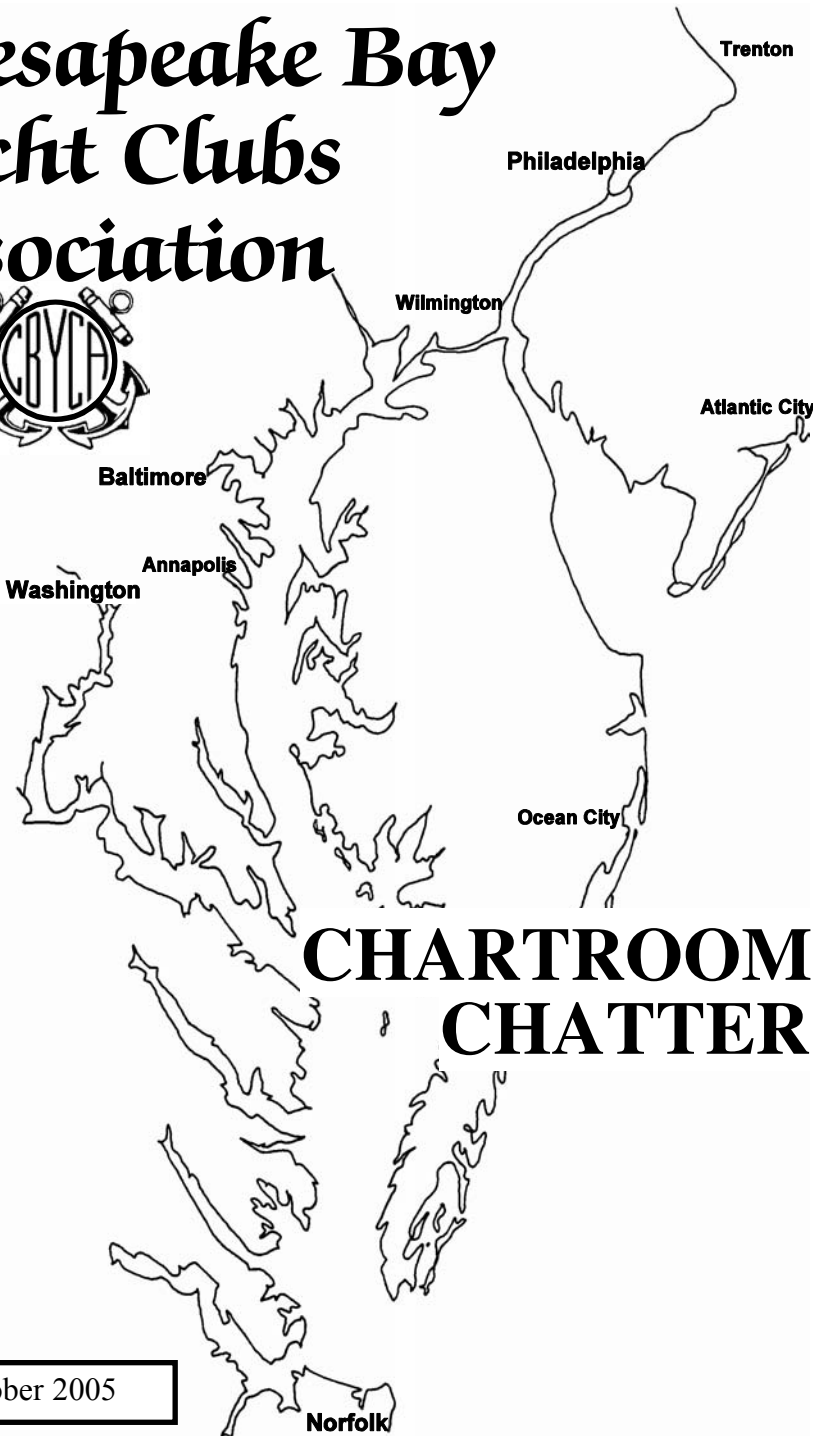


Chesapeake Bay Yacht Clubs Association



CHARTROOM CHATTER

October 2005

CBYCA, THE BOATER'S VOICE

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The Chesapeake Bay Yacht Clubs Association (CBYCA) is a non-profit, volunteer association of Yacht Clubs located throughout the five state Chesapeake Bay Region. Its purpose is to represent the interests of recreational boating at the national, state and local levels of government, and to promote boating safety and education. For information, visit the CBYCA homepage at:

