

PALM BEACH VESSEL TRAFFIC STUDY WORKSHOP MEETING
BOCA RATON ADMINISTRATION BUILDING
MAIN AUDITORIUM – 6500 CONGRESS AVENUE
BOCA RATON, FL
MAY 6, 2009 – 6:00P – 8:30P

The workshop was called to order at 6:00 p.m. by Major Paul Ouellette.

Members of the Boating and Waterway staff in attendance were: Major Paul Ouellette, Captain Carol Keyser, Ms. Tara Alford, Mr. Luke Davis, FWC - GHQ, Tallahassee; and Mr. Bill Sargent, FWC - St. Petersburg.

Local FWC Law Enforcement was: Captain Dave Schaeffer, and the City of Boca Raton PD. Other attendees included: Mr. Roger Anderson, PBS&J.

Major Ouellette gave a short introduction on where we are at this point in the process and Major Paul Ouellette advised what our authority was, why we were here and why we were not.

Captain Keyser then proceeded with the power point presentation to the group.

The questions and comments below were provided by the group.

Mr. Christopher Salim – He is concerned that he cannot go through the Boca Inlet at slow speed zone.

A comment was also provided by a Boca Raton officer who stated the area was enforced as slow speed.

Mr. Michael Munro – Boca Raton – He is questioning the consistency referenced in the presentation and doesn't see any reason for consistency when boating safety is an issue. He also thinks we could consider each bridges separately.

Mr. Greg Boan – Highland Beach – He wanted to suggest that we look at wake heights in the ICW (i.e., Broward Co. 15" wake/30 MPH) in lieu of additional regulation. Also wanted to know about additional enforcement in the area between Highland Beach and Delray Beach where excessive speed is especially bad.

Captain Dave Schaffer – FWC does the best we can with resources available. Waterway covered by Sheriff's office as well. He provided the FWC 888-404-FWCC, stating it was operational 24/7 and was FWC's dispatch in that area.

Mr. Don Winans – Boca Raton – He is the marine representative for Boca Harbor group and objects to the focus area from Highland Beach to Spanish

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River Bridge. He also questioned the signage in and around the Palmetto Park Bridge; he is stating the signage marker 56 to the Palmetto Park Bridge is incorrect.

Mr. Dennis Popaca – Boca Raton – He is not in favor of the zone at Spanish River Bridge. He is also concerned about slow speed regulation at the Boca Inlet Bridge.

Mr. David Arm – Boca Raton – He thinks that some bridges need to be regulated, but not all.

Mr. Kevin McNally – Delray Beach – He is concerned about the proposed idle speed zone around Peanut Island, Lake Worth Creek and Jupiter Inlet. He wants all idle speed zones eliminated completely, as they take away boat control.

Ms. Ronnie Svenstrup – Highland Beach – He referenced a study by Palm Beach Environment Regulation, losing 80' of mangroves due to large boat wakes. She also stated that weekends are prime problem times with large vessels towing children and such on weekends.

Mr. William Svenstrup – Highland Beach – He is originally from New Hampshire, and described a law there which requires vessels coming within 300' of each other or a docked vessel must operate at slow speed. He thinks this would also discourage PWC's jumping wakes and the like.

Mr. Larry Gabriel – Boca Raton – He lives on Lake Rogers, and urged us to consider the proposal provided by Gene Folden (boats over 35' go slow). The larger vessels using this area are often plowing and operating at a high speed and wakes as large as 6'. He stated the Spanish River Park is dangerous for vessels trying to dock in this area, and the inability for the citizens to use this park due to the wake action. He also spoke to the lack of enforcement around this area.

He also spoke about the PWC's in the ICW and stated that they do not have forward motion at idle speed.

Mr. Gene Folden – Boca Raton – He wanted to discuss the 'slot zone'. He contends this zone is based on size (enforcement) and applies only to vessels 35' and larger. It would run from the Spanish River Bridge south to marker 56 in Lake Wyman.

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He believes as it currently exists in this area, many vessels have obstructed visibility and may not see individuals which might have fallen in the ICW. He is also concerned for the canoes/kayaks and waterskiers in area.

Mr. Folden also discussed 4 accidents which have occurred in this area, and believe that all are directly related to speed and wake. Commended FWC on their job in this issue.

Ms. Marilyn Kaplan – Boca Raton – She believes the proposed zone by Mr. Folden is a good idea and supports it.

Mr. Lawrence Mahoney – Highland Beach – He believes the afternoon boating traffic in this area is heavy and typically in violation of the posted zone, and there is little enforcement.

