



Banter

Published *spasmodically* by the
BROAD BAY SAILING ASSOCIATION

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July 2017

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Website link: [Broad Bay Sailing Association](#)

COMMODORE'S CORNER

Jean Pattenau, commodore@broadbaysailing.org

Jerry and I were able to sail the last week of the 2-week cruise and had a great time. Unfortunately, when you have parents in their 80's you never know when an emergency will pop up. We were sailing back on Tuesday and got that call. My father has since been in the ICU so I have been occupied with hospital sitting, taking care of my mother and trying to catch up with work since we were away for a week. This Corner will be brief, but our fleet captains do well informing us of their sailing itineraries.

June has been a busy month for our club. Many cruisers sailed in the 1-week and 2-week planned cruises. We enjoyed nightly sundowner and appetizer parties on the cruise with great stops along the way. I want to thank the cruise captains for pulling the itineraries together. It takes a lot of planning, but everything went really well and we had great wind days but also some floaters unfortunately.

The One design regatta had to be cancelled a day because of heavy wind predicted, but we were able to hold the regatta in conjunction with NYCC Sunday. I want to thank the following BBSA volunteers for calling up and asking what can I do to help you: Art Quarnstrom, Doug Rose, Bill and Judy Pardee, John and Lin McCarthy, and Charles Brockley. Having people call and ask, makes running a regatta so much easier. Thank You!!!

This month's meeting will be held at the Bold Mariner Brewery at 6:30 pm on July 18th. The Bold Mariner has generously donated a keg barrel perpetual trophy for the Bold Mariner Cup. This is a race between the Little Creek Racers vs. Willoughby Racers! I am very appreciative for the support Bold Mariner Brewery is giving BBSA.

At this month's meeting, we will present the awards for the Bold Mariner Cup, plus we will have a guest speaker Rod Sampson, who is a naval engineer to discuss prop design. There will be food catered by Anchor Allies and drinks available for purchase.

Members without a boat cruise, July 29th – If you do not have a boat, but would like to join our cruisers for a day and have an enjoyable day on the water, this is your opportunity! I have a list of boats that have volunteered to bring extra crew/passengers along. We will set sail to Hospital Point, anchor, have lunch with our favorite beverages then head back to the dock. Racers that have boats, but are not cruise ready can also sign up. The more the merrier! Please contact me at jean@leofjohnscontractor.com or 543-3029 to let me know if you are interested in joining us.

I look forward to seeing you at the next meeting.

Jean

RACING NEWS

Scott Almond, racing@broadbaysailing.org

Jerry Pattenau, onedesign@broadbaysailing.org

Perfect conditions (and a perfect Signal Boat) were the order of the day for BBSA's annual intramural race! This year, Little Creek Sailing Association scored (2) bullets and (2) 2nd place finishes to take the Bold Mariner Cup back from the Willoughby Racers. Overall, 26 club skippers enjoyed sunshine and breeze over the 6 mile 'neutral field' course in the vicinity of Ocean View Fishing Pier. Thanks to all that participated and thanks to our race committee members (John and Lin McCarthy, Don and Monica Larsson, Jerry Pattenau, Jonathan Romero, Kerrie Stacks, Frank Giordano (mark boat skipper) and Mark Johnson (signal boat skipper) and our sponsors, Bold Mariner Brewing [<http://www.boldmariner.com/>] and Anchor Allie's [<http://anchorallies.com/>], who also provided 2 young ladies to help on the signal boat. Trophies and the Bold Mariner Cup will be awarded at the BBSA meeting on July 18th at Bold Mariner Brewing. Hope to see everyone there!

Registration is underway for BBSA's signature event of the summer, the Leo Wardrup Memorial Cape Charles Cup. Online entry and payment is available at www.CCCup.net. There is still time to get in without the late fee (early bird deadline is July 21st). You don't want to miss this highlight of the summer!

Some upcoming dates of which to be aware:

15 July – New Willoughby Challenge – CYBRA # 409 and Race #5 in the Southern Bay Distance Racing Series – norfolkyacht.com/

22 July – Moonlight Triangle - CBYRA # 410 and Race #6 in the SBDRS – ccvracing.us

19-20 August – Leo Wardrup Memorial Cape Charles Cup – www.CCCup.net

Little Creek Sailing Association Wednesday Races:

littlecreek@broadbaysailing.org

Series/Race	Spinnaker Winner	NS-1 Winner	NS-2 Winner
2/4	Elixir	Restless	Coeur d' Alene
2/5	No Race		
3/1	No Race		
3/2	Quick	Lona B	Kaleidoscope
3/3	Schock Full o' Nuts	Lona B	Kaleidoscope
3/4	No Race		

LCSA wins this year's Bold Mariner Cup:

Congratulations to the Little Creek Sailing Association for winning the hard-fought battle against the Willoughby Racers in the 2017 Broad Bay Sailing Championship for the Bold Mariner Cup on 8 July. Scores for the top four finishers from each club were used to determine the Winning Team.

