

## Exhibit II-1 California Boating Accident Statistics 1999-2008

| Year | Number of<br>Accidents | Number of<br>Injuries | Number of<br>Fatalities | Amount of<br>Property Damage |
|------|------------------------|-----------------------|-------------------------|------------------------------|
| 1999 | 907                    | 491                   | 42                      | \$2,864,000                  |
| 2000 | 906                    | 524                   | 51                      | \$3,038,400                  |
| 2001 | 907                    | 502                   | 48                      | \$2,841,900                  |
| 2002 | 911                    | 468                   | 53                      | \$3,732,850                  |
| 2003 | 963                    | 502                   | 61                      | \$3,820,000                  |
| 2004 | 744                    | 439                   | 44                      | \$4,073,400                  |
| 2005 | 801                    | 428                   | 58                      | \$3,584,700                  |
| 2006 | 757                    | 445                   | 42                      | \$8,913,375                  |
| 2007 | 804                    | 482                   | 55                      | \$10,643,800                 |
| 2008 | 686                    | 382                   | 48                      | \$5,899,184                  |

## Exhibit II-2

### 2008 California Registered Vessels and Boating Accidents by County

| County          | Number of Registered Vessels | Accidents  | Injuries   | Fatalities | Property Damage       |
|-----------------|------------------------------|------------|------------|------------|-----------------------|
| Alameda         | 23,992                       | 7          | 1          | 1          | \$19,250.00           |
| Alpine          | 124                          | 1          | 0          | 1          | \$0.00                |
| Amador          | 3,245                        | 1          | 0          | 0          | \$1,000.00            |
| Butte           | 16,372                       | 3          | 2          | 1          | \$2,800.00            |
| Calaveras       | 6,131                        | 2          | 0          | 0          | \$10,700.00           |
| Colusa          | 1,416                        | 1          | 3          | 0          | \$16,500.00           |
| Contra Costa    | 34,243                       | 28         | 26         | 2          | \$114,700.00          |
| Del Norte       | 1,498                        | 2          | 4          | 1          | \$3,050.00            |
| El Dorado       | 14,433                       | 9          | 7          | 1          | \$12,500.00           |
| Fresno          | 21,797                       | 14         | 7          | 3          | \$27,550.00           |
| Glenn           | 1,928                        | 2          | 2          | 1          | \$3,000.00            |
| Humboldt        | 7,382                        | 1          | 1          | 0          | \$3,000.00            |
| Imperial        | 2,173                        | 1          | 2          | 0          | \$300.00              |
| Inyo            | 1,116                        | 0          | 0          | 0          | \$0.00                |
| Kern            | 16,810                       | 8          | 4          | 0          | \$7,450.00            |
| Kings           | 2,848                        | 0          | 0          | 0          | \$0.00                |
| Lake            | 10,611                       | 12         | 8          | 0          | \$36,250.00           |
| Lassen          | 3,232                        | 0          | 0          | 0          | \$0.00                |
| Los Angeles     | 110,288                      | 55         | 10         | 3          | \$1,120,080.00        |
| Madera          | 6,240                        | 8          | 6          | 0          | \$9,050.00            |
| Marin           | 8,299                        | 7          | 6          | 2          | \$18,650.00           |
| Mariposa        | 1,611                        | 3          | 0          | 0          | \$19,500.00           |
| Mendocino       | 4,888                        | 0          | 0          | 0          | \$0.00                |
| Merced          | 6,432                        | 5          | 6          | 0          | \$8,400.00            |
| Modoc           | 787                          | 0          | 0          | 0          | \$0.00                |
| Mono            | 1,528                        | 2          | 1          | 1          | \$0.00                |
| Monterey        | 8,121                        | 11         | 10         | 0          | \$130,400.00          |
| Napa            | 6,158                        | 27         | 20         | 0          | \$54,800.00           |
| Nevada          | 9,544                        | 7          | 5          | 0          | \$13,846.00           |
| Orange          | 62,964                       | 69         | 12         | 0          | \$881,900.00          |
| Placer          | 20,466                       | 12         | 3          | 0          | \$419,800.00          |
| Plumas          | 3,683                        | 7          | 3          | 0          | \$19,600.00           |
| Riverside       | 49,500                       | 21         | 13         | 4          | \$34,750.00           |
| Sacramento      | 43,483                       | 22         | 13         | 1          | \$128,650.00          |
| San Benito      | 1,723                        | 0          | 0          | 0          | \$0.00                |
| San Bernardino  | 48,841                       | 47         | 49         | 0          | \$229,400.00          |
| San Diego       | 61,572                       | 84         | 55         | 0          | \$1,093,390.00        |
| San Francisco   | 3,673                        | 15         | 7          | 0          | \$204,450.00          |
| San Joaquin     | 24,709                       | 58         | 32         | 9          | \$482,950.00          |
| San Luis Obispo | 12,876                       | 6          | 6          | 0          | \$14,900.00           |
| San Mateo       | 10,986                       | 5          | 3          | 4          | \$220,550.00          |
| Santa Barbara   | 9,761                        | 28         | 1          | 1          | \$204,100.00          |
| Santa Clara     | 25,058                       | 4          | 2          | 0          | \$5,800.00            |
| Santa Cruz      | 7,230                        | 1          | 0          | 0          | \$600.00              |
| Shasta          | 19,356                       | 27         | 14         | 2          | \$18,450.00           |
| Sierra          | 319                          | 0          | 0          | 0          | \$0.00                |
| Siskiyou        | 4,171                        | 0          | 0          | 0          | \$0.00                |
| Solano          | 14,818                       | 9          | 7          | 4          | \$26,550.00           |
| Sonoma          | 17,811                       | 8          | 5          | 1          | \$80,450.00           |
| Stanislaus      | 17,989                       | 8          | 4          | 0          | \$15,450.00           |
| Sutter          | 5,455                        | 1          | 0          | 1          | \$0.00                |
| Tehama          | 4,457                        | 2          | 1          | 0          | \$900.00              |
| Trinity         | 2,212                        | 0          | 0          | 0          | \$0.00                |
| Tulare          | 8,918                        | 3          | 2          | 1          | \$5,500.00            |
| Tuolumne        | 6,084                        | 6          | 3          | 0          | \$33,268.00           |
| Ventura         | 23,772                       | 18         | 10         | 3          | \$132,200.00          |
| Yolo            | 5,878                        | 5          | 3          | 0          | \$11,600.00           |
| Yuba            | 4,278                        | 3          | 3          | 0          | \$1,200.00            |
| <b>Totals*</b>  | <b>855,290</b>               | <b>686</b> | <b>382</b> | <b>48</b>  | <b>\$5,899,184.00</b> |

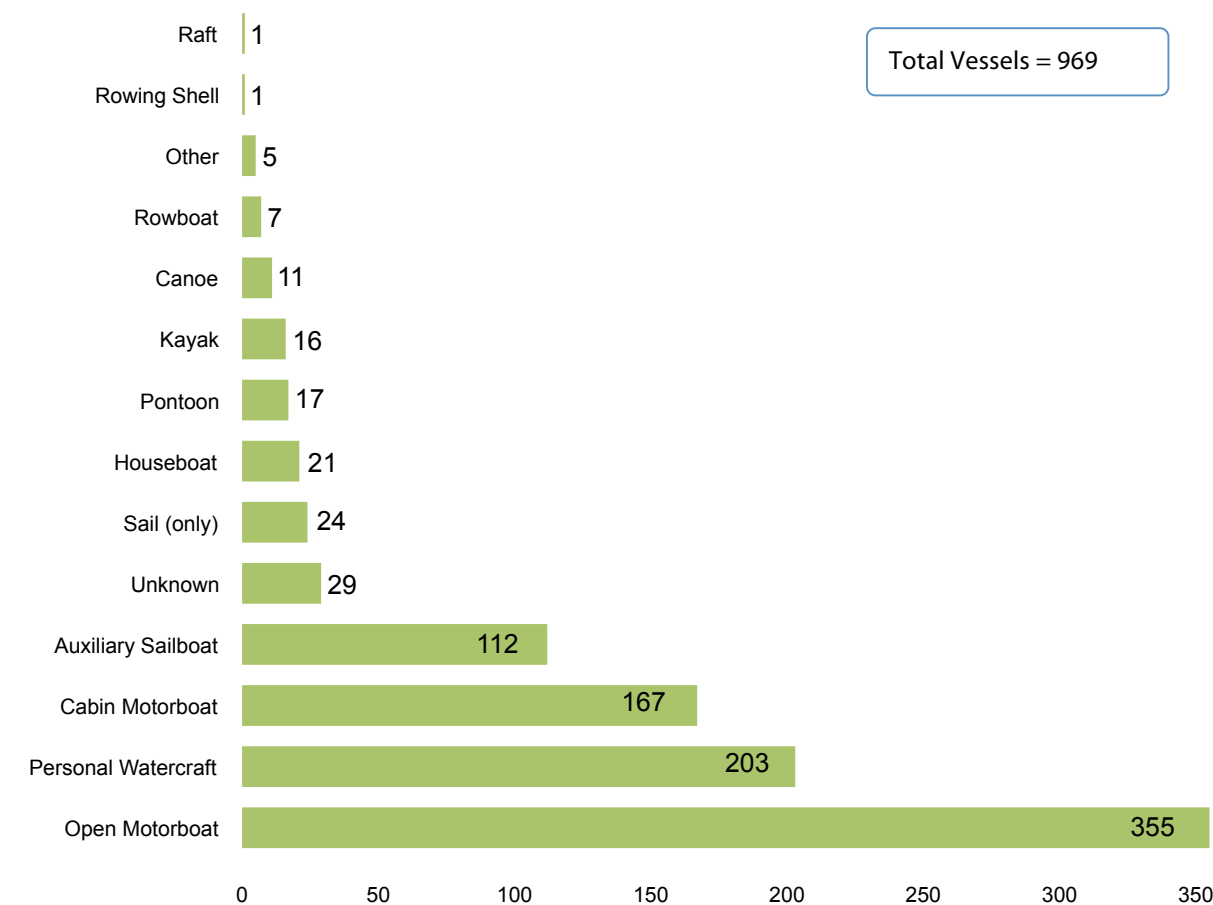
\*does not include 3,563 out of state vessels, which brings the total registered vessels to 858,853

## Exhibit II-3 California Boating Accidents, Injuries, and Fatalities by Location 2007-2008\*

|                | Accidents |      |            |  | Injuries |      |            |  | Fatalities |      |            |
|----------------|-----------|------|------------|--|----------|------|------------|--|------------|------|------------|
|                | 2007      | 2008 | Difference |  | 2007     | 2008 | Difference |  | 2007       | 2008 | Difference |
| Northern Lake  | 234       | 141  | -93        |  | 149      | 82   | -67        |  | 18         | 9    | -9         |
| Southern Lake  | 131       | 93   | -38        |  | 89       | 54   | -35        |  | 12         | 7    | -5         |
| Northern Coast | 19        | 23   | 4          |  | 10       | 22   | 12         |  | 1          | 7    | 6          |
| Southern Coast | 224       | 230  | 6          |  | 88       | 78   | -10        |  | 7          | 5    | -2         |
| Northern River | 36        | 32   | -4         |  | 30       | 23   | -7         |  | 9          | 3    | -6         |
| Southern River | 1         | 5    | 4          |  | 0        | 3    | 3          |  | 0          | 1    | 1          |
| SF Bay Area    | 27        | 25   | -2         |  | 13       | 9    | -4         |  | 1          | 0    | -1         |
| Delta          | 83        | 101  | 18         |  | 47       | 66   | 19         |  | 4          | 15   | 11         |
| Colorado River | 49        | 36   | -13        |  | 56       | 45   | -11        |  | 3          | 1    | -2         |
| Totals         | 804       | 686  | -118       |  | 482      | 382  | -100       |  | 55         | 48   | -7         |

\*For the first time, accidents on the coast exceeded those on lakes, accounting for 37% of accidents. (The "Northern Coast" group excludes the San Francisco Bay area.)

