

Temporary Commercial Recreational Activity Permit Application

Event Set-up Information and Guidelines

Introduction

The Port of San Diego permits the temporary use of certain parks and open spaces in the Port's jurisdiction for temporary commercial activities that attract people to those facilities to recreate. Examples include kayak tours, paddleboard instruction, exercise classes and walking tours.

To conduct an ongoing commercial recreational activity at a Port of San Diego public facility, the provider of the activity will apply for a permit and provide the appropriate insurance and fees in order to be eligible for approval. Please note that free public access to public facilities is a high priority and that the Port of San Diego limits the number of commercial activity providers that are permitted for each facility in order to facilitate public access.

After reading these guidelines, complete the attached form. Read the attached Terms & Conditions page, sign in the block provided and submit the entire application (form and Terms & Conditions page) to the Port of San Diego park permit office (see application for address) with the needed attachment(s).

Permit Holder Responsibilities

As the holder of the activity permit, you are responsible for the following:

- Keeping your approved permit with you on site at your event from setup to departure. It is your only proof of your approval to use the facility for your activity.
- Collecting and removing from the park all equipment and support items as well as all trash generated by your activity.
- Ensuring that you and your staff do not drive vehicles on the grass areas at the park.
- Ensuring that your activity utilizes loading zones when actively loading or unloading.
- Maintaining a sound level that is considerate of other facility users and surrounding neighborhoods. Any amplified sound must start no earlier than 8 AM and cease no later than 10:00 p.m. in all parks except those in Coronado, where amplified sound must cease at 9:00 p.m.
- Complying with park hours of operation. Port of San Diego parks are open from 6 a.m. to 10:30 p.m.

Accessibility

Applicant shall ensure that all elements of the event are accessible to all, including persons with disabilities as required by law. Applicants are encouraged to incorporate the principles of Universal Design, which is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design, when developing the above required site plan. Specific accessibility to address for events shall include but is not limited to:

- Parking, including information and notification of alternate parking opportunities and locations;
- Accessible portable restrooms;
- Accessible shuttles, buses, and other provided transportation elements as part of the event;
- Placement of activities in areas for maximum accessibility;
- Communication and training of event staff, including volunteers, regarding accessibility and disability awareness
- Compliance with the Americans with Disabilities Act and applicable accessibility laws

Commercial Sales Prohibited

Your Temporary Commercial Recreational Activity Permit allows you the use of a park or open space area to conduct a permitted recreational activity or to access the bay. The promotions of your business, as well as any commercial sales on site are prohibited.

On-Site Set-Up

Banners other than a small (maximum 2' x 3') placard on site are prohibited. Only a single canopy or pop-up (no walls) of 10' x 10' or less is allowed. No structures may be placed on beaches, and any structure must be placed where it will not impede public access.

Alcoholic Beverages

Alcoholic beverages are not approved on property or during permitted activity approved by this permit.

Electricity

Electricity and fresh water, except from drinking fountains, are not available for public use in any Port of San Diego park. Permit holders must provide their own electricity and fresh water.

Damage/Security Deposit

Depending upon the scope of setup required for the event, the Port may collect from \$1,500 - \$5,000 damage/security deposit. The permit holder will be required to compensate the Port for any incidental costs arising out of failure to meet any of the guidelines above or for damage occurring as a result of a their event.

Environmental Best Practices

The District is charged with prohibiting all non-stormwater discharges into the stormwater conveyance systems on District tidelands pursuant to San Diego Regional Water Quality Control Board Order No. R9-2013-0001 (NPDES Permit No. CAS0109266, "Municipal Stormwater Permit"). The District has the authority under State law to make and enforce necessary rules and regulations governing, among other things, stormwater management and discharge control. The District's stormwater regulations are found in Article 10 of the San Diego Unified Port District Code ("District Code").

