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Shoreline Management & Boating: Can the Industry Survive?

A Report on the Fifth Marine Recreation Conference

New England Marine Advisory Service

New England Marine Advisory Service

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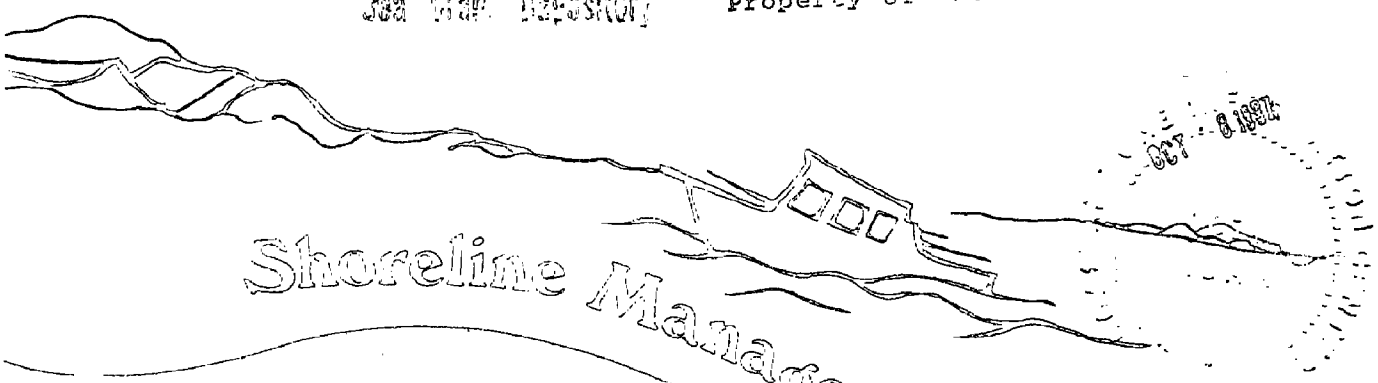

Shoreline Management & Boating

Can the Industry Survive?

A Report on the Fifth [illegible]
Recreation Conference

New England Marine Advisory [illegible]
A NOAA Sea Grant Program
Durham, New Hampshire

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A Report on the Fourth Marine Recreation Conference

Shoreline Management and Boating—Can the Industry Survive?

New England Marine Advisory Service
A NOAA Sea Grant Program
Durham, New Hampshire 1976

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Introduction

When Editor Bruce Cole wrapped up his introduction to the proceedings in the 1973 Marine Recreation Conference, he noted: "The session of the conference that seemed to stir the most interest concerned shoreline use and planning, and many participants felt that perhaps a future conference could center on this topic as it relates to pleasure boating."

Just how prophetic were these remarks has been shown by the 1975 Marine Recreation Conference. Representatives of government, the boating and marina industries, developers, coastal planners, and academicians gathered December 3rd and 4th, 1975, in Portland, Maine, to discuss the complex problems facing those who regulate or work in the coastal zone. Under the title *Shoreline Management and Boating—Can the Industry Survive?*, this report attempts to chronicle the 1975 conferees' progress in dealing with the many provocative issues foreshadowed in the 1973 meeting.

Certainly the words provocative and complex are not overstatement. The 1975 Marine Recreation Conference illustrated that increasing utilization of the coastal area has placed enormous pressures on the business operators, community officials, and regulators who are affected. Tough problems of economic survival, coastal access, property values, local regulation, adequate planning, and

governmental participation were tackled.

Much of the success of the discussions, panels, lectures, and briefings at the conference grew from a general sharing of organized, useful information. It was an opportunity for all of those involved in the future of the coastal zone to share insights and experiences.

Regulatory personnel explained their concerns and problems in carrying out their legislated tasks. Industry, community, and marina representatives provided direct feedback to regulatory agents on how both regulations and agents affect local communities and businesses. All participants contributed to possible cooperative solutions to the use-management problems occurring in the coastal zone.

Clearly, more satisfactory management of our coastal areas to meet the needs of potentially conflicting uses will be a long and difficult undertaking. But just as clearly the resources, understanding, and energy appropriate to the task *do* exist. We believe the 1975 Marine Recreation Conference demonstrated this, and we are pleased to summarize the work of this conference in the following pages.

