

## ADMIRALTY &amp; CANOE TRIP COMMITTEES

**Maritime Extent of Florida Laws**

Article II, Section 1, of the Florida Constitution provides that the state's boundary (and its laws not in conflict with established federal maritime law) extends from the head of the St. Mary's River, which forms the border between Georgia and Florida, to the Atlantic Ocean, "thence due east to the edge of the Gulf Stream or a distance of three geographic miles whichever is the greater distance; thence in a southerly direction along the edge of the Gulf Stream or along a line three geographic miles from the Atlantic coastline ...

and three leagues\* distant from the Gulf of Mexico coastline .... and three leagues distant from the southernmost point of the Marquesas Keys ... and Loggerhead Key, the westernmost of the Dry Tortugas Islands."

The Gulfstream is a 40-50 mile wide stream of water moving northerly along Florida's Atlantic coast at 2-3 Knots\*. Its western edge is a moving target which varies daily and significantly during a year. On January 28, 2017, the National Weather Service Marine Forecast reported the edge was approximately 22 nautical miles\* ("NM") south of Loggerhead Key in the Dry Tortugas, 28 NM from Marquesas Key lighthouse off of Key West, 31 NM south of Looe Key off Pine Key, 9 NM ENE of Port Everglades, 4 NM ESE of Lake Worth Inlet, 10 NM SE of Jupiter Inlet, 17 NM East of Fort Pierce Inlet, and 43 NM NE of Ponce Inlet (Daytona).

In *Benson v. Norwegian Cruise Lines Ltd.*, 859 So.2d 1213 (Fla. 3rd DCA 2003), the court applied Florida law to an alleged act of medical malpractice that occurred on a cruise ship about twelve miles from shore when the edge of the Gulfstream was 14 NM from shore on the date of the alleged malpractice.

Look for a recap of the 2017 Camping and Canoe Trip in an upcoming issue of *The SideBar!*

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\* 1 NM = 1.1508 Statute ("Geographic") miles; 1 League = 3 NM = 3.45234 Statute Miles; 3 Leagues = 10.36 Statute Miles; 1 Knot = 1 NM per hour