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ENQUIRER LOCAL NEWS COVERAGE

Sunday, May 30, 1999

Who's patrolling on the Ohio?

River is a maze of jurisdictions

BY JANE PRENDERGAST and TANYA BRICKING
The Cincinnati Enquirer

A boater in distress on the Ohio River can simply call 911. But who might arrive to help is a lot more complicated.

The 46-mile stretch of the Ohio River that runs from Coney Island to the Indiana state line is Greater Cincinnati's waterway. But it also comes under 12 separate jurisdictions, ranging from Kentucky's small river cities to the U.S. Coast Guard. And as more and more people take to the river, safety concerns include whether or not this maze of jurisdictions can cope.

"There's a lot of gray area on the river, as far as who has what authority and who's handling what," said Rob Dawn, chief of Campbell County Water Rescue. "It's something that people need to sit down, go through it and say, 'This is who's going to do what.'"

INFOGRAPHIC

WHO PATROLS WHERE Greater Cincinnati could learn a lesson from places that have clear-cut rules on who has control of the river, said Jeff Wood, of Mount Washington, who tests boats at Captain's Cove West Marina in Riverside.

"Rescue, to me, is a touchy subject," he said. "Normally, if there is a fire, by the time there's rescue that gets to it, it's too late. Most people are rescued by the people around them."

The river comes by its identity crisis honestly. Two states overlap. A major city is



Two pleasure boats held upriver from the Daniel Carter Beard Bridge.

(Glenn Hartong photo)
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flanked by tiny river towns. And over the years questions of who should respond to a boater in distress have often been answered by who is available or who is best equipped, rather than by whose piece of the river is involved.



And for many years that has been just fine. But the river is changing and becoming more crowded every summer. The National Marine Manufacturers Association estimates there are 33,000 pleasure boats (a number that does not include commercial boats) registered in Greater Cincinnati.

Ohio Dept. of Natural Resources officers talks with a teen about his boat's expired sticker.
(Tony Jones photo)
| [ZOOM](#) |

Thousands of them cruise the Cincinnati stretch of the river in the summertime. Nationally, there are 1 million more pleasure boats in the water than there were 15 years ago.

There is a U.S. Coast Guard detachment in Cincinnati. The Coast Guard monitors the radio for distress calls and helps route the right agencies to the scene. But the seven-member detachment has more to do with pollution investigations than with stranded boaters.

Joan Rice and her husband moored their houseboat at a Columbia Tusculum marina for 12 years, their home on the water. But three weeks ago, anticipating the coming summer, they moved upriver to a suburban dock. As members of Cincinnati's Power Squadron, a group that teaches boating safety, they say the crowded river is getting more dangerous.

"You don't have the camaraderie you used to have with the boaters," Mrs. Rice said. "For the most part, it's every man for himself."

Even the rescuers are more cautious. More pleasure boats mixed with the heavy commercial barge traffic creates a hazardous situation.

"The river itself is a hazard," said John Zompero, a Cincinnati fire district chief who has responded to countless river runs. "I used to be out all the time."

So as the 1999 boating season arrives this weekend, the question remains: Can a decades-old system for policing the Ohio River serve Cincinnati into the 21st century?

Equipment problems

Along with a mix of jurisdictions, varying levels of

training, staffing and equipment among the many rescue crews is a concern when it comes to overall river safety.

While Hamilton County owns eight boats, the city of Covington would like help paying for insurance and maintenance of its patrol boat so it can be out on the water more often.

Volunteers with Campbell County Water Rescue raise most of their operating money themselves with car washes, cookouts, a booth at the county fair. Seven of them paid \$500 of their own money recently for special training to handle swift-water rescues, such as the kind they helped perform during the Falmouth flood two years ago when the Licking River rose so quickly. They store their three boats in Alexandria, making for a long trip to the river's shore in an emergency.

"Our response time could be a little better," said Chief Rob Dawn. "But what are you going to do about a 20-minute trip pulling a three-ton boat?"