Mr. Robert Wechslen – Boca Raton – He is concerned with the area from the George Bush Bridge southward. He stated it was a narrow waterway and boats are travelling too fast in an effort to beat the bridge closure. He also pointed out there is very little enforcement in either area.

Mr. Walter Janke – Highland Beach (Seagate) – He stated that ½ way between Linton and the condo, the wakes in this area are extremely high and on weekends. Would like to see an idle speed zone in this area.

Ms. Anita Casey – Delray Beach – Lives between Bush and Atlantic Bridges and noted that boats speed between the bridges, and in such an incident her Mother was nearly swept off the seawall. She also mentioned that Coastal Magazine wrote an article on this area. The speeding vessels have caused damage of seawalls and landscaping. She mentioned that major accidents are certain to happen if nothing is done.

She also thinks that many of the boaters are also speeders, and thinks licensing is something that is needed. She also thinks that many of these same boaters should take a boating safety course, and suggested that FWC might have a little 10 minute spot on local television to reiterate rules and regulations along the ICW, and it might assist in educating boaters.

Mr. Frederick Foote – Highland Beach – He read an excerpt from a letter he wrote to his condo (Seagate) association regarding a vessel speeding through the ICW which knocked him from his boat and down to the

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starboard deck spraining his back. He is in favor of an idle speed or slow speed zone.

Mr. Bill Salim – Boca Raton – He wants no speed limits between Spanish River Bridge to Lake Wyman. He also questioned why the Spanish River Bridge is being regulated.

Mr. Jim Knight – Boca Raton – He advocates opening up Lake Wyman to waterskiing.

Mr. Don Platz – Highland Beach – He is in favor of slowing the larger vessels in this area similar to the proposal at Spanish River Bridge 'slot zone'.

Mr. Ken Blair – Delray Beach – lives between Bush Bridge and ????. He is a proponent of size based regulation; suggested a linear foot regulation, for example a 35' Sea Ray makes considerable larger wake at 35MPH that a smaller displacement hull. He is also concerned about the decibel level for vessels. He is also in favor of a wake height because of the seawall issues within this area.

Mr. Patrick Kay – He is opposed to further regulation at Spanish River Bridge area, and is favor of continued waterskiing in area.

Mr. Cassius Cade – Boca Raton – He is proposing the 300' at Spanish River Bridge be shortened to 100' either side, as it is typically used for waterskiing.

Mr. Joe Kuhn – Highland Beach – He is concerned with the proposals. He states that he is on the water (ICW) at least 3 times a week. The boaters are typically out between noon to 6p on Sunday, and on Saturday from around 2p and 5p. He does not understand where all of the speeding vessels many of the individuals present are talking about.

Mr. Gerald Ward – Riviera Beach – He stated he supported Mr. Kuhn's comments as he doesn't see the problems discussed by many of the individuals present tonight.

He also stated that he was grateful for the maps provided to go along with the proposed zones.

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He discussed the 300' proposals around bridges and would like to see more data on the bridge size, width, etc. using USACE criteria.

He suggested that a look at the University of Miami study done for Palm Beach Co., be looked at, that while dated they would still be useful.

Further suggested that we continue with the consistency on bridges. He stated he would like for Captain Alan Richard, Assistant FWC General Counsel to take a look at 68D-23.105 to make changes to the criteria are necessary.

Mr. Ward suggested that staff consider Slow Speed for the Bush Bridge instead of Idle Speed. Also reminded us of his request to remove the proposed Idle Speed zone at the Riviera Beach Municipal Marina, which is currently regulated as Slow Speed.

Mr. Ward supports the proposal at Palmetto Park Bridge.

Mr. Ira Oaklander – Highland Beach – He wanted to discuss the area between Spanish River Bridge and Linton Bridge. He believes this area is the most narrow and dangerous in the ICW.

Mr. Cass Reise – Highland Beach – He is not in favor of regulation of the ICW in this area. He lives about 4 condos down from Seagate and is not in favor of more regulation in the Spanish River Bridge area.

Ms. Lisa Wilcox – Highland Beach – She is not in favor of additional regulation along the ICW. She stated that she sees respect and cooperation between boaters in this area and doesn't want to see the ICW shut down.

Mr. Drew Martin – Lake Worth – He voiced his concern about damage to mangroves. He is a kayaker and is concerned with the speeds vessels are currently operated. He would like to see more in the vessel traffic study about non-motorized vessels (kayakers/canoes). Believes higher rates of speed contribute to accidents.

Mr. Art Grossman – Boca Raton – He is in agreement with the proposal for the Palmetto Park Bridge area. He is support of licensing of all boaters.

