



Personal Watercraft  
Industry Association

March 1, 2013

Personal Watercraft Industry Association  
444 North Capitol Street, N.W.  
Suite 645  
Washington, DC 20001  
(202) 737-9761

**VIA CERTIFIED U.S. MAIL**

Superintendent  
Gulf of the Farallones National Marine Sanctuary  
991 Marine Drive  
The Presidio  
San Francisco, CA 94129

Re: Justification for Exclusion of Personal Watercraft

Dear Superintendent Brown:

On behalf of the Personal Watercraft Industry Association (“PWIA”), these comments provide its request for a thorough review of the current ban of personal watercraft (“PWC”) from the Gulf of the Farallones National Marine Sanctuary (“GFNMS”) within its current boundaries and the proposal to extend that ban to include the proposed new boundaries of GFNMS.

The PWIA was founded in 1987 by the manufacturers of personal watercraft and is an advocate for safe and responsible PWC operation. The PWIA supports reasonable and fair regulations, strong enforcement of boating and navigation laws, and mandatory boating safety and education for all PWC operators. The PWIA is an affiliate organization of the National Marine Manufacturers Association (“NMMA”), the leading trade association representing the recreational boating industry in North America. The PWIA's members are manufacturers and/or distributors of PWC, and have unparalleled experience and institutional knowledge with respect to PWC.

There are 1.3 million registered PWC in the United States today.<sup>1</sup> The recent economic downturn in the U.S. economy has had a significant impact on the boating industry, with production and sales volume for PWC decreasing in the past several years. Recent economic trends have altered the nature and trajectory of the PWC market since the GFNMS ban. The overwhelming majority of PWC sold today are three-passenger models, and have undergone significant advancements to the design and improved technology. The modern design and environmental improvements have reduced PWC noise by 70 percent in the past decade, and all PWIA member manufacturers meet or exceed National Park Service noise level requirements. Furthermore, PWCs have reduced emission levels by 90 percent since 1996.<sup>2</sup>

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<sup>1</sup> National Marine Manufacturers Association, “Recreational Boating Statistical Abstract.” 2012.

<sup>2</sup> 2011 National Marine Manufacturers Association Statistical Abstract; 40 C.F.R. 1045; SAE-J1970; ISO-14509.

The National Oceanic and Atmospheric Administration's (NOAA) Office of National Marine Sanctuaries has in place within the existing boundaries of GFNMS a ban of a single type of recreational boat, PWC. This ban, which also extends to exclude boaters from the Monterey Bay National Marine Sanctuary, places a prejudicial exclusion of a boat that has been proven to present noise, emission, safety and environmental impacts that are at or below all other recreational vessels, according to mandates of the U.S. Environmental Protection and the State of California Air Resources Board, and data collected by the U.S. Coast Guard and individual state governments.

The ban of PWC from GFNMS has yet to be supported by data collected from within the GFNMS. Given that no ban of PWC currently exists within the proposed expansion of GFNMS, an Environmental Impact Statement should review should determine the existing impact of PWC within the proposed boundaries to determine its justification both within those boundaries and the proposed expansion of the sanctuary.

The proposed expansion presents an opportunity for a thorough investigation of the following questions and issues:

- What was the original purpose and justification of excluding PWC from GFNMS?
- Are those purposes and justifications valid when applied to the current state of technology of PWC, the increasing demographic age of users, the significantly reduced emissions and sound and safety improvements that have been achieved in the past 10 years?
- What is the economic impact of excluding PWC from GFNMS?
- What is the current expense of enforcing the ban within the current boundaries of GFNMS?
- Will the budgetary impact of expanding the ban put additional strain on the sanctuaries budget?
- The current definition according to SAE of a PWC is *a vessel less than 13 feet long, powered by a vessel less than 4 m (13 ft) in length which uses an internal combustion engine powering a water jet pump as its primary source of propulsion, and is designed to be operated by a person or persons sitting, standing, or kneeling on rather than within the confines of a hull.* GFNMS uses a definition that includes boats up to 20 feet long, which does not comply with the official SAE definition. What is the justification for the discrepancy?
- What is the threshold for regulation of PWC?
- At what level of sound, emissions, speed limits and other factors must be achieved in order to negate whatever reasons exist for the creation of the original ban of PWC from the sanctuary? *NOAA has no performance standard for the use of PWC.*

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Thank you again for considering these comments. PWIA offers its expertise, studies and data to NOAA and the Gulf of the Farallones National Marine Sanctuary to assist it in collecting and determining the answers to the questions posed in these comments.

If you have any questions or require further information, please contact Michael L. Belitzky at (202) 737-9766 or at [mbelitzky@nmma.org](mailto:mbelitzky@nmma.org).

Sincerely,

A handwritten signature in cursive script that reads "David Dickerson". The signature is written in black ink and is positioned below the word "Sincerely,".

David Dickerson  
PWIA Executive Director