

THE CYBA NEWS

August - November 2023

The California Yacht Brokers Association Newsletter

Legal Seminar 2023

It's in the books! Another great CYBA Legal Seminar attended by 107 member brokers and salespeople that care enough about doing their business the right way that they made this important commitment.

After the introduction by current CYBA president Peter Zaleski (who is also the 2023 Legal Seminar chair), the program started with Paul Trusso, ESQ., who gave a very insightful presentation regarding LLC's and the proper application. If you are considering an LLC or working with one for a client, make sure you know the proper "ins and outs" to avoid problems later. Whether it's Paul Trusso's firm, The Wales Law Firm, P.C. or the Wenthur Law Group, we have CYBA sponsor members who are experts in this field.

Following Paul Trusso was Bernadine Trusso (of Dona Jenkins Marine Documentation) explaining the common errors brokers make in presenting documents for title registrations. Did you know you can renew for 1 to 5 years? You need a Death Certificate if the registered owner is deceased. What about the "tender" registration? We are very lucky to have people with the answers making these presentations, so we do a better job!

Dana Wenthur and Will McTaggart rounded out the



Legal Seminar attendees 2023.



Leilani and Ty checking people in.

"Do's and Don'ts" part of the program with a great breakdown of Personal Property Tax and how it's levied and who is responsible. They included a very helpful handout for your buyer or seller on this often-misunderstood assessment. Another reason to attend?

Senator Brian Jones (R), Minority Leader and an avid boater and representative of San Diego



Dane & Will, Wenthur Law Group.

County and beyond, gave some insight to some of the legislation that's coming at us and how we can have a voice to be heard by a fiscal conservative and guardian

(cont. on page 3)



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from the PRESIDENT

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

When I sat down to work on my last "From the President" article, I was not sure what to write about. Then I received a call from a gentleman that had recently bought a boat. He said he called me as President because he wanted to thank the association and let us know how happy he was that he had purchased the vessel from a member using the CYBA forms.

Unfortunately, he may have to utilize the CYBA Arbitration benefit. The Arbitration clause is seldom used. I don't think all members realize how beneficial it can be. As someone that has witnessed both court trials and a CYBA Arbitration hearing, I cannot express strongly enough the benefit of being judged by fellow yacht professionals vs. taking a chance on a judge or jury understanding our business.

The caller also wanted to share with me how fortunate we are to be so well represented by Past President and CYBA Arbitration chair, Dennis Moran and Executive Director, Ty Mellott and how helpful they are.

I could not help but think of the tremendous assistance I've received from our past presidents, committee, and board members.

We are truly honored to have their support, knowledge, and professionalism. Many members do not realize how hard this group of volunteers work to represent our industry and protect our businesses. I could not have completed my term without their help.

We sincerely appreciate the support of our members and sponsors. Without your sponsor and membership funds the Association would not exist.

We are challenged by seri-

ous headwinds from legislation, C.A.R.B. regulations, 30X30, rising fuel, insurance, interest, and advertising costs, as well as many other issues.

Our Association needs more participation to counter these challenges. Please ask how you can help; we have committee positions and Board of Director seats open. We have challenges for all personalities and talents.

My two-year term as president has passed quickly. Some of the highlights for me included two memorable California Boating Congress events. The coalition of associations we have helped assemble are a strong voice for boating in Sacramento.

We had two successful Legal Forums that set records for attendance with over 100 brokers attending.

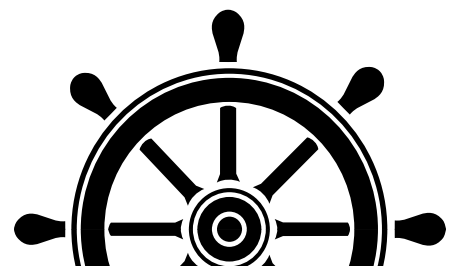
Seeing the dream of an Association-owned boat show came true with the inaugural CYBA Pacific Sail and Power Boat Show.

The show should support our association financially for years to come.

Our Association is in a strong position and your continued support will assure it will serve us well into the future.

I look forward to seeing you at our annual dinner, January 13th at Southwestern Yacht Club in San Diego.

It will be an honor to pass on the gavel to our new President.



of boater's rights. Brian suggested CALMATTERS (online) for news from Sacramento. He mentioned that the wind farms aren't working so well on the East Coast... so why are we building them here? Good stuff. He did a little campaigning too...

Steve Rizzoni, Sea Keepers International Donations, talked about those long-time listings that are growing to the docks... and a very creative and rewarding alternative to helping your selling client find a secure financial solution to moving that vessel along to a new owner. Good stuff (and made those attending sit up in their chairs!)

Division of Boating & Waterways. These people hold our licenses to do our business and so we wanted to know: How do we successfully pass an audit? Joanna Andrade, Division Supervisor, Zach Mundy (new Chief of the Division) and Michael Beals, Investigator, talked about "how to get your act together" when they visit (and they will). It's not painful, if you are ready... and they told us how to be. Weren't there? Yikes! Did you know you can get a price reduction from your seller by email...

but not a listing extension (needs a signature form). Gosh, this stuff's worth the price of admission!

Ah, our friend from South of the Border, Michelle Aguilar of BC Connection, discussed the current status of MTIPS (Mexico entry permits), how to cancel them... and some real important information regarding dinghies and trailers and associated paperwork. She is an angel in the wings if you find your client has an entry or exit problem cruising to Mexico. Remember, you MTIP is not cancelled if it has expired!

Our own Nick Friedman, Shoreline Yacht Group and Past President, got us up to date on the CYBA forms changes and using addendums vs. writing on the contract (a no no!). Did you know that if a seller gives you their boat to watch over that is considered "care, custody & control" and has important ramifications attached. Yes, we have a form for that!

Steve Dillingham, Dependable Marine, gave us some sobering news regarding California Diesel Emissions and Tier engine requirements. Folks, you need to learn this stuff before your boat

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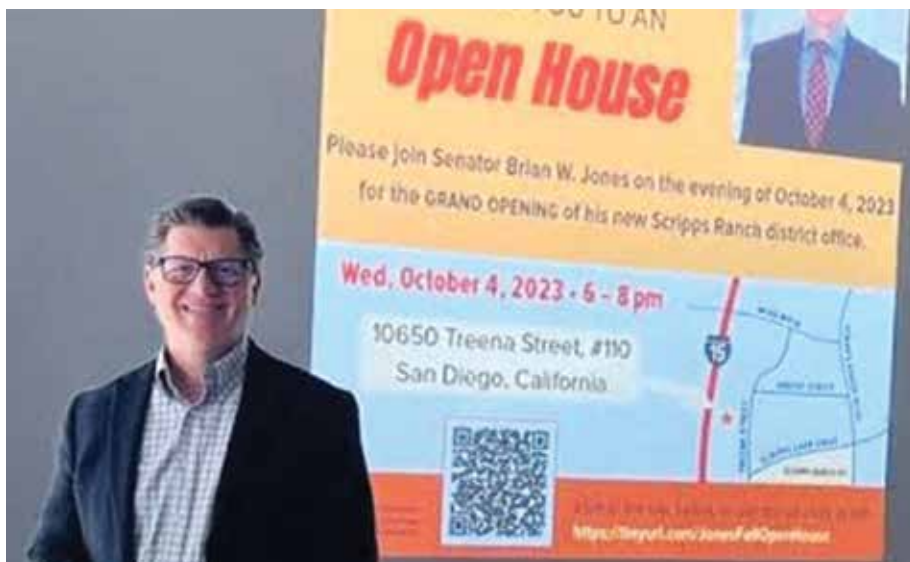
Paul Trusso discussing LLC's.

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Avid boater Senator Brian Jones speaks to the audience.



Division staff, Michael, Joanna & Zach.



