



The Marine Assistance Industry Journal

A Quarterly Newsletter

Volume XXIX- July 2017



A Message from C-PORT Chairman, John Ward -

Being in the midst of the busiest time of year for most of us, please try to keep in mind you are probably worn out and so is your staff. Take a break from it all when you can. Look at your overall operation, document any safety or operational issues, and try to make improvements. Crew fatigue is the number one cause of accidents, in my opinion, and in this industry we run single handedly most of the time. Letting a Captain go home early or putting an extra crew member on the boat may prevent an accident. No one knows your operation better than you. If you don't look for issues, no one else will. Remember the image and perception of the industry is a direct reflection of each of our operations. Be safe out there.



REGISTER NOW!

31st C-PORT Conference and Membership Meeting

January 15-17, 2018

**Wyndham Grand Jupiter at Harbourside Place
Jupiter FL**

The 31st C-PORT Conference and Membership Meeting will be held at the Wyndham Grand Jupiter at Harbourside Place, Jupiter FL, January 15-17, 2018. The hotel is located on the Intracoastal Waterway and minutes from the beach. Shopping, dining, and entertainment surround the hotel.

The Conference begins Monday evening, January 15, 2018, with a Welcome Reception where you can catch up with friends and colleagues, and say hello to our sponsors and exhibitors. General Sessions including presentations by our US Coast Guard partners is on Tuesday morning followed by our Awards Luncheon. The C-PORT Membership Meeting is Tuesday afternoon. The day concludes with the C-PORT Gala and Awards Banquet on Tuesday evening. Wednesday morning hosts training sessions including a new risk management class. The conference is scheduled to end at 12:30 PM.

Support our vendors who will be set up on Tuesday and Wednesday! Those wanting to exhibit at our event may register online at our website or contact Tina Cardone at tcardone@cport.us or 954-261-2012.

Sponsors are needed to help C-PORT continue its mission! Please help! Sponsor opportunities are found at our website or by contacting Tina Cardone at tcardone@cport.us or 954-261-2012.

Hotel room registration as well as Conference registration is open! Visit www.cport.us for more information and to reserve your spot today!

C-PORT Meets with Congressional Leaders during American Boating Congress (ABC)-



C-PORT met with several Congressional leaders while attending the American Boating Congress at Washington DC, May 15-17, 2017. Private and group meetings were held providing a constituent-representative exchange of information regarding issues directly affecting the marine assistance industry. "Congressional leaders respond to their constituents," remarked Tina Cardone, C-PORT executive director. "Having these meetings is invaluable to furthering our cause."

Issues facing the marine assistance industry include unnecessary vessel incidental discharge permitting and auditing compliance, and the lack of proper management of maritime cases outside the scope of U.S. Coast Guard monitoring. "Compliance with an unnecessary permitting scheme places undue burden on these small businesses," stated John Ward, C-PORT chairman. "Local agencies not trained in Coast Guard maritime response procedures unknowingly are putting boaters at risk. We are working to remedy these situations."



Joining Cardone at this event were: John Ward, C-PORT chairman and Terry Hill, C-PORT director. C-PORT members attended the event and scheduled all important meetings with their representatives. They included: Jeff Dziezdziec, CT, Richard Paul, FL, and Chad Noetzel, MI. Assisting the association were executives from Sea Tow International: Joe Frohnhoefer, Kristen Frohnhoefer, and Matt Wilson and public affairs personnel from BoatU.S., David Kennedy. Special thanks to Paul Amaral, CA, for making appointments.

