

# MEMORANDUM



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

**From:** Carol Knox, Section Leader, Division of Habitat and Species Conservation

**Date:** June 24, 2015

**Subject:** Manatee Protection Zones in Western Pinellas County

---

## **Purpose:**

To approve a final rule establishing manatee protection zones in western Pinellas County. The proposed zones would reduce risks to manatees and manatee habitat by limiting allowable motorboat speed in portions of the western side of the county. There currently are no manatee protection zones in this area and data support the need for zones. Most zones would be in effect only during the warmer months (April-October). The zones would have limited impact on the Intracoastal Waterway (ICW), with only 0.5 miles of ICW channel being newly protected.

## **Summary:**

Western Pinellas County is an important area for manatees that had never been evaluated for manatee protection zones. It is the last unevaluated area in Florida with significant manatee use that is planned for review in the FWC Manatee Management Plan. While the manatee population in Florida has grown in the last few decades and state management actions have helped, data indicate risks have increased in western Pinellas County and are higher than in most other counties. Manatee deaths from boat collisions in western Pinellas County have increased much faster in recent years than other categories of death. In the 26 years between 1974 and 1999, there had been only six boat-related manatee deaths in western Pinellas County, whereas there were 39 boat-related manatee deaths in the 13 years between 2000 and 2012. Concerns related to increased risks have affected federal and state permitting of new or expanded boating facilities, particularly in the Boca Ciega Bay area. Establishment of manatee protection zones will help to address permitting concerns while still ensuring long term conservation of manatees.

FWC staff has worked closely with local residents, stakeholder groups, and local governments throughout this process and numerous changes were made to address concerns that were raised while the proposed rule was being developed. As a result, overall support is high and there have been only a few requests to alter the proposed rule. Several mayors said they support the zones within their jurisdictions. No local governments have expressed concerns about any of the proposed zones, although two cities did ask for additional areas to be added. Pinellas County and the U.S. Fish and Wildlife Service (USFWS) have both expressed support for the proposed rule (and the recommended final rule).

Evaluation of data and consideration of potential zones has been underway for several years and has included input from many local residents as well as Pinellas County, city governments, and USFWS. Preliminary recommendations were reviewed by a Local Rule Review Committee in 2014. The proposed rule was approved for publication at the November 2014 Commission meeting and published in the Florida Administrative Register on December 22, 2014. Staff conducted two public hearings in Pinellas County in January 2015 and 30 members of the public attended. Few public comments have been submitted since the public hearing.

Of the relatively small number of public comments received at the hearings or submitted in writing, most supported the proposed zones or requested more protection while a smaller number questioned the need to add protection or expressed disagreements with specific aspects of the proposed rule.

The proposed manatee protection zones overlay many areas that are already regulated for boating safety or resource protection. The proposed zones would add new protection on 8% of the inshore waters, with almost 80% of the newly protected area being in effect only during the warmer months.

**Staff Recommendation:**

Approve the proposed rule with the following changes: [1] Include the two basins in Indian Rocks Beach within the Slow Speed zone, as requested by the city of Indian Rocks Beach; [2] Revise the southern boundary of the zone near 79<sup>th</sup> Street South so the zone fully aligns with the existing local zone, as was intended; [3] Make minor revisions to the descriptions of the zones near Johns Pass, Redington Shores, and Long Bayou as shown in the recommended final rule text – to improve the clarity and accuracy of the descriptions; and, [4] Add provisions to allow net-setting permits to be issued to qualifying commercial fishers, as requested by Organized Fishermen of Florida.

**Staff Contact and/or Presenter**

Carol Knox, Section Leader, Division of Habitat and Species Conservation