REPORT OF BROWARD COUNTY LOCAL RULE REVIEW COMMITTEE TO THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION REGARDING PROPOSED MANATEE SPEED ZONE RULE CHANGES.

Final Report
August 2010

Daniel H. Yaffe, Chair
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I. Acknowledgements:

This report was prepared by the Broward County LRRC, whose members include:

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This report was written by Edward O. Keith, Recording Secretary, and Broward County Environmental Protection and Growth Management (EPGMD) staff, and endorsed by the entire Local Rule Review Committee for submittal to the Florida Fish and Wildlife Conservation Commission. EPGMD staff provided assistance in the preparation of the report. The report is submitted on behalf of the LRRC that was constituted by state law under the Florida Manatee Sanctuary Act to review and provide recommendations on proposed manatee protection zones in Broward County.

The LRRC would like to acknowledge the following individuals who were present at one or more of the meetings, and offered themselves and resources to the LRRC. They provided significant assistance and valuable information that was critical to the successful completion of the task set before the LRRC. Thank you all.

Those individuals are:

Pat Quinn, Ph.D., Broward County EPGMD  
Judi Kladerman, Broward County EPGMD  
Ryan Goldman, Broward County EPGMD  
John Fiore, Broward County Parks and Recreation Division  
Daphne Jones, Esq., Broward County, Office of the County Attorney  
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Deputy Steve Salach, Broward Sheriff’s Office  
Officer Quintin Waters, Ft. Lauderdale Police Dept. Marine Unit  
Edmund Gerstein, Ph.D., Leviathan Legacy, Inc.  
David Roach, Executive Director, Florida Inland Navigation District  
Winifred Perkins, Manager, Environmental Services, Florida Power and Light  
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II. Introduction and Background

According to the Florida Manatee Sanctuary Act (§ 379.2431 (2008) Florida Statute) all proposed rules of the Florida Fish and Wildlife Conservation Commission (FWC) governing the speed and operation of motorboats for purposes of manatee protection shall be submitted to the counties in which the proposed rules will take effect for review by local rule review committees (LRRC). The 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 required by the MMP is a review of existing manatee protection zones based on the most current data to determine if modifications are justified.

The manatee protection rule for Broward County (68C-22.010, Fla. Admin. Code) was adopted in 1993 and since that time no comprehensive review has been conducted. New data are now available, due in large part to County efforts to fund and collect manatee distribution data. Recent boating data are also now available. FWC staff reviewed the new data and other available information and conducted a preliminary review of the existing zones. Based on this initial review the FWC staff believes some changes to the Broward County rule may be warranted.

Florida Statute § 379.2431(2)(f) prescribes the steps required for the FWC to adopt or amend manatee protection boat speed rules. FWC staff analyzed manatee sighting data, watercraft-related manatee mortality, boating data, coincidence of manatees and motorboats, and seagrass coverage throughout the waters of Broward County. Based on an initial review of these data, FWC staff identified ten (10) areas of the County where a manatee protection speed zone rule change may be warranted. A formal letter notifying Broward County that the FWC is considering modifications to the manatee protection rule for Broward County was received on 15 March 2010. Pursuant to the statute, Broward County had 60 days after receipt of the letter to form a LRRC to review the FWC staff proposal and provide comments and recommendations. Once the LRRC was formed, it received a preliminary rule proposal to the LRRC and the LRRC had 60 days to review the proposal and submit its report (this document).

On April 27, 2010, the Broward County Commission created an LRRC composed of ten (10) members. Originally the proposed LRRC had eight (8) members, but a County Commissioner recommended that Karl Roeder, another environmental advocate, be added; and to maintain balance, Commissioner Allan Burrows, another waterway user, was subsequently added. The membership consisted of a balanced composition of environmental advocates and waterway users pursuant to Florida Statute §379.2431(2). The LRRC members felt that this was a false distinction because the two categories are not mutually exclusive. The purpose of the LRRC is to advise the FWC and to represent the public in the process of reviewing proposed changes to the existing rule for Broward County relating to manatee protection speed zones.

The LRRC was asked to review the existing Broward County manatee protection speed zone rule, and consider those 10 potential rule changes, as well as any other areas where a rule change
may be warranted (zones to be either added, modified, or removed) based on their local knowledge and experience.

For ease of review, Broward County waterways were divided into 4 regions. Each manatee speed zone identified by the FWC staff preliminary review received an alphanumeric designation (e.g. C1). The regions reviewed are as follows:

   C – North County
   D – Port Everglades
   E – South County
   F – Inland Areas

The LRRC also reviewed three “Other Rule Issues” (Section G). LRRC received other recommendations (Section H).

