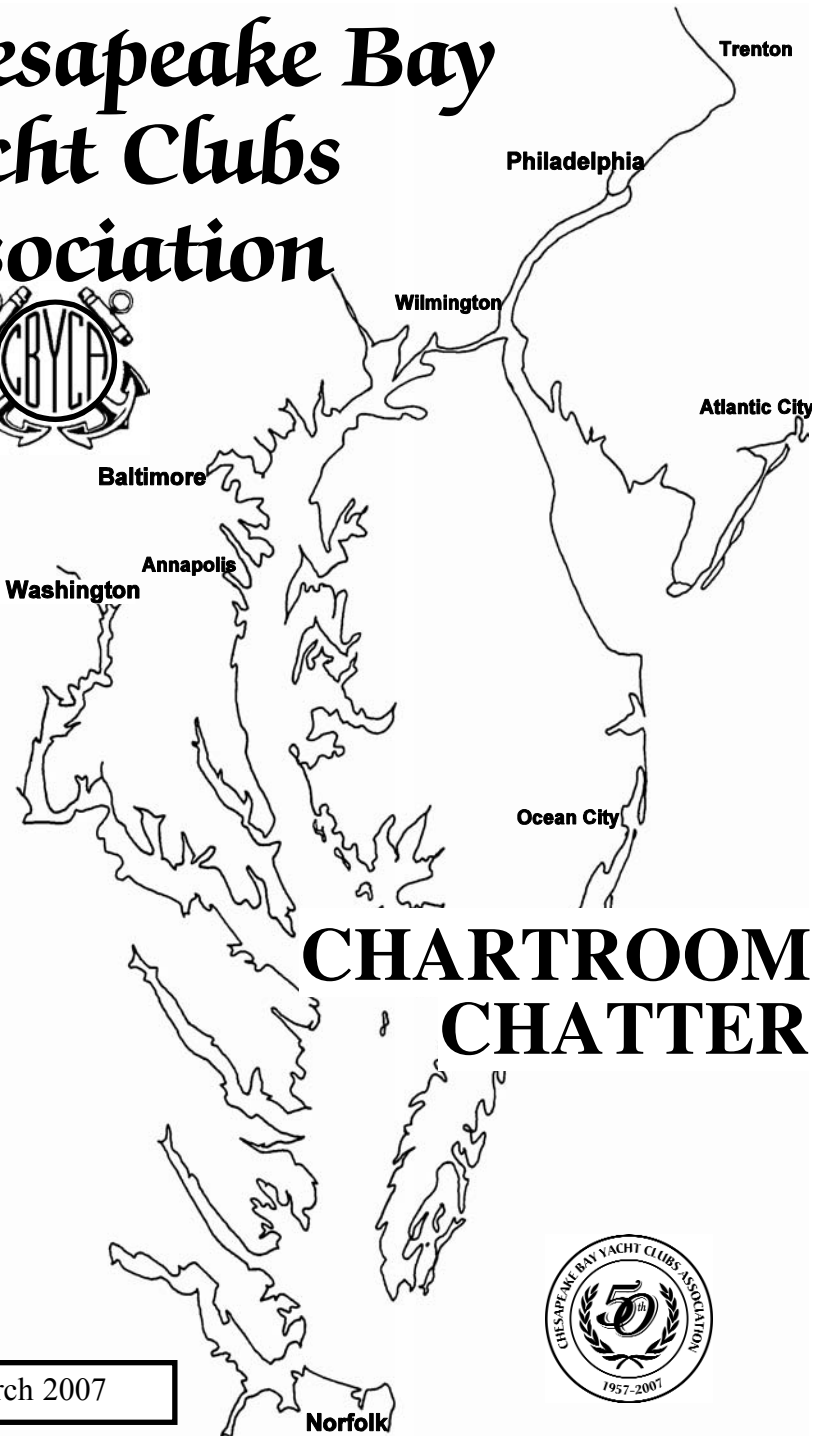


Chesapeake Bay Yacht Clubs Association



CHARTROOM CHATTER

March 2007



CBYCA, THE BOATER'S VOICE

2007 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

Commodore Donald Burton, 105 Tower Point Rd., Chesapeake City, MD 21915

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Commodore's Corner

Donald Burton • Commodore@CBYCA.ORG



Our thanks go to Maryland Yacht Club for hosting the February Board and Delegates meetings. PC Marty Weiner and team was a most gracious host.

