



## Boaters' Rights Advocacy Coalition 2025 Florida Legislative Talking Points

**There are three bills filed in the Florida legislature for the 2025 session that impact anchoring. Each bill is outlined with talking points following the communication guidelines.**

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### **GENERAL GUIDELINES FOR COMMUNICATING WITH LEGISLATORS.**

Realize that the legislator is unlikely to read all correspondence, but staffers will do so. They will summarize the correspondence for the legislator and may select well written short phrases from correspondence to highlight the feelings from constituents. It is important to get a point across clearly and succinctly, and long narratives are usually ignored. Remember that these are busy professionals who are trying to serve multiple constituencies in the best way possible.

Here are some general thoughts on writing emails and letters to legislators.

- Email is the best way to reach a legislator. Letters are second best, but in our electronic world today everyone uses computers.
- Timing is very important. Don't delay your email until after the bill has been passed.
- Be polite and professional. Profanity will not help no matter how frustrated you may be.
- Address the email/letter as 'Dear Senator xxx' and 'Dear Representative xxx'.
- Limit your document to 200 words or so. Long emails don't get the point across. Three paragraphs are a reasonable limit for emails and letters.
  - In the first paragraph explain your qualifications for writing, and the reason you are contacting them.
  - In the second paragraph describe the importance of this bill. Be factual and avoid emotions.
  - In the third paragraph request the action you desire. Request, but do not demand. Thank the legislator for their consideration.
  - Cite the bill number specifically.
  - Include your name, address and telephone number. Identify if you are a constituent and/or a state resident.
- If not a Florida resident, identify yourself as cruiser/tourist from \_\_\_\_\_ state. Emails from citizens of other states are also effective because a large segment of Florida's economy is based on tourism.
- Form letters are routinely ignored except they are simply tallied up. They represent the viewpoint of one individual, no matter how many times they are transmitted. Please take the time to put the "talking points" we've provided into your own words.
- Avoid statements like "you need to listen to me" as these are counterproductive to achieving your goals. The legislator doesn't "need" to do anything and telling them so may cause the opposite to happen.
- Work very hard to avoid misspellings, grammatical errors and skipped words in your document. These are easy to spot and may cause the reader to misunderstand what you are saying or skip reading your email entirely.
- Limit your letter to one topic at a time. Consider separate letters for additional topics as needed.



**ONE OF FIVE  
BILLS FILED IN THE FLORIDA LEGISLATURE FOR THE 2025 SESSION THAT IMPACT ANCHORING**

**HB481/SB866 Anchoring Limitation Areas.** This bill restricts anchoring between additional islands in the Miami Beach area, extends the no-anchoring zone around marked mooring fields from 100 to 300 feet, and in counties with populations above 1.5 million people it prohibits anchoring for more than 4 hours during nighttime for more than 30 days in a six-month period.

**Analysis:** This bill is likely supported by the City of Miami Beach. In prior years the city has tried to ban anchoring throughout the waters in their municipality. Other Miami Beach residents have tried to ban anchoring between many of the islands within their municipality. In previous years we have agreed to ban anchoring between some of the islands because these are small areas not suitable for anchoring. The present bill proposes banning anchoring between other islands where it is possible to anchor safely. Additionally, the bill proposes extending no-anchoring zones around established mooring fields. This does not appear to significantly hinder cruiser anchoring in these areas. Lastly the bill proposes 30-day limits for anchoring in counties with populations above 1.5 million people. Miami-Dade, Broward (Ft Lauderdale), Hillsborough (Tampa) and Palm Beach counties are above or very close to the population limit (source: 2020 US census).

The sponsor of this bill states that the challenges of congestion, environmental damage and safety demand this bill.