Making the Most of the Shoreline: State Help Needed

The problems of coastal utilization from the perspective of the marina operator were the focus of remarks made by John MacDonald in his welcoming address to the 1975 Marine Recreation Conference.

Mr. MacDonald, who is President of the Maine Marine Trades Association and President of the Yarmouth Boat Yard, provided an overview of crucial issues for those in the marina and boating industries. He also expressed a desire, on behalf of himself and his association, to learn more about ways to provide adequate marina facilities without harming the coastal environment.

The coastal management problem in Maine, noted Mr. MacDonald, does not stem from over-population. Rather, Maine experiences large influxes of tourists who congregate along the shoreline for boating, other forms of recreation, and short-term residency. The demands being made on Maine's coast are substantial and could potentially compromise its beauty, he said.

To provide some orderly growth and protection for the shoreline, Mr. MacDonald called upon his State and others to provide support and assistance to marina operators. This backing, he suggested, needs to be directed toward helping existing operations and also toward providing new and expanded boating facilities.

Specific suggestions made by Mr. MacDonald include: state assistance to marina operators in drafting permit applications; state engineering advice to marina operators in good locations; and state-funded development loans to marinas when Small Business Administration loans cannot be obtained.

In concluding, Mr. MacDonald asked that Maine and other states take action to help construction of boating facilities in proper locations where no facilities now exist. Such initiatives would, he said, help reduce boating congestion while providing reasonable controls.

The Meaning of Coastal Zone Management

Why do America's coastal regions need to be "managed" at all? How does the Coastal Zone Act operate? These and other questions concerning the legal and regulatory aspects of coastal management were addressed by Paul R. Stang, Technical Coordinator, NOAA Office of Coastal Zone Management.

Mr. Stang explained that the Coastal Zone Act of 1972 (Public Law 92-583) was created to prevent deterioration of America's coastline. While it may cause short-term losses to a few users, the Coastal Zone Act, Mr. Stang said, will provide more efficient, balanced utilization of coastal regions for more people in the long run. He added that those affected by the Act could provide input to the formulation of CZM plans at the state level.

The Coastal Zone Act, according to Mr. Stang, requires that each state: 1) define processes for coastal management which the Office of Coastal Zone Management determines are substantive processes; 2) determine the boundaries of its coastal zone; 3) define use priorities for this zone; 4) define areas of critical concern within the zone; and 5) establish effective controls before the final plan is approved.

Mr. Stang explained that 24 million dollars has been allocated for implementation of CZM in fiscal year 1976. Most of the funds are going to the states on a

matching basis, with two federal dollars being spent for every dollar appropriated by the states. Currently, all coastal states and three territories have received grants. It is expected that by fiscal year 1977 the bulk of the states will have approved programs in operation. All states are required to comply with the Act by the end of fiscal year 1978.

What are some of the current problems as seen by OCZM personnel? Mr. Stang listed several which might affect the marine industries. First, shoreline erosion is occurring, perhaps due to boat wakes. Second, there are problems with dredging and filling shoreline areas. Third, wastes and pollutants are being dumped overboard or are discharged from boat motors. Controls in this area are adequate, said Mr. Stang, but a close watch needs to be kept on the situation.

Taking the boater's point of view, the speaker noted that a recent survey revealed the following major problems: 1) visual pollution; 2) overcrowded facilities and serious traffic problems on roadways leading to the shore; 3) general lack of facilities at the shoreline; 4) inconsiderate boaters; and 5) increasingly high costs for pleasure boating.

Mr. Stang suggested that there are solutions to these problems and that the marine industry should make its voice heard in CZM planning. He further suggested that the industry should ask state coastal zone managers, Sea Grant officials, and state and local agencies to: 1) fund studies of coastal areas, considering recreational values and benefits, and access and facility development problems; 2) encourage the U.S. Coast Guard to expand and strengthen its boating safety and training programs and its Coast Guard Auxiliary program; 3) encourage state OCZM planners, with industry input, to build positive inducements, such as tax incentives, into CZM schemes; 4) encourage effective water-use management; 5) request increased public access to the shore for small, trailerable boats; 6) work for more space for marinas in proper locations; 7) encourage professionally operated, larger boats for more efficient use in a given area; and 8) demand more effective licensing of boat operators.