With 13 entries in the race, the LCSA Team was led **Mike Veraldi (Quicky)** winning the **Spinnaker Fleet** and **Jay Thompson (Restless)** winning the **Non-Spin 1 Fleet** and **second place finishes by Chris French (Elixir)** in the **Spinnaker Fleet** and **Chris Whatley (Kaleidoscope)** in **Non-Spin 2 Fleet**.

Visit the LCSA Facebook page at: <https://www.facebook.com/groups/250807138384289/>



Quicky, Mike Veraldi won spinnaker fleet

Restless, Jay Thompson won Non-Spin – double headsail



Surely Boo, Dave Nichols 2nd Non-Spin – double headsail



Fleet Start

Bold Mariner Cup pictures courtesy of Lin McCarthy

Willoughby Racers Thursday Races:

willoughbyracers@broadbaysailing.org Check our website

<http://www.broadbaysailing.org/racing/willoughby.asp> and our Willoughby Racers Facebook page for updates and more information.

Series/Race	Spinnaker Winner	NS-1 Winner	NS-2 Winner
Summer/2	Blue Ghost	Irie	Bobinski
Summer/3	Haka	Encounter	Oh Sheet
Summer/4	Melantho 2	Encounter	Oh Sheet
Summer/5	Melantho 2	Irie	Bang-A-Rang
Summer/6	Melantho 2	Irie	Bobinski

From Mitch at ODU about the Opti Nationals:

ODU is hosting the 2017 Optimist Nationals and expect over 350 sailors July 24-Aug 3. We are looking for many local volunteers. We will need some help from Broad Bay members. Please forward this link to your membership. <http://www.bigbluesailingacademy.com/2017usodanationals/howtovolunteer.html>

Upcoming Races

Leo Wardrup Memorial Cape Charles Cup.

Get your entries in soon as the Early Bird entry fee of \$95. goes up to \$145. On 22 July.

Enter the Race using the easy online entry form found at CCcup.net.

As of 10 July we have 36 boats entered in the 14th Annual Leo Wardrup Memorial Cape Charles Cup which will be 19-20 August.

With each entry you get over \$350 worth of value.

Entries include:

A top notch skipper's bag, Race Hat and T-shirt, Race Yearbook with a picture of your boat; three great parties; four dinner tickets to Saturday evening awards ceremony and dinner; and breakfast snacks and coffee on Sunday morning; and of course, two great races.

Reduced slip fees at Oyster Farms Marina and Cape Charles Town Marina; Bus transportation between Cape Charles Town Marina and Oyster Farms Marina on Saturday.

This year will be a First as the Schooner Virginia is planning to join the race and will be a Fleet of her own. She will Dock in Downtown Cape Charles on Saturday night and the crew will join us for the Awards Ceremony and party.

More details on the next page



Broad Bay Sailing Association

Presents the Fourteenth Annual



Leo Wardrup Memorial Cape Charles Cup

Saturday & Sunday – August 19th-20th, 2017

THE cruising event for serious racers!

THE racing event for serious cruisers!

Cape Charles Cup is the only “destination” weekend regatta on the Southern Bay. With plenty of racing competition plus two “signature parties” highlighted by the Saturday post-race festivities at The Oyster Farm Marina at Kings Creek, there is truly something for everyone!

BOTH races are part of the Southern Bay Distance Racing Series!

Friday – Finger food, beer, wine and sea stories begin at 1800 at Bay Point Marina on Little Creek. Skippers’ Meeting starts at 1830 SHARP!

Saturday – Race from Little Creek to Cape Charles (first gun at 1000). Post-race buffet supper, awards ceremony, and awesome party at The Oyster Farm Marina at Kings Creek.

Sunday - Race across Bay to Buckroe (first gun at 1000).

Entry Fee – \$95.00 if received by July 20th, \$145 if received later. Entries received by July 20th will have a picture of the boat and/or crew included in the Cape Charles Cup yearbook. (Send picture to CCCpics@broadbaysailing.org by 7/20/17.) Entry fee includes registration, hat, tee shirt, four Saturday dinner tickets, skipper’s bag, and our famous PARTIES!

Extra stuff – Great Cape Charles Cup tee shirts (long and short sleeve versions), Skipper’s Bags and extra dinner tickets are available for purchase on the entry form.

Info/Questions/Sponsorships Contact – Randy Goodman at 757-348-7921 or CCCup@broadbaysailing.org.



photo by: dbaxterphotography

DEEP WATER! – Docking at Cape Charles Harbor (757/331-2357) is your deep water solution! Enjoy race hospitality at the Town Harbor with a post-race Host Boat as well as Sunday morning munchies! There will also be a fast, reliable shuttle service on Saturday evening between the Harbor and The Oyster Farm Marina at Kings Creek.

ENTRY – ONLINE ENTRY AND PAYMENT FORM at

www.CCCup.net as well the complete Notice of Race. Sailing Instructions will be posted there by August 1st.

