

THE CYBA NEWS

April – July 2023

The California Yacht Brokers Association Newsletter

300% Boating Registration Increase Proposed!

Two of the nation's largest recreational boat owners advocacy groups, Boat Owners Association of The United States (BoatUS), and the nonprofit state advocacy organization Recreational Boaters of California (RBOC), are asking California boat owners to respond to a recently proposed 300% boat registration fee increase proposed by Governor Newsom.

Your CYBA has been monitoring this proposed increase and had many conversations with the Division of Boating & Waterways about a reasonable increase but campaigning that the fees derived return to focus on infrastructure water projects (marinas, ramps, education) as it was originally intended. The two groups along with other recreational boating stakeholders (CYBA, MRA, Sport-fishing groups) have participated in a two-year review of the state's boating programs. While a modest increase was anticipated, there was some expectation that the state would recognize the significant contribution boaters already make, such as \$107 million in annual motor fuel taxes.

The organizations' concerns, that under the proposal, the fee increase would not go to boating programs and services (including boater education and operator certification, safety and enforcement on the waterways)...but



rather to support other Parks Departments programs already supported by their own increased fees. The following is an excerpt from a letter sent to the Chairs of the State Committee reviewing this fee increase:

Chairs Skinner and Ting –

California's boating community is very concerned that a two-year boating community stakeholder process has resulted in the May Revise proposal to increase vessel registration fees by even more than originally proposed, for a 300% increase, without returning any more value to boaters, and ignoring the substantial \$107 million per year contribution boaters already pay via the state fuel tax.

This levy will create a financial barrier to healthy on-the-water opportunities for the average California boater, whose boat is under 25 feet in length, and even more so for individuals in disadvantaged communities or on fixed incomes.

The number of registered ves-

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from the PRESIDENT

**Peter Zaleski, CPYB,
San Diego Yacht Sales**

Finally, we have have a show on the West Coast! While much of the East Coast has continued to hold shows, local promoters have been held back. The Long Beach Fred Hall show was canceled just before it opened and the promoter lost his \$100,000 plus deposit.

Once dealers had inventory to show a new group jumped in to put on a great show. The Revel Group, in Newport Beach, has a history of putting on events. The

Newport Beach International Boat Show, April 27-30 was their first venture into our industry. The Lido Island location was the same one we had used for decades. The building and docks have been renovated and the new tenants added to the elegant atmosphere. Many dealers were concerned about the fees to display, as they were about 3 times the cost of the last show there. Your CYBA was

(cont. on next page)



29th Annual Wooden Boat Festival, San Diego.



29th Annual Wooden Boat Festival, San Diego.

From The President... (cont. from page 2)

able to negotiate a 30% discount for our members. The price for admission more than doubled our last show in Newport Beach. That did not seem to keep guests away. Attendance was good every day... and Saturday was as busy as any other show day that I recall. Dealers we talked to, reported good sales and interest.

The California Yacht Brokers Association acquired the rights to the Pacific Power and Sail Boat Show. Last held in Richmond, California in 2019, the Bay Area was overdue for a show. After research we chose to hold the show May 4-7th and move it to WestPoint Harbor in Redwood City. Mark Sanders (owner) did the impossible... building a new marina in San Francisco Bay in spite of all the regulations and push back. This location puts us in between San Francisco and San Jose. Atherton, one of the wealthiest cities in the country, is just a few miles away. Many Silicon Valley companies are located very close to the marina and Google has a large campus next door. The combination of a world-class marina in a beautiful location and a great demographic of prospects make this location highly desirable. Unfortunately, it rained several days before and sprinkled every day of the show. In spite of this, the dealers reported strong prospects, some sales and plans to return next year.

Mother nature did not help with the turnout, but we believe this show has the ability to be very good for our industry and we plan to hold it a little later in the year to better the odds of good weather.

The third California show I attended this year was the 29th Annual Wooden Boat Festival at Koehler Kraft on Shelter Island in San Diego. Koehler has been building and servicing wooden vessels for decades. On display over Father's Day weekend were about 50 classics, ranging in age from a 1911 beauty to a tender

(cont. on page 4)



Newport Beach International Boat Show.



Pacific Sail and Power Boat Show, Westpoint Harbor.



Pacific Sail and Power Boat Show, Westpoint Harbor.



Pacific Sail and Power Boat Show, Westpoint Harbor.

that was just completed the week before the festival. It is wonderful to see the various designs and styles built over the last 100+ years and to appreciate the hard work it takes to keep these treasures afloat.

Our next CYBA Event is the Legal Seminar at Southwestern Yacht Club, October 4th. This popular event is a must for anyone in the boat selling business in California. Experts from many different areas of the industry will share best practices and pitfalls of the brokerage industry. This event will sell out, so be sure to register early. See you there!



Pacific Sail and Power Boat Show, Westpoint Harbor.

News From The Front - Capitol Update

Beau Biller, Lobbyist, Platinum Partners

At the last California Boating Congress, we heard from a spokesman from the Responsible Offshore Development Association (RODA). The issue of offshore wind has taken form in several bills in the Legislature, SB 286 (McGuire) being the biggest effort to balance the ocean resource with potential development. If you want to take a deep dive on the history and purpose of the bill, take a look at # 202320240SB286 (Senate Floor Analyses) (2). But this may make it easier: The short version is that offshore wind development of the magnitude needed to meet California's renewable power goals will be a massive undertaking. Its impacts include ports, fisheries, and transmission of government from the Feds to the State to the Locals. Senator McGuire is attempting to satisfy these various constituencies while fast tracking potential development. The bill is in the second house and will likely take its final shape sometime in August.