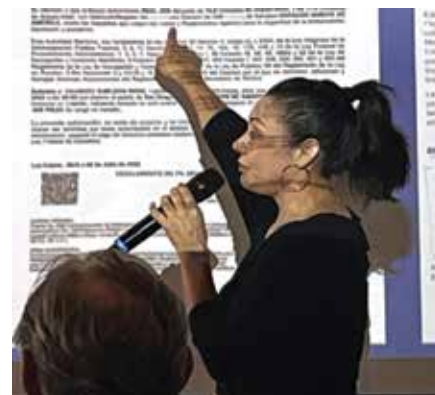
SWYC.

is phased out because it hasn't had the required "repower." These state changes are already happening in the commercial vessel world and soon will be knocking on your door regarding recreational vessels. Scary!

Aarran Flanagan, a San Diego based surveyor, made us look at how prepared we are for survey. Have we run the systems prior to survey? Did we start the engine(s) before the surveyor arrived... DON'T! A "cold start" is crucial to a proper inspection. His tips make things go better for you and your seller.

Craig Chamberlain and John Jarvey, Novamar and Oversea Insurances, brought us current to the situation regarding available insurances and why it's getting so tough to get covered. Also, required training for people stepping up to a bigger boat was talked about. A good news is that

(cont. on page 6)



Michelle Aguilar.



Jeff Merrill & George Sikich helping out.

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

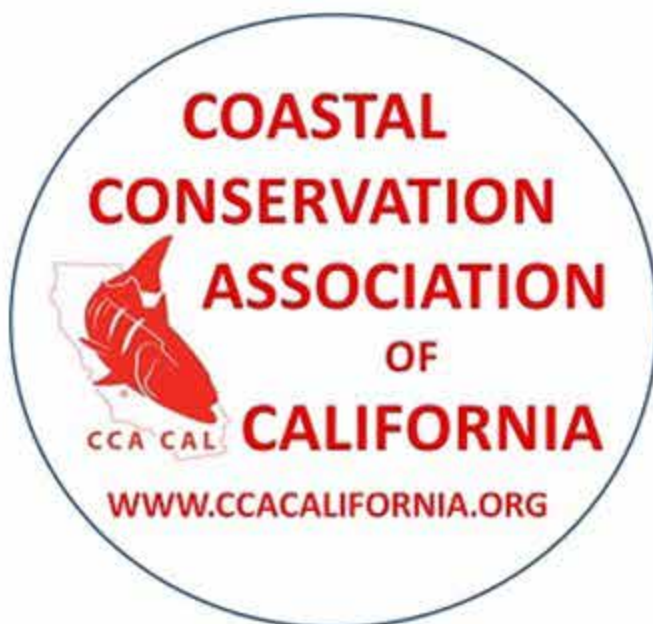
The Coastal Conservation Association (CCA) was initially created in 1977, after drastic commercial overfishing along the Texas coast had decimated redfish and speckled trout populations. A group of recreational anglers gathered to create the Gulf Coast Conservation Association. Only four years later,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

Mexico seems to be recognizing the California Boater's Card for recreational operating in Mexico. Speaking of that card, everyone's going to need it by 2025!

Garrett Schwartz, YachtBroker.org, was representing the new MLS system that is owned and operated by the yacht broker associations represented in the U.S. and Canada. This is a very exciting program that will be controlled by our national group of brokers and salespeople that belong to a recognized marine association. Another benefit of CYBA membership! More on this later...

Ryan Heslin, Trident Funding, had a nice slide presentation re-



Ty Mellott, Executive Director, CYBA.

garding fraud in our industry and what to watch for. We don't have a lot of this issue in California but vigilance is key, so if someone

(cont. on page 8)



IPad winner Chris Winnard of Engel & Völkers Yachting.

Membership Report Q3, 2023

From Wayne Goldman

Currently, we have 399 members, with 6 new applicants in process. We increased 18 members this quarter by a combination of new members and some delinquent members paying their past due amounts. We will surpass the 400 member milestone, but there are many California licensed brokers and salesmen that are still not CYBA members.

Benefits of CYBA include:

- Standard contracts and forms
- Working with fellow CYBA members
- Arbitration & Mediation committee
- Code of Ethics
- Education
- Social networking activities
- Close working relationship with the Division of Boating & Waterways
- Legislation
- CYBA newsletter
- CYBA website
- CYBA name recognition
- Working with peer organizations
- Boat shows

Please mention the benefits to anyone you know that is not a member.

Currently, we have 399 total members broken down as follows:

- Master Brokers: 118 (+2)
- Active Brokers: 42 (+3)
- Associate Salespeople: 183 (+10)
- Affiliates: 46 (+3)
- Affiliate Individuals: 1
- Administrators: 9

There are 292 Licensed Brokers and 28 Associate Brokers in California. 50% are CYBA members. There are 655 Licensed Salespeople in California, approximately 28% are CYBA members.

Let's continue to bring these numbers up. Any licensed Yacht Broker or Salesperson should be a CYBA member. Please help us increase these numbers.

You can reach me at 510-759-8481 if you have any questions.

Wayne Goldman

CYBA Membership Chairman

membership@cyba.org

I Saw It In The Window! Members Proudly Displaying Their CYBA Logos



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comes in to buy your super-fast offshore boat and he's paying with a bag of cash... Probably not the deal you want.

Our own Dean West, Past President and Ethics Chair, spoke of why attending events like this seminar makes us better at our job and how important it is to

contribute to the success of the CYBA as an organization. There are positions on the board available and many different committee positions. Be a part of the "big picture!"

Chris Winnard from Engle & Völkers Yachting was the winner of the iPad door prize!

The Southwestern Yacht Club was a great venue with great staff, and we are returning for the CYBA Annual Dinner in January. Thanks the Peter Zaleski, Ty Mellott and all the speakers that made the 2023 Legal Seminar the success it was!



Attendees.



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Another Arrow In A Brokers

Quiver

A Win/Win for Owner/Broker/ Buyer/SeaKeepers

The International SeaKeepers Society is marking a significant milestone this year as it celebrates its 25th anniversary. Established as a 501 (c)(3) charity with headquarters in Florida and offices in Newport Beach, California, as well as established presence in the South Pacific, Asia, and Europe, SeaKeepers original Mission was to facilitate marine science and research by engaging and connecting yacht owners with scientists to use their boats as platforms for oceanographic studies. This Mission has been expanded to include educational outreach programs, conservation awareness and clean-up programs. With the launch of the SeaKeepers Sustainability Partners and Certification program, SeaKeepers is now at the forefront of efforts to reduce the marine industries carbon footprint. Over the years, SeaKeepers has relied heavily on vessel donations to propel its missions forward, making it a vital force in advancing marine science and ocean sustainability.

The last SeaKeepers article highlighted the yacht donation process. This article highlights an actual transaction with specifics redacted to maintain privacy. SeaKeepers was contacted by a broker regarding the possible donation of a 60' yacht. The yacht was a well-equipped and maintained late model sport motor yacht which had been on the market for some time with a \$2,000,000 asking price. The yacht went through one price reduction to \$1,800,000 with no offers and a second price reduction was contemplated in the \$1,600,000 range when the owner was made aware of the donation option.

The donation process begins with a SeaKeepers Yacht Donation Specialist forwarding the listing to SeaKeepers to register the yacht as a donation prospect. Registering

the yacht triggers an engagement with a certified and recognized yacht appraiser who will provide a preliminary appraisal. This is a key step as a certified appraisal is required to satisfy the IRS requirements which must be met in order for the donor to receive full tax benefits from the donation. Further, the preliminary appraisal represents the potential tax benefit the owner will receive which, along with the ability to conclude a transaction quickly relieving the potential donor of carrying costs, is typically the prime motivation for moving forward with the donation. It should also be noted that in SeaKeepers case, the vessels received from yacht donations go to maintain SeaKeepers programs that directly benefit the ocean.

