



Policy on Water-Based Activities in Marine and Riverine Recreational Areas

Government of Jamaica
March, 2025

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MINISTRY OF TOURISM

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Abbreviations and Acronyms

CMU	Caribbean Maritime University
CPR	Cardiopulmonary Resuscitation
ISPS	International Ship and Port Facility Security
JCA	Jamaica Customs Agency
JCF	Jamaica Constabulary Force
JDF	Jamaica Defence Force
JHTA	Jamaica Hotel and Tourist Association
JTB	Jamaica Tourist Board
JSPEV	Jamaica Social Policy Evaluation
LBS	Land Based Sources
MAJ	Maritime Authority of Jamaica
MDAs	Ministries Departments and Agencies
MT	Ministry of Tourism
NDP	National Development Plan
NEPA	National Environment and Planning Agency
NFA	National Fisheries Authority
NIC	National Irrigation Commission
NRCA	Natural Resources Conservation Authority
PAJ	Port Authority of Jamaica
PSRA	Private Security Regulation Authority
PWC	Personal Water Craft
RRA	River Rafting Authority
SCUBA	Self-Contained Underwater Breathing Apparatus
SOLAS	Safety of Life at Sea
SPAW	Specially Protected Areas and Wildlife
TPDCo	Tourism Product Development Company
UNWTO	United Nations World Tourism Organization
USAID	United States Agency for International Development
WCR	Wider Caribbean Region

Preface

The Ministry of Tourism (MT) and its key stakeholder partners has been concerned with the health, safety and operational aspects of the management of water-based recreational activities in the marine and riverine environment for many years. The Ministry recognizes the importance of a safe healthy natural environment that facilitates the growth and expansion of the water sports subsector. The Ministry has partnered with several key policy, regulatory and private entities to develop strategies and guidelines to effectively regulate and manage water sports activities in the marine and riverine environments.

This ***Policy on Water-Based Activities in Marine and Riverine Recreational Areas*** in Jamaica addresses four (4) key policy areas: Safety, Governance, Enforcement, and Environmental Management. These policy areas establish the foundation upon which the management of the commercial water sports sub-sector is prefaced. The Policy will ensure that all stakeholders work together to effectively implement the strategic actions surrounding environmental health, marine and river safety, and adequate governance and enforcement at the highest standards.

Acknowledgements

The Ministry of Tourism wishes to express its gratitude and appreciation to all those whose efforts made possible the ***Policy on Water-Based Activities in Marine and Riverine Recreational Areas*** in Jamaica. Specifically, the members of the Policy Steering Committee who provided expert technical input through advice and resources in the development and review of the Policy document. The contributions of the internal team from the Ministry of Tourism and its public bodies, particularly the Tourism Product Development Company, the Jamaica Tourist Board, and the Tourism Enhancement Fund to the development of the Policy is greatly appreciated.

Executive Summary

The Policy on *Water-Based Activities in Marine and Riverine Recreational Areas* (“Water Sports Policy” or “Policy”) establishes a framework for the development of water based recreational activities in Jamaica. The Policy aims to streamline the operational and regulatory requirements of the commercial water sports sub-sector in the marine and riverine recreational areas of Jamaica. Since most of these areas are located in ecologically sensitive and fragile zones, the Policy places emphasis on the sustainability and ecological significance of these areas through conservation, preservation and proper management.

The vision of the Policy is: *“improved management of Motorised and non-Motorised commercial water sports towards a safe, healthy and productive environment with modern infrastructure and highly trained professionals.”* The Policy seeks to promote the need to sustain an economically viable, safe and healthy water sports sub-sector. It recognizes the unique opportunities that exist for growth and development through capacity building, training and public awareness. It also recognizes the extent to which enforcement and regulatory requirements play a pivotal role in the advancement of the water sports sub-sector.

One specific objective of the Policy is to provide the framework for an inter-sectoral management of the commercial water sports sub-sector to ensure environmental health, marine and river safety, and adequate enforcement at the highest standards. The objectives of the Policy seek to achieve an enhanced visitor experience through the expansion of water sports opportunities in a safe healthy environment. As such, the Policy underscores the need for Safety, Governance, Enforcement, Environmental Management, Training and Education. This ensures that the Policy will minimize environmental impacts; reduce user conflicts in marine areas and on rivers; improve the processing of applications; reduce accidents in the marine environment; expand the sector; and improve the visitor experience.

The issue of Personal Water-Crafts (PWCs) (Jet Skis) has been a long-standing issue in the Water Sports sub-sector. There is a general lack of support for commercial PWC operations from some tourism stakeholders across the island. This rejection of PWCs is largely due to the high level of risk for accidents and the potential legal liability associated with the activity. The Ministry of Tourism has continued to uphold the decisions taken by Cabinet in 2013 and 2014 to indefinitely suspend the importation and commercial operation of PWCs across the island, until all the necessary measures are put in place. Therefore, this Policy does not address the formalisation of commercial PWC activities in Jamaica in its current iteration.

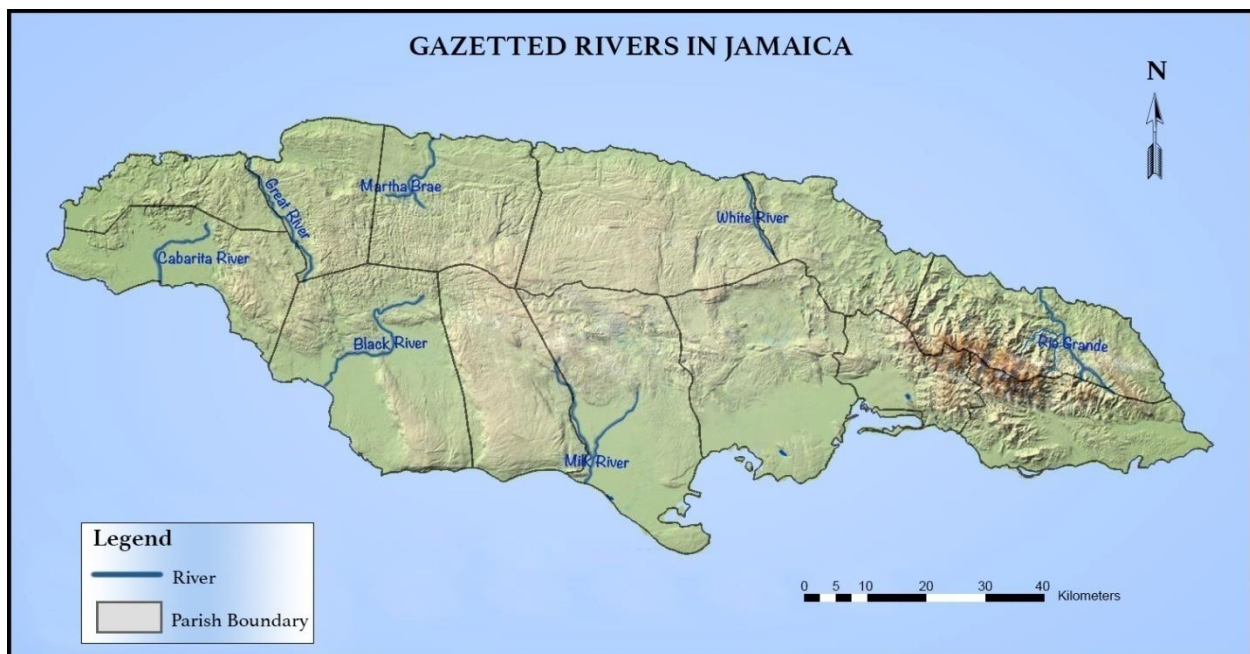
1. Introduction & Background

Recreational water sports activities are an important part of Jamaica's tourism product and need to be developed in harmony with the preservation of the environment while recognizing its significance in contributing to Jamaica's competitive advantage as a tourism destination.

Marine water sports activities are more widespread in scale and scope than the river-based water sports activities. Marine activities are conducted predominantly in the major tourism Destination Areas of Ocho Rios, Montego Bay and Negril. In addition to these areas, other newly emerging tourism areas around the island have seen a gradual increase in Motorised and non-Motorised water-based leisure activities.

The types of marine based water sports available may vary from area to area depending on: the depth of water; availability of, and curvature of the beach and coastline; presence of natural resources (including coral reefs and seagrass); declared protected areas; and the presence of hotels.

River-based water sports on the other hand include traditional bamboo rafting, white water rafting, tubing, eco boat tours, and general leisure activities. These are primarily conducted on the seven rivers that are gazetted for recreational use under the River Rafting Act. These rivers are: Rio Grande - Portland; Martha Brae - Trelawny; Great River - St. James; White River - St. Ann/St. Mary; Cabarita River - Westmoreland; Black River - St. Elizabeth; and Milk River - Clarendon.



Source: Ministry of Tourism

Water Sports services have become almost synonymous with the tourism product and are important sources of revenue for companies and individuals alike. Guidelines for use of Motorised and non-Motorised vessels, carrying capacity of marine and riverine areas, safety, monitoring and enforcement activities, ecological and environmental issues, are among some of the factors that concern private or public water sports operations. To this end, the MT recognizes the need to streamline and integrate the management of Motorised and non-Motorised water-based leisure sports in marine and riverine recreational areas due to the multiplicity of issues faced by that sector.

1.1. POLICY RATIONALE

1. Growth of water sports as a sub-sector from which significant income is generated necessitates the development of clear policies and guidelines for management and regulation of the industry.
2. The need for managing and regulating the related operational and safety requirements associated with the growing water sports sub-sector.
3. The associated ecological and environmental concerns given the aquatic and nature-based context of the industry and the need to manage activities in sensitive and protected areas, including fishing habitats.

The need to streamline the operational and regulatory framework governing all water-based leisure sports is necessary since the marine and riverine recreational areas of Jamaica are located in ecologically sensitive/fragile zones, most of which have been declared Marine Parks, Protected Areas or fish sanctuaries and habitats, including areas used for aquaculture. These areas are of economic and ecological significance and therefore safety and environmental concerns are central to their preservation and management as well as to the operations of all water-based leisure sports.

The sea and rivers are essential components of Jamaica's tourism product and have contributed to the growth and success of the tourism industry. The marine and riverine environment of Jamaica is not homogenous, and as a result, each river system has its own unique quality, which allows it to provide varying recreational experiences for Jamaicans and visitors. For instance, these water systems provide recreational water sports experiences ranging from tranquil, nature-based tourism to high energy, adventure type tourism.

1.2. DEFINITION OF WATER SPORTS

The Policy on *Water-Based Activities in Marine and Riverine Recreational Areas* is based on a comprehensive assessment of water-based leisure sporting activities in marine and riverine environments. These environments are also declared by law under the Fisheries Act (2018), as Fisheries Waters. Water Sports is defined in the Tourist Board Act of 1955 as "... scuba diving, water skiing, jet skiing, parasailing, sunfish sailing, boat excursions, snorkelling and such other sports activities as the Minister may by order declare to be water sports for the purposes of this Act." This definition was expanded to include aqua biking and wet biking by the Tourist Board

(Water Sports) Order, 1985. The current definition is inadequate as it only covers activities but does not indicate where the activities take place. The Policy has proposed a wider definition for Water Sports as follows: **Water Sports means any type of recreational activity in, on, or under the water.**” The Policy is also mindful of the possibility of conflicts with other pieces of legislation that manage and govern these marine and riverine environments. The definitions listed below examine the various dimensions of water sport that are addressed in this Policy.

1.2.1. Marine Water Sports

Marine water sports can be defined as those types of marine recreational activities that *take place in, on, or under the water seaward of the foreshore*. These activities can be Motorised or non-Motorised, and include, but are not limited to the following: parasailing, snorkelling, sport fishing, scuba diving, jet skiing, kayaking, paddle boarding wind surfing, among others.

1.2.2. Riverine Water Sports

Riverine-based water sports include types of recreational activities that *take place in, on, or under the river, lake, pond, blue hole, lagoon or wetland*. Such activities can be Motorised or non-Motorised leisure activities, and include, but are not limited to the following: bamboo rafting, white water rafting, waterfall climbing, eco boat tours, tubing, and kayaking, among others.

1.2.3. Motorised Water-Based Activities

Motorised water-based activities include activities that *take place in, on, or under the water that involve the use of a vessel or craft with either an inboard or outboard motor or engine as the primary power source*. Such activities include but are not limited to: jet skiing, water skiing, parasailing, power boating, among others. Motorised vessels are generally registered and will hold both a Certificate of Registration and a Maritime Safety Certificate from the Maritime Authority of Jamaica (MAJ).

For the purposes of this Policy, the term ‘Maritime Safety Certificate’ refers to the Small Vessel Safety Inspection Certificate issued by the MAJ.

1.2.4. Non-motorised Water-Based Activities

Non-motorised water-based activities include activities that *take place in, on, or under the water that do not include a vessel with an engine*. Such activities include, but are not limited to: surfing, windsurfing, snorkelling, kite surfing, among others. Non-motorised vessels are issued with a Maritime Safety Certificate from the MAJ.

1.2.5. Commercial Water Sports

Commercial Water Sports involve those water sports activities that are provided for trade or hire. A Jamaica Tourist Board (JTB) Water Sports Operator’s licence is required to provide these services to the public for trade or hire. All vessels used for commercial water sports activities are required to hold a Certificate of Registration which proves ownership, as well as a Maritime Safety Certificate issued by the MAJ. Operators of commercial vessels are also required to hold a Certificate of Competency issued by the MAJ.

1.2.6. Private Water Sports

Non-commercial or Private Water Sports involve activities that are conducted by persons for their own personal pleasure and recreation with their private water sports vessels. Private activities do not require a JTB Water Sports Operator's licence but any vessel used requires a Maritime Safety Certificate issued by the MAJ. Private water sports activities also include those activities regulated by the National Fisheries Authority (NFA) such as sport fishing. Private Water Sports Activities are not provided for trade or hire.

1.2.7. Illegal Water Sports

Private operators who conduct any Water Sports activity for trade or hire without a valid JTB Water Sports Operator's licence, are considered to be operating illegally. Commercial operators who operate a vessel without a valid certificate from the MAJ or the JTB are also considered to be operating illegally. Additionally, commercial operators conducting or facilitating recreational fishing activities without the appropriate licence, authorisation, or permit for the vessel and the person performing the recreational fishing activity without the appropriate licence, authorisation, or permit are considered to be operating illegally.

1.2.8. Personal Water Craft (PWC)

As defined in the Customs (Import Prohibition) (Personal Water Crafts) Order, 2021, Personal Water Craft means, "a vessel that- (a) is less than four metres in length that uses an internal combustion engine to power a water-jet pump as its primary source of propulsion; and (b) is designed to be operated by a person who is sitting, standing or kneeling on the vessel and not within the confines of the hull." For the purposes of this Policy, PWCs refer to Jet Skis.

1.3. HISTORICAL CONTEXT

1.3.1. Carrying Capacity and Operational Safety

The carrying capacity of the water sports sector and operational safety concerns have been among the primary considerations for stakeholders in the sector. Other concerns have included broader governance, regulatory, enforcement, environmental management, insurance among others.

The MT, the MAJ, the JTB, the NFA, the Tourism Product Development Company (TPDCo), some members of the tourism trade associations such as the Jamaica Hotel and Tourist Association (JHTA), and civil society have over the years expressed concern about the number of marine accidents that occur in marine and riverine recreational areas. Some of these incidents have resulted in fatalities, serious injuries, damage to vessels and port infrastructure, oil spills, and death of marine life and habitats.

Prior to 2000, several efforts were made by TPDCo to improve Water Sports operations in the major tourism destination areas. In 1989 and 1991, the MT was unsuccessful in seeking Cabinet's support to ban commercial recreational PWC operations in Jamaica. This led to the employment of a number of remedial measures which had limited success. Some of these measures included:

- Limiting the number of operators and equipment in Negril and Ocho Rios
- Providing clearly demarcated areas for the conduct of the operations

- Appointing water sports officers for both Ocho Rios and Negril
- The provision of rescue boats by operators
- Providing police patrols for the areas

Solicitation and harassment by legal and illegal PWC operators were at uncontrollable levels; and there was overcrowding taking place in the marine recreational area of Negril's Seven-Mile Beach and at the Ocho Rios Bay Beach. As a result, in 1995 the MT imposed a moratorium to regulate Water Sports operations along the Seven-Mile Beach in Negril, the Ocho Rios Bay Beach and on the Black River. The Moratorium only pertained to the imposition of restrictions on commercial water sport crafts as per the conditions to regulate vessels under the Tourist Board (Water Sports) Regulations (1985).

In 2013 and 2014, two major PWC accidents occurred in Ocho Rios and Negril respectively. The accident in Ocho Rios resulted in the death of a child and serious injury to four persons, while the accident in Negril resulted in serious injury to one person. The Negril incident was associated with an illegally operated vessel. As a result of these two accidents, the MT established a joint inter-sectoral Task Force comprising key regulatory and enforcement agencies to address the issue of PWCs.

By way of Cabinet Decision No. 35/13 dated October 7, 2013, a number of short-term measures to oversee the management and control of PWC operations in marine recreational areas were approved. These included:

- The imposition of a suspension on the importation of PWCs.
- A joint clamp down enforcement operation in Negril and Ocho Rios
- Strengthening the enforcement and operational capacity of the Marine Police through the acquisition of vessels and spare parts
- Installation of buoys and markers in Ocho Rios and Negril for expanding the recommended zoning areas
- Implementing a registration system for commercial and private operators
- Recommendations to reopen private PWC operations

1.3.2. The Moratorium

The moratorium instituted in 1995 is the temporary suspension of commercial water sports activities in Negril, Ocho Rios and Black River. There are two distinct types of moratoria that exist in Jamaica. The first being a moratorium on all forms of boating activities in specific areas across the island; and the second being a moratorium on PWCs for the entire island of Jamaica.

In 1995, the JTB imposed the moratorium on all boating activities in specific water sports areas across Jamaica where the number of vessels operating in these areas was capped. This was imposed against the background of overuse and environmental impacts resulting from over capacity. The moratorium was imposed following several failed attempts to regulate Water Sports Operations in these areas. The conditions of the moratorium were not intended to be draconian or heavy-handed, but rather were intended to maintain order within the Government's ability to control, until

necessary steps were put in place to better manage the sector. Since the moratorium, the growth of the marine water sports sub-sector has been constrained in these areas.

For Negril and Ocho Rios the following conditions were imposed:

1. Moratorium on PWC operations
 - a. Only eight (8) PWC operations were allowed.
 - i. This was to curtail environmental pollution, noise pollution, undisciplined operators
 - b. Each operator was limited to two (2) licensed PWCs - Ocho Rios
 - c. Each operator was limited to six (6) licensed PWCs - Negril
2. No other new Water Sports licences were to be issued with the exception of a new hotel accommodation until a carrying capacity study was completed and recommendations on the number of operations submitted.
3. No new Water Sports craft would be licensed unless they were replacing vessels previously licensed.

