



March 2013

Editor: Ken Hoover

Volume 42, No. 5

Commodore's Log

# Move To New MDR Slips By May 31

By **Michael Delaney**  
*Commodore*

This past month, Richard Windebank reported excellent progress towards movement of the MDR slips to the Los Angeles Count Beaches and Harbor Department slips adjacent to Santa Monica Windjammers Yacht Club.

The MDR Fleet will be moving to their new home at the end of May. It was a major accomplishment to craft an agreement with ES Ring (former Bar Harbor parent company), Beaches and Harbors and SMWYC. I will leave the details for Richard to describe in his article that will follow. Well done, Richard!

Congratulations to Fairwind's newest ASA 201 Instructors Paul Aist, Valerie Baggett, Michael Petersen, Art Toye and Bill Wagner. They successfully completed the recent Instructor Qualification Clinic (IQC) in MDR run by Dave Lumian, former Fairwind commodore.

I am in the process of forming two Boat Selection Committees (BSC); one for MDR and one for CIH. The function of the BSC will be somewhat different from past BSC's as we are trying out a new process. This is the result of the committee that I formed in January to review the fleet assessment process. The BSC will not be focusing on acquiring a specific boat but reviewing the fleet as a whole. The membership survey, a key part of the BSC, will have a broader format as did the CIH survey from earlier this year. Each BSC will generate a

**Board & Membership Meeting  
May 17 In Channel Islands**

The next board and membership meeting will be Saturday, May 17 at 11:30 a.m. at the Paz Mar Apartments Clubhouse, 3500 Peninsula Way, Oxnard.

The membership will follow the board meeting about noon. Both meetings are open to all members.

A Google Map link is [here](#).

MDR Moves	CIH Whale Watch	Tow vs. Salvage
<i>Richard Windebank explains how we got new slips.</i>	<i>CIH boats search for whales, find only fun.</i>	<i>BoatUS explains this important difference.</i>
<i>Page 3.</i>	<i>Page 5.</i>	<i>Page 7.</i>

fleet/harbor specific survey that will go out to the entire membership. The BSC's will follow the process outlined in the Standing Rules but also expand beyond those requirements. The BSC will analyze the results of the survey, review boat usage data, financial implications, maintenance issues, etc. Once the BSC has reviewed all appropriate data, it will make a recommendation to the Board. The recommendation may be to add boats, replace boats, upgrade boats, do nothing, etc. Once approved by the Board the recommendations will be presented to the membership. If approved by the membership, the BSC will be able to move forward and execute the recommendations.

When the BSC surveys are emailed out, please take the time to respond as it will help us determine the make up of the fleets for the near future.

The next Board and General Membership meeting has been scheduled for Saturday, May 17, in Channel Islands Harbor at the Paz Mar Clubhouse adjacent to Peninsula Yacht Marina. The Board Meeting will start at 11:30AM and the General Membership Meeting will start at 12:00 noon. The Paz Mar Clubhouse is at 3400 Peninsula Road, Oxnard.



Slingshot, MDR's trimaran, out on a glorious Easter Sunday.

# How We Got A Great Deal On County-Owned Slips In MDR

By Richard Windebank  
*MDR Port Captain*

First, let us recap the terms of our current agreement with Bar Harbor and why we have that agreement in the first place.

The County of Los Angeles views Marina Del Rey as one of the “jewels” of Southern California. It wants the Marina to be enjoyed by a broad section of the community, not just by the more affluent members of society who can afford two or three thousand dollars a month to own and maintain their own boats. Broader “access” to the marina is a high priority.

When E S Ring wanted to develop the Esprit Apartment Complex, the County was anxious to evaluate how the community could benefit. So E S Ring designated a portion of the apartment units as “low income housing.” When E S Ring wanted to redevelop the Esprit Marina, the County also sought to determine how the community could benefit from it. Fairwind, with its unique model of providing affordable sailing to a large number of lower and middle income members of society, was an excellent vehicle to fulfill this role. So, E S Ring graciously agreed to grant Fairwind eight discounted slips for a period of twenty years to help us fulfill that goal.



Fairwind volunteers spruce up docks at our new home

The agreement was entered into in 2001 and runs until 2021. However, E S Ring subsequently sold their interests in both Esprit Marina and Bar Harbor Marina and the purchasers did not take on the outstanding obligations of the agreement.

