

## CITIZENS FOR FLORIDA'S WATERWAYS

Volume 19 - Issue 4

July/August 2012

Citizens For Florida's Waterways promotes the need for responsible use of Florida's waterways. Our primary objective is to encourage coexistance among recreational and commercial boaters, the marine industry, propery owners and the environment. Citizens For Florida's Waterways advocates education in the safe and considerate use of watercraft with respect for our marine environment and conservation.

# Recommendation to REJECT "Final Proposed Manatee Protection Rule for Flagler County" by Bob Atkins

As presented at the FWC meeting in May -- My name is Bob Atkins. I am a resident of unincorporated Brevard County. I am a founding member and a member of the Board of Directors of Citizens for Florida Waterways. CFFW has been promoting the application of sound science to manatee management since 1994 and I personally have been a participant in Manatee management actions since the mid eighties. I have been the delegated representative of CFFW to the FWC sponsored Manatee Forum for the past several years. I address the Commission this afternoon as an educated participant in the science and politics of manatee management and to strongly recommend that you REJECT the proposed manatee protection rule for Flagler County because you have been given absolutely no compelling reason to approve it.

I am not the only citizen of Florida who fails to see a logical motive for this proposed rule. The only part of the FWC Staff presentation that addresses motive for this particular rulemaking is found in the following statements:

### FIRST "The proposed rule would reduce risks to manatees..."

This is at best an unsubstantiated claim. What risk? Risk to individual manatees? Risk to the Species? Reduced by how much? Are we doing this to manage the Manatee as a Species?

Let's put this in perspective – using the same data you've just been presented: 11 manatees, on average observed per summer survey – That's 11 out of 5,000 and that is less than ¼ of 1% of the population that we are addressing. 14 manatee deaths attributed to watercraft in the last 37 years – that's 14 days with tragic accidents out of over 13,000 days of unregulated boating. Even we are become unnecessarily alarmed from 9 of these manatee deaths occurring since 2002. That's still over 3500 days of accident free days unregulated boating. So either its 14 bad days in 37 years or 9 bad days in 10 years. Either way, these numbers do not warrant any attention with respect to the survival of the Manatee as a species.

#### And what about Risk?

The premise is that by slowing the speed of boats one reduces the risk of mortal collisions. This premise has not been established as fact. Moreover, based on manatee auditory studies, slowing boats down may indeed increase the risk of collision. Will those collisions be less likely to be mortal? Are those collisions the cause of the non-mortal mutilations and scarring we observe on a great percentage of the animals? By acting on an untested premise that slowing boats will reduce mortal collisions, will we have significantly increased the risk of collisions both mutilating and mortal? These questions remain mostly unanswered, but what's worse, they remain unasked. We the people of Florida deserve more science and less politics in the approach to manatee protection.

Will these zones reduce these numbers over the next 10 years? If we don't implement these zones will these numbers increase to a point where species survival is an issue?

The fact is we don't know the answers to either of these questions. What we do know is that the collective zones implemented to date throughout the state of Florida have had no measurable effect on the reduction of manatee mortality due to watercraft – yet we continue to implement them.

SECOND Are we proposing this because the "Addition of zones will facilitate some federal and state permitting..."?

If it is state permits – who in the state government is holding them up and why. How many State agencies (continued on Page 8)

#### **CFFW Officers**

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### **Government Liason**

Steven Webster swebster@cffw.org



# Please Mark Your Calendars!

Please call Kelly Haugh at 321-449-0827 for more information.

- » July 30th CFFW Board of Directors meeting at Kiwanis Island 6 pm. At the Community Bldg. at the boat ramp.
- » August 27th CFFW Board of Directors meeting at Kiwanis Island 6 pm. At the Community Bldg. at the boat ramp.
- » September 16th CFFW Picnic at Kelly Park Lagoon Pavilion
- » October 1st CFFW Board of Directors meeting at Kiwanis Island 6 pm. At the Community Bldg. at the boat ramp.
- » October 24th CFFW Annual meeting with elections
- October 29th CFFW Board of Directors meeting at Kiwanis Island 6 pm. At the Community Bldg. at the boat ramp.
- » December 3rd CFFW Board of Directors meeting at Kiwanis Island 6 pm. At the Community Bldg. at the boat ramp. ❖

## **Engine Maintenance Class By Banana River Sail & Power Squadron**

The Banana River Sail and Power Squadron, BRSPS, is offering MARINE ENGINE MAINTENANCE for those boaters who wish to better understand, maintain and work with their marine engines.