For the Black River area*:

- a. A moratorium was imposed on the number of vessels allowed on the river.
- b. Based on the recommendations from a carrying capacity study that was conducted on the Black River
 - i. Three (3) JTB licensed operators and
 - ii. Twelve (12) individual small boat operations were allowed to operate in order to have the community involved in the product.

* The conditions of the moratorium for Black River were revised in 2018. **See Appendix VI**

2. Situational Analysis

2.1. LEGISLATIVE FRAMEWORK

Marine and riverine recreational operations are currently governed by over thirty pieces of legislation. Each piece of legislation provides for the issuing of licences, permits and certification from different regulatory agencies. This in itself is a major issue faced by water sports operators.

The following pieces of legislation, govern the water sports sub-sector:

- The Tourist Board Act (1955)
- The Tourist Board (Water Sports) Regulations (1985)
- The River Rafting Act (1970)
- The Shipping Act (1998)
- The Shipping (Training, Certification, Safe Manning, Hours of Work and Watch Keeping) Regulations (1998)
- The Harbours Act (1874)
- The Harbour Rules (1971)
- The Beach Control Act (1956)
- The Beach Control (Protected Area) (Ocho Rios) Order (1966)
- The Beach Control (Safety Measures) Regulations (2006)
- The Beach Control (Licensing) (Amendment) Regulations (2015)
- The National Solid Waste Management Act (2002)
- The Natural Resources Conservation Authority Act (1991)
- The Natural Resources (Marine Parks) Regulations (1992)
- The Natural Resources (Montego Bay Marine Park) Order (1992)
- The Natural Resources (Negril Marine Park) Order (1998)
- The Natural Resources (National Parks) Regulations (1993)
- The Natural Resources Conservation (Permits and Licences) (Amendment) Regulations (2015)
- The Public Health Act (1985)
- The Public Health (Tourist Establishments) Regulations (2000)
- The Public Health (Nuisance) Regulations (1995)
- The Customs Act (1941)
- The Trade Act (1955)
- The Fisheries Act (2018)
- The Irrigation Act (1949)
- The Fishing Industry Regulations (1976)
- The Watersheds Protection Act (1963)
- The Water Resources Act (1995)
- The Jamaica National Heritage Trust Act (1985)

2.2. LINKAGES WITH OTHER POLICES

The Policy on *Water-Based Activities in Marine and Riverine Recreational Areas* is a crucial initiative in the effort to promote sound environmental management and protection of the rivers and marine environment as well as sustainable development of tourism. There is a direct link to other policies and initiatives governing the sustainable use of coastal resources.

The Policy is linked to a number of other Government Legislation, Policies and Programmes governing the tourism sector, environmental management and protection, as well the wise use of coastal, marine and riverine resources.

Key National Policies

- The Master Plan for Sustainable Tourism Development (2002)
- Draft Destination Assurance Framework and Strategy (2022)
- Draft Beach Access and Management Policy (2018, revised 2020)
- National Policy on Ocean and Coastal Zone Management (2000)
- Watersheds Policy for Jamaica (2023)
- National Water Sector Policy and Implementation Plan (2019)
- Forest Policy for Jamaica (2016)
- Overarching Policy for Jamaica's Protected Areas System (2023) National Strategy and Action Plan on Biodiversity in Jamaica
- National Policy on Environmental Management Systems (2017)
- Jamaica Social Policy Evaluation (JASPEV) (2002)
- Climate Change Policy Framework for Jamaica (2023)
- Public Sector Modernization Vision and Strategy 2002-2012: Ministry Paper 56 (2002)

National Development Framework

- Vision 2030 National Development Plan (2009)

Regional Policies

- Caribbean Regional Sustainable Tourism Policy Framework

Multi-lateral Agreements and Arrangements

- Sustainable Development Goals
- Agenda 21 for the Travel and Tourism Sector (1995)
- Global Code of Ethics for Tourism
- The International Ship and Port Facility Security (ISPS) Code
- The Convention for the Protection and Development of the Marine Environment in the Wider Caribbean Region (Cartagena Convention)
 - The Protocol Concerning Co-operation and Development in Combating Oil Spills in the Wider Caribbean Region (the Oil Spills Protocol)
 - The Protocol Concerning Specially Protected Areas and Wildlife (SPA) in the Wider Caribbean Region
 - The Protocol Concerning Pollution from Land-Based Sources and Activities

- The International Convention for the Prevention of Pollution from Ships (MARPOL Convention)
- The United Nations Convention on the Law of the Sea (UNCLOS)
- The United Nations Framework Convention on Climate Change (UNFCCC)
 - Paris Agreement
- The Convention on Biological Diversity (CBD)

Programmes

- Blue Flag
- Recreational Water Quality Monitoring Programme.

2.3. RECREATIONAL WATER SPORTS – *International Context*

In most parts of the world, water has long been associated with relaxation and recreation. These practices are evidenced beside lakes, creeks, rivers, thermal springs and beaches. The practice of taking seaside vacations and holidays today largely characterize the nature of the travel industry. Persons usually seek out relaxing waters and fresh sea air with numerous water-based tourism sport, leisure and recreation experiences.

With the rise of industrialization and a rapidly growing global tourism marketplace, the product offerings in international destinations have evolved to cater to the needs of tourists seeking relaxation, adventure and a good time. Destinations such as the Caribbean, Australia, Hawaii, Thailand, and the United States all offer a diverse offering of water-based recreational experiences.

2.4. MARINE RECREATIONAL WATER SPORTS IN JAMAICA

2.4.1. Profile

The Jamaican tourism industry has long been characterized by a rapidly growing water sports sub-sector in both the marine and riverine environments. This rapid increase has resulted primarily from the increase in visitor arrivals over recent decades and the increase in the number of hotels and attractions being developed. These have also contributed to the increase in demand for water sports from land-based tourists as well as cruise passengers. This increased demand for water sports activities has been evident, especially in the major destination areas of Ocho Rios, Negril and Montego Bay. Visitor stopovers have increased by 89.7% for the period 2000 to 2019; and cruise ship arrivals have increased by 70.7% for the corresponding period.

The diversity of Brand Jamaica continues to lure visitors to the island. A ranking of the responses from the JTB's visitor satisfaction surveys revealed that the majority of visitors to Jamaica come as a result of the scenery and culture, the beaches, attractions, the music, and water sports activities. The participants in the survey indicated that they regularly chose destinations that cater to their preferred water sports activities. Snorkelling, jet skiing and scuba diving are the most preferred Marine Water Sports activities among visitors.

2.4.2. Local Water Sports Operations

Local water sports services are provided typically by independent operators and tourist accommodations. Larger all-inclusive accommodations typically employ water sports personnel to serve their guests, however some of these larger resorts have started to decrease the outsourcing of their Water Sports services to independent sub-contractors. Initially, these independent sub-contractors would use the resort as a base to attract guests from other villas, guest houses and smaller hotels. Currently, the independent water sports operators market and sell their services to non-all-inclusive visitors, non-cruise ship tour passengers, and locals.

Local water sports operations also include commercial and private recreational fishing, including recreational fishing tournaments. The Fisheries Act (2018) creates the regulatory framework for all forms of fishing and fishing related activities including but not limited to recreational fishing. The Act also provides NFA with the mandate to issue, reject, revoke, or cancel the necessary permits, licences, or authorizations in relation to recreational fishing.

2.4.3. The Economic Dimension of the Water Sports Sector

The proliferation of Water Sports activities has led to an increase in income earning opportunities for Jamaicans. The taxes and licence fees paid by the Water Sports sub-sector also contribute to the country's revenue base. The water sports sub-sector also:

- enhances the tourism product
- creates business opportunities for new and existing water sports operators
- provides a source of income for operators and water sports employees
- opens a wider market for the adventure and thrill seekers
- generates a source of revenue for the country in the form of customs duty

2.4.4. Personal Water Crafts (PWCs)

Personal Water Craft, as defined in **Section 1.2.8** above, is a recreational vessel with an inboard engine that drives a pump-jet that creates a thrust for propulsion and steering. These vessels allow the rider to sit or stand on, rather than being inside of, as in a boat. PWCs are often referred to by several different trademarked brand names such as Jet Ski, Wave Runner or Sea-Doo.

PWCs in Jamaica have been primarily used in the main Tourism Destination Areas around the island, when leased by visitors from water sports providers (licensed and unlicensed). In other areas around the island, PWCs are used by local individuals or families for their own personal pleasure. Historically, the locals use their PWCs on weekends or public holidays, while the ones available in the tourist industry are used year-round for trade or hire.

In general, the use of these vessels is purely for recreational and entertainment purposes, however there are instances where they are used by the Police, the National Fisheries Authority (NFA), and private security companies for patrols, enforcement, research and survey purposes. PWCs are able to operate in very shallow areas (0.5m depths), close to shore where typical Motorised

boats are unable to manoeuvre. They can operate at high speeds (some up to 85mph) and provides substantial freedom of movement on the open water. Over the years, the demand for a variety of water sports activities has increased and client expectations have shifted from the traditional glass bottom boat rides, snorkelling and diving to now include other water-based activities, especially thrill seeking activities that use high speed vessels such as PWCs.

Findings from studies conducted in the Tourism Destination Areas reveal that while there are some visitors who have a preference for PWCs, there is a general lack of support for commercial PWC operations from some tourism stakeholders across the island. This rejection of PWCs is largely due to the high level of risk for accidents and the potential legal liability associated with the activity.

In light of the fatal Jet Ski accidents in Ocho Rios and Negril in 2013 and 2014 respectively, the MT implemented a number of measures to address the safety concerns regarding the use of PWCs. These included, among other things, a ban on the importation of all PWCs, as well as the suspension of all commercial PWC operations to allow for the regularization of commercial and private operations. Since the imposition of these measures, private operations have been allowed to continue; however, commercial operations remain suspended.

PWCs are considered restricted goods under the Customs Act. Like all restricted goods, the importation of PWCs is subject to special conditions. In this case, the condition is the requirement for an import permit or licence. A person who imports a PWC contrary to the restrictions, commits an offence and is liable to penalties under the Customs Act and the vessel may be seized and forfeited.

There are some private security companies who currently serve tourism establishments by means of over water patrols. The most effective means of executing these patrols is with the use of PWCs. The Customs (Import Prohibition) (Personal Water Crafts) Order, 2015 was amended by the Customs (Import Prohibition) (Personal Water Crafts) Order, 2021 to allow for importation of PWCs by the private security companies who are registered under the Private Security Regulation Authority (PSRA); and is engaged in a contract with a tourism enterprise that is in possession of a valid NRCA Beach Licence.

The MT has continued to uphold the decisions taken by Cabinet in 2013 and 2014 to indefinitely suspend the importation and commercial operation of PWCs across the island, until all the necessary measures are put in place. Therefore, this Policy does not address the formalisation of commercial PWC activities in Jamaica in its current iteration.

2.5. RIVERINE RECREATIONAL WATER SPORTS IN JAMAICA

2.5.1. Profile

Prior to the 1990's, bamboo vessels were the predominant recreational activities on rivers and so the existing guidelines to permit river rafting were biased towards bamboo vessels. Other vessels

such as pontoons, wake board, tubes, kayaks and canoes have been introduced into the tourism product, adding diversity to the range of recreational river-based water sport activities.

There are ten river rafting operations currently licensed by the River Rafting Authority (RRA). These primarily conduct rafting operations on the seven rivers gazetted for recreational use under the River Rafting Act. These Rivers are: Rio Grande - Portland; Martha Brae - Trelawny; Great River - St. James; White River - St. Ann/St. Mary; Cabarita River - Westmoreland; Black River - St. Elizabeth; and Milk River - Clarendon. There are also river attractions operating on rivers that are not gazetted under the River Rafting Act (Rio Bueno). These attractions are licensed under the Tourist Board Act.

2.5.1.1. System for Classification of Rivers for Recreational Use

In 2005, the then Ministry of Industry and Tourism with funding from the United States Agency for International Development's (USAID) Coastal Water Quality Improvement Project (CWIP), commissioned a study entitled "Classification of Jamaican Rivers for Recreational Use". The study was commissioned out of the need to update the regulatory framework governing river-based attractions and tours involving a range of vessels. The overall aim was to create an objective and transparent process for evaluating applications for river-based attractions; and to guide the issuing of licences. The study proposed that classifications be designed to (1) minimize environmental impacts arising from recreational activities and (2) ensure that permitted recreational activities are suited to that environment without the need for major engineered modifications.

The River Classification Study found that each river has its own unique features, including setting and biophysical characteristics, which ultimately impacts on or becomes impacted by recreational activities. The three sets of criteria* put forward by the study include:

1. A shared use criteria, which addresses the need to regulate environmental impact and user conflict
2. A hydrographic criteria, which addresses the need to ensure that permitted tours (including vessel type) are aligned with the physical parameters of the river system, and that tours are operated in a safe way.
3. A water quality criteria, which addresses the need to ensure the level of contact permitted is suitable to the water quality so that public health is protected.

Over the last four decades, there has been an emergence of several new operators on rivers. Of note is the fact that the operating landscape has undergone significant changes since the gazettement of the Regulations. The current environment is one in which there is increased potential for user conflicts with domestic settlements, water supply, agriculture, mining, industrial activities, and natural resource conservation. It is therefore imperative that the classification system and criteria for the use of rivers for tourism attractions and tours based on shared use, hydrology and water quality be implemented. This is with a view to align

* See Appendix IV for Proposed Classification Scheme

existing and future tours and attractions to the criteria and to ensure compatibility between activity and location/ setting.

2.5.1.2. Moratorium on the Black River

In 2018, the MT revised the conditions of the moratorium on the Black River to accommodate a maximum of five (5) major (pontoon) operations on the Lower River segment (Docking Area to Broad River to Salt Spring Bridge). This will allow for a maximum of 8 trips per day for pontoon operations. The revised moratorium also accommodated a total of four (4) small boat (canoe) operators with a maximum of 22 trips each per day on various segments of the Black River (Docking Area along Broad River to Cheese Rock, Salt Spring Bridge to Middle Quarters).

Maintaining the moratorium on the Black River will ensure that operations on the river can be adequately regulated and managed. It will also decrease the likelihood of future overcrowding and user conflict on the river.

The MT recommends that on-going monitoring, data collection and consultation should be conducted by NEPA in consultation with key public sector stakeholders, including the Water Resources Authority (WRA) and the Ministry of Health and Wellness, and the National Fisheries Authority (NFA) to determine the impact from the usage on the river over time. The RRA and TPDCo will be responsible for ensuring that the monitoring activities are carried out according to the recommended management strategies outlined in the 2015 Carrying Capacity Study. The monitoring activities should focus on the ecological and hydrological aspects of the river in particular, populations of fish, bird, crocodile, and shrimp/crustaceans. This should be undertaken in direct consultation with the NFA who has direct regulatory authority under the Fisheries Act (2018). Mangrove health and density, water quality, and water flow analysis should also be a priority for monitoring. Water flow analysis will be carried out by the WRA. There should also be collaboration with research institutions such as the University of the West Indies (UWI), as well as non-governmental organizations (NGOs) and community-based organizations (CBOs) to ensure on-going monitoring and research on the river.

Monitoring of boating activities on the river will be done by the RRA/TPDCo in conjunction with the Marine Police, NFA and NEPA. The MT also recommends a system of self-monitoring where each operator will submit weekly reports to the RRA/TPDCo stating the number of trips made per day. It is recommended that these monitoring activities be included as conditions of the licences of operators.

3. The Policy on Water-Based Activities in Marine and Riverine Recreational Areas

3.1. POLICY VISION

A streamlined, integrated, regulated and efficiently managed water sports sub-sector that facilitates professional and safe experiences, while promoting sustainability and ensuring high industry standards.

The Policy Vision:

- a. Acknowledges the need to streamline and integrate the management of Motorised and non-Motorised water sports in marine and riverine recreational areas;
- b. Emphasizes the need to sustain a viable, safe and productive water sport sub-sector at international standards;
- c. Embraces a healthy pollution free environment and safe environmental practices to ensure the protection of marine life and marine resources;
- d. Supports public awareness, monitoring and enforcement at the highest standards;
- e. Affirms the need for training and capacity building to develop professional personnel at the highest standards.

3.2. POLICY GOALS

The main goals of the Policy aim to sustain a viable, safe and productive water sport industry. These are listed below:

- a. To facilitate a sector that is safe, well regulated, and supplies a dynamic and diverse range of Water Sports activities.
- b. To create and maintain an efficient regulatory environment with the legal and institutional frameworks, capacity building and other mechanisms that will facilitate a safe Water Sports sub-sector.

- c. To create a safe, healthy and sustainable Water Sports sub-sector that is free of pollution through public education and awareness, training, and proper monitoring and enforcement.
- d. To streamline the regulatory framework for river-based attractions while creating an objective and transparent process for the evaluation of applications so that water sports can grow within the limits of environmental sustainability, safety, and visitor satisfaction.

3.3. POLICY OUTCOMES

The following are some of the expected outcomes of the Policy:

- a. Speedier and smoother processing of applications
- b. Efficient, regulated and safe water sports operations
- c. Reduced environmental impacts from water sports activities
- d. Reduced user conflicts in marine areas and on rivers
- e. Expansion of opportunities to grow the sector
- f. Enhanced user experience

4. Policy Issues

The MT recognizes that in order to be effective, the Policy on *Water-Based Activities in Marine and Riverine Recreational Areas* requires consistent alignment with national policies, legislation and national development goals. The impact of the Policy should be evident across all relevant Ministries, Departments and Agencies (MDAs), the private sector, and all relevant stakeholders with a direct and indirect involvement with marine or river-based water sports.

4.1. SAFETY

4.1.1. Policy Issue: Carrying Capacity

With increasing density of boats and other vessels in the marine recreational areas, the potential for negative impacts such as accidents increases. With this in mind, a suitable carrying capacity formula to determine optimum or desired boating densities is needed for water sports areas in Jamaica.

Overcrowding and congestion is common in water sports areas as these locations sometimes do not have clearly defined markers and zoning for different types of activities. The result is a mixture of Motorised, non-Motorised and swimming activities occurring in close proximity to each other. This may once again result in chaos and therefore poses a serious potential for accidents.

Strategic Policy Actions

- Develop a suitable carrying capacity formula to determine optimum boating densities for water sports vessels and activities in a given location to ensure safety.
- Maintain the existing Moratoria for marine recreational areas based on the total agreed safe capacity.
- Establish proper zoning in water sports areas in consultation with the PAJ, MAJ, NEPA, NRCA, NFA, TPDCo and the Marine Police to avoid potential conflicts in relation to usage.
- Designate more water sports areas (using the recommended carrying capacity formula or any other legal instrument) in consultation with the PAJ, MAJ, NEPA, NRCA, NFA, TPDCo and the Marine Police to avoid potential conflicts in relation to usage.
- Implement a “use or lose” requirement based on JTB Licensed vessels where if an operator leaves a gap in the market, for whatever reason, then prospective operator should be able to apply for a licence providing due notice (90 days) is given to the existing operator to respond, recommence operations, or be replaced.