Classes – PHRF: A, B, C, and separate Nonspin classes for single and double headsails. (Current PHRF valid rating required) Several Cruising Classes and a Multihull Class with committee-assigned handicaps.

Anyone Can Win – PHRF Nonspinnaker participants will receive an 18 sec/mi handicap bonus for Cape Charles Cup PHRF Division Trophy calculations.

Prizes - Daily class awards based on number of entries. Cape Charles Cups for the best total corrected time in PHRF, Cruising and Multihull divisions (13 boat minimum). Keeper trophies are traditional big brass Weems and Plath yacht lamps, plus winning boats’ names on the perpetual trophy.

Berthing – Call The Oyster Farm Marina at Kings Creek for slip reservations at (757) 331-8640. You must be entered to obtain a slip – please allow 3 business days after entering before you call for reservations.

Review of the 55th Annual Broad Bay Regatta
June 24th, 2017

The 55th Annual Broad Bay Regatta was *cancelled* on Saturday due to the prediction of sustained winds of 15 knots with gusts to 25. Boo Hoo!

However, we are a tenacious bunch so we contacted NYCC to see if they would be interested in having us join in on the Wolcott Memorial Regatta which was to take place on Sunday. Eddie Wolcott Jr. was thrilled to do this but he needed help coordinating and running the regatta since he was expecting only one or two classes of boats to attend and it was just him and his PRO – K C Fullmer.

We now had 5 classes. HOD, Lasers, FJs, an Open class & Catamarans. The call went out to our volunteers to see who would still be able to assist on Sunday. Every single person said they were committed to seeing this happen and so it did.

I want to thank the following BBSA folks for their time & efforts in putting on an outstanding regatta. They committed to helping BBSA on Saturday and when that got blown out they helped NYCC. They do this for our club so that we may enjoy racing our boats while they give up their weekend. Please remember this and thank them when you get a chance.

Bill Pardee for providing his brand-new Sea Fox for the Race Committee and his assistance with Race Committee duties. It should be noted: Bill just joined BBSA this year.

Doug Rose for his help on the Committee boat.

Art Quarnstrom – Mark set / Safety boat.

Kevin Kibbe – Mark set / Safety boat.

Charles Brockley – Mark set / Safety boat.

John & Lin McCarthy – PRO for Saturday but we ended up giving them the weekend off. John has already said he will do this for us next year.



A special thanks to Jean Pattenau de for being my wife and her help in putting all this together.

Sunday the winds were 5 to 10 knots and a wee bit cooler since the cold front came thru on Saturday. It is nice to see a variety of small boats with a pretty decent showing in each of the classes. ODU offered us the use of their boats for this regatta for a small fee. We had 3 FJs participate. If you are ever interested in using one of the ODU boats, contact Mitch Brindley at ODU Sailing. 683-3387. There were 2 Comets and Emory had his Taser; this formed the Open Class along with 2 Sharks catamarans. Although only two of the Comets participated, the Comet fleet is coming together and is looking promising with the fleet having 5 boats. Keep up the progress. The catamaran class had to compete with a well attended Cat event on the Rappahannock that was rescheduled temporarily to our weekend this year. So we look forward to their participation next year.

We had 6 Lasers. One of which was sailed by Robert Suhay, the Guinness Book of World Record holder for the longest distance sailed in a Laser. Check it out!

This was a pretty important event for the Hampton One Design class as it was Eddie Wolcott Sr. that played a huge part in their program and this regatta is in honor of his memory.

Important to note: This event was recognized by Terry McAuliffe, Governor of Virginia, for supporting Virginia veterans in **U.S. Patriot Sailing**. We had 4 qualified veterans in our event and I am excited to promote U.S. Patriot Sailing.

To all those sailors who attended. *We had fun didn't we?*

Congratulations are in order to:

HOD – Gordon Wolcott

Laser – Csilla Gal

FJ – Mike Veraldi

Open class-Comet – Scott Wolff

Catamarans sailed just for fun!

Interesting tidbit: The “Broad Bay Bucket” which is a perpetual trophy that is engraved with the name of the winner of the largest class in attendance at each of the Broad Bay Regattas since 1965, and had recently been re-plated with silver by the Shark fleet, had gone missing. In 2008 we presented the bucket to a young lady for which we had no contact information. That was the last we had seen of it and after many inquiry’s we gave up. DISTRAUGHT would be putting it mildly because of the recorded history.

Here is the best part!!!! As Eddie Wolcott was finishing up the trophy presentation, he asked me what we wanted to do with the Broad Bay Bucket.

I said “WHAT? IS THAT REALLY THE BROAD BAY BUCKET? HOLY CRAP!” or words to that effect. Anyway, it is the original and she is back and I am ecstatic. It appears that it was either inadvertently returned to NYCC or it was one of their members who won it. We will have the engraving updated and we will continue the tradition by presenting the Bucket to the largest fleet. But if that person is not a BBSA member, it will be given to the BBSA Commodore or their representative for safe keeping.

