From the Bridge

May 2016

MASTER MARINERS OF CANADA

"**THE COMPANY OF MASTER MARINERS OF CANADA** is a professional organization, representing command-qualified mariners as well as like-minded seafarers, industry and government members, and cadets across Canada. Our work with and for our members is organized around three pillars: awareness, education and advocacy."

www.mastermariners.ca

FROM THE MASTER'S DESK

There seems to be no end to the ways the ship owners / managers / governments are trying to figure out to get rid of the European, Canadian and American seafarers. Currently there are attacks to strike down the US Jones Act, and here at home we have seen CETA* quietly slipped through without any discussion on securing any reciprocity that would allow Canadian ships to enter into the EU coasting trades. Further efforts to diminish the need for a Canadian Merchant Marine appears on another quietly submitted report on the Canadian Transportation Act Review. **
Since then Captain Lantz has been busy preparing a response, which I tried to present at a recent Canadian Maritime Law Association / Transport Canada meeting held in Ottawa, but was told that it would have to be submitted via TC's website. I have asked that Captain Lantz submit it to the Transport Canada website for the attention of Catherine Higgens, Associate Assistant Deputy Minister, TC Policy and Craig Hutton, TC Policy.
At the meeting, Mr. Hutton praised the report, however Mr. Sharpe (CMLA) stated they were disappointed that the legal aspect of their comments were not recognized - e.g. the Government of Canada plans to phase out the Coasting Act in seven years. CMLA suggests we need an Act similar to the Jones Act because that will be an issue with the US and EU Free Trade Agreement and we have given the shop away to the EU. There is no chance of a Canadian ship ever on the US coastal trades!
As there were a number of issues raised, I will just highlight a few of the concerns for CMMC:

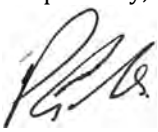
- CETA at a June 2015 meeting discussed the implantation on the repositioning of containers and seafarers issues.
- TC - A legal review has been completed and NO changes to already agreed cabotage.
- Coasting Act will be amended. CMLA Final text issued in February 2016;
- Free trade between ports Halifax / Montreal (as agreed) but what about Vancouver / Prince Rupert and others involved and is it just empty containers or could it be extended to break bulk and dredging? TC - not sure, will have to get back on that.
- Nairobi Convention on Wreck Removal insurance - compulsory insurance for vessels over 300t. Small boats - economic issue; no value in used fiberglass or carbon fibre.
- TC Arctic Development - STCW amendments for Masters and officers to have Arctic training for Polar Code.
- CMLA - Following development of Regulations for the Polar Code; Training good, coming into force January 1st, 2017. Are there going to be some "Made in Canada" amendments? How is TC going to bring this in certificate amendments? When can we expect these to be completed? TC - Noted and will get back to CMLA.
- TC - SOLAS container weight Verification - Ch. 6 amendment to verify container wt. to provide GROSS MASS, a new word VERIFICATION, the container must be physically weighed, complete or by container plus contents. CMLA - SOLAS to be regulated by law and what is the acceptable variance in stated and actual weight? TC - Tolerances will be 5% or up to 500kg acceptable.
- Draft Regulations for Passenger insurance to be gazetted this year and Bill S-3. Amendments to the Coastal Fisheries' Protection Act passed in 2014 and are now starting the Regulatory process.

- TSB Policies and Procedures: CMLA - comment on the adverse effects of TSB obtained information being used as criminal liability (evidence) in criminal charges being laid. Also with bridge recordings. Recommend Privilege of Witness statements and comments to TSB in criminal proceedings. TC - Subject to 'open government', and any information is readily accessible (via website). Only the witness can release specific statements. No immediate plans to change the Act. Maybe in the future following an internal review. Problems with interviewers, now redesigning the 'interview program' for all investigators. A witness can bring council or friend to provide assistance, but that person cannot also be interviewed by TSB. CMLA - Recordings should not be released; bridge voice and video can be erased before being returned to owners, but need to separate data from voice (*return the data*). Apparently the recordings are returned blank.

Here in Nova Scotia, we are still struggling with the re-build '*Bluenose 11'* boon doddle, ABS insisting on a steel rudder, after being told for free by all the professional boat builders in NS to scrub that, including an expensive hydraulic system and use a standard wooden rudder, like the original ship. The NS Government paid a US consultant thousands of $$, and they have also recommended reverting to the original wooden rudder, and finally the minister has agreed!

Now the new ferry service from Yarmouth NS to Portland ME; the Province sacked the last operator, hired Bay Ferries who have chartered a US Navy HS Cat, with an all American crew, all stores, modifications and repairs must be done in the States. The NS taxpayer is on the hook for about US$100 million for charter and modifications to both Yarmouth and Portland Terminals.

Respectfully,



National President, Master Mariners of Canada. May 10th, 2016.

* http://www.international.gc.ca/trade-agreements-accords-commerciaux/agr-acc/ceta-aecg/index.aspx?lang=eng

** http://www.tc.gc.ca/eng/ctareview2014/canada-transportation-act-review.html

---

Battle of the Atlantic – Ottawa: The annual Commemoration of the Battle of the Atlantic was held on Parliament Hill on May 1, 2016. Radio Officer Hal Roberts laid a wreath on behalf of the Merchant Navy. Captain George Legge of the Capital Division laid the wreath on behalf of the Master Mariners. Captains David Jenkins (Treasurer), Tom Brooks (Deputy Master), George Legge (National Officer) and Cliff Parfett, accompanied by their wives, represented the Capitol Division. On completion of the wreath laying ceremony all representatives were cordially invited to attend the Battle of the Atlantic reception held in the Canadian Room at the Fairmont Chateau Laurier. **Captain George Legge. Capitol Division**

Battle of the Atlantic – Sydney, NS: Merchant Mariner monument unveiled on the Sydney Boardwalk. Ships of every kind jammed Sydney harbour awaiting transit across the Atlantic, but the journey was a perilous one. That was the reality for those in the Merchant Navy transporting supplies in convoys during the Battle of the Atlantic, Canada's longest military engagement that lasted from Sept. 1939 to May 1945. German U-boats patrolled the waters in an attempt to cut off much-needed supplies overseas.

Eighty-nine-year-old Martin MacKinnon of South Bar was only 17 when he signed up. He'd watch the scores of vessels leave the harbour and dream of a life at sea. "No wonder I had trouble passing any grades, watching the ships go out and wishing I was there. That's the way it was."

On Sunday, a monument honouring those merchant mariners was unveiled on the Sydney boardwalk. MacKinnon, who worked in the engine room in smaller convoys, said he was one of the lucky ones, although hearing a depth charge in the engine room "makes you think a little bit."

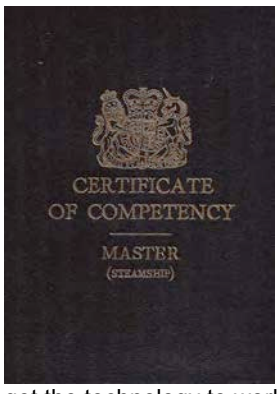
According to Veterans Affairs Canada's website, some 12,000 men and women served in Canada's Merchant Navy.

The casualty rate was one in seven. Over 25,000 merchant ship voyages were made during the Second World War. "It's a testament to any merchant seaman who went to sea," said MacKinnon, who serves as president of the Cape Breton Naval Veterans Association. "Just looking at that statue alone, it tells the story itself."
http://www.trurodaily.com/News/Regional/2016-05-02/article-4515656/Merchant-Mariner-monument-unveiled-on-the-Sydney-boardwalk/1

Baugh Fund 2015: On February 23rd Captain Chis Hearn of the NL Division made the third Baugh Fund presentation for last year. This was to Laurier Boudreau and it took place during the NL Division's monthly meeting (see FTB February 2015 for info on the other two recipients).

