

**COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA FISH AND BOAT COMMISSION**

**MINUTES FOR
THE BOATING ADVISORY BOARD MEETING**

**Monday, February 3, 2025
10:00 a.m.
Harrisburg, Pennsylvania**

Members

Chair Rocco Ali
Vice Chair Steven Ketterer
W. Cary Allen
Loren Lustig

Members Ex Officio

Timothy D. Schaeffer, Executive Director
Laurel Anders, Deputy Executive Director for Administration, Acting Secretary to the Board
Ryan Dysinger for Cindy Adams Dunn, Secretary for the
Department of Conservation and Natural Resources

TABLE OF CONTENTS

- I. Call to Order, Welcome and Roll Call
- II. Introduction of Guests
- III. Review and Approval of Minutes of the June 2024 Meeting
- IV. Election of Board Chair and Vice-Chair
- V. Public Comment
- VI. Recognition
- VII. Old Business - None
- VIII. New Business
 - A. Amendments to 58 Pa. Code Chapter 107.2 (Boating Restrictions)
- IX. Other Business
- X. Discussion Items
 - A. Abandoned and Derelict Vessels Research Project Overview (Mark Sweppenhiser)
 - B. Pennsylvania Fishing & Boating Access Strategy Overview (Mark McLaughlin)
 - C. Boating Facility Grant Program Overview (Mark Morrison)
 - D. Boat Rental Business Outreach (Adam Spangler)
 - E. Legislative Update (Bob Caccese)
 - F. 2024 Recreational Boating Incident Overview (Ryan Walt)
- XI. Adjourn

I. Call to Order, Welcome, and Roll Call

The meeting was called to order by Chair Rocco Ali at 10:00 a.m. at the Pennsylvania Fish and Boat Commission's (Commission) Harrisburg Headquarters. Chair Rocco Ali welcomed new member, Cary Allen to the Boating Advisory Board. Board members in attendance included Chair Rocco Ali, Vice Chair Steven Ketterer, Loren Lustig, Cary Allen, Timothy Schaeffer, Laurel Anders, and Ryan Dysinger. A quorum was present.

In addition to the members of the Board, the following Commission staff were present: Renae Kluk Kiehl, Chief Counsel; Mark McLaughlin, Chief of Waterways and Marina Management; Mark Morrison, Statewide Public Access Program Manager; Ryan Walt, Boating and Watercraft Safety Manager; Mark Sweppenhiser, Strategic Initiatives and Projects Coordinator; Mike Parker, Director of Communications; Tanyan Carnes, Administrative Officer for Bureau of Boating; Adam Spangler, Boating Safety Education Specialist; Jeff Sabo, Colonel for Bureau of Law Enforcement; Bob Caccese, Director of Policy, Planning and Communications; and Maria Flynn, Administrative Officer for Office of Chief Counsel.

II. Introduction of Guests

Guests included: Rick Taylor, U.S. Coast Guard (USCG) Auxiliary State Liaison Officer; William McManimen, United States Power Squadrons/America's Boating Club (USPS) Chief Education Officer; Larry Graham, USPS Education Officer; Cindy Bellar, Boating Law Administrator, Ohio Department of Natural Resources; and Louise Lustig, private citizen.

III. Review and Approval of Minutes of June 2024 Meeting

A motion was made to approve the June 2024 meeting minutes by Steven Ketterer and seconded by Loren Lustig. The motion carried.

IV. Election of Board Chair and Vice-Chair

Loren Lustig nominated Rocco Ali to continue serving as Chair and Steven Ketterer as Vice-Chair. Hearing no other nominations, Rocco Ali called for a motion to vote. A motion to vote was made by Loren Lustig and seconded by Cary Allen. The motion carried.