The MARINE ENGINE MAINTENANCE Course registration deadline is July 12, 2012. The course will start July 26. The course is approximately eight sessions of two hours. The course is held at Lewis Rivers and Associates, 355 View Drive, Satellite Beach.

This course stresses the diagnosis of modern systems. Gasoline inboards, outboards, and diesel engines are taught in a way that reinforces the common aspects of how engines work focusing on the student's engine.

The course has the following objectives:

- Familiarize you with the fundamentals of engines and mechanical systems
- · Basic theory of internal combustion engines
- Identification of components, showing similarities and differences across engine types
- · Learn how to perform: Routine maintenance, Spring commissioning, Winter lay-up
- Learn how to recognize and troubleshoot symptoms. Help you explain symptoms to a trained mechanic

Course Fees are: \$65.00 for USPS members \$95.00 for non-USPS members. \$15.00 (Each additional family member of registered students from the same household willing to share the student manual).

Registration closes Thursday, July 12. For more information and to register using PayPal, visit the Banana River Sail & Power Squadron, <a href="www.brsps.org">www.brsps.org</a> or for additional information, call 321-777-9462

John Campbell\MI
Michael Chrischnell/MI
Robert Gaffney\ MI
Kevin Harris\Merritt Island
Janis Holloway

Matthew Henry\C.B.

## Citizens For Florida's Waterways Boat Safe Reimbursement Program

CFFW promotes the need for responsible use of Florida waterways. Our primary objective is to encourage coexistence among recreational and commercial boaters, the marine industry, property owners, and the environment. CFFW advocates education in the safe and considerate use of watercraft with respect for our marine environment and conservation.

If you would like to receive reimbursement for the class fees charged by the Coast Guard Auxiliary or the Cocoa Beach Power Squadron, you can attend a CFFW meeting, present your certificate of completion, and receive your reimbursement.

CFFW funds are limited, and we do have a finite amount of money in our scholarship fund, so it is on a first come, first served basis, and as noted above this is for the Basic Safe Boating class only.

You can visit our website at <u>www.cffw.org</u> or <u>www.savefamilyboating.com</u> for the location of our events and meetings.

You may also contact Kelly Haugh CFFW President at 321-449-0827 for more information.

Enjoy safe boating! .

# America's Boating Course By Cocoa Beach Sail & Power Squadron

The Cocoa Beach Sail and Power Squadron (CBSPS) will offer America's Boating Course, a USCG and Florida state approved, exciting and in-depth boating safety course for all prospective and current boaters.

The classes will be held on Saturday July 21 and 28, at the Cape Canaveral Hospital, 701 W Cocoa Beach Cswy (Rte 520), Cocoa Beach, FL, 32931, from 9 AM to 1 PM.

Many boat insurance companies will offer discounts to boaters who successfully complete America's Boating Course. The topics covered include Introduction to Boating, Safety Equipment, Rules and Regulations, Piloting, Anchoring, Communications, Trailering, PWC and Knots.

The cost for the class is \$30.00. This includes the instruction manual and CD, an invitation to one of our General Membership meetings and upon successful completion a six-month optional membership in USPS. Students, sharing the manual, pay \$40.00.

Interested persons can call (321) 452-3682, or email <a href="mailto:Granoldswag@bellsouth.net">Granoldswag@bellsouth.net</a> to register. Learn more about the Cocoa Beach Sail & Power Squadron at <a href="www.cbsps.com">www.cbsps.com</a>. ❖

# Junior Safe Boating Class By Banana River Sail & Power Squadron

Florida is one of 36 states that have educational requirements for operating a boat or PWC on state waters. The Junior Safe Boating Class offered by the Banana River Sail and Power Squadron offers the path to obtaining your Boating Safety Education I.D. Card.

- Students ages 11-17
- Schechter Center, City of Satellite Beach Recreation
- 1089 South Patrick Drive, Satellite Beach, FL 32937
- 9:00 11:30 am, 3 days July 30, 31, August 1, 2012
- Students must register with the City of Satellite Beach Recreations Center By calling 773-6458.
- \$10.00, includes student manuals and test materials

The class covers boating activity preparations, boat and hull types, rules of the road, navigation aids, boat handling, and water sports.

