

# Slack Tide

Newsletter Of The  
CALIFORNIA ASSOCIATION OF HARBOR MASTERS & PORT CAPTAINS  
Vol. XXVI DECEMBER 2013 No. VI

## From The Helm

By Steve McGrath,  
Incoming President  
CAHM&PC

Friends and colleagues: I am honored to have been elected as President of this fine organization, and I know going into this next year that I will owe an enormous debt of gratitude to my fellow Directors, without whom I will undoubtedly fail or...not – in either instance, I thank them in advance for their hard work and dedication.

As I write this, I look out my office window, with a post –Thanksgiving glow, and see San Luis Obispo Bay, and fishing and sail boats on moorings, and kayaks and SUPs; I see the town of Avila Beach, going strong now after a devastating underground oil spill and clean up; I see the oil pier, now a Cal Poly marine research facility, and the Harford Pier, built in 1873 and home to a resurgent commercial fishing industry. From this office I've seen storms and whales and rocket launches from Vandenberg Air Force Base and snow (yes, the white stuff) falling on the pier, and the space shuttle on its final trip south to Los Angeles.



Steve McGrath at Jokulsarlon, Iceland

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## Conference Recap- Second String Carries the Day

By Mick Kronman

With fearless President Bill Price struck down by an untimely illness (as in, off to the hospital from the Board of Directors' conference kickoff meeting), first Vice President Steve McGrath stepped up to run a flawless 65th annual training conference during the week of October 28th in Aptos. Thankfully, Bill has recovered and the conference carried on seamlessly, testimony to team effort and dedication to the mission at hand.

The week brimmed with surprises, including other stand-ins for presenters who, for one reason or another, couldn't make the "show." Nobody would have known, as attendees enjoyed seminars on everything from the latest legislative news from Sacramento to what's new in anti-fouling paints (and related regulations), adapting to sea level rise and how to rebuild a marina after a tsunami, like the one that devastated Crescent City and Santa Cruz harbors in March, 2011. I again presented a seminar on Lean, Mean Writing for Marina Managers, which hopefully left an appreciative audience nervous about the next time the tap their keyboards (feel free to email me criticizing this article if you like).

In keeping with the conference theme of "expect the unexpected," attendees even observed a moment of



silence for the late Lou Reed, father of modern alternative music. I believe Lou would have felt honored by the respect paid him by our group.

Also, in a twist on the Call of the Ports time-slot, during which marina managers discuss what's new in their harbors, on the final day of the Conference trade-show exhibitors participated in a Call of the Trades, introducing themselves, their products and what they can offer to marina managers and the harbors they run. A harbinger of things to come, their presentations successfully augmented exhibitors' efforts to connect with conference participants in the traditional way-having participants visit exhibitors' booths during designated intervals. Look for more of this type of approach - bringing our vendors to us, in addition to us visiting them-in future

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## Slack Tide

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### HELM From Page 1

I've practiced for disasters and prepared for tsunamis. All of which is a long winded way of saying that I have the privilege of working in this most vital and interesting industry, and doing so in a place without equal (in my humble opinion).

I came to Port San Luis as Facilities Manager in 2005, and became Harbor Manager in December 2007. I brought with me a solid background in facilities development and management in the public sector, but no marine experience outside of a surf board and a long since lapsed PADI certification. I have learned an enormous amount in the last eight years, from my colleagues and my predecessors here at the harbor, but also to a huge extent from my colleagues at other harbors. It's simply too easy to be certain of our uniqueness and forget that there is nothing new under the sun. I know that without the Port San Luis Harbor Commissioners' commitment to professional development, and our continued commitment to The California Association of Harbor Masters and Port Captains that my job would be harder, my learning curve would have been longer, my failures more spectacular and my successes fewer and further between.

In this coming year, there will be regional meetings and meetings of the Board of Directors, at which all are welcome. There will of course be the annual training conference (save the date: September 29 – October 2 in beautiful Santa Barbara), regular issues of Slack Tide, and an e-mail forum for you to seek advice or information from your colleagues or from the vendors we support and who support us. I will work hard to continue improving the service the Association provides you, its members, to facilitate communication between us all and to ensure the emphasis on training and professional development opportunities continues.