**Recommendations:** The Boaters' Rights Advocacy Coalition recommends opposing this bill. The following talking points are provided:

- Existing state law allows counties to establish Anchoring Limitation Areas (ALA) which restrict anchoring to 45 days within established areas. With only a few exceptions the populous counties listed in this bill have made no attempt to establish ALAs within their county limits as allowed by existing state law. We recommend these counties establish ALAs as provided in existing laws before attempting to change the law.
- In Florida the waterway bottomlands are held in the public trust, and historically the state has not permitted municipalities to regulate length of stay in waters within their jurisdiction. We strongly recommend continuing that historical precedent.
- As of this date the FWC database shows no derelict boats in the Miami Beach area. We believe the problem in Florida is not well-found boats, but derelict boats that are often abandoned on our waterways. This bill attempts to punish responsible boat owners and does nothing to address derelict boats.
- Continued water quality monitoring by outside environmental groups in the areas impacted by this bill show no concerns with boater discharged sewage in these areas.
- Seagrass in the Miami Beach area is not growing back, though biologists report this is because the bottom was damaged when this area was dredged. The islands in this area are formed from dredge spoils.
- Existing banned anchoring areas between the dredge spoil islands in Miami Beach are not harmful to cruising boat interests, but the additional banned areas in the present bill negatively impact



anchoring there. The sponsors of this change attempt to push through bans on additional areas in Miami Beach each year.

- We recognize that many landowners throughout Miami Beach are distressed to see unsightly boats in front of their houses. We share their concern for derelict boats and boats at risk of becoming derelict. But these landowners do not own the waters and bottomlands near their properties—those are held in the public trust, and available for the use of everyone. This bill is in direct opposition to the concept of lands held in the Public Trust.



## TWO OF FIVE

### BILLS FILED IN THE FLORIDA LEGISLATURE FOR THE 2025 SESSION THAT IMPACT ANCHORING

**[HB795/SB594 No Anchoring or Mooring Zones.](#)** This bill allows commercial seaports in Florida to apply to Florida Fish and Wildlife Commission (FWC) for a no-anchoring zone around the seaport. The proposed no-anchoring zone may not exceed 5000 feet (almost one statute mile) from seaport facilities. FWC has approval authority of the no-anchoring zone following consultation with certain government entities.

**Analysis:** This bill is ostensibly focused on port security, but recent indications are it has a different agenda. There are 16 commercial seaports in Florida. The 5,000-foot boundary (nearly a mile) impacts anchoring in six of these ports: Fernandina, Port Canaveral, Ft Pierce, Lake Worth, Miami and Key West. Anchoring areas in the other seaports addressed in this bill are not significantly affected. Detailed maps of all affected seaport areas have already been provided to legislators through our lobbyist. We will attempt to post these maps on our website for use by coalition members. Our lobbyist reports that legislators are surprised by the size of the areas impacted by this bill. This bill is overly vague and subject to local overreach.

We note that federal regulations already mandate a 100-yard moving security zone around passenger vessels and vessels carrying hazardous material and also mandate a 500-yard moving security zone around military vessels. We examined the publicly available minutes from seaport meetings, and security concerns are not found there.

**Recommendations:** The Boaters' Rights Advocacy Coalition recommends opposing this bill. We support the intent to improve port security, but six common anchoring areas in Florida are negatively impacted by this bill. The following talking points are provided:

- Common recreational anchoring areas in this bill are negatively affected. Fernandina, Port Canaveral, Ft Pierce, Lake Worth, Miami and Key West will lose much or all of their anchoring area. We recommend exempting these anchorage areas from this restriction pending rule making by FWC.
- The 5,000-foot setback is excessive and is not supported by historical events.
- Port security concerns are not highlighted in publicly available minutes from meetings of the Ports Council, Port of Palm Beach, and Port of Miami.
- Generally, federal law controls the regulation of navigation, seaport security and other aspects of admiralty law in and upon the navigable waters of the United States. The U.S. Supreme Court has consistently determined that federal supremacy principles mandate that federal law preempts state and local government efforts to impose conditions on port entry that federal laws already cover. Federal law allows a state to regulate its ports and waterways, as long as the regulation is based on the peculiarities of local waters that call for special precautionary measures. We believe these waters do not call for special precautionary measures, and the state of Florida lacks jurisdiction in this matter. There is substantial case law that supports this assertion.

