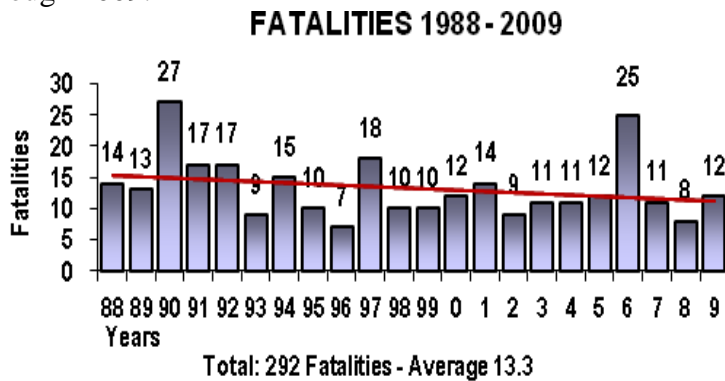
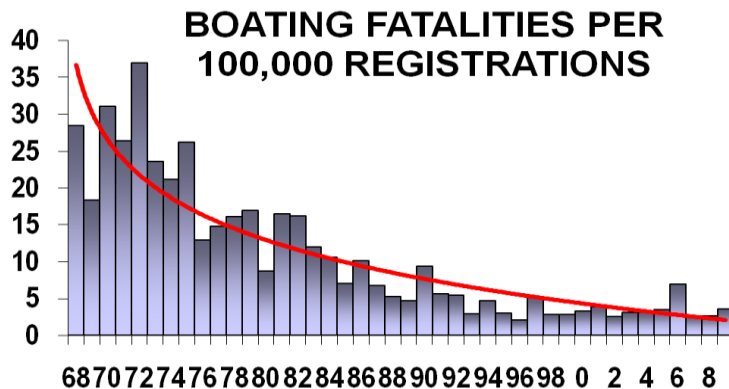


**RECREATIONAL BOATING SAFETY (RBS) PROGRAM
 PERFORMANCE REPORT
 PART 1 C: ACCOMPLISHMENTS
 COMMONWEALTH OF PENNSYLVANIA
 FOR THE PERIOD OCTOBER 1, 2008 TO SEPTEMBER 30, 2009**

The Recreational Boating Program in Pennsylvania, which is administered by the Pennsylvania Fish and Boat Commission (Commission), is dependent on the infusion of funds from the Recreational Boating Safety Program grant to be successful. One way to measure the success of Pennsylvania’s boating safety program is the number of recreational boaters injured or killed in boating accidents. Because of the importance of weather and other factors impossible or difficult to control, the trend in boating accident fatalities is the statistic most valid for judging program success. The following graph shows boating fatalities in Pennsylvania from 1988 through September 30, 2009. Although there are spikes some years in the number of fatalities (1990, 1997 and 2006), fatalities per year is on a gradually downward trend. The average number of fatalities per year from 1990 through 1999 was 14; this declined to 12.5 per year for 2000 through 2009.

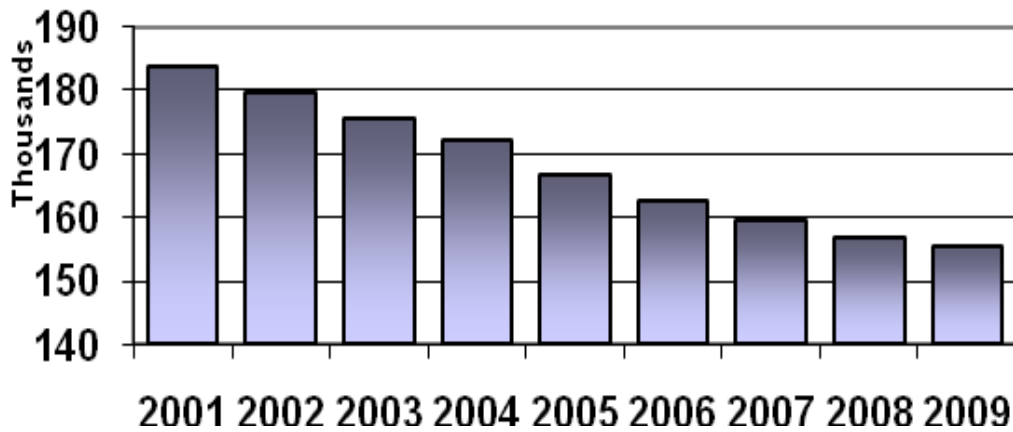


The success of the Commission’s boating safety program is illustrated by comparing the number of fatalities to the number of registered boats. These records are available for the last 42 years. The following graph shows the number of recreational boating fatalities per 100,000 registered boats. The huge increase in the number of boats registered in the Commonwealth over the last 42 years has been matched by a commensurate increase in boating safety. This would not have been possible without the support of Coast Guard RBS funding.

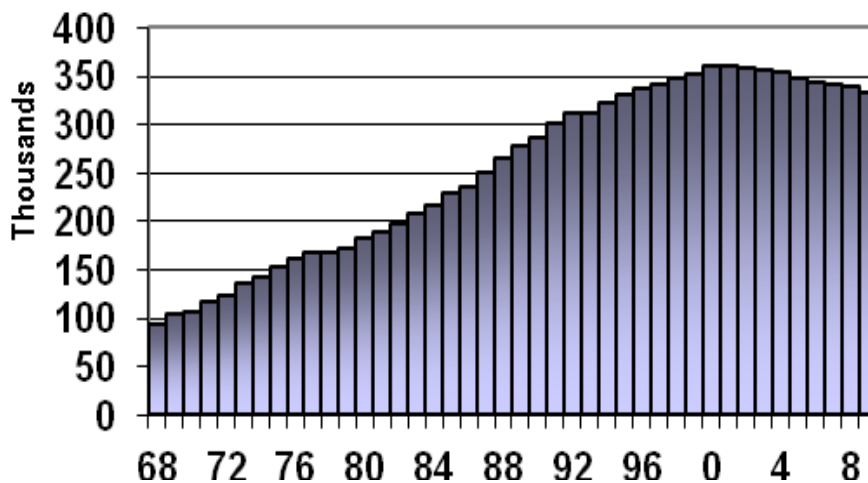


Pennsylvania experienced another slight decrease in boat registrations in 2009. The Commission registered 336,347 craft from 10/1/2008 through 9/30/2009. This represents a decrease of 1,845 boats from the previous year. This decrease is small but is significant as a trend. During the period of 1968-2009, boat registrations have gone up every year but ten and have declined in each of the last nine. The peak was in 2000 with 360,361 registered boats. This decline has been primarily in one class of boats. The numbers of motorboats less than 16 feet in length that are registered in Pennsylvania have declined steadily since 2000 (see chart below).

