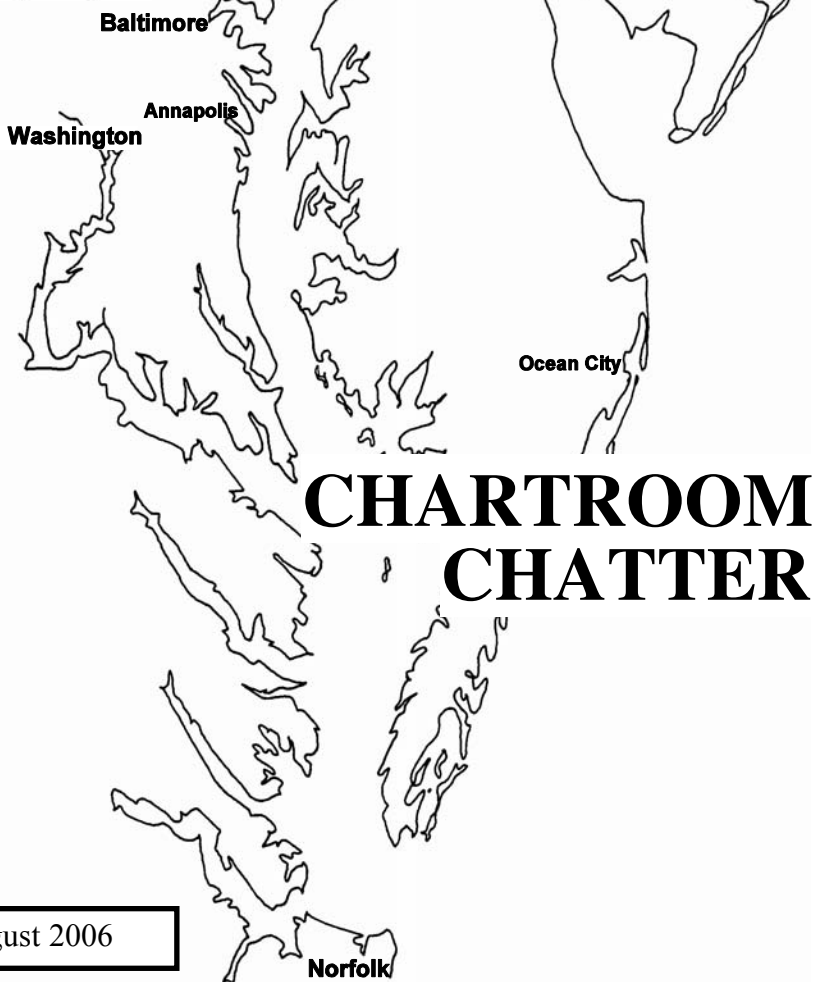


# Chesapeake Bay Yacht Clubs Association



## CHARTROOM CHATTER

August 2006

**CBYCA, THE BOATER'S VOICE**

## 2006 CBYCA BOARD OF GOVERNORS

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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  
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## Commodore's Corner

Jerry Donofrio • [Commodore@CBYCA.ORG](mailto:Commodore@CBYCA.ORG)



Here we are well into the boating season and have survived a stressful battle of dangerous storms and large amount of debris clogging our waterways. Raging flood waters from the Northern reaches of the Delaware and Susquehanna Rivers bombarded the waterways carrying monster trees with root systems reaching out of the water like water dragons. In the debris mix were refrigerators, propane tanks, cut logs, telephone poles, railroad ties and millions of plastic bottles. All of this reaching our boating areas at the beginning of the boating season causing damage to our underwater gear and literally clogging inlets to safe harbors along many eastern shore sanctuaries.

There are many reasons for this problem and much of it is the lack of responsible programs to keep flood planes and tributaries clear of debris. Illegal dumping of cut trees and construction in flood planes contribute to the massive amounts of debris released during times of storms. Stricter laws, education and enforcement on the illegal dumping of tree cuttings would be a good first step forward. Feeder creeks, streams and rivers are clogged with fallen trees, debris dams and silt that back up water into normally dry areas causing flooding. In addition, these conditions also cause undercutting of stream banks causing even more silt and trees to fall into the streams that float until they reach calmer waters of the Bay areas. This process continues for generations silting in recreational areas and causing shoaling conditions. It is time to press the Federal government to work on flood plane problems with civil engineers at the upper reaches of the rivers to provide clear channels for water to travel without restrictions. This could be accomplished with proper stream cleaning and dredging in affected areas.

