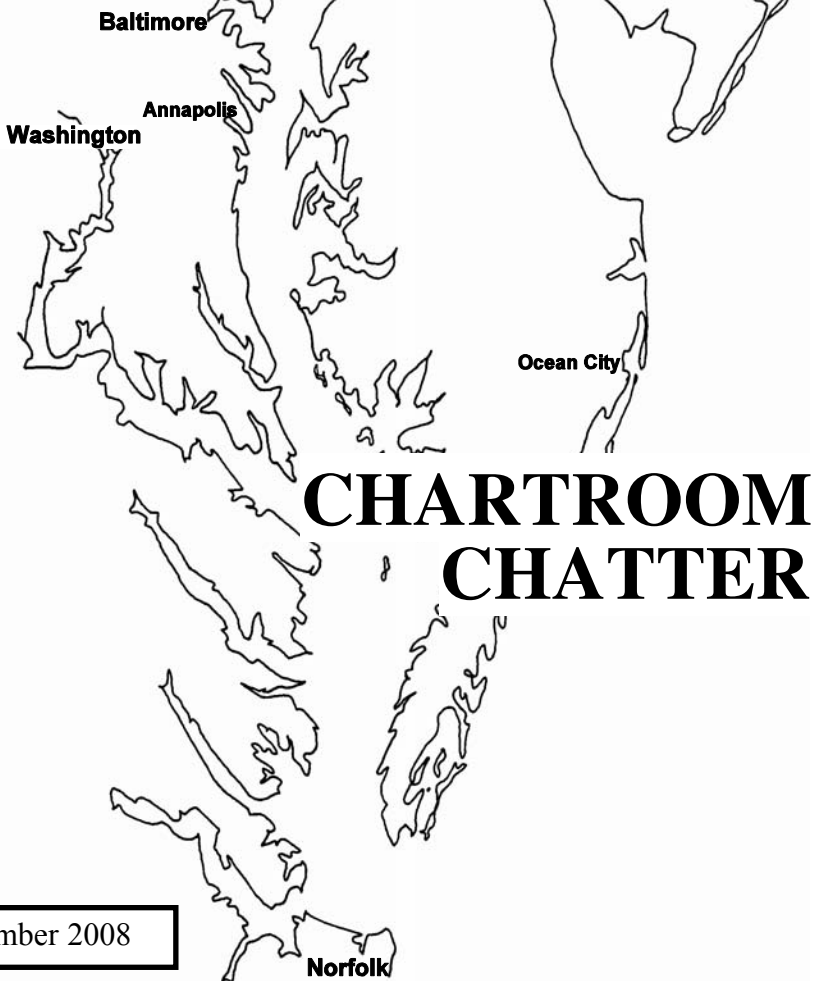


# Chesapeake Bay Yacht Clubs Association



## CHARTROOM CHATTER

December 2008

**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 Kevin Noon, 452 Darby La, Bel Air, Md 21015**

**THE CBYCA DOES NOT DISTRIBUTE THEIR MAILING LIST**

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## Commodore's Corner

Kevin Noon • [Commodore@CBYCA.ORG](mailto:Commodore@CBYCA.ORG)



I would like to thank all of our member clubs for entrusting me with the position of Commodore of the CBYCA for the upcoming year. It is hard to believe this organization has been serving the Boating Community for 51 years. As the CBYCA grows in membership so does our collective voice on issues that affect our boating community.

The CBYCA was founded with three basic objectives:

1. To protect the interests of better boating in the Chesapeake Bay and it's tributaries through legislation.
2. To define and set up standards of recognition for yacht clubs in the Chesapeake Bay area so as to distinguish between those yacht clubs completely controlled by the members thereof and those wholly or partly controlled by commercial ventures.
3. To act as a liaison and coordinator between yacht clubs as to coming events, such as opening days and commodore's balls, as far as possible to prevent overlap of these types of events.

The active perusing of these three basic objectives has led to an organization that now encompasses Maryland, Virginia, Pennsylvania, Delaware, New Jersey and the District of Columbia.

