



August 18, 2014

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On behalf of the Florida Fish and Wildlife Conservation Commission (FWC) and my staff, I would like to thank you for serving on the Local Rule Review Committee (LRRC) for Pinellas County. We appreciate the time and effort you spent reviewing information, discussing issues, and preparing recommendations on potential FWC manatee protection zones in western Pinellas County. The information you provided is a very important component of the FWC's rule making process.

FWC staff has completed its review of the LRRC report, and prepared the required written response. As detailed in the attached response, staff concurs with the LRRC position (majority or unanimous) for 15 of the 21 areas we asked the LRRC to review, with small changes made in some of these areas to simplify zone marking. In five of the other six cases, staff concurs with the LRRC position for most of the area but disagrees with some aspect of the LRRC position. In only one case does staff disagree entirely (with staff recommending no FWC zone where the LRRC supported one). A detailed discussion of each area is provided in the response.

Staff plans to present its recommendations to the FWC Commissioners at their next meeting (September 10-11, 2014, in Kissimmee). This issue is currently scheduled for the first day. The agenda for the meeting is available at:

<http://myfwc.com/about/commission/commission-meetings>

The information provided to the Commissioners will include the LRRC report and the FWC staff response. If the Commissioners decide to move forward with proposed zones, a Notice of Proposed Rule will be published in September or October. Publication of the rule notice will begin the formal rule making and public review process. As part of this process, staff would conduct at least one public hearing in Pinellas County. Information on this issue will be maintained on the FWC website at:

<http://myfwc.com/wildlifehabitats/managed/manatee/rulemaking/>

In closing, I want to thank you again for serving on the Pinellas County LRRC. You have provided an important service, not only to the FWC, but also to Pinellas County and its residents and visitors.

Sincerely,

Carol A. Knox  
Section Leader  
Imperiled Species Management Section

Attachment

## FWC staff response to Western Pinellas County Local Rule Review Committee report

August 2014

### Reasons for reviewing western Pinellas County and methods used

The Florida Fish and Wildlife Conservation Commission (FWC) approved a Manatee Management Plan (MMP) in December 2007 to provide a state framework for conserving and managing manatees in Florida. The MMP is complementary to the federal Florida Manatee Recovery Plan, with both plans describing actions that will ensure the manatee's long-term survival. One of the many tasks called for in the MMP is to evaluate areas that currently have little or no manatee protection to determine if new manatee protection zones may be warranted. Western Pinellas County is identified for evaluation in the MMP because of the substantial amount of manatee use and human use in this area and because available information suggests the risks to manatees have increased considerably in recent years as compared to the 1990s and earlier periods. These increased risks have affected federal and state reviews of proposals for new or expanded boat facility projects, particularly in the Boca Ciega Bay area.

Considering only boat-related manatee mortality, which is the most noticeable and frequently used indicator of risk, western Pinellas County has experienced a significantly greater increase in risk in recent years than any other area in the state. The average number of boat-related manatee deaths per year increased by a factor of six between the 1990-99 and 2000-12 periods in western Pinellas County (and by a factor of 4.5 for the entire county). The next highest increase was by a factor of 2.2 (Monroe County), with only three other counties increasing by more than a factor of two. Boat-related manatee mortality in the two other Tampa Bay counties (Hillsborough and Manatee) increased by factors of 1.8 and 1.9, respectively. Deaths in all other categories (combined) besides boat-related increased by a factor of 2.1 or less in each of the three Tampa Bay counties.

As compared to the 13 counties that were identified in 1989 as key counties most in need of manatee protection (and where protection zones were subsequently established), the average number of boat-related deaths per year in Pinellas County exceeds the average in all but five of these counties for the 2000-12 period, and all but four for the 2008-12 period. The annual average for western Pinellas County by itself exceeds the average in all but five of these counties for the 2008-12 period. Pinellas County ranked behind all of the 13 counties for the 1980-89 period and behind all but one for the 1990-99 period. A discussion and summary of the mortality data and other data and analyses was prepared for this review. Please consult this document (**Manatee Data Review and Summary for Western Pinellas County**) for more information.

Currently there are no manatee protection zones in western Pinellas County. There are existing local and state zones in various locations throughout the area, most of which are for boating safety purposes. The existing zones, which cover about 14% of the inshore water (Gulf of Mexico excluded), provide some incidental protection of manatees but the zones were not established with manatee protection in mind and are not necessarily in the locations where they are most needed from a manatee protection perspective. Approximately 30% of the manatees seen during recent aerial surveys were seen in areas covered by existing zones.

When evaluating the potential need for new manatee protection zones, FWC staff placed the greatest emphasis on analyses of manatee use and where this use overlaps with boating use (referred to as spatial overlap analysis). This is because where manatees were seen during recent surveys and where there was high spatial overlap between manatee use and boat use are critical factors in determining where manatees are most at risk of being struck by boats. Other factors and data were also considered, such as manatee telemetry data, mortality data, water depth, habitat availability (e.g., seagrass), locations of boat access facilities and marked channels, sign-posting considerations, and issues related to overall zone complexity and the ease with which boaters would be able to understand the zones. (Note on mortality data: With regard to zone configurations, staff did not place a lot of significance on the precise location of carcass recoveries for boat-related manatee deaths because of the inability in most cases to know the relationship between where a manatee was struck and where it was recovered. Mortality data also do not provide much information on the potential for sub-lethal injuries, which is an important consideration when assessing risk.)

## Summary and discussion of review process and FWC response to Local Rule Review Committee recommendations

As part of the review process, FWC staff has had multiple meetings with staff from the County and the U.S. Fish and Wildlife Service (USFWS) as well as the FWC Division of Law Enforcement (DLE). Information on existing state boating safety zones was provided by DLE while information on existing local zones was provided by the County. Staff held informal discussions with local residents and stakeholders in 2013 to gather input on local views and concerns, and also has had multiple meetings and conversations with various local elected officials. Staff has made two presentations to the Barrier Islands Governmental Council (BIG C) and to a joint committee meeting of the Agency on Bay Management. Over the years many individuals and local governments have contacted FWC with suggestions for areas that may need protection and these areas were examined as part of the review process as well.

Based on the data review and other factors discussed above, FWC staff identified 21 areas where some configuration of new protection zones might be warranted. FWC staff notified Pinellas County in January 2014 that potential zones were being considered and in March the County formed a 12-member Local Rule Review Committee (LRRC).

On April 22, 2014, the LRRC held its first meeting and FWC staff provided and discussed the data review document (see above) and another document (**Preliminary Identification of Areas for LRRC Review**) that described the 21 areas and why they were identified. Much of the information in this document is taken directly from the documents given to the LRRC. The LRRC was asked to review the areas and provide recommendations as to what zones, if any, it believed should be proposed. The LRRC also was asked to identify any other potential zones it believed should be proposed. The LRRC met seven times through early June and submitted its final report on June 18, 2014. FWC staff attended every meeting. The LRRC report and other information, including the documents FWC provided, are available on the County website (<http://www.pinellascounty.org/statemanateeplan/default.htm>). In its final report, the LRRC provided recommendations on all 21 areas that had been identified by FWC staff; no additional areas were identified for consideration.