Baugh Fund 2016: Notices and application forms for this year's **Captain G.O. Baugh Scholarships** were sent to nautical schools across the country on April 25th. The information went to: the Marine Institute of Memorial University, St. John's, NL; the Nova Scotia Nautical Institute, Port Hawkesbury, NS; New Brunswick Community College, St. Andrews, NB; Institut Maritime du Québec, Rimouski, QC; Great Lakes International Marine Training Centre, Georgian College, Owen Sound, ON; and to the Marine Campus of BCIT, North Vancouver, BC. Details of the scholarships can be found on the Company website.
This year the Fund is offering three scholarships worth $2,000.00 each. Since its inception in 1981 the Fund has already awarded $67,550 to deserving students. This will be the final year for the Baugh Fund to offer scholarships. In future the CMMC Foundation will handle scholarships.

Competency should outweigh compliance say industry stakeholders: **Seafarer competence** is vital to the industry rather than compliance alone, industry experts warned delegates at the Crew Connect Europe conference in Copenhagen this week.



Ship managers and other shipping stakeholders warned against compliance as a training exercise amid fears the industry is moving towards a tick-box culture, in the build-up to the implementation of the revised Standards of Training, Certification and Watchkeeping for Seafarers (STCW) guidelines.
Delegates also heard how seafarers must be encouraged to use their initiative in developing their skills and not rely solely on crew managers.
Capt. Kuba Szymanski, Secretary-General of InterManager and chairman of the two-day conference, told the 120 delegates that there is too much expectation on seafarers.
He said, "We have overloaded our seafarers already with menial tasks and keep demanding more and more from them. Instead of monitoring our seafarers, we should be encouraging them to be thinking and solving problems. We should leave computers for their purpose and stop letting IT be central to how seafarers are monitored. It is time we get the technology to work for the seafarers not against them."
The human element continued its theme as speakers highlighted the importance of strategy and business goals linked to competence, and how these need to be embraced by seafarers in order to guarantee a cohesive operation.
http://shipmanagementinternational.com/competency-should-outweigh-compliance-say-industry-stakeholders/ May 10th 2016.

Honouring the Mariner: -
It entails more than better food and pay. In the choppy wake of the holiday season, there is always a lot to be done and much to catch up on. You know exactly what I am talking about. That said, the time spent with family during these hectic times is always, for me, special. The gift of time with loved ones isn't always available to everyone, however. For example, for those mariners signed on to the world's merchant ships during the past month or so, this can be a difficult and lonely time. For that reason, I took a few minutes this week to reminisce about my time spent at sea, over the holidays, and during routine times as well.
Dated Dinosaurs. For full disclosure, I haven't signed on to a ship in more than 30 years, so I can probably be considered a dinosaur in many ways, but I've stayed on or close to the waterfront since (involuntarily) coming ashore in late 1985, when they scrapped my ship out from under me. I like to think I've got my finger on the pulse of things. Or, maybe not. A lot has changed about going to sea in the intervening years and much has not. It is still a dangerous, lonely job that takes people far from home for extended periods of time.
I started out with the Military Sealift Command, and in those days, you could easily spend six months or more on

board during an assignment. It was great for upgrading your license quickly but the long hitches could get tedious. Eventually, sailing for an oil company in the coastwise chemical trades, my regular routine for many years was 75 days on and 75 days off. I liked that schedule. During that time, though, I also spent more than a few Christmas and Thanksgiving holidays at sea.

Being single and young, I didn't have many close ties ashore in those days, hence being on board for the holidays wasn't necessarily a burden for me, but I knew many shipmates who were married with kids. It took an especially steep toll on some of them. For my part, I tried to put it out of my mind for the most part. That wasn't always easy, especially when the steward department would insist on dragging out that tired old plastic Christmas tree and then planting it directly in the middle of the officer's mess. I am quite sure that this part of the ordeal hasn't changed much.

Communications: Good and Bad. Probably the hardest part of going to sea in my day was the lack of shoreside communication once you had taken last line. Sure, you could have a radio conversation with someone on an obscure channel when in close proximity to shore but you could also be assured that half of the planet would be listening to whatever you had to say, so I rarely did it. Plus, it didn't take much for the FCC to come down on you for something they deemed inappropriate for some strange reason. That left, in a pre-cell phone world, the stroll down the gangway, up the pier, and then the sometimes lengthy wait for the one pay phone installed on the berth (assuming someone hadn't ripped the receiver off the stand or perpetrated some other kind of violent mischief).

Unofficial protocol in those days (for those of you now surgically attached to your smart phones) said that you kept the call to less than ten minutes when others were waiting. Beyond that, and even if you had a phone 'calling card' from your home phone provider, you were getting dinged by the minute. It could get expensive. Worse, sometimes you would come down to make your first call in more than two weeks only to find (seemingly) the entire crew of a Panamanian tanker from the adjacent berth all milling around and waiting for their turn. In those instances, I simply turned around and went back on board.

On the flip side of the coin, today's mariners probably need those cell phones since getting off a merchant vessel to go ashore – especially in a U.S. port – is sometimes an ordeal, if not outright impossible because of ramped up security, and in some cases, the refusal of the terminal itself to let foreign mariners pass through the facility. I can remember going ashore (often) in Port Everglades to take a run along the beach, returning to the ship for a shower and then having dinner at a nearby restaurant. Today, it might take you that long just to get permission to go ashore.

Ten or fifteen years after coming ashore, and after personal cellular phones became the norm as opposed to the exception, I found myself envying the mariners who could, when in appropriate range, whip out those phones and talk to anyone they pleased. I don't know if the advent of the personal cell phone made going to sea any more pleasant but at least you could stay in touch more easily. On the other hand, one mariner told me, "It sounds good, but it's a double edge sword. You find yourself getting tangled up in all sorts of things shoreside from 3,000 miles away that your wife now expects you to solve, simply because you can make a telephone call."

There was, of course, always the good old postal service. I actually penned more than a few letters when out to sea, and my girlfriend (now my wife) would send me a card and a note every ten days or so. I looked forward to them very much. I got into the habit of handing my outgoing mail to the harbour pilot as he was departing the bridge on the way out of port – that is, until the time one particular guy reached into his raincoat and pulled out a stack of mail he had forgotten to send off from a previous vessel. God only knows how long those love letters had been festering in that dirty coat. He actually laughed about it.

MLC: More Luxury Coming? I'm told that the advent of the Maritime Labour Convention (MLC 2006) has also impacted conditions, or is slowly doing so, on board merchant ships everywhere. This entails minimum standards on accommodations, food, pay and a myriad of other things. Beyond this, the need to recruit and retain quality mariners is pushing operators to add more and more perks to their vessels, in way of upgraded workout areas, better cabins, Internet access and in some cases, live, streamed entertainment. The bosun can now watch his daughter's birthday party in Manila, assuming his employer has allocated enough bandwidth for the ship's complement. Some operators actually do.

In contrast, on an almost new vessel that I sailed on briefly in the early 1980's, the operator removed the elevator from the building plans to save money. On board that tanker, one with a very tall aft house, I can assure you that you would only forget a tool once when coming down to do work on deck in the morning. It was a long way back up, if you did. On another vessel in the same fleet, it was the unofficial responsibility of the Mate on watch to scurry down one deck from the bridge wing to reset the A/C unit breaker when it tripped, something that occurred at least twice per watch. Besides, the last thing you wanted was the sweaty, hot Captain coming up in the middle of the mid watch in a bad mood.

Returning from a 75-day vacation from that same 40-year old tanker during the summer months, I found that the company had finally replaced the malfunctioning A/C system. It was wonderful – all that cool air being pumped into the wheelhouse on a 100°F day in the Gulf of Mexico. Upon seeing the same, friendly (?) Master upon arriving on the bridge for my first watch, I remarked, "It sure was nice of the home office to get this A/C working correctly for us." He looked at me rather strangely and after a pregnant pause and a deep draw on his cigarette, he deadpanned, "That air conditioning has nothing to do with you, or me, for that matter. The radars keep overheating – hence the A/C upgrade." Oh.

It is easy, on face value, to think that going to sea has gotten a little more pleasant, over time. And, some aspects of it truly have. During a Port Captain assignment on board a newbuild RO/RO car carrier in the late 1990's, I marvelled

at the fact that the operator had cared enough about the crew to install an international size squash court on the vessel. I vowed then and there that if I ever went back to sea again, then this would be the ship I would sail on. Similarly, today's vessels are being built with all sorts of bells and whistles for the crew, including but not limited to sound and vibration dampening measures, more comfortable accommodations, and a raft of other amenities. But, given the requirements foisted onto today's 'reduced manning' sized crews, these are no longer just nice things to have; they are rapidly becoming absolute requirements.

