



SAMS[®] NEWS

Society of Accredited Marine Surveyors[®], Inc.

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Editor: Joseph B. Lobley, AMS[®]

Fall/Winter 2013



**President's
Message**
Page 2

**Past President's
Message**
Page 6

**Fishing Vessel
Stability**
Page 12 & 13

**Perception, Ethics,
and Sleeping Well
At Night**
Page 14

**2014 SAMS[®]
Annual Meeting**
Page 16



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SOCIETY OF ACCREDITED MARINE SURVEYORS[®] INC.

SAMS[®] NEWSLETTER FALL/WINTER 2013 EDITOR'S ARTICLE



Joseph Loble, AMS[®]
Editor/Immediate
Past President

I have just recently joined one of the most exclusive clubs in the marine industry. That is the Past Presidents' Club. It has been an honor to serve as your president for the last two years and it is now time the helm is turned over to Stu McLea, AMS[®]. He is our first "international" president who has eight years of board experience and service to SAMS[®], including the last two years standing at my side. I will continue on the board as the Immediate Past President and look forward to serving in any way I can, including as the Newsletter Editor. I am excited about this job and will be working with Rhea and Sandi to put together informative and interesting newsletters.

In this edition, please read the article written by Mark Rhodes, AMS[®], Past President. I am reaching out to all of the Past Presidents to provide us with their memories to create an archive of the early years. This is very important so that all future members will have some knowledge of how SAMS[®] started. There will be more in later editions, but not in any particular order. Believe it or not, there are only 10 living Past Presidents so it is likely Charter Members will be needed to help fill in the blanks.

Joe Derie, AMS[®] has provided a technical article on vessel stability which is also a must read. I am looking for more articles with this in mind. So if any of you can submit articles for review we will publish them which is good for your resume' and could help broaden the knowledge base for other members.

Winter is settling in here in Maine and the boats are put away but by all accounts boat sales are up and people are keeping the Boat Yards busy doing re-fits and maintenance. I drove through the Rockland Industrial Park today and was amazed at how busy things were. Several of the businesses in this park are Back Cove Boats, Composite One, York Marine, Evolution Drive, Hydro Slave, Stuart Marine (Rhodes 19), and heated storage buildings for Lyman Morse and Yachting Solutions. Quite the neighborhood! Check out the photo on Page 11 of the new Travel Lift at Front Street Shipyard in Belfast, Maine.

President's Message Fall/Winter 2013 Newsletter



**Stuart J. McLea AMS®
President**

Hope this finds you all well and winding up before winter sets in.

We have just finished another very successful SAMS® Educational Symposium and Annual Meeting in San Diego. Ken Weinbrecht, AMS® did an excellent job on the educational content with help from Bill Trenkle, AMS®. Paul Logue, AMS® once again worked very well with the hotel staff for food and meeting room planning which was priced right. The venue was very nice, except for the slow elevators, but you can't have it all. Again, thank you Ken and Paul for your work and dedication to SAMS®.

We have two new Board members. Kristoffer Diel, AMS® is the new Vice President of Testing and Bob Horvath, AMS® is the new Vice President of Meetings & Conventions. We also have two new Regional Directors. D. J. Smith, AMS® will head up the Gulf Region and Scott Schoeler, AMS® the Great Lakes Region. I would like to thank those members in the two regions that spoke up and expressed interest in serv-

ing as a Regional Director. I wish I could have chosen all of you, because it is hard to find good and enthusiastic members. I will be keeping your names close at hand for possible assistance in the future.

I would like to take this opportunity to thank George Gallup, AMS® Past President for his years of service to SAMS® and Alison Mazon, AMS® for her great job as Testing Vice President. You will both be missed at the "table".

I took an opportunity to talk about Ethics at this year's Educational Symposium. In short we are starting to see the insurance companies complain about reports that do not meet the SAMS® Recommended Survey Report Content. I would ask that all members conduct a self-audit of your reports and insure that they meet the SAMS® reporting standards. Please remember that your actions as a SAMS® surveyor affect us all.

We are already planning for next year's Educational Symposium and Annual Meeting in New Orleans. We expect a great turnout. Right now, there are several Regional Meetings ready to start and, speaking with the Regional Director's, there are some excellent educational opportunities so please support your region. Be sure to visit the SAMS® website for any additional information concerning these meetings.

Proud to be a member of SAMS®

Stuart McLea, AMS®



Lloyd Kittredge AMS®
Executive Vice President
Ethics Chair

The Executive Vice President's position also includes the title and duties of the Ethics Chairman. Since accepting my new position at the San Diego meeting, I have received several letters about work product that appears could have been handled more professionally with better communication between the clients and our surveyors.

I know it's hard to believe, but sometimes we tend to get in a hurry and do not listen real well to what the client's requests are. What we hear is they want the same old thing, "I need a survey on this boat I am intending to purchase". At that point, our brain goes into the selling mode to get the assignment. What we didn't hear is they may have some concerns such as high moisture, and/or delamination or mold or whatever, and if these issues are found, they would want to terminate the inspection. That portion of the conversation does not sink in, and

we are in trouble for not listening. The issues are not pointed out, or a phone call is not made, and if the client is not attending, we have an unhappy client. He, the client perhaps did not want to pay for the boat to be pulled, or the sea trial to be conducted, and spend extra money on something they would reject if the facts were known when found. All of this could have been avoided if we had our brain engaged in the listening mode. Now, does this fall into a work product issue, or an ethical problem? Yes, we need more facts, but here again; we didn't have to be in this position in the first place. One way this could easily be handled is to have their request in your work order. That way there would be no question on the scope of work to be done.