In the case of our sample transaction, the yacht appraised at \$3,500,000 based on replacement value. The resulting \$3,500,000 tax benefit to the donor can then be spread out over tax returns for up to five years. For his part, the owner needed to pay for an out-of-water survey and the cost of the appraisal, totaling approximately \$10,000.

The broker identified an "end-user" eager to charter the yacht under the three-year charter program at an agreed to price below the listed price. The prospective end-user needed to go through a standard credit check since 60% of the acquisition price was financed. The end user had excellent credit and since the yacht

had been recently surveyed, the whole transaction process from donation to acquisition took less than 30 days. An important point to note, SeaKeepers pays industry-standard commissions for the donation, as well as the charter. In this example, the broker was able to benefit from commissions at both ends of the transaction.

In the end, the owner was satisfied as he received a net benefit greater than what he could have sold the boat for cash. The new owner is satisfied as he acquired a great yacht at a below market price with great terms, the broker is satisfied as he earned commissions far greater than any cash sale the yacht could have generated and SeaKeepers benefits with a vessel that can be applied to SeaKeepers continuing operations. A true WIN/WIN/WIN for all concerned. To learn more the Yacht Donation Program, visit SEAKEEPERS.ORG/YACHT-DONATION-PROGRAM-DETAILS/

As SeaKeepers celebrates its 25th anniversary, it reflects not only on its remarkable journey but also on the critical role played by the boating community and vessel donors. Their dedication has allowed SeaKeepers to make substantial strides in marine science, education, and conservation. Looking ahead, the organization remains committed to its mission, eager to continue its collaborative efforts to safeguard our oceans for future generations. To learn more, visit SEAKEEPERS.ORG



Retirement-Vaughn Allen

The sun has set and I call time. The chow is on the table and I'm out the door baby!

I am retired as of the end of July. I've had an amazing run and have met many great people. I will be visiting my aging mom and dad more, surfing, windsurfing a few days a week, hanging with the grandkids and family, hitting my spot on Mainland Mex a bit more, eating when I am hungry and sleeping when I am tired.

Thank you,
Vaughn Allen



New CYBA Members

Jenna Robitaille was raised on the Butler chain of lakes in Windermere, Florida, where everyone has a boat or access to one. Her childhood was spent water skiing, knee boarding, and tubing or learning to surf off the Atlantic Coast with her brother. She later earned a degree in Environmental Science from the University of Florida and dropped everything to move to San Clem-



Associate Salesperson, Jenna Robitaille of
WS Yacht Brokers.

ente, California. Since then, surfing the never-ending swells at her home break, Trestles Beach. Her love of the water led the way to marry her two passions of both sales and boating. As a sales team member of WS Yacht Brokers, Jenna enjoys building long-lasting relationships and helping clients achieve their dream lifestyles.

David B. Abrams is the owner and CEO of Maritime Institute (MI). Based in San Diego, MI is the largest provider of Coast Guard certified training courses for both military and civilian mariners. Mr. Abrams has acquired four different maritime training providers since 2018 and merged them together to form MI. The company has training locations in California, Virginia, Hawaii, and Washington State. In 2021 MI formed a new division called Maritime Publishing, and acquired several magazine titles for the maritime industry, including *Professional Mariner*, *Pacific Maritime*, *Fishermen's News*, *Ocean Navigator* and most recently (2023) *The Log* newspaper. Mr. Abrams serves as the Publisher for all of the publications.

Mr. Abrams is also the President of Meliora Capital, Inc., a private investment company that provides capital and value added management advisory services to under-performing business-



Affiliate member and Sponsor, Dave Abrams
of The Log.

es. Through Meliora Capital, Mr. Abrams is an owner and Director of Reyn Spooner, an iconic brand of resort apparel based in Honolulu, Hawaii, and is President of Westech Realty, a real estate investment firm.

Prior to acquiring Reyn Spooner, Mr. Abrams was the CEO of Passport Food Group, LLC, a leading provider of Asian foods to the foodservice industry. Prior to joining Passport Food Group, Mr. Abrams was the CEO of Jain

Irrigation, Inc., one of the largest micro-irrigation companies in North America. Prior to joining Jain, Mr. Abrams was President/CEO of Monitor Products Company, a manufacturer of electronic components, and Cape Composites, a manufacturer of advanced composite materials. Previously, he was a senior vice president of Zimmerman Holdings, a private investment company that owned many manufacturing companies.

With over 25 years of experience in running service, manufacturing & distribution companies with an emphasis on M & A and turn around management, Mr. Abrams has acquired, operated and sold both privately and publicly owned companies.

A former U.S. Navy Surface Warfare Officer, Mr. Abrams holds an MBA from the University of Southern California and a BA from the University of Rochester. He is an active member of Young President's Organization and San

(cont. on page 15)

Welcome Back To Sponsorship

The Log Newspaper is proud to return as a sponsor of CYBA. The Log has been California boaters' top source for in-depth local boating and fishing news since 1971. The Log's exclusive coverage includes the latest boating issues, breaking news, upcoming events of interest to mariners and new legislation affecting California boaters.

The Log also lists more boats for sale than any other classified ad section in Southern California, with total readership over 40,000. The Log was purchased by Maritime Publishing in June of this year from the Duncan McIntosh company.

Maritime Publishing is a publisher of four other trade publications for the Marine Industry. Formed in 2020, Maritime Publishing is a division of Maritime Institute, the largest privately held provider of maritime training in the United States.

www.thelog.com



CALL FOR NOMINATIONS

BOARD OF DIRECTORS ELECTIONS

Dear CYBA Members

We are looking for individuals to run for the CYBA Board of Directors positions. This is a 2-year commitment, you will have to travel occasionally for in-person meetings (reimbursed) and be involved in various functions of the Board.

The requirements are, you must be a current CYBA Broker or a Master Member.

These are elected positions and voted on by CYBA members. This is a great opportunity for people that want to assist in the growth and development of the CYBA.

If you think you might be interested, please submit your name to me, also if you have any questions regarding the position please email or call. Deadline for nominations is November 13th, 2023.

Thank you,
Peter Zaleski (President CYBA)
PH: 619-929-2007
Email: PeterZaleski@cyba.info



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CLEARWATER, Fla. (WFLA) — The U.S. Coast Guard shut down an illegal tiki boat operation in John's Pass on Sunday.

USCG and Treasure Island (FLA) Police Department marine patrol unit officers terminated the 23-foot boat after they determined it was operating as an illegal small passenger vessel. The tiki boat was allegedly operating as a bareboat charter.

But officials terminated the voyage, sending the nine passengers, and the boat, back to Treasure Island Marina.

"Under a bareboat charter contract, the person who rents the charter must be given the option to hire any captain of their choosing, or operate the boat themselves," Brian Knapp, senior investigating officer at Coast Guard Sector St. Petersburg said. "If a bareboat renter is assigned a captain without any options, the bareboat charter designation no

longer applies."

Violations include failure to have a valid certification of inspection, not having a credentialed mariner in control while operating the vessel, and failure to have a drug and alcohol program, according to the USCG.

USCG also said owners of illegal charter vessels can face maximum penalties of up to \$111,031 for violation of a Captain of the Port Order and over \$60,000 for illegal passenger-for-hire operations.



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Donate Your Vessel. Support Ocean Conservation.



Why Donate to SeaKeepers?

SeaKeepers pays commissions on donated vessels and will facilitate the yacht donation process from picking up the boat to preparing the donation paperwork. The vessel is accepted "as is, where is."

Vessel donations go towards supporting scientific expeditions, citizen science, educational outreach events, and community engagement.

For more information, visit seakeepers.org or contact us at donations@seakeepers.org.

