



# THE MARINE FIREMAN

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## USTRANSCOM looking for more tankers to move fuel between Pacific Island chains

The commander of U.S. Transportation Command (USTRANSCOM) says her agency is working on finding and recruiting 10 additional tanker vessels, especially those that can operate in shallower water, as part of a congressionally authorized program to boost the Defense Department's ability to move fuel in and around the Indo-Pacific.

"We are concerned about fuel tanker vessels and not having enough U.S.-flagged vessels to meet our requirements," Gen. Jacqueline Van Ovost, the four-star Air Force general overseeing USTRANSCOM, said during a Brookings Institute event. Van Ovost referenced the newly established Tanker Security Program and said America can now lean on 10 U.S.-flagged and U.S.-manned merchant marine tankers, but she wants to double that.

"We're working on the next 10 as well to be able to assuredly move fuel inside the first and second island chain" stretching west of Guam to international waters off China, where shallow drafts prevent access for vessels already available to the command.

Lawmakers initially authorized the Tanker Security Program in the Fiscal Year 2021 National Defense Authoriza-

tion Act to give the Pentagon and the Maritime Administration (MARAD), the Transportation Department agency focused on civilian shipping, the flexibility to boost the military's capacity for auxiliary vessels designed to move large amounts of fuel.

Through the program, MARAD pays stipends to the owners of privately-owned, militarily useful ships and, in exchange for the payment, those ships' owners agree to assist the federal government if called upon.

The initial program directed the agencies to find and recruit 10 vessels, the capabilities of which have focused on establishing "consolidation stations to support underway refueling of the US Navy's combat fleet," a command spokesman said. "Authorized to begin this October, the next 10 will target smaller, shallower draft tanking vessels to increase options for bulk fuel distribution across Indo-Pacific [area of responsibility], across all operational phases."

The spokesman added that lawmakers expanded the program from 10 to 20 ships at USTRANSCOM's request to increase assured intra-theater port access.

But before TRANSCOM and MARAD can sign any contracts with ship owners, the congressional language directs the agencies to provide lawmakers with a report outlining industry's capacity to support the program, the implementation timeline for bringing 20 vessels into the program by October 2024 and an assessment of whether a \$6 million per-vessel stipend will be sufficient to attract participants.

The Pentagon's shortfall in auxiliary vessels, such as tankers, and other sealift-oriented ships has been a longstanding concern for USTRANSCOM and Van Ovost's predecessors. In 2020, then-USTRANSCOM chief Army Gen. Stephen Lyons issued a dire warning to lawmakers about the potential for a full-blown crisis in the Pentagon's sealift capacity by 2025 if the status quo was not changed.

Since then, lawmakers have taken a series of steps to head off the problems Lyons predicted, such as the Tanker Security Program, and one of the Navy's senior admirals overseeing logistics has said he believes the service has made tremendous progress in recapitalizing its sealift fleet.

## Matson and APL contribute to Guam relief effort

Matson announced last month that the company will contribute \$350,000 in transportation and in-kind services toward disaster relief in Guam, Micronesia, and the Commonwealth of the Northern Mariana Islands (CNMI). The company said they began delivering relief supplies on *MV Manukai* voyage 237.

On May 28, Matson's vessel *MV Mawnawili*, which had been positioned offshore earlier in the week to shelter from Typhoon Mawar, was the first container-ship to arrive following the reopening of the Port of Guam and began discharging 454 containers of general goods.

Matson operates a weekly direct service from the U.S. West Coast with the largest containerhips serving Guam and provides connecting service to CNMI, the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau.

Matson is working with FEMA and the American Red Cross to facilitate shipments of relief supplies to Guam for the recovery process in the coming weeks and months. The company is also working with community organizations in Hawaii that are leading Guam relief efforts, providing transportation of donated goods to Guam in the coming weeks. Matson has provided shipping services to Guam since 1996.

Meanwhile, through the CMA CGM Foundation, CMA CGM launched a disaster relief effort in response to Typhoon Mawar. The Foundation is coordinating efforts through its subsidiary, American President Lines, by mobilizing resources.

Containers have been deployed to help meet the critical needs of the people of Guam, civil authorities and the employees and families of Group subsidiaries APL and CEVA Logistics, some of whom lost homes following the strongest weather event to strike the island in two decades. The containers are used for temporary housing, cold storage for essential food items and ice, and local government coordination materials. Additionally, CMA CGM is providing generators to power refrigerated units and assist customers without electricity.

This operation is the latest in a series undertaken by the CMA CGM Foundation, including several large-scale humanitarian operations in Ukraine, India, and Turkey. In all, more than 22,000 tons of humanitarian equipment have been shipped to meet the essential needs of populations suffering from humanitarian crises.

## Supreme Court takes a shot at organized labor

The U.S. Supreme Court has delivered the latest in a series of rulings undercutting organized labor, with some legal experts predicting that the decision will make unions that engage in strikes more vulnerable to lawsuits while others see a more modest impact. An 8-1 ruling authored by conservative Justice Amy Coney Barrett made it easier for companies to sue over strikes that cause certain instances of property damage. The case involved a strike by the union representing truck drivers at a concrete business owned by Japan-based Taiheiyō Cement Corp in Washington state.

Some experts viewed the ruling as consistent with the conservative-majority court's history in recent years of restricting union and employee rights. Angela Cornell, a Cornell Law School labor law professor, called it "another decision that undermines the capacity of unions to function."

"Weakening the right to strike by making it riskier to exercise means it will reduce the only leverage unions have when negotiating with companies. This, of course, is a big tilt toward business interests and against the collective interests of workers," said Cornell, who joined a brief supporting the union in the case.

"The decision is part of a systematic project by the Supreme Court to limit employee collective rights in the name of industrial peace while expanding employer weapons of lockouts and

permanent replacements in the name of private property rights and free enterprise," added Indiana University Maurer School of Law labor and employment law professor Kenneth Dau-Schmidt, who also joined a brief backing the union.

But according to Harvard Law School professor of labor and industry Benjamin Sachs, if lower courts faithfully apply the reasoning detailed in Barrett's decision then it "won't do much damage to the right to strike."

"The court issued a very narrow holding that appears to be limited to the specific facts of a case involving the specific nature of concrete mixing," Sachs said.

The court ruled in favor of Glacier Northwest Inc, which sued a local affiliate of the International Brotherhood of Teamsters after a work stoppage forced the company to discard undelivered concrete. The justices ruled that the company's claims were not preempted by a statute called the National Labor Relations Act on the grounds that the union had failed to take "reasonable precautions" to prevent a foreseeable and imminent harm to the employer's property resulting from the strike.

The ruling comes at a time of increasing strikes called by U.S. labor unions. According to U.S. Bureau of Labor Statistics data, the number of American workers who participated in strikes and similar activities in 2022 increased by nearly 50 percent compared to the previous year.

Dan Altchek, an attorney at the Philadelphia-based firm Saul Ewing who represents employers in labor matters, said the ruling gives employers "a bit of a roadmap" for how to reduce the odds of lawsuits over strike-related property

damage from being dismissed.

"If and when such lawsuits survive a union's motion to dismiss, the litigation risk for the union resulting from the strike is significantly enhanced," Altchek added.

Some experts pointed out that the ruling largely preserved the existing legal scaffolding for deciding labor law preemption cases of this kind.

"The court's analysis may have modestly lowered the union-protection threshold in considering applicability or scope of the 'take reasonable precautions' test," said James Brudney, a Fordham University Law School professor of labor and employment law. Brudney called this aspect of the ruling a "relatively minor development" compared to the court's broader decision to leave intact its major framework for analyzing labor disputes of this nature.

The Supreme Court, with its 6-3 conservative majority, has dealt setbacks to organized labor in key cases in recent years. In 2021, it struck down a

*Continued on page 7*



Pictured in the Persian Gulf are U.S. Coast Guard inspectors and the crew of the *APL Eagle*; APL Marine Services' newest Maritime Security Program vessel.

### Halls to close

**Independence Day** — The MFOW hiring halls will be closed on Tuesday, July 4, 2023, in observance of Independence Day, which is a contract holiday.

# The Marine Fireman

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## L.A. port adopts \$2 billion budget

The Los Angeles Board of Harbor Commissioners has approved a \$2 billion Fiscal Year (FY) 2023/24 annual budget for the Port of Los Angeles. The financial blueprint calls for increased investment in port operational and public-access infrastructure, as well as support for a range of industry leading sustainability and decarbonization initiatives.

After experiencing sharp declines in cargo volumes in FY 2022/23 due to inflationary pressures and an overall slowdown in global cargo, the port forecasts modest gains in the fiscal year starting July 1. As a result, the approved budget predicts a 5.1 percent year-over-year increase to 8.9 million TEU (twenty-foot equivalent units) in FY 2023/24.

