

●●●●○ CHIPPIE LTE

12:10



< 26

**RWB-C-10Plus**

Silvio, +1 (721) 520-0802, +1 (721) 520-3645, +1 (...)

(known by me) went to the labor office to complain about not being paid her full salary for September and refusing to sign a 3 day work week document was fired.

10:48

If we are all there on time will make matters easier We can proposed some agenda points and from there determine the priorities.

11:20

We must become structured.

11:20

+1 (721) 584-3881

~MP Sarah



Honorable Council of Ministers
Honorable Members of Parliament

**Letter to the COM.PDF**

3 pages • 886 KB • pdf

19:23

Mon, Oct 23

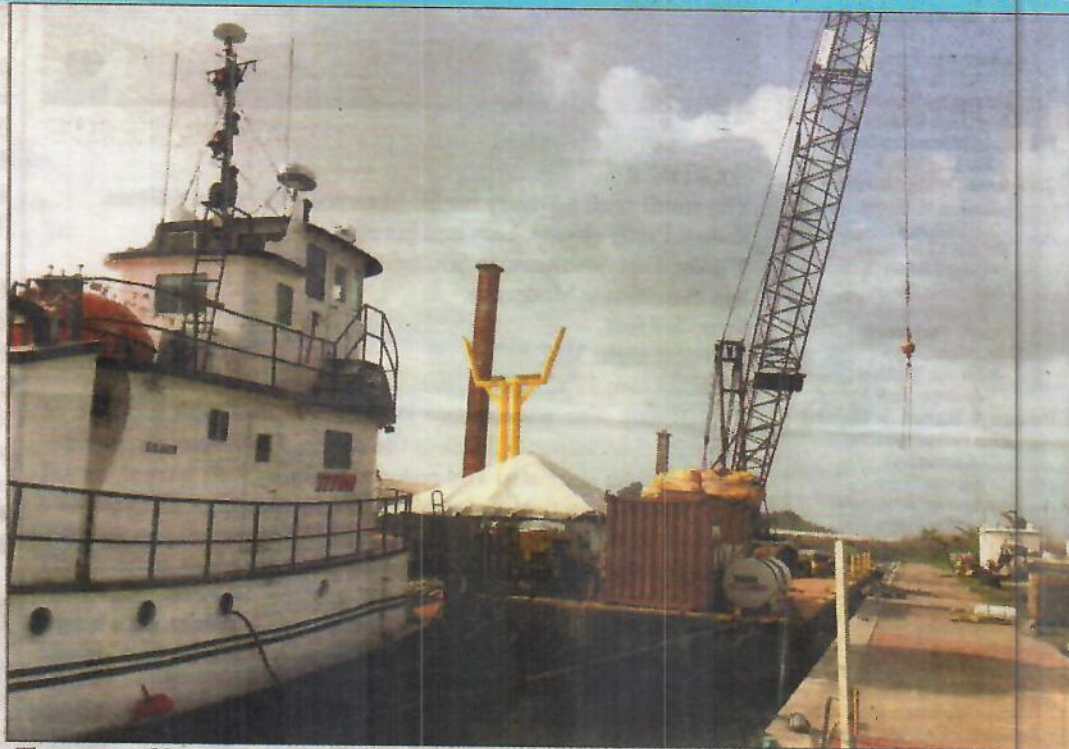
+31 6 14166867 ~Henrietta Doran-York S...

Good morning.

I approve this message.

Sharing Micheal Granger's viewpoint. I'm sure that most if not all agree. If you





The crane and barge at Port de Plaisance Marina.

Salvage work by Bahamas barge and crane on hold until issues regulated

~ VROMI begins issuing salvage permits ~

SIMPSON BAY—The barge and 150 ton crane brought down to the island by Yacht Club Port de Plaisance to salvage yachts, particularly the vessels over 100ft, are currently prohibited from operating until issues with the tug's paperwork and registry are regulated.

The barge and crane belonging to Executive Marine Management (EME) from the Bahamas arrived a week ago, the hold is causing more delay to vitally important salvage operations needed to clear the Simpson Bay Lagoon and marinas and mitigate further environmental damage.

Yacht Club Port de Plaisance General Manager Jesse Peterson indicated the marina was being held accountable for "technicali-

ties" with the tug and barge.

"We followed all the maritime requirements in terms of crossing international waters, a Class A tug brought the barge and other tug down here, but Maritime Affairs is not allowing us to work as

some of the requirements have not been met," said Peterson. "But we haven't been issued with a fine and we have not been given a report yet. We were told that the tug that will be working here

Continued on page 10

Salvage work

Continued from page 1.

is not Class A certified.”