I have one request and that would be that we all read our Code Of Ethics that is found in the front of the Membership Roster that is sent to all members. It is not that long and will only take a few minutes to read. If you do not have a copy, you can find it online or request a copy from the International office in Jacksonville.

Be smart, work smart and be professional. Remember what you do and how you act reflects on all of us.

One more thing, start now and plan on attending the New Orleans meeting in 2014. It's just good for business to be there.

Lloyd Kittredge AMS®
Executive Vice President

Hello to All.

Hopefully everyone who attended the San Diego meeting enjoyed themselves and learned something they did not know before they arrived. It was an excellent venue and a wide variety of speakers from around the industry. We had less people bail out on Friday afternoon than I had seen in the past, thanks to Ken and Allison. I am already looking forward to New Orleans, October 15th-18th 2014. I have passed the Vice President of Meetings and Conventions duties on to Bob Horvath, AMS® who has a great deal of experience in this field and will do an excellent job.



Paul Logue, AMS®
Secretary/Treasurer

New Orleans - October 2014

Laissez les bons temps rouler.

(Let the good times roll.)



Kenneth Weinbrecht, AMS®
Education Vice President

Well...most reports are in and San Diego was a huge success. Those that attended really enjoyed the speakers and especially our keynote speaker: Jeff Sinchak from the Wounded Warrior Project. His presentation was moving and everyone that attended was emotionally affected. The positive thing is that the Wounded Warrior Project is doing excellent things for veterans and their families that need extra help with anything that you can think of. Whatever a wounded warrior needs, they can get it from the Wounded Warrior Project because of donations and assistance from employers that hire a wounded warrior. Jeff also asked for our help; if you can assist in helping provide a job or assistance to a veteran, please let them know.

Due to the generosity of the members in attendance, SAMS® was able to donate over \$2,000 to the Wounded Warrior Project.

And now on to New Orleans. If you've never been there, this should be on your bucket list. It's a wonderful and exciting city and is full of history and culture. Our hotel is top notch and is only a few blocks from the French quarter and right next door to the aquarium.

The educational program will be geared for all phases of surveying. If you are currently engaged in your practice doing yachts and small craft, this might be a great opportunity to learn about cargo and brown water surveys, tug and barge, etc. Speakers will include attorneys, insurance professionals as well as boat builders and engine manufacturers.

DID YOU KNOW

That almost every marine related course that you attend can be awarded CE credits. We've had people take thermal imaging classes and certification, engine classes, outdrive classes, ABYC, NFPA, arson, IAMI, Mariners Meetings as well as on line courses, all qualify for CE's.

We are currently reviewing the CE award for online courses and there might be some changes that will benefit all that take them.

Remember; as an AMS®, you must have 60 CE's WITHIN the five (5) years from your certification date as well as one annual meeting.

As an SA, you must obtain 6 CE's per year prior to upgrading to AMS®.

New SA Members (effective 1/1/13) are required to attend one SAMS® Annual International Meeting during their first five years of membership

Enjoy the wonder of New Orleans.....It's an experience you'll always remember!



Jeff Sinchak from the Wounded Warrior Project with Joseph Loble, AMS® President

Meetings and Conventions

Greetings from the weather confused Great Lakes. Within four days of returning from sunny California, we had sunshine, heavy rain and high winds then four inches of very heavy snow. This brought down trees, limbs and power lines causing 50,000 people to be without electricity.

We had our National Meeting in San Diego with a great educational program, super accommodations and plenty of good food. A big thank you to Paul Logue, AMS®, Ken Weinbrecht, AMS® and the ladies at our International office who work so hard to insure we had all the pieces in place for our meetings.

My taking over as the new Meetings and Conventions Vice President is being made easy as Paul Logue, AMS® has already done a lot of the preparation for our 2014 meeting in New Orleans. I will continue to finish

the final details. By the time you read this, I will have made a site visit to Milwaukee to start working out a final contract for our 2015 National Meeting site. Then on to some preliminary work on New York, the chosen site for 2016.

At this time, I would like to thank the Great Lakes members who supported me in my tenure as their Regional Director. A special thanks to Tim Dry, AMS® who hounded everyone to sign in to receive their CE credits.

Bob Horvath AMS®
Meetings and Conventions Vice President



Robert V. Horvath, AMS®
Meetings/Conventions
Vice President



Jim Sepel, AMS®
Membership
Vice President

Jim Sepel, AMS®, Membership Vice President

Greetings from the chilly rain forest of SE Alaska:

For those of you who missed our fantastic San Diego Conference and General Business Meeting, the following is a summary of what I reported at the business meeting.

Total membership, all categories: 928.

Our total membership, while in the past several years has been on the decline, appears to have “leveled off”.

67 new members

63 suspended (mostly for dues)

Total AMS® and SA: 829 (215 are SA)

We have seen an increase in applications of 33%, in 2013.

One out of four applicants is denied membership.

