



the LOOKOUT

Voice of the **NATIONAL BOATING FEDERATION**
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Johnnie Owen, Editor

NATIONAL REPORT

Ethanol Legislation Introduced in Senate: On Monday, 14 Sept, legislation was introduced in the Senate, S. 1666, The Mid-Level Ethanol Blends Act of 2009, to protect marine engines from the problems caused by ethanol blends in gasoline. Under the Clean Air Act the sale of mid-level ethanol is prohibited, but the ethanol industry has petitioned the EPA for a waiver to enable them to sell E15 gasoline. S. 1666 will require the EPA's Science Advisory Board study the compatibility of such fuels with current engines. According to *Trade Only*, the study would also include comprehensive analysis of available independent scientific evidence on the compatibility of mid-level ethanol fuels with the emission requirements of the Clean Air Act and the operability of engines.

In addition, the ethanol industry is attempting to amend the Interior Department's annual appropriations bill currently moving through the Senate to either authorize mid-level ethanol legislatively or potentially deny funding to the EPA if it does not grant the waiver request for E15. NBF has joined our coalition partners in a letter to the Senate opposing any such amendment to the Interior Department's appropriations bill.

UPDATE ON NELSON E15 AMENDMENT

The Senate yesterday passed the 2010 Interior/EPA appropriations bill, which did not include an amendment filed by Senator Ben Nelson that would have required EPA to grant a waiver for E15 by Dec. 1, 2009 or be denied funding. After several days of heavy lobbying, Nelson ultimately declined to offer his amendment. Last night in an agreement to speed up passage of the bill, Sen. Feinstein secured agreement to pass several remaining amendments by unanimous consent, and the Nelson E15 amendment was not one of them.

It is clear that Nelson knew he did not have the votes to pass this amendment because of the strong opposition outlined by our community and others we've been working with on this. We expect the ethanol industry and their advocates in the Congress to get trying, so we'll likely be in touch with you again as we continue to push back.

Wallop/Breaux Reauthorization (W/B): In spite of significant effort by the newly formed Angling and Boating Alliance, the reauthorization of the Sports Fish Restoration and Boating Trust Fund (W/B) will not be accomplished this year. In past reauthorizations this has been attached to the Highway bill and approved. However, this year the Highway bill will not be reauthorized but will be funded at its current levels through a Continuing Resolution. We will attempt to get the bill passed next year given the many items of interest to the boating public.

Boating Fatalities Increase: The Coast Guard issued a press release indicating there were 709 fatalities, 3,331 injuries and about \$54M in property damage in 2008. Contributing factors given were operator inattention, careless or reckless operation, no proper lookout, operator inexperience and passenger or skier behavior

RTCM Petition for Digital Message Service on VHF: The Radio Technical Commission for Maritime Services (RTCM) has petitioned the FCC to provide a digital small message service on certain VHF channels. The petition cites greater efficiency and timeliness of digital communications on VHF radios, which would not interfere with voice communications. It is not clear why we would need digital "texting" on our VHF radios, so further investigation may be required to determine if we should support it.

OIG Report on Small Vessel Security Plan: The Office of the Inspector General (OIG) of the Department of Homeland Security (DHS) has released a report on the DHS plan to address the perceived threat from small vessels to maritime security. The report indicated that, while some progress has been made, the plan lacks effective guidance and effective programs to address threats posed by small vessels. Further the report found that the strategy does not fully address the roles and responsibilities of state and local officials, performance measures, associated costs, accountability and oversight frameworks.

Earl Waesche, NBF Legislative Officer

THE CHANGING CONDITIONS OF OUR OCEANS

Now traversing the Northwest Passage, the Ocean Watch crew - four professional sailors, a scientist and an educator - recently completed the deployment of three NOAA Global Drifter Program buoys. Dr. Ignatius Rigor, research scientist at the University of Washington Applied Physics Laboratory (UW-APL) Polar Science Center and Coordinator of the International Arctic Buoy Program (IABP) is directing these activities.

