



The NAMS Global eNews

December, 2022

Brian Barton, President
John R. Baird, Vice President
Richard Falcinelli, Secretary
Ave Boudreaux, Treasurer
David Pereira, Immediate Past President
Phil Peterson, eNews Editor
Jennifer Yovan, Association Director

The President's Corner

Fellow Surveyors,

As always, we are continually looking to improve our efforts to support our international organization and this month was with no exception. This quarter, our committees are working on the following:

- The Education Committee – Our CE credit guidelines are still under review and will be forth coming and hoping to complete by year end.
- Technical Committees – Committee Chairs are in the process of reviewing the current test for CMS exams. The initial goal is to phase out erroneous questions. This program continues as currently the Marine Warranty Surveyor questions are under review. Other disciplines are working as well.
- Marketing – Our marketing group is making headway with positive results. More to come in 2023.

Wanted to give a special shout out to:

Mr. George Beck RVP Eastern Gulf Region who was one of the 418 exhibitors at the International Workboat Show attended by over 15,000 maritime industry professionals. George along with several regional members, Mr. Joseph Derie -RVP from North Pacific and Ms. Jennifer Yovan - Associate Director who represented our organization with the highest professionalism. We were very pleased with the large number of interested parties stopping by our booth and will result in an increase in membership in various regions.

Mr. Joe Derie RVP North Pacific Region and John Baird- National Vice President who put on a spectacular regional meeting in Bremerton, Washington in October attended by 50 members and guest. It was truly a great experience.



Brian Barton, NAMS-CMS
NAMS President

Mr. Lloyd Griffin RVP of the Mid-Atlantic Region for his regional meeting in December attended by over 70 people. The regional meeting program/agenda was very well received will have a great impact on the future of our organization.

- Qualification and Certification Committee – As reported, we continue to have significant interest in membership. Want to say as special thanks to Mr. Dan Cole for joining the National committee and assisting Mr. George Pereira who is currently the chair. Their committee has been very busy with the new applicants.
- Ethics Committee – Ethics training continues and has been a major part in the recent North Pacific and Mid Atlantic Regional meetings.
- Apprenticeship, Sponsor Reviews, and Mentor Recruitment – Mr. John Baird continues with this great task. More to come.
- RVP - CMS Positions Vacant: South Pacific State, and Western Canada. Please contact me if you are interested.

Many thanks and appreciation to each of our committee members for your time and efforts to make these most important contributions to our organization. Members and Colleagues, please get involved in our committees. It doesn't take as much time as you think.

In closing, I wanted to wish each of you and your families Merry Christmas and Happy New Year.

“Growth of our association is not only about increasing membership, it's about our core values and providing the tools to maintain the highest quality standards of surveying to our membership.”

Sincerely,



Brian Barton
NAMSGlobal – CMS
President

View from the Helm

NAMS is seeking a new editor for our newsletter. This is the last issue for your undersigned NAMS eNews editor, who is retiring at the end of the year. It is an excellent opportunity to serve our organization, and if you don't have time for committee work, or live in a remote area, it is a great way to contribute. It has been a pleasure to work with, and get to know, fellow NAMS members. And thanks to Joe Derie, John Baird and Greg Weeter for their help with articles, proof reading, and suggestions. You are welcome to contact Jennifer at the NAMS office, or myself, if you have any questions.

Phil

Phil Peterson, NAMS-CMS
NAMSGlobal eNews Editor
peteronmarinesurvey@gmail.com

Applicants

Name	Region	Applying For		Sponsor
Redmon, Ben	Central Pacific	Y&SC	Apprentice	John Sanford
Sensoy, Sefa	East Gulf	Cargo	CMS	Eldie Almoite
Vergiev, Zach	New England	Cargo, H&M	CMS	John Wilson III
Thomas, Christopher	West Gulf	H&M	CMS	George Beck
Gayton, Richard	New England	H&M	CMS	Richard Falcinelli
Peters, Jeffrey	New England	Cargo	CMS	John Wilson III
Dodarell, Ben	South Atlantic	Y&SC	CMS	Paul Anstey
Gibson, Derek	New England	FV	Associate	Dana Collyer
Pearson, Marc	Central Pacific	Y&SC	CMS	Richard Frenzel
Moorhead, Pether	South Pacific	Y&SC	Associate	William Melbostad
Faulk, Charles	North Pacific	Y&SC	Apprentice	Joseph Derie
Arseneault, Jeff	East Canada	Cargo	CMS	Kamal Ahmed
Chaves, Luis	International	Y&SC	CMS	Richard Frenzel