MOTORBOATS <16 FT. REGISTRATIONS



BOAT REGISTRATIONS 1968 - 2009



	2009 BOAT REG STATS	2008 BOAT REG STATS	2007 BOAT REG STATS	2006 BOAT REG STATS	2005 BOAT REG STATS	2004 BOAT REG STATS	2003 BOAT REG STATS
Total Active Registrations:	336,347	338,192	341,239	344,452	348,512	353,478	355,246
Total Unpowered Vessels:	39,006	39,165	39,193	39,435	40,134	40,281	39,278
Total Active PWCs:	27,309	27,058	23,167	26,511	26,367	26,095	26,281
MOTORBOATS BY CLASS:							
Less than 16 Ft.	155,285	156,784	159,505	162,626	166,546	172,265	175,444
16 Ft. to 25 Ft.	134,913	135,204	135,864	135,593	135,238	135,276	134,454
26 Ft. to 39 Ft.	6,258	6,180	6,073	5,958	5,841	5,720	5,543
40 Ft. to 65 Ft.	575	575	571	553	530	514	499
Boats > 65 Ft.	38	34	33	33	31	28	28
REGISTERED UNPOWERED CRAFT:							
Rowboats	1,755	1,881	1,941	1,991	2,010	2,054	2,082
Sailboats	1,307	1,386	1,469	1,563	1,637	1,691	1,801
Canoes	19,908	20,735	21,395	22,202	23,211	24,122	24,337
Kayaks/ Other Boats	16,016	15,163	14,388	13,679	13,276	12,414	11,058

The Commission has continued to train and employ quality conservation officers. The training school for a new class of Waterways Conservation Officers (WCO) is underway. We had planned to hire fourteen new officers but only seven qualified for the class. Boaters are generally a safe, law-abiding group. If there is a visible enforcement presence, problems seem minimal. Efforts to educate and control boat operators have worked.

The following goals and objectives were set for the Commission for the 2008 recreational boating safety grant year:

GOALS

1. Assure that an educated and informed boating public understands and practices boating safety.
2. Improve boating safety, limit the number of boating accidents and reduce boater conflicts.
3. Provide adequate, effective and efficient enforcement of the boating laws and regulations.

4. Develop and maintain a liaison with other boating organizations and agencies.
5. Administer a boat registration system that is responsive to the needs of the Commission and the boating public, efficiently collects the revenues needed to run the boating program and identifies legal ownership of recreational boats.
6. Provide recreational boaters with the highest quality boating facilities on all navigable water bodies of the state.

OBJECTIVES

1. Develop an active recreational boating planning program. This effort includes greater cooperation with the Pennsylvania Department of Conservation and Natural Resources, Federal government agencies, non-profit groups, private companies and entities who are prime providers of facilities in Pennsylvania.
2. Provide an efficient and cost-effective method of registering and titling boats, assuring that Pennsylvania receives and deposits the fees expeditiously and that the boat owner receives his title and registration certificates promptly and courteously.
3. Provide an adequate level of control over and distribution of aids to navigation, floating structures. Coordinate with the Pennsylvania Department of Conservation and Natural Resources and Department of Environmental Protection on the issuance of permits that have recreational boating implications.
4. Provide training opportunities, educational materials and support to boating education partners so all recreational boaters will be knowledgeable of the boating regulations and the principals of boating safety.
5. Make the necessary training available to police, fire and rescue personnel to prevent unnecessary and tragic water related fatalities due to an inadequate understanding of the forces of water and how to handle water emergencies.
6. Assure that Pennsylvania boaters have available information and education programs that give them required or requested information.
7. Provide a law enforcement effort that assures an acceptable level of compliance with the boating laws and regulations.
8. Provide necessary vehicles, boats and other related equipment that Waterways Conservation Officers need for the efficient and effective performance of their duties.
9. Maintain the liaison between the Commission, the U.S. Coast Guard, the U.S. Coast Guard Auxiliary, the U.S. Power Squadrons and other boating safety organizations.
10. Provide grants to local governments for the planning, acquisition, development, expansion and rehabilitation of public boating facilities located on the waters of Pennsylvania.

ADMINISTRATION

1. **Maintain liaison with representatives of the boating industry, clubs and organizations, private citizens and federal, state, and local officials responsible for parts of Pennsylvania's Boating Program to assure a greater cooperation and coordination of efforts.**

Staff met with the PA Boating Association Southeast, U.S. Coast Guard Auxiliary, U.S. Power Squadrons, the Pennsylvania Federation of Sportsmen's Clubs, numerous individual sportsmen's clubs, Water Trail sponsors, Corps of Engineer Lake Resource managers, the Erie and Three Rivers Water Safety Committees, the Governor's Youth Council and others.

2. Conduct a minimum of two Boating Advisory Board and four Commission meetings to formulate appropriate regulations and approaches to Pennsylvania's Boating Program and present solutions and recommendations to the Commission for action.

The Boating Advisory Board (Board) met twice during the FFY 2008, October 21, 2008 and June 9, 2009.

