

Comments on 2020 Maritime Use Strategy Final Report, issued March 2021

Ed Hore, March 16, 2021

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I am a lawyer and local resident, and sat on the Stakeholder Advisory Committee for the Maritime Use Strategy. I chair Waterfront for All, an umbrella group of residents' associations. I used to be co-chair of the York Quay Neighbourhood Association.

In general, the 2020 Marine Use Strategy Final Report ("MUSFR") is an excellent and thoughtful document. I have some comments and concerns.

Part 1: Miscellaneous Comments

We need a second ferry terminal serving Toronto Island

At Page 54, the MUSFR proposes a "permitted vehicle ferry"; a second ferry terminal serving Toronto Island, ideally situated in the Ship Channel. This would focus on ferrying "permitted vehicles to and from Toronto Islands." This is a good idea. However, a second ferry terminal, while perhaps primarily focussed on vehicles, must also serve passengers.

The idea of a second ferry terminal serving the island, particularly but not exclusively for vehicles, did not in fact originate with ferrying vehicles for the airfield reconstruction program in 2016 and 2017 to Billy Bishop Airport as stated

in the MUSFR at p. 54, but rather originated from a York Quay Neighbourhood Association (YQNA) 2015 letter:

November 13, 2015

Mayor John Tory
Office of the Mayor City Hall, 2nd Floor 100 Queen Street West
Toronto, Ontario M5H 2N2

(By email)

Dear Mr Tory:

Toronto Needs a Second Ferry Terminal

In summer, the Jack Layton Toronto Island Ferry Terminal at the foot of Bay Street is overwhelmed with congestion and parking problems. This is disruptive for local residents, unfair for thousands of Island visitors, and incompatible with the recent improvements to Queens Quay.

The pending redevelopment of the ferry terminal, although a beautiful addition to the City and Waterfront, will not fix these problems, even if combined with the planned purchase of new ferries. The site is too small to accommodate the huge number of Toronto Island visitors at peak times, and lacks adequate parking and road access. These problems will get worse as the City grows.

York Quay Neighbourhood Association (YQNA) proposes that the City and Waterfront Toronto open a second (and possibly a third) ferry terminal to supplement the Jack Layton Ferry Terminal. We suggest two possible sites: (a) the existing, unused Rochester ferry terminal on Cherry Street, in the Eastern Gap, or (b) Ontario Place.

At present, people can wait two hours on busy summer days for a ferry to the Toronto Islands. Line-ups spill out onto Queens Quay causing chaos for the surrounding neighbourhood. Summer visitors to the Islands often have kids, strollers, plus barbecue or beach supplies. Groups in buses are common. But there is nowhere for cars or buses to unload, let alone park. Trucks serving Toronto Islands can wait four or five hours for a ferry. For music or sports events, massive trucks carrying speakers and staging park illegally on the north side of Queen's Quay due to lack of space at the terminal, blocking traffic and annoying local residents.

Relocating trucks, buses and cars to a secondary terminal would better allow the Jack Layton Ferry Terminal to be re-developed as an architectural showpiece, improve access to the Islands for all, and lessen the stress on the waterfront neighbourhood. Island residents might benefit from the availability of an alternative access point to the City.

The already-existing, unused ferry terminal site on Cherry Street on the Eastern Gap, built for the short-lived Lake Ontario ferry to Rochester, would be ideal. A ferry terminal building is already there (see photograph below)[omitted], surrounded by parking, and accessible along Cherry Street from the DVP and Gardiner. It is in a light industrial area compatible with trucks and bus traffic. The dock wall is already configured to accommodate a ferry. At least at peak times, ferries could go from there to Centre Island, the most popular Island destination. The fact that the Cherry Street ferry terminal is already built should make this option attractive from a fiscal point of view.

Ontario Place should also be considered as a possible ferry terminal site. It has vehicle access at the east end, accessible from Lakeshore Boulevard and the Gardiner. A ferry terminal could be incorporated into whatever recreational redevelopment is planned and budgeted for the site. Ferries could travel to Centre Island and Hanlan's point.