CBYCA has had some major legislative successes this period. VX in Delaware is out; The Kent Narrows channel will be dredged. See the legislative reports for more details. Thanks to all in CBYCA for pushing hard on these two issues.

We have been experiencing problems with our web site. This has been especially troublesome for member clubs trying to enter in data for the 2007 Roster Book. For those who have not yet entered your 2007 data, we are requesting you submit it directly to P/C Betty Stahler or QO Pam Butler and bypass the electronic entrée.

We are asking all member clubs not yet placing an ad in the Roster Book to consider the benefits of promoting your home club in this manner. It will also help CBYCA since a good portion of our operating income is derived from advertisers. Ads start at \$50.00 for a 1/8 page.

Member Clubs will be voting on two new members at the next Delegates meeting, April 21st at Boumi Shrine YC; Back River Creek YC and Eastern Shore Sailing Assn. Following the meeting, we will hold our 50th Anniversary cocktail Party.

A burgee exchange was held with our newest member, Pleasant YC represented by Delegate Jim Troy. A warm welcome to Pleasant YC.

Finally, a note from first Lady Carolyn Burton: Patron and Friends Ads are now being solicited. Forms are available on line or on the back page of this newsletter. Remember, Patrons will receive the monthly newsletter, "Chartroom Chatter" and a copy of the Annual Roster Book. Names of the both Friends and Patrons will also be listed in the 2007 Roster Book

Your continued support of CBYCA is appreciated.

*You are cordially invited to the
Chesapeake Bay Yacht Clubs Association's
50th Anniversary*

*We will be hosting a Cocktail Party immediately following the April 21st
Delegates Meeting being held at Boumi Shrine Yacht Club
from 3:00 - 4:00*



Vice Commodore's Report

Coles Marsh VC@CBYCA.ORG



YOUR VOICE IS IMPORTANT!

Thanks to Maryland Yacht Club for hosting the February Board and Delegates meeting. We look forward to our Board meeting there the first weekend in June. As many of you know Maryland Yacht Club was one of the Founding members.

The next Board meeting will be on March the 17th at Chesapeake Yacht Club. Chesapeake Yacht Club was one of the Charter member Clubs. The Board meetings are always open to any member Club.

Since this is the fifty year anniversary we will try and meet at each of the founding and charter member clubs. Take time to look at the special offering for the fifty year anniversary: Burgees, Flags, and T-Shirts. We still have 50 year pins available for the delegates and Commodores.

THE 50 YEAR CELEBRATION BALL WILL BE HELD AT A NEW LOCATION THIS YEAR ON SATURDAY DECEMBER 8TH 2007. YOU WILL EXPERIENCE A NEW BAND AND A GRAND LOCATION WITH SPECIAL PRICING FOR YOUR STAY. WONDERFUL SHOPPING FOR THE LADIES, (WHOOPS! I SHOULDN'T HAVE SAID THAT GENTLEMEN) AND MANY WONDERFUL PLACES TO VISIT.

MORE INFORMATION TO FOLLOW WITH A BLOCK OF ROOMS SET ASIDE AT A GREAT PRICE ON A FIRST COME FIRST SERVE BASIS. YOU WILL NEED TO GET YOUR RESERVATIONS IN EARLY AS THIS SITE FILLS UP AT THE HOLIDAY SEASON.



Rear Commodore's Report

Kevin Noon •RC@CBYCA.ORG



The Roster Book is in the works, however we would like to see more club ads, at this point in time we can only accept camera ready artwork & it should be sent directly to Rosteredition49@cbyca.org deadline is March 15 . If you have any questions at all please feel free to contact the Publicity Director June Donofrio 609-871-8682 or email june.donofrio@verizon.net

We are still behind on the Club Roster information, the deadline was Feb 28, but you still may be able to get your information in. You will need to contact Betty Stahlter directly at CBYCAQO@aol.com or Fax/Phone number is (843) 347-2019

Don't forget to input your events on the CBYCA Website, this part of the website is working fine. This is the way your info gets into the Goldenrod in this Chartroom Chatter.

