

Pinellas County LRRC Meeting Minutes

Pinellas County Offices- Clearwater

May 21, 2014: 1-3 PM

Members in Attendance: Bill Allbright, Elizabeth Fleming, Serra Herndon, Dave Kandz, Terri Skapik, Doug Speeler, Katie Tripp

Members Absent: Janine Cianciolo, Mark LaPrade, Dave Markett, Dave Travis, Charles White

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

The meeting was called to order at 1:14 PM

1. Approval of minutes from 5/8 and 5/13 meetings
 - a. 5/13 last page under S9 discussion- 3- Bill Allbright didn't want more zones in ICW, not Dave Travis
 - b. S7 form to from (xiii)
 - c. Katie will make 2 corrections and send to Dave Walker
 - d. Motion to approve as corrected by Bill Allbright, seconded by Doug Speeler
2. Follow-up on members not present:
 - a. Charles White has a school conflict and can't attend; Dave Markett also cannot attend as meetings are during work hours; Janine Cianciolo didn't respond to voice or email
 - b. There was discussion of trying to solicit a new manatee advocate LRRC member to re-establish 50/50 committee composition
 - i. The committee decided we are too far along in the process to do this
 - ii. We can reflect the discrepancy in the committee composition in the final report for any votes where it is relevant
 - iii. All members present voted in support of leaving the committee composition as it is, with 5 boating advocates and 4 manatee advocates
3. Committee member questions
 - a. Doug Speeler announced an item he wanted put on record. He stated that he believed Pinellas County has more safety and protection zones than any other county he could find and has never known any kind of speed zone to be removed once implemented.
 - i. Elizabeth inquired about the issue previously brought to the LRRC's attention- where speed limits were recently removed from the ICW.
 1. Dave Walker reviewed the nuances of those changes which did not create a visible change to boaters on the water in Pinellas.
 2. Scott Calleson stated that local boating safety zones don't usually get removed, but they could, and this has happened. State boating safety zones typically precede manatee protection zones. In the past, there have been cases where FWC did not propose manatee protection speed

zones in an area protected by boating safety zones, but later, the boating safety zones were removed, creating a void in manatee protection. For this reason, staff no longer assume other types of speed zones will be permanent and may propose manatee protection speed zones to serve as a backdrop in areas where manatee protection is warranted, in case other types of speed zones are removed.

3. Scott also disagreed that Pinellas is more regulated than any other county. Most areas where FWC has put in speed zones have more acreage of protection than Pinellas currently does. Scott agreed that there is a good backdrop of local zones in Pinellas and FWC staff looked at these existing zones but felt they didn't completely address what was needed to for manatee protection.
4. Katie asked if Doug had any written information or statistics relevant to his statement.
 - a. Doug said he would provide information.
 - b. Bill Allbright stated that FWC's Office of Boating and Waterways should know the location of all markers
 - i. Scott replied that they could provide the location of permitted FWC markers but do not have area calculations or GIS layers for local zones in counties
 - c. Terri mentioned that it would be nice if FWC had a county liaison
 - i. Dave Walker expressed that they work closely with FWC Boating and Waterways
 - d. Doug asked if Save the Manatee Club had GIS info for local zones
 - i. Katie replied that SMC gets GIS info from FWC and FWS
 - e. Doug then said that he couldn't provide more info about his statement regarding the amount of existing regulations in Pinellas relative to other counties. He said his statement was more of a question than a recommendation. He believed that question needed to be asked and read into the record. He believes that when all the existing zones are overlaid, they are pretty extensive- not extensive enough, he understands, and we still have changes to make.
 - i. Scott said that thinking there is already enough existing protection is a valid opinion