Both locations should have docking space for water-taxis (as should other parts of the Harbour) so people can take a water-taxi to and from where they park. Pedestrians, cyclists and transit-riders would likely still use the Jack Layton Ferry Terminal. But trucks, as well as island visitors arriving in cars or buses, would be better served by another terminal elsewhere.

Both the east and west parts of the Waterfront will be extensively developed in years to come. The increase in population and density along the Waterfront and in the City as a whole may justify two new ferry terminals.

Both sites are available now, so far as we know, but may be dedicated to other uses before long unless steps are taken soon to reserve them as ferry terminal sites. A window of opportunity is open now which may close.

Yours truly,
Ed Hore
Co-chair, YQNA

cc. by email to:
Pam McConnell, Councillor Ward 28,
Joe Cressy, Councillor Ward 20,
Paula Fletcher, Councillor Ward 30,
John Campbell, CEO Waterfront Toronto,
Chris Glaisek, VP Waterfront Toronto,
Geoff Wilson, CEO Ports Toronto,
Adam Vaughan, Member of Parliament Spadina Fort York
Han Dong, Member of Provincial Parliament Trinity Spadina.

The need for a second, and perhaps even a third, ferry terminal is now more urgent in light of the massive multi-year construction expected for the area immediately around the Jack Layton Ferry Terminal at Queens Quay and Bay Street. Impending

projects in that area will go on for years after 2025; they include the construction of the Queens Quay East LRT involving tunnelling under Bay Street and along Queen Quay from Union Station, a “portal” for the LRT to exit the tunnel immediately outside the existing ferry terminal, expansion of the underground Ferry Docks LRT station, rebuilding of the Jack Layton Ferry Terminal itself and adjacent park, construction of a 57 story office/conference centre tower at 11 Bay directly across the street from the existing ferry terminal, and, within a block, the tallest towers in the City now under construction at One Yonge, as well as the straightening of Harbour Street and reconfiguration of Lower Yonge.

It no longer makes sense to have only one island ferry terminal on the city side serving the Island. An ideal location for a second ferry terminal would be the existing terminal building at 8 Unwin at the Eastern Gap, built to accommodate the short-lived ferry to Rochester. The Ship Channel would also be a feasible site, as suggested at MUSFR p. 54. These lands were successfully used for ferrying vehicles in correction with the runway rebuild at the Island Airport in 2016 and 2017, as the MUSFR notes.

The Unwin area near the Eastern Gap is less congested than the foot of Bay Street. It has far more space available for parking. It is served by TTC buses down Cherry

Street. Allowing passengers to take the Island ferry from an alternative ferry terminal near the Eastern Gap would enable families travelling by car to park and unload when going on an excursion to the Island. Parking let alone stopping is difficult at the Jack Layton Ferry Terminal, even now, and will become virtually impossible as density increases and the above-referenced construction projects go forward. The objection at MUSFR p. 56 that such a new ferry terminal might not have sufficient passenger demand or be economically feasible should be revisited in light of the enormous construction projects described above that could render the Jack Layton Ferry Terminal virtually unusable for years.

Ferry demand will increase as more people live, work or play at or near the waterfront. The ferries from the new terminal might or might not go to all three Island ferry docks, and might or might not be the same large ferries that go from the Jack Layton ferry Terminal.

If a second ferry terminal of some kind is to be constructed for vehicles, as suggested in MUSFR, its design should not be limited to vehicles or preclude passenger service. The City should keep its options open.

It is necessary to begin planning, negotiations, and infrastructure build-out at Unwin Avenue for a second terminal in the near future, before construction around the existing Jack Layton ferry terminal restricts its use by large numbers of passengers. The Unwin location is owned by Ports Toronto, a federal entity, so negotiations may be complex.

A Cruise Liner Terminal at the foot of Yonge Street is a terrible idea

The Multi-user Pier (aka cruise liner terminal) proposed for the Yonge Street Slip at pages 71, 80 and 86 of the MUSFR is a terrible idea. Toronto already has “good infrastructure [for cruise liners] in place” (MUSFR, p. 71) at the former Rochester Ferry Terminal at the Eastern Gap. There is no need to move cruise ships to the centre of the downtown waterfront.