FWC staff provided preliminary data and analyses for the LRRC to use in their review of each of the potential rule changes. These data are available at the Broward County LRRC web page (http://www.broward.org/MANATEES/Pages/LocalRuleReviewCommittee.aspx) or from Dr. Patrick Quinn at pquinn@broward.org. These data and analyses included:

1. Manatee aerial survey data for Broward County from two time periods: 1988-92 (which was used when the manatee protection rule was first developed circa 1990-92) and 2004-09 (which represents current manatee use).
2. Manatee mortality data, 1974–2009. Each data point in the mortality database represents the location where a carcass was recovered and not necessarily the location where a manatee died.
5. “COIN” Analysis (Manatee – Boat Coincidence data), for both coincidence of manatees with all boats (“COIN”), as well as manatees with fast boats (“Fast-COIN”).
6. Some of these data were summarized by year, season, and/or region.
The LRRC met 13 times, at locations in central and southern Broward County as follows:

1. June 03 – Secret Woods Nature Center, 2701 W. State Rd. 84, Dania Beach, FL  
2. June 17 – Secret Woods Nature Center, 2701 W. State Rd. 84, Dania Beach, FL  
3. July 01 – Secret Woods Nature Center, 2701 W. State Rd. 84, Dania Beach, FL  
4. July 08 – Hearing Room, GCW, 1 N. University Drive, Plantation FL  
5. July 15 – Hearing Room, GCW, 1 N. University Drive, Plantation FL  
6. July 22 – Secret Woods Nature Center, 2701 W. State Rd. 84, Dania Beach, FL  
7. July 29 – Secret Woods Nature Center, 2701 W. State Rd. 84, Dania Beach, FL  
8. August 03 – Anne Kolb Nature Center, 751 Sheridan Street, Hollywood FL  
9. August 05 – Secret Woods Nature Center, 2701 W. State Rd. 84, Dania Beach, FL  
10. August 13 – Secret Woods Nature Center, 2701 W. State Rd. 84, Dania Beach, FL  
11. August 20 – Secret Woods Nature Center, 2701 W. State Rd. 84, Dania Beach, FL  
12. August 23 – Secret Woods Nature Center, 2701 W. State Rd. 84, Dania Beach, FL  
13. August 27 – Secret Woods Nature Center, 2701 W. State Rd. 84, Dania Beach, FL

All meetings were publicly noticed, and all LRRC business was conducted in the “Sunshine”, as mandated by Florida Law. A website was created (http://www.broward.org/MANATEES/Pages/LocalRuleReviewCommittee.aspx) to facilitate communication between the committee and Broward EPGMD staff, and the committee and the public. A public meeting was held on August 3, 2010, to allow the LRRC to receive public input into the process.

The LRRC participated in a boat tour of the Intracoastal Waterway in Broward County to review existing manatee zones, review current signage and inspect areas of proposed manatee zone changes. The Broward Sheriff’s Office Marine Unit conducted the tour, which occurred on July 31, 2010. There were four members of the LRRC, as well as County staff onboard the boat. The eight hour tour provided the members with a review of county waterways and gave them a law enforcement perspective concerning manatee protection.

The public was invited to participate in all meetings, and public comment was accepted both at meetings and via written comment. Spoken comments provided at the meetings are summarized in Appendix E. Written comments including letters and emails are also included in Appendix E, as they were reviewed by the Committee at their meetings.

The recommendations of the Broward County LRRC are reported in this document.
III Summary of Expert Information Sessions

Dr. Edmund Gerstein

Dr. Gerstein reviewed his research on the hearing ability of the manatee (audiogram) and the ability of manatees to detect the noises produced by boats. He also described a new system he has developed to alert manatees to approaching boats that is currently undergoing field testing.

David Roach

Mr. Roach described the purpose, operation, and activities of the Florida Inland Navigation District. He also discussed the reasons for the format, content, and size of manatee zone signage.

Dr. Edward O. Keith

Dr. Keith reviewed his research on the seasonality of manatee presence in Port Everglades, which is primarily driven by ambient water temperature. He also presented some comparative analyses of manatee mortality data and described his efforts to develop a technological solution to the problem of manatee-boat interactions.
IV. Summary of LRRC Recommendations

For split votes, a summary of the majority and minority opinions is included after the LRRC decision. A graphic summary of LRRC recommendations showing area and extent of all zones considered appears in Appendix C.

