

**MINUTES OF THE BOATING ADVISORY COUNCIL MEETING
SALT LAKE CITY UTAH**

Department of Natural Resources
Soldier Hollow Conference Room
3:00 p.m. to 7:00 p.m.

April 6, 2011

COUNCIL MEMBERS

Pam Berger	Present
Lucy Minahan	Absent
Paulette Welch	Present – came in at 3:30 pm
Troy Mann	Absent
Guy Taylor	Present
Hank Cobb	Present
Tim Gaylord	Present
Ray Schelble	Present

DIVISION OF UTAH STATE PARKS AND RECREATION PERSONNEL

Dave Harris	Boating Program Manager
Stacy Stickler	Boating Executive Secretary

GUESTS

Dick Beuhler	Forestry Fire and State Lands
Ty Hunter	Utah State Parks
Robin Watson-Christianson	Utah State Parks

APPROVAL OF JANUARY 2011 MINUTES

Ray made the motion to accept the minutes are presented. Guy seconded the motion. All were in favor.

ANCHORED/BEACHED VESSEL

SB136 gives State Parks Board authority to regulate anchored/beached vessels.

Proposed language:

R651-209-1. Anchored Vessels.

Unless permitted to do so by the local managing agency:

- (1) an anchored vessel may not be left unattended for more than 48 hours.
- (2) a vessel may not be anchored for more than 72 hours in one location.
- (3) a vessel anchored for 72 hrs that wishes to continue anchorage on a water body must move at least one mile away from the last position of anchorage.

R651-209-2. Beached Vessels.

Unless permitted to do so by the local managing agency:

- (1) a beached vessel may not be left unattended for more than 48 hours.
- (2) a vessel may not be beached for more than 72 hours in one location.
- (3) a vessel beached for 72 hrs that wishes to continue to beach on a water body must move at least one mile away from the last position of being beached.

Guy made the motion to accept the proposed language. Ray seconded the motion. All were in favor.

Hank asked about salvage insurance as being required on boats. Dave will look into how the law is written to make sure who is responsible for boats that need to be salvaged.

FRIENDS OF UTAH STATE PARKS

With the legislative session that ended this year, there are a lot of concerned people about what they can do to help. Robin is the coordinator over the individual state parks friends groups and the statewide friends group.

Antelope Island, Camp Floyd, Fremont Indian, Frontier Homestead (Iron Mission) Old Church at Rockport, Snow Canyon, Territorial Statehouse, Wasatch Mountain, Utah Field House and Edge of the Cedars are parks that have friends groups in place now.

Benefits of a friends group is to support the state parks, maintain the parks, protect the resources the parks have now, etc. Friends groups are very beneficial to the parks and get people who want to help their favorite state park involved.

On May 20 there is a Statewide Friends Groups meeting where all of the friends groups and anyone who wants to attend are invited. It will be held at Soldier Hollow Golf Course. They will be discussing the 501-c-3 rules, what they can and cannot do, membership groups, etc.

Stacy will give Robin all of the Councils' email addresses to keep them up to date with the friends groups.

ADDING COMMON NAMES FOR CARRYING PASSENGERS FOR HIRE

Ray had brought up at a previous meeting to add common names to the definition of outfitting companies so if someone 'Googles' a fly fishing guide or whatever google will pick up that keyword and bring up State Parks regulations.

Suggested language:

R651-206-2. Outfitting Company Responsibilities.

- (1) Each outfitting company carrying passengers for hire on waters of this state shall register with the Division annually, prior to commencement of operation. *Outfitting*

companies include, but are not limited to, fishing guides, waterski or sailing schools, river trip companies and tour boat operators.

(a) Outfitting company registration with the Division requires the completion of the prescribed application form and providing the following:

- (i) Evidence of a current and valid business license;
- (ii) Evidence of a current and valid river trip authorization(s), Special Use Permit(s), or performance contract(s) issued by an appropriate federal or state land managing agency;
- (iii) Evidence of general liability insurance coverage; and
- (iv) Payment of a \$150 fee for an outfitting company whose place of business is physically located within the State of Utah, or
- (v) Payment of a \$200 fee for an outfitting company whose place of business is physically located outside of the State of Utah.

