

A Marina Policy for the Bahamas

Draft # 2

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Approach to Policy Development

- Create Task Force
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 - Rochelle Newbold
- Address marinas including resort based marinas and moorings, whether for own or commercial use
- Review Existing Policies in Bahamas
- Review Policies in Florida
- After First Review
 - Workshops in Grand Bahama, Abaco, New Providence, Eleuthera, Exuma
 - Clarify Policies in Florida and Elsewhere
 - Final Report (January 2007)

1. BACKGROUND

Boating is Big Business

1. Boating in Florida is an \$18.4 billion dollar industry;
2. 70 million Americans participated in recreational Boating in 2004;
3. There are nearly 13 million registered boaters in the USA – 2 million in Florida alone;
4. US Luxury yacht industry is \$30 billion and growing with bookings (2004 over 2003) up 18.4%

The Bahamas, always one of the world's best sailing areas will be facing growing marina demand because;

1. It has 100,000 square miles of water with 2,000 cays;
2. A superb reputation for sailing, and because
3. Florida is filling up and
4. it is extremely difficult to secure permits to establish new marinas there.

Significant Opportunities have been created...they should not be lost.

1. Slips, e.g. Harbour Island, sell from \$500,000 to \$1 million and rents throughout the Bahamas range from \$0.50 to \$3.00 a foot
2. Most Resort Development Proposals include a marina and if not marina dominant are marina dependent
3. Dockominiums common with the owner getting 75% of the rent.
4. Revenue in 2006 - (10 months) from the Docks \$271,000.

Annual Value of Boating to the Bahamas

However, not put in a proper context, a Large New Marina can have negative effects.

1. It can change the appearance of the harbour.
2. It can affect views down the land.
3. It can create vehicular as well as pedestrian congestion.
4. It can (in the process) affect the viability of nearby business; thus...
5. Changing the character of the land based community
6. It can stress the area's water supply and sewage carrying capacity; and,
7. It can set precedents for other developments.

Required Policy Areas - 1

1. Permitting

- a. Physical planning to ensure that the marinas fit into a context that complements neighbouring communities with respect to:
 - pedestrian, vehicular and other impacts;
 - land-use impacts residential community
 - aesthetic impacts both on land and from the sea? and,
- b. Protecting the Physical Environment, including:
 - the underlying sea bed, reefs, and mangroves
 - From the use of toxic or polluting materials.

Required Policy Areas - 2

c. Operating & Regulating Marinas

- sewage disposal
- fuel spills
- Storms

d. Mooring & Anchoring

2. Generating an appropriate level of revenues.
3. Locating Marinas to capture more sailing/cruising traffic.

2. SITING AND PERMITTING IN THE BAHAMAS AND FLORIDA

Some Observations – Florida vs. Bahamas Marina Regulations

1. **Florida is saturated with Marinas; the Bahamas has few south of Exuma. There are many potential sites throughout the country.**
2. **Developing new Marinas in Florida is extremely difficult; it's easier to develop in the Bahamas.**
3. **That said, the Bahamas system is confusing in that Local Government Councils may approve developments “in principle” thereby giving a signal to developers that approval has been given and perhaps biasing the evaluation of technical experts in Nassau.**
4. **Marina development is integrated into the physical planning process in Florida.**
5. **Florida has a more developed revenue collection system.**
6. **Controls, including enforcement are more elaborate in Florida than in the Bahamas.**

2.1a How The Bahamas assesses Marinas: The Docks Committee

- 1. All docks, marinas and mooring sites, whether foreign owned or domestic must be approved by the Docks Committee (DC).**
- 2. DC is an ad hoc committee which meets monthly and consists of:**
 - a) The Port Director (Chair) and representatives from:**
 - b) OPM, Civil Aviation and Transport, Lands And Surveys, Physical Planning, Building Control, BEST, and the Department of Environmental Health Services, Local Government and (informally) Tourism**
- 3. Before DC will consider an application outside of New Providence, it must be referred to it by the Local Government Council. DC will refer an application made directly to it back to Council.**

2.1a How The Bahamas assesses Marinas: 2

- 4. If dredging is involved, the application goes to BEST for review.**
- 5. Subject to BEST's comments DC will deliberate and decide. It's deliberation may include referral to other agencies...e.g. the Water & Sewerage Corporation.**
- 6. DC has no written guidelines.**
- 7. A Slip is undefined...it may be 50' or 150'**
- 8. There are no local (or national) plans, policies or written guidelines addressing marina location or design.**
- 9. Marinas must stay in front of the property owner and be a minimum of 15 feet within his or her property lines.**
- 10. The final decision on permitting a marina rests with the Minister of Civil Aviation and Transport on the advice of the Ministry of Energy and the Environment.**

2.1a How The Bahamas assesses Marinas: 3. Best & the Environment

1. Best has guidelines for the analysis of marinas and ports which it uses as a basis for discussions with applicants.
2. It requires an EA for “large” marinas but is concerned that it does not get to review all marinas; the EA is limited to the physical environment.
3. BEST does not preclude (subject to environmental review) cuts into the land; it may require geo-technical or other studies.
4. All marinas require a 90% flush rate within 24 hours.