Maritime Affairs Inspector Paul Ellinger confirmed there are “deficiencies with equipment” and is working to regulate the issues. He added there is also a flag state issue between St. Maarten and the vessel’s flag state registry.

“We weren’t aware of any infringements or requirements that we needed about the tug for international standards,” added Peterson. “For one reason or another we didn’t see or understand the requirements. We missed that but we contacted the boat’s registry in the Bahamas and the Maritime Affairs over there and they offered to come here and register the boat over here with the right requirements. We’re working with them but don’t know yet if we can continue. We would be happy to pay a fine to continue. Right now we have the biggest outfit able to lift the largest vessels.”

Peterson noted St. Maarten Nature Foundation representative will be present at each salvage. Permission has also been obtained from the owner of Port de Plaisance to place wrecks on his land temporarily.

EME’s Salvage Master Gary Simmonds said the tug that’s working with the barge is a 1959 B class tug.

The crane itself can lift five boats per day.

Meanwhile Ministry of Public Housing, Spatial Planning, Environment and Infrastructure VROMI Acting Division Head of Inspection, Claudius Buncamper, disclosed two salvage permits were issued to local companies on Thursday, the first since VROMI issued a stop order on October 10.

“We are busy issuing salvage permits now but our concern is that everyone has to be compliant with the laws which are very clear,” he said. “We can’t have a wild-west situation with people working without liability insurance. We are trying to do it the right way. All the paperwork has to be in order.”

Two local salvage companies have since taken out million dollar liability insurance, one of the requirements. Buncamper added no salvage permits have been issued to foreign companies.

A crew of six will be working on the EME barge, including two divers and two crane operators. The barge has liability insurance. Asked whether the crew needed work permits, Peterson said there had been no specific request to apply for work permits.

“They are contracted to work under the auspices of

our company,” he said. “If there had been a request we would have filed for them.”

Peterson denied that Marine Management and Consulting (MMC) the company that manages Yacht Club Port de Plaisance attempted to monopolise the salvage market without sharing the work as suggested by some in the marine industry.

“That sentiment came when we saw the magnitude of the damage. We hired a professional company that was able to do the right work. There is more work out there than the local companies can handle. They (salvage companies) would come on site without the right liability insurance and without approval from us to come on our property.

“That’s why we said no, you guys can’t touch it yet. We just wanted to make sure they had their stuff in order. If the insurance company hires you to do the job and you provide the right liability insurance, equipment and approval, feel free to go ahead. There’s so much work for everybody. We never said we would take all the jobs in the Lagoon. Our focus was first to tackle Port de Plaisance in order to open for the season.”

Progress on salvaging boat wrecks 'better than it looks' says operator (/islands/70946-work-is-well-underway-in-oyster-pond-progress-on-salvaging-boat-wrecks-better-than-it-looks-says-operator)

14 NOVEMBER 2017



Work is well underway in Oyster Pond

SIMPSON BAY--A local salvage operator said Monday as far as he is concerned daily salvage work to lift damaged or wrecked yachts is progressing satisfactorily even though this may not seem obvious to observers who see little happening in the Simpson Bay Lagoon for example.

"I would say we have lifted 30 to 40 vessels to date, mainly in the Lagoon," said Managing Director Steve Coetzer from Seacure Marine Construction. "We did one on Friday, another two on Saturday and another one today. It takes time lifting them and moving them somewhere else. Permits are coming through quite regularly now. We have six permits ready for Simpson Bay Marina and prepared another one today at Port de Plaisance for lifting tomorrow."

The rule is still one permit per boat, but several requests can be made at a time. Aquatic Solutions is the other salvage company working in Oyster Pond and in the Simpson Bay Lagoon.

"It's going a lot better than it looks," Coetzer added. "It took a long time for insurance companies and everyone to get organised. You don't notice it but between the two of us a few boats are lifted every day and we work all over the place so it's not always visible."

"As far as I'm concerned VROMI was never the bad guy. Initially it was very disorganised and everyone was doing what they wanted to do. They (VROMI) had to step in to control it and make sure standards were being adhered to. Delays have also been caused by awaiting authorisation from owners or insurance companies."

"As far as environmental impact is concerned, I don't see diesel and oil floating on the water. Vessels under the water are obviously not good but I don't see it as the huge impact that it's made out to be. But I could be wrong."

