



CITIZENS FOR FLORIDA'S WATERWAYS

• FLEA MARKET EDITION •

CFFW History & Introduction

Since 1994, Citizens For Florida's Waterways has been campaigning on behalf of boaters in Brevard County. We attend every hearing and workshop, send representatives to Tallahassee, meet with boating interests in other parts of Florida, and worked to organize Florida's first statewide boating coalition, Standing Watch. We've written letters and columns in Florida Today and Boat US magazine, have been interviewed for dozens of articles in several newspapers, and have been interviewed on-camera by several television news stations.

When we introduce ourselves to someone new, they usually ask something along the line of "are you for boaters or manatees?" It's a reasonable question because of the way the issue is commonly framed in the press, but the answer is simple: Citizens For Florida's Waterways exists to promote a reasonable coexistence between man AND the marine environment. We work to preserve the environment in a way that will allow us to enjoy it while assuring that our children and grandchildren will be able to enjoy it in the future.

Our board of directors includes members who spend many hours per week studying trends in manatee population, births, mortality and disease. That's why we weren't surprised when 3276 manatees were counted statewide in 2001, 40% more than the previous high count and six times the estimated population in 1972. In fact, we publicly predicted that record count months ahead of time and were asked by the Fish & Wildlife Conservation Commission how we could have known. We knew that the bitter cold that year would force most manatees to the warm water discharges, and the clear, calm weather would allow a good count. We studied the increases in natural manatee mortalities and other factors over the years and concluded a healthy population growth rate of over 5 percent. We also weren't surprised by the lower count in 2002, hampered by warmer weather, or the record counts on the east coast in 2003.

One of our associates studied the mystery of propeller wounds and derived a relationship between the spacing of those wounds and the sizes of boats that couldn't have caused them. He further refined his model to show which way the vessel was traveling with respect to the animal, and the approximate size of the propeller. Whale researchers in Europe and dugong researchers in

Australia are now applying his findings to their own work.

In 2001, CFFW helped raise \$45,000 to fund a study of underwater boat noise by the world's foremost expert in manatee hearing, Dr. Edmund Gerstein. That study confirmed Dr. Gerstein's long-held belief that manatees are unable to hear slow-moving boats until they are dangerously close, but can hear fast-moving boats while they are still at enough distance to let them avoid the boat. The use of Dr. Gerstein's patented sound-producing device may one day make pervasive slow speed zones a thing of the past. Also in 2001, five members of CFFW filed an administrative challenge to stop the massive new slow speed zones passed by the Florida Fish & Wildlife Commission. Joined by attorneys from Standing Watch, the city of Cocoa Beach, the city of Titusville, and Sea Ray Boats, we showed how the Commission failed to follow their own rules when creating the new zones. Shortly after losing that challenge, CFFW raised \$25,000 and hired a prestigious Tallahassee law firm to appeal the decision. Ultimately, the appellate court decided not to get involved in this contentious issue and issued a per curiam decision upholding the state's actions.

Many of our members and Board of Directors have served on various committees over the years, including the Florida Governor's Boating Advisory Council, Brevard Marine Advisory Council, the Manatee Protection Plan-Ad Hoc Committee, the Brevard Dredging Committee, The CM3P or Comprehensive Maritime Management Master Plan, the Manatee Forum, and so on.

CFFW is also urging the state to listen to sound science and follow where that science leads. We have worked many years cultivating a relationship with the various State and Federal agencies to ensure that the boater and waterfront property owner are represented and given a voice. CFFW has had a lobbyist in Tallahassee for several years working to represent our interests and advise us on any legislative issues that we should be aware of.

We continue to grow our club and work toward reasonable regulation of our waterways. We invite you to join our club, or just attend one of our meetings.

Visit cffw.org for more information. ❖

The Roots of the Phony Crisis

I was listening to the TV Talking Heads the other day and their reaction to our new opportunity to buy monthly meetings with the President for a mere \$500,000.00 donation. It made me think of special interest groups and how much the interests of a few, with the ever ready support of our maybe just a little too liberal media, can become the law for the masses.

