



CITIZENS FOR FLORIDA'S WATERWAYS

Vol. 17 - Issue 1

Jan/Feb 2011

Citizens For Florida's Waterways promotes public access to and the responsible use of Florida waterways, coexistence among recreational and commercial boaters, marine industry, property owners and the marine environment. CFFW advocates education in the safe use of watercraft with consideration of our environment.

President's Message *by Kelly Haugh*

It's a new year! Are we any better off than we were last year? Or the previous 10 years?

I don't know, but I hope that 2011 brings many changes on the boating front. CFFW is working very hard to get the State and Federal Government to listen to sound science and "do the right thing" by de-listing the manatee.

Our Government Liaisons Steven Webster and Peggy Mathews have been working this topic for quite a while and it looks like the tide may be changing. We will keep you posted on any new developments as they arise.

Our first Guest Speaker of the year will be presenting information on the Canaveral Locks De-Watering and the installation of the new Manatee Protection System.

We are gearing up for the Marine Flea Market again and need your help. This is our big fund-raiser for the year and we need your support to make it the success it has always been.

If you have time to donate, see one of the Board of Directors or give one a call, anything that you can do will help make it a successful event.

We hope to see you out on the water-have fun and be safe out there! ♦

Today's Boating Scenario *by Peggy Wehrman*

Could a new boat be in your future? In the wake of the downturn of the marine industry and the loss of several thousand dealers nationally, the remaining dealers are optimistic about the future of their chosen profession and stand ready to help you upgrade.



The dealers have optimized their operations via overhead expense reductions (mostly) and are very optimistic about potential boat sales at the upcoming Miami International Boat Show (MIBS) in February. This optimism is based on the successes they witnessed at the Fort Lauderdale International Boat Show (FLIBS) late last Fall. Those cost cutting measures, while painful, were absolutely essential for the dealerships continued survival. Dealers are hopeful of getting a bigger piece of

a smaller pie. They have worked hard to get it as witnessed at this year's annual Boating Industry Dealer Award Ceremony where the Top 100 Dealers in the Nation were recognized for their outstanding benchmark strategies. Across the country, it was amazing how very diligently they have worked to optimize their operations to win more boat sales while continuing to keep their customers happy!

At the same time, the marine manufacturers that remain in business have undergone those same painful expense reduction strategies which despite fewer units being manufactured will hopefully result in their continued survival also!

The FLIBS attendance was high this year and the weather was mostly favorable, both very big factors in the success of the event. The "dock talk" indicated that there is in fact, a pent-up demand to upgrade boating products within the consumer base. There are also on-going industry initiatives that seek to promote the boating lifestyle to first time boaters as these new buyers are vital.

Most dealerships "Service" department's profit centers are showing bigger returns since too few new boats are being sold, and therefore more repairs are required on older products. As fleets age though, the manufacturers and dealers remain hopeful that these owners will trade up to newer products, taking

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Today's Boating Scenario *by Peggy Wehrman*

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advantage of tremendous advancements and innovations in electronics, systems, propulsion and styling.

Speaking of the possibility of trading up, those consumers are very savvy now. A leading industry trade publication recently noted that 84% of boat buyers had previously researched extensively (online) their desired "features and benefits" which produces very well informed consumers indeed. At some point in time though, boaters will need to retire "Old Bessy." It's not your "daddy's Oldsmobile" anymore and it may now be time to check out the new offerings in the market place!

On the financial side, dealerships are being presented with attractive financing options for these consumers with pent-up demand. Despite their monetary challenges, families will find a way to align their discretionary finances to permit them to enjoy the freedom on the water with family and friends that "family boating" provides!