Weighing the Pros & Cons: All in all, however, and looking at all the improvements to living conditions aboard most vessels, the physical aspect of being on board the vessel perhaps has gotten a little easier. On the other hand, the mental aspect of the job certainly has not. An international and domestic regulatory and enforcement climate now dictates that there are rarely any more 'mistakes' made aboard commercial vessels. Rather, these lapses are considered criminal acts and treated as such with obscure tools such as the *Migratory Bird Act* to mete out punishment.

And then, the job is difficult enough without some lunatic (all in the name of the environment) dangling from the centre span of a bridge you need to navigate under and impeding your deep draft vessel's progress. If something goes wrong, the environmentalist will likely get a light slap on the wrist before his organization releases its triumphant press release. The mariner? He's going to jail.

Looking at it a different way, and while today's seagoing pay levels certainly look attractive to the average landlubber, it is also true that in many cases, those pay increases have not kept pace with inflation. A 1984 Second Mate earning $55,000 annually probably had more buying power than today's newly minted Third Mate who toils for $75,000. And, the road to obtaining those credentials is substantially more difficult (and expensive) to navigate, especially with myriad STCW training requirements added to the burden of sitting for a license.

Separately, the closer scrutiny of mariner medical records and more frequent physicals might make for a healthier mariner, but it also disqualifies many from making a living because of obscure rulings from someone behind a desk located 2,000 miles away. Beyond this, even when today's mariner actually gets ashore for vacation, waiting for him (or her) are probably two weeks of refresher training, competency assessments, or some other additional training certification to obtain. These typically involve time away from home as well.

There are a lot of things about today's merchant fleets that I wish we'd had, "back in the day." All that said; I don't think I would trade my experience for what transpires at sea and on board the typical commercial vessel today. A mariner's life back in 1985 was certainly a bit more inconvenient in many ways. It was also a lot simpler. I have a great deal of respect for those who walk up that gangway in 2016. We often only reflect on their sacrifices during particularly difficult times like the holiday season, but these maritime professionals deserve everything they get, and more – during the holidays, or at any other time. I hope that you feel the same way. – *MarPro*

Joseph Keefe is the lead commentator of MaritimeProfessional.com. Additionally, he is Editor of both Maritime Professional and MarineNews print magazines. He can be reached at jkeefe@maritimeprofessional.com or at Keefe@marinelink.com. MaritimeProfessional.com is the largest business-networking site devoted to the marine industry. Each day thousands of industry professionals around the world log on to network, connect, and communicate.

January 7, 2016 (by Joseph Keefe http://www.maritimeprofessional.com)

http://www.maritimeprofessional.com/blogs/post/honoring-the-mariner-14994

SOLAS amendments – container weight verification: Members are advised that amendments to the Safety of Life at Sea Convention (SOLAS) will change the responsibilities of a shipper wishing to transport a container by sea. These amendments relate specifically to the weight of the container and are designed to prevent overweight containers being loaded onboard the vessel and the various associated problems with lashing, stability etc. that may ensue.

From 1 July 2016 the onus for verifying the weight of a container, manifested in the form of a verified gross mass (VGM) will be placed on the shipper. The VGM will be included in shipping documents, which will then be supplied to the Master. To fulfill these responsibilities the shipper may use one of two methods:

Method 1: weighing the container after it has been packed

Method 2: weighing all the cargo and all contents loaded into the container and adding this to the weight of the empty container (marked tare weight) to calculate the gross mass

Estimating the weight of containers will not be permitted, and the equipment used to weigh the container must meet national certification and calibration requirements.

The Australian Maritime Safety Agency (AMSA) has looked at the issues surrounding the practical implementation of these new regulations and has produced a discussion paper that explains the nature of the new regulation and how it will be implemented in Australia.

https://www.amsa.gov.au/vessels/ship-safety/cargoes-and-dangerous-goods/documents/discussion-paper-verifying-container-weight-amendments.pdf

Source: The Standard Club. http://www.hellenicshippingnews.com/solas-amendments-container-weight-verification/

IMO: No Going Back on Container Weighing: IMO Senior Deputy Director for Marine Technology and Cargoes, Maritime Safety Division, Joseph Westwood-Booth, recently told an audience at the ICHCA conference in Barcelona that he wanted to make it "perfectly clear" that there would be "no delays" to the SOLAS amendment on container weighing, according to The Loadstar.

The beginning of March, 2016 has brought significant ambiguity to the container weighing debate, with US Coast Guard Rear Admiral Paul Thomas telling the TPM Conference that he believes the impending SOLAS guidelines on container weight verification "are not mandatory".

Following this, the Global Consolidators Working Group wrote a letter to the IMO stating that the container weighing rule is "too vague" to implement.

Technical Paper: Container Weighing Explained

As the regulations that are due to be implemented stand, shippers bear responsibility to ensure a container is weighed correctly and can do this via two methods: weighing the contents and then the container to get a total weight, or weigh the container with the contents already packed.

At present, the most practical option looks to be weighing containers in ports as part of a service, there are several ways in which this can be done: weighbridges is one option, as is implanting weighing technology on various pieces of port equipment, yet the finer details are still to be figured out despite the implementation date drawing ever near.

Managing Director of Strainstall Simon Everett expands on the rule below: https://www.porttechnology.org/news/no_going_back_on_container_weighing 04 Mar 2016

Container weighing explained, Part 1. https://www.youtube.com/watch?v=DUq9Ebk5MFg
Container weighing explained, Part 2. https://www.youtube.com/watch?v=ZnwkSxL2Sz0

See the APL Handbook on Container Weights: http://www.apl.com/wps/portal/apl/global-security/solas

---

Great Lakes and Seaway users name top shipping priorities to remain competitive: A number of North America's mining, manufacturing and agricultural companies have helped identify priorities to improve the competitiveness of Great Lakes shipping, which will become focus areas for the Chamber of Marine Commerce in the coming year. "Tough global economic conditions mean that our manufacturing, food, mining and construction sectors are under more pressure than ever to be competitive. We need governments to focus on creating world-class transportation networks that will help them succeed," says Stephen Brooks, President of the Chamber of Marine Commerce.

The priorities include provision of appropriate icebreaking capacity, harmonization and reduction of regulations across borders, reductions of fees for government-mandated services, and adherence to science-based environmental regulations. As a top priority, the Chamber of Marine Commerce is advocating for the government to build or purchase additional icebreaking vessels dedicated to the Great Lakes-Seaway region and, at least in the short to medium term, to seriously investigate bolstering its resources by securing services from private sector suppliers.

Quotes from Chamber of Marine Commerce members include the following: -

Jonathan Bamberger, President of Redpath Sugar: "During the past few years, it's been evident that we lack sufficient ice-breaking resources to break out the system in the spring. As a company, we need to be as efficient as possible and we run our inventory on the assumption that the Seaway is going to open at the end of March. If it opens even a week or two late, we don't have enough raw sugar for our refinery. We need reliable services to make sure the waterway is open."

Francois Allard, K&S Windsor Salt's Vice-President – Administration: "We use the Great Lakes-Seaway to ship 75 percent of our product from our Ojibway Mine in Windsor. It's crucial to our company that the U.S. and Canadian Coast Guards have the equipment and resources to effectively manage the ice during harsh winters."

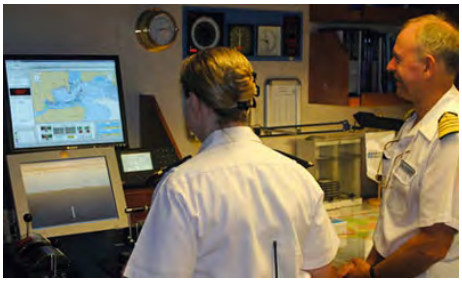
Rick Ruzzin, Sr. Director of Logistics for Compass Minerals: "Sustainable marine freight is critical to our way of life. We need continued collaboration between industry and government on the costs of mandated services. We saw great collaboration when vessel carriers, the Chamber of Marine Commerce, and other industry trade associations worked together with government to remove a 25 per cent import duty on foreign-built vessels. When considering increases for pilotage and user fees, we need to be smart and draw from lessons learned through past successes. To raise marine costs such that companies look to rail or truck, instead of vessel freight, would compromise our ability to compete against imports and negatively impact local business."

