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October 15, 2014

Scott Calleson, Fisheries and Wildlife Biologist
Florida Fish and Wildlife Conservation Commission
Imperiled Species Management Section
620 South Meridian Street
Tallahassee, FL 32399

Dear Mr. Calleson:

This is in response to your request for comments from Pinellas County regarding the potential new manatee protection zones. Since this is a rulemaking effort of your Commission, we did not take it to the Board of County Commissioners for a formal County position. We did, however, want to provide you with staff comments, and we have kept the County Commission informed throughout this process.

Pinellas County citizens are affected by this issue in several ways. Obviously, the sustainability of manatee populations is an important concern. Boaters, however, are also concerned about the quality of their experiences on the water and they are already impacted by numerous boating safety zones. In addition, waterfront development is being impacted by the withholding of Federal approvals for multi-family and commercial docks in a large area of southwest Pinellas County. This creates an economic impact as well as a quality of life issue for those waterfront residents. The Pinellas County Comprehensive Plan has a number of goals and objectives that require staff to balance all of these issues.

Our staff had the benefit of sitting in on all of the Local Rule Review Committee (LRRC) meetings, so we saw firsthand the amount of data collection and analysis that your staff provided as well as the reasonable compromises made on both sides of this issue. As a result, Pinellas County staff supports the potential zones that you are planning to present to your Commission in November. Some of the key points behind this recommendation are:

- In 2007, both your agency and the U. S. Fish and Wildlife Service identified western Pinellas County as in need of manatee protection measures, mandating action by both agencies.

PLEASE ADDRESS REPLY TO:
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- The zones are based on extensive data, primarily aerial photography collected from 2008 - 2010, which locates those areas in western Pinellas County with high densities of manatees and "fast" boats. More importantly, it documents where these overlap. Your staff conducted an extensive analysis of this data and identified the areas where manatees were most at risk of boating related injuries or fatalities.
- To date, extensive public input has been obtained and incorporated into the design of the zones. The LRRC, comprised of boaters, marine industry representatives, and environmental and manatee advocates, met intensively over a two month period and issued recommendations which include reasonable concessions on both sides of this issue. In addition, municipal staff, elected officials, and various citizens have also provided input. As a result, the zones have been designed to minimize impacts to boaters as much as possible while accomplishing your statutory requirement to protect manatees. The majority of new speed zones will be in shallow seagrass areas where there is no extensive navigation. New impacts to the Intracoastal Waterway have been eliminated with the exception of one area (0.5 miles in length) where the data strongly support the need for manatee protection. Several known recreational areas have also been removed from consideration. In addition, if your Commission moves forward with rulemaking, there will be a formal comment period and public hearings where there will be further opportunities for public input.
- The zones were reviewed by law enforcement personnel, and subsequently modified, to ensure that they could be marked clearly for boaters. In addition, areas where slow speeds created safety concerns (such as in the strong currents of Bunces Pass) were eliminated.
- It is important that USFWS also supports the zones, which they do as currently drafted (although they did raise concerns with some of the compromises). Since 2007, USFWS has been restricting the permitting of new multi-family and commercial docks in Boca Ciega Bay to address boating related manatee fatalities. It is hoped that these additional protection zones can provide some relief on the dock issue. County staff believes that multi-use and commercial docks should be thoroughly reviewed by USFWS for impacts to manatees, but due to the built-out nature of the County and the wide distribution of both boats and manatees, these applications should be reviewed on a case-by-case basis and stand or fall on their own merits.

Again, taking all of these factors into consideration, staff believes that the zones as drafted are scientifically supportable and important to manatee protection. We also recognize your efforts to minimize impacts to boaters as much as possible and know that you will continue to evaluate public input as you move forward.

Sincerely,



Kelli Hammer Levy, Division Manager
Natural Resources