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# News Release

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## **U.S. Fish and Wildlife Service Proposes Protection Areas for West Indian Manatees**

### **Public Comments Invited**

The U.S. Fish and Wildlife Service will submit a proposed rule tomorrow to the Federal Register that would establish 16 Federal protection areas for the West Indian manatee, an endangered marine mammal that inhabits the coastal and inland waterways of the southeastern United States, in eight Florida counties. These areas would complement the protection provided for the manatee at national wildlife refuges.

Under the proposal, four areas located in Hillsborough, Pinellas and Citrus counties would be designated as seasonal manatee sanctuaries. In these areas, all waterborne activities would be prohibited from October 1 through March 31. Another 12 areas in Pinellas, Sarasota, Charlotte, DeSoto, Lee and Brevard counties would be designated manatee refuges. Waterborne activities such as swimming, diving, and boating could be permitted in these areas, but might be restricted or prohibited if necessary to protect manatees. (See attached list for details on each site.)

Due to recent watercraft-related mortalities in Brevard County, the Service intends to issue its final decision for two sites in the county, Barge Canal and Sykes Creek, as quickly as possible once all public comments have been considered, but no later than December 31, 2001. The Service intends to defer its final rule on the remaining 14

sites until December 1, 2002.

Recognizing the important role of its State and local partners, the Service will continue its close coordination with the Florida Fish and Wildlife Conservation Commission regarding their proposed manatee protection actions. If the state adopts manatee protection areas identical or comparable to the ones in this proposal, the Service will withdraw the Federal designations. If by December 1, 2002, the State is unable to take action and the Service determines that designation is warranted, it will proceed to issue its final decision for the 14 deferred sites.

"Ideally, we would like the State of Florida to take the lead in establishing these areas and we will continue to work closely with the State on the designations," said Sam Hamilton, the Service's regional director for the Southeast Region. "Nevertheless, collisions with boats and other human-caused mortality continue to be the biggest threat to the long-term conservation of the manatee, and we must take action now to protect the species. The State's recent commitment to increase law enforcement is an important step in the overall strategy to protect manatees."

"We are open to considering state and local agency actions in lieu of federally-designated protection areas," Hamilton said. "As we finalize our rule, we will continue to work with state and local agencies to ensure that our action does not duplicate their efforts."

The Service's proposal comes after an extensive period of public comment. Last fall, with input from numerous agencies, organizations, researchers and others, the Service compiled a list of 145 potential sites for protection areas. After receiving public comment, the Service narrowed its proposed list to 16 sites.

"Although there are numerous sites that could potentially qualify under our regulations, we targeted our proposal to include those locations that are most crucial to manatee recovery, and for which we have the staff and funds to implement and enforce manatee protection areas," Hamilton said.

Recreational and commercial use of waterways throughout the

southeastern United States has increased dramatically due to residential growth and tourism. This is particularly true in Florida, leading to increased conflicts between watercraft and manatees. Watercraft account for about 80 percent of all human-caused manatee deaths, and approximately 75 percent of these deaths take place in 11 Florida counties: Brevard, Lee, Collier, Duval, Volusia, Broward, Palm Beach, Charlotte, Hillsborough, Citrus and Sarasota.

In developing its proposal, the Service took into consideration the biological needs of the manatee, as well as the potential economic impacts the federal designations might have. In all cases the Federal designation of manatee protection areas will not eliminate waterway property owner access rights. Residents and their guests would be permitted watercraft access through a manatee sanctuary or refuge to private residences, boat houses, and docks. Any authorized boating activity would be conducted by operating watercraft at "Slow Speed."

Copies of the proposed rule may be obtained from the address below or requested by telephone at 904/232-2580 extension 122, by fax at 904/232-2404, by e-mail at [fw4\\_es\\_jacksonville@fws.gov](mailto:fw4_es_jacksonville@fws.gov), and via the Internet at <http://northflorida.fws.gov>.

The service encourages all interested stakeholders to comment on the proposed designations. Those stakeholders with information on existing conservation measures, special needs consideration, or other concerns are encouraged to make such information known to the Service, in writing, during the comment period. All comments on the proposed rule must be received within 60 days of the actual publication date of the proposed rule in the Federal Register.

The Service will hold a public hearing at the Radisson Hotel and Conference Center in Melbourne, Brevard County, FL from 7:00 p.m. to 9 p.m. on September 13, 2001. Requests for additional public hearings must be received in writing no later than 30 days after Federal Register publication of the proposed rule.

Comments may be mailed, hand-delivered, faxed, or submitted

electronically. Please mail or deliver comments to: Cameron Shaw, Jacksonville Field Office, 6620 Southpoint Drive, Suite 310, Jacksonville, FL 32216-0958. Comments may also be faxed to (904) 232-2404. Comments submitted electronically should be as ASCII text files, and please include your name and return mailing address in your e-mail. Send electronic comments to: fw4\_es\_jacksonville@fws.gov.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 94-million-acre National Wildlife Refuge System which encompasses more than 535 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 70 national fish hatcheries, 64 fishery resource offices and 78 ecological services field stations. The agency enforces Federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign governments with their conservation efforts. It also oversees the Federal Aid program that distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.