Enjoy the rest of your summer and get out there and sail something.

One Design Fleet Captain,
Jerry Pattenaude



CRUISING NEWS

Sergio Diehl, cruising@broadbaysailing.org

BBSA Cruisers

The start of our cruising season has proved to be perfect for getting out on the water, in all we have cruised to Waterside for the Kentucky Derby, Cape Charles for the Crabby Blues Festival, celebrated Memorial Day in the East River and cruised once again to Norfolk to participate in Harborfest. I must thank all the cruise captains, (Jim & Bev Borberg, John & Mary Bergman and John Scott) for their planning and ensuring all went smoothly. At the time of this writing the three planned long cruises have just returned, and I look forward to publishing all of their escapades next month. We still have many cruises planned for the remainder of the year, our calendar is posted on the web site. Please take a few minutes to RSVP to the Cruise Captains to assist with their planning as well as start making your reservations as slips on the weekends start filling up.

Time to get underway,
Sergio.

Cape Charles, Crabby Blues Festival, 19-21 May



On Friday May 19, 2017 seven boats (Bay Dreamer II, Dreamtime, Modus Vivendi, Spindrift V.2, Stargazer II, Tiki Rose, Virginia Breeze) headed across the bay to the Cape Charles Town Harbor for the Cape Charles' Crabby Blues Festival weekend.



Leaving a day early was the smart move because the temps were in the upper 80s with fair winds and following seas.

Friday docktails were enjoyed on the docks and all dispersed afterward to their boats or restaurants in town for dinner. Saturday turned out to be quite sporty for anyone venturing out on the Bay with temps in the upper 60s and breezy winds out of the Northeast. A few folks attended the Crabby festival while others explored the many shops located along main street. With the cool breezy conditions, Sergio and Misty graciously hosted docktails on Modus Vivendi. Later we all headed to Kelly's for an enjoyable dinner. Sunday everyone headed back, another great sailing day with wind and waves on our sterns.

John & Mary Bergman
S/V Bay Dreamer II

Memorial Weekend Cruise, 27-29 May

The weather finally cooperated, if my memory is correct, Mother Nature has not cooperated so well in the past few years, for this first long weekend of the year. Most of the cruisers were underway Saturday morning, although a few extended the weekend a little and headed out on Friday. Those that did, had a little more wind, but the sailing on Saturday was spectacular with winds off the quarter, the finest of



apparent wind angles for cruising. Our anchorage was Mobjack Bay's East River, just North of Williams Wharf where we all gathered at Roy & Irene Weisert's (BBSA Members) get away for Sundowners and a BBQ. Our cruising flotilla included 15 or more

sailboats, as well as a power boat or two ensuring that the Sea Stories were abundant and made better with various boat drinks. A beautiful evening where we were spared with all storms passing well to the South or North of us.

Sunday all decided to just continue and enjoy the anchorage, the day started with overcast skies and the threat of rain showers. Still this was not going to keep everyone below, so with a sense of adventure a contingent piled into their dinghy's and headed to Mathews for lunch and a little exploring. With some slight ingenuity, we all managed to squeeze into the Southwind Café, which was very enjoyable. Just as we finished lunch, Murphy's Law of course prevailed, and with the tide dropping quickly (even dinghy's get stuck in the mud) and the rain coming down in buckets it was time to head back, which was quickly followed by cocktails on Archer and dinner onboard our own vessels.



Monday, with the weekend over, passing way to quickly, it was time to hoist our anchors and return home. The day was sunny and bright, but unless you were one of the boats to get underway very early there was no wind to be found forcing us to utilize our iron Genny's.

Sergio & Misty
S/V Modus Vivendi

Harborfest Cruise, 9-11 June

For three memorable days, this historic waterfront festival offered a weekend packed with thrilling activities on land and nautical demonstrations on the Norfolk waterfront. Several tall ships entered our local waters to participate in the festivities. It was another great



weekend to be on the water as we all set sail for the parade on Friday escorting the Spanish El Galeony Guyess from the



Naval Base to Marker Zero for the 41st annual Harborfest celebration. Five local boating clubs combined and enjoyed the sunny weather, the camaraderie with fellow boaters, and musical entertainment including, the original Rhondels and Rusted Root on Friday night. The music continued on Saturday with both Sister Sledge and Travis Tritt on the main stage. Saturday night concluded with a spectacular fireworks display, with all of us enjoying front row seats from our boats anchored at Hospital Point.

Some of the local boats that were in attendance included; Summer Wine, Windfall, Different Dreamer, Pretty Woman, Salt Life, Irish Mist, Fin an Tonic, Black Dog, Tempo, Wind Down, Adagio, Cinderella 2, Lio Kai, Big E, Shangri La, Tiki Rose, Modus Vivendi, and Oie .

