

THE BOATING ADVISORY COUNCIL  
Meeting Summary  
April 13, 2007

Members Present:

Ron Baker, Rebecca Bragg, Jennifer Castle Field, Frank Gernert, Robert Gill, William Griswold, Julie Jones, Richard Jones, Joseph Kennedy, Jessica Koelsch, Mark Leslie, Charles Listowski, Peggy Mathews, Cindy Muir, Ralph Poppell, Edward Seguna II

Public Present:

Robert Barker, Brack Barker, Bonnie Basham, Gwen Beatty, Shauna Beji, Jennifer Carver, Alice Heathcock, Gay Kite, Michael Lampman, Andy Lundberg, Sherri Martin, Galen Moses, Holly Parker, Knox Parker, Carol Pratt, Jeff Suber, Bruce Wright

Meeting Summary

The Council adopted the December 5, 2006 meeting summary.

Refreshments

Colonel Jones thanked Peggy Mathews for providing the refreshments.

Ride Alongs

E.J. Seguna briefed the Council and audience about yesterday's ride along. He went out with an officer on Lake Miccosukee on an airboat.

Non-Motorized Vessels

Colonel Jones stated there is no amendment that we know of relating to the registration of non-motorized vessels.

Members' Areas of Emphasis

Jessica Koelsch was not available for this discussion at a previous meeting so she discussed her main area of emphasis --- "Green Boating" in Florida through such programs as the Ocean Conservancy's "Good Mate Program."

Members' Areas of Emphasis – Reports and Discussion

The BAC charged Boating and Waterways staff to look at these items.

1. Education "modules" for non-motorized vessel users – Major Paul Ouellette presented information on the issues and the following staff recommendations.

- Focus on expanding education requirements to boaters of all ages through legislative initiative previously approved

- Pursue rulemaking to address livery safety issues on other vessel types
- Work with other organizations to better advertise and support existing education programs aimed at specific non-motorized boating groups
- Use Wear It Florida campaign as a mechanism to reduce small boat-related drowning deaths

The presentation is available upon request.

2. Anchoring and mooring – Major Ouellette presented information on the issues associated with vessel anchoring. The following are potential solutions that will not require legislation.

- Leave things alone
- Consistently enforce existing laws
- More mooring fields
- Better guidance (web sites, boater guides)

3. Temporary registration sticker for vessels visiting Florida – Captain Alan Richard provided information on the issue of temporary registration for vessels. This was a question, not an action item, from the last meeting. Can we charge a boater to use Florida waters? The answer is “yes.”

4. Life jacket wear / Wear It Florida campaign - Mr. Brian Rehwinkel, Boating and Waterways Section, presented information regarding the “Wear It Florida Campaign.” This campaign will be ongoing for the next several years. The agency will focus on the top ten counties with fatalities involving drownings. Boating safety messages will be running throughout the summer. The presentation is available upon request.

Mr. Bruce Wright, U.S. Coast Guard, briefed the Council and audience about working together with FWC on a similar program. Their program uses a simulator that is part of their mobile trailer.

Ms. Gay Kite spoke in favor of wearing life jackets. She is pleased with the boating safety messages. Mr. Rehwinkel thanked Ms. Kite for her contributions on this issue.

#### Agenda Revision

MOTION: A motion was made and seconded to adjust the meeting agenda to move ahead to New Business to accommodate a presenter’s schedule.

#### Critical Wildlife Area Rule Change

Mr. Tim Breault, Director, Division of Habitat and Species Conservation, presented information regarding Critical Wildlife Areas (Management Areas for Imperiled Species). Mr. Breault’s information explained why they are proposing to change Rule 68A-19.005, F.A.C. The presentation is available upon request.

#### Withlacoochee River Boating Restricted Area

Major Paul Ouellette made a presentation regarding this information item. There are several purposes of the amendments from updating flood stage levels to improving clarity and consistency of rule language. The presentation is available upon request.

### Dive Alive

Lt. Col. Jim Brown provided this information item, Dive Alive, to the Council and audience. The program's goal is to increase the safety, health, and well-being of snorkelers and scuba divers through education and multi-agency outreach. Work is getting started in Monroe County in reaction to the number of dive incidents in that county. FWC is a partner. There will be a web site, brochures, and kiosks. The Dive Alive web site is [www.divealive.org](http://www.divealive.org).