Of course, reflecting on the real direct affect this phenomenon has had on my own life, I could not help but focus on the issue of manatee endangerment. It is just simply amazing what affect a really small number of folks had, not only on my life, but also on the activities and lives of the boating public across the state of Florida. I refer to them as the dirty dozen because that's really close to the actual core group size. A few of us could easily name them. I'm sure most of you could name at least one.

Most of us never believed the manatee was actually endangered – but boy how the press did. I still have the December 16, 1990 12-page full-color Special Report section of the Orlando Sentinel titled “The First Year of the Last Decade – Manatee”. I went back and re-read the expose. It's simply unbelievable but there is little doubt how much impact the opinions expressed in this and other reporting of the time had on ALL of US.

There is some really interesting history preserved in this report. What makes some of the data even more interesting is that I made a recent request to the Florida Fish and Wildlife for manatee population data prior to 1990. I was given a lengthy response in defense of the inaccuracy of population data – but no data that was provided. Personally, the data from those years is an embarrassment to scientific research. Here are the numbers from the Sentinel report:

Year	Manatee Count
1974	255 (but the water was so murky, it was said 600-1000 more accurate)
1976	738 (but they figured they missed some so they said at least 800-1000)
1985	1039 (but estimated at least 1200)

The report goes on to state: “Marine industry leaders are convinced the number has been underestimated by environmentalists. They say 5,000 is not too high. A few biologists will go as high as 2,000, but most say somewhere between 1,000 and 1,500”

Unfortunately, it was the fuel that ignited the whole endangered manatee kneejerk regulation environment of the 90's culminating with the ridiculous environmental zealot organization's lawsuit and settlements by both the State and Federal agencies without ANY benefit analysis. What's worse is that with nearly 25 years of data proving that the regulations had no positive impact, we still have the regulations and they just keep coming.

Not long after the Slantinel expose' – if not concurrently, Sea World created their exhibit “Manatee – The Last

Generation”. CFFW members were instrumental in objecting to the exhibit name and successfully changing some of the inflammatory anti-boating signage in the exhibit. Over the years, for whatever reason, SeaWorld has eliminated the manatee feature attraction and today, you can barely find the manatee exhibit – inside Turtle Trek – an exhibit focused on sea turtle protection.

Here is an interesting excerpt from the 12/16/90 Sentinel report

“There can be profit in helping the Manatee”

“FPL makes no secret to having spent \$700,000 on the Save the Manatee campaign. The power company helped produce the film ‘Silent Sirens’ has made more manatee pamphlets than any other organization and helped foot the tab for costly aerial surveys.

In 1974 the Environmental Protection Agency feared the warm water discharge of FPL's Fort Myers plant would harm the Orange River ecosystem, so the EPA ordered FPL to construct cooling towers.

Luckily enough for the nation's fifth largest utility, FPL discovered that manatees in the river loved the warm discharge. In fact, they counted on it during cold snaps. Thanks to the manatee, the EPA rescinded its order.

The towers would have cost FPL some \$14million.”

So the \$700,000 through 1990 was money well spent. Who knows what the total FPL CYA investment is now. Do you also realize that for all these years, FPL was also allowed to continue to operate high volumes of oil delivering barge and tug traffic up and down the estuaries, bays and inlets on both coasts and the St John's River from Jacksonville to Sanford – without any objection from the Save the Manatee Club? And yet wherever the barge traffic occurred, there were significant numbers of deeply wounded and mutilated manatees. But NONE of the regulations affected FPL's operations.

Early manatee mortality data was labeled “Boat/Barge Collision”. Now, it is simply “Watercraft”. Does barge come to mind when you think of watercraft? For years, the agencies claimed they could not determine the size of a vessel that struck a manatee. CFFW promoted the research of James Woods, which proved that the determination is possible. In fact, it was always possible if you were not blinded by direction. The photos in many of the necropsy reports are obvious to even the casual observer.