He spoke of the Highland Beach concerns, and suggested that they might want to come to Lake Boca on the weekends to see the problems which

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routinely occur in this area. He doesn't think that either of these areas. He proposes that the Lake Boca area be idle speed.

Mr. Reed Kakuska – North Palm Beach – He thinks some of the ideas discussed here tonight would work very well in the north end of the county. Specifically he thinks the area between Bert Winter and Juno Park would be a good location for a 35' and larger boating zone. Additionally he is concerned about the proposal for a slow speed zone in the bend area just north of the Parker Bridge, should be a 30MPH zone. He recommends the existing zone at Parker Bridge be left as is.

Mr. Jack Gleeson – Highland Beach – He recommends the area of the Boca Inlet 'elbow' be extended from the current proposal. He also supports regulation of the bridges, but doesn't think all areas are in need of the 300' regulation. He also wants the Spanish River Bridge to be regulated at idle speed no wake 100 yards either side of the bridge.

He would like to discuss the Lake Wyman regulation (manatee) with our Imperiled Species folks. He wants increased enforcement in the Highland Beach.

Mr. Louis Stern – Highland Beach – He thanked FWC for their efforts. He is participating in tonight's workshop as the planning director for the Town of Highland Beach (he provided to FWC staff resolutions #741 and 749).

He actually requested an idle speed no wake zone for this area, but realizing it not to be practical he stated slow speed would work to alleviate increased boating and damage to boats.

Mr. John Gale – Delray Beach – He is concerned about the large wakes by vessels between Linton and Spanish River Bridges. He proposes regulation of the size of the wakes and the size of the vessels creating the wakes.

Mr. John Reilly – Boca Raton – He welcomed us and advised us the facility would be available in the future. He is concerned with additional regulation between the C-15 canal and the Spanish River Bridge, and stated that the City of Boca Raton doesn't want any additional regulation in this area. He went on to state the City was in favor of consistency and established for boating safety, (the criteria). Additional regulations will increase travel times, burn more fuel and wants the ICW to be kept open for all users.

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Mr. Bob Domin – Highland Beach – He suggested that the local marine law enforcement might want to use radars for the Highland Beach areas, and they would be surprised to see the number of speeders.

He further advocated the establishment of a weekend zone in this area. He is concerned about the skiers in the area that fall and then become invisible to the boat operators in this area. He also stated that the Town of Highland Beach doesn't have a marine unit.

Mr. Howard Gates – Boca Raton - He thinks weekends are an issue in this area; he operates at slow speed when he heads out for a weekend of fishing. This area is full of boaters, water skiers, tubers, etc.; He thinks that perhaps a slot zone at the north entrance of the public police marina north to Lake Boca.

Ms. Nancy Hogan – Ocean Ridge – She thinks this area is extremely narrow in this area. She is also concerned with the manatee in this area as well as the boaters on tubes, etc. She is concerned about the destruction of seawalls in her area.

With all participants having spoke, Major Paul Ouellette summarized what we had heard and advised that FWC is not ready to propose an implementation schedule for the proposed rule.

Major Ouellette called the workshop to an end at 8:50 p.m.

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The following emails were received after the May 5th workshop in Jupiter, Florida. They are verbatim as received via email, simply cut and pasted into the minutes.

Mr. Greg Nordheim - Highland Beach - I wanted to voice my opinion as a FULL TIME resident of Highland Beach in opposition to ANY motions to further restrict speed in the ICW between Linton Blvd going south to Boca Raton (Palmetto Park Rd.). Unfortunately, I will be in India for the meeting on Wednesday night May 6th. As a former Florida Marine Patrol officer and current year round resident of Highland beach for the past 7 years, I have never experienced any boating safety issue on the high speed areas that remain.

I am extremely aware of safety on the water having 4 and 6 year children and a small boat (20 ft) in which we are able to tube, ski, and in a reasonable amount of time visit both the sand bar area at Boca Inlet and Spanish River park by water. Even with LARGE vessels putting out wakes while under way, I am able to safely operate my vessel in the ICW as well as dock it on my canal in Highland Beach.

Having been born in Miami and raised in S. Florida and bearing witness to an ever shrinking area of recreational water, I would be willing to appear, speak, and give rides to anyone involved with making a decision to restrict speed in the ICW so that they can see firsthand how random any potential problems concerning safety, wildlife, and navigation really exist.

Mr. Rick Howard – Boca Raton - I wish to register my opposition to a no wake zone being imposed from the C15 canal to the south end of Highland Beach.

We live just off the intracoastal and are boaters. We see fellow boaters enjoying water sports such as wake boarding and skiing in this area. The intracoastal is quite wide in this area and while well traveled is relatively safe.