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## PROPOSED MANATEE REFUGES AND SANCTUARIES

Proposed seasonal manatee sanctuaries (October 1 through March 31):

Blue Waters: Headwaters of the Homosassa River, adjacent to the Homosassa Springs State Wildlife Park, commonly referred to as the Blue Waters, in Citrus County. Homosassa Springs State Wildlife Park, located directly upstream from the site and containing the spring itself, is not accessible to the manatees wintering at Blue Waters because the spring head is used as a care facility for captive manatees.

Bartow Electric Generating Station: Warm water outflow of the Bartow Electric generating station in Tampa Bay, Pinellas County. Pinellas County has recently adopted a no-motor zone, in which only non-motorized watercraft are permitted, in the immediate area of the outflow. The Service believes that the no-motor zone designation will not prevent harassment of manatees at this important warm water site.

Tampa Electric Company (TECO) Big Bend: Warm water outflow of the TECO Big Bend electric generating station in Tampa Bay, Hillsborough County. There is currently a seasonal no entry zone in the immediate vicinity of the TECO outflow; however, this zone is too small to prevent harassment of manatees.

Port Sutton: Warm water outflow of the TECO Gannon electric generating station on Tampa Bay, Hillsborough County. The Gannon plant is currently being retooled and is scheduled to go on-line in the near future.

Proposed manatee refuges:

Barge Canal: Entire length of the Barge Canal and extending eastward to the Canaveral Locks, Brevard County. The Service would regulate watercraft operation to slow speed, both inside and outside the marked channel, all year.

Sykes Creek: In Brevard County. The Service would regulate watercraft operation to slow speed, both inside and outside the marked channel, all year.

South Gandy Navigation Channel: Channel north of the Bartow electric generating station, Pinellas County, with the purpose of regulating watercraft operation to slow speed seasonally, October 1 through March 31, inclusive.

TECO Big Bend: Waters adjacent to, and south of, the proposed manatee sanctuary at the TECO Big Bend electric generating station in Hillsborough County to provide entry and exit to the lagoon and canals in North Apollo Beach. Watercraft activity within this refuge would be regulated to idle speed seasonally, October 1 through March 31, inclusive.

Port Sutton: Port Sutton area surrounding the proposed manatee sanctuary at the TECO Gannon electric generating station, Hillsborough County. Watercraft would be required to proceed at idle speed seasonally, October 1 through March 31, inclusive.

Pansy Bayou: Water-ski area in Sarasota County. The Service would regulate vessel traffic to slow speed all year. The remaining waters around the proposed refuge are currently designated by the State as slow speed-channel included zones.

Little Sarasota Bay: In Sarasota County. Boats traveling outside the marked channel of the Intracoastal Waterway would be required to maintain slow speed all year.

Lemon Bay: In Charlotte County. All waters outside of the marked channel would be regulated to provide for slow speed vessel operation all year.

Peace River: The river and all associated waters northeast of the Tamiami Trail (U.S. Highway 41) in Charlotte and Desoto Counties. Waters within the marked navigation channel would be regulated to allow watercraft to travel at a maximum speed of 25 miles per hour (mph). All waters outside of the marked channel would be regulated to provide for slow speed vessel operation. Both regulations would be in effect all year.

Shell Island: Navigation channel located just north of Shell Island at the mouth of the Caloosahatchee River, Lee County. The Service would regulate vessel speed as slow speed, both inside and outside the marked channel, all year.

Haulover Canal: All waters lying within a radius of 0.5 mile of each end of the Haulover Canal, Brevard County, and including the canal itself would be designated as a slow speed zone, both inside and outside the marked channel, all year. While vessels are currently required by the State to proceed at slow speed within the confines of the canal, there is no speed regulation to the east and west of the canal.

Cocoa Beach: Area adjacent to Municipal Park at Cocoa Beach, Brevard County. The Service would regulate vessel operation to slow speed all year. The site is currently a water-ski area regulated by the State as a 35-mph zone all year, whereas the surrounding waters are regulated as slow speed zones all year.

#### Definition of "Slow" and "Idle" Speeds

"Idle" speed is defined as the minimum speed necessary to maintain watercraft steerage. "Slow" speed is defined as the speed in which the watercraft proceeds fully off plane and is completely settled in the water. Since watercraft of different sizes and configurations may travel at different speeds, a specific speed is not assigned. However, a watercraft is NOT proceeding at slow speed if it is - (1) on plane, (2) in the process of coming up on or coming off of plane, or (3) is creating an excessive wake. A watercraft IS proceeding at slow speed if it is fully off plane and completely settled in the water, not plowing or creating an excessive wake. Protection areas may also carry a channel qualifier: exempt or included. In such instances, this refers to the existing marked navigational channel.

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