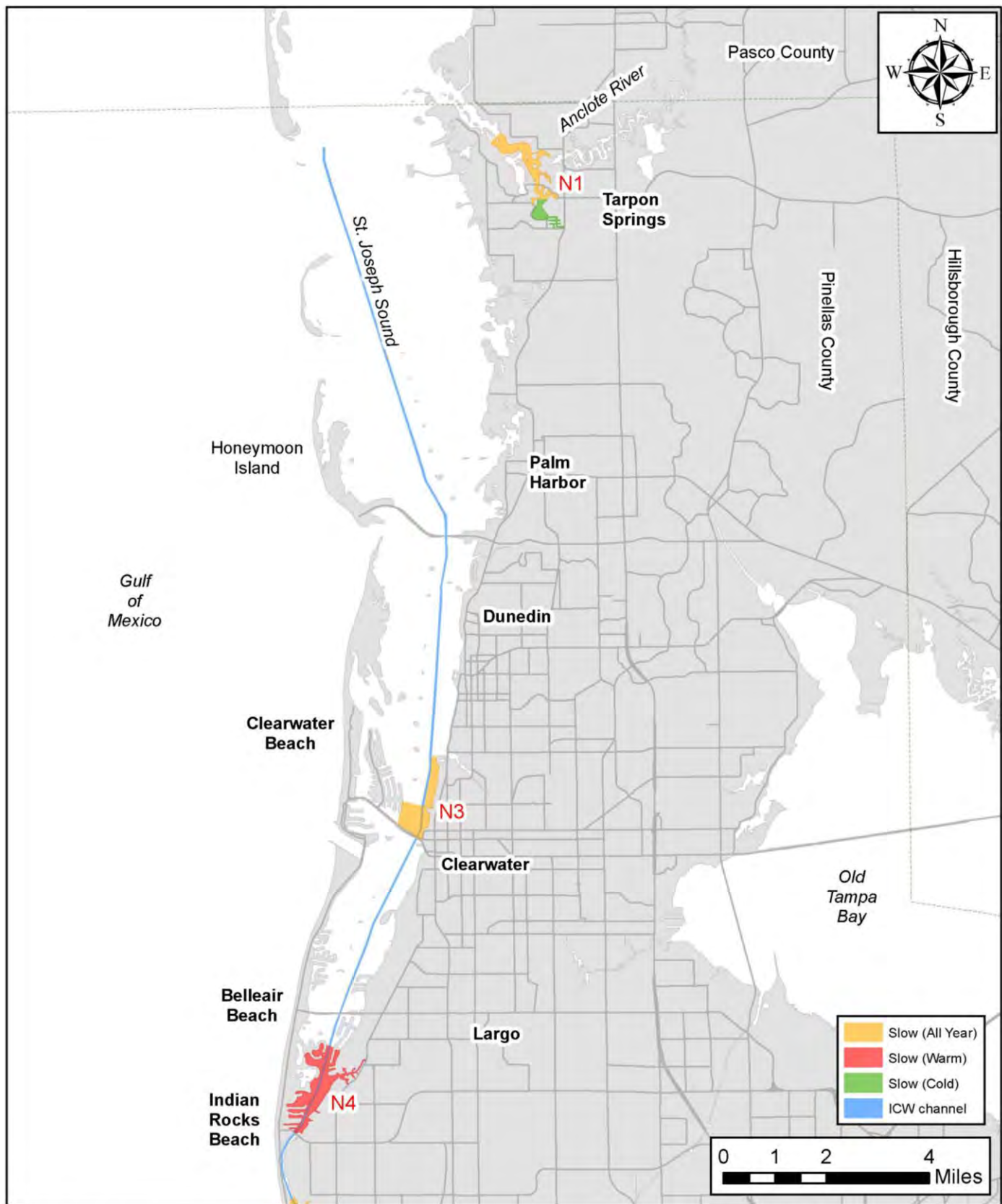
FWC staff concurs with the LRRC position (majority or unanimous) in 15 cases (some with small changes to simplify zone marking). In five of the other six cases, staff concurs with the LRRC position for most of the area but disagrees with some aspect of the LRRC position. In only one case does staff disagree entirely (with staff recommending no FWC zone where the LRRC supported one). A detailed area-by-area discussion is included on the following pages. **Figures 1-2** show the zones recommended by FWC staff, with the area identifications shown on the maps corresponding to the area-by-area discussions.

Areas recommended by FWC staff for inclusion in a proposed rule encompass 6,144 acres (11.6% of the 53,132 acres of inshore water in western Pinellas County). This total is 1,273 acres less than what was originally identified for review by the LRRC. Of the currently recommended areas, 4,339 acres (8.2% of inshore waters) would be newly protected (i.e., the remaining areas overlay more restrictive existing local or state zones). Existing zones encompass approximately 7,318 acres (13.8% of inshore waters). Including the new areas recommended by FWC staff, the total amount of area within zones would be 11,657 acres (22% of inshore waters).

Recommended areas include some year-round zones (2,413 acres – 942 of which would be newly protected), some warm season (Apr-Oct) zones (3,669 acres – 3,397 of which would be newly protected), and one cold season (Nov-Mar) zone (62 acres – none would be newly protected). Of the 46.4 linear miles of Intracoastal Waterway (ICW) channel in Pinellas County, 8.2 linear miles are within existing year-round boating safety zones. The recommended zones would add 0.5 linear miles for manatee protection, but only during the warm season.

Areas encompassing the recommended zones that would be in effect during the warm season (i.e., year-round and warm season zones) account for 52% of the manatees seen during warm season aerial surveys (76% of these manatees were outside of existing zones). Including the existing local and state zones as well, 62% of the warm season manatee sightings occurred in existing or recommended zones (total of 22% of inshore waters).

Areas encompassing the recommended zones that would be in effect during the cold season (i.e., year-round and cold season zones) account for 50% of the manatees seen during cold season aerial surveys (29% of these manatees were outside of existing zones). Including the existing local and state zones as well, 63% of the cold season manatee sightings occurred in existing or recommended zones (total of 15.5% of inshore waters).



FWC staff recommendations for manatee protection zones (August 2014)  
Western Pinellas County (North)

Florida Fish & Wildlife Conservation Commission  
Division of Habitat and Species Conservation  
Imperiled Species Management Section  
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Figure 1



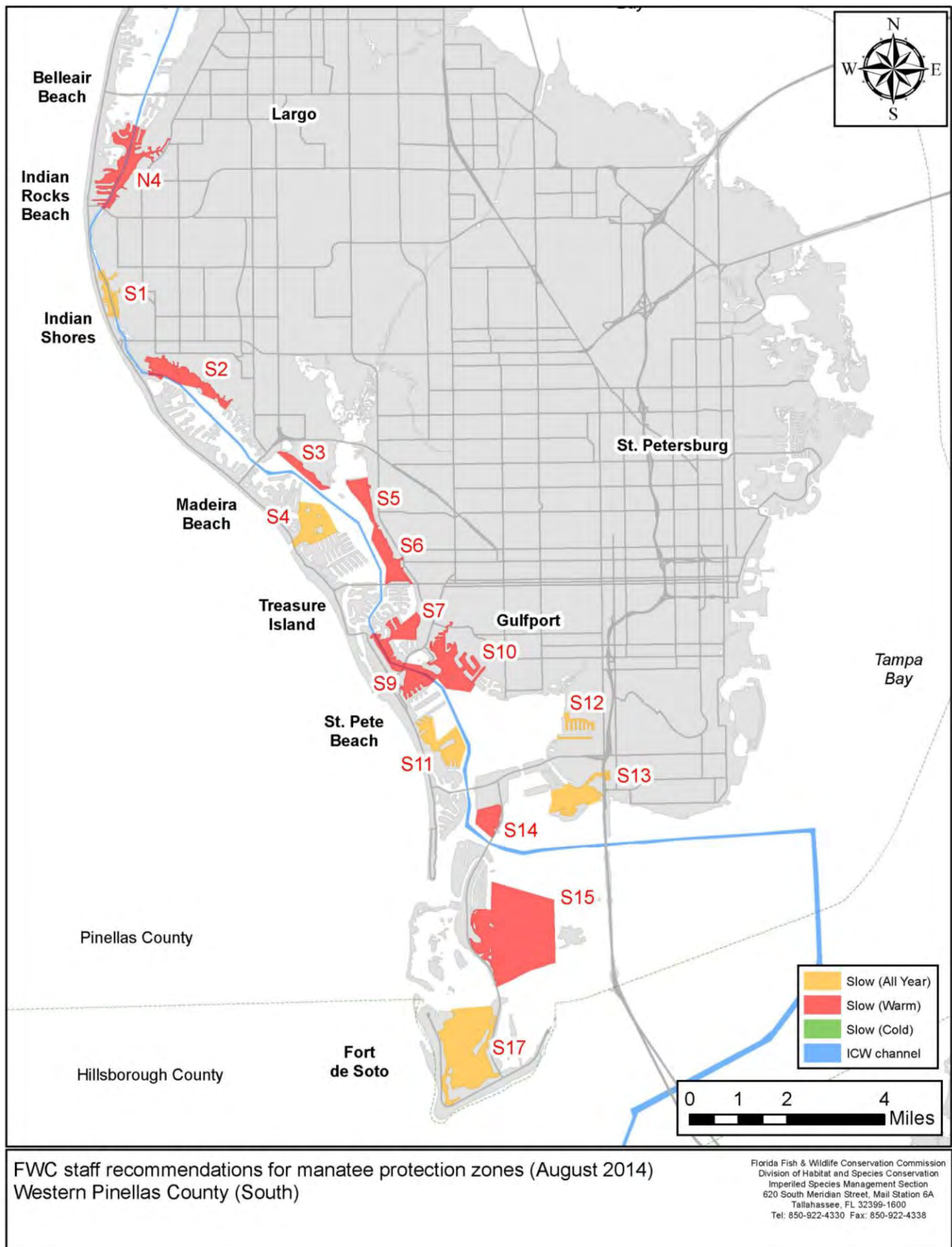


Figure 2

## Area-by-area discussion of LRRC recommendations and FWC staff response:

### **N1: Spring Bayou Area (Figure 3)**

**Existing Zones:** There are local zones in this area, consisting of a seasonal No Internal Combustion Motor zone (Nov 15 – Mar 31) / Idle Speed (rest of the year) in Spring Bayou, a seasonal Idle Speed zone (Nov 15 – Mar 31) in Whitcomb Bayou, and a year-round Idle Speed zone to the north, including the adjacent section of the Anclote River.

