

## **Boater Safety and Bay Education Task Force Meeting**

**Date: February 19, 2025 - 1:00 PM**

Department of Environmental Resources Management

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### **1. WELCOME AND ATTENDANCE**

Chairman, Andy Fernandez emphasized that today's focus is waterway management, a complex issue involving overlapping jurisdictions, designated areas, multiple regulations, signage, speed zones, and enforcement challenges.

He highlighted the dangers posed by uneducated boaters, noting that lack of knowledge leads to unsafe behavior, injuries, fatalities, and environmental harm. The task force's role is to identify gaps, improve communication, and recommend practical, locally achievable solutions to Mayor Daniella Levine Cava. These recommendations should enhance boater safety, compliance, education, enforcement, and environmental protection.

Andy stressed that the ultimate goal is safer boating, clearer rules, stronger education, enhanced enforcement, and a healthier Biscayne Bay. He encouraged members to ask questions and think constructively. Today is the last meeting before drafting the recommendations and the report. He also recognized notable attendees, including representatives from the State Attorney's Office.

### **2. APPROVAL OF AGENDA – Actionable Item**

Chair Andy Fernandez called for approval of the agenda. Agenda approved unanimously.

### **3. APPROVAL OF MINUTES – Actionable Item**

Chair Andy Fernandez called for approval of the Minutes from the November 13th meeting. Minutes approved unanimously.

### **4. MAPS, SPEED ZONES, AND CROSS-JURISDICTIONS IN BISCAYNE BAY**

#### **Spencer Crowley, Florida Inland Navigation District**

- Spencer began by acknowledging the effort it took to establish the task force and expressed optimism about its upcoming report. He introduced FIND, the Florida Inland Navigation District, which is a special taxing district that manages the Intracoastal Waterway from Miami-Dade to Nassau. Funded by property taxes that generate between forty and fifty million dollars annually, FIND focuses on maintaining the Intracoastal by providing land for channels and spoil containment areas and offering grants for public access projects, boat ramps, and marine law enforcement. Spencer emphasized the importance of safe and responsible waterway use, noting that access encourages environmental stewardship.
- He highlighted two major priorities for Miami-Dade: improving channel marking and enforcement and managing anchorages. Current laws limit local regulation of anchorages, but new Anchoring Limitation Areas restrict boats from staying more than forty-five days in six months to address derelict vessels, though enforcement is challenging. Spencer advocated for managed mooring fields as a better solution, citing benefits such as environmental protection, revenue generation, safer boating, and support for tourism. He stressed the need for more mooring fields in Biscayne Bay to reduce conflicts and avoid overly restrictive regulations.

- Spencer also addressed the complexity of speed zone regulations, which are difficult for boaters to understand, and suggested clearer signage and designated areas for water sports. He identified problematic areas including Coconut Grove, Bill Baggs, Marine Stadium Basin, and Watson Island that require better management to ensure safe navigation and organized anchoring. His key recommendations included expanding mooring fields, improving channel enforcement, simplifying speed regulations, and creating designated recreation zones.

Task Force member discussion highlights:

- Andy thanked Spencer for his presentation and asked whether the recommendation for more mooring fields and anchorage areas could be implemented locally or would require action from Tallahassee. Spencer responded that it can be done at the local level without new laws, but it requires government cooperation. Local governments would need to manage and approve these areas, and permitting can be complex. He explained that the state offers a notice general permit for mooring fields under 100 balls, which allows expedited approval if criteria are met. Spencer suggested that counties could adopt similar expedited processes to avoid delays caused by multiple reviews from county, state, and federal agencies. He cited Crandon Marina as an example of how environmental sensitivity and boater activity can coexist in a managed mooring field.
- Andy then raised concerns about managing popular day-use anchorage sites like Nixon Beach, Elliott Key, and Haulover, which become congested and potentially dangerous on weekends. Spencer agreed and said the most effective solution for these areas is increased law enforcement presence during busy times.
- Andy asked about Elliott Key's anchorage zone with idle-speed buoys and who designated it. Spencer explained that it falls under Biscayne National Park, which has more regulatory flexibility than other parts of Biscayne Bay. Taylor White then asked about the regulatory framework for managing channels and mooring fields, questioning when authority lies with cities, counties, states, or the federal government. Spencer said it varies by site and is complex. He noted that recent legislation requires managed mooring fields to be within municipal limits and emphasized that local governments should assess their waterways for mooring field or anchoring limitation needs. He explained that most areas of Biscayne Bay fall within municipal limits, but the county also has jurisdiction, especially in unincorporated areas like near the Seaquarium. Channels are even more complicated because the Intracoastal is federally maintained, while other channels are designated as private and managed by local governments like the City of Miami. Establishing no-wake zones requires FWC approval, and past efforts to create restricted areas for youth sailing and paddleboarding were denied under state law.
- Andy concluded by asking about FIND grants and whether they could help fund law enforcement equipment for municipalities. Spencer confirmed that FIND has always supported law enforcement but recently increased funding limits from \$50,000 to \$125,000 per grant, with multiple grants allowed. He said FIND can fund vessels, engines, and equipment but cannot pay for staffing or patrol time. Grants are 50-50 matches, and local governments can stagger purchases over multiple years. Spencer encouraged task force members to share any law enforcement needs so FIND can assist.

## **5. BISCAYNE BAY AQUATIC PRESERVES MANAGEMENT PLAN**

## **Griffin Alexander, Biscayne Bay Aquatic Preserves Manager, Florida Department of Environmental Protection**

- Griffin explained the role and responsibilities of the Aquatic Preserve program. Biscayne Bay Aquatic Preserve protects approximately 64,000 acres of state submerged land, covering areas outside Biscayne National Park, including Card Sound and northern Biscayne Bay. Griffin emphasized the ecological and economic importance of the bay, noting it is Florida's largest estuary, the only subtropical bay in the U.S., and contributes about \$64 billion annually to the regional economy. He outlined the recently updated management plan, which sets goals and objectives for preserving the bay's natural conditions for future generations.
- Griffin detailed the legal framework governing the preserve, including Florida statutes and administrative codes 18-18 and 18-21. Code 18-18 is highly restrictive, requiring projects such as mooring fields, marinas, and large docks to meet an extreme hardship clause and serve the public interest, while also limiting dredging and filling. Enforcement involves collaboration with FWC and local authorities to identify illegal structures, report hazards, and patrol spoil islands. Griffin highlighted the Leave No Trace program, which removed trash cans from islands to encourage boaters to take their waste back, and ongoing efforts to remove marine debris.
- He discussed major threats to Biscayne Bay, including seagrass damage, water pollution, vessel groundings, marine debris, and uneducated boaters. To address these, the preserve operates robust monitoring programs: water quality sampling for 40 parameters, real-time data collection, and biannual seagrass surveys. Seagrass is critical for sediment stabilization, fish habitat, and water quality, and fines for damage can reach \$1,000 per square foot. Griffin also warned about an invasive species, *Halophila stipulacea*, now present in the bay, urging boaters to report sightings. He concluded with recommendations for boaters: follow designated channels and speed limits, avoid shallow areas, use pump-out stations, and report hazards. Griffin emphasized that the Aquatic Preserve manages state lands in public trust for safe and sustainable use.

