

## **Capt. Mark S. Poster**

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### **Areas of Expertise**

- Expert witness and litigation support, criminal and civil. Evaluation of evidence, examination of experts and depositions, prepare exhibits and expert report, testify.
- Marine/boating accident investigation and reconstruction; vessel collision analysis; assessment of liability/culpability.
- Interpretation of Inland and International Rules of the Road; operation of vessels; proper boat handling and seamanship; navigation and piloting; lake and waterways management; regulatory markers and aids to navigation.
- Recreational boating safety enforcement & education; operational law; marina and tour boat operations.
- Scouting, youth groups, and service organization training and/or speaking engagements offered to promote recreational boating safety to give back to the boating community.

### **Vessel Operations**

Boat Operator – power/sail/manually propelled - 1965 - Present

United States Coast Guard Auxiliary – 1987 - Present

Self Employed Boating Safety Consultant - 1996 - Present

Lake Patrol Officer, Big Bear Municipal Water District (BBMWD) - 12 years

Lake Operations Supervisor, BBMWD - 5 years

Licensed for-Hire Passenger Vessel Operator - 30 years

Tour Boat Captain:

*Sierra Belle* (88 passenger) - 2002 - 2003

*Miss Liberty* (125 passenger) - 2007 - 2009

*Miss Big Bear* (50 passenger) – 2011

### **Licenses/Certificates/Qualifications**

USCG Master's License - No. 918686

50 Ton Inland with Commercial Assistance Towing

USCG Operator of Uninspected Passenger Carrying Vessel License - No. 296483

100 Ton Near Coastal with Commercial Assistance Towing

California Department of Boating and Waterways (DBW) For-Hire License - No. 769

Qualified to Operate Powered Vessels on Sole State Waters (No Restrictions)

DBW /California Boating Safety Officers Association (CBSOA) Open Water Rescue & Enforcement Masters Certificate - No.102

Commission on Peace Officer Standards and Training (P.O.S.T.) - Subject Matter Expert

Designated Subject Teaching Credential - California Commission on Teacher Credentialing - 1996 "Boating Safety Occupations"

Instructor Certification - 2022 National Safe Boating Council

"On the Water Close Quarters and Open Water Powerboating"

Instructor # 2071-1- 011 International Association of Marine Investigators:

Boating Accident Investigations, Collisions and Single Vessel Accidents, Vessel Operations, Stop and Approach on Vessels

USCG Auxiliary Certificates, Ratings, Qualifications

Auxiliary Operations Qualified (AUXOP): Search & Rescue, Navigation, Piloting, Weather, Communications, Seamanship, Patrols, Administration, Coxswain Rating, Boat Crew, PWC Operator, Master Instructor, Vessel Examiner, Air Observer, Air Operations Workshop Swim Egress Training and Water Survival, Team Coordination Training, Elected Officers Course, Leadership Course

ICS-100 Initial Response Training - National Incident Management System/FEMA

ICS-210 ICS for Single Resources and Initial Action Incidents - National Incident Management System/FEMA

IS-00700 An Introduction - National Incident Management System/FEMA

IS-00800 National Response Plan, An Introduction - National Incident Management System/FEMA

## **Work/Experience**

Poster Marine Consulting, LLC

Self Employed Boating Safety Consultant - 1996 - Present

Investigator of Marine and Boating Accidents on Inland & Coastal Waters. Vessel Collision Analysis and Accident Investigation & Reconstruction. Investigations have included Single & Multiple Fatalities, Propeller Cuts & Other Injuries, Falls on Board, Collisions, Allisions, Sinkings, Groundings, Fire & Explosions, Water Ski Injuries, Hit & Run, Operating Under the Influence, OSHA, Wrongful Death, Regulatory Markers, Lake & Waterways Management.

Harbor Master

The Dock Club at Pine Knot Landing, Big Bear Lake - 2002 - 2003

Worked with on-site owner in overall management of private investment marina facility development, including slip sales, boat & PWC rentals, tour boat, fuel dock, marine hardware & repair, water skiing & parasailing rides, new & used boat sales, commercial & private dock building. Operator/trainer of 88 and 125-passenger tour boats.