# Exhibit II-4 Vessels Involved in all Accidents by Type

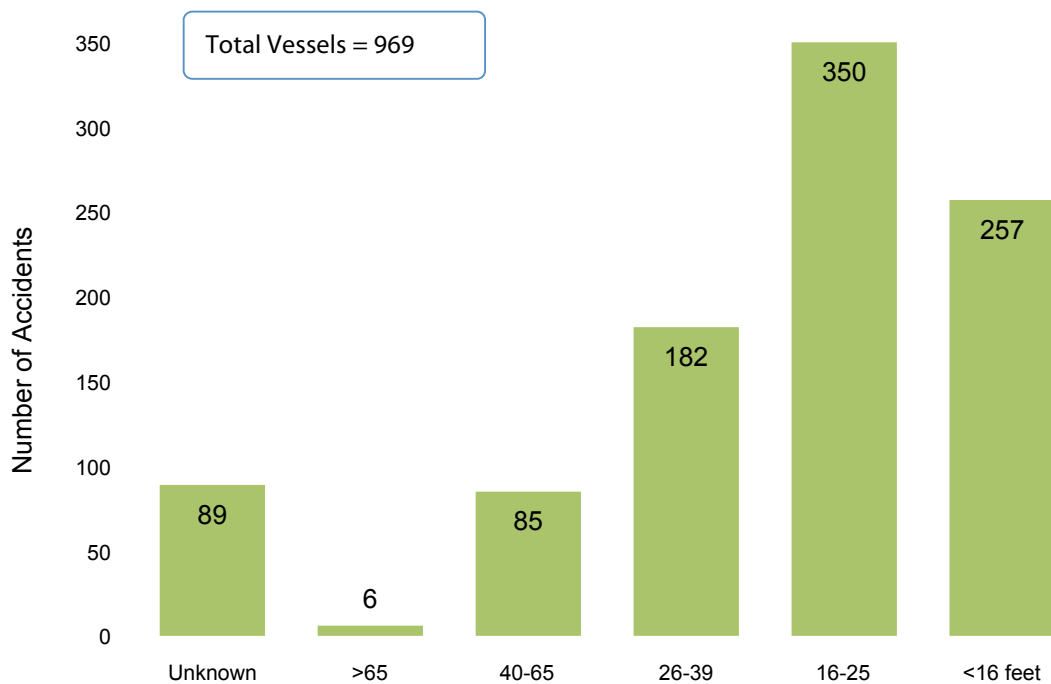


## Exhibit II-5 Accidents by Vessel Type from 2004-2008

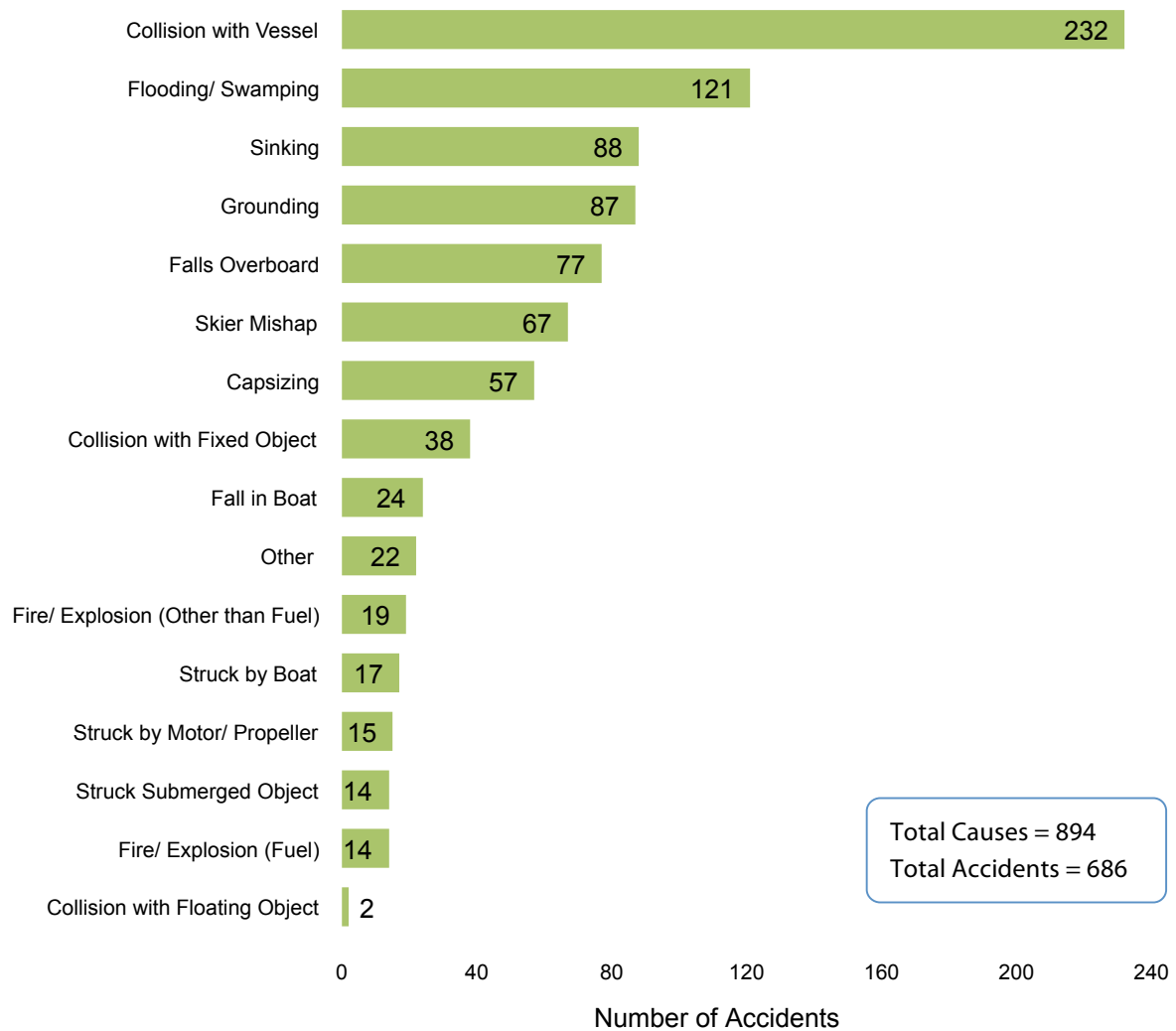
| Type of Boat        | 2004 | 2005 | 2006 | 2007 | 2008 |
|---------------------|------|------|------|------|------|
| Open Motorboat      | 386  | 406  | 366  | 397  | 317  |
| Cabin Motorboat     | 147  | 138  | 134  | 152  | 141  |
| Personal Watercraft | 186  | 203  | 180  | 204  | 139  |
| Houseboat/ Pontoon  | 35   | 44   | 39   | 30   | 33   |
| Canoe/ Kayak        | 7    | 12   | 7    | 10   | 24   |
| All Sailboats       | 74   | 90   | 113  | 106  | 121  |

*The numbers in this chart differ from those in Exhibit II-4 because an accident that involves two open motorboats will only be counted once in this chart, but both vessels will be represented in Exhibit II-4.*

## Exhibit II-6 Vessels Involved in all Accidents by Length



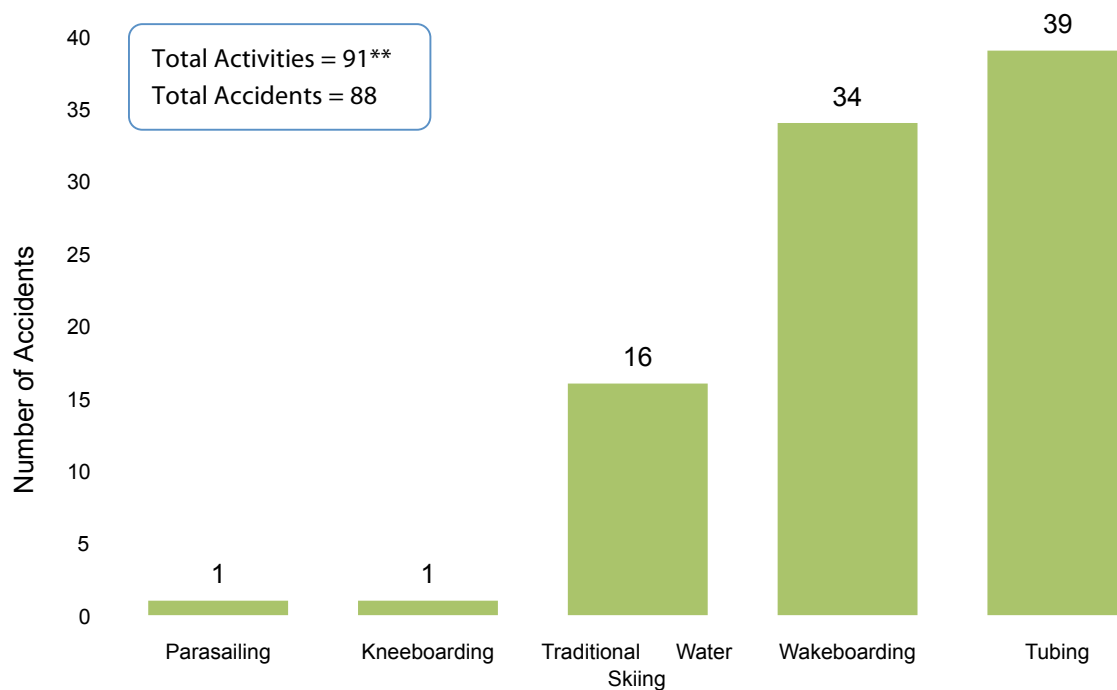
## Exhibit II-7 Type of Accidents



## Exhibit II-8 Type of Accident by Vessel Type

| Type of Accident            | All Vessels | Open Motorboat | Cabin Motorboat | Personal Watercraft | All Sailboats | Houseboat/Pontoon | Canoe/Kayak |
|-----------------------------|-------------|----------------|-----------------|---------------------|---------------|-------------------|-------------|
| Collision with Vessel       | 34%         | 28%            | 46%             | 63%                 | 52%           | 42%               | 8%          |
| Collision with Fixed Object | 6%          | 5%             | 6%              | 1%                  | 7%            | 6%                | 0%          |
| Grounding                   | 13%         | 9%             | 13%             | 6%                  | 21%           | 9%                | 0%          |
| Falls Overboard             | 11%         | 9%             | 5%              | 22%                 | 2%            | 0%                | 17%         |
| Flooding/Swamping           | 18%         | 22%            | 20%             | 1%                  | 7%            | 15%               | 25%         |
| Sinking                     | 13%         | 16%            | 17%             | 1%                  | 5%            | 9%                | 25%         |
| Capsizing                   | 8%          | 9%             | 2%              | 1%                  | 5%            | 6%                | 50%         |
| Skier Mishap                | 10%         | 20%            | 1%              | 4%                  | 1%            | 3%                | 0%          |
| Struck by Boat              | 2%          | 2%             | 1%              | 7%                  | 1%            | 3%                | 4%          |