Special events have been identified by the District as a potential source of non-stormwater discharges to the storm drain system and San Diego Bay. Non-stormwater discharges to the stormdrain system or the Bay are considered a violation of District Code. To prevent unauthorized discharges, the District requires the implementation and maintenance of Best Management Practices (BMPs) at special events. BMPs specific to the activities planned for each special event are to be identified prior to the event time. In addition, the following BMPs must also be implemented as applicable:

- Trash dumpsters, portable toilets, or generators shall have secondary containment and located away from open stormdrain inlets or catch basins and away from the water's edge. Secondary containment for trash dumpsters may be accomplished by placing a berm around the dumpster to contain leaks. Trash dumpsters must have lids and be covered.
- A spill kit is to be accessible to the event coordinator or person in charge of spill response.
- Catch basins and stormdrain inlets within the event special area are to be protected with temporary screens or filters prior to the event.
- Fencing is to be placed around the waterside perimeter of the event to prevent any windblown trash or debris from reaching the Bay. Where fencing is not feasible, regular and frequent trash and debris removal is to be conducted by event organizers.
- Street sweeping of parking lots, streets and roads associated with the event shall be conducted as needed.
- Employee training is to be conducted prior to the event to ensure that BMPs are properly implemented and maintained and so that employees are aware of the discharge prohibitions.
- Documentation of BMP implementation for each special event is to be maintained and be made available for the District's review upon request.

Direction related to permitted special event activities can be found in the District Jurisdictional Urban Runoff Management Document (JURMP). The JURMP is available on the District website: (<https://www.portofsandiego.org/environment/clean-water.html>) or by contacting the District Environmental and Land Use Management (ELUM) Department, (619) 686-6254.

Rules and Regulations and Fee Schedule

For a temporary commercial recreational activity permit, a monthly fee shall be paid by the permittee in accordance with the following schedule. One day consists of 5 (five) hours of facility use or less. Please note that users of multiple Port of San Diego facilities are required to pay the fee for each facility used and that a maximum of two facilities per user is allowed:

Days of Facility Use Per Month	Monthly Fee
1-6	\$125
7-12	\$175
13-18	\$225
19+	\$275

Stand-Up Paddleboard (SUP's)- SUP's are vessels as defined in the Coast Guard regulations. The following are pertinent regulations for operating SUP's:

- 655(b) H&N Operate Vessel Under The Influence of Alcohol or Drugs
- 6565.5(a) T14 CCR NO PFD's
- 658.3 H&N PFD wear required for person under 13 years old
- 8.27 (b) UPD Operate paddleboard in marked channels

Also attached are excerpts from:

- **A Guide to Boating Law and Safety- ABC's of California Boating**
California Natural Resources Agency, Department of Boating and Waterways
- **Stand-Up Paddleboard (SUP) FAQ's**
U.S. Coast Guard, revised July 2011
Eleventh Coast Guard District Recreational Boating Safety Program



Temporary Commercial Recreational Activity Permit Application

Port of San Diego Use Only

Event Date _____

Received _____

Issued _____

Applicant Information

Name	Mailing Address (street #, city, state & zip code)
Organization (if applicable)	
Main Phone () _____	Email address
Mobile Phone () _____	Website

Activity Information

Desired Location(s)/Facility (s): Include space requirements that you will be using (i.e. CV Bayside Park, beach area)	Activity Title: _____ Activity Type: <input type="checkbox"/> Exercise Session <input type="checkbox"/> Boot Camp <input type="checkbox"/> Tour <input type="checkbox"/> Class/Instruction <input type="checkbox"/> Kayak/Paddleboard <input type="checkbox"/> Other : _____
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Period Requested	Day of Week	Date and Time	Attendance
Start Date: _____ End Date: _____ *Note: Maximum of 5 hrs. per day in the facility is allowed	Sun		
	Mon.		
	Tues.		
	Wed.		
	Thurs.		
	Fri.		
	Sat.		

Set-Up Preparation Provide a detailed description of what your setup will look like, if appropriate, attach a diagram.

Activity Plan Provide a detailed description of what activities will occur at the facility. (i.e. We will have a brief informational course, launch kayaks around 9am at the Bayside Park beach area, retrieve kayaks around noon, lunch break, etc.) If you intend to use live or recorded music or an amplified sound system, please describe. *Additional Space provided on next page.