New Members and Member Changes on July and October Ballot of 2022

CMS

Applicant	Discipline	Region	Sponsor
Yavuz Yavuzer	Cargo	East Gulf	Jeff Cook
Lawrence Pirritino	H&M	South Atlantic	Matthew Knoll
Jonathan Wanliss	H&M	New York	Richard Blomquist
Marcos Picolo	H&M	International	George Pereira
Emerson Callanta	Cargo	West Gulf	Felix Holder
Mitchel Pulatie	H&M	West Gulf	Lee Rohlfing
Vinod Kumar	Cargo	South Atlantic	H. David Scott

NAMS Associate Marine Surveyor

Applicant	Discipline	Region	Sponsors
Cade VanDerKamp	H&M	Western Rivers	Robert Keister
Marga Pretorius	Y&SC	Central Pacific	Richard Martin
Tim Hawkins	Y&SC	Central Pacific	Lloyd Griffin
Kevin Mudd	Y&SC	West Gulf	Richard Frenzel
Tyler Callahan	H&M	East Gulf	Tim Callahan
Thanh Tra Phan	Cargo	East Gulf	Eldie Almoite
Joseph Panza	H&M	East Gulf	Eldie Almoite
Cory Scruggs	Y&SC	East Gulf	Richard Schiehl

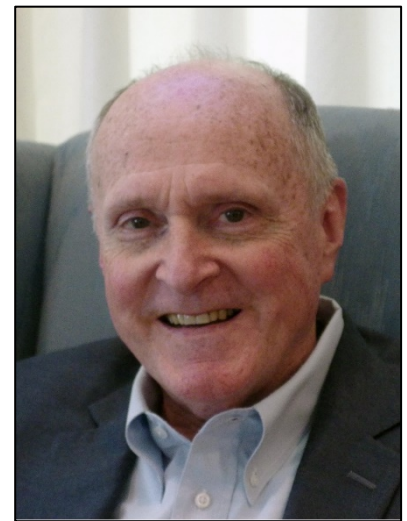
NAMS Apprentice

Applicant	Discipline	Region	Sponsor
Gregory Jones	Y&SC	New England	Robert Paine
Evan Wanamaker	Y&SC	South Pacific	F. Lee Frain
Mark Maloney	FV	East Gulf	Dean Hostetler
Scott Miller	Y&SC	Central Atlantic	Lloyd Griffin

STANDARDS FOR THE VERTICAL CLEARANCE OF WIRES OVER WATERWAYS, MARINAS AND BOATYARDS

CAPT Joe Derie, NAMS-CMS; AMS, SAMS; CMI
Vice President, North Pacific Region, NAMS
Contributing Editor, NAMSGlobal e-news
Chair, Fishing Vessel Technical Committee, NAMS
Southwest Passage Marine Surveys, LLC

I recently worked a case where a boater was decapitated by a wire rope strung across a river. The boater was standing up at the helm of a runabout and the line had been strung across the waterway to assist in moving barges across the water during the construction of a new bridge. Aside from the question of whether the line was properly marked (how would you mark it?), the question arose about how high the wire rope should have been strung across the waterway and what the standards are for the proper vertical height of wires across that waterway. This article proposes to discuss that question as well as the proper vertical clearance across any type of waterway, well as boatyards and marinas!



CAPT Joe Derie,
NAMS-CMS

Federal navigable waters. The waterway was a river in the Pacific Northwest and it was found to be federal navigable waters. 33 CFR 322.5, *Special Policies* sets standards for vertical clearances over those waters. Sub-paragraph (i) *Power transmission lines*, sets standards for those lines by nominal system voltage and requiring them to have a minimum additional clearance over that required for bridges. The lowest is 20' above a bridge clearance for a line with a nominal voltage of 115kV or below and going up to 45' for lines with a nominal voltage of 750-765 kV. The height above the bridge requirement is probably so the line can be seen outlined against the sky as opposed to being lost in the bridge structure. More relevant to the case was sub-paragraph (i)(3) which states: "Clearances for communication lines, stream gaging cables, ferry cables, and other aerial crossings are usually required to be a minimum of ten feet above clearances required for bridges. Greater clearances will be required if the public interest so indicates."

Other federal waters and sole-state waters. There are other vertical clearance standards. The Army Corps of Engineers standards can be found in 33 CFR 222.3 - *Clearances for power and communication lines over reservoirs*. Since the subject is reservoirs, the minimum vertical clearance is defined under sub-paragraph (d)(3) as "the distance from the design high water level ... to the low point of the line." Interestingly the regulation doesn't go on to cite clearances but section (e) refers the reader to "section 23, rule 232 of the latest revision of the National Electrical Safety Code (ANSI C2)." Besides reservoirs the waterways specified in Table 232-1 include "lakes, ponds, reservoirs, tidal waters, rivers, streams, and canals," the type of vessel (sailboats) is mentioned, as the area of the waterway, and the area over boat launch ramps (posted with signs for sailboat rigging) is mentioned. Heights range from a low of 14' over an area not suitable for sailboats or where sailboats are prohibited to 40.5' for water areas suitable for sailboats over 2000 acres in area with open supply conductors over 750v to 22kV.