The budget includes total operating revenues of \$652.9 million, an 8.6 percent increase over the FY 2022/23 forecast. Shipping services are expected to make up the bulk of operating revenues at 73.3 percent, followed by rentals at 15.1 percent.

Supporting daily operations of the port, the plan's FY 2023/24 operating expenses are estimated at \$372.4 million. Expenses include funding for supply chain efficiency enhancements; facility and infrastructure maintenance; public safety related to goods movement; property and tenant services and management; cruise center operations; and environmental and sustainability programs, among other activities.

Major environmental and decarbonization projects sup-

ported in the plan include the Clean Truck Fund Rate program, created to incentivize and support cleaner trucks that serve the Port. The plan also supports a wide range of zero- and near-zero emission equipment demonstration projects currently underway throughout the port complex.

The plan's capital budget totals \$252.3 million, a 40.6 percent increase over the previous fiscal year's forecast. Funds focus on container and cruise terminal modernization, improving transportation in and out of the port, and public access infrastructure at the LA Waterfront. Through the Public Access Investment Plan created in 2015, the port has already invested nearly \$253.1 million in public-serving infrastructure improvements. Community projects on tap include the Wilmington Waterfront Promenade, West Harbor in San Pedro, the Front Street Beautification Project, and the Avalon Pedestrian Bridge and Promenade Gateway in Wilmington.

The budget plan is projected to create approximately 4,100 direct and indirect jobs (not including port employees), of which 3,100 are attributable to capital spending.

In November 2022, Standard & Poor's upgraded the port to an AA+ bond rating with a stable outlook on its outstanding bonds, the highest rating given to a seaport without taxing authority. Fitch Ratings also reaffirmed the port's AA revenue bond rating in March 2023.

## Methanol bunkering gaining interest among global players

Denmark's Maersk Line said it has secured fuel for the world's first container vessel able to run on carbon-neutral methanol for its inaugural journey. Interest in methanol as an alternative fuel for bunkering has grown in the shipping industry, which seeks to achieve net-zero emissions by 2050. Below is a list of key upcoming methanol bunkering-related projects by companies and ports:

### Companies

**A.P. Moller-Maersk** — Maersk has ordered 19 methanol-enabled ships to work towards a goal of transporting 25 percent of its ocean cargo using green fuels by 2030. The world's first such ship will arrive in Copenhagen on its maiden voyage this year and be christened on September 14. Also, a dozen methanol-fueled 16,000-twenty-foot equivalent unit (TEU) vessels, to be built by Hyundai Heavy Industries, will be delivered to Maersk in 2024, and six 17,000-TEU ships are planned for 2025 delivery.

**CMA CGM** — CMA has ordered at least 18 methanol-fueled vessels. It ordered six 15,000-TEU containers from China State Shipbuilding Corporation (CSSC) last June, with delivery planned for 2025, and another 12 such vessels in April this year, as part of a record \$3 billion deal with CSSC.

**COSCO Shipping Holdings** — The company ordered 12 methanol-powered 24,000-TEU ships last October, worth nearly \$2.9 billion, that will be delivered between the third quarter of 2026 and the third quarter of 2028. This month, the company added four more 16,000-TEU ships to be built in Yangzhou.

**HMM Company Limited** — Nine 9,000-TEU dual-fueled ships will be delivered to HMM between 2025 and 2026. They will be built at Hyundai Samho Heavy Industries (HSHI) and HJ Shipbuilding & Construction (HJSC) in the port of Yeongnam.

**Stena Bulk** — The tanker company has partnered with methanol producer Proman and completed its first U.S. Gulf Coast barge-to-ship methanol bunkering at Houston port in April.

### Ports

**China** — COSCO, CMA CGM and Shanghai International Port Group (SIPG) inked a memorandum of understanding (MOU) in April to procure, supply and deliver green methanol fuel at major ports in China. In March, Maersk signed an MOU with SIPG to explore green methanol bunkering for its container vessels coming in 2024.

**Singapore** — The first methanol bunkering pilot at the world's largest bunkering hub will be conducted by Maersk Oil Trading, Mitsui & Co, Mitsui & Co Energy Trading Singapore, and American Bureau of Shipping in the third quarter of 2023.

**Melbourne** — The port in April signed an MOU with Maersk, Svitzer Australia, CMA—CGM subsidiary ANL, Stolthaven Terminals, as well as fuel producers HAMR Energy and ABEL Energy, to explore commercial feasibility of establishing a green methanol bunkering hub in Australia's largest container port.

**Sweden** — The port of Gothenburg in January completed the world's first ship-to-ship methanol bunkering on Stena Germanica, the world's first methanol-powered ferry. The port will team up with Inter Terminals Sweden to develop a methanol storage facility by end-2023.

**Egypt** — Alexandria National Refining and Petrochemicals signed a \$450 million agreement in May with Norway's Scatec to produce Egypt's first green methanol.

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## AMERICAN FARMERS FEED THE WORLD ACT OF 2023

Renewing the role of American agriculture in fighting global hunger and restoring accountability without spending additional resources



America's international food aid programs feed millions of vulnerable people around the world each year. These programs have enjoyed bipartisan support for more than 65 years because they are simple and effective. They share America's agricultural bounty with those facing severe hunger overseas, fortifying our allies and countering the influence of foreign adversaries.

The use of American-grown commodities as food aid has been a cornerstone of U.S. foreign assistance programs for decades. However, over time, these proven programs have shifted from utilizing American commodities to transferring cash and purchasing commodities from foreign agricultural competitors. These changes have diminished transparency and accountability, reduced the procurement and shipment of American-grown food for the hungry, and jeopardized more than 65 years of bipartisan support for our international food aid programs.

THE AMERICAN FARMERS FEED THE WORLD ACT OF 2023 WOULD:

**Restore the emphasis on American food.** This act would reinstate the Food for Peace program's original intent to allow American farmers to share their abundant production to fight global hunger and would stop utilizing American taxpayer dollars to purchase food from America's agricultural competitors.

**Restore transparency.** This act would end the program's utilization of cash transfers overseas, reduce programmatic overhead costs, preserve resources to purchase life-saving food, and protect at least 50% of the budget for purchasing American-grown commodities and delivering them to the destination country.

**Restore accountability.** This act would require the U.S. Agency for International Development to report to Congress on all account and program implementation details. Additionally, this act requires U.S. Department of Agriculture approval before USAID considers overriding congressional intent.

**Restore efficiency.** This act would create a more effective release mechanism for the Bill Emerson Humanitarian Trust in favor of a streamlined USDA release protocol.

For more information, or to cosponsor, email Riley Pagett in Representative Tracey Mann's office at [riley.pagett@mail.house.gov](mailto:riley.pagett@mail.house.gov).

# Port of San Francisco in good shape despite budget drop

The Port of San Francisco could lose almost a quarter of its budget next year, more than any other city department. But leadership at the port remains is not too concerned about the situation. That is because the \$43 million cut is coming out of the port's biggest budget in years; a figure bolstered by COVID-era assistance money.

What looks like a budget slash is actually a return to the budget of a typical year. The port, which funds most of its own operations, expects to ride a wave of resurging tourism, including record numbers of cruise passengers, to exceed pre-pandemic revenues this year.

The Port of San Francisco manages more than seven miles of the city's waterfront along the bay, running from Fisherman's Wharf in the north down to Heron's Head Park in the south. The port is the steward of the many iconic landmarks that sit on the city's Embarcadero, including the historic Ferry Building and Oracle Park. Cruise ship docks, commercial fishing launches and industrial piers are also all managed by the port.

Rent from those tenants, including the Giants, make up about 75 percent of the port's revenue. Many of the port's renters pay a portion of their earnings to the

department as part of their lease agreements. When COVID hit, cruise ships were shut down completely, ferry commuters stayed home and many waterfront restaurants shuttered. At its worst, revenue for the department cratered by 40 percent, with unpaid rent owed to the port climbing to over \$35 million.

Unlike most other city departments, the port doesn't get money from San Francisco's general fund of taxpayer dollars. Instead, the enterprise needs to support itself by bringing in cash from its real estate portfolio and maritime operations.

Coming off a disastrous pandemic year, the port slashed its budget by 26 percent to about \$92 million in July 2021, restocking its reserves by pulling back over \$19 million from long-term project funds. Then came the COVID assistance cash. California awarded the port \$117 million in COVID relief funds, money that trickled down from the federal American Rescue Plan Act.

Therefore, in the fiscal year beginning in July 2022, the port's budget more than doubled, landing at nearly \$194 million.

The relief funds have been a boon for the port. Not only did the department avoid 30 layoffs, but it also managed to

set aside over \$80 million for long-term capital projects. That included money for dredging cargo and cruise ship berths, improving bollards and purchasing a crane barge.

Less port money is earmarked for major capital improvements in the proposed budget for next year - \$34 million. That difference makes up much

of the seemingly drastic drop-off in the mayor's proposal. And fortunately, the port's finances have bounced back enough to stay even-keeled as the COVID relief funds get phased out. The port needs that stability; its most recent 10-year capital plan calls for a nearly \$2 billion investment to keep the waterfront in good shape.