It was no surprise that when CFFW challenged Brevard Rulemaking in State Court, FPL intervened, along with SMC, on the side of the State. Why does FPL maintain a seat on the Manatee Forum?

And you wonder how Tom McGill used both Conspiracy and Manatee in the title of his book. I'm glad I saved the Sentinel Report for all these years. ❖



THE FIRST YEAR OF THE LAST DECADE MANATEE

BY JEFF BRAZIL / PHOTOGRAPHY BY RED HUBER

Fla Manatee	
Today's Count 19	
1988-134	43
1987-174	51
1990-200	46 Nov

ON THE BLACKBOARD at Blue Spring, the rangers keep count. "Today's Count" showed 19 of about 65 regulars had returned for winter by the end of last month. But, below, the rangers' running tally of total deaths statewide, and deaths caused by boats, showed 1990 had already set a record.

Out of the shadows they come, materializing slowly, as if beaming in from some other world. Sometimes they look like blimp ballerinas, pirouetting in unison. With effortless figure-eights of a single flipper, they change direction.

They wear perpetual grins, as if they know something the rest of us don't, but it's no big deal, so don't worry. Being face to face with their tiny, milky-gray eyes and furrowed brows is like staring at some ancient monument come to life, here to deliver a message from the past:

Dear Human Beings . . .

Even in this age of disappearing ozone and acid rain, there is hardly a more poignant case of Man versus Nature than that of The Manatee. Though massive and mighty, they pose no threat to any other creature. They are lamb-gentle, popular enough to adorn probably more T-shirts, mugs and trinkets than any other endangered species.



They bear the names of literary heroes, *Gandalf*, *Romeo*, *Merlin*; of historical places, *Savannah*, *Troy*; of famous persons present and past, *Liza*, *Luke*, *Milton*, *Luther*. They are the last of their kind.

And they are vanishing.

Since the government supposedly took them under its wing nearly two decades ago with the U.S. Endangered Species Act, at least 1,784 manatees have died in Florida, at least 567 — a third — as a direct result of human contact.

For six years running, the number of deaths has averaged 149 a year, as much as 12 percent of the estimated remaining population. If that were people, it would be equivalent to 77,000 deaths per year in Orange County, instead of the usual 5,500.

From Man, the chief peril is boat hulls and propellers. The Manatee is scarred from hundreds of near-misses. Beyond the violent encounters are condos, marinas, hotels. The government says such encroachment on has jeopardized The Manatee more than any other endangered species.

As few as 1,200 remain in this country, all in this state. There are some in the Caribbean and South America, and a few among their cousins in Africa. But scientists say if The Manatee goes in Florida, so goes the best hope for the Sirenia order, the only large, vegetarian marine mammals on the globe.

This is not just another yet-another-species-going-extinct story. The great irony is that scientists believe The Manatee is the creature Most Likely To Succeed Despite Man, the best symbol we have of what's happening — and what will

happen — to the environment. Of all creatures small and great, a more peaceful, accommodating yet heartier one could not be imagined. And that simply may not be enough.

When the research for this account began, the idea was to measure the status of The Manatee as the century neared its end. If the 12 months ultimately covered are any indication, then 1990 may have been a crossroads of sorts for this one-of-a-kind creature.

After two straight annual records, 1990 takes its place as the most deadly year on record for The Manatee. On the political scene, important vows have been broken or only half-kept. Even marine industry representatives wonder, what gives? If the U.S. Fish and Wildlife Service can run out of money for manatee research in what biologists and politicians called The Year of The Manatee, what will next

year bring? And the year after that?

This may well have been *The first year of the last decade*. At its current death rate and low reproduction rate, The Manatee could be gone by April 30 or so in the year 2000.