Why Take This Class? Florida law requires that persons born on or after January 1, 1988, complete a NASBLA-approved boater education course prior to operating a vessel powered by a motor of 10 horsepower or more. The law requires that persons affected by this legislation have in their possession a Boating Safety Education I.D. Card issued by the Florida Fish & Wildlife Conservation Commission and photographic I.D. while operating a vessel.

Education Officer - Ernst Hofmann, 321-777-9462 Public Information - Earl Gillespie - 321-777-5659 •

## 2012 CFFW Board of Directors Slate

All CFFW Members are eligible and encouraged to vote. Please turn in your ballot at the 2012 CFFW annual meeting in October, or mail in this ballot to:

## CFFW P.O. Box 541712 Merritt Island, FL 32954-1712

Write-ins are encouraged.

Nominations from the floor during the October meeting are encouraged.

YOUR INVOLVEMENT ON THE BOARD IS ENCOURAGED!

### **2012 BALLOT**

The ballot includes 7 Candidates. You may vote for up to 11 Candidates, which means you are encouraged to write-in at least one name. ❖

Standing For Re-Election: Check the ☐ next to the candidates					
Mr. Bob Atkins	CFFW Director				
Ms. Peggy Wehrman	CFFW Vice President				
Ms. Karen Dignan	CFFW Treasurer				
Mr Gary Haugh	CFFW Director				
Ms Kelly Haugh	CFFW President/Secretary				
Mr Doug Jaren	CFFW Director				
Ms Sandy Reynolds	CFFW Director				
Write-Ins: You may write in as many candidates as you wish. Please include their name and phone number.  If elected, write-ins may decline the honor.					
Name	Phone				
	Mr. Bob Atkins Ms. Peggy Wehrman Ms. Karen Dignan Mr Gary Haugh Ms Kelly Haugh Mr Doug Jaren Ms Sandy Reynolds ite in as many candidates as you If elected, write-ins ma				

PAGE 4

## Webster's Wrap-Up by Steven Webster

The presentation CFFW unveiled at Stem to Stern II in May (in Clearwater Beach) has definitely caused some ripples and ruffled some feathers amongst the anti-boating crowd – and, more importantly, amongst the regulatory community.

The presentation examined manatee mortality data from 1976 through 2011, comparing death rates in counties with speed zones and MPPs (Manatee Protection Plans) and those without them.

Many readers may be surprised to learn there have been quite a few manatee deaths over the years in counties without zones – enough of them to make legitimate observations about the effectiveness of speed zones.

What we found is that in counties without MPPs and speed zones, manatee mortality from vessels has significantly declined – while it has pretty much stayed the same – one death in four being caused by boats – in counties with speed zones, or MPPs and speed zones.

I will be the first to say there are a lot of folks in the regulatory world who just plain will never accept that small boats are not an extinction threat – no matter what theories, evidence or plain old proof we can muster. But – and this is important – there are also quite a few folks in the regulatory world who are like us. They want regulations to be effective, and it honestly bothers them no one has ever been able to show that more speed zones is a good thing – or that the ones they already have are necessary.

The CFFW presentation caught the interest of Florida Sea Grant, and we're beginning discussions with Sea Grant about a honest-to-goodness study on speed zone effectiveness.

As a part of our ongoing discussions with regulators, I have been trading comments with – let's just call them "senior officials" at FWS – the US Fish & Wildlife Service. A few years ago, using the adult survival estimates developed by the Service and the US Geological Survey, I put together an estimate of the total Florida manatee population. I came up with just under 5,000 adults, and a thousand or so juveniles. I put a lot of sweat into the method, and was quite pleased with myself when an FWC researcher agreed that, yes, my method worked, provided carcass counts were accurate (an inaccurate count would in fact mean the manatee population is higher than the estimate). (continued on Page 9)

# Enjoying Our Flea Market Success 2012

Hello everyone, "there's something for everyone!" That's our flea market tagline!!! What a success our event was this year! And what fabulous weather we had too!

For the second year in a row, we instituted a traffic counting device and found there were nearly 4400 shoppers at our event this year! Our goal was to beat the number of shoppers from last year (4000) and we did that! Our gratitude goes out to everyone for helping make it another year of success!