Table 232-1 covers power lines strung across non-navigable waters and sole state waters. For other types of lines over those waters 33 CFR 322. 5 (i)(3) as seen above does set a standard. Its applicability in a state court is why we have lawyers. Furthermore, what if the line is stretched across the water non-contiguous to a bridge? In that case it would appear that the type of vessel traffic on the waterway would come into play. Setting a height would require the nominal air draft of the largest vessel or sailboat with the highest mast using the waterway plus a safety margin. The height would also have to take into account the highest water level. For its purposes the Army Corps of Engineers in 33 CFR 322.3(d) (1) defines design high water level as that “level above which clearances are to be provided (which) shall be either: (i) The elevation of the envelope profile of the 50 year flood, or flood series, routed through the reservoir with a full conservation pool after 50 years of sedimentation, or (ii) the elevation of the top of the flood control pool, whichever is higher.” A hydrologist familiar with the area should be able to provide that information for most waters. The expert would then have to come up with a rationale for a vertical clearance figure and be prepared to defend it at a deposition and in court.

Marinas and Boatyards. Article (Art.) 555, Marinas and Boatyards, of NFPA 70, the National Electric Code (NEC), sets the standards for vertical clearances in those areas. The NEC has been adopted in its entirety by many states so non-compliance with it is a violation of the law. An informational note at the beginning of Art. 555 refers the reader to NFPA 303 Fire Protection Standard for Marinas and Boatyards “for additional information” on fire, electrical and other safety issues in those areas. Art. 555.13 (b), (1) *Installation – Overhead Wiring*, states that “Overhead wiring shall be installed to avoid possible contact with masts and other parts of boats being moved in the yard. Conductors and cables shall be routed to avoid wiring closer than 6.0 m (20´) from the outer edge of any portion of the yard that can be used for moving vessels or stepping or unstopping masts.” In effect, a boatyard servicing sailboats should not have wires passing over it.

As always, anyone who would like a to discuss this article or has questions about commercial fishing vessels should contact me at 503-236-6818.

INSURED NATURAL CATASTROPHE LOSSES HIT \$115 BILLION IN 2022

Natural catastrophes have caused \$115 billion in insured losses so far this year, more than 40% higher than the 10-year average of \$81 billion but lower than 2021’s insured losses, according to a report by Swiss Re Ltd. Hurricane Ian, which hit the Florida Gulf Coast in September, was the costliest catastrophe, with estimated insured losses of \$50 billion to \$65 billion, the reinsurer said. The 2022 hurricane season ended Nov. 30.

Other natural catastrophes of 2022 include European winter storms, flooding in Australia and South Africa, and hailstorms in France and the United States, the report said. The \$4 billion in flooding losses in Australia in February and March comprised the country’s costliest-ever natural catastrophe, Swiss Re said.



Boats damaged by Hurricane Ian in Fort Myers, Florida, in September 2022. Photo: Giorgio Viera/AFP via Getty Images

While the total insured nat cat losses so far this year are lower than the \$121 billion reported in 2021, such losses have increased by 5% to 7% on average over the past decade, the report said. (Business Insurance, 12/1/2022)

Six Outboard Engine Companies Commercial Fishing Vessel Owners Need to Know in 2022

<https://www.nationalfisherman.com/aggregate-news/6-outboard-engine-companies-commercial-fishing-vessel-owners-need-to-know-in-2022>

A reliable dinghy is essential for commercial fishing vessel owners, and a good dinghy requires a reliable outboard engine, but there are a lot of great outboard engine companies to choose from. Some companies focus on efficient but more expensive diesel motors, some build engines with admirable environmentally friendly attachments, and so on. Choosing the right outboard engine will depend on a variety of factors, so we put together a list of the 6 outboard engine companies that commercial fishing vessel owners need to know in 2022.

OXE

OXE Marine boasts the world's [first high-performance diesel outboard engine](#), the OXE Diesel 300 HP, finally managing to pair the environmental benefits and higher torque of diesel with the convenience typically associated with gas-powered engines. The main selling point of the OXE Diesel 300 HP is the high efficiency and lower fuel consumption compared to gas engines; OXE claims an increased range of up to 87% on their new motor.