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Secondhand Survey

By Jeff Merrill, CPYB

At the recent CYBA Legal Seminar in San Diego a question was raised about using a previous survey. Before this discussion started wandering, I reminded the audience that this is a bad idea. Don't fall into this trap, it is a potential liability for you as a broker.

Let me briefly elaborate in case you did not attend.

Surveys are time consuming, thorough evaluations that include details and findings from a full day or two of probing and testing the vessel underway, at rest and out of the water. They are expensive and time-consuming.

The original buyer who ordered and paid for the survey owns it. It is that buyer's private property and just because you have a copy that does not mean you can distribute this report. Should you see a legitimate reason to share, you must obtain written permission (and compensate)

the owner of the survey.

As a broker, you should remind your buyer that every survey report is a snapshot in time – it is a summary of what was discovered and learned in the recent past. It is immediately outdated as we all know that every new day brings the potential for change in the condition of a boat. Keep in mind, insurance underwriters and marine lenders typically allow a survey report to remain valid for 30 days.

It is simply unwise to advise your buyer to rely on the findings from a previous survey. Even if it is offered for sale and can be used to gain some insights, an old report should never be used in lieu of a new, fresh survey.

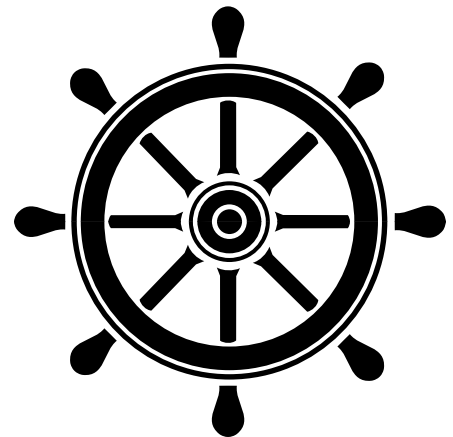
I also believe it is invaluable to have your buyer attend the survey. Why?

- They are paying for it and it is more valuable if they can benefit from the experience

- Seeing the vessel in person is the best way to understand what they are contemplating purchasing

- The buyer can ask questions in real time and observe the performance and condition to help draw their own conclusions.

Surveys should remain in context with the deal in which they were commissioned. It is too big of a risk to rely on the past, second hand is old news.





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 Office: 510-749-0050
jburleigh@tridentfunding.com

New CYBA Members... (cont. from page 10)

Diego Yacht Club and serves on several non-profit boards. Mr. Abrams is a licensed pilot and Coast Guard Licensed 100 Ton Master. He resides in San Diego, California with his wife and two children.



Affiliate member Joel Klein of MTI Worldwide Logistics.

Joe Klein is with MTI Worldwide Logistics. Joe has been a Licensed U.S. Customs Broker for 21 years. Areas of expertise are helping importers, individuals & manufactures import & export boats and their parts to/from all over the world.

MTI Worldwide Logistics work with all the ports of entry around the United States. Their goal is to make the import or export process as easy as possible.


Reminder to Please Update The CYBA Contact Info To The Following

CYBA
P.O. Box 2323
Martinez, CA 94553
925-588-8929

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JUST A REMINDER!

REMEMBER! As of January 1, 2025, all boaters in California will be required to have the "Boaters Card" in their possession when piloting a vessel. Do you have yours, your customers? Plan a class experience at your brokerage or encourage them to take it online!

By 2025, all persons who operate on California waters will be required to have one. The lifetime card fee is \$10. The lost card replacement fee is \$5.

The card is issued by the California State Parks Division of Boating and Waterways (DBW). Once DBW has received your application, proof of education and payment, you will receive a 90-day temporary boater card by email. You should receive your official boater card by mail within 30 days from the time the application was approved.



Editor's Farewell

Well, thank you for letting me be a part of this association newsletter. Over the last two years I've had some great contributions, directors pressed into writing about their committees and an opportunity to have some fun with incidental inserts of whimsical industry news items. It's been fun, thanks!

Mik Maguire

ps. Contact Peter Zeleski if you would like to do something like this for your association...



Yacht Insurance Difficulties And Solutions

By Craig Chamberlain, Novamar Insurance

It is difficult to figure out where to start when it comes to explaining the current crazy insurance world. The recent withdrawal of several major insurers from the California homeowner's market is affecting all of us that own properties here or will be soon. There is a lot of discussion about the causes of our current hard insurance market; global warming/climate or cyclical changes in the climate causing more floods, droughts, stronger hurricanes... and then there is social inflation, increased litigation, and tight capital markets. At the end of the day, insurance is a math problem with premiums and coverages that will adjust to whatever the new normal is, over time. In the meantime, I think what really matters to CYBA members and all yacht insurance brokers and dealers is "how do I get the next boat I sell insured and what do I tell previous clients that call to ask for advice when their current policy is non-renewed or are dissatisfied with their renewal insurance policy terms?"

We get that it's a challenging environment for yacht brokers for several reasons. Boatowners are not only competing for a slip in crowded marinas, time with busy surveyors and dealing with title and tax issues... but now with fewer insurance companies, more stringent underwriting, and limited capacity, many boaters are also fighting for a spot at the insurance table. A boat buyer's trusted yacht broker wears many hats to help their clients navigate through it all.

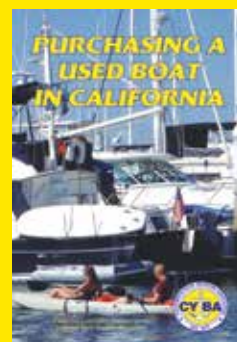
Specifically, regarding yacht insurance placements, it has become more important than ever to submit the most complete information to a yacht insurance specialist who can package and present the proposal as completely as possible to underwriters early in the process. As much information as possible early on also helps us insurance brokers/agents, identify up front, which insurance market will be the best fit for your buyer.

(more from Craig in the next issue...)

Buying A Used Boat?

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
Ty@cyba.info**



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- Vessel Stock Purchase Agreements with or without post-closing merger restructuring to avoid future inefficient, expensive or illegal ownership structures.

Vessel New Build Contracts including assistance with Technical Team assembly. WLG has a worldwide web of project managers, naval architects and yacht designers. WLG will guide your buyer through the phases of conception, contract, milestone construction inspections and finally the launch phase which includes ownership structure, tax, VAT, registration and regulatory planning and compliance.

EU and other Country Vessel Acquisitions. WLG has a worldwide web of VAT, Attorney and Customs experts. Most international transactions utilize the WLG 3 Stakeholder Structure® for the safety and protection of the Buyer. WLG urges you not attempt to use a local US Vessel Purchase Agreement for an international transaction.

The WLG Team – The Staff

Hailey Siden, Office Manager (Vessel, Aircraft, Property Taxes)
(619) 398-9050 Ext. 100 / hailey@wenthurlawgroup.com
Will McTaggart, Legal Assistant (Vessel Matters)
(619) 398-9050 Ext. 204 / will@wenthurlawgroup.com
Amanda Kendall, Legal Assistant (Vessel Matters)
(619) 398-9050 Ext. 205 / amanda@wenthurlawgroup.com
Jack Zabel, Legal Assistant (Vessel Matters)
(619) 398-9050 Ext. 206 / jack@wenthurlawgroup.com

Property Tax Strategy, Exemption and Minimization.

WLG is the leader in representing yacht owners concerning obtaining exemption from, minimizing or reducing California Property Taxes. WLG has taught the maritime industry, including local governments, the true basis and methodology of California Property Taxation including its constitutional law underpinnings.

Custom Contracts. WLG is best known for its ability to draft custom maritime contracts for the most complex maritime transactions conceivable in the most efficient and understandable manner possible.

Proper Broker and Brokerage Operational Structures. WLG will consult with brokers and brokerages concerning the optimal operational structure from both an income tax, estate tax, and regulatory perspective.