V. Public Comment

Larry Graham gave a brief update on behalf of USPS, now also known as America's Boating Club. Due to a lack of membership at the Susquehanna Squadron, the location will be closed, making York Squadron the closest to the Harrisburg area. The Philadelphia and Pittsburgh areas have several squadrons as well. The USPS teaches the National Association of State Boating Law Administrators (NASBLA)-approved America's Boating Club Boating Safety Course and other available courses. America's Boating Channel on YouTube offers many videos and seminars. The USPS also helps the USCG with vessel safety checks in the Spring.

VI. Recognition

Rocco Ali recognized Scott Ballantyne for his service to the Boating Advisory Board (BAB). Scott was appointed to the board in August of 2017 by Governor Tom Wolf. He recently made the difficult decision to resign from the BAB for personal reasons. For the past 7 years, Scott has contributed impactful input to the BAB based on his maritime training and experience, including a merchant marine credential, sea school certificate, uninspected vessel operator certificate, and training from the Annapolis School of Seamanship. He also brought tremendous insights to the BAB through his first-hand experience operating a wide variety of recreational and commercial boats. Through his instructional role at Alvernia University, Scott also brought educational insight to the BAB and for that we are very grateful. Scott was Chair of the Board in 2023 and his ability to run a tight business meeting was appreciated. Rocco Ali recognized Scott's service to the Boating Advisory Board, the Fish and Boat Commission, and to the boaters of Pennsylvania, and expressed his sincere appreciation for his time and dedication to promoting boating and boating safety.

Rocco Ali recognized Elizabeth (Liz) Winand for her service to the BAB. Liz was appointed to the board in December of 2020 by Governor Tom Wolf. Liz also resigned from the BAB for personal reasons in 2024. For the past 4 years, the BAB has benefitted from Liz's experience and knowledge as a boat rental business owner, outdoor gear retailer and general paddlesports enthusiast. Liz's family business – Shanks Mare Outfitters – promoted paddling and emphasized boating safety in a way that made them a role model to other boat rental businesses. Liz graciously took time away from her family business to participate in BAB meetings and even met separately with Commission staff to discuss updates to the boat rental business regulations and safety orientation requirements to ensure a practical approach that benefits business and customers alike. After 45 years in business, Liz's family hung up their paddles to pursue retirement in 2023. Liz's staunch advocacy for life jacket wear among the paddling community was extremely relevant as paddlesports participation grew exponentially in recent years. Her encouragement to paddlesports retailers to promote consumer education relating to life jackets has become our mantra as we continue to pursue relationship that promote boating safety among the retail community. Rocco Ali recognized Liz's service to the Boating Advisory Board, the Fish and Boat Commission, and to the boaters of Pennsylvania. He expressed sincere gratitude for her time and dedication to promoting boating and water safety.

VII. Old Business

No old business.

VIII. New Business

A. Amendments to 58 Pa. Code Chapter 107.2 (Boating Restrictions).

Commentary:

Currently, boats with electric motors in compliance with horsepower limitations or equivalent kilowatt ratings as set forth in Chapter 111 shall not operate at greater than

slow, no-wake speed on Pennsylvania Fish and Boat Commission (Commission) and Department of Conservation and Natural Resources (DCNR) owned or controlled waterways.

The proposed changes to § 107.2(1) simplify and clarify that boats are only limited to slow, no-wake speed on Commission and DCNR owned or controlled waterways that are restricted to electric motors. The proposed integration of subsections 1.1 and 2 provides a more complete description of restrictions for electric motor only locations.

Additionally, staff propose eliminating § 107.2(3). At its January 5, 1981, May 30, 1981, and October 3, 1983, meetings, the Commission acted under Section 903 of the Fish and Boat Code (30 Pa.C.S. § 903) to approve the designation of State Park Officers, Forest Rangers, and other law enforcement officers to enforce the Fish and Boat Code and regulations promulgated thereunder.

Staff propose the following changes to 58 Pa. Code Chapter 107.2:

§ 107.2. Electric motors.