This breakthrough for high-performance motors comes at a time when the Swedish company has been [expanding into the American market](#). With new distribution partnerships forming in a number of states from California to Florida, expect to hear more about OXE Marine in the future.



Cox



Cox is a worthy rival to OXE in producing diesel outboard motors. While the two companies compete in the diesel outboard engine niche in [a number of important ways](#), including small differences in their engine capabilities stemming from decisions made by each respective company on what elements of engine performance to enhance or sacrifice, the excitement around both companies share a common thread: for boat owners able to afford a diesel outboard engine, the benefits are immense. For this reason, both Cox, and its competitor OXE, earned a spot on our list.

Cox [bought a stand](#) at the September Cannes Yachting festival to showcase the capabilities of its 300hp CXO300 engine, which embodies the virtues of diesel motors in general: fuel efficiency, safe storage, high peak torque, smooth operation... the list goes on. But as with most great technology, one of the reasons not everybody is switching to diesel is the higher price compared to gasoline.

Mercury

Mercury Marine continues to earn its reputation as a stalwart player in the commercial fishing industry: trustworthy, well-regarded designs; [a broad selection](#) of engines for more fit-for-purpose choice, continuing innovation (including a [two-stroke diesel engine](#) of their own), and a ubiquity in the U.S. market that comes in handy when you need to find a trusted vendor quickly. Mercury is pushing the boundaries of low-emission outboard engines with their [Mercury Marine Avator Electric Outboard Concept](#) set to be released later in [2022 and 2023](#). The reception and performance of the new concept will be important to watch as an example of how electric engines continue to improve; Mercury's version has zero direct emissions, a simple operation, and quick charging batteries.



Honda



Honda is another major brand that you should expect to see on everyone's list of great outboard companies for years to come. The size, scale, and reputation of the Honda parent company allows vessel owners to invest in an outboard without any of the second-guessing inherent in trying a new manufacturer.

Honda's scale trickles down to prospective engine buyers in a few important ways. The company, well capable of absorbing losses, offers engine buyers a 5-year warranty, good financing options, and servicing infrastructure you would expect from such a major player. It's these perks of corporate longevity that keep Honda, and the other well-known brands on our list, relevant in the face of a changing industry.

Suzuki

Suzuki will continue to be one of the most popular outboard motor brands for a number of reasons, but in 2022 they're earning their spot on our list for their initiatives in environmentally-conscious motor design, as part of their [Clean Ocean Project](#).

In August, Suzuki [announced](#) they had started production on 5 new outboard motor models that would each feature the world's first micro-plastic collecting device as a standard feature on their equipment. The devices are designed to collect harmful plastic through the course of ordinary boat operation.



Yamaha



Yamaha, like Suzuki, like Honda, and like Mercury, has earned its place of the top of the outboard motor industry through years of proven reliability, widespread customer satisfaction, and a healthy blend of [engine innovation](#) while continuing to produce some of [the industries greatest hits](#).

Like the other major brands, Yamaha keeps the public happy with a number of [public-service initiatives](#). While these by no means improve or hurt the performance of their products, such projects, coming on top of the excellent statistics of their outboard motors, are one more reason for commercial fisherman to be happy giving their money to Yamaha.

Conclusion

Outboard engines are not the first thing that comes to mind when you think of large commercial fishing vessels, but fishing vessel owners know the value of a good outboard engine for dinghies and smaller vessels in their fleet. Our research into the 6 outboard engine companies commercial fishing vessel owners need to know about in 2022 identifies the major companies leading the way with safer, more efficient diesel engines and the stalwart major brands that have built their reputations for great outboard engines over decades, while also continuing to innovate. (National Fisherman Nov. 1, 2022)

Thanks to Larry Riley, NAMS-CMS for suggesting this article.

Coast Guard: Ever Forward Pilot Distracted By Cell Phone Prior to Grounding

December 7, 2022

The U.S. Coast Guard says the pilot of the containership Ever Forward was distracted by his cell phone when the 1,095-foot ship grounded in the Chesapeake Bay back in March, becoming stuck for more than a month before it was eventually refloated. U.S. Coast Guard Sector Maryland-National Capitol Region completed its marine casualty investigation into the incident on Tuesday.

Coast Guard investigators found that the embarked Maritime State Pilot was relying solely on his Portable Pilot Unit (PPU) to navigate the vessel as it departed Seagirt Marine Terminal in Baltimore, Maryland en route to Norfolk, Virginia, with 4,964 containers aboard.

During the course of the outbound transit, investigators discovered the pilot made a series of five phone calls amounting to over 60 minutes. He also sent two text messages and began drafting an email immediately before the grounding occurred regarding issues he experienced with line handlers back at the terminals—issues that slightly delayed the vessel's departure. A few minutes before the grounding took place, the pilot had also exited the active navigation of his PPU to view a previous transit.