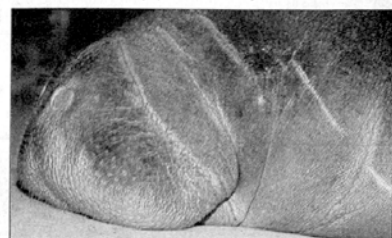
Imagine: One of the planet's oldest, kindest passengers, one that has pressed on through countless threats. Hurricanes. Great earthquakes. An ice age. And God knows what else. At last being undone by Man.

"If you can't save The Manatee," says biologist Tom O'Shea, "you can't save anything."

As the curtain collapses on the 20th century, elaborate plans have been created. If they are carried out, The Manatee may prevail, boding well in many ways for Florida. If they are not — if history is repeated — the time may come, sooner than later, to say goodbye.



KIDS' tribute. CUTS from a propeller. FACE of an injured manatee.



We ARE Citizens for Florida's Waterways

What waterway is more important to our membership than the quality our own Indian/Banana River Estuary/Lagoon ecosystem? For that reason, I am proposing that we put our membership and resources to work in helping to identify and mitigate the causal sources of lagoon quality decline and help turn the corner toward a path to recovery and preservation.

You have read my expository articles (see inside for another in the series) asking the question that no one wants to hear or answer – Should the manatee be identified as one of the causal sources of the decline? The numbers I've shown you are staggering, yet it is clearly a minority opinion and we have had limited success in even getting the validity of the question in the analysis.

We made progress in obtaining agency answers the following questions related to manatee capacity in the IRL. Clearly, the manatee capacity is finite, limited by available vegetation, but is being managed by "more is better" based on the erroneous classification as "endangered". We need to understand the limitations of the resource and actually "manage" the manatee population BEFORE it exceeds capacity.

Clearly there are unanswered questions that become underlying assumptions for the results. But, these underlying assumptions can be easily identified and should be the basis for studies to provide answers that we must demand be performed.

» What is the average annual production (by weight) of an acre of estuary bottom?

Agency estimates have a wide range from 1,400 to 14,000 lbs per acre per year."

» What is a good value for average consumption for the average animal in a given population?

The agencies use 1,000 lbs as the average adult manatee and estimate that the daily vegetation consumption is between 4 to 9% of body weight. This equates to 14,600 to 32,800 lbs of vegetation per year.

These wide ranges of consumption and production equate to each manatee consuming at least 1 acre of production and as many as 23 acres of vegetation production each year. Clearly, we need to better understand these relationships since the manatee population continues to grow and the vegetation coverage has significantly declined over the last five years."

» Since we are greatly concerned with the levels of phosphorous, nitrogen and other nutrients in the IRL, what is the typical daily mass and chemical composition of manatee waste, solid and liquid?

We have in the ability to specifically identify manatee excrement by the presence of a unique enzyme(s). FIT has received several \$M in state funding to research muck in these areas. Many of our residential canals have no flow and have become the "home" of large numbers of manatee. What is the effect of the concentrations of manatee waste in these relatively small areas?

Over the next few months, we will be seeking answers to these questions and looking for ways to invest our manpower and resources to Save Our Lagoon. If you have constructive ideas, valuable points of contact or hear of activities and actions supporting the lagoon system – PLEASE share them with us. We can send notification to the entire membership if that is appropriate. As we determine participatory activities to help the lagoon, PLEASE participate. IT IS OUR LAGOON. ❖

Where Does the Manatee Fit in the Current Lagoon Ecosystem Decline?

Great effort to understand the decline of the IRL over the last few years has failed to conclusively identify a single “smoking gun” as the most likely cause. In the absence of a smoking gun, we must continue to identify and evaluate all potential contributory cause-effect relationships that could be contributing to the ailing lagoon health. With all the effort expended to date, it is highly likely that the problem is a combination of several contributory impacts. Significant amounts of public and private funds are being sought to “fix” the problem. But the funding is limited and timing is critical.

One cannot discount ANY potential source until all the sources are understood and evaluated against one another. Some causal sources have a greater negative impact than others and some are more easily rectified than others. What we are searching for are contributory causes and what we can do to fix them. Only by understanding the entire set of potential causes can we accomplish the necessary cost benefit analysis to get as much accomplished in the shortest time with the best spending plan.