The major issues of most concern for the boating community have been hashed out through the Division of Boating and Waterways subcommittee process. Almost



2 years ago DBAW set out to tackle major industry complaints such as a lack of comprehensive economic impact study, ongoing HWRF instability and other misallocated funds from boating revenue. At first the subcommittee process was clunky to say the least, but over time and with continued participation from the recreational boating community our issues were heard, research was conducted, and findings were published to the Department of Parks and Recreation that largely recognized our concerns.

Some of the topics discussed included alternative funding sources such as fees for waterway

users that currently don't contribute, Aquatic Invasive Species (AIS) spending and the Beach Erosion Control grant program. In a somewhat hurried attempt to roll out the recommendations to the Department, a proposal emerged through the legislative budget process that contained some positive language like cutting AIS by half, eliminating 'boater funding' beach erosion, and calling for a DPR funded study – BUT – it came at a price. Included in the proposal was a 300% increase in boater sticker fees. The RBOC, with support from the boating community fought the fee increase in order to get other alternative funding options on the table. As of writing this article, the jury is still out on what the final budget language will look like, but bi-partisan members of the subcommittee were clearly unhappy with the Governor's approach, and it was rejected for the time being.

Although the 300 billion dollars plus budget was sent to the Governor on June 15, as required by the State Constitution, no mention of the Department's fee increase was included. Now we will engage in the process of negotiating the budget trailer bills

(cont. on page 6)

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where things like this are hashed out.

It may seem like a long time coming, but our constant drum beat on the economic study may finally be nearing the finish line. Also of note, and on record before the budget subcommittee, the Department of Finance stated that the reductions in AIS and Beach Erosion were needed because there isn't a nexus to justify boaters paying for all of it. This may seem like a lot of work to get what, from our perspective, seems obvious, but boaters' contributions must be accounted for and recognized properly. Just raising fees isn't a sound solution – according to our Legislative friends at the Capitol.



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CYBA Represented In National CPYB Program

By Jeff Merrill, CPYB

The CYBA is one of six North American yacht broker associations who partner with each other to manage the CPYB (Certified Professional Yacht Broker) program. The CAC (Certification Advisory Council) is the governing board for the CPYB and meets quarterly to review and discuss developments in the yacht brokerage community.



CPYB-CAC Group Photo.

The 2022 annual CAC in-person meeting was hosted this past November in Annapolis, MD. Jeff Merrill, CPYB representing the CYBA, was elected to be the CAC chairman for a two-year term. The number of active CPYB's is steadily growing and the group set a target goal to have 400 CPYB's by the end of 2023. Sitting down with the leaders of the various associations allows for a productive exchange of ideas in our ever-evolving business. One of the biggest issues across the industry is "not available for co-brokerage". The yacht brokerage business is based on cooperation between brokers working to bring buyers and sellers together. This short-sighted trend of not sharing has become a hot topic. There are times when "not available" may make sense – if

(cont. on page 8)



Craig Nann is presented the Vin Petrella Award.

About CCA California

Our Objective

To conserve, promote and enhance the present and future availability of coastal resources for the benefit and enjoyment of the general public.

About CCA

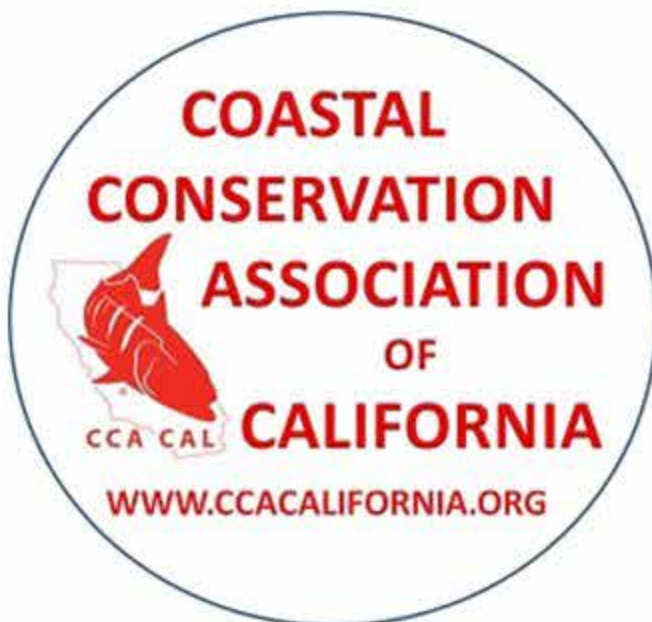
The Coastal Conservation Association (CCA) was initially created in 1977, after drastic commercial overfishing along the Texas coast had decimated redfish and speckled trout populations. A group of recreational anglers gathered to create the Gulf Coast Conservation Association. Only four years later, gill nets along the Texas coast were outlawed and both red drum and speckled trout were declared game fish.

The successful conservation movement that started with the "Save the Redfish" campaign got the attention of anglers across the Gulf and by 1985, chapters had formed all along the Gulf Coast. CCA continued to grow within the South- and Mid-Atlantic regions in the 1990s, and now have chapters formed up and down the West Coast. There are now 19 states with 226 local chapters that have a growing membership of 126,000 members.

Our Story

The Coastal Conservation Association of California (CCA CAL) was created in 2015 when recreational anglers and outdoor enthusiasts grouped together to work for the conservation and enhancement of our marine resources and coastal environments.

Today, we are working to protect not only the health, habitat and sustainability of our marine resources, but also the interests of recreational saltwater anglers and their access to the resources they cherish and use on a daily basis.