**WWW.CBYCA.ORG or contact
Commodore John Garlotta
12 Cranberry Run MR#3
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Commodore's Corner

John Garlotta • Commodore@CBYCA.ORG



Ahoy fellow boaters,

The Board of Governors Meeting held Sept 17th was one of the most fruitful meetings we have had. The Board is instituting a new program called the CBYCA Clean Marina for Yacht Clubs. To date we have very few Yacht Clubs with facilities that have the clean marina approval. Our objective is to help out those clubs with marinas who want to become a clean marina, to obtain their certificate. The CBYCA Board has engineers and people who have gone thru the Clean Marina Program. They have gotten the Clean Marina Certificate for their marinas. CBYCA has the personnel with the expertise who will help out with the paperwork. CBYCA is already working with Maryland Yacht Club on this project. It would be great to see all of our member clubs that have facilities obtain this Clean Marina Certificate within the next year.

The Bylaws Committee has received a few responses to the new changes, which were mailed out to all the clubs. These final responses are being looked at very carefully. I am sure the bylaws, which will be presented at the November Delegates meeting, will be well received. As I stated when I became Commodore, new bylaws would be the paramount item for my watch. I want to leave knowing that new changes will be in place for the coming year.

Ball season has begun. I am looking forward to meeting the incoming Commodores of 06 during the October and November Balls. While many clubs have taken the time to post their balls on the CBYCA website, there are still many clubs which have not done so. Please take the time to get your ball or event listed. Go to WWW.CBYCA.ORG and add your upcoming event information.

Have a great October.

John Garlotta



Vice Commodore's Report

Jerry Donofrio Sr. •VC@CBYCA.ORG



The summer sun is waning and the days shorten as we near the end of this boating season. Our September BOG meeting was held at the Corinthian Yacht Club, Ridge, MD and I wish to thank everyone who attended, especially the club members who were present. Our next BOG meeting will be held at the Mathews Yacht Club, Mathews, VA on October 15th at 10 AM. This is a perfect opportunity for the many clubs of the Southern territories to meet with the BOG and express any concerns or support any issues regarding the new Bylaws.

Our next Delegates meeting will be held at Baltimore Yacht Club one of the founding clubs of the CBYCA. That meeting will be held November 19th at 1:00PM and will include the Installation of the New Board of Governor Officers at the end of the meeting. A lunch and cash bar will be available with details on the website and in the next Chartroom Chatter.

As a final point, please mark your calendars for the gala CBYCA Commodore's Ball on December 10th at the Best Western in Baltimore, centrally located with easy access to I-95 at O'Donnell St off Boston St. It is the same location as last year's ball. The magnificent sounds of Robin & Rhythmixs with extra horn and flute instruments will lead the evenings dancing with a seasonal decoration theme of "The Nutcracker", as the setting to a wonderful evening. More details are provided on the insert and on the website at WWW.CBYCA.ORG . For reservations contact PD June Donofrio at 609-871-8682 or Email her your reservations at CBYCABALL@CBYCA.ORG

Use the CBYCA Website for all your information needs. Our premier events page is updated every day and the links sections is unsurpassed guiding you right to the best boating information available. The Website also will allow you to enter all of the clubs information of new officers and events at the touch of a button. Captain Protocol is the talisman of the CBYCA. If you ever have any questions of protocol or flag presentation or uniforms requirements just email CAPTAIN-PROTOCOL@CBYCA.ORG



Rear Commodore's Report

Don Burton •RC@CBYCA.ORG



In addition to serving as your Rear Commodore, I also serve as the CBYCA representative to the State of Maryland's Dredge Material Management Program (DMMP) , and since 2001 have been a member of the DMMP's Citizens' Advisory Committee (CAC). DMMP leadership is comprised of representatives of agencies of the State and Federal Government, including the U.S. Army Corp of Engineers (Corps). The Corps has the responsibility for maintaining the Federal waterways including bridges, navigation aids, channel

dredging and disposal of dredged material (spoils).