This project, one of 8 scientific projects planned throughout the 13-month Around the Americas expedition, focuses specifically on the polar regions of the 25,000-mile

circumnavigation of North and South America and will further support the expedition's mission of highlighting the changing conditions of our oceans.

Tracked by satellite and weighing approximately 45 pounds, each buoy is equipped with sensors to measure air pressure and surface temperature – data widely used by both weather and ice forecasters. After approximately two years, the IABP buoys stop transmitting their location and are typically lost.

Since 1979, the IABP has deployed nearly 1000 buoys. In 2008, data from the buoys played an instrumental role in having the polar bear listed on the threatened species list. —

<http://www.aroundtheamericas.org/>

NOAA ADMINISTRATOR CHARTERS NEW COURSE

Dr. Jane Lubchenco, Undersecretary of Commerce for Oceans and Atmosphere and National Oceanic and Atmospheric Administration [NOAA}, highlighted her commitment to working closely with the recreational boating and angling communities in shaping NOAA policy.

Her speech to industry leaders addressed a number of important issues, including the improvement of NOAA's

relationship with saltwater anglers, better recreational fisheries data collection and catch shares.

At a hearing before the Senate Commerce Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard, Dr. Lubchenco reiterated her view that the angling and boating communities are key stakeholders for NOAA and any emerging national ocean policy.

The Washington Wave

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EDITORIAL COMMENT

The LOOKOUT has forwarded news of a national nature since its inception. Over the years, we have found that, frequently, seemingly "local only" issues have a tendency to become "national", often well hidden due to their local inception.

We encourage our readers to forward all news which may affect recreational boaters, and to keep us advised about

their progress as local issues spread.

Recreational Boaters, Fishers, whale watch operators and conversationalists have turned out in force to oppose a federal NOAA plan to protect killer whales by closing off 6.2 square miles of water off San Juan Island each year.

ORCAS HAVE CLEAR PASSAGE

RBAW (Recreational Boaters of Washington) has been attending these regional Northwest meetings, along with other marine interests in crowded rooms. The results have been mostly protests against NOAA's proposed half mile wide "no go zone" on the west side of San Juan from May 1 through Sept. when the whales are typically present.

The regulations would also prohibit boats from coming within 200 yards - twice the current limit - of the whales and being in the path of any killer whale within 400 yards.

NOAA says the regulations are needed to protect the area's Southern Resident killer whales, declared endangered in 2005. They say boat traffic causes behavioral changes in whales, reduces their ability to communicate, risks vessel strikes, and impedes their ability to hunt for food.

However meeting attendees in different Northwest forums

have spoken out against the proposed rules saying they are based on faulty science, and that better enforcement of existing laws is all that is needed. Speakers have been almost universally opposed to the no go zone proposal saying there is little evidence to demonstrate that boats are harming the Orca population.

Fishermen and boaters are trying to set the record straight by explaining to NOAA that the likelihood of a whale being struck by a boat is slim, trolling fishermen and kayakers are going too slowly to pose a risk from excess noise or strike, and there is no evidence of past whale collisions to suggest these extreme rules are needed. People are arguing with NOAA saying their data and science is extremely flawed and all facets of the boating world oppose it. NOAA has been tasked to review their data and talk to people who are out there every day.

BOATERS, WATCH THOSE BRIDGES!

In the Local Notice to Mariners of Week 35/09, notice was given to users of the waterway [a navigable channel] separating the island of Alameda from the City of Oakland, California that request has been made to open the three bridges connecting Alameda to the Mainland only on four hours advance notice between the hours of 1630 and 0900 the following day.

While there is limited commercial traffic in this area, it houses

residential docks, yacht clubs and marinas on the affected stretch of waterway, and is heavily used by recreational boaters.

The bridge office of District 11, USCG is accepting comments, though no notice has been posted in the Federal Register. This is the typical "small, local" problem which, unless resolved, could spread to other areas and CG Districts almost unseen and uncommented.