The Legislative members of the Board have been working very hard representing the issues at hand and deserve much kudos. The looming issue is of course LNG Shipping terminal which affect everyone on several waterways of the Delaware and Patapsco Rivers. Early this year, we formulated a Position Paper on issues concerning the construction of such terminals and among the point of concern were Safety, Dredging & Societal Impacts. These three matters are fully discussed on our website and were presented as testimony at public hearings in the Maryland Senate, Assembly and meeting sponsored by FERC. We have been interacting with local groups of opposition educating them to the ramifications of the Coastal Zone Management Act, Clean Waters Act, Clean Air Act and much more. Government officials in Maryland and the City of Baltimore have heard the message. The elected officials have stood to support the opposition to LNG terminals in the Baltimore area by enacting various laws and resolutions of opposition to the development based on the very issues we outlined in our position paper.

Boating seems to have slowed somewhat over previous years due to rising fuel cost. It not only impacts the use of our boats but also the cost of getting to our boats. Boaters do not always live very close to a marina. Some travel several hundred miles one way to reach their floating island of dreams. In just the past few years the cost of a typical weekend on a 40 ft power boat with a 200 mile car

ride and a 50 mile radius boat cruise has just about become impossible for many people. The typical cost of such a weekend now amounts to almost \$1000.00. Not a drop in the bucket. All of this will change the way we operate our boats and how often we use them. Fuel cost will increase the need for Clubs to provide more local activities that reduce cost to membership.

I have had an exciting and challenging time this past year as Commodore interacting with the many clubs of the CBYCA. This month we will be electing new officers at the Delegates meeting, to lead the CBYCA onto ever greater challenges. There were no additional names of persons submitted to the Nominations Committee and all positions previously published will stand. My work with the CBYCA will continue for many years to come and my goal is to support the needs of the organization, as long as I have something to contribute.

The next four months will be a wrap up for me. During this time, unfinished business will be on the forefront. There are a few Balls starting in September and First Lady June and I will be attending many of these functions. One year as Commodore is a very short time to enact changes or improvement and I hope that by next years end the work started this year will come to fruition. In the mean time, enjoy the weather and your boating season.



## **Vice Commodore's Report**

Don Burton VC@CBYCA.ORG



The next CBYCA Board and Delegates meetings are scheduled for August 19th at Baltimore Yacht Club; The Board meeting at 1000 hrs, the Delegates meeting at 1300 hrs. Coffee and refreshments will be available at 9:30am Lunch will be available following the Board meeting.

Delegates are requested to attend this very important meeting. Annual elections for your 2007 Officers and Board of Directors will be held.

Our speaker at the Delegates meeting will be a representative from the U.S. Coast Guard who will speak on the "Bay Watch" program.

Please see the back page of the Chatter for our meeting schedule for the balance of this year, see page 8.

Happy Boating.



## **Rear Commodore's Report**

Coles Marsh •RC@CBYCA.ORG



I hope this report finds you staying cool and enjoying your summer activities.

I look forward to working with the new rear commodore to provide a quality Roster book for 2007. Thanks to our Commodore (Jerry Donofrio) we have

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everything on disk to make the publication run much smoother and save you money on the printing.

I look forward to working with each club next year. Your clubs voice is important!

Thank you for your support last year.



## Legislative Director's Report

Robert Williams •LD@CBYCA.ORG



On July 15, 2006 President Bush signed into law the Delaware River Protection Act. This law has now become a part of Maritime Law through out the United States. As a reminder, one of the main issues this law addresses is that vessels are responsible for objects lost overboard in navigated waters.

As it would happen on that very day on the Delaware River at Mantua Anchorage an oil barge lost one of its two anchors. As of this date the anchor has not been found.

On July 25 I attended a Sector Delaware Bay Area Committee Meeting. The two oil spills and the chemical spill over the last year were discussed. The Coast Guard is trying very hard to keep on top of emergency situations as they occur.