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Legislative Director's Report

Robert Williams •LD@CBYCA.ORG



Risk Management Solutions, a company that researches the risk of natural disasters for insurance companies has predicted that the Atlantic Coast will have an increase in hurricanes over the next five years. Citing these concerns, Allstate Insurance, starting this month will no longer offer new property insurance in coastal Maryland. This includes 11 counties along the Chesapeake. They will renew existing policies. This could become a trend with insurers and I will be investigating what options state or federal flood insurance can offer. At this time Attorney Generals from several states are attempting to block insurance carriers from refusing to write policies in areas that they already cover. Also, this would be a good time for CBYCA member clubs to evaluate the coverage they have on their properties.

The Chesapeake Bay Safety and Environmental Hotline is a toll free number to report floating debris that pose a hazard to navigation, boating accident, suspicious or reckless activity and many other problems. This is sponsored by the Maryland Dep't of Natural Resources. The number is available 24 hours a day, 7 days a week. The number is 877-224-7229.

The Chesapeake Bay Commission elected Md. Del. James Hubbard to serve as its Chairman. The commission is a group of representatives from Maryland, Virginia, and Pennsylvania to address Bay issues and concerns.

The multistate pledge to clean up the Chesapeake by 2010 will fall short partly because of the \$28 billion and part because the sewage treatment upgrades will take more than three years.

The Coast Guard has asked cell phone providers to discontinue "CG" service. This is a specialized service for keying in a request for maritime emergency assistance. Cell phone users should only use 911 as a secondary option to VHF-FM radio. Only Alaska is exempt. This feature was developed in the 1990's and to my knowledge not in widespread use.

The US Supreme Court will be making a decision in the coming weeks regarding states rights between NJ and Delaware in regard to the LNG facility in Logan Township, NJ.



Maryland Legislative Report

Kay Brawley •DSLMD@CBYCA.ORG



Kent Narrows Channel Silting/Dredging Update:

From follow-up discussions with Bob Gaudette, Chair of the Waterway Improvement Fund (WIF), I learned that even though no federal funds are forthcoming this session, an initial check from WIF has been cut to the US Corps of Engineers to begin the dredging process. The project is scheduled to begin this spring as soon as possible after permit processing. WIF expects to be

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reimbursed from federal funding when eventually released.

Maryland Legislative Session on Boating Issues is Busier Than Ever:

Thusfar, I have followed closely and written testimony letters for Hearings on behalf of CBYCA for three Senate Bills and one House Bill; Excerpts from those letters follow:

1. Senator Pipkin's Bill SB38 Executive Committee's Plan for Dredged Material:

At the request of Senator Pipkin, a support testimony letter was written for SB38, which provides for the expansion of the Executive Committee which oversees Maryland's plan for dredged material to include additional stakeholders, e.g. CBYCA. The hearing for SB38 on Wed, Jan 31 at 1 pm with the Education, Health & Environmental Affairs Committee, was attended by Commodore Burton and Vice Commodore Marsh, who presented the CBYCA testimony position statement, along with Pam Butler and John Zalusky, requesting expansion of the Executive Committee to involve private sector stake holders, i.e., river keepers, fishing interests, and recreational boaters, including a CBYCA representative.

2. Budget & Taxation Committee Hearing on SB80: Motor Fuel Tax- Refunds- Motor Fuel Used to Operate Vessels, 2pm, January 31:

We were asked to comment on SB80, a bill to authorize refunds of motor fuel tax paid for fuel used by vessels. We are familiar with the Waterway Improvement Fund (WIF) and the work they do on the Bay. Since the WIF receives its funding for grants for fire/rescue boats, NRP vessels, etc. from the overall motor fuel receipts, CBYCA recommends that action be taken to ensure that this legislation, and its new refunds authorized, do not negatively impact the amount of revenue to the WIF. Testimony was presented by WIF at the Hearing.