Another newly-formed company is reportedly organising itself to do salvage work. Coetzer says he has no problem with other companies coming in as there is plenty of work as long as it is a level playing field.

Berman Consultancy, Legal and Trust, acting on behalf of Simpson Bay Marina and IGY's Isle de Sol Marina has issued notices for damaged vessels to be removed from both marinas by owners before November 21, 2017. The notice concerns four vessels at Simpson Bay Marina and 16 at Isle de Sol Marina.

*Oyster bay is almost cleaned up 90%
waiting on insurance companies*

Boat salvaging must be coordinated with VROMI

October 10, 2017

PHILIPSBURG--All boat salvaging companies and marinas must "properly coordinate" any salvaging in Simpson Bay Lagoon with the Ministry of Public Housing, Spatial Planning, Environment and Infrastructure VROMI and the Ministry of Tourism, Economic Affairs, Transportation and Telecommunication TEATT.

Locations will be identified by VROMI for salvaged boats that cannot be placed in a boatyard.

Prior to salvaging any boat, all precautions are taken against spillage of oils and fuel into the lagoon, said VROMI.

A report about the boat wrecks is awaited by VROMI to ensure works are carried out in compliance with the law. Government has not granted any permission for the salvaging of any boat from the lagoon, said VROMI.

①



WE MEASURE OUR SUCCESS BY OUR CLIENT'S RESULTS.

Honorable Council of Ministers

Honorable Members of Parliament

October 20, 2017

URGENT

Ladies and Gentlemen

As most of you are aware the Yacht Club at Port de Plaisance made arrangements for a Barge, Crane and Tug Boat to come to St Maarten from the Bahamas and assist us with the removal of sunken vessels and the rebuilding of the marina.

As you may or may not be aware, the equipment unknowingly violated certain flag state rules and came to St Maarten without the necessary documents in place, which has led to the Maritime Department placing an arrest on the equipment. This error was not made intentionally as the operator Executive Marine Management Ltd (EMM), simply felt that if he had an internationally registered towing firm bring the equipment in, which he did, that the equipment would be able to work here in the same manner as it does on the coastal waters of the Bahamas. Obviously, this was in error and incorrect and thus we find no fault with the Maritime Authorities interpretation of the laws concerning this matter.

What we are concerned with and certainly find fault with, is as follows:

The equipment that is here is the only equipment available to us with the capacity (150 Ton Crane) to do much of the work required to get these yachts and damaged dock sections removed from the marinas. We cannot do a good deal of this work with smaller equipment, so this isn't a matter of choice for us. As of writing this letter, we have another barge and crane ready to leave port, from Venezuela and have provided the maritime authorities here with all relevant documents to examine. Provided the documents are in order, they will head to St Maarten tomorrow. Unfortunately this will only allow for salvaging of the smaller wrecks and will not allow us to remove the larger wrecks as the crane on board is simply too small.

We are willing to do whatever is asked of us including paying fines, new surveys, re-classifications of the vessels (if possible) changing out the barge and tug with compliant ones, when we can find them and or any other solution that would work.

Puerta del Sol Plaza, Welfare Road #68, Ste. 301/302, Simpson Bay, St. Maarten
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WE MEASURE OUR SUCCESS BY OUR CLIENT'S RESULTS.

The lagoon has now been subjected to over 6 weeks of continual leaking fuel that could have been stopped after week 3 if the yachts could have been removed from the water. Steps were taken by the marinas including booms and other spill containment but there are simply too many wrecks to handle in this manner.

The marinas have the possibility and the willingness to rebuild / repair, even if only partially and thus capture part of the upcoming season. This allows for over 25 members of our staff alone at the Yacht club Port de Plaisance, to keep their job. It is as simple as this: No Docks, No Yachts, and No Jobs.

The ALL NEW requirements from VROMI have already caused 11 days of stand down and now we need to fill out countless forms, buy stamps, gain permissions from insurance companies that will take months and months and has basically tied our hands behind our back!! This is done under the pretense of the Government's need to protect itself from liability. What about the liability for allowing the lagoon to be contaminated, when the resources were here all along to stop it?

We make exception each day for trucks running up and down the road (with VROMI signs pasted to the windshield – if they have one) with no headlights, no engine covers, no turn signals, bad brakes and running on bald tires, so that they can clean up the debris. And rightfully so!!! We just went through one of the worst natural disasters to hit St Maarten ever. Those trucks are cleaning the island up and thus helping to protect the inhabitants of the Island and the environment. The exception to the rules of the road are made, because it is an emergency situation and it is in the best interest of St Maarten and its people. We applaud their efforts and all those involved!!