**LRRC Position:** Unanimous support for adding a year-round Slow Speed zone to overlay the existing zones, including the adjacent section of the Anclote River, but with support split for Whitcomb Bayou. The LRRC majority position (5 votes) supported the FWC preliminary proposal (year-round zone but with a cold season zone in Whitcomb Bayou). The LRRC minority position (4 votes) supported adding a year-round zone, including in Whitcomb Bayou.

**DLE Position:** No issues raised

**USFWS Position:** No concerns with FWC staff recommendation

**Other Information:** This area had very high manatee use during the cold season and moderate use during the warm season. It is most important during the cold season because this area (Spring Bayou in particular) is a secondary warm water aggregation site for manatees, with as many as 20 manatees seen during a single aerial survey. Manatees do not have to travel through Whitcomb Bayou to access Spring Bayou from the Anclote River due to its location south of Spring Bayou. Some seagrass and other aquatic vegetation is available in this immediate area; however, manatees using this area likely travel to the lower Anclote River and/or St. Joseph Sound to feed.

**FWC Staff Response:** Concur with LRRC majority position. Staff does not believe available information provides a compelling case for a year-round zone in Whitcomb Bayou.

### **N2: Anclote River Mouth (Figure 3)**

**Existing Zones:** There are local zones in portions of this area. There is a year-round shore-to-shore Idle Speed zone in the Anclote River east of channel marker 32 to the Alt. US 19 Bridge and south of the spoil islands between channel markers 23 and 32 (generally north of Circle Drive and North Florida Avenue). There also is a recently enacted year-round Idle Speed zone (in Pasco County) in the general vicinity of Anclote River Park.

**LRRC Position:** Unanimous support for the FWC preliminary proposal to add a year-round Slow Speed zone but with recognition that a zone would not be proposed until a future rule making action. The LRRC noted that *“it should be a local and FWC priority to address this issue in Pasco County in order to achieve protections on the waterway.”*

**DLE Position:** No issues raised

**USFWS Position:** No concerns with FWC staff recommendation

**Other Information:** This area had moderate manatee use and a high degree of spatial overlap between manatees and boats throughout the year. The lower Anclote River contains substantial amounts of seagrass outside of the main channel. This portion of the river also serves as the travel corridor for manatees moving between the upper river, including the Spring Bayou/Whitcomb Bayou area, and St. Joseph Sound.

**FWC Staff Response:** Concur with LRRC on the merits of a year-round zone. However, because part of this area is in Pasco County and that portion could not be proposed as part of this rule making action (because it has not been reviewed by a LRRC for Pasco County), staff recommends delaying this entire proposed zone until the whole zone can be proposed at the same time.

### **N3: Memorial Causeway (North) (Figure 4)**

**Existing Zones:** There is a year-round FWC Slow Speed boating safety zone at the Memorial Causeway that extends 3315 feet north of the bridge to just past the Seminole boat ramp (includes ICW and waters to the east). At the request of the city of Clearwater, this zone was expanded in 2013 to extend the zone about 700 feet farther south (to 1215 feet south of the bridge) and 500 feet farther west (in the vicinity of the bridge). (A previously-existing FWC 30 MPH boating safety zone in all sections of the ICW channel right-of-way between the Honeymoon Island Causeway and the Pinellas Bayway Bridge at Tierra Verde, except where more restrictive zones existed, was removed as part of the 2013 amendments.) There also are year-round local Slow Speed and Idle Speed zones along the west side in and around the residential canals in Clearwater.

**LRRC Position:** Unanimous support for the FWC preliminary proposal to add a Slow Speed zone. The LRRC report does not specify if the supported zone should be in effect year-round or only during the warm season. When the LRRC discussed this area, the discussion was about a year-round zone. The LRRC noted that the dockmaster from the city of Clearwater expressed support for a year-round zone.

**DLE Position:** Supports a year-round zone rather than seasonal because it would simplify zone marking given the zone partially overlaps with an existing year-round boating safety zone.

**USFWS Position:** No concerns with FWC staff recommendation

**Other Information:** This area had high manatee use and a very high degree of spatial overlap between manatees and boats during the warm season and moderate levels of both during the cold season. There is abundant seagrass in this general area, particularly adjacent to the eastern shoreline and north of the causeway to the west of the ICW.

**FWC Staff Response:** Concur with LRRC (for a year-round zone). The only portion of the ICW channel included within this zone is the 0.6 mile section that is already a part of the existing boating safety zone.

### **N4: Indian Rocks Causeway (North) (Figure 5)**

**Existing Zones:** There is a year-round FWC Slow Speed boating safety zone at the Indian Rocks Causeway extending 1790 feet to the northeast to just past Largo Intercoastal Marine and 7340 feet to the south. There also are year-round local Idle Speed zones along the east side in and around the residential canals of the Harbor Bluffs and Harbor Hills subdivisions and in McKay Creek.

**LRRC Position:** Unanimous support for adding a warm season Slow Speed zone for most of the identified area outside of the ICW, but with split opinions on what should be done in the ICW and two areas that were identified as water sports areas. The LRRC majority position (7 votes) supported the FWC preliminary proposal for a warm season Slow Speed zone but with the ICW channel and the two water sports areas excluded. The LRRC minority position (2 votes) supported having more protection. The minority position noted the “*acute manatee watercraft-related deaths in the areas of the proposed exemption for water sports and the fact that this area is a travel corridor for manatees.*”

**DLE Position:** Supports a year-round zone rather than seasonal because it would simplify zone marking. Also prefers the ICW to be excluded from the zone rather than designated as a 25 mph zone.

**USFWS Position:** Supports FWC staff recommendation but has concerns with the areas excluded for water sports and not having any zones in the ICW, particularly in the northern portion in the vicinity of the boat-related carcass recoveries.

**Other Information:** This area had moderate manatee use and a high degree of spatial overlap between manatees and boats during the warm season but relatively low manatee use during the cold season. There is substantial seagrass to the east of the ICW south of the Harbor Hills area as well as a few isolated patches in the coves to the west of the ICW and immediately adjacent to the shorelines. Several elected officials and others expressed concern about

including the ICW in a Slow Speed zone because of the impact it would have on travel times given the existing boating safety zones immediately to the south.

FWC Staff Response: Concur with LRRC majority position. Staff does not believe available information provides a compelling case for a year-round zone. The FWC preliminary proposal contemplated whether the ICW channel should be included in the Slow Speed area or if higher speeds should be allowed. Given there is not a substantial difference between how most boats are operated in a 25 mph zone versus in an unregulated area, staff is willing to defer to the LRRC majority position to exclude the ICW from this zone. Staff also is willing to defer to the LRRC majority position to exclude the two water sports areas given that documented manatee use was relatively low in both areas compared to the rest of the area.

### **S1: Center Section of The Narrows (Figure 6)**

Existing Zones: There is a year-round FWC Slow Speed boating safety zone at the Park Blvd Bridge that extends 3050 feet to the north (near ICW marker 19) and 6270 feet to the south, as well as the year-round FWC Slow Speed boating safety zone at the Indian Rocks Causeway referenced in the discussion of N4 above. There also is a year-round local Idle Speed zone in the residential canal of the Tara Cay condominiums.

LRRC Position: Unanimous support for adding a year-round Slow Speed zone outside of the ICW, but with split opinions on what should be done in the ICW. The LRRC majority position (7 votes) supported the ICW channel being a 25 mph zone. The LRRC minority position (2 votes) supported having more protection, particularly during the warm season. The minority position noted the *“very high fast overlap in the warm season, patchy seagrass throughout, the use of this area as a manatee travel corridor, the desire to connect existing areas of protection, and the fact that risks to manatees caused by fast-moving boats are heightened in narrow waterways.”*

DLE Position: Supports a year-round zone rather than seasonal because it would simplify zone marking given the zone would be contiguous with existing year-round boating safety zones on both ends. Also prefers the ICW to be excluded from the zone rather than designated as a 25 mph zone.

USFWS Position: Supports FWC staff recommendation but has concerns with not having any zones in the ICW; would prefer the ICW to be included as at least a 25 mph zone.

Other Information: This area had moderate manatee use and a very high degree of spatial overlap between manatees and boats during the warm season but relatively low levels of both during the cold season. There are patches of seagrass throughout The Narrows, with the most abundant seagrass occurring in the central section generally between ICW markers 19 and 28. Several elected officials and others expressed concern about including the ICW in a Slow Speed zone because of the impact it would have on travel times given the existing boating safety zones immediately to the north and south.