Always be safe out there and adhere to the rules of the road! Don't be afraid to take a boating safety course refresher if necessary. We'll look forward to seeing you out on the water! ♦



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Migration or Springs by Daniel Dvorak

Had your fill of fact-based news and want to venture into some total BS? Try these quotes, excerpted from an article about the 244 manatees that died of cold in 2010:

“...development and overdraw of groundwater have sapped flow from natural springs where manatees once took refuge before power plants were built”



“...We have to make sure that if they [power plants] are at some point phased out that we have these other means of habitat secured so that we have other places for the manatees to go”

After uttering the second one, the speaker went on to promote the idea of increasing access to springs that are cut off by levees and other structures.

Let's test that idea with a little bit of math.

The US Fish & Wildlife Service said, in a recent response to Club Manatee asking for more areas closed to use evil people:

“Although manatees overwinter at major springs throughout peninsular Florida, nearly two-thirds of the population winters at industrial warm-water sites, which are now made up almost entirely of power plants.”

If one third of manatees spend their time at natural warm-water sites, then two thirds spend the winters at un-natural sites. Moving them all to natural sites would require tripling the population of manatees floating around in springs.

You don't even have to know how many springs there are in Florida to realize the absurdity of that notion, because you know how tough it is to get a permit to build a dock. Is it even slightly plausible that Florida's vast bureaucracy has allowed the construction of enough levees to “cut off” over 3300 manatees from their natural habitat?

There are lots of springs in Florida—the experts say there are over 700. Thirty-three are classified as magnitude 1—at least 64.6 million gallons per day. Magnitude 8 springs, on the other hand, produce less than a pint—or one diaper's worth—of water per minute. Most springs fall somewhere in between, and are little larger than a family swimming pool. How many manatees could fit in your pool? And how would an 800-pound animal swim up a shallow stream to get to a swimming-pool sized spring?



The simple truth is that until we built power plants, most manatees migrated south to warmer waters, and that's what we should return them to doing. ♦



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Webster's Wrap-Up by Steven Webster

"If you put the Federal government in charge of the Sahara Desert, in five years there'd be a shortage of sand"...Milton Friedman

However brilliant Friedman was (he was the big brain behind the Chicago School of Economics, and an inspiration to Ronald Reagan), there are days when I think he was not nearly inclusive enough. Try this version. "If you put (any) government in charge of (anything), in (no time at all), there'll be (fill in the calamity of your choice)."

Even that may be cautiously optimistic. Just think of the trillion bucks printed (and borrowed from China mostly) to fund the "shovel-ready" stimulus program. Much of it may never be used, as various agencies argue over terms.

I'm penning this shortly before Christmas, and as it is the time of miracles, maybe we'll see one soon.

In mid-December, I attended a Florida Boating Advisory Council meeting, where members spent hours discussing mooring fields. Back when the economy was booming, official (approved) mooring fields were oftentimes filled to bursting, with many vessels, especially sailboats, anchoring outside of approved areas.

Local governments wrote ordinances limiting, or even forbidding, vessels from anchoring outside approved fields, mostly because angry waterfront residents were calling in complaining about the bozos anchored in front of their homes using the waterway as a not-so-private privy.

The Legislature passed a bill (327.4105) instructing the Office of Boating & Waterways (OBW) to figure out a set of reasonable rules for anchoring outside approved mooring fields. To get to those reasonable rules, OBW will choose five sites – two on the West Coast, two on the East, and one in the Keys – for a "pilot program," authorizing local authorities in those areas to draft ordinances regulating mooring outside the approved fields. The ordinances are subject to approval by the full Fish & Wildlife Commission in order to ensure they are "consistent with the goals of the pilot program."

At the meeting, the council approved proposals from a Monroe County, Sarasota and St. Pete/Gulfport. A Ft. Myers proposal didn't make the cut. On the East Coast, the council liked the proposal from St. Augustine, but delayed a vote pending receipt of more information from Miami and Riviera Beach. Of course, the council vote is a recommendation. The Commission must approve the final choices. And, the test locations must be selected before July 1 2011, according to the statute.

Those of you who are interested can find more info on the FWC website (www.myfwc.com/RECREATION/boat_index.htm), but here's the short version.