We boaters would like to be able to continue to use this stretch of waterway for more than idling along at no wake speed. Accidents are few and the area offers safe 25 cruise speed.

Please keep this area at 25 for all of us to enjoy.

Mr. Jack Block – South Boca Raton - I have been boating the ICW for quite some time, as a person who can't afford to live in one of the mansions on the water, it would be a hardship to install a no wake zone between Boca and Highland beach.

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The ICW is the only alternative to the Ocean during the rough months in the winter. There have been few incidents of boaters jeopardizing safety in these areas. It would it seem that the concept would serve only the interests of a few wealthy landowners who knew exactly what the circumstances and speed zones were on the water when they bought. The majority of boaters is respectful of the posted zones and fully complies with the present regulations. I object to the change.

I hope you will consider my opinion before making your final decision at tonight's meeting.

Mr. Gus Amigo - Hillsboro - This email is to confirm that I am opposed to any sort of further speed restrictions resulting to more "No Wake Zones" to the ICW in the Boca area.

Mr. Victor Podd – Boca Raton - I am a Boca Raton resident and object to any additional No Wake Zones. It already takes me 1 hour to get from my home in Royal Palm CC to my friends house at Spanish River Road and the ICW. If more no wake zone is imposed I would have to take the ocean to the Boynton Beach Inlet and backtrack wasting more fuel & time.

The other point to consider is where can boat when the seas are 5' to 6'? I am not going to just putt around at idle all day, makes no sense at all. It's like telling cyclists that they cannot exceed 5 MPH. This proposal will only enlarge our carbon footprint in these "Green" times! In my opinion Government restriction has already gone too far, next thing you know I will have a No Wake Zone imposed in my Bath Tub! Thank you for your consideration and please feel free to contact me anytime.

The DiZenzo Family of Five – Boca Raton - We are boat owners in Boca Raton, and would like out vote to be heard in tonight's meeting regarding the no wake zone being revised. We are against updates to the only NO WAKE ZONE in our area. We object any changes to the area.

Mr. Bill Askey – Jupiter - I am a Palm Beach County boat owner, and reside in the unincorporated area of Palm Beach County west of Jupiter (Jupiter Farms). I am writing to register my opinion AGAINST the proposed increase in the no wake zone coverage on the ICW.

A traffic study was completed, at taxpayer expense that concluded it was not necessary to change the no wake zone coverage on the ICW. This study

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addresses the concerns of the public at large, and not the narrow concerns of individuals that reside on ICW waterfront residences. Whereas the well organized rally by local ICW residents provide the illusion of a majority in favor of increased no wake zone coverage, the public at large is best served by implementing the initial recommendations of the taxpayer funded FWC, which were based on the results of the taxpayer funded traffic study that the FWC recently conducted.

Mr. Steve Fentress – Jupiter - I am a Palm Beach County boat and waterfront property owner and reside in the town of Jupiter. I am writing to register my opinion AGAINST the proposed increase in the no wake zone coverage on the ICW. The traffic study that was completed, at taxpayer expense, concluded it was not necessary to change the no wake zone coverage on the ICW. This study addressed the concerns of the public at large.

Whereas the well organized rally by local ICW residents provide the illusion of a majority in favor of increased no wake zone coverage, the public at large is best served by implementing the initial recommendations of the taxpayer funded FWC, which were based on the results of the taxpayer funded traffic study that the FWC recently conducted.

Mr. Robert Fowler – Jupiter - I am a Palm Beach County boat owner, and reside in the town of Jupiter. I am writing to register my opinion AGAINST the proposed increase in the no wake zone coverage on the ICW.

A traffic study was completed, at taxpayer expense that concluded it was not necessary to change the no wake zone coverage on the ICW. This study addresses the concerns of the public at large, and not the narrow concerns of individuals that reside on ICW waterfront residences. Whereas the well organized rally by local ICW residents provide the illusion of a majority in favor of increased no wake zone coverage, the public at large is best served by implementing the initial recommendations of the taxpayer funded FWC, which were based on the results of the taxpayer funded traffic study that the FWC recently conducted.

Mr. Steven P. DeLuca – South Palm Beach - I have been boating in South Florida for over 25 years and currently spend quite a bit of time in the South Palm Beach ICW and do see any justification to impose any further NO WAKE ZONES the effect of which would be to substantially eliminate the enjoyment of recreational boating. Stop over reacting to busy body

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loudmouth complainers who just can't stand anyone else who is enjoying themselves. There is no need for any further restrictions. Thank you for the fine job the Commission does.