Trust & Estate Planning. WLG will consult with brokers to ensure they personally have trust and/or estate plans in place to protect them and their families. WLG has drafted and administered thousands of trust and estate plans during its 36-year history.

The WLG Team – The Attorneys

WLG believes it is the most efficient maritime tax firm in the world with a full staff ready to serve your needs.

Cris John Wenthur, LL.M.

(619) 398-9050 Ext. 201 / cris@wenthurlawgroup.com

Dane C. Wenthur, Attorney

(619) 398-9050 Ext. 202 / dane@wenthurlawgroup.com

Ashley A. Harris, Attorney

(619) 398-9050 Ext. 203 / ashley@wenthurlawgroup.com

CYBA Board Of Directors Meeting

Zoom Meeting
August 31, 2023 2:30PM

Meeting called to order by President Pete Zaleski at 2:30.

Board Members present: Pete Zaleski, Mik McGuire, Mark White, Scott McNerney, George Sikich, Lelani Wales, Dean West, Nick Friedman and late arrival Wayne Goldman.

CYBA Executive Director: Ty Mellott.

Guest: Tony Faso, JR Means, Jeff Merrill, James Johnson.

Pete mentioned that the next board meeting would be October 3 in the afternoon before the legal seminar.

Jeff Merrill mentioned that the IYBA has a new MLS system, yachtbroker.org, and a new forms system, boatdocs.org. Jeff pointed out that Yachtworld has

had a monopoly and that it would be advantageous to our membership to have other options. Also, representatives from IYBA would be happy to speak at our legal seminar. After much discussion, Mik made a motion that we should allow IYBA to load our forms on their boatdocs.org site, but that our forms can only be accessed by CYBA members. Dean seconded, motion approved.

Pete requested that all committee reports be turned in to him by September 21, two weeks in advance of the next Board Meeting.

Mik brought up the fact that the Legal Seminar is 6 weeks away and that we don't have an agenda yet, nor have we started marketing the seminar to our membership. Peter explained that there was progress being made and that he has the following already in place.

DBW representatives, 4 different attorneys, 1 mechanic, and 1 insurance broker. Peter will firm up the topics and agendas and send the information out to the board. Dean mentioned that we really needed to cover a couple of key topics. The first being the state mandate of 30 by 2030, which could eliminate boating on a lot of our coastal waters. The 2nd being to have DBW define, or refine their position on trust accounts vs. escrow accounts. The 3rd being the independent contractor status of Yachtbroker licensed sales people.

Nick reported that we need to work on the annual dinner, as well as find a replacement for retiring Arbitration Chairperson, Dennis Moran.

Mik gave an updated Treasurer report, saying that we will keep \$50,000 in a CD, and the rest

(cont. on next page)



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Thanks to generous yacht donations, in 2022, California Maritime Academy Foundation (CMAF) provided over \$7,000,000 in support, equipment and capital improvements to enhance the education and experience of cadets at Cal Maritime. This money was generated exclusively from the CMAF Yacht Donation Program.

The CMAF Yacht Donation Program is the cornerstone of fundraising for the Foundation. Yachts donated in 2022 will generate nearly \$8.5M over the next 3 years for continued support of Cal Maritime.



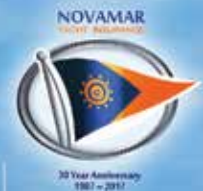
Visit our new website
CMAFYachtDonation.org
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For more information
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of our funds more liquid. Peter contacted the sponsor showing an outstanding balance and they should be sending a check.

Peter, Mark and Dean reported on a meeting with Rebel Republic to discuss their Newport Beach boat show. We were hoping to partner with them on the Newport Show, and also to discuss a potential San Diego show. However, they had no interest in adding us to their Newport Show, and in fact are planning a San Diego Show without our involvement. This show will be June 6-8 at SunRoad Marina. Peter, Mark and Dean are concerned that this group will try to bring a show up to Northern California as well. They will monitor the situation and bring a plan to the board about future CYBA Boat Shows.

The Westport Show is a planned go, although we need to get the agreement signed with the Marina. We are partnering again with Sail America, and Jim Behun will be the Show Manager. Ty will prepare a press release.

There was discussion about adding a Northern Ca. member to the Boat Show committee to help with the Northern Ca. show. Wayne Goldman volunteered to join the committee.

Mik reminded everyone that the deadline to submit articles for the newsletter is September 30.

Peter confirmed the next CYBA Board meeting Oct. 3, 4:00, somewhere in San Diego.

Meeting Adjourned 4:30 p.m. by President Pete Zalenski.

Respectfully submitted,
Scott McNerney
Secretary

CPYB - Become A Better Yacht Broker

I hope this is an easy question to answer... Do you want to become the best yacht broker you can be? If you are a career broker, you owe it to yourself to level up and become a CPYB.

So, what does it take? You need to be in the yacht sales business for three years and know your way around boats and boating transactions. You will study for, and pass, a thorough exam to demonstrate your knowledge and competency. Once you apply (discount for being a CYBA member) you can purchase a great reference study companion called The Guide to help you prepare for the test.

The most successful people in any career seem to be those who are constantly improving and seeking to become better. The CPYB credential identifies those dedicated yacht brokers who understand the importance of continuing education, importance of ethics and conducting themselves professionally.

Even while studying you will be improving your game, the materials will provide you with a solid foundation to make you a better broker which, in turn, benefits your clients.

Jeff Merrill, CPYB, Nick



Friedman, CPYB and Mik Maguire, CPYB, are the three CYBA delegates representing the CYBA on the CAC national committee. The CAC (Certification Advisory Council) revised the test taking in 2022 so you can study and pass section by section (five sections) 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.

Please contact any of us to discuss getting you started. Details are on www.CPYB.net

Nick Friedman, CPYB

Cell: 310.748.5409

Email: YachtBroker@Pacbell.net

Mik Maguire, CPYB

Cell: 510.552.7272

Email: YachtsmanMik@Gmail.com

Jeff Merrill, CPYB

Cell: 949.355.4950

Email: Jeff@JMYS.com

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

Oakland/Alameda Estuary - How Did We Get Here And What Now?

By Brock de Lappe

By way of background, from 2011-2016 I was the Harbor Master of the Alameda Marina. At that time the estuary was inundated with anchor-outs, 40-50 of them, a real Waterworld. Our marina suffered considerable crime, primarily the theft of outboard motors from dry stored vessels. From my office I would look across the estuary to an anchor field off the SE end of Coast Guard Island and I couldn't believe that this was allowed to happen. I organized a couple of meetings at the Jack London Aquatic Center with Oakland & Alameda police, Alameda County Sheriff, Coast Guard, BCDC, Alameda County supervisor, Coastal Commission, harbor masters and yacht clubs. While the problem was acknowledged, nothing was resolved.

After these meetings, Jim Gordon, who was the lead of the Oakland Police Dept. marine patrol unit went to a meeting in Sacramento with CalRecycle. They agreed to provide \$650,000, but it required matching funds. A grant proposal was written to the National Fish & Wildlife Foundation which had received the cash settlement for the Cosco Busan container ship that hit the Bay Bridge and caused an oil spill. That matching fund was awarded so we had \$1.3 million. Then along came the EPA and they kicked in \$3.6 million.

There was sufficient funding to go big, beyond just the removal of illegal anchor-outs. An old wharf from off Union Point Park was an attractive nuisance and safety concern. This wharf was removed. A tug and barge with hazardous materials was removed from San Leandro Bay. And the greatest undertaking, two sunken tugs were raised and removed from the Alameda shoreline and scrapped at Bay Ship & Yacht. All in all, this was a very successful multi-agency program, at the end of which the estuary was completely cleared of all anchor-outs.



Photos courtesy of Oakland Marine Officer Kaleo Albino.