Capt. John
S/V Summer Wine

BBSA & HYC Summer Sailstice Progressive Dinner

Annapolis (Northern Chesapeake Bay): Due to weather, Harness Creek's location was held at Annapolis Yacht Basin



Cocktails & Appetizers

Dreamtime
Modus Vivendi
Virginia Breeze

Salads

big E
Romancing the Sea
Tiki Rose (on Modus Vivendi)

Entrée

Summer Wine
Sea-Ductive
Lady Charlotte
Nuance

Dessert

Flight Risk
Bella Vela.

Willoughby Bay (Southern Chesapeake Bay): Due to weather, the dinner was held at Hampton Yacht Club

Cocktails & Appetizers

Calypso
Better Together
Flight

Salads

Spindrift
Elnath
Sugaree

Entrée

Lio Kai,
Seaquel

Dessert

Third Star
Dessert First



Upcoming Cruises

York River Yacht Haven, 15-16 July

Bring your pets. Rummy and Izzy, our faithful crew, will be in attendance. Lots of good areas to walk the pups, and to see and be seen. We have 10 slips reserved at York River Yacht Haven. Please contact them and say you are with BBSA or Hampton Yacht Club. If you like to anchor out, Sara's Creek has plenty of swing room. I've had problems in the past to set the anchor, but once set, there was good holding. Happy Hour and hors d'oeuvres at 1700 on Saturday evening by Coriolis, or perhaps the pool. Please bring your favorite drink and a side to share. The restaurant is open (York River Oyster Company Restaurant), if you want dinner beyond Happy Hour please make your own individual reservation, I'm not planning on formal reservations for the group. To make sure that we start Sunday in the right mood, Coriolis is hosting a Bloody Mary Breakfast. We have Old Bay for the Bloody Mary's, so get your Baltimore on.

If you plan to attend, please contact me at andrew.spittler@gmail.com or 757.581.2082 so I can work with the Marina if we are way over/under our request for slip reservations. It will also let me know if I need to break out another bottle of vodka.

Andy & Carmen Spittler
S/V Coriolis

Members without a boat cruise, 29 July

If you do not have a boat, but would like to join our cruisers for an enjoyable day on the water, this is your opportunity! I have a list of boats that have volunteered to bring extra passengers along. We will set sail to hospital point, anchor, have lunch with our favorite beverages then head back to the dock. Racers that have boats, but are not cruise ready can also sign up. The more the merrier! Please contact Jean Pattenade at jean@leofjohnscontractor.com or 543-3029 to let me know if you are interested in joining us.

Jerry & Jean Pattenade
S/V Shangri-La

Norfolk Yacht & Country Club (NYCC), 27-28 August

The casual cruisers will head across Hampton Roads, down the Elizabeth and up the Lafayette Rivers to the NYCC on Saturday August 27, 2017. Arrive early and enjoy the club's amenities (I recommend the outdoor pools, cabana bar and ice cream shop) WWW.NORFOLKYACHT.COM. Please arrange a slip by calling the dock master at 757-286-1752 (Mike & Dino). There is ample anchorage in the Lafayette River



too. I am expecting a large group. Please let me know well in advance if you plan to attend. This will determine our evening's activities. To facilitate serving a large dinner group Michelle (catering director) and I will establish the fleet's menu choices. Based on the size of our party, we may be able to secure a private room for drinks,

appetizers and dinner. More details later.

This is a great urban cruise in need of little preparation other than to cast the lines off the dock! I expect a huge turnout. Please call or email if any questions.

Cindy Lee Hall & Eric Fee
757-876-5148 (no texts)
efeecat30@yahoo.com
s/v E

2018 Winter Cruise to BVI



We have a group that will be sailing in the BVI's this winter! The dates selected to go are February 24th - March 6th, 2018. If your schedule allows you to join us, for all or part of the trip, the more the merrier. We picked these dates with the Full Moon party in mind.

The Cruise Committee members are:

Connie Motley – conniemotley@verizon.net
Jean Pattenaude – jean@leofjohnscontractor.com
Eric Fee – efeecat30@yahoo.com
Cindy Lee Hall – cleebythec@gmail.com
Chris Schott – cbschott20@icloud.com

We recommend BVI Yacht Charters (bviyachtcharters.com). They have offered our group a multi-boat discount, 10% discount for 2 boats and a 15% discount for 3 or more boats chartered by our group. When inquiring let them know you are with the BBSA/HYC group.

We have boats signed up, and even some have made their airline reservations. This cruise is happening, don't miss the boat!