Maritime Law Association (MLA) Spring Meeting-

Tina Cardone, C-PORT executive director and Phil LeBlanc, C-PORT vice-chairman attended the Maritime Law Association's spring meeting in New York City on May 2-5, 2017. Of particular interest to C-PORT members were the following sessions: Marine Insurance and General Average Committee's "crisis management" presentation involving how to respond to a negative situation, especially in this era of immediate publicity (Twitter, Facebook, etc.); Arbitration and ADR Committee's panel discussion regarding how far an arbitrator can or should go with a case; Salvage Committee's presentation on contracting; and the Recreational Boating Committee's presentation of a number of cases involving recreational boating. Joseph Frohnhoefer, Sea Tow International CEO and C-PORT member, joined Cardone and LeBlanc at the Salvage and Recreational Boating committee meetings.



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Vessel Incidental Discharge Act in the Senate -

C-PORT has been fighting the implementation of EPA discharge permit compliance for marine assistance vessels since 2008, when it all began. Under the Clean Water Act, commercial vessels under 79 feet would be required to have an Environmental Protection Agency (EPA) Vessel Discharge Permit originally effective July 31, 2010. Recreational vessels are exempt from this requirement and commercial vessels over 79 feet are already required to obtain a vessel discharge permit. In 2008, there was a two year moratorium from compliance placed on fishing and commercial vessels under 79 feet. During the two year period, the EPA and the Coast Guard were directed to conduct a study to evaluate the impacts of discharges incidental to the normal operation of these vessels. The results of that study were to be used to determine whether and how the EPA should regulate the discharges. The study evaluated water discharges from fishing vessels, tugboats, water taxis, tour boats, towing and salvage vessels, small research vessels, and the like. Sixty-one (61) vessels were sampled in fifteen (15) separate cities and towns in nine (9) states across multiple geographic areas. The study focused on nine (9) discharge types from engines, bilges, fish holds, decks, and gray water activities. In July 2010, P.L. 111-215 extended the date of the moratorium on these vessels to December 18, 2013. An extension on the moratorium for these vessels was granted again to December 18, 2014; and now to December 18, 2017.


The study showed that marine assistance vessels are overwhelmingly the same in size, type and power as most recreational vessels; and the overwhelming majority of the marine assistance industry vessels do not have gray water discharge created from showers, sinks and the like. These commercial vessels are designed without these conveniences reducing the ill effects of any such discharge.

The EPA study categorized assistance towing vessels with a host of other vessels and referred to them as "utility". The potential environmental damage that may be caused by discharges from these vessels is minimal, barely measurable, when viewed as a separate category and in conjunction with their moored locations.

In addition, the introduction of an invasive species risk is for all intent and purpose is nonexistent with marine assistance vessels. These vessels are operated locally, seldom venturing outside their home waters. These vessels are predominately docked at recreational marinas, not at commercial facilities found in busy ports. The concern of discharges in concentrated areas such as harbors and creeks or basins with little flushing is not relevant to these vessels.

There are a number of USCG regulations and international conventions that demand their own compliance with ballast water carriage that will be effective soon. These particular regulations do not affect the marine assistance industry; however, it has created an urgency to see the Vessel Incidental Discharge Act (VIDA) passed and become law now. We appreciate Sens. Roger Wicker (R-MS), Robert Casey (D-PA), Marco Rubio (R-FL), Bill Nelson (D-FL), and John Thune (R-SD) for introducing VIDA, and under Sens. Thune's and Nelson's leadership, the original act has been included as a title in the substitute amendment to the Coast Guard Authorization Act S.1129.

"C-PORT has worked closely with Senate leaders in bringing this important legislation to the Senate floor," remarked Tina Cardone, C-PORT executive director. "There is no measurable discharge from our vessels and we do not have ballast tanks. These small business owners would be forced to obtain permits for discharge they don't create." John Ward, C-PORT chairman added, "We are confident our Congressional leaders heard us, and will pass VIDA."



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A letter from the CEO

We are proud to announce that Port Supply is now West Marine Pro.

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Matt Hyde, CEO
Matt Hyde
westmarinepro.com



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West Marine Pro

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C-PORT Appoints New Director to the Board -

C-PORT chairman, John Ward, named and the C-PORT board of directors approved, the appointment of John Donaldson, general manager and partner of Sea Tow Sebastian to fill the vacant director position left by Rand Pratt, former owner of Sea Tow Key Biscayne. Donaldson stated he was honored to be asked to serve.