What We've Done For Anglers In California

- Continue to fight against fishing tackle and lead bans
- Fought to keep Bluefin from becoming listed as an Endangered Species
- Continue to fight against destructive fishing gear that hurts our resources
- Protect against unfair fishing regulations
- Continue to support and expand finfish hatchery programs
- Continue to fight for artificial and restoration reefs
- Support programs to increase fishing opportunities

there is a trade in or a reduced compensation arrangement. What can be done? Listing agreement contracts are being reviewed and in some regions, there is a choice for the seller to decide if they want to make their vessel available for co-brokerage, or prefer the listing broker to keep things in house. The CAC consensus is that the seller should always be made aware of how their boat is going to be marketed and why the broker believes it may be better for them to not make their boat available to other brokers with clients. Most sellers have no idea their broker is not cooperating with other brokers, this creates an ethical dilemma and damages the brokerage business.

The CPYB program is twenty years strong and remains the standard of professionalism. Representing CYBA on the CAC, Jeff is joined by Nick Friedman, CPYB and Mik Maguire, CPYB along with Ty Mellott our executive director. The CPYB calendar of e-seminars and test dates have been set for 2023. If you would like more information please visit www.CPYB.net.

During the CAC annual meeting several deserving candidates were nominated for the Vin Petrella Chairman's award. The 2022 winner, W. Craig Nann from One Water Yacht Group, was honored with a brief presentation at the IYBA/YBAA Summit held in Fort Lauderdale, FL on December 5th. Craig Nann was

joined on stage by chairman Jeff Merrill and YBAA president Jonathan Chapman to be congratulated and to receive the award. The Summit was a packed day of great speakers and topics, reminiscent of the CYBA annual legal seminar. You can go to the IYBA YouTube channel to review content.

As 2023 takes shape, please know that your CYBA board and committee chairs are working on your behalf in a variety of ways. Good communications and networking with peers is a great way to remain in touch and connected with the business. In addition to the CAC (are other CYBA activities coming up with boating legislation in Washington DC and Sacramento, CA. Stay tuned via the CYBA website and newsletter.



CAC (Certification Advisory Council).

Just in case

Having spent my entire life on the river I've never seen this wonderful important safety trick....I hoisted many people out of the water and killed my back ,but this is special..hope this helps someone someday!



If anyone needs me, I'm gonna be living in a van down on the river.





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ALONG THE WATERFRONT

NEW BROKERAGE

Broker Mark P White over the years has held management positions that included overseeing the operations as well as the finance departments at several large national level yacht brokerages and dealerships. Mark has put thousands of happy families into boats and yachts for over 30 years and currently continues to do so now as a Master Broker and Consultant at the helm of his own company, Mark P White Yachting.



In addition to assisting those find the perfect vessel for their needs, Mark has joined the Diverse Offerings Finance team to help his customers with their financing needs as well. Mark serves the CYBA membership and the Board of Directors as Vice President and Boat Show Chairman. Mark's dedication is persistent and proven as his continued efforts are focused on maintaining and strengthening the CYBA's position in our industry.

ALONG THE WATERFRONT

CLUB NAUTIQUE'S NEW OWNERS

Stephanie and her husband Jason are co-owners of Club Nautique with Stephanie acting as President and CEO. Originally hailing from the East Coast, she grew up in Newport News, Virginia where she came to love and appreciate life on the water. After a career in finance, marketing, and partnerships in the hospitality industry she decided to make a change to the marine industry and took over Club Nautique from Don and Judy Durant in 2021. In addition to being a broker, Club Nautique is the Northern California dealer for Jeanneau sail and powerboats. Stephanie



is passionate about helping others achieve their dreams of experiencing life out on the water whether that is through Club Nau-



tique's sailing and powerboating classes, chartering, or buying their own boat.

ALONG THE WATERFRONT

LENDING ASSOCIATES WELCOMES NATALIE REYES AND SALLY KRAFT

California continues to be a key market for growth for Lending Associates, as a result, they recently welcomed two key industry experts, Natalie Reyes, and Sally Kraft, to expand services throughout the state. Natalie has 23 years of finance experience with a track record of excellent



customer service representing the southern California market. Sally, a native of the San Francisco Bay Area, has 25 years of experience and a stellar reputation serving northern California. Their experience, combined with 30-year

veteran Dan Bell, will provide Lending Associates yacht brokers, dealers and buyers throughout the west unbeatable customer service and customized financing options.

Lending Associates is excited to support the California Yacht Brokers Association as a member and bronze sponsor in 2023 and looks forward to continued growth together. For more information see our ad.



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ALONG THE WATERFRONT

ZORN YACHT SALES OPENS IN SAN DIEGO

We are pleased to announce the opening of Zorn Yacht Sales, Inc. Zach Zorn is a native San Diegan, and found his passion for boating and fishing at an early age. Zach entered the yacht

brokerage industry in 2016 and hasn't looked back since. His unique and progressive approach to sales and marketing,



combined with his enthusiasm and desire to perfectly match buyers and sellers is impeccable. Zach's international travels add to his diverse knowledge of boats and tournament fishing, while his attention to detail is key to the success of both.

ALONG THE WATERFRONT

YACHT COAST YACHT SALES OPENS WITH AARON DELZELL

Aaron grew up in the mountains of western Maryland but always dreamt of the beach. At 19 years old, he moved to Maryland's coast and fell in love with the saltwater life, then began

working offshore as a commercial fisherman.

In 1999, he made his way into the yacht brokerage industry on Chesapeake Bay,



and worked his way down to Florida where he continued his career. After exploring the East Coast from north to south, he landed in San Diego in 2017 and the rest is history. If Aaron isn't selling boats, you will find him surfing at his favorite breaks or producing music.