The proposed terminal would, it seems, be massive, to accommodate cruise liners as much as 220 metres long (MUSFR p. 71). It would include food and beverage and retail space, with possible lower level off-limits to the public for "vessel operations" i.e. warehouse space (MUSFR p. 80), a return to the Toronto industrial waterfront of decades past.

A cruise ship terminal would likely sit idle for ten months of the year; Toronto has limits on its appeal as a cruise ship destination due to its climate. Restaurants and retail can better be accommodated on the retail ground floor of the many condo and business towers going up nearby.

If buses must come to the proposed terminal to pick up cruise liner tourists, as noted in MUSFR p. 86, why not have tourists board buses at the former Rochester terminal at the Eastern Gap, as presumably happens now? They can come to Queens Quay for a stroll and to enjoy the restaurants and shops – a cheaper way to bring tourist dollars to the waterfront than building a cruise liner on Queens Quay for \$45 million (the estimated cost according to MUSFR p. 80).

It is unclear what business benefits this huge building would bring. Cruise line operators are already "satisfied with the service they receive when visiting Toronto" (p. 71). Does Toronto miss out on cruise ship traffic now due to lack of such a terminal? Likely the answer is that most or all Lake Ontario cruise liners come to Toronto already.

Building such a huge structure amounts to paving over much of the Yonge Street slip. The waterfront slips, including and perhaps especially the Yonge Slip at the

foot of Toronto's main street, are invaluable assets of the city. There will always be calls to fill them in and extend the city into the Lake. Such calls should always be opposed.

The cruise liner terminal would be another obstacle for those walking along the waterfront, like the Redpath Sugar Refinery. Yet everyone agrees people should be able to walk from one end of the harbour to the other. Adding a huge new obstacle is a move in the wrong direction.

Allocating space to this structure would be a waste a lot of dock wall, a scarce resource. The MUSFR notes the "shortage of dockwall length, marina slips and waterfront access for recreational uses" (p. 65).

I believe public opposition to this structure, if seriously proposed, will be prolonged and intense.

More safety ladders up the dockwalls are needed

The MUSFR mentions Safety at p. 98. It notes correctly more and better safety ladders up the dock walls are necessary at p. 36.

Ports Toronto should be commended for putting sturdy safety ladders along the south wall of the Western Gap recently, but in many other places around the Harbour safety ladders are in poor repair or completely absent. As the dockwalls may be six or eight feet high, this can be a matter of life or death for someone unexpectedly in the water for whatever reason.

Waters Edge Ownership Map should include Wards Island

The Management section of the MUSFR makes a recommendation at page 96 to “Verify Ownership & Maintenance Responsibilities” by establishing a committee to identify the resources needed to sort out jurisdictional and ownership confusion on the Waterfront, ultimately resulting in a Waters Edge Ownership Map. Due to jurisdictional confusion and neglect, the dockwall caps and cribs are often in need of significant rehabilitation; the MUSFR at p. 97 recommends a coordinated approach to repair and maintenance. This is certainly needed.

The geographic scope of this project should include the east end of Ward's Island, an area with particularly confused ownership issues which have led to unsafe conditions.

The dilapidated cap and crib concrete seawall on the Island side of the Eastern Gap used to extend hundreds of metres into the harbour. It was in a total state of collapse, yet the public, including children, were often seen walking or running on it. The seawall was removed by Ports Toronto in 2019, in response I believe to safety concerns raised by me. The seawall, built in the nineteenth century, had reached this dangerous poor condition because it was unclear which government agency, if any, was responsible for maintaining it, so it was not maintained at all.

Other dilapidated dock walls remain at the East end of the Island and seem equally dangerous. So far as I know, the current Toronto Island Master Plan project will not attempt to resolve the jurisdictional issues that have led to this deterioration.

A Noise Control Regime for Toronto Harbour should be considered

No mention is made of noise or sound problems in the MUSFR. There have been many problems on the Harbour with loud music from party boats and waters-edge nightclubs, and other noise sources. I dealt continually with various noise concerns from various sources when I was co-chair of the York Quay Neighbourhood Association.

I represented (YQNA) in administrative litigation regarding amplified music at Rebel nightclub and the adjacent Cabana Pool Bar on Unwin Avenue on the harbour's east sea wall. The License Appeal Tribunal found the Toronto Islanders suffered stress over the years because of noise from the nightclub. Such noise will affect more city-side residents as more move in nearby.