Mr. Frank Tippet – Boca Raton - I attended the Boca workshop last evening, I did not speak last evening. I did not come with an agenda; however I did leave with one. I'm a boat owner and I have lived on Spanish River Blvd for almost 25 years. I have seen the boat traffic increase dramatically over that period of time. I've seen many "close calls". An example: a Sunday afternoon, a small sailing vessel was heading south through a bridge opening, with the tide, along with at least a half dozen other boats. As the sailing vessel was coming through, a rather large northbound cruiser doing at least 25 mph and throwing an enormous wake almost capsized the sailboat and put its mast into the pilings. Luckily no one was seriously injured. The cruiser never slowed down or looked back.

It's just a matter of time before someone gets hurt if the situation remains the same. I agree with the plan for a minimum wake zone at the Spanish River Bridge. For safety's sake, it's imperative.

The Honorable Roger Bennett, Mayor of Briny Breezes - The town of Briny Breezes seeks the assistance of the Florida Fish and Wildlife Conservation Commission in solving issues regarding the community's marina (approximately 1036.3 Intracoastal Waterway statute miles south of Norfolk). As may be recalled from recent media coverage, the community of Briny Breezes is owned by a corporation. That corporation, Briny Breezes, Inc., is then owned by the residents of the community. Therefore, the marina is technically privately owned and currently is listed as that in the Commission's Palm Beach County Vessel Traffic Study. That study lists the marina under the name of Pelican Cove, which is a mistaken identification. It should be listed as the Briny Breezes Marina.

As mayor of the community, I wish to petition the Fish and Wildlife Commission to list the marina as being open to the public. It is the adopted policy of the board of directors of the corporation that a majority of the slips in the marina be open to the public. The marina has 68 slips and most are reserved for the public. Currently only 12 of the 68 slips are leased to residents of Briny Breezes and 36 to persons residing outside of the community. At the moment 18 slips are vacant and those would be open to the public. The main reason for the policy of permitting outsiders is that the

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Briny Breezes community also has three canals which provide 36 slips for residents who reside along those waterways.

In addition to the requested name change and the request to be listed as open to the public, I am seeking help in preventing damage to boats in the marina. The corporation has had difficulty keeping slips rented in several of the marina's outer slips which are adjacent to the Intracoastal Waterway.

Mr. Douglas Baumgarten, dock master of the Briny marina, reports that over the last several years boats docked in several of the outer slips have received extensive damage from wake in the Intracoastal. This has resulted in a constant turnover in those slips. Mr. Baumgarten reports that boats constantly travel within a few feet (as few as 15) as they pass Briny Breezes, which is located on the east shore of the Intracoastal. One of the main reasons for boats hugging the east shore is that the west side of the Intracoastal in that area is very shallow.

Mr. Baumgarten contends from his preliminary study that those boats traveling near the east shore are encroaching on the established manatee zone. Residents report constantly seeing manatees in the community's canals. Extension of the slow speed zone on the south side of the Woolbright Road Bridge by one-half mile would solve the problems of the damages occurring in the marina and would slow boats that are venturing into the manatee zone. Thank you for any assistance

Ms. Bonnie Theise - I am writing in regard to the study being done by the Florida Wildlife Commission to review the need to lower the speed limit for boats over 35 feet in the Lake Rogers / Lake Wyman area of Boca Raton. I am in support of changing the speed limit to slow speed/minimum wake in this area for boats over 35 feet. My family has been a long time resident of the area and enjoys water skiing, kayaking, and other water sport activities in the Lake Rogers area. The huge wakes generated from the larger fishing and cigarette boat vessels speeding down the Intercoastal creates an extremely hazardous condition for water skiers and kayakers as well as other smaller boats. I am happy to hear that the commission is responding to the safety concerns of the residents in the community.

Mr. Brian Theise - I am a Lake Rogers resident since 2000. I was not able to attend the meeting last week. My family uses the lake rogers area extensively for in-water sports activities. I am in favor of a slow speed for larger vessels...i think it would be sufficient to enforce this on sat/sun only

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and allow full operation mon thru friday...similar to the wake rules between camino bridge and deerfield island park.

Mr. Jack Fox - I am writing to voice an opinion on the Proposal to limit speed to "SLOW SPEED/MINIMUM WAKE" for vessels over 35 feet in the waterway between Spanish River Bridge and Lake Wyman.

