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Testimony
Before the Committee on Resources
United States House of Representatives

Hearing on Personal Watercraft Use in the National Parks System
May 4, 2005
Oral Testimony Outline for Mr. Dave Bamdas
Owner, Riva Motor Sports

House Committee on Resources
National Parks Subcommittee
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May 4, 2005
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1334 Longworth House Office Building

Good morning, and thank you for inviting me to testify before the subcommittee.
My name is Dave Bamdas. I am the owner and operator of Riva Motor Sports – the largest retailer of personal watercraft in the world.

Riva has two locations, one in Pompano Beach, FL and the other in Key Largo.
Beyond this, I am also an avid boater and have been all my life. I have always been an enthusiast of personal watercraft too.

South Florida is the boating capitol of America. To Floridians like myself, boating is part of our lifestyle, and for this reason it should come as no surprise that there are more than a million registered boats in our state.

In the three most southern counties – Broward, Miami-Dade, and Monroe, there are approximately 18,000 registered personal watercraft.

As a retailer of 20 years, I can attest to the evolution of PWC technology. Over the last decade these boats have become larger and more comfortable for multiple passengers, and they feature cleaner and quieter, more environmentally friendly engines.

And as a rider, I support your efforts to seek answers from the National Park Service as to why it is taking so long to complete the environmental assessments and rulemakings in the national parks system.
It is, however, encouraging that time after time, each completed environmental assessment reaches the same conclusion – that the bans are unnecessary and based on inaccurate information.

This morning I would like to describe a situation that is near and dear to me – the regulation of personal watercraft at Biscayne National Park in Miami, which is located approximately 10 miles from one of my stores. Today, as a result of the 2000 National Park Service rule, PWC and the families who ride them are banned from the park.
I estimate that before the ban took effect in 2000 approximately 90% of my customers would ride their PWC in the park.

I have spent many hours boating in Biscayne National Park. Unless you have been to Biscayne National Park it is difficult to really appreciate it. You see, compared to many other park units, Biscayne - to my knowledge – is the only one that is situated in such a high population boating area on the Atlantic Ocean that allows all other boats including cigarette speed boats and commercial ships to cross through its boundaries. And, perhaps the most unique characteristic about Biscayne National Park is its shoreline, where Turkey Point – a nuclear power plant – is fully operational.

Even Miami International Airport is not far away, nor is the port where the cruise ships come to dock and collect their next group of two or three thousand guests. The point I am making is that Biscayne National Park is not walled off from the rest of the waters of South Florida. Additionally, all boating is allowed in the park with the exception of PWC.

On one side to the north there is Key Biscayne and Miami Beach and on the other side to the south you have Key Largo - areas that allow PWC. And directly through the park in some points runs the Intracoastal Waterway – a federally managed waterway that also allows PWC and other vessels. (see map on page 7)

Last year, I joined a coalition of other businesses, PWC owners, and the Personal Watercraft Industry Association in

petitioning the National Park Service to review the current PWC ban in Biscayne National Park.

Personally, I believed the park superintendent and others here in the NPS' Washington office would be reasonable in their consideration of our request. While Biscayne National Park banned PWC use through the 2000 federal rule that banned all PWC use system wide, it seemed completely irrational to many boaters in South Florida, including my customers.

In a very short amount of time, thousands of letters were signed by PWC users in support of the environmental assessment. I have many of these letters here in front of me. Some of these letters were sent directly to the park superintendent, while others were sent to your distinguished colleagues in Congress.

Unfortunately, however, after four months without a peep from the park service our petition was denied last December. A one-page denial faxed to our attention less than 24 hours before our public town hall meeting in Miami is how we were informed. The timing, might I add, was ironic.

The ban is discriminatory and baseless. There was never any study at Biscayne – scientific or otherwise – at the local level to justify a ban. And contrary to allegations, PWC do not adversely affect sea grass beds.

In fact, the only study conducted that analyzed PWC and sea grass dates back to 1997 from the Florida Keys. Even then, using the older technology, it concluded that when operated as recommended by the manufacturer, personal watercraft do not harm sea grass. This determination was made in waters as shallow as 20 inches deep. Manufacturers typically advise against operating in waters less than 24 inches.

The first question I typically hear from customers is not about the price or capability of the watercraft, but where PWC can be used in the area. I understand their concern because as a user myself, it is one that I share.

Meanwhile, the reality is that I can take a jet boat through the park – which are boats powered with the same engines as a personal watercraft. This point underscores the absurdity of the ban.

I appreciate efforts to protect the environment. I am an environmentalist myself. But I wonder how many hours the witness from the Bluewater Network has spent in Miami on the waters of Biscayne National Park?

Working only to block environmental assessment studies from beginning does not qualify an organization or an individual as an environmentalist. To the contrary, this qualifies such entities as obstructionists.

I applaud an industry that redesigns its technology to become more environmentally-friendly so people can continue to enjoy their public waterways. It would appear that this is the best of both worlds, a win-win situation.

The 2000 rule may have identified 21 specific park units, but it did not specify that other park units could not conduct the same analysis. With approximately 18,000 registered personal watercraft owners in South Florida, Biscayne National Park should be one that this subcommittee implores the National Park Service to begin an environmental assessment.

Before I close, I would like to add that on behalf of the coalition that petitioned the NPS last August, the Personal Watercraft Industry Association filed a Freedom of Information Act request seeking the grounds for the petition's denial. We are still waiting for a response. Personally, I believe this is because there is very little or perhaps nothing at all to support the denial.

My plea for help is not about my dealership – it's about being a boater and being unfairly discriminated against. When the impact of the ban hit my business, I was fortunate enough to diversify and as a result, grow my business. Today, because we sell scooters, off-road vehicles, motorcycles, and larger boats, I am able to employ even more local residents than before.

I am very grateful, Mr. Chairman, for the support you have voiced with Representatives Mario Diaz-Balart, Lincoln Diaz-Balart, and Clay Shaw in a recent letter to NPS Director Fran Mainella about being fair and prudent in this matter by allowing the environmental assessment to begin at Biscayne National Park.

Thank you.