An important note is that the agencies that provided funding said they weren't going to do it again, it was a one shot deal. Maintaining the estuary would be

dependent on ongoing local law enforcement.

Unfortunately over time there was a progressive increase of

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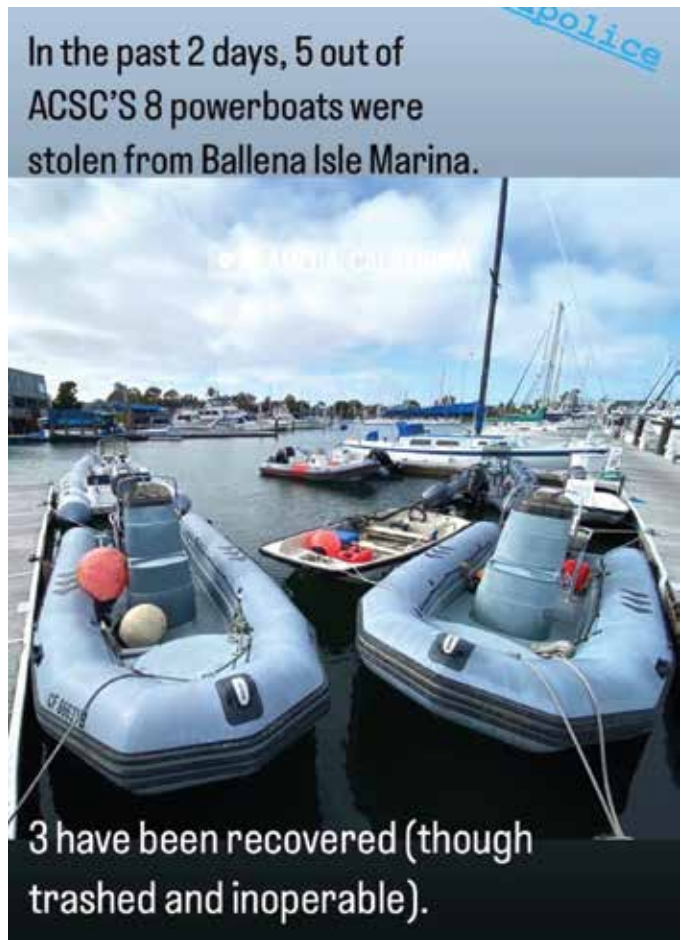
anchor-outs on the Oakland side of the estuary. In 2019, Kaleo Albino, the lead marine patrol officer for the Oakland PD, undertook another cleanup project. Vessels were tagged with 30-day notice to leave, and many did. Those that didn't were impounded, dragged up the boat launch ramp at the Jack London Aquatic Center and crushed in the parking lot.

Two of the offenders who ignored the posting found an attorney who sued the City of Oakland for \$900,000. Rather than fight the case, the city ultimately settled for \$280,000. Worse than the waste of money, the most tragic outcome of this suit is that it put the Oakland marine patrol unit into a de facto stand down. And of course the net result is that once again the number of anchor-outs built up along the Oakland shoreline.

From 2017-2022 I was the Harbor Master for the Oakland Marinas, responsible for five marinas from Jack London Square to Union Point on the Oakland side of the estuary. One challenging issue I had to contend with during that time was a massive homeless encampment in Union Point Park adjacent to the marina.

With community pressure, BCDC initially issued a notice of violation which was ignored. They then issued a Cease & Desist order with the threat of a

(cont. on page 22)



Feeling a bit off course in the legal world? Looking for a Maritime Lawyer?



Vessel or LLC Transactions - contract analysis, LLC formation or purchase, ownership succession, charter operations, international purchases, offshore deliveries, use tax issues, etc.

Vessel Warranty & Defect Claims - structural or equipment issues, product liability, design issues, etc.

Arbitration and Litigation - mediation, arbitration, and litigation related to boating injuries, Jones Act injuries, Longshore injuries, boat collisions, insurance disputes and more.

Maritime Liens - Liens that arise by operation of law and give the lienholder a property right in vessels and the right to foreclose the lien in admiralty.

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\$6,000/day penalty if the park was not cleared. As a result, the homeless encampments were removed from the park and along the Oakland Embarcadero Bay Trail.

While Harbor Master for the Oakland Marinas I continued to push for a new cleanup project on the estuary, though these efforts were fruitless. I retired in April of 2022 but have remained actively engaged on this issue, trying to raise awareness whenever and however possible.

That Sinking Feeling in the Oakland Estuary - January 2021

<https://www.latitude38.com/electronic/that-sinking-feeling-in-the-oakland-estuary/>

Anchored-Out Vessels Cause Estuary Hazards - February 2023

<https://alamedapost.com/news/anchored-out-vessels-cause-estuary-hazards/>

I routinely photodocument the status of estuary anchor-outs and provide them to the BCDC. I also testify at their periodic hearings on this matter. During the storms of this past winter there have been multiple sinkings and vessels loose on the estuary. Since these are not registered or insured, dealing with the results falls entirely to the public. And as funding is limited, what is available is then used up just that much faster... or worse, the sunken derelicts are just ignored in place.

What has changed over the past couple of months is that a criminal element from these anchor-outs has been pillaging marinas along the estuary. Marina residents have been terrorized and are speaking up demanding protection from law enforcement.

Here is a sample of the recent press, including international coverage from the Daily Mail in England:

Thieves on Oakland Estuary Steal Boats With Impunity, Face Few Consequences



Stolen club boat left abandoned.



Two of the bandits/pirates.

<https://www.latitude38.com/electronic/2023/08/23/#thieves-on-the-oakland-estuary-have-been-stealing-boats-with-impunity-and-facing-few-repercussions>

New type of crime wave sweeps Oakland's waterfront: "Pirates"

<https://www.sfchronicle.com/crime/article/oakland-pirates-boat-theft-marina-18327425.php>

Pirate crime spree, vigilantes throw Oakland estuary into lawlessness

<https://www.mercurynews.com/2023/08/28/pirate-crime-spree-vigilantes-throw-oakland-estuary-into-lawlessness/>

Oakland faces rash of "pirates" as thefts hit boats and docks as crime spikes in Bay Area

<https://www.dailymail.co.uk/news/article-12454333/Oakland-boat-theft-bay-area-pirates.html>

And Television:

(cont. on page 23)

Boaters deal with “modern-day pirates” in the East Bay

<https://www.nbcbayarea.com/news/local/east-bay/pirates-oakland-estuary/3305821/>

Boats docked at Oakland marina being targeted by pirates

<https://www.cbsnews.com/sanfrancisco/news/boats-docked-at-oakland-marina-being-targeted-by-pirates/?intcid=CNM-00-10abd1h>

Oakland boat owners watch out for “pirates” as crime spreads to the water

<https://abc7news.com/oakland-pirates-boat-thefts-jack-london-square-boats-crime/13714685/>

Burglars targeting boats on Oakland Estuary

<https://www.kron4.com/video/burglars-targeting-boats-on-oakland-estuary/8949134/>

Oakland police in process of training maritime officers to crack down on pirates

<https://www.youtube.com/watch?v=by1bWIHcg4>

I have been asked by the Alameda City Manager to join her, the city’s public relations officer and the chief of police to meet in early September to plan a community meeting on the estuary crime issue. This certainly is a positive development, though the problem mainly emanates from the Oakland side of the estuary.

What I find unbelievable is that the City of Oakland has only one dedicated marine patrol officer, Kaleo Albino. I have great respect for him, but he can only do what he is supported and

funded to do. He is hopeful of receiving a \$170,000 SAVE grant from the Division of Boating and Waterways in September and may be allocated three additional staff on a temporary 90-day basis. If the grant is awarded he will immediately initiate a cleanup. The challenge is dealing with boats that are inhabited.

The City of Alameda’s patrol boat is stored in the Mariner Square Dry Stack and there are no dedicated marine patrol officers.