FWC Staff Response: Concur with LRRC majority position but with the ICW excluded (rather than having a 25 mph limit) at the suggestion of FWC Law Enforcement. Although a reasonable argument can be made for including the ICW in the zone, staff is willing to defer to the LRRC majority position (to exclude the ICW) in order to reduce impacts on boater travel time and in recognition of the fact that year-round protection would be added outside of the ICW, including several seagrass areas.

### **S2: Redington Shores (Figure 6)**

Existing Zones: The year-round FWC Slow Speed boating safety zone at the Park Blvd Bridge extends slightly into this area. There also are year-round local Idle Speed and Slow Speed zones in and around Redington Shores Marina and other residential canals as well as in and around the residential canals of the Oakhurst Shores area.

LRRC Position: Unanimous support for the FWC preliminary proposal to add a warm season Slow Speed zone but with a section in the south end excluded for water sports use.

DLE Position: No issues raised



USFWS Position: No concerns with FWC staff recommendation

Other Information: This area had very high manatee use and a moderate degree of spatial overlap between manatees and boats during the warm season but no manatee use during the cold season. Manatee use in this area during the warm season was the highest of any of the areas evaluated in western Pinellas County. There is extensive seagrass to the north of the ICW as well as a few isolated patches south of the ICW and in the coves and canals to the west. One of the local mayors expressed concern about the impact a zone in this area could have on water sports use, particularly personal watercraft that use the area.

FWC Staff Response: Concur with LRRC but with a larger area than identified by the LRRC excluded for water sports use. The larger excluded area was discussed with the local mayor, who indicated his concerns would be addressed by the change. The only portion of the ICW channel included within this zone is the 0.3 mile section that is already a part of the existing FWC boating safety zone.

### **S3: Bay Pines (West) (Figure 7)**

Existing Zones: Just to the north and west, there is a year-round FWC Slow Speed boating safety zone at the Stuart Causeway (includes ICW and waters to the north to the mean high water mark). Just to the west, there is a year-round local Slow Speed zone in the residential canals and coves along the western side of Boca Ciega Bay in Madeira Beach. The northern end of this area (as well as the basin to the north) appears to be used as a mooring area.

LRRC Position: Unanimous support for the FWC preliminary proposal to add a warm season Slow Speed zone

DLE Position: Suggested straightening the western boundary to simplify zone marking

USFWS Position: No concerns with FWC staff recommendation

Other Information: This area had high manatee use and a moderate degree of spatial overlap between manatees and boats during the warm season but low levels of both during the cold season. There is extensive seagrass along the northern shoreline, with a more expansive patch near the southern end of War Veterans Memorial Park. Most manatee use in this area was documented over or in the immediate vicinity of the seagrass areas.

FWC Staff Response: Concur with LRRC but with the western boundary straightened as suggested by FWC Law Enforcement to simplify zone marking.

### **S4: Johns Pass (Figure 7)**

Existing Zones: There are year-round local Slow Speed zones along the western and southeastern portions of the area.

LRRC Position: Unanimous support for the FWC preliminary proposal to add a Slow Speed zone, with the vote being for a year-round zone.

DLE Position: No issues raised

USFWS Position: No concerns with FWC staff recommendation

Other Information: This area had moderate manatee use and a high degree of spatial overlap between manatees and boats during the warm season but low levels of both during the cold season. There is extensive seagrass throughout most of the area on the inside of the inlet.

FWC Staff Response: Concur with LRRC

### **S5: Long Bayou (South) (Figure 7)**

Existing Zones: Just to the north, there is a year-round local Slow Speed zone in the vicinity of the Seminole Bridge, War Veterans Memorial Park, and several marinas in Long Bayou.

LRRC Position: Unanimous support for the FWC preliminary proposal to add a warm season Slow Speed zone

DLE Position: No issues raised

USFWS Position: No concerns with FWC staff recommendation

Other Information: This area had high manatee use during the warm season and relatively low use during the cold season. There is extensive seagrass in this area, particularly along the eastern shoreline and around the string of small islands east of the Long Bayou channel.

FWC Staff Response: Concur with LRRC

### **S6: Treasure Island Causeway (North) (Figure 7)**

Existing Zones: There is a year-round FWC Slow Speed boating safety zone at the Treasure Island Causeway that extends 500 feet to the north and approximately 2.2 miles to the south to 800 feet southeast of the Pasadena Avenue Bridge / Corey Causeway (shoreline to shoreline, including the ICW but excluding side canals).

LRRC Position: Unanimous support for the FWC preliminary proposal to add a warm season Slow Speed zone but with two originally identified areas excluded: in and around the ICW and an east-west corridor immediately north of the causeway (extending to under the bridge in the southeast corner).

DLE Position: Supports excluding the area in and around the ICW (to simplify zone marking) but not the east-west corridor (due to zone marking and boating safety concerns)

USFWS Position: Supports FWC staff recommendation. Has some concerns with excluding the area in and around the ICW but can support this exclusion. Does not support excluding the east-west corridor.

Other Information: This area had high manatee use and a very high degree of spatial overlap between manatees and boats during the warm season and moderate manatee use during the cold season. The area along the eastern shoreline between the causeway and 5<sup>th</sup> Avenue North appears to be particularly important to manatees. There is abundant seagrass along the eastern shoreline, with a more expansive patch about 0.25 miles south of the Jungle Prada boat ramp and another expansive patch just north of the Treasure Island Causeway (Central Avenue). There also are smaller patches on either side of the ICW within about 0.4 miles of the causeway.

FWC Staff Response: Concur with LRRC but with the east-west corridor included in the zone. Although a reasonable argument can be made for including the originally identified area in and around the ICW, staff is willing to defer to the LRRC position (to exclude the area) in order to reduce impacts on boater travel time and to simplify zone marking, and in recognition of the fact that warm season protection would be added east of the ICW. Staff does not support excluding the east-west corridor because of the concerns raised by FWC Law Enforcement and because of the risks higher speed boat operation present in this roughly 0.5-mile corridor, especially in and around the bridge in the southeast corner.

### **S7: Treasure Island Causeway (South) (Figure 8)**

Existing Zones: There is a year-round local Idle Speed zone immediately south of the modified zone supported by the LRRC (see below). There are no existing zones in the vicinity of the area identified in the FWC preliminary proposal.

LRRC Position: Unanimous support to add a warm season Slow Speed zone that excludes most of the area identified in the FWC preliminary proposal (because of water sports use) but extends farther south and west to include the seagrass areas north of the existing local zone. The LRRC noted *“the water sports activity does not continue all the way to the eastern shore, leaving manatees a corridor for travel outside of the high speed activity”* and that the modified area *“extends slow speed protections south to encompass dense seagrass areas used by manatees for feeding.”*

DLE Position: No issues with the zone supported by the LRRC except for the exclusion of two canals that would be completely cut off by the zone. Suggested including these two areas in the zone to simplify zone marking.

USFWS Position: No concerns with FWC staff recommendation

Other Information: There is abundant seagrass near the eastern shoreline as well as in two large patches in the modified zone supported by the LRRC. The seagrass area used the most by manatees is the area along the eastern shoreline south of Villagrande Avenue South, which was included in the originally identified area and is also included in the modified zone.

FWC Staff Response: Concur with LRRC but with the two canals included in the zone as suggested by FWC Law Enforcement

### **S8: Blind Pass (Figure 8)**

Existing Zones: There are year-round local Slow Speed zones covering this entire area. The zones are in effect only on weekends and holidays.

LRRC Position: Unanimous support for the FWC preliminary proposal to add a warm season Slow Speed zone

DLE Position: Supports not adding a FWC zone because of the existing weekend and holiday zones and how adding a seasonal FWC zone would complicate zone marking

USFWS Position: Supports not adding a FWC zone but believes something needs to be done to improve compliance with the existing local zones

Other Information: This area had moderate manatee use and a very high degree of spatial overlap between manatees and boats during the warm season but low levels of both during the cold season. Almost all of the “fast” boats recorded in the pass during aerial surveys were seen on weekends when the local zones are in effect so the main issue appears to be noncompliance. Several local elected officials commented on this area, with some raising concerns about adding a zone in this area because of how contentious the process was when the local governments adopted the existing zones in 2008. One local elected official supported adding a FWC zone because he believes more needs to be done in this area.

FWC Staff Response: Disagree with LRRC; do not propose a FWC zone.