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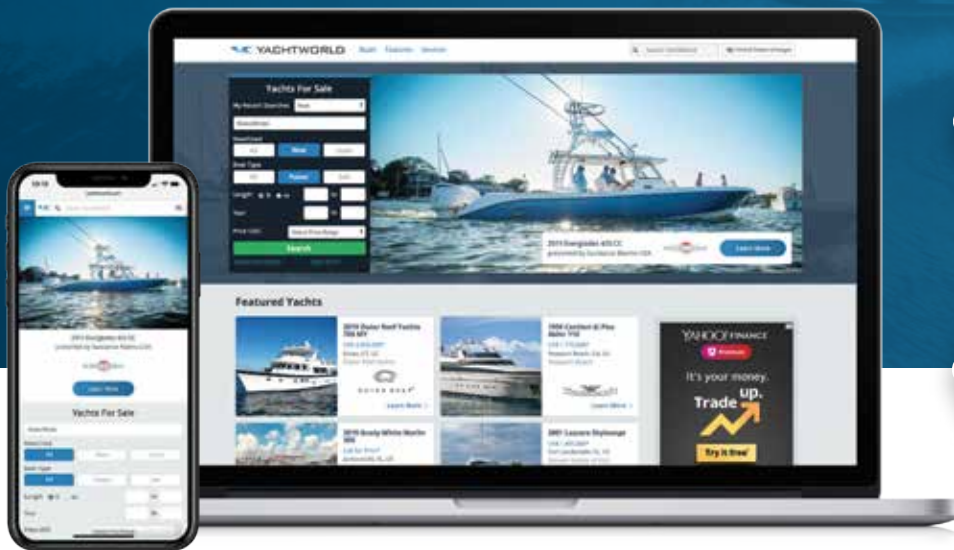


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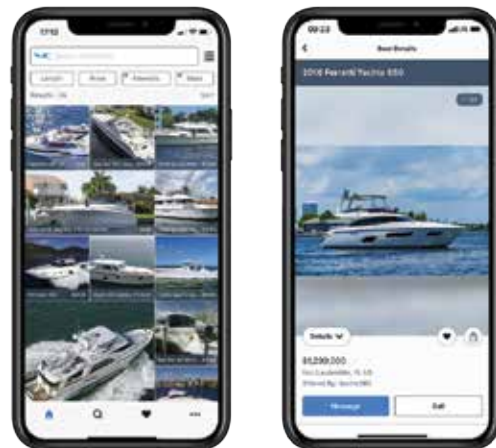


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A Return To Normalcy?

Early 2023 Brokerage Report Shows Normalizing Market Conditions

Data reflects the period from January 1 - March 31, 2019 - 2023									
US	2019	2020	2021	2022	2023	2023 vs 2019	2023 vs 2020	2023 vs 2021	2023 vs 2022
Boats Sold	6,567	6,400	9,220	7,822	5,826	-11.28%	-8.97%	-36.81%	-25.52%
Value of Boats Sold - USD	\$1,026,311,744	\$1,129,039,125	\$2,032,859,067	\$1,769,949,627	\$1,212,416,140	18.13%	7.38%	-40.36%	-31.50%
Avg Boats Value - USD	\$166,341	\$173,762	\$203,428	\$205,288	\$212,228	27.59%	22.14%	4.33%	3.38%
Avg Days on Mkt	227	230	178	132	149	Down 78 days	Down 81 days	Down 29 days	Up 17 days
International	2019	2020	2021	2022	2023	2023 vs 2019	2023 vs 2020	2023 vs 2021	2023 vs 2022
Boats Sold	2,266	1,944	2,593	2,303	2,042	-9.89%	5.04%	-21.25%	-11.33%
Value of Boats Sold - USD	\$608,046,590	\$594,241,739	\$941,857,735	\$1,294,459,552	\$762,777,607	25.45%	28.36%	-19.01%	-41.07%
Avg Boats Value - USD	\$775,119	\$954,746	\$447,841	\$514,918	\$483,332	-37.64%	-49.38%	7.92%	-6.13%
Avg Days on Mkt	369	377	346	268	258	Down 111 days	Down 119 days	Down 88 days	Down 10 days
Florida	2019	2020	2021	2022	2023	2023 vs 2019	2023 vs 2020	2023 vs 2021	2023 vs 2022
Boats Sold	2,018	1,844	2,880	2,383	1,912	-5.25%	3.69%	-33.61%	-19.77%
Value of Boats Sold - USD	\$528,971,056	\$586,126,419	\$1,100,003,246	\$876,885,832	\$622,021,442	17.59%	6.12%	-43.45%	-29.06%
Avg Boats Value - USD	\$265,307	\$281,709	\$325,229	\$298,192	\$327,438	23.42%	16.23%	0.68%	9.81%
Avg Days on Mkt	176	177	162	112	141	Down 35 days	Down 36 days	Down 21 days	Up 29 days

* All values are in USD and represent YachtWorld and YachtCloser sold boat data

**Attention all interested
Yacht Brokers and Salespersons:**

CERTIFIED PROFESSIONAL YACHT BROKER (CPYB)



~ STUDY SESSION AND TESTING ~

**Contact Jeff Merrill or Nick Friedman
for next study session & exam.**

The CYBA is conducting a study session, immediately followed by the examination, for all those interested in becoming Certified Professional Yacht Brokers. This will be our first available session in response to the great interest in this worthy program.

If you have a desire to take your business and personal accomplishment up to the next level, you owe it to yourself and your clients to earn the CPYB designation. Join a growing number of the best and brightest brokers nationwide in increasing your knowledge, professionalism, and ethical standards as they relate to your chosen profession.

For complete information, including study materials, applications, and required qualifications, please visit the National Yacht Broker Certification website at www.cpyb.net. There you will find all the forms you need in a downloadable format.