3. Finance Committee Hearing on SB165: Task Force to Study the Boating Industry in Maryland, 1pm, February 6, 2007 &

4. House Environmental Matters Committee Hearing on HB 305: February 14, 2007, 1pm: We were invited to respond to companion bills SB165 and HB 305, bills to authorize the establishment of a Task Force to evaluate and make recommendations regarding enhancement of the boating industry in Maryland. All of the suggested members of the Task Force are partners that CBYCA has worked with over the last fifty years on a variety of projects to protect the boating industry with quality legislation within the scope of the Chesapeake Bay. We offered our expertise as a member of this Task Force, representing the broad boating and environmental interests of our member clubs and the 65,000+ recreational boaters in their memberships. We look forward to the opportunity to work with the Task Force on the boating interests of the citizens in Maryland and the boating industry. Several CBYCA board members are willing to serve on this important committee. We recommended that a representative from CBYCA be inserted into the list of organizations included in the statute, or in the list to be appointed by the governor.

CBYCA Comment to Federal Energy Regulatory Commission (FERC) to Deny Approval of the Sparrows Point AES LNG Proposal: Many leaders and organizations in Maryland have provided comments to FERC on the AES application to construct and operate the proposed Sparrows Point LNG terminal in Dundalk. Recently released was a detailed government study and comment by Governor O'Malley strongly opposing the application. I worked with our leaders

to compile a CBYCA response letter opposing the project, and referenced CBYCA's LNG Position Paper as an attachment. An excerpt from position statement follows:

We strongly urge your full consideration of the threats to the safety and the environmental health to the Chesapeake Bay should you proceed with the Sparrows Point project. Your evaluation must consider the potential impacts to all human and natural resources, and in the case of this project, the entire Chesapeake Bay, its coastal areas, and its landside and marine communities will be at significant risk. Common sense would tell one that the location, directly on the Bay in a populated and congested area is hardly the "remote location" required in your own criteria. For these reasons, we strongly urge FERC to recognize the serious negative impacts of this proposal to the Chesapeake Bay and its marine and boating community, both working and recreational, and deny approval of this project.

Immediately after our comments were filed by FERC, we received feedback and a request to address CBYCA on LNG terminal safety, design and operations, from President Jeff Beale of HC-IV International, LNG design specialists to AES and the project. It was also disturbing to read the article in the Baltimore Business Journal article, Feb 9, headlined, "LNG terminal developer has plan to help harbor dredging: AES says it would share recycling plant with Baltimore port." For more on the LNG daily action, check out the Comprehensive Daily Source for North American LNG News and Developments at: "LNGLawBlog.com" <LNGLawBlog@sablaw.com >



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



Pennsylvania

Pennsylvania's natural resources

During a week-long trial, the PAFBC asked the court to confirm the commonwealth's long-standing position that the Little Juniata River is a navigable water of the state that is held in trust for the benefit of the public. Access to private lands is a growing concern nationwide as legislators and older laws, defining navigable waters and public highways have been highlighted by a recent court decision concerning the waters of the Little Juniata - a precedent-setting ruling that may free-up some precious miles of trout waters throughout the state and country.

"The court has confirmed: the historically navigable waters of the commonwealth belong to the people of the commonwealth, and no individual or corporation has the right to restrict the public's access to these waterways," DEP Secretary Kathleen A. McGinty said. "This decision affirms the state's obligation to preserve and maintain these waters for the benefit of future generations."

Pennsylvania Legislation 2007

HB13 By Readshaw. Landowner Liability Amends "Act encouraging landowners to make land and water areas available for recreational purposes. The bill seeks to limit liability for land and water areas available to the public for a "recreational user" defined as any person who enters or uses land for a

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recreational purpose. - Jan 30, 2007 - Referred to House Game and Fisheries
HB74 By Harhart. Landowner Liability Amends the act entitled "An act encouraging landowners to make land and water areas available to the public by providing liability protection for landowners who open up their land to "recreational users", which is defined as any person who enters or uses land for a recreational purpose. - Jan 30, 2007 - Referred to House Game and Fisheries
HB328 By Sturla. Act establishing the Adopt-A-River Program; providing for powers and duties of the DCNR and making an appropriation. The Pa. Rivers Conservation Program shall be developed to conserve and enhance river resources. - Jan 30, 2007 - Referred to House Game and Fisheries

Brainstorming on the Delaware

Five internationally acclaimed designers will talk up the Philadelphia riverfront. Penn Praxis, the group overseeing the master plan for Philadelphia's central Delaware riverfront, has selected five internationally recognized designers to lead a three-day brainstorming event in March. On March third the presentation of their results will be unveiled. The group includes two of the most creative landscape architects working today, Germany's Peter Latz and California's Walter Hood, as well as seasoned waterfront planners Ken Greenberg of Toronto and Gary Hack, now the dean at the University of Pennsylvania's School of Design. Rounding out the group is Philadelphia's Denise Scott Brown, who uses planning to make complex, cluttered environments such as college campuses feel more intimate and social. The group will convene March 1 to 3 at the Independence Seaport Museum. On March 3 I will attend the last of the "charette," an intensive workshop intended to generate visual lofty visions for the waterfront.