A report on coastal zone recreation planning and management, compiled by Ditton and Stevens, is available from OCZM, NOAA, 3300 Whitehaven St., N. W. Washington, D. C. 20235.

Planning Coastal Management: Frustrations of the Middleman

The role of the planner, the middleman in coastal zone management, is not a simple one. Caught between the mandates of law on the one hand and the needs of shoreline operators and users on the other, the planner faces a very difficult task.

Ron Poitras, a former coordinator for Coastal Zone Management, Maine State Planning Office, described some of the frustrations of CZM planning. He noted that the Maine CZM Planning program attempted to meld together the requirements of four existing laws: a site location law; a shoreline zoning law; a wetlands protection law; and a critical area registration law.

The Maine approach, Mr. Poitras explained, was structured on a regional basis with input from regional advisory groups. Resource mapping was undertaken. Department of Environmental Protection personnel were to be stationed in each region for plan implementation and enforcement. Backup was to have been provided by enforcement personnel from local programs. The plan emphasized decentralization of CZM and provided funds and legal assistance to local communities for code enforcement.

Mr. Poitras said the planners attempted to get Maine's mid-coast area eligible for Section 306 funds, but that along the way problems developed. Section 306 defines procedures by which states can qualify to receive administrative grants under the Coastal Zone

Act of 1972.

First, though many local hearings were held, there was still much disagreement among the constituent population at their conclusion. Firm, acceptable decisions could not be made. Second, citizens interpreted resource maps as rigid zoning schemes, despite explanations to the contrary by the planners. Some perceived the CZM plan as taking power *away* from local communities, rather than as a decentralization process. Further, as the new plan was being formulated, a new governor took office. The governor, feeling that more federal programs were not needed in Maine, opposed the plan. Planning staff had inadequate opportunity to explain to the governor the actual scope of the plan.

Besides lack of support from the State House and suspicion at the local level, there were other road blocks, according to Mr. Poitras. Federal grant programs don't meet Maine needs, he remarked, because grant schemes are oriented toward urban areas, while 92 percent of Maine communities are under 5,000 population.

Planning techniques are efficient, concluded Mr. Poitras, but often are too mechanical and not sensitive to subjective considerations. Mr. Poitras indicated that planners are forced to make almost infinite compromises, being all things to the federal government, local people, state officials, various agencies, and to businesses and private users of the shoreline.

In response to questions from the Marine Recreation conferees, Mr. Poitras suggested that more education and study at the local level will be needed before Maine can have a useful CZM plan. He said, "We need to look at our society and find out what makes people smile. To get the answer to that, you must ask what their needs are. Drafting a bill in Washington isn't the answer."

The Shoreline—Local Issues and Local Politics

Shoreline management, licensing, and use regulation are always tough problems, and they are particularly demanding at the local level. Small communities often do not have the resources, guidance, or support to develop and implement effective shoreline management programs. Their problems were the focus of a panel discussion at the 1975 Marine Recreation Conference. Panel participants were Walton Baker, President of Harraseeket Marine Service, Richard Skinner of the Maine State Bureau of Parks and Recreation, Paul Ring, a member of the Bristol Planning Board, and Robert Johnson, Commissioner of the Maine Bureau of Water Crafts, Safety and Registration.

The work of the panel commenced with an explanation by Mr. Baker of the recent changes in harbor governance in Freeport, Maine. Mr. Baker described how changes in town government had shifted the composition of the Harbor Study Committee. The committee, once comprised of those with few marine interests, has evolved into a committee of people directly involved in harbor matters. Study at the local level has resulted in a local ordinance creating a harbor commission in Freeport. The commission backs up the local harbor master and provides input into the town council. The relationship seems to be a productive one.

Mr. Johnson explained the problems of standardizing and administering boat operator licensing procedures, due to the different skills needed in freshwater and saltwater boating. He said he opposed the idea of licensing all operators, suggesting that education through expanded Coast Guard Auxiliary programs might be a better answer to safety needs. Mr. Johnson also expressed a desire to see archaic harbor master laws reviewed and updated by the legislature. There are many difficulties arising from competing uses of harbors, all of which create problems of regulation for local communities. Mr. Johnson noted that previous attempts to update such legislation have been defeated.