I am writing in several capacities:

1. I am Co-President of the Beach Condominium Assoc, a twenty year old group of 63 condominiums along A1A in Boca Raton & Highland Beach, which meets monthly to share mutual concerns.
2. I am a property owner in the Yacht & Racquet Club of Boca Raton, Inc (located along the specific stretch of water mentioned) and I serve as Commodore of the Yacht Club (approx 40 vessels) located within Yacht & Racquet Club. I am also owner of a 50 foot Motoryacht located within the marina at Yacht & Racquet Club, and have been a power boater for over 40 years.

I favor this speed limit (even though it may be an inconvenience to me and my vessel) because this area of the waterway is too limited in width to allow large vessels to achieve high speed in an area where smaller vessels and even kayaks travel on a regular basis. I have seen large vessels, travelling North, attempt to pick up speed and come up on plane just as they clear Lake Wyman. As their bow rises, their visibility is limited while at the same time, they tend to produce a gigantic wake which causes small vessels, sailboats and kayaks in this area to become almost uncontrollable, with few options to prevent collision or capsize

At night the level of danger is multiplied several fold.

In addition, we have many ski-do type small vessels, with young children operating in this area as well as water skiers being pulled by smaller boats. Mixing the dynamics of large boat speed with the needs of these smaller recreation vessels in the same limited area, is a recipe for danger and disaster.

I therefore, respectfully, request that this section of the intra-coastal waterway be limited to slow speed/minimum wake. Thank you for taking the time to hear citizen comment on this very important issue.

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Ms. Susan Fabre - I would also like to comment on the proposed rule. The gentleman who conducted the study on which the proposed rule is based stood up at the meeting last week and stated that the data in the study is flawed, due to a number of reasons. Accidents and other incidents had to be thrown out if a specific location was not given in the report. This clearly makes the study less than probative evidence, and leaves the testimony of those who live along the ICW, particularly in the most hotly contested area between Bert Winters Park and Juno Park the most compelling evidence. As one who lives in this area, I cannot over emphasize how dangerous this area of the ICW is. It's all been said many times over, so I won't repeat it, but I certainly hope you listen to the overwhelming response to make this area of the ICW "No Wake" and take action to do so. Thank you.

Mr. Larry Kelleher - Thank you and your associates for the time, persistence and hard work over the past 4 years related to changing regulation of the ICW. The only area of the proposed rule I would respectfully request you reconsider is the regulation of the small 1/2 mile stretch of the ICW between Bert Winters Park and Juno Park, aka, "Lake Worth Creek". My request is premised on the following relevant information.

1. Every public meeting held has contained a resounding public statement requesting this area be made "Idle Speed No Wake" for safety reasons. This was documented with the "sticker survey" you conducted.
2. This 1/2 mile area "Lake Worth Creek" is bounded on each end by two heavily used public boat ramps. Furthermore, the south end boundary, which is already "No Wake" contains heavy marine traffic from five restaurants and a large 200 plus slip marina, {Soverel}, along with two boat yards (E & H and The Ways). The north and south "No Wake" areas immediately adjacent to the subject 1/2 mile Lake Worth Creek area contains two public boat ramps which also significantly impact the traffic volume, congestion and resultant safety risks in the subject 1/2 mile area. The subject area, Lake Worth Creek, contains 2 marina "dockominiums" on the ICW with approx. 160+ slips, 3 canal intersections which supply additional boat traffic and hazards, a blind "S" curve, and a government owned soil and fill loading and offloading site, which is heavily used by barge and tug traffic.
3. These factors, plus the narrow width in this part of the ICW makes it a more hazardous area than currently designated "No Wake" areas, eg. the area just north of the Indiantown Bridge or the area just south of the PGA bridge. For these reasons, the proposed amendment to make this stretch of

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the ICW "Minimum Wake" will not be effective in reducing the current hazards in this 1/2 mile area.

In my personal discussion with a representative of the "study", he acknowledged that data for this specific area is inaccurate. He acknowledged that the data does not accurately reflect all incidents and citations due to inconsistency in reporting in local and state record systems, and a lack of enforcement in this area. Therefore, first hand accounts by people such as myself and numerous others that attended the meetings who live along this stretch of the ICW which have been expressed at the public hearings via comments and "dot" surveys should provide the relevant evidence for a "Idle Speed No Wake" zone in this area.

***** SUMMARY CONCLUSION FOR A RECOMMENDED SOLUTION*****

As a licensed USCG capt. I know "Slow Speed Minimum Wake" is a vague and misunderstood term, and is not easily enforceable, particularly in a highly congested area that is not adequately enforced for numerous valid reasons. Furthermore, the time difference to traverse this 1/2 mile distance given minimum wake vs. no wake is an average of less than 5 minutes therefore it is not a relevant factor.