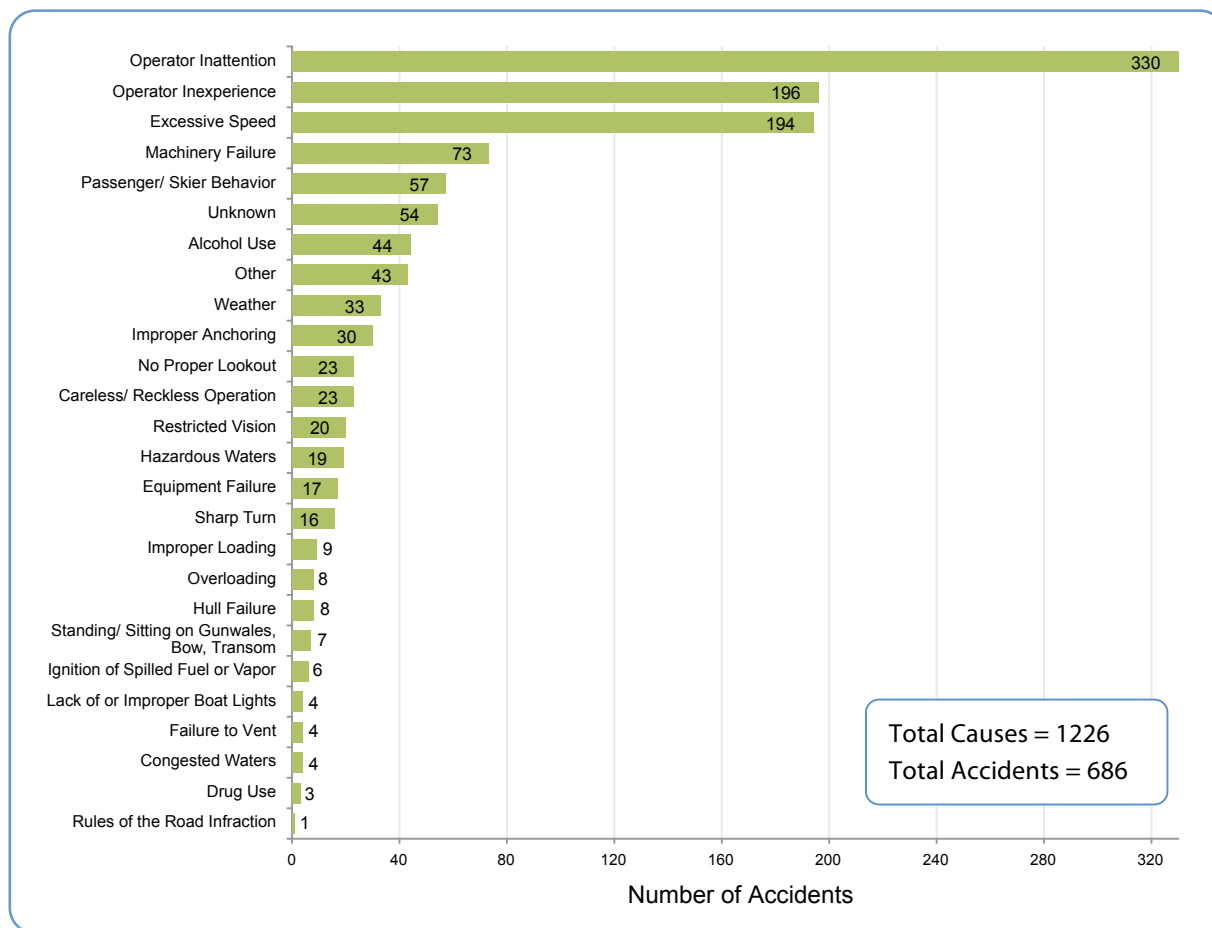
## Exhibit II-9 Accidents Involving Towing Sports



\*Towing sports include persons being towed on lines behind vessels on water skis, wake boards, wake skates, kneeboards, tubes and parasails.

\*\*Three accidents each involved two vessels involved in different types of towing-related activities. This accounts for the number of activities totaling 91 but the number of accidents totaling 88.

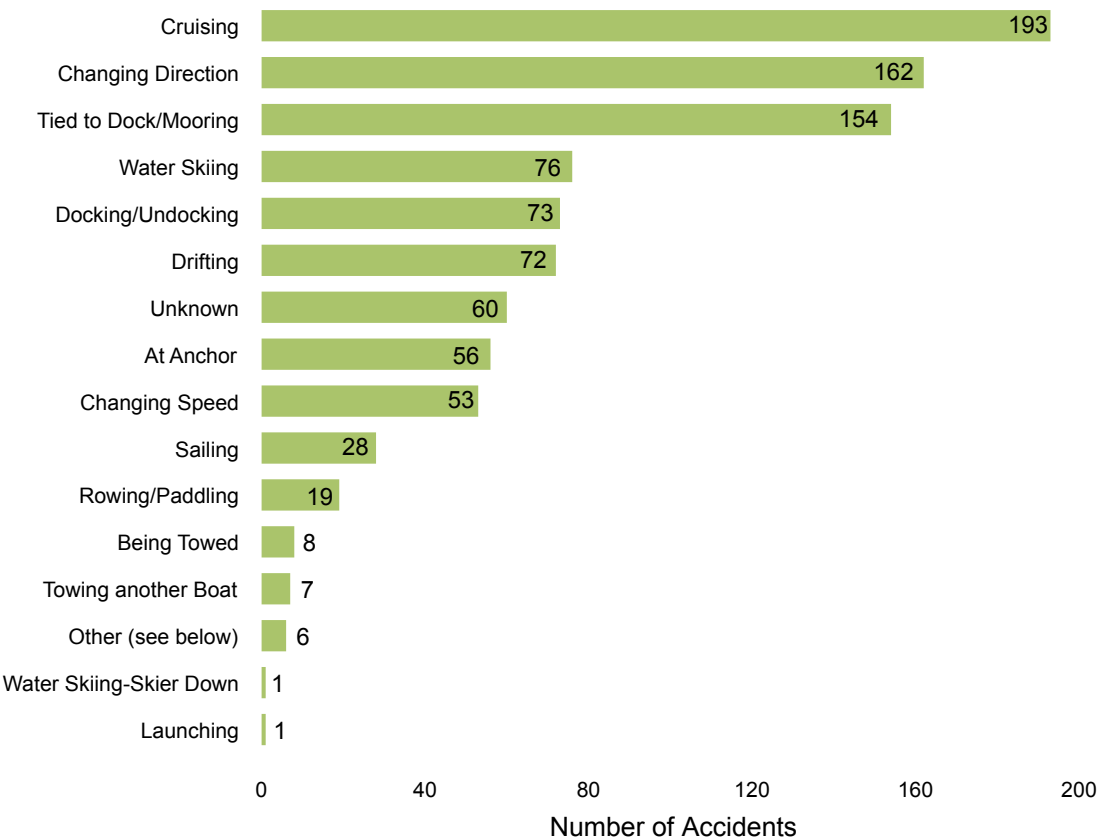
## Exhibit II-10a Cause of Accident



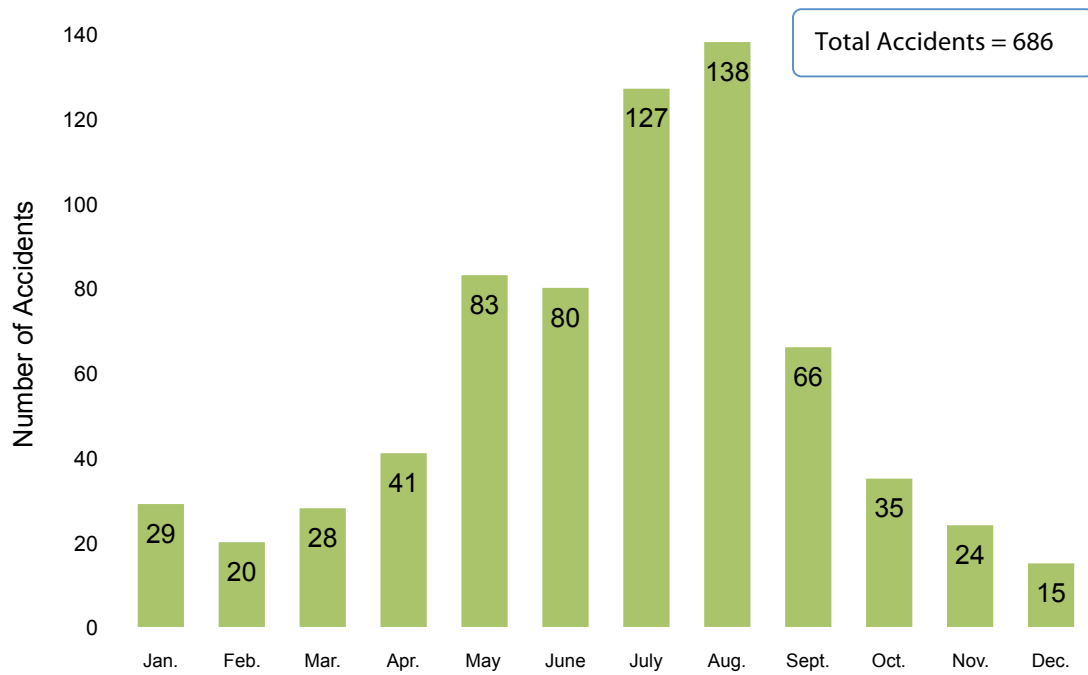
## Exhibit II-10b Cause of Accident by Type of Vessel

| Cause of Accident               | All Vessels | Open Motorboat | Cabin Motorboat | Personal Watercraft | All Sailboats | Houseboat/ Pontoon | Canoe/ Kayak |
|---------------------------------|-------------|----------------|-----------------|---------------------|---------------|--------------------|--------------|
| <b>Machinery Failure</b>        | 11%         | 9%             | 21%             | 2%                  | 14%           | 6%                 | 0%           |
| <b>Operator Inattention</b>     | 48%         | 58%            | 46%             | 58%                 | 43%           | 48%                | 29%          |
| <b>Operator Inexperience</b>    | 29%         | 21%            | 19%             | 59%                 | 25%           | 30%                | 54%          |
| <b>Excessive Speed</b>          | 28%         | 29%            | 18%             | 72%                 | 8%            | 12%                | 0%           |
| <b>Improper Anchoring</b>       | 4%          | 1%             | 6%              | 0%                  | 14%           | 12%                | 0%           |
| <b>Weather</b>                  | 5%          | 4%             | 6%              | 0%                  | 9%            | 6%                 | 17%          |
| <b>Passenger/Skier Behavior</b> | 8%          | 15%            | 4%              | 1%                  | 0%            | 9%                 | 0%           |