### *Task Force member discussion highlights:*

- Andy asked whether Biscayne Bay Aquatic Preserve plays a role in education, noting the link between environmental violations and lack of boater education. Griffin confirmed that education is a major focus and described outreach efforts such as school visits, career days, tabling at events like the boat show, and on-site education at spoil islands and marinas to reach active boaters. He mentioned upcoming events including a Bayanza site at Pelican Harbor Marina.
- Andy then asked what recommendations the task force could make to support the preserve's work. Griffin suggested ensuring channels and shallow areas are well marked to prevent boaters from damaging seagrass and hitting obstructions. He also emphasized improving public awareness about the aquatic preserve and its protections, such as prohibitions on dumping. Additionally, Griffin recommended promoting Florida's Clean Vessel Act and Clean Marina program, which provide funding for pump-out stations and vessels to reduce pollution.
- Captain Glenn raised concerns about long-term moored boats damaging seagrass, especially when vessels sink and disturb sediment. Griffin explained that sunken boats create holes that take a long time for seagrass to recover and that anchored boats often cause halo effects around anchor lines, further harming seagrass beds. Glenn mentioned past mitigation efforts involving seagrass planting and monitoring by the Army

Corps of Engineers. Griffin said the preserve has not yet partnered with the Corps but is planning a restoration project with Aquatec, funded by the legislature, to outplant and restore seagrass in damaged areas.

## **6. WATERWAY MANAGEMENT AND SIGNAGE**

### **Acting Major Rafael Almagro, Florida Fish and Wildlife Commission**

- Andy introduced Rafael Almagro, Acting Major with FWC, and Pebbles Causseaux from FWC's Boating and Waterways section to explain FWC's jurisdiction over waterway management and restricted area designations in Biscayne Bay. Almagro began by highlighting FWC's efforts to improve public education through videos explaining legislative changes and plans for region-specific social media accounts to share local boating safety information. Pebbles then explained the process for maintaining and repairing regulatory markers. She noted that the report in the board packet was a final construction report summarizing a project completed in 2023 involving 228 markers. Projects occur in two phases: planning, which includes inspections, inventory, and permits, and construction, followed by a detailed inspection to ensure compliance with specifications. Pebbles said FWC completes about two large marker projects per year statewide, depending on budget and priority areas. She confirmed that markers are updated to current standards and selected based on inspections and lifespan, typically 15 years. Andy asked about incorporating new technology into markers, and Pebbles agreed to raise the idea with leadership.
- Captain Glenn asked about coordination when navigational markers are damaged. Pebbles clarified that the Coast Guard manages navigational markers, while FWC handles regulatory markers, and both agencies coordinate repairs. Almagro added that FWC officers report damaged markers to the Coast Guard's Aids to Navigation team. The discussion then shifted to speed zones and designations. Almagro explained that most zones in Miami-Dade are manatee protection zones under Florida Statute 68C, based on studies of manatee habitat and boating safety needs. Speed limits such as idle, slow, 30 mph, or 35 mph are determined by factors like channel width, depth, and traffic density. Boating safety zones, such as the one added at Marine Stadium after fatal accidents, require studies and approval by local governments with FWC support. Pebbles noted that cities and counties can establish zones under Statute 327.46 and Rule 68D-21, which outline criteria and evidence requirements.
- Andy referenced the Mayor's 2024 report to determine year-round boating-restricted areas that recommends increased enforcement rather than new speed restrictions in North Bay and asked if enforcement had improved. Almagro said FWC received 10 additional positions, but vacancies remain due to high turnover and cost of living. He stressed that manpower is the greatest need, while equipment is adequate. Andy suggested the task force might recommend revisiting the report and conducting vessel congestion studies to justify new restricted zones. Almagro agreed that additional support from municipalities, like the City of Miami's recent staffing increases, has improved safety. The conversation concluded with a discussion on technology and education. Almagro described efforts to partner with GPS companies like Garmin to develop interactive tools that alert boaters to speed zones and regulations. He emphasized that education campaigns, social media outreach, QR codes for manatee zones, and in-person classes at yacht clubs are essential to improving compliance and safety.