The Alameda County Sheriff’s department has recently disbanded their marine patrol unit.

The U.S. Coast Guard, despite having a major base on the estuary, takes a completely hands off approach to this problem and defers completely to local law enforcement. And yet, recreational boaters out for a day on the bay will be boarded and inspected for horn, bell, PFDs, registration,

(cont. on page 25)

Forms Corner

By Nick Friedman

No matter what delivery system you may use for your forms, whether CYBA’s RightSignature with the ShareFile storage and organization system, YachtCloser, IYBA’s new BoatDox, Docusign or other. The CYBA forms are the only set of documents specifically designed for California. They are the only forms that offer CYBA arbitration.

As long as you are CYBA members, your access to these California forms are guaranteed. We are doing our best to modify and modernize with the times. Currently we are adjusting the listing agreement to allow the seller to make a decision about brokerage coop or not. Also adding a hailing port data entry for listings and purchase agreements so they conform to The Division of Boating and Waterways requests.

More is coming soon. An auto propagating documentation application for our document services, which will save time and add efficiency and more.

It is the goal of the CYBA to have the most advanced and specifically California targeted forms available and serve you, our brokerage community.

Suggestions are always welcome at forms@CYBA.info

Remember!!

In early December 2023, the old forms system will be permanently shut down. Buyer and seller data may be exported to an Excel spreadsheet using the “export” button in each of the data entry pages for Buyer and Sellers. Vessel data is not able to be saved. Most of this was migrated to the new forms (if the brokerage had an active account 2.5 years ago)... so check your new forms account for this history. Any forms created under My Forms in the old system that are not already downloaded in a PDF format will have to be saved individually. Fortunately, we assume most of you will have hard copies and/or computer files so this should not be too critical.

CYBA Board Of Director's Meeting

October 3, 2023

Tom Hamm's Lighthouse

Board Members Present: Peter Zaleski, Mark White, Scott McNerney, Dean West, Lelani Wales, George Sikich, Mik Macguire and Nick Friedman
Absent-Wayne Goldman

Guest Present: Garrett Schwartz-IYBC, Jeff Merrill, Jim Behun, and our Executive Director Ty Mellott.

Peter called meeting to order at 3:08 p.m.

Approve previous Board minutes: Scott made a motion to approve the previous Board Minutes, Mark 2nd, motion approved.

Boat Show Report: Jim Behun reported that the Westpoint NorCal Boat show is on for May 16-19, 2024. He will get a contract signed with the marina next week. He is hoping for 75 boats on display, and expanded booth participation. The restaurant should be open by then, and hopefully we won't have the rain to deal with next year. There are a few vendors who would like to help us grow the show. The committee will reach out to Stephanie LeChance for Club Nautique who has expressed interest. The Board discussed having a Boat Show sales rep who could help drive/sell sponsorship in the show, and also perhaps help with CYBA sponsorship. This would be a commission based paid position, so get the names of interested parties to the boat show committee. The committee will present Jim Behun his contract for signature moving forward as our show manager for 2024.

Treasurer Report: Mik presented the P&L and Balance Sheet and all were in good order. CYBA is currently keeping about 50K in a CD, with remaining funds to be liquid. We do have the dock purchase for the show on the Balance Sheet as an asset. It was mentioned again that one sponsorship still shows outstanding, and Pete will follow up tomorrow at the Legal Seminar.

Correspondence: Ty reported that 3 members changed brokerages. There is currently one broker in arbitration, and an issue with a non-CYBA broker using our CYBA form. This became a problem because the client wants to use our arbitration to settle his claim. REMINDER - SERVER MAINTENANCE OCTOBER 10, CYBA FORMS WEBSITE WILL BE DOWN 5:00 p.m.

Garret Schwartz gave an informative presentation about the IYBC and their programs and how they differ from Yacht World and Yacht Closer. The Board recommends that its members have a look at these products at yachtbroker.org

Membership: Wayne was absent but Pete reported that we have 399 members, and gained 9 in the last couple of weeks. Membership is on the upswing.

Legislation and Ethics: Dean didn't have a report, but Mik mentioned that he attended the commissioners zoom meeting for DBW. The big topic was abandoned vessels, and the Board discussed that there may be a transaction fee coming to help pay for an abandoned vessel program. Boat registration is increasing 100-150% although they are currently priced around \$29 for two years registration.

Sponsorship: George welcomed *The Log*, a boating newspaper from David Abrahms. This is a renowned publication for the San Diego market, and Dean will reach out to see if we can write an article for them. Also, we are hoping that Dave can write an article for our newsletter.

GEO: Lelani has the next meet-up planned for November 8 and is trying to get Safe Harbor Marinas as a sponsor. There are currently 7 candidates for the Woman on the Water award, and tomorrow is the last day to nominate someone.

Arbitration: Dennis Moran is vacating this position and we thank him for his service. There will be a new person announced at our annual dinner.

Shows and Events: Mark wanted to share the current shows on the calendar:

October 10-13 Sausalito Clipper Harbor, Booths starting at \$995, in water starting at \$29.50 per foot. \$22 per day entrance. Local promotion

April 18-21 2024, Newport Beach Lido Bay, Live Entertainment, Yacht, Lifestyle. Booths starting at \$2450, in the water \$2700-\$10,000. Rebel Republic promoter.

May 16-19, 2024. Pacific Sail and Power presented by CYBA at Westpoint marina Redwood City. Boats, Gear, Interactive Workshop. Applications will go out in Nov.

Mark asked the question if the CYBA really wants to be in the Boat Show business as there are some cutthroat competitors. After much discussion, the Board felt that it is imperative to put on shows, in order to grow the CYBA, so we need to take the fight to the competition. The Committee will report back on a CYBA San Diego Show.

Legal Seminar is tomorrow and 107 people are signed up.

Annual Dinner will be at the Southwestern Yacht Club in San Diego on Saturday, January 13th. Pricing

(cont. on next page)

will be \$100 per person.

Succession: Mik and Scott are not running for their board seats. Peter is termed out as President, but will remain on the Board. Per CYBA by-laws, Mark White as 1st VP has the option of becoming next year's president. Mark will accept the Presidency.

Forms: Nick reported the following:

1. Server moving 10-10 at 9:00 p.m., so all forms will be off-line
2. All old data will be unavailable after 12-10 at

5:00 p.m.

3. Working on exclusive listing modification to current form.

Old business: None

New Business: Mik reported that Boat US is selling boats in Ca. They are using their data, and client lists to put buyers and sellers together.

Meeting adjourned at 6:16 p.m. by President Peter Zaleski.

How Did We Get Here... (cont. from page 23)

fire extinguishers, and oh my god, your flares have expired! But the illegal anchor-outs that surround Coast Guard Island are given a free pass, and even though they are in federal navigable waterways and have no anchor light at night, nothing happens to them. The USCG, with their greater resources of personnel and vessels, could certainly help address this critical problem.

Postscript: October 10, 2023

There have been truly monumental developments since this article was written for the fall newsletter of the California Association of Harbor Masters and Port Captains. The first occurred at the September 27 meeting of the BCDC Enforcement Committee. Kaleo Albino, the principal marine patrol officer for the Oakland Police Dept., provided the following update:

- Oakland received a \$166,250 SAVE grant from the California Division of Boating and Waterways. Alameda received a \$200,000 SAVE grant. They will be collaborating on estuary cleanup and coordinating on-the-water enforcement.
- Oakland is training 10 additional officers for marine patrol duty. The objective is to provide a 24x7 response capability.
- Capt. Taylor Lam, USCG Captain of the Port, and CDR. Danielle Shupe, Head of Response, have initiated new estuary patrols and coordinate support for both Oakland and Alameda Police Depts. There is a recent press report (from London no less) that the USCG apprehended two estuary criminal suspects and passed them on to the Oakland PD.