- Where water sports activities are permitted in Protected Areas, for example, the Montego Bay and Negril Marine Parks, the Ocho Rios Marine Park Protected Area and the Black River Protected Area, these should be in keeping with the approved zoning plans of these protected areas.

4.1.2. Policy Issue: Absence of Demarcated Swim Zones

Both Motorised and non-Motorised activities take place in relatively close proximity, within an area just outside of the swim zone.

Swim zone

In many cases, there are no comprehensive swim zones in marine recreational areas. The Beach Control Act requires that persons in possession of a Beach Licence demarcate a clear visible swim zone. Most tourist accommodations adhere to this condition of their licence. Some properties use small floats (buoys) strung on ropes to demarcate the swim zone as may be required by the Beach Control Act as a condition of their Beach Licence.

In areas with clear demarcated swim zones, swimmers sometimes disregard the boundaries and are at risk of being struck by Motorised and non-Motorised vessels as they are in the path of vessels without the protection afforded by a visible barrier.

Outside the swim zone

Currently, there are no clear zones for Motorised and non-Motorised water sports activities in marine recreational areas. Motorised activity occurs close to the shoreline and often in close proximity to swimmers - especially in locations with no clearly demarcated swimming areas. In some instances, small craft vessels operate very close to the edge of the swim zone. This situation creates a potential danger for swimmers.

Mooring lines also pose a danger in multi-use areas, especially those in close proximity to swimming zones. One of the reported fatal water sports accidents in Ocho Rios resulted from a vessel colliding with a mooring line and the operator being thrown from the vessel.

Strategic Policy Actions

- Establish standardized specifications for buoy size, colour, spacing and anchoring in marine recreational areas as conditions of the beach licences.
- Establish as a condition of the Beach Licence, a requirement for the use of established entry and egress channels/lanes.
- Strategically display signs and notifications regarding zones and specific uses within these zones at locations approved for water sports activities.
- Establish and demarcate clear usage zones for activities in all Marine Protected Areas and those with marine components taking into consideration the current use, a mixture

of uses, as well as health, safety and environmental issues. The zones will be monitored and enforced by the relevant authorities (NEPA, Marine Police, JDF Coast Guard).

- Provide information briefing to users of the area regarding the use of zoned areas.

4.1.3. Policy Issue: Speed of Motorised Vessels

Motorised vessels in the marine recreational areas have been known to pose a serious safety risk, especially to swimmers. A number of fatal accidents have occurred involving vessels (PWCs and other vessels) operating at excessive speed.

Strategic Policy Actions

- Amend the Tourist Board (Water Sports) Regulations to stipulate a no wake zone to reduce the speed of Motorised vessels in designated marine recreational areas and empower relevant state entities where appropriate (including but not limited to JCF, JDF, NFA, NEPA) to enforce same.
- Enhance the capacity of the Marine Police to enforce the Beach Control Act where there are breaches in the swimming area.

4.1.4. Policy Issue: Absence of Basic Life Saving Equipment

Basic safety rules are often ignored. Basic lifesaving equipment such as life vests, are at times not worn by passengers on vessels. The Tourist Board (Water Sports) Regulations state that life-saving equipment should be kept in good condition, be on board at all times the vessel is under operation, and shall be easily accessible at all times.

Strategic Policy Actions

- Providers of water sports services must provide all requisite safety equipment.
- The issuing of commercial water sports licences should take into consideration the access to emergency services such as fire, health, and security.
- Participants in water sports activities must wear suitable life vests that are fit for the appropriate type of activity.
- Apply the MAJ requirements for persons to always wear life vests in vessels operating at least 300m off-shore. For larger vessels, apply the requirement for the vessel to have safety and life vests for all persons on-board.
- Establish a mechanism of daily checks and weekly reporting on the status of safety and life-saving equipment by Water Sports managers.

- Water sports operators should display safety certificates or present such certificates for inspection when called upon.

4.1.5. Policy Issue: Random Mooring of Vessels

Vessels are occasionally moored randomly in close proximity to swimming zones. Vessels are often anchored with a bow secured in the sand (or a shallow ad hoc mooring) near to the shoreline during the day to facilitate the staging of the operation, loading of the vessel and to advertise for business. These vessels often use a stern line which runs towards and crosses the face of the beach. This creates an obstruction to the passage of persons along the beach and poses a danger when the vessel moves up on a wave, creating a consequent rise in the rope lying across the beach face. Some operators moor their vessels randomly during the day. Some will attach the vessel to swim lane buoys, while others will drop anchor wherever it suits them, and yet others will haul the vessels up on the shore.

Strategic Policy Actions

- Permanent moorings in designated areas that are anchored to the sea floor to support the mooring of vessels should obtain the appropriate approvals from the NRCA as a condition of their Beach Licence.
- Amend the Natural Resources (Marine Parks) Regulations to allow for user fees to be applied for the use of moorings in Marine Parks.

4.1.6. Policy Issue: Reckless Behaviour

Reckless behaviour can be demonstrated through the ‘spilling’ of towed riders on small high speed vessels. The “spilling’ of passengers of towed rides, is a deliberate practice which poses serious risk of injury or death to the passenger. There is no advance notice given to other vessels in the vicinity and this can sometimes cause collisions. Furthermore, propeller operated tow-vessels pose a danger to the spilled riders in the water.

An example of reckless behaviour is shown when operators solicit by “showing off” or perform stunts at high speeds. Some operators of small high speed vessels solicit the use of their vessels by driving in close proximity to the swim zone or where persons are partaking in other activities. They often pose a danger to other vessels and persons in the water.

Strategic Policy Actions

- Operating any vessel in an irresponsible, dangerous and reckless manner should not be allowed.
- If a person is found to be operating recklessly, both the user and the service provider renting the vessel should be held responsible.

- Operators who cause injury, harm or death due to reckless and irresponsible behaviour should be held accountable and be punishable as far as the law allows.
- Develop code of conduct for specific vessels e.g. parasailing; non-Motorised vessels such as tubes, kayaks, river rafts; scuba diving vessels; and high speed vessels and craft.
- All water sports personnel are to conduct safety briefs with potential water sports users prior to the start of the activity.
- Empower the Marine Police and Tourism Officers with the powers to enforce under the Beach Control Act where there are breaches in the swimming area.

4.1.7. Policy Issue: Age Limit

The age limit for operating a vessel has been an area of concern in the water sports sub-sector. In other jurisdictions where water sports operations take place, the minimum age limit for operating a vessel is between 16 and 18 years.

Strategic Policy Actions

- Amend the Tourist Board (Water Sports) Regulations to specify the minimum age limit for the sole operation of Motorised vessels to 17 years of age.

4.1.8. Policy Issue: Lifeguards and Crew

The MAJ's safety certification standards are applied to the safe passage of the vessel. The annual certification received provides an assurance that the vessel has met the required safety standards. On the Safety Certificate issued by the MAJ, the minimum number of crew members required to ensure the safe passage of the vessel is stated. The number of crew is based on the number of passengers on the vessel. The requisite number of safety equipment required on board the vessel is also taken into consideration for the safe operation of the vessel.

If the vessel is to be involved in snorkelling, there must be sufficient crew to safely man the vessel as well as to satisfy the lifeguard to user ratio with a maximum 75% of passengers in the water. Best practices within the water sports sub-sector use a 1:15 ratio of lifeguards to snorkelers. The ratio pertains to open water and is an acceptable safety standard. It applies the speed and the shortest distance for one to be rescued. It takes into consideration the ability of the lifeguard to see and respond in a timely manner.

Strategic Policy Actions

- Apply the 1:15 ratio:
 - For the safety of persons and not the vessel in particular.
 - To the activity in the water e.g. snorkelling. The boat is stationary/anchored/moored, at this time.

- All vessels engaged in snorkelling must have a ratio of one lifeguard to fifteen snorkelers excluding the boat driver.
- All passengers engaged in water sports activities in the water must wear an approved personal floating device.
- For all other water sports activities above the water the MAJ crew requirements for the capacity of the boat applies.
 - The crew ratio is predicated on the boat's carrying capacity and the safety of the passengers. If the boat's primary activity is for sailing and cruising then the MAJ's crew requirement for the capacity of the boat would apply, because the crew would only be engaged in the safe manning of the vessel during voyage.
 - Once the vessel is engaged in towing activities such as parasailing, tubing, skiing and banana boat ride, an additional person in the capacity of a "spotter" is required.
 - Passenger vessels: cruising and sailing vessels must adhere to the crew ratio as stated on the certificates issued by the MAJ or the NFA.
 - Captains/boat drivers and value added persons would not be required to be lifeguard certified.
- In an emergency, the captain and value added persons can assist the crew if they are so trained.
 - Valued added personnel are not to be included in the 1:15 ratio. They do not necessarily have to be lifeguard certified but should possess some training in safety techniques and practices.

4.1.9. Policy Issue: Ingress and Egress

In some instances, ingress and egress of Motorised vessels do not adhere to the prescribed rules of navigation. The movement of the vessels appears to be sporadic, and demand-driven and the right of way principle for sailing vessels is often ignored or not applied. This results in chaos, user conflicts and accidents.

Strategic Policy Actions

- Establish and demarcate designated points of ingress and egress in all areas where water sports activities occur in consultation with relevant entities (inter alia NIC, NFA, NRCA, PAJ, MAJ) .
- Develop and enforce specific guidelines for ingress and egress.

4.1.10. Policy Issue: Launch Sites

In addition to the need for demarcated lanes for ingress and egress of Motorised vessels, there is also the need for designated launch sites for some specific Motorised vessels. A launch site refers to an area on the foreshore through which vessels are permitted to leave and return.

Strategic Policy Actions

- Establish designated launch sites where these specific water sports activities will be permitted. This should be done in collaboration with the MAJ, NEPA, NIC, PAJ, NFA and other relevant agencies.
- Establish specific conditions for the operation of these launch sites. For example:
 - Launch sites should include a ramp or other suitable area for safe launching
 - Suitable prescribed signage must be erected at the launch site
 - Launch sites must not be located in proximity to swimming areas
 - Launch sites should not be established in high risk areas where the public frequently uses for bathing and swimming
 - Launch sites should not be permitted in special ecologically sensitive areas, including nesting sites for specific marine species.
- Launch sites should be between 20m and 40m in width, and in the case of commercial launch sites, should be marked with floatation buoys as per requirements established by NEPA. Vessels should be launched from such sites in accordance with specific guidelines and recommendations.
- No re-fuelling should be carried out in off shore areas. When fuelling at launch sites, no fuel shall enter the waterways.
- All Safety Certificates for PWCs should explicitly state that the vessel must use a launch site to enter or to exit the sea. The speed of the vessel should not exceed 3 knots (a slow speed) when launching.
- The MAJ should maintain a list of approved launch sites (private and commercial) island wide.

4.1.11. Policy Issue: Rescue Craft

Given the frequency of marine accidents and the need for rescuing persons, the need for a rescue craft in water sports operations is extremely relevant. Several of the dedicated rescue boats are often found on trailers, on the beach, or anchored some distance out at sea. In most instances these rescue vessels were not manned nor did they have fuel on board, suggesting that they could not be quickly put to sea. The rescue crafts often times fail to meet the necessary criteria for a rescue vessel.

In the past PWCs were used as rescue crafts, however, their inappropriateness as a rescue craft has sometimes exacerbated the injuries of the person being rescued. The size of the engine, as well as the speed and power of the vessel are important.

Strategic Policy Actions

- The vessel/craft must at least be able to lay a person flat.
 - A larger vessel being used as a rescue craft, must be able to carry four people because at least one of those persons must be lying and there should be space enough for one person to be performing Cardiopulmonary Resuscitation (CPR). If a person does not require CPR then the vessel should be able to hold five to six persons comfortably.
- The vessel/craft must be stable enough to perform CPR while underway.
 - The length, width and size of craft should be specified in the Tourist Board (Water Sports) Regulations
 - A Spinal board must be placed in vessel along with a driver and the medical personnel. Stability should be determined by the carrying capacity of vessel.
- The vessel/craft should be stable enough for the crew to retrieve a person over the side without compromising the stability of the vessel.
- The vessel/craft must be able to operate in rough seas.
 - The use of a rigid inflatable vessels would be appropriate for these conditions
- The vessel/craft should be able to run onto the beach where there is no fixed propeller underneath.
- The vessel/craft must have built in floatation in case of emergency.
 - Floatation devices are usually found under the seats, in the bow, in the stern, or sometimes in the floor.
- The vessel/craft must be marked as a RESCUE vessel and should NOT be used for any other activity.
- The vessel/craft should be maintained and managed by the water sports operator.
- The vessel/craft should be located on the beach and fully equipped with fuel and the requisite emergency kits during normal water sports operations. This will ensure that if there is an emergency, the vessel/craft can be quickly and easily put to sea.

4.1.12. Policy Issue: Rescue/First Aid Station

After a person is rescued, they have to be brought back on shore in order to be treated or transferred to a hospital. A designated rescue/first aid station is required for this purpose.

Strategic Policy Actions

- Establish designated areas to be used as a rescue or first aid station at all water sports locations and facilities. This area may also be shared with other facilities and amenities.
- For operators offering scuba diving services, there should be ease of access to a decompression chamber.

4.1.13. Policy Issue: Requirement for Lifeguards on Rivers

Currently, there is no requirement for individuals operating on rivers to be lifeguard trained. Instead, individuals are required to have CPR and first aid training.

Strategic Policy Actions

- Standardize training in so far as possible with the requirements in keeping with training guidelines for all water sports personnel in the sector.
- Raftsmen and all river-based water sports operators should be required to have lifeguard, CPR, and First Aid training as a requirement for their licence.

4.1.14. Policy Issue: User Conflict on Rivers – Recreational Water Sports

User conflict on rivers continues to be a major issue in the water sports sub-sector. Water sports attraction developers who have an interest in operating on rivers or riverine systems continue to demand that there should be multiple water sports activities operating simultaneously on the river; and that more licences should be issued for additional water sports operators on any gazetted river as well as those rivers which are not gazetted. Carrying Capacity requirements inform extent and number of licences issued.

Strategic Policy Actions

- Licences should be granted for operations/activities on a specific river, and a specific segment of the river.
- Licences should be granted to raftsmen and other operators to operate on a specific segment of the river.
- Only one operator will be granted a licence per segment of a river. (No two operators will be granted a licence to operate in the same segment.)

4.1.15. Policy Issue: User Conflict on Rivers – Non-Recreational Activities

The rivers gazetted under the River Rafting Act have seen a proliferation of legal (licensed) and illegal non-recreational river activities in recent years. These include activities such as sand and stone mining, hydroelectric power, aquaculture, industrial waste disposal and transportation. This is a major concern for the RRA, operators, as well as the public.

In some cases, commercial, recreational and the non-recreational activities on the rivers operate in conflict with each other. On the Rio Grande, sand mining and rafting occur within the same vicinity; on the Black River, fishing (shrimp fishing) and boat tours occur simultaneously in the same river segment downstream.

Strategic Policy Actions

- The Classification Scheme for Recreational Rivers is to be applied to ensure that river-based recreational activities do not operate in conflict of each other and to ensure that proposed water-based activities are suitable for the physical river environment for which they are being proposed.

The classification scheme is designed to:

- minimize environmental impacts arising from recreational activities
 - ensure that permitted recreational activities are suited to that environment without the need for major engineered modifications
 - This will help to prevent user conflicts on the rivers with other sectors such as mining, irrigation, hydroelectric power extraction, etc.
 - The principles of the scheme are based on shared usage, water quality and hydrology criteria (*See Appendix III and IV*).
- Every river rafting operator on any river will be required to adhere to the Classification scheme.

4.2. GOVERNANCE AND ENFORCEMENT

4.2.1. Policy Issue: Licensing and Registration

The licensing process in the tourism sector is considered by many stakeholders to be tedious and excessive. This sentiment is also shared about the licensing process for the Water Sports sub-sector. The licence renewal process is also considered to be excessive as the entire licensing process has to be repeated when renewing a licence. This includes the sourcing of all documents needed for the issuing of the initial licence. It is widely believed that this wastes time and should be made more efficient.

The JTB licence is heavily dependent on the other agencies in the industry. Before a JTB licence can be issued, the operator has to present their Maritime Safety Certificate, a NRCA Beach Licence/Environmental Permit, lifeguard licence, insurance coverage, among other requirements. Additionally, there are other entities such as the NFA whose requirements (licences, permits and authorizations) do not currently form part of the considerations for a JTB Licence, but which will be integrated into the system. If there is problem obtaining one or more of the abovementioned licences then the JTB Licence cannot be issued.

Strategic Policy Actions

- Simplify the licence renewal process by administrative means.

- Integrate the requirements of the NFA and consult with the NIC within the simplified renewal process.
- Standardize licensing and certificate requirements for all operators.

4.2.2. Policy Issue: Inventory of Vessels

The Shipping Act requires that all vessels be registered. The current inventory which exists pertains largely to the commercial operators or those private owners who voluntarily submit information to the MAJ to have their vessels registered and inspected for safety.

Strategic Policy Actions

- Maintain a comprehensive register of all vessels used in water sports, both commercial and private in partnership with relevant entities such as the MAJ and NFA. This register will assist enforcement officers in their monitoring activities.
- Enforce the registration of vessels by all commercial and private operators.
- Establish partnership with the MAJ and the JCA regarding the MAJ's input prior to the clearance of vessels.

4.2.3. Policy Issue: Insurance

Due to several factors, the Water Sports industry is vulnerable to incidents and accidents. There have been several exorbitant personal liability claims arising from these accidents. As a result, insurance is extremely important to the survival of these operations. The possession of public liability insurance is one of the conditions for obtaining a JTB Water Sports Licence. Stakeholders have expressed concern that the cost of reinsurance is high and prohibitive at times. Several water sports operators use overseas and/or external insurance companies because the premiums are much less and the coverage is much more than those offered by the local insurance companies.

Insurance is not a requirement for the registration of small commercial recreational vessels by the MAJ. Third party insurance is only required for vessels trading in Jamaican waters. For some water sports operators, there has been a major challenge with accessing public liability insurance due to the high risk associated with their activities. For other small vessel operators, the J\$1 Million required by the JTB is considered inadequate because most claims are filed overseas. In the Cayman Islands, the water sports operators are required to have a minimum of US\$5 Million public liability insurance coverage in order to sell packages to cruise ship passengers.