## Port of Oakland makes major strides toward green future

The Oakland Board of Port Commissioners last month approved an ordinance that will make huge strides in reducing emissions from cargo handling equipment at TraPac, a key marine terminal at the Oakland Seaport. Port Commissioners unanimously voted to amend terminal operator TraPac's lease to include green upgrades to cargo handling equipment at its terminal facilities.

TraPac will retrofit three rubber-tired gantry cranes (RTG), converting them from diesel fuel to hybrid-diesel fuel, reducing emissions from this equipment by 95 percent. This transformation will take place by the end of 2024, subject to TraPac securing grant funding. TraPac will also purchase four new hybrid RTG by the end of 2024, which will similarly reduce emissions by 95 percent.

The Port of Oakland is providing a financial incentive for TraPac. It will reimburse TraPac up to 35 percent, or \$945,000 - whichever is less - for the cost of the RTG retrofits. TraPac will finance the cost of the four new hybrid RTGs.

The passage of this legislation is significant because it is the first time a terminal operator has been called upon in a Port of Oakland lease agreement to upgrade cargo handling equipment to significantly reduce emissions.

TraPac has been operating at the Port of Oakland since 1991. The company underwent a two-year expansion project beginning in 2016 that nearly doubled its footprint at the port. Their latest investment highlights their confidence in the Port of Oakland as they invest in long-term success through upgrades of their facilities and equipment.

## Port of Hueneme celebrates World Oceans Day

In celebration of World Oceans Day, the Port of Hueneme held a *Sustaining the Seas Summit* on June 8 at the Channel Islands Maritime Museum in Oxnard. The event was an opportunity for the Port of Hueneme, maritime industry companies, environmentalists, and community organizations to gather to discuss partnerships focused on the sustainability of the world's oceans.

According to the United Nations, the purpose of World Oceans Day is to inform the public of the impact of human actions on the ocean, to develop a worldwide movement of citizens for the ocean, and mobilize and unite the world's population on a project for the sustainable management of the world's oceans.

"The oceans cover 70 percent of our planet, and it needs our help," said California State Treasurer, Fiona Ma, who was the event's keynote speaker. "It's

great that there are so many communities and people around the world that are seeking to bring that balance back into our seas," Treasurer Ma said. "We need to work creatively to make sure we are bringing back the oceans to abundance that it gives us."

During the summit, the Port of Hueneme and the National Oceanic and Atmospheric Administration gave their *Blue Whales Blue Skies* award to Wallemius Wilhelmsen, Hyundai Glovis, Maersk, K Line, and NYK for participating in NOAA's vessel speed reduction program that provides incentives to companies for incorporating sustainable shipping practices across their global supply chains.

The summit also included panel discussions on the topics of *Technology for the Sea*, *Local Ocean and Whales*, and *Attracting Attention & Education*.

## Port of Tacoma receives environmental stewardship award

The Port of Tacoma has received the 2023 Environmental Stewardship Award from the Washington Public Ports Association for its continued environmental leadership and in recognition of the recently completed Lower Wapato Creek habitat site in the Tacoma tide flats.

The port worked in partnership with the Puyallup Tribe of Indians and their Historic Preservation Office on development and construction of the Lower Wapato Creek site with the goal of restoring fish access, expanding and improving fish and wildlife habitat, and to augment the Puyallup Tribe's fish and wetland habitat site located upstream from this site.

The project design incorporated cultural and habitat conditions requested by the Puyallup Tribe, including preservation of culturally significant trees that were unearthed during construction. Three culturally modified and thirteen culturally significant trees were preserved and remain on the site in pro-

tected upland areas. Restoration activities at the Lower Wapato Creek habitat site included:

- Removal and disposal of 14,393 tons of arsenic impacted soil from the property prior to development.
- Replacing two concrete culverts with a fish-passable full-span bridge to provide unimpeded fish access.
- Relocating Wapato Creek from a ditched system to a longer, meandering stream channel and associated wetland.
- Reestablishing tidal wetlands and floodplain connectivity through restoration of ten acres of tidally influenced stream channel, mudflats, marsh, wetlands, and intertidal estuary and more than eight acres of forested upland wetland buffer.
- Preservation of more than 100 native trees and planting more than 150,000 new trees, shrubs, and ground cover plants and 40 species of native grasses.

## Port of Long Beach celebrates opening of bicycle-pedestrian path

The new Mark Bixby Memorial Bicycle-Pedestrian Path and Ocean Boulevard Connector opened to the public last month, offering a unique recreational experience at the Port of Long Beach while also honoring the memory of a prominent cycling advocate. Hundreds of cyclists and walkers joined Bixby family members and federal, state, local and port officials who gathered at the Long Beach Civic Center Plaza for a grand opening ceremony, bicycle procession to the new paths, and a ribbon cutting and inaugural crossing for the two connected bike-walk paths at the Long Beach International Gateway Bridge.

At its crest, the Bixby Path reaches a height of 205 feet above the water. The pathway is equipped with three overlooks, each with informational signage and benches. The Ocean Boulevard Connector includes a viewing area with a timeline of the port and other architectural features.

The Mark Bixby Memorial Bicycle-Pedestrian Path and the Ocean Boule-

vard Connector are accessible from 5 a.m. to 9 p.m. daily. The path is named after one of Long Beach's leading bicycle advocates. Bixby spearheaded the grassroots effort to have a bike path included in the design of the new bridge, which opened to vehicles in October 2020. Bixby and four others were killed in an airplane crash on March 16, 2011.

The Bixby Path was constructed as part of the \$1.57 billion project to build the Long Beach International Gateway Bridge to replace the Gerald Desmond Bridge, which opened in 1968, long before the local port complex became one of the busiest in the world.

The new bridge was built with funding from the Port of Long Beach, California Department of Transportation, U.S. Department of Transportation and Los Angeles County Metropolitan Transportation Authority. The \$17.5 million Ocean Boulevard Connector project was completed by the port with \$7.1 million in federal and state transportation funding.



Westbound view on the new Mark Bixby Memorial Bicycle-Pedestrian Path.



### Pandemic Ponderings

On March 17, 2020, San Francisco declared a COVID Local Health Emergency, and MFOW Headquarters established protocols (reduced operating hours, masking, limited contact, routine cleaning and disinfecting, etc.) to reduce the possibility of transmission. The Constitutional Branches at Wilmington and Honolulu, and the Port Serviced in Seattle, took similar actions.

During the pandemic, the world of merchant shipping was turned upside down as mandatory vaccines, COVID testing, restriction-to-ship, untimely crew reliefs, quarantine, travel restrictions, mariner attrition, and low crew morale became industry standards. Mariner stress, fatigue and mental health became national and global concerns. But through it all, the U.S. Merchant Marine, and the U.S. merchant mariners who crew the vessels, performed shipshape and Bristol fashion to keep the national supply chain flowing, to the benefit of all citizens.

Effective February 28, 2023, the Board of Supervisors of the City and County of San Francisco declared the Local Health Emergency was terminated; and the State of California took the same action. On May 11, 2023, the Biden Administration ended the COVID National Health Emergency.

Even though things appear to be back to normal ashore, lingering pandemic protocols are in place offshore. The MFOW will continue to work with the other offshore unions and contracted shipping companies to try to lessen the ongoing burdens placed on mariners.

### Union Membership

**Dues** — The second sentence in Article VIII, Section IV, of the MFOW Constitution states: *Members more than twelve months in arrears in dues, assessments or unpaid fines shall be automatically terminated from membership.*

In the 36-month pandemic period from April 1, 2020, to March 31, 2023, 70 MFOW members (11 full book and 59 junior members) were dropped from membership for non-payment of dues; more than 12 months in arrears. Several of these members were at retirement age and decided to swallow the hook. Many others refused to deal with the vaccination, quarantine, or restriction-to-ship requirements and decided to move on to shoreside professions.

A few ex-members have tried to appeal being dropped from membership, after being 12 months in arrears in dues. They were rejected. The Constitution is clear: *Members more than twelve months in arrears in dues, assessments or unpaid fines shall be automatically terminated from membership.*

My supplication to the membership is to keep track of your dues standing and keep your dues up-to-date or paid forward. There is no excuse for being 12 months in arrears in dues.

**Meetings** — One of the results of the pandemic is that members got used to staying away from the hiring halls. This was a good thing in terms of social distancing, but a bad thing in terms of making a quorum at union meetings. Now that the pandemic is “over” it is in everyone’s best interest to set aside time to attend the monthly union meetings.

The best unions are the ones where the active membership is involved and up-to-date on the latest developments. The elected officials of the union are always interested in reasonable suggestions from the membership, and the monthly meetings are a venue where the interests and the concerns of the membership can be heard.