Carsten Bredin, Vice-President of Grain Merchandising for Richardson International: "If we can't access transportation in the Eastern Corridor because ships can't comply with the regulations in certain jurisdictions or it is not economically feasible to do so, that's a major roadblock. Canada needs this corridor to export grain to key trade markets."

Ward Weisensel, SVP of Trading, Procurement and Risk with G3 Canada Ltd.: "We need harmonized ballast water regulations for the U.S. and Canadian Great Lakes, regulations that are based on sound science and are cost-effective. Otherwise, if ballast water regulations unreasonably increase costs, it will hurt the Seaway and all of the industry that depends on it. If the Seaway gets even $2/per tonne more expensive, significant volumes of Prairie grain could move west or south instead. It doesn't seem like very much, but those are the margins in the grain trade."
Feb. 28th 2016. See more at: http://canadiansailings.ca/?p=10935#sthash.XFL0bXOr.dpuf

---

Three-Year Project Develops New Safer Bridge Design: A new bridge design aimed at reducing the number of accidents involving ships has been developed in a three-year European research project called Co-operative and Adaptive Ship-based Context Aware Design (CASCADe).
One of the partners in the project, the BMT Group, of Teddington, said it has been estimated that about 80 per cent of collisions and groundings of ships take place due to a failure of bridge systems and their usage.
The partners said, "Part funded by the European Union, CASCADe has developed an adaptive bridge design methodology that aims to integrate both human agents and electronic equipment into one network that will facilitate optimisation of the information shared.



"In addition, the programme has developed a touch screen 'shared display' to aid communication and cooperation on the bridge.
"The feature can be customised to whatever configuration is most suitable for a particular situation and projects a comprehensive range of information on a single screen."
The CASCADe offers the function to graphically annotate maps, leave notes for other crewmembers or complete checklists electronically. It has also given access to extra information to crewmembers, otherwise restricted to the pilots by integrating the console with tools used by pilots in their Portable Pilot Units (PPUs).
"In the first stage, it had coded a protocol to establish a link between the PPU and the ship's electronic charts and then between the PPU and the bridge screens to display information from the PPU screen," the partners said.
The partners in the project include BMT Group, Raytheon Anschuetz, Mastermind Ship Management, the University of Cardiff, Marimatech and Symbio Concepts & Products SPRL while Maritime Cluster Northern Germany, Nautilus International, NSB Niederelbe Schiffahrtsgesellschaft and the University of Tasmania offer support. *13 March 2016*
http://www.seabreezes.co.im/index.php?option=com_content&view=article&id=2063:three-year-project-develops-new-safer-bridge-design&catid=27:maritime-log&Itemid=48

Sixteen Tons of Beer for Brooklyn. ***In 1966 North German Lloyd (NDL) carried out Germany's first multimodal door-to-door shipment. The customer was delighted, as cargo could no longer 'get lost' on the way. An interesting, almost forgotten story from the beginning of the container era.***
The announcement by the American shipping company SeaLand at the beginning of 1966 that they would establish a container service between the East Coast of the U.S.A. and Europe caused action at Hapag and NDL. A few short weeks later a member of the Hapag executive board, the head of the freight departments in Hamburg and Bremen, a representative from 'container' operator Contras, two brokers and one staff member from each of our German freight agencies met in a former brewery on the River Elbe in Hamburg to assess SeaLand's plans. A professor from the University of Berlin facilitated the meeting of experts that searched for an answer to the central question: Does the container have potential for ocean transportation and how should one react to the American newcomer's offensive?
The first container-like transport boxes made of steel with a volume of five, seven and ten cubic meters were already in operation, but this was about a 20-foot container with an inside volume of over 31 cubic meters. "It was the first meeting about containers between the shipping lines, Hapag and NDL. Most of the gentlemen present had never even seen a 20-foot container," remembers our former Hapag-Lloyd colleague Peter Koehler, who was there as the representative from the Stuttgart freight agency for North German Lloyd.
"In the Port we were shown a 20-foot container. Afterwards each had to give their verdict, would the newfangled box ever attract cargo? At that time I only thought: Which of our customers has enough cargo for America to fill a 20- or 40-foot container?" The experts for and against were in equal numbers, but despite this, it was decided a short time later that both shipping companies would hire a few containers in America, and put them into service to and from the U.S. East Coast. "Of course then no one even thought what a success story the container would turn out to be – not even the colleagues who gave the aluminum box a chance in the market at that meeting," he said. "The container on show in the Port at that time did not have doors but a kind of roller-shutter that had to be pulled up."
After the meeting all freight agencies and brokers were telephoned and asked to acquire cargo for the test containers. As a selling argument they should convince the customers that they could largely forego the need to pack in smaller boxes and from door-to-door no one needed to touch the cargo, reducing the risk of damage or theft and also

insurance rates. "The Dinkelacker brewery in Stuttgart was my customer. They exported beer in bottles and kegs to New York and had to calculate in considerable losses on the long journey. The port workers in Bremen and New York were thirsty. The beer bottles in their cartons were easily recognizable. I saw my chance," recounts Koehler. The sales discussion went surprisingly well, but ended not surprisingly with the brewery boss insisting that the transportation could not cost more than before and had to begin on the brewery premises, from door-to-door.

"Our problem was that up to that time the beer had been delivered by truck to Bremen by Dinkelacker. Now, without high extra costs we had to get the empty container to the brewery in the Stuttgart city-centre, where there was no rail siding," said Peter Koehler, who until his retirement in 2002 worked in the Hapag-Lloyd office in Munich. Very soon it was clear that we had to get the empty 20-foot container to the nearest goods station, then load it onto a truck to be taken to the point of loading. Then the container with the beer would return to the rail siding by truck, be taken by train to the ship in Bremen and from there to New York, then by truck to the Brooklyn customer who traded in German foodstuffs. "That must have been the first multimodal shipment even though this term did not exist at the time," believes Peter Koehler.

The beer in the stowed container (Photo: Hapag-Lloyd)

Four 10-ton shackles and steel wire hoisted the container onto the railcar (Photo: Hapag-Lloyd)

But multi-transport was easier said than done. No containers had been handled at the goods station in Stuttgart before. "There was a 30-ton crane available, but without a suitable crosspiece to move the containers correctly," he said. "We did not know if a one-and-a-half ton container carrying over 16 tons of beer would bend in the middle, if it was just lifted by the four corners using a wire cable, without a crosspiece. The railways also had to find a suitable truck: There were no standards then like there are today."

June 16, 1966 was the day of reckoning. The 20-foot container was packed to the limits with the kegs of beer and advertising materials. Would the rail wagon be able to handle the weight? "The crane had to lift the box only 25 centimeters up from the truck, our nerves were on edge, the tension was as tight as were the wire cables on the four corners of the container." It was loaded on to the wagon, equipped with special holding rods, without problems and reached Bremen undamaged on June 18 and travelled as deck cargo to New York.

"No cargo loss, less paperwork, lower insurance costs and so lower total cost – The Director of Dinkelacker was very pleased and from that time on all traffic from the brewery to New York was by container," Koehler said. "Three months later the goods station in Stuttgart had a special crane crosspiece to lift the new containers."

Hapag-Lloyd Insight. March 09, 2016. http://www.marinelink.com/news/brooklyn-sixteen-beer406398.aspx

(See FTB February 2016, Page 5: The Container Ship's Maiden Voyage).

The environmental cost of moving all our stuff is huge – how can we shrink it? Much of the stuff around us at any given moment — be it product, commodity or raw material — was once on a boat. To get from wherever it was made or processed or harvested to wherever it's used or consumed, all this stuff embarks on a seaborne journey around the world. It happens thousands of times a day, on tens of thousands

of vessels moving from port to port. Ships handle roughly 90 percent of global trade, nearly 10 billion metric tons (11 billion tons) of stuff per year.