<https://www.canlii.org/en/on/onlat/doc/2018/2018canlii79631/2018canlii79631.html?autocompleteStr=Powerhouse&autocompletePos=1>. The nightclub's appeal to the Ontario Divisional Court will be heard on March 24, 2021.

The Harbour is especially susceptible to noise problems due to the carrying power of amplified music and other noise over water. These problems will grow as more people live on the waterfront, and are impacted by music on or over the water, and as on-water or shoreline activities increase that potentially generate noise.

Thought should be given to developing a noise control regime for Toronto Harbour.

Part 2: Kayaks and Canoes

The report recognizes that paddling is important, and that's great!

I have been a kayaker on the Toronto waterfront for around 20 years. I'm a kayak instructor, and give guided tours in the summer, so I have some expertise in this area.

The MUSFR has many positive things to say about canoes and kayaks, as well as lots of photographs of them (eg pages 46, 50, 70 and 71). That is welcome!

Waterfront Toronto has repeatedly said it wants to promote the use of canoes and kayaks on the waterfront. I hope this applies also to other kinds of paddle craft such as outrigger canoes, stand-up paddleboards, dragon boats and surfskis, as well as rowing. All these have their enthusiasts on the Toronto Waterfront. My comments below apply to all paddlesports, even where I just mention canoes and kayaks.

Happily, the MUSFR recognizes that lack of storage is a problem: Under the heading "Storage Space on the Waterfront", it notes that paddlers and rowers are concerned that "there is very limited storage space available to store a canoe or

kayak” and that “storing a kayak or canoe near the waterfront is necessary in order to use it frequently.” (p. 37)

This is true. Just as sailing boats need mooring, kayaks and canoes (and to some extent SUPS) need storage near the water, and some kind of launch spot, such as a ramp, beach, or low dock.

I am concerned this might be forgotten as planning of the waterfront goes forward, for example at Villiers Island and the Parliament Street Slip.

“Launch sites” are not enough. Kayaks and canoes can of course be brought down to the water on the roof of a car or truck, and then launched. Existing places to do this on our waterfront are probably sufficient. Cherry Beach is a great place to park and launch for those who have storage in their backyard or garage for a small boat and can carry it to the lake by car. But many people in Toronto can’t do that. Storage by the water is therefore vital, yet in short supply.

The MUSFR also notes the growing number of paddlers on the waterfront: The “amount of small boat recreational users (i.e. people canoeing and kayaking) is

expected to increase over time.” (MUSFR p. 71). Paddle sports have grown rapidly in recent years. Hardly anyone seemed to be doing it twenty years ago.

A bar chart at page 30 of the MUSFR, Figure 2.3 (unfortunately mislabelled “Figure 2.1 Cargo Handling in the Port of Toronto”), shows that the number of people canoeing, kayaking and rowing on Toronto harbour in 2020 was around 88,000, almost equal to the number of people in powerboats or sailboats (100,000). Yet the shoreline along Toronto’s waterfront devoted to mooring sailboats and powerboats vastly exceeds the tiny space allocated now to storing paddlecraft.

Waterfront Toronto is right in wanting to encourage paddlesports. Due to lower costs, paddling can probably be said to give more people access to the water than does sailing or powerboats, which may require a sizable investment in a boat and marina slip or club.

The MUSFR makes three recommendations about canoes and kayaks:

1. Villiers Island: Accommodating the growth in paddling (by, for example, providing more on-shore storage) “is only possible to a certain extent”, and should wait until Villiers Island is built in 2024 – where it claims “ample opportunities are

already being created to meet this demand” (MUSFR pp. 71, 82). As discussed below, it is far from clear Villiers Island will in fact fill this need.

2. Infrastructure needs: Water-access points for kayaks and canoes should be near roads and public transit, with parking and onshore storage (MUSFR p. 71). This is correct – but will it happen? The space planned for canoes, kayaks and SUPS at Villiers Island, known as Canoe Cove, may it seems have neither parking nor storage, and may be too small to be practical.