Again, I am honored to have been selected for this role and I thank you for the opportunity to be of service.

Steve McGrath

### CONFERENCE RECAP From Page 1

conferences, starting next year.

Then, of course, the awards banquet brought us together to honor our own, starting with a four-man team from Pillar Point Harbor/San Mateo Harbor District that undertook a lifesaving rescue of a man trapped in a sea cave. We also honored the Port of San Francisco for its contribution the 2013 America's Cup race, characterized by a remarkable comeback by Oracle Team U.S.A., which won the Cup by a 9-8 margin.

Finally, the coveted State Harbor Master of the Year award went to Brad Gross, Orange County/Dana Point Harbor Director, who brought advanced training opportunities from an internationally recognized marina management organization to the West Coast. Brad won the award for an unprecedented third time.

If you made this year's conference, thanks for attending. I hope you got as much out of it as I did. And now that Steve McGrath has honed his presidential skills, we can expect a great conference next year, as well. I assure you it will be another rewarding and educational adventure.

# Floating Homes and the Definition of “Vessel”

By Mick Kronman, Santa Barbara Harbor

Many California harbors have for years offered liveaboard privileges to slip permittees. These types of programs afford a unique opportunity for persons wishing to reside aboard their boats and provide valuable “eyes and ears” on the water for everything from medical emergencies to fires or criminal activity.

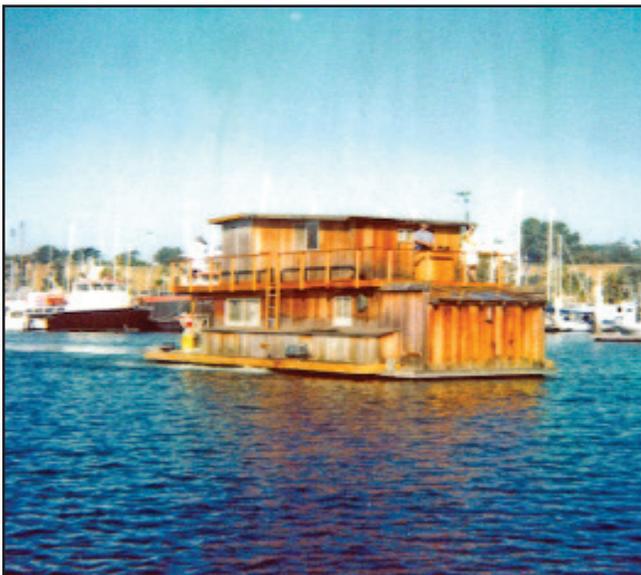
That said, many harbor managers recognize a growing interest in the berthing of floating homes that are designed just as they sound—as homes that never leave the dock. Many of us have examples of floating-home owners who have found ways to circumvent local “operability,” “navigability” or “seaworthy” requirements, using such contrivances as outboard engines and jury-rigged steering stations to push their outsized craft out of the harbor and back.

This “workaround,” however, has left open a loophole for persons wishing to berth mere floating homes, not vessels, in harbors designed for recreational boats, work boats and fishing boats. If you’re in doubt, check your Local Coastal Plan, which may either clarify the matter or reference the California Coastal Act regarding your specific harbor or marina.

Earlier this year, the U.S. Supreme Court took up the floating-home issue (from a lower-court case in Florida), ultimately ruling that not every home that floats is a vessel. The Court said, “A floating residence is not a vessel, unless a reasonable observer, looking to the home’s physical characteristics and activities, would consider it to be designed to any practical degree for carrying people or things on water.”

This case provides important guidance for harbor managers and, according to prominent maritime attorneys (one who spoke at the Advanced Marina Management Course in Dana Point and one who spoke at our annual training conference in Aptos), can be used to help prevent the berthing of floating homes in municipal marinas. In Santa Barbara, we’re working with the City Attorney’s Office to draft a definition of “Vessel” to be included in our Municipal Code, a definition that reflects the Supreme Court’s finding, but is tailored for a local Ordinance. Besides the definition, we propose to add language that says only “Vessels” are permitted to berth in Santa Barbara Harbor.