The alliances we have made with the Boater Voter Coalition, The Chesapeake Commodores Club, The Delaware River Yachtsmen's League, The Mid-Atlantic Association of Shrine Yacht Clubs, The National Boating Federation, The Pennsylvania Boating Association, The Potomac River Yacht Clubs Association and The Yacht Clubs of Maryland has only enhanced our ability to ensure our three basic principles in far reaching venues.

There were numerous VICTORIES for CBYCA and its affiliates this year with recreational boaters being EXEMPT from the "Clean Boating Act of 2008" ranking very near top. Please visit the CBYCA web page and click of the Legislative sections for all your individual state and local victories.

I would like to thank three the men who have mentored me, tolerated me and guided me to my current position. P/C Ray Littleton, P/C Jerry Donofrio and my commodore, P/C Coles Marsh. The three of you are as different as night and day yet each of you possess leadership, intelligence and passion second to none.

In closing; I would like to thank my wife Deb for all of the work and support she has given me in the last 24 years. She has TOLERATED me the most!!

Till next month: Enjoy the Holidays and share in as much loving friendship as you can.

Kevin



## Vice Commodore's Report

Pam Butler VC@CBYCA.ORG



Congratulations to the newly elected 2009 Board Members installed at our November 15th Delegate Meeting. It was a great meeting and well attended, and as usual, the hospitality was terrific. Thanks to Commodore Elect Kevin Noon, First Lady Debbie and the staff at Bush River.

As we move forward with our 2009 agenda, I welcome the opportunity to serve as your Vice Commodore. I thank you for the support you have given me in the past and hope that our relationship will be same. The first item on my agenda is to prepare the meeting schedule for the year. If your Club is interested in hosting a meeting, please contact me as soon as possible. I would like to have most of the meeting sites confirmed by the December Board Meeting and the next publication of the Chatter. The first Board Meeting of 2009 is scheduled for Saturday, January 17th. Board Members should go to CBYCA's Website if you will not be at the December 14, 2008 Meeting.

I hope to see many of you at our Commodore's Ball on December 13th at the Best Western in Baltimore. If I do not see you, I wish each of you a wonderful Christmas and a Happy New Year. May the holidays bring you much joy, love and happiness!



## Legislative Director's Report

Robert Williams •LD@CBYCA.ORG



I want to give my sincere gratitude to all of the state LD's for their hard work and support over the last year. I expect the New Year will bring us a collection of new challenges and a few surprises in the 2009 boating season. I am very confident that the state LD's will keep us all informed about the happenings in their states.

In regards to security on the waterways, the Delaware River now has additional security around the oil refineries. The security is being provided by a \$47,000 homeland security grant. It will be manned by county law enforcement and the sheriff's office. As I had mentioned before, any grants your boating organizations have been expecting are in danger, due to the difficult economic situation. All expected federal or state programs that were expected in 2009 need to be followed carefully.

I wish to thank Commodore Coles Marsh for his support and hard work over this past year. You are a fine gentleman and you represented the CBYCA with grace and great warmth. It was a pleasure to work with you.

Congratulations and best wishes to our new Commodore Kevin Noon and First Lady Deb. I have enjoyed working with Commodore Noon over the last few

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years and I am looking forward to an exciting and productive year. Congratulations also to the new BOG. It will be a busy year!

Happy Holidays and a Healthy New Year to all.



## **Rear Commodore's Report**

Kay Brawley •RC@CBYCA.ORG



Although legislative affairs has had a special place in my heart over the last four years, I am pleased to have been selected to move from Maryland Legislative Director to Rear Commodore for 2009. I look forward to serving you and your club in the coming years.