During the October 21, 2008 meeting the Board considered the following items for proposed rulemaking by the Commission:

1. Amendment to Section 111.17 (Clearfield County) - Curwensville Lake is a U.S. Army Corps of Engineers, Baltimore District (USACOE) impoundment of the West Branch of the Susquehanna River in central Clearfield County. It is managed jointly by the USACOE and the Clearfield County Recreation and Tourism Authority (CCRTA), not unlike the relationship sometimes found with USACOE and DCNR-State Parks. The lake comprises 790 acres with 19 shoreline miles and unrestricted horsepower. The lake provides open water adjacent to the dam with the majority of the water in a serpentine pattern based upon the original river contours. The lake narrows severely in its upper reaches. Use of the upper area is popular but not conducive to unrestricted horsepower boating. These upper reaches, most of which are less than 200 feet in width, have been posted and enforced as a slow, no-wake area but have never been defined by regulation. Giving clear and legal definition of the SNW area is of joint interest of the agencies and will enhance fairness in public notice and enforceability. The USACOE has requested that the slow, no-wake area be marked as in the commentary.
2. Amendment to Section 105.3 (Unacceptable Boating Practices).- The existing regulation concerning pontoon boats allows passengers to ride outside the normal passenger carrying area when the pontoon boat is travelling at slow, no wake speeds. This is an unsafe practice because the passenger can very easily fall overboard, even at the reduced, slow, no-wake speed. Because of the nature of the hull design of pontoon boats, slow, no-wake can be a faster speed than on single hull boats, such as a runabout. If the passenger is in the bow of the boat and falls overboard, he will most likely be struck by the boat's propeller with catastrophic results. This very scenario took place this year on a lake in western Pennsylvania when the pontoon boat operator unexpectedly hit a log, causing a boy who was riding on the bow outside of the normal passenger carrying area to fall overboard and be struck by the boat's propeller. This regulation places no undue hardship on the operators or passengers of pontoon boats. It does allow our officers to stop pontoon boats that have their passengers so exposed and to inform the operator that this is an unsafe practice.
3. Amendment to Section 91.5 (Parental and Boat Owner Responsibility) - The Commission's current regulations do not include a provision making it unlawful for a boat owner knowingly to allow someone to operate a boat without a boating safety education certificate onboard when the individual is required to have one. Law enforcement staff has requested that this requirement be added.

4. Amendment to Section 109 (Specialty Boats and Waterskiing Activities) - Section 109 of the Commission's regulations provides detailed standards for the construction of air boats. However, there is no known example of this regulation being enforced in any part by Commission officers. In fact, a recent technical inquiry by a member of the general public about this regulation could not be answered because there are no known sources for the content of this regulation. There are very few airboats in Pennsylvania, and our law enforcement staff has had few issues with operators of these unusual boats. Staff propose that §109.1. be deleted.
5. Addition of Section 111.68 (All Counties) - In the past, all Pennsylvania Game Commission (PGC) lakes were closed to all motorboats, including those with electric motors. In recent years, the PGC has opened, by regulation and posting, some waterways to electric motors only. At the present time, any enforcement actions for boating violations concerning motor prohibitions on PGC lakes are turned over to the PGC's law enforcement officers. The Commission's officers, however, would like the ability to utilize Commission law enforcement procedures to deal with individuals violating motor prohibitions on PGC lakes. The PGC concurs that Commission officers should be able to routinely enforce such boating regulations on PGC lakes without referring these matters to them.
6. Amendment to Section 95.3 (Lights for Boats) - Section 95.3 of the Commission's regulations currently states that rowing or paddle boats, while underway, must display a hand held or permanent all-around white light ready to be displayed in time to prevent a collision. However, the public has had difficulty understanding this requirement. Rule 25 of the Federal Navigation Rules refers to lights for unpowered boats. It states "A vessel under oars may exhibit the lights prescribed in this Rule for sailing vessels, but if she does not, she shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision." Section 95.3(b) (4) of the Commission's regulations already provides lighting requirements for sailboats under sail alone (unpowered). Adding "any other unpowered boat" to that section will simplify the lighting regulations and make it clear that small sailboats (less than 7 meters) and all other unpowered boats may display the lights described in Appendix A, Figure 4, 5, or 6 (of the Navigation Rules) or may display a single white light in time to prevent a collision. This complies with the Federal Navigation Rules and makes it clear that any unpowered boat having a "single white light" onboard (such as a flashlight or anchor light) is sufficient to meet the legal requirement. In addition, section 95.3 refers to "all-around" white lights. This term for lights is not used in the Federal Navigation Rules. The Navigation Rules in Rule 21 give definitions for all acceptable navigation lights. In part (e), the rules define an "all-round light" as meaning a light showing an unbroken light over an arc of the horizon of 360 degrees.
7. Amendment to Section 101.5 (Confidentiality of Boating Accident Reports) - The confidentiality of boating accident reports is covered in detail in section 5503 of the Fish and Boat Code, 30 Pa. C.S. §5503, and in section 101.5 of the Commission's regulations. The Commission receives requests from time to time for certified abstracts for specific boating accidents. This is the only information that can be released from the Boating Accident Report (PFC-260) filed by the boat operator or

owner who was involved in a reportable, recreational boating accident. Commission staff has always asked that such requests be in writing. An e-mail has been viewed by staff to be sufficient. Staff recommends that requests for certified abstracts always be in writing and that language be added to support the Commission's standard practice and clarify this matter to the inquiring public.