So, if you’re looking to draw a line in the water when it comes to berthing floating homes in recreational marinas or working harbors, it seems your time has arrived—and with the Supreme Court’s wind in your sails. I will follow up next spring with an article about how our efforts in Santa Barbara fared, efforts that will take Harbor Commission and City Council approval. An early discussion at Harbor Commission last month indicated that the strongest opposition may come from folks mistaking this as an anti-liveaboard move, which it is not. It’s merely intended to maintain the intent, character and use of the harbors we manage.



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## New Oil and Fuel Pollution Prevention Boating Videos

**California's Boating Clean and Green Program** provides tips on proper oil and fuel management to the state's recreational boating community through two new instructional videos.

Videos include tips and tools to prevent oil and fuel discharges; how to report oil and chemical spills; how to properly dispose of used oil; environmental laws; and information on other clean and safe boating practices recommended for before, during and after fueling boats.

The educational videos are a great resource not only to boaters, but to boating marina and yacht club operators in their efforts of keeping their facilities clean. Please share these valuable resources by posting the videos on your websites. Videos may be viewed and downloaded at [www.BoatingCleanAndGreen.com](http://www.BoatingCleanAndGreen.com). (look for DBW TV on that page).

The **Division of Boating and Waterways and the California Coastal Commission's Boating Clean and Green Program** developed the videos in partnership with the San Francisco Estuary Partnership, the Keep the



Delta Clean Program and the Santa Monica Bay Restoration Foundation. Staff developed the video content with assistance, review and support from a Technical Advisory Group comprised of members with the marine industry and boating associations (listed in the videos credits).

The videos were shot in October 2012 in Sacramento (Riverbank Marina) and in Oakland (Oakland Yacht Club and Marina Village Yacht Harbor). During the fuel video shot, staff worked with Captain Tommy Holtzman (Boat Owner and US Coast Guard Auxiliary), his boat the "Shady Ladies" and his crew (John Derrick Jr. and Warren Golubski (Boaters and US Coast Guard Auxiliary) and Chloe Golubski, an adorable dog. In the oil clean boating video, staff worked with Captains Robert J. & Susan Engelhart and their boat "Music."

The Boating Clean and Green Program is an education and outreach program conducted through the Division of Boating and Waterways and California Coastal Commission. The program promotes environmentally-sound boating practices to marine businesses and boaters.

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## Wheel Watch

### Austin Bleier, MarineSync

By Diane Isley, Emery Cove Yacht Harbor

This issue we headed south to San Diego, California to interview one of the famous Bleier brothers. Austin Bleier, Owner of MarineSync Corp. is a Sustaining Member of the CAHM&PC.

**Diane: Name, rank, serial number, employer?**

**Austin Bleier**, President, Serial Number: AB4, Employer: MarineSync Corp.

**How long have you worked for MarineSync?**

I started the company about 5 years ago.

**How did you come to work for MarineSync?**

After graduating college in Colorado, I started working for a company in Orange County, CA in commercial real estate. It was a great job that put me in front of business owners, manufacturing companies and technology companies every day. After a few years, I realized, I wanted to be on the other side of the table. I have a very entrepreneurial clarity and found myself drafting new business plans regularly. I considered moving into real estate development for a while, but my passion has and always will be electronics. I packed up my belongings in Orange County, convinced my longtime girlfriend to come with, and moved to San Diego. MarineSync opened its doors a few months later.

**What is your “nautical” or “maritime” background?**

As an alternative to daycare, my parents would drop me and my brothers off at the Mission Bay Yacht Club every summer. We began sailing holders, lasers and eventually worked our way up to sailing catamarans. These days, I’m still sailing catamarans, but really fast ones, made of carbon fiber. Catamarans so fast they scare the sh\*t out of you. My grandfather would be so proud. **Sounds like you had great parents!**

**Where did you grow up and go to school/college?**

I grew up in San Diego, CA and went to College in Colorado.