These are tough economic times to survive and prosper. How does your club generate transient business from other yacht clubs and members during this downturn of our economy? Advertise your services and special events in the 2009 CBYCA Roster directory! We are adding an additional 8 color pages (for a total of 16 pgs) in the front of the directory to help you spotlight your club. My cruising last season was to some of those clubs which attracted my eye with color in the 2008 directory, e.g, the Capital Yacht Club in DC, and the Corinthian Yacht Club in Ridge, Maryland. You'll find the advertisement order form in this issue; please mail to me at your earliest convenience: Dr. Kay Brawley, 5347 Turkey Point Rd., North East, MD 21901, or you may bring it to the registration table at the CBYCA Ball on December 13. If you need to reach me via phone, my cell is the best number: 410.459.6282.

I hope you had a relaxing Thanksgiving celebration with your family and best wishes for a Happy Holiday Season. I look forward to seeing you soon.



## **Maryland Legislative Report**

Cecilia Battaglini •DSLMD@CBYCA.ORG



The winter's most festive season is rapidly approaching, and I'd like to wish each of you GOOD HEALTH and a very HAPPY HOLIDAY!

Attended the Task Force to Study "THE BOATING INDUSTRY IN MARYLAND" headed up by Committee Chair Senator John Astle, at CBYCA Rear Commodore Kay Brawley's request. Discussed at length was increasing cruising time from 90 days to 120 for visiting boaters, and the effectiveness of tax collection efforts by DNR, and the impact on visiting boaters. DNR indicated that the vessel excise tax (VET) is the primary revenue source for the waterway improvement fund which supports the public marine infrastructure and boating safety in Maryland (i.e.dredging channels, develop and maintain public boat ramps, install marine sewage pumpout stations install buoys/markets,etc.) Task force discussed conflict between the potential benefits of boaters being able to

remain for longer periods of time in Md. without having to pay the VET (i.e. additional sales tax, jobs., etc) and the potential negative impact to the boating public and Maryland boating industry if there is a loss in VET revenues for the Waterway Improvement Fund. DNR does not support extending time in MD, without paying VET since the estimated fiscal impact to the Fund could be between \$2 and \$4.6 million based on the actual 2007 VET attainment. DNR supports the current tax collection enforcement efforts since it brought in nearly four times the amount of VET than the expenses required to collect the tax. No legislation will be considered at this time regarding changing timing of payment of the VET. Also discussed was the possibility of requiring the registration of paddle boats and non powered sail boats as a means to collect additional registration fees as it would help DNR acquire additional Federal funds for boating safety. No formal decision was made at this time.

Attended the "**Resilient Ecosystems Ad Health Bays**" themed meeting of October 27th in Annapolis focusing on **One DNR Sustainability Framework**. The meetings will be chaired by Christine Conn. Meeting focused on potential goals and objectives to set in motion pathways toward issues of biodiversity and its benefits, water management, conservation and restoration of ecosystems. And how to accomplish goals thru local, State and Federal Government.

### **Items Requiring DNR Action**

#### **Legislation**

#### **SB7/HB17 Task Force to Study the Boating Industry in Maryland**

Final report by December 31, 2008 with Task Force abrogating by June 30, 2009.

#### **SB104 Working Waterfront Commission - Reporting and Sunset Extension.**

Extension of existing Commission. Final report by December 1, Task Force abrogating December 31st 2008.

#### **DNR Departmental Bills**

#### **HB229 Fishing - Reciprocal Angler's Licenses**

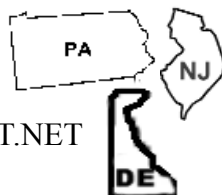
This Departmental bill clarifies current law providing for reciprocal angler's licenses among Maryland, Virginia, and West Virginia with regard to the Potomac River, including the North Branch and Jennings Randolph Lake

This bill would clarify the reciprocity provisions as applying to residents of these states and Pennsylvania thereby aligning the law with its original intent and with the Compact. The bill takes effect June 1, 2008



## **Pennsylvania/ New Jersey / Delaware Legislative Report**

Art Friedman • [ART747@COMCAST.NET](mailto:ART747@COMCAST.NET)



#### **Pennsylvania**

Pennsylvania Lieutenant Gov. Catherine Baker Knoll, 78, passed away at National Rehabilitation Hospital in Washington, D.C. Mrs. Knoll, the first woman elected to the lieutenant governorship, assumed her office on Jan. 21, 2003.