--reasons for denial include:

- a. conflict of interest.
- b. weak reports.
- c. negative peer review.
- d. advertising/ethics issues.

24% of new members are Chapman’s graduates.

Upgrades: processed 31, of those only four were denied because of:

(1) weak reports; (2) poor SAMS® meeting participation; and/or (3) low CE’s.

What the upgrade statistics are clearly showing is that the SA Annual Report Review Program is working. Of the four who were denied, three did not participate in the SA Annual Report Review program. Their reports weren’t up to our standards.

All members should continue to work on improving reports (including AMS®).

ALL SA'S PLEASE READ:

Policy “Tip of the Quarter”

Not knowing the policies and then spreading misinformation about policies can really be detrimental. Just recently I was told that some SA’s did not attend San Diego because they “were told” that they would not get CE’s. Page 17 of the policy manual states SA’s should get a minimum of 6 CE’s per year. If you attend a conference, you get the CE’s. If you have a policy question, please email or call me.

And, never send an email when you are angry.

From Past President Mark Rhodes, AMS®

I joined SAMS® in 1988. It sounded like a great idea with professional surveyors coming together to educate, train and promote within their chosen field of endeavour. Mickey Strocchi collared me during a day of work at a Fort Lauderdale shipyard. He was very enthusiastic about this new organization which Jim Robbins, AMS® and Fred Lowe, AMS® had founded. At Mickey's urging, I became active and attended the first New Orleans meeting. It was an interesting time, to say the least. Jim Robbins, AMS®, Mickey Strocchi, Don Patterson, AMS®, Downing Nightingale, AMS® and Sy Williams, AMS® all attempted to keep the peace and get things organized. Charlie Corder, AMS®, Carl Foxworth, AMS® and many others pitched in to help to get things rolling. With a certain amount of threatening, yelling and compromise, things got sorted out and SAMS® was truly off the ground and running.

Following that meeting, SAMS® progressed and grew as more members brought their expertise and willingness to contribute to our organization and to the profession of Marine Surveying.

Downing Nightingale, AMS® contributed untold hours of his own time and furnished space in his surveying office so that SAMS® had a place to store records and

have a physical place of business. Things have certainly changed over the years with Mary Stahler and now Rhea Shea becoming the "Executive Director" of our fine organization. They are truly the glue that binds us all together. Downing continues to contribute by being the "man on the ground" in Jacksonville and liaison to the board.

Today some twenty five years later, our cadre consists of many men and women who subscribe to the enduring philosophy that we must, as professionals, mentor those who will follow us. Additionally, our continuing education policies insure that all of us will remain current, relevant, and proficient in our service to the Marine Industry.

SAMS® is and will continue to be an outstanding professional organization of which we can all be proud. This is due in no small measure to all the men and women who have, and continue to support and contribute on a daily basis.

Best regards to all.

Mark Rhodes, AMS®



Mark Rhodes, AMS®
President '94-'95



2013 San Diego, CA

Fellow Gulf Region Surveyors

I was accorded the honor of being elected SAMS® Vice President of Testing at the San Diego annual symposium. So I must pass on the torch of Gulf Regional Director.

I want to thank everyone for the help and support I have received over the years putting on the annual Gulf meetings and the New Orleans International WorkBoat Shows; and for all of those that attended and made them successful.

The hot news from the Gulf Region is we did not have any hurricanes this year. Amen. And the Gulf Regional meeting will be on 2-3-4 December in New Orleans. We have a stellar line up of speakers led by SAMS® new President Stuart McLea, AMS®; and ABYC's own Ed Sherman will be presenting a daylong seminar on Electrical and Corrosion on the 4th. Come on down and have a great time!

For further information check the SAMS® website or you can always get in touch with me [504-236-8151] [yachtsurveys@msn.com] for more details.

Kristoffer Diel, AMS® 870
Vice President Testing



Kristoffer Diel, AMS®
Testing Vice President

Getting Ready for Another Winter



Eddy J. Assaf, Jr., AMS®
Canadian Regional
Director

Well it's that time of the year again, trying to get the last surveys done before the white stuff falls down. The past summer was shorter than normal since it didn't start here in the Northeast until August. But for boaters in La Belle Province, the seaway water levels were good thanks to all the earlier rain which made for a good boating season which everyone profited from.

I was glad to see the number of Canadian members in San Diego. As usual Paul Logue, AMS® did a great job with the hotel and meeting arrangements and Ken Weinbrecht, AMS® had excellent and informative educational programs. Now, I am looking forward to New Orleans.

I want to congratulate Stu McLea, AMS®, SAMS® President on his new position and a special thanks to Joe Lobley, AMS® Immediate Past President for the outstanding job he has done in the past 2 years.

I have heard through the grapevine that several insurance companies in the Quebec and Ontario area are soliciting new clients by advertising that "no survey will be required". I don't see this lasting too long but it may affect our business somewhat. However, the insurance agents I know are still strongly suggesting to their clients that a survey should be done for their own protection. This new approach to get clients proves that, even for the insurance companies, business is hard and competitive. So if you have a chance to go see the local insurance companies be sure to make them understand that surveys and our services are still an important part of their industry.

Keep in mind that while winter is around, and work is slower, it's the perfect time to catch up on some CE credits, several well known organizations have crossed the border in the past and these courses are always a great opportunity for education and credits.