**Married, kids?** Married (Kim). Dog (Floyd). Kids (Maybe soon)

**What do you like to do in your time off?**

Sail, travel, surf, snowboard... basically everything competitive and/or involving some beers.

**How long have you been a member of CAHMPC?**

You may be more qualified to answer this question.



**Yes, since 2011, but your brothers go way back. How did you come to be involved with CAHMPC?**

Our product development follows the marina industry and the organization provides a good outlet for feedback and support.

**Do you own a boat? Do you use her often?**

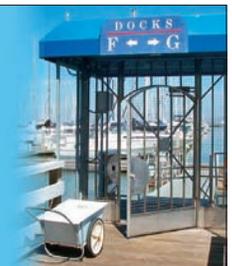
Yes. Yes. The boats name is the Banana Hammock. **Great name.**

**What do you like most about the industry? Least?**

I love being around the water and trying to understand and learn about the different requirement and market gaps in the industry. Specifically, understanding the factors that are influencing and promoting coastal/marina rehab. I struggle with the slow and sometime non-extantant speed of change. The

**Continued on Page 6**

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**WHEEL** From Page 5

marina industry, as a whole, is very antiquated. My business focuses on harnessing new technologies for adding-value and creating safer facilities. I've always found that marina management and those with boots on the ground desire change. Ultimately, it's the decision makers that tend to want to keep things the same.

**What experiences stand out for you with the Harbor Master's Association?**

It's a great group of people and I always enjoy my time with the group.

**What conferences stand out in your mind and why?**

This past conference. I really want to encourage attendees to visit with the vendors and make an effort to understand

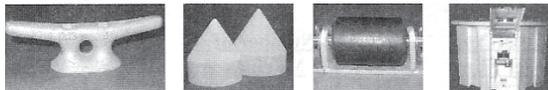
their products and services. Sometimes complacency gets the best of everyone and undermines the success of a conference for the vendors. The vendors want a chance to learn and better understand a marina's forecast. Regardless of upcoming projects, we (the people) are eager to learn about your businesses and how, if at all, we can help. **We truly value your presence at the conference and the opportunity to have face time. It is the perfect opportunity for all marina operators to educate themselves on the new technologies and opportunities available to our industry. Thank you Austin, it's always a pleasure to talk with you.**

**NEW MEMBERS**

Welcome aboard to the following NEW members who was recently approved by the Board of Directors

**Nick Kusanovich, VP**  
**LookOurWay**  
 15 Boutwell St.  
 San Francisco, CA 94124  
 O: 866-586-3888  
 E: [nkusanovich@lookourway.com](mailto:nkusanovich@lookourway.com)  
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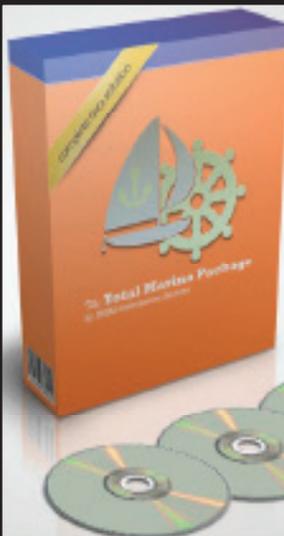
**Michael Sullivan, CEO**  
**Newport Pacific Capitol Company**  
 17300 Red Hill Ave., #280  
 Irvine, CA 92614  
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## 2013 Cleanup Day Program for Marinas and Yacht Clubs, a Success!