Except as otherwise specified in Chapter 111 (relating to special regulations counties) **on waterways owned or controlled by the Commission or Department of Conservation and Natural Resources:**

(1) Electric motors are permitted **[on Commission owned or controlled lakes and on State park lakes]** where boating is permitted. On waters where horsepower limitations are prescribed in Chapter 111, electric motors in excess of maximum horsepower limitations or equivalent kilowatt ratings shall not be used.

(1.1) Boats propelled by electric motors **[on Commission owned or controlled lakes, State park lakes and water bodies in Chapter 111] where boating is permitted and internal combustion engines are prohibited** shall not be operated at greater than slow, no-wake speed.

[(2) On Commission and State park owned or controlled lakes, internal] Internal combustion [motors] engines attached to or installed in boats need not be removed, but the operation of engines is specifically prohibited.

[(3) Officers authorized to enforce the code and this part and, in the case of State park lakes, officers and officials of the Bureau of State Parks and operators of emergency vessels may operate boats powered by internal combustion motors in the performance of their official duties on waters otherwise restricted to electric motors only.]

Briefer:

Laurel Anders, Deputy Executive Director for Administration

Action:

A motion was made by Loren Lustig and seconded by Steven Ketterer to recommend this amendment to the Commission. The motion carried.

IX. Other Business

No other business.

X. Discussion Items

A. Abandoned and Derelict Vessels Research Project Overview

Mark Sweppenhiser provided an overview of the Abandoned and Derelict Vessels (ADV) Project. The Commission's Waterways Conversation Officers (WCO) were given a survey in 2024 to find out exactly how big an issue this problem is. The survey showed this is a statewide issue, however, Pittsburgh appears to be the most problematic area. Local stakeholders in Pittsburgh brought this to the attention of State Representatives Kulik and Maloney, Chairs of the House Game and Fisheries Committee. A committee hearing was held in Pittsburgh in April 2024 and House Bill 103 was a result of the hearing. House Bill 103 did not make it through legislature this past year and has been reintroduced for 2025. Amendments to this bill are forthcoming. Current process is for law enforcement to first try to trace the abandoned boat and identify the owner. If successful, the Commission then has leverage to enforce the owner's responsibility for removing the boat since the boat is no longer abandoned. When the boat is non-traceable, if passed, House Bill 103 will come into effect. The Bill will provide definitions for abandoned and derelict vessels, give authority to local governments to investigate, address, and remove ADVs in their jurisdiction, and increase penalties for violators and assess restitution costs.

Captain Evan Clark of the Pittsburgh Safe Boating Council has produced a map of the Three Rivers area in Pittsburgh showing the current ADVs. There are approximately 18 large fiberglass ADVs that may present navigational hazards and will be cumbersome for removal and disposal. The Commission is looking for ways to efficiently and effectively remove these hazards from the waterways.

State Representative Kulik, who is a graduate of Duquesne University, assisted with connecting the Commission with a master's degree program at the University, where they have agreed to do an ADV feasibility research project for the Commission in the spring semester of 2025. Students will identify the scope of the ADV issue with mapping and locating vessels; identify the challenges of removal, transportation, disposal, and ownership of ADVs; find potential solutions and willing partners for removal and disposal efforts; recommend reduction, reuse or recycle options; and recommend potential funding options through government, nonprofit, private, or corporate entities. Approximately 24 students are involved in this study of the Pittsburgh Three Rivers system which, as a noncoastal area, is ineligible for federal funding. Federal funding is available for coastal areas, such as Erie and Philadelphia. If Duquesne University is willing to continue with the project, the summer semester of 2025 will be a new group of students. Their

focus will be to develop a viable solution for other communities across the Commonwealth, specifically Erie and Philadelphia.