MEMBERSHIP APPLICATION

Mail To: PENNY ORTH
1000 WATER ST SW #66
WASHINGTON DC 20024-2468

Donation \$ _____

Regular - \$ 200.00 Associate - \$ 100.00 Club - \$ 50.00 Family - \$ 35.00 Individual - \$ 25.00

Name(s): _____

(Please print Clearly.) (First, Initial, Last) (List Delegate if Regular Membership and both names if Family Membership)

Organization: _____

(Optional, except for Regular, Associate, and Club Members)

Address: _____

City: _____ State: _____ Zip: _____

Work Phone: _____ Home Phone: _____

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Mail this completed application and check payable to National Boating Federation to the above address.

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VORACIOUS CARP THREATEN GREAT LAKES

The carp are coming. Unfortunately, they are using the same waterway as Loopers heading south, out of the Great Lakes.

Asian carp have been a problem along the Mississippi River since 1993, when they escaped their containment ponds during flooding. They have been making their way towards the Great Lakes but, until recently, were thought to be at least 15 miles away. Now, DNA evidence has shown they are much closer.

In an effort to stop the carp, the U.S. Army Corps of Engineers erected an electronic barrier in the Chicago Sanitary & Ship Canal, in 2002. In August of this year, they increased the voltage, frequency and pulse length of the Electric Fish Dispersal Barrier from 1 volt/inch to 2 volts/inch, for testing purposes.

Due to the increased risks to boaters this caused, the US Coast Guard closed the Canal in the vicinity of mile-marker 296, near Romeoville, Illinois, while testing and analysis were completed.

The closure affected all vessels less than 20 feet in length and all ships with hulls constructed of wood, fiberglass, or other non-metallic material.

The Army Corps of Engineers completed testing on the effects of the increased voltage September 4, 2009, and passed the results to the Coast Guard.

On September 11, 2009, the Coast Guard announced the Captain of the Port Sector Lake Michigan will allow, on a case by case basis, certain recreational vessels to transit the safety zone on the Chicago Sanitary & Ship Canal surrounding the U.S. Army Corps of Engineers' electric fish barrier from mile marker 296.0 to mile marker 296.7.

The Coast Guard will continue to enforce the safety zone near the fish barrier. However, based on the initial results of the recent safety tests conducted by the U.S. Army Corps of Engineers, the Coast Guard will consider, on a case by case basis, requests by recreational vessels to transit through the zone under their own power. Previously, certain vessels were permitted to transit through the safety zone only while being towed. Mariners must request permission to transit and comply with all instructions of the Coast Guard on-scene representative who can be contacted on VHF-FM Channel 16 or at (630) 336-0296.

Due to the risk of personal shock, the following types of vessels will still be prohibited from transiting the safety zone: all personal watercraft, canoes, kayaks, rafts, shells, or sailboats without a motor.

COAST GUARD RESPONDS TO OIL SPILL OFF SAVANNAH COAST

SAVANNAH, Ga. – The Coast Guard is responding to an oil spill approximately nine-miles offshore of Savannah after a tank ship punctured a hole in its double-hulled fuel tank during the deployment of the ship's anchor Sunday. The Singapore based tank ship, Stolt Vision, reportedly sustained a rupture to the starboard fuel tank located beneath the water surface while lowering its anchor at approximately 5:50 p.m. Sunday. A Coast Guard helicopter crew from Air Station Savannah conducted an over flight of the area at approximately 8 p.m., and confirmed an oil sheen approximately two-miles long and 60-feet wide. Coast Guard Marine Safety Unit Savannah, Station Tybee

Island, Ga., and Air Station Savannah are responding to the incident. The ship is currently at anchor pending first light evaluations of the situation. There is no hazard to navigation or closure to the Port of Savannah as a result of this spill.

(There appears to have been no further comment on the startling fact that an anchor was able to penetrate the DOUBLE HULLED fuel tank of a ship. There has been a major effort to convert existing ships to a double hulled configuration, as is required of new ships to be built.

*If the double hull is so easily penetrated by the ship's anchor, why add the additional weight and cost to ship construction?)
Ed.*

Visit our website <http://www.n-b-f.org>