(b) Owners and employees of a migratory bird production area created under Title 23, Chapter 28, Migratory Bird Production Area and operating within that Migratory Bird Production Area shall not be considered an outfitting company.

Ray made the motion to accept the proposed language. Tim seconded the motion. All were in favor

SKI FLAG USE

The issue of the ski flag rule has come up quite often so Dave would like to clear up the rule.

Suggested language:

R651-224-3. Flag Required

The operator of a vessel engaged in a towed watersport shall be responsible for a flag to be displayed by the observer in a visible manner to other boaters in the area only ~~while the~~ when a person to be towed is in the water, either preparing to be towed or finishing a tow. The flag shall be international orange at least 12 inches square and mounted on a handle.

Tim made the motion to accept the proposed language. Ray seconded the motion. All were in favor.

TOW(ED)(ING) DEFINITION

Currently we do not have a definition for tow(ed)(ing).

Suggested language:

R651-201-6. Tow(ed)(ing)

When used in watersports, tow(ed)(ing) refers to a person(s) who is being pulled behind a vessel either on a device attached to the vessel or has been pulled behind

the vessel, is not currently attached and is surfing or riding the wake created by the vessel.

Tim made the motion to accept the proposed language. Guy seconded the motion. All were in favor.

PRESENTATION ON PROP GUARDS

Guy gave a presentation of propeller guards. Powerpoint presentation is on file.

LIFE JACKETS

The National Boating Safety Advisory Council (NBSAC) issued a resolution asking the US Coast Guard in increasing the categories of mandatory life jacket wear. The NBSAC suggested pushing federally for anyone on a PWC, human powered vessels, any vessel less than 18 feet and people involved in towed watersports to have mandatory life jacket wear.

Tim wanted to discuss the requirements of the type IV PFD and the throw bags. On designated flatwater you have to have the type IV throwable, on designated whitewater you can have the throw bag. Tim and other guides are confused on this requirement. Dave said that we have to model the Coast Guard rules. The throw bags are used when people are already wearing a life jacket. A type IV throwable is used for people who do not have a life jacket on, like on a reservoir.

Tim had someone bring to his attention that people are hiking in the back country carrying inflatable kayaks. The person was wondering about the life jacket requirement when doing this, if an inflatable pfd could be used on rivers. Dave explained to the Council that the US Coast Guard prohibits the use of inflatable life jackets on rivers and Utah cannot go against the Coast Guard or the manufacturer label.

Tim brought to the Council's attention that in the whitewater industry, no one uses the type I life jackets. He would like to see the carrying passengers for hire test not refer to the type I life jackets. Guides are getting confused on the test about the type I when they do not use them. Dave said we will work on the study guide and the test to clear up this confusion.

Dave brought up about having a highlight brochure, like the highlights of the boating laws, for any river use not just for the commercial people. We could incorporate that into the carrying passengers for hire study guide as well.

Tim would like to see that all rafts carry the type IV throwable not just vessels over 16 feet in length.

With stand up paddle craft, persons have to have a life jacket on board. We are strongly encouraging those users to wear an inflatable life jacket. Those users can

use the inflatable life jacket only on lakes and reservoirs; they cannot use the inflatable on the rivers.

PROGRAM UPDATE

SB136 goes in effect May 10, 2011.

Rules that were passed last meeting (carrying of the livery agreement and the sixty five foot requirements) were approved by the Board and will take effect mid July.

Carrying passengers for hire testing – Northern Arizona University has agreed to help rewrite the test; State Parks staff is working out the details.

Budget update: still in limbo of what exactly is going to happen.

NEW BUSINESS

The boating season is here, we have already had five major incidents since Saturday.

BAC would like to talk about a Lake Powell outing on the next agenda.

July 6, 2011 at 3:00 pm is the next meeting at Jordanelle.

Meeting adjourned 7:00 pm.