

MINUTES OF THE BOATING ADVISORY COUNCIL MEETING

SALT LAKE CITY UTAH

Division of State Parks and Recreation

Soldier Hollow Conference Room

10:00 am to 5:00 pm

December 19, 2012

COUNCIL MEMBERS

Troy Mann	Dealer Rep	Absent
Guy Taylor	Motorboat Rep	Present
Lucy Minahan	Sailing Rep	Present
Mike Williams	Boating Safety & Education Rep	Present, left at 3:00 pm
Hank Cobb	Watersports Rep	Came in at 3:00 pm
Tim Gaylord	Outfitter Rep	Present
Bill Rouleau	PWC Rep	Present
Rebekka Stone	Paddle sports Rep	Present via conference call
Ray Schelble	Boating Angler Rep	Present via conference call

DIVISION OF UTAH STATE PARKS AND RECREATION PERSONNEL

Dave Harris	Boating Program Manager
Brody Young	Assistant Boating Program Manager
Stacy Stickler	Boating Program Executive Secretary

APPROVAL OF APRIL MINUTES

Mike made the motion to accept the minutes with the correction of the date from April 18 to August 15. Lucy seconded the motion. All were in favor.

BOW FISHING AND NAV LIGHT ISSUE

Bow fishing is becoming a very popular sport and the rule for the use of non-navigational lights needs to be updated. The new rule was presented as follows with the blue being the new addition:

R651-216-8 Use of Non-Navigational Lights

Vessels may only display lights as outlined above, except: (a) a spotlight or other non-navigational light may be used intermittently to locate a hazard to navigation, or (b) non-navigational lights may be used during a federal or state permitted marine parade, or (c) a spotlight or other non-navigational light may be used when actively engaged in fishing, bow fishing or scientific research on board vessels that are not in a navigational channel that are being operated at a wakeless speed.

Tim made to motion to accept the new rule as written. Ray seconded the motion. All were in favor.

MARINE EVENT COMMITTEE

Brody has set up the committee and they will be meeting on January 16, 2013. This committee was formed to have a guideline for our people when they hold marine events to be consistent.

AMERICAN WATER SKI COURSE

We have discussed in the past about the American Water Ski courses that have been set up at Utah Lake and having the public use the course. The Association has brought up a rule change they would like to see passed.

The new rule is as follows:

73-18-16. Regattas, races, exhibitions – Rules.

- (1) The division may authorize the holding of regattas, motorboat or other boat races, marine parades, tournaments, or exhibitions on any waters of this state.
- (2) The board may adopt rules concerning the safety of vessels and persons, either as observers or participants[.], that do not conflict with the provisions of Subsections (3) and (4).
- (3) A person may elect, at the person's own risk, to wear a non-Coast Guard approved personal floatation device if the person is on an American Water Ski Association regulation tournament slalom course and is:
 - (a) engaged in barefoot water skiing;
 - (b) water skiing in an American Water Ski Association regulation competition;
 - (c) a performer participating in a professional exhibition or other tournament; or
 - (d) practicing for an event described in Subsection (3)(b) or (c).
- (4) If a person is water skiing in an American Water Ski Association regulation tournament slalom course, an observer and flag are not required if the vessel is:
 - (a) equipped with a wide angle mirror with a viewing surface of at least 48 square inches; and
 - (b) operated by a person who is at least 18 years of age.

R651-226. Regattas and Races.

R651-226-1. Authorization To Hold A Marine Event.

Authorization to hold a marine event shall be obtained from the division as well as from any other person or agency who owns or administers the land adjacent to the marine event.

R651-226-2. American Waterski Association Regulation Tournament Slalom Course

- (1) the exemptions listed in 73-18-16 regarding waterskiing on an American Waterski Association Regulation Tournament Slalom Course are granted:
 - (a) on courses permitted through the Division as a waterway hazard by a club affiliated with the American Waterski Association (documentation required with application) and
 - (b) only to active members of the affiliated club who are skiing on the permitted course (club membership documentation required on board).