The problems of a community with conflicting shoreline use pressures were described by Mr. Ring, who presented issues confronting Bristol. He noted the difficulty fishermen are having in maintaining shore property amid rapidly escalating property values and competing uses by recreational boaters. The local planning board has little control over water use, and the community itself, noted Mr. Ring, is not pro-planning, having previously opposed control of access and water use. Mr. Ring concluded by saying that planning for reasonable use of the shoreline is now in a very primitive state in midcoast Maine.

Mr. Skinner described how part of his agency's work is directed toward developing more access points. This work, carried out by the Waterways Section, is funded by taxes on gasoline used by recreational boaters. Efforts are concentrated on locating possible sites of access. On the federal level matching funds from the Bureau of Outdoor Recreation are available to states and local communities that have developed public access points. Grants are available for access development too. The fact that there are limited access facilities in Maine may be contributing to traffic congestion near these facilities, according to Mr. Skinner.

A variety of questions and comments followed. It was brought out that most states conform to the 1971 Federal Boat Safety Act and honor reciprocity with other states. A single boat license in Maine can be used on fresh and salt water. New Hampshire does not provide reciprocity, and thus faces the prospect of Coast Guard licensing and regulation in Lake Winnipesaukee and Lake Winnisquam.

Fears of intrusion by too many federal agencies were aired. Maine's boat taxation picture was also discussed. In the Pine Tree State, it was pointed out, the Bureau of Watercrafts provides the tax assessors of each town with a list of registered boats. The town assessor assigns a value to each boat and sends

a tax bill to the owner. But many boat owners moor their boats in other communities, creating the problem of assessment and payment inequities.

Questioning also brought out that most opposition in Maine to CZM comes not from fishermen but from developers, holders of large tracts of shoreland, and from members of the building trades.

Outer Continental Shelf Oil Development and Boating

With the likelihood of Outer Continental Shelf oil development in the near future (exploratory drilling is in progress at the time of publication), the question of its impact on shoreline activities such as recreation and boating looms large. There are at least two possible effects of oil development. The first effect would be on water quality, including possible spills, leaks, disruption of the ocean bottom, and other factors. The second effect would arise from the demands made upon shoreline regions as staging areas for whatever activities were undertaken offshore.

What do we really know about possible OCS oil development on shoreline enterprises? Actually, very little. Although many site-specific studies exist in regard to drilling, little information exists on how offshore activitiy would affect the shoreline. One exception would be a study done by Delaware Sea Grant, entitled "Sea Grant Looks at OCS Development." Additionally, several universities have done studies of marinas, but not as a part of the sea-and-shore complex system which would result if OCS development becomes active.

Paul Jensen, Marine Extension Specialist at the University of Delaware, explained the OCS process as follows: 1) geophysical exploration; 2) environmental impact statement based on data gathered through various indirect meas-

urements; 3) decisions to lease (made by the Bureau of Land Management); 4) lease sales; 5) exploratory drilling (for an indeterminate period); and 6) development process (based on determination of actual oil-gas reserves). Mr. Jensen suggested that some attention should be given to whether or not a break might occur between exploration and development phases to provide public input and feedback before further development takes place.

What about the hardware? The typical oil rig would be a fixed device, unlike exploratory rigs which would be movable. The permanent rig would likely be manned by roughly 60 technicians. The larger hardware picture, based on studies in the mid-Atlantic region, might include 20 to 22 oil rigs for production and exploration; 1 supply boat per rig; 1 or 2 crew boats or helicopters per rig; 1,200 actively involved personnel and up to 60,000 ancillary personnel, with 5 to 10,000 persons working in a selected support area. Port requirements include a 15-foot working depth, crane facilities, storage facilities for oil, for water, and for other incoming and outgoing materials, and at least 500 acres of land to accommodate support facilities.

In his remarks, Mr. Jensen made some projections on various forms of OCS environmental impact. Among these he listed: 1) slurry impact with its attendant impact on benthic flora and fauna (a typical exploratory well might produce about 1200 tons of slurry); 2) increased salinity (brine from oil could increase water salinity by as much as four times normal); 3) pipeline construction stirring up the ocean bottom for a time; 4) base construction (mostly affecting the shoreline area) being disruptive; and 5) spills, which could have effects, but appear low-risk at present.