C1 – Hillsboro Canal

This area had moderate to high manatee density during both the cold season and the warm season. Boat data was not collected for most of the canal so manatee-boat coincidence could not be calculated. Most of the canal is a year-round 50-foot Slow Speed shoreline buffer with the area beyond the buffer unregulated. The middle of the canal is the boundary between Broward County and Palm Beach County. The northern portion of the canal is regulated by the Palm Beach County rule as a year-round 50-foot Slow Speed shoreline buffer. FWC STAFF has received requests from law enforcement to make the entire canal a shore-to-shore Slow Speed zone.

Potential Rule Change (year-round):

Change the 50-foot Slow Speed shoreline buffer to a shore-to-shore Slow Speed zone. This change could not be fully implemented unless the Palm Beach County rule was also changed.

LRRC Recommendation:

The Broward County LRRC voted 8 to 1 to accept the FWC staff recommendation.

C2 – Hillsboro Inlet Area

This area (from marker “68A” to just south of NE 14th Street) had high manatee density and Fast-COIN during both the cold season and the warm season but is only regulated at Slow Speed during the cold season. This area is regulated year-round for boating safety.

Potential Rule Change (warm season):

Change the existing cold season Slow Speed zone to a year-round zone. This change would not have any effect on-water because of the existing boating safety zones. This change would be consistent with the resolution passed by the city of Lighthouse Point (see Area C3, below) except that the City requested Idle Speed.

LRRC Recommendation:

The Broward County LRRC unanimously voted to accept the FWC staff recommendation.
C3 – Intracoastal Waterway (ICW) from Palm Beach County to Marker 68A

This area had high manatee density and Fast-COIN during the cold season. Most of this area is regulated at Slow Speed on weekends only during the cold season (25 MPH with a 50-foot Slow Speed buffer during other times). The area between markers “68” and “68A” (approximately 4600 feet) is also regulated as a year-round Idle Speed boating safety zone. The city of Lighthouse Point passed a resolution in June 2010 requesting that the entire ICW within its jurisdiction be changed to a year-round Idle Speed zone; the northern city limit is approximately 3100 feet north of marker “68”.

Potential Rule Change (cold season):

Change the existing cold season weekend only Slow Speed zone to all days during the cold season. For the cold season (but not the warm season), this change would be consistent with the resolution passed by the city of Lighthouse Point except that the City requested Idle Speed.

LRRC Recommendation:

The Broward County LRRC voted 7 to 3 to accept the FWC staff recommendation.

Majority opinion:

There was a high degree of manatee density and fast-COIN during both the warm and cold seasons. Manatee mortality is not the entire story, many times manatees are struck by boats and do not die, but suffer other long-term effects. There are times during the warm season when there are many manatees in the area and law enforcement officers have to force boats to reduce their speed even though speed zones allow them to go fast, and law enforcement officers are in favor of the change. The ICW was created for boaters, but the reason the manatees are there is because their other habitats have been greatly reduced by human impacts. The goal of the rule changes is not necessarily to reduce mortality; it is more to reduce the risk of boat-manatee interactions of all kinds, especially sub-lethal impacts. The Endangered Species Act doesn’t require demonstration of a reduction in mortality to justify protection of endangered species such as the manatee. The residents themselves have requested a reduction in their liberty through their duly elected representatives on the City Council. The claim of a reduction in liberty is not accurate, the rule would not reduce access, just reduce the speed of access, and only on weekdays.

Minority opinion:

The data suggest that we have been good caretakers of the manatee population, and the proposed rule would reduce the liberty of those using the ICW, which was created for boaters. Because Broward County appears to have an increasing manatee population and a low manatee mortality rate compared to the rest of the state, there is no compelling reason to increase this area of regulation.
It is difficult to define how much more manatee mortality would be reduced by the proposed change. No evidence has been presented that COIN data necessarily correlate with actual boater-manatee interactions. There appears to be no scientific basis for the assumption that reducing weekday boat speeds in areas with high COIN or Fast-COIN would further reduce manatee mortality below the already declining rate.

The proposed rule change appears to be micromanagement with the potential for a very small benefit based on mathematical, statistical and theoretical arguments. We should place our trust in the law enforcement officers to do what is necessary. Because the maritime industry is the second largest employer in Broward County, further restrictions on its waterways might place at risk the economic health of this sector for a questionable possibility based as much on emotional considerations as on facts.

**C4 – ICW from NE 14 St. to Atlantic (or Commercial)**

This area had high manatee density and moderate Fast-COIN during the cold season. This area is regulated at Slow Speed on weekends only during the cold season (25 MPH with a 50-foot Slow Speed buffer during other times). FWC has received requests from the public to make the area between NE 14th Street and Atlantic Blvd a year-round Idle Speed or Slow Speed zone.