Tim made the motion to accept the rule change as written. Mike seconded the motion. All were in favor.

TEMPORARY BOAT REGISTRATION

Kevin Park from the MVED came in to discuss the temporary boat registration issues. The DMV has been issuing temporary permits to individuals who have made application for registration for a newly purchased vessel but we need to put it in rule to stay consistent.

The new rule reads as follows:

73-18-7(17) (c) The issuance and display of temporary registrations.

R651-214. Temporary Registration.

R651-214-1. (1) A vessel dealer may apply for temporary registrations to be used on motorboats or sailboats sold by his business. The application to obtain temporary registrations is the same as outlined in Section R651-213-1.

- (2) Each temporary registration will be valid for a period not to exceed 30 days from date of issue.
- (3) A temporary registration will not be valid on any motorboat or sailboat held in the dealer's inventory for sale or any motorboat or sailboat not sold by the same dealer who issued the registration.
- (4) A dealer shall not issue more than one temporary registration for any motorboat or sailboat.
- (5) A dealer who obtains temporary registrations will be responsible for their issuance and is required to maintain records of each registration obtained and issued. Dealer records will contain a description of the vessel sold, the name and address of the purchaser, and the date issued.
- (6) Temporary registration records kept by the dealer shall be made available for inspection and audit by authorized agents of the Division of Motor Vehicles during regular business hours.
- (7) If the Division of Motor Vehicles has reasonable grounds to believe that a dealer has failed to comply with any of the above provisions, after notice to the dealer and a hearing, temporary registration issuance privileges may be canceled. Upon cancellation, the dealer will surrender all unissued temporary registrations to the Division of Motor Vehicles within 15 days.
- (8) **Temporary Operating Authority**
 - (a) the division, or its authorized representatives, may grant a temporary permit to operate a vessel for which;
 - (i) application for registration has been made, or, in the case of a newly purchased vessel, will be made;
 - (ii) evidence of ownership is provided, and
 - (iii) the proper fees have been paid.
 - (b) The temporary permit allows the vessel to be operated pending complete registration by displaying the temporary permit.
 - (c) If a vessel is operated on a temporary permit issued under this section, that vessel is subject to all other statutes, rules and regulation intended to control the use and operation of vessels on the waterways.
- (9) **In-Transit Permit**
 - (a) Under ruled made by the administrator, in-transit permits may be issued by the division or its authorized representatives.

(b) In-transit permits allow use of the waterways for a time period not to exceed 96 hours.

(c) The division or its authorized representatives may issue in-transit permits without requiring a property tax clearance for the vessel on which the permit is to be used.

Guy would like to see an insert about repair shops and the testing of mechanical and seaworthiness of repaired vessels. He proposed adding: A special temporary use permit may be issued for a time period not to exceed 48 hours, used for the purpose of testing for mechanical or seaworthiness of a vessel.

Mike made the motion to accept the new rule with the pending changes Guy proposed. Bill seconded the motion. All were in favor.

OUTFITTER EXEMPTION

Clas Ropes is a company that operates as an outfitting company with the exception of they operate on their own land, they are non motorized, the vessel moves by someone pulling a rope while on board, and they only operate in about 100 yard area. Brody has been in contact with the owner and the owner would like to be exempt from the outfitting rule. The Council would like Brody to investigate a little more and report back, maybe considering this company to apply with Utah Lake as a marine event.

CPFH PFD REQUIREMENT/RIVER DESIGNATIONS

There seems to be an issue about wearing PFDs from Spanish Bottom to the Confluence of the Colorado and Green Rivers. Currently people are floating down to the Confluence then catching a motorboat back up. When they are in their own kayak, canoe, etc. they are allowed to wear a type III PFD, but once they board a vessel considered carrying passengers for hire they have to change to a type I/V PFD.