Mr. Jensen suggested that the main shoreline impact would come from construction (support and storage facilities) and from population influx. Both factors would create serious pressures on shoreline communities for space, management of water traffic and harbor resources, housing, and typical community services. Questioning produced the observation that when OCS oil development occurs, there is typically a period of population growth in shoreline communities for about 5 years, and it then dies out. If offshore wells progress commercially, they are not manned at strength continually. There are proposals for financial subsidies from various federal agencies to assist coastal communities which bear the brunt of oil development.

Industry Approaches to the Problem of Engine Noise

One of the concerns of both the boating industry and water-use regulators is the noise created by motorized craft. A presentation by Joseph B. Swift, Executive Director of Industry Affairs of Mercury Marine, informed conferees of efforts the industry is making toward quieter engines.

Mr. Swift explained that he hoped to provide some scientific data developed in the industry's on-going accoustical investigations. He noted that the industry had been examining the problem of engine noise for nearly 15 years.

The Mercury presentation stressed that much engine noise is not exhaust-related, but stems from overall engine operation. A film suggested that noise is a component of energy. Noise as energy is measured in decibels. Noise increases or decreases not arithmetically, but logarithmically. Thus doubling the amount of sound energy would only increase the noise level by 3 decibels.

The logarithmic behavior of sound as related to energy means that it is difficult to reduce engine noise by reducing sound energy. An engine manufacturer able to reduce engine sound energy by one-half would lessen audible sound by only 3 decibels. For example, the film illustrated that to reduce the audible sound of a marine engine from 75 decibels to just 72 decibels, the manufacturer would have to engineer out 50 percent of the sound energy.

The Mercury presentation noted that most outboards emit sound below 73 decibels at cruise throttle. (Seventy-five decibels is often cited as a figure above which sound begins to be an irritant or harmful to human hearing.) It was also noted that most boats operate at wide open throttle only 2 percent of the time, and boats are operated at idle position about 30 percent of the time. Further, the presentation suggested that boat hull noise alone, without power, can produce noise in the 71 to 75 decibel range, and that many motors are actually quieter than 75 decibels. New noise rating standards used by the U.S. Environmental Protection Agency were mentioned as more realistic than decibel ratings. The USEPA standards measure sound levels over time, computing actual noise factors based on both periods of noise and quiet in a given time period. Mr. Swift said that regulations should provide for equitable allocation of waterway resources and wise use, based on the local situation.

The Coast Guard Role

Increasing pressure on the shoreline inevitably leads our attention to those charged with an enforcement role in the coastal zone, the U.S. Coast Guard. Commander Raymond Womack, Chief, Boating Safety Division, First Coast Guard District, discussed the Coast Guard role, particularly on inland waterways.

Commander Womack explained that the Coast Guard has exclusive jurisdiction over U.S. ships from three miles offshore to all the seas, unless the vessels are in foreign waters. The Coast Guard shares jurisdiction with the states from three miles inward, including all navigable waters. The definition of navigable waters is up to the Coast Guard, and its authority is derived from the U.S. Code, Titles 14, 33, and 46.

An example of shared jurisdiction was given. The Coast Guard has recently defined Lakes Winnisquam and Winnipesaukee and the Merrimack River as navigable waterways, thus taking them out of the exclusive jurisdiction of New Hampshire. Commander Womack stated that the action was not done hastily and that the Coast Guard was not attempting to "take over."

The Federal Boating Safety Act of 1971 gave jurisdiction over the boat registration and numbering system to the Coast Guard. Such jurisdiction can, in

turn, be handed over to each state, provided that the state has a federally approved numbering act. There must also be reciprocity. New Hampshire does not have a federally approved numbering act. Thus it is in conflict with federal law, especially in the area of "shared jurisdiction."

The Coast Guard recognizes that New Hampshire has a good water safety program and does not want to deprive the State of revenues received from state boating licenses, said Commander Womack. All New Hampshire needs to do to regain these revenues, he noted, is to pass a federally approved law.

In answer to questions, Commander Womack said that the Coast Guard has primary responsibility for aids to navigation in newly defined navigable waterways, but usually makes arrangements with the states involved. He also noted that federal courts have determined that out-of-state "users" fees for boaters are illegal.

Shoreline Management Research in the Political Arena

What can the shoreline-based marine industries do to make their views known in the political arena of coastal planning and management? They can do a good deal, according to Dr. Paul Marr, Professor of Geography, State University of New York in Albany.