**Potential Rule Change (cold season):**

Change the existing cold season weekend only Slow Speed zone to all days during the cold season.

**LRRC Recommendation:**

The LRRC divided the issue into two parts:

1) Changing the existing cold-season weekend only Slow Speed zone to all days during the cold season on the ICW between 14th Street and Atlantic Blvd.

The Broward County LRRC voted 6 to 4 to **accept** this part of the FWC staff recommendation.

*Majority Opinion:* Same as for proposed change C3.

*Minority Opinion:* Same as for proposed change C3.

2) Extending the existing cold-season weekend only Slow Speed zone to all days during the cold season on the ICW between Atlantic Blvd. and Commercial Blvd.

The Broward County LRRC voted 7 to 3 to **reject** this part of the FWC staff recommendation.

*Majority Opinion:* Same as minority opinion for proposed change C3.
**Minority Opinion**: Same as majority opinion for proposed change C3.

**C5 – ICW from Palm Beach County to Burnham Point**

This area includes the area covered by C3 and C4 plus additional area to the south (but not the Hillsboro Inlet zone). This area, which had moderate manatee density and Fast-COIN during the warm season, is regulated at 25 MPH with a 50-foot Slow Speed buffer during the warm season. There are multiple boating safety zones in this area as well as an underlying 30 MPH zone with a 15-inch wake limitation that was established by a Special Act of the Florida Legislature. This latter zone is not currently posted because the existing boating safety and manatee protection zones completely overlap it with more restrictive zones.

**Potential Rule Change (warm season):**

Remove the entire warm season manatee protection zone or possibly change it to a shore-to-shore 25 MPH zone (i.e., remove only the 50-foot Slow Speed buffers). Removal of the zone completely would mean the areas outside of the other existing zones would be governed by the Special Act zones. Removal of the shoreline buffer is not expected to have any significant negative effects because boat lifts, docks, and other shore-based structures already limit high speed boat operation in many parts of this area. Removal of the buffer would make zone marking much easier because the regulatory markers would need to contain much less text.

**LRRC Recommendation:**

The Broward County LRRC voted 9 to 1 to reject the FWC staff recommendation.

**Majority Opinion**: Four of five public comments support an increase in protection, not a reduction in protection as would be caused by this change.

**Minority Opinion**: Boater speeds in area would still be limited by other rules already in place. Because the maritime industry is the second largest employer in Broward County, further restrictions on its waterways might place at risk the economic health of this sector for a questionable possibility based as much on emotional considerations as on facts.

**C6 – Entrance to Pompano Canal/Cypress Creek**

The area east of US 1 and west of the ICW is currently unregulated but sandwiched between the year-round Slow Speed zone on Pompano Canal/Cypress Creek and the seasonally-differentiated zone on the ICW. This area was likely excluded from the existing zones to allow higher speeds for water sports. The ICW area immediately to the east had moderate to high manatee density and moderate Fast-COIN during both seasons.
Potential Rule Change (cold season):

Include this area in the zone that covers the ICW immediately to the east. The ICW is currently regulated at Slow Speed on weekends only during the cold season (25 MPH with a 50-foot Slow Speed buffer during other times) but is identified in Areas C4 and C5 for a potential change.

**LRRC Recommendation:**

The Broward County LRRC voted unanimously to accept the FWC staff recommendation.

**D1 – Port Everglades Power Plant Discharge Canal**

This area had high manatee density during both the cold season and the warm season. Most of the canal is a year-round No Entry zone but the east-west portion of the canal that connects to the ICW is regulated at Idle Speed during the cold season and at Slow Speed during the warm season. FWC has received requests from law enforcement and others to expand the existing No Entry zone to include the east-west portion of the canal.

**Potential Rule Change (warm season):**

Expand the No Entry zone to include the east-west portion of the canal.

**LRRC Recommendation:**

The Broward County LRRC voted unanimously to accept the FWC staff recommendation.

**E1 – West of ICW, South of Dania Beach Blvd.**

This existing cold season Slow Speed zone had high manatee density and Fast-COIN during the warm season. The area is 25 MPH with a 50-foot Slow Speed shoreline buffer during the warm season. It is one of only a few locations that has substantial seagrass.

**Potential Rule Change (warm season):**

Change the existing cold season Slow Speed zone to a year-round zone.

**LRRC Recommendation:**

The Broward County LRRC voted 8 to 1 to accept the FWC staff recommendation.

