

## ADMIRALTY & CANOE TRIP COMMITTEES

### Florida Fish and Wildlife Conservation Commission (FWC) Report



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Chair

On December 21, 2016, FWC issued its report to the Florida legislature regarding the 2009 Anchoring and Mooring Pilot Program created in Section 327.4105, F.S. The purpose of the pilot program is to assess, and give recommendations for development of legislation to address, the anchoring needs of transient and resident boaters and the wants of the land owners and municipalities abutting the navigable waterways of the state.



In order to promote the establishment and use of public mooring fields, as well as for the protection of mooring field users and marine infrastructure, and navigational safety, FWC recommends the following:

- Establishment of a 300 foot buffer beyond mooring field boundaries within which anchoring is prohibited.
- State retention of regulation of anchoring.
- If the legislature grants local governments such authority, it should be granted to counties only, and the county should make available adequate mooring field capacity, at a reasonable cost. Local governments should not be allowed to restrict all anchoring within the area authorized for them to regulate, and an exemption should be created to provide relief should mooring field capacity be met.
- Establishment of a universal, statewide prohibition against allowing an anchored vessel to come within 150 feet of any marina, boat ramp or other vessel launching and loading facility, with some safe harbor exceptions (such as bad weather conditions, government-owned vessels, commercial fishing vessels, and active recreational fishing vessels).

With regard to prevention of derelict vessels, FWC recommends:

- Place a “hold” on titles of vessels deemed derelict when requested by an investigating law enforcement agency.
- Limit who may renew a vessel registration to only the owner(s) of record or a person in possession of a power of attorney from the owner.
- Increase penalties for repeat violations of expired vessel registrations - to a 2nd degree misdemeanor for second or subsequent violations (current law is a non-criminal infraction no matter how many times the owner is cited).
- Waive the requirement for the owner of a derelict vessel to be notified via certified mail, where the owner has received face-to-face notification by a law enforcement officer. An exception/waiver should be created for a vessel that has become derelict as a result of a declared natural disaster or a state of emergency.
- Add an “inoperability” condition for a vessel to be designated at risk of becoming derelict: For sailing vessels – there is no working steering system and the rigging and sail(s) are not present and working, or the vessel is not equipped with a functioning motor. For all other vessels – the vessel is not equipped with a functioning motor, controls, and a steering system.

For the full report, go to: <http://m.myfwc.com/media/4105248/17-anchoring-mooring-report.pdf>