Boating Advisory Board meeting was held October 21, 2008 at the Fish and Boat Commission Headquarters. Nine proposed boating amendments were approved.

**1.Amendment Section 111.17** Curwensville Lake is a U.S. Army Corps of Engineers, Baltimore District impoundment of the West Branch of the Susquehanna River in central Clearfield County. It is recommended that boats are limited to slow, no wake speeds in the following areas: 1. Upriver of the cliff at Ferguson . 2. Between the old viaduct pillars.

**2.105.3 (9) be amended as follows:** Unacceptable boating practices. It is unlawful to operate a pontoon boat while a person is riding outside the passenger carrying area. The passenger carrying area is defined by continuous railings or enclosed spaces intended for persons to use while the pontoon boat is underway. The prohibition does not apply when the operator of the boat is docking, mooring, anchoring or rafting the pontoon boat [or when the pontoon boat is underway at slow minimum height swell speed or less].

**3.Amendment to Section 91.5** Parental and Boat Owner: The Commission's current regulations do not include a provision making it unlawful for a boat owner knowingly to allow someone to operate a boat without a boating safety education certificate onboard when the individual is required to have one. It is unlawful for a parent or guardian of a child 17 years of age or younger knowingly to allow or permit the child to operate a watercraft/ boat. It is unlawful for the owner of a boat knowingly to allow an individual who is required to have a boating safety education certificate to operate the boat without having a boating safety education certificate onboard.

**4.Amendment to Section 95.3** (Lights for Boats).

- (a) Boats less than 12 meters (39 feet 4.4 inches) in length while underway
- (b) A sailboat using sail alone, less than 7 meters (22 feet 11.6 inches) in length or any other unpowered boat if impractical to display lights in may display a single white light in time to prevent a collision.
- (c) Rowing or paddle boats while underway. One hand held or permanent all around white light shall be ready to display in time to prevent a collision.
- (d) Boat at anchor.
- (e) Locations of lights The [all-around] all-round white lights shall be 1 meter ( 3 feet) higher than the colored lights.

**5.Amendments to Section 53.8** (Boats) and Section 97.1 (Personal Flotation Deices). (a) Occupants of sculls, shells and racing kayaks are required to carry or wear Coast Guard approved personal flotation devices.

**6. 97.1. Personal flotation devices.**

This section does not apply to racing shells, rowing sculls and racing kayaks, such as manually propelled boats recognized by National racing associations for use in competitive racing, where the occupants row, scull or paddle with the exception of the coxswain. The boats shall carry a sufficient number of readily accessible Type I, II, III or (PFDs for the occupants of the shells, sculls or kayaks. This exemption does not apply on Commission and State Park owned or controlled boating waters.)

**7. 109.6 Special Marine Events**

The Commission will not issue a special activities permit for a marine event (in

a State Park: unless the applicant first obtains written permission (from the Bureau of State Parks, Department of Conservation and Natural Resources,) The Commission will require evidence that the applicant has the permission of the controlling (agency) entity unless that (agency) entity has delegated approval authority to the Commission.

### **8. Amendment to Section 97.3 (Sound Producing Devices).**

Unpowered boat operators are required to have some means of making an efficient oral or mechanical sound signal that can be heard by another boat operator in time to avoid a collision.

### **9. Addition of Section 111.68**

The PFBC's officers would like the ability to utilize PFBC law enforcement procedures to deal with individuals violating motor prohibitions on PGC lakes.

**111.68** As follows: The operation of boats powered by internal combustion motors is prohibited on all lakes owned or controlled by the Pennsylvania Game Commission unless posted otherwise.

### **Biofuels**

Shades of Green," a new television documentary on The Discovery Channel, showcased the cutting edge technology and on-site laboratories at Lake Erie Biofuels, LLC. Erie, PA , Lake Erie Biofuels, LLC, Pennsylvania's first large-scale biodiesel production facility, is the leading producer of biodiesel in the Northeastern United States and was introduced to millions of households nationwide by way of primetime television.