Department of Environmental Conservation

The West Branch of the Delaware River has become a battleground between wading anglers and those fishing from drift boats. The problem has reached a point, to where the Department of Environmental Conservation is considering prohibiting boat angling there. DEC fisheries biologist notes that this is the only option available because DEC does not have the authority to regulate boating. It's a sticky subject since the majority of complaints are against commercial guides operating drift boats, but the prohibition would also affect private anglers in canoes and small boats. The regulation would not prohibit boating but would require anglers to get out of the boat to legally fish.

It's not unprecedented. A similar regulation has been in effect on the Saranac River, a tributary to Lake Champlain, since 1991.

New Jersey

A special master Ralph I. Lancaster Jr., appointed by the U.S. Supreme Court heard arguments over whether boundary agreements dating to the 17th century allow Delaware to halt plans for a liquefied natural gas terminal in southern New Jersey. Delaware claims to have jurisdiction up to the mean low-tide mark on the New Jersey shore. Attorney Ralph Lancaster Jr. presided over the hearing of three hours of testimony in federal court in Philadelphia.

"The position taken by New Jersey is they can obtain Delaware land right up to the navigable channel," of the Delaware River, David C. Frederick, an attorney for Delaware, told Supreme Court Special Master Ralph I. Lancaster Jr. during the hearing in Philadelphia. This is based upon New Jersey claim that an

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interstate agreement dating to 1905 gave NJ the right to control extension of piers and wharves into the river from its side of the river. Delaware argues that shipping LNG up the river would place residents at risk and violate the state's Coastal Zone Act. New Jersey believes that the state should have jurisdiction over development on this side of the river. "After the special master Attorney Ralph Lancaster Jr issues his report, the parties can file exceptions," explained Lee Moore, spokesman for the state Attorney General. Arguments on the exceptions could then be heard in the fall.



Virginia Legislative Report

Jacquie Knight • DSLVA@CBYCA.C



Virginia To Require Boating Education Proof

Legislation that will require operators of power boats to show proof they have completed boating education or have documented experience has passed both the Senate and the House. It is expected to be signed into law by Governor Kaine.

The Senate vote was a surprising 40 to 0, following a spirited campaign by the Virginia Safe Boating Alliance's successful effort to get the 90 to 8 vote in the House. Virginia boaters will want to watch the writing of regulations in the law after it is signed by the governor.

As passed, the Virginia legislation would impose a \$100 penalty for anyone operating a motorboat with a motor of more than 10 horsepower without having successfully completed a boating safety education course. The education requirement would be phased in so that by July 1, 2016, all motor boat operators will have to have completed and passed a documented course or an equivalency exam. Possession of a valid license issued by maritime personnel will also qualify a boater.

While CBYCA is not currently on record as endorsing mandatory education, the Board has appointed a committee to study this position.

Virginia Considers Eminent Domain Amendment

CBYCA has participated in a campaign that would allow Virginia voters to vote on a constitutional amendment that would limit the eminent domain powers of local and state government. Commodore Burton and I as Virginia Legislative Director sent letters and contacted senators about HJR723, which would limit eminent domain action to public use only for property being taken. This would prohibit taking of property such as boat clubs or private homes for the building of condominiums and shops to increase tax base.

Final action on the constitutional amendment that would allow a vote was pending at Chatter deadline time.

Please note the Publicity Director's Report & the Meeting Schedule
can be found on the back of the Goldenrod Insert.



