



Broward County Boating Safety Zones
Draft Rules – 68D-24.006 and 24.008
April 18, 2013



Florida Fish and Wildlife Conservation Commission
Division of Law Enforcement

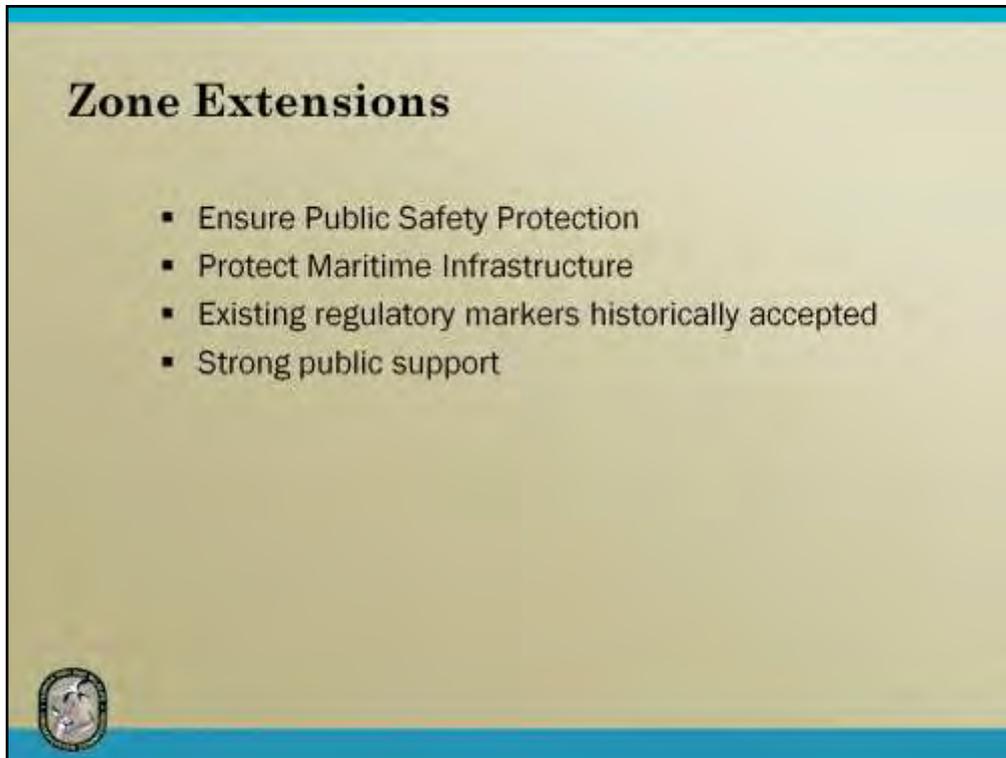
This is a presentation about the Commission's Rule 68D-24.006, Fort Lauderdale Boating Restricted Areas and Rule 68D-24.008, Broward County Boating Restricted Areas. These rules delineate boating safety zones on the Florida Intracoastal Waterway in Broward County. The need for this rule revision originated from a staff review of legal zone boundaries and regulatory waterway marker (sign) locations in Broward County.

Rule Amendments

- Extend five zones to match historical regulatory marker locations
- Remove marker maintenance responsibility from City and County
- Incorporate Fort Lauderdale zones into Broward County rule
- Update rule maps and make minor technical changes to rule language
- Include new language excluding areas outside the Intracoastal Waterway (ICW) when describing shoreline to shoreline zones



