

Headlines:

USCG – erroneous application transmission;
Court – master services contract;
Court – dock on the bay;
California – vessel fee increase;
Panama Canal – February operations;
Panama Canal – new tonnage record; and
Japanese earthquake & tsunami – 11 March 2011.

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Bryant's Maritime News

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USCG – erroneous application transmission



The USCG [National Vessel Documentation Center](#) (NVDC) issued a notice advising that, due to a processing error, stakeholders may receive an additional Application for Renewal (CG-1280) for US documented vessels the Certificate of Documentation (COD) for which expires at the end of March 2017. Stakeholders who have already received the new COD which expires 31 March 2108 should disregard the second notice. (3/9/17)
[<https://www.uscg.mil/hq/cg5/nvdc/>].

Court – master services contract



The US Court of Appeals for the Fifth Circuit affirmed the trial court determination that the master services contract at the heart of an insurance

coverage dispute was maritime in nature and that maritime law controlled in the interpretation of the contract. The significance of the long and tortured decision is at the end when the panel basically called upon the Circuit judges to review the Circuit's prior position on how these cases are reviewed, with the hope that a more predictable test can be developed. **In the Matter of Larry Doiron, Inc.**, No. 16-30217 (5th Cir., February 23, 2017) [<http://www.ca5.uscourts.gov/opinions/pub/16/16-30217-CVo.pdf>]. Note: This interesting case was brought to my attention by my good friend Keith Heard of **Burke & Parsons**.

Court – dock of the bay



The US Court of Appeals for the Eleventh Circuit affirmed the lower court decision in favor of the National Park Service (NPS). Plaintiff company had conveyed properties on Cumberland Island, Georgia to the in 1982, reserving certain easements and rights of access, including use of Brick-Kiln Dock. Over the intervening years, the dock had become silted in, making continued use difficult. When the NPS refused to allow the dock to be moved or extended, the plaintiff brought suit. The court held that the deed did not permit the company to later relocate the dock and that the NPS decision was neither arbitrary nor capricious. **High Point v. National Park Service**, No. 15-11825 (11th Cir., March 8, 2017) [<http://media.ca11.uscourts.gov/opinions/pub/files/201511825.pdf>]. *Note: The dispute has only a minor relationship to maritime issues, but is significant for its references to the great Otis Redding hit.*

California – vessel fee increase



The California **State Lands Commission** (SLC) issued a notice stating that, effective 1 April, the fee paid by a vessel with a qualifying voyage arrival at a California port will increase from \$850 to \$1,000. (3/8/17) [<http://www.slc.ca.gov/Programs/MISP.html>].

Panama Canal – February operations



The Panama Canal Authority (ACP) issued an advisory summarizing Canal operations during February. It also includes the schedule of locks maintenance outages for the remainder of the fiscal year. **Advisory 9-2017** (3/8/17) [<https://www.pan canal.com/common/maritime/advisories/2017/a-09-2017.pdf>].

Panama Canal – new tonnage record



The Panama Canal Authority (ACP) issued a **press release** stating that it set a new tonnage record of 1.18 million Panama Canal tons (PC/UMS) for February, welcoming 1,180 vessels during the month. (3/9/17)
[<https://www.pancanal.com/eng/pr/press-releases/2017/03/09/pr617.html>].

Japanese earthquake & tsunami – 11 March 2011



On 11 March 2011, at 1446 JST, a magnitude 9.0 earthquake occurred beneath the seafloor in the Pacific Ocean 70 kilometers east of the Oshika Peninsula of Tohoku Prefecture on the main Japanese island of Honshu. It was the most powerful earthquake to hit Japan in modern times, moving the island 2.4 meters east and shifting the entire planet on its axis by about 15 centimeters. The earthquake triggered a tsunami that reached heights of up to 40 meters when it struck shore. The event resulted in over 15,000 deaths, numerous injuries, and massive property damage. Most dramatic, it set off a chain of events that resulted in a significant radiation leak at a nuclear power plant. Much debris floated out to sea and has been gradually coming ashore at points throughout the North Pacific region.

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