Delaware Legislative Report

Cecilia Battaglini • DSLDE@CBYCA.ORG



A recent international study shows a clear link between human activity and global warming. Inviting a question will there be a Delaware if temperatures continue to rise ? This quote from the Cape Gazett comments further that rising sea levels would impact more than half of Delaware's tidal wetlands and most populated coastal cities which could be under water by the year 2100. The report projects a level rise of 7 to 23 inches by 2100, which would affect coastlines worldwide.

Another issue related to the study by the Intergovernmental Panel on Climate Change (IPCC) is the fact that major insurers, like Allstate and State Farm are changing underwriting criteria and refusing to write new policies throughout Maryland, Delaware and Virginia in coastal areas.

Allstate pointed to the warnings by scientist that higher sea temps in the Atlantic Ocean may lead to more hurricanes making landfall in the north eastern part of the United States. When given distances of the Atlantic Ocean and the Chesapeake Bay, Nationwide Mutual Insurance Co. has also decided to limit new business in the coastal areas.



National Boating Federation

Earl Waesche • emwaesc@erols.com
Legislative Director



USCG Commandant Allen Suggests Boat Operator Licensing

ADM Allen would have all states issue licenses to all 70+ million boaters. This ostensibly would be to allow patrolling officers to more easily identify boaters, enhance maritime security and limit the possibility of attacks from small boats. (All may remember the attack on the destroyer USS Cole from a small boat in Yemen, killing 17 sailors and seriously damaging the ship.) This concept was proposed by Allen in a recent address to the National Conference of State Legislatures. The Coast Guard has received a large number of comments in opposition to this. The NBF, while supporting Mandatory Boating Education and child PFD wear, does not support boat operator licensing. We feel the expense of implementing this in all states would be prohibitive and identification is already provided through state registration. The CG could also initiate a program that would require documented vessels to display its documentation numbers similar to the way state numbers are displayed. With today's technology, a national data base could be created allowing the CG to punch the number in an onboard computer and know something about the boat and its owner. That would be more expeditious and helpful than mandatory operator licensing to achieve its objective. I talked to a principal in the CG Office of Boating Safety and he stated the CG was probably not going to go there and a statement to that effect should be forthcoming.



Treasurer

Carolyn McElwee • Treasurer@CBYCA.ORG

Thank you to all Member Clubs who paid their dues by the due date of February 28th. If your club did not pay their dues by the deadline, please submit your dues payment as soon as possible. According to the Constitution and By-Laws, unless dues are received by 31 March, suspension and/or expulsion as a Member Club could result.

CBYCA's only income comes from your annual dues and profits from ads in the Chartroom Roster Book. Your continued support allows CBYCA to aggressively protect the rights of boaters as well as matters that may adversely affect the Chesapeake Bay and surrounding waters.

Thanking the Member Clubs for your continued support in 2007. If you have any questions regarding the above, please do not hesitate to contact me.

Qualifications Officer Report

Pam Butler • QO@CBYCA.ORG



There are still a number of club rosters missing. If you did not get your club's roster in by February 28, there is a great possibility that the new information will not appear in the 2007 Roster Book. There still may be time to get your Roster info in, so please contact Betty Stahler directly, email is CBYCAQO@aol.com, Fax/Phone number is (843) 347-2019. if you have any questions or need help please contact me (work)410-786-6776 or (home) 410-788-4753. or P/D June Donofrio 609-871-8682.

Dear CBYCA Member and Delegate:

Qualifications Officer Pam Butler has presented the Application for Membership submitted by the Eastern Shore Sailing Association and Back Creek Yacht Club to the CBYCA Board of Governors for membership consideration.

The Qualifications Officer reported that their Application for Membership and By-Laws are in order, and recommends them for membership.

After due consideration, the Board of Governors voted to accept the recommendation of the Qualifications Officer to issue notice to all the Member Clubs in accordance with Article V, Section 4, Paragraph a. of the CBYCA Constitution and By-Laws. It is anticipated that the Eastern Shore Sailing Association and Back Creek Yacht Club will be voted upon for membership at our April 21, 2007 Delegates Meeting to be held at Boumi Shrine YC.

Written comments from Member Clubs regarding the applicant club should be directed to Qualifications Officer Pam Butler within twenty (20) days at the following address: 6415 Craigmont Rd. Gwynn Oak, MD 21207-3946 or email, PButler@cms.hhs.gov

Sincerely,
Gene Schenck
Secretary



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

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