### Contracts

**APL Marine Services** — As reported last month, the Maritime Security Program (MSP) operating agreement for the *APL Gulf Express* was transferred to the *APL Eagle*; and the *APL Gulf Express* was replaced by the *APL Eagle* in the Jebel Ali-Middle East Express Service.

The SIU Pacific District unions teleconferenced with APL to discuss the future of the *APL Gulf Express*. APL stated that the company was actively seeking work to allow the ship to remain in the U.S.-flag APL fleet as a non-MSP vessel. Each of the SIU Pacific District unions formulated wage and benefit rates that would allow the company to operate the vessel without the benefit of the annual MSP stipend.

However, on May 17, the unions were notified by APL labor relations that the company had decided not to move forward with the *APL Gulf Express* non-MSP plan. The company noted that the ship will probably be reflagged and put back into service with an international crew.

The *APL Eagle*, built in 2016, is 14 years younger than the *APL Gulf Express* and meets new requirements for CO2 emissions. Main propulsion power on the *APL Eagle* comes from two electronically-controlled, two-stroke MAN B&W-6S60ME-C8.2-TII engines.

**Maritime Security Program** — On January 1, 2021, Congress established the Tanker Security Program (TSP) as part of the National Defense Authorization Act, to establish a similar program to MSP for product tankers. The TSP creates two vacancies in the MSP fleet, as two MSP tankers shift over to the TSP. On May 26, the U.S. Maritime Administration published a notice requesting applications from qualified candidates to enter into MSP operating agreements for the operation of two U.S.-registered merchant vessels in international trade, subject to the availability of appropriations. Applications must be received no later than June 26, 2023. It is unknown at this time if our MSP-contracted operator – APL Marine Services – will pursue additional MSP slots.

**Matson Offshore** — In accordance with General Rules Section 36 of the Agreement between Matson Navigation Company and the SIU Pacific District, there shall be a three (3.0) percent increase on all rates of pay and wage-related items (overtime, supplemental benefits, etc.) effective July 1, 2023. Also, a cost-of-living increase shall be made on the basis of comparing the May Consumer Price Index for all Urban Consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, to the previous May Consumer Price Index. An increase in this index above four (4.00) percent, not to exceed five (5.00) percent, shall be added to the base wage effective July 1, 2023. The publishing date for the May 2023 CPI is June 13, 2023.

Under General Rules Section 29, there shall be a \$0.25 per manday increase in the MFOW Training Plan contribution effective July 1, 2023.

**Matson Maintenance** — Under Section 22 of the Maintenance Agreement between Matson Navigation Company and the Marine Firemen’s Union, the economic benefits detailed above shall apply to those working as Shore Mechanics under the agreement.

**Matson CV700** — The 2017 Memorandum of Understanding between Matson Navigation Company and the SIU Pacific District unions, covering the operation of the CV700-class vessel — *CV Kamokuiki* — will expire on June 30, 2023. Matson labor relations has notified the SIU Pacific District of their desire to amend the agreement to cover a new term beginning July 1, 2023. Although no specific dates have been scheduled, we anticipate the parties will meet in late June to hammer out the details.

**Patriot Contract Services** — On May 24, the SIU Pacific District unions were notified by Patriot Contract Services labor relations that the company had won a charter for the *Haina Patriot*. The award is an \$18,164,537 firm-fixed-price contract with reimbursable elements for a time charter of the U.S.-flag tanker. The contract includes a 12-month base period with three 12-month option periods and one 11-month option, which, if exercised, would bring the cumulative value of the contract to \$68,204,293. Work will be performed in Hawaii and worldwide and is expected to be completed if all options are exercised by March 2028.

The *Haina Patriot* has segregated ballast tanks, capable of carrying a minimum of 40,000 barrels of clean product (most likely F76, JP5, JP8, and JA1) in designated segregated cargo tanks with double valve isolation.

The contract was competitively procured with proposals solicited via the System Award Management website and one offer was received. The U.S. Navy’s Military Sealift Command, Norfolk, Virginia, is the contracting activity.

### Training

**Course Approval — Basic ICF Code Operations** — On May 25, the union was given an update that the Maritime Institute submission for the Basic IGF Code Operations course had been received by the U.S. Coast Guard National Maritime Center. The training provider expects approval to take approximately 90 days, meaning courses could be conducted as early as late August.

**NMC Notice** — An investigation by the Coast Guard has revealed that between January 2015 and December 2019, instruction hours designated for evening courses provided at Mid-Atlantic Maritime Academy in Virginia were cut by 50 percent or more. As a result, these evening courses were not Coast Guard approved and certificates issued for these courses are invalid. The National Maritime Center (NMC) will allow mariners to retain endorsements associated with these impacted courses by taking specific actions. The NMC bulletin detailing these required actions is printed on page 7 of this issue of *The Marine Fireman*.

### Health and Welfare

**Unfit-for-Duty** — It is imperative that all members mail-in or hand-in unfit-for-duty slips to the MFOW Welfare Fund office. Healthcare and welfare benefits are administered under complicated rules. Failure to submit unfit-for-duty slips may cause a member to be dropped from benefits at a time when he or she needs the benefits the most.

**ACTIVE MFOW MEMBERS —  
RETAIN YOUR WELFARE FUND ELIGIBILITY!  
MAIL-IN or TURN-IN all your Unfit-for-Duty slips to:  
MFOW WELFARE FUND  
240 2ND STREET, SAN FRANCISCO CA 94105**

## Millennium Tower tilts further

San Francisco’s 545-foot-tall Millennium Tower has only continued to tilt further and sink deeper west in spite of engineers’ best efforts to steady the ritzy building. The multimillion-dollar-per-unit tower, located three blocks east of Marine Firemen’s Union Headquarters, is leaning more than 29 inches at the corner of Fremont and Mission streets — a slant over half an inch deeper than previously revealed, according to monitoring data. The half-inch reportedly was gained while engineers dug beneath the sinking condominium earlier this year to support the weight of the tower — which was built atop a former landfill — along its two sides.

Engineers saw progress in stabilizing the Millennium Tower’s north side along Mission Street after installing six concrete-filled steel piles along its base in January, but it may have come at a cost to the tower’s west side, the data show. Rooftop-based monitoring data

— which is based on rooftop measurements and foundation-based determinations — indicates the tower shifted nearly an inch to the west compared to its tilt before it was supported on the north side.

Engineers in charge claim the data may not be reliable, despite pointing to as proof of success earlier in the first phase of the project. One project engineer said that the rooftop figures are prone to weather fluctuations and that purely foundation-based data are more reliable.

Engineers plan to secure the foundation to the dozen piles sunk along Fremont Street that will bear the partial weight of the building load. Each pile is 24 inches in diameter and has been driven 270 feet to bedrock and is designed to support one million pounds of weight. Engineers hope to reverse the tilt — which was revealed to residents in 2016 — by the end of the month.

## VICE PRESIDENT'S REPORT

It's been a fairly busy month here at HQ with breakouts and additional labor requests. While we've been successful at keeping the jobs filled, we do seem to be regressing back towards pandemic levels of open board jobs. This can be chalked up to a variety of factors and circumstances. The cure-all is recruitment and retention.

Speaking of retention, I'd like to remind the membership to keep their dues current in addition to the usual request of shipping documents. I'm not sure why a reminder would be necessary, but it seems warranted given the reactions of recently dropped members. Twenty-five per month for all the wages and benefits we enjoy sounds like a steal. Pay in advance if you're forgetful.

To everyone who plans on sailing for Matson, please make it a point to attend LNG training if you haven't already. Same deal for those looking to sail for APL as Reefer or Electrician; apply for high voltage safety training when able. There are also a few new APL policies that will need to be discussed. More to come on that topic later. In the meantime, let's prioritize getting new regulars up to speed with these additional dispatch requirements.

That's all the commentary I can think of for now. Work safe, stay safe, and pay your dues that likely cost less than most of your monthly subscriptions.

Fraternally,  
Deyne Umphress

## Pacific tuna fleets rarely fish in waters proposed for sanctuary

U.S. tuna fleets almost never access the far-flung reaches of the Pacific that would soon be closed to commercial fishing under a federal marine sanctuary proposal, according to a new study. That analysis, from the University of California Santa Barbara-based Environmental Markets Lab, found that purse seiners based in American Samoa spent just over four percent of their time over the past five years in waters poised for fishing prohibitions around Howland and Baker islands as well as Kingman Reef and Palmyra Atoll. Overall, there were relatively low levels of historical fishing effort inside the currently unprotected area that is proposed for the restrictions.

The study did caution, however, that it is not an assessment of what would happen if the sanctuary is eventually created. Rather, it is an assessment of historical fishing trends. The findings come after American Samoa's governor recently asserted that the proposed Pacific Remote Islands National Marine Sanctuary would cripple those islands' tuna-dependent economy.