CBYCA had a significant role influencing the final decision in 2001 to discontinue future "Open Bay Dumping" of dredge spoils into the Chesapeake Bay. The Hart-Miller and Pooles Island sites will soon be filled to capacity with Bay spoils, hence Bay spoils will go to a newly established site, Poplar Island. The Poplar Island site will differ from Hart-Miller Island in that it has been mandated by the Government to be environmentally friendly. When completed, it will contain landscaped upland areas with planted vegetation and wetlands to promote habitat for waterfowl.

The dredge spoils from Baltimore Harbor are handled differently. Considered to be potentially contaminated, they cannot be disposed of in the Chesapeake Bay except at Hart-Miller-Island. (MD law). Also, they are allowed to be used as "fill material" in restoration areas within the harbor. Over 10 potential harbor disposal sites have been considered by the DMMP over the past several years. The Cox Creek and Masonville sites have now been selected and will be used for future harbor spoil disposal. As part of the projects, the areas will be cleaned up, reclaimed and improved for specific recreational purposes.

We will keep you posted on progress on these issues.

If you have any questions regarding dredging issues in the Bay, please do not hesitate to contact me. (410-885-2492)



Legislative Director's Report

Robert Williams •LD@CBYCA.ORG



In the coming months the State LDs and I will form a committee to help promote and facilitate the Clean Marina Program on the Chesapeake Bay. We will help the clubs with their paper work and any other information they may need. This has been an on going project of DSLMD Coles Marsh. He has done a great job of bringing clubs into the program and diligent in reminding other clubs to become Clean Marinas. Thank you Coles for all of your hard work. I continue to learn from you.

For many years there has been an LNG site in the Chesapeake Bay. This was apparently thought out and designed well. Currently there are two sites planned for the Delaware River. One in Logan Township, N.J., across from Wilmington, De. The other site is the Bridesburg section of Philadelphia. The Philadelphia site already has two storage tanks that are handled by pipe line. The plan is to put a facility to handle LNG tankers. The super tankers would travel 102 miles from the Ocean to the Philadelphia site. If both sites are up and running the river could be closed as many as fifteen (15) times a month. VC Donofrio and I attended a meeting in early September with local leaders and State Representatives who are opposed to the sites. The present site is operated by the Philadelphia Gas Works, who wants to do the expansion and then rent out the site to a major oil company. Because the PGW is owned by the city of Philadelphia DSLPA/DE Art Friedman has suggested that we meet with the City Council of Philadelphia to voice our opinion against the site. I will keep you informed.



Maryland Legislative Report

Coles Marsh •DSLMD@CBYCA.ORG



Hope everyone had a great summer enjoying the many pleasures of being on the water.

It recently came to my attention that some Yacht Clubs may be interested in exploring the Grant program (BIG) for transient vessels. You can contact Fred Watkins @ 410 260 8452 if you are interested. Fred handles the program for Maryland. Bob Gaudette who handles the Waterway Improvement Fund indicates we can expect the same funding commitment from the administration that we had last year. The amount for Water Improvement last year was 20m. Hat's off to Bob for his efforts to keep most of the fund for the intended purpose.