**If you have any questions, please contact one
of the CYBA's Members on the Certification
Advisory Council:**

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yachtbroker@pacbell.net

You may also respond to cpyb@cyba.info or contact any CYBA Board Member. The National Yacht Broker Certification office needs time to process your application and to perform your background check.

Brokers wishing to attend the study session, but who are not testing, are welcome. However you must reserve a space! Seating is limited!

NOTE: This session is for CYBA Members only. If you are not yet a Member, and would like to join, contact the CYBA office immediately @ 925-588-8929.



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What Does A Yacht Broker Do?

**George Sikich,
Kensington Yachts, CPYB**

Given who this is addressed to, the question seems rather silly. However, the question is quite appropriate in our current environment, for discussion and debate. What exactly do we do? We sell boats. We represent sellers. We represent buyers.

That was easy, except it says nothing of what we, in totality, do.

If we get a listing, then what? It begins with a listing agreement; the seller signs it, agreeing to the terms laid out in the agreement (including all legal requirements of the listing agreement).

With that, what are our responsibilities as listing broker?

Advertising the boat, showing the boat. That granted, what about other responsibilities?

First and foremost, we must ascertain ownership. I always order an Abstract of Title on documented boats. Next, get a complete equipment list of what goes with the sale and what stays with the seller. Get as much maintenance history as possible. (Speaking of maintenance), understand what responsibilities the seller is expecting of the broker and what responsibilities are expected of the owner.

I make it a point to notify the seller every time I board the boat.



Determine with the seller what they expect regarding CO-OP's and showings. Some sellers insist you attend any showings. If work is being done, be sure to understand what is expected of you.

What are the Responsibilities of the Selling Broker?

It is easy to just have the listing broker show your client the boat. It may be convenient, but not always the best practice. I always try to show the boat myself, granted sometimes it's not practical. Make sure you have any CO-OP issues pre-determined before any showings including which purchase agreement to use and which boat yard will be used for the haul-out. Get as much info on the boat you can, maintenance records etc... I always insist on seeing the USCG document or state registration (a copy should be aboard). I hate

surprises.

If you do make an offer, pre-determine exactly where proceeds go (what trust), discuss any existing loans and how satisfied? Get that in writing, DBW is very particular on this.

Dual Agency

This can be a very contentious area; you are assuming all the responsibilities above. It is so difficult to be completely neutral as required by the Waterways and Navigation codes. Our dear friend Dean West, writes about this continuously in his terrific "Ethics" articles.

Obviously, every boat listing is different. However, every aspect above (plus a million more) needs to be pre-determined. The sale has 2 sides, each side has their own version of the sale. That is why everything imaginable must be agreed upon in writing. Our CYBA forms do an excellent job of including these things but so much is not included. All the little idiosyncrasies that we take for granted may not be by the other party. Be clear, thorough, and precise.

Editor's note: George Sikich is a current CYBA board member and the views expressed are those of his own opinions and practices in terms of content in this article.

CPYB Webinar: Survey Success

On April 19th Jeff Merrill presented a CPYB webinar titled, "Survey Success".

This one-hour webinar covered the pivotal parts of the survey process – scheduling the dates and coordinating all parties to ensure a smooth, controlled survey. Jeff shared suggestions about what you can do for your buyer and/or seller before, during and after the survey, trial run, haul out, etc. to improve your chances for a successful outcome.

A follow up seminar on June 21st was hosted on by Kevin Marinelli from Boating Ontario, called "Survey Findings" and Jeff served as a co-host for that discussion as well. CPYB's who sign up for these seminars earn continuing education credits while remaining in touch and better informed by actively learning on the go.

Both seminars were recorded and you can find them on YouTube.

Learning from webinars on important topics like these two involving surveys are one more advantage that CPYB's enjoy.

We invite you to learn more by going to www.CPYB.net

CPYB – Are You A Professional Yacht Broker?

Congratulations to Walter Johnson, CPYB from Engel & Volker's Yachting, for passing the exam and becoming one of the newest CPYB's.

If you are a career yacht broker, you owe it to yourself to become a CPYB. Presently, there are less than two dozen CPYB's in California.

What does it take? Being in the yacht sales business for three years and knowing your way around boats and boating transactions. There is a comprehensive guide to help you study and understanding the materials will provide you with a solid foundation to make you a better broker.

The CAC (CPYB committee) is now offering the revised the test taking option so you can study and pass section by section instead of one sitting for the full exam. This new format has accelerated interest and there are now more CPYB's... don't get left behind.

There are less than (500) CPYB's in the world. It is a group of dedicated yacht brokers who understand the importance of continuing education and professional conduct. Make the time to join the ranks, it is a designation that will open doors and reward your efforts.

Jeff Merrill, CPYB, Nick Friedman, CPYB and Mik Maguire, CPYB are the CYBA delegates representing you on the CAC National Committee. Please contact Jeff, Nick, or Mike to discuss getting you started. Additional details are on www.CPYB.net.

Jeff Merrill, CPYB | Cell: 949.355.4950 | Email: Jeff@JMYS.com
Nick Friedman, CPYB | Cell: 310.748.5409 | Email: YachtBroker@Pacbell.net
Mik Maguire, CPYB | Cell: 510.552.7272 | Email: yachtsmanmik@gmail.com

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CBC Grows In Significance

**Dean A. West,
Advocacy & Legislation
Chairman**

CYBA members can take note (and pride) in the formation several years ago of the California Boating Congress (CBC). This annual two-day conference each Spring in Sacramento has proven to be a positive conduit for the exchange of ideas, experiences, and concerns among California's recreational boating community.