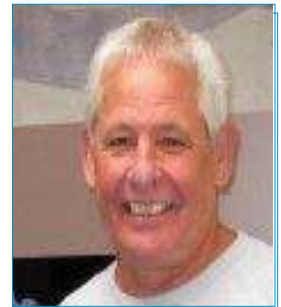
For those of you who are eligible to AMS® upgrade and have not proceeded to apply don't hesitate and get it done now.

So here is to hoping that winter is short and we all have an early spring and busy year.

The marine community just lost 2 very valuable assets from the Maryland area.

FRANK WILLIAM BEACHLEY, 71 of Centreville Maryland passed away on 7/03/13 surrounded by his family. Frank Beachley did not invent marine insurance, he just made it better. We as surveyors must often think about whom they should thank for the many opportunities that abound in the surveying profession. Frank Beachley is one person that we should all consider to be in that reception line. No matter what, marine insurance is central to all of us in the recreational surveying field. I honestly do not know all the specifics about the roots of the company that he and his good friend Bob Robinson opened in 1984 named National Marine Underwriters. But I do know that National Marine Underwriters went on to become a marine insurance powerhouse cleverly operated out of Annapolis, Maryland. What struck me about Frank was his deep understanding of his trade. I met and knew Frank personally. To me that was something I will always cherish, as I was able to with ease rub elbows with one of the titans of the insurance world. Frank also served in the Air Force and enjoyed his time as a private pilot. In Frank's eyes, you could see that his vision went beyond that of the average person. And when you mix this with his dry wit and ever present sense of good humor, you then get the Frank package. While they chose different paths in life, Frank reminded me of my father in many ways. I guess that is why he struck me as my kind of guy. I was proudly invited to the 25th anniversary of National Marine Underwriters held in Maryland and I sadly saw Frank for the last time. Frank officially retired in 2006, but I am sure that his heart never left what he was able to master. I think Frank had a gifted life even though it was cut short. His beautiful and gracious wife Marilyn is just as dynamic as Frank was. Frank and Marilyn in their 47-year marriage enjoyed having 2 [adult] children John and Stacie. John

has followed in his father's footsteps as an accomplished marine professional. And as time marches on 4, prodigious grandsons evolved. I will miss Frank because he met all the challenges in his business life and was still able to always maintain his eye on the ever-elusive bulls eye.



Robert Heekin, AMS®
Florida Regional
Director

JOHN CARL [JACK] HORNER, 68 of Centreville, MD passed away on 10/01/13 after a short illness. This Jack Horner was not anything like the fabled one that sat in the corner. Jack was in contrast a past member of SAMS® and a member of NAMS. Jack was also a naval architect with a degree from Westlawn Institute of Technology. Jack as I am now finding out served in our military as a helicopter pilot for the US Army Special Forces in Vietnam. Jack did not brag about his past accomplishments, I guess because he did not have to. I personally knew Jack from many past adventures on the Boat US Catastrophe Team. Jack was a vital member of the team and he will always be remembered for his computerized damage appraisal software that he designed and shared. It is still in use today. Jack's passing was a shock to all of us. I last heard from Jack on the many conference calls that were shared during the Hurricane Sandy event. Jack is survived by his wife of 25 years, Elaine Dickinson. Elaine was a marine professional in her own right making this I am sure the perfect pair. The entire marine surveying community mourns this guy's sudden and premature passing.

EPILOGUE

One may have noticed many coincidences with the passing of these 2 over achievers. Both individuals shared a love for both the aviation and maritime industries. Both went on to immerse themselves in a similar professional direction that spelled unparalleled success for each. Both of these fine men served with honor in our highly esteemed armed forces. Both had loving wives with marriages that had superior longevity and devotion. And last but not least, both were laid to rest within 3 months of each other in the same village in Maryland. The marine industry cannot help but feel the void left when the light of these 2 stars dimmed and ultimately went out. I figure that there was a lot of unfinished business ahead of Frank and Jack. For they were not the ones asking what was wrong in life, they were asking how can they fix it for the better of mankind.

Greetings from the Mid-Atlantic Region



Theodore Fred Wright, AMS®
Mid-Atlantic Regional

Just back from San Diego and pleasantly surprised to see the many faces from our Region and the other right coast regions. Lesson learned; when Paul Logue, AMS® says reserve early; do so, or one rightly deserves the half-mile walk across the bridge every morning and evening. Those

who attended were treated to a wonderful educational, networking and social opportunity. Those who did not; well, maybe next time.

Two sessions stood out; Jeff Sinchak's presentation on behalf of the Wounded Warriors. Jeff's story demonstrates freedom is not free, but is paid for by the blood of those in our armed forces, who deserve our undying gratitude. To those who are veterans; thank you for your service.

Most compelling for me was the presentation by Kevin Ritz on Electric Shock Drowning. Among all those grizzled faces; there were a lot of muffled snuffles and tears (I'm sure it was just allergies) as he recounted the story of the death of his young son swimming along a pier on a freshwater lake. His efforts to discover the source of the electric current emanating from a boat at the marina that lead to his son's demise were herculean, and illus-

trative of the serious nature of our profession and our role in documenting compliance with the requirements and recommended standards of the marine industry.