3. Kayak or canoe sharing: There may be opportunities “to introduce kayak or canoe sharing” similar to bike sharing “at various places alongside the water”, so people won’t have to bring their own equipment, allowing some form of “island hopping” says the MUSFR at p.71. This is an interesting idea, but raises safety concerns.

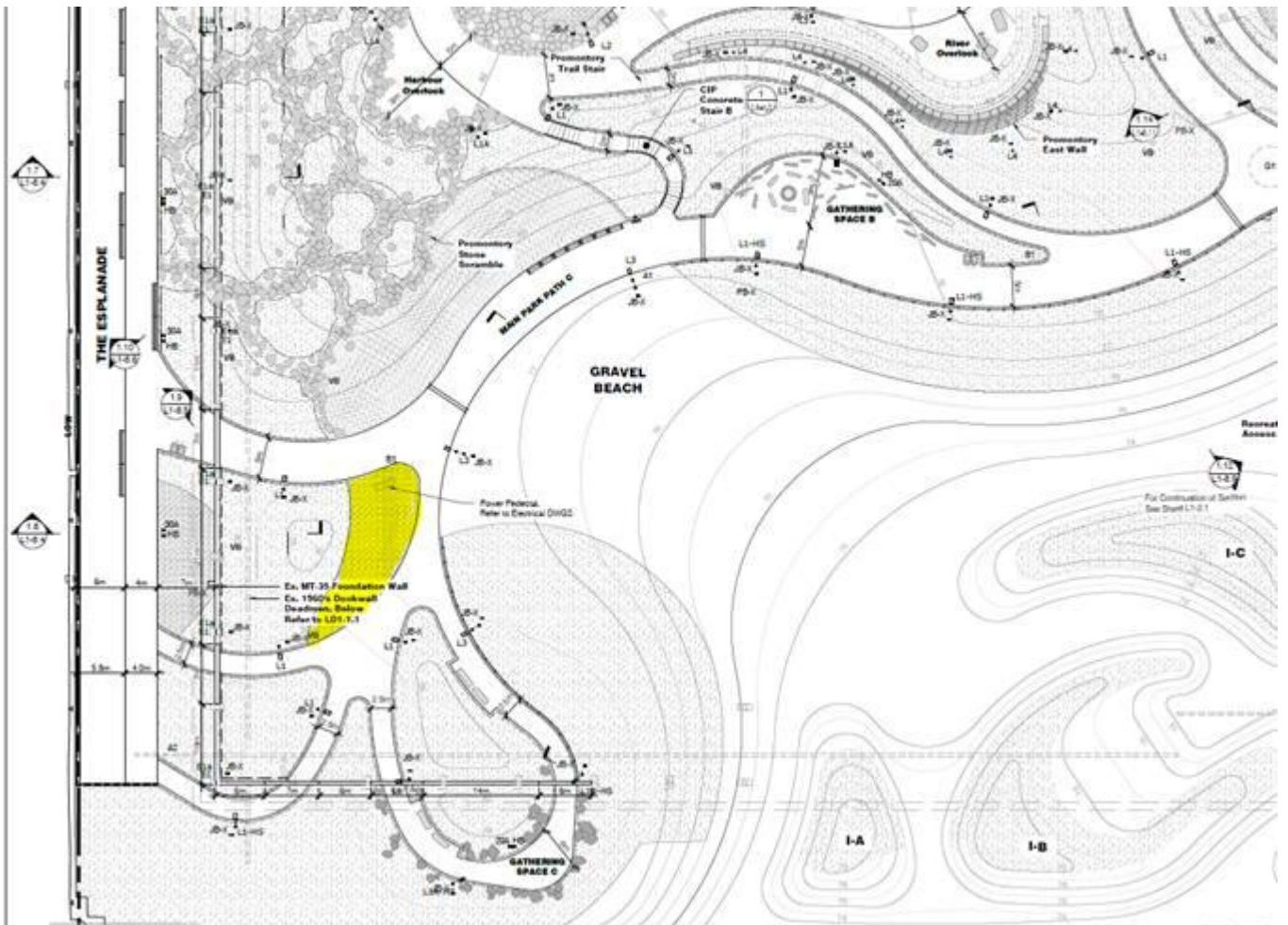
I comment on each point below.