2.1b How The Bahamas Regulates Marina Operations

- 1. The MARPOL convention controls discharges of sewage, oil, as well as the carrying of hazardous wastes etc. in ships of 400 GT or more. Annex IV deals with sewage. Bahamas is not a signatory to this annex.**
- 2. There are general prohibitions in the Environmental Health Services Act (Chapter 232 Sec. 12) prohibits the “unlawful” discharge of solid or liquid waste.**
- 3. The Water and Sewerage Corporation Sec 5 requires WSC to provide adequate for drainage and safe disposal of sewage and industrial effluents. Few areas in the Family islands are equipped with centralized sewage treatment facilities.**
- 4. It is not known how many marinas in the Bahamas have pump-out facilities. New (often foreign owned) marinas generally i.e. Bimini Bay, Valentines, have pump out facilities which empty into WSC approved Sewage Treatment facilities. Generally the Docks Committee requires pump out facilities for new large marinas.**
- 5. There is no procedure to ensure that boats using Bahamas waters use land based pump out facilities to dispose of their sewage.**

2.2 Marina Permitting in Florida

1. Activities located on or using state-owned sovereign submerged lands require *proprietary* authorizations, including Consents of Use, Leases, and Easements.
2. Federal - National Pollutant Discharge Elimination System (NPDES) and dredge and fill regulations apply – as well as municipal regulations.
3. The key State element is an Environmental Resource Permit (ERP).

Florida ERP Restrictions are Tough! E.G., an ERP project:

1. **May not cause adverse water quantity impacts to receiving waters and adjacent lands;**
2. **May not cause adverse flooding to on-site or off-site property;**
3. **May not cause adverse impacts to existing surface water storage and conveyance capabilities;**
4. **May not adversely impact the value of functions provided to fish and wildlife and listed species by wetlands and other surface waters;**
5. **May not adversely affect the quality of receiving waters such that state water quality standards will be violated;**
6. **May not cause adverse secondary impacts to water resources;**
7. **May not adversely impact the maintenance of surface or ground water levels or surface water flows;**
8. **Must be capable, based on generally accepted engineering and scientific principles, of being performed and of functioning as proposed;**
9. **Will be conducted by an entity with the financial, legal, and administrative capability of ensuring that the activity will be undertaken in accordance with the terms and conditions of the permit, if issued;**

Other Florida Ideas:

1. Must be *both not contrary to and in the public interest*

1. ERP Projects must not be contrary to the public interest and,
2. when special or important environmental areas are involved... *they must be in the public interest;*
3. There must be no net loss in wetland or other surface water functions
4. Coastal construction “shall not interfere, except during construction with the use by the public of any area of a beach seaward of the high-water line); where interference occurs, the permittee must provide alternative access”
5. Coastal Construction shall be limited. The necessity to conduct such coastal construction must be justified on the basis of benefits of benefits to the coastal system.
6. The Artificial creation of new inlets or flushing outlets is *prohibited*

Other Florida Ideas:

2. The Florida Keys are considered Outstanding Florida Waters

7. Permits for new dredging and filling must **be clearly in the public interest**, taking into consideration whether the activity is temporary or permanent nature and will adversely affect or enhance :
 - a) the public health, safety, or welfare or property of others;
 - b) conservation of fish and wildlife, including endangered or threatened species, or their habitats.
 - c) navigation or water flow or cause harmful erosion or shoaling.
 - d) fishing or recreational values or marine productivity in the vicinity of the activity;
 - e) significant historical and archaeological resources and
 - f) the current condition and relative value of functions being performed by areas affected by the proposed activity.

Other Florida Ideas: 3.




- 8. Authorization is required for construction on or use of state owned submerged lands i.e. waterward from the mean high water mark three miles into the Atlantic Ocean, and ten miles in the Gulf of Mexico.**
- 9. Only uses that are water-dependent can be approved;**
- 10. Exemptions are limited to repairs and maintenance and focus on smaller facilities – boat ramps.**
- 11. There is a formal system of permit tracking.**
- 12. There are legislated fines (\$10,000) applicable to administrative, civil and criminal situations.**

Other Florida Ideas:

4. Land Use & Aesthetics

- 13. Projects must be consistent with local land use plans.**
- 14. Until earlier this year, Florida considered marinas to be Developments of Regional Impact (DRI)...that is they required comprehensive community and land-use impact studies before approval. This approach was dropped because the main thrust was environment.**
- 15. That said, Florida still encourages the creation of a Boating Facility Plan which can be incorporated into a municipality's comprehensive plan and which defines where marinas can be located.**
- 16. Aesthetic values are normally a part of these plans but are not specifically dealt with in the guidelines for the preparation of boating facility plans.**

Relationship of Siting Objectives and Implementing Policies

Siting Categories	Siting Objectives	Implementing Policies
<p>Manatee Protection</p> 	<ul style="list-style-type: none"> ■ Reduce manatee mortality ■ Reduce interaction of boats and manatees ■ Protect important manatee habitat 	<ul style="list-style-type: none"> ■ Siting based on proximity to inlets, popular destinations and high manatee use/mortality areas ■ Limiting marinas based on need or demand ■ Preference for expansions over new marinas and designating essential habitat ■ Existing speed zones and areas with limiting dock densities
<p>Natural Resource Protection</p> 	<ul style="list-style-type: none"> ■ Ensure no loss of seagrass, mangroves, wetlands, listed species habitat, and listed or rare upland habitats ■ Avoid degradation in water quality 	<ul style="list-style-type: none"> ■ Site at locations with minimal impact to seagrasses, mangroves, wetlands, listed species habitat and listed or rare upland habitats ■ Require clustering to protect on-site resources ■ Site at locations with good flushing and acceptable water quality ■ Require pile construction ■ Disallow dredge and fill ■ Limit size and type of boats ■ Require adequate water depths ■ Designate special habitats, such as shellfish harvesting areas
<p>Land Use and Upland Considerations</p> 	<ul style="list-style-type: none"> ■ Ensure consistency with the comprehensive plan regarding transportation access, infrastructure, land use arrangements and land use compatibility 	<ul style="list-style-type: none"> ■ Site marinas at locations with good road access proximate to users ■ Locations with adequate supporting infrastructure which meet LOS standards ■ Locations which are compatible with adjacent and proximate land uses

Other Florida Ideas:

5. The Clean Marina Program

Florida has established a voluntary Clean Marina Program which addresses the following items, among others.

