

RECREATIONAL BOATERS OF CALIFORNIA

KEY ISSUE OVERVIEW

May 15, 2008

INVASIVE SPECIES

RBOC understands the sense of urgency to address aquatic invasive species, which are a very real threat and can cause significant environmental, recreational and economic impacts once they become established in a body of water. It is in the best interests of all stakeholders to be pro-active and persistent.

RBOC is engaged in efforts with the state Department of Boating and Waterway, the Department of Fish and Game, and regional water agencies in an effort to promote timely, effective approaches to this issue.

Time is of the essence. Closures of significant waterways have taken place because of non-native mussels – including Lake Casitas, Santa Clara County reservoirs, and Westlake. Others closures are anticipated.

RBOC is urging action now. The State of California should expand 24/7 border crossing inspections of trailered boats entering California from other states. The state should also fully fund a systematic, comprehensive response to the risk of aquatic invasive species as soon as possible. Other components of a management plan should include robust watercraft inspection protocols. Comprehensive, systematic and routine water quality monitoring should be tailored to aquatic invasive species. This can include deploying divers to ensure that these species are not present and to initiate rapid response measures when they are discovered. Additional measures include boat wash down stations and an effective education campaign with non-governmental organizations to reach the broad boating and angling public.

Park authorities throughout the state have implemented detailed boating inspection programs at more than 22 reservoirs.

Legislation is also moving forward in the State Legislature.

AB 2065 [Hancock] would require a water district that owns or manages a waterway to develop and implement a monitoring and control program to prevent the introduction of nonnative mussel species.

SB 1390 [Hollingsworth] would prohibit the taking of more than one individual non-native, game mammal during an ecosystem restoration project except if the individuals are diseased, invasive as determined by the commission, or a threat to public health as determined by the commission or the Department of Food and Agriculture.

More information is available to boaters on actions that can be taken to prevent the spread of invasive species at:

http://www.dfg.ca.gov/invasives/quaggamussel/docs/quagga_boaters.pdf

FEDERAL BOATER PERMIT

RBOC is advocating, in concert with national boater advocates BoatU.S., enactment of legislation to revise federal law so that the EPA will not be required to adopt regulations requiring all recreational boaters to obtain a permit to operate their boats.

The unprecedented scope of this new permitting program would impose severe practical and financial hardships on millions of recreational boaters. A federal court decision which is being appealed currently mandates an EPA program by September 2008.

Both of our representatives are working on our behalf. Senator Boxer is co-authoring, and Senator Feinstein is sponsoring S. 2766. This measure would enable recreational boaters, anglers and charter boats to continue as they always have, without individual NPDES permits.

Boaters are encouraged to communicate their support of S. 2766. More information is available at:

<http://www.boatblue.org/takeaction.aspx>

BOATER FEES AND TAXES

RBOC is working to protect boater fees and taxes as the state struggles with an anticipated \$16 billion budget deficit. Boater-generated revenues should support programs and services that benefit the boating community.

The Governor has proposed an \$84 million budget for the Department of Boating and Waterways [DBW] for the upcoming 2007-08 fiscal year. This includes:

- \$31 million for boating facility construction loans and grants
- \$22 million for loans to public agencies to develop, construct and renovate recreational marinas.
- \$3.7 million for grants to local agencies for public launching facilities.
- \$5 million for loans to private marinas for construction.
- \$10.6 million for boating safety and education, financial assistance and training to local boating law enforcement, and licensing for-hire boat operators, yacht and ship brokers.
- \$5.4 million for the development and improvement of boating facilities on state-owned and state-managed properties.

The Governor's May Revision to his budget proposal would also provide an \$84 million budget for DBW. The budget deliberations will now accelerate as the fiscal year that begins on July 1 approaches.

VESSEL OPERATOR CERTIFICATION

RBOC is sponsoring AB 2110 [Duvall], legislation to phase-in a requirement that each operator of a motorized recreational vessel pass a state-approved test, obtain a lifetime certificate issued by DBW, and have that certificate upon them while operating.

RBOC is continuing to work together with the author, the Governor's administration, the State Legislature and boater stakeholder groups in order to move the important issue of vessel operator certification forward towards enactment.

BOATING UNDER THE INFLUENCE

RBOC is supporting AB 2073 [Benoit], legislation that would increase the sanctions for those who are convicted of repeat violations of the boating-under-the-influence laws.

COPPER-BASED ANTI-FOULING PAINTS

RBOC will be working with the Department of Pesticide Regulation [DPR] as it develops best management practices for the use of anti-fouling paints and reviews copper-based anti-fouling paints.

RBOC supports efforts to preserve and enhance water quality with the application of unbiased, sound scientific studies. It is critical that governmental actions reducing or phasing-out the use of copper-based anti-fouling paints be predicated upon objective scientific studies regarding the sources of copper in specific affected water bodies, as well as the impact of that copper on native species of wildlife. It is also essential that alternatives to copper-based anti-fouling paints are available, affordable, and effective.

ABANDONED VESSELS

RBOC is supporting AB 1950 [Lieu], legislation to authorize boaters to voluntarily turn in vessels to local governments as an alternative to possibly abandoning them on the waterways. This new boat turn-in legislation may also revise the current laws to facilitate funds to local governments to remove abandoned vessels from the waterways.

BOATING FACILITY ENHANCEMENT

SB 1435 [Ducheny] would authorize loans for planning, design and other similar expenses to develop a private Recreational marina.

REGIONAL ISSUES - Where Boaters Are Advocating with RBOC Support for Boater Accessibility

SACRAMENTO-SAN JOAQUIN DELTA

RBOC is participating in the Delta Vision process to ensure that efforts to enhance water transport and storage, and to improve levees, acknowledge boater rights. RBOC is urging that, as progressive and long-term solutions are developed, any gates or barriers on navigable waterways be constructed with moveable, operable and manned locks that allow boat passage. If gates or barriers are absolutely necessary, then boaters require mitigation to lessen the adverse impact.

The boating public also recognizes our entitlement to navigate the waterways of the Delta as set forth in the Public Trust Doctrines of this state and the Delta Protection Act of 1992 that contains the State's policies to preserve and protect the use and enjoyment of the Delta for current and future generations. The Act further states the goals to protect and where possible enhance recreational activities.

LAKE TAHOE

RBOC is supporting the efforts of local boaters and clubs who are concerned with a proposed "Blue Boater Program" that would require boaters using the lake to purchase a decal and support alternative mitigations.

This proposal could become re-activated at the Tahoe Regional Planning Agency [TRPA]. The program as currently proposed does not balance the important goals of environmental protection with boater impacts, and goes further than the mitigations connected with the proposed shorezone ordinance.

✓ ***Visit RBOC on-line:*** at www.rbooc.org for the latest updates, press releases, calls-to-arms, and reports on government relations issues impacting the recreational boating community.

Recreational Boaters of California [RBOC] is the nonprofit governmental advocacy organization that works to protect and enhance the interests of the state's recreational boaters before the legislative and executive branches of state and local government.

RBOC is celebrating its 40th anniversary as a statewide organization which since 1968 has continued its commitment to promoting the enjoyment, protection, and responsible use of our waterways.