The pilot program is as complicated as the permitting maze that caused the shortage of moorings in the first place. Most of the cities and counties that applied for this program dropped out, because they couldn't get permits

done in time, or couldn't afford the permit process. (In an effort to "go green," I won't waste trees listing all the permits needed for a mooring field.) I will be surprised if at least one of the sites chosen by the council drops out, either because some permit was missed or denied, or because cities and counties can't draft an ordinance that satisfies residents, the Commission, and all the "usual suspects" who will object no matter what.

Then, the whole thing sunsets in 2014 anyway, when the legislative authority for these local "pilot" ordinances expires.

I know a lot of the folks at OBW and there's no group that will try harder to get all this done according to the law and on schedule. But they're dealing not just with the Legislature here, but also DEP (Dept of Environmental Protection), all those local governments, all those other state and especially Federal, agencies, laws and lawsuits, to manage.

And none of it does a darn thing to fix the permitting mess that's at the root of the problem. It is very Friedmannesque, isn't it?

It's not just mooring fields. It's harbors, docks, seawalls, dredging, channels. You name it. Government has itself – and us – tied up in knots.

But – there is hope.

A few weeks earlier, I met with Senator Mike Bennett, who Senate President Mike Haridopolos has named his "pro tempore". The Senator said: "If we don't get it right, there's no one to blame but us."

Can we do it? Can we get the language out of statute that makes government almost impossible to operate? Can we insist that rules issued by agencies adhere to the law?

Now's our chance. And, after all, it is the season. ♦

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Today at the Forum, November 2010 by Bob Atkins

This is a bit after the fact and so I will address not only my impressions and take-aways from the forum, but also other news and some of my thoughts relative to some of the subjects on the forefront in the politi-science called Manatee Protection. One of the side benefits of the forum is the opportunity for some good interchange on and off the record with both federal and state employees with influence over our boating lifestyles.

Recently, the Florida Fish and Wildlife Conservation Commission (FWC) conducted a lengthy study with public/stakeholder input to evaluate the overall list and listing process used by FWC to determine species status. The outcome of the listing process evaluation was to determine that it was in the State's best interest to just let the US Fish and Wildlife Service (FWS) have the determining role for what species are listed and how they are listed. So for the most part, the state FWC has removed itself from the argument of species status determination – just follow the federal determination.

You might recall that during the recent past when the FWC correctly recommended that the manatee be down-listed by the State, one of the prevalent arguments forwarded by the \$MC and friends was that FWC was using the wrong definitions threatened, endangered, etc. It just seems to me that each time the enviros push on the FWC, the FWC now finds a way to eliminate the aggravation. That's not to say that there aren't some truly misguided folks at FWC who continue to develop and implement manatee protection rulemaking (new zones) around the state, but in general, I get the impression that a higher percentage of both the FWC and FWS folks now get it – the manatee is not endangered, not now, NOT EVER and there are a lot more important issues to spend the precious funding on.

The FWS clearly gets it. They have publicly announced that they are going down the path of completely removing the manatee from the ESA all together. Not even threatened status would apply. Couple that with the State now following the federal determinations and you see that within a few years (government is not swift unless you're being punished), the manatee will not be listed at all ANYWHERE. I think the \$MC and their pals have finally aggravated the system to the point that FWS is finding a way to render them ineffective and irrelevant. One can only hope this happens sooner than later. One word of caution in addition to the predicted lengthy down-listing process, there is still the issue of the Marine Mammal Protection Act, but, there are those that are seeking exceptions to

get manatees and seals out from the act that was intended to focus on whales and dolphins.