1. Emergencies
2. Hurricane Preparedness
3. Fire Safety
4. Fueling (fuel spill plans; supervision of customers, use of absorbent materials)
5. Fuel storage
6. Solid waste disposal
7. Hazardous waste disposal
8. Liquid Waste
9. Engine Repair
10. Boat Cleaning
11. Painting
12. Stormwater Management
13. Landscaping for Stormwater
14. Used Petroleum Products
15. Used Anti-Freeze
16. Used Rags
17. Battery Management
18. Other waste
19. Pressure Washing
20. Fish Waste
21. Sewage and Grey Water Management
22. Sensitive habitat and Endangered Species

Blue Flag Requirements

ENVIRONMENTAL EDUCATION AND INFORMATION

- Environmental information about natural sensitive nearby land and marine areas is supplied to marina users (i).
- Code of environmental conduct is posted in the marina (i).
- Information about the Blue Flag Marina Programme and/or the Blue Flag Marina Criteria are posted in the marina (i).
- The marina should be able to demonstrate that at least three environmental education activities are offered to the users and staff of the marina (i)
- [The Individual Blue Flag for boat owners](#) is offered through the marina (i).

ENVIRONMENTAL MANAGEMENT

- Production of an environmental policy and plan at the marina. The plan should include references to water, waste and energy consumption, health and safety issues, and the use of environmentally sound products when available (i).
- Adequate and properly identified and segregated containers for the storage of hazardous wastes (paints, solvents, boat scrapings, antifouling agents, batteries, waste oil, flares). The wastes should be handled by a licensed contractor and disposed of at a licensed facility for hazardous waste (i).
- Adequate and well managed litterbins and/or garbage containers. The wastes should be handled by a licensed contractor and disposed of by a licensed facility (i).
- The marina has facilities for receiving recyclable waste materials, such as bottles, cans, paper, plastic, organic material, etc. (i).
- Bilge water pumping facilities are present in the marina (g).
- Toilet pumping facilities are present in the marina (g)

- If the marina has boat repairing and washing areas, no pollution must enter All buildings and equipment must be properly maintained and in compliance with national legislation. The marina must be in a good integration with the surrounding natural and built environment (i).
- Adequate, clean and well sign-posted sanitary facilities, including washing facilities and drinking water. Controlled sewage disposal to a licensed sewage treatment system).
- Promotion of sustainable transportation (g).
- No parking/driving in the marina, unless in specific designated areas (i).

SAFETY AND SERVICES

- Adequate, clean and well sign-posted lifesaving, first-aid equipment and fire-fighting equipment. Equipment must be approved by national authorities (i).
- Emergency plan in case of pollution, fire or other accidents must be produced for the marina, and safety precautions must be posted at the marina (i).
- Electricity and water is available at the berths, installations must be approved according to national legislation (i).
- Facilities for disabled people (g).
- Map indicating the location of the different facilities is posted at the marina (i).

WATER QUALITY

- Visually clean water (no oil, litter, sewage or other evidence of pollution) (i).

Blue Flag • Scandiagade 13 • DK-2450 Copenhagen SV • Denmark •
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Other Florida Ideas:

6. Enforcement

1. Florida enforces water quality standards as well as the maintenance of the marina. The agreement between the marina owner has to be maintained. This includes marina maintenance. It is separate from the clean Marina Program.
2. Florida seeks to visit every marina about once a year, though in practice it may be less often.
3. Once a violation is noted, the visits are regular until the violations are corrected.

3. SUGGESTED APPROACH TO MARINA PERMITTING STRUCTURE IN THE BAHAMAS

3.1. Application and Decision Process:

1. Docks Committee and Staff

Because of its size, and unitary government, The Bahamas, can offer an effective yet less complicated system than in Florida which has Federal, State, County, Water District and municipal authorities involved, with all the advantages of the Florida model.

1. Subject to pending changes in the Planning/environmental approvals process, permitting of all private or public docks, marinas and mooring areas should be the responsibility of the Docks Committee.
2. DC should formally comprise current membership plus Tourism.
3. The DC staff will comprise a coordinator and secretary who between them will:
 - a. communicate with applicants,
 - b. Maintain records of all applications, decisions and communications
 - c. coordinate activities with other departments
 - d. take minutes at DC meetings and
 - e. undertake preliminary analyses of applications and supervise more complex analyses.

