

Headlines:

Offshore Oregon – wind energy proposal;
LGAC – “waters of the United States”;
USCG – Incident Management Handbook;
NOAA – COSPAS-SARSAT recognized;
GAO – TIGER grant process faulted;
Court – no maritime jurisdiction over black bean conversion; and
Sinking of the RMS Empress of Ireland – 29 May 1914.

May 29, 2014



Bryant's Maritime News

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Note: This newsletter is one section of the [Bryant's Maritime Consulting](http://brymar-consulting.com) website. Visit the site for more extensive maritime regulatory information. Individual concerns may be addressed by retaining [Dennis Bryant](mailto:dennis.l.bryant@gmail.com) directly. Much of the highlighted text in this newsletter constitutes links to Internet sites providing more detailed information. Links on this page may be in PDF format, requiring use of Adobe Acrobat Reader. Comments on these postings are encouraged and may be made by email to the editor or by going to the blog page on the website and clicking the envelope that appears at the end of each posting. Be aware that the daily newsletter is a single posting, even though it contains a number of individual items. Everyone has a right to be stupid, but some abuse the privilege.

Offshore Oregon – wind energy proposal



The Bureau of Ocean Energy Management (BOEM) issued a notice stating that it intends to prepare an environmental assessment (EA) related to the proposed development of a wind energy project in waters of the Pacific Ocean offshore Oregon. Public scoping meetings will be held in Coos Bay on 17 June. Written comments should be submitted by 28 July. [79 Fed. Reg. 30876](#) (May 29, 2014). The project is more fully discussed in the BOEM [press release](#).

LGAC – “waters of the United States”



The Environmental Protection Agency (EPA) issued a notice stating that the Protecting America's Waters Workgroup of the Local Government Advisory Committee (LGAC) is seeking input on its charge to give advice and recommendations on a proposed rule to clarify protection under the Federal Water Pollution Control Act (FWPCA, also known as the Clean Water Act) for

streams and wetlands that form the foundation of the nation's water resources. A series of meetings will be held to hear from local elected and appointed officials. The first meeting was held in St. Paul, Minnesota on 28 May. Written comments are also welcome. [79 Fed. Reg. 30787](#) (May 29, 2014).

USCG – Incident Management Handbook



The US Coast Guard issued a message announcing release of the third edition of the USCG [Incident Management Handbook](#) (CG-IMH), COMDTPUB P3120.17B. [ALCOAST 231/14](#) (5/23/14). *Note: The new CG-IMH was brought to my attention by my friend Jim Overman of Fredericksburg, Texas, home of the [National Museum of the Pacific War](#).*

NOAA – COSPAS-SARSAT recognized



The National Oceanic and Atmospheric Administration (NOAA) issued a [news release](#) stating that the international COSPAS-SARSAT rescue network, responsible for saving more than 37,000 people worldwide, has been inducted into the Space Foundation's Space Technology Hall of Fame. (5/23/14).

GAO – TIGER grant process faulted



The Government Accountability Office (GAO) issued a [Management Report](#) stating that the Department of Transportation (DOT) should take various steps to improve the documentation of key decisions made in evaluating grant applications and selecting projects during the sixth round of the Transportation Investment Generating Economic Recovery (TIGER) discretionary grant program. Specifically, DOT did not document key decisions to (1) accept and review applications received after the published deadline; (2) advance projects with lower technical ratings instead of more highly-rated projects, and its procedures were inconsistent with DOT's internal guidelines; and (3) change the technical ratings of lower-rated projects selected for funding to the highest technical rating category. (5/28/14).

Court – no maritime jurisdiction over black bean conversion



In an unpublished decision, the US Court of Appeals for the Eleventh Circuit affirmed the district court's dismissal of an action for alleged maritime conversion of 3,800 fifty-pound bags of black beans. The court ruled that the conversion occurred in the shoreside warehouse where the beans had been stored and unlawfully removed, rather than on the vessel in which the beans were

ultimately transferred from Miami to Haiti. [Middleton v. MV Glory Sky I](#), No. 13-13508 (11th Cir., May 28, 2014).

Sinking of RMS Empress of Ireland – 29 May 1914



One hundred years ago, on 29 May 1914, the passenger ship RMS Empress of Ireland collided with the coal ship Storstad in the St. Lawrence River in heavy fog. The passenger ship sank within 15 minutes. Of the 1,477 passengers and crew on board, 1,012 perished, making it Canada's worst peacetime marine disaster. The subsequent investigation into the incident was largely inconclusive due to the conflicting testimony of the witnesses, but Canadian Pacific Railway, the owner of the passenger ship, ultimately won an award of \$2 million damages from the owner of the coal ship.

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