Strategic Policy Actions

- Encourage the local insurance companies to cover the needs of the Water Sports industry.
- Implement strategies to focus on safety, so as to reduce the number of accidents in water sports operations. Successful implementation of these strategies are likely to

make the industry more attractive to insurance companies so that they will be less inclined to classify the industry as “high risk”.

- If best practices are to be adhered to in water sports operations, all standards should be reviewed and upgraded, where necessary, on an ongoing basis in order to eliminate possible loopholes.
- The carrying capacity of the individual vessel should be used to determine the insurance premium.
- Establish a cooperative or stakeholder led initiative to facilitate group insurance rates, safety standards, etc.
- Increase the public liability insurance coverage (for high risk activities) so as to safeguard against hefty claims.

4.2.4. Policy Issue: Importation

Given the numerous issues and challenges with some water sports vessels, specifically PWCs, restrictions have been placed on their importation. PWCs are now considered ‘Restricted Goods’ under the Customs Act and are subject to special conditions such as the requirement for an import permit or licence. A person who imports a PWC contrary to the restrictions, commits an offence and is liable to penalties under the Customs Act and the vessel may be seized and forfeited.

It is difficult to ascertain how many PWCs are imported through the proper channels as some PWCs enter the island undetected through unmanned ports. Those which enter through official ports are easily traced by the JCA. The JCA and the MAJ now have in place procedural mechanisms to treat with PWC importation. The MAJ’s registration and certification process for these vessels is an important requirement which will greatly enhance the inventory management and data capture on PWCs entering the island.

In keeping with the Customs (Import Prohibition) (Personal Water Crafts) Order, 2021, the importation of PWCs is prohibited, unless it is being imported by the TPDCo, a Department, Agency or Body which falls under the Ministry of National Security, or by a private security organisation registered under the Private Security Regulation Authority Act. The private security organisation must be engaged in a contract with a tourist accommodation that is situated on a beach front and is in possession of a valid Beach Licence. The imported PWC must be used for the patrolling of the waters around the tourist accommodation.

Strategic Policy Actions

- Continued enforcement to facilitate compliance with importation requirements/restrictions.

- Where necessary, impose or maintain the imposition of importation restrictions via appropriate legal instruments to support the management and use of water sports equipment as required, including but not limited to PWCs.

4.2.5. Policy Issue: Vessel Deregistration

When vessels (inclusive of those involved in fishing activities) are discarded or removed from rotation (due to being lost, rendered permanently unserviceable, becomes a total loss or being otherwise destroyed, or no longer intended to be used for their original purpose), in many instances, they are reintroduced into the system without the knowledge of the respective regulatory entities. In these cases, these vessels may be operating illegally under one or multiple pieces of legislation. This is particularly common for smaller vessels and is one of the means of supply for the unlicensed/illegal operator.

Currently, there are several conditions which may trigger deregistration with the MAJ. These include *inter alia*: when the vessel becomes a total loss or is otherwise destroyed (such as by shipwreck, demolition, fire or sinking); when annual fees have remained unpaid for a period of more than one year. Whilst the NFA does not register vessels, it cancels the licences issued in such instances. There is need for a system which ensures information sharing between entities regarding these vessels.

Strategic Policy Actions

- Establish a system for sharing of information between entities whenever a vessel (inclusive of those involved in fishing activities) is for any reason discarded or removed from rotation (due to being lost, rendered permanently unserviceable, becomes a total loss or being otherwise destroyed, or is no longer intended to be used for its original purpose). Insurance companies and those government agencies that license vessels should be integral to this mechanism.
- Apply penalties where owners of vessels fail to notify the respective Authority on the status of the vessel in accordance with the provisions contained within the applicable legislation.

4.2.6. Policy Issue: Enforcement and Illegal Operators

One of the main issues facing the water sports sub-sector in Jamaica is the lack of enforcement of existing regulations and procedures, especially when these regulations are breached by illegal operators.

The prevalence of illegal operators (inclusive of those persons operating in contravention of the licensing or registration requirements of the MAJ, NFA, JTB and other entities) has contributed to, among other things, accidents, harassment and drug-peddling.

Strategic Policy Actions

- Provide training to the Marine Police in assembling professional evidence including correct presentation to the courts, e.g. calculating the speed of a vessel. This should create stronger cases and help to improve conviction rates.
- Include special conditions in the appropriate Tourism or Beach Licence that mirror the requirements of key entities (such as the NFA) and promote safety and environmentally responsible practices.
- Strengthen enforcement to cover operations as well as licensing status and compliance.
- Regulations for licensing of small vessels are to include their registration, titling, licensing, skill competency, age eligibility, training, certification and safety. The regulations will also include a regime for private (non-commercial) use of PWCs.
- Institute a system of withdrawal of licences to operate for breaches of the Water Sports Regulations. Strong inter-agency collaboration and enforcement will mitigate against the dispersed legislative provisions affecting water sports. Therefore, a breach of the Shipping Act or Fisheries Act for instance, would trigger a withdrawal of the Tourist Board licence. Similarly, the cancellation, suspension or revocation of a licence, permit or authorisation issued by the NFA or other entity would trigger the withdrawal of the Tourist Board licence.
- Conduct regular sensitization seminars to sensitize judges, clerks of courts, and the police of the need for enforcement of the applicable laws.
- All registered vessels should clearly display an up-to-date registration decal or licence number issued by MAJ.
- Amend the Tourist Board Act to require that all applicable licences and registrations should be readily available and displayed at the premises of the commercial water sports operator. These licences and registrations should be available for inspection by the local authorities.
- Conduct frequent police patrols in designated areas to enhance the security in these areas.
- Private water sports users who commit breaches in the marine areas should bear penalties and restrictions for improper use and endangering public safety as per the enforcement provisions under the Maritime Authority Act and Regulations.
- Strengthen the Marine Police Division of the JCF with the appropriate resources (vessels, equipment, staff, infrastructure, etc.) to enable effective enforcement and prosecution under the Shipping Act, Tourist Board (Water Sports) Regulations, Beach Control Act, Fisheries Act, and other relevant legislation.

4.2.7. Policy Issue: Reporting of Accidents

The reporting of accidents is a legal requirement under the Tourist Board (Water Sports Regulations) 1985. It requires any operator of a water sports vessel involved in an accident to report the details of same to the nearest police station, and the nearest office of the Tourist Board. It is also a legal requirement under the Beach Control Act and the Shipping Act for all users of the sea to report marine accidents within 24 hours. It is also a statutory requirement under the Fisheries Act that the NFA be notified of any harmful activity, alteration, disruption, or destruction of a fish habitat or of a serious and imminent danger of such an occurrence. Despite these requirements, not all marine accidents are reported to the respective authorities. Between 2001 and 2017, approximately 131 accidents were reported. This represents only a small percentage of the actual accidents that have occurred but not recorded.

Strategic Policy Actions

- All water sports operators are to document and submit a report on all water sports accidents, regardless of how small, to the relevant authorities (nearest Police Station and nearest office of the Tourist Board) according to section 14 of the Tourism Board (Water Sports) Act.
- Amend the Tourist Board (Water Sports) Regulations, 1985 to state a specified timeframe within which accidents are to be reported. This provides law enforcers such as the Marine Police and the JDF adequate time to respond.
- Develop a comprehensive accident reporting protocol which captures vessel information, personnel information and all other information required by all the relevant agencies (MAJ, PAJ, NFA, NIC, TPDCo, NEPA). The protocol should also mandate all water sports personnel to document and submit a report on all water sports accidents to the relevant authorities.
- Harmonize the Beach Control Act, the Shipping Act, the Fisheries Act, the Irrigation Act and the Tourist Board (Water Sports) Regulations, 1985, indicating the standard reporting protocol as necessary and appropriate.
- Establish a registry or database of incidents and offences which is to be shared with the relevant agencies.
- Include a penalty for failure to report an incident/accident as required.

4.2.8. Policy Issue: Supervision in Harbours

Currently, there is only one Harbour Master for the entire island. The Harbour Master and MAJ has jurisdiction over all vessels that operate within the limits of all harbours. Under the Tourist Board (Water Sports) Regulations, a vessel can be legally used to provide water sports services only in declared harbours. Most of the sites where water sports are conducted are designated harbours, however the expansion of water sports across the island, particularly at hotels have given

rise to water sports activities occurring outside of declared harbours. The absence of adequate supervision in these areas has facilitated the occurrence of user conflicts in the operation of Motorised vessels at high speeds in swimming areas; and the reckless behaviour of some operators of Motorised vessels.

Strategic Policy Actions

- Remove provision in Water Sports Regulations that vessel can be legally used to provide water sports services only in declared harbours.
- Amend Tourist Board (Water Sports) Regulations to designate specific sites for water sports. This should be done by the TPDCo. Ltd. in consultation with NEPA, MAJ, JCF and other key regulatory agencies as required.
- The enforcement and supervision of these water sports sites would be the responsibility of the respective agencies who are already empowered such as JCF, TPDCo. Ltd., Marine Park Rangers.

4.2.9. Policy Issue: Fines

The fines under the Tourist Board (Water Sports) Regulations are dated and do not provide for adequate prosecution of offences. There needs to be a revision of these fines and penalties in the Regulations in accordance with the Shipping Act and other pieces of legislation such as the Beach Control Act. The current fines in the different pieces of legislation are inconsistent. The current maximum fine for a breach under the Beach Control Act is J\$500,000; the Natural Resources (Marine Parks) Regulations is J\$50,000; the Tourist Board (Water Sports) Regulations is J\$20,000; and the Shipping Act is J\$1,000,000.

Strategic Policy Actions

- Harmonize the different pieces of legislation to be more consistent with regard to the maximum fines.
- Ensure fines and penalties are substantial enough to be a deterrent.

4.2.10. Policy Issue: Training Institutions and Certification for Water Sports

Training is a major issue in the water sports sub-sector. Currently, training and certification of licensed marine-based operators is not compulsory. The Tourist Board (Water Sports) Regulations, 1985, require that all operators and their employees be “*properly qualified by training and experience to carry out duties or responsibilities to be performed by him in such (water sports) operation*”. This includes a requirement that operators of vessels used in water sports activities must have a ‘valid certificate of competency issued or approved by the MAJ’.

There are limited training institutions in Jamaica that provide training for persons in all areas of water sports. Where training programs do exist, they are typically tailored to a few skill sets. There are also limited certification courses available for persons who are desirous of working in the water sports sub-sector.

Strategic Policy Actions

- Determine the training required and establish an accredited certified program that will facilitate skill sets required in the water sports sub-sector in keeping with industry standards
- Conduct training courses on a timely basis to enable qualified Jamaicans to fill appropriate emerging positions
- Training for employers and employees must become a basic requirement for all persons employed in water sports
- Engage HEART/NSTA and Caribbean Maritime University (CMU) in developing formal training programmes on an ongoing basis guided by industry needs and standards
- Establish accredited course and compulsory certification scheme through multi-stakeholder engagement (CMU, HEART, etc.)
- Encourage or sponsor industry certificate training from entry level to re-certification for offenders
- Publicize course offering/ certification as a requirement
- Modify licencing requirements to include training and a basic level I certification as a prerequisite for licencing and employment in the industry

4.2.11. Policy Issue: Literacy Levels of Lifeguards

Under the Beach Control (Safety Measures) Regulations (2006), a lifeguard must be able to read and write before a lifeguard licence is granted. The individual is also required to demonstrate these skills upon renewing his/her lifeguard licence during examination. Currently, a large percent of the lifeguards are illiterate or do not read or write very well. In 2003, the lifeguards' reading proficiency was below a Grade 1 level. Since then, NEPA conducts reading tests during the lifeguard examinations. The high level of illiteracy among lifeguards is not prevalent in the Kingston Destination Area which has 98% of literate lifeguards and Montego Bay which has 70%-80% literacy. In Ocho Rios and Negril on the other hand the literacy levels of the lifeguards are 50% and 40% respectively.

Strategic Policy Actions

- Organize adult literacy classes so as to eliminate illiteracy among lifeguards
- Increase the minimum educational standards of future lifeguards to be hired across the sector

4.2.12. Policy Issue: Licences Only Granted for Gazetted Rivers

The Scope of the RRA is limited to the seven navigable river systems gazetted for river-based recreational activities. There are other rafting operations that take place but are not gazetted under the River Rafting Act. Those operations are not subjected to the provisions of the River Rafting Act and these operations should receive instead a tourist board attractions licence.

Strategic Policy Actions

- Non marine-based operations should be regarded as a subset of the attractions sector and should receive one JTB water-based attraction licence.
- Assess water features such as rivers or sections of rivers, lagoons and wetlands for recreational use using the three principal criteria outlined in the “***Classification Scheme for Recreational Rivers***” namely, *Shared Usage, Water Quality and Hydrology*. Therefore, the entire river will no longer be gazetted, but sections of the river will be classified for recreational use as per the classification scheme.
- Licences for activities on gazetted rivers should be based on a ‘use or lose’ basis. If the existing licensed operator is not using the assigned river segment then another operator should be able to apply for that segment of the river (meeting the same licensing requirements) and the existing licensee given a specified time (90 days) to respond or the licence will be granted to the new applicant/operator.

4.2.13. Policy Issue: Duplication of Functions

There is much duplication of functions among government authorities in river-based water sports. The River Rafting Authority Act allows the Authority to conduct functions that are similar to the JTB, TPDCo, the MAJ and NEPA. Section 4 of the Act enables the RRA to duplicate the product development function of the Jamaica Tourism Board where it states that the Authority *inter alia* is required to: “*develop within the limits of its resources, river rafting in Jamaica, and to promote the efficient operation of river rafting in Jamaica.*” This section is similar to sections 11(1)(a) and 11(1)(e) of the Tourist Board Act. The development of river rafting as a tourism product is therefore embraced under this section, which empowers the Board to develop all aspects of the tourist industry and to encourage measures to develop amenities in Jamaica to enhance the attractiveness of Jamaica to tourists.

Strategic Policy Actions

- Repeal the River Rafting Act in keeping with the Public Sector Master Rationalization Plan.
- The RRA would be wound up and its functions transferred to the Tourist Board Act.
- Amend the Tourist Board (Water Sports) Regulations to include the licensing functions of the RRA.

- Enhance the coordination efforts between the various regulatory agencies with responsibility for monitoring and licensing of water sports activities in marine areas and on rivers.
- Enable the MAJ through the promulgation of regulations under the Shipping Act to inspect and certify bamboo rafts and their operators (raftsmen).

4.2.14. Policy Issue: River Rafting Act Limits Growth of River-Based Water Sports

The River Rafting Regulations focus on regulating bamboo rafting operations. It does not specify the criteria for determining the suitability of the rivers for rafting as the morphology of some rivers is not conducive for bamboo rafting but other types of rafting equipment, such as pontoons, kayaks and tubes. The Act also restricts the influence of the Authority to rivers and does not embrace other water systems and bodies such as lagoons, wetlands, lakes, and ponds.

Strategic Policy Actions

- Apply in consultation with the NFA and other relevant partner entities the Classification System for Recreational Rivers to determine if the river or water bodies are suitable for recreational uses.
- Expand the criteria for river-based water sports to include other activities other than bamboo rafting.

4.3. ENVIRONMENTAL MANAGEMENT

4.3.1. Policy Issue: Vessel Maintenance and Refuelling

Vessel maintenance is one of the major causes of marine pollution. The fuelling of vessels, particularly small vessels used for water sports, is often carried out on the beach or onboard vessels anchored near to the shore. This action often results in pollution of the marine environment. This practice is typically carried out due to inadequate refuelling facilities in these water sports areas. The cleaning of vessels is also carried out on the beach when they are berthed or moored. Operators use a variety of different chemicals in the cleaning process such as soap and bleach. Routine vessel maintenance activities such as oil changes have the potential to severely pollute the marine environment.

Similarly, there are no pump-out facilities to hold passenger sewage. Vessels manufactured in the USA are equipped with holding tanks. For the smaller boats, such a facility is not available; and if available, there is usually a very high cost associated with it. There are also no designated commercial boat maintenance facilities in these water sports areas, and as such, vessels tend to pump their wastes off shore into the sea. Bilge water is also released at the dock.

Strategic Policy Actions

- Enforce non-refuelling on the beach in keeping with the Beach Control (Safety Measures) Regulations, 2006.
- Refuelling is to be conducted some distance toward the back of the beach or at a site/location approved by the NRCA. Proper equipment such as funnels and containment supplies are to be used. The use of chemicals for the cleaning of vessels is to be carried out in designated areas. This should be included in the beach licence given to operators.
- Establish proper refuelling dockyards/depots in each of the major Destination Areas. These dockyards/depots should also have pump out facilities to contain sewage.
- Perform maintenance of vessels at designated locations on land, preferably at licensed facilities as per NRCA's Permits and Licences Regulations.
- Amend the Beach Control Act (1956) to ban refuelling on the beach.
 - In the absence of access to a designated refuelling depot, refuelling some distance toward the back of the beach should be allowed with use of proper equipment such as funnels and containment supplies.
 - Standards and Guidelines for refuelling with some form of containment are to be developed by NEPA.
 - Establish designated areas for refuelling in each Tourism Destination Area in consultation with relevant authorities (NEPA, PAJ, TPDCo, NFA, NIC, MAJ) .
 - Amend Section 19 of Beach Control Act (1956) to include refuelling breaches.

4.3.2. Policy Issue: Ecological Carrying Capacity

Since 2005, the NRCA have incorporated relevant Blue Flag standards and principles such as regular water quality testing, in the conditions of the beach licence. Also, the NRCA and the NFA make special considerations e.g. carrying capacity considerations, when issuing licences within all areas and especially within ecologically sensitive and protected areas such as Marine Parks, RAMSAR designated sites, fish sanctuaries, and marine and coastal heritage sites.

Strategic Policy Actions

- In consultation with relevant partner entities (inter alia NRCA, NFA), undertake continuous monitoring and apply the carrying capacity methodology as a guide to determine the number of vessels for a particular area. The cumulative environmental impact of motorized vessels should be taken into consideration when Tourist Board Attraction licences are issued for a particular area.

- Basic environmental awareness should be considered as a pre-requisite for licensing.
- In ecologically sensitive areas, especially those declared as Protected Areas or fish sanctuaries, management entities should be appointed, and delegated the responsibility for the management of the natural resources of the area, including the restriction of specified activities as necessary.
- Include environmental management and conservation concerns in water sports training and certification programmes.
- The impacts on underwater cultural and heritage sites should be taken into consideration for specific areas in keeping with the Jamaica National Heritage Trust Act (1985).