For SDUPD use only: BP # _____ Tran # _____ DM# _____

Permit \$\$ _____ Cash Credit Card Check# _____

Parking \$\$ _____ Spaces: _____ Cash Credit Card Check # _____

Security Deposit \$\$ _____ Cash Credit Card Check # _____

Temporary Commercial Recreational Activity Permit Application

List the resources/materials required for the activity Describe and provide the total # of all equipment and support items you propose to use including vessels, tables, chairs, canopies and generators.

Items	#	Description

Certificate of Insurance

Insurance

Applicant shall, to the fullest extent permitted by law, defend, indemnify, and hold harmless San Diego Unified Port District ("District") and its officers, employees, and agents for any and all liability, claims, judgments, damages, proceedings, orders, directives, costs, including reasonable attorneys' fees, or demands arising directly or indirectly out of the obligations undertaken in connection with this Permit, or Applicant's use, occupancy, possession or activities on the Premises, except claims or litigation arising through the sole negligence or willful misconduct of District. It is the intent of this Paragraph that Applicant indemnify and hold harmless District for any actions of Applicant or District, including duties that may be legally delegated by Applicant to third parties, except for those arising out of the sole negligence or willful misconduct of District. This indemnity obligation shall apply for the entire time that any third party can make a claim against or sue District for liabilities arising out of Applicant's use, occupancy, possession, or activities on the Premises, or arising from any defect in any part of the Premises.

Applicant must provide **certificate of insurance (COI) coverage naming "San Diego Unified Port District" as an additional insured and also be listed in the certificate holder box.** Insurance coverage must be in force for the duration of the event, including setup through takedown days. The Port of San Diego requires a minimum of \$1,000,000 for personal and bodily injury, one person and one occurrence; and a minimum of \$1,000,000 coverage for property damage. The same organization named as the insured on the certificate of insurance should also be listed in the applicant blank on this permit application.

All service providers are required to provide a "certificate of insurance" or the applicant can choose to cover all sub-contractors.

Items to be Submitted Checklist

- | | | |
|--|--|---|
| <input type="checkbox"/> Application (Page 3 & 4) | <input type="checkbox"/> Certificates of Insurance (COI) | <input type="checkbox"/> Permit Fee |
| <input type="checkbox"/> Terms and Conditions (Page 5) | <input type="checkbox"/> Business license from the city | <input type="checkbox"/> Refundable Security Deposit |
| <input type="checkbox"/> Activity Description | <input type="checkbox"/> Site Plan Diagram | <input type="checkbox"/> Any advertising/collateral materials |

**Port of San Diego
Attention: Park Permits
P. O. Box 120488
San Diego, CA 92112-0488**

Faxed or e-mailed applications are not accepted.

Temporary Commercial Recreational Activity Terms and Conditions for Permit Applicants

Use of a San Diego Unified Port District (District) park is subject to the following terms and conditions:

1. Applicant shall comply with all applicable laws, rules, regulations and requirements of the District and other government entities.
2. All or any portion of the refundable security deposit (if applicable) shall be available unconditionally to the District for the purpose of cleaning or repairing damages to the property post the permitted event. The refund process does not start until 10 days after the event. The refund process may take up to 30 days depending on your form of payment.
3. Either party may cancel this permit by giving twenty-four (24) hours' notice to the other party. In the event of an emergency, such cancellation shall be without liability of any nature. Applicant is subject to a processing fee of \$35.00 if Applicant provides less than sixty days written notice to the District of cancellation of a scheduled event.
4. This permit shall not be transferred or assigned.
5. **Certificate of Insurance** -Applicant shall, to the fullest extent permitted by law, defend, indemnify, and hold harmless San Diego Unified Port District ("District") and its officers, employees, and agents for any and all liability, claims, judgments, damages, proceedings, orders, directives, costs, including reasonable attorneys' fees, or demands arising directly or indirectly out of the obligations undertaken in connection with this Permit, or Applicant's use, occupancy, possession or activities on the Premises, except claims or litigation arising through the sole negligence or willful misconduct of District. It is the intent of this Paragraph that Applicant indemnifies and holds harmless District for any actions of Applicant or District, including duties that may be legally delegated by Applicant to third parties, except for those arising out of the sole negligence or willful misconduct of District. This indemnity obligation shall apply for the entire time that any third party can make a claim against or sue District for liabilities arising out of Applicant's use, occupancy, possession, or activities on the Premises, or arising from any defect in any part of the Premises. A certificate of insurance naming the "San Diego Unified Port District" as an additional insured is required if acquiring any outside services.
6. Applicant must provide certificate of insurance coverage naming the "San Diego Unified Port District" as an additional insured with a minimum limit of \$1,000,000 per occurrence for bodily injury and property damage. See the attached Guidelines.
7. The rights and privileges extended by this permit are non-exclusive.
8. Applicant shall not engage in any activity on Port District property other than the activity for which this permit is expressly issued. This permit may be terminated immediately by the Port District for misrepresentation of permit information, violation of the law or activities causing an unreasonable risk to public safety (as determined by any public safety agency).

