

Comments of BoatU.S.
to the
Georgia Department of Natural Resources
Regarding Proposed Anchoring Regulations
in the Georgia Estuarine Areas

June 17, 2019

BoatU.S., the Boat Owners Association of The United States, is the largest organization of recreational boat owners in the United States, with more than 650,000 members nationwide. More than 16,000 of those members live in Georgia. In addition, it is estimated that over 13,000 recreational boats travel through the state each spring and fall as part of the “snow-bird” migration. Our members enjoy boating as family-friendly activity using a wide range of sizes and styles of boats. Their interests range from long-distance cruising to weekend trips, day trips, and evening sails. As a result, the freedom to enjoy and navigate on the waters of our nation is one of their principle concerns.

For a number of years, BoatU.S. has actively engaged in the shaping of anchoring policy at both the state and federal levels. Our goal is to ensure that responsible boaters retain the ability to anchor as well as know what to expect as they travel from state to state. We have had the chance to review the draft Georgia anchoring regulations and offer the following comments and observations.

BoatU.S. believes an overriding principle for any anchoring regulations should be to preserve, to the greatest extent possible, a range of anchoring options for recreational boaters. Some boaters will want to be close to shore-side amenities and businesses. Others want to be alone, in essence, to camp in the woods instead of at a campsite alongside others. They want the freedom to choose.

With this perspective, we find several provisions of the draft regulation very troublesome. In particular, the broad restriction on overnight anchoring to only permitted areas is unacceptable. We urge the Board to revise this language. In its place we suggest the Board establish that all estuarine waters be open for anchoring except certain areas near docks, boat ramps, navigation channels and other areas needing additional management. Our review of the enabling legislation, Georgia House Bill 201, leads us to believe it is within Board’s discretion to make this designation, allowing for a more targeted approach to addressing areas of particular concern.

We further suggest that an open, public process consistent with the Georgia Open Meetings Act¹ be established for the setting of areas requiring additional management

¹ [O.C.G.A. § 50-14-1](#)

measures. Most boaters could accept limited restrictions provided they are location-specific, clearly marked, and obviously serve the purpose of providing clear channels and better management of the waterways.

We are also very concerned with the structure and costs of the proposed anchoring permit. We are not aware of any state or locality that imposes a similar permit for short-term anchoring and question if the state has the authority to impose such a scheme. Should the state move forward with this provision, we suggest it only be applied to vessels anchored for substantial periods of time (greater than 60 days for example) in one location.

The inclusion of a “safe harbor” provision in the draft regulations is appropriate and has our support. This recognizes an important principle of not forcing boaters to get underway in unsafe conditions or if otherwise unable. The time limit of seven days to address mechanical failures is reasonable.

Recognizing the Board is only seeking comments on the proposed anchoring regulations, we would like to offer additional insights on the issues raised by the enabling legislation. The discharge of untreated sewage was specifically cited as a principal concern. The state should note that it has been illegal to discharge untreated sewage into the waters of United States since the passage of the Clean Water Act in 1972. Most recreational boats with sanitary facilities are designed with holding tanks, and there is a robust system of vessel pumpouts. The state of Georgia has spent more than \$2,200,000 in Clean Vessel Act (CVA) funding since 1992. The CVA program is supported by taxes paid by recreational boaters and anglers.

Our experience in other states has shown that a limited number of boats are the primary driver of many of the concerns of residents and local officials. Often these particular vessels are not being used for recreational purposes and fail to comply with numerous other laws and regulations. We urge the state to focus its enforcement efforts on those noncompliant vessels and not resort to wholesale exclusions of all vessels.

We appreciate the thoughtful consideration the Board is putting into the development of these regulations. We stand ready to work with all stakeholders to develop balanced anchoring regulation that addresses the state’s concerns while preserving the freedom that makes so many embrace recreational boating.

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