## Lake Operations Supervisor

BBMWD, Big Bear Lake, CA - 1996 - 2002

Duties included but not limited to: Responsible for scheduling and assigning Lake Patrol Officers, Seasonal Dispatch, and Ramp Attendants; Serving as the District's safety officer including all OSHA related requirements; Serving in Lake Patrol capacity as needed to supplement the work force; Being available for on-call emergencies; Serving as the District's Liaison with the State of California Department of Boating and Waterways; Coordination with San Bernardino County Sheriff's Department for joint Patrol activities; Overseeing safety and all special events on the Lake during event; overseeing processing of citations and court appearances; assuming responsibilities designated under SEMS and other emergency procedure plans; Overseeing and training staff on proper radio dispatch procedures.

Interviewing, selecting and orienting seasonal employees, coaching, counseling, and disciplining employees; planning, monitoring, and appraising job results; explaining policies and procedures; follow up on work results; managing and ensuring compliance with OSHA, SB 198, and IIPP (Illness and Injury Prevention) programs for the entire District; updating specialized training on a regular basis; contributing to team effort by scheduling regular operations staff meetings; accomplishing related results as need; updating Operations Manual.

Supervising commercial and residential dock inspections with Lake Patrol to include achieving compliance with safety regulations through annual inspections.

Lake Analysis: collecting, analyzing, and summarizing information on various subjects such as Lake use trends, citations, boat permit sales totals, commercial marina operations. Collecting, organizing and preparing Limnological Monitoring results.

Monitoring collection of fees from recreational; submitting annual operations capitol purchase items; approving purchase orders; evaluating Quartey budget financial reports; keeping operating expenditures within budget constraints.

Arranging and supervising community distribution of public informational materials; Attending Board and committee meetings as required; making presentations regarding projects, staffing and other District issues; preparing recommendations and reports on various topics; resolving conflicts and/or grievances from the public; working with General manager preparing written responses to the public on a variety of issues and/or complaints.

Attending educational workshops; reviewing professional publications; establishing personal networks; participating in job-related professional societies; keeping current on all California boating laws and OSHA regulations and reporting requirements.

Equipment & Uniform Procurement, Grant Acquisition, new Patrol Boat design and specifications, Liaison with Coast Guard Auxiliary, Design, Production & Ordering of Annual *Mtn. Waters Dispatch* Lake Magazine, Lake Maps, Boat Permits, Signage, Advisories.

#### Lake Patrol Officer

BBMWD, Big Bear Lake, CA - 1985 – 1996

Duties Included but not limited to: Responsible for Patrolling the Lake and Enforcing California Boating Laws, Harbors and Navigation Codes, and District Rules and Regulations per established procedures; teaching safe and defensive boating skills; issuing citations; responding to complaints and calls for help; mediating disputes; Conducting search and rescue operations; investigating suspicious activities; detaining suspects; calling other emergency agency assistance; securing facilities; preparing Accident & Incident reports; making court appearances; attending educational workshops; completing patrol assignments; Inspecting private and commercial docks; conducting fleet inspections at commercial marinas. Ensuring proper and timely markings of hazards & placement of regulatory marks,

#### Skipper of Sea Scout Ship 84 -1986 -1993

Unique Law Enforcement/Sea Scout Explorer Scouting Program Chartered by BBMWD

Responsible for Creating and Managing Overall Program. Development of Manual, Ranks & Advancement Criteria, Uniforms & Training, including Marlinspike, Traffic Control and Launch Ramp Safety, Probable Cause, Officer Safety, Vessel Identification & Equipment Inspections, Towing, Fire Fighting, Incident and Vessel Accident Investigation Form Completion, Arrests, Search & Seizure. Activities included Patrol Ride-a-longs, Boat Handling, Vessel Maintenance, Sailing, Water Skiing, Parasailing, Deep Sea fishing, Trips to USCG Base, San Pedro. Trophy Winner at the Explorer Olympics Competition, Hosted by the Norton AFB Security Police Explorers.