I certify that the information contained my permit application is true and correct to the best of my knowledge. I understand and agree to abide by the rules and regulations governing the proposed special event under the San Diego Unified Port District Code.

Applicant Name (Print)

Applicant Signature

Date

Submit complete application to: SDUPD, Attn: Park Permits P.O Box 120488, San Diego, CA 92112-0488

Port of San Diego Approval

Special Events Associate Signature

Date

Department Manager Signature

Date

OPERATIONAL LAW

PEACE OFFICERS

Every peace officer of the state, city, county, harbor district, or other political subdivision of the state is empowered to enforce California Boating Law. Such officers have the authority to stop and board any vessel where the peace officer has probable cause to believe that a violation of law exists.

Peace officers are also authorized to order the operator of an unsafe vessel to shore. A vessel can be ordered to the nearest safe moorage if an unsafe condition is found that cannot be corrected on the spot and where, in the judgment of the officer, the continued operation of the vessel would be especially hazardous.

Any vessel approaching, overtaking, being approached, or being overtaken by, a moving law enforcement vessel operating with a siren or an illuminated blue light, or any vessel approaching a stationary law enforcement vessel displaying an illuminated blue light, shall immediately slow to a speed sufficient to maintain steerage only, shall alter its course, within its ability, so as not to inhibit or interfere with the operation of the law enforcement vessel, and shall proceed, unless otherwise directed by the operator of the law enforcement vessel, at the reduced speed until beyond the area of operation of the law enforcement vessel.

TRAILERING

It is against the law to tow a trailered vessel containing a passenger, except when engaged in launching or retrieving a vessel.

STOLEN VESSELS

If a numbered vessel is stolen, the owner or legal owner should notify the local law enforcement agency as soon as possible. The owner shall also notify the local law enforcement agency if the vessel reported stolen is recovered.

COUNTY AND CITY LAWS

In addition to state law, many counties, cities, and districts have special laws or ordinances which restrict activities in certain areas, prohibit certain acts at certain times, or establish additional requirements. These ordinances may regulate speed, set aside certain areas or hours for special purposes and prohibit acts which would be contrary to public interest. Boaters must comply with these local rules as well as with the state laws. Check with your local waterway operator for special laws or ordinances in your area.

AGE RESTRICTIONS

No person under 16 years of age may operate a motorboat of more than 15 horsepower, except for a sailboat that does not exceed 30 feet in length or a dinghy used directly between a moored boat and the shore, or between two moored boats. The law allows persons 12-15 years of age to operate motorboats of more than 15 horsepower or sailboats over 30 feet if supervised on board by a person at least 18 years of age. A violation of these provisions is an infraction.

SPEED

Speed is limited by law for certain conditions and areas. The maximum speed for motorboats within 100 feet of a bather (but not a water skier) and within 200 feet of a bathing beach, swimming float, diving platform or life line, passenger landing being used, or landing where boats are tied up is five miles per hour.

A safe speed should be maintained at all times so that: a) action can be taken to avoid collision and b) the boat can stop within a distance appropriate to the prevailing circumstances and conditions.

In restricted visibility, motorboats should have the engines ready for immediate maneuvering. An operator should be prepared to stop the vessel within the space of half the distance of forward visibility.

CARBON MONOXIDE

It is a violation of California law to operate a vessel's motor or generator while a person is: (1) teak surfing, platform dragging, or bodysurfing behind the vessel, or (2) while someone is occupying or holding onto the swim platform, swim deck, swim step or swim ladder, **except** for a very brief period of time when a person is assisting with the docking or departure of the vessel, while exiting or entering the vessel, or while the vessel is engaged in law enforcement or emergency rescue activity.