So, E S Ring approached us seeking a solution as to how they could find an alternative way of complying with the spirit and intent of the agreement for the remaining seven years.

For Fairwind, we were not keen on taking a cash settlement. The slip discount is much more valuable to us and critical to fulfill our goal of providing affordable sailing to our members, their families and guests.

We researched potential options, and the Los Angeles Department of Beaches and Harbors (DBH) appeared offer a potential solution. DBH indicated that they might consider allowing E S Ring to pre-pay 75% of our slip

fees on eight slips in Anchorage 47 for the next seven years. This appeared to be a win-win for all parties. DBH supports its goal of facilitating broader access to the marina through the Fairwind “affordable sailing program”. Fairwind gets to preserve our existing discounts for the balance of seven years. E S Ring is able to close out the agreement by paying a lump sum to DBH and will have stood by the spirit of the agreement they entered into in 2001.

There are a number of specific advantages to Fairwind relocating to Anchorage 47. First, we will be situated close to our friends at Santa Monica Windjammers Yacht Club, where we use their Club House for most of our meetings in Marina Del Rey. Second, it gives Fairwind Members the option of joining SMWYC (hopefully on preferential terms) so we can have the use of the facilities SMWYC can offer, in conjunction with the benefits that Fairwind members enjoy from their current membership.

Other benefits include: Better access from the Marina Del Rey Freeway 90, better car parking facilities, closer to the fleet of Hobiecats we use for the Boys & Girls Club, more accessible to West Marine, closer to restaurants etc.

Like so many sections of Marina Del Rey, the docks at Anchorage 47 are also scheduled to be completely renovated in the near future, probably within the next year or two. During that time, our boats will be moved to temporary slips nearby, and then brought back once the renovations have been completed. If all goes according to plan, we should then be able to accommodate virtually all of our boats in contiguous leeward slips, hopefully in Dock G1400, G1600 or G1800. That would be a very desirable outcome and should position us well for the future.

Some of the finer details still need to be worked out, but our negotiations are progressing smoothly and we will move our boats to Anchorage 47 by June 1 this year.

Members should anticipate that not everything will work out perfectly, but we will strive to minimize the inconvenience that is inevitable with any major move of this nature. There will be hiccups. There will be inconveniences. But, viewed in its totality, this should be a very positive development for our Club.

A few of our slips will initially be down wind slips rather than leeward. This applies to Generosity, Sandpiper and Collective Effort. Also, the angle of the slips to the prevailing wind will be slightly different. So, we will all need to focus on our docking techniques, to accommodate these changes. We will offer docking training in the first two or three weeks in the new location, especially on the afternoon of our first Work Day which will be June 7.

What can you do to help? Be patient, be understanding, lend a hand and help us through this transition. We must all be mindful that we will be the new neighbors at Anchorage 47. Other neighbors have been there for a long time. Let us be respectful of them and be cautious not to disturb their peaceful enjoyment of the facilities they have enjoyed over the years. We should consider ourselves their guests, and we must go out of our way to be helpful and cooperative to them. We only have one opportunity to make a first impression.

Along those lines, we must be especially sensitive during our Saturday and Tuesday work days. On Saturdays, when there will be a lot of activity around the docks, I am going to ask Fairwind members to park in the third row of parking, not just snag “all the front seats.” Yes, we will need to walk an extra twenty yards but that’s a small price to pay, to underline our efforts to be cooperative and to avoid irritation to our neighbors.

I will be writing separately to all MDR Members, offering a special opportunity for those who wish to consider membership of SMWYC at this time. We already have at least 10 Fairwind members who have indicated they would like to join SMWYC. I am hoping we can get twenty and that those of us who do join SMWYC will enjoy an expanded social element to the wonderful camaraderie we enjoy at Fairwind.

Please bear with us as we go through this move. There will be teething problems but nothing we cannot handle. And, at the end of the day, we will emerge stronger than we are today with better facilities that we will all benefit from. The spirit which you have created will endure and, with your help, it will prosper and blossom. Thanks for your support.

# Everybody Had Fun At CIH Whale Watch, But No Whales

By Scott Kelly  
*CIH Cruise Chair*

Our second cruise of the season was our club Whale Watch II Cruise held April 19 and, again, a great success! Another beautiful day for sailing and searching for whales Angelsea, Mark III, and Sorella, and Zephyr participated, with a total of 27 members on board.