The US Coast Guard (USCG) is the lead federal agency for maritime security and the primary enforcer of security zones around seaport facilities and vessels. The USCG issues security zone orders, conducts patrols and inspections, coordinates with other agencies and stakeholders, and responds to incidents and emergencies within security zones.



### **THREE OF FIVE**

#### **BILLS FILED IN THE FLORIDA LEGISLATURE FOR THE 2025 SESSION THAT IMPACT ANCHORING**

**HB1149/SB164 Vessel Accountability.** This bill creates a requirement for permits for long-term anchoring throughout Florida. These permits are free of charge. Long-term anchored boats are those which remain in the same location for more than 14 days out of any 30-day period. Permits are specific to the owner, vessel and anchored location. This bill also specifies that vessels that have received three or more violations of the Florida statute defining a vessel at risk of becoming derelict over a 24-month period must be declared a public nuisance and subjected to forced removal from the waterways after following a specified hearing process. The Senate bill has been amended to mandate the permit application and approval process are on-line, much like the present fishing license process.

**Analysis:** This bill is 33 pages long, touches 12 existing statutes, and proposes a new statute 311.104 to create the long-term anchoring permits. Advantages of this bill include allowing FWC to collect updated contact information on long-term, stored vessels, track these long-term anchored boats, monitor them for illicit liveaboards, use of the anchoring data to identify locations where mooring fields may be needed, and to use the permit list to blast notify boat owners with storm warning information. No sticker is required to show compliance with this statute. Disadvantages of the bill are that a new permit is required, though it is free of charge and easily obtained.

Penalties for non-compliance with the permitting process are quite stiff. The second citation is a felony, resulting in jail time. We support these strong penalties. Some people have alleged this bill empowers local governments to establish stricter no-anchoring zones. Those allegations are false, and there are no changes to local government authority in this bill.

**Recommendations:** The Boaters' Rights Advocacy Coalition recommends supporting this bill. The following talking points are provided:

- This bill has definite benefits for FWC enforcement of derelict and at-risk boats.
- This bill supports data collection showing areas where new mooring fields may be needed and enables FWC to contact all boat owners in advance of storm arrival.
- While a new permit will be required, the process is expected to be quick and free of charge.
- The bill affects boats that are staying in one place without causing any additional regulations targeted at transiting boaters.
- Penalties for non-compliance with the permitting process are stiff and could result in jail time if a second citation is issued.



## FOUR OF FIVE

### BILLS FILED IN THE FLORIDA LEGISLATURE FOR THE 2025 SESSION THAT IMPACT ANCHORING

**[HB1285/SB830 Disposition of Migrant Vessels](#)**. This bill defines “irregularly constructed vessels”, and “migrant vessels”, as homemade or irregularly equipped vessels which are commonly used by migrants to enter the US. This bill also establishes a framework for disposal of these and other public nuisance vessels.

**Analysis:** We believe this bill has no impact to responsible boat owners. A streamlined process for disposal of derelict and public nuisance vessels is a benefit to law enforcement and responsible boat owners.

**Recommendations:** The Boaters’ Rights Advocacy Coalition recommends supporting this bill.

## FIVE OF FIVE

### BILLS FILED IN THE FLORIDA LEGISLATURE FOR THE 2025 SESSION THAT IMPACT ANCHORING

**[SB1812 Derelict Vessels](#)**. This bill adds the failure to obtain Florida registration to the various criteria for declaring a vessel derelict. It also mandates that a vessel owner must provide proof of substantial repairs to the boat that is in a wrecked, junked or substantially dismantled condition. A companion bill in the House has not been filed yet.

**Analysis:** One of the problems reported by law enforcement is difficulty determining ownership of derelict vessels. Current law requires notification to the vessel owner before initiating remediation and disposal of the derelict vessel. Adding failure to register the vessel to the definition of derelict vessels streamlines the process for law enforcement, both in forcing boat owners to identify themselves through registration before the vessel becomes derelict, and in giving law enforcement another useful criterion for declaring a vessel derelict.

**Recommendations:** The Boaters’ Rights Advocacy Coalition recommends supporting this bill.