Teak surfing or platform dragging means holding onto the swim platform, swim deck, swim step, swim ladder, or any portion of the exterior of the transom of a motorized vessel for any amount of time while the vessel is underway at any speed.

The law requires that a set of carbon monoxide warning stickers be placed on the transom and helm of all new and used motorized boats sold in California. The Department of Motor Vehicles sends the set with all new vessel registrations. For a pamphlet on the dangers of carbon monoxide poisoning and a set of warning decals, visit www.dbw.ca.gov, call (888) 326-2822, or write to Department of Boating and Waterways, 2000 Evergreen Street, Suite 100, Sacramento, CA 95815.

RECKLESS OR NEGLIGENT OPERATION OF A VESSEL

No person shall operate any vessel or manipulate any water skis, aquaplane, or similar device in a reckless or negligent manner so as to endanger the life, limb or property of any person. Examples of such operation include, but are not limited to:

1. Riding on the bow, gunwale, or transom of a vessel under way, propelled by machinery, when such position is not protected by railing or other reasonable deterrent to falling overboard or riding in a position or manner which is obviously dangerous. These provisions shall not apply to a vessel's crew in the act of anchoring, mooring or making fast to a dock or another vessel, or in the necessary management of a sail.
2. Maneuvering towed skiers, or devices, so as to pass the towline over another vessel or its skier.
3. Navigating a vessel, skis, or other devices between a towing vessel and its tow or tows.
4. Operating under the influence of intoxicants or narcotics.

Other actions, such as speeding in confined or restricted areas, "buzzing" or "wetting down" others, or skiing at prohibited times or in restricted areas can also be construed to be reckless or negligent operation.

"Hit and run" - Any person involved in a boating accident that results in injury, death or disappearance, who is convicted of leaving the scene without 1) furnishing appropriate information to others involved or to any peace officer at the scene, and/or 2) rendering any reasonable assistance to any injured person, is liable for a fine of up to \$10,000 or imprisonment for up to four years, or both. A person responsible for an accident that results in serious injury or death can be subject to a conviction of manslaughter and can be sentenced to an additional five years in the state prison for fleeing the scene.

OPERATION OF A VESSEL WHILE INTOXICATED

Alcohol is a factor in 49 percent of all fatal motorboat accidents in California. State law specifies that:

1. No person shall operate any vessel, water skis or similar device while under the influence of intoxicating liquor or drugs. No person who is addicted to any drug shall operate any vessel, water skis or similar device.
2. No person 21 years of age or older shall operate any vessel, water skis or similar device who has .08% or more, by weight, of alcohol in their blood. A level of at least .05% but less than .08% may be used with other evidence in determining whether the person was under the influence of alcohol. A person under 21 years of age or older who has been arrested for operating a mechanically propelled vessel "under the influence" may be requested to submit to a chemical test to determine blood-alcohol content. Refusal may result in increased penalties upon conviction. A person convicted of operation of vessel while intoxicated could receive up to a \$1,000 fine and six months in jail.
3. No person under 21 years of age may operate a vessel, water skis or similar device who has .01% or more, by weight, of alcohol in their blood. Penalties may include a fine of up to \$250, and participation in an alcohol education or community service program.

COURT-ORDERED BOATING EDUCATION

Any person convicted of any moving violation in the Harbors and Navigation Code, the Federal Rules of the Road or regulations adopted by the Department of Boating and Waterways while operating a vessel for violation of California's Boating Carbon Monoxide law, shall be ordered by the court to complete and pass a boating safety course approved by the Department of Boating and Waterways.

Proof of completion and passage of the course must be submitted to the court within seven months of the time of the conviction.

PERSONAL WATERCRAFT OPERATION

"Personal watercraft" means a vessel 13 feet in length or less, propelled by machinery, that is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than in the conventional manner of sitting or standing inside the vessel.

Personal watercraft (PWC) are subject to the same laws governing the operation of motorboats of the same size. For proper display of registration numbers and stickers, see the Registration section of this booklet. For more information, see the DBW website at www.dbw.ca.gov.