Here are a few of the skipper reports:

## **Skipper Mark Juric:**

As you know, my original crew bailed so we took Zephyr out with Freedom Too's crew. I skippered, with Charles Garcia and John and Jenny Lee from MDR as crew. Great day for sailing, no incidents, and we actually got some training in for John who is working on getting checked out down south. We followed MKIII most of the way out and peeled off around the south end of Anacapa. Got some great pictures and everyone had a wonderful time. I posted a video I put together on YouTube - <https://www.youtube.com/watch?v=kwYiASk2gJ0> - and it's available in 1080p HD. Stills I uploaded to Flickr at <https://www.flickr.com/photos/gajillion/sets/72157644130470112/> They should all be set to have public permissions. Please let me know if you have any trouble accessing them.

## **Skipper Gary Feldman :**

We left the harbor on time and headed to Anacapa close hauled. As the wind shifted, we found ourselves headed well east of the Eastern end of the island and so, after passing Gina, we tacked to the Northwest. That brought us into the first of several very large pods of dolphins that we saw that day. The dolphins seemed to be in an exceptionally playful mood, racing the boat, criss-crossing in front of the bow and leaping out of the water. It was a lot of fun. After about 45 minutes, we tacked again, aiming for the Western tip of Anacapa hoping to clear and get into the channel between Anacapa and Santa Cruz. The wind kept shifting counterclockwise and so, giving up on the channel, we headed to Frenchy's Cove. About a quarter mile offshore, we jibed to follow down the length of Anacapa, where I have seen whales previously pretty close in to the island. No luck. With time now pressing, at about the lighthouse, we turned onto a broad reach passing Gina and headed home. We sighted quite a few large commercial ships on both passages through the shipping channels, reminding everyone that it can be fatal if you don't pay attention.

Of course, our crew of Harv Diamond, Michael Caparelli, Nick Brenden, Lee Prather and his wife, Teri, were disappointed we saw no whales. But, it was hard to complain about a perfect sailing day, with fine wind, calm seas, sun and lots of dolphins.

## **Skipper Alan MacGovern:**

Angelsea got under way shortly after 10 am, hoisted sail and headed outward toward Gina, the shipping channels and Arch Rock beyond. The breeze was perfect for Angelsea varying between 10 and 14 knots from the north west. Sorella, Mark 3 and Zephyr were not far behind and a little bit south. We had a crew of five: DuWayne Kilbo and his wife, Geoff Warner and his wife, and Karen, from MDR. Skipper was Alan MacGovern. In no time we passed Platform Gina and were in the deep waters beyond, where

whales have often been sighted. Not this day. We gazed, we stared, we scanned, we hoped, but nothing. Not a fluke, not a spume, not a blow, not a fin, nor a splash. We never even saw a dolphin. Just some lazy old seals sunning themselves waving their fin to us as we passed by.

None the less the sailing was great and we enjoyed some very tasty snacks provided by Geoff. We had turns taming Angelsea as she sprang through the waves. As soon as we arrived in the lee of Arch Rock we encountered more sea life than we really wanted as we were inundated with kelp flies blowing off the island. Every surface was covered with them so we beat a hasty retreat, back out into the wind where we hoped they would blow away. We headed North toward Ventura and a mile or so out gybed back toward the harbor and home.

All in all a lovely sail with a very amiable crew and a great boat. No whales this time around but we know they'll be back.

That's it for our two Whale Watch Cruises for 2014! The participation was outstanding, and although we didn't see a lot of whales, we saw a lot of grins from everyone who participated. It's hard to have a bad time sailing in beautiful weather!

FYC Channel Islands Harbor: High Winds Forecast Cancels First Cruise

Our second Island Cruise of the 2014 season was slated for the weekend of May 9th, but due to forecasts of 30 knots + at Santa Cruz for Friday and Saturday nights, again we had to scrub the cruise. And it did blow all weekend long, just as forecast.

Safety is foremost in our mind on these club cruises, although disappointing, we do our best to not put our crew or skippers in harm's way!

But we will try, try, again!

FWYC Channel Islands Harbor: Santa Cruz Island Cruise

Our next Island Cruise of the 2014 season is slated for Friday June 6th thru Sunday June 8th. The cruise leaves early Friday morning and arrives back in the afternoon on Sunday.