8. Amendments to Section 53.8 (Boats) and Section 97.1 (Personal Flotation Devices) - Section 97.1(f) of the Commission's regulations follows the Code of Federal Regulations that excludes racing shells, rowing sculls and racing kayaks from the requirements for personal flotation devices (PFDs). However, this subsection provides that the exemption does not apply on Commission and State Park owned or controlled boating waters. Section 53.8 of the Commission's regulations similarly requires occupants of shells, sculls and racing kayaks to carry or wear Coast Guard approved PFDs on Commission property. This type of boating is somewhat exclusive due to its nature. Most often, racing shells, sculls and kayaks are used by high school, college or university students or special clubs. They are, with few exceptions, very safe boaters, and the accident record for such boats does not point to a need for requiring PFDs for their occupants. Moreover, there is no support to require occupants of such boats to wear PFDs on small Commission lakes when they are not required to carry them onboard on larger waters. Section 91.7(f) also provides detailed information on what type of PFDs must be carried by the safety boat accompanying the shells, sculls or racing kayaks. However, section 97.1(f) does not, and may not (because of the federal regulations), require that there to be a safety boat present. Accordingly, it does not make sense to stipulate requirements for safety boats when the safety boats are not required to be on the scene. Also, this section states that safety boats shall carry a sufficient number of Type I, II, III or V PFDs for the occupants of the racing boats that they accompany. However, this also does not make sense. Any PFDs required to be carried should be the type that can easily be thrown to someone in the water (e.g., Type IV throwable PFDs). Moreover, the accident record for such boats does not point to the need for requiring PFDs on safety boats.
9. Amendment to Section 111.20 (Crawford County) - Pymatuning Lake is part of Pymatuning State Park. The Department of Conservation and Natural Resources (DCNR) regulates the waterway's horsepower limit and has recently set it at 20 horsepower, like several other lakes owned or controlled by DCNR. In the past, the Commission removed all references to horsepower limits on DCNR waterways from Chapter 111 of the Commission's regulations. Removal of Pymatuning Lake will complete that process.
10. Amendment to Section 109.6 (Special Marine Events) - Section 109.6(b)(5) of the Commission's regulations provides that the Commission will not issue a special activities permit for a marine event in a State Park unless the applicant first obtains written permission from the Bureau of State Parks, Department of Conservation and Natural Resources (DCNR) for the event. The Commission, however, issues permits for events occurring in State Forests, not just those in State Parks. The regulation goes on to state that for marine events held on waters under the ownership or control of

other Federal or State agencies, the Commission will require evidence that the applicant has the permission of the controlling agency. In order to simplify the

regulation, staff suggests that the regulation be revised to simply require the permission of the entity that owns or controls the waters on which the marine event will occur. The Commission routinely issues special activities for marine events that occur on private and public waters, including waters owned or controlled by DCNR, the Pennsylvania Game Commission, the U.S. Army Corps of Engineers, and county and municipal governments.

11. Amendment to Section 97.3 (Sound Producing Devices) - Under section 97.3 of the Commission's regulations, sound producing devices are required on motorboats. This section mirrors the requirements in the Code of Federal Regulations, which include the regulation for unpowered boats. Section 97.3 (c) requires that there be "some means of making an efficient oral or mechanical sound signal that can be heard by another boat in time to avoid a collision." This could be anything. The term "some means" is not defined, and therefore, it is unclear to the public what this requirement means. Staff therefore recommends that any requirement for sound producing devices for unpowered boats be removed from the regulations.

During the June 9, 2009 meeting the Board considered the following items for *proposed* rulemaking by the Commission:

1. Amendment to §111.56 (Somerset County) - A recent review of Commission regulations shows that section 111.56, subsections (c) (relating to Lake Somerset), (d) (relating to High Point Lake) and (e) (relating to Cranberry Glade Lake) were not included when the Commission reorganized its boating regulations in 1994. These subsections were inadvertently omitted by staff at the time and thus were not part of the rulemaking package that was published in the Pennsylvania Bulletin.

During the June 9, 2009 meeting the Board considered the following items for *final* rulemaking by the Commission. These items are described as *proposed* rulemaking in the October 21, 2008 meeting. They items were all approved by the Commission as final rulemaking at its July 14, 2009 meeting, were published in the PA Bulletin and went into effect on October 3, 2009:

1. Amendments to §53.8 (Boats) and Section 97.1 (Personal Flotation Devices)
2. Amendment to §91.5 (Parental and Boat Owner Responsibility)
3. Amendment to §101.5 (Confidentiality of Boating Accident Reports)
4. Amendment to §105.3 (Unacceptable Boating Practices)
5. Amendment to §109.1 (Air Boats)
6. Amendment to §109.6 (Special Marine Events).
7. Amendment to §111.17 (Clearfield County)
8. Amendment to §111.20 (Crawford County)

3. Work with Pennsylvania legislature for the passage of laws that benefit boaters, particularly bills that would improve regulations addressing boating under the influence.

No legislation was passed into law that would benefit or hinder boaters from October 1, 2008 through September 30, 2009.

BOAT REGISTRATION

- 1. Provide an effective and cost-efficient method of registering boats, assuring that Pennsylvania receives and deposits its fees expeditiously, and that the boat owner receives their registration certificate and/or boat title promptly and courteously.** The Commission now offers boaters the ability to renew their registrations online. In addition, boaters can purchase duplicate registration cards and update their addresses via the web site. Boaters are provided with a 30-day temporary registration which allows them to put their boat on the water immediately.

EDUCATION

- 1. Continue to offer courses needed for operators of personal watercraft and certain other motorboat operators to obtain the required Boating Safety Education Certificate. There will be 12,500 students certified. Students will be certified through the following methods:**
 - a. Continue to promote the Commission's classroom boating course, Pennsylvania Basic Boating. Certify 2,000 students.**
 - b. Continue to offer the Boating and Water Safety Awareness Program to schools and camps. Teach 2,000 students who successfully complete the course. Certify 500 students.**
 - c. Courses provided by approved providers; internet, classroom and video correspondence. Certify 9,000 students.**