*Minority Opinion:* Because the maritime industry is the second largest employer in Broward County, further restrictions on its waterways might place at risk the economic health of this sector for a questionable possibility based as much on emotional considerations as on facts.
E2 – ICW south of Dania Beach Blvd. to Miami-Dade County

This area had moderate to low manatee density but moderate to high Fast-COIN during the warm season. As with Area C5, this area is regulated at 25 MPH with a 50-foot Slow Speed buffer during the warm season. There are multiple boating safety zones in this area as well as an underlying 30 MPH zone with a 15-inch wake limitation that was established by a Special Act of the Florida Legislature. This latter zone is not currently posted because the existing boating safety and manatee protection zones completely overlap it with more restrictive zones. The city of Hollywood has requested the ICW between Hollywood Blvd and Hallandale Beach Blvd be regulated at Idle Speed and the city of Hallandale Beach has requested that the ICW within its jurisdictions be changed to a year-round Slow Speed zone.

Potential Rule Change (warm season or possibly year-round):

Remove the entire warm season manatee protection zone or possibly change it to a shore-to-shore 25 MPH zone (i.e., remove only the 50-foot Slow Speed buffers). Removal of the zone completely would mean the areas outside of the other existing zones would be governed by the Special Act zones. Removal of the shoreline buffer is not expected to have any significant negative effects because boat lifts, docks, and other shore-based structures already limit high speed boat operation in many parts of this area. Removal of the buffer would make zone marking much easier because the regulatory markers would need to contain much less text.

LRRC Recommendation:

The Broward County LRRC voted unanimously to reject the FWC staff recommendation.

Majority opinion: The committee felt that the current regulations provide valuable protection to manatees with no inconvenience to boaters.

F1 – Ft. Lauderdale Inland Power Plant cooling ponds

Although the cooling ponds are used by manatees year-round, the manatee density during the warm season is moderate to low (as compared to extremely high during the cold season). The area’s importance to manatees is primarily as a warm water aggregation site but this is not an issue during the warm season. The cooling ponds are not accessible to the general public and given the low to moderate manatee use, retaining the No Entry zone during the warm season may not be necessary.

Potential Rule Change (warm season):

Change the existing year-round No Entry zone in the discharge ponds to be in effect only during the cold season.
**LRRC Recommendation:**

The Broward County LRRC voted 9 to 1 to **reject** the FWC staff recommendation.

**Majority Opinion:**

FPL is opposed to the change, and wants to maintain the area as a year-round no entry zone because technically it is a waste water treatment area. This area is currently posted as No Entry, and is also inaccessible to boaters. FPL, primarily responsible for these waters, prefers to keep the area inaccessible by watercraft. Because large numbers of manatees congregate in the warm waters of the discharge pipes, it should remain No Entry. This would ensure that, even if the area became accessible to boats through excavation or dredging, the protection for the manatees will remain in place. The process for getting an exemption to enter this area for special purposes is already in place, and FPL is familiar with, and complies with, the current regulations.

**Minority Opinion:**

Given that access is restricted by other laws and rules, this appears to be a case of placing a “legal” layer or protection over a “civil” layer of protection. It also appears to be a case of “regulation for the sake of regulation”.
Other Rule Issues Identified by FWC STAFF:

G1. Preamble language in § (1) of the rule:

Since the rule was adopted in 1993, there have been numerous amendments to the Florida Manatee Sanctuary Act [§ 379.2431(2), FS] and to Rule 68C-22.001, FAC. The Act provides the authority for the FWC STAFF to establish manatee protection rules and Rule 68C-22.001 provides additional guidelines and requirements related to the rule making process. Because of these changes, the existing Broward County rule does not track the language currently contained in the Act or Rule 68C-22.001.

Potential Rule Change (G1):

Amend the rule to make the language consistent with the current Act and rule language. The revised language would closely mirror the language used in the Sarasota County rule (68C-22.026), which was amended in June 2010 for the same reasons.

LRRC Recommendation:

The Broward County LRRC voted unanimously that insufficient information was provided to the LRRC to enable them to make a decision.

G2. Add holidays to the zones that are only in effect on weekends:

The existing weekend-only zones do not include holidays. In other rules that differentiate between weekends and holidays, including boating safety zones in Broward County, holidays are included in the weekend zones. The reason for this is boating traffic on holidays is typically the similar to or greater than weekend traffic.

Potential Rule Change (G2):

Revise the weekend-only zones to include holidays

LRRC Recommendation:

The Broward County LRRC voted unanimously to accept the FWC staff recommendation.