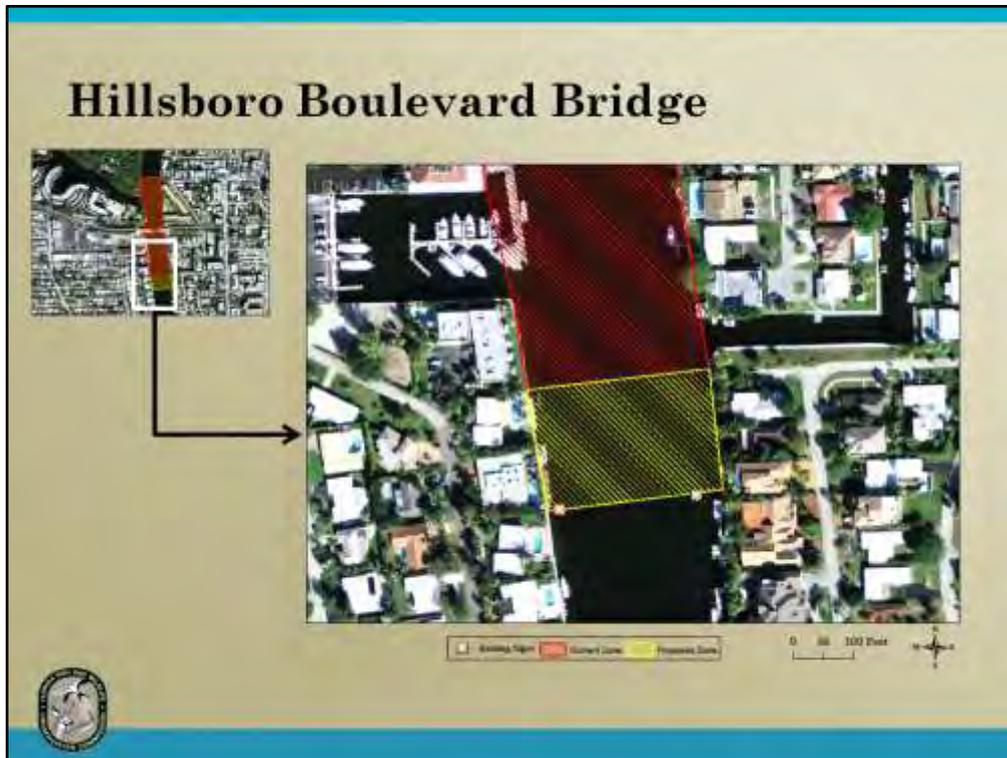
The proposed rule would extend five boating safety zones to match the legal zone boundary to the historical location of the regulatory waterway markers. Additionally, the proposed rule would remove either the requirement in the case of the City of Fort Lauderdale or the authority in the case of Broward County to install and maintain the regulatory markers for the zones. The proposed rule would repeal Rule 68D-24.006, Fort Lauderdale Boating Restricted Areas, and transfer the zones into Rule 68D-24.008, Broward County Boating Restricted Areas. Lastly, the proposed rule would update all the rule maps and make minor technical changes to the restricted speed terminology and the order of the geographic descriptions. Rule language would change in order to exclude canals, creeks, boat basins, etc. that fall outside the boundary of the ICW and that local governments can already regulate according to Florida Statute.



The staff proposal is to extend some regulatory zones in order to match the boundaries as currently marked.

Staff considerations include the following:

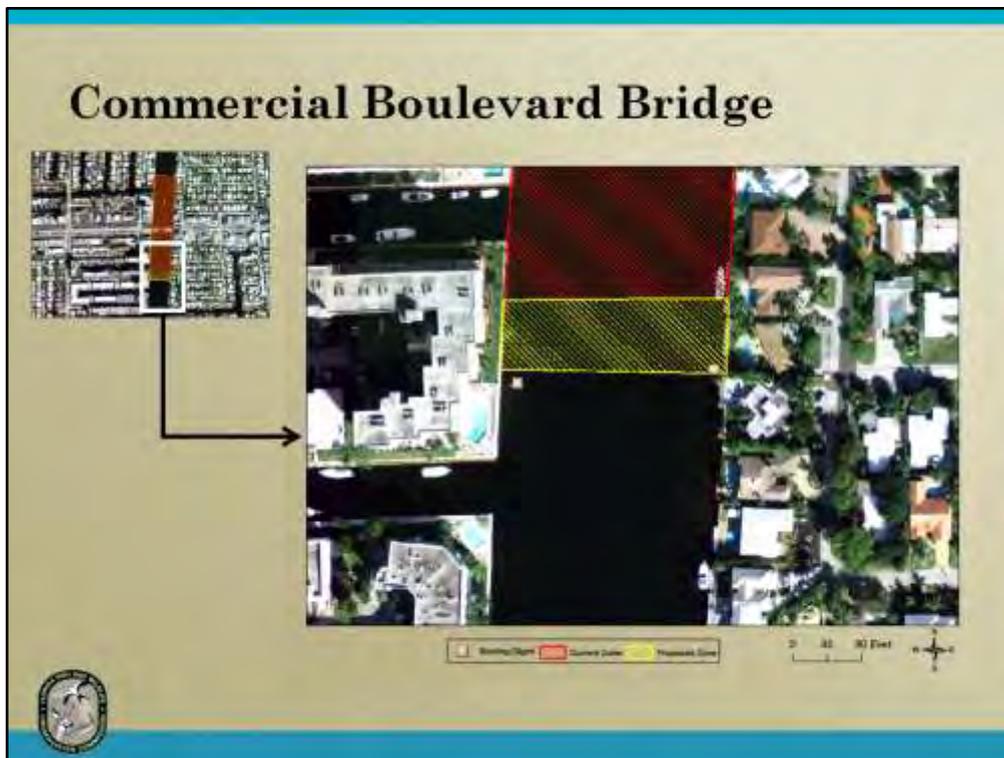
1. Reducing the length of the specific zones may lead to boating safety concerns. This waterway is a generally narrow body of water with a lot of boat traffic, and the zones as posted have provided appropriate locations for speed transitions. Additionally, boat operators in the area have become accustomed to the current zone boundaries as posted for nine years or more, and moving the regulatory markers to different locations may contribute to boater confusion. The speed transitions which occur at zone boundaries require vigilance on the part of all boat operators involved, and maintaining zone boundaries in locations which have become familiar over many years lessens safety concerns.
2. Due to the narrow water body and frequency of traffic, reducing the zone lengths would increase the risk of boating accidents due to wake damage of vessels stored in the water within the zones as currently posted.
3. Public input received to date has been in support of modifying the rule to reflect the zone boundaries as they are currently marked. Staff repeatedly heard public comment that such rule changes reflect a “common sense” solution to the current situation and minimizes boating safety concerns.