President Joe Biden announced the plan in March as a way to further protect imperiled fish, sharks, sea turtles and marine mammals in the Pacific against the effects of climate change, pollution and invasive species. Federal fisheries officials recently held their first public meetings on the proposal across Hawaii and the Northern Mariana Islands, where they heard mixed feedback from participants.

Currently, fishing is prohibited within 50 nautical miles of Howland, Baker, Kingman and Palmyra as part of the

existing Pacific Remote Islands Marine National Monument. The proposed sanctuary aims to extend those ocean protections out to the full U.S.-controlled 200 nautical miles.

The study team analyzed historical fishing in those proposed expansion areas with data from Global Fishing Watch, an online tool that compiles vessel trips using their Automatic Identification Systems, or AIS. The researchers found that the U.S. longline fleet spent a negligible time fishing in those waters over the past five years — just 0.02 percent, based on the AIS data available through Global Fishing Watch.

Purse seiners in Pago Pago rarely access the waters proposed for a new U.S. sanctuary. American Samoan leaders still staunchly oppose the proposal. Nonetheless, the Western Pacific Regional Fishery Management Council, which often backs commercial fishing interests, has staunchly opposed previous efforts to create and expand protected zones in the area. Talks among nations participating in the Western and Central Pacific Fisheries Commission could potentially limit fishing on the high seas and are making the waters within jurisdictions more important.

Climate change could further drive tuna to be more prevalent in the central Pacific, near the current monument and proposed sanctuary, and those waters could become more important.

Meanwhile, a formal group of Indigenous researchers, educators, deep-sea voyagers and community leaders is championing the push for further ocean protections under a new sanctuary.

## BV approves wind assisted ship propulsion for LNG carriers

Bureau Veritas (BV), a world leader in testing, inspection and certification, awarded an Approval in Principle (AiP) to Hyundai Heavy Industries Co., Ltd – Hyundai Global Service CO., Ltd (HHI), TotalEnergies Gas & Power Limited, and Mitsui O.S.K. Lines, Ltd. (MOL), for wind assisted ship propulsion (WASP) on a Very Large Crude Carrier (VLCC) and a Liquefied Natural Gas (LNG) carrier. The AiP was presented at Nor-Shipping in Oslo, marking the successful completion of a Joint Development Project (JDP) between all four companies to better understand and validate the potential for WASP on these ship types.

The JDP focused on three wind propulsion technologies, two of which were wing sails and one a rotor sail system. The principal conclusion of the project and the subsequent issuance of the AiP demonstrate that all of these systems are compatible with existing classification rules and regulations for VLCCs and LNG carriers, thereby paving the way for more detailed work to address specific risks that would enable detailed design and arrangement work to proceed.

BV actively participates in multiple WASP projects, supporting the development of innovative technologies.

## BUSINESS AGENT'S REPORT

Here is the vessel rundown for May 2023:

### Matson Navigation Company

On the Pacific Southwest triangle run: *MV Lurline* — delegate REJ Dale Cunningham, #3597, no beefs. *MV Mahimahi* — delegate REJ Baldev Singh, #3782, no beefs. *MV Mokihana* — delegate REJ Scanlon Henneberry, #3717, no beefs. Crew members returned after several weeks of vessel lay up.

On the Pacific Northwest triangle run: *MVR.J. Pfeiffer* — delegate REJ Travis Kehoe, #3922, no beefs. *MV Manulani* — shipped a DJU for time up. *Cape Henry* — no beefs, shipped a wiper for time up.

### APL Marine Services

On the EX1 run: *MV President Eisenhower* — delegate ERJ Kevin Haymer, #3958, no beefs, shipped an ERJ for time up. *MV President Wilson* — delegate REJ Trae Kranz, JM-5354, no beefs, shipped a DJU for time up.

On the JMX Run: The vessel replacing *APL Gulf Express* will be the *APL Eagle*, shipped a ERJ for time up.

### Patriot Contract Services

*USNS Charlton* shipped an Electrician for time up. *USNS Dahl* shipped an Electrician for time up. *Cape Orlando* activation for Sea trials approximately seven days and is back at home port, delegate Electrician Ronny Ting, #3916, no beefs.

Fraternally, Bobby Baca

## More strikes, more solidarity expected as Los Angeles enters "hot labor summer"

Labor tensions are simmering across the Southland. In Hollywood, the Writers Guild of America has entered its second month of striking, and Screen Actors Guild workers are poised to join them on the picket lines if they don't hammer out a deal soon. Meanwhile, workers in hotels, fast food restaurants, at the L.A. ports, Dodger Stadium, Medieval Times, UPS are all enmeshed in their own negotiations and strikes, and the list seems to grow longer every day. That's prompting some experts to predict that it's going to be a "hot labor summer" in Los Angeles and beyond.

"We have workers who are organizing, we have workers who are fighting for a better contract, we have workers who are fighting for a first contract," says Lorena Gonzalez Fletcher, executive officer of the California Labor Federation. "All of this means that they're taking to the streets, that they're getting out there. They're ensuring that their bosses know that they're gonna expect a little bit more and it's about time."

Dolores Huerta, the 93-year-old civil rights icon and co-founder of United Farm Workers of America, says that it's one of the most difficult times she's seen workers face in her life, both because the cost of living is skyrocketing amid stagnant wages, and because more companies are refusing to engage with workers' demands.

"The employers refuse to bargain," says Huerta. "They tie their labor unions up in court. And oftentimes, [the workers] don't even get what they struck for. So, we know things are upside down, and the country is paying for it."

This means that despite the wave of organizing that has happened at large companies like Starbucks, it can be challenging for new units to secure union contracts. Gonzalez Fletcher notes that unions need to push for large-scale changes to keep companies in check.

"This is why we need federal labor law reform," she says. "We see companies like Starbucks, even Planned Parenthood, totally, totally ignoring the law...despite having rules here in California."

In the meantime, Gonzalez Fletcher says that unions in California are showing "record solidarity" by supporting each other on strike. In March, the Los Angeles Teachers' Union and SEIU hit the picket lines together for a multi-day strike that shut down schools, and unions like SAG-AFTRA and the Teamsters have been providing support to striking film and television writers. Gonzalez Fletcher says this is because workers are recognizing that they all face common challenges.

"It used to be that we thought about it like, 'Oh, the minimum wage workers are having a hard time,'" she says. "Well, that has grown and grown, where we have an insecure middle class, and yet we have the very rich and these mega million corporations who keep paying their CEOs and their stockholders enormous amounts of money. There's tons of corporate profit. And yet none of that is getting to the average worker who's doing the work. And because of that, workers are aware of what's going on, and they're showing support for one another."

When asked about small businesses that don't have the highest paid CEOs and executive teams and where the income disparities are much smaller, Fletcher Gonzalez says, "Collective bargaining isn't always about wages, it's about giving workers voices on the job. ... Sometimes it has to do with some reliability in scheduling, or it has to do with sick days or paid family leave."

And to the companies that say they can't afford to do business under these conditions, Dolores Huerta says, "If they can't pay their workers, they should not be in business to begin with."

Huerta, who has been fighting for workers' rights since the 1950s, says in her eyes, the workers' struggle still has a long way to go.

"I think we have a lot of work to do," she says. "And we've got to elect representatives to our state legislators into our Congress that are going to support working people and that are going to support labor unions. And unless we do that, I don't think it's gonna get any better."

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Marine-Firemens-Union-121622254577986/



## MARINE FIREMEN'S UNION TRAINING PROGRAM — 2023

Interested members who meet the Training Program eligibility requirements and prerequisites outlined for each course may obtain an application online at [mfow.org](http://mfow.org) or at Headquarters and branch offices. All applications must be accompanied by a copy of the member's Merchant Mariner Credential.

(a) Eligible participants are MFOW members who:

- (1) Have maintained A, B or C seniority classification.
- (2) Are current with their dues.
- (3) Are eligible for medical coverage through covered employment.
- (4) Have a current Q-card (annual physical) issued by the Seafarers' Medical Center and are fit for duty.

(b) Non-seniority applicants:

(1) Applicants may be selected for required government vessels training as required to fulfill manning obligations under the various MFOW government vessel contracts.

(2) Selectees under this provision must meet all other requirements for seagoing employment and shall have demonstrated satisfactory work habits through casual employment.

### Maritime Institute

Courses are conducted at Maritime Institute in San Diego, California, contingent on enrollment levels. Tuition, lodging and transportation are pre-arranged by the MFU Training Plan.

### Military Sealift Command (MSC) Government Vessels Course

This four-day course is required for employment aboard various MSC contract-operated ships and includes the following segments: Shipboard Damage Control; Environmental Protection; Chemical, Biological and Radiological Defense; Helo Firefighting.

July 24-27                      August 14-17                      September 18-21

### Military Sealift Command (MSC) Readiness Refresher

This two-day course renews the following government vessel segments: Helo Firefighting; Environmental Protection; Damage Control; and Chemical, Biological and Radiological Defense. The full versions of these segments must have been completed within 5 years of taking the Readiness Refresher course.