- b. Bill Allbright mentioned the discussion of connecting speed and wake size, which was covered at last week's state Boating Advisory Council (BAC) Meeting in Tallahassee. Bill said he doesn't want us to "get tied to something we don't want to be tied to."
 - 1. Katie is a member of the BAC and clarified the discussion from the meeting- that the office of Boating and Waterways is still considering the need to include discussion of wake (i.e. minimum wake, no wake) into speed designations (i.e. slow and idle speed)
- 4. There were no requests for additional information from Pinellas or FWC
- 5. Discussion of public participation
 - a. Members of the public will be given 3 minutes at the end of the meeting if they wish to address the LRRC
 - i. Bill Allbright asked that this be flexible at the discretion of the Chair
 - ii. Terri mentioned that the City Manager of Indian Rocks Beach contacted here in regard to N4, stating that those area near the seawall and other larger areas have a lot of recreational use
 - iii. Bill Allbright stated that Representative Kathleen Peters from District 69 had contacted the Marine Industries Association (MIA) lobbyist and another individual, who passed the information on to Bill. Bill called and left a message for Rep. Peters but she has not called back.
 - 1. Scott Calleson stated that Rep. Peter's office and the MIA lobbyist are in contact with FWC
 - iv. Terri stated that committee members should bring direct communication to the group for consideration, not 3rd party information
- 6. Continuation of review of South zones
 - a. S11: Boca Ciega Isle
 - i. High manatee use in the warm season, moderate use in the cold season; extensive seagrass; most use in the immediate vicinity of seagrass; may be a local zone along St. Pete Beach; FWC received requests for increased protection in this general area
 - 1. Doug Speeler stated that there is a marina behind the Happy Dolphin on Gulf Blvd. that has signage and there is a channel from the marina that boats run
 - a. Dave Walker said this zone is not on our maps and may not be regulatory
 - b. Elizabeth asked whether the area where boats run coincides with manatee sightings
 - i. Doug said he thought the area was already marked for seagrass, which would protect manatees; there is definitely a huge grass bed here
 - c. Dave Walker offered to have someone go by and check for any existing markings

2. Terri expressed that her initial impression (based on Table 6) was that a zone was not needed, but upon receiving the composite maps and seeing clusters of manatees, and knowing there is a marina and large grass beds there, she might like a modified zone that captures the big triangle. It's possible that the area off the marina is already marked. If so, keep the zone over that area. It's nice to have the dredged cuts for boating, also knowing manatees like to dive for cover, it seems logical to modify the proposal.
3. Katie inquired about the depth of the dredge cuts and Doug said they are 15-16 feet deep.
4. Elizabeth inquired about the nature of boat use here and Doug responded that the use on the north end is residential, the west shore is commercial, and the island to the south is rimmed with residential docks.
5. Elizabeth asked if more boats will use this area in the future.
 - a. Doug said no, and that boat usage is down in the County.
6. Bill asked why we need to regulate it if it is so shallow.
 - a. Serra explained that this is a popular flats boat fishing area
7. Serra said she was recently in the area and saw no signs
8. The committee will re-visit S11 for a vote after receiving more info from the County regarding existing signage and aerals of the dredged channels

b. S12: Marina Harbour

- i. High manatee use in the cold season, moderate use in the warm season; 2 canals provide a minor warm water aggregation site with as many as 7 manatees seen here in 1 aerial survey and at least 1 manatee present during 42% of cold season surveys
- ii. Doug said 1 channel serves Maximo Marina- and is spring-fed. He also said the channel is deep.
- iii. Doug said boats don't hook up and run in the channel
- iv. Bill asked why we need a regulation if no one can go fast there
 1. Katie commented that someone could go fast
 2. Bill said to put the zone in
- v. Elizabeth supports protecting areas where manatees can rest when it's cold
- vi. Scott said this is one of the few areas where greater use was in the cold season
- vii. Doug said there is no high speed traffic here now and a lot of manatees; they congregate here. He said the spring flows have diminished.
- viii. Elizabeth said she would like at least cold season protection here. Serra agreed and said it is not going to adversely affect boating. Bill accepts if it is not adversely affecting boating, Terri agreed.
- ix. All members present agreed to a year-round zone as proposed by FWC.

c. S13: Indian Key Area

- i. High manatee use in both seasons and high fast overlap in warm season; Frenchman's Creek and marina basin are minor aggregation sites; seagrass areas on the north side of Indian Key and Frenchman's Creek are most important; there is an existing Idle Speed zone in Frenchman's Creek, a No Internal Combustion Motor Zone surrounding Indian Key, and a non-regulatory shallow water caution zone west of Indian Key
- ii. Terri stated that back in 2007 this was a very important area for manatee protection and coincided with the proposed Spring Lake project.
- iii. Katie shared her local knowledge of the area
- iv. All members present voted to accept the following modified zone year-round. The 100 foot wide running channel in the northwest segment is an existing dredge cut.