5. Swot Analysis

The Strengths, Weaknesses, Opportunities and Threats facing the Water Sports Sector are listed as:

STRENGTHS	OPPORTUNITIES
• Potential large trained and trainable labour force • Natural environment ideal for water sports (geography, hydrology and climate) • Promotion of sustainable use of natural resources • Diverse range of activities • Large tourism market • Established and operational environmental and regulatory agencies	• Accessibility to more diverse markets • Development of a boat building, retrofitting and repair sub-sector • Training for capacity building • Engage accredited maritime training institutions to provide training • Access to new technologies and innovations • Increasing hotel room stock and visitors • Increased international investments • Increased adventure type tourism • Increased stakeholder networking • Increased sensitization of tourists about the importance of the need for conservation and marine habitat protection
WEAKNESSES	THREATS
• Inadequate training and knowledge • Inadequate public and sector specific public awareness raising • Inadequate enforcement of the laws governing water sports sub-sector • Inadequate resources to enforce laws • Undocumented water sports vessels in operation • Indiscipline of some operators/patrons • Limited approved fuelling sites • Limited suppliers for scuba tanks and tank testing • Worn and old equipment in use • Inadequate supporting infrastructure (launch sites, repair facilities, storage, docks etc.) • Inadequate specialized lifesaving and emergency infrastructure and equipment (decompression chambers) • Gaps in existing legislation • Lack of cohesion in framework governing the water sports sub-sector	• Climate change • Natural disasters • Health issues • Inadequate spare parts • Water pollution and poor water quality • Unlicensed operators • Lack of safe spaces and operating zones (carrying capacity) • Potential environmental problems and hazards • Health related hazards such as epidemics and pandemics • Damage to the marine environment, including damage to sensitive marine ecosystems such as fish habitats, fish sanctuaries and other marine protected areas.

6. Implementation and Review

6.1. ROLES OF KEY STAKEHOLDERS

The MT recognizes that there are multiple stakeholders who contribute to the development and delivery of water sports at all levels. Identifying the roles played by each stakeholder is critical to ensuring that all citizens understand the level of collaboration that goes into ensuring that water sports operate in a safe, healthy and well managed environment.

It is important that there is rationalization of the roles and responsibilities of all entities concerned with the streamlining and harmonizing of the legislative provisions governing water sports in Jamaica. The administration and management of the water sports sub-sector is executed by various Ministries, Departments and Agencies (MDAs) of Government.

The effective implementation of the Policy will require significant changes as well as high demands on the various MDAs mentioned above. These demands will include technical, human and financial and will need to be taken into account in the implementation of the Policy. The Implementation Plan included as part of this Policy, establishes the key activities to be undertaken over a 5 year period. Existing legislation will be reviewed and amended and where appropriate, new legislation introduced to ensure that the Water Sports sub-sector is adequately and sustainably managed and there are adequate resources and capacity to monitor and enforce the regulations governing recreational water sports in Jamaica.

The primary interest of the JTB is the safety of the user involved in the activity; the primary role of the MAJ primary role is the safety of the life at sea, which includes the seaworthiness of the vessel and the competence of the operator. The MAJ is also responsible for the protection of the marine environment from vessel source pollution. In addition to the issuance of licences, permits or authorizations, the function of the NFA includes the management, development, designation and zoning of the fisheries waters, fishing beaches, fishing and aquaculture facilities. Training of lifeguards is the remit of the Natural Resources Conservation Authority (NRCA)/NEPA. The Marine Police, as well as inspectors from TPDCo, the Jamaica Defence Force (JDF) Coast Guard, and the Marine Park Rangers have the authority to enforce the Regulations.

6.1.1. Maritime Authority of Jamaica (MAJ)

The responsibilities of the MAJ include the development of the island's shipping industry; the certification and welfare of its seafarers; marine pollution prevention and the registration of ships. The main mandate of the MAJ is to administer the Jamaica Ship Registry (JSR) and to ensure that the local maritime industry is safe, secure, and efficient. The MAJ conducts the registration of all types of ships including pleasure craft. The MAJ also regulates navigation within Jamaica's legally recognized maritime space, and under the Harbours Act jointly, with the Harbour Master, regulates the safety of vessels operating within harbours. They also inspect ships and other vessels for the

purpose of maritime safety and prevention of pollution as well as for maritime security. The MAJ issues certificates for registration under the Shipping Act (1998) and for seaworthiness and competency under the Harbour Rules (1971).

6.1.2. National Environment and Planning Agency (NEPA)

The main mandate of the NEPA is to promote sustainable development by ensuring protection of the environment and orderly development in Jamaica. It also has the responsibility for administering the NRCA Act and Regulations, the Town and Country Planning Act, and the Beach Control Act and Beach Safety Regulations (2006). NEPA ensures that Jamaica's natural resources are being used in a sustainable way and that there is broad understanding of environment, planning and development issues, with extensive participation amongst citizens and a high level of compliance to relevant legislation. NEPA issues lifeguard licences on behalf of the Beach Control Authority (BCA). The Royal Life Saving Society of Jamaica is responsible for training and certification of lifeguards and are the sole examiners under the Beach Control Act for marine and beach environments.

There is no absolute prohibition of water sports activities in the various Protected Areas under the jurisdiction of NEPA. Penalties in relation to such activities generally do not prove to be a deterrent.

6.1.3. Tourism Product Development Company (TPDCo)

The JTB, in carrying out its statutory responsibilities under the Tourist Board Act in relation to water sports, has engaged the TPDCo as their agent. TPDCo is a limited liability company mandated to develop and improve Jamaica's tourism product. To this end, TPDCo is required to, *inter alia*, develop and promulgate standards and guidelines for the tourism sector and take into account safety and environmental concerns.

As an agent of the JTB, TPDCo, through its Licensing Department (LD) processes all applications for tourism licences. They also maintain a physical and electronic database of all tourism entities in addition to processing applications for all water-based activities. Additionally, the Product Quality Department (PQD) monitors all water sports operations as inspects the entities concerned. TPDCo, being an agent of the RRA also inspects and monitors river rafting activities in addition to housing the Secretariat of the Authority. TPDCo also assesses training needs for the tourism sector and recommends training programmes as required.

6.1.4. River Rafting Authority (RRA)

The RRA, which falls under the auspices of the MT, has the mandate under the River Rafting Authority Act 1969 and the River Rafting Regulations 1970, to among other things, regulate and control river rafting; develop river rafting and promote the efficient operation of river rafting on seven rivers gazetted under the River Rafting Authority Act.

The functions of the Authority, as identified in Section 4 of the Act are, *inter alia*, to regulate and control river rafting in Jamaica and to develop, within the limits of its resources, river rafting in Jamaica, and to promote the efficient operation of river rafting in Jamaica.

Currently, for river-based attractions, the requirements for receiving a River Rafting licence and Tourist Board attraction licence are the same. Further, the River Rafting Authority Act is to be repealed and the licensing function of the Authority is to be subsumed within the Tourist Board Act.

Cabinet decision 38/95 dated October 9, 1995 gave approval for the changes in institutional roles and responsibilities of the Ministry of Tourism and its public bodies. The decision also called for the functions of the RRA to be transferred to the TPDCo. The administration of River Rafting was transferred to TPDCo, but the Authority continues to grant licences. Plans are currently in place to repeal the Act.

6.1.5 National Fisheries Authority

The National Fisheries Authority is responsible for the conservation and sustainable utilization of the Jamaica Fisheries resources in a manner that ensures optimum social and economic benefits to Jamaica. This is achieved through proper fisheries management involving research, monitoring of environmental quality, education and training, enforcement, licensing and registration, data collection and community outreach.

The NFA's mandate is governed by the Fisheries Act (2018).

6.1.6 National Irrigation Commission (NIC)

The primary responsibility of the NIC is to manage, control and operate any irrigation works established in an irrigation area under any confirmed irrigation scheme and the distribution of water in such scheme as per Section 5 of the Irrigation Act.

6.1.7 Port Authority of Jamaica (PAJ)

The responsibility of the PAJ in this context is exercised through the Harbour Master or the Captain of the Port who is responsible for safety within a harbour. The Harbour Master establishes and maintains aids to navigation and regulates the movement of vessels within the port. The Harbour Master has jurisdiction over all vessels that operate within harbour limits but tends to focus only on directing international trading vessels. Only one Harbour Master exists for the entire island and hence the harbours are administered by their importance.

6.1.8 Jamaica Customs Agency (JCA)

The Jamaica Customs Agency collects and protects the revenue, guards against illicit imports and exports, and is responsible for, *inter alia*, assessing and collecting customs duties, fees, and penalties due on imports and exports.

6.1.9 The Jamaica Constabulary Force (JCF)

The JCF, through the Marine Police Division, has responsibility for ensuring that where there are breaches of the law, offenders are prosecuted. However, more resources are needed to be committed to the Force to enable effective prosecution, particularly under the Shipping Act (1998), the Tourist Board (Water Sports) Regulations (1995), and the Beach Control Act (1956). There is a need for greater commitment of resources to enable effective enforcement and prosecution by the JCF under the various pieces of Legislation and Regulation. There is also a need to have members of the JCF empowered under the Tourist Board Act to seize detail and dispose of vessels.

6.1.10 Ministry of Health and Wellness (MOHW)

The responsibility of the Ministry of Health and Wellness in the context of water sports involves the management and enforcement of the Public Health Regulations (2000), specifically the Tourism Establishments and Swimming Pools Regulations.