Jean Pattenaude
S/V Shangri-La

2017 Cruise Schedule

Start	End	Where		Cruise Captain	Phone #	Comments
15-Jul	16-Jul	Sara's Creek	Gloucester	Andy & Carmen Spittler	(757) 581-2082	
29-Jul	29-Jul	Hospital Point	Norfolk	Jean Pattenaude	(757)449-2157	Day Cruise, Skippers to Invite Non-Boat Owners Cruise
4-Aug	6-Aug	The Oyster Farm Marina	Cape Charles			Clam Slam Weekend ICW HYC Power Boat Cruisers
12-Aug	13-Aug	Ft Wool		Chip & LeMoine Jones	(757) 298-9200	Day trip to Ft. Wool, return to HYC for docktails & dinner at HYC Gazebo
26-Aug	27-Aug	Norfolk Yacht & Country Club		Eric Fee	(757) 876-5148	
2-Sep	4-Sep	Mobjack Bay		Jerry & Jean Pattenaude	(757) 449-2157	Labor Day Cruise
9-Sep	10-Sep	TBD		Chandler & Charlene Clark	(757) 575-8230	
23-Sep	24-Sep	Back Creek	Seaford YC	Karl & Ronda Shulenburg	(757) 374-6034	Octoberfest
5-Oct	9-Oct	Annapolis Boat Show Weekend				
3-Nov	4-Nov	Urbanna		Bob & April Kochan	(919) 740-5040	Urbanna Oyster Festival
18-Nov	19-Nov	Waterside	Norfolk	Jonathan Romero	(757) 285-6017	Norfolk Grand Illumination

MEMBERSHIP NEWS

membership@broadbaysailing.org

Ship's Store News: Bev Borberg, 757 460 1051, bevborberg@yahoo.com

Burgees – On one of the cruises this summer a member was discovered by an old friend because he was flying a BBSA Burgee, so another reason for flying our Burgee. If you need a new one, the price is \$25 whether by mail or given to you.

If you want a cap or shirt with BBSA logo and ship's name embroidered on it, contact Sean Myers, kila2351@yahoo.com. Tell him Bev suggested it. He does a good job.

Classifieds:

Bill Forrest (s/v Excalibur III) is looking for a used 150-155 genoa for his boat. His vessel is an Irwin 37' center cockpit. Text him at 757.434.4678 with info.

2018 Winter Cruise to the BVI's



We have a group that are sailing in the BVI's this winter! The dates are February 24th - March 6th 2018. If your schedule allows you to join us, for all or part of the trip, the more the merrier. We picked these dates with the Full Moon party in mind.

The committee members are:

Connie Motley - conniemotley@verizon.net

Jean Pattenaude - Jean@leofjohnscontractor.com

Eric Fee - efecat30@yahoo.com

Cindy Hall – cleebythec@gmail.com

Chris Schott - cbschott20@icloud.com

We recommend BVlyachtcharters.com. They have offered a 10% discount for 2 boats, 15% discount for 3 or more boats. When inquiring let them know you are with the BBSA/HYC group.

We have boats signed up, and some have airline reservations made. This is happening, don't miss the boat!

Jean Pattenaude

At the Mariner's Museum, **admission for the rest of the summer is only \$1.00** (normally \$13.00)! This is great because it makes it really easy to check out the new exhibit they have.

Copied from the Mariner's Museum Website, www.marinersmuseum.org

Speed and Innovation in the America's Cup

The America's Cup is the world's premier yachting race, a high-stakes "win-at-all-costs" international sailing competition. As the world's oldest international sporting competition, predating modern Olympics, the world's best sailors and most advanced boats have competed for the coveted silver trophy since 1851. Single-hull boats, ranging from the massive J-boats of the 1930s to the 12-meter class that competed from the 1950s until the 1990s, were replaced in 2013 by double-hulled catamarans.



Above: Oracle Team USA AC72 racing yacht (Credit: Gulian Grenier, Oracle Team USA)

In this exciting new exhibition, visitors can explore hydrodynamics, see how J-foil dagger boards lift the boats above the water's surface, and learn how the enormous wing sails power the boat and push it to speeds over 50 miles per hour. These technological advances allow these yachts to fly at near-highway speeds just above the water's surface, making for very competitive and exciting races. Visitors will discover what it takes to be a crew member on an America's Cup catamaran.

Speed and Innovation will also revisit the America's Cup defense of 2013, recognized as one of the greatest comebacks in sports history. Oracle Team USA was down 8 races to 1, but they staged a dramatic comeback to successfully defend the trophy and win the 34th America's Cup. Arguably the most exciting feature of Speed and Innovation is the centerpiece of the exhibition: the AC72 catamaran that won this race. Oracle Racing donated the yacht, now the largest boat in the Museum's Collection.

Check out the website (linked above) for programs related to the exhibit.

Understanding the Difference Between Towing and Salvage

BoatUS Article by Stephen F. White, Esq.

Every year, hundreds of boaters discover first-hand the difference between contract towing and salvage. In many cases, the discovery is made when the surprised boat owner receives a bill for a salvage reward as opposed to a bill for towing services, and the difference between the two can be enormous. The typical towing bill is based upon the hourly-rates of the towing company. While such bills can be considerable, they will usually pale by comparison to a bill for a salvage reward, which is usually based upon the salvor's claim that he is entitled to be liberally rewarded for saving property from damage by a marine peril. Many salvors will base their claim upon a percentage of the value of the salvaged vessel. This can range anywhere from 1 percent to 100 percent. **Hopefully, boat owners who read this article will gain advance knowledge of the differences between towing and salvage so that they will be better prepared to react in a crisis and to make the best selection between accepting salvage services and forming a contract for marine towage and recovery services.**

The law of marine salvage has existed in one form or another since the Middle Ages. The fundamental incentive driving the law of marine salvage has been to provide a reward for salvors who voluntarily come to the assistance of vessels in distress in order to save persons and property from destruction. Marine salvage laws hail from a time when most vessels at sea were engaged in commerce. Before a ship operator would be willing to depart from his schedule and to incur additional expenses caused by a side trip to save persons and vessels in distress, an incentive was needed to make the effort worthwhile. Maritime law and international treaties have provided such an incentive in the form of a reward to the successful salvor.