In a highly regulated and overly litigious state such as California, it is critical that the associations, organizations, and groups within the recreational boating community interact with each other with regularity and focus. CBC enables us to do that, and to identify issues of concern to recreational boaters throughout the state. The CYBA works closely with Marine Recreation Association (MRA), Recreational Boaters of California (RBOC), harbor masters, pilots, law-enforcement, state regulators, plus national associations such as NMMA and BoatUS, to affect change for the betterment of our industry and the preservation of

recreational boating.

When one joins CYBA, their dues go towards ensuring that we can participate on an equal footing with other associations around the state, and to make our voices heard, and represent our members in front of state legislators and policymakers.

There are big issues facing both our industry and California's boaters, such as 30 by 30, Abandoned and Derelict Vessels (ADV), offshore wind production, and of course fees and funding. Suffice it to say, that if the recreational boating community is not up to speed with these issues, and our representative groups and associations not out in front of them and pushing back against overly restrictive regulations and legislation, then boating rights and freedoms will continue to be chipped away at and eroded.

One of the primary objectives of your CYBA leadership team is to illustrate to state government, as well as regional and local governmental concerns, just what the massive financial and jobs impact that recreational boating contrib-

utes to our state.

Boating is a big deal. It contributes a huge amount to the economy, and it provides a lot of jobs, most of which are clean and well-paid. We must continue to drive that point home to legislators, bureaucrats, and administrators, many who are only used to dealing with the squeaky wheels of society... and who don't comprehend the economic realities of policies that they enact.

I encourage you all to stay informed with what goes on at CBC, and to plan to join us, next April in Sacramento. See for yourself, what goes on and what the issues that face our industry are. Again, it is the support of our membership through their dues, as well as our affiliate members and sponsors, through their financial contributions, that enable us to fight to protect our industry and to champion the rights and accessibility for our clients.

If you need more information, or have questions or comments, reach me at Ethics@CYBA.info

Good Reasons Why Your Clients Should Finance Their Purchase

**Peggy Bodenreider,
Sterling Acceptance,
CYBA Sponsor**

I've been financing boats and yachts for a really long time and our business is very closely tied to the economy. When all is well, boats sell and boaters leverage their purchase with a boat loan. When things turn upside down, our business feels the pinch. When inflation sets in and rates increase, boaters are not so excited to pay a high rate for a toy. Such is the market today, where we've seen rates increase 3% or more in the past year, and boaters long for the days of a 4% interest rate on their loan.

You may have a client who can't quite scrape together the cash for the perfect boat, so they

are willing to settle for something less. Perhaps they should consider financing a portion of the purchase to help them achieve their dream. A boat loan can help bridge that gap and offer some benefits as well:

1. The boat loan interest expense may qualify for the same IRS tax advantage of deductible interest expense as a home mortgage. That's right – choosing to finance a boat purchase may qualify your client for a major tax deduction!

2. Equity loans are not readily available on boats, so once a



boater has paid for it, they likely won't get any cash out of it until the day they sell the boat. A boat loan may have a 12-month prepayment penalty, but beyond that a loan can be paid in full at any time. Cash may be better used for other investments, so using other people's money to buy a boat isn't such a bad idea!

3. What goes up must come down – that applies to boat loan rates too! If a boater finances a purchase today, it is likely rates will begin to drop next year giving the boater a refinance opportunity.

Peggy Bodenreider, California Sales Manager at Sterling Acceptance Corp, can be reached at 714-473-8523 or peggy@sterlingacceptance.com

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CYBA Board Of Director's Meeting

Meeting called to order by President Pete Zaleski at 9:04 a.m.

Board Members Present: Pete Zaleski, Scott McNerney, George Sikich, Nick Friedman, Mark White, Wayne Goldman, Lelani Wales, Mik McGuire and Executive Director Ty Mellott.

Board Members Absent: Russ Carrington. Guests: Tony Faso, Dean West, Jeff Merrill and Boat Show Chairman Jim Behun

Boat Show: Jim Behun-Response has been great so far. 40 boats, and 22 booths are committed, and he anticipates selling 3000 tickets. Seminars are being organized, and volunteers for parking would be helpful. He anticipates 130-140K in revenues, and to turn a profit. Mik made a motion to centrally locate all of the CYBA boat show assets. Nick 2nd, motion passed unanimously.

Minutes: Scott approved the minutes. Mark mentioned that the committee members should have their reports to the Board before the meeting so the Board could be more prepared. He thought we made a motion at the last meeting to do this, but we didn't. So, Mark, with Ty amending, made a motion that the chair of each committee shall send out their report to the President 7 days before the Board Meeting, and the President will send it to the Board Members. Scott 2nd, motion passed Unanimously.

Financial Report: Mik McGuire- Mik presented P&L and Balance Sheet. Our CD's matured so the funds have been moved to our checking account anticipating boat show expenses. Mik and Ty clarified the confusion on the Continuing Education line item on the P&L. The item contains state.the following expenses. MRA-\$895, Legal Seminar-\$605.36, Legal Seminar \$9152.65.

Correspondence: Ty Mellott - Received correspondence from CBC, Sail America and a couple of mediation disputes. These disputes were resolved.

Membership: Wayne Goldman - 399 members so far, and he is working on a mass mailer and trying to get the Yacht Broker database from DBW.

Advocacy and Legislation: Dean West- CBC is in April and it is a great forum to get our ideas to the state government. He needs a count as to who from CYBA is planning on attending.