The fall of the REAL Oakland Raiders: Two suspected pirates are arrested for brazen raids on yachts and houseboats across San Francisco Bay – where they stole reassures then sunk the vessels <https://www.dailymail.co.uk/news/article-12611133/The-fall-REAL-Oakland-Raiders-Two-suspected-pirates-arrested-brazen-raids-yachts-houseboats-San-Francisco-Bay-stole-treasures-sunk->

vessels.html

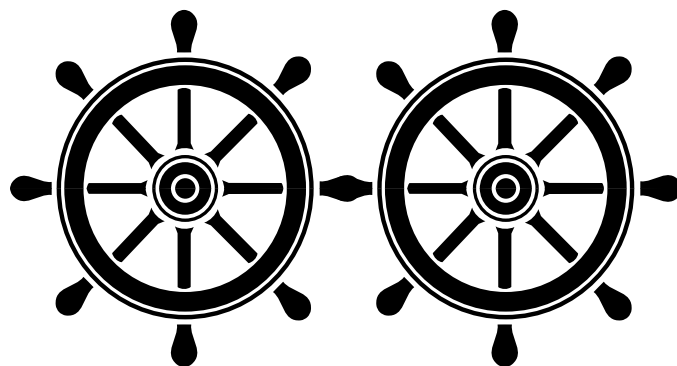
Most IMPORANT: At an October 5 Alameda Community Meeting Officer Kaleo Albino provided the following timeline planning a complete cleanup of the Oakland side of the estuary by the end of the year.

- October 18, 2023: Education Day
- October 25, 2023: Enforcement Day
- November 1, 2023: 30-Day Notification
- December 13, 2023: Cleanup Day
- December 20, 2023: Live-Aboard Seizure Day
- January 3, 2024: Cleanup Day
- January 10, 2024: Post Project Meeting

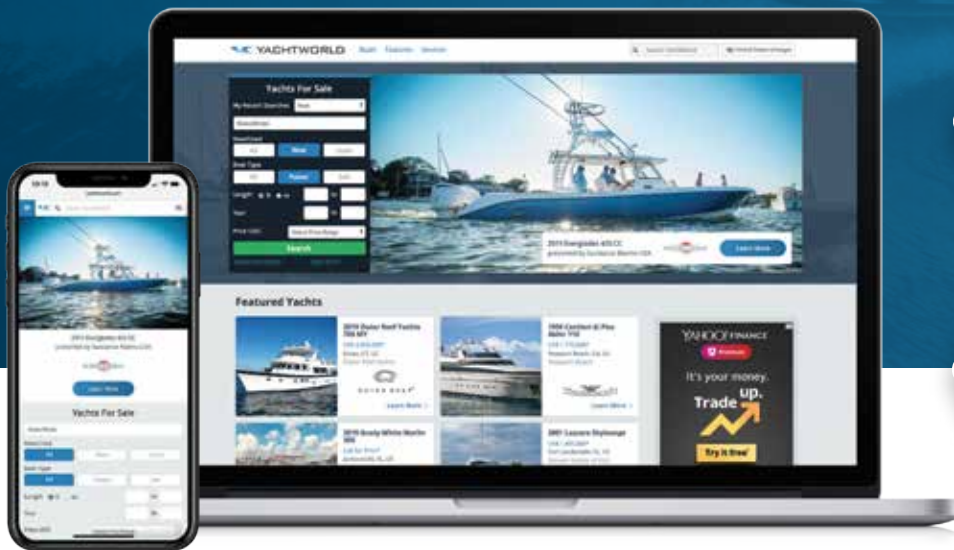
Another very positive development is that Mary Spicer, the principal of the organization I Heart Oakland Estuary, <https://iheartoaklandalamedaestuary.com/> is planning to work with the City of Oakland to apply for additional funding through the NOAA Marine Debris Program <https://marinedebris.noaa.gov/>

For years Mary has organized very successful public cleanup projects on the estuary shoreline and her collaboration will be very helpful.

As I said, these are monumental developments. The Oakland-Alameda Estuary deserves all the support and protection it can get. It is deeply loved, and used, by many.



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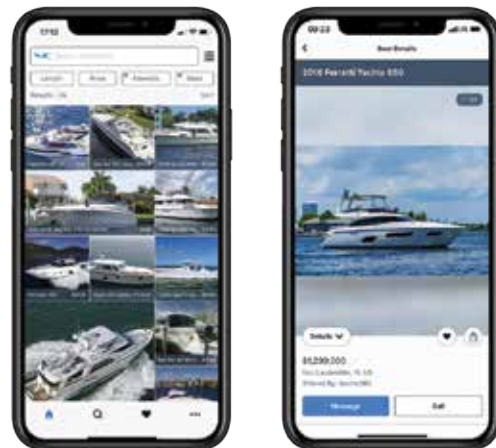


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Abandoned And Derelict Vessels

From Beau Biller,
CYBA Lobbyist,
Platinum Partners

September 20-21, 2023 CBW Commission Tour
and Meeting

Derelict & Abandoned Vessels: A Manufacturing
Perspective

Rachel Fischer, Western Policy and Engagement
Manager, NMMA

Topics:

CA Derelict & Abandoned Overview

State Programs: Ideas from Florida, Oregon,
Rhode Island, Washington.

Industry Perspective: End of Life

SB 595 (Wolk, Chapter 595, Statutes of 2011)

Allowed the Commission to immediately remove
a vessel without notice if it hinders navigation, is a
threat to vessel operators, an environmental hazard,
or a public nuisance.

Focus on commercial vessels because no other
state agency has both the authority and funds to do
so.

Concerns: Assisting the Division on getting ahead,
reducing costs on salvaging.

Questions: What qualifies the end of life for a boat
from a manufacturing perspective? Are we seeing this
in other areas of manufacturing? What is the second
act for these boats?

Define the following:

Derelict, at-risk, or public nuisance definitions

Locations – boats in port of the state, docked
upon property without consent

Size and type of boat: recreational, commercial

Who's funding it and what is it being used for?

Encourage titling and registration, enforcement
of this process.

Comprehensive approach between public and
private marinas: Are there policies for either?

Proactive investments in the program showing
owners and program contributors that processes
are in place.

A strong iterative timeline with potential legisla-
tion or regulatory solutions for funding and structure

Working group could be beneficial especially
considering the size of the state, stretching the entire
commission and jurisdiction for different areas.

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

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~ 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 your-
self and your clients to earn the CPYB designation. Join a
growing number of the best and brightest brokers nation-
wide 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 down-
loadable format.

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

SO-CAL
Jeff Merrill, CPYB
Jeff Merrill Yacht Sales, Inc.
949-355-4950
jeff@JMYS.com

Nick Friedman, CPYB
The Shoreline Yacht Group
310-748-5409
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.

Blue Angels Enhance Fleet Week On San Francisco Bay!



Fleet Week came to SF Bay, October 2-8, and what has become a tradition and a remembrance for Diane Feinstein, who was instrumental in bringing it to the Bay, and is enjoyed by boaters and "landlubbers" alike from every



vantage point. This year was a treat for those out on Friday, watching the practice runs, Saturday was a great show... and Sunday brought Lady Fog, who wrapped her veil around the city front and beyond. Didn't hear much complaining



though, 'cause, hey, it's the Blue Angels (even if you can only hear them...)

Calendar Of Events

November 14, 2023

Board of Directors Meeting
Zoom • 9 a.m.

January 12, 2024

General Meeting/ Board Of Directors Meeting
Time and Place TBD

January 13, 2024

Annual Dinner
Southwestern Yacht Club
2702 Qualtrough Street, San Diego, CA 92106

May 16-19, 2024

2024 Pacific Sail & Power Boat Show
Westpoint Harbor

TBA

2024 27th Annual Legal Seminar
Time and Place TBD