# Exhibit II-11 Operation at Time of Accident



## Exhibit II-12 Accidents by Month



## Exhibit II-13 Accidents by Day of the Week

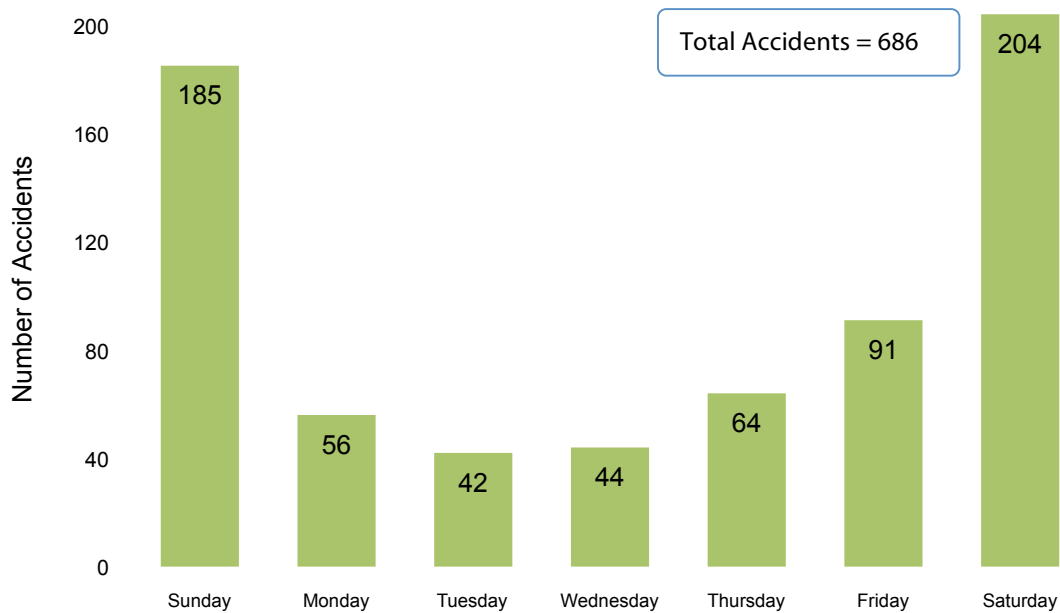
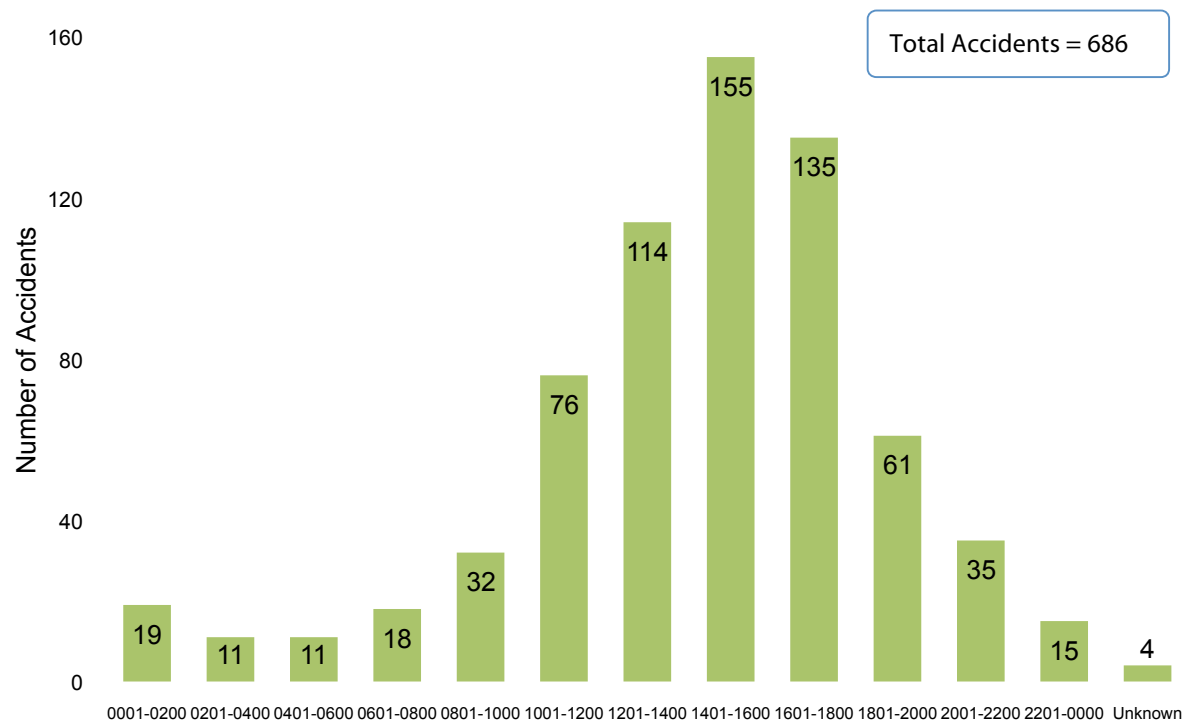
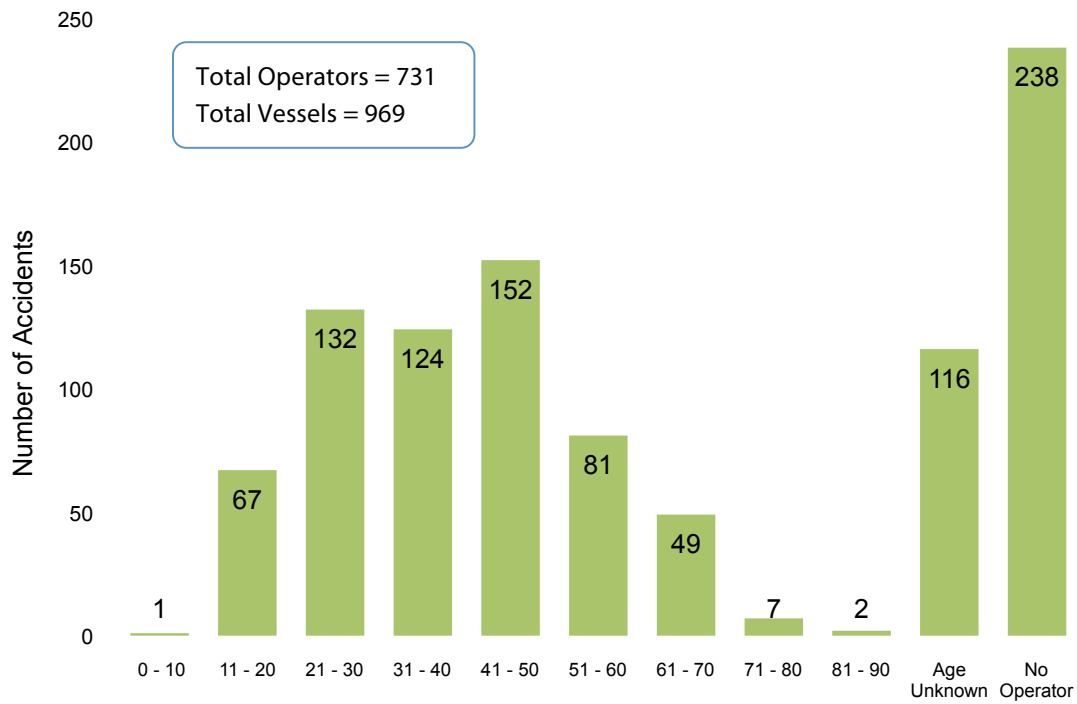


Exhibit II-14 Accidents by Time of Day



## Exhibit II-15 Operators Involved in all Accidents by Age



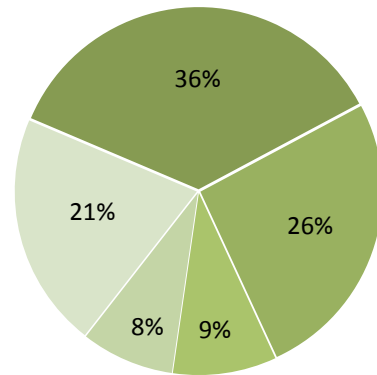
## Exhibit II-16 Accidents Involving Youth Operators

| Years | Number of Operators | Number of Accidents | Number of Injuries | Number of Fatalities |
|-------|---------------------|---------------------|--------------------|----------------------|
| 1993  | 77                  | 67                  | 51                 | 7                    |
| 1994  | 99                  | 86                  | 63                 | 3                    |
| 1995  | 135                 | 110                 | 80                 | 1                    |
| 1996  | 136                 | 117                 | 95                 | 3                    |
| 1997  | 140                 | 120                 | 87                 | 2                    |
| 1998  | 81                  | 70                  | 51                 | 6                    |
| 1999  | 73                  | 63                  | 56                 | 2                    |
| 2000  | 94                  | 80                  | 72                 | 2                    |
| 2001  | 107                 | 88                  | 92                 | 0                    |
| 2002  | 90                  | 79                  | 68                 | 2                    |
| 2003  | 99                  | 83                  | 72                 | 8                    |
| 2004  | 65                  | 51                  | 44                 | 2                    |
| 2005  | 57                  | 46                  | 42                 | 0                    |
| 2006  | 63                  | 55                  | 52                 | 2                    |
| 2007  | 69                  | 58                  | 49                 | 4                    |
| 2008  | 32                  | 28                  | 32                 | 3                    |

## Exhibit II-17 Ownership Status of Vessels Involved in Accidents

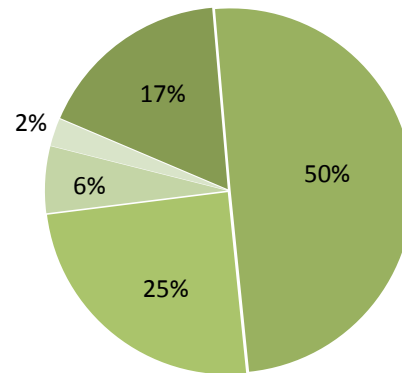
### All Vessels Involved in Accidents

- Owner/Operator the same - 347
- Borrowed - 251
- Rented - 89
- Unknown - 80
- No Operator - 202



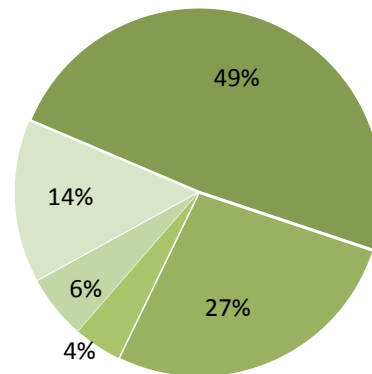
### PWC Involved in Accidents

- Owner/Operator the same - 35
- Borrowed - 101
- Rented - 50
- Unknown - 12
- No Operator - 5