Donaldson is a native of Cape May, NJ with over 30 years experience on the water. He served in the US Navy immediately following his high school graduation. Donaldson went on to study Marine Biology and Marine Resources Management. His towing life began as a diver and on-call oil spill response captain in the Delaware Bay. In 2006, after working in parasail and teaching, Donaldson joined Sea Tow Naples as director of operations. In 2013, he and his wife, Amy, became partners in the Sebastian franchise.

John and Amy reside in Grant, Florida where they are active not only in their assistance towing business, but in giving back to their community. They support various causes through charitable contributions, including their annual sponsorship of the Sebastian Exchange Club's Blue Water Open Charity Fishing Tournament, the proceeds of which benefit the prevention of child abuse. Outside of work, the couple enjoys the outdoors, being on the water and spending time with their two children.

Donaldson's name will be placed on the ballot for the C-PORT board of directors at the next C-PORT Membership Meeting, to be held on January 16, 2018, providing for membership confirmation.

C-PORT Gathers Information to Assist US Coast Guard Project -

The US Coast is seeking comments on "Coast Guard regulations, guidance documents, and interpretative documents" that industry believes should be "repealed, replaced, or modified." The comment period has been extended to September 11, 2017. President Trump issued three executive orders that steer this request: Executive Order 13771, Reducing Regulation and Controlling Regulatory Costs; Executive Order 13777, Enforcing the Regulatory Reform Agenda; and Executive Order 13783, Promoting Energy Independence and Economic Growth.

Marine assistance operators are encouraged to comment directly by using the Federal eRulemaking Portal at <http://www.regulations.gov> and reference docket number USCG-2017-0480 or by contacting C-PORT using email tcardone@cport.us or by telephone at 954-261-2012.

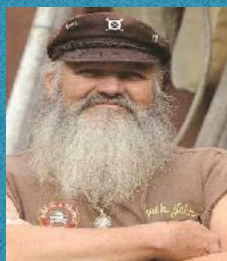
C-PORT Calls for Maritime Training for Public Safety Answering Points -

The VHF marine radio was always the primary means of communication on the water and the primary way to hail for assistance while boating. With the creation of cellular telephones, VHF marine radio use has dramatically declined as more and more mariners reach for their cell phones first to make a call, especially when they need assistance on the water. While US Coast Guard maintains authority over maritime matters, since the 9/11 tragedy, there are significantly more state and local resources not only supporting Coast Guard with homeland security operations, but also conducting maritime SAR (Search and Rescue) operations, including non-emergency cases, with or without local Coast Guard knowledge. State and local authorities often receive the call for distress via 911 and never pass that call to the Coast Guard or even alert them. They now completely bypass the Maritime Search and Rescue System.

C-PORT is concerned that boaters are being placed at risk. "Keeping boaters safe is a primary goal of our service," commented John Ward, C-PORT chairman. The commercial marine assistance industry is the child of the U.S. Coast Guard and they work closely with this federal agency. Experience shows this industry is well positioned to assist the boater following U.S. Coast Guard's stringent policies and procedures. The Coast Guard Office of Search and Rescue has stated that 5% more lives are saved when the Coast Guard is notified prior to a life being lost in a maritime event.

Congressional leaders are concerned by the disconnect happening between agencies in the prosecution of maritime cases. C-PORT appreciates the efforts of Representative Lee Zeldin (D-NY) for putting forth language in H.R. 2518 Coast Guard Authorization Act of 2017 regarding public safety answering points and maritime search and rescue coordination and Representative Duncan Hunter (R-CA) for offering the amendment. This act calls for coordination among agencies to minimize the possibility of 911 calls being improperly routed; assure the Coast Guard is able to effectively carry out the Coast Guard's maritime search and rescue mission; and to develop national maritime public safety answering points policies. "Standard handling of maritime cases using proven Coast Guard policies and procedures will result in a safer boating experience for the boating public," stated Tina Cardone, C-PORT executive director.