Yet our lagoon, is being degraded and destroyed more and more each day, by leaking fuel from submerged yachts, when we have the ability to stop it and yet we will not make the exception and do what's right. Why are we not trying to clean up the mess in the lagoon with the same vigor and commitment we have on land!!!

We would let people lose their jobs, when we don't need too, in this specific case, all because the registration documents for what can easily be recognized as an "emergency piece of equipment", can't be used.

I just learned that one of our local marine construction and salvage companies has just signed a contract in the BVI to take his equipment there, (Crane, Tug and Barge) He is doing so, because the same equipment he has been using here for years, that no one seemed to care about and or inspect, doesn't have the registration needed to assist, now that we have a disaster to deal with. The BVI begged him to come, as they understand the emergency in front of them and thus are willing to do whatever is needed to mitigate the damage to their environment and to their people. Why would we not do the same? Why would we make it so hard to operate that our own salvage operators would leave?

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2



WE MEASURE OUR SUCCESS BY OUR CLIENT'S RESULTS.

Bobby Velasquez arranged a barge and crane from St Kitts to come across to help in the efforts and this barge made it to St Maarten only to be turned around and sent back, once again because of improper documentation.

To the best of our knowledge, not one single salvage barge has been cleared for service and is currently operating.

Once again, we understand there are rules we must all abide by in order to have a civilized country. We are also aware that there are International laws, treaties and agreements concerning maritime registration and certification that under normal circumstances requires strict adherence. That said, these are certainly not normal circumstances. When we consider the fact that nearly every yacht that has sunk, is equipped with batteries, coolants and other chemicals on board, in addition to diesel fuel which in some cases is in excess of Ten Thousand (10,000) gallons, which is currently leaking into the water, this should take precedence and constitute an emergency situation that requires immediate action even if this means allowing exceptions to be made to the rules. When you consider the economic impact of having the marinas closed and the loss of jobs as a result thereof, when there is the possibility for this not to be the case, we would hope that this too would constitute the need for immediate action.

In closing, we are left with 3 options:

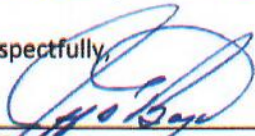
Option 1 We can allow this to happen, follow the rules as they are made up each day and handed down to us and find ourselves with no way to salvage the season, thus resulting in lost jobs and possibly an environmental disaster.


Option 2 We can beg our government officials to understand that this truly is an emergency and requires emergency actions and exceptions.

Option 3 We simply ignore all, do what is best for the environment and our people and await whatever punishment is bestowed upon us.

We hope that you will allow us to survive and assist us by answering option 2 favorably and seeing to it that everyone, in all ministries and departments, are working with us, towards the goal of cleaning up and restoring the Marine Industry of St Maarten. To clean up and protect the lagoon we need every barge, crane, and tug available, working around the clock lifting vessels, we need those same trucks mentioned above, carrying off the remains to the dump and lastly we need the Government's assistance helping to facilitate all quickly and efficiently and yes at times making an exception to the rule.

Respectfully,


Jeff D Boyd
Managing Director
Marine Management and Consulting


Jesse Peterson
General Manager
The Yacht Club at Port De Plaisance

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POR/3/312

September 17th, 2017

Claudius Carty
Marine Inspector/ PSCO
Civil Aviation & Shipping and Maritime Affairs
St. Maarten

Dear Mr. Carty:

RE: Motor Vessel TITAN Registration Number: GB6474

Reference is made with regards to the subject matter at caption.

We were made aware that the M/V "TITAN", Registration Number GB-6474 has been inspected in St. Maarten on October 16th, 2017 and was found to be without any Statutory Certificate to allow her to trade outside of Bahamian waters.

We are in full agreement that the vessel should not be allow to operate outside of her specified trading area and we would not be opposed to a detention of said vessel.

We have received a proposition from the owners that the vessel be allowed to be towed back to the Bahamas and not to conduct any further international voyages until she is properly certified for such voyages and all deficiencies have been rectified.