### **S9: Pasadena Avenue (Figure 8)**

Existing Zones: There is a year-round FWC Slow Speed boating safety zone at the Pasadena Avenue Bridge / Corey Causeway that extends approximately 2.2 miles to the north to 500 feet north of the Treasure Island Causeway and 800 feet southeast of the Pasadena Avenue Bridge (shoreline to shoreline, including the ICW but excluding side canals). There also are year-round local Idle Speed zones in the vicinity of the Pasadena Avenue South bridges and to the east of the ICW east of marker 6, and along the shorelines of St. Petersburg Beach.

LRRC Position: Unanimous support for the FWC preliminary proposal to add a warm season Slow Speed zone (including overlaying the southern portion of the boating safety zone) but with the ICW excluded south of the boating safety zone.

DLE Position: No issues raised

USFWS Position: Supports FWC staff recommendation. Would have concerns if the ICW was not included as part of the Slow Speed zone. Concerns in this area are greater than in any other area commented on by USFWS. Exclusion of the ICW would likely have negative effects on future federal reviews of waterfront development projects.

Other Information: This area had high manatee use and a very high degree of spatial overlap between manatees and boats during the warm season and low levels of both during the cold season. There is a large seagrass area on the north side of the ICW south of the Pasadena Avenue Bridge and another, more extensive, seagrass area on the south side. North of the Pasadena Avenue Bridge, there is a large seagrass area on the east side of the ICW, south of 80<sup>th</sup> Street South and west of Sailboat Key Blvd, as well as isolated patches along both shorelines.

FWC Staff Response: Concur with LRRC about the overall zone but not with excluding the 0.5 mile section of ICW south of the boating safety zone, which staff recommends be included. This 0.5 mile section of ICW is the only currently unregulated segment of ICW that staff is recommending be included in the proposed rule. This area is very important for manatees because it is where the wide section of Boca Ciega Bay to the south becomes much narrower, forcing manatees and boats to be in closer proximity to one another, and because there are seagrass areas on both sides of the ICW so manatees are likely crossing the ICW frequently in this area.

#### **S10: Pasadena Golf Club (Figure 8)**

Existing Zones: There are year-round local Slow Speed zones just to the south in the residential canals associated with the Pasadena Yacht Club, Kipps Colony, and Skimmer Point and to the west along the shorelines of St. Petersburg Beach.

LRRC Position: Unanimous support for the FWC preliminary proposal to add a Slow Speed zone, with the vote being for a warm season zone.

DLE Position: No issues raised

USFWS Position: No concerns with FWC staff recommendation

Other Information: This area had high manatee use during the warm season and moderate use during the cold season. There is extensive seagrass throughout this area. Most manatee use was documented over or in the immediate vicinity of the seagrass areas, especially in the area just to the south of MarineMax and Pasadena Marina.

FWC Staff Response: Concur with LRRC

#### **S11: Boca Ciega Isle (Figure 8)**

Existing Zones: There are year-round local Slow Speed or Idle Speed zones along the shorelines of St. Petersburg Beach.

LRRC Position: Unanimous support for the FWC preliminary proposal to add a Slow Speed zone but with a triangular section of deeper water excluded from the zone. The LRRC unanimously supported a year-round zone.

DLE Position: No issues raised

USFWS Position: No concerns with FWC staff recommendation but suggests the zone extend past the outer edges of the seagrass

Other Information: This area had high manatee use during the warm season and moderate use during the cold season. There is extensive seagrass throughout this area. Most manatee use was documented over or in the immediate vicinity of the seagrass areas, especially in the vicinity of Punta Vista Drive and Boca Ciega Isle.

FWC Staff Response: Concur with LRRC

### **S12: Marina Harbour (Figure 9)**

Existing Zones: There is a year-round local Idle Speed zone in the basin and canal leading to Maximo Marina but not in the other two canals to the north.

LRRC Position: Unanimous support for the FWC preliminary proposal to add a Slow Speed zone, with the vote being for a year-round zone.

DLE Position: Supports a year-round zone rather than seasonal

USFWS Position: No concerns with FWC staff recommendation

Other Information: This area had moderate manatee use during the warm season and high use during the cold season. These two canals appear to serve as a minor warm water aggregation site for manatees, with as many as 7 manatees seen during a single aerial survey during the cold season and with at least one manatee seen in the canals during 42% of the cold season surveys.

FWC Staff Response: Concur with LRRC

### **S13: Indian Key Area (Figure 9)**

Existing Zones: There is a year-round local Idle Speed zone in the Frenchman Creek / Maximo Park area and a No Internal Combustion Motor zone surrounding Indian Key. There also is a non-regulatory “shallow water caution” zone west of Indian Key. There also may be a year-round local Idle Speed zone in the canal east of Leeland Street South and west of Eckerd College.

LRRC Position: The LRRC majority position (8 votes) supported the FWC preliminary proposal to add a year-round Slow Speed zone but with two originally identified areas excluded: the main north-south channel and a 100-foot wide east-west corridor immediately south of the Bayway Isles. The LRRC minority position (1 vote) supported the zone without the exclusions. The minority position noted the “*year-round manatee use between Frenchman Creek and the seagrasses around Indian Key, high warm season fast overlap, and local knowledge of the area.*”

DLE Position: No issues raised

USFWS Position: Supports FWC staff recommendation. Would have concerns if the main channel was not included as part of the Slow Speed zone.

Other Information: This area had high manatee use during both seasons and a very high degree of spatial overlap between manatees and boats during the warm season. The Frenchman Creek and marina basin appears to serve as a minor warm water aggregation site for manatees, with as many as 10 manatees seen during a single aerial survey during the cold season and with at least one manatee seen in the creek or basin during 42% of the cold season surveys. Almost all of the cold-season manatee use in this area was in Frenchman Creek or the marina basin. There is extensive seagrass in the vicinity of Indian Key as well as patches near the eastern shoreline, with particularly abundant seagrass just south of Maximo Park.

FWC Staff Response: Concur with LRRC majority position about the overall zone but not with excluding the north-south channel. Staff is willing to defer to the LRRC majority position to exclude the east-west corridor in order to reduce impacts on boater travel time. Staff does not support excluding the north-south channel because of



the risks higher speed boat operation present in this roughly 0.75-mile section of channel. This area is very important for manatees because most of the manatees that use Frenchman Creek likely cross this channel frequently to travel back and forth from the creek and the sea grass areas near Indian Key and other areas of Boca Ciega Bay.

#### **S14: Isla del Sol (Figure 9)**

Existing Zones: There is a year-round FWC Slow Speed boating safety zone at the Pinellas Bayway South Bridge to Tierra Verde that extends 1500 to the west and 500 feet to the southeast of the bridge (includes waters in and adjacent to the ICW).

LRRC Position: Unanimous support for the FWC preliminary proposal to add a warm season Slow Speed zone

DLE Position: Suggested modifying the western boundary to simplify zone marking given the adjacent boating safety zone

USFWS Position: No concerns with FWC staff recommendation

Other Information: This area had high manatee use and a high degree of spatial overlap between manatees and boats during the warm season but low levels of both during the cold season

FWC Staff Response: Concur with LRRC but with the western boundary modified so the zone would line up more cleanly with the existing boating safety zone

#### **S15: Tierra Verde (Figure 10)**

Existing Zones: There is a year-round local Idle Speed zone in the residential canals of Tierra Verde and a No Internal Combustion Motor zone surrounding Tarpon Key. There also is a non-regulatory “shallow water caution” zone east of Tierra Verde to just west of the Skyway (I-275) Bridge.

LRRC Position: The LRRC majority position (8 votes) supported the FWC preliminary proposal to add a Slow Speed zone but with the originally-identified area in and north of “The Pit” as well as the deeper water area immediately east of Tierra Verde excluded from the zone. The LRRC majority supported a warm season zone. The majority position noted *“the area has extensive seagrass and moderate warm season manatee use [and that] this area is more heavily fished in winter than in summer.”* The LRRC minority position (1 vote) supported less protection. The minority position noted *“use of the area by local fishermen and guides and a belief that the proposal was too excessive and restrictive.”*

DLE Position: Suggested modifying the northern boundary to make it more of a straight line – to simplify zone marking

USFWS Position: No concerns with FWC staff recommendation

Other Information: This area had moderate manatee use during the warm season and relatively low use during the cold season. There is extensive seagrass throughout this entire area.

FWC Staff Response: Concur with LRRC majority position but with the northern boundary straightened as suggested by FWC Law Enforcement.

#### **S16: Sister Key Area (Figure 10)**

Existing Zones: There are year-round local zones in this general area. In addition to zones in the immediate vicinity of Tierra Verde to the north, there is a Slow Speed zone immediately south and east of Shell Key, a small No Entry zone south of the Slow Speed zone, and a No Internal Combustion Motor zone east of the Slow Speed and No Entry zones, including around Summer Resort Key. There also is a non-regulatory “seagrass caution” zone

west, south, and east of the No Internal Combustion Motor zone, including around Sawyer Key and Sister Key. There also are zones in the Fort De Soto area (see S17).