## **7. MIAMI-DADE COUNTY WATERWAY MANAGEMENT**

**Laura Eldredge, Department of Environmental Resources Management  
Tommy Salleh, Parks, Recreation, and Open Spaces Department**

- Laura Eldredge, Restoration and Enhancement Section Manager at DERM, explained her team's role in managing, restoring, and monitoring habitats and species in and around surface waters. She focused on the damage caused by improper anchoring on coral reefs, describing it as "death by a thousand cuts," where anchors land on reefs instead of adjacent sand. Laura emphasized the ecological and economic importance of coral reefs, which protect coastlines, support fisheries, tourism, and diving industries. She highlighted the county's Mooring Buoy Program, established in 2009 and expanded in 2023, which now includes 54 buoys across 14 sites from Golden Beach to Key Biscayne. Buoys are placed near reefs, artificial sites, and wrecks to prevent anchor damage and promote safe access for fishing and diving. The program also develops educational materials, including signage, brochures, and waterproof maps, and offers an interactive online reef and buoy finder with GPS coordinates. Funding comes from vessel registration fees, FWC's Boater Improvement Program, DEP's Coral Reef Conservation Program, NOAA grants, and private donors. Laura also mentioned the Adopt-a-Buoy program for sponsorship opportunities. When asked about managing mooring fields near marinas, Laura clarified that DERM handles offshore buoys, while county parks manage marina-based mooring fields. She noted that the biggest issue with buoys is not large vessels pulling them out but boaters cutting lines and stressed the importance of educating boaters on proper mooring techniques, which is included in all outreach materials.
- Tommy Salleh, representing PROS, described the department's responsibilities for two managed mooring fields and private aids to navigation. The county operates mooring fields at Pelican Harbor Marina (27 moorings for sailboats up to 35 feet) and Crandon Marina (60 moorings for sailboats up to 40 feet), totaling 87 managed moorings. Managed mooring fields reduce unmanaged anchoring, protect seagrass, provide safer storm tie-ups, and create accountability through inspections and standards. Tommy explained that private aids to navigation, including 84 day beacons and nine lighted beacons, guide boaters safely through channels to marinas, preventing groundings and environmental damage. These aids require routine inspection, maintenance, and coordination with the Coast Guard, but currently lack a dedicated budget, making repairs reactive and costly. Tommy recommended establishing dedicated funding for maintenance and allowing parks to retain marina revenue for upkeep. He warned that unmanaged anchoring near managed fields, especially south of Rickenbacker Causeway, creates hazardous conditions with derelict vessels lacking proper anchors or lights. Tommy confirmed that mooring fields are inspected daily, require insurance and pump-outs for transient vessels, and follow hurricane preparedness plans. He concluded by stressing the need for consistent funding and proactive maintenance to ensure boating safety and environmental protection.

**8. WATERWAY MANAGEMENT DISCUSSION AND REPORT DISCUSSION FOR MARCH MEETINGS**

- Andy opened the discussion by asking the task force to identify key takeaways from the day's presentations and potential recommendations related to waterway management. He highlighted ideas from Spencer's presentation, including creating additional managed areas such as mooring fields, clearly marked anchorage zones, and possibly designating specific areas for recreational activities like water skiing and jet skiing to improve safety.

Taylor White agreed and emphasized simplifying the complex system of speed zones and regulations, which currently resemble a “Frankenstein’s monster” of rules. He suggested rationalizing speed limits and focusing on education and signage improvements. Taylor also supported the concept of boating safety zones in high-risk areas, which he referred to as “attractive nuisances,” such as Haulover Inlet and North Bay, where congestion creates inherent danger. He recommended conducting studies to identify these areas and back decisions with accident data and vessel counts.