In order to claim a salvage reward, the salvor must meet three requirements. There must be (1) a marine peril; (2) service voluntarily rendered; and (3) success in saving persons or property. If these three requirements are met, the salvor may present the owner of the salvaged property with a claim for his reward. The size of the reward will vary from case-to-case based upon the circumstances presented by the salvage situation. Many boaters believe that they do not need to become familiar with the law of salvage, since "that salvage stuff only applies to large ships and I only own a 25-foot runabout." **The laws of marine salvage apply to every vessel upon navigable waters, from a canoe to an ocean liner.** It is not necessary for the vessel to be engaged in commerce. This subjects almost all recreational vessels (except those on landlocked lakes and ponds) to claims for salvage rewards.

It is not necessary for a salvor to be engaged in commerce or to be a professional tower/salvor. Passing boaters (known as "chance salvors") and professional salvors are both entitled to present a claim for a salvage reward. The only difference is in the size of their rewards, since professional salvors are typically entitled to receive an uplift in their rewards due to the investment of time and money they have made to purchase and maintain their equipment, keep up a radio watch, and to stand ready at an instant to assist boaters in distress.

The underlying marine peril, which must exist before a salvage claim can be asserted, may take many forms. Typically, a marine peril is the kind of dangerous situation at sea that will almost certainly inflict damage upon a vessel in distress if it is left subject to wind, waves, weather and tide without prompt salvage assistance. **Such circumstances typically include fire, collisions, leaking/sinking, grounding, and distress brought upon by mechanical breakdowns and equipment failures.** In order to simplify life on the water, many professional marine towing and salvage companies have adopted unwritten policies defining which situations and perils they will consider to present as a salvage situation as opposed to a simple towing job. **Many companies consider any job that requires more than one towing vessel (such as a "hard grounding"), or a job performed in perilous circumstances (such as in fog, shoal water or in a**

storm) to be a marine salvage job, and they will send a bill for a salvage reward. Other marine towing and salvage companies have not adopted any such policies and, unless some other agreement is reached with the boat owner, they will consider every job involving the slightest actual or potential peril to be marine salvage.

The requirement that a salvage service be “voluntary” should not be exaggerated. Voluntariness only requires that there be no pre-existing contractual duty between the salvor and the vessel in distress. If a towage has a contract to perform the work, it cannot present a salvage claim. Another exception is for salvors who are statutorily obligated to render assistance such as members of the Coast Guard, police and fire departments. They typically cannot present a salvage claim because their service is not considered “voluntary.”

Upon arriving at the scene of a potential salvage job, many professional salvors will present the boat owner with a “No Cure, No Pay” contract. By signing a “No Cure, No Pay” contract, the boat owner usually agrees to some form of binding arbitration, which will achieve a relatively quick determination of the appropriate amount of the salvage reward. The boater also acknowledges that the services being provided will form the basis of a salvage claim, and that the salvor will be entitled to a lien upon the vessel in the amount of the claim. Regardless of the existence of a “No Cure, No Pay” salvage contract, and in the absence of a towing agreement or other contract, the services rendered by a salvor are still considered to be voluntary and will entitle him to a reward if he is successful. Without a “No Cure, No Pay” agreement, if the boat owner disagrees with the amount of the claim it will then be necessary for the salvor to go to court in order to get paid.

Because every salvage situation is different, it is extremely difficult to set the amount of the salvage reward. In the absence of a “No Cure, No Pay” agreement calling for arbitration, an admiralty court will set the reward after suit is filed by the salvor against the boat owner and/or his vessel. The United States is a signatory to the Salvage Convention of 1989 (SALCON 89). This is an international treaty which attempts to standardize the law of salvage. SALCON 89 includes ten different criteria which must be examined in order for the court or arbitrator to determine the appropriate amount of a salvage reward. The maximum amount of the reward is capped at the post-salvage value of the vessel. In no particular order of importance, the ten criteria to be considered are:

1. The salvaged value of the vessel and other property;
2. The skill and efforts of the salvors in preventing or minimizing damage to the environment;
3. The measure of success obtained by the salvor;
4. The nature and degree of the danger;
5. The skill and efforts of the salvors in salvaging the vessel, other property and life;
6. The time used and expenses and losses incurred by the salvors;
7. The risk of liability and other risks run by the salvors or their equipment;
8. The promptness of the services rendered;
9. The availability and use of vessels or other equipment intended for salvage operations; and
10. The state of readiness and efficiency of the salvor’s equipment and the value thereof.