7. IMPLEMENTATION PLAN

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
Facilitation of a sector that is well regulated and safe and supplies a dynamic and diverse range of Water Sports activities	1. Carrying Capacity	1. Develop a suitable carrying capacity formula to determine optimum boating densities for water sports vessels and activities in a given location to ensure safety.	Carrying capacity formula developed and applied to water sports activities and locations.	1-2 Years	MT, TPDCo, MAJ, NFA	
		2. Maintain moratorium for marine recreational areas on the total agreed safe capacity.	Moratorium for water sports locations maintained.	1-2 Years	MT, TPDCo, NFA, Marine Police	
		3. Establish proper zoning in water sports areas.	Zoning of water sports areas established.	1-5 Years	NEPA, NFA, NRCA	
		4. Designate more water sports areas using the recommended carrying capacity formula.	More water sports areas designated based on carrying capacity formula.	1-5 Years	TPDCo, NEPA, MAJ, PAJ, NFA, Marine Police	
		5. Implement a “use or lose” requirement for JTB Licensed vessels where if an operator leaves	Use of lose system for inactive licences implemented as part	1-5 Years	JTB, TPDCo	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		a gap, for whatever reason, then another operator should be able to apply for a licence providing due notice (90 days) is given to the existing operator to respond, recommence operations, or be replaced.	of the licensing process.			
		6. Water sports activities permitted in Protected Areas should be in keeping with the approved zoning plans of these Protected Areas.	# of new licences permitted in keeping with Protected Areas zoning plans	1-5 Years	NEPA, NFA,	
	2. Absence of demarcated swim zones	1. Establish standardized specifications for buoy size, colour, spacing and anchoring in marine recreational areas as conditions of the beach licences.	Standardized specifications for buoy sizes, spacing and anchoring established as conditions of the Beach Licence.	1-2 Years	NEPA,	
		2. As a condition of the Beach Licence, there should be a requirement for the use of established entry and egress channels/lanes.	Ingress and Egress requirements established as conditions of the Beach Licence.	1-5 Years	NEPA, NFA	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		3. Strategically place signs and notifications regarding zones and specific uses within these zones at locations approved for water sports activities.	# of signs placed in approved water sports locations that address the specific uses of each swim zone.	1-2 Years	Water Sports Operators, NEPA, NFA,	
		4. Establish and demarcate clear usage zones for activities in all Marine Parks under the Marine Parks Regulations taking into consideration the current use, a mixture of uses, as well as safety and environmental issues.	# of usage zones established in Marine Parks	1-2 Years	NEPA, NFA, Marine Police, JDF Coast Guard	
		5. Provide information briefing to users of the area regarding the different uses and zones.	# of water sports operators who provide information briefing to users about the zones.	1-2 Years	TPDCo, NFA, Water Sports Operators	
	3. Speed of motorized vessels	1. Amend the Tourist Board (Water Sports) Regulations to specify the speed limit for all vessels in the marine recreational areas and empower relevant entities to enforce same.	Amendments to the Tourist Board (Water Sports) Regulations published in Jamaica Gazette.		MT, JTB, NFA, JDF, NEPA, TPDCo	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		2. Enhanced capacity for enforcement of the Beach Control Act by the Marine Police where there are breaches in the swimming area.	# of tickets, fines, arrests, etc. under the Beach Control Act by the Marine Police in relation to breaches in the swimming area.	1-5 Years	Marine Police	
	4. Absence of basic life-saving equipment	1. All providers of water sports services must provide all the requisite safety equipment.	# of water sports operators with all the requisite safety equipment	1-2 Years	Water Sports Operators	
		2. The issuing of commercial water sports licences should take into consideration access to emergency services such as fire, health, and security.	# of new water sports licences that take access to emergency services into consideration.	1-2 Years	TPDCo, JTB, NFA	
		3. Participants in water sports activities must wear suitable life vests that are fit for the appropriate type of activity.	Appropriate life vests worn for fitting water sports activity.	1-2 Years	Water Sports Operators	
		4. The MAJ safety certificate, which is issued to boats, is to be amended to include the specification for life vest requirements.	MAJ safety certificate for boats amended with life vest specifications.	1-2 Years	MAJ	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		5. Apply the MAJ's mandate requirements for persons to wear life vests in vessels operating at least 300m off-shore; and for larger vessels life vests be carried on board for all persons.	MAJ mandate for life vests on vessels 300m offshore applied as required.	1-5 Years	TPDCo, NFA, MAJ	
		6. Conduct daily checks on water sports and life-saving equipment and implement a mechanism of weekly reporting on the status of said equipment.	Daily checks and weekly reporting system implemented	1-2 Years	Water Sports Operators/Managers	
		7. Water sports operators should display safety certificates or present such certificates for inspection when called upon.	Safety certificates displayed and presented for inspection as required.	1-2 Years	Water Sports Operators	
	5. Random Mooring of Vessels	1. Section 16 of the Beach Control Act should require that mooring be only allowed in designated areas.	Beach Control Act amended.	1-5 Years	NEPA	
		2. Permanent moorings anchored to the sea floor to support the mooring of vessels should obtain	# of approvals granted for permanent moorings	1-5 Years	NEPA	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		the appropriate approvals from the NRCA as a condition of their Beach Licence.	to support mooring of vessels.			
		3. Amend the Natural Resources (Marine Parks) Regulations to allow for user fees to be applied for the use of moorings in Marine Parks.	Amendments to the Marine Park Regulations.	1-5 Years	NEPA	
	6. Reckless Behaviour	1. Implement measures to prevent the operation of vessels in an irresponsible, dangerous and reckless manner.	# of measures implemented to prevent reckless operations	1-2 Years	Water Sports Operators, Marine Police	
		2. If a person is found to be operating recklessly, both the user and the service provider renting the vessel should be held responsible.	# of persons charges, fined or arrested for reckless operations.	1-2 Years	Marine Police, TPDCo	
		3. Operators who cause injury or harm due to reckless and irresponsible behaviour should be held accountable and be punishable as far as the law allows.	# of persons charges, fined or arrested for reckless operations.	1-2 Years	Marine Police	
		4. Develop code of conduct for specific vessels e.g., parasailing;	Code of conduct developed and	1-5 Years	TPDCo, MT, NFA	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		non-motorized vessels such as tubes, kayaks, river rafts; scuba diving vessels; etc.	applied for specific vessels.			
		5. All water sports personnel are to conduct safety briefs with potential water sports users.	# of water sports operators who conduct safety briefs.	1-2 Years	Water Sports Operators	
	7. Age Limit	1. Tourist Board (Water Sports) Regulations amended to specify the minimum age limit for the operation of motorized vessels to 17 years of age.	Tourist Board (Water Sports) Regulations amended.	1-5 Years	MT, JTB	
	8. Lifeguards and Crew	1. Apply a 1:15 ratio of lifeguards to snorkelers for all vessels involved in snorkelling activities	1:15 ratio applied to snorkelling activities.	1-2 Years	Water Sports Operators, MAJ, TPDCo	
		2. All passengers engaged in water sports activities <i>in</i> the water (such as snorkelling) must wear an approved personal floating device.	Personal floatation device requirements for water sports activities in the water applied.	1-2 Years	Water Sports Operators	
		3. For all water sports activities <i>above</i> the water, apply the MAJ's crew requirements for the capacity of the boat.	MAJ crew requirements for boat capacity applied for water	1-2 Years	Water Sports Operators	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
			sports activities above the water.			
		4. In an emergency, the value-added persons can assist the crew. Valued added personnel are not to be included in the 1:15 ratio. They do not necessarily have to be lifeguard certified but should possess some training in safety techniques and practices.	# of value-added personnel assisting in emergency situations.	1-5 Years	Water Sports Operators	
	9. Ingress and Egress	1. Establish points of ingress and egress in areas where water sports activities occur.	# of ingress and egress channels established in water sports areas.	1-2 Years	NEPA, TPDCo, NFA, NIC, PAJ	
		2. Develop and enforce guidelines for ingress and egress	Guidelines for ingress and egress developed and enforced.	1-5 Years	NEPA, TPDCo, NFA, NIC, PAJ	
	10. Launch Sites	1. Establish designated launch sites where these specific water sports activities will be permitted. This should be done in collaboration with the MAJ, NEPA, NFA, NIC and other relevant agencies.	# of launch sites established in Destination Areas	1-3 Years	TPDCo,	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		2. Launch sites should be between 20m and 40m in width, and in the case of commercial launch sites, should be marked with flotation buoys as per requirements established by NEPA. Vessels should be launched from such sites in accordance with specific guidelines and recommendations which include - the existence of a ramp or other suitable area for the safe launching of the vessel and erection of prescribed signage.	Guidelines and specifications for launch sites established	1-3 Years	TPDCo, NEPA	
		3. No re-fuelling should be carried out in offshore areas. When fuelling at launch sites, no fuel shall enter the waterways.	Guidelines for refuelling at launch sites established	1-3 Years	NEPA, TPDCo	
		4. All Safety Certificates for PWCs should explicitly state that the vessel must use a launch site to enter or to exit the sea. The speed of the should not exceed 3 knots (a slow speed).	# of PWC safety certificates that specify launch sites	1-3 Years	MAJ, TPDCo	
		5. The MAJ will maintain a list of approved launch sites (private and commercial) island wide.	Database of launch sites maintained by the MAJ and TPDCo	1-3 Years	MAJ, TPDCo	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
	11. Recue Craft	1. The rescue vessel/craft must at least be able to lay a person flat. - A larger vessel being used as a rescue craft, must be able to carry four people because at least one of those persons must be lying and there should be space enough for one person to be performing Cardiopulmonary Resuscitation (CPR). If a person does not require CPR then the vessel should be able to hold five to six persons comfortably.	Specifications for rescue craft established and enforced.	1-3 Years	Water Sports Operators, MAJ, NFA, TPDCo	
		2. The vessel/craft must be stable to perform CPR while underway. - The length, width and size of craft should be specified in Regulations - A Spinal board must be placed in vessel for person to lie on The Spinal board must be able to be placed in the craft along with a driver and the medical personnel. Stability should be determined by the carrying capacity of vessel.	- Rescue craft specifications established. - Amendments to Regulations specifying specifications published and Gazetted	1-5 Years	Water Sports Operators, MAJ, NFA, TPDCo	
		3. The vessel/craft should be stable enough for the crew to retrieve a person over the side without compromising the stability of the vessel.	Rescue craft specifications established.	1-3 Years	Water Sports Operators, MAJ, NFA, TPDCo	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		4. The vessel/craft must be able to operate in rough seas - The use of a rigid inflatable vessels would be appropriate for these conditions.	Rescue craft specifications established.	1-3 Years	Water Sports Operators, MAJ, NFA, TPDCo	
		5. The vessel/craft should be able to run onto the beach where there is no fixed propeller underneath.	Rescue craft specifications established.	1-3 Years	Water Sports Operators, MAJ, NFA, TPDCo	
		6. The vessel/craft must have built in floatation in case of emergency. - Floatation devices are usually found under the seats, in the bow, in the stern, or sometimes in the floor. -	Rescue craft specifications established.	1-3 Years	Water Sports Operators, MAJ, NFA, TPDCo	
		7. The vessel/craft must be marked as a RESCUE vessel and should NOT be used for any other activity.	Rescue craft specifications established.	1-3 Years	Water Sports Operators, MAJ, NFA, TPDCo	
		8. The vessel/craft should be maintained and managed by the water sports operator.	Rescue craft specifications established.	1-3 Years	Water Sports Operators, MAJ, NFA, TPDCo	
		9. The vessel/craft should be located on the beach and fully equipped with fuel and the requisite emergency kits during	Rescue craft specifications established.	1-3 Years	Water Sports Operators, MAJ, NFA, TPDCo	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		normal water sports operations. This will ensure that if there is an emergency, the vessel/craft can be quickly and easily put to sea.				
	12. Rescue and First Aid Station	1. Establish a designated area to be used as a rescue station or first aid station in every water sports facility. This area may also be shared with other facilities and amenities.	# of designated rescue and first aid stations established at water sports sites	1-3 Years	Water Sports Operators, MAJ, TPDCo	
		2. For operators offering scuba diving services, there should be ease of access to a decompression chamber.	# of scuba diving operators with access to a decompression chamber	1-3 Years	Water Sports Operators,	
Creation and maintenance of an efficient regulatory environment with the legal, regulatory and institutional frameworks, capacity building	1. Licensing and Registration	1. Equip the MAJ with more Marine Inspectors to improve the licensing process	# of new marine inspectors	1-5 Years	MAJ	
		2. Simplify the licence renewal process	Licence renewal process simplified	3-5 Years	TPDCo, JTB, MAJ, NFA, MoH	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
and other mechanisms that will facilitate a safe Water Sports sub-sector.		3. Standardize licensing and certificate requirements for all operators	Licensing requirements standardized	1-5 Years	TPDCo, JTB, MAJ, NFA, MoH	
	2. Inventory of Vessels	1. Maintain comprehensive register of all vessels used in water sports, both commercial and private. This register will assist enforcement officers in their monitoring activities.	Vessel register established and maintained	1-3 Years	MAJ, NFA, Marine Police	
		2. Ensure all commercial and private vessels are registered. These vessels should also be officially deregistered where appropriate	Vessel register established and maintained	1-5 Years	MAJ, NFA	
		3. Establish partnership between the MAJ and JCA regarding the MAJ's input prior to the clearance of vessels.	Partnership established	1-3 years	MAJ, JCA	
	3. Insurance	1. Increase efforts to focus on safety and accident reduction and encourage local insurance companies to cover the needs of the industry.	Safety measures implemented.	1-5 Years	MT, NFA, TPDCo, Insurance Companies	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		2. Review and upgrade where possible all standards on an ongoing basis in order to eliminate possible loopholes to ensure best practices are adhered to in water sports operations.	Safety standards reviewed and updated as required	1-5 Years	MT, NFA, TPDCo, JTB	
		3. Apply insurance to the individual carrying capacity of the vessel	Insurance coverage applied using carrying capacity of vessel	1-5 Years	TPDCo	
		4. Explore the option of accessing insurance through a water sports cooperative or a stakeholder initiative led by water sports operators.	# of water sports cooperatives established	1-5 Years	Water Sports Operators	
		5. Increase the public liability insurance coverage (for high-risk activities) so as to safeguard against hefty claims.	# of insurance companies increasing public liability insurance coverage for water sports activities.	1-5 Years	Insurance companies	
		6. Establish a cooperative to facilitate group insurance rates, safety standards, etc.	# of water sports cooperatives established	1-5 Years	Water Sports Operators	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		7. Establish insurance schemes such that liabilities associated with non-deregistered vessels will be imposed on original owners.	# of insurance schemes established	1-5 Years	TPDCo, MAJ, Insurance companies	
	4. Importation	1. Establish the necessary enforcement measures needed to facilitate compliance with importation requirements/restrictions.	# of enforcement measures established to facilitate compliance	1-5 Years	Jamaica Customs, TPDCo, Min. of Finance, MT	
		2. Where necessary, impose importation restrictions via appropriate legal instruments to support the management and use of water sports equipment, including but not limited to PWCs.	# of legal instruments instituted	3-5 Years	Ministry of Finance and the Public Service	
	5. Vessel Deregistration	1. Establish a system for sharing of information between entities whenever a vessel (inclusive of those involved in fishing activities) is for any reason discarded or removed from rotation for any reason.	Vessel status information sharing system established	1-3 Years	MAJ, TPDCo, NFA, Insurance companies	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		2. Apply appropriate penalties where owners of vessels fail to notify the respective Authority on the status of the vessel	# of penalties imposed	1-5 Years	TPDCo, MAJ, NFA, Insurance companies	
	6. Enforcement	1. Facilitate training of Marine Police in assembling professional evidence including correct presentation to the courts, e.g., calculating the speed of a vessel, should create strong cases and help to improve conviction rate.	# of police officers trained in assembling professional evidence including correct presentation to the courts	1-5 Years	JCF	
		2. Every vessel with propulsion power over 5 hp comes under the Shipping Act. Where there are breaches in the swimming area, the Marine Police can enforce under the Beach Control Act. - Empower specially assigned officers with a mandate for tourism safety and security, with powers of a district constable to enforce under the Beach Control Act.	# of tickets, fines, arrests, etc. under the Beach Control Act by the Marine Police in relation to breaches in the swimming area.	1-5 Years	MAJ, JCF, NEPA	
		3. Include special conditions in the appropriate Tourism or Beach Licence to promote safety and	Special safety and environmental conditions included		MT, JTB, TPDCo, NFA NEPA	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		environmentally responsible practices.	in Tourism and Beach Licences			
		4. Strengthen enforcement to cover operations as well as licensing status and compliance.	# of licensing and compliance breaches enforced		MAJ, TPDCo, NEPA, NFA	
		5. Regulations for licensing of small vessels are to include their registration, titling, licensing, skill competency, age eligibility, training, certification and safety.	# of small vessel licences that include registration, titles, skill competency, age, training, certification and safety	1-5 Years	TPDCo, JTB, MAJ, NFA	
		6. Conduct regular sensitization seminars with judges, clerks of courts, and the police on the need for enforcement of the applicable laws.	# of sensitization sessions and seminars conducted with the judiciary and the police.	1-5 Years	TPDCo, MT	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		7. Institute a system of withdrawal of licences to operate for breaches of the Tourist Board (Water Sports) Regulations. Strong inter-agency collaboration and enforcement will mitigate against the dispersed legislative provisions affecting water sports. Therefore, a breach of the Shipping Act or Fisheries Act for instance, would trigger a withdrawal of the Tourist Board licence.	# licences suspended or withdrawn	3-5 Years	JTB, MAJ, TPDCo, NFA, Marine Police,	
		8. All vessels should clearly display an up-to-date registration decal or licence number.	# of vessels with registration decals and licence numbers displayed as required	1-3 Years	MAJ, Water Sports Operators	
		9. Maintenance records of registered vessels should be available for inspection by the relevant regulatory authorities.	# of maintenance records inspected	1-5 Years	Water Sports Operators	
		10. All applicable licences and registrations should be readily available and displayed at the premises of the commercial water sports operator. These licences and registrations should be available	Licences and registrations displayed as required	1-3 Years	Water Sports Operators	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		for inspection by the local authorities.				
		11. Conduct frequent police patrols in designated areas to enhance the security in these areas. The appearance of these officers should differ greatly from the regular police officers so as not to intimidate tourists by their presence.	# of daily patrols conducted by the Police in Water Sports Areas	1-5 Years	JCF	
		12. Private users of PWCs who are in violation of the legislation and Regulations governing Water Sports activities should bear the necessary penalties and restrictions for improper use of the vessel endangering public safety.	# of tickets, fines, arrests, etc. issued to private operators under the legislation and Regulations governing Water Sports	1-5 Years	MAJ, PAJ, Marine Police, NEPA	
		13. Ensure that every vessel with propulsion power over 5 hp be licensed under the Shipping Act.	# of vessels with propulsion power over 5 hp licensed under the Shipping Act		MAJ	
		14. Strengthen the Marine Police Division of the JCF with the appropriate resources, e.g., vessels, staff, etc., to enable effective	# of resources (vessels, staff, etc) provided to the JCF to assist with	1-5 Years	JCF, MT, TEF, TPDCo	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		enforcement and prosecution under the various pieces of legislation governing Water Sports.	enforcement of the laws governing Water Sports			
	7. Seizure of Illegal Vessels 8. Reporting of Accidents	1. Amend the Regulations to address disposal of vessels. <i>Collaboration is required with the National Solid Waste Management Authority.</i>	National Solid Waste Management Act amended	3-5 Years	JTB, TPDCo, MT, Marine Police, JDF Coast Guard, NSWMA	
		2. Establish mechanisms to treat with costs associated with seizure of vessels. Considerations should be given to the costs to be borne by enforcing agencies e.g. TPDCo., JDF Coast Guard and Marine Police Division, and where necessary those to be borne by owners of the vessel and/or the offender.	# of measures implemented to treat with costs associated with seizure of vessels.	1-5 Years	TPDCo, Marine Police, JDF Coast Guard	
	8. Reporting of Accidents	1. All water sports operators are to document and submit a report on all water sports accidents to the relevant authorities (Marine Police, NFA, NIC, TPDCo and the JTB). -	# of reports submitted to authorities by Water Sports operators	1-3 Years	Water Sports Operators	
		2. Amend the Tourist Board (Water Sports Regulations) 1985 to state a specified timeframe	Tourist Board (Water Sports) amended	3-5 Years	MT, JTB	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		within which accidents are to be reported. This will give the law enforcers such as the Marine Police and the JDF adequate time to respond.				
		3. Develop a comprehensive accident reporting protocol which captures vessel information, personnel information and all other information required by all the relevant agencies (MAJ, NFA, NIC, PAJ, TPDCo, NEPA). The protocol should also mandate all water sports personnel to document and submit a report on all water sports accidents to the relevant authorities as mentioned in #1 above.	Accident reporting protocol developed	2-5 Years	TPDCo, MAJ, NFA, NIC, NEPA, PAJ	
		4. Harmonize the Beach Control Act, the Irrigation Act, the Fisheries Act, the Shipping Act and the Tourist Board (Water Sports Regulations) 1985, to indicate the standard reporting protocol as necessary and appropriate.	Amendments to legislation and Regulations harmonized regarding reporting protocol.	3-5 Years	NEPA, PAJ, NFA, NIC, TPDCo, MAJ	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		5. Establish a registry of incidents and offences and share with the relevant agencies.	Registry of incidents and offences created and shared with agencies.	3-5 Years	JCF, MAJ, TPDCo	
		6. Institute a penalty for not reporting incidents/accidents as required.	Penalty for not reporting incidents and accidents established.	3-5 Years	TPDCo	
	9. Supervision in Harbours	1. The TPDCo. in consultation with NEPA, MAJ, NFA, JCF and other key regulatory agencies as required should agree on the sites where water sports are conducted – especially if these sites are not declared harbours. <i>The enforcement and supervision of these water sports sites would be the responsibility of the respective agencies who are already empowered such as JCF, TPDCo, Marine Park Rangers.</i>	# of water sports sites selected and Gazetted	3-5 Years	TPDCo., MAJ, NEPA, NFA, JCF, JDF, Marine Parks	
		2. Remove provision in Water Sports Regulations that vessel can be legally used to provide water sports services only in declared harbours.	Water Sports Regulations amended accordingly	1-4 Years	TPDCo.	
	10. Illegal Operators	1. Apply strategies and actions listed under enforcement above.				

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	11. Legislative Awareness	1. Review seminar content and post seminar follow-up procedures to identify problems hindering action from officers. Follow-up would also inform stakeholders whether or not trained officers have been transferred or if they are being simply ineffective.	Seminar content and follow up procedures reviewed	1-3 Years	MT, TPDCo, NFA, MFPS, MAJ	
		2. Amend the law to ensure that it is mandatory to keep case files of each offender's history.	Legislative amendments published in the Jamaica Gazette	3-5 Years	MT, TPDCo, MFPS, AGD, MAJ, NFA	
		3. Establish a meaningful/relevant legislative framework to include sensitization of the judiciary.	# of legal frameworks established that address sensitization of the judiciary.	3-5 Years	MT, TPDCo, MFPS, AGD, MAJ	
		4. Formulate a structured accountability framework that is coordinated.	Accountability framework developed.	1-3 Years	MT, TPDCo, MFPS, AGD, MAJ	
	12. Literacy Levels of Lifeguards Vessel Maintenance and Refuelling	1. Organize adult literacy interventions among lifeguards to assist with eliminating illiteracy.	# of adult literacy interventions established	1-3 Years	TPDCo, NEPA,	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		2. Increase the minimum educational standards of future lifeguards to be hired across the sector.	Minimum educational standards established for lifeguards	1-3 Years	NEPA, RLSS, JLSS	
Creation of a safe, healthy and sustainable Water Sports sub-sector that is free of pollution through education, public awareness, training and proper monitoring and evaluation of policies.	1. Vessel Maintenance and Refuelling Ecologically Sensitive and	1. Non-refuelling on the beach should be enforced in keeping with section 26 of the Beach Control (Safety Measures) Regulations (2006).	# of fines, penalties imposed as a result of breaches of section 26 of the Regulations	1-3 Years	NEPA	
		2. Refuelling is to be conducted some distance toward the back of the beach or at a site/location approved by the NRCA. Proper equipment such as funnels and containment supplies are to be used. The use of chemicals for the cleaning of vessels is to be carried out in designated areas. This should be included in the beach licence given to operators.	# of designated areas established for refuelling and cleaning of vessels	1-3 Years	Water Sports Operators, NEPA,	
		3. A proper refuelling alternative such as fuel 'depots' are to be established in each of the major destination areas. These dockyards should also have pump out facilities to contain sewage.	# of alternative refuelling locations established in water sports / destination areas	1-5 Years	TPDCo, TEF, Water Sports Operators, NEPA, NFA,	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
					NIC, MAJ, PAJ	
		4. Maintenance of vessels is to be performed at designated locations on land, preferably at licensed facilities as per NRCA's Permits and Licences Regulations.	# of designated maintenance locations	1-3 Years	NEPA, Water Sports Operators	
		5. The Beach Control Act (1956) should be amended to ban refuelling on the beach. - In the absence of access to a designated refuelling depot, refuelling some distance toward the back of the beach should be allowed with use of proper equipment such as funnels and containment supplies. - Standards and Guidelines for refuelling with some form of containment are to be developed by NEPA. - In each Tourism Destination Area, there are to be designated areas for refuelling.	Amendments to the Beach Control Act, 1956 published in the Jamaica Gazette	1-5 Years	NEPA	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		- The major issue should be the safe and environmentally friendly refuelling of vessels and not only the prevention of marine pollution. - Section 19 of Beach Control Act (1956) needs to be more specific to breaches as a result of refuelling and similar activities in marine coastal areas.				
	2. Ecologically Sensitive and Protected Areas	1. The cumulative environmental impact of motorized vessels should be taken into consideration when Tourist Board Attraction licenses are issued for a particular area. As such, the carrying capacity methodology should be used as a guide to determine the number of vessels for a particular area.	# of JTB Attraction Licences issued with considerations for cumulative environmental impact	1-3 Years	JTB, NFA TPDCo, MT	
		2. Basic environmental awareness should be considered as a pre-requisite for licensing.	Environmental awareness incorporated in the licensing process.	1-3 Years	JTB, TPDCo, NEPA	
		3. In ecologically sensitive areas, especially those declared as Protected Areas, management entities should be appointed and	# of management entities established	1-5 Years	NEPA, NFA	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		delegated the responsibility for the management of the natural resources of the area, including the restriction of specified activities as necessary.				
		4. Environmental management and conservation concerns should be included in water sports training and certification programmes.	Environmental management and conservation incorporated in the training and certification process	1-5 Years	TPDCo, NEPA, Water Sports Operators	
		5. The impacts on underwater cultural and heritage sites should be taken into consideration for specific areas in keeping with the Jamaica National Heritage Trust Act (1985).	# of underwater cultural heritage sites considered in water sports areas	1-5 Years	NEPA, JNHT, TPDCo	
	3.Training Institutions and Certification for Water Sports	1. Determine the training required and establish an accredited certified program that will facilitate skill sets required in the water sports sub-sector in keeping with industry standards.	# of accredited training programs established for water sports	1-5 Years	TPDCo, TEF, JTB, MT, MAJ, CMU	
		2. Conduct training courses on a timely basis to enable qualified	# of training programs conducted	2-5 Years	TPDCo, TEF, JTB,	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		Jamaicans to fill appropriate emerging positions in the Water Sports sub-sector.			MT, MAJ, CMU	
		3. Training for employers and employees must become a basic requirement for all persons employed in water sports.	# of water sports personnel trained in the water sports subsector	1-3 Years	Water Sports Operators. MAJ, TPDCo	
		4. Engage HEART/NSTA and Caribbean Maritime University (CMU) in developing formal training programmes on an ongoing basis guided by industry needs and standards.	# of consultations held with key institutions to develop training programs	1-2 Years	TPDCo, TEF, MT, NEPA, CMU, HEART	
		5. Establish accredited courses and compulsory certification schemes through multi-stakeholder engagement (CMU, HEART/NSTA, etc.).	# of accredited courses and certification programs established	2-5 Years	TPDCo, CMU, HEART, TPDCo	
		6. Encourage or sponsor industry certificate training at all levels (entry level to re-certification) for operators.	# of certificate training programs	2-5 Years	TPDCo, CMU, HEART, TPDCo	
		7. Publicize course offering/ certification as a requirement.	Public information campaign launched	1-3 Years	TPDCo, CMU,	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
					HEART, TPDCo	
		8. Modify licencing requirements to include training and a basic level 1 certification as a prerequisite for licencing and employment in the industry.	Licensing requirements modified as required	1-3 Years	TPDCo	
Streamlining of the regulatory framework for river-based attractions while creating an objective and transparent process for the evaluation of applications so that river-based water sports can grow within the limits of environmental sustainability, safety, and visitor satisfaction.	1. Licences Only Granted for Gazetted Rivers	1. Non-marine-based operations should be regarded as a subset of the attractions sector and will receive a JTB water-based attraction licence.	# of non-marine based operations issued JTB water-based attraction licences	1-5 Years	TPDCo, JTB	
		2. Conduct an assessment of the water features such as rivers or sections of rivers, lagoons and wetlands for recreational use using the three principal criteria outlined in the “Classification Scheme for Recreational Rivers” namely: <i>Shared Usage, Water Quality and Hydrology</i> . The entire river will no longer be gazetted, but sections of the river will be classified for recreational use as per the classification scheme.	Assessment of the water features for recreational use conducted	1-3 Years	TPDCo, MT	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		3. Implement a 'use or lose' system for water-based attractions licences on gazetted rivers. If the existing licensed operator is not using the assigned river segment, then another operator should be able to apply for that segment of the river (meeting the same licensing requirements), and giving the existing licensee a specified time (90 days) to respond or the licence will be granted to the new applicant/operator.	Use of Lose system implemented	1-3 Years	TPDCo, NEPA	
	2. River Rafting Act Limits Growth of River-Based Water Sports	1. Apply the Classification System for Recreational Rivers to determine if the river or water bodies are suitable for recreational uses.	Classification System for Recreational Use used to determine suitability for water sports operations	1-5 Years	TPDCo, NEPA	
		2. Expand the criteria for river-based water sports to include other activities other than bamboo rafting.	River based water sports criteria expanded	1-5 Years	TPDCo, NEPA	
	3. Duplication of Functions	1. In keeping with the Public Sector Master Rationalization Plan, the River Rafting Act is to be repealed and its functions	River Rafting Act repealed as recommended	1-5 Years	TPDCo, MT	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		(included the gazetted rivers), transferred to the Tourist Board Act.				
		2. Amend the Tourist Board (Water Sports) Regulations to include the licensing functions of the RRA.	Amendments to Regulations	1-5 Years	MT, TPDCo, JTB	
		3. Enhance the coordination efforts between the various regulatory agencies with responsibility for monitoring and licensing of water sports activities in marine areas and on rivers.	# of consultations held toward enhancing coordination efforts	1-3 Years	MT, TPDCo, JTB, NEPA, MAJ,	
		4. Enable the MAJ to inspect bamboo rafts to determine their 'river worthiness' and to issue certificates of competence to raftsmen.	MAJ allowed to inspect bamboo rafts	103 Years	MAJ, TPDCo	
	4. Requirements for Lifeguards on Rivers	1. Standardize training in so far as possible with the requirements in keeping training guidelines for all water sports personnel in the sector.	Lifeguard training requirements standardized	1-3 Years	NEPA, TPDCo	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		2. Raftsmen and all river-based water sports operators should be required to have lifeguard training, CPR, First Aid, and HEART Level 2 skills training as a requirement for their licence.	# of river-based water sports operators with the requisite training and skills requirements	1-3 Years	Water Sports operators, TPDCo, NEPA	
	5. User conflict on rivers - Recreational Water Sports	1. Licences should be granted for operations/activities on a specific river, and a specific segment of the river.	# of licences granted for specific rivers and segments of rivers	1-2 Years	TPDCo	
		2. Licences should be granted to raftsmen and other operators to operate on a specific segment of the river.	# of licences granted to raftsmen to operate on specific rivers and segments	1-2 Years	TPDCo	
		3. Only one operator will be granted a licence per segment of a river. (No two operators will be granted a licence to operate on the same segment.)	Licences granted to only a single operator for each river segment.	1-2 Years	TPDCo	
	6. User conflict on rivers - Non-Recreational Water Sports	1. The Classification Scheme for Recreational Rivers is to be applied to ensure that river-based recreational activities do not operate in conflict of each other and to ensure that proposed river	River Classification Study applied for all river-based operations	1-3 years	TPDCo	