1. Villiers Island

In an email dated December 16, 2020, Mira Shenker of Waterfront Toronto told me that the proposed “park programming [for future Villiers Island] identifies a

number of docking locations for waterborne transportation, fishing nodes and launching facilities and on-store storage areas.” Ms. Shenker added “the PLFP team has strongly embraced recreational boating in the design: there is a location where an outfitter could operate and there is nothing that would preclude the storage from being added in the future.”

When I asked where this proposed storage area was, Ms. Shenker in an email dated December 19, 2020, sent me the map below showing a semi-circular area marked in yellow near future Canoe Cove which seems to me to be too small and far too removed from road access and parking to be practical for kayak and canoe storage or use as a paddling facility.



Another concern is that the MUSFR says that a "rigid safety system" is necessary for Canoe Cove - due to the proximity, it says, of industrial users (p. 84).

This seems unduly restrictive. No such "rigid safety plan" exists now, yet paddlers have been using harbour safely in co-existence with industrial users for decades.

The MUSFR says a Working Group will develop the “New Don Mouth Boating Management Strategy” i.e. the aforementioned “rigid safety system”, and recommends organizations that would be on the Working Group. No paddling representative is mentioned, but there should of course be one.

It would be most regrettable if the proposed Canoe Cove facility at Villiers Island, assuming enough land was allocated to allow it to exist, amounted to allowing canoes and kayaks only within some tiny enclosed area or subject to unduly restrictive rules.

People should be able to paddle over to Toronto Island, and all around the Inner and Outer Harbour, as they have always done. The MUSFR notes the potential of the “island and lagoons” as a selling point when promoting Toronto as a waterfront destination at p. 88, but refers to the lagoons only as a “sailing destination”. In fact the lagoons are best seen, and in many cases can *only* be seen, from a canoe or kayak. That’s how thousands of visitors visit them every year. I conduct kayak tours in the summer; visitors are stunned by the beauty of the lagoons, and the views they offer.

The Parliament Slip, as suggested at MUSFR p. 83, is well worth considering as an additional location for rentals and water-access for canoes and kayaks. A recent document “Backgrounder: Parliament Slip” released by Waterfront Toronto in March, 2021, suggests the Parliament slip could be used for kayaking and boating among others things and proposes a “canoe/kayak launch” but seemingly without contemplating parking or storage, meaning such a launch might not be usable in practice. The Harbour Square Park Basin (although small), mentioned in the MUSFR p. 78 may also be worth considering but has the same drawbacks.

2. Paddling Infrastructure

It is excellent that the MUSFR outlines some necessary features of a storage facility for canoes and kayaks such as road access and storage space for boats at page 71.

As noted above, the proposed space at Canoe Cove shown in the plans for Villiers Island does not seem to meet the recommendation in the MUSFR; it has no road access, and seems too small for kayak and canoe storage.

It should be noted that space for kayak and canoe storage need not occupy valuable and scarce real estate *on land*. The storage racks at HCKC are on floating docks.

Many examples can be found around the world of floating paddling facilities (Denmark in particular has some excellent examples).

The MUSFR says at page 41 that indigenous peoples recommend educational opportunities "on how to use kayaks and other non-motorized boats in the inner harbour". Yet water-safety and paddling education facilities are not mentioned or recommended anywhere else in the report. The MUSFR should recommend that resources be devoted to water safety education on Toronto's waterfront.

A paddle sport-oriented building with an office and teaching spaces for paddling and small boat instruction should be considered. The MUSFR "is meant to be aspirational" (MUSFR, Executive Summary); we should aspire to have a paddle sport facility! Examples of urban paddle sport buildings exist in many urban centres around the world.

Another infrastructure requirement that should be listed is berthing for one or more motorized safety boats (likely, pontoon boats) for reasons explained below.

3. Canoe and kayak sharing

“Sharing” of canoes and kayaks, suggested at MUSFR page 71, i.e. making canoes and kayaks available for people to borrow without supervision, raises some safety concerns. The situation is not the same as bike sharing. Almost everyone knows how to ride a bike, but not necessarily how to paddle a kayak or canoe, how to deal with winds or waves, how essential it is to wear a life jacket and so on.