SOME FACTS TO THINK ABOUT:

Registration Fees: Virginia pays Personal Property tax, 2% sales tax w/2,000 cap, registration fee of 27-45\$ per year; Delaware pays no sales tax, 10-60\$ registration fee; Florida pays 6% sales tax (boats used outside of Florida more than 6 month pay no tax, 7-126\$ registration fee; North Carolina pays 3% sales tax with 1,500\$ cap, 10-45\$ registration fee; South Carolina pays 5% sales tax with 300\$ cap, plus Personal Property tax; Maryland pays 5% excise tax (most goes to Waterway improvement) 24\$ registration fee.

Number of Boats Registered: Virginia 232,409, Delaware 44,458, Florida 805,581, NC 334,727, SC 394,842, Maryland, 206,000

What do you think about having a presentation from the Clean Marina Program? CBYCA has only six members who have joined the program. Baltimore, Bodkin, Corinthian, Eastport, Kent Island and Maryland. Please check with those members to see how easy it is to join. Let's set the example. IT MAKES FOR EASIER LEGISLATIVE EFFORTS.

YOUR CLUBS VOICE IS IMPORTANT!

Should you have any questions or concerns please email me at marsheme@comcast.net



Virginia Legislative Report

Jacque Knight •DSLVA@CBYCA.ORG



CBYCA Supports Funding For Transient Slips

Virginia's Boating Infrastructure Grant committee met in Richmond September 13 to review requests for funding that will be available if Congress reauthorizes the program for the 2006 grant cycle. It will be interesting to see the effect of Hurricanes Katrina and Rita on this program, which has channeled

federal funds since 2001 to states to build or upgrade facilities for transient recreational boats 26 or more in length.

I represented CBYCA at the BIG meeting in which we ranked six applications that might qualify for the \$100,000 now in Virginia's approved Tier One funds for small projects in Fiscal Year 2006. Announcement of the selections will be made by December, and the final approval by the US Department of Fish and Wildlife Service is expected by February. The BIG Committee also reviewed three applicants for Tier Two projects in the 2006 cycle. Tier Two projects are over \$100,000 and must be completed within three years.

Virginia's Upper York Harbor project scored the highest of 18 projects in the national ranking of Tier Two projects for 2005 funding. The project received \$595,500 to complete transient slip additions. The other two Tier Two projects that have already received 2005 funding are the Old Belfast Bridge Marina in Maine and the Georgetown Marina in South Carolina.

The Town of Occoquan's request for \$166,500 and Coles Point Marina's request for \$145,125 were also selected among the top 18 of 33 proposals requesting \$15 million in federal funding from the Tier Two portion of the BIG program for Fiscal Year 2005. However, that funding had not been released as of Sept. 15...

Other Virginia projects that have benefited from BIG matching funds since 2001 include the Town of Chincoteague Island. A pump out, dock ladder, lighting, picnic shelter, bulkheading and bathrooms were added to attract transient boaters.

A total of \$160,000 in BIG grants helped in the recent completion of 17 dedicated transient slips at Urbana, in addition to a dinghy dock and boat ramp.

Private marinas and yacht clubs can qualify for BIG grants by agreeing to open at least four slips to transient boaters, according to Preston Smith, Virginia's Marina Program Manager. A workshop to assist in grant applications is planned for next spring and will be announced.



**Pennsylvania/Delaware
New Jersey
Legislative Report**
Art Friedman • DSLPA@CBYCA.ORG



Pennsylvania Legislative Report

Phila. LNG terminal is too much of a risk said

State Senator Michael J. Stack (D., Philadelphia) and State Rep. Michael P. McGeehan (D. Philadelphia) both represent Northeast Philadelphia

Philadelphia Gas Works (PGW) recently announced a plan to receive LNG from tankers sailing up the Delaware. A tanker carrying liquefied natural gas (LNG) to Port Richmond will pass several adjacent neighborhoods in Philadelphia. This

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has the potential to disrupt or destroy the safety of communities along the Delaware River. PGW has proposed building the terminal on the site that already holds two LNG tanks. Currently the LNG is piped into the terminal.

