

Pinellas County LRRC Meeting Minutes

Weedon Island Preserve

May 8, 2014: 1-3 PM

Members in Attendance: Bill Allbright, Elizabeth Fleming, Dave Kandz, Terri Skapik, Doug Speeler, Dave Travis, Katie Tripp, Mark LaPrade

Members Absent: Janine Cianciolo, Dave Markett, Charles White, Serra Herndon

Staff in Attendance: Carol Grynewicz, Dave Walker (Pinellas County Water and Navigation); Scott Calleson (FWC); Pete Plage (USFWS)

1. Approval of 5/2 Meeting Minutes
 - a. Elizabeth pointed out several typos and clarifications to be made. Katie will make corrections and submit to County staff.
 - b. Bill Allbright motioned to approve as amended. Doug Speeler seconded.
2. Questions on schedule
 - a. Committee voted to change 5/22 meeting to 5/21 from 1-3 PM
3. New Data/Info
 - a. Dave Walker brought maps for the LRRC showing Manatee Watch Line sightings. The map presents all composite data.
 - b. Dave mentioned an article in one of the beach newspapers about the LRRC. Copies were available at the meeting.
 - c. County staff brought the most updated Tampa Bay Boater Guides for anyone who wants one.
 - d. Dave Walker said he is still working on providing the beach speed zones requested by Dave Travis.
 - e. Scott Calleson provided new composite maps that provide multiple data layers on one map
4. Clarifying the role of the public
 - a. Terri will address this at future meetings if members of the public attend. None were present today.
5. Committee Comments
 - a. Bill Allbright asked that we consider, location by location, whether we think the action we want to take will have an adverse effect on fishers, boaters, water skiers, etc. (from 370.12(2)(k) F.S.). Bill also asked if FWC LE is prepared to enforce any new requirements because he doesn't currently see a lot of LE in Clearwater. Bill would also like to co-locate manatee protection zones exactly over current boating safety zones so signs and words don't change and boaters don't get extra confusion.

6. Discussion of South Zones

a. S1: Center Section of the Narrows

- i. Elizabeth: warm season is where greatest overlap is
- ii. Bill: already year-round for safety so keep it at that; Terri, Dave Travis, and Dave Kandz agree
- iii. Katie: include ICW; Terri and Dave Travis agree
- iv. S1 connects areas of existing protection; do year-round to minimize confusion
- v. Most of committee supported as proposed by FWC
 1. Later, during discussion of S2, Mark LaPrade reversed his vote for S1, expressing that he didn't understand why the channel should be regulated if there had been no manatee deaths there

b. S2: Reddington Shores

- i. FWC has suggested a warm season slow speed zone with the northern limit at the southern end of the Narrows, southeast from 173rd Ave to the southern end of Oakhurst Drive; the only part of the ICW included is 0.3 miles that is already part of the boating safety zone
- ii. Dave Travis commented that he grew up here and that in the area of the middle island, people water ski and tube. The basin on the west side of the ICW is a no wake zone. On the far east side of the ICW, no boats run up there, but there is a stretch east of the ICW where people ski.
- iii. Mark LaPrade commented that he rarely sees anyone out in that area; never sees anyone skiing or on plane outside the channel
- iv. Doug Speeler expressed concern with regulating when no or few deaths observed
 1. Katie discussed how the law is written and that the current amount of take that has already been observed is unacceptable.
 2. Terri expressed that Doug's concern may be with how the law (ESA, MMPA) is written. She started her evaluation of the zones by looking at overlap, because greater overlap can lead to take.
- v. Committee members drew on maps to delineate an area in the south portion of S2 that could be left open to protect existing watersports activity. The group was in agreement about the modification drawn below:



- vi. Bill Allbright requested maps projected on the screen to facilitate discussion for future meetings.
- At this point, Doug Speeler asked for information on the federal permitting issues and lawsuits he believed had led to this LRRC process.
 - Scott Calleson replied that the LRRC process has nothing to do with petitions filed in the early 2000s or the most recent petition emanating out of Crystal River. This issue has been defined by FWC as a priority and was put in the state's management plan in 2007 because it is an area experiencing increasing manatee mortality, with significant manatee and human use, which has never been addressed to see if state manatee protection speed zones are needed. For the same reason, the southern half of the Narrows are part of a Biological Opinion (BO) from FWS in 2006-2007 that affects federal permitting coming into the area. The "No Go BO" is not a complete moratorium, but any big facilities proposed would have an issue getting permitted from the Narrows south. There were indications of increasing risks to manatees so FWC put Pinellas speed zone review in their Manatee Management Plan published in 2007. Because this was in the Plan, FWC collected data between 2008 and 2010 so they could do an evaluation and compile the information used to create the proposal we are reviewing. Nothing here is being driven by manatee listing status or a lawsuit.
 - Mark LaPrade asked if Pinellas will have a proper Manatee Protection Plan (MPP) going forward. He expressed he has run into issues because Pinellas did not have an MPP.
 - Scott Calleson said this was probably tied to FWS' BO. For FWS to re-issue a BO, the level of manatee protection in this area needs to be improved. Step 1 to achieve this is usually speed zones. An MPP follows in some cases. If local, state, and federal agencies do approve and MPP and projects come in, they usually move through the permitting process pretty easily if they are compliant with the MPP. Speed zones usually precede the MPP and the zones help establish the Boat Facility Siting Plan in the MPP.
 - Pete Plage with FWS in St. Petersburg explained that he has only been working in Pinellas the last 18 months but FWS provided a BO to the Corps in 2007 stating that new developments were likely to result in manatee take or increased take. Under the Marine Mammal Protection Act (MMPA), no take is allowed. The 2007 BO says that under the MMPA, take cannot be allowed. From the Narrows south, private docks and multifamily slips have still been getting permitted as long as they don't exceed a 1:100 slip to shoreline ratio. Larger marinas have not been getting permitted and FWS doesn't even receive the applications from the Corps. In 2007, when the BO was issued, FWS hoped an MPP would be in place within 3 years. That would have been 2010, but there hasn't been progress made. These LRRC meetings are a first step. An interim measure would be to establish speed zones. If zones are in place, FWS will have to look at individual projects and may come to a different conclusion than what was set in the 2007 BO.

- Mark LaPrade asked if there are any data to show that a dock hurt a manatee. Whether a boat is sold and goes on a trailer as compared to being able to own a waterfront condo with 10 slips, what would the difference be?
 - Scott Calleson: Boats originate from docks, ramps, and marinas. Once boats are on the water, speed zones address safety issues there. Access points are another control. All locations are not equal in terms of threats.
- Pete Plage: The BO was a threshold. FWS was not going to shut down single family dock construction, but plans to expand a commercial marina would be looked at.
- Dave Travis expressed that his family-owned marina is being affected by this decision.

c. S3: Bay Pines (West)

- i. The basin the LRRC was asked to consider for regulation is fenced off.
- ii. There are buoys in this area that say "Caution Seagrass"; not a regulatory zone
 - 1. Buoys may have been part of a mitigation project with the state
 - 2. ~10 buoys
 - 3. Elizabeth inquired about the effectiveness of caution zones
 - a. Terri stated that because they display a universal caution symbol, boaters usually steer clear
- iii. Bill Allbright inquired about depth in this area
 - 1. Doug Speeler said it is shallow and could be given to protection
- iv. Dave Travis: Don't have mullet fishermen as much as used to- just cast netting. Get recreational fishermen up there but the fishing on the flats adjacent to S5 is better.
- v. Bill Allbright said that regulating this area would provide no hardship to boaters and suggested the group acquiesce. Mark LaPrade and Doug Speeler agreed. Mark stated that what does happen up there could hurt manatees.
- vi. Scott Calleson stated that if they see manatees over seagrass and see >1, then it is probably an important feeding area. There are occasions where manatees will pec walk in very shallow water to get to food, but by and large, water will be 2-4 feet deep if it is routinely used by manatees. The area may be shallow and require local knowledge, but with this many sightings, manatees are using the seagrass here at least at high tide. If the water is deep enough for manatees to use, the risk is there. They may not be facing the risk now, but will in the future. FWC would like to reduce the potential for boats deciding to go in there on plane.
- vii. All present agreed to support the zone as proposed.

d. S4: Johns Pass

- i. Warm season density here was greater than overall density for Western Pinellas; many areas of fast overlap within existing zones
- ii. Doug said it is so shallow here other than the dredge cut; some areas 4-6 feet deep but off that would be flats boats only; most people don't know the

channel so use designated routes; the area is already designated slow and no wake so as long as it isn't expanded too much, no harm no foul.

- iii. Mark and Terri agreed this wouldn't place a hardship on anyone.
- iv. Terri said to keep manatee protection here year-round to be consistent with local zones already in place.

e. S5: Long Bayou (South)

- i. Doug said this has the same shallow condition as the previous zone.
- ii. Mark said this wouldn't affect any of the marinas or ICW, the proposed zone is just along the shoreline.
- iii. Dave Travis expressed he wasn't even sure a zone was needed since the spoil islands are out of the water most of the time.
- iv. Group members present agreed that the zone seemed fine as proposed.

f. S6: Treasure Island Causeway (North)

- i. Doug: area to the south of the Central Ave. bridge is a wide open basin
- ii. Mark and Dave Travis proposed to modify S6
 1. Leave the northern part as proposed, exclude the wider western portion and leave open a channel at the southern extent
 2. Mark expressed the zone as proposed would create more traffic by encouraging people to travel south around the canals.
 3. Members present showed support for the proposed modification illustrated below:



7. The group decided to begin the next meeting with a discussion of S7. The meeting was adjourned.