The show's main focus is to highlight the very latest topics and trends impacting the world by providing its viewers with information on alternative energy and sustainable living. Each feature segment of "Shades of Green" will focus on a specific renewable energy source, such as wind, fuel and solar power. Lake Erie Biofuels, LLC was chosen by The Discovery Channel to represent the biofuel industry because of its unique facilities that produce 45 million gallons of biodiesel annually.

### **Pennsylvania Boating Association**

October 25th, Pennsylvania Boating Association directors' meeting was held in Harrisburg. Next PBA meeting & directors meeting will be held in Philadelphia May 2009, the venue to be USCG Base Washington Ave. Election of officers and directors will occur at the meeting. Official notice will be advertised in the January Voice the PBA quarterly publication.

### **Pennsylvania Boating Association Southeast Chapter (PBASE) held their**

November meeting at the Delaware River Yacht Club (DRYC). Guest speaker was Captain David L Scott Station Commander Philadelphia. His topics covered:

- How to provide observational aid to the Coast Guard and Homeland Security by being aware of possible problems.
- Explanation of the Coast Guard's Deepwater Program under the Department of Homeland Security and how it will modernize the Coast Guard.

### **Pennsylvania Fish & Boat Commission**

This year, according to Dan Martin Director of PA Boating Access, has seen a decline in new boat registrations. This is a result of the economy, since boats

become a "luxury item" in tough economic times. Pennsylvania has had eight boating fatalities so far this year. That would be the lowest total seen since 1996, if it stands. The average age of the boating accident victims was more than 50 years old.

### **Workshop**

Tidal Delaware Recreation Restoration Workshop was held on December 12, 2008 at the Seaport Museum at Penn's Landing. The workshop had two distinct parts: river recreation with a focus on boating in the morning presented by Dan Martin of the Fish and Boat Commission, and Patrick Starr of the Pennsylvania Environmental Council. He presented the ecological restoration focused on planning and implementation efforts on the North Delaware Greenway within the context of an estuary-wide initiative.

### **New Jersey**

As part of the Maritime Security Initiative (MSI), New Jersey police are erecting signs by local bodies of water advertising a toll-free tip number that can be called to report what might be illegal behavior. The initiative is taking place from the Delaware River to the Atlantic Ocean, "wherever there is a body of water that state police patrol." More information on the MSI can be reached through the state police Web site at [www.njsp.org](http://www.njsp.org). For the tip line, call 1-866-4-SAFE-NJ

### **A2326 Johnson, Vainieri Huttle**

This bill requires any one operating power vessels in the State to have an approved boating certificate. An out-of-State resident or a resident of a foreign country who is 16 years of age or older must have:

- (1) written proof of successful completion of a boat safety course endorsed or approved by another state, the National Association of State Boating Law Administrators 1 or its successor organization, or the United States Coast Guard;
- (2) written proof of successful completion of a boat safety course substantially similar to the boat safety course required pursuant to this section as determined by the Superintendent of State Police; or
- (3) a boat safety certificate issued by the state or country in which the person resides.

### **Public Access**

Legislation places a two-year moratorium on disputed marina and yacht club access. Public access regulations recently adopted by the New Jersey Department of Environmental Protection (DEP) would allow unlimited public access to all marinas. "The DEP regulations included that public access be permanently dedicated by marinas through deed restrictions as a condition when applying for permits to improve their facilities"

New legislation places a two-year moratorium on disputed public access regulations adopted by the New Jersey Department of Environmental Protection (DEP) has been passed by the New Jersey Senate and General Assembly. S-1533/A-2601 This legislation will create the "Public Access and Marina Safety Task Force," a team consisting of 10-members, assigned to study and provide recommendations on the regulations.

### **Speed limit for boats**

At the November 2008 CBYCA meeting I posed the question is speed limits for boats necessary? Or is Speed limit for boats overdue?