First and foremost, a great BIG thanks to our host, HarborTown Marina owned by David Heffelbower, and the efforts of Mr. Jim Riley! Our event would not be successful if it were not for this great venue! The restaurant appeared to be busy most all of the time so hopefully they did a lot of business serving everyone with food and refreshments!

Our volunteers this year were: Bruce Taff, Bob Bret, Karen Dignan, Ron & Donna Pritchard, Chuck Reed & Susan, Deb & Gary Sawicki, Bob & Barbara Land, Alan Russo, Dave Pasley, Ron & Karen Presley, Dennis Morris, Sandy Reynolds, Kim Johnson, Ed French, Brian Foley, Larry, (don't have his last name) Dave Wentworth, Bill & Kim Rouse, Peggy Wehrman, and Kelly & Gary Haugh.

If I missed someone, please forgive me but know (continued on Page 8)



## PARTICIPANTS NEEDED

## For Focus Group Research on Recreational Boating

A UCF professor is recruiting participants for focus group research on recreational boating. The purpose is to better understand boaters' activities and beliefs about natural habitats in Mosquito Lagoon in order to develop an outreach campaign for boaters.

Participation will involve sharing your boating experiences and views in a one-time 90-minute group interview.

# Free pizza will be provided and each participant will receive a \$20 Bass Pro Shops gift card.

If you are a Brevard County or Volusia County recreational boater who visits the Mosquito Lagoon regularly, please volunteer by sending your name and phone number in an email to the project's

- Researcher: Denise DeLorme at denise.delorme@ucf.edu
- or Assistant: Kamra Bowerman at K.Bowerman@knights.ucf.edu

and you'll be contacted with further information.

Thanks! 🌣



# CFFW 17th Annual Poker Run Results by Bob Bret

We had our CFFW 17th annual Poker Run on Saturday, May 26th.

The weather was great and we had 14 boats participate.

#### Winners were:

- Mike Chriswell won 1st place, \$100, and the guy with the most Kings, \$20.
- Sharlene Davidson won 2nd place, \$50, and the girl with the most Queens, \$20.
- Sarah Yates won 3rd place, \$25.

Other than a few glitches finding the chips at Kars Park and Bird Island, everything seemed to run smooth. We will resolve this before the event next year.

There are Poker Run T-shirts left over, so ask Kelly at next function if you would like to purchase one for \$10. •



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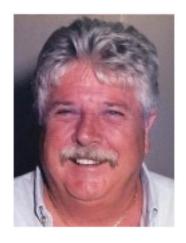
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## In Memoriam: Randall O. "Randy" O'Brien



Randy O'Brien, 66, passed away peacefully in his sleep June 2, 2012, at Wuesthoff Hospice House in Rockledge following a long illness.

Son of Daniel and Dorothy, Randy was born in Ontario, Canada, September 30, 1945 with dual citizenship, and at 18 years, due to signing up for selective service in the Armed Forces became a full American Citizen.

Randy lived a full life. Being the youngest of 4 brothers with a Military Dad, they lived many places, including Germany, after the war finally settling in Chatham, NJ.

Randy holds bachelor's degrees in education, industrial arts and psychology from Newark State College and Kean University in Union, N.J. He has earned educational credits from the U of Florida and Texas A&M U in chemistry, and from the Environmental Protection Agency regarding emergency oil spill response and chemical clean-up. He also received firefighter training from the Firefighters College in Ocala.

In his first career, Randy was a professional musician, playing in various venues up and down the Jersey Shore singing Irish tunes and playing his guitar, then moved to Merritt Island to help his Dad in the oil boom business. He eventually bought American Boom & Barrier, which manufactures equipment used to clean up oil spills and spent several weeks as an advisor during the Valdez oil spill in Alaska.

Randy served on the Brevard County Tourist Development council for 12 years. He is also the former Home Owner's Assoc. President of Villa del Palmas, is a member of the Elks Club, and Ancient Order of the Hibernians.

He served as District 2 Brevard County Commissioner for eight years where he was a strong voice of Economic Development in his support of the Merritt Island Redevelopment Agency and instrumental in the start of Brevard County's Beach Re-nourishment Program, he fought for the taxpayers with no tax increases while in office and voted to televise County Commission Meetings to keep public informed. With CFFW he was a strong voice and fought many hours through the Manatee Protection Plan to protect Boaters Rights.