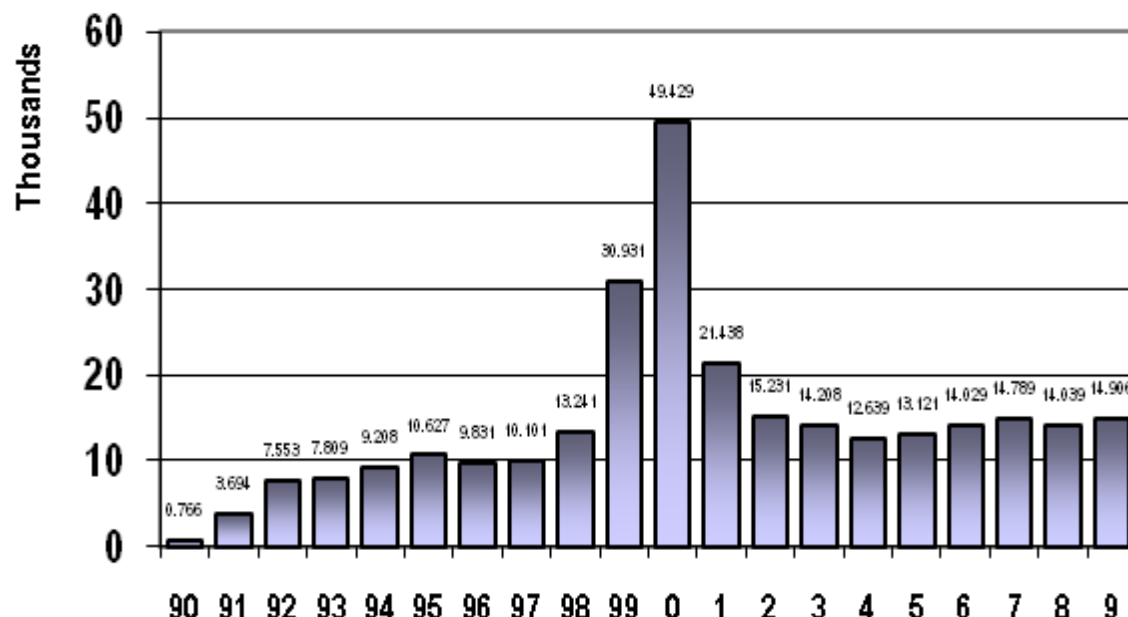
The Commission certified 14,906 students in National Association of Boating Law Administrators (NASBLA) approved boating courses from October 1, 2008 through September 30, 2009. This is 867 more than for Federal Fiscal Year (FFY) 2008 (see chart on following page). We have found that compliance with the mandatory education requirement is good to excellent and that most people required to obtain a Boating Safety Education Certificate to operate a personal watercraft or a motorboat powered by a motor greater than 25 horsepower have done so. The number of boating safety education certificates being issued is stable with only minor fluctuations over the last five years.

The agency issued boating safety education certificates to 1,897 students who successfully completed a PA Basic Boating course, which are 206 less than in the previous year. Not everyone who takes a boating course applies for boating safety education certificates. Many people take a boating course for fun or enrichment. The agency and its volunteers taught 194 PA Basic Boating Courses. Instructors reported that 3,834 students successfully completed this course in FFY 2008. Not all courses are reported.

The Commission issued boating safety education certificates to 862 students in Boating and Water Safety Awareness Courses in FFY 2008. Volunteers and staff taught 104 Commission courses. Expanding the number of students being certified in Boating and Water Safety Awareness is difficult because it requires a safe water site to conduct part of the course. We continue to attempt to bring additional school districts onboard to teach this valuable program. In addition, many students do not apply for certification after successfully completing this course because of the \$10 cost. Commission instructors submitted course records showing that 7,358 students successfully completed this course in

FFY 2008. Only 12% of those students applied to the Commission for a boating safety education certificate.

BOATING SAFETY EDUCATION CERTIFICATES

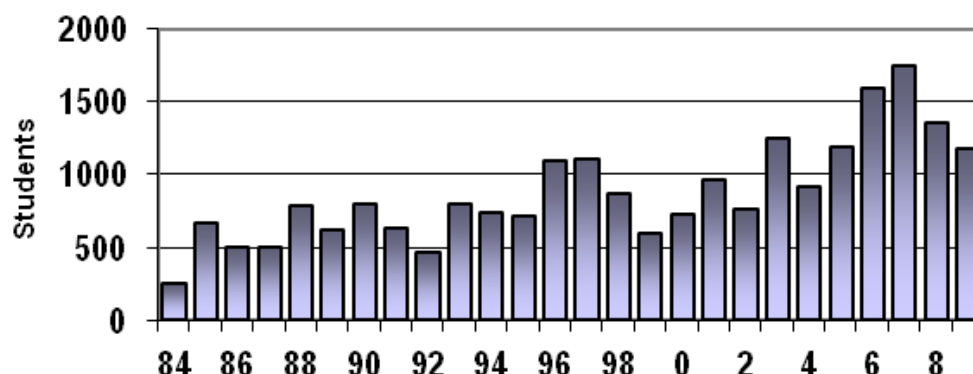


We continue to be very successful with the distance learning courses and have received requests for our Commission established course criteria from others states. 627 people completed the video correspondence course in FFY 2008. Only nine people who took the correspondence course did not pass. 11,648 students successfully completed internet courses. The Commission issued 12,020 boating education certificates to students for successfully completing these long-distance learning courses, an increase of 1,448 from FFY 2007.

2. Continue to offer the Water Rescue Training Program to train water rescue volunteers and professionals in proper rescue techniques.

The Commission certified 1,174 students through 101 courses in the Water Rescue Program in FFY 2008, the sixth best year on record for this valuable program (see chart on next page). The Commission has a trained volunteer instructor corps of 150 individuals who provided more than 6,500 hours of training this past year. Our 2½-hour Water Rescue for the First Responder (Awareness) Course had another very good year, as well. More than 66 courses were taught with a student enrollment greater than 1,539. We are proud of our efforts in this program and have the largest program of its kind in the United States.

WATER RESCUE STUDENTS



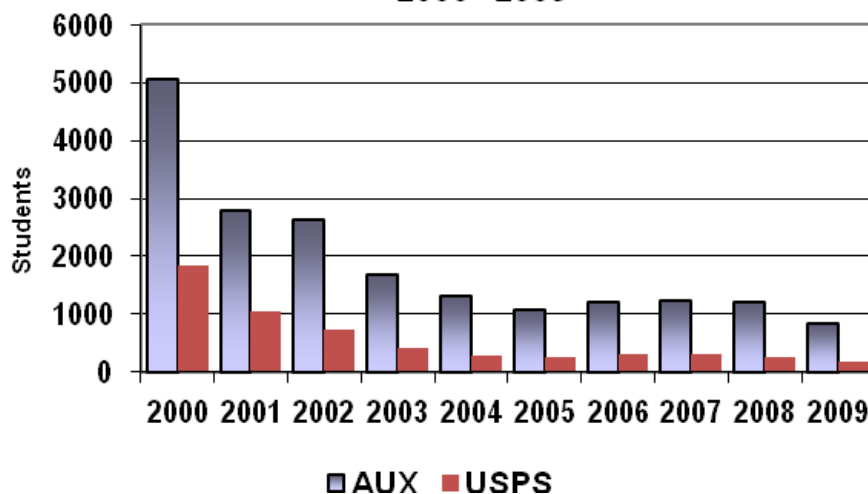
- 3. Maintain the Volunteer Incentive Program (VIP) to prevent instructor burnout and encourage volunteer instructors to continue to teach. This program provides small gifts such as personal PFDs, ball caps, instructor shirts and rescue gear as an incentive to continue to participate in the program**

The Commission issued 102 awards to volunteer instructors in FFY2008 for a total value of \$3,161. Award items ranged from fishing line to dry suits.