Steven Webster previously reported about our efforts to get the state and federal government and FPL to consider the opportunity to put the replacement manatee water heating system in an area other than the current Port St John area power plant in the Indian River. Seemed like a reasonable thing to consider putting the warm water attraction in an area where the food supply was not already wiped out. You know I really don't want to see more devastation of the aquatic vegetation by this root pulling forager, but if we are stuck with the huge "no motorized boat entry" zone / manatee sanctuary at the northern end of the Banana River – why not attract the Brevard herd into that area using the artificial lure of warm water? This would only stand to reduce the manatee/boat coincidence risk in the Indian River. Unfortunately, the idea was summarily dismissed with hardly an answer as to why not. Later, the feds made it clear that it was their intent to eliminate these artificial heated water sources which have a tendency to encourage a large herd which puts real pressure on the overall marine system. I think there is a growing number of folks who see the manatee with the potential of becoming a nuisance critter and a destructive threat to the overall system by turning large areas of vegetation into manure – not a good place for all the other critters to hatch, mature and live in.



Of course, there is the \$MC side of this story and the real potential for the numbers of cold stressed animals to skew the manatee mortality numbers to the brink of another manufactured extinction threat crisis. We all remember the sadly comical "Manatee, the last Generation" exhibit from Sea World. Has anyone been there lately? Are they still trying to sell that bunk?

(continued, please turn to page 8)

2010 Manatee Mortality Tells a Story *by Captain Tom*

It looks like the Wildlife Agencies, Federal (USFWS) and State (FWC), as usual, won't make the effort to properly analyze the 2010 manatee mortality data in a timely manner, so let's have **Stats** the manatee speak for itself.

We Manatees in 2010 – Not a Pretty Story

This past year was a disastrous one for us manatees. Our "protectors" are killing us with those warm spas! It was the highest year for total manatee mortality, with 767, surpassing 2009 when 429 of us died. However, unlike 2009 a lot of us died from cold stress which caused at least 279 to succumb. That's about 1 out of every 3 manatee deaths. Those warm spa outlets where we've been congregating when the water gets cold didn't save us. After a few days of huddling nose to tail, we left to find food and a lot of us experienced hypothermia. Most of us used to migrate when the water got cold, but after those spas were built we didn't think we had to. Boy, were we wrong!

The FWC & FWS don't seem to have the slightest idea of how to address our cold stress problem, much like the red tide situation. We should have migrated. They never should have permitted those spas.

This year we lost a significant part of our total manatee family and boats had little to do with it. I hope the agencies put as much effort into addressing this problem as they did with implementing those ineffective slow speed zones. I don't believe they are even studying this issue, and that's a shame. The only thing they seem to know is how to harass recreational boaters and others who use the waterways, and now with those warm killer spas they're harassing us to death!

Table 1 Selected Counties and State Manatee Mortality Totals for 2010

Note: All data derived from FWC / FWRI Database

<u>County</u>	<u>Water craft</u>	<u>Gate/ Lock</u>	<u>Other Hum</u>	<u>Dep. Calf</u>	<u>Cold Stress</u>	<u>Nat.</u>	<u>Und./ Unrec</u>	<u>Total</u>
Brevard	14	1	0	31	90	3	46	185
Collier	7	0	0	3	17	1	11	39
Ind. Rvr.	3	0	0	11	29	0	11	54
Lee	12	0	2	11	30	6	17	78
Monroe	1	0	0	2	17	0	98	118
Volusia	6	0	0	5	10	0	6	27
All Counties	<u>83</u>	<u>1</u>	<u>4</u>	<u>98</u>	<u>279</u>	<u>22</u>	<u>282</u>	<u>767</u>

Let's look at several counties for this past year where many of us lived and too many needlessly died:

Some interesting observations can be made from Table 1:

- Of the 43 counties where manatee deaths were reported, the six shown account for 2/3 of all manatee mortality in the state.

- Those same 6 counties account for 1/2 of the state's watercraft-related mortality.
- Brevard County had 1/3 of all the Cold Stress mortalities and 1/3 of the Perinatal (young calves) deaths in the state, but only 1/4 of the total state mortality.
- The watercraft-related mortality in the State of Florida was 10% of the total mortality (83 of 767) which is very low compared to the historical average, but that is primarily due to the very large # of cold stress deaths and the abnormally high number of undetermined/unrecovered mortalities. If those are removed, then the watercraft-related average approximates the historic average of ~ 24%.
- The large number of undetermined and unrecovered mortalities is indicative of an even higher total for Cold Stress deaths. This is particularly true of Monroe County which normally has low total mortality count.