Every person on board a personal watercraft (PWC) and any person towed behind a vessel must wear a Coast Guard-approved Type I, II, III, or V life jacket. For competition, please visit www.dbw.ca.gov.

Lanyard/Self-Circling Device — The law requires a person operating a personal watercraft equipped with a lanyard cutoff switch to attach the lanyard to his or her person. Operating a personal watercraft equipped with a self-circling device is prohibited if the self-circling device has been altered.

Nighttime Operation Prohibited — The law prohibits the operation of personal watercraft at any time from sunset to sunrise, even if the PWC is equipped with the proper navigational lights.

Operator Age — It is an infraction for a person under 16 years of age to operate a motorboat of more than 15 horsepower, including personal watercraft. Any person who permits a person under the age of 16 to do so is also guilty of an infraction. A person 12-15 may operate a motorboat of more than 15 horsepower if supervised by a person on board who is at least 18 years of age.

Reasonable and Prudent Operation — California law holds that no person shall operate any craft in a reckless or negligent manner so as to endanger the life, limb or property of any person. Some examples are:

- Navigating a vessel, skis, or other devices between a towing vessel and its tow or tows.
- Operating under the influence of intoxicants or narcotics.
- Jumping or attempting to jump the wake of another vessel within 100 feet of the other vessel constitutes unsafe operation. Other actions which constitute unsafe operation are operating a PWC toward any person or vessel in the water and turning sharply so as to spray the person or vessel; and operating at a rate of speed and proximity to another vessel so that either operator is required to swerve at the last minute to avoid collision.

WATER-SKIING

When using a boat to tow a person on water skis or an aquaplane, there must be in the boat, in addition to the operator, one other person who can observe the person being towed. The observer must be at least 12 years of age.

Effective January 1, 2001, California law provides that any person being towed behind a vessel must wear a Coast Guard-approved Type I, II, III, or V life jacket. Exceptions: the law does not apply to performers engaged in professional exhibitions, official regattas, marine parades, or tournaments. Any person engaged in slalom skiing on a marked course, or barefoot, jump or trick water skiing, may instead wear a wetsuit designed for the activity and labeled by the manufacturer as a water ski wetsuit. However, for each skier who elects to wear a wetsuit, a Type I, II, III, or V life jacket still must be carried on board. Note: Inflatable personal flotation devices are not approved for use while water-skiing.

The towing of water-skiers from sunset to sunrise is prohibited by state law. Local laws may also restrict skiing at certain times during the day and in certain areas.

Water skis and aquaplanes must not be operated in a manner to endanger the safety of persons or property. Passing the towline over another vessel or skier is prohibited. Towing a skier or navigating between a vessel and its tow is prohibited. Towing a skier does not give the operator of the vessel any special privileges. The rules of the road must be observed.

WATER-SKI FLAG

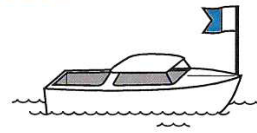
It is mandatory for the operator of a vessel involved in towing a skier to display, or cause to be displayed, a red or orange water-ski flag, to indicate:

- A downed skier
- A skier in the water preparing to ski
- A ski line extended for the vessel
- A ski in the water in the vicinity of the vessel



The flag must be no less than 12 inches on each side and be in the shape of a square or rectangle. The display of the ski flag does not in itself restrict the use of the water, but when operating in the area, boaters should exercise caution.

DIVING



Required for use by vessels engaged in diving operations and restricted in their ability to maneuver.

ALPHA FLAG

Whenever the size of a vessel engaged in diving operations during daytime hours makes it impracticable to exhibit the daytime shapes required of a vessel restricted in its ability to maneuver, a rigid replica of the international blue-and-white code flag (Alpha) is required to be displayed. The flag must measure not less than 1 meter (3 ft. 3 in.) in height and must be visible all round the horizon.

For boats tending free-swimming divers where the diving does not interfere with the maneuverability of the boat, the alpha flag is not required and they may display the "divers down" flag.

