



## Revision to Manatee Protection Zones in the vicinity of Lehigh Canal (Flagler County)

February 11, 2016

Division of Habitat and Species Conservation

Fish and Wildlife Conservation Commission

Today we bring a draft rule proposal for a change to the existing Flagler County manatee protection zones in the vicinity of Lehigh Canal. This change was requested by the County.

# Background

- Flagler County Rule (68C-22.028, FAC) adopted in 2012
  - Zones were supported by Flagler County and USFWS
  - Zones in ICW were reduced at the request of the County
  - Zones would be added at a later time based on future boat facility development
  
- Flagler County is now requesting the zone change
  - There are now several proposed marina projects
  - Revised zone needed before any projects can move forward on Lehigh Canal
  - County chose not to form a Local Rule Review Committee



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 in the vicinity of Lehigh Canal be reduced so not as much of the ICW channel was included. The County position was that the more protective zone configuration would not be needed until there was more boat traffic in the area, principally through the construction of additional 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 the expanded zone until and unless the development occurred.

There has been renewed interest expressed 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.

FWC staff has coordinated with the County and, as required by statute, requested that the County form a Local Rule Review Committee (LRRC). Given the process that was followed to establish the existing zones and the basis for the requested change, the County decided not to form a LRRC so that FWC could proceed more expeditiously with the rule making process.

## Recommended Change

- Extend the northern boundary of the shore-to-shore Slow Speed zone approximately one half-mile to the north



The requested change would extend the northern boundary of the seasonal shore-to-shore Slow Speed zone approximately one half-mile to the north, from its current location approximately 1800 feet south of the entrance to Lehigh Canal to just north of the entrance to the canal. (The area affected by the change is shown in yellow hatching on the map.)

## Recommended Action

- Approve staff request to publish a Notice of Proposed Rule



Staff requests Commission approval to publish a Notice of Proposed Rule in the Florida Administrative Register and to bring the rule back for a public hearing and final consideration at the April 2016 FWC meeting.