## Pennsylvania/ New Jersey Legislative Report

Art Friedman •DSLPA@CBYCA.ORG



The Pennsylvania Fish and Boat Commission welcomed its two newest members at its summer quarterly meeting in Harrisburg. William R. Worobec of Williamsport and Thomas C. Shetterly of North Charleroi were recently sworn in as the board's newest appointees.

### Approved by the Governor -

**HB 1641 Fairchild** Amends Titles 30 & 75 re boat forfeiture (PN 4392) Amends Titles 30 (Fish) and 75 (Vehicles) providing for boat and marine forfeiture; for the powers and duties of the Pennsylvania Fish and Boat Commission with regard to boat sale; for boat, marine equipment and watercraft trailer forfeiture; and for the powers and duties of the Department of Transportation with regard to watercraft trailers. This act accelerates the ability of disposing of derelict boats, and trailers.

### Bills Passed the Senate:

**SB 1262 Conti (R)** Amends Title 30 (Fish) by stating that an individual may not operate a watercraft after imbibing a sufficient amount of alcohol such that the individual is rendered incapable of safely operating the watercraft. The bill provides for penalties. The bill also states that a waterways conservation officer

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may require that a person, prior to arrest, submit to a preliminary breath test on a device approved by the Department of Health to determine his blood alcohol level. Lastly, the bill provides for the offense of aggravated assault by watercraft while operating under influence.

Fish and Boat Commission moved to seek public comment on a mandatory wearing of approved life jackets for persons on board boats less than 16 feet and all canoes and kayaks. The Commission is interested in commentary on mandatory wear year-round or for the period October 1 - May 31

### **Stopping VX Nerve Gas Disposal**

The federal Centers for Disease Control and Prevention have endorsed the Army's plan to haul neutralized VX nerve-agent wastewater from Indiana to South Jersey for dumping into the Delaware River after it is treated at a DuPont Co. plant.

The Delaware River is a source of drinking water for an estimated 15 million people in the mid-Atlantic and home to a variety of wildlife species.

Yet, the U.S. Army is currently planning to ship stockpiles of dangerous VX hydrolysate from the state of Indiana to a DuPont chemical facility in southern New Jersey--to be dumped into the Delaware River. Five transportation routes have been proposed, ranging between 800 and nearly 1,100 miles through Indiana, Ohio and Pennsylvania.

While the federal Centers for Disease Control and Prevention claims that this lethal nerve gas will be treated and will be acceptable before it is dumped into the river, it is unclear if DuPont has the technology to guarantee that the VX gas won't threaten the Delaware River's ecosystem or public health in the future.

### **How You Can Help**

Email the Pennsylvania Department of Environmental Protection (DEP) and ask them to call on the state of New Jersey to stop the proposal to dump VX gas into the Delaware River and ask Governor Rendell to stop the shipments from entering Pennsylvania. Contact the Citizen Advisory Council, Stephanie Mioff: Email: [stmioff@state.pa.us](mailto:stmioff@state.pa.us) Phone 717-787-4527  
Secretary McGinty DEP [RA-epcontactus@state.pa.us](mailto:RA-epcontactus@state.pa.us) 717 787 1323

## **New Jersey**

### **Assembly Bill No. 1953 - Passed in the Senate Transportation Committee**

"Donald W. McGloan Law," requires that every owner of a boat or watercraft registered in the State of New Jersey, and powered by a motor, or combination of motors, in excess of 25 horsepower shall maintain liability insurance coverage insuring against loss for bodily injury or death sustained by any person arising out of the ownership, maintenance, operation or use of that boat or watercraft. This bill requires that coverage shall be maintained in an amount or limit of \$100,000 on account of injury to, or death of, one person, in any one accident; and \$200,000, on account of injury to, or death of more than one person, in any one accident. A vessel owner or operator shall terminate the voyage if, upon the request of a law enforcement official, that owner or operator can not produce an applicable insurance identification card.