Tim, Brody and Bekka agree to form a committee to look into changing the river designations and the PFD requirements. Brody will get a committee together on this issue.

WATERWAY HAZARD PLACEMENT

To be consistent with Forest, Fire and State Lands, the waterway hazard placement rule needs to be changed. The new wording is as follows:

R651-204. Regulating Waterway Markers.

R651-204-1. Placement of Waterway Markers.

No person shall place on or near the waters of this state any waterway marker, except a diver's flag, without written authorization by a federal agency operating within federal authority or by the division.

R651-204-2. Hazards to Navigation.

(1) Definitions

- (a) “Hazard to Navigation” means, any object permanently placed on or under the waters of this state that is an obstacle to navigation, including but not limited to:
 - (i) pier or shoreline dock greater than 75 feet from the shoreline;
 - (ii) floating dock or inflatable recreational equipment;
 - (iii) commercial fishing or scientific devices;
 - (iv) navigational aids;
 - (v) slalom courses, jump/rail or other recreational device;
 - (vi) vessels moored outside of a designated mooring area.
- (b) “Permanent” means intended to be left on the waterway overnight or unattended during the day.
- (2) No person shall place any permanent or anchored objects on the waters of this state without written authorization by a federal agency operating within federal authority or by the division.
- (3) All permitted water obstacles must be visibly marked with the owner’s name with letters that are:
 - (a) a contrasting color to the object; and
 - (b) at least one inch in height with the letter width proportionate to the height.
- (4) Each permitted water obstacle must be marked with lights if placed overnight.
Marker lights:
 - (a) must meet United States Coast Guard requirements;
 - (b) must float at least 39 inches above the water;
 - (c) must be an amber or white color flashing light that flashes a minimum of 30 flashed per minute and is visible for up to one-half mile; and
 - (d) if buoyed, the buoy must be self-righting and have a three inch silver radar reflective band around the top.
- (5) Placement of water obstacles without a proper permit of failure to abide by the permit requirements constitute a violation of board rules and the water obstacles must be removed by the entity that placed the obstacle immediately upon notification. Water obstacles that create a hazard may be removed by the division at the owner’s expense. Any damages uncured during removal by the division will not be the responsibility of the division.

R651-204-3. Destruction of Waterway Markers.

No person shall remove, destroy, or damage any waterway marker authorized to be placed by a federal agency or by the division; nor shall any person moor any vessel to a waterway marker, except mooring buoys.

Tim made the motion to accept the rule as presented. Lucy seconded the motion. All were in favor.

MBA PRIORITIZATION

The following projects were discussed and reviewed by the Council:

- Bear Lake Marina courtesy dock
- Bear Lake Marina mast lift
- Bear Lake Marina parking slurry and re-stripping
- Bear Lake First Point parking
- Bear Lake Cisco Beach access road

Bear Lake Marina overflow parking
Bear Lake Rendezvous parking location 1
Bear Lake Rendezvous parking location 2
Bear Lake Rainbow Cove access trails
Deer Creek Charleston ramp phase II
Rockport CXT restroom
Flaming Gorge attenuator phase II
Flaming Gorge O7M
Echo Reservoir courtesy dock replacement
Hunting State Park courtesy dock replacement
Willard Bay CXT restroom site 1
Willard Bay CXT restroom site 2
Moon Lake ramp
Navajo Lake ramp feasibility
Utah Lake parking
Panguitch Lake public ramp courtesy dock
Starvation boat ramp
Red Fleet fish cleaning station
Jordanelle attenuator
Jordanelle Parking

Each Council member will rate each project and those ratings will go to Craig Walker with the Division of Wildlife Resources, where he will get with another Council to review and rate. Once the ratings are complete, Dave and Craig will sit down and review the projects and create a proposal of projects they think should be funded. Then they will forward those projects along.

Meeting adjourned at 4:30 pm.