In some cases, a salvor is successful in saving the vessel, only to find that it is a constructive total loss, or that its post-salvage value is insufficient to pay a meaningful salvage reward. In cases of constructive total loss, the salvor will not be entitled to any salvage reward, since he has effectively salvaged nothing of value. The salvor will, however, be entitled to an award of “Special Compensation” – a new form of compensation adopted by SALCON 89. The possibility of receiving “Special Compensation” is designed to encourage salvors, even in cases in which saving the vessel is hopeless, to continue to exert their best efforts to minimize environmental damage (primarily oil pollution). Under such circumstances, the salvor is entitled to be paid the fair value of his out-of-pocket expenses, plus a fair rate for the

equipment and personnel actually utilized in the salvage operation. If he is successful in minimizing environmental damage, the salvor is entitled to recover up to 130 percent of this amount. In extraordinary cases where court or other tribunal deems it appropriate, the salvor may be entitled to receive up to 200 percent of this amount.

It can be seen that there is a considerable difference between marine towing and marine salvage. It is the boaters who do not know the difference who are surprised when they receive a bill for a salvage reward instead of a bill for marine towage or other services based upon an hourly-rate. The difference can be enormous. Take for example a \$150,000 yacht, which is purposefully grounded by its owner because he can't find the source of a leak. If a marine tower were called and agreed to assist the vessel on an hourly-rate basis, then repaired the leak and pulled the boat off in 4 to 5 hours, and billed for its work at an hourly-rate, the cost might be \$500 to \$600. However, the same marine tower who arrives and sees a boat in peril because the weather is deteriorating or because the grounding is close to the shipping channel, and who enters into no contractual agreement with the owner before providing his services, could demand and receive a salvage reward for \$25,000 for doing essentially the same work.

If the boat owner has time in which to obtain a marine contractor on an hourly-rate basis, as opposed to allowing a salvor to save his vessel, he may prefer to make a contractual arrangement rather than accepting salvage services and the inevitable claim for a salvage reward. SALCON 89 does provide that a boat owner has the right to refuse salvage services. Under circumstances in which the boat owner may have time to hire the marine contractor of his choice on a contractual basis rather than accepting the offered services of a salvor, and where a small delay will not overly exacerbate the danger to his property, **it is much more advantageous for the boat owner to hire a marine contractor who is willing to perform the services for a conventional bill.** If time allows, the boat owner should consult with his insurance company before allowing salvage to take place. The insurer may be able to recommend marine contractors in his area or be able to make other useful suggestions. Nevertheless, if the boat is in immediate peril and there is no time to take a more considered approach, accepting the services of a marine salvor is often the only rational choice. Under such circumstances, the salvor's services should not be refused (but the boat owner must be prepared to receive a substantial bill for a marine salvage reward).

Hopefully, this article has been useful in explaining the differences between marine towing and marine salvage. Since the recreational boater is subject to the same laws of salvage as are large ocean-going ships, the recreational boat owner must be just as astute as a seagoing Captain in making his choice of remedies when his boat is exposed to a marine peril. Marine salvors should still be considered the "good Samaritans" of the sea. They provide a valuable and necessary service. Their voluntarily offered services are only misunderstood by boaters who do not appreciate the difference between accepting a salvor's services and retaining a contractor on an hourly-rate basis. **The only way to avoid surprise and confusion – and to be absolutely sure that you will receive a bill for services rendered as opposed to a bill for a salvage reward – is to get your agreement in writing prior to the time the marine contractor begins his work. If you have a signed agreement for services at an hourly-rate, then you should be able to keep track of the costs of those services as they are incurred, and you should not have to fear the unexpected receipt of a sizeable bill for a salvage reward based upon a percentage of the value of your vessel.**

If your boat is in peril (and if you have time), the best advice is to ask the responding marine contractor what he will charge for his services before he gets started, get your agreement in writing, and contact your insurance carrier as soon as possible.



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July/Early August

9	10	11	12 R – LCSA Racing 1830 RC – Price	13 R – Willoughby Racers racing 1830	14	15 C – York River Yacht Haven
16 C – York River Yacht Haven	17	18 M – Meeting at the Bold Mariner 6:30pm	19 R – LCSA Racing 1830 RC – Judge	20 R – Willoughby Racers racing 1830	21	22
23	24	25	26 R – LCSA Racing 1830 RC – Thompson	27 R – Willoughby Racers racing 1830	28	29 C – Members without a boat
30	31	August 1	2 R – LCSA Racing 1830 RC – Whately	3 R – Willoughby Racers racing 1830	4	5
6	7	8	9 R – LCSA Racing 1830 RC – Baun	10 R – Willoughby Racers racing 1830	11	12 C – Day Cruise to Ft Wool

R – More information in Racing News; M – More information in Membership News; C – More information in Cruising News

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