The Hong Kong-flagged ship grounded a little after 8:18 p.m. local time outside the Craighill Channel, east of Lighted Buoy 16, after failing to turn at its charted waypoint, while traveling at a speed of approximately 13 knots.

Ever Forward's Master was not on the bridge at the time of the grounding, as he had departed more than a half hour before to get dinner. On the bridge at the time was the Third Officer, Deck Cadet, and an Able Bodied Seaman, who was at the helm, along with the pilot.



A 45-foot Response Boat-Medium boat crew from Coast Guard Station Curtis Bay, in Baltimore, enforces a safety zone Sunday, April 10, 2022, around container removal operations for the grounded container ship Ever Forward in the Chesapeake Bay. U.S. Coast Guard Photo

The Ever Forward was eventually refloated with the help of two anchor barges, five large tugboats, and a full moon on April 17, following dredging of more than 200,000 cubic yards of material from around the vessel and the removal of 505 containers.

Based on the finding of facts, the Coast Guard is recommending that marine operators develop and implement effective policies outlining when the use of cell phones and other portable electronic



“At approximately 2017, the Third Officer announced on the bridge that the vessel's heading was 161 degrees and speed was approximately 13 knots. Pilot 1 verbally acknowledged the Third Officer and took no action. The Third Officer stated that the Pilot was still looking at his phone at this time,” the report said in a timeline of events. The ship ran aground the next minute, at 2018.

The Report of the Investigation determined the incident's causal factors to be the pilot's failure to maintain situational awareness and attention while navigating, and inadequate bridge resource management.

devices is appropriate or prohibited, and that vessel owners and operators ensure and promote crew awareness of policies regarding the duties and obligations of officers on watch for the safety of the ship, even when a pilot is embarked.

A redacted copy of the Report of the Investigation is available at: [Marine Casualty Reports](#)

INSURER SAYS NO COVERAGE FOR IMPROPERLY DOCKED CATAMARAN

A marine insurer has asked a Florida federal court to declare that a boat wrecked in Hurricane Ian in September is not covered because it was not docked at the proper marina or taken ashore pursuant to its policy's hurricane plan.

In a complaint Tuesday against Rescue LLC, Clear Spring Property and Casualty Co. asked the court to void an insurance policy for the Nimble, a 2001 46-foot diesel-powered catamaran. According to the insurer, the boat was afloat at a residential dock in Cape Coral, Florida, during the storm and was never taken to shore or parked at a marina in the Bahamas, where it was supposed to be located. The insurer said in its complaint that the hurricane safety plan detailed in the insurance contract was a warranty. When Rescue failed to park the boat at Knowles Marine Yacht Services & Boatyard in Freeport, Bahamas, and did not move the boat ashore or to a nearby marina during hurricane season, Rescue put its policy in jeopardy.

“Warranties in marine insurance policies must be strictly complied with.” the insurer wrote, explaining that the hurricane plan required the boat to be brought inland and tied down, per a diagram submitted with the insurance contract.

The policy, which ran for a year and was issued in 2021, provided \$379,500 in hull coverage for the Nimble with a \$79,500 windstorm deductible, the insurer said. It held navigational limits consisting of the U.S. East Coast, Florida, the Bahamas, and the Turks and Caicos Islands, not to exceed 250 miles offshore. (Law360, 11/30/2022)

NEW YORK CONTINUES STREAK AS NATION'S NO. 1 PORT AS LA CARGO VOLUME HITS LEVEL NOT SEEN SINCE 2009

The Port of New York and New Jersey took the top spot in the country for trade the month of October, the third-consecutive month it has topped California's big ports as more cargo volume shifts to the East Coast. New York handled 792,548 twenty-foot equivalent units (TEUs), nearly 19% more than in October 2019.

Earlier this week, the Port of Los Angeles posted its lowest level of October since 2009. Port of Los Angeles executive director Gene Seroka cited protracted negotiations and fears of a labor strike among port workers as the reason for the shift in trade at a press conference earlier this week. For the last three months, the Port of LA has also trailed behind the Port of Long Beach.





Port Authority welcomes biggest ship ever seen in NYC
– Photo NY Daily News

Logistics managers have been saying for months that trade was being redirected due to the labor issues at West Coast ports and several links in the transportation network, including rails, have begun using new models to route shipments across the country based on changes in port usage.

Despite falling cargo volumes on the West Coast, Everstream says the labor actions at both the ports of Oakland and Seattle have decreased productivity, leading carriers to divert volumes to Canadian ports on the West Coast.