A "No Wake" designation in this 1/2 mile Lake Worth Creek area will provide a clear, safe and contiguous speed in an area between two boat ramps and north of a large marina, 2 boat yards, 5 restaurants, 3 canal intersections, a dangerous "S" curve, and commercial barge and tug operations. I have been a resident in the subject 1/2 mile area (residing in 4 different houses along this stretch of water) for over 20 years. I have observed increasingly hazardous conditions, injuries, accidents and near misses that occur at all hours and on all days of the week. It is not a seasonal or weekend only danger, nor is it only a boat size issue.

I own a boat company. However, I believe safety is paramount to speed. Accidents, injuries and death will not help the boating industry; and in this 1/2 mile stretch of the intracoastal, speed, congestion and physical factors are the imminent dangers that exist on it every day.

I appreciate your reviewing anew the proposed regulation in this 1/2 mile Lake Worth Creek area in light of this data. I strongly urge you to prevent future accidents, injuries and deaths in this Lake Worth Creek area by changing this to a "Idle Speed No Wake" area before a child or another adult is killed or seriously injured. I would request you please forward this to anyone you believe appropriate in the approval process.

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Mr. Reed Kakuska - Thank you for hearing my input on the matter of additional No Wake Zones on the Intracoastal Waterway in the interests of Public Safety. I appreciate your assurances that local voices will be heard on this matter before any final recommendations are made. I thought that I would take a moment to summarize my thoughts in writing after having taken the opportunity to speak at both of the Public Forums.

My first observation is that the public forum in South County had a much better cross section of waterway resource users (stakeholders) than the North County meeting had. Because the North County meeting was dominated by the lobby of property owners who had a vested interest in adding No Wake or Minimum Wake zones on the section of the waterway behind their homes and condos, I am concerned that your commission may have gotten the wrong impression that there is overwhelming public support for the addition of No Wake or Minimum Wake zones between Bert Winters Park and Juno Park, as well as extending the minimum wake zone north of Bert Winters park to beyond Donald Ross Road Bridge and then extending the minimum wake zone south of the PGA Bridge all of the way to the Parker Bridge. I think that the many working class families who use these areas for family boating recreation would not support this change. Likewise many of the people who need to transit this area of the waterway to get to the ocean to fish would not support this recommendation due to the increased transit time involved. I know that I do not support this change.

I will like the commission to consider the ramifications of further restricting the waterway areas where families can go to water ski or jet ski or wake board. If these areas become restricted, then these families will be forced to either move their activities farther north to the waterway north of the Donald Ross Bridge or south to Lake Worth. These areas will then see higher concentrations of recreational boaters, especially the north areas which will already be seeing higher concentrations of recreational boaters due to the recent closing of the Loxahatchee River to recreational boating. In this respect, I think that this action would be counter to public safety. I strongly urge the commission to follow the guidelines of the boating vessel safety study which indicated that it was not necessary to expand the minimum wake zones in Palm Beach County in the interest of Public safety. The official findings of that report showed that all of the areas of high risk were already covered by boating safety zones. I recommend that the commission follow the results of the study, and not add additional No or Minimum Wake zones. I would also caution the commission to consider the real motivation for intracoastal waterway property owners to lobby for additional No Wake zones. Everyone wants a No Wake zone behind their home (well, almost everyone), but if they bought their homes in unrestricted speed zones, it is unfair to the rest of the

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boating public for them to now clamor to have additional No Wake zones added to the intracoastal behind their homes. I was appalled to hear during the North County meeting that this group clamored to further restrict boating traffic on the Waterway by insisting that the entire 4+ miles between the North End of Lake Worth and Donald Ross Road bridge be further restricted to an IDLE SPEED No Wake zone, not just a Slow Speed Minimum Wake zone, as is proposed in the latest draft. To me, this illustrated the real fact - that they are not really interested in Public Safety nor are they giving any consideration whatsoever to the rest of the boating public, they are interested only in their own selfish interests. Surely they can not argue, with a straight face, that it is necessary for everyone to slow down to an IDLE NO WAKE speed for that entire 4+ mile stretch. That is simply ridiculous.

In accordance with the above arguments, I further recommend that the current boating safety zone be retained south of the PGA bridge and the stretch of intracoastal waterway bordering the North Palm Beach Country Club Golf Course not be converted to a slow or idle speed zone. I was very surprised to see that the commission had changed the recommendations for that stretch of Waterway since the November meeting. In November, the commission recommended that area retain it's current status and not be converted to a slow or idle speed zone, which was consistent with the results of the vessel safety study. We currently have an Idle Speed Zone that starts at the Parker Bridge and goes all of the way to the north end of the Lake Worth. I think that works great as is and can not understand why the commission would change their recommendation for that stretch of the waterway. Again, that area allows fisherman to make some time, it gives a person a chance to make sure the boat is running well before they get too far from home. The area is nice and wide with no docks on either shoreline. It is a safe - no risk zone. Please reconsider your latest recommendations for this stretch of the waterway.