Terry Hill, C-PORT director, and Phil LeBlanc, C-PORT vice-chairman, are working with NASBLA (National Association of State Boating Law Administrators) and NENA (National Emergency Number Association) to create a training program for use at all public safety answering points. U.S. Coast Guard Office of Search and Rescue is a member of this group, providing guidance to the training program. "The program will be ready for delivery in the next few months," stated Hill.



In Memory of Capt. John M. Aydelotte -

May 12, 1947 - March 29, 2017

A Celebration of Life will be held at noon on August 12, 2017, at Cap Sante Marina, Anacortes, and "C" Dock. Cannons will thunder in memory of Captain John at 1300 hours. Donations may be made in his memory to North Whidbey Water Rescue, 770 NE Midway Blvd., #201, Oak Harbor, WA 98277.

C-PORT extends our heartfelt sympathy to Trish and the family.



Key Person Insurance - Often, the most valuable assets of any marine business are the key people who contribute most to its success. C-PORT members should consider the amount of time and money it would take to replace their captains and crew should disability or death occur. Key person insurance is a simple, efficient way to provide a business with the funds necessary to handle the loss of a key employee and recruit and train a replacement.

Identifying the exposure: It is common practice for marine businesses to insure their boats, docks, and inventory. However, many marine businesses still tend to overlook what could be their greatest exposure..... the loss of a significant leader. No C-PORT member is immune to the impact that the death or disability of a central figure can have on continuing operations.

Who is a key person: Business owner, captains or crew members that are uniquely talented or skilled professionals who would be difficult or expensive to replace.

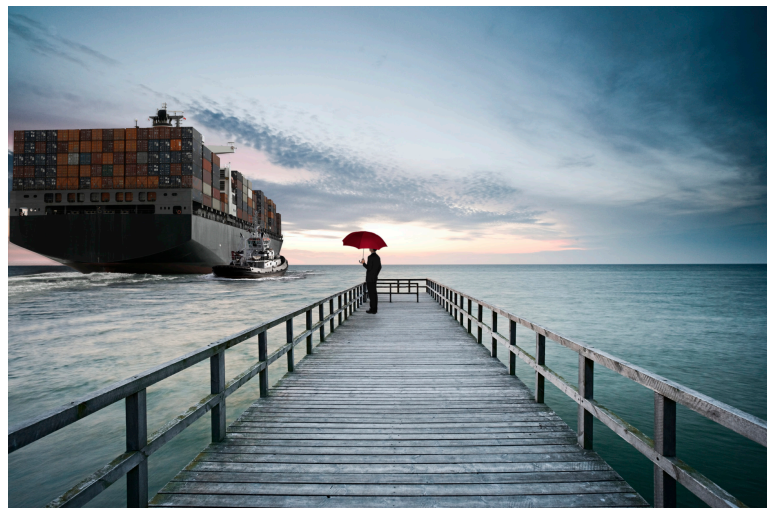
How it works: Someone with a financial stake in the future of the business purchases a life or disability insurance policy on one or more key people in the organization. The purchasing party is the policy owner and generally the beneficiary of any death or disability proceeds. If the key person dies or becomes disabled before retirement, the purchasing party receives the benefit.

Proceeds can be used to: pay off debt, hire a new captain, cover the cost to recruit and train new crew members, provide a death benefit to a surviving spouse or provide a source of funds to purchase the key person's interest in the business if applicable.

Businesses that may have a greater need include: Towing and salvage businesses that do not have a corporate succession plan, those that have limited liquid assets to meet emergency needs, towing and salvage businesses where the client relationships depend on the presence of a particular key person in the organization.