G3. Clean-up and confirmation of zone descriptions

All zone descriptions need to be reviewed to confirm or update the latitude and longitude coordinates and to otherwise check for accuracy (e.g., confirm or update references to channel markers, etc.). Descriptions should be reviewed to see if they can be written more clearly and succinctly – to make them more understandable to the public. References to plat books and/or Township and Range coordinates should be removed unless absolutely necessary because these are arcane to most people; references to landmarks and/or specific latitude and longitude
coordinates would be much better. Also, because a person’s ability to accurately locate a specific coordinate requires the person to know what reference datum was used, it may be worthwhile for § (1) of the rule to state what datum was used (e.g., UTM, NAD27).

**Potential Rule Change (G3):**

Amend the rule to clean-up zone descriptions where needed.

**LRRC Recommendation:**

The Broward County LRRC voted unanimously to accept the FWC staff recommendation.
Other LRRC recommendations:

In addition to the zones and issues that the FWC STAFF requested the LRRC consider, described above, the LRRC also reviewed and discussed the following additional areas:

I. A proposal from Mr. John Fiore to change the speed zones in the ICW south of the Dania Cut-off canal to the Dania Beach Boulevard Bridge Idle Speed Zone (H1) from year-round Slow Speed to cold-season Slow Speed and warm-season 25 m.p.h. with a 50 foot buffer, and to change the speed zones in the Dania Cut-off canal from the ICW to the Harbor Towne Marina (H2) from year-round Slow Speed to cold-season Slow Speed and warm-season 25 m.p.h. with a 50 foot buffer.

The LRRC divided the vote into two parts:

H1) The Broward County LRRC voted 5 to 4 to accept the Mr. Fiore’s recommendation to change the speed zones in the ICW starting south of the Dania Cut-off canal to the Dania Beach Boulevard Bridge Idle Speed Zone 100 yards north of the bridge (H1 map in Appendix C) from year-round Slow Speed to cold-season Slow Speed and warm-season 25 m.p.h. with a 50 foot buffer.

Majority Opinion:

There are no marinas, boat ramps, fuel docks, homes, etc., along this stretch of the ICW. The data show that there are almost no manatees in this area during the warm season. This area should be zoned the same as the ICW south of the Dania Beach Boulevard Bridge (E2).

Minority Opinion:

The ICW from Dania Cut-off south to Dania Beach Boulevard Bridge (currently Slow Speed Zone, request 25 MPH): This area has significant seagrass beds, establishing a reason for manatees to congregate and linger in this area. The current manatee zoning should be maintained.

H2) The Broward County LRRC voted 5 to 4 to accept the Mr. Fiore’s recommendation to change the speed zones in the Dania Cut-off canal from west of the ICW to the canal just east of the Harbor Towne Marina (H2 map in Appendix C) from year-round Slow Speed to cold-season Slow Speed and warm-season 25 m.p.h. with a 50 foot buffer.

Majority Opinion:

There are no marinas, boat ramps, fuel docks, homes, etc., along this canal. The data show that there are almost no manatees in this area during the warm season. Manatees traveling to and from the C-10 canal might also use the south fork of the New River as their travel corridor.
Minority Opinion:

The rip-rap along the south side of the cut-off canal is not complete and boats may run onto the rocks there, especially at high tide.

There are areas where manatees congregate further to the west of the area of proposed change during the warm season (e.g. C-10 canal). Since the Dania Cut-off Canal is one of two possible routes to this area, it is logical to assume that manatees may transit this area in higher numbers than the aerial surveys suggest. Broward County manatee aerial survey data show a significant increase in manatee density year round. Considering the length of time until the Manatee Protection Plan is reviewed again, this warrants waiting until further data are gathered prior to any zone changes. The stretch of canal in question is approximately 1 mile in length. At slow speed (approx 7 mph), boaters can transit this area in less than 10 minutes.

II. A request from Mr. Paul Webb with the Harbor Village Civic Association to extend the year-round slow speed zone (C2 as modified) south past Harbor’s Edge Park (H3 map in Appendix C). The park is surrounded by mangroves and has no fixed seawall. This mangrove habitat has been a safe haven for manatees for many years and is one of the few remaining areas of sea grass located in northern Broward County.

The Broward County LRRC voted 8 to 1 to accept Mr. Webb’s request to extend the year-round slow speed zone (C2 as modified) from just south of NE 14th Street bridge past Harbor’s Edge Park to the south side of the canal south of the park (H3 map in Appendix C).

Majority Opinion: This will afford Harbor’s Edge Park the same level of manatee protection as is currently in place for nearby parks, e.g. Alsdorf’s Park (“14th Street Boat Ramp”), Exchange Park, and DeGroff Park. There is also seagrass on both waterside boundaries of the park.