3.1. Application and Decision Process:

2. Local Government and Minor Proposals

4. **Applications will continue to be initiated at the appropriate Local Government; Local government shall refer the application to DC:**
 - a. without comment seeking further information;
 - b. recommending favourable consideration; or,
 - c. recommending rejection.
5. **Upon receipt of an application the Docks Committee will determine if the proposal is major or minor.**
 - a. A Minor dock proposal is one which:
 - i. involves wooden docks for private and own use;
 - ii. is not longer than 50 feet, this length measured at 6 foot depth at low tide.
 - iii. is on a lot at least twice as long along the shoreline as the length of the proposed dock
 - iv. does not involving dredging;
 - v. does not involve mangrove removal;
 - vi. is otherwise unlikely in the opinion of the BEST representative on DC to affect the environment; and

3.1. Application and Decision Process

3. Minor Decisions and the Ministry of Energy and the Environment

- vii. is one mile or more from the nearest dock over 200' feet in length or
 - viii. is not within view from the land of a dock more than 200' long and
 - ix. does not overlap the other properties or interfere with the current or potential passage of boats or ships into an adjacent property or marina
- b. All other facilities are “major”. Major facilities would include marina cum residential/resort communities which should be evaluated in a comprehensive way.
- 5. If the facility is minor, the DC may consider it, seek further information, and/or make a recommendation to the Minister of Energy and the Environment.**
- 7. If the recommendation overrules the recommendation by local government, a public meeting outlining the rationale of the recommendation must be held before a final recommendation is made to the Minister of Energy and the Environment.**

3.1. Application and Decision Process:

4. Boating Facility Plan and Public Consultation

8. **If the facility is deemed major, the DC will:**
 - a. Determine if there are any Boat facility Plans for the area and the degree to which the facility conforms to the plan. If the facility conforms, the DC may approve the plan or may ask for further studies.
 - b. If there is no plan the DC will assess the adequacy of the information and require the applicant, at its expense, to prepare appropriate studies, including if it feels it necessary, the preparation of a boating facility plan for the area the DC feels is affected (see Section c below). The basis for the studies will be the checklist in section 3.2.
 - c. The DC may decide, in developed areas, areas where there are already marinas and or mooring areas, or in areas where it considers it likely that there will be further applications for marinas or mooring sites, that an Area Boating Facility Plan is required. An brief description of a boating facility is given in Section 3.4.
9. **Public Consultation** - *With a major facility the following consultative steps must apply at a minimum:*
 1. There must be an initial public meeting suitably publicized and sponsored by the local government at which the proponent presents his proposal and the DC outlines the process including studies which will occur.
 2. There must be a similar meeting at which the findings are presented
 3. There must be a local government meeting not less than two weeks later and not more than four weeks later at which locals will have an opportunity to express their views
 4. A comment must be submitted by the Local Government to the DC. The comment may include a recommendation.

3.1. Application and Decision Process:

5. Timing and Criteria

10. Decision

- a. Within one month of the receipt of the comment from Local Government, DC will prepare a recommendation for the Minister of Energy and the Environment
- b. The recommendation will be based on DC's interpretation of the evaluation criteria (see 3.2) and the results of the public consultation process.
- c. The main decision principles will be that:
 - i. There are no net losses of valuable environmental resources such as mangroves.
 - ii. There are minimal and generally mitigatable environmental impacts.
 - iii. Community impacts have been adequately addressed
 - iv. The facilities proposed meet the guidelines outlined in section 3.3.
 - v. There are public benefits
- d. The final decision will rest with the Minister of Transport and Aviation acting with the advice of the Ministry of Energy and the Environment.

3.2 Major Marina Evaluation

1. Analytical Requirements

1. **Basic Project Description**
 - a. Current Use of land
 - b. Adjacent land-use
 - c. Detailed plan of project
 - d. Number of slips
 - e. Mooring sites
 - f. Associated facilities – condos restaurants stores, repair areas, fuel supply, dry storage, etc.
 - g. Ownership and public availability (Dockominiums)
 - h. Ship access by water – does it encroach on existing access
 - i. Facilities –Services (water, sewer, power)
 - j. Basic construction – (concrete, wood
 - k. Water depths (dredging)
2. **Adjacent and potential marinas/-mooring areas**
3. **Safety – i.e. is in a hurricane prone/storm surge area**
4. **Impact on Physical Environment**
 - a. Dredging – what happens to dredgate - is it clean?
 - b. Cuts – are they in the public interest?
 - c. Mangroves, sea grass
 - d. Marine life – especially reefs
 - e. Water Quality - Flushing
 - f. Sewage – how is it handled; is their capacity?
5. **Impact on Community**
 - a. Access (vehicular and pedestrian)
 - b. Parking including golf carts
 - c. Adjacent land-use compatibility especially on adjacent owners
6. **Visual Impact Analysis**
(see section 3.4)
7. **Monitoring**
(see section 3.5)
8. **Is the Development *in the public interest* or just *not contrary to the public interest*.**

3.2 Major Marina Evaluation

2. Clarifications

The outline above suggests the following:

1. Cuts into the land will be allowed only when there is no other approach feasible;
2. There should be no net loss policies on:
 - a. Mangroves
 - b. Beaches
 - c. Reef areas
3. All community impacts must be mitigated.
4. There must be no overlaps with existing properties or, if there are the property owners so affected must have agreed to the overlap, remembering that this overlap may inhibit their future development of marinas extended from their lands
5. Visual impact must be acceptable.
6. There must be net benefits to the environment and/or the community.

3.2 Major Marina Evaluation

3. The Public Interest

1. Environmental Assessment normally addresses effects on the environment and seeks to minimize or mitigate
2. The environment in the pristine and natural state that it is in many parts of the country, especially the family islands and the cays, is the unique and attracting element of the Bahamas. Minimization of impacts and mitigation may therefore not be a sufficient criteria.
3. To that end it is suggested that the current state is *normally* the desired state, and, if it is to be changed there must be a permanent public benefit. The implication is that the analysis must address alternative approaches and must clearly show that not only is the project not contrary to the public interest but is in fact in the public interest.
4. This approach is in keeping with the approach for the Florida Keys... which is identified as an area of outstanding Florida Waters as well as an area of Critical State Concern and therefore subject to more restrictive policies than other areas in the State.