The three main causes attributable to boating accidents and deaths are:

1. Lack of a safe boating education.
2. Boating under the influence.
3. Failing to operate their vessel at a safe speed.

The Coast Guard Inland and International Navigation Rules simply state that vessels should be operated at a safe speed, as do most states. But what exactly is a safe speed? It is fairly clear in the Navigation Rules that a safe operating speed takes into account all conditions, however most boaters fail to take the time to learn them, so they don't know that failing to slow down at night or while in fog is an act of negligence. If an accident were to occur, the operator could be charged with failing to operate their vessel at a safe speed.

In the case of a proposal for a boating speed limit on most waterways, the delegates were not interested in the proposition.

### **Delaware Boating Regulations and Laws**

#### **Do not enter Delaware waters without a safe boating certificate.**

From and after January 1, 1994, a person born on or after January 1, 1978, may not operate on Delaware waters a vessel that must be registered in this State or any other state, or documented by the U.S. Coast Guard, without first successfully completing a course of instruction prescribed by the DNREC and obtaining a certificate of boating safety education.

A certificate of boating safety issued by another state and approved by the National Association of State Boating Law Administrators, complies with these requirements. A person subject to the above conditions must:

- Maintain in the his or her possession, at all times while operating a vessel or recreational boat on Delaware waters, the certificate of boating safety education issued through a course approved by the DNREC; and
- Upon demand of a Fish and Wildlife Agent or any other law enforcement officer, show the certificate of boating safety education to the agent or officer. (This statuette is almost identical to the State of New Jersey's requirements.)

#### **Vessel Registration**

All recreational vessels propelled by any form of mechanical power, including electric trolling motors, used or placed on the waters of this State of Delaware must be registered, except the following:

- Foreign vessels temporarily using such waters;
- Military or public vessels of the United States, except recreational-type public vessels;
- A vessel whose owner is a state or subdivision thereof, other than this State, which issued principally for governmental purposes, and which is clearly identifiable as such;
- A vessel used exclusively as a boat docking facility (a place where vessels may be secured to a fixed or floating structure or to the shoreline or shoreline structure.), or a ship's lifeboat
- Vessels, which have been issued valid marine documents by the U.S. Coast Guard.



## Treasurer

John Hakemian • Treasurer@CBYCA.ORG

I'd like to introduce myself as your new CBYCA Treasurer, and I look forward to serving you and keeping our financial and tax affairs in order. As a retired Chief Financial Officer, I know how important prudent financial management is to an organization.

Dues notice letters and forms were sent in October to each club's Commodore and Treasurer, and another copy of the renewal form is included in this issue of the Chartroom Chatter. There is no better time than the present to complete the form and send it and your club's check to me for processing. You can also bring it to the CBYCA ball on December 13. Have a great holiday season!



## Publicity Director's Report

June Donofrio • june.donofrio@verizon.net

**Deadline for the next**

***Chartroom Chatter is December 21, 2008***

Be sure to get your event information submitted through the Cbyca Website so it can be included in the Goldenrod page in the Chartroom Chatter, this must be submitted through the Website no later than the 25th of each month.

If you will be away & your Chatter Newsletter will not forward, please let me know, I can change your address or delete the copy.

Please note the dates for Openings & Commodore Balls, listed in the Roster Book **do not** carry over onto the events page of the website or onto the Goldenrod page in the Chartroom Chatter. You must enter all of your events into the CBYCA Website for it to get posted on the Goldenrod page.



### 2008 / 2009 CBYCA Meeting Schedule Mark Your Calendars !

December 14	Sun	0900 hrs	Board	Cbyca Ball Best Western Hotel Christmas Party
January 17	Sat	1000 hrs	Board	Bodkin YC
February 21	Sat	1000 hrs	Board	Baltimore YC
	Sat	1300 hrs	Delegate	Baltimore YC



**Chesapeake Bay  
Yacht Clubs  
Association**

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