Boats and ports are only a part of the picture. Airlines, railroads, trucks, warehouses, refrigerators, delivery people — the international system of goods movement is integral to the way we live in the 21st century. It also is a huge source of opportunity to reduce humans' environmental footprint.

Ship Shape. The 10 billion tons of stuff shipped around the planet in 2014 is two-thirds more than what was moved in 2000. "Retail sales in the United States and across the world are increasing, in spite of all the economic cycles," says Jean-Paul Rodrigue, a professor at Hofstra University and an expert in transport geography. "There's more people, there's more consumption."

From technological improvements such as retrofitted rudders and propellers to enhanced weather routing, shipping companies are eyeing many ways to improve their efficiency. *December 14, 2015*

There is much more to this report. See http://ensia.com/features/the-environmental-cost-of-moving-all-our-stuff-is-huge-how-can-we-shrink-it/

Blazing a path through Canada's icy waters. The Canadian city of Montréal numbers among North America's most important hubs for maritime cargo. Hapag-Lloyd's ships help keep the waterways ice-free in winter: Vessels sailing through the Gulf of Saint Lawrence and along the Saint Lawrence River can get deep into the North American continent. The stretch leading to Montréal measures nearly 700 nautical miles and usually takes a container ship about 44 hours to complete. During the often-harsh winters, ice, freezing sea spray and low temperatures severely test ships and their crews. Of course, icebreakers keep the waterways free year-round. But making sure that vessels can navigate this stretch safely and on schedule under wintry conditions requires meticulous preparation.

"These conditions generally aren't a problem for us," explains Donald Poirier from Hapag-Lloyd's Montréal office, adding that all Hapag-Lloyd ships calling at the Port of Montréal are optimally equipped to sail under Arctic conditions. "Some of the ships are specifically constructed for the Saint Lawrence River and have an ice class," Poirier stresses, noting that the Captains often have Arctic experience, as well.

Staying on schedule is important because Montréal is a key destination for Hapag-Lloyd. Three services connect Northern and Southern Europe with the city, which is Canada's second-largest port after Vancouver. In fact, measured in terms of transport volume, these services make Hapag-Lloyd the largest container carrier in Montréal.

Hapag-Lloyd also takes several measures to ensure that the passage works reliably in winter, too. "All important systems on board are heated. We have two radar systems, and we take two pilots on board," Poirier says, naming some of the important measures. Should ice threaten to clog the cooling water valves, the crew also makes adjustments to this system. For the so-called inter-cooling, cooling water is taken from the ship's own ballast tanks rather than from the freezing sea, as a failure in the engine cooling system would be fatal and could render the vessel unable to manoeuvre.

With a transport capacity of more than 4,000 standard containers (TEU), vessels like Hapag-Lloyd's *Montreal Express*, *Toronto Express* and *Quebec Express*, which was only added to the service in December 2015, number among the largest vessels that can call at Montréal. The fact that they also are among the most powerful motorized vessels, with their roughly 50,000 horsepower engines, only further enhances their already good reputation in Canada during the winter. "Our Captains are often the first behind the icebreaker in winter," Poirier says, "which also makes our high-powered vessels very popular among the pilots." March 2016

https://www.hapag-lloyd.com/en/press_and_media/insight_page_47090.html

The graphic shows the *Valencia Express* (2,298 TEU) en route to Quebec. Photo: Pascal Rheaume.

Canadian Tug Losses Increasing: The Canadian west coast is very dependent on tug and barge transportation, and it has witnessed a significant increase in tugboat losses in 2015. Proportionately, year on year, 2015 is remarkably high, as six tugs have sunk in nine incidents involving the vessels. In 2014, only two tugs sank out of 11 incidents; and in 2013, only two out of 15 incidents; and finally in 2012, only one out of 12.

This is very surprising, says Mariella Dauphinee, a marine claims manager for Intact Insurance Company, Canada, and International Union of Marine Insurance (IUMI) loss prevention committee member. "To quote Captain Phillip Nelson, President of the Council of Marine Mariners, 'these boats, they just don't sink, they shouldn't sink.'"
The tugboat marine incidents reported in 2015 include: -

- The sinking of the *Syringa* near Halfmoon Bay
- A fire on the tug *Westview Chinook* in Sechelt
- The *Renegade,* which struck a rock
- The sinking of the tug *Log Baron* while towing a barge near Cape Caution
- The *Hodder Ranger* which sank during towing operations in Port Mellon
- The sinking of the *Harken 10* near Porlier Pass

So the question is why are they sinking? "The scenario is all too common, a very rapid and unusual ingress of water; but thankfully the crew are usually fortunate enough to escape with their lives," says Dauphinee.
A recent study by the Swedish Club Academy dealing with navigational claims found that the main causes of claims are primarily related to human factors such as procedures being ignored, a lack of communication, poor situational awareness and complacency.
Could this be applied to the recent tug losses? "At this stage we don't know why the number of losses has increased and in most cases, the cause remains unknown," says Dauphinee. "In many cases these vessels are sinking in deep water, leading to suspected extensive damage. Recovery is both expensive and in many cases risky, as disturbing the vessel can result in oil emanating from the hull. ROV search and video inspection is not only costly but also difficult to arrange due to depth restrictions and narrow weather windows.

"In most cases the ROV video does not reveal a definite cause of the sinking and time and time again underwriters take the decision to leave the wreck where she is. What is certain, however, is that good maintenance plays a role. There needs to be effective safety management in order to identify and manage risks associated with a tug's operation." March 16th 2016. http://www.maritime-executive.com/article/canadian-tug-losses-increasing

---

(CNN) -- The trip costs $20,000 to $150,000. For the money, you get a month crossing the world's final ocean frontier. In 2016, 900 passengers will board a cruise liner named the *Crystal Serenity* for the largest expedition through the Northwest Passage, a sea route around the top of North America that has entranced and frustrated sailors for centuries.
"A lot of small expedition ships have now gone through the Northwest Passage and even some commercial ships," said Thomas Mazloum, executive vice president of Crystal Cruises, the operator planning the voyage.
"But we don't have 100 guests on board; we have 800 or 900. To do it with a ship like ours, we need to do it differently." For more read: http://edition.cnn.com/2014/09/08/sport/arctic-sailing-northwest-passage/

Foreship counsels Polar forethought: Goal-based concept design is key to ensuring new generation exploration ships can enter unforgiving polar seas in comfort and safety, according to Foreship, the cruise industry's most widely-consulted design and engineering company.
The International Code for Ships Operating in Polar Waters is expected to enter into force on 1 January 2017, initially covering ships built after that date. From January 2018, it will apply to all ships bound for latitudes 60° or higher.
"Few cruise ships have been strengthened for ice; even these have often been strengthened to the lowest possible ice class. The Polar Code means owners must adopt a more exacting approach, even at the concept stage," says Markus Aarnio, Chairman of Foreship. "New Polar Code requirements for ships include a defined Polar Service Temperature, based on actual temperatures in the intended operational area. Stability considerations need to include ice accretion, which is not always easy in the case of older ships with small stability margins."
Aarnio says that the concept design also needs to address other hazards posed to mariners. "All equipment,