3.2 Major Marina Evaluation

4. Measuring the Public Interest

1. Environment - Increase in
 - a. Mangroves
 - b. reefs
 - c. Public Beaches
2. Socio-economic
 1. Improved navigation
 2. New Jobs (for Bahamians)
 - a. From the development
 - b. From activities related to the development
 3. Government Revenues (see also section 4)

3.3 Visual Impact Analysis (VIA)

1. Purpose of VIA
 - a. Ensure that a Bahamian coast line look is maintained;
 - b. Protect Views from neighbouring properties and
 - c. Ensure that changes in appearance are only made with clear public consensus that it should be changed
2. A VIA will be conducted for all major proposals.
3. The Via Process involves developing images of how the facility will look from key viewpoints namely:
 - a. From the water – at points within a one, two and three mile radius of the dock.
 - b. From all existing docks
 - c. From the land.
 - i. At the entrance to the dock itself
 - ii. From elevations and areas where the view might be affected.
 - d. The diagram on the next page shows how the VIA views might have been prepared for the Valentine’s Dock at Harbour Island. Architectural software which allows for 360 degree rotating views should be used.

The new Marina on Harbour Island will mean that Harbour Island will not look the same...



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Potential Visual Impact Locations for New Harbour Island Marina



3.4 Boating Facility Plan Context

1. **The purpose of a Boating Facility Plan (BFP) is to pre-designate areas for varying sizes of marinas, docks and mooring and anchorage areas.**
2. **Normally such a plan would be part of a comprehensive island plan and future island plans should include BFPs.**
3. **Note that BFPs may be different for different islands. A BFP in the Marsh Harbour are may be quite different from one in Inagua or Exuma.**
4. **BFPs will:**
 - a. **Identify areas where marinas are appropriate taking into account, Environmental, community and visual impacts studies;**
 - b. **Indicate the scale of the permitted facilities;**
 - c. **Indicate the distance between marinas; and**
 - d. **Outline required ancillary facilities.**

3.5 Facility & Program Requirements

1. Seals and Logs

1. **All marinas and mooring facilities open to the public for over night stays must have:**
 - a. Public washrooms (not applicable to mooring areas);
 - b. Facilities meeting Water & Sewerage Corporation and DEHS requirements for the collection and disposal of waste water (sewage as well as gray water) and solid waste. These will include mobile pumping stations.
 - c. A plan of operations in the event of a tropical storm or hurricane.
 - d. A storm water system consistent with the requirements of facilities outlined below.
2. **To help ensure that wastes are not dumped into the sea:**
 - a) all boats in Bahamian waters should be able to demonstrate that the seals on their sewage storage facilities are leak free and
 - b) should keep logs on when and where they have disposed of sewage wastes.

3.5 Facility and Program Requirements:

2. Fuel & Hazardous Wastes

3. **In addition, depending on the facilities, marinas should adhere to the Ministry of Works programs respecting the matters below; These policies should be posed in a conspicuous place at the marina**
 - a) Fuel storage (check – Works has own program)
 - b) Fuel servicing
 - c) Fuel spills
 - d) Boat repairs and painting
 - e) Boat cleaning and pressure washing
 - f) Hazardous waste disposal including waste liquid oil and oil-contaminated solid wastes.
4. **Where the Ministry does not have policies, it should consider adopting the approaches taken in Florida's Clean Marina Program.**

3.6 General Responsibility & Enforcement

- The initial responsibility for collecting revenues and enforcing standards should rest with Local Government.
- WSC and DEHS should share the responsibility of monitoring local governments to ensure that standards are being enforced by local government.
- The collection of property taxes and seabed license revenues should be the responsibility of Real Property Tax.

3.7 Mooring & Anchoring:

1. Background

1. Boaters often drop anchor at random sites throughout the country while cruising through the Bahamas. Anchoring can damage grasses and reefs. Similarly it is said there is some (illegal) dumping of waste including bilge waste. Again it is suggested that some of these boaters fish and possibly over fish. It has also been said that these boaters fish and sell their produce to other boaters thereby earning a livelihood. A certain amount of this can be expected and the best approach is probably to seek to educate boaters with brochures such as the Ministry of Tourism's "Clean Green Boating Principles".
2. A number of areas, e.g. Elizabeth Harbour in Exuma have become popular anchoring areas. It is said that some boaters stay a whole season (4-6 months) for the price of a seasonal permit (\$300). Some may (although it appears that few do) also pay an annual fee (\$100 p.a. for a private anchorage and \$150 a commercial on the family Islands and 150 and 200 respectively for New Providence. Such boaters contribute very little to the economy and may through improper waste management practices and anchoring practices be damaging the environment.

3.6 Mooring & Anchoring:

2. Policies

3. To control these practices, the following is suggested:

- a. The Docks Committee may designate zones where anchoring or mooring is not allowed except in designated areas using reef and bottom protecting mooring systems. Boaters anchoring in these areas would have to use the designated facilities.
- b. The zones themselves would generally be protected areas such as Elizabeth Harbour. Pending the selection by the Docks Committee of mooring areas, Local Government's could apply to have areas defined.
- c. Such zones will require the availability of disposal facilities and a requirement on the part of the boater that his system be emptied into an authorized DEHS/WSC disposal system at the beginning of his stay, at intervals based on the capacity of his system, and when he leaves. Boaters would have to maintain a log of their pump-outs.
- d. The initial responsibility for the management of these areas would rest with local government. Local Government would be allowed to issue permits to individual or commercial operators on the basis of the current fee. In addition they would be required to collect a fee for overnight stays of non resident boaters. (see section 4.3 below).