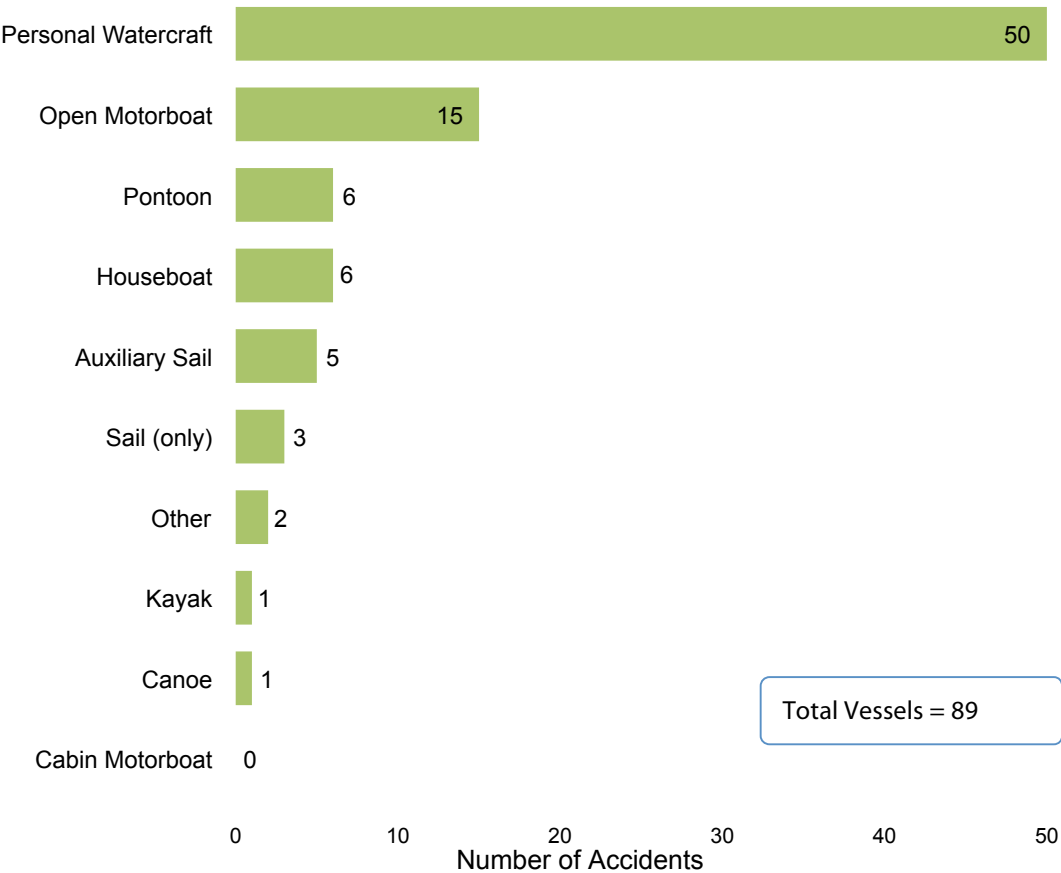


### Open Motorboat Involved in Accidents

- Owner/Operator the same - 173
- Borrowed - 96
- Rented - 15
- Unknown - 20
- No Operator - 51



# Exhibit II-18 Rented Vessels Involved In Accidents by Type



## Exhibit II-19 Fatalities by Type of Accident

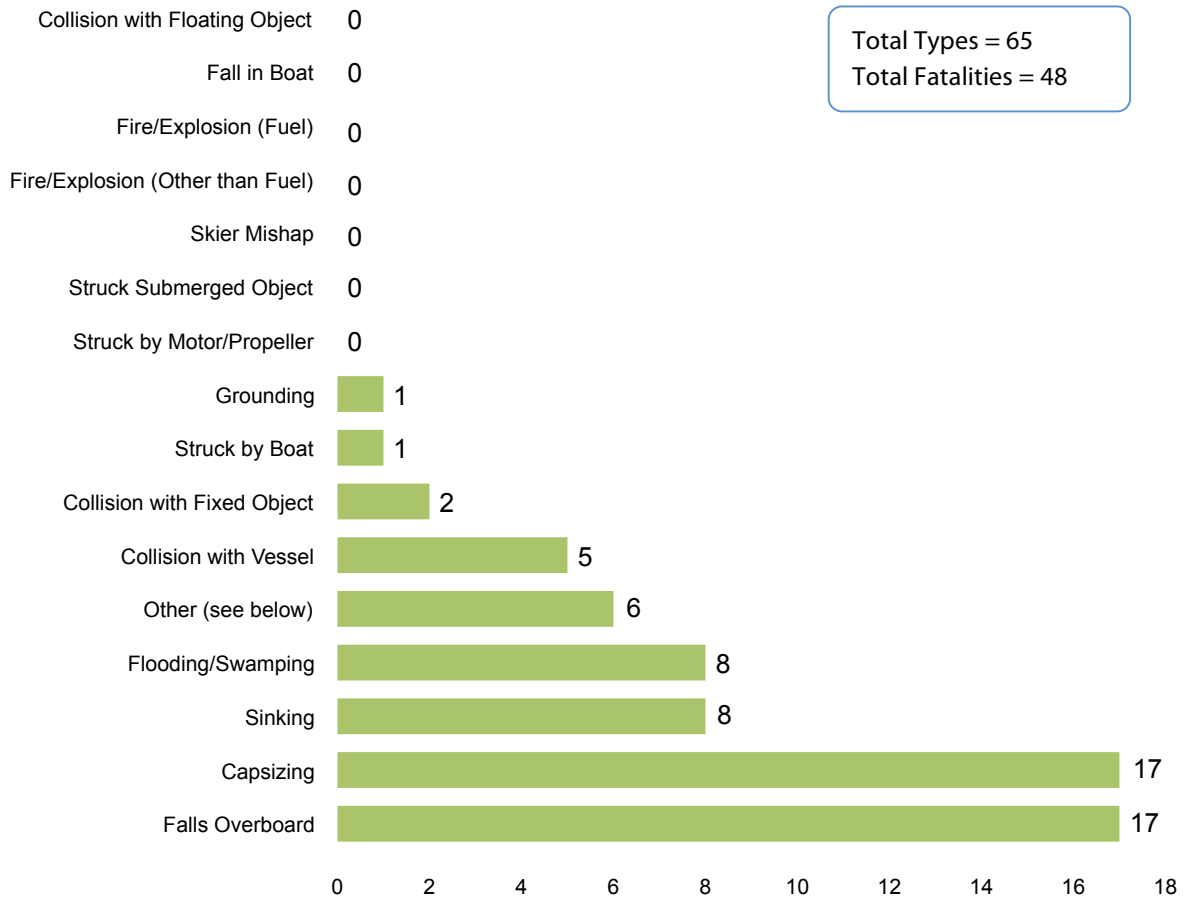
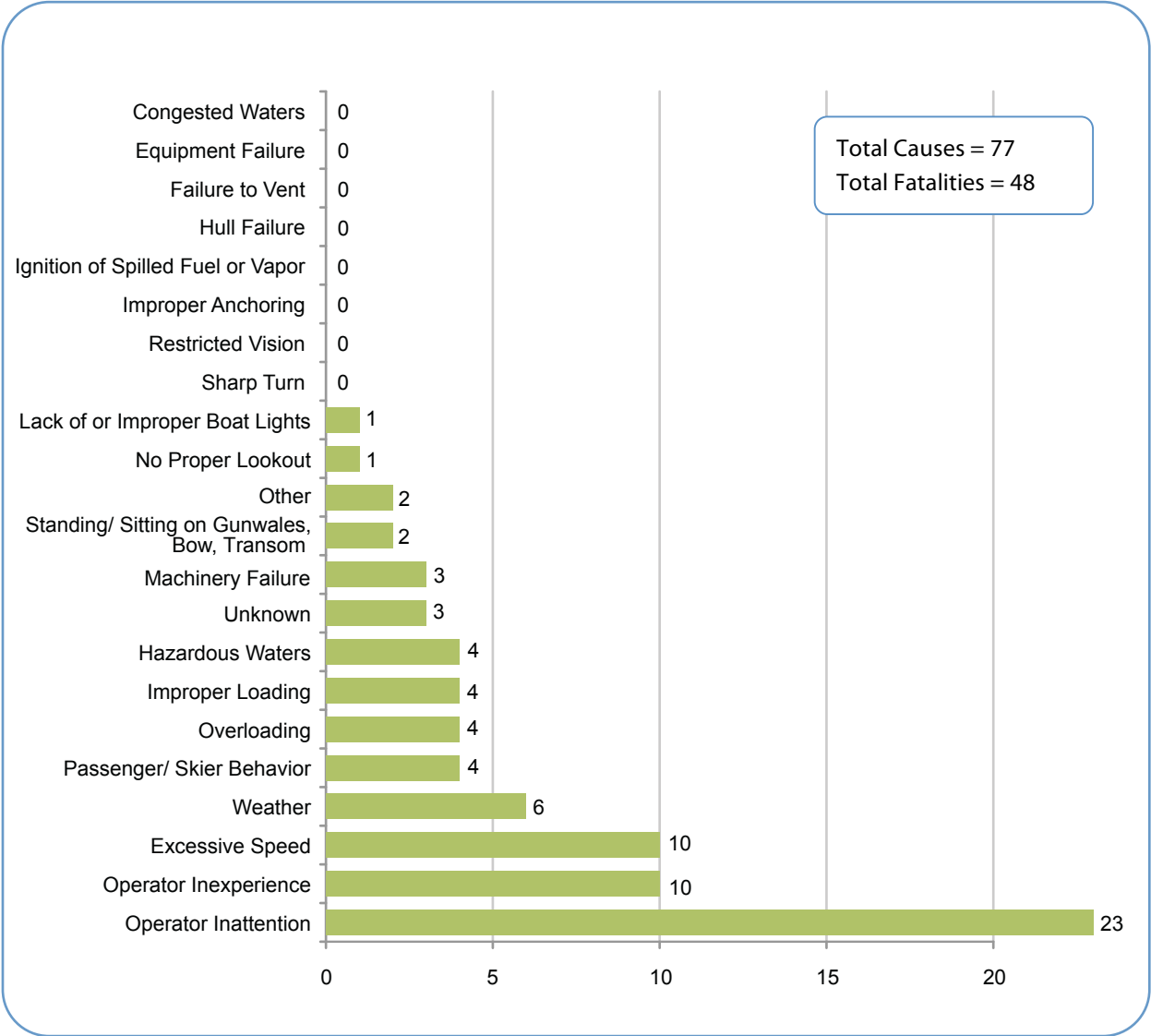