"Two fundamental reasons explain the record-breaking number of boxes being processed by the Port of New York/New Jersey," said Josh Brazil, vice president of supply chain insights for

Project44, which is tracking the containers. "Firstly, shippers are still avoiding the West Coast to mitigate the risk of labor strikes at LA and Long Beach. Secondly, European imports to the East Coast are also very high."

According to Project44 data, total vessel TEU capacity deployed from Europe to the East Coast is up 15.5% compared to Oct 2021.

Even as the East Coast rises as a port competitor, it is not immune from a slowing global economy and weaker consumer. The lesser container volumes are now being seen off the ports across the East Coast, including New York and New Jersey.

While the holiday season is just around the corner, Alex Charvalias, MarineTraffic's supply chain in-transit visibility lead, said the New York port is facing a record-low average waiting time for container capacity "off port limits." Its data shows this number dropping since week 42, when it was at 84,694 TEUs, to 28,340 TEUs in week 45.

Rick Cotton, executive director for the Port of New York and New Jersey, told CNBC initial ocean bookings for the port in November show "a definite softening," but he added that it looks "seasonal; nothing surprising. We would expect to maintain our high volumes on a comparative basis and we do not see anything that would change that."

The Port of Savannah, which has also been moving record volumes, is seeing a decrease in vessels waiting, with 17 vessels waiting an average of 2.9 days this week. The Port of Houston has 14 vessels off the port waiting 4.9 days. (CNBC, 11/17/2022)

CONTROVERSIAL VLCC YOUNG YONG REFLOATED

The controversial VLCC Young Yong was refloated today, two weeks after it ran aground off the Riau Islands in Indonesia. The laden ship, owned by Hong Kong's Technology Bright International, has been sanctioned by the US for carrying illegal oil. It has emerged that the cargo it was carrying when it ran aground was sanctioned Venezuelan oil, according to investigations carried out by Reuters, TankerTrackers.com and United Against Nuclear Iran (UANI). The ship's class society and flag have since dropped the ship, which is now under tow, after 44,000 tonnes of oil was taken off it to refloat it. The Young Yong was blacklisted by Washington along with tankers Adisa, B Luminosa, Bluefins, Boceanica, Bueno, Julia A, Lara I, Nolan, Rain Drop and Zephyr, most of which have recently been in Venezuela.



Photo: Master POSH FALCON

"The individuals running this illicit network use a web of shell companies and fraudulent tactics including document falsification," said the US undersecretary for terrorism and financial intelligence, Brian Nelson, in a release last week. MarineTraffic data suggests the ship will be taken to a nearby anchorage in Indonesian waters. (Splash247.com)

DISPUTE OVER PROTECTING WHALES, AND LOBSTER FISHING, HEATS UP IN MAINE

Tension is building in Maine over efforts to save a shrinking whale species that scientists say is threatened by the ropes lobstermen use to haul traps from the ocean floor. The complex battle involves a federal agency that has a mandate to protect endangered North Atlantic right whales, a lobster industry that disagrees its fishing gear poses a risk, and environmental groups that say the federal government's whale-protection efforts have fallen short.

In July, a federal judge sided with environmental groups in a lawsuit in which the groups argued that the National Marine Fisheries Service's latest efforts to protect the whales from entanglements didn't go far enough. The judge, James Boasberg, of the U.S. District Court for the District of Columbia, is expected to rule soon on a path forward.



Peter Flood/NOAA Photo Library via Courthouse News

Against these headwinds, the lobster industry is fighting back, saying significantly tougher regulations would cripple its livelihood. The industry argued in a separate case before the same judge that federal authorities have overstated the risk to whales. Judge Boasberg ruled against the lobster industry, which is now appealing.

The state of Maine has intervened on the industry's behalf, and politicians of all stripes have spoken out in support of lobstermen in the run-up to Tuesday's election. Meanwhile, the federal agency charged with regulation—part of the National Oceanic and Atmospheric Administration known as NOAA Fisheries—is already exploring ways to beef up the whales' protection from fishing lines and other hazards. The agency in a statement said the timing of these new rules will comply with Judge Boasberg's pending decision in the environmental groups' case.

“NOAA Fisheries and our partners—including Canada—are dedicated to conserving and rebuilding the North Atlantic right whale population through a variety of innovative techniques,” the agency said. The agency and researchers believe saving the whales means getting to fewer than one human-caused whale death a year. Maine's lobstermen recently won a possible reprieve when the conservationists agreed to give federal authorities two years to develop new whale-protection plans, but fear they will ultimately face costly limits. “We're basically fighting for our lives,” said Richard Larrabee Jr., a 46-year-old lobsterman in Stonington, Maine's biggest lobster port, who supports a family of five.