If you would like to discuss options or obtain a free key person proposal contact me below or visit our website at www.starshp.com.

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American Salvage Association Voices Industry Concerns -

The American Salvage Association (ASA) testified at a U.S. House Subcommittee on Coast Guard and Maritime Transportation hearing on May 3, 2017. C-PORT subsequently joined a coalition created by interested parties under ASA leadership to further the established, effective salvage and marine firefighting (SMFF) response structure now in place. There is a concern shared by all that allowing alternative planning criteria when there is no service gap to be bridged will undermine the regulations and the marine emergency response community of which C-PORT members are a party.

The current regulation provides for vessels of opportunity to act as means to respond to marine fire and other major salvage emergencies. This system of vessels already operating in every port and waterway in the nation, provides for a viable, reliable, and cost effective response system.

"C-PORT stands with the American Salvage Association and supports their commitment to the U.S. Coast Guard and the maritime community," remarked Tina Cardone, C-PORT executive director.

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CALENDAR OF EVENTS:

NASBLA Annual Conference, Rapid City, SD	September 10-13, 2017
Maritime Security West, Tacoma WA	September 20-22, 2017
Sea Tow Annual Conference, Tampa FL	November 14-16, 2017
C-PORT 31st Conference, Jupiter FL	January 15-17, 2018
BoatU.S. Towing Conference, Jupiter FL	January 17-18, 2018

Risk Management Training Courses are available on the C-PORT website, www.cport.us. The program C-PORT administers centers on these concepts:

- Risk: "possibility of loss or injury"
- Risk Management: "The identification, analysis, assessment, control, and avoidance, minimization, or elimination of unacceptable risks."

C-PORT is committed to encouraging its member's growth and development through education and is dedicated to establishing standards for professionalism and good business practices throughout its membership. With the increase in accidents and economic pressures facing our industry, many companies have lost sight of the importance of training and proper risk management skills. Our mission is to provide our members with programs that will enable their growth and development into the future, while minimizing the impact of looming USCG regulation in response to Congressional directive and safety records.

Contact Tina Cardone at tcardone@cport.us or 954-261-2012 with any questions regarding this program.

Marine Assistance Company Operations Guideline, exclusively for C-PORT members. These guidelines promote safe operations and provide regulatory guidance. C-PORT members may obtain access to this document at the C-PORT website, www.cport.us or contact Tina Cardone at tcardone@cport.us or 954-261-2012.

Insurance Program for Marine Assistance Companies - Administered by Starkweather & Shepley Insurance Brokerage, Inc. - Designed for organizations dedicated to marine assistance and towing. This Program offers an extensive portfolio of quality insurance products and services to address a wide range of marine exposures. -800-788-8225; lwagner@starshep.com.

BOSAR for Commercial Assistance- Created through the support of NASBLA's BOAT program and the USCG Office of Boat Forces, is designed for the marine assistance operator, providing reinforcement of knowledge gained by virtue of their captain's license and experience. It also enhances their ability to work as a true partner with local agencies and the US Coast Guard. This course is open to any marine assistance company who wants to host the training. Instructors and course materials are provided by C-PORT. Notify Tina Cardone at tcardone@cport.us or 954-261-2012 if you have an interest in hosting a class.



**Congratulations to
C-PORT on 30 Years
as the Voice of the
Marine Assistance
Industry**

**- John, Pete, Phil
& the Safe/Sea Crew**



C-PORT was founded in 1986 to act as a liaison between the marine assistance industry and public agencies and organizations involved with boating safety, marine assistance, marine salvage and other marine-related operations. Our members are dedicated to providing prompt, professional and timely assistance to all boaters and to actively partner and cooperate with local law enforcement and U.S. Coast Guard. They are professionals, dedicated to the growth and development of their respective businesses and committed to furthering the advancement of our waterways and the boating community. For more information, contact C-PORT at (954) 261-2012 or

C-PORT (Conference of Professional Operators for Response Towing)
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