- 4. Continue to foster a close working relationship with the U.S. Coast Guard Auxiliary and the U.S. Power Squadron's education programs for boater safety certification. Make certain that all Auxiliary Flotillas and U.S. Power Squadrons in Pennsylvania receive an update with certification instructions.**

The Commission continued its recognition program to outstanding U.S. Coast Guard Auxiliary Flotillas and members in the 5NR. The Commission issued awards and certificates to outstanding Flotillas and Auxiliarists in the 5NR in Pennsylvania. Successful students in Auxiliary courses turned in applications to the Commission to certify 845 students in FFY 2008, a decrease of 323 certificates from FFY 2008. USPS course students turned in applications for the Commission to certify 174 students in 2008, a decrease of 72 certificates. The chart on the following page clearly indicates a long term decrease in the number of successful students being certified by the Commission in U.S.C.G. Auxiliary and U.S. Power Squadron Courses. This is most likely due to the competition from online courses and a reduction in demand for classroom courses. All Commission, Auxiliary, Power Squadron and other approved courses are listed on the Commission's web site. Course information is available from the Commission's toll-free telephone number. Commission representatives continue to attend USPS and USCG Auxiliary conferences, workshops, and (on request) teach the legal requirements section for their courses.

**Commission Certified Students
U.S. Coast Guard Auxiliary
U.S. Power Squadrons
2000 - 2009**



- Promote safe boating habits and increase the knowledge of boaters through the production and distribution of boating safety literature. The literature will be distributed through the mail, boat and sports shows and other outlets. Continue to update the safety brochures, information sheets and PA Boating Handbook to ensure that boaters have up-to-date information on current boating laws and safety information. Provide a copy of the PA Boating Handbook to all first time boat owners and to participants in Commission boating courses.**

Two existing boating safety publications were updated: the Boating Regulation Recap and the PA Boating Handbook. All are available online at the Commission's website: www.fish.state.pa.us. The Recap brochure is also provided in Spanish. The Boat Registration Section provided the newly revised PA Boating Handbook to each new boat owner. In addition, anyone taking and completing the PA Basic Boating Course or the Boating and Water Safety Awareness Course received a copy (total 160,000 distributed). The Boating Regulation Recap was distributed to all boat owners registering their boats during the 2009 calendar year (total 203,000 distributed). The Commission printed several new water trail guides that include boating safety information as well as a host of additional information. We distributed literature, either paid or free publications, at 40 boat and sports shows and approximately 250 requests for publications came via mail. The Commission's web site is a major source of boating safety information. There is a wide array of boating and water safety materials at www.fish.state.pa.us. Everything from an enhanced version of our Boating Handbook to water trails to information on where to find a personal floatation device (PFD) is included. Links to our boating safety partners enhance the site.

- Maintain a video library available to boating safety instructors, various organizations, clubs and individuals from across Pennsylvania.**
The Bureau of Boating and Education received and filled 80 requests for videos to be used in boating courses and public speaking appearances.

7. **Promote boating safety through news releases, radio advertisements, public service announcements, radio and TV interviews and the Commission's web page.**

In FFY 2009, a boat registration renewal mailing with safe boating language was sent to approximately 175,000 boat owners. In addition, the Commission launched a two-week statewide radio campaign through Radio PA Network which promoted safe boating practices. The campaign ran from May 11 – May 25, 2009, in conjunction with National Safe Boating Week. The Commission also used home page web banners on our web site during National Safe Boating Week to promote safety. The Commission issued several press releases on safe boating practices last year.

AIDS-TO-NAVIGATION

1. **Maintain a current computer-based inventory of all aids to navigation in Pennsylvania with emphasis on the body of water, location, jurisdiction, number of aids, type of aid, wording of aid, maintenance responsibility, and approximate set and removal date.**

The Commission maintains accurate, up-to-date computerized records of all aids-to-navigation on Pennsylvania waters. The inventory is managed by the waterway programs manager and is kept current through the ATON Program with the cooperative efforts of the U.S. Coast Guard Auxiliary, federal and state agencies, and the Commission's WCOs.

2. **Continue to maintain a numbering system for all aids with emphasis on determining the exact location of each aid and purpose. Further chart and map development will be accomplished when a computer-based mapping program is implemented.**

The Commission continues to operate an extensive Aids-to-Navigation Program. Most of our aids/floating structures are currently permitted. Efforts over the years have resulted in the location and permitting of all private aid/floating structures on state waters. Owners are attaching an identifying number to each aid to help establish their identity and location. Hand drawn maps with a few computer-generated maps are being used to graphically depict where buoys and structures are located for management purposes. The Commission is continues to work with GPS and GIS technology to generate body of water maps showing the location of Commission owned aids with plans to extend to privately owned aids.

3. **Partner with the U.S. Coast Guard Auxiliary to provide for the timely reporting of problems within the ATON system.**

The Coast Guard Auxiliary provides a very valuable service to the Commission in the Aids-to-Navigation Verification Program. While on patrols, they observe aids-to-navigation and their positions are verified on charts provided by the Commission. Those aids that are missing damaged or off station are reported and corrective action is taken. This system has resulted in greater reliability of aids in Pennsylvania waters.