#### Instructor Regional Occupational Program -1987 - 1993

*"Boating Safety Occupations"* A local high school course designed to initiate students to Big Bear Lake and to explore the employment opportunities relating to the Lake. dovetailed and served as a feeder for the BBMWD Lake Explorers Program. Offered by Bear Valley Unified School District, Big Bear Lake, CA

#### Member United States Coast Guard Auxiliary -1987 - Present

Charter Member of Big Bear Lake Flotilla 11-12

Past Flotilla Commander, Vice Commander, multiple Flotilla and Division Staff Officer positions

#### California Boating Safety Officers Association (CBSOA) - 1990 - Present

Lifetime Member, Past President, Vice President, Southern Regional Director, 4 years on Board of Directors, Contributor of Articles to *"The Beacon"* - Quarterly Publication of CBSOA

Instructor DBW/P.O.S.T. -1999 - 2001

*"Boating Safety and Enforcement"* A DBW course for new Boating Safety Enforcement Officers; Introduction to California Boating Law, Home Safety Course review, Boating Nomenclature, Vessel Identification, Carriage Requirements, Vessel Inspections, USCG Boating Acts, Terminations, Navigational Rules of the Road, Marlinspike, Operational Law, Reckless & Negligent Operation. Offered by Sacramento Regional Criminal Justice Training Center, taught in Sacramento, San Diego & Redding.

## **Achievements, Honors, Committee Memberships & Speaking Engagements**

Consultant to DBW

Boating Safety Advisory Committee - 1998 (Senate Bill 545 - Rosenthal)

As CBSOA President, represented the Law Enforcement community in the quest to enhance boating safety and education of vessel operators, including mandatory education laws in California. Published findings of 17 recommendations offered to the Legislature per Section 658.6 of the Harbors & Navigation Code.

DBW Annual Boating Accident Report Revisions - 1998

Boating Accident Report Form & DBW Vessel Accident Report Form Revisions - 2000

National Association of State Boating Law Administrators (NASBLA)

1998 Conference Guest Speaker

*"How to Prepare for Mandatory Education in Your State"*, with Co-Speakers

Dan Flynn - Legislative Assistant to Senator Rosenthal

David Johnson - Legislation, DBW

CBSOA - Spark Plug Award recipient -1998

"Best Instructor in the 11<sup>th</sup> Coast Guard District" Competition Winner

Eagle Scout

## **Consultant/Instructor/Training Provided**

Commission on Peace officer Standards and Training (P.O.S.T.) - 1999 Curriculum Revisions

*"Boating Safety Enforcement" Course*

United States Coast Guard Auxiliary Master Instructor - Public Boating Education Classes Taught: *Boating Skills & Seamanship, America's Waterways, About Boating Safely, Boats N' Kids* - 3 to 4 Courses Per Year - 30 years

Skipper of Sea Scout Ship 84 (Scout Leader) of the BBMWD Lake Explorers - 8 years

Instructor "*Lake Patrol Occupations*" Bear Valley Unified School Dist. - 6 years

Spring Valley Lake Association Lake Patrol, Spring Valley, CA

2011 - NAVRULES, Operational Law, Carriage Requirements, Vessel Inspections, Boarding Procedures, Officer Safety, Close Quarters Maneuvering, Report Writing, Witness Statement Collections

2012 - Personal Watercraft Operations, Introduction to Boating Under the Influence

2013 - Carriage Requirements, Vessel Inspections, Electric Shock Drowning

2022 - Vessel ID, Nomenclature, Carriage Requirements, Vessel Inspections, NAVRULES, Operational Law, Boarding Procedures, Officer Safety, Close Quarters Maneuvering, Securing the Scene, Witness Statement Collections, Proper Report Writing

U.S. Adaptive Recreation Center, Big Bear Lake, CA - Annual Boat Safety Training 2000 - Present