It is fall (and perhaps winter by the time this appears), and assignments may slow. Time to dump out the proverbial tool bag; clean, examine, assess, repair, reorder or renew as necessary, including a good long look in the mirror, asking the persona there; what do I need to do to elevate my game or add to my skill set so that I can be the best that I can be? Explore educational opportunities, upgrade equipment, mentor a new member. You, and all those within our society, will be all the richer for it.

Regarding educational opportunities; there is a Mid-Atlantic Regional meeting scheduled for 13-14 December 2013 in the Charleston, SC area. Venue is to be determined with speakers scheduled on thermal imaging, rigging, and wooden boat surveying, as well as a surveyor's roundtable; "What's in your bag?" Check your inbox for more information in the coming days, and come join us in the Low country. Other opportunities are available in the coming weeks on Long Island and in New Orleans, as well as through ABYC and others. Don't miss out on your Continuing Education.

Finally, the holidays are approaching. Best wishes to all for the season and the New Year.

From the Northeast Region



John N. Lowe, AMS®
North East
Regional Director

Just got back from San Diego and to those who didn't attend you missed a good one with some powerful speakers and fun social interaction. Hope you're all busy; things in my neck of the woods are finally leveling off after the mad rush of hurricane SANDY. In speaking with several other

surveyors I keep hearing the same general statement of "I'm ready for a break" being repeated by everyone in our area who has been overworked this past year. I must say I agree and plan to spend some serious time sitting in the deer woods this fall and winter. We must however use the off season to advance ourselves professionally. While it's OK to sit by the wood stove with a good book

on a cold day to re-charge our batteries we should also be using some of this time to go over our survey reports and make changes where necessary (never too late for that), take an ABYC course or one of the myriad of online courses available, spend some time with a local mechanic or rigger, etc. and offer to lend a hand in his or her shop in exchange for some knowledge. There are several regional meetings being held as well as boat shows where we can all renew important contacts. I know my office needs a major overhaul along with several others I have seen. Hope you all get to the regional meeting and I will look for you in the yards.

BE SAFE

John Lowe, AMS®
Northeast Regional Director SAMS®



Darrell Boyes, AMS
Pacific Regional Director

I just returned from San Diego, California, after attending the Annual meeting held at the Bahia Resort. First of all thanks to Paul Logue, AMS® for doing an excellent job of making all of the preparations for this event. The rooms and the food service were excellent. Way to go Paul!!

Additionally, I would like to thank the Pacific Regional folks for showing up in good numbers and making this a successful event. This was much improved over our last annual on the West Coast. Thank you to all of you who attended.

I am in the process of setting up for the Pacific Regional meeting that will be held in San Leandro, California, in late February. We have not picked firm dates for the meeting but

I will endeavor to have them soon. Anyone with contacts who may want to participate as speakers please get that information to me. We are always looking for good education.

At our Regional caucus following the business meeting in San Diego, we discussed a number of things. One item was to discontinue our newsletter that Randall Sharpe, AMS® was providing. We encourage each of you to send articles that you may have for sharing to the Editor of the International newsletter to bring information to all surveyors. We have talked many times about all of us having articles of interest to share with each other. This would be a great way to do that. So effective immediately the Pacific Regional newsletter will be discontinued and what articles have been sent to Randall will be forwarded to HQ for possible use in the future. If your article is published you may receive CE's for your participation.

Another item discussed was the 2015 Regional meeting. The Region as a group with those in attendance voted for holding our Regional meeting in Vancouver, BC in conjunction with the Canadian surveyors. I will continue to work on this and I am hoping that we can have a good interest for education and attendance.

Lastly we are preparing for the Pacific Expo in Seattle on November 20-22nd. If you are in the area stop by the SAMS® booth and say hi or better yet relieve somebody on duty and greet those in attendance. This is a show that SAMS® attends to promote what we are all about and to create a presence in the commercial community. Over the years, we have become well known and I am seeing more and more that people in need of surveys are turning to SAMS® and NAMS surveyors as the leaders in the surveying world with SAMS® leading the way.

Stay safe out there;

Darrell Boyes, AMS®
Pacific Regional Director

Carlos makes it all the way from Puerto Rico, in a wheel chair...



The new 440 ton Travel Lift at Front Street Shipyard in Belfast, Maine. Actually rated for over 500 tons. That is a tiny 150 ton lift to the left. Check them out at www.frontstreetshipyard.com .



Capt. Joseph A. Derie, NAMS-CMS; AMS®, SAMS®; CMI Chair, Fishing Vessel Technical Committee, NAMS Southwest Passage Marine Surveys

“Stability and Trim for the Ship’s Officer” (4th Ed., 2005), defines stability as “the ability of a vessel to return to its original condition or position after it has been disturbed by an outside force.” The National Cargo Bureau (NCB) defines it as the “tendency for a floating vessel to resist a sudden change of position or condition relative to the surface of the water in which it is floating.” The NCB goes on to point out that “the greater the tendency to resist a sudden change of position or condition a vessel has the greater the stability the vessel possesses. In like manner a lesser tendency to resist a sudden change indicates the vessel has less stability.”