July 13-14                      August 3-4                      September 7-8

### High Voltage Safety

This five-day course is open to members who have electrical equipment background and training. Each student should:

- Have the requisite skills (knowledge and techniques) to distinguish exposed energized electrical conductors and circuit parts from other parts of electrical equipment, capability to determine nominal system voltages
- Have the ability and be capable of providing first aid, including resuscitation, CPR and AED (where provided)
- Be capable of determining the proper use of personnel protective equipment to protect against shock and arc flash.

**Prerequisites:** Electrician-Refrigerating Engineer/Junior Engineer/RFPEW and Able Seafarer-Engine endorsements.

July 31-August 4                      August 28-September 1                      September 11-15

### QMED Fireman/Watertender and Oiler

A member who successfully completes the 160-hour Qualified Member of the Engine Department (QMED) Fireman/Watertender/Oiler course will satisfy the requirements needed for the national endorsements as QMED Fireman/Watertender and QMED Oiler, provided all other requirements, including sea service, are also met. **Prerequisites:** 180 days or more of MFOW-contracted sea time as Wiper; PLUS, Coast Guard approval letter for endorsement upgrading, which certifies minimum of 180 days' sea time as Wiper.

August 7-September 1

### STCW Rating Forming Part of an Engineering Watch

A member who successfully completes the 40-hour Rating Forming Part of an Engineering Watch (RFPEW) course will satisfy the requirements needed for the STCW endorsement as RFPEW. **Prerequisites:** See QMED Fireman/Watertender and Oiler course. It is recommended that eligible candidates schedule the QMED Fireman/Watertender and Oiler and RFPEW courses back-to-back for a five-week combined training session.

November 27-December 1

### QMED Electrician/Refrigerating Engineer

A member who successfully completes the 240-hour QMED Electrician/Refrigerating Engineer course will satisfy the requirements needed for the national endorsement as QMED Electrician/Refrigerating Engineer, provided all other requirements, including sea service, are also met. **Prerequisites:** Endorsements as QMED Fireman/Watertender, QMED Oiler, and RFPEW; PLUS 180 days of MFOW-contracted sea time while qualified as RFPEW.

September 11-October 20

### STCW Able Seafarer-Engine

A member who successfully completes the 40-hour Able Seafarer-Engine (AS-E) course will satisfy the requirements needed for the STCW endorsement as AS-E. **Prerequisites:** Endorsements as QMED Electrician/Refrigerating Engineer, QMED Fireman/Watertender, QMED Oiler and RFPEW; PLUS 180 days or more of MFOW-contracted sea time while qualified as RFPEW.

August 21-25

October 23-27

### STCW BASIC TRAINING

All Basic Training Certificates Hold A One-Year Validation When Used For Mariner Document Renewal.

### STCW Basic Training Revalidation

The BT Revalidation course is designed for personnel who have previously completed a 40-hour Basic Training course and have at least one year of approved Sea Service within the last five years.

**Maritime Institute, San Diego, CA:** June 30, July 21, August 4, August 18, September 1

**Maritime Institute, Honolulu, HI:** July 7, August 25, October 13, December 8

**Cal Maritime Academy, Vallejo, CA:** August 14-15

**Compass Courses, Edmonds, WA:** July 18-19, August 22-23, September 19-20

**MITAGS-PMI, Seattle, WA:** August 14-15, September 5-6, October 2-3

### STCW Basic Training Refresher (three days)

The BT Refresher course is designed for personnel who have previously completed a 40-hour Basic Training course and have NOT completed one year of approved Sea Service within the last five years.

**Maritime Institute, San Diego, CA:** August 23-25, September 6-8

**Cal Maritime Academy, Vallejo, CA:** July 24-26

**Compass Courses, Edmonds, WA:** July 18-20, August 22-24, September 19-21

**MITAGS-PMI, Seattle, WA:** December 9-11

## Marine Firemen's Union Training Plan Tuition Reimbursement Policy

The Marine Firemen's Union Training Plan reimburses tuition costs (not lodging, subsistence or transportation) for certain types of training taken by a participant on his own.

However, preapproval of the training must be given by the Marine Firemen's Union Training Plan prior to taking the course.

Any request for reimbursement without preapproval from the Marine Firemen's Union Training Plan will be denied.

## Union Pacific expands intermodal service at Port Houston

Union Pacific is expanding intermodal service at Port Houston for customers seeking to reach five metropolitan markets in the western U.S. The service enables ocean carriers and beneficial cargo owners to load intermodal containers directly onto flat cars at the Barbour's Cut Container Terminal at Port Houston instead of having to go as far as 30 miles in-

land to load those containers using a dray carrier. The expanded service provides direct access to Denver, Salt Lake City, El Paso, Texas, and Los Angeles and Oakland, California.

"Union Pacific is always looking for ways to save our customers time, while providing them more options and greater ease to our rail network," said a UP spokes-

person. "The new on-dock terminal service provides additional routing options to key metropolitan markets, while helping customers enhance their efficiency."

UP says ocean carriers discharging at Bayport can also use this new service by doing a short-haul dray from Bayport to Barbour's Cut. Bayport is another container facility at Port Houston.

UP's expanded intermodal offering comes as its Western competitor, BNSF, also recently announced an expanded intermodal offering between the Barbour's Cut Container Terminal and BNSF's intermodal facility at Alliance, Texas, near the Dallas-Fort Worth area. That service is for customers seeking to access the Dallas-Fort Worth and Denver markets.

## CPKC adds 1,000 new reefer containers for US-Mexico services

Canadian Pacific Kansas City (CPKC), the newest rail freight company in the United States, added 1,000 53-foot reefer containers for its Mexico Midwest Express (MMX) intermodal service. This means the company's fleet is more than doubling.

CPKC was founded in March after Canadian Pacific (CP) and Kansas City Southern (KCS) merged to form one company. Both CP and KCS were Class I Railroads, the group including the largest US rail freight companies. The MMX service, the only intermodal

service operating daily between Mexico and the U.S. Midwest, was launched by CPKC in mid-May.

The MMX service connects Chicago with Kansas City; Laredo, Texas; and Monterrey, Mexico, before reaching San Luis Potosi. Total transit time

from Chicago to San Luis Potosi is around 98 hours.

The new reefer containers will move fresh and frozen produce, and food products from Mexico to the U.S. Midwest.



**National Maritime Center**  
Serving Our Nation's Mariners

May 30, 2023

**Unapproved Evening Courses at Mid-Atlantic Maritime Academy**

An investigation by the Coast Guard has revealed that between January 2015 and December 2019, instruction hours designated for evening courses (courses scheduled to convene at or after 3PM) provided at Mid-Atlantic Maritime Academy in Virginia were cut by 50% or more. End-of-course exams issued for these courses may also have been compromised. The impacted courses did not meet the time requirements contained in the terms of their respective Coast Guard Approvals. As a result, these evening courses were not Coast Guard approved and certificates issued for these courses are invalid.

To avoid interruption of the Marine Transportation System, the National Maritime Center (NMC) will allow mariners to retain endorsements associated with these impacted courses by taking the following actions within six months of this bulletin or prior to any future application to the NMC, whichever is later:

**Mariners with a valid MMC or valid endorsements related to the impacted courses**

Submit an affidavit to the NMC attesting to competence in the subjects covered by the impacted course(s) and attesting to integrity on the end of course exams for the impacted courses. A sample affidavit can be found at the following link: <https://dco.uscg.mil/Mid-Atlantic-Maritime-Academy-Course/>.

The affidavit described above must be accompanied by a certification from a current or most recent (if not currently employed) mariner employer, attesting to competence of the mariner. The individual certifying on behalf of the marine employer must be familiar with the mariner's work and

must be able to judge the mariner's qualifications, performance and competence. Companies should authorize, but shall not require, individuals with appropriate knowledge of the mariner's performance and competence to provide these certifications. A sample certification can be found at the following link: <https://dco.uscg.mil/Mid-Atlantic-Maritime-Academy-Course/>.

If unable to provide an affidavit or marine employer certification, the mariner may retest at Maritime Institute (who purchased Mid-Atlantic Maritime Academy in late 2021) using the end of course test for the current version of the impacted courses. Coordination for retaking the tests must be done directly with Maritime Institute and comply with their requirements.

If unable to take and pass an end of course test, the mariner must retake the course to obtain credit and retain any associated endorsements.

All documentation should be sent to the following e-mail: [MCFTF@uscg.mil](mailto:MCFTF@uscg.mil).

**Individuals with no valid MMC or no valid endorsements related to the impacted courses**

If a course certificate is not expired on the date of this bulletin, individuals without a valid MMC may retest at Maritime Institute using the end of course test for the current version of the impacted courses to retain credit for the course. The time to retest will be up until the date that the certificate would have expired (using expiration terms applicable on the date of this bulletin) or six months from the date of this bulletin, whichever is later.