**Sacramento, Calif.** -- California's recreational boating community increased its contributions to Coastal Cleanup Day by participating in a subprogram for marinas and yacht clubs. Led by the California Coastal Commission (CCC) and coordinated by the California State Parks - Division of Boating and Waterways (DBW), the Cleanup Day Program for Marinas and Yacht Clubs gave 28 marinas and yacht clubs, and 673 volunteers the opportunity to clean 41.5 miles of shoreline and collect approximately 9,102 pounds of trash and recyclables on land and on 257 non-motorized vessels. "Recreational boaters know the importance of keeping California's waterways clean", said DBW's Deputy Director Sylvia O. Hunter. "Providing a program which allows them to further contribute to this effort makes the marine environment healthier." In 2013 over 53,000 volunteers participated in Coastal Cleanup Day. Those volunteers picked-up 541,547 pounds of trash and recyclable materials and cleaned more than 1,088 miles of shoreline. The CCC and DBW would like to thank the following participants for their work during the Cleanup Day Program for Marinas and Yacht Clubs:

### **Marinas and Yacht Clubs**

- Aquatic Park and Pier 39
- Aeolian Yacht Club
- Alamitos Bay Marina
- Avila Kayaks
- Ballena Bay Yacht Club
- Ballena Isle Marina
- Dana Point Harbor
- Del Rey Yacht Club
- Eureka Marina
- Grand Marina
- Humboldt Aquatic Center
- Mare Island Rowing Club
- Monterey Bay Kayaks
- Oakland Yacht Club
- Owl Harbor Marina and Andreas Cove Yacht Club
- Pacific Mariner's Yacht Club, LA Outrigger Club, UCLA Marina Aquatic Center, Marina Harbor Anchorage, Espirit Marina
- Peter's Landing Marina
- Port Royal Yacht Club
- San Rafael Yacht Club
- Santa Cruz Wharf and Harbor
- Shoreline Yacht Club
- Seal Beach Yacht Club
- Sequoia Yacht Club
- Sun Harbor Marina
- Vallejo Marina

### **County Coordinators:**

- Alameda County Industries
- American River Parkway Foundation
- Bay Model Visitor Center
- Aquarium of The Bay
- City of Alameda
- City of Long Beach El Dorado Nature Center
- El Dorado Nature Center
- Heal the Bay
- I love A Clean San Diego
- Monterey Bay Kayaks
- North Coast Environmental Center
- Orange County Dana Point Harbor
- Orange County Parks Volunteer Services
- Pacific Inter-Club Yacht Association
- Pier 39
- Save Our Shores
- San Mateo County Water Pollution Prevention Program
- Santa Monica Bay Restoration Foundation
- Solano Resource Conservation District
- SUP Shack Paddle Board
- Venture Quest
- Pacific Inter-Club Yacht Association Pier 39
- San Mateo County Water Pollution Prevention Program

Your marina can easily be part of this effort in 2014. For information on how to participate, visit [www.coast4u.org](http://www.coast4u.org) or contact the following coordinators: Vivian Matuk, (415) 904-6905 or Shannon Waters, (415) 904-5214. We hope your boating facility can be part of this worthwhile event.



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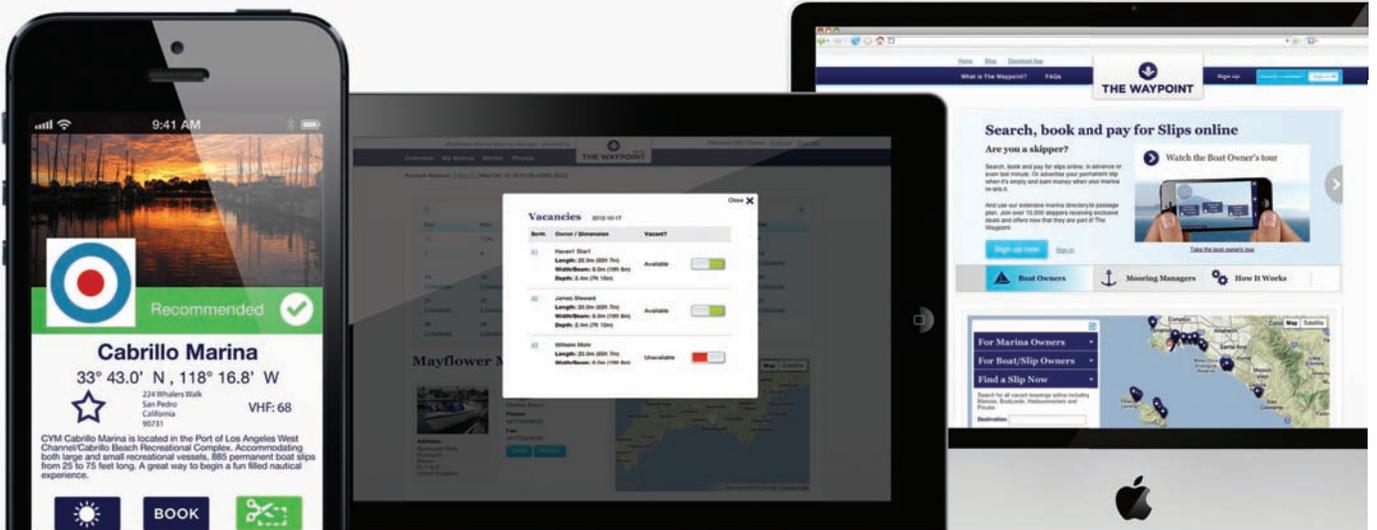