from deck machinery to lifeboats, escapes, firefighting, etc. need to work in low temperatures".
"Arctic and Antarctic waters have a number of similarities, but there are also significant differences," he observes. "There is relatively little multi-year ice in the Antarctic, while Arctic sea ice survives over many summer seasons. This will affect the required ice strengthening, even if most Polar Code cruise ships plan to operate mostly in open water."
Foreship is closely involved in two landmark polar passenger ship contracts, one for Crystal Cruises and the other for Scenic. The results will be the first luxury passenger vessels that are purpose-built for waters previously served by robust but ageing expedition ships.
Crystal is building the first of a possible three 1,000-passenger, 320m LOA luxury ships at Germany's Lloyd Werft shipyard that will be ice strengthened to Polar Class. Scenic is building the first 'Discovery Yacht' in the world at Uljanik, Croatia. The 165m LOA, 228-passenger ship will operate in Arctic and Antarctic waters, and will be built to Polar Class 6 - approximately equivalent to the Swedish-Finnish ice class 1ASuper specified for most Baltic ferries.
Polar Code ships fall into three categories, Aarnio explains. Category A ships (ice strengthening according to Polar Class 1–5) are fit for at least medium first year ice; no cruise ship is expected to be built for this capability due to negative consequences for open water performance. Category B ships are designed for at least thin first year ice (Polar Class 6–7), while Category C ships are envisaged as operating in open water of less severity. A purpose built, Polar Code cruise ship should be a Category B ship. Category B ships also require better damage stability than Category C ships, providing more safety.
"Separated engine rooms, modern waste water treatment, adequate garbage stores and the possibility to operate without heavy fuel oil are all prerequisites for polar operations," adds Aarnio. "But owners also need to consider ship sizes and passenger capacity; ships with more than 500 passengers cannot land passengers on Antarctica, for example, and more regulations are coming to protect sensitive polar areas."
"Polar shipping will nonetheless grow over the coming years and design innovations to deal with all eventualities need to be at the concept stage, and not an afterthought."
March 2nd 2016. http://insidemarinepr.blogspot.ca/ http://www.foreship.com/en

FORESHIP
AT THE SHARP END

Endangered right whales return to Cape Cod in 'mind-blowing' numbers: Cape Cod is seeing a lot more of some singularly welcome tourists, endangered right whales enticed by the fine dining possibilities of its plankton-rich bay.

Experts tracking the creatures, which are some of the rarest on the planet, say nearly half the estimated global population of 500 or so animals has been spotted in Cape Cod Bay over the past few springs. They are back this year in what looks like record numbers, thrilling amateur photographers and scientists still worried over their future.
"It's rather extraordinary and somewhat mind-blowing," said Charles "Stormy" Mayo, a senior scientist and director of right whale ecology at the federally funded Center for Coastal Studies in Provincetown.
North Atlantic right whales have foraged for centuries in Cape Cod Bay, where their numbers were reduced by whalers who hunted them for their oil and plastic-like baleen bone.
But until recently, they were seldom spotted. For a stretch in the late 1990s, fewer than 30 whales were sighted each year, said Mayo, who has been surveying them and their ecosystem since 1984 by boat and plane.
"There has been a huge pulse in numbers in the past few years," said Amy Knowlton, a scientist with the New England Aquarium's Right Whale Research Project.
"Right whales are probably scouting for food all the time. Maybe when one of them finds it, they call their friends," she said.
Each whale has a unique marking on its head, and researchers use those to identify and catalogue individuals. The Aquarium, which also closely monitors the population, gives specific animals amusing names such as Kleenex, Snotnose and Wart.
Right whales spend most of their time in the western Atlantic, and many are believed to congregate in the Gulf of Maine. They're rarely seen north of the entrance to the Gulf of St Lawrence in Canada's Maritime Provinces. A few venture as far south as coastal Florida and Georgia, mainly females giving birth to calves – something scientists say doesn't happen often enough.
Their increasing presence in Cape Cod Bay has caught scientists by surprise. Mayo theorizes that shifting ocean currents – possibly due to global climate change – are pumping more plankton into the bay, even as the whales'

traditional feeding grounds off the Maine coast falter. "They're a little like cows in a field. They go away from places that are not good and go to places that are good," he said.
Although some right whales arrive in the bay in early December and linger as late as mid-May, their presence generally builds in March and peaks in mid-April, when plankton concentrations are at their highest.
The busy waters hold clear and present dangers: a risk of being struck by commercial ships and recreational boats or becoming entangled in nets.

Researchers out spotting whales report their whereabouts to state and federal authorities, which in turn alert nearby vessels. Federal law forbids getting within 500 yards of a right whale and requires ships to slow to 10 knots – roughly 11.5 miles per hour. Whale-watch tours steer clear, focusing instead on humpbacks and other comparatively plentiful species.
"It's always heartening every time we see individuals and know they're still alive," Knowlton said. "It's only through seeing them and their scars that we can really understand what's going on with them." **March 14th 2016**
http://www.theguardian.com/us-news/2016/mar/14/cape-cod-endangered-right-whales-record-numbers
See FTB. May 2008 Page 9. North Atlantic Right Whale & the Roseway Basin Conservation Area.

B.C. ferries will head to Poland for refits: With shipyards in Vancouver and Victoria both choked with work, B.C. Ferries will for the first time send vessels offshore for refits in 2017. A Polish shipyard has won a $140-million contract from B.C. Ferries to conduct the mid-life upgrades of the two *Spirit-class* vessels. Gdansk-based Remontowa, the largest ship-repair yard in Poland, won the contract after a competitive bidding process.
B.C. Ferries spokeswoman Deborah Marshall confirmed it is the first time the corporation has sent a vessel offshore for refit. "But this isn't just a refit, it's a massive project, not the typical refit that we do," she said.

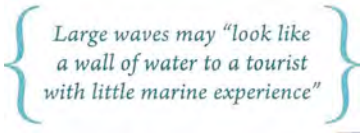
The upgrades include converting the *Spirit of Vancouver Island* and *Spirit of British Columbia* to dual-fuel so that they can operate on liquefied natural gas in addition to diesel. Both vessels will also have their safety features — marine-evacuation systems, rescue boats, fire-detection system, public-address system and fire-protection system — upgraded and their navigation and propulsion equipment renewed.
Passenger areas will also get an upgrade, with new designs, washrooms, expanded gift shops and new coffee bars.
Mark Wilson, B.C. Ferries' vice-president of engineering, said during the last fiscal year, B.C. Ferries spent $118 million on diesel fuel, 16% of which was consumed by the two *Spirit-class* vessels. "The conversion of the two largest ships in the fleet, along with the three new dual-fuel *Salish-class* vessels currently under construction, will go a long way to help with fare affordability for our customers, as LNG costs significantly less than marine diesel," he said.
Wilson said the move will also reduce the corporation's environmental footprint, since using LNG in the two vessels will cut carbon-dioxide emissions by an estimated 12,000 tonnes annually.
Remontowa won the contract after being short-listed for the job alongside Seaspan's Vancouver Shipyard and another site. Seaspan pulled out of the bidding process, however, since its three shipyards — Vancouver, Victoria and its drydock — are too busy to handle the work.
"We are at capacity at all three yards, and the National Shipbuilding Strategy work we are doing for the federal government is a major priority for us," said Seaspan Shipyards president Brian Carter in a statement. As part of that strategy, Seaspan is building new Coast Guard, fisheries and non-combat naval vessels.
The first ferry to be upgraded in Poland will be the *Spirit of British Columbia*, built in 1993. That work will start in fall 2017 and is expected to be completed in spring 2018. The *Spirit of Vancouver Island*, built in 1994, will follow in fall 2018, with work expected to be completed in spring 2019.
Both vessels will sail to Poland and back under their own power, though B.C. Ferries will hire a professional ship-delivery company to crew the vessels.