What are the most worrisome elements of the current lagoon crisis?

- » **Loss of Seagrass**
- » **Increase of Muck**
- » **Increase of Algae**

One such potential contributor to the IRL “crisis” is the affect of the expanding manatee population and the seasonal extension of its formerly migratory residency in the IRL. One must remember that the OUC/Reliant and FPL Power Plants were not constructed until the early '60s and the number of manatees remaining year-round in the northern reaches of the IRL has been increasing ever since. This is not an attempt to blame lagoon health on the manatee. It is an attempt to motivate the scientific community to investigate the possibility that the manatee may be adversely impacting the system. After all, manatees consume seagrass and excrete free nutrients back into the system. Unusually high algae growth and large amounts of muck have been linked to an over abundance of free nutrients.

The obvious question of how great is the manatee contribution to the problem? It's clearly a question that deserves much more than the hand-waving response offered to date. Moreover, what is the continued affect of an ever-increasing manatee population? For those who only seek man-made causes to environmental problems, this problem is still one of man's devise. We were so worried about the survival of this species that we waived our own good environmental policy and mandated artificial warm water outflows from our power plants - forever changing the natural migratory habits of the manatee. Is it time to shut off the man-made warm water source?

In addition to the annual official manatee counts (synoptic surveys), the State sponsored special bi-weekly manatee counts in Brevard County from October to March of each of the past few years. They do not count the

Federal Refuge in the Banana River north of SR 528, where there are expected significant numbers. The 2014/15 numbers have not been published yet. The average count for 2013/14 was 1,392 and 1,966 manatees and actually counted in Brevard on February 18, 2014. In Fifty-five years since the construction of the power plants, Brevard has a larger WINTER population of manatees than there was in the entire state just 20 years ago. With as many as 900 crowded into the warm water outflows at Port St John, these animals would have historically moved farther south for the winter. Unfortunately, the official count for 2014 was only 633, so many of the flippant answers provided by the scientific community are based on the assumption that there are only 600 or so animals living here instead of the actual 1500 – 2000, around three times the official count.

We know how much seagrass is available to feed these animals. We know how much they eat. We're not sure just how destructive their foraging (puling, uprooting, not biting) really is to the vegetation. We're not sure what affect the foraging has on regrowth rates due to the potential destructive nature. Here are some questions that deserve scientific analysis and discovery.

1500 manatees consume the productive output of somewhere between 11,000 and 24,000 TONS which is the equivalent of 1500 and 30,000 acres of seagrass production each year. These are our state and federal agencies best estimates, not ours. How many of these tons of former vegetation that used to filter nutrients from the water are released back into the system as free nutrients? How many of these acres continue to be productive and at what percentage capacity due to manatee foraging?

Now these numbers may seem insignificant to those who can't see past the other man-made causes for laagoon health - septic seepage and runoff. But the efforts over the last several years have significantly reduced runoff, treated water is no longer discharged into the lagoon, the citrus groves and associated runoff have long dwindled, and as for septic tanks - another good set of questions.

The population estimate for Brevard is around 550,000. The potential loss of seagrass each year is the equivalent of asking each man, woman and child in Brevard to harvest between 50 and 150 lbs of seagrass and take it home every year - and even conservatively estimating nutrient content in the waste, every man, woman and child would need to return to the lagoon every year with a 15 to 50 lb bag of fertilizer and pour it in.

Does that get your attention? So let the questions be asked and answered. ❖

Managing the WRONG CRISIS with the WRONG APPROACH

The ONLY crisis with respect to the Manatee is the potential of over population and the very serious threat that has on the estuary ecosystem through seagrass depletion. When the seagrass cannot sustain, the estuary dies. No one in the state or federal agencies is managing this risk, but entire organizations are managing boating regulations.