FACTORS AFFECTING FISHING VESSEL STABILITY

Although stability is a concern for all vessels, fishing vessel stability is especially significant due to the unique operations and hazards peculiar to fishing vessels that are not shared by other commercial cargo carriers. Five factors listed by the NCB are:

1. “The fishing vessel must obtain cargo from the sea.
2. The fishing vessel must load cargo at sea with overhead gear and winches that must take the strains imposed by both the cargo (fish) and the roll of the vessel. During operations at sea, the hatches are open and there is considerable activity on the open deck — factors not faced routinely aboard most general cargo vessels.
3. Most fishing vessels are not under the mandatory system of inspections of equipment and personnel that help maintain the conventional cargo carriers in safe condition.
4. Maintenance time aboard fishing vessels is usually far below the minimum available aboard most other commercial vessel, where passage time can be spent in routine maintenance and repair.
5. The fishing vessel usually does not operate on well-traveled sea lanes where rescue or aid would be on hand in case of an accident.”

USCG NVIC 5-86, Voluntary Standards for US Uninspected Commercial Fishing Vessels, mentions the following factors that contribute to stability issues affecting fishing vessels.

1. “Fishing vessels are typically of small to moderate size and are operated in harsh

environments.

2. Some design features that are desirable from a stability point of view may be a hindrance to fishing on a day-to-day basis.
3. Shortened seasons for various fisheries result in economic pressures on the operator to overload the vessel to maximize the catch during the limited fishing season.
4. Modifications to vessel in service that are necessitated by a change of service or fishing practice usually result in degradation of vessel stability. The practice of using the same vessel in several different fisheries on a seasonal basis often results in a design that is perfectly acceptable for one fishery but marginal or unsafe for another.
5. Fishing vessel operators in general do not have an appreciation for the factors affecting the stability of their vessels, particularly those factors that can be significantly influenced by operating practices.”

USCG STABILITY REQUIREMENTS

Mandatory stability requirements for fishing vessels can be found in 46 CFR 28.500 (Subpart E). They are applicable to “each commercial fishing industry vessel which is 79 feet (24 meters) or more in length that is not required to be issued a load line under subchapter E of this chapter and that—

- (a) Has its keel laid or is at a similar stage of construction or undergoes a major conversion started on or after September 15, 1991;
- (b) Undergoes alterations to the fishing or processing equipment for the purpose of catching, landing, or processing fish in a manner different than has previously been accomplished on the vessel—these vessels need only comply with § 28.501 of this subpart; or
- (c) Has been substantially altered on or after September 15, 1991.”

Subpart E has sections defining substantial alterations, on owner responsibilities, definitions of stability terms, and stability instructions, as well as sections giving guidance to naval architects or engineers who are retained to create instructions for fishing vessels. These sections cover areas such as icing, free surface, intact stability when using lifting gear, water on deck, unintentional flooding, etc.

The definition of substantial alterations in 46 CFR 28.501 is very technical and designed for the naval architect or engineer retained to create stability instructions for fishing vessels. At the deck plate level, to determine whether substantial alterations have occurred a marine surveyor surveying a vessel should be asking the question “Has this vessel been altered in a manner which would adversely affect its stability?” Their skills and knowledge of stability and vessel construction gained over the years should be adequate to answer this question. When in doubt of course the marine surveyor should take a conservative approach and in their report recommend review by a naval architect or engineer.

STABILITY INSTRUCTIONS

The intent of 46 CFR 28.530 Stability Instructions, is “to ensure that vessel masters and individuals in charge of vessels are provided with enough stability information to allow them to maintain their vessel in a satisfactory stability condition. The rules provide maximum flexibility for owners and qualified individuals to determine how this information is conveyed, taking into consideration decisions by operating personnel must be made quickly and that few operating personnel in the commercial fishing industry have had specialized training in stability. Therefore, stability instructions should take into account the conditions a vessel may reasonably be expected to encounter and provide simple guidance for the operating personnel to deal with these situations.”

46 CFR 28.530(b) requires that “each vessel must be provided with stability instructions which provide the master or individual in charge of the vessel with loading constraints and operating restrictions which maintain the vessel in a condition which meets the applicable stability requirements of this subpart.”

46 CFR 28.530 (d) states that stability instructions must be in a format easily understood by the master or individual in charge of the vessel. Units of measure, language, and rigor of calculations in the stability instructions must be consistent with the ability of the master or the individual in charge of the vessel of the format of the stability instructions may include, at the owner’s discretion, any of

the following:

- (1) Simple loading instructions;
 - (2) A simple loading diagram with instructions;
 - (3) A stability booklet with sample calculations; or
 - (4) Any other appropriate format for providing stability instructions.
- (e) Stability instructions must be developed based on the vessel's individual characteristics.

While the 46 CFR Subpart E requirements for stability instructions may only apply generally to vessels, over 79' long and meeting the other criteria listed above, USCG NVIC 5-86 recommends all fishing vessels have stability instructions.

The North Pacific Fishing Vessel Owners Association Safety Manual, an industry standard not necessarily limited to those vessels operating in the North Pacific, also recommends all vessels have stability instructions and has a chapter dedicated to vessel stability and stability instructions.

