

Date: April 30, 2008

To: Chair and Members
Manatee Protection Plan Review Committee

From: DERM Staff

Subject: Transmittal of Information in Response to Requests at Recent Meetings

This memorandum is a summary of documents and references provided to you in this mailing in response to some of the requests made at recent meetings. We wish to begin by advising that this mailing does not include information on every topic that your committee has mentioned, but does contain materials that we have compiled to date. In the future, DERM will continue to compile responses to your requests, in addition to preparing reports on the data required by the Florida Fish and Wildlife Conservation Commission (FWC). You will note that in some instances, we have provided both general information or references, such as web pages or the citations of sections of the FWC Manatee Management Plan (2007), and more complex technical, scientific, or legal documents.

We understand that some of you may find the volume or format of some of these documents overwhelming, but we must make the same information available to all of you. In most instances, you may find that the FWC report, which was provided to you before your February meeting, or web-based material adequately summarizes the issue in a style that is appropriate for any reader.

- At the February 29, 2008 meeting, Mr. Bibeau noted that his copy of the 1995 Manatee Protection Plan was missing some pages from the Executive Summary. We appreciate his effort in calling this to our attention and have concluded that during reproduction services, some pages may be missed. Therefore, we have ordered new copies and hand checked them for each member, to make sure that you all have all the pages. Please note that a complete version has been available online on both the DERM and FWC website, in case you know anyone else who wishes to obtain one. Here is a link to the DERM page where this link may be found:
http://www.miamidade.gov/derm/manatee_protection.asp
- Also, Mr. Bibeau inquired about Appendix A, the “Bottom Communities of Biscayne Bay”, which is not bound into the plans. We have provided each of you with a copy of this 1983 document, a two-sided poster-size color map of seagrass and other bottom habitat types in Biscayne Bay and some adjoining bays.
- Several members have requested information on enforcement of existing rules. Ch. 8 of the FWC Manatee Management Plan (pages 73-82) provides an excellent overview of enforcement activities, fines and penalties, coordination, signs, posting and related matters. Ch. 3 of the same document describes underlying legal framework. Mr. Bibeau and others have also requested actual statutes or regulations. Therefore, you will also find included Florida Statutes Ch. 327.72, 327.73, 327.74 and 370.12 address enforcement and penalties related to violations of manatee protection rules, and fender requirements. Several members have requested information on manatee related signage. Enclosed please find Florida Statutes Ch. 327.40, 327.41, and Florida Administrative Code Ch. 68D-23 related to requirements for Uniform Waterway Markers. Also included are reports and pages from the Florida Fish and Wildlife Conservation Commission web site on “Guidelines for Posting Uniform Water Markers in Florida’s Waterways”, waterways regulatory signs, and manatee

educational signage. Additionally, you may wish to visit FWC's website where you may query manatee patrol statistics by county, including hours of patrol, citations, warnings, etc. <http://myfwc.com/law/manateepatrol/>

- Dr. Mansfield and Dr. Zaias have requested information on manatee population biology, general biology and life history, and monitoring and assessment. In addition to the scientific reports that we have previously distributed, it is recommended that you review information in Chapters 1, 2, and 9 of the FWC Manatee Management Plan. These chapters provide a general, less technical overview of the subject matter.
- Several members have requested information on vessel related manatee mortality, including information on types of vessels causing deaths or injuries. We have included four documents on this topic: tables listing incidents where responsible vessel is known or suspected; a scientific paper on effectiveness of speed zones; and two scientific papers on methods used during necropsy to characterize watercraft injuries. These may also be relevant to the briefing you will receive from veterinarians at your upcoming meeting. We wish to advise you that the scientific reports include technical terminology describing and graphic images of wounds and dissected carcasses.
- Mr. Bibeau has requested information on funding from the Surface Water Improvement and Management (SWIM) Program for the Miami-Dade area, a program that was mentioned in the Section II of the 1995 MPP as part of background information on water quality programs that existed at that time. The SWIM plan for Biscayne Bay was developed by SFWMD, and last updated in 1995. Since that time, the State of Florida legislature has modified its procedures and no longer specifically sets aside funds for state SWIM programs, but it does provide funding for individual water resources projects state wide, including projects that were identified in SWIM plans. Evan Skornick, of the South Florida Water Management District (SFWMD) provided the enclosed table compiled by the Florida Department of Environmental Protection, which shows legislative appropriations and vetos (by the Governor) for the period 1999 to 2007. On the list are numerous projects in Miami-Dade, including more than \$21 million for stormwater projects alone (note that this figure does not include other appropriations for wastewater infrastructure, habitat restoration, Miami River dredging, etc. nor does it include any matches from the SFWMD or other partners). These projects are administered by the SFWMD, sometimes in partnership with municipalities, counties, or other organizations. Mr. Skornick has suggested to DERM: *"As assistance to you and your efforts, ... as per 373.451-459, the SWIM Plans are solely the requirement and responsibility of the Water Management District, with assistance from other agencies, and that any future inquiries regarding the development or implementation of SWIM Plans should be directed to the District as the appropriate venue for a response."*
- Mr. Bibeau has requested information on propeller guards and sonar (acoustic) technology. Brief discussions of these topics may be found on pages 71, 72, and 109-110 of the FWC Manatee Management Plan.
- Mr. Bibeau has requested information on repairs or mortality associated with water control structures or locks. A summary is included in the FWC Manatee Management Plan on pages 63-66.
- A copy of the executed contract between Miami-Dade County and Mote Marine Laboratory for the "Boating Patterns and Compliance Study" is included. Please note the most of the pages are standard contract requirements, and the Scope of Services, which describes the tasks to be undertaken, is incorporated as Appendix A (the last 4 pages). Please note that Article 36 b) prohibits the contractor from communicating in any way with organization or person without prior

written approval. Also, we have included the “work plan” which describes the aerial surveys that the contractor will perform to document boat travel patterns and activities.

- A CD containing both the narrative part and the graphics part of the Broward County Manatee Protection Plan is included. The document files are large, and are difficult for some persons to download from the web.

Enclosures:

Miami-Dade Manatee Protection Plan (1995)

“Biscayne Bay Bottom Communities” map (1983)

Florida Statutes – F.S. 327.40; F.S. 327.41; F.S. 327.72; F.S. 327.73; F.S. 327.74; & F.S. 370.12

Florida Administrative Code Ch. 68D-23

Permanent Manatee Informational Sign Information (revised May 2007)

Printouts of “Boating & Waterways” information found at www.myfwc.com/boating/waterways

Guidelines for Posting Uniform Waterway Markers in Florida’s Waterways (Final version)

Historical Water Project Funding table

Watercraft Related Manatee Deaths table

Calleson and Frohlich (2007) Slower boat speeds reduce risks to manatees

Lightsey, et al. (2006) Methods used during gross necropsy to determine watercraft-related mortality in the Florida manatee

Rommel et al. (2006) Forensic methods for characterizing watercraft from watercraft-induced wounds on the Florida manatee

Mote Marine Laboratory “Boating Patterns and Compliance Study” Contract

Mote Marine Laboratory boat activity Aerial Survey Project Plan

CD with Broward County Manatee Protection Plan