Professor Marr explained that the decisions which will affect the shape of CZM are being made on three levels: local government; state government in both executive and legislative agencies; and, more remotely, by the federal government through executive agencies and through Congress and its committees.

Two major forces will affect coastal life, suggests Dr. Marr: regulation and development. How they affect businessmen who operate marine industries will depend largely upon how these men and industries prepare themselves, said Dr. Marr.

Dr. Marr said marina operators and industries need not fear the increasingly complex issues of regulation and development in the CZM picture if they take action in a constructive way. He suggests that the marine industry take a hard look at itself, look at the new forces active in the shoreline picture, size up the effect of new regulation on the horizon, and make plans for the future. None of this looking about is necessarily pleasant, said Dr. Marr, but it is necessary by way of beginning.

Because CZM is in two parts (planning and development, and implementation and long-term management), the industry has an opportunity to make its views heard effectively during the first phase, which will encompass several years.

Public participation can be a valuable source of credibility and acceptance for CZM, said Dr. Marr. This means that input is welcome from business, individuals, and local communities as plans for CZM are developed. Planners are aware of the need for public input so that CZM will have broad backing and acceptance by those in the shoreline region.

Dr. Marr suggested the following approach to developing data that can be useful to CZM planners on various levels: 1) identify recreational demands being made on the marine industry; 2) ask which of the above demands are being satisfied and which are not; 3) identify the active marine recreation sites, asking what sites might logically be further developed; 4) ask what acreage is needed and determine if there is sufficient space for expansion of the marine industry and other related facilities; 5) ask whether there is adequate parking and access in these areas; 6) ask what kind of economic benefits the industry provides to a given area, taking into consideration employment, seasonal effects, the kind of income generated, and the multiplier effects; 7) ask what are the multiple use aspects of the industry, what conflicts exist within or around the industry, how it complements other activities and businesses; 8) ask how the industry views existing and future regulations; 9) look at relationships in terms of public relations existing between the individual operator, large marine industries, and the general public recreation industries, at opportunities existing for greater interaction and cooperation, and how cooperation can be achieved; and 10) consider whether associations or other agencies of cooperation should be formed.

Dr. Marr concluded by noting that greater regulation need not mean trouble for the marine industries. Regulation could mean more protection and balance for those doing business in the coastal zone.

Approaches to the Use of Shoreline Research

In addition to comments by Dr. Paul Marr of the State University of New York, the Marine Recreation Conference of 1975 also heard related remarks by Dr. John Judd, Executive Officer, New York Sea Grant Institute, Albany. Dr. Judd talked about the role of new shoreline research from the specialist's point of view.

Dr. Judd said that there is considerable evidence of increased interest in the coastal zone. A study of one prominent New York newspaper showed that, between 1947 and 1957, only about 5 editorials per year appeared dealing with coastal issues. In 1973 alone, there were 41 editorials on coastal topics. Much evidence suggests that more people are concerned with the fate of our shorelines as a part of the larger environmental picture.

The main purposes of research in the coastal zone are to provide information on both land and water resources and to determine man's impact on both. The researcher's task is to bring this information to the attention of various shoreline users, including individuals, operators, government agencies, etc. A team approach is necessary to develop this information and to make it readily available. One-dimensional studies are not adequate in dealing with so complex an issue as shoreline management, so biologists, sociologists, lawyers, recreation specialists, and others all provide research input to ongoing

studies. The result is a more accurate picture of all the activities and interrelationships in the coastal zone. This approach also creates a format whereby different scientific disciplines can share information across traditional academic barriers.

Research developed on the coastal zone is being used in a number of ways. Obviously, it is being used by government officials on the local, state, and national level to work out plans for the coastal zone. It may be used by members of the marine industries to explain their needs and interests as a part of the coastal management plan. Researchers are also working to make their new information available in understandable form to the average person, who may be a coastal zone user. Finally, citizens are using CZM research in the political arena on the local, state, and federal levels.

Competing Commercial Uses for the Waterfront

What form should future development on the waterfront take? Marinas? Condominiums? Public facilities? No growth? Housing for the rich? Herbert Clark, of Diversified Properties, and Stuart Ingersoll, President of Essex Boat Works (both of Essex, Connecticut), shared views on the problem of future coastal development.