4. **Educate the public in the use and identification of aids through the distribution of decals, pamphlets, magazine articles and news releases describing aids.**

The Coast Guard Auxiliary, Commission Boating Education Instructors and the program manager distributed thousands of Uniform State Waterway Marker decals while conducting boating education classes. In addition, short articles on ATON appeared in the Pennsylvania Angler & Boater magazine.

5. **Place information and danger signs at major access sites and hazardous areas.**
Approximately 52 aluminum/fiberboard signs (4' x 4') warning boaters of Slow No Wake zones, dams, rocks and shoals were installed throughout Pennsylvania. An additional 40 aluminum/fiberboard waterway marker information signs (2' x 2') were placed at various access and key launch areas to inform the boaters of waterway symbols and their meanings.
6. **Review ATON plans for bridge construction projects for state agencies and local governments.**
The Commission reviews all ATON plans for rehabilitation or replacement of bridge projects on waterways. Technical guidance is provided to engineering firms and PennDOT for plans to place signage and buoys around bridge projects to avoid accidents and not impede navigation.
7. **Evaluate and if found to be necessary, procure the use of private organizations to place, maintain and remove aids to navigation buoys through contract or agreement.**
The Commission awards contracts in 2009. The contracts for these Commission-owned aids-to-navigation are part of our Boating Safety Program. These contracts free conservation officers to focus on other safety and enforcement duties.
8. **Review and process all requests to install floating structures on State waters submitted by state, local governments, organizations and individuals.**
Thirty-four new applications were submitted, reviewed, approved and assigned a permit number. Two hundred-twenty eight (228) permits due to expire in 2009 were renewed. Overall, there are currently a total of 580 active permits approved for the installation of floating structures on Commonwealth waters. These permits constitute a total of 3,183 structures (see graph on next page below for details).

Float Permit ATON Quantities Report

Type	Quantity
Channel	175
Controlled Area	1,054
Float	255
Floating Dock	71
Hazard	227
Information	17
Jet Ski Course	3
Boom	1
Mooring	464
Race Course	17
Restricted Area	764
Ski Ramp	3
Slalom Course	43
Other	80
Total	3,183

9. Conduct site visits to ensure compliance with Chapter 113 of the PA Fishing and Boating Regulations.

The Commission's corps of Waterways Conservation Officers routinely checks the placement of regulatory ATON. ATON is also checked to insure placement and serviceability by the USCG Auxiliary.

LAW ENFORCEMENT

1. Provide law enforcement patrols and the support for them to ensure compliance with existing laws and regulations regarding recreational boating.

The Bureau of Law Enforcement directs the enforcement of Pennsylvania fishing and boating laws and regulations and certain water pollution laws. In 2009, the Bureau of Law Enforcement duties and responsibilities involved Pennsylvania Fish and Boat Code enforcement, public outreach efforts, specialized boating safety efforts, pollution and encroachment investigations, fish stocking, and emergency assistance during weather-related incidents.

In addition to executing duties and responsibilities listed above, Waterways Conservation Officers (WCOs) also provided conservation education programs, reviewed permits for mine drainage and stream encroachments, administered the Commission's special activities permits, and environmental enforcement actions. The bureau also operated the Commission's most active volunteer program, utilizing a force of more than 170 Deputy Waterways Conservation Officers.

The Bureau of Law Enforcement maintained operations throughout most of the year with a considerable number of vacant districts as a result of retirements and military activations. Neighboring WCOs, deputies and regional office staff performed additional work to provide coverage in areas without an assigned district officer. Waterways Conservation Officer Craig Garman was selected by the Northeast Conservation Law Enforcement Chief's Association as our agency's officer of the year. Waterways Conservation Officer Scott Christman was selected by the National State's Boating Law Administrators Association as Pennsylvania's Boating Safety Officer of the Year.

As a result of the retirement of our Northcentral Region Manager in early 2009 the Bureau implemented a temporary change to the region law enforcement operations. Officers from the Northcentral Region have been assigned to five of the neighboring regions. The officers will continue to provide service to the angling and boating public in their respective districts.

Conservation officers issued and the courts adjudicated 4,039 summary citations for fishing violations and 2,196 summary citations for boating violations. Lack of personal floatation devices or improper personal floatation devices onboard boats continued to be the most common boating violations and fishing without a license and littering continued to be the most common fishing violations. There were 9,000 warnings for boating violations issued by officers and 107 crimes code summary citations that were directly related to fishing and boating activities. Disorderly conduct, underage drinking, and violations of state park regulations comprised the majority of the crimes code citations issued. There were also

1,665 summary fish and boat violation citations filed with district courts in 2009 that are awaiting final resolution.

Fifty-eight arrests were made in 2009 for boating-under-the-influence (BUI) with the earliest made on April 5 and the latest made September 7. The Southcentral Region led the state in BUI arrests with a total of 29. Specialized BUI enforcement details were conducted throughout the state on waterways with the highest recreational boating use, including Presque Isle Bay, Three Rivers, Lake Wallenpaupack, Raystown Lake, Delaware River, Blue Marsh Lake, and several boating pools on the Susquehanna River. Officers investigated several high profile boating accidents that involved serious injury or fatalities on Commonwealth waters. Officers investigated a total of 62 reportable boating accidents. WCO Tom Nunamacher was the lead investigator involving a fatal boat accident that involved alcohol and drugs. Two individual have been arrested in this case and are facing multiple misdemeanor and felony charges.

The Northwest Region conducted an enhanced law enforcement effort involving the migration of steelhead to the Lake Erie tributaries during the final three months of 2009 using Northwest Region officers. Enforcement efforts focused on popular steelhead fishing locations such as Elk Creek, Walnut Creek, Twenty-Mile Creek and the nursery waters of Trout Run. The most common violations were snag-fishing, littering, exceeding creel limits, fishing in nursery waters or other prohibited areas, and the use of illegal devices.