We have five boats reserved for the weekend, with a total of 21 places available. Again we may find ourselves in anchorages at Santa Cruz Island, possibly Smuggler's, Scorpion, Prisoner's, or Pelican Harbors, depending on weather conditions.

This is a particularly good opportunity for our newer members, especially those who have not experienced a cruise to the islands, to cruise with an experienced skipper and crew. And a perfect opportunity for all involved to increase their sailing knowledge in a really fun social setting.

---

Our cruises are very popular. Sign up quickly for a berth--and don't miss the boat!

If you have any questions, comments, to sign up, or just say hello, please email me.

To sign up for this cruise, please email Scott Kelly, CIH Cruise Chair, at [scottmkelly@aol.com](mailto:scottmkelly@aol.com).



# When You Need Assistance, Know The Difference Between A Tow And A Salvage

By BoatUS

*Reprinted with permission*

ALEXANDRIA, Va. – On the water breakdowns, running aground or other mishaps can ruin a day of boating or fishing. But when a boat offering assistance arrives on the scene, how do you know if the service is a “tow” or a “[salvage](#)” job? If you’re ever in doubt, ask the boat’s captain. That’s because there could be a big difference in the cost of each service and who will pay the bill, says Boat Owners Association of The United States (BoatUS).

While there is sometimes a fine line between the towing and salvage, there are a few clear indicators that point to each. With salvage, it is the existence of “peril.” Historically and legally, salvage is any voluntary and successful rescue of a boat and/or its cargo from a peril at sea. Today, that definition also includes avoiding or reducing damage to a marine environment.

Providing voluntary and successful service to vessels hard aground, on rocks, taking on water or sunk is generally considered salvage, as are rescues necessitated by collisions, fires, breakaways or other types of immediate peril. Salvage may also come into play when specialized equipment such as pumps, air bags, or divers are called for, even if the boat is at the dock.

On the other hand, when there is very little or no peril or damage to a vessel, you have a towing situation, which is far more common. Technically, this service is still salvage but of a “low order,” meaning minimal peril. A typical example is when you run out of gas or have a dead battery, and have subsequently dropped anchor to await assistance. Waters are calm, you’re no threat to navigation, and your crew and boat are fine. Ninety-nine percent of the 70,000 requests to BoatUS 24-Hour Dispatch Centers for on the water assistance last year were for routine towing services.

BoatUS members benefit from a special agreement with the TowBoatUS and Vessel Assist on the water towing fleets that treat some low order salvage situations as towing services. For example, if a boat is soft aground, this agreement ensures that if there is little peril, no damage to the member's disabled boat, and no special equipment such as pumps are needed it's a simple towing job. BoatUS cautions this service is still technically salvage and that other commercial towing companies may not honor this agreement.

All TowBoatUS and Vessel Assist companies are committed to informing the owner or operator of a disabled boat – before beginning any work – if the services they are offering are towing or salvage. If the owner/operator is not on board or the conditions are so perilous and the rescue of the boat requires immediate action, they will be notified as soon as possible after saving the boat.

Nationwide, towing and soft ungrounding costs average about \$600 and \$800, respectively. These are either paid by an annual towing service plan or out-of-pocket by the boater.

Salvage services are generally covered by insurance or out-of-pocket if self-insured and are much more expensive than a tow. Salvage awards are the legal system's way to award a rescuer who risks their boat and themselves to save a boat in peril. Salvage charges can be calculated based on the length of the vessel saved or a request for a percentage of the boat's post-casualty value. While it's a reward for successful and voluntary service, the dollar amount awarded factors in, among other things, the degree of peril as well as the risk to the salvor and their crew.

There are significant expenses in operating and maintaining a professional towing operation such as captain's and staff salaries, insurance, equipment maintenance and increasing fuel costs, not to mention capital expenses such as towboats and other specialized recovery equipment – and it must be available at a moment's notice.

Time and circumstances permitting, if your on the water assistance provider says it will be a salvage job, boaters should try to call their insurance company so they may attempt to negotiate with the salvor before the operation gets underway. If circumstances don't allow this, ask the salvor for a fixed price and try to get it in writing.

Boaters should review their boat's insurance policy to ensure it fully covers salvage. Some policies have limits, high deductibles, or may not include environmental damage – all of which would have to be paid out of pocket.

