

# THE BOATING ADVISORY COUNCIL

## Meeting Summary

November 30, 2004

Key Largo, Florida

Colonel Julie Jones called the meeting to order. Captain Paul Ouellette led everyone in the Pledge of Allegiance.

### ***Members Present:***

Bill Allbright, Ron Baker, Lee Chamberlain, Jay Gorzelany, Julie Jones, Joe Kennedy, Peggy Mathews, Lisa Neal, Virginia Queen, Robert Schweinler, and John Sprague

### ***Public and Staff Present:***

Steve Acton, Torre' Anderson, Bonnie Basham, Jim Brown, Chuck Collins, Pat Harrell, Greg Jackson, Rich Jones, Richard Moore, Brett Norton, Bill Oakerson, Paul Ouellette, H.T. Pontin, Dennis Post, Barbara Jean Powell, David Ray, Bill Sargent, and Pat Wells

## **ADMINISTRATIVE ITEMS**

### **Meeting Summary**

The September 1, 2004 meeting summary (page 6, paragraph 2) should be revised to read as follows - Lisa Neal stated "I would not support the mandatory wearing of PFD's at any time." The meeting summary was adopted with the above change.

### **Refreshments**

Colonel Jones thanked Peggy Mathews and the Personal Watercraft Industry Association for sponsoring today's refreshments.

### **2005 Meeting Schedule**

Colonel Jones asked Council members about their preference for 2005 meetings. Members agreed to continue meeting in conjunction with the Commission with the option of one video teleconference as needed. Notify Shelly Gurr of any conflicts (events, etc.) with the following proposed schedule.

- February 2005 – Video Teleconference – for legislative issues
- June 7, 2005 – Daytona Beach
- November 29, 2005 – Key Largo

## **OLD BUSINESS**

### **FWC Web Site**

Captain Richard Moore briefed the Council on the FWC web site. A separate portion of the FWC web site was set up for the BAC. The new address is MyFWC.com, then go to "Boating" and to "Advisory Council."

## **NATIONAL BOATING SAFETY ADVISORY COUNCIL**

Captain Moore was appointed to the National Boating Safety Advisory Council (NBSAC). NBSAC provides input and guidance to the U.S. Coast Guard on recreational boating safety issues. This is a

great opportunity for Florida's perspective to be considered in federal issues. Colonel Jones congratulated Captain Moore on this appointment.

### **BOATING ADVISORY COUNCIL LEGISLATION**

Major Jim Brown provided an update on proposed legislative changes to the Boating Advisory Council statute. The changes under consideration are as follows.

- Change appointing body for Council appointments from the Governor to the Commission.
- Address non-participation of members.
- Increase terms from two to three years.
- Change the "sport boat racing" position title to "special marine events."
- Add "boating access" and "working waterfronts" to the issues that the Council can consider.

The next step is for this proposal to go to the Commission.

### **BAC APPOINTMENTS**

Major Brown stated the Council has five positions available for appointment. The positions are boating public (two positions), marine industries, scuba diving, and water-related environmental.

### **BOATING ADVISORY COUNCIL MEMBERS RIDING WITH FWC OFFICERS**

Colonel Jones encouraged Council members to ride with FWC officers. Contact your local office to make arrangements.

### **BOATING EDUCATION SUBCOMMITTEE FINAL REPORT**

Captain Moore presented the Boating Education Subcommittee final report.

#### **Subcommittee Members:**

Bill Allbright, Dick Clinchy, Helmut Hertle, Joe Kennedy, Peggy Mathews, and Bruce Wright

#### **Summary:**

The Boating Education Subcommittee supports the continuation of the "How to Boat Smart" correspondence course as the one link to reach those areas where there is no readily available boater education. On-line training and testing is gaining ground as a means of reaching students. Improvement of computer accessibility and computer literacy is expected to reach a level in the future that will support another review of the FWC boating safety course delivery.

MOTION: John Sprague offered a motion to accept the subcommittee's report. The motion was seconded by Ron Baker and carried.

### **MANDATORY EDUCATION FOR VIOLATORS**

John Sprague brought up the issue of considering on-line courses instead of classroom courses for mandatory education for violators.

Staff will research this and bring it back to the Council.

## **BOATING EDUCATION OVERVIEW**

Captain Richard Moore presented information from Florida's Boating Safety Education Program, Executive Summary. This presentation was previously scheduled for the September 1, 2004 meeting but was postponed due to the hurricane. Some items for the future from the Executive Summary are as follows.

### **Proposed Efforts for the Near Future**

- Lift the "cap" on the boater education law.
- Conduct high-profile awareness campaigns.
- Increase voluntary life jacket wear rates.
- Aggressively enforce boating under the influence laws.

Florida's Boating Safety Education Program, Executive Summary, is available on the web site at: [MyFWC.com/boating/safety/program\\_summary.htm](http://MyFWC.com/boating/safety/program_summary.htm).

## **FEDERALLY MANAGED AREAS**

Ms. Peggy Mathews presented information on Federally Managed Areas with regard to how these areas are being managed and what is happening with boat access. The National Park Service and the U.S. Fish and Wildlife Service review and revise management plans every 15 years. There needs to be a mechanism to comment on these management plans. The recommendation is for the BAC to submit comments on the proposed management plans.