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## CLEAN MARINAS PROGRAM

December 2013

Contact: [cmp@cleanmarina.org](mailto:cmp@cleanmarina.org)

The Clean Marinas Program closes the 4<sup>th</sup> quarter with another year of accomplishments and growth. Six new marinas were certified and an additional six facilities completed re-certifications bringing the total number of certified marinas to 122. The regional Prep Courses implemented in 2013 resulted in interest from approximately 32 marinas that want to be certified this next year. We have our work cut out for 2014 and already have two certifications scheduled for January. Congratulations to Cheri Berggren at Grand Marina, Alameda, CA for their recent certification.

The Board of Directors continues to work with the Inter Agency Coordinating Committee (IACC) headed up by Jack Gregg of the California Coastal Commission and consisting of numerous government agencies on their input to the program content. We have been recognized and supported by several of the agencies and nationally as a successful program.

All Clean Marinas and those who are interested in becoming Clean Marinas are invited to join the quarterly Board meetings. At these quarterly meetings, the Board is offering preparation courses to present program requirements and answer specific questions for facilities preparing to be certified. An RSVP to attend the Prep Course session is requested sent to Secretary Diane Isley [diane@emerycove.com](mailto:diane@emerycove.com). The current 2014 dates and locations are listed below, further site detail will be posted on the website [www.cleanmarina.org](http://www.cleanmarina.org)

March	Lake Tahoe
April/May	San Francisco Bay Area
June	San Diego
September	Marina Del Rey
November	TBA

Effective January 1, 2014 the certification fee is \$750 and good for five years. Re-certifications remain at \$500 and also are good for a five year period. The five year term allows marinas to implement any changes to the program and keep accountability of practices.

The Clean Marinas program is an ongoing endeavor, by a marina industry alliance, determined to provide environmentally clean facilities and protect the states' coastal and inland waters from pollution through compliance of best management practices.

Thank you for your efforts to provide clean facilities to the boating community and protect waterways from pollution.



*Raymond Corral and Cheri Berggren, Grand Marina*

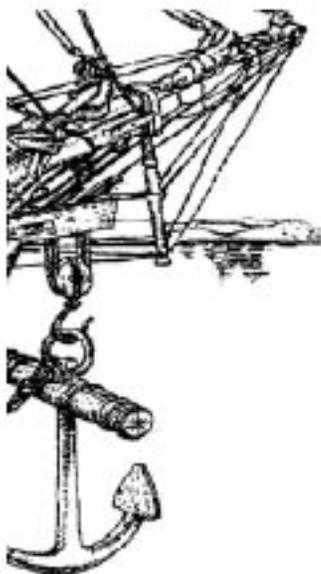
### Clean Marinas

The Clean Marinas program is a partnership of private marinas, government marinas and yacht clubs. The program was developed by marine industry volunteers to create a marina facility stewardship program for the purpose of protecting our waters from pollution. Through education and the use of Best Management Practices (BMP'S) we work with marina operators, yacht clubs and municipal port authorities to gain certification. For information on how to become a certified Clean Marina visit our web site at [www.cleanmarina.org](http://www.cleanmarina.org).



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