### Working Waterfront

Ms. Jennifer Carver, Department of Community Affairs, presented Working Waterfront Preservation in Florida's Coastal Communities. The focus is on recreational and commercial working waterfronts. Waterfronts Florida is focusing on four priority concerns --- protecting environmental and cultural resources, providing public access, preventing losses from disasters, and enhancing the waterfront economy. Their web site is [www.dca.state.fl.us/fdcp/dcp/waterfronts](http://www.dca.state.fl.us/fdcp/dcp/waterfronts). The presentation is available upon request.

### Livery Law

Major Ouellette discussed the vessel livery law. The Boating and Waterways section did rulemaking for personal watercraft but not other types of vessels. The section will consider workshops in 2008. For now, liveries may use American Canoe Association materials. There was some discussion regarding the liability provision previously in statute, and the reason it was abolished. Ms. Becky Bragg indicated the need for that language.

### Public Awareness

Mr. E.J. Seguna discussed options for increasing awareness about the purpose of the Boating Advisory Council. Some examples of what Mr. Seguna has done are attending workshops, meeting managers of businesses such as West Marine and Boater's World, and making people aware he represents the boating public. Another idea is to check with counties to see if they have local boating groups.

### Boating Legislative Update

Lt. Col. Jim Brown provided the legislative update.

SB 1104 – Vessels

Adds a \$2 surcharge to fund a derelict vessel program

SB 548 / HB 1065 - Seagrass  
A process for seagrass damage violations

HB 767 – Sound devices; noise  
Prohibits people from operating sound devices louder than necessary

Boater Education – Existing law requires education for 21 or under for 10 hp or greater.

BAC recommended scaling up in 5 year increments (more realistic for staff to handle).  
Staff brought to FWC; it is up to staff how to handle; due to other agency financial issues  
the lobbying staff decided to hold off until next year.

MOTION: Motion by Jessica Koelsch and second by Mark Leslie to continue to support  
FWC's promotion of required boater education. Motion approved.

MOTION: Motion by Bill Griswold and second by Joseph Kennedy that the BAC would  
consider for the future modification of the boating safety requirement instead of 10 hp ---  
any registered vessel. Motion approved. (For 2009)

### Life Jackets

Lt. Col. Brown also covered an issue previously approved by the Council --- life jacket  
wear for children. The current law is children under six years of age must wear a life  
jacket while on board a vessel under 26 feet in length while underway. The Council  
request was to increase that age requirement up to under 13 years old.

Survey results from public input indicate 65% of those surveyed support an increased  
age for children to wear life jackets.

MOTION: Motion by Robert Gill and second by Bill Griswold to support the increased  
age for children. Opposed: Becky Bragg. Motion approved.

### Anchoring and Mooring Workshops

Lt. Col. Brown discussed anchoring and mooring workshops. The issue started out  
specific to anchoring and mooring, but there are other parts to it including rulemaking,  
local ordinances, uniformity, markers, etc. Local governments can regulate boating as  
long as they say it is for boating safety purposes. It needs to be clearer in statute, since  
there is disagreement at times with interpretation. Should the group look beyond  
anchoring and mooring at who may regulate boats?

There was discussion about the system being confusing to the boater and the need to  
look at the bigger view. Any of these changes would increase the amount of work for  
Boating and Waterways staff.

MOTION: Motion by Mark Leslie and second by Robert Gill to develop encompassing  
legislation to address the authority for issues surrounding waterway management in

Florida and authorities to do so. Mark Leslie offered an amendment to also consider one or two positions. After discussion, Mr. Leslie withdrew the amendment. This will be discussed further in the future. Motion approved.

MOTION: Motion by Robert Gill and second by Jessica Koelsch to recommend that there be an additional (July or August) meeting to discuss these items.

#### Agenda Items Deferred to Future Meeting

The two items on this agenda that were not covered (Florida Boating Improvement Program Update and 2006 Boating Accident Statistics) will be deferred to a future meeting.

#### Law Enforcement Pay Equity Proposal

Colonel Jones briefed the Council and audience about the Law Enforcement Pay Equity Proposal. Staff will provide the talking points to Council members.

#### Public Comments

The Florida Sportsman Magazine contained an ad with a flats boat speeding by kayakers. FWC will contact Florida Sportsman.

#### Next Meeting

The next meeting is scheduled for November 6, 2007 in Orlando.

*Meeting adjourned at 4:15 p.m.*