Sponsorship: George Sikich- George reported that Reliant Documentation has dropped down to a bronze level. George mentioned that with Covid, and the lack of CYBA functions and Boat shows, some are questioning the value proposition of a CYBA sponsorship. The Board agreed that we all need to do a better job in reaching out to our current sponsors, and to find new ones. George is going to divide up the sponsor list, so that the members with ties to the sponsor can do more outreach. Acquiring and retaining sponsorships is not a one person job, and all members should pitch in to help as needed.

Events: Pete Zaleski - Next Board Meeting will be on May 3 at the Westport Boat Show. San Diego Boat Show the PR firm is C3 Communications. Newport Boat Show- Over 100+ boats are being displayed. Annual Dinner: 2nd weekend in January, probably in SD, but Pete is still working on location.

GEO: Lelani Wales - Great last meeting, looking to SafeHarbor marinas as a sponsor. Due to the success of these meeting, there was discussion to expand this to a statewide program. Any volunteer hosts in SF Bay Area or LA should reach out to Lelani. There was much discussion on the Women on Waterfront awards. Next GEO is in May.

Forms: Jeff Merrill, Nick Friedman - They are still working on new forms and hope to have something in place by October. Both Nick and Jeff believe Co-op needs to be a key component of the forms. They are looking for feedback from all members as to what people want to see. Really important to send this feedback. They have lowered our commitment to Right Signature, so now we are break-even, erasing last year's loss.

Ethics: Dean West - Dean has a letter going in the next newsletter.

New Business: We have a Board Member who has been absent from numerous meetings. Mik suggested that Peter reach out to this member and see if he still wants to commit to the Board, or if he would like to resign. Pete agreed to follow up, and let the Board know of this Board Members status moving forward. Peter firmed up the date of the annual dinner-January 13, 2024. George will pursue finding a sponsor for the wristbands at the boat show.

Peter adjourned the meeting at 11:39 a.m.

sels has already been decreasing. Local assessors have been drastically increasing the assessed value of vessels for local property tax purposes, regardless of their age. New marina developments are reducing the number of slips available for small boats. Boaters are being required to spend more money on less effective hull paints.

The hard ship of quadrupling fees coupled with severely increased fuel costs will also decrease tax revenue from boaters that fuel boats and larger tow vehicles off the water, patronize on the water or walkable restaurants, shop, buy boating and camping equipment, pay for repairs, pay fees for fishing and hunting, decrease launch fees collected and place more hardships on marina owners. It will essentially make boating an activity that the average Californian family cannot afford.

The May Revise does not implement key recommendations of the stakeholder process. The revise does not increase efficiency by actions such as transferring boat registration functions from DMV to DBW. It does not improve transparency and accountability, instead it authorizes future registration fee increases without legislation.

The increase does not address the inappropriate uses of registration fees. This includes the DMV cost of administering and collecting the fees, as well as the depletion of the fund by re-direction of significant vessel registration fees to CARB in Vehicle Code Section 9853.6 which is now threatened to extend past 2023. SB 84 [Gonzalez] and AB 241 [Gomez] would extend the January 1, 2024, statutory sunset of that section.

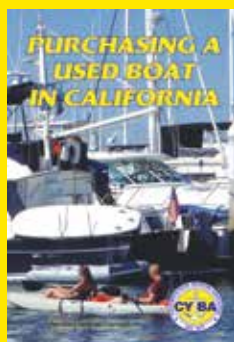
The cumulative impact of the May Revise is that 750,000 boaters throughout California are being made to pay more for less.

Debrenia Madison Smith, President, Recreational Boaters of California"

Your CYBA implores you to reach out to your past boat buyers, boating friends and associates, to contact your state representatives or the Governor's office and voice your displeasure with this taxation "without representation!"

Your CYBA Board of Directors believe this is an excellent resource for used boat buyers.

**You can download the booklet in PDF format from the CYBA.info website or order the hard copies from:
Ty Mellott
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CYBA Advocacy

**Dean A. West,
Advocacy & Legislation
Committee Chairman**

This year's American Boating Congress (ABC) 2023 was a highly anticipated event that brought together boating industry professionals and policymakers from across the United States. Held yearly in Washington DC, the conference took place over several days, offering a comprehensive platform for discussions, networking, and advocacy on important boating-related issues.

Throughout the event, a series of panel discussions, workshops, and guest speakers covered a wide range of topics, culminating in visits to Capitol Hill and meetings with Senate & Congressional leaders.

Key areas of focus included invasive species, boating safety, infrastructure development, recreational boating access, and regulatory updates. Industry experts, policymakers, and representatives from various boating organizations shared their insights, research findings, and best practices, fostering meaningful conversations and knowledge exchanges.

Of particular concern this year, and featuring prominently in the conference, was the National Oceanic and Atmospheric Administration's (NOAA) arbitrary move to expand the North Atlantic Right Whale Vessel Strike Reduction Rule to include vessels 35' and greater, and to prohibit vessel speeds over 10 knots in waters extending from Massachusetts to Florida, up to 90 miles offshore. This was done without stakeholder input, and without factoring suitable alternative technological methods for achieving conservation goals. Of note (and concern) was the audacious and covert way this ruling was implemented, and the very real prospect of creeping vessel restrictions into other prominent boating areas, such as the Gulf of Mexico, the Pacific Northwest, and potentially the Western Seaboard and California



in particular.

Another topic at the ABC 2023 was environmental stewardship and sustainability in boating by combatting aquatic invasive species (AIS). This topic is becoming increasingly significant as costs to boaters increase due to damage to boats by fouling propellers, jamming impellers, clogging drains and intake pipes, and bilge pump failure. Further, AIS alter natural ecosystems, reduce biodiversity, harm water quality and degrade waterways, leading to significant impacts on human health, recreational and commercial uses of waterways, fisheries, and other natural resources. Attendees pushed legislators for increased funding and coordinated, strategic approaches to combating invasive species.