One issue fueling debate: Researchers rely on indirect evidence, since most dead whales aren't found. The animals are counted in places where they aggregate, and scientists use unique markings to identify whales and determine when they have gone missing.

The industry disputes that whales still frequent a warming Gulf of Maine, citing nearly two decades without direct evidence of entanglement in Maine gear. Maine political leaders often echo these points, and the state has backed the industry as an intervenor in multiple federal lawsuits. (The Wall Street Journal, 11/7/2022)

To Really Understand the Ocean, We Need to Go Back in Time

By John Waldman

Dr. Waldman is a professor of biology at Queens College and the author of “Running Silver: Restoring Atlantic Rivers and Their Great Fish Migrations.”

Not that long ago the world's oceans were viewed as too gargantuan for humans to influence. This view was voiced most notably in 1883 by the English biologist Thomas Huxley, who in his inaugural address to the International Fisheries Exhibition in London [asserted](#) that “all the great sea fisheries are inexhaustible.”

Nowadays, such naïveté seems inconceivable. We're witnessing rampant overfishing and the decline in size of commercially important fish; rising water temperatures and even “marine heat waves” that are throwing ecosystems into disarray and driving fish and crustacean stocks to the relief of deeper water and toward the poles; acidity that is challenging the ability of sea creatures to form shells; lessening oxygen levels and “dead zones”; contamination from oil spills — a gloomy totality that has come to be known as the “Aquacalypse.”



The seemingly inexhaustible is becoming dangerously exhausted.

I'm an aquatic conservation biologist at Queens College. Among the courses I teach is a graduate seminar on "historical ecology" in the context of marine conservation. My students become most absorbed not in the grim realities of the alarming present, which they take as a given, but by historical accounts of incredible abundance. For instance, in the 1500s, Europeans exploring Nova Scotia simply [dropped](#) baskets in near-shore waters and hauled up large cod. Spanish sailors near Cuba [saw turtles](#) "in such vast numbers that they covered the sea." Travelers [noted](#) large whales "infinite in number," "impossible to be counted." River herring once ran up rivers from the sea to spawn in quantities that [seemed](#) "unbelievable, indeed, indescribable, as also incomprehensible." Again and again, my students are astonished and in awe of just how much sea life has vanished. They are experiencing a reset from what is known as the "shifting baselines syndrome": the notion that generations of environmental decline has steadily obscured our view of past plenitude and left us thinking that the environmental conditions in which we've grown up are normal. The danger of this warped perspective is that we become more willing to accept the world as it is without ever knowing what it was. With an environmentally degraded planet as our baseline, our conservation aspirations are already hobbled.

Their reactions underscored for me the emerging importance of historical ecology in our efforts to conserve the natural world and allow it to replenish itself. Present-day fisheries, for instance, are still largely managed by biologists against baselines established through records from the second half of the 20th century. But a growing body of work shows that sea life had been compromised well before that time, often deeply so. Today, researchers can go back centuries and even millennia to construct a more accurate understanding of healthy, resilient oceans.

This work is generating surprising insights. Important findings have emerged through analyses based on simple sources such as old photographs, the logbooks of whalers, the diaries of missionaries and even pirates, oral histories, market receipts, restaurant menus, and archaeological and paleontological digs; and some sources as sophisticated as algorithms that can estimate population numbers going back thousands of years from contemporary DNA samples. The collective results, a signal of plenteous abundances, seem like evidence from another world.

In the classroom, I would issue my students a challenge for the semester: Though we would mostly study the past, they should consider the trajectories of change and look to the future to predict whether our oceans will be recovering or become further degraded in 2050, a milepost probably marking the middle of their careers. Most were in their 20s and many were pursuing master's degrees. They not only grasped the significance of the shifting baselines paradigm but also were experiencing a personal sense of loss, of the biotic richness they knew they would never witness. When our final meeting arrived, I polled the class, repeating my question: "Would the condition of the oceans be better or worse in 2050?" Fifteen years ago, when I first began leading this seminar, about half the students displayed guarded optimism. Since then there have been some successful protective measures to better regulate fisheries and cordon off and protect areas of the sea. But given the far weightier recent stream of negative news, not a single student in my most recent class believed the state of the oceans would improve by then.

In "A Sand County Almanac," the conservationist Aldo Leopold [wrote](#), "One of the penalties of an ecological education is that one lives alone in a world of wounds." An ecological education focused on contemporary conditions can well enough describe present-day biodiversity, food webs and the interactions of organisms with their environment. But without knowledge of former biological wealth and productivity and an understanding of how healthy and resilient ecologies functioned, one remains oblivious to the injuries. To know the past is to know those wounds are gaping. Caring and its essential offspring, conservation, are born from that knowledge.