- Andy agreed and noted that the task force should consider recommending a study to the mayor to evaluate boating safety zones and congestion in problem areas. Both Andy and Taylor acknowledged the reality of increased boating density and the need for practical solutions, even if they involve usage limitations in certain zones. Taylor stressed that funding is a recurring theme across all discussions, suggesting creative approaches such as public-private partnerships or philanthropic initiatives to support enforcement and education. Andy reiterated that funding, education, and enforcement have been consistent priorities in every meeting and proposed outreach campaign as part of the recommendations, particularly around manatee season, to improve public awareness. Captain Glenn added that increasing fines for repeat offenders could serve as a deterrent, similar to penalties for fishing violations, and suggested making examples of unsafe behavior to influence boater conduct. Almagro noted that penalty schedules already exist but acknowledged that many repeat offenders can afford the fines.
- Andy concluded by outlining next steps. The task force will receive a compiled list of all recommendations by topic, filtered to focus on local-level actions. Members are expected to review this list before the next two meetings on March 12 and March 26, which will be dedicated to finalizing recommendations and drafting the report. A template for documenting recommendations will also be provided. Andy confirmed topic assignments for drafting: Education (Nick Estrella and Andy Fernandez), Law Enforcement (State Attorney Katherine Fernandez Rundle and Larry Berryman), Legislation (Taylor White and Mike Simpson), and Waterway Management (Aabad Melwani and Captain Glenn Clyatt). He emphasized the importance of being prepared to refine recommendations at the next meeting and noted that the final report will follow after March 26.

#### 9. **REASONABLE OPPORTUNITY TO BE HEARD:**

- **Priscilla Cascrado, Luminsea** - Company that specializes in illuminated channel markers, and explained her collaboration with Albert Gomez on a Garmin initiative to identify missing or damaged channel markers in Miami-Dade County. She noted that many markers have been compromised by corrosion or collisions, contributing to boating accidents—75 in 2024 according to FWC data. Priscilla emphasized the importance of creating an accurate database of markers to improve navigation safety, particularly at night, and shared an example of a marker listed by the U.S. Coast Guard as being located in a residential backyard, highlighting inconsistencies that pose risks to boaters. She expressed strong support for incorporating technology into channel marker systems to enhance safety and reduce accidents, praised the task force’s efforts, and offered to participate in future initiatives. Her closing message underscored the goal of saving lives and making waterways safer for all boaters.
- **John Ricisak, DERM** – Has managed derelict vessel removal and disposal program for 20 years and emphasized that at-risk and derelict vessels pose serious safety hazards that have not been adequately addressed. He expressed concern over Spencer’s suggestion that managed mooring fields are a complete solution, noting that they often push problem vessels to other areas. John recommended supporting pending state

legislation that would allow code enforcement to handle certain responsibilities currently limited to law enforcement, as the scale of the problem exceeds law enforcement's capacity. He also highlighted a misconception among some marine officers who avoid removing hazards like adrift vessels or abandoned docks due to perceived liability, despite state statutes providing immunity unless gross negligence occurs. John stressed the need to communicate this protection to law enforcement agencies. Additionally, he noted that some areas suitable for public recreation have been overtaken by commercial jet ski liveries, limiting access for the general public. He concluded by urging stronger action to address these issues and improve safety in Biscayne Bay.

- **Dave Doebler, Biscayne Bay Marine Health Coalition** - Emphasized the need for stronger regulation of commercial boating activities. He noted that while activities like cutting hair or trimming trees require licenses and oversight, businesses can currently launch jet skis and charters into Biscayne Bay with minimal review. This lack of consistent operating zones, safety training, environmental standards, and performance expectations creates unsafe conditions, harms responsible operators, and negatively impacts the bay. Dave pointed to Miami Beach's successful Certificate of Use program, which sets insurance requirements, limits, and operating rules, making enforcement easier and supporting quality operators. He recommended that the county or Biscayne Bay Aquatic Preserve establish a licensing framework for commercial activities to ensure safe tourism and protect the bay, arguing that if land-based commerce is regulated, water-based commerce should be as well.

**For more information and updates on the Boater Safety and Biscayne Bay Education Task Force, visit: [www.miamidade.gov/biscaynebay](http://www.miamidade.gov/biscaynebay)**