Exhibit II-20 Fatalities by Cause of Accident



## Exhibit II-21 Fatalities by Operation at Time of Accident

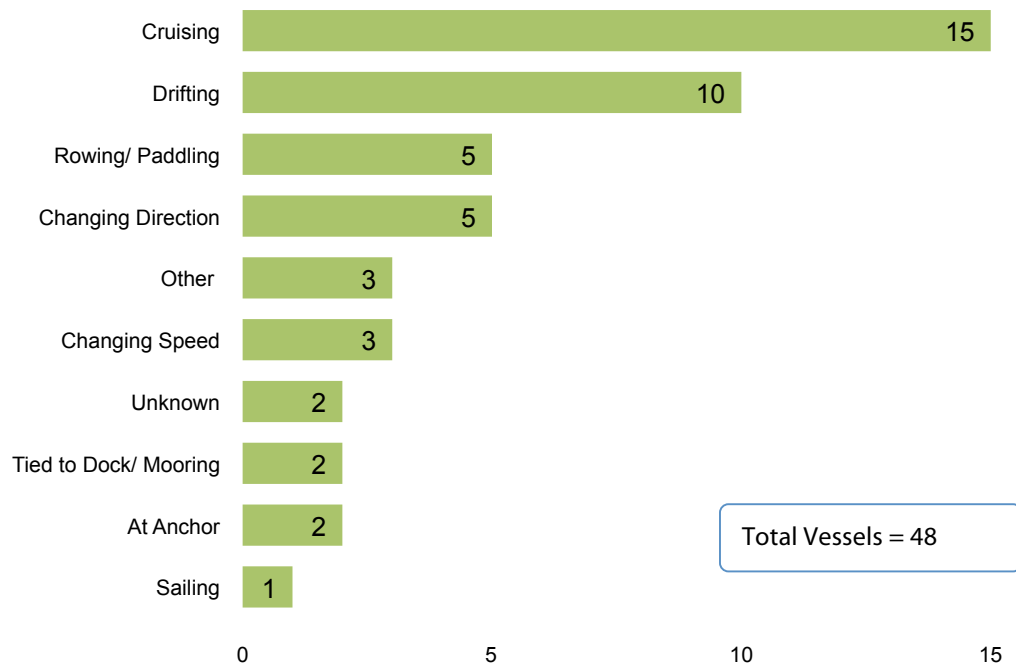


Exhibit II-22 Fatalities by Month

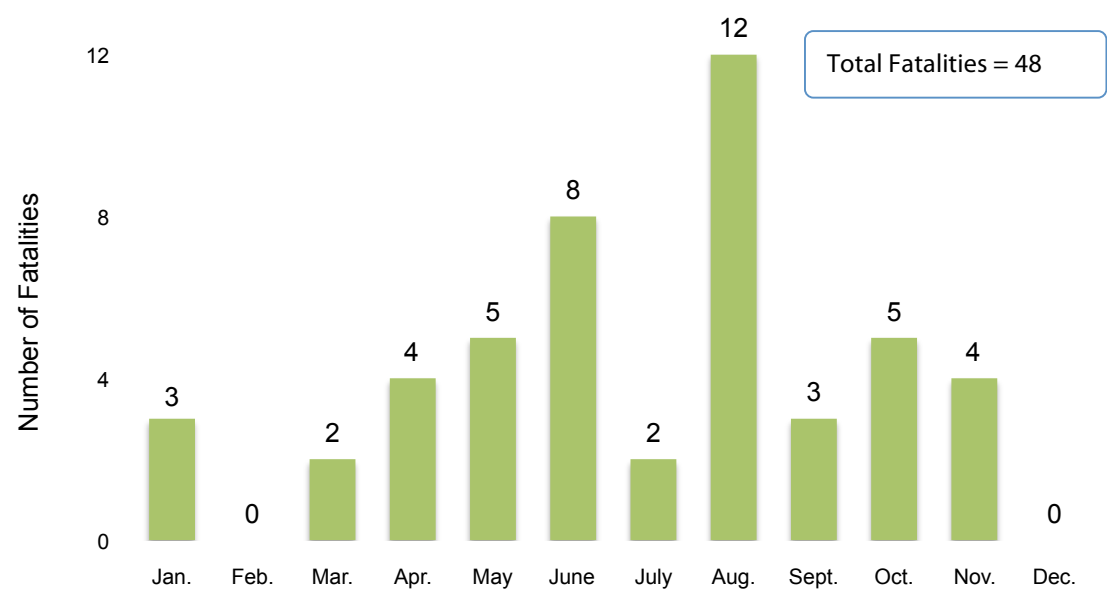
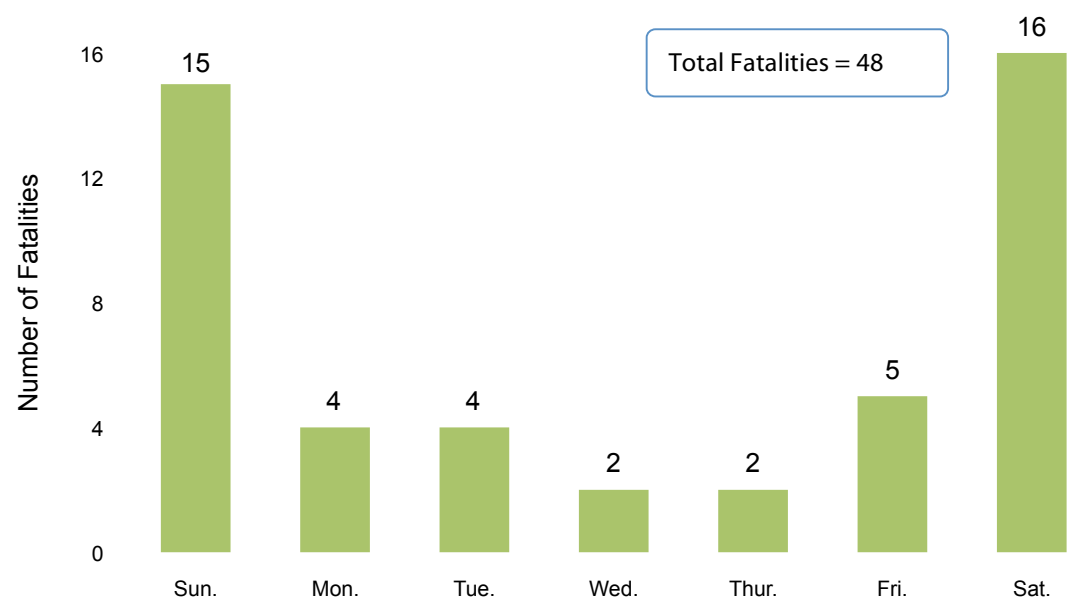
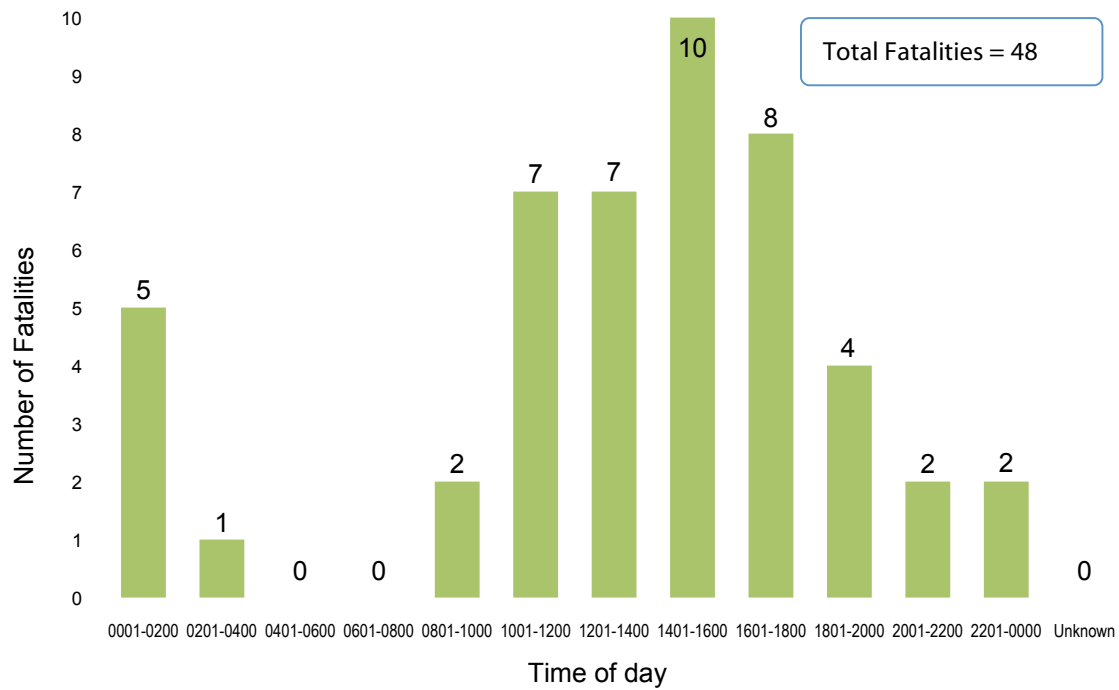