STABILITY INSTRUCTIONS AND THE MARINE SURVEY

After reviewing the above, it would appear that marine surveyors surveying fishing vessels should always ask to see the stability instructions for the vessel they are surveying. When they are provided, they should review the document to ensure that it is up to date and takes into account any substantial alterations that may have been made to the vessel since the stability instructions were promulgated. It should be noted that a number of small alterations over the years may cumulatively make for a substantial alteration and should be taken into account when reviewing to see if they are current for the vessel in question. Furthermore, if the vessel is used for multiple fisheries, requiring changes to deck equipment, etc., they should ensure that the Stability Instructions include all fisheries the vessel may engage in.

Survey reports for fishing vessels that do not have stability instructions or whose stability instructions do not reflect substantial alterations or multiple fisheries should reflect those deficiencies in their findings with a strong recommendation that the owner have stability instructions created at the earliest possible opportunity. If the vessel falls under the criteria of 46 CFR 28.500 this, is a major shortcoming and should be described as such in your report. Under

those circumstances, it would appear appropriate that the recommendation should be that the vessel not proceed on a voyage to the fisheries until stability instructions are completed.

Marine surveyors acting as Third Person Fishing Vessel Examiners should be aware of Supplement 2, Subpart E, to the USCG Commercial Fishing Vessel Safety Examination Checklist, which calls out the requirement for Stability Instructions for vessels describe in 46 CFR 28.500 above.

LEARNING ABOUT FISHING VESSEL STABILITY AND STABILITY INSTRUCTIONS

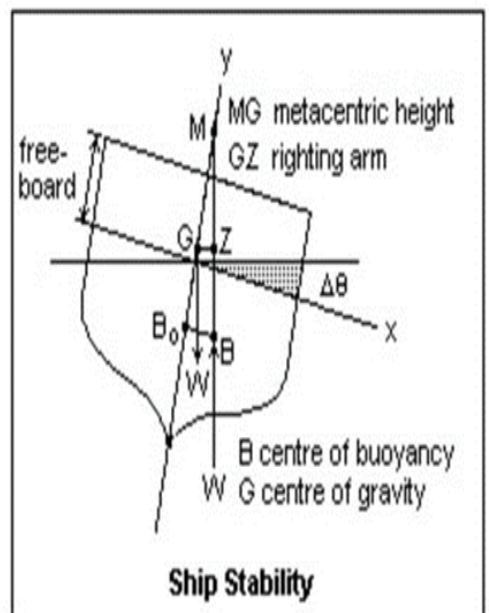
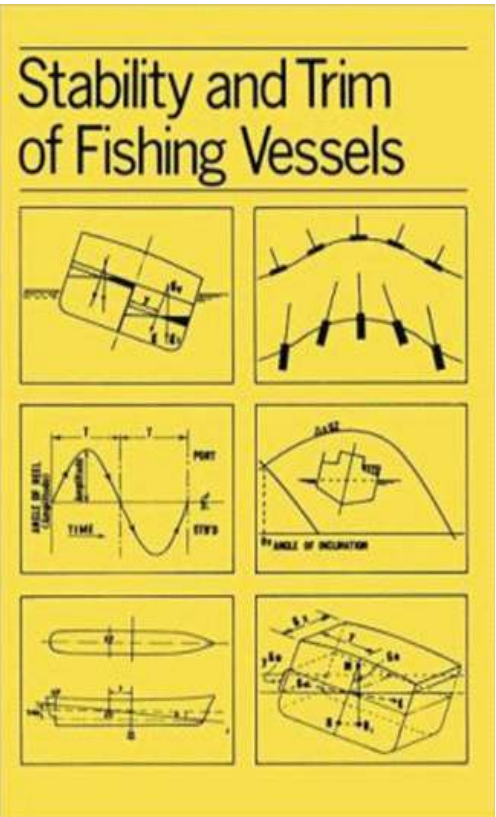
The best place for a marine surveyor to learn about fishing vessel stability and stability instructions is to take the "Stability For Fishermen" correspondence course that is available from the NCB. This is a self-study course with eight lessons covering everything a fishing vessel owner, captain or marine surveyor needs to know and understand about fishing vessel stability.

After studying chapters in the study guide, students answer questions and perform calculations to solve practical problems in fishing vessel stability that are found in the workbook. The calculations use formulas that require only basic mathematical skills. Other requirements are reading graphs that are typical of a vessel's stability instructions. The completed lessons are submitted for grading to experts at the NCB, who work with the student to ensure they understand the lessons.

More information on this course can be found at <http://www.natcargo.org/ssfish.html>. It costs \$250 and graduates are considered by the USCG to have gained two weeks sea service credit (deck or engineering) toward a U.S. Merchant Mariner's Document or License. They also receive 84 CEUs from NAMS and SAMS®. NAMS recommends that all NAMS marine surveyors surveying fishing vessels complete this course and awards personnel testing for the NAMS- CMS FV designation 10 points toward the score on their test if they can show successful proof of completion.

The NCB also offers courses in Ship's Stability and Damage Stability that are recommended for all marine surveyors who survey commercial vessels. Information on these courses may be found at <http://www.natcargo.org/stability.html>.

Due to the nature and location of fishing operations fishing vessel stability is a key element in vessel safety. For that reason marine surveyors should understand stability and be able to read and understand vessel Stability Instructions when surveying fishing vessels.