Let's look at how the 2010 mortality status compares with the previous 4 years:

Table 2 Florida Manatee Mortality Annual Totals
Note: All data derived from FWC / FWRI Database

<u>Year</u>	<u>Water craft</u>	<u>Gate/ Lock</u>	<u>Other Hum</u>	<u>Dep Calf</u>	<u>Cold Stress</u>	<u>Nat.</u>	<u>Undet. Unrec</u>	<u>Total</u>
2010	83	1	4	96	279	22	282	767
2009	97	5	7	114	56	37	113	429
2008	90	3	6	101	27	34	76	337
2007	73	2	5	59	18	82	78	317
2006	92	3	6	70	22	81	143	417

Additional observations can be made:

- 2010 total manatee mortality exceeded last year by an extraordinary amount (78%) which can be primarily attributed to two prolonged cold spells. There is no question that the true total for Cold Stress deaths probably exceeds 400 which is a significant hit to the manatee total population,
- A significant portion of the total Cold Stress deaths happened in Brevard and Volusia Counties, unnatural winter habitat for manatees due to the cold temperatures.

Stats 01/06/11

Merritt Island Christmas Boat Parade *by Kim Johnson*



Toward the end of the week the buzz began. The weather man was predicting rain for Saturday. The party dates had been set but what would the boat parade do if it rained? Calls from the nervous homeowners began to come in. All I could tell them was that we'd have to wait and see. Friday was beautiful, but when I awoke Saturday morning Merritt Island was shrouded by dark clouds, then it began to rain. Anyone who lives in Florida knows "we need the rain" but why today? It was a nice steady rain that would have been appreciated any day but today.



Our usual Grand Marshall, Kenny Buback was preparing for a shoulder operation so Frank Jones stepped up to lead the parade. Both Kenny & Frank sized up the situation around lunch time and decided that it would be better if we delayed the parade for 24 hours. We did the best we could calling the homeowners associations, parade participants, Sheriff's department, and the competition judges to let them know we had delayed the parade. This was the first time in 25 years that the parade had been delayed.

Sunday wasn't much better. We were still shrouded in dark clouds, however, it wasn't raining. The temperature had dropped 7 degrees or so and the wind had picked up just a little. There were 26 boats at the

start of the parade, not a bad turn-out for all the problems we encountered. In the end, the best decorated boat to the theme of "In Memory of the Space Shuttle" belonged to Peter Thurston of Merritt Island. First place for the best decorated boat went to John Malphurs, second place was Bret Martine of Merritt Island, and third place went to Frank Jones of Merritt Island.

I'd like to thank everyone for their patience and understanding in this year's parade. I'd also like to thank **Marine Max, Merritt Island Executive Council, Citizens For Florida's Waterways & Catalina Isles/Skylark Homeowner's Association** for the prize money and gift certificates. Thanks to all the captains, crews and spectators who always make this one of the most enjoyable Christmas season traditional events. See you all next year. ♦

Today at the Forum, Nov. 2010

by Bob Atkins
(continued from page 5)

We are trying to turn up the gain and push a little harder for the FWC to honor the legislature and take a shot at developing a real approach to understanding the true effectiveness of slow speed zones. What is a bit distressing is that in three areas of the state, the FWC is proposing MORE zones. We openly question the logic of doing so in light of the population numbers and the cloud of doubt that clearly exists with respect to zone effectiveness and the cost of implementing these measures when budgets are already tight. You may have heard that CFFW was working through a risk analysis in an attempt to quantify the real risk to manatees taking into account manatee and boating activity coincidence and including depth since the world is not 2-dimensional. We have asked this to become part of an overall effort led by FWC so that the amount of effort required to complete such an analysis approach needs to be believed by all parties. Afterall, the goal of the Forum was to seek the scientifically supported conclusions and eliminate unfounded opinion from this issue. More rhetoric and unsubstantiated conclusions are not the basis for any decision process and need to be removed from the protection planning.