LRRC Position: The LRRC majority position (6 votes) supported not adding a FWC zone because of concerns about how slower speeds could cause boating safety and navigation issues given the strong currents and winds that often occur in the area. The LRRC minority position (3 votes) supported the FWC preliminary proposal to add a warm season Slow Speed zone. The minority position noted *“local knowledge of manatee use and concerns for manatee safety and... that current law allows boaters to not comply with posted zones if required for safety...”*

DLE Position: Supports not adding a FWC zone because of boating safety and navigation issues associated with the currents and tides that affect this area

USFWS Position: Supports not adding a FWC zone

Other Information: This area had high manatee use and a very high degree of spatial overlap between manatees and boats during the warm season but low levels of both during the cold season. There is extensive seagrass north of Bunces Pass channel in the Sister Key area and waters to the north and west. There also is abundant seagrass along the northern shoreline of Mullet Key (south of the channel).

FWC Staff Response: Concur with LRRC majority position; do not propose a FWC zone. Although a Slow Speed zone would provide manatee protection, staff does not support a zone because it could potentially create boating safety and navigation issues.

#### **S17: Fort De Soto (Figure 10)**

Existing Zones: There are year-round local zones covering this entire area. There is a Slow Speed zone east of Mullet Key south of the Bunces Pass channel and two No Internal Combustion Motor zones in the remainder of the area between Mullet Key and the Pinellas Bayway6 South.

LRRC Position: Unanimous support for the FWC preliminary proposal to add a Slow Speed zone, with the vote being for a year-round zone.

DLE Position: No issues raised

USFWS Position: No concerns with FWC staff recommendation

Other Information: This area had high manatee use during the warm season and moderate use during the cold season. There is extensive seagrass throughout this area.

FWC Staff Response: Concur with LRRC

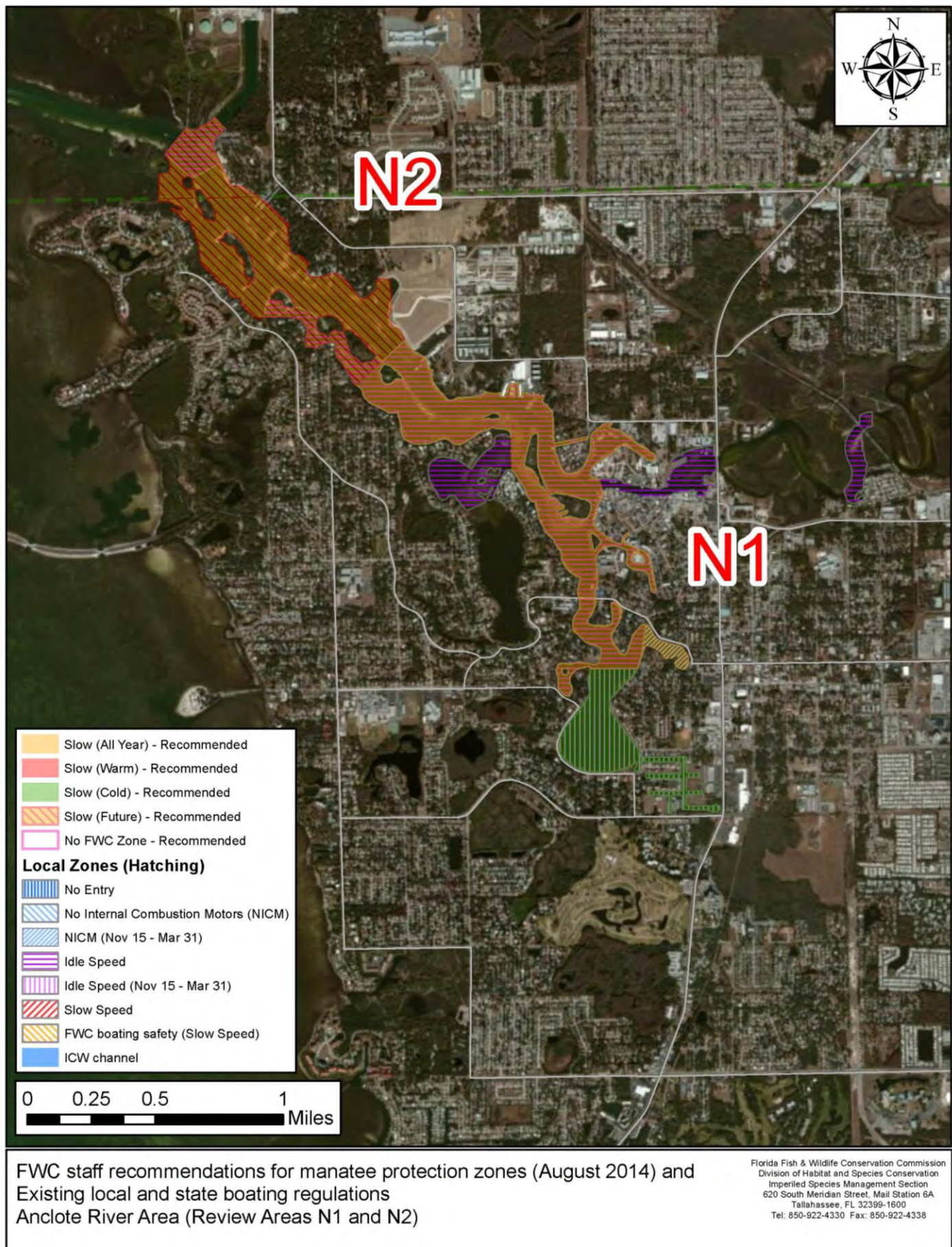


Figure 3



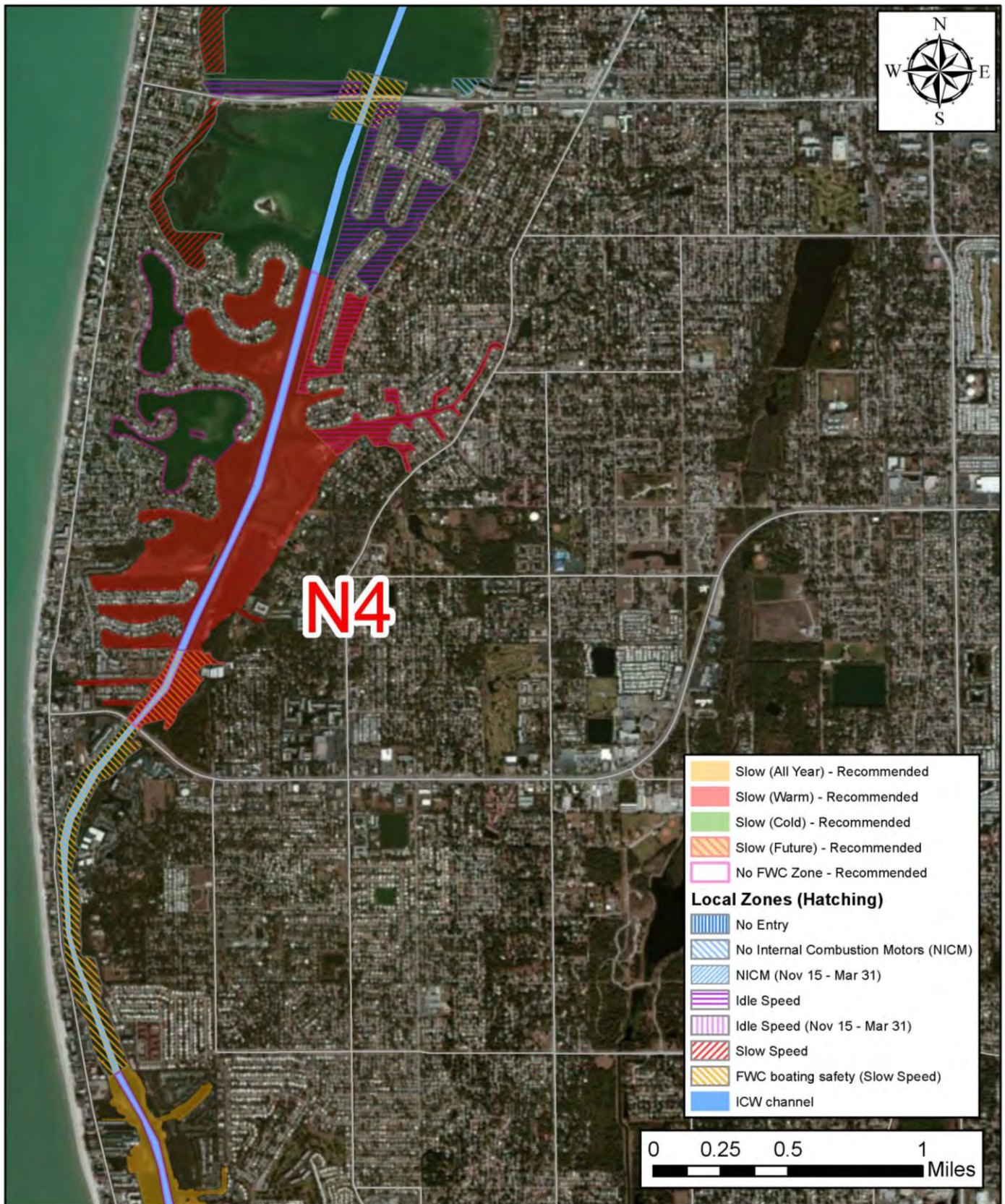


FWC staff recommendations for manatee protection zones (August 2014) and Existing local and state boating regulations Clearwater Area (Review Area N3)

