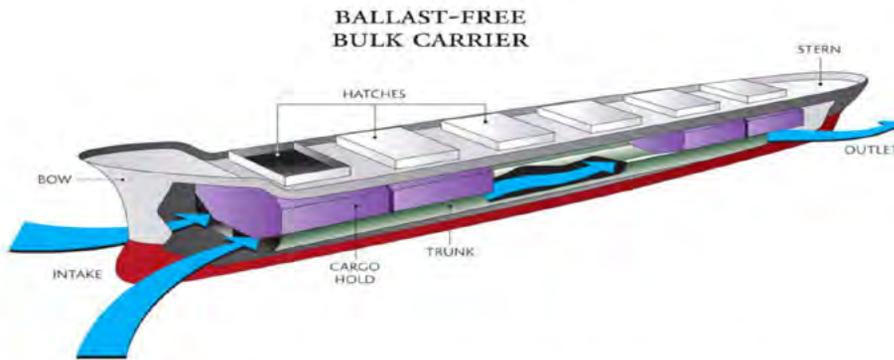
or places in the U.S. including Great lakes and Hudson River, north of George Washington Bridge, must ensure that their vessels comply with the Ballast Water Management (BWM) requirements. Signed complete and accurate BWM reports are to be submitted 24 hours before arrival in the USA if the voyage to the USA is less than before departure from last port. Fines for non-submission of BWM reports can be up to US \$27,500 per day. Records are to be kept for minimum 2 years.

In 2005, Micky Arison, chairman of the Miami-based cruise giant Carnival, pleaded guilty to federal offenses on Carnival ships which made 333 voyages into California waters since January 1, 2000 and illegally discharged ballast water 244 times. They were fined US

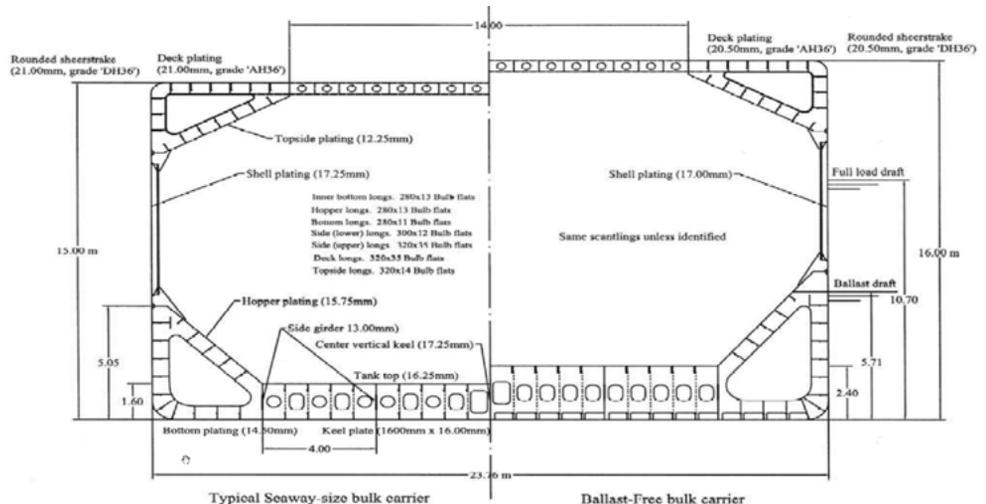
\$18 Million.

The key is to be prepared to deal with the bad before it happens. Seafarers need to know what rules apply at what time and what place, and must find out ways and means to get the right information at the right time and the right place, otherwise they would not know the dangers which lurk round the corner. Regimes prescribed in conventions and exchange methods will be effective only if seafarers cooperate. Log books and record books can be fudged. Machineries and equipment can be doctored by those on board. ☆

*Captain A.K. Bansal is a Past Master of the Company of Master Mariners of India and a practising Bar-at-Law in India and the U.K.*



**Figure 2.1:** Schematic of the Ballast-Free Ship Concept



**Figure 2.2:** Typical Seaway-size Bulk Carrier (left); Ballast-Free Concept Bulk Carrier (right)

GRAPHICS: DEPARTMENT OF NAVAL ARCHITECTURE AND MARINE ENGINEERING, UNIVERSITY OF MICHIGAN



The Council of American Master Mariners, Inc.

# Annual General Meeting

## Professional Development Conference

April 24-26, 2013 ☆ Oakland, CA USA

Hosted by the San Francisco Bay Area CAMM Chapter

### Wednesday April 24

**CAMM Welcome Social**  
Hospitality suite hosted by  
SFBA CAMM Chapter

### Thursday April 25

**Professional Development  
Conference**  
\$65 per person, lunch included  
Guest Speakers

### Friday April 26

**Annual General Meeting**  
\$65 per person, lunch included  
Officer Reports  
Council Business  
Views & Positions Discussion  
CAMM Strategic Plan Discussion

**Gala Dinner**  
\$52 per person  
Keynote Speaker Rear Admiral  
Thomas A. Cropper  
*Lalonde Spirit of the Seas Award*  
Presentation\*  
Recognitions

Venue:



**WATERFRONT**  
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1-888-842-5333  
Group Rate Code: CAMM2013

#### Event Chairperson:

Captain Klaus "Nick" Niem  
captniem@mastermariner.org  
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### Professional Development Conference Speakers\*



#### Captain Cindy Stowe

Commander, USCG Sector San Francisco

TOPIC: Vessel Traffic Control and the America's Cup



#### Dr. Captain John A.C. Cartner, #2475-R

Maritime Lawyer

Principal Author "The International Law of the Shipmaster"

TOPIC: Important changes to the TWIC program



#### Mr. C. James Patti, President, Maritime Institute for Research and Industrial Development (MIRAID)

TOPIC: Congressional lobbying efforts in the maritime industry



#### Captain Jeff Cowan, #3070-R

Office of Spill Prevention and Response, State of California

TOPIC: North American Emission Control Area



#### Ms. Jan Newton, Ph.D.

NANOOS Executive Director, Principal Investigator: Puget Sound

TOPIC: NANOOS® and Ocean Currents

#### Ms. Jenifer Rhoades

IOOS® Regional Focal Point, NOAA

#### Mr. Thomas Bethel

American Maritime Officers Union President

### CAMM Business Meeting

CAMM Views and Positions & CAMM Strategic Plan

### Gala Dinner



#### Keynote Speaker

#### Rear Admiral Thomas A. Cropper

President, California Maritime Academy

TOPIC: Maritime Schools and Education

Rear Admiral Cropper began his presidency on July 1, 2012 after a 31-year career in the United States Navy. Most recently, Cropper directed education and at-sea training for Navy ships and aviation squadrons deploying to the western Pacific and the Middle East.

Recognitions

\*Subject to change.

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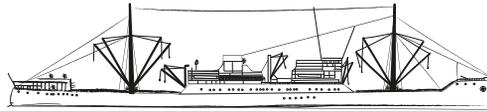
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