



It's Déjà vu, All Over Again.

by VINCENT T. PICA, II

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On February 28th, 2009, while we were all going about our business, four men made way from a dock in Florida in a 21' powered vessel to visit their favorite fishing hole in the Gulf of Mexico and to meet a date with destiny. On March 2nd, one of those men, Nick Schuyler, was rescued by USCG Forces as he sat upon the over-turned hull. The bodies of the three others, Oakland Raiders linebacker Marquis Cooper, owner of the boat, Detroit Lions free-agent defensive lineman Corey Smith and William Bleakley, a former South Florida football player, still lie out in the Gulf. The US Coast Guard expended \$1.6mm over three-days, covering 20,000 square miles – only finding Schuyler. The souls of the other three mariners lie, no doubt, in God's loving arms. Almost 10 months later to the day, three different anglers made way from Clearwater, Florida, and had very different results. This column is about that.

The Rubicon

From Largo, Florida, brothers Christopher and Matthew Whalen and Adam Triplett made way in the M/V Rubicon for a multi-day fishing expedition. The Rubicon, whose keel was laid in 1985, was a diesel powered vessel and, as a commercial fishing vessel, registered with NOAA's Vessel Monitoring System. VMS is a national registry program for tracking commercial fishing vessels in VMS regions or fisheries. It ensures compliance with regulations specific to the boat's location. Rubicon

was also a USCG-documented commercial fishing vessel and thus was required to carry an EPIRB and a life raft.

All was going well until, late on the night of December 23rd as the crew of the Rubicon slept 56 miles northwest of Clearwater, a wave swamped the boat, killing battery power. As the Rubicon now sat lower from the on-boarded water, she kept shipping more and more water below, sitting lower with every wave. Once the crew realized that their manual efforts to off-load the water couldn't keep pace with the waves, they fired off their EPIRB.

Better to Be Lucky Than Smart

The firing off of the EPIRB started the "rescue clock starts now" process. When the signal was received, US Coast Guard personnel called the emergency telephone number associated with the device and vessel. This caused the former owner of the Rubicon to be awakened by Coast Guard personnel. Quite naturally, he didn't know where the boat was. The new owners hadn't

updated the registration with NOAA. Now what?

The US Coast Guard then turned to NOAA's VMS system, which showed them with equal precision just where the Rubicon was. In the dead of night, aided by advanced technology as well as a red flare launched by the crew of the Rubicon when they heard the helo rotors draw near, the M/V Rubicon was under the search light of a "red-and-white." Within 2 hours from the firing off of the EPIRB and 35 minutes after accessing the VMS data, in the wee hours of Christmas Eve, a US Coast Guard rescue swimmer was lowered to the Rubicon and, one by one, the crew was hoisted aboard the HH-60 Jayhawk helo. The M/V Rubicon was left to the sea.

Two Emergencies, Different Outcomes

There is little doubt in the professional life-saver community that four mariners would have been saved in the first incident had they had an EPIRB. 20,000 square miles of search patterns would have been replaced by a bee-line down the Line of Position – a rescue rather than a recovery. As a consequence of the disaster was that the Southern Kingfish Association (SKA) mandated that all participating anglers carry EPIRBs by 2011. Thousands of anglers participate in SKA tournaments each year. Are our fishing organizations taking the same steps? I intend to find out.

Types of EPIRBs

There are two general types – Category I, which has a hydrostatic release so it can fire itself off if it gets submerged, and Category II, which must be manually fired. (A Cat-I can also be manually fired; you don't have to wait until the boat sinks...) Costs keep coming down as functionality continues to increase.



Courtesy of NOAA

There are also EPIRBs now, sometimes called "GEE"-PIRBs, which have an integral GPS unit built in. This aids greatly in pin-pointing the location of the vessel in distress. See SSP, "EPIRBs, PPIRBs GPIRBs, Oh My!", 11/29/06, for more information. If you don't, at least remember this.

If you have to leave the boat, take the device with you.

BTW, if you are interested in being part of USCG Forces, email me at JoinUSCGAux2010@aol.com or go direct to John Blevins, who is in charge of new members matters, at FSO-PS@emcg.us and we will help you "get in this thing..."