**Failure to take action**

An individual who does not take any action, as indicated above, will lose any endorsements received in connection with the impacted courses. Furthermore, sea service earned while sailing under endorsements to which a mariner was not lawfully entitled may also be impacted.

Impacted mariners will receive an e-mail or letter from the NMC to advise if they are impacted by the unapproved evening courses. Mariners and marine employers with questions about this bulletin should contact the NMC Compliance Investigations Branch at (304) 433-3466 or via e-mail at [MCFTF@uscg.mil](mailto:MCFTF@uscg.mil).

Sincerely,

Bradley W. Clare  
Captain, U.S. Coast Guard Commanding Officer

**Frequently Asked Questions: Mid-Atlantic Maritime Academy**

**1. What has happened to Mid-Atlantic Maritime Academy (MAMA)? Will the Coast Guard take action against them?**

MAMA has ceased to operate as a school. The school was sold to Maritime Institute, which is an independent entity and unaffiliated with the management at MAMA. In addition, two former employees of MAMA were indicted and are defendants in a federal criminal case in connection with the VA fraud that occurred as a result of course truncation.

**2. Can Suspension & Revocation (S&R) action be taken against mariners who attended truncated courses?**

S&R cannot be taken against mariners whose courses were truncated, as there is no regulation aimed at mariners requiring them to be aware of the length for which courses were approved. While the mariners were likely aware that their courses did not meet approval timeframes, it was incumbent on the school and not the mariners to ensure that the courses met approval criteria.

**3. There is a mariner who attended truncated courses and who is believed to be unsafe or lack competence. Can this mariner be required to retrain instead of submitting an affidavit?**

The National Maritime Center performed a MISLE data pull and matched available Marine Casualty (MC) Information against the MMC Reference Numbers of mariners who attended truncated courses. No increased risk to the marine environment due to truncation was noticed. Notwithstanding this data, all mariners who took truncated courses will be entered into a MISLE case. In the event a future MC can be linked to the truncated training, this can be taken into consideration when pursuing remedial action (to include retraining) for mariner(s) determined to be at fault.

In the meantime, only mariners whose employers can attest to the mariners' competence will be able to submit an affidavit in lieu of retesting or retraining. Employers should use their best judgment when deciding whether to provide a certification attesting to mariner competence. If a marine employer believes that a mariner in their employ is incompetent or poses a risk to the marine environment due to a lack of skill(s) covered in the truncated courses, the marine employer should not provide a certification. A mariner whose marine employer does not provide a certification will have the option to retest or retrain. If a mariner is unable to pass an end of course test, complete retraining will be required.

**4. Will all mariners be required to provide an affidavit and employer certification? What if the mariner does not submit an affidavit with employer certification?**

Mariners who fail to submit an affidavit will have the option to retest or retake impacted courses. There is no requirement to sign off on a mariner's competence. The marine employer should have someone with the knowledge to judge the mariner's competence/skillset(s) associated with truncated courses decide whether to provide a marine employer certification.

**6. A marine employer has a mariner with endorsements or courses that are not required for their position (e.g., the mariner is operating on a domestic vessel, but some or all of the mariner's impacted endorsements/truncated courses are STCW related). Can the marine employer still sign off on the mariner's competence?**

So long as the marine employer believes that they can accurately judge the mariner's competence/skillset(s) associated with the impacted endorsement(s) the marine employer may certify.

**7. If a mariner is in between jobs, what should that mariner do?**

The mariner can still submit an affidavit and can obtain a certification as to their competence from their most recent marine employer. If the mariner cannot obtain a certification, the mariner can retest or retake the impacted courses to retain credit.

**8. If a mariner took truncated courses at MAMA, but has not used those courses to obtain an endorsement, can the mariner still submit those courses to obtain an endorsement?**

The mariner can retest or retake the impacted training if the course certificate is not currently expired. Expiration timeframes can be found in NVIC 03-14, Ch 1. Generally, courses used for domestic endorsements will be good for 1 year from the date of course completion and courses used for STCW endorsements will be good for 5 years from the date of course completion.

Mariners with questions about the validity of their certificates should call the NMC contact center at 1-888-IASKNMC (427-5662) to confirm. Course certificates for truncated courses submitted to the NMC, but not used to obtain endorsement(s) will be removed from mariner(s) records and will not be accepted past initial expiration.

**9. Should marine employers avoid hiring mariners who attended truncated courses?**

At present, there is no known negative impact to maritime safety because of truncation. Marine employers should independently assess mariners' skills and abilities and should make employment decisions based on their own assessment.

**10. How can a retest at Maritime Institute be arranged?**

Maritime Institute should be contacted directly by the mariners to arrange for retesting. They have agreed to retest the mariners at no cost; however, travel will not be reimbursed.

**11. Who can a mariner or marine employer reach out to with additional questions about what they need to do?**

Mariners and marine employers with questions about truncation should contact the NMC Compliance Investigations Branch at (304) 433-3466 or via e-mail at [MCFTF@uscg.mil](mailto:MCFTF@uscg.mil).

# First major offshore U.S. wind farm construction begins

Construction of the initial turbines in the first major U.S. offshore wind farm began this month south of Martha's Vineyard off the coast of Massachusetts, following a years-long legal battle and a series of federal slow-downs over the controversial project—part of the Biden Administration's push for green energy and the first in a wall of offshore wind projects off the East Coast. Construction began on the foundation of the first of 62 nearly 850-foot-tall turbines as part of the Vineyard Wind I project, the country's first commercial-scale offshore wind farm, roughly 15 miles south of Martha's Vineyard.

Vineyard Wind, which was first approved for a nearly 167,000-acre federal lease site from the Bureau of Ocean Energy Management (BOEM) in 2015, is one of nine proposed offshore wind farms south of Massachusetts and Rhode Island leased through the federal government (totaling roughly 742,000 acres)—part of President Joe Biden's goal of creating 30 gigawatts of offshore wind energy by 2030 and an instrumental part of his ambitious goal of achieving net zero emissions by 2050.

Developers of the Vineyard Wind project say the 800-megawatt project will generate enough electricity for more than 400,000 homes in Massachusetts and save electricity customers roughly \$1.4 billion over its first 20 years of operation, though it's faced opposition over potential environmental degradation, as well as aesthetic and navigational concerns.

Vineyard Wind is expected to be completed by the end of the year, making it the first major offshore wind project completed — smaller operations have been built off Block Island, Rhode Island, and another off Virginia Beach, Virginia.

The new project faced multiple slow-downs, largely after a group of residents on Nantucket sued to block the project over concerns it could imperil the dwindling population of the critically-endangered North Atlantic right whale (the suit was rejected last month).

BOEM has also carved out another 800,000 acres off the coast of Long Island and New Jersey, and 1.7 million acres spanning from Delaware to North Carolina. In February, the Biden Administration announced three more lease sites in the Gulf of Mexico off

Lake Charles, Louisiana, and two off the shore of Galveston, Texas. The White House also announced \$50 million in funding to research floating offshore wind turbines off the coast of California, Maine and Oregon. A second project off Martha's Vineyard called South Coast Wind expects to deliver energy through an undersea cable by "the end of the 2020s," while another project with a lease site south of Massachusetts, Commonwealth Wind, is expected to come on line in 2028.

Although offshore wind has been largely praised by Democrats for providing an alternative to fossil fuels and as a way to create thousands of jobs, a slew of conservative lawmakers has slammed the initiative, including a trio of GOP House members from New Jersey, Maryland and Pennsylvania, who called for a halt to offshore wind this week amid a series of whale deaths off the East Coast. A group of 30 mayors in New Jersey also called for a moratorium on offshore wind activity due to an unusual number of humpback whale deaths — though those whale deaths have been attributed primarily to vessel strikes, and the National Oceanic Atmospheric Administration has not found any evidence pointing to construction of wind turbines causing whale mortalities.

## Supreme Court takes a shot at organized labor

*Continued from page 1*

California agricultural regulation aimed at helping unions organize workers. In 2018, it ruled that non-members cannot be forced, as they are in certain states, to pay fees to unions representing public employees such as police and teachers that negotiate collective bargaining agreements with employers. Brudney said Thursday's ruling "was not comparable to that broader trendline" of decisions weakening labor unions.

West Virginia University College of Law professor Anne Marie Lofaso said, "The case fits into the judicial trend to weaken labor unions by weakening what counts as protected concerted activity."

"This was the narrowest analysis that the court could have done to allow the employer to win," Lofaso added.

# WILMINGTON NOTES

Wilmington dispatched 51 jobs in the month of May. There are 28 A-, 14 B-, and 18 C-seniority members registered.

All halls are actively recruiting new mariners. Any interested applicants should email any of the port agents and inquire about the proper documents required for employment through our union.

Almost all contracted vessels have been arriving on time here in LA/LB. Job calls are still at 1030 and 1400. I still advise all to adhere to the best social practices as possible to minimize any possible transmission of the COVID-19 virus and variants. We have had a few cases here recently and a positive test will not allow you to work. Wear a mask if you plan on making the hall here.