4. CHARGES

4.1 Current Situation

1. Florida:

- a) Comparisons with Florida must be made carefully as the tax regime in the US is entirely different inasmuch as it includes an income tax.
- b) In Florida, seabed land used for a marina is taxed at 6% of revenues.
- c) This is in addition to income taxes on marina profits. There may be some municipal levies, sewerage and water charges, business tax etc.
- d) There are no property taxes on the structures over the seabed but the presence of a marina is likely to raise the property value of the shoreline and facilities thereon, so there is some indirect property tax impact.

2. Bahamas:

- a) Currently the Bahamas levies an annual charge in the family Islands of \$6.13 (commercial) and \$1.95 (private) per linear foot of dock and \$6.32 and \$2.00 in New Providence.
- b) Collection rates on NPI are high; in the Family islands they are lower. In the first 10 months of 2006, Port Controller's office collected \$271,000 - \$156,000 from New Providence and \$115,000 from the Family Islands.
- c) In some cases there is a seabed lease. Where there is, the lease is calculated to be similar to the charges outlined in 2(a). In such cases the linear foot charge is not collected.
- d) Marinas are subject to business tax; apparently very little of this is collected
- e) Other than the above charge there is no charge for the use of crown land i.e. the seabed.
- f) There are no mooring or anchoring charges other than the \$300 cruising permit and the annual mooring charge of \$30 for private moorings and \$100 for commercial moorings in the Family Islands and \$50 and \$200 respectively in New Providence.

4.2 Principles: Three revenue Sources...overnight stays, land value and property tax

- 1. In the same way that the Bahamas secures revenue from overnight accommodation at hotels, Government should receive revenue from overnight stays on a per night basis.**
- 2. Similarly Government should receive revenue for the use of land which they alienate just as they do for crown land. And, whether it be lease or sale it should be based, at a minimum, on market value.**
- 3. Finally since, property taxes related to income streams are one of the few income related taxes which are open to the Bahamas other than the business tax, and since property taxes are a tax accepted widely by most of those who would be investing in marinas, the property tax should also be collected. Note that this policy is consistent with the current policy of taxing leased crown land.**

4.3 Marina Fee Policies

- 1. Seabed land should not be sold, but rather leased. It should be based on the appraised value of the land with leases renewable indefinitely but on the basis of five year rental reviews provided that the marina meets any stipulated requirements.**
- 2. Property Tax should be collected on seabed land and on the value of the improvements on the property over the sea bed.**
- 3. The current charge of \$1.95 and \$2 a foot for dock can be waived for private own use holdings provided a lease is being paid on the seabed. Commercial properties should pay the higher of the current \$6.13 or \$6.32 (Family Islands and NPI respectively) or 6% of revenues for the lease of the seabed. This approach is generally consistent with the approach taken in Florida.**
- 4. The annual mooring charges should continue as is with the addition of a \$1 per foot per night mooring charge. This would not apply to Bahamian residents or to people mooring one boat in the vicinity of their own property.**
- 5. In addition Local Government could be charged with the collection of these revenues from (2) and (4) and would be allowed to keep 75% of the collections as an incentive to collect fees as well as enforce regulations.**

5. Locating Marinas to capture sailing/cruising traffic

5.1 Are We Tapping the Potential?

- Marina listings show 64 marinas with 10 or more slips with a total of 3,106 slips.
- MOT study suggests that the revenues from Marinas is approximately \$25 million – very small portion of the potential.
- There is almost no marina capacity south of Stella Maris in the northern tip of Long Island.
- Yet, this route is the gateway to the Caribbean via the Windward Passage between Cuba and Haiti.

5.2 The following are locations recommended by MOT as Potential New Marina Locations

1. Andros – near Driggs Hill, Congo Town
2. Eleuthera, Between Hatchet Bay and Governor's Harbour and at Cape Eleuthera
3. Exuma, Rolletown
4. Cat Island – Arthur's Town
5. Acklins
6. Crooked Island
7. Inagua – Matthew Town

5.3 Encouraging Marinas in these Locations

- Marinas are extremely profitable
- Probably not necessary to offer additional concessions except perhaps in Andros and in the MICAL islands. It is suggested that there, relief of up to 50% could be given for up to ten years on the revenue/linear foot tax.

Appendix - Marina Listing -2005

Legend for Marina Listing

Key

A	Available nearby but not at Marina
B	Bar
C	Charter Rentals
D	Diesel Only
L	Limited Number
M	Marine Supplies
S	Shower Only
T	Tackle
W	Wet Storage
W/D	Washer/Dryer
Y	Yes

