



Highbridge Road Boating Safety Zone

Draft Rule

February 8, 2012

Florida Fish and Wildlife Conservation Commission

Division of Law Enforcement

This is a presentation about the Commission's Rule 68D-24.164, Florida Administrative Code (FAC) which delineates boating safety zones in Volusia County. This proposed rule would create a boating safety zone on the Intracoastal Waterway (ICW) in the vicinity of Highbridge Road Bridge and public boat ramp in Ormond Beach.

Why is this zone needed?

- Highbridge Road bridge
 - Boat ramp visibility
- Marine infrastructure
 - Public boat ramp



Boating and Waterways Section staff were alerted in December 2010 to a boating safety issue on the Intracoastal Waterway (ICW) in northern Volusia County. Highbridge Road Bridge is a low clearance drawbridge over the ICW. Just southeast of the Bridge is a two-lane public boat ramp, operated by Volusia County. Vessels headed southbound on the ICW cannot see the boat ramp until they have passed under the bridge. According to public comments, launching a boat at the ramp is risky and there is routine damage to boats caused by wakes from passing boats. The boat ramp is approximately 50' from the edge of the channel in this narrow stretch of ICW. There are no structures at the boat ramp to protect users from the impact of boat wakes.

South View



North View



Public Input

- December 2011 public meeting in Ormond Beach
- Electronic comments solicited
- Unanimous support for proposal



Boating and Waterways staff held a Public Meeting at the City of Ormond Beach Commission Chambers in Ormond Beach on December 14, 2011. FWC officers and supervisors, an officer from Holly Hill Police Department, a deputy from Volusia County Sheriff's Office and approximately eight members of the public attended the meeting. 8 comments from boaters were received electronically through MyFWC.com. Comments received at the public meeting and electronically unanimously supported the proposed boating safety zone.

Proposed Boating Safety Zone

- Slow Speed Minimum Wake
 - 300' north of Highbridge Road bridge fender system to 300' south of Highbridge Road boat ramp



The zone as proposed is shown on the map. The restriction would be in place all day and year-round.

Staff Recommendation

- Approve Proposed Rule, contingent upon receipt of supporting resolution from Volusia County
- If no request for hearing is received, file Final Rule for adoption



Staff is currently working with representatives from Volusia County to receive a resolution in support of the proposed rule. A letter of support has already been received from Mr. Frank Bruno, Chairman of the Volusia County Board of County Commissioners.

Staff recommends that the Commission approve the publishing of a Notice of Proposed Rule in the Florida Administrative Weekly and, as a result of public support for the proposed rule, requests approval to later file the final rule for adoption, as allowed by law, provided there are no requests for a hearing on the rule.

Rule 68D-24.003(4), Florida Administrative Code, states:

“The executive director may approve for adoption rules establishing boating restricted areas. This delegation of authority is subject to the following criteria:

(a) A local government has passed a resolution requesting or endorsing a request that a boating restricted area be established;

(b) The area is designed to protect public safety;

(c) The requested area is in the vicinity of a bridge, public boat ramp, public dock, public marina, public fueling facility, public sewage pump-out facility, or a specific navigational hazard;

(d) Personnel from the Fish and Wildlife Conservation Commission’s Division of Law Enforcement confirm that the proposed area presents a danger to public safety if it remains unregulated;

(e) The rule regulates the boating restricted area at one of the following levels – “Idle Speed No Wake,” “Slow Speed Minimum Wake,” or “30 miles per hour;”

(f) No written objection to the establishment of the proposed restricted area has been received from the United States Coast Guard, the Army Corps of Engineers, or a Navigation District established under Chapter 374, F.S.

(g) No timely request for a public hearing is received and no timely challenge to the proposed rule is filed;

(h) No correspondence or other written communication is received showing organized public opposition to the proposed rule.”