B. Pennsylvania Fishing and Boating Access Strategy Overview

Mark McLaughlin presented an overview of the Pennsylvania Fishing and Boating Access Strategy which is a resource for strategically thinking about access areas. The Commission has been partnering with our colleagues at the Pennsylvania Department of Conservation and Natural Resources (DCNR) in a joint effort on this project. Fishing and boating are popular recreational activities that largely impact local and state economies. Connections with the Commonwealth's aquatic resources have physical and mental health benefits and can lead to enhanced stewardship activities. The goal of the Access Strategy is to provide a toolkit to constituents who are looking to maximize potential fishing and boating recreation opportunities. The strategy will identify existing public access sites and ways to improve them, and help prioritize areas across the Commonwealth where additional public access is needed. Some vital factors to consider are the distance between access sites, enhancement of existing public access sites, underserved communities, suitability of sites, partners who can support the project, feedback from local communities and stakeholders, and barriers to access. Four barriers are identified and addressed in the Access Strategy: physical, financial, psychological, and cultural. The strategy identifies tools to help overcome access barriers. As an example, this year, the Commission focused on overcoming physical barriers by highlighting ADA accessibility during its recent Boating Facility Grant Program and Erie Access Improvement Program grant rounds. The proposed projects were reviewed by Commission staff, in part, for how they addressed barriers. The Commission's grant scoring rubric was updated to add points for proposed projects that increased Americans with Disabilities Act (ADA) accessibility.

The Pennsylvania Fishing and Boating Access Strategy will be finalized and rolled out to stakeholders and the public in 2025.

C. Boating Facility Grant Program Overview

Mark Morrison presented an overview of the Boating Facility Grant Program. The funding for the program is derived from boat registration fees, launch permit fees, state fuel tax, and various federal grants the Commission receives. Eligible project activities include property acquisitions, design and engineering, expansion and rehabilitation of existing boating facilities, and planning for further access areas. Eligible construction activities include boat ramps, parking areas, access roads, permanent restrooms, and signage. Grant funds are available to local governments (townships, boroughs, municipalities, and counties) and non-profit groups (land trusts, conservancies, watershed associations, and DCNR-designated state heritage areas). The applicants are required to provide a minimum of 50% match of the project's costs, must own or have a long-term lease for the property, keep the facility open to the public for 25 years, provide for operation and maintenance, complete the project within a two-year period, and obtain the necessary permits for construction.

Since the inception of the program, the Commission has received a total of 273 grant applications (not including the 2025 applications). Staff reviewed and evaluated all projects and recommended 159 for funding. The total project value of the 159 approved projects is \$43.5 million. The Commission approved funding for \$13.3 million (31%), and the recipients provided matching funds in the amount of \$30.2 million (69%).

For the 2025 grant round that closed in December 2025, the Commission received 23 grant applications with projects ranging from \$5,000 to \$1 million. The applications will be evaluated and scored by the staff review team which consists of a cross-section of staff from a variety of program areas across the agency. Staff recommended projects that request more than \$100,000 will be presented to the Commissioners for approval. Staff recommended projects that request \$100,000 or less will be presented for Executive Director approval.

The next steps in the grant review process will be to compile the review team's feedback and rank all projects. Pending approval, Commission staff will notify all applicants, establish a cooperative agreement for each approved project, and give notification to proceed with the project. The Commission will assist the project partners with spreading the word about completed projects once they are completed and open for public use.

D. Boat Rental Business Outreach

Adam Spangler provided an update on outreach to boat rental businesses relating to the amendments to the Commission's rental regulations and safety orientation requirements that went into effect January 1, 2025. The Commission is actively working on improving communication and compliance for boat rental businesses by updating resources and providing tools for easy access to information, which include:

Updated Webpage: The Boat Rental Business webpage now links to the new regulations that went into effect January 1, 2025, and includes resources to rental businesses to meet the safety orientation requirements.

Outreach to Businesses: WCOs are distributing cards with QR codes to rental businesses to assist them with submitting the required information to the Commission and connect them with the updated webpage.