Island	No.	Rates	Fuel	Depth Dockside	Electric-Amps	Water /Ice	Showers Wash /	Marine Grocery	Restaurant / Bar	Boat / Electric	Charter Boat	Channel Monitor	Hotel / Motel	Wet / Dry	Tackle / Bait
ABACO															
Abaco Yacht Services Ltd. Green Turtle Cay (242) 365-4033	10	On Req.	-	6"	30/50	Y	Y	-	-	Y	-	16	-	Y	-
Bluff House Club & Marina Green Turtle Cay (242) 365-4247	45	On Req.	Y	8"	30/50/100	Y	Y	Y	Y	A	A	16	Y	W	Y
Boat Harbour Marina Marsh Harbour (367-2158)	180	\$1.50/FT	Y	9"	15/30/100	Y	Y	Y	Y	A	Y	16	Y	W	-
Conch Inn Resort & Marina Marsh Harbour (242) 367-	80	On Req.	Y	8"	30/50/100	Y	Y	A	Y	A	Y	82/16	Y	Y	A
Green Turtle Club & Marina Green Turtle Cay (242) 365-4271	35	On Req.	Y	10"	30/50/100	Y	Y	Y	Y	A	Y	16	Y	-	-
Guana Beach Resort, Guana Cay (242) 365-5133/ (800) 227-3366	22	\$.75/ft	Y	10"	30/50	1	-	A	Y	-	A	16	Y	W	-
Harbour View Marina (242) 367-3910	80	On Req.	Y	7"	30/50	Y	Y	A	Y	Y	Y	16	A	W	-
Hope Town-Club Soleil Resort Hope Town (242) 366-0003	14	\$.75/ft	-	11"	30/50	Y	S	A	Y	A	Y	16	Y	W	B
Hope Town Hideaways Hope Town (242) 366-0774	12	\$1.00/ft	A	10:00	30/50	Y	w/d	A	A	A	A	16	Y	-	-
Lighthouse Marina Hope Town, (242) 366-0154	7	\$.75/ft	Y	6"	30/50	Y	Y	Y	A	Y	A	16	A	Y	Y
Man-O-War Marina Man-O-War Cay, (242) 365-6008	26	\$.90/ft	Y	8"	30/50	Y	Y	Y	Y	Y	A	16	A	W	A
Marsh Harbour Marina Marsh Harbour, (242) 367-2700	54	On Req.	Y	6	30/50	Y	Y	A	Y	A	Y	16	A	W	A
Other Shore Club Green Turtle Cay (242) 365-4195	15	\$.50/ft	Y	7"	30/50	Y	-	5A	A	A	A	16	Y	W	B
Sea Spray Resort Villas & Marina Elbow Cay, (242) 366-0065	60	\$.85/ft	Y	9"	30/50	Y	Y	Y	Y	A	A	16	Y	W	Y
Spanish Cay Marina Spanish Cay (242) 365-0083	81	\$1.25/ft	Y	10	30/50/100	Y	Y	Y	Y	A	Y	16	Y	W	-
Treasure Cay Resort & Marina Treasure Cay, (242) 365-8250	150	On Req.	Y	8"	30/50/100	Y	Y	Y	Y	Y	Y	16	Y	W	Y
Port of Call Marsh Harbour, (242) 367-2163	26	On Req.	Y	9"	30/50	Y	Y	Y	A	-	A	16	A	W	-
Walkers Cay Hotel & Marina (242) 353-1252 / (800) WALKERS	75	On Req.	Y	8"	30/50	Y	Y	Y	Y	Y	Y	68/16	Y	-	Y
	18	972													
ANDROS															
Lighthouse Yacht Club & Marina Fresh Creek (242) 368-2305	18	\$.85/ft	Y	13	30/50	Y	Y	-	Y	-	T	16	Y	-	Y
	1	18													
BERRY ISLANDS															
Chub Cay Club & Marina (242) 325-1490	78	\$1.00/ft	Y	9"	50/60 100/200	Y	Y	-	Y	L	Y	68/71	Y	W	Y
Great Harbour Cay Club & Marina (242) 367-8005 / (561) 391-7737	85	\$.90/ft	Y	10	30/50/100	Y	Y	Y	Y	-	Y	16/68	Y	W	A
	2	163													
BIMINI															
Bimini Big Game Fishing Club Bimini, (242) 347-3391/ (800)737-	75	\$1.25/ft	Y	9"	30/50	Y	S	Y	Y	A	A	16/9	Y	W	A
Bimini Beach Club Bimini, (242) 347-1500	53	\$.90/ft	-	11	30/50	Y	S	A	Y	A	Y	68	Y	-	A
Bimini Blue Water Bimini (242) 347-3166 / (242)347-	32	On Req.	Y	10"	30/50	Y	S	A	Y	A	A	60	Y	-	A
Bimini Sands South Bimini (305) 347-3500	60	On Req.	Y	8"	30/50	Y	Y	Y	Y	A	A	16/68	-	-	Y
Sea Crest Hotel & Marina Alice Town, (242) 347-3071	18	\$.90ft	-	6"	30/50	Y	S	Y	A	A	A	18	Y	-	A
Bimini Bay Yacht Club (242) 347-2311	60	\$2.50/ft	Y	15"	30/50/100	Y	-	Y	-	Y	Y	-	Y	Y	Y
Weech's Dock Bimini, (242) 347-3028	15	\$.70/ft	-	10"	30/50	1	S	Y	A	A	A	18	Y	-	A
	7	313													
CAT CAY															
Cat Cay Yacht Club (242) 347-3565	80	On Req.	Y	9"	30/50/100	Y	Y	Y	Y	-	-	16	Y	-	Y
CAT ISLAND															
Hawk's Nest Marina (242) 342-7050	28	\$1.00/ft	Y	8:00	30/50/100	Y	Y	Y	Y	-	Y	16	Y	-	A