Florida Fish & Wildlife Conservation Commission  
Division of Habitat and Species Conservation  
Imperiled Species Management Section  
620 South Meridian Street, Mail Station 6A  
Tallahassee, FL 32399-1600  
Tel: 850-922-4330 Fax: 850-922-4338

Figure 4





FWC staff recommendations for manatee protection zones (August 2014) and Existing local and state boating regulations Indian Rocks Beach Area (Review Area N4)

Florida Fish & Wildlife Conservation Commission  
Division of Habitat and Species Conservation  
Imperiled Species Management Section  
620 South Meridian Street, Mail Station 6A  
Tallahassee, FL 32399-1600  
Tel: 850-922-4330 Fax: 850-922-4338

Figure 5



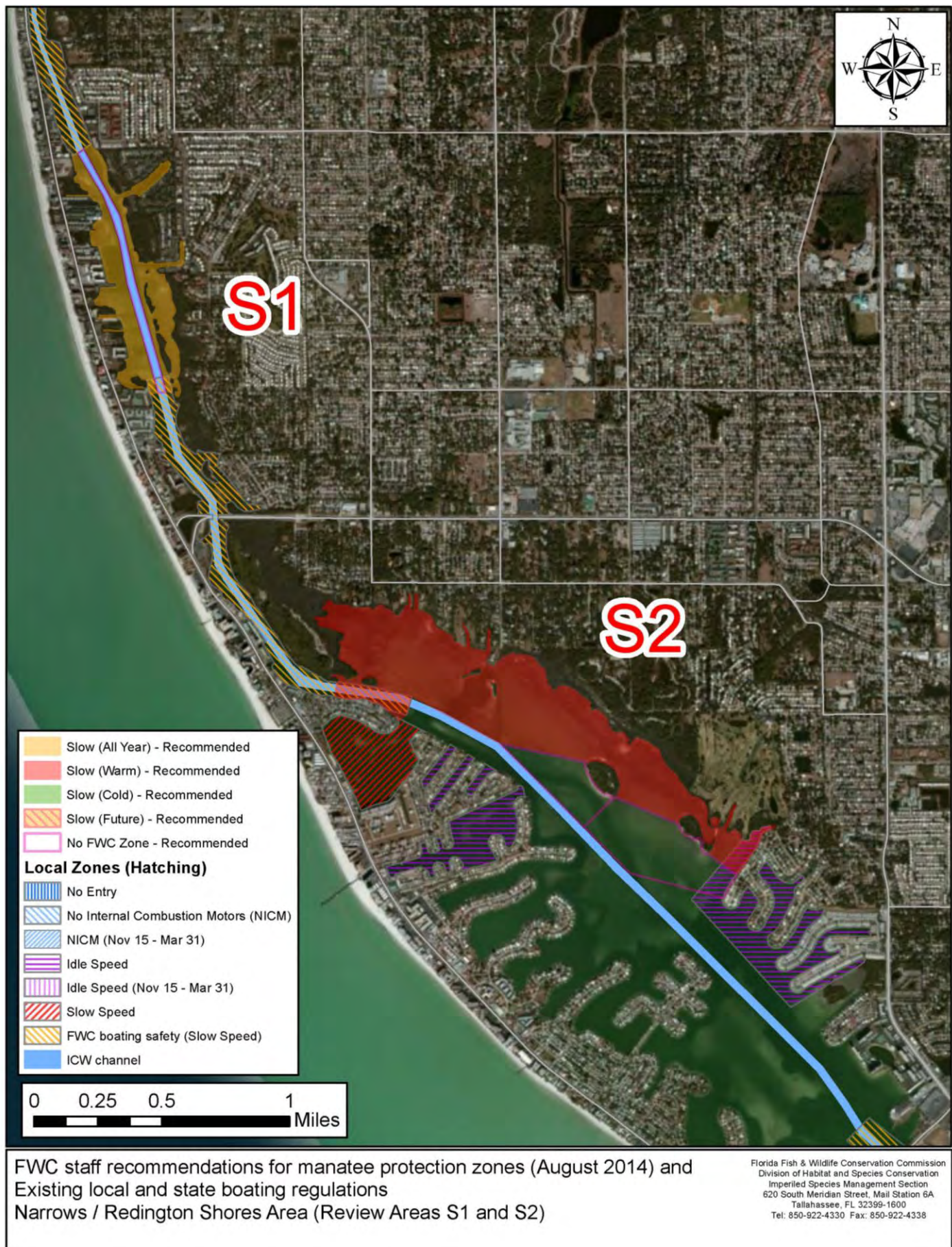
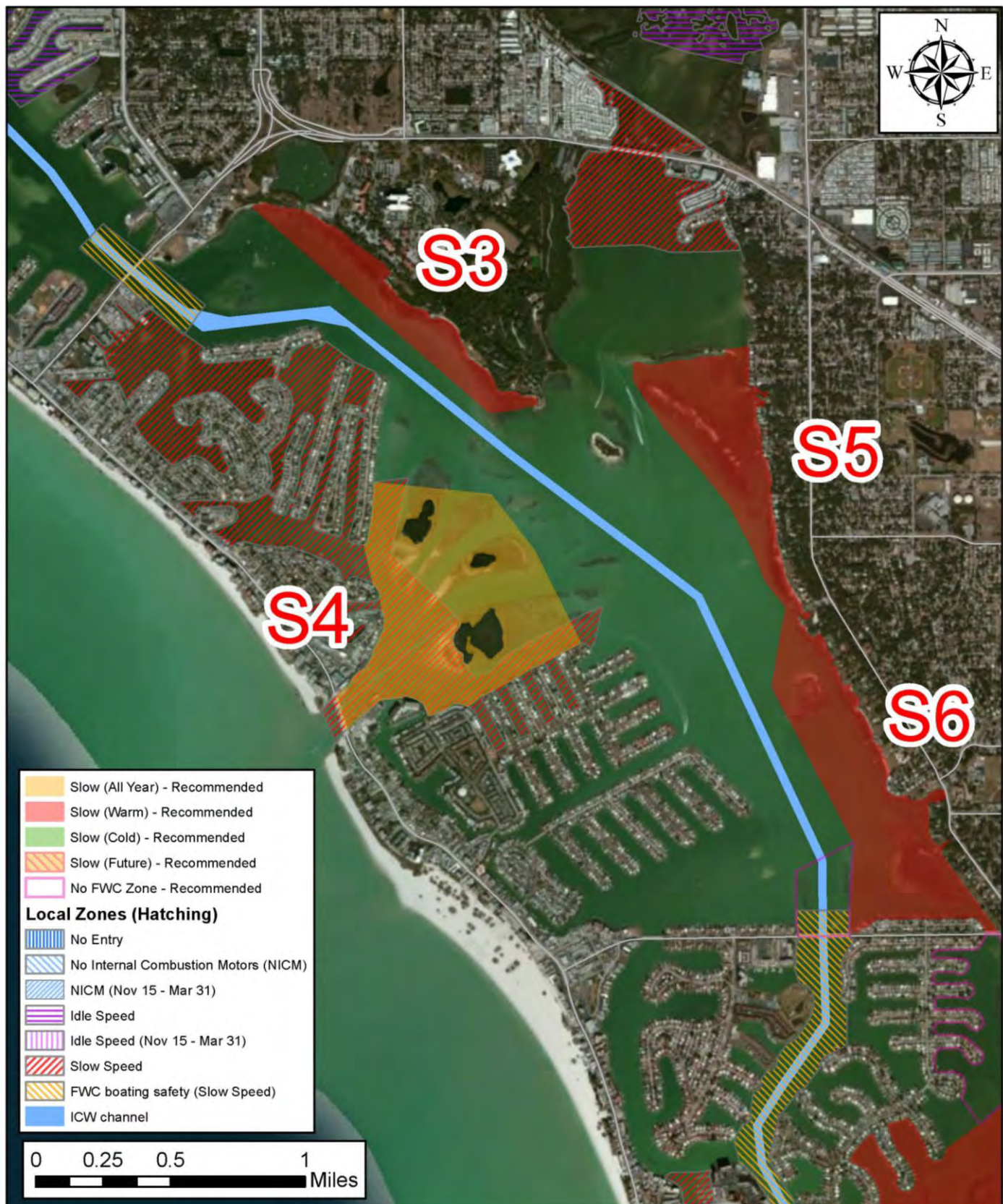