Courtesy of COSPAS-SARSAT



FISHING WITH TONY

BASS, BLUES, BLACKS, TAKE YOUR PICK

by TONY SALERNO

It's been a good week along both shores as the spring bite has moved into high gear with an exceptional invasion of bluefish inside all the south shore bays, while the north shore has seen a good showing of blackfish, and stripers make their presence felt on both sides of the island as well.

The bluefish have been on the scene for about a week now, which is about ten days ahead of schedule. Fish to 8 pounds have been especially thick in the areas of the Narrows and Quogue Canal. Diamond jigs, bucktails and poppers have all been accounted for with great results. The key is finding the birds and you're sure to find the blues as well as few teen size bass mixing in. Speaking of bass, both the Shinnecock and Moriches Inlet areas are showing an influx on bigger bass on both whole fresh clams and fresh bunker chunks.

Up along the mid Long Island Sound, blackfish have been king and open boats such as the Celtic Quest in Port Jeff have cashed in real solid this past week. Clams have been the best bait of late; however, both greens and hermit crabs are catching as well. If blackfish is on your "to do" list, you better get to it soon as the season will shut down on April 30th. Bluefish haven't settled into the area with the same type of numbers as the south shore as of this writing, but there are reports of a few stragglers hanging near the buoy 11 area. Stripers can be found responding to top water plugs and swim shads deep inside Stony Brook Harbor as well as the Nissequogue River.

Those looking for flounder will find a few willing to oblige in both the shallow flats inside both Port Jeff and Mount Sinai harbors. Sandworms and bank mussels along with plenty of chum will put a few flatties in the pail, particularly during the start of the outgoing tide. Back down on the south shore, both the Quogue Canal and the area of the Narrows continue to produce a few fish; however, most of the black backs are moving into the bay where I suspect that within a week or two, the action will be in full swing deep inside Moriches Bay. Use worms and chum heavy with clams or mussels if you want to score well.



HOW TO APPEAL WHEN YOUR ASSESSMENT GRIEVANCE IS REJECTED

by SUFFOLK COUNTY CLERK JUDY PASCALE

"A Small Claims Assessment Review Petition allows the owner-occupant of residential property to file a court case should the tax grievance be turned down by the Town's Board of Assessment Review. Each Town Assessor's Office establishes the deadline to file a Small Claims Assessment Review Petition and each town has a different deadline date," explained Pascale.

Therefore, anyone interested in doing so must contact their local tax assessor for the filing date.

SCARP forms are available on the County Clerk's website at www.suffolkcountyny.com/clerk under On-Line Forms or at the County Clerk's Office in Riverhead. Also, you may request forms by mail by sending a self-addressed stamped envelope to the Court Action Department, County Clerk's Office, 310 Center Drive, Riverhead, NY 11901.

Once a petition is completed, the homeowners' should make seven copies - two for the County Clerk's Office, one copy to be sent to the school district clerk, one copy to the tax assessor, one copy to be sent to the Suffolk County Treasurer's Office (Center Drive, Riverhead, NY 11901) and one copy for the homeowner's file.

The petition procedure is as follows:

1. Your written petition must be accompanied by a \$30 filing fee, payable to the Suffolk County Clerk, and should include supporting statements, records and other relevant information to support your petition.

2. If you cannot file your petition in person, you may send your petition by certified return

receipt mail, but it must be mailed no later than thirty days after the final assessment roll is completed and filed. The failure to file your petition on time may result in a dismissal of your claim.

3. Once the hearing officer schedules a hearing, you may appear personally, with or without an attorney or other representative, to support the statements contained in the petition and attachments.

4. You may authorize your attorney or other representative to appear personally without you to support the petition. This authorization must be in writing and bear a date within the same calendar year during which the petition was filed.

5. The hearing officer will require you or your representative to appear personally, and may request that you submit additional evidence. If you willfully refuse or neglect to do so, or to answer any material questions put to you, you may be unable to obtain any reduction in assessment from the hearing officer. Failure to appear shall result in the petition being determined by the hearing officer based upon the available evidence submitted.

6. The hearing officer may determine the final assessment to be the same as or less than the original assessment. However, he or she cannot reduce your assessment to any amount lower than you claimed on your petition.

Upon receipt of the original and two copies of your petition, the County Clerk's Office will assign a control number to your case and immediately forward the original and one copy to Supreme Court for assignment to a hearing officer.