National Association of Marine Surveyors - 2023 North Pacific Annual Regional Seminar, Bremerton, WA  
Guest Speaker - Boat Accident Investigation Case Study

## **Education and Specialized Training**

American Red Cross - Water Safety Instructor, Lifeguard, CPR, AED, First Aid

Emergency Medical Technician - San Bernardino Valley College 1976

Refresher Course for EMT- I Ambulance – Santa Ana College 1978

Boating Safety Course - DBW 1985

PC 832 – Arrest, Search & Seizure, Firearms - San Bernardino County Sheriff's Department 1985

Boating Safety and Enforcement - Basic - DBW 1985

Boating Skills and Seamanship - USCGAUX 1986

IR 3000 Breath Alcohol - San Bernardino County Sheriff's Department 1987

Lateral Gaze Nystagmus Training - DBW 1987

Intoxication Enforcement Training - DBW 1987

Advanced Boating Safety & Enforcement - DBW/National Criminal Justice Training 1988

Reserve Level II Module "B" - San Bernardino County Sheriff's Department 1989

Marine Firefighting - DBW 1991

Certificate of Proficiency EC44252 - San Bernardino Superintendent of Schools - 1993

Advanced Boating Accident Investigation/Reconstruction - DBW 1994

Advanced Boating Accident Investigation - Underwriters Laboratories 1996

Boating Intoxication Enforcement - DBW 1996

Boating Water Rescue & Enforcement - DBW 1997

Training Seminar for Marine Investigators - IAMI 1998

Marine Accident Investigation - ABYC 1998

Rescue Boat Symposium - Rescue 3 International 1999

Safety at Sea Seminar - Cruising World/US Sailing 1996 (Prevention and Recovery of Man Overboard, Emergency Evacuation Procedures, Boat and Crew Preparation, Heavy Weather Sailing, Medical Emergencies, Safety Equipment)

OSHA Compliance Seminar - The National Safety Institute 1996

An Overview of Ergonomics and The Americans with Disability Act - State Compensation Insurance Fraud 1996

33<sup>rd</sup> Annual Training Seminar - International Association of Marine Investigators 2023

In-depth Case Study: The *Conception* Fire, Proportional Fault? An Analysis of Nav Rules, Gasoline Engines and Outdrives, Root Cause Failure Analysis - Methodology and Process, Did this Mechanical Breakdown Cause the Accident? Engine Failure Analysis, Witness Statement Analysis, Admiralty Law, Using Emerging Technology and High-Tech Equipment in Accident Investigation

### **California Boating Safety Officers Association**

23<sup>rd</sup> Annual Training Seminar - 1996 - Hazardous Materials, Personal Watercraft Search & Rescue, Theft Identification & Recovery, Law Enforcement Update, Federal Firearms Laws, Bomb Identification & Firearm Identification

24<sup>th</sup> Annual Training Seminar - 1997

25<sup>th</sup> Annual Training Seminar - 1998 - New Gear for Dive Teams, Development of Personal Flotation Devices, Fuel Buster Extinguishing Agent, Open Forum on Mandatory Education, HiTek Night Vision, The Internet for Boating Safety Officers, International Jet Sports Boating Association, Rescue Jet Demonstration, Effects of Alcohol on PWC Operation, the USCG Coxswain School

Southern Region Symposium - 1997 - Personal Watercraft, Hazardous Materials, Propeller Guards, El Nino, Critical Incidents, updates from local waterways

Southern Region Symposium - 1998 - Tactical Entries, Personal Watercraft HIN Modification and Alteration, Hyperbaric Chamber Treatments, Investigating Environmental Crimes

26<sup>th</sup> Annual Training Seminar - 1999 - Stress Related Syndrome, Assembly Bill 1151, Boating Under the Influence Mock Trial, Office of Emergency Training Water Rescue Preparedness, Research and Development of IRBs, Personal Watercraft as Rescue Tools, Management of Immersion Injuries and Drowning, Trouble Shooting Outboard Engines, Design Specifications for Rescue/Patrol Boats, Operating Powerboats on High Volume Waters, Rescue Boat Symposium