The proposed rule would extend the south boundary of the Hillsboro Boulevard Bridge zone by 200 feet, increasing the boundary from 625 feet to 825 feet south of Hillsboro Boulevard Bridge. The markers in this area have been in the same location since approximately 1995.



The proposed rule would extend the north boundary of the Hillsboro Inlet zone by 275 feet, increasing the boundary from 9,750 feet to 10,025 feet north of Hillsboro Inlet. The markers in this area have been in the same location since approximately 2004. Additionally, the proposed rule would change the geographic location used to describe the zone boundaries from the intersection of the Florida Intracoastal Waterway and the Hillsboro Inlet channel to the coordinate position (latitude and longitude) of an Aid to Navigation (channel marker) approximately 100 feet south of the proposed zone boundary.



The proposed rule would extend the south boundary of the Commercial Boulevard Bridge zone by 100 feet, increasing the boundary from 600 feet to 700 feet south of Commercial Boulevard Bridge. The markers in this area have been in the same location since approximately 2004.



The proposed rule would extend the south boundary of the Hallandale Beach Boulevard - Marina zone, changing the boundary by 525 feet. The measurement in the rule is based on the distance from the Hallandale Beach Boulevard Bridge (which is outside of the zone boundary) so that would be changed from 1,850 feet to 1,325 feet north of Hallandale Beach Boulevard Bridge (525 feet closer to the bridge). The markers in this area have been in the same location since approximately 2004.



The proposed rule would extend the south boundary of the Hallandale Beach Boulevard - Bridge zone by 100 feet, increasing the boundary from 300 feet to 400 feet south of Hallandale Beach Boulevard Bridge. The markers in this area have been in the same location since approximately 2004.

Public Input

- February 2013 public meeting in Hollywood
- Diversity of support for proposed rule amendments



Boating and Waterways staff held a public meeting at the Anne Kolb Nature Center in Hollywood on February 19, 2013. FWC staff and eight members of the public attended the meeting. One additional comment was received electronically. Comments received at the public meeting and electronically supported all of the proposed rule amendments.

Staff Recommendation

- Approve filing of Notice of Proposed Rule
- Obtain final approval at June Commission Meeting
- If requested, hold another public meeting prior to June Commission meeting in the local area



Staff recommends that the Commission approve publishing the Notice of Proposed Rule, provided in the background materials, in the Florida Administrative Register. Staff will bring the proposed rule amendments back to the June Commission meeting for final rule approval. Staff requests, as a result of the public support for the rule amendments, that another public meeting be held prior to the June Commission meeting only if requested by a member of the public, in accordance with 120.54(3), Florida Statutes.