PERCEPTION, ETHICS, AND SLEEPING WELL AT NIGHT



Paul Logue, AMS®
Secretary/Treasurer

I just want to comment on something that I find happening with less frequency over the last 6 years as an Regional Director and Board Member and that is Ethics Complaints against members. Hopefully it's because we are conducting our business in a more ethical

way. We are learning and being smarter about the jobs we get involved with and disclose everything you feel the parties involved would like to know. For instance, I got a call from a buyer for a pre-purchase survey, which I completed. The boat had a lot of recommendations, including some structural issues on the decks. He did not purchase the boat. I then receive a phone call from another buyer looking at a different sailboat in my area. I get all the details and the seller's/owner's name rings a bell. It was the same person that I did the pre-purchase survey for earlier. I tell all the parties that I just did a survey for the seller on a boat he did not buy and now I am surveying his boat. They all said, "So what's the big deal." I told them "Nothing, but wanted you all to be aware that I have had previous business with the seller." All I could think about was what if the seller said, surprising the buyer, "Oh, Hi Paul I met you the other day during the survey of that boat with the deck issues." So I did not want the buyer to think that I have some sort of relationship with the seller that was not disclosed. That is called a **"perceived conflict of interest."** It was a harmless and coincidental situation that I needed to disclose.

Have you been asked to survey a boat you know has issues? This situation recently happened to me. I received a request to survey a boat that I had previously surveyed and knew it had keel and mast issues. I told the buyer that I had surveyed the boat before and that I did not want to survey the boat again and would feel better if they contacted someone else. I did not disclose the details of my findings because that information belongs to the person who hired me to do that survey. The boat had a bent/distorted keel, the keel bolts were pulled through the keel sump, and the mast was bent. From an "Ethics and Morals" point of view, I could not take the new buyer's money because the same findings would have certainly caused him to walk away. I would not want to have someone

look at me to say, "Why didn't you tell me about these issues? I would never have spent the money for the survey." Could I have taken the job after disclosing I had surveyed the boat before? Yes. However, my personal choice was to not get involved with this boat again. I did not want to be **perceived** as someone out for a quick buck by taking money knowing the boat was a POS. I would not want this to happen to me if the shoe was reversed.

When asked to value someone's vessel either for bank financing, divorce, or a donation I always disclose that I determine value in a fair way and will not be influenced to be real high or real low just because someone is paying me. I disclose the sources I use to do the valuation. If we get by that part I want to make sure we are still on the same page so I ask what they think their boat is worth if they were to sell it tomorrow. I do a little homework and take a quick look at the values of that vessel and see if we are way off and if so, I tell them they may not want me to do the job. I either get an "OK, thanks for your honesty" and they find someone else or "OK, let's move forward." I have actually been told by boatyards that these people donating boats select certain surveyors (SAMS® included) who will elevate the value. Hopefully that will happen with less frequency as it will give all of us at SAMS® a reputation for being bought. There is no difference between, Insured Value, Appraised Value, or Fair Market Value. I have witnessed firsthand a judge tearing apart a surveyor who said there was a difference. Always remember, you must carefully detail how you determined the value and be able to defend your value. If you are **perceived** as someone with low standards of ethics and morals, in the public eye, **perception often becomes reality.**

A simple barometer is the question you can ask yourself, "Am I going to be able to sleep at night?"

I hope the trend for fewer and fewer complaints continues. A parting thought: It is better to get a job with the recommendation from a previous customer than being on a list in the selling broker's office.

See you all soon.

Paul Logue. AMS
SAMS Secretary/Treasurer

MEMBERS' CORNER

FALL/WINTER 2013 - JULY THROUGH NOVEMBER

THE FOLLOWING MEMBERS ARE NOW AN ACCREDITED MARINE SURVEYOR®, WITH THE EARNED DESIGNATOR:

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THE FOLLOWING PEOPLE HAVE BEEN ACCEPTED INTO SAMS® AS:

“SURVEYOR ASSOCIATES”

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John Patrick Gates, Sleepy Hollow, New York
Hans William List, Sausalito, California

Donald Reginald Potter, Southport, North Carolina
Charles Kenneth Reininga, Orange, California
Timothy William Simms, Kalispett, Montana
Kevin R. White, Bowie, Maryland

It is hard to believe that we are at the end of another year. As many of you know, we now design and process the Newsletter in house, as well as handle all SAMS® Website updates and changes. I would like to introduce you to the Office Team who has been kept very busy, and give you a brief description of their area of expertise.



Rhea Shea
Executive Director



Irene Carey

Irene handles all new Membership applications, Upgrade to AMS® Candidate applications, and SA Annual Reviews. She is also in charge of SAMS® database and is the first contact for any changes to member information updates.



Sandi Davis

Sandi handles the recording of CE credits, creates the Newsletter & Regional Flyers, and updates SAMS® Website after notification from Irene.



Rose Mary
Patterson

Rose Mary would be the one to talk to regarding Legal Liability Requests, 3rd Party Fishing Vessel documents and any questions on payments received.

SAMS® 2014

Annual Meeting and Educational Symposium

October 15th - 18th

held at the

Hyatt Regency New Orleans

601 Loyola Avenue

New Orleans, Louisiana 70113

Room Rates \$209.00 Per Night Plus Tax

Reservations: 504-561-1234

Website: neworleans.hyatt.com/

Deadline for Reserved Room Rate is September 22, 2014

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