

# MEMORANDUM



**To:** Florida Fish and Wildlife Conservation Commissioners

**From:** Dr. Thomas Eason, Director, Division of Habitat and Species Conservation

**Date:** April 13, 2016

**Subject:** Consent Item: Manatee Protection Zones in Flagler County (68C-22.028, FAC)

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**Purpose:**

To approve a rule amendment adding a manatee protection zone on a half-mile section of the Intracoastal Waterway (ICW) near Lehigh Canal, as requested by Flagler County.

**Summary:**

The existing state manatee protection zones in Flagler County were established in 2012. During the rule development process that led to these zones, Flagler County asked that the zones in the ICW near the Lehigh Canal be reduced to not affect as much of the ICW channel. Specifically, the County requested that the northern boundary of the seasonal shore-to-shore Slow Speed zone be moved approximately one half-mile to the south, from just north of the entrance to the Lehigh Canal. It was the county's opinion that the more protective zone configuration would not be needed until there was more boat traffic in the area, principally through the construction of new boat facilities on Lehigh Canal. Given the economic situation in the years leading up to 2012, Flagler County was not sure if additional facilities would ever be built so the County wanted to hold off on regulating this part of the ICW until development occurred.

There has been renewed interest from developers in moving forward with several proposed marina projects on the Lehigh Canal and other locations in the county. As a result, on August 21, 2015, Flagler County formally requested that FWC amend the rule to establish the expanded zone.

Staff was directed to move forward with a proposed rule at the February 2016 FWC meeting and a Notice of Proposed Rule was subsequently published in the Florida Administrative Register on March 1, 2016. Thus far, no comments in opposition to the proposed change have been received.

**Staff Recommendation:**

Approve the proposed rule change as advertised.

**Staff Contact and/or Presenter**

Carol Knox, Section Leader, HSC Imperiled Species Management