There was discussion on how to handle making comments on these management plans. Captain Paul Ouellette mentioned he is the Division of Law Enforcement's liaison with FWC's Office of Policy & Stakeholders. Colonel Jones stated we need something from the Council regarding Ms. Mathew's proposal to go to the Office of Policy and Stakeholder coordinator and that FWC should try to comment on environmental and boating issues with respect to management plans.

Colonel Jones asked that Captain Ouellette go to the Office of Policy and Stakeholder coordinator to determine a mechanism to make comments.

MOTION: Mr. Sprague offered a motion to develop a process on how to handle commenting on these management plans. Ms. Queen seconded the motion, and the motion carried.

## **SEAGRASS MARKING STANDARDIZATION**

Capt. Paul Ouellette, FWC, Boating and Waterways Section, presented information regarding Seagrass Marking Standardization. A recent meeting was held with agency stakeholders to discuss the issue. Some of the highlights of the presentation as shown below.

### **Issues**

- Boating and Waterways is receiving more requests from local governments and other agencies to mark:
  - Boating restricted areas.
  - Resource protection areas.
  - Other informational signage.

### **Proposed Changes**

- Vessel exclusion zones:

- Provide flexibility that allows maximum use without unduly prohibiting other user groups.

### **Process**

- Discuss concepts with stakeholders
- Request approval from the Commission (February 2005) to go forward with workshops

This presentation will be available on the BAC portion of the FWC web site.

### **FEDERAL JURISDICTION**

Mr. H.T. Pontin presented information regarding secured navigation rights by Federal and state government. A copy of the background material was provided to Council members and for the record.

### **FLORIDA BOATING IMPROVEMENT PROGRAM**

Ms. Peggy Mathews provided information on the recent Florida Boating Improvement Program Evaluation Committee meeting. Evaluation committee members are Jim Brown, Mahmoud Madkour, Peggy Mathews, Louie Roberson, Kent Smith, and Bob Wattendorff.

The FWC pursuant to Florida Statutes is charged with providing funds through competitive grants projects designed to serve the needs of the recreational boating and boating activity on coastal or inland waters. A handout was provided showing the breakdown of the applicants, projects, amounts requested, and amounts funded.

### **SOUTH REGION EVENTS**

Major Brett Norton and Captain Dennis Post of the South Region presented information about targeted details and enforcement. The details discussed were Gasparilla, Holiday Isle, Billy Bowlegs, Columbus Day event at Elliott Key, and the Broward Air and Sea Show.

### **MARINA EVACUATION**

Colonel Jones stated that Marina Evacuation is an emerging issue and is being brought before the Council as an information item only. During and after the hurricanes, FWC received calls regarding salvager issues, derelict vessels, and boats being moved out of marinas.

Mr. Bill Oakerson of Boat/US, an advocacy group for boat owners, discussed their position on the issue of marina evacuation. Boat/US believes safety and protection of life should be the principle goals of policymakers. Forced evacuations of marinas is not in keeping with the policy of protecting life over property. Evacuation of boats from marinas will not eliminate all damage to marinas and is not the solution to avoid marina damage. Boat/US believes that forced evacuation from a marina is dangerous and impractical. Boat/US believes that legislation should provide marina owners with the right to require boat owners to establish a hurricane preparation plan and the authority of the marina to execute the plan in the absence of the owner and the right to charge reasonable fees.

Mr. David Ray, Executive Director of the Marine Industries Association of Florida, presented draft language to remove “watch” and add “warning” for section 327.59, Florida Statutes. Mr. Ray stated you can stop a tremendous amount of damage if there is a hurricane plan and people move their boats. At the present time, a marina owner can require the boat owner to leave the marina prior to a hurricane watch. Everybody wins if you get vessels out of the marinas and into safe harbor. Nobody should ever be forced out in a storm.

Ms. Bonnie Basham does not believe that the Legislature should not be telling the responsible 70% of boaters what to do and that the marina operator has some responsibility to maintain infrastructure to the point that it cannot appear that it was a particular person's boat that tore up the dock.

### **Recreational Boating Characterization**

Mr. Bill Sargent of the FWC, Florida Wildlife Research Institute, presented "Describing the Spatial Characteristics of Recreational Boating in Florida: Innovative Approaches." Some highlights of Mr. Sargent's presentation are as follows.

#### **Florida is Most Active State for Boating**

- Ranked as the number 1 destination in the U.S. for saltwater recreational boating

#### **Boating is Big Business in Florida**

- Related employment estimated at over 180,000 jobs

#### **Why is Boating Information Needed?**

- Long range planning to avoid problems

#### **Project Goals**

- Characterize the preferences, activities, and use patterns of the Tampa Bay regional boating population

Additional information was provided regarding the boater survey. Mr. Sargent's entire presentation will be available on the BAC portion of the FWC web site.

### **Airboat Testing Project Update**

This item will be addressed at a future meeting.

Adjourned at 5:45 p.m.