Figure 6





FWC staff recommendations for manatee protection zones (August 2014) and Existing local and state boating regulations  
Johns Pass Area (Review Areas S3 through S6)

Florida Fish & Wildlife Conservation Commission  
Division of Habitat and Species Conservation  
Imperiled Species Management Section  
620 South Meridian Street, Mail Station 6A  
Tallahassee, FL 32399-1600  
Tel: 850-922-4330 Fax: 850-922-4338

Figure 7



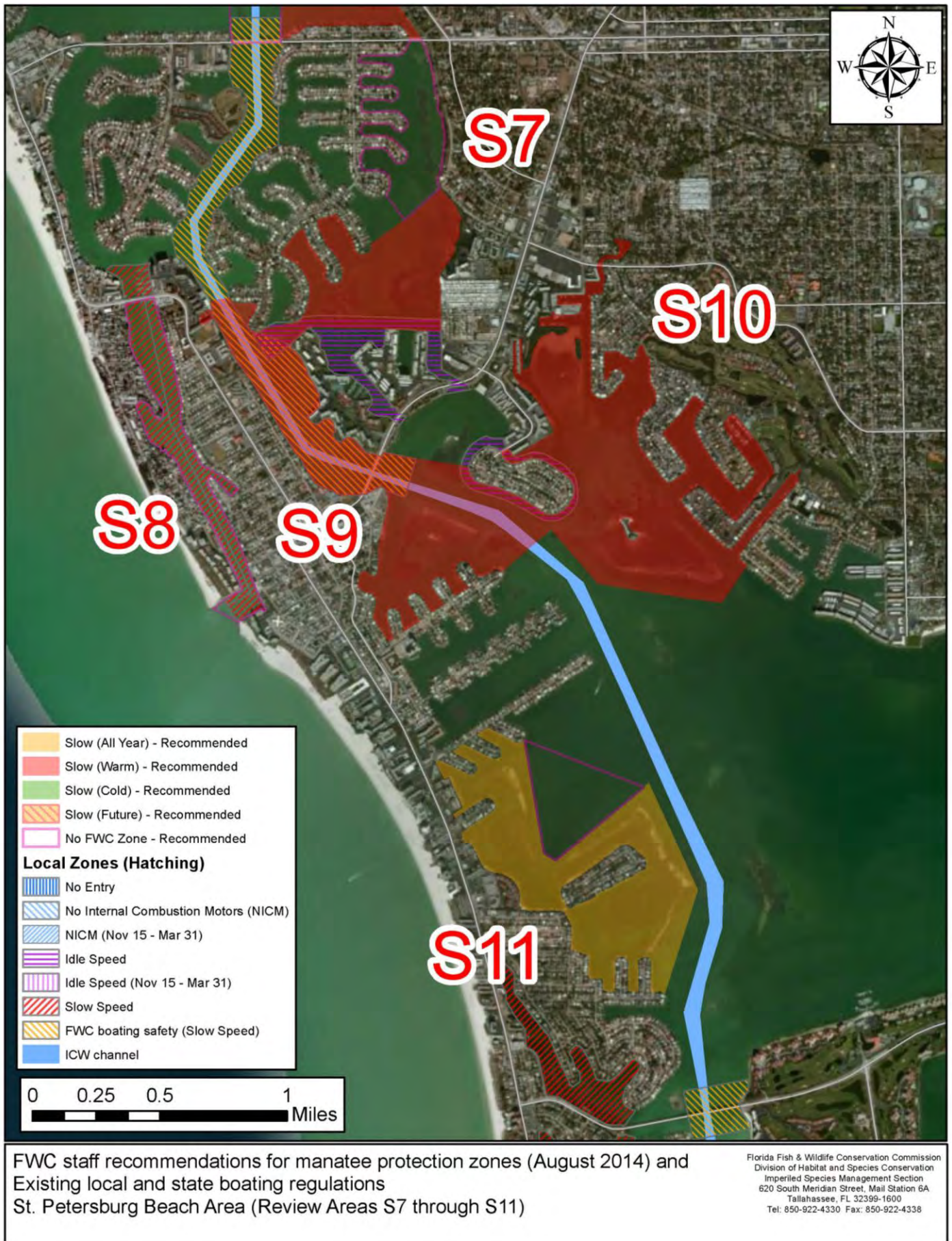


Figure 8





Figure 9



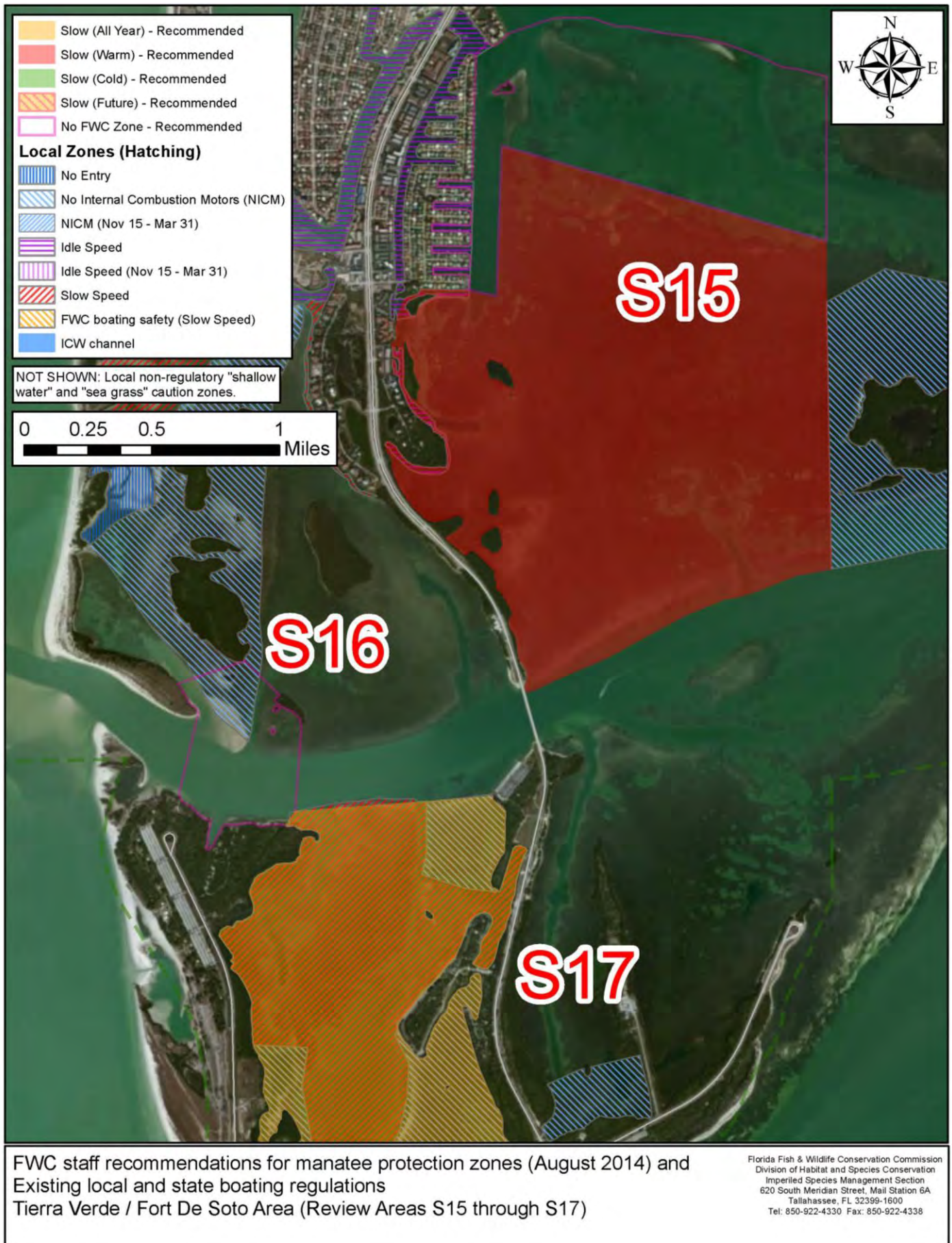


Figure 10