Participants explored innovative technologies, such as electric and hybrid propulsion systems, as well as the importance of education and awareness campaigns to promote sustainable boating practices.

Another significant aspect of the event was the focus on boating safety, including demands for consumer protection from the adverse effects of misfuelling with E15. Federal standards to alert boaters to the often devastating effects of using E15 in boats, particularly those on trailers which are often fueled at filling stations off the waterfront, are woefully inadequate, with most boaters (85%

of consumers) unaware that it is illegal to use E15 in boats, generators, and lawnmowers.

Additional discussions centered around initiatives to enhance boating education, improve vessel maintenance and inspections, and strengthening boating laws and regulations. The ABC 2023 aimed to foster a culture of safety among boaters and ensure that everyone on the water understands and adheres to best practices.

Infrastructure development and recreational boating access were also key topics addressed at the congress. Participants discussed the need for maintaining and improving marinas, boat ramps, and other boating facilities to meet the growing demand for recreational boating. Additionally, policymakers and industry leaders explored ways to enhance access to waterways, address navigational challenges, and promote tourism and economic growth in coastal and inland communities.

The ABC 2023 provided an opportunity for attendees to engage directly with policymakers and advocate for the boating industry's interests. Participants were encouraged to meet with their representatives and senators to discuss key legislative priorities, share personal stories, and highlight the economic and social impact of boating in their communities. The event facilitated these advocacy efforts by organizing meetings, briefings, and networking sessions with policymakers.

Overall, the American Boating Congress 2023 was a successful event that provided a platform for meaningful discussions, collaboration, and advocacy within the boating industry. By addressing critical issues, fostering dialogue, and promoting responsible practices, the congress contributed to the sustainable growth and development of recreational boating in the United States.

Your CYBA is able to attend and participate in this and other

(cont. on page 24)

Forms Corner

**Nick Friedman,
CYBA Forms Chair**

This last month we moved servers for the forms system. Although the timing was scheduled for two hours, it took almost two days. Now, the system is working smoother than ever. We are beginning the process of rewriting each individual form, and adding some new ones.

Our first revision is the listing form. We are rewriting some confusing text about commissions and adding a section requiring a seller to agree to any co-op restrictions. We want to conform to Division of Boating and Waterways' desire for transparency and feel this is the best way to accomplish it.

The next contract we will address is the Purchase Agreement. To preview a couple of changes, we are addressing pro-rata, and would appreciate our member's input. According to several maritime lawyers, the January 1



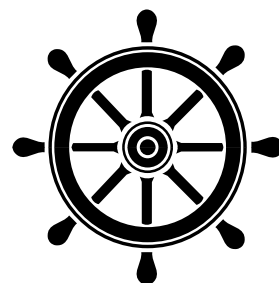
assessment is assessing for the prior year, so the usual custom of pro-rating forward may be incorrect. We are researching this now and will come up with a plan over the next month or two. If you have ideas or requests for changes in the Purchase Agreement, please feel free to contact me at the e-mail below.

We will also update both forms shortly to conform to the

Department of Boating and Waterways requirements for Home and Hailing ports. For years, the Home Port was defined by the National Vessel Document Service address. It has been redefined as the city and state where the vessel is located. Hailing Port is chosen by the owner and can be any U.S. location.

We are also developing an input form that will auto populate most of the information that the document services require, to streamline that process.

E-mail us at: forms@cyba.info.com



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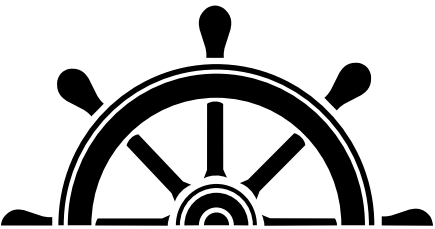
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For additional information and/or questions, contact me at Legislation@CYBA.info



Board Of Director's Change

Your CYBA is proud to announce the return of long-time board member and past president, Dean West, to our Board of Directors.

Dean, after leaving the board, continued as our Ethics Chair and Legislative representative in Sacramento as well as Washington DC. Dean will serve out Russ Carrington's term (Seattle Yachts) as Russ found himself over committed to their multiple offices. Thank you, Russ, for your time and energy.



Russ Carrington.

Membership Information

For complete list of CYBA Member Benefits, please see our separate Member Benefits page at CYBA.info. Be sure to read the CYBA's Code Of Ethics and By-Laws as well.

Membership Rates:

Master Member

(Owner - Broker of Record):

Initiation Fee	\$200
Yearly Dues	\$348
Total	\$548

Broker

(Working for a Master Member):

Initiation Fee	\$50
Yearly Dues	\$48
Total	\$98

Salesperson

(Working for a Master Member):

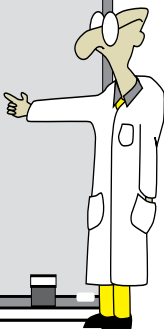
Initiation Fee	\$50
Yearly Dues	\$48
Total	\$98

Reminder to Please Update The CYBA Contact Info To The Following

CYBA
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Martinez, CA 94553
925-588-8929

Calendar Of Events

July 12	Board of Directors Meeting Zoom • 9 a.m.
September 27	Board of Directors Meeting Zoom • 9 a.m.
October 3	Board of Directors Meeting SWYC San Diego • Time TBD
October 4	Legal Seminar SWYC San Diego • 8:30 a.m.
November 15	Board of Directors Meeting Zoom • 9 a.m.
January 2024	Annual Dinner Time and Place TBD
May 16-19, 2024	2024 Pacific Sail & Power Boat Show, Westpoint Harbor



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