At an open meeting at the Bridesburg Recreation Center addressed 200 residents who turned out to express their displeasure - and anger - at a proposal to build a terminal on the Delaware River to accept tankers carrying liquefied natural gas. Residents fear the potential danger of tankers as long as football fields maneuvering the river with a cargo that could tempt terrorists.

Although the Energy Policy Act of 2005 gives the Federal Energy Regulatory Commission "exclusive jurisdiction" over the site selection and operation of LNG terminals, City Council isn't powerless. That's because the city owns the Gas Works, including land that would be used for much of the terminal for perhaps 20 years.

Boaters would suffer for the river would virtually be closed as a tanker proceeds up the river. The areas economy would suffer if they close down the airport, I95 and the bridges every time a LNG tanker navigates up the river.

State Senator Michael J. Stack has asked the yacht clubs to hold town meetings open to the public so their objections can be heard.

NJ Legislative Report

Army urged to avoid N.J. for nerve agent

Activists have requested the Army to abandon plans to ship the chemical residue of a deadly nerve agent from an Indiana depot to New Jersey for disposal in the Delaware River, arguing it would be safer - and ultimately faster - to treat the substance where it is now.

The environmental and public advocacy groups from Indiana, New Jersey, Delaware and Kentucky said that in the face of growing opposition, it's unlikely the Army will succeed in its plans to ship the VX nerve agent's byproduct to a DuPont Co. plant in New Jersey. Pennsylvania's governor has not voiced an opinion.

In a joint letter sent to Assistant Army Secretary Claude Bolton, they called on the Army to pursue its original disposal plan for the nerve agent residue. That plan called for disposing of the waste on-site at the Newport Chemical Depot, using a high-pressure treatment that would yield a solid that could then be buried in a landfill. This methodology was originally approved.

If the Army moves ahead with its plans to ship the waste to the DuPont plant in Deepwater, N.J., activists such as Delaware Riverkeeper said, it was certain to result in lawsuits, delays, additional technical and safety questions, and heightened opposition.

Delaware Legislative Report

Motiva Enterprises LLC has agreed to pay a \$12 million civil penalty to settle a lawsuit filed by government regulators following a fatal tank collapse and explosion at a Delaware City oil refinery in 2001.

In addition to the civil penalty, Motiva has agreed to pay more than \$4 million

for a series of environmental projects, and to reimburse the state and federal governments more than \$170,000 in costs associated with their investigations.

Motiva, a joint supply venture between Shell and Saudi Refining, sold the refinery in May 2004 to Premcor. The refinery was taken over by Valero Energy Corp. this year as part of its \$8 billion merger with Premcor. Department of Natural Resources and Environmental Control Secretary John A. Hughes singled out the bay initiative among several potential targets for a \$5.7 million settlement deal with Motiva Enterprises.

Delaware's share of a newly announced \$12 million pollution penalty should go to projects with clear and direct benefits "for living people and creatures," including restoration of the Delaware River and Bay, a top state environmental officer said. Delaware City Manager Paul Morrill said his community has plenty of needs, including proposals to improve the Dragon Run Watershed and Chesapeake & Delaware branch canal as part of a burgeoning "eco-tourism" effort.

Attorney General M. Jane Brady said Motiva paid a "significant price" for cutting corners on maintenance.

"Delaware is known as a business-friendly state. It is friendly to businesses that are good citizens," Brady said. "And we have serious questions about a company that would have allowed a tank to have fallen into such a state of disrepair."

Notice Title: Notification of Negotiations for Brownfields Voluntary Cleanup Program Agreement for Former Timmons Marina Site

Notice Start Date: 09/01/2005

Notice End Date: 10/01/2005

Description: DNREC-SIRB

LEGAL NOTICE

Pursuant to 7 Del. C. 9107(a)(1) of the Hazardous Substance Cleanup Act (HSCA), the Department of Natural Resources and Environmental Control (DNREC) is required to issue a public notice within twenty days after entering into negotiations for a Voluntary Cleanup Program (VCP) Agreement. The VCP Agreement that is the subject of this notice concerns a certified Brownfields site (Brownfields VCP Agreement). This Brownfields VCP Agreement is entered into with the Brownfields site owner who does not otherwise qualify for a Brownfields Development Agreement (BDA) under HSCA, 7 Del. C. Chapter 91, Subchapter