III. Current requirements by Florida Special Act (Chapter 86 – 364, amended by Chapter 89 – 428 Laws of Florida; §68D – 24.008 Florida Administrative Code) affecting Broward County waterways limits wake size to a maximum of 15 inches. Evidence suggests that larger vessels pose greater risk to manatees than smaller vessels when traveling at speed as a result of their deeper draft, greater displacement, and lack of forward visibility. The LRRC recommends that vessels that exceed that wake size at 25 mph be required to travel at slow speed in 25 mph speed zones. Criteria for determining allowable wake height should include boat length, beam, displacement, or other appropriate criteria as determined by FWC.

March 15, 2010

The Honorable Ken Keetch, Mayor
Broward County Commission
Broward County Governmental Center
115 S. Andrews Avenue
Fort Lauderdale, FL 33301

Dear Mayor Keetch:

As you may be aware, 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 review existing manatee protection zones based on the most current data to determine if modifications are warranted. The rule for Broward County is the next one identified for review in the MMP. The purpose of this letter is to let you know what has already been accomplished and what is planned for the future in regard to this rule review.

The manatee protection rule for Broward County (68C-22.010, Fla. Admin. Code) was adopted in 1993 and since that time no comprehensive review has been done. New data are now available, due in large part to County efforts to fund and collect manatee distribution data. Recent boating data are also now available. FWC staff has reviewed the new data and other available information and we have conducted a preliminary review of the existing zones. In addition, we have spoken with Broward County staff and also coordinated with FWC Law Enforcement personnel regarding our analysis of the data. Based on our initial review we believe some changes to the Broward County rule may be warranted.

Florida Statute § 379.2431(2)(f) prescribes the steps required for the FWC to adopt or amend manatee protection boat speed rules. While we have informally discussed this process with County staff, this letter serves as official notification that we are considering modifications to the manatee protection rule for Broward County. Pursuant to the statute, Broward County has 60 days after receipt of this letter to form a Local Rule Review Committee (LRRC) to review the FWC proposal and provide comments and recommendations. Once the LRRC has been formed, we will provide a preliminary rule proposal to the LRRC and the LRRC will then have an additional 60 days to review the proposal and submit its report (i.e., a response to our proposal). (I have enclosed a copy of the statute for your convenience.)

We are still developing the preliminary rule proposal but we expect it to be ready for submittal to the LRRC by the time the committee has been designated. It is difficult to predict with certainty how much time may be needed to complete the process; however, based on our work with other counties, we are hopeful we could complete the LRRC process by the end of this July. If after the LRRC process it still appears rule changes are warranted, we would then present a draft rule to our Commissioners at either the September or November 2010 FWC Commission meeting. Final consideration of potential rule changes would occur at a subsequent FWC Commission meeting, likely in
early 2011. Of course, this is a cooperative endeavor and we will work with your staff and the LRRC to provide assistance in understanding our data analysis and the basis of our proposal. We will also work with the County in regards to the scheduling and timing of rule considerations. It should also be noted that there is no predetermined outcome. Working with the LRRC may lead us to develop draft rule modifications for our Commissioners to consider, but alternatively upon further analysis and review of local input, we may conclude no rule changes are warranted.

Please let us know as soon as the LRRC has been selected and also if there is a specific person or persons with whom we should work at a staff-to-staff level as this process moves forward. Mr. Scott Calleson on my staff will be taking the lead for the FWC. If you have any questions about this letter, the rule making process, or if we can assist you in any way, please contact me or Mr. Calleson at 850-922-4330. We look forward to working with you and Broward County.

Sincerely,

R. Kipp Frohliche, Section Leader
Imperiled Species Management Section

Enclosure
APPENDIX B: Broward County Resolution Creating the Local Rule Review Committee

MOTION TO APPOINT a Local Rule Review Committee (LRRC) to review the existing Broward County manatee protection rule (68C-22.010, FAC), which regulates the speed and operation of motorboats on the waterways of Broward County for the protection of manatees, and to consider changes to the rule that may be proposed by the State of Florida, as requested by the Florida Fish and Wildlife Conservation Commission (FWC).

Why Action is Necessary: Action is necessary to implement a request by the FWC to appoint a LRRC pursuant to Section 379.2431 F.S., to review and consider any changes to the Broward County manatee protection rule that may be proposed by the FWC.

What Action Accomplishes: The action appoints the LRRC as requested by the Florida Fish and Wildlife Conservation Commission.