Canoe and kayak “sharing” creates different challenges from on-shore canoe and kayak storage where people keep a kayak or canoe that they own. People who own a kayak or canoe can be presumed to have some level of knowledge of water safety. Making kayak and canoes available to people with no experience, however, requires education and supervision.

Harbourfront Canoe and Kayak Centre (HCKC) is a good template

HCKC, at the Reese Street Slip, though not lavish, has evolved practices over 35 years that make it popular, successful, and safe, both for locals and visitors. It is a template for future canoe and kayak facilities because it works so well.

HCKC rents kayaks to beginners on nice summer days. It also provides necessary supervision. The staff of HCKC ensure that renters wear a life jacket, get basic

instruction, and that beginners start in tandem kayaks, more stable than single-seaters.

After receiving this basic but essential preparation, beginner renters typically paddle safely across the harbour to the Toronto Island lagoons. They do so safely because HCKC is unobtrusively supervising; it has three pontoon boats to pick up paddlers in an emergency, or to ferry paddlers to the calm Island waterways which are safer for inexperienced paddlers on rough days, and more appropriate for stand-up paddle boards. (Thus, the need for such safety boats at Canoe Cove on Villiers Island, noted above.)

HCKC also makes judgement calls about when rentals must be suspended due to bad weather. It offers classes and Paddle Canada certifications, and runs paddling summer camps for kids. There are many experienced paddlers around HCKC who use the storage facilities to keep their kayaks. All of this creates a general culture of education and respect for water safety at HCKC that has worked well for decades.

Safety issues re canoes and kayaks and other paddlecraft

The final version of the MUSFR includes a section “Non-motorized Recreational Use (Kayaks, Canoes, Swimmers)” at p. 36, not found in the previous draft, which recognises that the increasing amount of motorized vessel traffic in the Inner and Outer Harbour at times results in unsafe conditions for kayakers, canoers and (in the Outer Harbour) swimmers. This is a welcome addition.

A safety problem arises in the summer because there are so many boats, of different sizes, going at different speeds (and sometimes at excessive speed, as noted below), everywhere on the Harbour, but in particular in the heavily trafficked waters going around the Marine Exclusion Zone (MEZ) at the end of the airport runways. The MUSFR may make this worse; it seems to call for more motorized boat traffic in general on the Harbour (for example, by adding “seabuses, see p. 56).

One suggestion, proposed by HCKC, is a narrow “paddlers lane” which would go through the MEZ. Only kayaks and canoes could go through it. This would alleviate the danger that arises from kayaks and canoes, bigger power boats, ferries, party boats etc going around the white buoys all mixed together, leading to

unsafe interactions between different sized vessels. Details of this suggestion can be obtained from Dave Corrigan of HCKC.

Another suggestion is to reconsider the speed limits in Toronto Harbour. Speed limits are needed for many obvious reasons, but are particularly vital to kayaks, canoes and small boats, because large wakes can be dangerous for paddlers, especially when wakes bounce off the dock walls in narrow waters such as those at the Eastern and Western Gaps.

The speed limits on the Harbour are seem too high and too complicated. They are 5 knots (10 km/hr) if within 150 feet of any shoreline or breakwater, and 10 knots beyond (20km/hr), see *Ports Toronto Port and Harbour Practices*, sections 14 to 16. Ten km/hr is fast enough to produce big and dangerous wakes in the Eastern and Western Gaps, even assuming the speed limit is adhered to.

Unfortunately, the speed limits, high as they are, are often ignored; the two-level speed limit is difficult to remember. Signs as to the speed limits are almost non-existent. They should be large and prominent. I suggest large signs at both Gaps that say “Slow Down! No wake!”

The Harbour speed limits may have been developed years ago before the Harbour was busy as it is now. To know what the speed limits are, you have to have taken, and remember, the Ports Toronto Power Vessels Operator course. I've taken the course, but despite being out on the Harbour in a boat frequently, couldn't remember what the speed limits are when writing this; I had to look them up. Visiting boaters are likely completely unaware of the speed limits.

There are also problems with reckless behaviour by power boats and especially jet skis. More enforcement is needed as to speed limits and reckless boating that endangers others.