A person who operates a vessel without such liability insurance is subject, for the first offense, to a fine of not less than \$300 nor more than \$1,000 and his right to operate a vessel on the waters of this State shall be suspended for a period of one year. Subsequent convictions subject the person to a fine of up to \$5,000,

imprisonment for 14 days, and suspension of his right to operate a vessel for a period of two years.

The boater must have an insurance identification card to be in the possession of the owner or operator of a vessel at any time it is operated on the waters of New Jersey.

### **New Jersey Sales Tax Expansion Includes Club Membership**

"every person paying charges in the nature of initiation fees, membership fees or dues for access to or use of the property or facilities of a health and fitness, athletic or sporting club or organization "

"In an effort to produce more revenue, New Jersey state Sen. (and majority leader) Bernard Kenny (D-Hoboken) has introduced legislation, S.288, which would extend the state's six-percent sales tax to cover membership fees and dues at both public facilities and private clubs"

### **New Legislation to prevent an Athos disaster**

#### **New federal legislation has been signed into law by President Bush.**

"You can never guarantee that an accident will not happen and we can't guarantee against stupidity, but we can look at the problems that occurred and look at some clear-cut examples of improving it," said U.S. Rep. Frank LoBiondo, R-2nd Dist.

LoBiondo, chairman of the House Subcommittee on the Coast Guard and Maritime Transportation, called the new legislation a "workable" solution.

"The Athos I spill cleanup cost hundreds of millions of dollars, not to mention the harmful impact to the region's environment," said U.S. Rep. Robert Andrews, D-1st Dist., of Haddon Heights. "Sadly, it was an accident that was absolutely preventable on many levels."

Provisions in the new legislation include:

- Requiring mandatory reporting of objects which are lost overboard to the Coast Guard for immediate recovery.
- Encouraging the use of double-hull tankers by more than doubling the liability limits on single-hull tankers.
- Updating the oil spill contingency plan for the Delaware River and Bay to ensure the protection of environmentally sensitive habitats and locations.
- Creating a new committee to report to Congress on ways to improve oil spill response and prevention.
- Establishing a pilot project on the Delaware River and Bay to test techniques to recover submerged oil.

Failure to report items overboard will result in up to a \$25,000-per-day fine for non-compliance and up to 10 years in prison.

"This new law goes a long way toward preventing another environmental and economic disaster of this magnitude and will protect the Delaware River for years to come," Andrews said.



**Virginia Legislative Report**  
Jacque Knight • [DSLVA@CBYCA.C](mailto:DSLVA@CBYCA.C)



Members of the Recreational Boaters Subcommittee (RBS) met in Richmond on July 24 to study proposals and strategy for successful passage of a law that would

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require Virginia boaters to complete safety education in order to operate their vessels.

Boating education legislation was approved during the past session and signed into law. But the new law only requires that a boater who has been convicted of a Class 3 misdemeanor or greater charge, pass a boating safety course acceptable to the state's Department of Game and Inland Fisheries. A tougher bill was continued to the 2007 session for consideration by the Agriculture, Chesapeake and Natural Resources Committee. The RBS hopes boating organizations, government agencies, accident victims, safety advocates, educators, marina operators and law enforcement personnel will work together to get support from the public and legislators for the tougher bill during the next session. I am the CBYCA representative on the RBS committee.

The tabled Virginia bill would make it a Class 4 misdemeanor for anyone to operate a motor boat without completing a mandatory boating safety education course. This required safety course would be phased in so that all motorboat operators would be required to take and pass exams by July 1, 2015. Equivalency exams and valid maritime licenses would also be considered as legitimate compliance with the mandatory education requirement.

A total of 42 states now require some type of certification showing that boaters have completed mandatory education courses. In Richmond, the Virginia RBS reviewed action being considered in California, which recently conducted an all day workshop for stakeholders with boating safety interests.

One California participant whose association had historically opposed mandatory education said his group had contended that good judgment could not be legislated. But, he said, they were beginning to change their minds because, "our members and customers are being subjected to risks of uneducated boaters on the water."



**Delaware  
Legislative Report**  
Kay Brawley •DSLDE@CBYCA.ORG



**Delaware General Assembly Tightens Alcohol Standard**

In one of the last actions of this legislative session, HB#328 was signed, regarding the operation of a vessel or boat while under the influence of intoxicating liquor and/or drugs. The law lowers the alcohol concentration from 0.10% to 0.08% for a violation of operating a vessel or boat while under the influence of alcohol.