Policy Goal	Policy Issue	Key Strategic Actions and Activities	Indicators	Timeline	Responsible Agencies	Indicative Costs
		rafting activities are suitable for the physical river environment for which they are being proposed.				
		2. Every river rafting operator on any river will be required to adhere to the Classification scheme.	River Rafting operators comply with Classification Scheme	1-3 Years	Water Sports Operators	

8. Appendices

8.1. APPENDIX I - CARRYING CAPACITY STUDY

Montego Bay

The Montego Bay area under review in the Capacity and Safety Study was delimited from the Bogue Lagoons in the west to the Rose Hall Beach Club in the east. This area was subdivided into three distinct areas: The Bogue Lagoons, Montego Bay (Harbour) and the west to east span of the Airport to the Rose Hall Beach Club. A large part of the area being considered falls within the Montego Bay Marine Park (MBMP), established in 1991 under the Natural Resources Conservation Authority Act (1991).

Water Sports Operators and Water Sports vessels

At the time of the study, the JTB records indicated that there are 34 Water Sports operators registered in Montego Bay, of which 25 are licensed to operate within the study area. The majority of these operators are associated with hotel properties, and only a few are independent. The operators are licensed for a variety of activities, motorized and non-motorised, including: glass-bottom tours, water skiing, parasailing, jet skiing, scuba diving, sailing, kayaking and paddle boats. There was no evidence of unlicensed operators conducting business in the area.

Information obtained from the MAJ indicates that there are 174 vessels registered in Montego Bay (up to December 2005). These include both personal and commercial (tourism) vessels, and cover both motorized (35) and non-motorized (139) vessels. These figures do not consider the numerous fishing vessels (canoes and dugouts) in the area. In addition to those registered here in Jamaica, several vessels registered in other territories are moored at the Montego Bay Yacht Club. Furthermore, there are several vessels stored on land at the Yacht Club, at private residences, at various resort properties, and at the Sandals dry dock facility.

Applying the equation for recreational carrying capacity

The water surface area within the determined study location is approximately 29,700,000 m². The non-usable area of water has been estimated to be 14,800,000 m², and includes the shipping channel, reef areas, the Bogue Islands (the fish sanctuary), and a 100m coastal buffer to represent a swim-only and entrance/egress zone. This leaves an estimated 18,100,000 m² as water area usable for recreational purposes.

The boating (vessel) capacity for the Bogue Lagoon, Montego Bay and east of Montego Bay (airport to Rose Hall) is calculated, and are presented in the table below:

<i>Montego Bay– Study Area</i>	<i>Usable Water Area</i>	<i>Optimum Boating Density (combined use)</i>	<i>Carrying Capacity (CC) for combined use</i>
Bogue Lagoons	1,600,000	40,500m ² /vessel	39
Montego Bay	7,300,000	40,500m ² /vessel	180
Airport to Rose Hall	9,200,000	40,500m ² /vessel	227

Combined Use Vessel Carrying Capacity for Montego Bay– Study Area

	<i>Usable Water Area</i>	<i>Optimum Boating Density (combined use)</i>	<i>Carrying Capacity (CC) for combined use</i>
Bogue Lagoon	1,600,000 m ²	40,500 m ² /vessel	39 vessels
Montego Bay	7,300,000 m ²	40,500m ² /vessel	180 vessels
Airport to Rose Hall	9,200,000 m ²	40,500m ² /vessel	227 vessels

Based on this calculation, the entire study area (out to the 200m depth contour) can accommodate a total of 446 motorized and non-motorized vessels combined, without compromising safe, recreational use, aesthetic enjoyment and/or environmental quality. This is well within the number of vessels that were observed in operation and berthed in the area and greater than the number of vessels currently registered with the MAJ. The Montego Bay area is therefore under capacity.

Given the extent of the area and the relatively limited number of vessels known to use the entire study area, there are no eminent safety concerns. General safety procedures and rules of the water were observed in most instances. Nonetheless, an item of concern for the entire area is the large percentage (50%) of reported incidents which involve jet skis.

There is presently no formal use zoning for the area in relation to Water Sports, although there is a zoning plan for the MBMP. The generally safe water sports practices in Montego Bay could be affected if there is an increase in the Water Sports activities in the area without the implementation of a zoning plan and a management approach to the use of vessels in the area.

Negril

The study area falls within the Negril Environmental Protection Area (EPA) and the Negril Marine Park (NMP). The latter was established in 1998 under the NRCA Act, 1991. These areas span the Long Bay and Bloody Bay areas.

Water Sports Operators and Water Sports vessels

Information provided by TPDCo indicates that there are 39 licensed Water Sports operators in the Negril area. During the site visits it was not always possible to distinguish between the licensed and un-licensed operators, nor was it possible to determine the exact number of operators, as some operators

apparently had several persons acting on their behalf. However, it was apparent that there are more than 39 operations offering water sport in Long Bay and Bloody Bay combined

Information provided by the MAJ indicates that there are 120 motorized vessels licensed for tourism in Negril, and the data provided by the National Fisheries Authority indicates that there are 11 fishing vessels registered in Negril. According to these sources there are therefore 131 registered motorized vessels in Negril.

No estimate was made of the total number of non-motorized vessels in the study area as some of them are stowed out of sight. The MAJ has 205 non-motorized vessels registered for tourism in Negril. It is believed that the majority of the non-motorized vessels observed are licensed as most operate out of the large hotels and from the formal water sport operators.

Applying the equation for recreational carrying capacity the boating (vessel) capacity for Long Bay and Bloody Bay have been calculated, and are presented as follows:

Combined Use Vessel Carrying Capacity for Negril – Study Area

	<i>Usable Water Area</i>	<i>Optimum Boating Density (combined use)</i>	<i>Carrying Capacity (CC) for combined use</i>
Long Bay	13,470,000 m ²	40,500 m ² /vessel	332 vessels
Bloody Bay	3,280,000 m ²	40,500m ² /vessel	80 vessels

Based on this calculation, the study area can accommodate a total of 412 motorized and non-motorized vessels combined, without compromising safe, recreational use, aesthetic enjoyment and/or environmental quality. However, based on observations there are 142 motorized vessels using a usable space of 1,150,000 m² (100m outside of the marked swim zone), with no more than 30 vessels being observed in use at one time. The extent of the available water (NMP) is not being used for Water Sports.

Combined Use Vessel Carrying Capacity for Negril – Current Use Area

	<i>Total Usable Area (m²)</i>	<i>Vessel Capacity of Total Area (vessels)</i>	<i>Current Use Area (m²)</i>	<i>Vessel Capacity of Current Use Area (vessels)</i>	<i>Actual Maximum # vessels observed</i>	<i>% of Vessel capacity of current use area</i>
Long Bay	13,470,000	332	900,000	22	29	131
Bloody Bay	3,280,000	80	250,000	6	22	367
Total	16,750,000	412	1,150,000	28	51	182

Applying the same desired vessel density of 40,500m²/vessel to the area of observed activity (1,150,000 m²), a recreational carrying capacity of 28 vessels is obtained. Based on these calculations, the vessel

density in the area presently being used for water sports activities is more than 180% of the vessel capacity of the area.

Ocho Rios

The area considered for the study spans a large section of the north coast shoreline, from Discovery Bay (St. Ann) in the west to Tower Isle (St. Mary) in the east, including Runaway Bay, Mammee Bay and Ocho Rios. Most of the study area falls within the proposed Ocho Rios Marine Park (ORMP) as gazetted in August 1999. A continuous reef extends across much of the study area, running parallel to the shore. For most of the area, a shallow lagoon extends from the reef to the shore, which is protected from wave action by the reef and conducive to recreational activities.

The information obtained from the MAJ indicates that there are 69 motorized vessels and 64 non-motorized vessels registered in Ocho Rios for tourism purposed. A further 13 motorized and 64 non-motorized are registered in Rio Bueno, giving a total of 200 vessels registered for tourism in the study area. The data obtained from the National Fisheries Authority indicates that there are 499 fishing boats registered in the study area. However a total number of 441 vessels were observed: 215 Motorized and 226 Non-motorized vessels.

Carrying capacity assessments were conducted for the more heavily trafficked areas including Discovery Bay, Runaway Bay, Mammee Bay/Old Fort Bay, Dunn's River and Ocho Rios Bay.

Combined Use Vessel Carrying Capacity for Ocho Rios – Study Area

	<i>Usable Water Area</i>	<i>Optimum Boating Density (combined use)</i>	<i>Carrying Capacity (CC) for combined use</i>	<i>Actual Maximum # vessels observed</i>
Discovery Bay	1,054,400 m ²	40,500 m ² /vessel	26 vessels	54
Runaway Bay	567,000 m ²	40,500 m ² /vessel	14 vessels	66
Mammee Bay/Old Fort Bay	450,000 m ²	40,500 m ² /vessel	11 vessels	47
Dunn's River	505,000 m ²	40,500 m ² /vessel	12 vessels	5
Ocho Rios	59,000 m ²	40,500 m ² /vessel	1 vessel	15

Based on these calculations the selected areas can together accommodate a total of approximately 64 motorized and non-motorized vessels combined, without compromising safe, recreational use, aesthetic enjoyment and/or environmental quality.

Observations during the field assessment indicated that there are approximately 169 motorized tourism related vessels operating within the Discovery Bay to Ocho Rios area.

Most notable in the findings is that the recreational carrying capacity assessed for Ocho Rios Bay is only 1 vessel. This suggests recreational activities within the Ocho Rios Bay should be severely restricted, and the Bay should only be considered as a location for swimming, and the entrance and egress of marine vessels. Since September 11 (9/11), the maritime fraternity implemented an International Ship Port Security (ISPS) code wherein a security boundary was placed around cruise ships. No other activity can take place in the harbour when a cruise ship is present and no vessel can pass the cruise ship whether coming in or going out as it is zoned only for cruise shipping.

Port Antonio

The area delimited in the study spans from Bryan's Bay (Nose Point) in the west, to Folly Point in the east, and includes Navy Island located to the north of the West Harbour. The West Harbour is the hub of most of the water-based activity of the town, accommodating two marinas, the cruise-ship pier, the Boundbrook Pier (commercial activity) and fishing beaches. By contrast, the East Harbour has little water-based activity with the exception of an extensive fishing beach.

During the field assessment there was only one Tourist Board licensed water sport operator and no evidence of other water sport services being offered for hire.

Information obtained from the of MAJ indicated there are two (2) motorized vessels registered in Port Antonio for tourism purposes. The National Fisheries Authority has 34 fishing boats registered in Port Antonio. However, a total of 89 vessels were observed in the study area.

Vessel Use Characteristics

<i>Vessel Type</i>	<i>Number of Registered Vessels</i>	<i>Number of Observed Vessels</i>
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Yacht	-	10
Fishing canoes	34	67
Powerboat	2	12
Total	36	89

Combined Use Vessel Carrying Capacity for Port Antonio – Study Area

	<i>Usable Water Area</i>	<i>Optimum Boating Density (combined use)</i>	<i>Carrying Capacity (CC) for combined use</i>
West Harbour	400,000 m ²	40,500m ² /vessel	9 vessels
East Harbour	630,000 m ²	40,500m ² /vessel	15 vessels

Based on calculation, the study area can accommodate a total of 24 motorized and non-motorised vessels combined, without compromising safe, recreational use, aesthetic enjoyment and/or environmental quality. This is well within the number of vessels that were observed in operation, although it is significantly lower than the number of vessels observed berthed in the area.

Black River

The study area falls within the Black River Lower Morass (BRLM), a declared wetland of importance under the United Nations RAMSAR Treaty, and a designated game reserve and protected area under Jamaican law.

There are three Tourist Board Licensed boat operators who conduct tours on the Black River. There are also canoes (fishing) (an average of two canoes a day) which offer small tours further up the river, starting in the Treasure Beach area. The MAJ register of tourism vessels indicates that there are a total of 16 registered vessels in the Black River area. Eight (8) of which are motorized, and the remaining eight (8) are non-motorized (kayaks). A total of 14 tour vessels were observed in the area.

Applying the equation for recreational carrying capacity, the boating (vessel) capacity for the lower reach of the Black River has been calculated, and is presented as follows:

Combined Use Vessel Carrying Capacity for Port Antonio– Study Area

	<i>Usable Water Area</i>	<i>Optimum Boating Density</i>	<i>Carrying Capacity (CC)</i>
Lower Reach of the Black River	90,000	36,000m ² /vessel	2.5

Based on this calculation, the study area can accommodate between 2 and 3 vessels at a time, without compromising safe use, aesthetic enjoyment and/or environmental quality. This is well below the number of vessels that were observed in operation at a given time on the river.

Port Royal

The study area falls within the Palisadoes - Port Royal Protected Area, which was declared in 1998 under the NRCA Act of 1991. On the seaward side of the Palisadoes, and south of Port Royal lie a number of cays, known as the Port Royal Cays. Notable among the cays is Lime Cay.

There are no Tourist Board licensed Water Sports or water-based tour operators in the area.

Information provided by the MAJ indicates that there are 8 motorized vessels licensed for tourism in Port Royal/Kingston, and there are 22 vessels registered in Kingston for personal use. The data provided by the National Fisheries Authority indicates that there are 65 fishing vessels registered in Port Royal. Together there are a total of 95 registered vessels in Port Royal/Kingston.

Combined Use Vessel Carrying Capacity for Lime Cay – Study Area

	<i>Usable Water Area</i>	<i>Optimum Boating Density (combined use)</i>	<i>Carrying Capacity (CC) for combined use</i>
Western side of Lime Cay	80,500 m ²	40,500 m ² /vessel	2 vessels

Based on this calculation, the study area can accommodate the active recreational use of a total of 2 motorized and non-motorized vessels combined, without compromising safe, recreational use, aesthetic enjoyment and/or environmental quality. This does not include boats that use the area for mooring purposes or for entry or egress.

Observations during the field assessments indicated more than 40 motorized vessels use the study area, mostly for access and mooring. The use of jet skis for recreational purposes was the only active use of the area. There were never more than four (4) PWCs skis observed using the area recreationally at the same time.