Spring Press Release and Newsletter: A press release will be issued to announce the new regulations, and a newsletter will go out to both current and past boat rental businesses before the boating season starts. The newsletter will contain relevant information regarding the regulations, safety orientation requirements, and provide the rental businesses with other useful resources.

Collaboration with DCNR: The Commission is working with DCNR's State Park Managers to ensure that all boat rental businesses under their concession agreements are aware of and following the new regulations. Commission staff are attending the annual Spring State Park Managers' meeting to provide an informational session.

HuntFishPA Updates: The Commission's license and permit sales platform, HuntFishPA, is being updated to provide a centralized location for rental businesses to submit their required information, renew boat registrations, request permits, and purchase products—creating a one-stop shop for all their needs. The goal is to provide a streamlined and convenient process for boat rental businesses to connect with the Commission.

E. Legislative Update

Bob Caccese provided a legislative update on three reintroduced bills. House Bill 1858 (last session number, new session number will be forthcoming) would restructure the BAB by adding the two Boating At-Large Commissioners and remove the Commission's Executive Director and Boating Director from the board. This will increase efficiency and consistency.

Last session, Senator Lindsey Williams introduced Senate Bill 976 (last session number, new session number will be forthcoming) and has agreed to reintroduce it for this session. This bill would amend Title 30 Pa.C.S. § 5103 and is focused on boating safety education for more modern watercraft coming on the market. Currently, boating safety education certificates are required for certain boaters. Within this section of the law, there are exemptions where a boating safety education certificate is not required, such as the operators of boats powered by electric motors or by internal combustion motors of 25 horsepower or less. In today's market, more watercraft are becoming available that use electric motors, some of which are high speed. This bill would remove the electric motor exemption, allowing the Commission to promulgate regulations for those newer watercrafts, like efoils and jetboards, to be considered personal watercraft and ensure boating safety requirements are in place such as boating safety education, lifejacket wear, no operation after dark, etc. This bill will also update language relating to how boating safety education materials are distributed, including more modern use of digital and online options.

The third bill is House Bill 103 which revolves around ADVs. The Commission expects this bill to be voted out of the House Game and Fisheries Committee this coming Spring. This bill would give clear definitions; give authority to local governments to investigate, address and remove ADVs in their jurisdiction; and increase penalties for violators, as well as restitution costs.

F. 2024 Recreational Boating Incident Overview

Ryan Walt gave an overview of the 2024 recreational boating incidents. A reportable boating incident is defined as either a death or disappearance, complete loss of a vessel, damage beyond \$2,000, or injuries that require medical treatment beyond first aid. The USCG changed its definition regarding injuries, indicating the patient must receive treatment in order for it to be reportable. In 2024, the Commission received notification of 58 reportable recreational boating incidents (collisions and capsizing being the majority) which resulted in 37 people requiring medical treatment, property damage totaling \$196,400, and 10 fatal incidents resulting in 10 fatalities. Out of the 10 fatalities, four victims were wearing a lifejacket, two did not have any or an insufficient number of lifejackets onboard, and four had lifejackets onboard but not worn. The incidents and fatalities of 2024 increased by two from the previous year and are below the last ten-year average of 10.6 victims. Pennsylvania's new ten-year average is 9.9,

factoring in the 2024 fatalities. The Commission has seen a long-term downward trend in both incidents and deaths since it first started recording incident data in 1988. Out of the 10 fatalities in 2024, eight operators did not have formal boating safety education. The Commission is currently working on a project to increase online boating safety education course options for the public. This past year, three more online courses were made available -- AceBoater, BoatTests101, and BoatUS Foundation. Prior, we had one online course provider offering three different courses. All of the courses currently available meet NASBLA standards and the Commission's course criteria for boating safety education requirements in Pennsylvania.

XI. Adjourn

A motion to adjourn was made by Steven Ketterer and seconded by Loren Lustig. The motion carried and the meeting was adjourned at 11:38 a.m.