That lag time is one reason Newport firefighters have asked for their own boat.

Chief Larry Atwell says the answer is not another boat, but a strong communication system. He worries instead about boaters knowing how to direct help to themselves. If a boater uses a cellular phone to call 911 and can't explain his exact location, there could be costly delays, he said.

Jack Hern, who grew up boating on the Ohio, said without one unified rescue system, boaters have to look out for each other.

"On that river, it's hard to paint a yellow line that sticks," said Mr. Hern, who owns Hern Marine in Fairfield. "The boaters themselves have accepted a great deal of responsibility."

There is always confusion over which state has ownership of the Ohio River. Despite the name, about three-quarters of the waterway's width belongs to Kentucky.

The U.S. Supreme Court determined that in 1980 based upon the low-water mark in 1792, the year Kentucky was admitted to the union.

But responsibility is not divided the same way. Ohio's state water patrol cruises the entire width, as does Kentucky's, and can write tickets in both Ohio and Kentucky waters.

The two states have worked together in the past on

enforcement. When Ohio lawmakers decided in 1994 to pass a no-wake zone between the Brent Spence and Daniel Carter Beard bridges, Kentucky had to follow.

Jurisdiction questions can continue even after an accident. When two people drowned in a boat wreck on the river in 1993, uncertainty between Boone and Kenton counties over who would pay for divers to search for the bodies delayed the search and angered the victims' families.

Jumbled resources

Ohio and Kentucky both put patrol boats in the river during peak season. The Hamilton County Sheriff's Department's marine patrol usually has boats out at least on weekends during the summertime. Boone and Campbell water rescues do some weekends too. Ohio's Department of Natural Resources and Kentucky's Division of Fish and Wildlife regularly patrol.

Who will respond this year for Kenton County is currently undecided. Both the Campbell and Boone teams have applied for the job.

Covington keeps the only police boat on the Northern Kentucky side of the water. It's a used Boston Whaler received free from the U.S. Coast Guard that will be put back in the water this week.

Chief Al Bosse asked for it in 1995, saying he thought more patrolling needed to be done on the river, especially during events like Tall Stacks and Riverfest. And more people than ever will be around the waterfront, he said, citing the new Covington convention center and stadiums.

All other river cities have the power to patrol the river, but do not.

Other agencies are able to respond to water rescues and boat fires. And two of Northern Kentucky's smallest communities, Silver Grove and Dayton, have recently plunked down thousands to buy state-of-the-art fire boats.

But the Cincinnati Fire Division is the first to respond to virtually every accident. Its two major boats made 45 river runs last year alone.

Policing the river and rescue response comes down to resources, Cincinnati Assistant Fire Chief David Hill said. Cincinnati's paid department responds first — even in Kentucky water — because it has the resources.

"We are happy to help them out," he said. "As far as we're concerned, we have the manpower and the capability to make those responses."

Louisville's commitment

Boaters have lived with fragmented policing on the Ohio River for years, and it doesn't appear that much will change as the river grows more crowded, Cincinnati's Assistant Chief Hill said.

"The reason it's so fragmented is on our side, we're responsible for the entire stretch of about 30 miles from Coney Island to Saylor Park," he said. "On the Kentucky side, they don't have the same authority."

But Jeff Wood, 53, of Captain's Cove marina, thinks things are improving among the various jurisdictions in Greater Cincinnati.

"They are starting to work more closely together," he said. "We didn't have that in the past."

Still, other parts of the same river use one comprehensive patrol system. For the past 30 years in Louisville, for example, the Jefferson County Police Department has been the river patrol.

Now, the county has four boats. One stays in the water on 10-hour shifts during the week, with a second added on weekends. Officers inspect boats, fight boat fires and look for drunken boaters on the water. They work overtime too, thanks to a federal grant aimed at curbing boating under the influence.

"With so much activity expanding on our riverfront, we have to be out there," said Officer Robert Biven. "Every day. Absolutely."

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