The phony endangerment crisis was created by two factors. First, it is truly unfortunate that the dead animals float, making them easy to count. We set out and proudly counted every one- starting way back in 1974. In those early days of manatee hysteria, the number of animals dying was alarming, especially those attributed to the old category of “barge/boat”. This is the origin of the false conclusion that unless we eliminated watercraft mortality, the animal would soon be extinct. Examination of the early cause of death reports indicated a bias towards the original “watercraft” classification. Determining the health of a species by counting the dying is not a credible approach, but in the 70s and 80s we weren’t counting the live population with any rigor or accuracy.

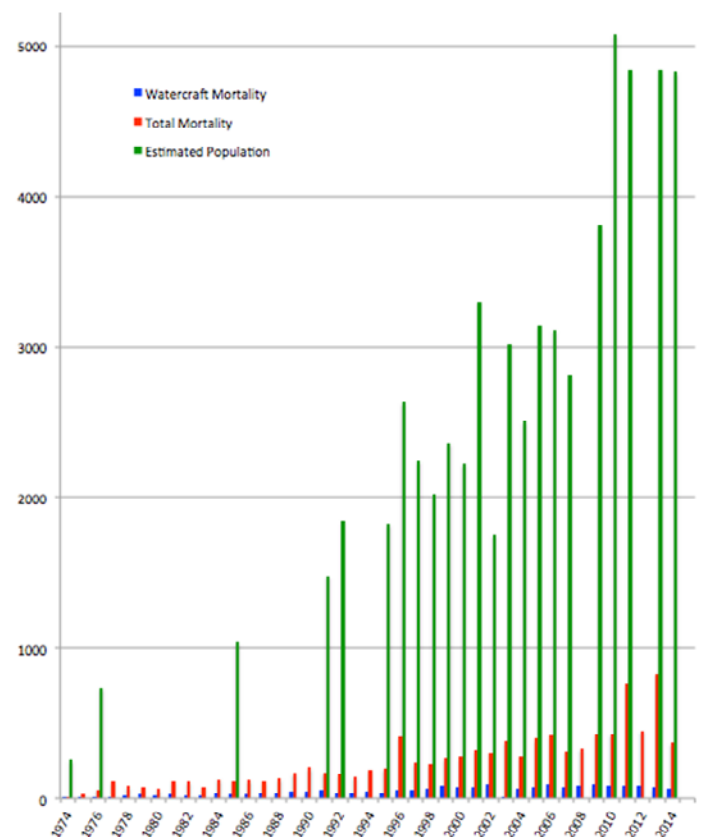
Second, it is impossible to count the live herd and the attempt to do so has been sporadic at best. The early counts were pathetically inadequate yet greatly contributed to the extinction hysteria. It may take several more years to undo the damage done by those who created, and in many cases, perpetuate the crisis for their own financial benefit.

This graphic clearly shows how truly insignificant watercraft mortality is with respect to total mortality and population. What’s also clear is that the number of deaths attributed to watercraft has also not changed significantly over the years in spite of the widespread imposition of draconian regulations on recreational boating in Florida. On the one hand they were never necessary, but what’s worse, is that they accomplished nothing. If these regulations were effective in any way, there would be a significant visible change in trend in one or both of these charts around the year 2000.

So here we sit nearly 15 years later with 40 years of data and we have a completely different set of facts:

1 – The manatee is clearly, not now, and probably never was, endangered in any sense of the terminology.

2 – Even though recreational boating has born the brunt of the unnecessary regulations for protecting a species that needs no protection, there is not only no relief in sight but what’s worse, there are also more regulations being imposed every year. ❖



When Do We Shut Down the Warm Water Outflow of the Power Plants?

Since 1999, two out of every three manatees counted on the East Coast each year were found in the warm water outflows of the power plants. In fact, statewide, over 48% of all the manatees counted were found at these artificial man-made sources of warm water. There are two obvious perspectives that will influence how you view this FACT.