**LNG continues to Heat Up This Summer**

Regulators erred in LNG move? A recent Delaware petition indicated that the Federal energy regulators violated regulations by granting BP a license last month to build a liquefied natural gas terminal along the Delaware River opposite Claymont (see Delawareonline news article in July for more details).

**Potential Oil Spill Impact from Ship Bilge Discharge is Monitored**

The Delaware and New Jersey US Coast Guard Pollution crew, and the SUPPORT CBYCA ROSTER BOOK ADVERTISERS

Delaware Department of Natural Resources and Environmental Control (DNREC)'s Emergency Response teams were unable to establish any immediate significant impact of the oil from a bilge water discharge by the vessel, Melbourne Highway, into the Delaware Bay near Milford, Delaware in Mid July (for more details on assessment, see Delaware Online report). However, the USCG will continue to monitor the situation.

### **Update on Sparrows Point LNG FERC Dialogue**

I was pleased to be first person called upon to testify at the June 7 Harford Community College meeting, with a 5-minute presentation on behalf of CBYCA. I briefed the audience on the history of CBYCA, and its officers' experience and expertise with public testimony on the issues related to LNG projects' negative impact in highly populated areas, and urged the mandating of a broad societal impact study. I also distributed the PDF file from the website on CBYCA's position regarding LNG facilities in concentrated population and transportation pathways-- reference number is PF06-22.

Current communication from FERC consultants working on the project indicates:

1) USCG has not filed any reports with the FERC. However, the USCG is working on a Waterway Suitability Analysis (WSA) which is still a month or more away from being complete. Once they file any report with the FERC it will be public knowledge and will be available on FERC's docket for the AES project. The Docket No. is PF06-22--go to the FERC e-Library and check the docket periodically for new information.

2) No other follow-up reports thus far--the applicant, AES, is not scheduled to file an official application until November 2006; notices on the project will be available on FERC's e-Subscription: docket PF06-22 Click the following link and follow the directions to subscribe: <http://www.ferc.gov/docs-filing/esubscription.asp>



### **National Boating Federation**

Earl Waesche • [emwaesc@erols.com](mailto:emwaesc@erols.com)

Legislative Director



**Second Phase of Rescue 21 System Launched by USCG** - As reported in the January issue of Chatter, the first USCG Rescue 21 system achieved Initial Operational Capability at Atlantic City, NJ and Eastern Shore (Maryland, Delaware and Virginia). We now have reports of system implementation in Sector Mobile, including Alabama, Mississippi and Florida coastlines.

Advanced direction-finding capability, a critical component of Rescue 21, allows Coast Guard watchstanders to more accurately locate the source of a distress call. That capability also allows the Coast Guard to locate the source of hoax calls. Rescue 21 also includes a network of towers to help reduce coverage gaps in coastal areas and ensure more calls get through to the Coast Guard. The availability of these systems is especially timely since NOAA has predicted eight to 10 hurricanes in the Atlantic for 2006, at least half of which are expected to be the strength of Category Three storms.

A \$730 million acquisition project and the second largest within the Coast Guard, Rescue 21 will replace the Coast Guard's aging National Distress and Response System, built during the 1970s. Once fully implemented, Rescue 21

will cover 95,000 miles of U.S. coastline and inland waterways. The next major deployment will be in the Pacific Northwest in late September.



## Qualifications Officer Report

Tom Powers • [QO@CBYCA.ORG](mailto:QO@CBYCA.ORG)



Here we are, another summer in our boats enjoying the Chesapeake Bay and cruising to all the great places the bay has to offer. This is something we want to keep enjoying many years into the future. To help make that possible we need a strong membership support in the Chesapeake Bay Yacht Club Association. We need to build up our membership to give our State Legislative Directors that support they need to make sure boating in the bay remains enjoyable. This is where you come in. As you cruise throughout the bay and you get talking to different people, find out if they belong to a boating club and if they do check to see if that club is a member of CBYCA. If the club is not a member get what information you can on the club and send it to me so I can talk to them. If they are not a member of a club point out to them the advantages of belonging to a club and if you know of a club near where they boat point it out to them. There are only a few who receive the Chartroom Chatter so if you are reading this would you please bring this up at your next meeting or get together. The more members we have the more pull we have in the states surrounding the Chesapeake Bay. Thanks for your cooperation.