Southern Region Symposium - 1999 - USCG Team Coordinating Training

27<sup>th</sup> Annual Training Seminar - 2000 - Hazardous Materials Incidents, Underwater Crime Scene Investigation, Disaster Management/Alaska Airlines Flight 261, Hazardous Devices Recognition, Arson Investigation, Vessel Theft/Fraud Investigation

Southern Region Symposium - 2000 - Search and Rescue Communications, Update on State Legislation and Initiatives, EMS Response, Inflatable PFDs

28<sup>th</sup> Annual Training Seminar - 2001 - Waterborne Mass Casualties, Waterborne Hazardous Materials Response, Crime Scene Management, BCDC Enforcement Unit, PWC Rescue, Violence in the Marina Workplace, Verbal Judo, Narcotics Labs, Introduction to Customs

29<sup>th</sup> Annual Training Seminar - 2002 - Update from the Department of Boating and Waterways, Obtaining a Coast Guard License, Critical Incident Stress Management, PWC Operations and Training, False Reports of Mayday, Castaic Lake Boating Accident Investigation, Verbal Judo

49<sup>th</sup> Annual Training Seminar - 2022 - Update from the Department of Boating and Waterways, 2021 Bay Guardian Waterborne Anti-Terrorism Exercise Debrief, PRND (Preventative Radiological/Nuclear Detection), Homeland Security Updates, Multi Agency Dive Operation, Boat Accident and BUI Prosecutions, Supporting a Dive Operation, Legislative Updates and Derelict vessel removal, Invasive Species, Awareness and recovery from PTSD, On the Water Operations, Vessel capabilities, Cadaver Dogs, Multi Agency Body Recovery Debrief and ROV/Drone Capabilities.

### **State Boating Education Cards**

California  
Montana  
Arizona  
Idaho  
Iowa

### **Articles Published**

*"Farwell's Interpretations of Overtaking"*

Marine Crimes Today, International Association of Marine Investigators July 2023

*"How to be the Best Examiner Possible"*

Buoy 13 Autumn Edition 2022, United States Coast Guard Auxiliary District 13

*"Getting Clear on Vessel and Boating Accident Reports"*

The Beacon Issue 66 Spring 2022, California Boating Safety Officers Association

*"Boat Handling Skill Development Tips & Passenger Safety"*

Marine Crimes Today, International Association of Marine Investigators December 2021

*"Is It Safe to Go Out There?"*

The Beacon Issue 65 Fall 2021, California Boating Safety Officers Association

*"Is It "All Right" Out There?"*

International Association of Marine Investigators Review July 2012

*"California's Court Ordered Boating Education Laws"*

US Coast Guard Auxiliary Division 11 Newsletter 2002

*"Victim Restitution Fund Available"*

*The Beacon*, California Boating Safety Officers Association January 2001

*"Shrinking Shrink Wrap"*



The Changing Tide Summer 2001

*“Water-Wienies, Aqua-Bats, Air Chairs & Discs”*

BBMWD Mtn Waters Dispatch 1999

*“Are You still a “Scurvy Bilge Rat?”*

BBMWD Mtn Waters Dispatch 1999

*“Ramp Rage”*

BBMWD Mtn Waters Dispatch 1999

*“Are You a “Scurvy Bilge Rat?”*

BBMWD Mtn Waters Dispatch 1998

*“Designated Skippers, Alcohol & Inflatable PFD’s”*

BBMWD Mtn Waters Dispatch 1997

*“Lake Towing – Tow Like a Pro”*

US Coast Guard Auxiliary, The Commodore’s Bulletin and Captain’s Newsletter April 1997

## **Professional Affiliations**

International Association of Marine Investigators

California Boating Safety Officers Association – Lifetime Member

National Safe Boating Council

United States Coast Guard Auxiliary

National Eagle Scout Association