Island	No.	Rates	Fuel	Depth Dockside	Electric-Amps	Water/Ice	Showers Wash /	Marine Grocery	Restaurant / Bar	Boat / Electric	Charter Boat	Channel Monitor	Hotel / Motel	Wet / Dry	Tackle / Bait
ELEUTHERA, HARBOUR															
Davis Harbour Marina (242) 334-6303	30	\$1.00/ft	Y	7"	30/50	Y	Y	A	A	-	Y	16	A	D	A
Harbour Island Club & Marina Harbour Island (242) 333-2427	32	\$1.25/ft	Y	10"	30/50	Y	Y	A	Y	A	C	16	A	A	A
Palmetto Shores (242) 332-1305	6	On Req.	A	12"	30/50	Y	Y	Y	A	A	A	16	Y	-	-
Spanish Wells Marina & Hardware Spanish Wells (242) 333-4122	10	\$.75/ft	Y	10"	110/220	Y	-	Y	-	Y	Y	16	Y	Dry	T
Spanish Wells Yacht Haven Spanish Wells, (242)333-4255	40	\$.85/ft	Y	10"	30/50	Y	Y	A	A	A	A	16	Y	W	A
Valentine's Yacht Club & Inn Harbour Island, (242) 333-2142	39	\$1.25/ft	D	10"	100	Y	Y	A	Y	A	A	16	Y	-	-
6	157														
EXUMAS															
Exuma Docking Services (242) 336-2578	52	\$/60ft	Y	8.5"	30/50	Y	Y	A	Y	A	A	16	A	A	-
Minns Watersports (242) 336-3483	36	On Req.	Y	6.5	-	-	Y	-Y	A	A	A	16	A	Y	-
Happy People Marina Staniel Cay (242) 355-2008	6	\$.80/ft	-	6"	30/50/100	Y	Y	A	Y	A	-	16	Y	-	-
Highbourne Cay	1	-	Y	-	Y	-	-	Y	Y	-	-	16	Y	-	-
Sampson Cay Sampson Cay (242) 355-2034	-	\$1.75/ft	Y	8"	30/50/100	Y	-	Y	Y	A	Y	16	Y	-	A
Staniel Cay Yacht Club Staniel Cay (242) 355-2024	15	\$.80/ft	Y	9.5"	30/50	Y	A	A	Y	-	Y	16	Y	-	Y
6	110														
GRAND BAHAMA / FREEPORT															
Lucayan Marina Village (242) 373-8888	150	On Req.	Y	7"	30/50	Y	Y	Y	Y	-	Y	16	Y	-	-
Old Bahama Bay West End (242) 346-6211	111	On Req.	Y	10"	30/50	Y	Y	-	A	-	-	16	-	-	Y
Ocean Reef Yacht Club (242) 373-4662	42	\$.50/ft	-	6.5"	30/50	100	Y	Y	A	Y	Y	16	Y	-	-
Port Lucaya Marina Lucaya (242) 373-9090	100	On Req.	-	12"	50/200	Y	Y	A	Y	-	Y	16/72	Y	-	Y
Running Moon Marina & Resort Freeport/Lucaya (242) 352-6034	60	On Req.	Y	13	30/50	Y	Y	A	Y	A	Y	16	Y	Y	Y
Xanadu Beach & Marina Resort Freeport (242) 352-6782	77	\$1.00/FT	Y	6.5	30/50	Y	Y	-	Y	-	Y	16	Y	Y	-
Deep water Cay (242) 353-3073	4	On Req.	L	7	30/50	Y	L	-	Y	-	-	16	Y	-	-
7	544														
INAGUA															
Matthew Town Dock	-	-	Y	-	-	Y	-	-	-	-	-	-	-	-	-
LONG ISLAND															
Clarence Town Dock	L	-	Y	-	12	Y	-	Y	Y	-	-	-	-	-	-
Flying Fish Marina (242) 337-3430	15	On Req.	Y	7	30/50/100	Y	Y	Y	Y	-	Y	16	A	-	-
Harding Supplies Center, Salt Pond Stella Maris Resort & Marina (242) 338-2051, (800) 426-0466	L	15	\$.75/FT	Y	6.5	110/220	Y	Y	Y	Y	Y	16	Y	Y	Y
4	30														
NEW PROVIDENCE															
Brown's Boat Basin Nassau (242) 393-3331	60	\$.25/ft	Y	15	30	Y	-	Y	-	Y	-	16	A	Y	A
Claridge Marina South Nassau, (242) 364-2218	144	On Req.	Y	5	-	Y	-	M	-	-	-	16	-	Y	Y
East Bay Yacht Basin Nassau, (242) 394-1816	35	\$.60/ft	Y	14	30/50/100	Y	Y	-	-	-	-	16	-	W	-
Lyford Cay Club (Private) Nassau, (242) 362-4131	74	On Req.	Y	9	30/50/100	Y	Y	Y	Y	Y	Y	16	Y	Y	Y
Nassau Harbour Club Nassau, (242) 393-0771/3	65	1.00ft	Y	13	30/50	Y	Y	Y	Y	-	-	16	Y	-	-
Nassau Yacht Haven Nassau, (242) 393-8173	120	\$.90/FT	Y	18	30/50	Y	Y	A	Y	Y	Y	16	A	W	A
Atlantis Marina (242) 363-6068 (800) ATLANTIS	63	\$3.00/FT	A	12	30/50/100	Y	Y	A	Y	A	Y	16/10	Y	N	A
Hurricane Hole Marina (242) 363-3600	70	On Req.	Y	10	30/50	Y	Y	A	Y	A	A	16	A	A	A
Paradise Harbour Club & Marina (242) 363-2992	20	\$1.25/ft	-	8"	50/100	Y	Y	-	Y	-	A	16	Y	-	-
9	651														
SAN SALVADOR															
Riding Rock Inn & Marina	10	\$.90/ft	Y	9"	30/50	Y	Y	-	Y	-	Y	16	Y	-	-
RUM CAY															
Summer Point Marina Rum Cay (242) 331-2823	20	\$1.110/ft	Y	9"	30/50	Y	Y	-	Y	-	Y	16	Y	-	-