BoatUS also suggests having a copy of the BoatUS Open Form Yacht Salvage Contract aboard, which assures that any salvage claim will go to local binding arbitration if negotiations between your insurance company and salvor fails. Designed to be more understandable, relevant to US laws and potentially money saving for all parties, the BoatUS Open Form Contract is available free of charge at [BoatUS.com/salvage](http://BoatUS.com/salvage).

For more information on towing and salvage, go to: [BoatUS.com/salvage](http://BoatUS.com/salvage).

## Lost And Found

HAVE YOU LOST A HANDHELD RADIO AT CIH?

Recently I found a handheld marine radio at Channel Islands Harbor. If you are the owner, please contact me to claim same. Contact information: Carl Enson 805-649-2771 or [carlenson@sbcglobal.net](mailto:carlenson@sbcglobal.net).

# Workday Heroes In MDR

We had a fabulous workday. The weather was perfect. Some members were kind enough to bring goodies to share. We had plenty of soft drinks and water to sustain us in the heat.

Thirty-three members signed in. We had eight guests all were eager to chip in and help. Next month will be our first work day at the new marina. So, getting there early to help would be awesome.

A big shout out to John Goebel for making new member tags for our work day! A big Shout Out for Carol Legge too! Carol is volunteering to take over while I'm out of town in June and helping when I get back. A big shout out and welcome for our Work Day Heroes who remembered to write down their names:

## SMALL

Collective Effort	Paul Legge, Kazandra Santana (Guest), Alona Delafin-Wedge CIH
Sundance-Cat Capri	Olof Hult, John Quickly and Anatos Georaiev
Meo Ono-Cat Capri	Steve Maynard, Ken Maynard, Valerie Basett, Olaf Hult
Generosity-Cat Capri	Jim Lewis. Marc Hullibarger
Rambaley – G22	Mathew Struger
Seaweed – Soling	Bob Green

## MID SIZE BOATS

Calypso – Cat 28	Not in Port – Cruising
Sandpiper-Cat 28	George Westerdahl, Bill conner, Harvey Chao
Slingshot- F29	Bob Hoffman

## LARGE SIZE BOATS

Happy Ours Cat 38	Rob Matheny, Chuck Orlin, Nancy Marino, Gerri Chabot
Osprey, Cat 32	Brad Ben
Imagine Beneteau 311	Marv Brown and Betsy Lindsley

Good Sailing, **Carole Walsh**

# Membership Guide: Where To Go For What

Update Contact Information for Membership Roster – Vice Commodore, Lynn Erickson.

Pay Dues – Fairwind Yacht Club, P O Box 627, Oak View, CA 93022

Training and checkout - Fleet Captain (Shar Campbell for MDR; Jim Guinn for CIH)

Cruising: Cruise Chair (Mark Zierten for MDR; Scott Kelly for CIH)

Racing: Race Chair (Mark Arbing for MDR)

Report an Accident - Safety Officer/Rear Commodore (Marv Brown/ Glen Jagodzinski for MDR; Michael Adams/Harry Kane for CIH)

Gear broken on boat - Specific Boat Chief (from Fairwind Website) + Rear Commodore (Glen Jagodzinski for MDR; Harry Kane for CIH)

Submit Articles for Newsletter – Editor, Ken Hoover [kenhoover@me.com](mailto:kenhoover@me.com)

FYC Officers - [www.fairwind.org](http://www.fairwind.org)

Coast Guard - Channel 16 or 310-732-2043

VHF Calling Channels – 9 and 12.

Membership interaction – Email: [fairwindmembers@yahoo.com](mailto:fairwindmembers@yahoo.com)

Join Member’s interaction group - <http://groups.yahoo.com/group/FairwindMembers/> and press the button to join

Updates to website: [webcontent@fairwind.org](mailto:webcontent@fairwind.org)

Fairwind on Facebook: [www.facebook.com/Fairwindyc](http://www.facebook.com/Fairwindyc)

## May Club Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
						MDR Workday
4	5	6	7	8	9	10
		MDR Workday			CIH Cruise	
11	12	13	14	15	16	17
		MDR Workday				
18	19	20	21	22	23	24
CIH Workday CIH Open House		MDR Workday				
25	26	27	28	29	30	31
		MDR Workday				MDR Slip Move