- d. S14: Isla del Sol
 - i. High manatee use and fast overlap during warm season
 - ii. Katie supports a warm season slow speed zone
 - iii. Terri said there is no access from Isla del Sol on the north side of S14. She has no issue with this zone.
 - iv. Elizabeth, Serra, and Dave Kandz support
 - v. All members present accepted as proposed
- e. S15: Tierra Verde
 - i. moderate warm season manatee use; low fast overlap in both seasons- likely related to existing regulatory and non-regulatory zones; may want to try to align with existing zones for signage
 - ii. Scott commented that most of this area has non-regulatory seagrass caution areas and the regulated area is in the Tierra Verde canals. The area has a lot of

buoys for seagrass protection. Because there is so much manatee use here, it is important to protect the area from fast boat activity for the future.

- iii. Doug stated that it is very deep off the finger canals and proposed leaving the deep channel area east and north of the finger canals open year-round while regulating the rest of the proposed area year-round
- iv. The LRRC members present agreed to the following modified zone:



At this point in the meeting, Bill Allbright asked Pete Plage if the LRRC's actions are getting close to what is needed to make the USFWS happy and end the moratorium on new large boat facilities in the County. Pete responded that the process of establishing manatee protection speed zones is good, a manatee protection plan with a facility siting element would also be helpful, and there is a need for more enforcement.

Doug Speeler asked whether the current and pending lawsuits would have any effect on this process. Pete said no, the Marine Mammal Protection Act doesn't allow any take while the Endangered Species Act can allow take.

- f. S16: Sister Key Area
 - i. High manatee use and very high fast overlap in the warm season; low cold season manatee density and no fast overlap; extensive seagrass north of Bunces Pass in Sister Key area; high manatee use and very high fast overlap in warm season; extensive seagrass north of Bunces Pass channel in Sister Key and the north shoreline of Mullet Key

- ii. Doug has problems with regulating the channel and stated that there are lots of other regulations in this area
 - iii. There was discussion of the difficulty in marking a modified zone. Elizabeth stated that it would be a shame if the feasibility of marking is what would prevent a zone here. Doug said it could be marked.
 - iv. Katie mentioned that essentially all manatees seen crossing the channel were in this 0.5 mile stretch and their strategy is to take a breath, dive, and hope to come up on the other side unscathed. She noted that the greater number of sightings on the north and south shores may be because those in the middle of the channel were diving and not present at the surface to be counted during the survey. She also noted this area was designated “black” in Table 6 indicating very high fast overlap in the warm season.
 - v. Terri commented that the channel may provide enough depth to protect them
 - vi. Bill proposed protecting the north and south shores but leaving a corridor for boats to travel on plane in the middle of the channel
 - 1. Scott stated that FWC can’t put a corridor where there isn’t a channel because they can’t mark the boundaries. He also stated that if the committee was going to leave a corridor, it wouldn’t be worth the hassle of marking. Either accept as proposed because concerned about manatees or exclude because worried about boaters.
 - vii. Bill Allbright asked what the likelihood of a manatee fatality is here if we don’t regulate
 - 1. Katie expressed that due to the very high fast overlap, she believed a manatee take was likely.
 - viii. If forced to consider an all or none proposal, 4 members present supported the zone as proposed while 3 opposed it.
 - g. S17: Fort De Soto
 - i. This entirely overlaps existing protections and is shallow.
 - ii. All members present agreed to the zone as proposed
7. For the next meeting
- a. Katie offered to compile an outline of all of the zones where the group agreed with FWC, agreed with modifications, and those zones that require an additional vote. She suggested we vote in all of the zones we preliminary agreed upon at the next meeting to finalize those items so she could initiate work on the final report.
 - i. The committee agreed and decided to start the voting at N1 and work south once this item was completed at the next meeting.
 - b. County staff agreed to send notice to the full LRRG that voting will start next week
 - c. The committee expressed interest in meeting at the Clearwater facility again next week if space were available
8. Motion to adjourn was made by Doug Speeler and seconded by Terri Skapik. The meeting was adjourned at 3:51PM.