Between 2007 and 2009, B.C. Ferries used Netherlands-based Redwise Global Ship Delivery to move the three *Coastal-class* vessels and the *Northern Expedition* to Vancouver Island from Germany.
The *Spirit-class* ferries will go through the Panama Canal, but Marshall said the ship-delivery company will determine the precise route to Poland and back.
Marshall said 45 days have been budgeted for the trip to Poland, which includes time to wait out bad weather. Temporary living quarters will be installed on both vessels to house B.C. Ferries staff and the ship-delivery crew.
http://www.timescolonist.com/news/local/b-c-ferries-will-head-to-poland-for-refits-1.2217288 **March 25th 2016**

Rogue Waves – A Legal Defence to Marine Casualties? Reports that the capsizing of the whale-watch vessel *Leviathan II* were caused by a rogue wave have been tossed about in the media since the early hours of October 27th 2015 tragedy at Plover Reef near Tofino. With the Transportation Safety Board (TSB) investigation still under way, no conclusions have been drawn about what contribution, if any, a rogue wave had to this significant marine casualty in which six people died. Early remarks by the TSB report a significant portion of the 27 passengers were situated on the top port-side deck of the vessel viewing wildlife when a wave approached the vessel from the starboard and the vessel capsized, an later sank.
The National Oceanographic and Atmospheric Administration (NOAA) has published the following summary on rogue waves: -

> *Rogues, called 'extreme storm waves' by scientists, are those waves that are greater than twice the size of surrounding waves, are very unpredictable, and* ***often come unexpectedly*** *from directions other than prevailing winds and waves…….there are several (sic) known causes: -*
>
> 1. *Constructive interference: Extreme waves often form because swells, while travelling across the ocean, do so at different speeds and directions. As those swells pass through one another, their crests, troughs and lengths sometimes coincide and reinforce each other.*
> 2. *Focussing of wave energy: When waves formed by a storm develop in a water current against the normal wave direction, an interaction can take place, which results in a shortening of the wave frequency. This can cause the waves to dynamically join together.*

Canadian courts have had little opportunity to clarify under what circumstances the involvement of a rogue wave will excuse a mariner from legal responsibility for a marine casualty. I refer to this as the *rogue wave defence.* The *rogue wave defence* is a specific form of the more general legal defence called *Act of God.* The *Act of God* defence basically holds that a mariner will not be liable for a casualty caused by a severe force of nature beyond the ship's control that could not be avoided by ordinary care, caution and maritime skill. A hurricane breaking a vessel from its moorings is a common example of when the *Act of God* defence is used.
Despite the lack of Canadian case law on rogue waves, it is not uncommon for rogue waves to be blamed for marine incidents. Dozens of passenger injury cases globally in the last 10 years involved allegations that a rogue wave caused the violent movement, capsizing or foundering of a vessel resulting in injury or death.
However, it is far less common for the *rogue wave defence* to be used successfully. This is simply for the reason that just because a large wave caused or contributed to a casualty does not make that wave a rogue wave, nor does it mean the rogue wave could not have been guarded against.
In considering whether the *rogue wave defence* is available, a court will first ask: was it really a rogue wave that caused the incident? In order to be successful, the mariner relying on the *rogue wave defence* must prove to the court it is more likely than not that the wave was actually a rogue wave. In *R. v. Atlantic Towing* the Nova Scotia Provincial court dismissed a Master's defence that a rogue wave was the unavoidable cause of the endangerment of the crew of a barge under tow when there was no direct evidence of a rogue wave. Evidence of a rogue wave must not be speculative.



Reliable evidence of whether a casualty was caused by a large wave, or a true rogue wave can be hard to come by. The term rogue wave is convenient for grabbing people's attention, and is used loosely in today's media. Reports of tourists aboard a whale-watch vessel sighting a "rogue wave" might be viewed with some scepticism. A typical large wave to an experienced mariner may look like a wall of water to a tourist with little marine experience. Reports of conditions are sometimes exaggerated when those involved are under physical or emotional stress. Rogue waves can form suddenly and only exist over a short distance; as a result measurement buoys do often not capture them.
After determining that the wave that caused the casualty was indeed a rogue wave, the court will then ask: could the wave have been guarded against? This question represents two issues: whether the wave was reasonably foreseeable or expected, and whether the force of the wave was so severe that no reasonable amount of care could have avoided its effects.
Regarding whether a rogue wave can be foreseen, it is noteworthy that NOAA refers to rogue waves as being "often unexpected", not "always unexpected". In certain areas of the coast subject to trends of wind, tide and current, unusually large waves caused by convergence or interference can be more expected than in other places. That said, whether the arrival of a rogue wave is foreseeable (and therefore can be guarded against) has obviously changed over time. Significant advances in weather, wave, tide and current tracking, as well as the availability of detailed

bathymetry (bottom contours that may contribute to wave characteristics in certain areas) have improved mariner's ability to foresee the potential for more severe waves in some areas.

A hundred years ago this was not the case, and the court held mariners to a lower standard of care. For example, in 1904 the Supreme Court of Canada *(Bailey v. Cates)* dismissed claim that the defendant tug owner negligently tied his vessel next to the plaintiff's vessel during a storm (resulting in damage). The court stated, *"the storm was one of unusual violence, and it was by no means certain the injury could have been avoided without the observance of extreme or very unusual precautions."* A century later however, B.C. Provincial Court *(in Bennett et al v. Jack Holt 2001)* dismissed a vessel owner's *Act of God* defence when a large storm broke his vessel free from its moorings and it drifted causing severe damage to adjacent vessels. The court characterized the storm a *"one in 100-year event"* but found the owner could have foreseen the possibility of 100km winds in the area. The court said, "*there was not any evidence at trial to suggest the force of the subject winds was beyond what a meteorologist would have characterized as the reasonably possible".* Similarly, in regards to a rogue wave defence, the court could find that given the particular circumstances of a casualty (including the Master's experience, the bathymetry and typical wind, tide, current and wave action in the area, as well as the characteristics of the vessel), a mariner should have foreseen a rogue wave as "reasonably possible". If so, it is the duty of the mariner to guard against that possibility in the manner in which the vessel is loaded and navigated.

In closing, the difficulty with using the *rogue wave defence* successfully is summed up by the expression: *"nothing is so certain as that which is unexpected".* Put another way, at law, a prudent mariner must utilize the experience and technology available to them to conclude whether a rogue wave is reasonably foreseeable in the circumstances and guard against its potential effects.

Darren Williams. Western Mariner. March 2016. http://www.westernmariner.com/

Darren Williams is a former mariner, come lawyer specializing in marine accidents and is a partner with Lambert and Williams Law Corp, in Victoria B.C. Canada and can be reached for comment at 250-888-0002. His emergency phone is 250-589-2174.

Record Keeping – Don't 'Flog the Log': Accurate and Truthful Record Keeping is Crucial in the Event of a Claim. All mariners will know that record keeping can be a monotonous and time-consuming task. As a result sometimes mariners are tempted, for various reasons, to cut corners or 'flog the log'. In this article we look at recent incidents where inaccurate record keeping has harmed the handling and settlement of claims.

Reefer Temperatures Logs – Stretching the Truth: Under the charter party the crew were required to record the temperatures of all containers on a daily basis. The containers were stowed on deck and – contrary to the tier weights advised in the cargo-securing manual – were often stowed 3 high due to the pressure of the trade.

Reefer temperature logs were submitted in response to a cargo claim. When asked how the crew were able to take the temperatures of reefer containers on the second and third tiers the ship operator admitted that they did not know.

It was not physically possible to have recorded these temperatures. It was only possible to record the temperatures on the first tier on deck, which was where the damaged container was stowed. But because the other temperatures recorded were almost certainly 'flogged' – this meant that all the reefer temperature logs were in doubt and could not be used as evidence.

If for any reason you are unable to maintain routine record keeping contact your shore management immediately for advice.

An 'Off' Day? In another case the remote monitoring temperature records were complete for a container on which a cargo damage claim was being made. They showed there was nothing wrong with the container temperature. However, the ship also sent photocopied pages of the engine room work notebook. On one of those pages was an entry stating 'Power off 440-volt deck sockets'. There was no reason given and there was no entry after that showing what time the power may have been restored. Because of this it was not possible to avoid the US $60,000 claim and the best deal was a US $30,000 settlement. The remark in the engine room work notebook 'cost' US $30,000! If another remark showing why power was off or when it had been restored had been included the claim may have been avoided entirely. Always make sure that records are full and complete.

Hold Ventilation Logs: The ship sent ventilation logs for the voyage. Rather than follow the simple 3-degree rule for agricultural cargoes the ship recorded outside dew point temperatures from the bridge and dew point temperatures in the hold. The ship also submitted cargo fumigation documents that stated 'crew not to enter the hold for 72 hours after sailing'.

The obvious question was – how did the crew obtain the hold dew point temperatures and why were they recorded from the first day after sailing when entry was not permitted due to the fumigation?

The obvious answer was that the crew did not enter the holds and the dew points were made up. The ship did not even have a whirling hygrometer for measuring dew points in the holds!