DIVERS DOWN FLAG

State law recognizes that a red flag with a white diagonal stripe – commonly called the divers down flag – indicates a person engaged in diving in the immediate area. Displaying the divers down flag is not required by law and does not in itself restrict the use of the water. When operating in an area where this flag is displayed, boaters should exercise caution.



Recognized for use by persons engaged in diving.

Advertising sponsorship helps defray the print costs of this publication. The products and services provided by the advertising sponsors are not promoted or endorsed by the Department of Boating and Waterways, but the significant contribution by the advertising sponsors is most appreciated.

Advertisers:

If you would like to advertise in this publication, please call
The Office of State Publishing Advertising Department

1-866-824-0603

Stand-Up Paddleboard (SUP) FAQs

U.S. Coast Guard, Revised, July 2011

On OCT 3, 2008 the Coast Guard made the determination that “paddleboards,” actually Stand-Up Paddleboards (SUP) are considered “vessels” and subject to certain boating safety regulations. To clarify the issue for Eleventh District Units we've created this set of Frequently Asked Questions (FAQs).

What is a Stand-Up Paddleboard (SUP)?

A “SUP” as they are called in the sport, is a surfboard-like device, usually thicker and longer than a standard surfboard, where the operator stands upright and propels the board using a long paddle.

Where am I likely to see a SUP?

The sport has grown tremendously in recent years so you will see SUPs in the surf, offshore, and on flat water lakes and rivers.

What was the Coast Guard determination?

The Coast Guard determined that SUPs were “vessels” when operating “beyond the narrow confines of a surfing, swimming or bathing area.” A vessel, according to 1 USC 3 “includes ever description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.”

OK, but what does that mean to a boarding officer?

It means that if you see a SUP operating:

- A. In the surf or swimming/bathing area, leave it alone.
- B. On other waters, treat it as a kayak or other paddlecraft.

What boating safety regulations apply to a SUP?

Like any paddlecraft, a SUP operating outside a surfing or swimming area is subject to the NAVRLES, carriage requirements for PFDs, VDS, sound producing device, navigation lights, and accident reporting.

What about “traditional” paddleboards that don't use a paddle but are powered by hand, kneeling or lying down like on a surfboard?

“Traditional” paddleboards have been around for about 100 years. This style of paddleboard is typically long, pointed, and does NOT use a paddle. The operator “paddles” with his/her hands like on a surfboard. These were not considered in the Coast Guard's “vessel” determination, which said, “The sport involves a person standing on a board, similar to a surfboard and propelling themselves through the use of a paddle.” Even if a traditional paddleboard had been classified as a “vessel” it would be exempt from lifejacket carriage requirements because it is powered by hand rather than “by machinery, sails, oars, paddles, poles, or another vessel.” (33 CFR 175.11)

Where can I find these regs in the Code of Federal Regulations (CFR)?

Most recreational boating requirements can be found in 33 CFR, between parts 173 and 187.

What kind of lifejackets are required on a SUP?

Just as with other boats, children (12 years old and under in California) must wear a lifejacket. Adults must have one onboard. PFSs must be Coast Guard approved and either Type I, II or III.

Note: For people 16 years old and older, who can swim and are comfortable in the water, a good choice is an inflatable lifejacket. They are less cumbersome and come in suspender style and belt-pack style.

What kind of sound producing device is required on a SUP?

As with any paddlecraft, a whistle will suffice for a sound producing device.

What about navigation lights?

As with any rowboat, kayak, or other paddlecraft, the operator of a SUP need only carry a flashlight that can be shined in enough time to avoid a collision. They are not required to have installed navigation lights.

What about Visual Distress Signals (VDS)?

For boats in California, VDS are only required when operating offshore. If an SUP is operating offshore it would be required to carry VDS under the following circumstances:

- A. If the SUP is less than 16 feet long the operator need only carry VDS if operating between sunset and sunrise.
- B. If the SUP is 16 feet or longer, the operator needs to carry both day and night VDS anytime it is underway (33 CFR 175.110 (a)).

Do SUPs have Hull ID numbers (HIN)?

No. The Coast Guard waived that manufacturer requirement.

Do SUPs have to have registration numbers?

No. States in D11 do not require registration of paddlecraft (CA, AZ, NV, UT). However, other states might.