

Issue 15: Personal Water Craft

Comment

NOAA Response

Prohibition and Regulation

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The danger water craft can pose to marine mammals and divers, and the noise and exhaust problems which may pose a threat to kelp beds and other biological resources in the Monterey Bay area, necessitate a prohibition or regulation of personal water craft. In addition, personal water craft should be prohibited in "areas of biological significance," including those with high human-use levels such as beaches; diving, swimming, and surfing areas; state parks; and preserves and reserves. Beside the potential danger to recreationists, personal water crafts disrupt low-intensity area uses.

NOAA agrees. Regulations have been revised to restrict personal water craft throughout the Sanctuary (15 CFR §944.5 (8)), but to allow personal water craft to operate in four specific zones and access routes. Generally, these zones and access routes are located off the harbors of Pillar Point, Santa Cruz, Moss Landing, and Monterey. They were chosen to avoid injury to kelp beds and sea otters and to minimize conflicts with other recreational users and because these areas are accessible from launch areas and encompass areas traditionally used by personal water craft (see Appendix III of the regulations for specific zone and access route boundaries).

**Definition of Personal Water Craft
(Termed Thrill Craft in the DEIS/MP)**

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A more precise definition of personal water craft is needed.

NOAA has defined personal water craft as any motorized vessel less than fifteen feet in length as manufactured, capable of exceeding a speed of fifteen knots, and having the capacity to carry not more than the operator and one other person while in operation. The term includes, but is not limited to, jet skis, wet bikes, surf jets, miniature speed boats, air boats, and hovercraft.

Policy Timetable

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NOAA should have a timetable outlining when the personal water craft policy will be evaluated and implemented.

Regulations will go into effect following completion of Congressional and Gubernatorial review of the terms of designation, as specified under §304(b)(1) of the MPRSA. NOAA will publish a public notice in the *Federal Register* announcing the effective date of the regulations.

Emergency Response Exceptions

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Exceptions to the personal water craft policy should be made when the USCG response groups or individuals need to use fast small boats during emergencies.

The prohibitions listed in the regulations at 15 CFR §944.5 (a) (2)-(10) do not apply to any activity necessary to respond to an emergency threatening life, property, or the environment.

State Consultation

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The DEIS/MP gives no role to the California Department of Boating and Waterways (CDBW), one of the most effective boating agencies in the nation. Consultation with this department is encouraged.

The FEIS/MP has been revised to include references to the CDBW. NOAA will continue to develop a close working relationship with all state agencies including the CDBW.