This meant that no reliance could be placed on the ventilation records submitted by the vessel a key factor in defending the claim.

On the Bridge or Not? Following a grounding the ship was asked for evidence that included the bridge team's written statements and the hours of work/rest records. In the Master's statement he said that he was on the bridge from 06:00hours, which was two hours before arrival. In the hours of work/rest records the Master was shown as working 08:00 to 12:00 on that day.

The VDR proved the Master's written statement was correct. This put into question the hours of work/rest records for the whole ship and made it more difficult to use the 'error in navigation' defence.

The best evidence is contemporaneous – in other words it is recorded or collected at the time it occurred. Don't fill in records in advance or after the fact.

Top Tip: Remember in the event of claim the available evidence will be carefully scrutinised, often by experts. 'Flogged' evidence will be easy to spot and, when spotted, will harm the defence of the claim.

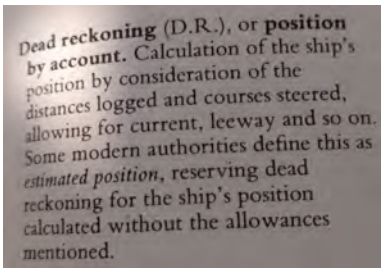
Source: The North of England P&I. 13/04/2016

http://www.hellenicshippingnews.com/record-keeping-dont-flog-the-log-accurate-and-truthful-record-keeping-is-crucial-in-the-event-of-a-claim/

Watch the AIS tracks of 2 vessels moments before they collide:

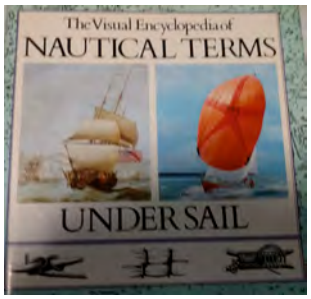
http://maritime-executive.com/blog/nightmare-for-mariners-collision-at-sea

---



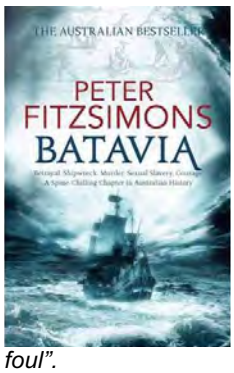
I do not need to tell you the meaning of Dead Reckoning. At least I don't believe so. In April I was in England when a friend asked me for the meaning of *Dead Reckoning*. Tim Foden is a sailor but not a professional mariner. I defined D.R. for him and then he began to explain the reasons for his question.

(Captain Don Tranter of the Vancouver Division provided this definition. It is from a book, "The Visual Encyclopedia of Nautical Terms Under Sail".)



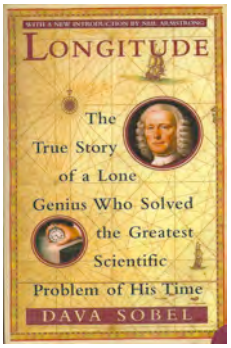
Tim and his wife Ann first saw the term *Dead Reckoning* in the Ship Wreck Galleries of the Western Australian Maritime Museum in Fremantle http://museum.wa.gov.au/museums/maritime. They encountered it again when they visited the museum in Geraldton http://museum.wa.gov.au/museums/geraldton.

Exhibits referred to vessels engaged in the Spice Trade, which sailed around the Cape of Good Hope and headed east, knowing their latitude but not the longitude. Hence they were sailing on *Dead Reckoning* and, because of that, some foundered on reefs off Western Australia.



The Geraldton website reads, *"Discover the fascinating maritime history of the State's midwest, from the famous Batavia mutiny, to lesser known tales such as the inspiring saga of human ingenuity displayed by Zeewijk survivors and the unknown fate of other European shipwreck survivors stranded on Western Australian shores. The gallery features artefacts from four local shipwrecks including clay pipes, silver coins, cannons, the original Batavia stone portico and numerous other relics".*

All of this led them to reading the book "Batavia" by Peter Fitzsimmons. A website says, *"Batavia is the greatest story in Australia's history and history comes to life with Peter Fitzsimons. The Shipwreck of the Batavia combines, in just the one tale, the birth of the world's first corporation, the brutality of colonisation, the battle of good vs. evil, the derring-do of sea-faring adventure, mutiny, ship-wreck, love, lust, blood-lust, petty fascist dictatorship, criminality, a reign of terror, murders most foul".*



Tim encountered "Dead Reckoning" in another place. He was curious to know why the "gps" in his car continued to work when he was driving through a long tunnel and had obviously lost any satellite signals. He googled the question and came up with some interesting sites.

One site said, *"So why did the GPS keep working? The answer is the unit was simply displaying an educated guess about the route while he was in the tunnel, based upon his speed and location at the moment it lost the satellite. Such calculations are generically known as "dead reckoning" and are commonly employed throughout the GPS industry".*

http://archive.boston.com/news/local/articles/2011/07/07/how_gps_can_still_work_sort_of_in_a_tunnel_1309971757/

Another site contains the following paragraph: *Dead reckoning has a long history, particularly with seafarers who would calculate their estimated position by using their current speed and direction. It is thought the word comes from 'deduced reckoning'.* http://gpssystems.net/no-gps-signal-satellites/.

If "deduced reckoning" was the original term, this may have become "ded reckoning". I had never heard or seen this before so, at a recent nautical education society meeting, with six Master Mariners in attendance, I asked what was meant by the word "dead". They did not know. It was the accepted term. Next I asked five others at a pub lunch of the Vancouver Conway Club. Nobody knew. It was just the term we had been taught. **What do you think?**

(p.s. Today, at The Nautical Institute, BC Branch AGM, I asked, Captain Brian Silvester and he did know about Ded Reckoning. Retired now, Brian had been the Chief Instructor of Nautical Studies at Camosun College on Vancouver Island. ***Editor: 14.5.16****.).* **David Whitaker**

Can you solve this? I know you can but perhaps you would like to test your friends. A new brainteaser that many adults are getting wrong has been sweeping the web.

What is the correct answer to: 9 - 3 ÷ ⅓+ 1 = ?

It may seem easy enough to answer - but the question is an example of slipping mathematics standards across generations, it has been claimed.
http://www.telegraph.co.uk/news/2016/05/15/can-you-solve-the-simple-maths-question-confusing-adults/

LNG. Very interesting and informative! Watch several of the videos. **Captain Donald Tranter. Vancouver Division.**

https://www.youtube.com/watch?v=ytLFdrIfciQ

International Federation of Shipmasters' Associations

Unity for Safety at Sea

Dear All, This is to remind you that the website contains lots of up to date information on:

- IFSMA Newsletters [in the "About" section]
- AGA information, including the Provisional Agenda [in the "AGA" section]
- IMO Reports from all meetings attended [in the "Membership" section]
- A brief biography for our new Secretary General, Jim Scorer [in the "IFSMA Log" section]
- In addition our Facebook Page has information of maritime news, several posts most days, which are also referred to on our Twitter account. See details in the signature area below.

Best regards, **Paul Owen,** Assistant Secretary General, International Federation of Shipmasters' Associations (IFSMA), 202 Lambeth Road, London, SE1 7JY, UK http://www.ifsma.org
Twitter <twitter.com/ifsma> - FaceBook <www.facebook.com/IFSMA> - LinkedIn "Secretary General IFSMA"

Manpower Report from Bimco and the International Chamber of Shipping

The global supply of seafarers in 2015 was estimated at 1,647,500 seafarers, of which 774,000 were officers and 873,500 were ratings. For the Executive Summary of this report see: -
http://www.ics-shipping.org/docs/default-source/resources/safety-security-and-operations/manpower-report-2015-executive-summary.pdf?sfvrsn=14

That concludes this edition of "From the Bridge". Do you have any comments? Do you have anything to contribute? If so, please send it to me at 509 – 15111 Russell Avenue, White Rock, B.C. V4B 2P4 or to whitknit@telus.net. There will be an edition in late July providing details about this year's AGM in Halifax, N.S. The next regular edition will be issued in August. The deadline to submit articles for it is August 16th 2016.

Have a great summer! Sincerely, David Whitaker. FNI.