CFFW will continue to be true to our charter and "promote coexistence between man and the marine environment" by seeking factual information and demanding sound science be the basis for the actions going forward, including undoing what's been done. ♦

Manatee Protectors or Killers? *by Captain Tom*

The State (FWC) and Federal (FWS) Wildlife Agencies have long decried that boats are the principle reason for a high percentage of manatee deaths. For that reason they have jointly imposed boat slow speed zones in Florida's manatee inhabited waterways. The problem is after decades of inconveniencing / harassing boaters those zones have proved to be ineffective. Never the less, the agencies continue to promote such zones including emphasis on enforcement efforts.



In 2009 and 2010, an extraordinarily large number of manatees died due to cold stress when the water temperature dropped. Most of those carcasses were recovered in waters from which the manatee would normally have migrated south to warmer areas when the weather turned cold.

The manatees had been seduced to not migrate by artificially warm water sources such as at power plants that use the water for cooling and then exhaust it as a warm effluent back into the river. It is at those outlets where the manatees congregate in large numbers when the ambient water temperature drops. The problem is they must leave there periodically in search of food during which time they are subject to hypothermia.

The power plants required permits from the Wildlife Agencies, both State and Federal, before they were allowed to exhaust their warm effluent. What consideration was given for those times with extended cold spells and thus low water temperature?

Today, some power plants have been decommissioned or no longer need to exhaust a warm effluent, but they are still required to do so by the Agencies! Can you guess who pays for the power required to do that? Manatee spa costs are now included in our electric bills.

Perhaps, the greatest risk to the manatee is the ineptness of its alleged protectors. Boaters should be replaced by agency bureaucrats as the fall guys for the high number of manatee deaths. ♦

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each boat purchased from their store.

Canaveral Lock Closure Update



Canaveral Lock will be closed for de-watering to install a new Manatee Protection system beginning December 27, 2010, thru February 24, 2011, at which time they will be opened for a NASA

Launch and then close again on March 15, 2011 remaining closed until April 23, 2011. The new system being installed will replace an unreliable system that is required by State law.

Additional information may be obtained by accessing the Jacksonville District Website at <http://www.saj.usace.army.mil> and choosing the Operations Division tab and then selecting the Notice to Navigation in the pull down menu.

You may also call the U.S. Army Corps of Engineers (Aaron Kelly) at 904-232-2103 for the latest information regarding the lock closure. ♦

Dates of Interest For The Membership

Brevard Marine Advisory Council

Meets every 3rd Thursday at the
Brevard County Government Center
Space Coast Room, Building C,
2725 Judge Fran Jamieson Way, Viera
(321) 633-2016

Brevard Comprehensive Maritime Management Master Plan (CM3P)

Meets every other Wednesday at 5pm
Brevard County Government Center,
Room 219, Building A
2725 Judge Fran Jamieson Way, Viera
(321) 633-2016



To Inform—To Educate—To Motivate

Meets on 2nd Tuesdays at 7pm
Lighthouse Christian Church
1250 N. Banana River Drive, Merritt Island

“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 co-hosts provide you the latest fishing and new product information.

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 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 or 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*.



Please Mark
Your Calendars!

**April 3 & 4 - CFFW 14th Annual
Flea Market, Harbortown Marina
(See Page 2 For More Details)**

General Meetings

March 23rd
May 28th
July 27th
September 28th
October 26th

Board Meetings

January 31st	August 1st
February 28th	August 29th
May 2nd	September 28th
June 6th	October 3rd
June 27th	October 31st
July 27th	December 5th

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



Citizens For Florida's Waterways
Post Office Box 541712
Merritt Island, FL 32954-1712



Here's a Hint

**When Does Your
Membership Expire?**

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.

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