Also, in the interests of public safety, I fully support the requirement of all boaters to be licensed and take boating safety courses that include sections on understanding speed zone signs, understanding how your boat speed effects wakes, boating courtesy, water skier safety, etc. Also, in the interests of public safety, slow speed minimum wake zones for vessels over 35 feet in length should be considered. And, if the commission determines that additional speed/wake restrictions must be applied to certain new areas of the intracoastal (not that I agree with that - but if they do), then I strongly urge the commission to consider imposing these times only from 10am to 6pm (or noon to 7pm, or whatever) during weekends and holidays. But again, I feel that would be a last resort as that

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unfairly restricts the use the waterway to intracoastal waterway users who only have the time or resources to use the waterway during those times.

And finally, my background. I have lived on or near the water my whole life. I grew up on a lake in Michigan. I took boating safety courses as a youth. I learned to water ski and swim and fish and sail and snorkel, and scuba dive and spear fish before college. I attended the United States Merchant Marine Academy at Kings Point where I further learned rules of the road and Maritime Law. I rowed on the crew team in college. I have sailed to South Africa and the Med on merchant vessels. I have lived in Seattle and enjoyed their waterways. I am currently an aerospace engineer and live on the Intracoastal Waterway in unincorporated Juno. I enjoy deep sea fishing and going for boat rides and seeing manatees and I still enjoy water skiing.

Please do not shut down the waterway to us all, for the interests of a few. Thank you very much for your consideration,

Montcool@ - I was unable to attend this week's meeting however, as an avid boater, who lives on the water in Palm Beach County, I wanted to voice my opinion against the proposed boating speed zone changes.

I have studied the Boating Traffic Study your organization provided. The report is a comprehensive look at several years of recent boating data and should be the basis for an changes to current rules. The proposed changes ignore this report and appear to be based on the thoughts of a small non boating contingent. Specifically several of proposed no wake zones are classified as "low risk" in the report. With the existing rules today, we have safe waters in PBC as supported by the study.

Both those for and against will respect proposed changes if they are based on fact, but we must resist acting on emotion and speculation. Let's take emotion off the table and speak only in fact. If we do that you will find the existing rules today are sufficient.

Mr. Al Fries, VP Crown Colony Club - Unfortunately I was unable to attend the public workshop on the above topic but would like to voice my concerns and offer some suggestions.

I am a full time resident of Crown Colony, a 148 unit condo complex in Ocean Ridge, directly north of Briny Breezes and south of the Ocean Ridge Yacht Club. My unit backs up directly to the ICW. I also had a boat docked

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there for two years but due to the damage caused by wakes from speeding boats I had it removed. I have been in boating for the past 25 years and have been a member of the US Power Squadron for 15 years. It is a national organization dedicated to educating the public on boating safety. I have witnessed utter disregard by a number of boaters speeding by creating huge wakes with no concern for others in kayaks, canoes, inflatables and small boats in the area. There are NO SPEED RESTRICTIONS here although the ICW is at its narrowest point ---approximately 500 feet across east to west. This narrow condition continues to exist from my property south to the George Bush Bridge. It is a virtual drag strip between these two points with very little room to maneuver especially when two boats pass each other and small water craft are present. I know since I have been boating here for 5 years. To further complicate an already dangerous condition, the property directly north, the Ocean Ridge Yacht Club, recently built a dock extending over 100 feet into the ICW curtailing visibility and causing the small watercraft into the middle of the ICW. In addition, the Town of Ocean Ridge just opened a public park for residents of Ocean Ridge called Linear Park to grant access to the ICW for launching kayaks etc. These new changes do not appear on your overhead satellite photos, page 23, on the document you posted on your website. I suggest you get current satellite images and visit the area especially on the weekend, to access the potential danger here.

If the FWC can update the regulation regarding vessel speed limits in the area I mentioned above, between the Woolbright Bridge and the George Bush Bridge, to a Minimum Wake Zone or a 10mph limit, the public would be a lot safer. I am a boater and enjoy going fast at times in open water but this section of the ICW is too narrow and not safe because of the excessive speed of many boaters. If your primary concern is for public safety then please put in some speed restrictions here. I would also encourage the local Marine Police agencies request additional funding so that the area this can be properly patrolled

These are all of the comments received as of May 12, 2009.