Other duties completed by the Bureau of Law Enforcement in 2009 include issuing 2,482 special activities permits for fishing tournaments and regattas and conducting safety evaluations onboard 28,617 recreational boats. Officers also staffed Commission displays at over 20 outdoor sports shows and expos held throughout the state. WCO's attended and/or presented informational programs at over 1,171 public relations events in 2009. Additionally, officers conducted 141 investigations involving pollution or encroachment incidents in or along Commonwealth waters. Officers reviewed and provide comments on 164 mine drainage applications and 321 stream encroachment permit applications. The Bureau expanded its environmental enforcement work regarding gas and oil drilling in the Commonwealth as a direct result of the new Marcellus shale gas exploration and development.

The Fish and Boat Commission's deputy force increased slightly from the 2008 level. At the end of 2009, the Commission's deputy force contained 176 members. The Bureau of Law Enforcement convened a basic Deputy Waterways Conservation Officer Training Class in April of 2009. After completing the basic training program in September of 2009, nineteen new officers were added to the Deputy ranks. As with any volunteer position, recruitment of new deputies remained a challenge. In November of 2009 fourteen active DWCOs completed a transitional firearms training course that allowed the officers to convert from a revolver to a semi-auto pistol as a duty firearm.

Because training is an integral part of operating a professional workforce, in 2009 the Bureau of Law Enforcement presented regional and week-long in-service update training to all salaried officers. Six regional DWCO training meetings were held in early 2009 and additional District training meetings occurred through the year. Training presented to the

veteran officers included: Fish and Boat Code and regulation changes and updates, Act 120

legal updates regarding Title 18 (Crimes Code) and Title 75 (Vehicle Code), policy changes, fisheries management issues, and legislative issues. Annual recertification update training at regional levels continued throughout the year at each region to all WCOs and DWCOs regarding CPR, first aid, firearms day fire, and tactical and dim light qualifications. Bureau firearms instructors convened for a training and skills assessment workshop in June.

The Bureau continued to replace aging patrol boats within the limits of available funding. Several new law enforcement patrol boats were placed into service and others were re-powered. Surplus boats, motors and trailers were sold to the general public using a new online internet auction capability. The Bureau was unable to purchase new patrol vehicles during 2009 due to a statewide ban on the purchase of Commonwealth vehicles. Continued operation of some of the older vehicles has resulted in higher repair costs.

Currently the Bureau has twelve vacant law enforcement positions. We are anticipating additional vacancies as a result of retirements. The Bureau is in process of selecting a class of new Waterways Conservation Officers. The Civil Service Commission is completing the written testing phase and indicated they would be able to provide us with a hiring list in early January 2010. The Commission would like to hire 10 applicants to become part of the 20th WCO Class. The training for the new officers would begin in July of 2010 with graduation scheduled for August of 2011. A current class of seven new Waterways Conservation Officers will complete the year long training program in August of 2010 and will be assigned to some of the existing vacancies.

During the summer of 2009, the Bureau of Law Enforcement once again assumed responsibility for the operation of the Walnut Creek Marina in Erie County. Our Northwest Regional Manager is in charge of the day to day operations. We maintained the three seasonal employees at the facility to provide customer service during the peak times. Maintenance and improvements to the facility remain with the Bureau of Engineering and Property Services. The marina operated during 2009 at near full capacity.

The Bureau improved and streamlined its incident reporting system through the development of a new software program. All officers will begin using the new system in January of 2010. The Bureau has implemented a pilot program that involved the issuance of Blackberry devices to law enforcement field officers. Two devices have been issued to each of the six law enforcement regions. The devices use Voyager software to access the Commonwealth Law Enforcement Assistance Network (CLEAN) through the wireless device. During the January in service training, all officers received training from the State Police and have been certified to access CLEAN. Officers are able to query the network while in the field for boat registration information, motor vehicle and operator's information and eventually fishing license information. If the pilot program is successful the Bureau will consider increasing the number of devices if funding is available.

The Bureau streamlined its financial operations by implementing electronic transfer of funds collected by regional offices and the Walnut Creek Marina to one central bank account. Reporting and accounting for funds is completed weekly and submitted electronically to the Harrisburg Headquarters. This eliminated the need for seven different bank accounts and a

cumbersome paper process for reporting income.

The Bureau assumed additional responsibilities for the issuance of venomous snake permits and commercial snaking turtle permits from the Natural Diversity Section. Operational changes were made to provide efficiency in the issuance of the permits and ensure accountability of the permittee regarding the terms and conditions of the permit. A total of 558 venomous snake permits and 35 snapping turtle permits were issued in 2009.

BOATING FACILITIES GRANT PROGRAM

1. Provide up to \$2,000,000 annually to local governments and organizations for the acquisition, planning, engineering, development, expansion and major rehabilitation of public recreational boat access facilities.

In April of 2008, the Commission opened the fourth round of the Boating Facility Grant Program and began accepting applications. The deadline for this round of grants was October 31, 2008. The Commission received a total of forty four applications and in April of 2009 the Commission announced that fourteen of the applicants were awarded funding. The applicants listed below were awarded funding in the fourth round of the boating Facility Grant Program.

Cambria Somerset Authority	\$24,000
Luzerne County	\$75,000
Monroe Township	\$230,000
North Branch Land Trust	\$150,000
Cumberland, City of (Maryland)	\$46,500
Shickshinny Borough	\$97,000
Emlenton Borough	\$15,000
Swatara Creek Watershed Association	\$90,000
Ohioville Borough	\$142,000
Roaring Run Watershed Association	\$12,000
Lehigh County	\$42,000
Allegheny Valley Conservancy	\$75,000
Chapman Township	\$47,000
Schuylkill River Development Corp.	\$15,000

2. Develop a Boating Access Plan that will identify and prioritize public boating facility needs throughout Pennsylvania and plan for funding and implementation of the recommended improvements.

Commission staff continued its efforts to develop a statewide fishing and boating access plan in FFY 2008. Work on the plan was coordinated with personnel from the Pennsylvania Department of Natural Resources and the Pennsylvania Environmental council. The plan will identify current access areas, identify areas where additional access is needed, identify the existing conditions of the facilities and make recommendations for improving the

facilities. The plan is scheduled to be completed by January 2010.