Preceded in death by his brother, Barry, Randy is survived by his wife, Sharon; a son, Danny; and step-sons, Jeff and Nick Naayers, Brad Mowry and Teddy Muto; daughter-in-law, Charleen; eight grand-children; brothers, Terry and his wife, Lorraine of San Diego, CA, Dennis and his wife, Lynne of Phoenixville, PA; many loving nieces and nephews and his ever-faithful dog, Molly.

Being known as an Irish tenor, Randy could on occasion be heard playing a tune at a local pub or restaurant and

always at his annual St. Patrick's Day parties, he loved boating, traveling and just spending time at home with family and friends.

### He will be sorely missed by many!

Funeral Services were held at 10:30 a.m., Saturday June 16th, at Divine Mercy Catholic Church, where Randy was a long time member.

Contributions in his memory may be made to Wuesthoff Hospice House, 661 Eyster Blvd., Rockledge, FL 32955 or St. Vincent DePaul at Divine Mercy.

Condolences may be shared at www.wyliebaxleymerrittisland.com.



## Recommendation to REJECT...

by Bob Atkins (Continued from Page 1)

have a say and why are the citizens of Florida caught in a tug-of-war between them. If it is federal permits – who is it in Washington, Atlanta or Jacksonville that is so all knowing about the state waters of Florida to even think about denying a permit that local and state governments have approved. And further, if this is the case, then the permitting process is the problem that needs fixing – not boating speeds.

So I ask one more time – Why is this rule being proposed? What is particularly onerous about this proposal is the recommendation of slow speed zones in the ICW. Boating regulatory zones in navigable channels – need to be held to a higher standard of necessity. Just as we have designated some high manatee use areas as critical to manatees, navigable channels need to held in the same sense as critical to boating. This is how one achieves balance. The Manatee Sanctuary Act, the very foundation for all of aspects of Manatee Management, gives clear guidance in this regard. And those passages are attached and highlighted for your quick reference. The ICW needs to be held to the highest standard and ANY manatee management zone proposed in the ICW needs to be justified by clear and present threat to the survival of the species – not a just the potential loss few individual manatees over the period of several years.

This time it's Flagler, over the next year you will see proposals for additional zones in Pinellas and Hillsborough. This assault on coastal boating in Florida has been relentless since the legal settlement with Save the Manatee Club et al.

Throughout this period, the manatee has proven to be a much more resilient species than we ever imagined. Even with significant climatic events and impacts of recent winters, the survival and growth numbers are more than encouraging. We are clearly no longer in a state of crisis or fear for eminent decline or extinction of this species.

We've been using this singular tool, boating regulatory zones, in our protection efforts for over 20 years now and we have yet to conduct an independent or non-advocate scientific analysis of zone effectiveness. There's plenty of data to support such a study and the citizens of Florida deserve the results of a thorough effectiveness study before any additional zones should even be considered. So we are effectively requesting that the Commission not only reject this rule but also we recommend the Commissioners effectively place a moratorium on the propagation of any further boating regulatory zones for manatee management until we understand the true effectiveness of the existing zones in manatee management.

Thank you for your time and consideration. .

## Enjoying Our Flea Market Success 2012

(Cont'd. from Page 7)

that our flea market absolutely could not have been done without you and your limitless help and support!

Kelly and Gary Haugh along with Peggy Wehrman provided an enormous amount of support and guidance to all of us! Our hats off to all of them for such commitment to our organization!

As in previous years, we signed up quite a few new members and renewed several continuing members, thank you all very much!

We had almost 50 vendors this year, a few more than last year. The selling activity at each of the vendor booths were reported as being very good. We will look forward to next year and hope to have the same great volunteer support and vendor turnout! Our next flea market is planned March 23 and 24, 2013! ❖



PAGE 8 CFFW - JULY/AUGUST 2012

## Webster's Wrap-Up

by Steven Webster (Cont'd. from Page 5)

Independent of my effort, a senior FWSer, using the same premise that survival rates can be used to estimate total population, came up with the same results. The difference being the FWSer did it in a few minutes on the back of a napkin.

I also have spent way too much time figuring out how many manatee deaths have been "avoided" because of speed zones. Yes, I have a number. I won't at all be surprised if FWS comes up with the same number, whether they use a napkin or not.