DNREC is negotiating a Brownfields VCP Agreement with SK Pepper Creek, LLC for the redevelopment of the Former Timmons Marina Site, DE 1360 (Site), located off Piney Neck Road, adjacent to Pepper Creek in Dagsboro, Delaware. This Site may be contaminated as a result of disposed and discarded wastes, including boat engines, discarded batteries, boat fuel tanks and/or other past uses.



National Boating Federation
 Earl Waesche • emwaesc@erols.com
 Legislative Director



International Certificate for operators of pleasures craft - The members of the European Union have adopted new standards for all pleasure craft operators called the International Certificate of Competency (ICC). Further, this has been endorsed by the UN under UN Resolution 40. Unfortunately the US did not approve Resolution 40 and thus there is no reciprocity between the US and Europe. Therefore, a US citizen wishing to charter a boat in Europe must hire a local captain or cannot charter at all. At the request of some NBF member organizations, we have written Admiral Collins, USCG, and others requesting their support in having the State Department adopt UN Resolution 40. We will work with the Coast Guard, the State Dept. and the NTSB to achieve resolution. While not many of us charter overseas, to those that do, this is a real problem.

Coast Guard Authorization Act passes House (includes Delaware River Oil Spill Committee) - By a unanimous vote, the House of Representatives approved the Coast Guard and Maritime Transportation Act of 2005 (H.R. 889). A variety of amendments were added, including an authorization for an additional \$60 million for Hurricane Katrina relief operations; a requirement to notify the Coast Guard if an object that creates an unauthorized obstruction to navigation is released into the water; a phased increase in limits of liability from tank vessels for oil spills, a program to detect, monitor, and evaluate the effects of submerged oil; and establishment of a Delaware River and Bay Oil Spill Advisory Committee. Passage of the legislation was accompanied by numerous speeches by members lauding the work of the Coast Guard in the Hurricane Katrina response effort. The measure now goes to the Senate for consideration. From Holland and Knight LLP.



Publicity Director's Report

June Donofrio • PD@CBYCA.ORG

Deadline for the next

Chartroom Chatter is October 25, 2005

If you think you should be on the mailing list of the Chartroom Chatter & are not receiving a copy, or if you are receiving multiple copies & would like to eliminate some of the copies, please contact me via email pd@cbyca.org or regular mail. June Donofrio, 11 Needlepoint La, Willingboro, NJ 08046. Also we have been receiving many **“return to sender”** Chartroom Chatters, if you have changed your address, the forwarding may have expired, so you need to contact me at the above address with your new mailing address, otherwise your copy may have to me deleted from our mailing list.



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Member Club Information From

This form is to be used to update the Social Events Page in the *Chartroom Chatter*. If you have internet access please go to cbyca.org & update there, otherwise Please fax, mail or e-mail completed form to June Donofrio, 11 Needlepoint La, Willingboro, NJ 08046 609-871-8682

CLUB NAME: _____

OPENING/FLAG RAISING

DATE: _____ TIME: _____

LOCATION: _____

CONTACT NAME: _____ PHONE # _____

COMMODORE'S BALL

DATE: _____ TIME: _____

LOCATION: _____

CONTACT NAME: _____ PHONE # _____

SOCIAL EVENT

DATE: _____ TIME: _____

NAME OF EVENT _____

LOCATION: _____

CONTACT NAME: _____ PHONE # _____

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2005 CBYCA Meeting Schedule

Mark Your Calendars !

October 15	Sat	10:00	Board	Mathews Y.C.
November 19	Sat	10:00	Board	Baltimore Y.C.
	Sat	13:00	Delegates	
December 17	Sat	10:00	Board	TBA



c/o P.D. June Donofrio
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