Mr. Clark began by saying that pressures on the coastal zone are almost maximum, and that even a well-thought-out CZM plan can't totally stem such pressures. He noted that these pressures take three forms: economic, social, and environmental. Mr. Clark explained that in the Northeast, developers look for established towns on better harbors as potential development sites. Towns with good shopping centers, existing sewage facilities, and other services are attractive development localities. However, noted Mr. Clark, the problem arises that marina operators cannot compete dollar-wise with developers when it comes to land prices.

Mr. Clark said that if an acre of land were valued at from $20,000 to $50,000, satisfactory return on that land would be from $2,000 to $5,000 per annum. No marina operator could charge such rates and stay in business, said Mr. Clark. Thus the pressure to sell out and let the acreage be developed is strong. The economic pressures masquerade under the heading

of "revitalizing the waterfront," said Mr. Clark. The typical developer talks about "updating" the waterfront and making it available to more people, but boating functions, which can't compete economically, are the first to go.

In the social area, Mr. Clark said there are public pressures which say that boat service is not the most important use of the waterfront. Towns enjoy greater revenue from condominium developments than from boat service, and thus town planning boards are not boat-oriented. Mr. Clark suggested that, despite this factor, problems could be solved better on the local level than through centralized planning, which might even be less in touch with the needs of marina operators.

Mr. Clark also noted that many environmental concerns expressed about shoreline development were well-founded. They have resulted, however, in further regulation for the marina operator, thus driving his costs upward. Another result of more extensive regulation has been that fewer permits are given for new facilities or the expansion of old facilities.

Mr. Clark concluded by noting that developers are well-organized and love to promote the idea that harbors are too valuable to waste on rich boaters. The marina industry will have to organize too, and be heard.

Mr. Ingersoll picked up on this theme by saying that boating industries must convince seaside towns that it is not in the towns' best interests to turn over the waterfront to developers. We need to keep such towns "visitable" and not "avoidable," he said. The "Daytona Beach Effect" should be curbed by reserving the waterfront for those activities which require waterfront space. Among those operations requiring waterfront, Mr. Ingersoll included ports, swimming, boating, salt marsh and wilderness areas, and fishing. He noted that condominiums, schools, and businesses do not require waterfront space for successful operation.

The idea of taxing marine industries at the same rate as residential real estate seemed unfair to Mr. Ingersoll, and he suggested that a tax break for boatyards be considered. He said that shoreline pressures mean that we can't afford the luxury of the individual "doing what he damn well pleases."

A lack of concern and expertise at the local level hampers sound coastal zone management, said Mr. Ingersoll, and he added that a state law with provisions for local administration might be an improvment. He said that he favored use restrictions as long as affected parties had input into those restrictive policies. In conclusion, Mr. Ingersoll suggested planning for the long term, with the possible establishment of a coastal land bank that would provide sites for future marinas and other waterfront uses.

Work Groups' Reports

A feature of the Marine Recreation Conference was a series of work groups in which participants dealt with specific issues affecting the coastal zone and inland waterways. At the conclusion of the conference, reporters described the conclusions reached by each work group, and the groups' findings are reviewed below.

Work Group One: *"Who Owns the Water?"* The members of the group concluded that there are no uniform legal answers to the question. Different laws provide different answers in various sections of the country. Examples are the Great Ponds Act in the Northeast, antiquated laws in the Midwest, and riparian and priority laws in the Far West. Group consensus was that the people own the water, legally and morally. The real question, the group felt, was how to resolve conflict between competing water uses (commercial, private, environmental). Though the group felt that home rule should govern, there was a realization that even with local control of waterways there could be "local feuds" or that lack of uniformity of regulation would possibly result.

The group made the following suggestions: 1) to minimize lake use pressures and limit parking of transients adjacent to the lake; 2) to publicize little-used waterways; 3) to provide more waterside facilities, perhaps using marine fuel tax to finance acquisition of new access

points; 4) to clean up polluted waterways so that boaters will return; 5) to encourage private companies owning large tracts of land with water access to allow access by the public, with appropriate controls to prevent abuse; and 6) to charge fees for the use of public launching facilities, and use the funds collected for maintenance.

The group also concluded that time or area zoning might be necessary where use conflicts exist. States must play the leading role in resolving conflicts and standardizing regulations, the group concluded, with more education in water safety and courtesy on the water.