Exhibit II-23 Fatalities by Day of the Week



## Exhibit II-24 Fatalities by Time of Day



## Exhibit II-25 Fatalities by Accident Location

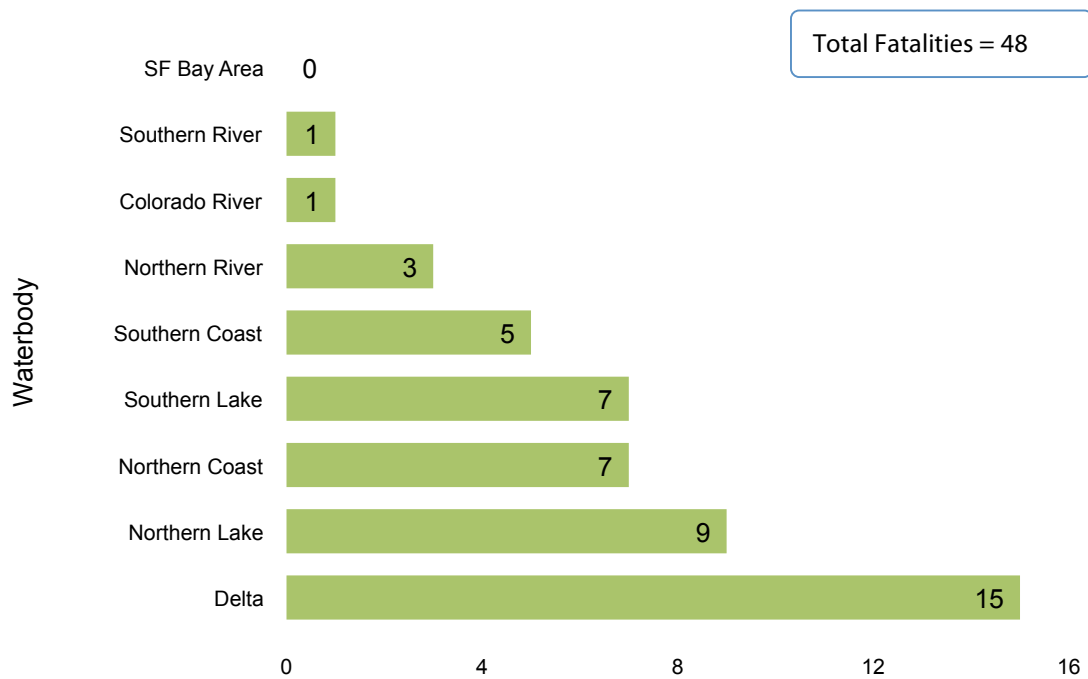


Exhibit II-26 Types of Vessels Involved in Fatal Accidents

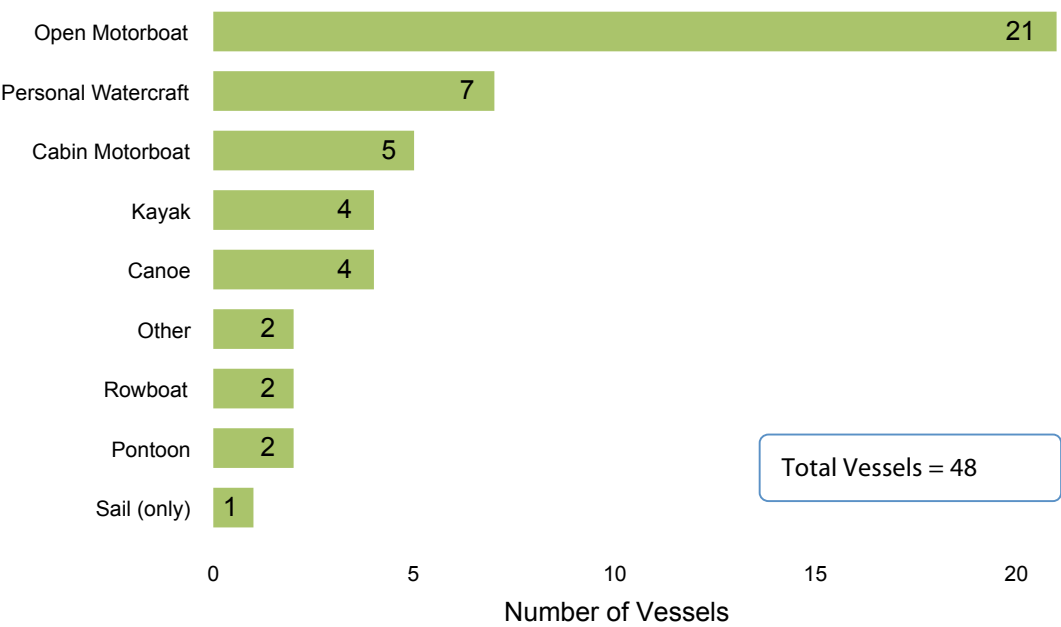
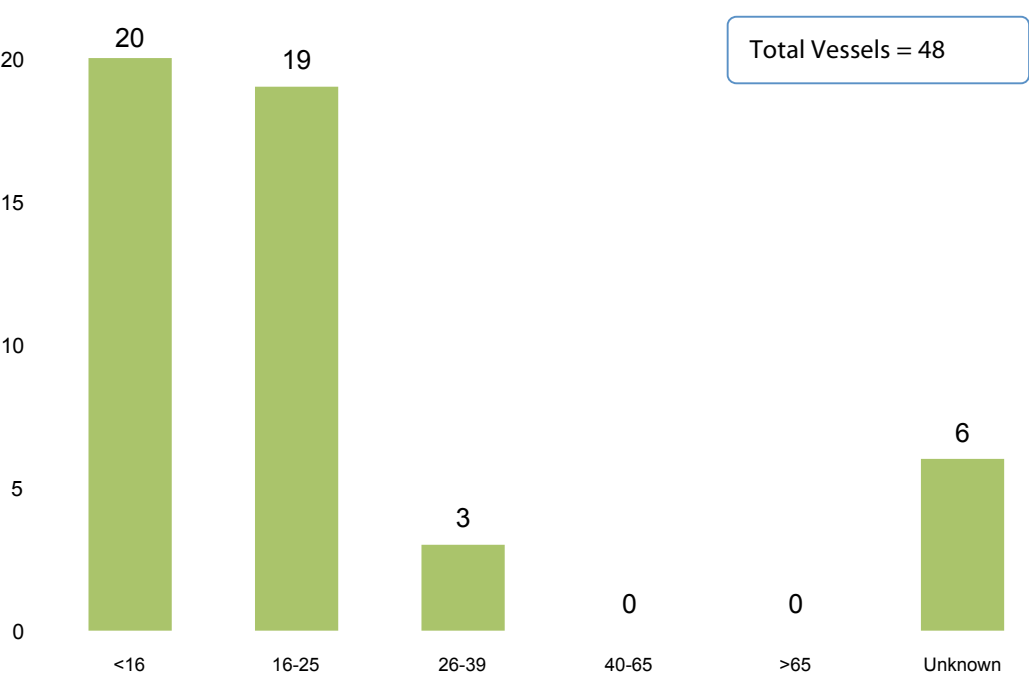
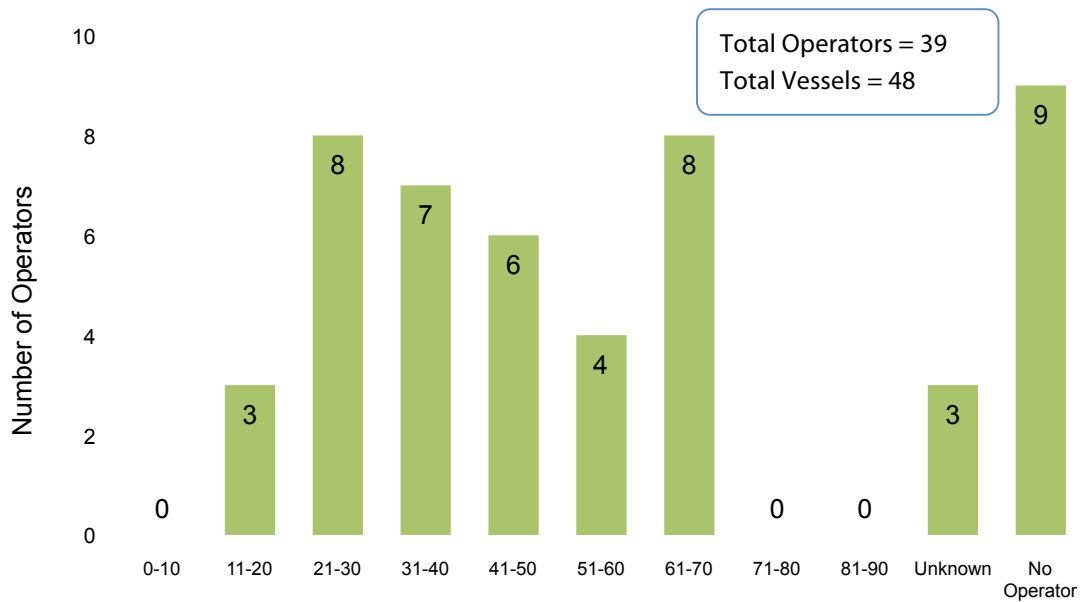


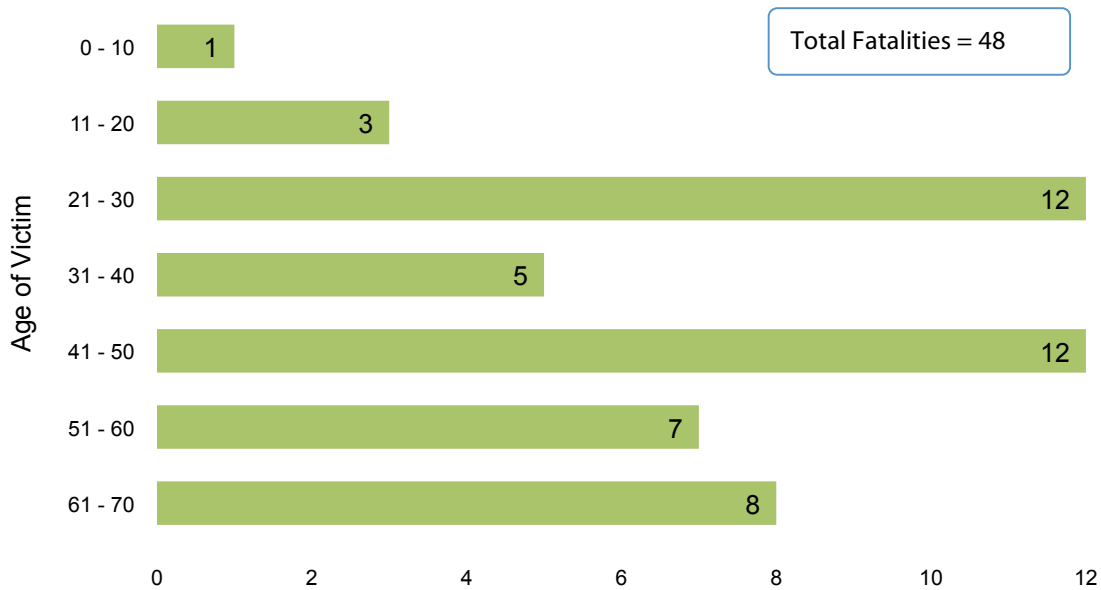
Exhibit II-27 Fatalities by Length of Vessel



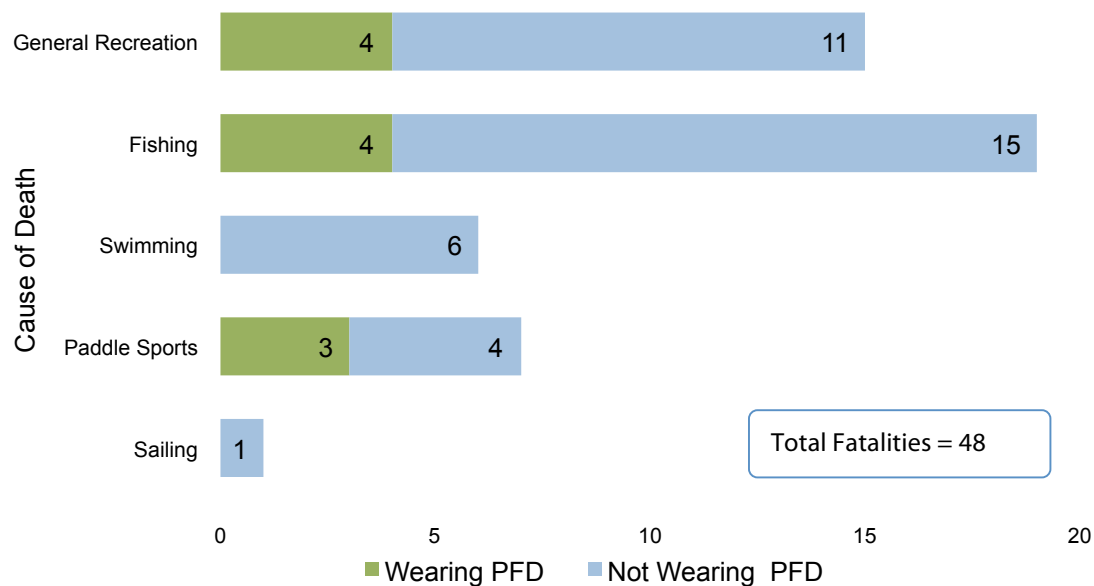
## Exhibit II-28 Operators Involved in Fatal Accidents by Age