Please note that the Port Department of the Bahamas would not be opposed to the vessel being towed back to the Bahamas given that the following conditions can be met by the vessel owner:

- The vessel "TITAN" shall not be manned during the towage
- All reasonable precautions shall be taken to prevent the towed vessel causing damage to the marine environment (This should be to the satisfaction of the St. Maarten Port State Control Authorities)
- The towing vessel shall be certified and properly manned to conduct the required voyage

Captain Cyril A. Roker
Acting Port Controller

Cc: Permanent Secretary, Ministry of Transport & Local Government

11/24/2017

Maritime Affairs says tug, barge going back to Bahamas, not BVI

Maritime Affairs says tug, barge going back to Bahamas, not BVI (/islands/70461-maritime-affairs-says-tug-barge-going-back-to-bahamas-not-bvi)

26 OCTOBER 2017



~ Bahamian authority agreed detention was 'legal and just' ~

PHILIPSBURG—Acting Section Head Maritime Affairs, Claudius Carty, clarified Thursday the Bahamas-flagged tug Titan and barge Mickey T will not be going to the British Virgin Islands (BVI) as the only way detention of the vessels can be lifted is if they are being towed back to the Bahamas as per directions given by the Bahamian Maritime Authorities.

A tug that will tow the vessels back to the Bahamas is expected to arrive today. The tug and barge were relocated outside the Simpson Bay Lagoon because the arriving tug will not be able to enter the Lagoon due to the draft restriction.

Carty issued a response to the October 26 letter from Marine Management and Consulting (MMC) President Jeff Boyd saying it was "very sad to see the facts being twisted in order to try and justify the willful wrong doing of an operator."

"At no point did Maritime Affairs Inspectors or the Coast Guard tell the vessels they had to leave," he said. "The vessels were relocated due to the fact that we were constantly being called to address the fact that crew were seen operating the equipment on the barge (crane). The owner of the vessels has been approaching several other operators on the island trying to secure a way to remain on the island and operate the vessels which is not an option."

According to Carty it also came to light from immigration authorities that the vessels had not finalized their clear in procedures after almost a week, but which was then rectified.

"The accusation levied by the author of the article states that we started enforcing Maritime Laws that were being done prior to the storm which is totally untrue as we on a regular basis conduct Port State Control Inspections in accordance with our guidelines laid down by the Caribbean Memorandum of Understanding (CMOU) where we are required to conduct inspections on a minimum 15 per cent of all foreign vessels entering our ports (St. Maarten)," added Carty. "Maritime Affairs is all for getting the environment cleaned but with unseaworthy/unsafe equipment it brings more concerns than solutions."

Carty noted the BVI was contacted and the government there made it clear that they too have serious problems but are not going to allow undocumented equipment into its waters either.

"The instruction from the Bahamian authorities was to have the vessel towed back to the Bahamas totally unmanned. Maritime Affairs tried to assist in every way possible to help and resolve the matter by brainstorming and communicating with the Bahamian authorities. But for the record let it be known that strict instructions were given by the Bahamian authorities not to allow the vessels to operate under the present conditions and if we did all responsibility would be for the government of St. Maarten.

"It became very clear that the tug in question is a harbor vessel and could never be certified as an ocean going tug which immediately closed that door," Carty continued. "As for the barge the Bahamian authorities were prepared to certify the barge but according to them the owner was unable to supply them with all the required documents needed to continue the process.

"On Friday, October 13, 2017, two Port State Control Officers from the Maritime Affairs office visited the tug Titan and barge Mickey T to conduct a Port State Control (PSC) inspection in order to verify their compliance. Unfortunately the captain was unable to supply the officers with any valid certificates, a valid license for himself and no Mate was designated to the vessel. These deficiencies, individually or simultaneously are reasons for immediate detention. Contact was made with the Bahamian authorities and they confirmed the vessels were not in any way certified to leave Bahamian waters. They agreed with the detention deeming it to be lawful and just."

A subsequent letter sent to Maritime Affairs from Acting Port Controller Captain Cyril Roker from Nassau in the Bahamas stated: "We are in full agreement that the vessel should not be allowed to operate outside of her specified trading area and we would not be opposed to a detention of the said vessel. We have received a proposition from the owners that the vessel

be allowed to be towed back to the Bahamas and not to conduct any further international voyages until she is properly certified for such voyages and all deficiencies have been rectified."

Maritime Affairs explained when outside the country of registry (flag state) all commercial vessels are required to have statutory certificates in accordance with the International Maritime Organisation (IMO) guidelines for vessels undertaking international voyages. In this specific case the Bahamas is a signatory to the CMOU and fully aware of the requirements.

The government insists it did not stop any salvage work from taking place and has granted three permits this week to other companies to proceed. The vessel from St. Kitts that was turned away has now obtained its necessary compliance papers and is on its way back to St. Maarten to work, government also noted.