## Publicity Director's Report

June Donofrio • [PD@CBYCA.ORG](mailto:PD@CBYCA.ORG)

**Deadline for the next**

***Chartroom Chatter is August 25, 2006***

With the April issue of the Chatter we are using a new mailing list taken from your Roster info, if there are any corrections or comments please contact me [PD@CBYCA.ORG](mailto:PD@CBYCA.ORG) or regular mail, 11 Needlepoint La, Willingboro, NJ 08046. Also we have been receiving many "return to sender" Chartroom Chatters, if you are going to be away for months at a time, please contact me at the above address with your new mailing address, or the time of your return. otherwise your copy may have to be deleted from our mailing list.

## 2006 CBYCA Meeting Schedule

### Mark Your Calendars !

August 19	Sat	1000 hrs	Board	Baltimore YC
		1300 hrs	Delegates	Baltimore YC
Elections				
September 16	Sat	1000 hrs	Board	Mount Vernon YC
October 21	Sat	1000 hrs	Board	Miles River YC
November 18	Sat	1000 hrs	Board	North East River YC
		1300 hrs	Delegates	North East River YC
Change of Watch				
December	Sat	1000 hrs	Board	Key YC
				Christmas Party

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## Nominating Committee Report

As required by the Constitution and By-Laws of CBYCA, the 2006 Nominating Committee, consisting of P/C Karl Homberg, P/C Marty Weiner, P/C Ray Littleton, Tim Abel and IP/C John Garlotta, Chairperson, has selected the following slate of candidates for the 2007 elective offices to be voted on at the August 19, 2006 Delegates meeting. All of the candidates selected have expressed their willingness to serve.

Commodore	Donald H. Burton	Outcast YC
Vice Commodore	Coles Marsh	Boumi Shrine YC
Legislative Director	Robert Williams	West End BC
Rear Commodore	Kevin Noon	Bush River YC
Qualifications Officer	Pamelia Butler	Neptune YC
<u>Directors of State Leg.</u>		
Maryland	Dr. Kay Brawley	Elk River YC
Virginia	Jacque Knight	Mount Vernon YC
Pa / NJ	Art Friedman	Delaware River YC
Delaware	Cecilia Battagini	Northeast River YC
Secretary	Gene Schenk	Bodkin YC
Treasurer	Carolyn McElwee	Sasafrass River YC
Publicity Director	June Donofrio	Ran-Del YC
<u>District Representatives:</u>		
District A	Vera Gortowski	Top of the Bay Cruising Assn
District B	Liz Horner	Outcast YC
District C	Debbie Fields	Miles River YC
District D	Rolfe Garrett	Otter Point YC
District E	Richard Bruns	Baltimore YC
District F	Thomas Cusick	Admirals Annapolis YC
District G	Howard Gasaway, Sr.	Chesapeake Cruisers Assn
District H	Tim Baker	Prince William YC
District I	Robert Warren	Mathews YC
District J	John Zalusky	Solomons Island YC
Nominating Commt(07-08)	Thomas Powers	Northern Star Hunter Sailing
Nominating Commt(07-08)	P/C Fred Levitan	P/C Cbyca 1989
Nominating Commt(07-08)	Richard Miller	Kent Island YC
Nominating Commt(06-07)	P/C Ray Littleton	Bush River YC
Nominating Commt(06-07)	Tim Abel	Prince William YC

Upon completion of his current term of office, Commodore Jerry Donofrio will serve as IP/C and become Chairperson of the 2007 Nominating Committee.

Sincerely,

*John Garlotta*

IP/C John Garlotta, Chairperson, 2006 Nominating Committee



*Chesapeake Bay  
Yacht Clubs  
Association*

c/o P.D. June Donofrio  
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Willingboro, NJ 08046

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