#### The Federal Sanctuaries

There has been a steady trend around the US for Federal park and sanctuary managers to try to ban personal watercraft. In Florida, state law says PWCs must be treated like any other boat – meaning banning or regulating them and not all other boats, is illegal.

PWCs have been banned from the Florida Keys Marine Sanctuary since the 1990s, are banned in Biscayne Bay, and there is talk about banning them in Gulf Islands.

The Biscayne Bay ban is likely to stick, because the State of Florida gave the Feds control over the Bay bottom – literally surrendering the State's sovereignty submerged lands. Not too bright a move.

Not so in the Keys, where the Sanctuary is leased from the State to the Feds. This means the PWC ban in the Keys is in fact utterly illegal – but it hasn't been challenged in court.

I'm proud to say that CFFW recently took part in three public meetings about revising the Sanctuary rules – and the point was made loud and clear that the Feds need to follow state law like the rest of us and end the illegal ban.

(We also made the point that the Sanctuary should be managed by the State, not the Feds. Likely not the most popular comment they heard.)

What made me more proud, however, was to see boaters, for the first time in YEARS, come out in force to a meeting. The personal watercraft livery operators (the places where you can rent a PWC), literally painted the meeting hall blue with their "Responsible PWC Operator" shirts. •





# "Catch A Memory" Radio Show

The radio show will again be an hour long on WMEL 1300-AM, Saturday mornings at 8:00AM − 9:00AM. The program will be covering the fishing action on Florida's East Coast. Anglers can tune in to hear Jim and his cohosts provide you the latest fishing and new product information. ❖

# "Chevy Florida Insider Fishing Report" Television Show

Capt. Jim has joined a host of other top professional guides across the State of Florida on a new television show called the "Chevy Florida Insider Fishing Report." The TV show is on the SunSports network on Thursday evenings from 5:00PM to 6:30PM. Reporting expert, Capt. Jim will bring you an up-to-date fishing report from our offshore and inshore local waters.

Capt. Jim also provides daily reports Sunday through Wednesday on the TV shows web-site: www.floridainsiderfishingreport.com

If you would like to contact Capt. Jim, his phone number is 321-636-3728 and his web-site is: www.finelinefishingcharters.com. ❖



CFFW members are entitled to a full Membership in BoatUS for only \$15 - that's 50% off the regular \$30 annual dues!



BoatUS and BoatUS ANGLER Member benefits include Member Rewards at West Marine stores, discounts at marinas nationwide on fuel, repairs, and overnight slips, on-the-water Towing Services, highly-respected Marine Insurance, a subscription to BoatUS Magazine or BoatUS ANGLER.

## CFFW's Newest Members Welcome!

John Campbell of Merritt Island

Michael Chrischnell of Merritt Island

Robert Gaffney of Merritt Island

Kevin Harris of Merritt Island

Janis Holloway

Matthew Henry of Ccoa Beach

Steve Dewey of Cocoa

Lou Ferrante of Cocoa

Robert Fournier of Orlando

Cliff Hickery of Orlando

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## **CFFW Member Recognition**

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Thumper & Iva Volkmer

Steven Webster

David & Anne Wentworth Westland Marina/Titusville Jess H. Yates, DMD

Paul & Francesca Ragusa

## **Business Recognition Diamond Level**

This business supports Citizens For Florida's Waterways by donating a CFFW membership with each boat purchased from their store. Mandatory Equipment For Your Boat:

## **A CFFW Family** Membership!

If you own a boat or live by the water, you can't afford not to join Citizens For Florida's Waterways!

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Or join with your credit card on our secure web site at cffw.org

CFFW is a 501(c)4 organization. Donations and membership dues are not tax-deductable.



## **Citizens For Florida's Waterways**

Post Office Box 541712 Merritt Island, FL 32954-1712

If you're not a member... please join.

Your membership dues provide the financial support needed to save family boating from the million-dollar enviro-businesses.

Please join online at cffw.org or by mailing the enclosed membership form.

When Does Your
When Does Your
Membership Expire?
Here's a Hint



Sep. 16:

CFFW Picnic at Kelly Park Lagoon Pavilion

Oct. 24:

CFFW Annual meeting with elections

(More on Page 2)



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CBC 1251647 docks@cfl.rr.com PRSRT STD U S POSTAGE PAID PERMIT NO. 244 COCOA FL

