

## NOTICE OF PROPOSED RULE

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION  
Manatees

RULE NO: RULE TITLE:  
68C-22.011 Citrus and Associated County (Parts of Levy and Hernando) Zones

PURPOSE AND EFFECT: The purpose of the proposed rule is to make a minor modification to the existing manatee protection zones on a section of the Homosassa River, as requested by Citrus County. The effect of the rule would be to relocate the boundary between an existing Idle Speed zone and an existing seasonal Slow Speed zone so that the boundary aligns with how the zone had been marked on the water since the early 1990s. Additional information is available at: <http://myfwc.com/wildlifehabitats/managed/manatee/rulemaking/>.

SUMMARY: The proposed rule would redescribe the boundary between an existing Idle Speed zone and an existing seasonal Slow Speed zone so that the boundary aligns with how the zone had been marked on the water since the early 1990s.

### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE

RATIFICATION: The Agency has determined that this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary information and analysis conducted to date.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 379.2431(2), FS

LAW IMPLEMENTED: 379.2431(2), FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Scott Calleson, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600. Comments may be submitted by e-mail to [ManateeRuleComments@MyFWC.com](mailto:ManateeRuleComments@MyFWC.com) (please reference Citrus County in the subject line).

THE FULL TEXT OF THE PROPOSED RULE IS:

### **68C-22.011 Citrus and Associated County (Parts of Levy and Hernando) Zones.**

(1) For the purpose of protecting manatees and manatee habitat in Citrus County and within closely associated portions of Levy and Hernando counties, the following year-round and seasonal zones are established, which shall include all associated and navigable tributaries, lakes, creeks, coves, bends, backwaters, canals, channels, and boat basins, unless otherwise designated or excluded: (Seasonal limits, if they apply, are specified within each zone classification.)

(a) through (f) No change.

(g) Slow Speed Zone (October 1 through April 30)/Maximum 25 MPH Zone (Remainder of Year) –

1. Homosassa River Area: Waters of the Homosassa River as follows:

a. No change.

b. That part of the Homosassa River easterly of a line that bears 142° from a point (approximate latitude 28° 47' 16" North, approximate longitude 82° 36' 58" West) on the northern shoreline of the Homosassa River ~~the easterly line of Section 31, Township 19 South, Range 17 East~~ and westerly of a line that which bears 90° North 00° 00' 00" East (True) running through the northernmost tip of the western ~~westernmost~~ shoreline of a canal serving the Trade

Winds Marina (approximate latitude 28° 47' ~~38~~<sup>37</sup>" North, approximate longitude 82° 36' ~~21~~<sup>22</sup>" West), including those waterways south of the river easterly of a line that bears 180° from a point (approximate latitude 28° 47' 8" North, approximate longitude 82° 36' 59" West) on the northern shoreline of the waterway that intersects the river southeast of Monkey Island (near the western terminus of West Xanadu Path).

2. No change.

(h) No change.

(i) Idle Speed Zone (Year-round) –

1. No change.

2. Homosassa River Area:

a. No change.

b. That part of the Homosassa River easterly of a line ~~that which~~ bears 90° North 00° 00' 00" East ~~(True)~~ through a point 100 feet westerly of the northernmost tip of the western shoreline of ~~2~~ Otter Creek (approximate latitude 28° 46' 55" North, approximate longitude 82° 37' 19" West) and westerly of a line that bears 142° from a point (approximate latitude 28° 47' 16" North, approximate longitude 82° 36' 58" West) on the northern shoreline of the Homosassa River ~~the easterly line of Section 31, Township 19 South, Range 17 East~~, including that part of Otter Creek and associated waters northerly of the centerline of Mason Creek Road;

c. through f. No change.

3. No change.

(j) through (m) No change.

(2) No change.

(3) Maps depicting the zones described in this rule are available on the agency's website at <http://myfwc.com>. ~~The maps are intended only as visual aids and do not have regulatory effect; therefore, in the event of conflict between the maps and the descriptions of the zones provided by this rule, the rule text shall prevail. The zones described in subsection 68C 22.011(1), F.A.C., are depicted on the following maps labeled "Citrus and Associated Counties Manatee Protection Zones." The maps are intended as depictions of the above described zones. In the event of conflict between the maps and descriptions, the descriptions shall prevail.~~

~~(4) The amendments to Rule 68C 22.011, F.A.C., as approved by the Commission on September 12, 2002, shall take effect as soon as the regulatory markers are posted.~~

[Maps 1-6 are deleted from this rule.]

*Rulemaking Authority 379.2431(2) 370.12(2)(g), (i), (n), (o) FS. Law Implemented 379.2431(2) 370.12(2)(d), (g), (i), (n), (o) FS. History—New 3-19-79, Amended 2-23-81, 12-4-85, Formerly 16N-22.11, Amended 1-27-92, Formerly 16N-22.011, 62N-22.011, Amended 11-14-02, \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Thomas Eason, Director of the Division of Habitat and Species Conservation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioners of the Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 4, 2016