8.2. APPENDIX II – CURRENT REGULATORY FRAMEWORK FOR RIVER-BASED RECREATIONAL ACTIVITIES

Authority/Agency	Control	Requirements
River Rafting Authority	Operating Licence Guidelines and regulations compliance	River must be gazetted for rafting. Descriptions: activity, other uses of the river, maps delineating the proposed tour segment, proposed activities, minimum depth and width, and maximum velocity. Lease agreement if applicable for lands used in connection with the Rafting venture. Safety facilities: Life vests for each passenger and raftsman, spinal board, first aid kit at start and finish of trip, public liability insurance, First Aid, CPR and life saving certificates, Special Injury Management, Life Guard certificates.
River Rafting Authority	Raftman's Licence	To work as a raftsman
TPDCo.	Licence	Watersports Tour Guides Certification
Jamaica Tourist Board	Raftman's Licence	To work as a raftsman
Municipal Corporations	Approval	To operate. To construct any permanent structures on riverbanks or to modify the course or drainage.
Public Health Department	Compliance	Guidelines on method of disposal of sewage and grey water generated by the rafting facility- advice to Municipal Corporation. Food Handler's Permits
Water Resources Authority	Advice	To operate in the dry season. WRA has no legislative control over rafting but has only an advisory function with respect to critical flow conditions.
NRCA	Permit	Water quality test results (fecal coliform) for 6 weeks. Project Description (map showing proposed tour segment) and shared uses. Any plans to alter the river or banks must be done in consultation with other stakeholders including Ministry of Economic Growth and Job Creation. Proof of ownership or lease arrangement for lands used in connection with the rafting venture. Buildings and Sewage" descriptions and layout. Septic tanks and absorption pits are not permitted within 100m of the river. Septic system information (cesspool emptying frequency, capacity etc.) Solid waste disposal arrangements.
National Solid Waste Management Authority	Permission	To place solid waste at municipal dump
NWC	Permission	To operate the cesspool
Maritime Authority of Jamaica	Certificates	Safety certificates (where applicable), vessel registration, safety inspection, competence of operator and casualty investigations. Regulation of vessel speed, time of operation and safety standards under the Harbour Rules.
National Fisheries Authority	Permit Licence Authorisation	With respect to conducting fishing or a related activity in a river the owner or operator of any relevant vessel must have a fishing vessel licence.

		Any person that is desirous of fishing or participating in a related activity in a river must first acquire a licence, permit, or authorisation from the NFA.
National Irrigation Commission	Compliance	Obstruction, tampering or damage to irrigation works.
Registrar of Companies	Registration	Requirement for company to operate tour, and obtain public liability insurance.
Taxpayer Audit and Assessment Department	Registration	For GCT compliance
Office of Disaster Preparedness and Emergency Management	Consultation	With respect to contingency plans for flash flooding or early warning systems. Hurricane preparedness plans (for facilities)

NRCA

8.3. APPENDIX III – Proposed Classification Scheme and Criteria

Shared Use Criteria

The shared use criteria is designed to classify rivers according to their major environmental sensitivity, so that impacts can be avoided or managed responsibly. Nine classes are recommended which take into account the range of environmental and user conflict concerns that may arise in the Jamaican situation. These are: Indigenous Aquatic Ecology; Indigenous Aquatic Ecology - coastal estuary or river is associated with a Marine Park; Harvesting; Agricultural Run-offs; Domestic Usage/ High density Residential Areas Upstream of Tour Segment; Public Water Supply; Other Recreational Use; Industrial Water Use; and Non-water Resource Use. Ideally, each river segment should be limited to one tour attraction.

Recommended Shared Use Criteria

Type	Usage	Tour Operated	Environmental Concern	Policy Area for Recreational Managers
A.	Indigenous Aquatic Ecology	Upstream of, or in an area of natural significance – e.g. nature preserve (Ramsar Site) or has protected species of fish or wild life	Habitat disturbance – noise & vibration, air pollution, solid waste, water pollution by tours.	Use of motor boats Density of boats Visitor traffic Waste Management No feeding or disturbance of animals (birds, crocodiles, etc) Maintenance of natural vegetation
AA.	Indigenous Aquatic Ecology – coastal estuary or river is associated with a Marine Habitat		Risk of fuel spills Water quality	
B.	Harvesting	Upstream of or within an area where harvesting aquatic species for human consumption is of economic importance – e.g. shrimping, fresh water fisheries.	Habitat disturbance and loss of revenue to fisherfolk – noise, air pollution, solid waste, water pollution. Bacterial contamination of shrimp, crayfish, and freshwater molluscs	Waste management: • Solid waste • Raft materials • Sewage • Use of boats and vessels

			due to bather shedding.	
C.	Agricultural Run-offs	Downstream of major agricultural areas where animals are kept or where there is extensive use of machinery or pesticides or fertilizers.	Pollution of water by agricultural run-offs: bacterial loads, algal blooms, loss of biodiversity and natural beauty. Pollution of the river by suspended solids.	Health of visitors: Criteria for temporary closure. Quality of visitor experience.
D.	Domestic river usage High-density residential areas upstream of the tour segment.	Within 1 km downstream of any segment that is traditionally used by a community for bathing, laundry, Within 1 km upstream of water used for community drinking (untreated) water purposes. Soakaway pits within 1 km of banks along segment used by tour. Improper refuse disposal near riverbanks. Motorized and non-motorized transportation	Pollution of river by community: nutrients, bacteria, and floatations. Pollution (bacteria and nutrients) of river by throughflows from sewage contaminated groundwater. Pollution of river by Garbage and floatations.	Health of visitors - Criteria for temporary closure. Quality of experience of visitors. Possible flood risk. Flood warning system Watershed protection
E.	Public water supply	Upstream of a major intake for treatment (disinfection) and distribution.	Pollution of water by tours.	Visitor sewage management. Restriction from primary contact.
F.	Other Recreational Use	Other river tours or Community recreational swimming, picnicking etc.	Crowding – competition on river. Off-river competition: traffic congestion, use of facilities etc.	Quality of experience. Delays. Safety issues.
G.	Industrial water use	Downstream of intake for cooling waters or hydropower. Discharge of processing waste	Hazardous conditions: unpredictable peak instantaneous discharges or hot water.	Early warning systems. Criteria for temporary closure.
H.	Non-water resource river use	Mining river sediments or banks. Farming on banks. Car washing on banks or washing of equipment.	Loss of visual amenity – pollution from suspended solids and floating oil and grease; scum.	Quality of experience of visitors. Navigational problems

			Higher rates of sedimentation Nuisance to tours.	
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Water Quality Criteria

The water quality criteria address the need to ensure the level of contact that is permitted and is suitable to the water quality so that public health is protected. Of the three proposed sets of criteria, this set is the most likely to be seasonally variable, with better conditions occurring in the dry season. Before allowing the use of a river segment as an attraction, both the operator and the licensing authorities need to ensure that the water quality is suitable to permit the desired level of contact so as to safeguard public health. Five contact classes and allowable water quality standards are recommended: bathing waters, primary contact water, secondary contact water, visual contact and no contact.

Recommended Water Quality Criteria

Contact Level	Criteria	Degree of Body Contact	Example of Activity or Attraction	Sampling Frequency (Post-Permit)
Bathing waters (BW)	<100 MPN fecal coliform per 100 ml. No nuisance organisms present (very low nutrient load). No dangerous wildlife.	Full body immersion	Mineral bath Climbing waterfalls Water parks Swimming holes	Weekly
Primary Contact Water (PCW)	<200 MPN fecal coliform per 100 ml. No dangerous wildlife.	Ingestion of water very likely. Splashing on skin very likely. No full body immersion.	Tubing, Canoeing, Kayaking/paddling Row-boats, White-water rafting, Use of lie-lows.	Fortnightly during the rainy season and monthly during the wet season
Secondary Contact Water (SCW)	>200 MPN fecal coliform per 100 ml. <1000 MPN fecal coliform per 100 ml	No full body immersion. Low chance of ingestion. Minor skin contact (splashing)	Sport fishing Boating (motor); Jet skis and water skis Airboats, Bamboo rafting. Wading, Hiking	Monthly during the rainy season
Visual (VW)	<2000 MPN fecal coliform per 100 ml	No contact	Picnicking and parties. Shore fishing, Bird watching, Horse-back riding, House-boats	Quarterly
No recreational use (NRU)	>2000 MPN fecal coliform per 100 ml			Sample dry season and wet season annually.

Hydrographic Criteria

The hydrographic criteria ensure that permitted tours (including vessel types) are aligned with the physical parameters of the river system, and that the tours are operated in a safe way. The recommended

hydrographic criteria take into account environmental constraints that limit water-based activities, and classify rivers according to seasonally variable, consistent or slow high volume near mouth of the river.

Recommended Hydrological Criteria

Type	Baseflow	Typical Setting	Concern	Policy Area for Recreational Managers
I	Seasonally Variable	Non-limestone catchment or source waters or regulated flow. - Flashy responses in wet season - Drought or low level in the dry season Areas of steeper gradients – Whitewater possible. In upland areas where rivers can be less than 3m wide sinuosity greater than 1.5 can make manoeuvring longer rafts difficult.	Access to launch and landings	Provision of suitable gear infrastructure
			Maintenance of access points and banks	Maintenance of riparian vegetation Quality inspection
			Seasonal closures	Numeric criteria for closure
			Visitor safety Navigation around tight bends	Classification of rapids* Provision of suitable signage
II	Consistent flows year round	Emergent from karstic groundwater. Areas of steeper gradients – whitewater possible. Deep “blue holes” can exist In upland areas where rivers can be less than 10 m wide sinuosity greater 1.5 can make maneuvering difficult.	Visitor safety	Provision of suitable signage
			Length of trip Navigation around tight bends	Adoption of regulations pertaining to white water rafting Classification of rapids*
III	Slow high volume flows near mouth	Floodplain or morass; Flood prone banks Broad waterways (>10 m) so high sinuosity does not matter; Gentle gradient: No rapids or whitewater	Maintenance of access points	

*Whitewater can only occur in either Type I or II rivers in Jamaica.

8.4. APPENDIX IV – RIVER CLASSIFICATION AND GENERAL LICENSING

River Segment	Classification	Setting ¹	Recommended Recreational Vessel/Activities	Other Considerations for Licensing
L. Rio Grande	Type I H/C SCW	Rural Natural (Rafters' Rest) to Semi-Primitive (Grant's Level)	- Bamboo rafting (10 m) - Swimming - Sport fishing (not using motorized boats) - Visual class activities.	- Water quality may not be suitable for primary contact activities. Specify twice monthly testing. - There may also be hazards if diving is done in too shallow an area. Specify minimum depth. - Uses are compatible (provided agreement with mining operations). - Type I dry season flows may be too low (< the feasible minimum) for safe navigation. Dry season access to the river from an access point designed for a wet season level. If access point is designed for a dry season level, there will be damage to it during the wet season. - Slope and width can accommodate the bamboo rafts.
U. White River	Type II C SCW (Sept-Jan – wet season)	Urban (landing and launch) Semi-Urban (along tour) Rural Developed (at Endeavour)	- Tubing (3 m diameter) - Visual class activities	- Recommended for secondary contact activities during wet season months of Sept-Jan, unless water quality can be proven safe for primary contact. - May have turbidity problems after rainfall. - Nutrient levels may result in increased aquatic vegetation. - Type, slope, depth, width suitable. Average wet season speed is manageable with trained guides.
	Type II C PCW (Feb-Aug – dry season)	Rural Natural (Spanish Bridge)	- Tubing (3 m diameter) - Swimming	- Generally suitable but water quality must be proven safe for primary contact. - There is a concern that water depths in March may be too low (<20 cm) in some years.
L. White River	Type II D/G SCW		- Bamboo Rafting (10 m) - Tubing - Visual class activities	- There is a concern that wet season water quality may exceed secondary standard. - There is a concern that water depths in March may be too low (<20 cm). - Suitable shared use, type, width, slope.
Martha Brae	Type I D/E SCW	Suburban (Clifton Bridge) to Rural Developed (Rafters' Village)	- Bamboo Rafting (10 m) - Sport-fishing - Visual class activities	Concern with flashy storm responses during wet season (May to October in particular).

¹ Based on the Water Resources Opportunities Spectrum (WROS)

River Segment	Classification	Setting ¹	Recommended Recreational Vessel/Activities	Other Considerations for Licensing
				- Water depths in some dry season months (January and March) may be insufficient in some years. Slope and width suitable. - Water quality testing necessary to determine suitability for primary contact activities.
Great River Shettlewood to Lethe	Type I F SCW	Rural Natural to Semi-Primitive	Visual class activities	- Not suitable for primary contact activities e.g. tubing unless water quality testing proves otherwise. - Visitor capacity needs to be determined as there are shared recreational uses on this river segment. - Suitable width and slope to allow for tubing. - Water depths too low for tubing in some dry season months (January and February) in some years.
Great River Lethe	Type I F SCW	Rural Developed to Rural Natural	- Bamboo Rafting (10 m) - Visual class activities	- Uses are compatible although visitor capacity needs to be determined (crowding). - Type I dry season flows may be too low (January and February) in some years. - Problem with dry season access points. - Problem with possible damage to access points in wet season. - Flashy storm responses possible. Need early warning system. - Slope and width can accommodate the bamboo rafts. - Water quality testing needed to determine suitability for primary contact activities.
Great River Eden to NWC Intake	Type I E SCW (May – Nov)	Rural Developed	- Whitewater rafting - All secondary contact activities restricted by width and valley slope (velocity). - Visual amenities where bank access is possible.	- May not be suitable for primary contact activity unless proved safe by water quality tests - Hazard from flash floods (early warning system needed). - Concerns with proximity to municipal water intake. - Advanced skills level certification may need to be specified for white water rafting.
Black River	Type II AA/ C SCW	Urban (landing/ launch) Rural Natural (Broad Water)	- Boating (motorized) - Swimming - Sport fishing - Airboats	- Swimming not recommended (due to secondary contact water quality and crocodiles). - This is a protected area. Visitor capacity needs to be determined, and tourism activities managed i.e. vessel engine type noise, and speed must be restricted. - Suitable width, valley slope, depth.
Roaring River (Westmoreland)	Type I C SCW		Visual class activities	- Not suitable for primary contact activities unless proved safe by water quality tests. - Water depth may be too low in dry season for rafting.

River Segment	Classification	Setting ¹	Recommended Recreational Vessel/Activities	Other Considerations for Licensing
Roaring River (St. Ann)	Type III		<i>More information needed</i>	<i>More information needed</i>
U. Milk River	Type II B/ D		Visual class activities	- Slope and width unsuitable for secondary contact activities. - May become too low in dry season for boating.
L. Milk River	Type III C/ D SCW		Boating (non-motorized)	- Swimming not recommended (due to crocodiles). - Suitable slope and width for boating.

Source: System of the Classification of Rivers for Recreational Use

8.5. APPENDIX V – REVISED MORATORIUM FOR BLACK RIVER

EXISTING MORATORIUM (BLACK RIVER)	RECOMMENDATIONS FROM 2016 CARRYING CAPACITY STUDY	MINISTRY OF TOURISM RECOMMENDATIONS
October 1995 to Present		Effective June 2018
RRA Licences issued to only three (3) Major Operators (with Pontoon Vessels) to operate on the river. <i>There is no limit to the number of vessels. There are currently 17 pontoon vessels in operation.</i>	JTB Licences can be issued to up to six (6) major operations (with Pontoon vessels) on the Lower Black River segment (Docking Area to Broad River to Salt Spring Bridge). Each operator is allowed a maximum of 7 trips per day.	The Ministry recommends that a maximum of five (5) operators with pontoon vessels be allowed to operate between the Docking Area and the Salt Spring Bridge segment of the river. Each operator will be allowed a maximum of 8 trips per day despite the number of vessels owned.
12 individual small boat (canoe) operations allowed on the river <i>There are currently two (2) operators with a total of fourteen (14) vessels in operation.</i>	- Twenty-four (24) individual small boat (canoe) operations/trips can be allowed to operate on the Lower Segment of the River (Docking Area to Middle Quarters Intersection). - Sixty-four (64) small boat (canoe) operations/trips can be allowed on the Upper Black River Segment (Broad River to Cheese Rock). <i>There are currently no licensed operations on this segment.</i>	- The Ministry recommends that a maximum of 4 operators with canoe operations can be allowed to operate on the river. All operations must be licensed according to the segment of the river they will be operating on. Each operator will be allowed a maximum of 22 trips per day. - Specifically, for the Docking area to Middle Quarters intersection segment, a maximum of 24 trips can be accommodated with a maximum of three (3) trips per vessel per day. - For the Broad River to Cheese Rock segment, a maximum of sixty-four (64) trips can be accommodated with a maximum of three (3) trips per vessel per day.
	A total of three (3) licensed River Rafting operators can be accommodated along the Middle Quarters Segment of the river with a maximum of eight (8) trips per day for each operator.	The Ministry maintains the same recommendation in the 2016 Carrying Capacity Study with a total of three (3) licensed River Rafting operators on the Middle Quarters segment with a maximum of eight (8) trips per day for each operator.

8.6. APPENDIX VI – GLOSSARY

Commercial Water Sports: involve those water sports activities that are provided for trade or hire. A JTB licence is required to provide these services to the public for trade or hire. All vessels used for commercial water sports activities are required to have a Maritime Safety Certificate and are expected to adhere to requisite guidelines and requirements for commercial activities.

For the purposes of this Policy, the term ‘Maritime Safety Certificate’ refers to the Small Vessel Safety Inspection Certificate issued by the MAJ.

Illegal Water Sports: any Water Sports activity being operated for trade or hire without a valid JTB licence.

Marine Water Sports: those types of marine recreational activities that *take place in, on, or under the water seaward of the foreshore*. These activities can be motorized or non-motorized, and include the following: parasailing, snorkelling, deep sea fishing, scuba diving, jet skiing among others.

Motorized Water-Based Activities: include activities that *take place in, on, or under the water that involve the use of a vessel or craft with an inboard motor or engine as the primary power source*. Such activities include: Jet Skiing, Water Skiing, Parasailing, Power boating, among others.

Non-motorized Water-Based Activities: include activities that *take place in, on, or under the water that may or may not include a vessel without an inboard motor or engine*. Such activities include: surfing, windsurfing, snorkelling, kite surfing, among others.

Personal Water Craft (PWC): any recreational vessel with an inboard engine that drives a pump-jet that creates a thrust for propulsion and steering. These vessels allow the rider to sit or stand on, rather than being inside of, as in a boat. For the purposes of this Policy, PWCs refer to Jet Skis.

Private Water Sports: involve activities that are conducted by persons for their own personal pleasure and recreation with their private water sports vessels. Private activities do not require a JTB licence but any vessel used requires a Maritime Safety Certificate. Private Water Sports Activities are not provided for trade or hire.

Rescue Vessel/Craft: a vessel or craft which is used to attend a vessel in distress, or its survivors, to rescue crew and passengers. It can be hand pulled, sail powered or powered by an engine. They may be rigid, inflatable or rigid-inflatable combination-hulled vessels.

Riverine Water Sports: types of recreational activities that *take place in, on, or under the river, lake, pond, blue hole, lagoon or wetland*. Such activities can be motorized or non-motorized leisure activities, and include the following: bamboo rafting, white water rafting, and waterfall climbing, among others.

Water Sports: any type of recreational activity *in, on, or under the water*.