Work Group Two: *"Planning for Better Boating."* Members of the group attempted to develop data in four areas and then to provide some specific suggestions.

The first area question was: "Why do people go out in boats?" Answers were: independence, escape, status, family activity, exercise-sport, challenge-skill, competition, transport, business, research, and aesthetics.

The second area question was: "What limits boating pleasure?" Some answers by the group were: lack of access (remoteness or dockside crowding), theft, over-regulation, weather, inadequate facilities, money, environmental quality, competing uses, decline in resources, zoning restrictions, and lack of safety skills.

The group next asked: "How can these limits be reduced?" Responses were: provide better services, education and training; compromise; develop an effective industry voice and better communication generally.

A fourth area question was: "Why have the marine trades been ineffective thus far in improving boating?" Answers were: the lack of a focused threat had failed to mobilize the industry; there is an attitude of escapism among owners; owners are difficult to organize because of turnover or disparity of interests; and there is a lack of initiative.

Possible solutions to existing problems include: 1) restrictive zoning, waterfront commercial zoning; 2) dry storage (limited to boats 24' and under) to reduce pressure on the waterfront; 3) limitations on marina owners' rights to sell their property to whomever they please (although considering this as a way to keep already limited shore facilities from passing into the hands of developers, the work group consensus was that the state probably has no right to limit or restrict the sale of marina property); 4) seek federal monies for specific projects; 5) promote recognition of boating as a necessity, not a luxury; 6) and form organized

trade associations which will suggest programs for better access, possible tax incentives, and other input to CZM planners.

Work Group Three: *"Can Free Enterprise Survive on the Waterfront?"* The feeling of this group was that the coastal zone seems to attract regulation because it is an area in which various interests are involved. Different interests seem to be attached to different regulatory bodies, all of which serve the interest they are designed to regulate.

The marina operator, under pressure from growing numbers of boaters, is also pressured by a multiplicity of regulatory agencies when he attempts to carry on his trade. He might, for example, have to deal with a dozen different agencies or officials to make minor mooring changes.

The group felt a recognizable channel to authority needs to be set so that commercial users can get the information they need without costly delays and duplication of effort. A coastal management group to centralize all the functions of all regulatory agencies was suggested, though it was recognized that this might infringe upon local authority.

In conclusion, this group felt that regulation, not water quality or safety issues, was the single most important factor affecting the future of the waterfront.

Work Group Four: *"Research Needs in Boating."* The first need identified by this group was for "economic data" on the marine industry as a whole. The group decided that more information was needed on the multiplier effects of the industry on local communities, on other industries, on regions, and on the state. A second concern was to determine the future direction of the marine industry. Historical trends need to be studied, too. The group then asked what types of information were needed. It decided that: dollars and cents data are needed in detail for legislative use; information on waterfront land use is appropriate; legal information should be developed; and a possible management handbook might be created.

Other conclusions were that environmental data should be developed, including such information as slip sizes, information on harbor traffic, and aesthetic issues.

Information is also needed, the group concluded, in the form of technical assistance for harbor masters. A general improvement in information transfer via Sea Grant Advisory Services, marina groups, and other associations was urged.

Work Group Five: *"Pressures for Alternative Uses of Waterfront Property."* The group suggested that certain uses of the coastal zone should be prohib-

ified and that function was more important than commercialization. Future use of the coastal zone should be determined by those functions that *must be* located there, said the members of the group. Marinas should receive some of the same incentives that public parks receive, as they, too, serve the "public good."

The group noted that a public relations effort needs to be developed, and lending institutions need to be convinced that this is a viable industry. A separation of marina housekeeping duties and financial management was suggested in order to develop a more professional public image. Standardized bookkeeping procedures might be implemented.

On the subject of Outer Continental Shelf oil development impact on local harbors, the group felt that each community would have to examine the potential impact of OCS activities on itself, and then decide whether to encourage or discourage staging operations in its area. The panel also concluded that there are, at present, many questions concerning shoreline use which cannot be answered. Some of these questions are: What will CZM try to do about mislocated boat yards and recreation areas? Who would incur the costs of relocating such operations? What is the relative value of boating recreation? How can research measure benefits derived from marina-recreation facilities?

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