The gang at Pier 300 is still on a 24/7 schedule with three shifts. Foreman is Mike Robles, #3855; and Leadermen are Robert Rivas, #3874, Mike Campbell, #3850, and Frank Marinovich, #3663. Head count is currently 25 Shore Mechanics.

On May 15, on behalf of the MFOW, I attended First Blood — a memorial of the men who died in the 1934 West Coast waterfront strike which linked the MFOW and the ILWU forever — at the Harry Bridges Memorial at 5th and Harbor in San Pedro.

The ceremony was conducted by ILWU Pensioners President Greg Mitre. VFW Post 2967 presented colors while a bagpiper played to the crowd. A prayer was given by Pastor Jazz Thompson, then the names of the longshoremen lost while laboring on the waterfront was read slowly as the bell tolled.

On May 22, the MFOW— alongside all our maritime union counterparts - gathered at 6th and Harbor Blvd. in San

Pedro to honor the seamen who served aboard USMM vessels during our nation's past conflicts. AMMVC President Wendy Karnes opened Observance of Maritime Day at 1100 and welcomed our honored guests and speakers. Colors were presented by VFW Post 2967 and the crowd recited the Pledge of Allegiance.

The speakers list consisted of Gus Hein, Director Mid-Pac Region MARAD; followed by L.A. Supervisor District 4 Janice Hahn; POLA Commissioner Diane Middleton and 15th District Councilman Tim McOskar. Pastor Asmund Offernes of the Norwegian Seaman's Church in San Pedro conducted the Invocation and blessed the wreaths and read the Seaman's Psalm to the crowd. The VFW detail then saluted those who served with a rifle salute. Taps was played while a water salute was given by Fireboat #2; courtesy of the LAFD in the harbor adjacent to the memorial. A moment of silence was observed, then attendees retired to a luncheon at the Doubletree Hotel on 22nd Street.

The *SS Lane Victory* is still seeking mariners who would like to volunteer in the engine room. Located at the end of Miner Street in San Pedro with turn-to on Wednesdays and Saturdays at 0900. As always, the assistance is appreciated. Don't forget to bring your flashlight. Take care and work safely.

Aloha, **Sonny Gage**, Port Agent

## What mariners and boaters should know about marijuana use

Mariners and recreational boaters must beware that while the landscape of marijuana laws has changed in the U.S., the seascape has not. The U.S. Coast Guard enforces federal law on the high seas to inland waters, including state navigable waters. Marijuana is classified as a Schedule I narcotic in the same group as drugs like heroin and ecstasy. Anyone in possession of marijuana on the water, from credentialed mariners to recreational boaters, should know the consequences.

Despite marijuana's legal status in 23 states and counting, the Coast Guard does not recognize an exception (regulated by 46 CFR 40) for this drug. Coast Guard regulations require mariners to be drug tested at various stages of employment, and require certain employers to conduct periodic random tests as well. Depending on the particular license and vessel, a mariner or crewmember is likely subject to testing pre-employment, after an incident on the water, during a license renewal period, at a periodic scheduled time, or when an employer has reasonable cause to believe that an employee is using drugs.

Given all of these lawful opportunities to test, a mariner should know that they could be tested at virtually any time. It is important to remember that marijuana can remain detectable in urine for many weeks, so even when off-the-job and in a legalized state, your maritime employment could still be at risk if you use marijuana products. For mariners, detection of marijuana on a drug test is grounds to deny your Merchant Mariner Credential (MMC) application or revoke current credentials.

Weed and water don't mix. Your high time on the high seas can be rough seas for mariners and boaters alike.

# HONOLULU NOTES

Honolulu dispatched a total of 72 jobs in May. We did around our average which was 11 shipboard billets and 61 standbys. The Honolulu registration list consists of 13 A-, five B-, and 10 C-seniority members. More than half of the Honolulu-based members are on board ships.

In May, I attended monthly board meetings of the Honolulu Sailor's Home and the Hawaii Port Maritime Council, AFL-CIO. I also attended a meeting of the Hawaii State AFL-CIO Executive Board.

I did my last planned Career Expo

in Hilo. I must thank Melissa at Merimed Foundation for organizing most of these Career Expos that I have been attending. If anyone has a friend wanting to join the Marine Firemen's Union, give Merimed Foundation a call, they have a free six-week maritime introduction course that will not only give you technical training but also all your documents. You can't beat that. What's the catch? It can be hard to get in.

Aloha,  
**Mario Higa**,  
Port Agent

# SEATTLE NOTES

During the month of May, Seattle shipped the following: one REJ, three Oilers, one Wiper, five Standby Reefers, and eight Standby Wipers. Seattle currently has six A-, one B-, and three C-seniority members registered for shipping.

This month Seattle SUP/MFOW was represented at the Seattle Maritime Academy advisory committee, Representative Adam Smith's open forum in Burien, and the Martin Luther King, Jr. County Labor Council, AFL-CIO delegates meeting. Seattle City Council candidate questionnaires are available for

viewing at the hall for those residing and voting in Seattle districts. These are important positions that directly impact our trade and will ultimately decide how industrial lands are utilized and preserved.

Many thanks to SUP member Waylon Robert and SUP pensioner Vince O'Halloran for their countless hours of pro bono work representing our cause and defending the waterfront.

Faternally  
**Brendon Bohannon**,  
Representative

## HOWZ SHIPPING?

May 2023

San Francisco	Wilmington	Seattle
Electrician..... 1	Electrician..... 1	Reefer/Electrician/Jr. Engineer..... 1
Electrician/Reefer/Jr. Engineer..... 2	Electrician/Reefer/Jr. Engineer..... 2	Oiler ..... 3
Reefer/Electrician/Jr. Engineer..... 4	Junior Engineer..... 4	Wiper ..... 3
Junior Engineer ..... 4	Oiler ..... 3	Shore Mechanic..... 4
Oiler ..... 3	Wiper ..... 3	Standby Electrician/Reefer ..... 19
Wiper ..... 4	Shore Mechanic..... 4	Standby Wiper ..... 15
Standby Electrician/Reefer ..... 9	Standby Electrician/Reefer ..... 19	<b>TOTAL ..... 51</b>
Standby Wiper ..... 23	Standby Wiper ..... 15	
<b>TOTAL ..... 50</b>	<b>TOTAL ..... 51</b>	
Honolulu	Seattle	
Electrician/Reefer/Jr. Engineer..... 2	Reefer/Electrician/Jr. Engineer..... 1	
Junior Engineer..... 3	Oiler ..... 3	
Oiler ..... 4	Wiper ..... 1	
Wiper ..... 2	Standby Electrician/Reefer ..... 5	
Standby Electrician/Reefer ..... 24	Standby Wiper ..... 8	
Standby Wiper ..... 37	<b>TOTAL ..... 18</b>	
<b>TOTAL ..... 72</b>		

## POLITICAL ACTION FUND

### Voluntary donations for May 2023:

Greg Blasquez.....	\$20.00
Ivy "Cajun" Callais, #3592.....	\$100.00
Raymond Orosco, JM-5391.....	\$100.00

## HONOR ROLL

### Voluntary donation to General Treasury — May 2023:

Joey Muller.....	\$150.00
Eric White, #3925.....	\$100.00
Raymond Orosco, JM-5391.....	\$100.00

## MARINE FIREMAN SUBSCRIPTIONS, AND VOLUNTARY PAF DONATIONS

Please use the following form.

NAME (Print) \_\_\_\_\_ PENSION or BOOK NO. \_\_\_\_\_

STREET \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

Check box:  U.S. & POSSESSIONS  OVERSEAS

Yearly Subscriptions:  First Class \$20.00  Air (AO) Mail \$25.00

Voluntary Political Action Fund Donation  \$ \_\_\_\_\_

Please make checks payable to:

MARINE FIREMEN'S UNION  
240 2nd Street, San Francisco, CA 94105

## Regular membership meeting dates 2023

July	5	S. F. Headquarters
	11	Honolulu
	12	Wilmington
August	2	S. F. Headquarters
	8	Honolulu
	9	Wilmington
September	6	S. F. Headquarters
	12	Honolulu
	13	Wilmington
October	4	S. F. Headquarters
	10	Honolulu
	11	Wilmington
November	1	S. F. Headquarters
	7	Honolulu
	8	Wilmington
December	6	S. F. Headquarters
	12	Honolulu
	13	Wilmington

**FINISHED WITH ENGINES**



### Clifton Priest, P1457/#12835.

Born December 4, 1926, Minnesota. Joined MFOW August 31, 1945. Pensioned January 1, 1973. Died July 18, 2022.

### Grover Harris, P2575/#3383.

Born July 8, 1927, Washington. Joined MFOW October 19, 1966. Pensioned December 1, 1994. Died May 30, 2023.