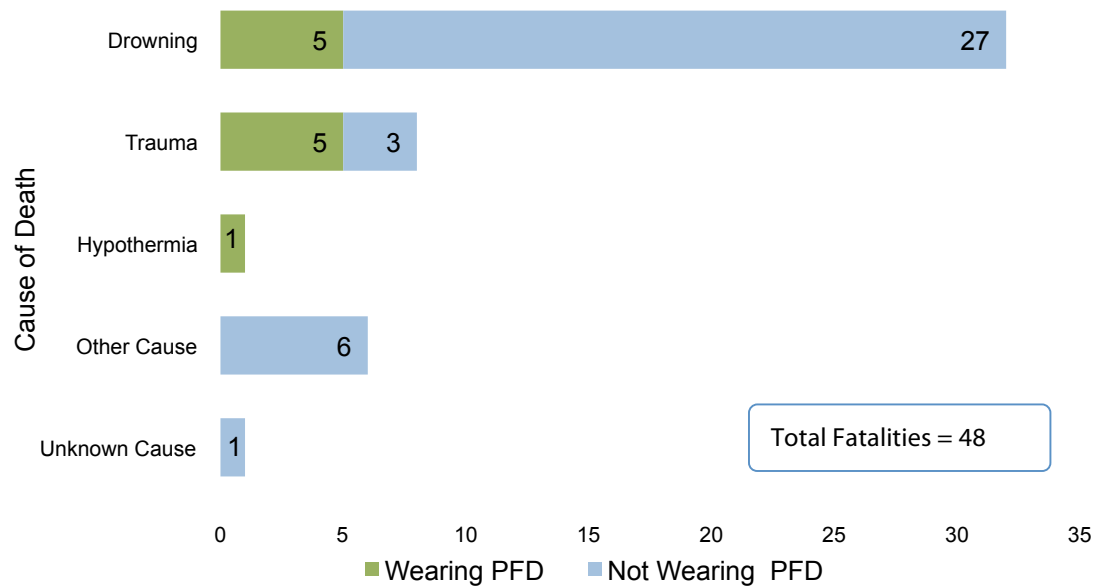
## Exhibit II-29 Fatalities by Age of Victim



### Exhibit II-30 Fatalities by Type of Activity and Life Jacket Usage



### Exhibit II-31 Fatalities by Cause of Death



## Exhibit II-32 Location of Fishing Fatalities--1995-2008

| Body of Water  | Fishing Fatalities |
|----------------|--------------------|
| Northern Lakes | 64                 |
| Northern Coast | 47                 |
| Delta          | 39                 |
| Southern Lakes | 30                 |
| Southern Coast | 28                 |
| Northern River | 17                 |
| SF Bay Area    | 8                  |
| Southern River | 3                  |
| Colorado River | 0                  |
| Total          | 236                |

## Exhibit II-33 Fishing Fatalities--Specific Areas--1995-2008

| Body of Water                     | Fatalities |
|-----------------------------------|------------|
| Half Moon Bay Area                | 11         |
| Bodega Bay/Tomaes Bay             | 11         |
| San Luis Reservoir/O'Neil Forebay | 10         |
| New Melones Reservoir             | 8          |
| Shasta Lake                       | 5          |

## Exhibit I-2 Boating Fatality Comparison

| Prior to Commencement of Law Changes and Safety Enhancements |                 |                                | After Enactment of Laws and Changes and Safety Enhancements |                 |                                |
|--|-----------------|--------------------------------|---|-----------------|--------------------------------|
| Year   | # of Fatalities | Fatalities Per 100,000 Vessels | Year  | # of Fatalities | Fatalities Per 100,000 Vessels |
| 1976   | 98              | 18.1                           | 1999  | 42              | 4.4                            |
| 1977   | 116             | 21.4                           | 2000  | 51              | 5.6                            |
| 1978   | 104             | 18.9                           | 2001  | 48              | 5                              |
| 1979   | 99              | 17.5                           | 2002  | 53              | 5.9                            |
| 1980   | 112             | 20.1                           | 2003  | 61              | 6.3                            |
| 1981   | 87              | 15.1                           | 2004  | 44              | 4.9                            |
| 1982   | 103             | 17.6                           | 2005  | 58              | 6                              |
| 1983   | 95              | 15.6                           | 2006  | 42              | 4.7                            |
| 1984   | 93              | 14.8                           | 2007  | 55              | 5.7                            |
| 1985   | 76              | 11.7                           | 2008  | 48              | 5.6                            |

# Glossary of Boating Terms

**At Anchor**

Held in place in the water by an anchor; includes “moored” to a buoy or anchored vessel, and “dragging anchor.”

**Auxiliary Sailboat**

A sailboat also equipped with an engine.

**Cabin Motorboat**

Motorboat with a cabin that can be completely closed by means of doors or hatches.

**Capsizing**

Overturning of a vessel. The bottom must become uppermost, except in the case of a sailboat, which may lie on its side.

**Carbon Monoxide Poisoning**

Death or injury resulting from an odorless, colorless gas generated from auxiliary boat equipment (stoves, heaters, refrigerators, generators, hot water heaters, etc.) or boat exhaust from either the boat the person was aboard or one in close proximity.

**Collision with Fixed Object**

The striking by a vessel of any fixed object, above or below the surface of the water.

**Collision with Floating Object**

Collision with any waterborne object above or below the surface of the water that is free to move with the tide, current, or wind, except another vessel.

**Collision with Vessel**

Any striking together of two or more vessels, regardless of operation at the time of accident.

**Cruising**

Proceeding normally, unrestricted, with an absence of drastic rudder or engine changes.

**Drifting**

Under way, but proceeding without use of engines, oars, or sails; carried along only by the tide, current, or wind.

**Equipment Failure**

Defect and/or failure of auxiliary equipment associated with the vessel (e.g.: communication or navigation equipment, life jackets, fire extinguishers, etc.)

**Excessive Speed**

Operating at a speed that is not responsible, prudent, or legal considering the circumstances.

**Failure to Vent**

Prior to starting the engine, failure to turn on the powered ventilation system that brings in fresh air and expels gasoline vapors from the engine compartment.

**Fall in Boat**

Any operator or passenger who slips, trips, or falls on board or within the vessel.

**Falls Overboard**

Any operator or passenger who falls off of the vessel.

**Fire/Explosion (Fuel)**

Accidental combustion of vessel fuel or liquids, including their vapors.

**Fire/Explosion (Other)**

Accidental burning or explosion of any material on board except vessel fuels or their vapors

**Flooding/Swamping**

Filling with water, but retaining sufficient buoyancy to remain on the surface.

**Grounding**

The running aground of a vessel; striking or pounding on the rocks, reefs, or shoals.

**Hull Failure**

Defect or failure of the structural body of a vessel (e.g.: hull material, design, or construction) not including superstructure, masts, or rigging.

**Ignition of Spilled Fuel or Vapor**

Accidental combustion of vessel fuel, liquids, and/or their vapors.

**Improper Loading**

Loading, including weight shifting, of the vessel causing instability, limited maneuverability, or dangerously reduced freeboard.

**Improper Lookout**

No proper watch; the failure of an operator to perceive danger because no one was serving as a lookout, or the person so serving failed to do so.

For purposes of this report, this term refers only to accidents where the ski observers were not present or failed to do their job, or sailboat accidents where a lookout was not posted or failed to perceive danger. All other accidents involving inattentive operators fall under “Operator Inattention.”

**Inflatable**

A vessel constructed with its sides and bow made of flexible tubes containing pressurized gas. On smaller inflatables, the floor and hull beneath it is often flexible. On larger inflatables, the boat often has a rigid floor and solid hull capable of supporting a more powerful transom mounted outboard engine or even an inboard engine.

**Machinery Failure**

Defect and/or failure in the machinery or material, design or construction, or components installed by the manufacturer, involved in the mechanical propulsion of the boat (e.g.: engine, transmission, fuel system, electric system, and steering system).

**Maneuvering**

Changing of course, speed, or similar boat handling action during which a high degree of alertness is required.

**Open Motorboat**

Craft of open construction specifically built for operating with a motor, including boats canopied or fitted with temporary partial shelters.

**Operator Inattention**

Failure on the part of the operator to pay attention to the vessel, its occupants, or the environment in which the vessel is operating.

**Operator Inexperience**

Lack of practical experience or knowledge in operating a vessel, or, more particularly, the vessel involved in the accident or activity involving it. Additionally, lack of familiarity with the specific waterway or type of water and the conditions or hazards associated with it.

**Overloading**

Excessive loading of the vessel causing instability, limited maneuverability, dangerously reduced freeboard, etc.

**Passenger/Skier Behavior**

Behavior by any of the boat's passengers as well as those being towed that either interferes with the safe operation of a vessel or contributes to an injury to a passenger or towed person.

**Personal Flotation Device (PFD)**

Commonly known as a life jacket or life saving device, a PFD can be a jacket, vest, cushion, or ring buoy designed to serve as a lifesaving aid.

**Personal Watercraft (PWC)**

A small vessel that uses an internal combustion engine powering a jet pump or propeller. It is designed to carry from one to four persons, and to be operated by a person sitting, standing, or kneeling on the vessel rather than the conventional manner of sitting or standing inside the vessel.

**Pontoon Boat**

A boat consisting of a rigid structure connecting at least two parallel fore (front) and aft (rear) rigid sealed buoyancy chambers.

**Restricted Vision**

Visual limitations occurring from a vessel's bow, high trim, glare, sunlight, bright lights, darkness, a dirty windshield, spray, sail, or canopy top, etc.

**Rules of the Road**

Statutory and regulatory rules governing the navigation of vessels.

**Sail (only)**

Any boat whose sole source of propulsion is the natural element (i.e.: wind) or a boat designed or intended to be propelled primarily by sail, regardless of type or size.

**Sharp Turn**

An immediate or abrupt change in the boat's course of direction.

**Sinking**

Losing enough buoyancy to settle below the surface of the water.

**Skier Mishap**

Injury to a person engaged in a towing sport that includes 1) falling, or 2) striking objects, the shore, or other vessels, or 3) striking or becoming entangled in the tow line.

**Standing/Sitting on the Gunwale, Bow, or Transom**

Standing/sitting on the upper edge of the side of a boat, usually on a small projection above the deck, and or standing/ sitting on the most forward part of the boat, and/or standing/sitting on the back of the boat.

**Towing Sports**

Persons being towed on lines behind vessels on water skis, wakeboards, wake skates, kneeboards, skurf boards, tubes, air chairs, and parasails.

**Weather**

As a contributing factor of an accident, "weather" signifies a stormy, windy or foggy condition that results in dangerous operating conditions.