The glass is half-empty perspective - Those who still contend that the manatee requires significant levels of intervention or else they will become extinct will look at this data and say:

“Thank goodness for the warm water outflow of the power plants. Without those the manatee population would be even more endangered. We need to insure that these outflows remain intact to save the manatee.”

The glass is half-full perspective - Those who believe the manatee population has experienced significant growth because of human intervention will look at this data and say:

“If we don’t eliminate the warm water outflows of the power plants, the local manatee population will experience some unexpected negative impact.”

Regardless whether you see the glass full or empty, you have to ask yourself how is this consistent with the naturalist view of the world ecosystem in which man-made behavioral changes are the absolute opposite of the desired outcome. There is a reason we ultimately must agree with this view. Almost every time man has intervened on a scale this significant, the result has been near disastrous.

One can only imagine the impact of a communicable pathogen with fatal potential within 900 or so animals crowded into these small areas. To get an idea, think back to February of this year when 19 animals were trapped for a few days in a pipe in south Brevard. Can you imagine the water quality alone that these animals were subjected to.

An even more consequential potential outcome is the possibility that the animals will starve to death, not able to find enough forage within the area – or even that the population will outgrow the capacity of the local area ecosystem. This outcome would not only manifest itself in loss of life to a significant portion of the local manatee population, but could also be extremely detrimental to the entire ecosystem and all its inhabitant species.

These risks are too real to ignore. The only reasonable approach is to eliminate the power plant outflows that have been allowed to continue in spite of violating the principles of the Federal Clean Water Act of 1974.

The only unknowns that remain are:

- What will happen to the manatees that currently use the power plant outflows when they are eventually eliminated?
- Will they find alternative natural warm water refuge? Ironically, there has always been an abundance of alternative warm water in areas closer to and south of the Sebastian Inlet, believed to be the natural northern winter migratory boundary.
- Will there be a significant die-off from cold stress in the first subsequent cold winter due to manatees trapping themselves too far north? Would that die-off be larger than one that would occur from potential epidemic or starvation?

But the real hard question is:

- Will we shut down the power plant warm water in time to save the naturally supportable manatee population, the submerged aquatic vegetation, and ultimately save the lagoon? ❖

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Please- Mark Your Calendar!

- » **March 28-29:** 18th Annual CFFW Marine Flea Market. Saturday and Sunday, March 28-29, 2015. Harbortown Marina, Sea Ray Drive (SR528) Merritt Island. 8am to 4pm both days. Thousands of Shoppers Annually. Free Admission! Free Parking! Nautical and Marine Vendor Booths Available!
- » **March 30:** Board of Directors Meeting. 6:30pm, Karen Rood Bldg (near the boat ramp) at Kiwanis Island, Merritt Island. Open to the public.
- » **April 8:** District 2 Dredging Committee Meeting. 6pm, Karen Rood Bldg (near the boat ramp) at Kiwanis Island, Merritt Island. Open to the public.
- » **April 15:** Board of Directors Meeting. 6:30pm, Karen Rood Bldg (near the boat ramp) at Kiwanis Island, Merritt Island. Open to the public.
- » **May 6:** District 2 Dredging Committee Meeting. 6pm, Karen Rood Bldg (near the boat ramp) at Kiwanis Island, Merritt Island. Open to the public.
- » **May 16:** Kiwanis Island Fest. Hosted by Brevard County Natural Resources Office. National Safe Boating Week Event featuring a youth fishing program and educational booths and displays. Participate in a wide range of water-based events and activities to celebrate, promote and educate our youth and families about Brevard County's waterways and its diversity of water-based activities. Kiwanis Island Park, 951 Kiwanis Island Park Road, Merritt Island. For more info contact Matt Culver at matt.culver@brevardcounty.us
- » **May 17:** Super Boat Races at Cocoa Beach CFFW will host a spot at the start finish line at Sheppard Park. Stay tuned to WWW.CFFW.org for more info.
- » **June 6:** CFFW Poker Run Stay tuned to WWW.CFFW.org for all the details coming soon!

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
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