The middle of this century is only three decades away — long enough to drive marine waters to deeper levels of degradation and defaunation, yet ample enough time to reverse these trends. My students' astonishment and passion have shown me that historical ecology is a powerful tool. We must look backward to truly comprehend our losses — resetting those baselines — in order to move forward. (NYT Opinion, Sept. 22, 2022)

Upcoming Educational Opportunities

* NATIONAL ASSOCIATION OF MARINE SURVEYORS

NAMSGlobal 60th Annual National Conference

Feb. 26, 2023 – Feb. 28, 2023

Embassy Suites Hotel

San Diego, CA

Registration Fees:

Members Early Registration Fee: \$495.00

after January 7, 2023 Registration Fee: \$545.00

Non-Member Early Registration Fee: \$545.00

after January 7, 2023 Registration Fee: \$595.00

Hotel Rate 195.00 Click [Here](#) to Book

To Register for the Conference, Click [Here](#)

Conference Agenda Click [Here](#)

Earn 12 Continuing Education Credits with Attendance

REGISTRATION

Conference registration and fees should be received by **February 17, 2023**. You can register online by following this link: [CLICK HERE](#):

Member Fees:

Before: January 7, 2023, \$495.00

After: January 7, 2023, \$545.00

Non-Member Fees:

Before: January 7, 2023, \$545.00

After: January 7, 2023, \$595.00

Conference Refunds will not be issued for cancellation received after **February 15, 2023**.

The Registration Form for this National Conference can be found by going to the link provided above. Conference registration fees includes:

- A Welcome Reception on Sunday, February 26, 2023
- Registration, Breakfast and Lunch on Monday
- President's Reception on Monday evening
- Breakfast and Lunch on Tuesday
- Also, on Tuesday, there will be a "Members Only" Annual Business Meeting, at which time the President and other National Officers will report on issues important to the members.
- As you will see from the conference schedule to be completed soon; this is two full days with 12 hours CE credit.

Registration must be received by noon **Friday, February 17, 2023**. Anyone who finds at the last moment that they can attend is welcome to register at the door. Again, refunds will not be issued for cancellation received after February 15, 2023.

HOTEL RESERVATIONS

Embassy Suites Hotel San Diego Bay - Downtown
601 Pacific Highway
San Diego, California 92101

Reservation can be made by calling (800)-362-2779 (800-EMBASSY). Be sure to specify that you are attending the National Association of Marine Surveyors Conference. Or visit our NAMS Embassy website and Click on "visit the booking page" You may [click here](#).

Follow the detailed instructions for your room request. LIMITED Space available only until **Friday, January 20, 2023**. The NAMS Room rate is **\$195.00 plus tax**. Your room rate AND a **\$25.00** per night Destination fee includes:

- Daily complimentary full breakfast/cook to order
- Happy Hour Receptions
- WIFI.
- **You will receive a \$25.00 food/beverage daily credit to use in the restaurant or gift shop.**
- Rate is Single or Double standard Embassy Suite rooms. Additional charges for upgrades.

* INTERNATIONAL ASSOCIATION OF MARINE INVESTIGATORS *

IAMI has posted for their 33rd Annual Training Seminar in 2023. Information [here](#).

*** INTERNATIONAL INSTITUTE OF MARINE SURVEYING ***

Online Seminars

IIMS has a number of learning platforms, including online learning modules, pay-per-view videos and books [IIMS click here](#).

*** LLOYD'S MARITIME ACADEMY ***

Lloyds offers online class models with forums for student discussion.

[Lloyd's Maritime Academy click here](#)

*** AMERICAN INSTITUTE OF MARINE UNDERWRITERS INTRO CLASSES ***

AIMU has a number of distance learning programs, including webinars and e-learning.

[AIMU information click here](#)

*** AMERICAN BOAT AND YACHT COUNCIL ***

ABYC's course listing:

[ABYC courses click here](#)

*** NORTHWEST SCHOOL OF WOODEN BOAT BUILDING ***

Week long classes are once again now available:

[NW School of Wooden Boat Building classes click here](#)

*** TOWING VESSEL INSPECTION BUREAU ***

The TVIB is currently offering in person and virtual classes. To view courses, click [here](#)

*** SOCIETY OF ACCREDITED MARINE SURVEYORS ***

For upcoming events, click [here](#)

*** AMERICAN SOCIETY OF APPRAISERS ***

ASA is now offering eLearning classes, including the USPAP 7 hour refresher. For the 7 hour refresher, click [Here](#). For the 15 hour introductory course click [here](#).

ASA Course listing [here](#).

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NAMS eNews December 2022

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