

MEMORANDUM



To: Florida Fish and Wildlife Conservation Commissioners

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

Date: February 10, 2016

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

Purpose:

Staff is seeking approval to propose an amendment to add a manatee protection zones 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 lead 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.

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, as allowed by statute.

Staff Recommendation:

Approve staff's request to advertise the proposed rule amendment to add the proposed zone and return in April 2016 for a final public hearing.

Staff Contact and/or Presenter

Carol Knox, Section Leader, HSC Imperiled Species Management