Is this Action Commission Goal Related? ☐ Yes ☒ No

Is this Action related to the American Recovery and Reinvestment Act of 2009? ☐ Yes ☒ No

Summary Explanation/Background

The Environmental Protection and Growth Management Department and the Natural Resources Planning and Management Division recommend approval.

The State’s Manatee Management Plan, approved in 2007, calls for periodic review of each county’s existing manatee rule (manatee protection zones) in order to determine if modifications to the rule are warranted. The Broward County manatee rule was adopted in 1993 and has not been reviewed since that time.

Pursuant to a written request from the FWC (attached as Exhibit 1), the Broward County Commission is requested to appoint a LRRC to review the existing manatee protection rule for Broward County. The LRRC will consider any changes proposed by FWC to the rule, which
regulates the speed and operation of motorboats in the County’s waterways. A 60-day time frame for the establishment of the LRRC is defined in Section 379.2431, F.S. (attached as Exhibit 2). To expedite the process, staff recommends a LRRC membership comprised of four waterway users and an equal number of manatee/environmental advocates. The existing memberships of the Broward Marine Advisory Committee and the Manatee Monitoring Advisory Group (established pursuant to the County Manatee Protection Plan) are recommended as the sources of prospective LRRC members. These groups have indicated a willingness to serve. Exhibit 3 lists potential LRRC members by affiliation. Staff recommends that the Board appoint a total of no more than eight voting members to facilitate the tight scheduling required by the statute.

Once established, the LRRC will have 60 days to review the FWC’s proposed changes to the manatee rule (if any) and to prepare a report with comments and recommendations for the FWC.

**Fiscal Impact/Cost Summary**

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

No fiscal impact.

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**Exhibits Attached**

(Please number exhibits consecutively.)


Exhibit 2. Copy of Section 379.2341 F.S.

Exhibit 3. List of Potential LRRC Candidates by Affiliation (will be provided under separate cover.)

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**Document Control**

No executed original(s) for permanent record

(No number)

No executed copies return to:

(No number)

Other instructions (Include name, agency, and phone)

**Commission Action**

☑ APPROVED  □ DENIED

□ DEFERRED

From:

To:
March 15, 2010

The Honorable Ken Keach, Mayor
Broward County Commission
Broward County Governmental Center
115 S. Andrews Avenue
Fort Lauderdale, FL 33301

Dear Mayor Keach:

As you may be aware, 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 review existing manatee protection zones based on the most current data to determine if modifications are warranted. The rule for Broward County is the next one identified for review in the MMP. The purpose of this letter is to let you know what has already been accomplished and what is planned for the future in regard to this rule review.

The manatee protection rule for Broward County (68C-22.010, Fla. Admin. Code) was adopted in 1993 and since that time no comprehensive review has been done. New data are now available, due in large part to County efforts to fund and collect manatee distribution data. Recent boating data are also now available. FWC staff has reviewed the new data and other available information and we have conducted a preliminary review of the existing zones. In addition, we have spoken with Broward County staff and also coordinated with FWC Law Enforcement personnel regarding our analysis of the data. Based on our initial review we believe some changes to the Broward County rule may be warranted.

Florida Statute § 379.2431(2)(i) prescribes the steps required for the FWC to adopt or amend manatee protection boat speed rules. While we have informally discussed this process with County staff, this letter serves as official notification that we are considering modifications to the manatee protection rule for Broward County. Pursuant to the statute, Broward County has 60 days after receipt of this letter to form a Local Rule Review Committee (LRRC) to review the FWC proposal and provide comments and recommendations. Once the LRRC has been formed, we will provide a preliminary rule proposal to the LRRC and the LRRC will then have an additional 60 days to review the proposal and submit its report (i.e., a response to our proposal). I have enclosed a copy of the statute for your convenience.

We are still developing the preliminary rule proposal but we expect it to be ready for submission to the LRRC by the time the committee has been designated. It is difficult to predict with certainty how much time may be needed to complete the process; however, based on our work with other counties, we are hopeful we could complete the LRRC process by the end of this July. If after the LRRC process it still appears rule changes are warranted, we would then present a draft rule to our Commissioners at either the September or November 2010 FWC Commission meeting. Final consideration of potential rule changes would occur at a subsequent FWC Commission meeting, likely in

[Additional information or attachments]
early 2011. Of course, this is a cooperative endeavor and we will work with your staff and the LRRC to provide assistance in understanding our data analysis and the basis of our proposal. We will also work with the County in regards to the scheduling and timing of rule considerations. It should also be noted that there is no predetermined outcome. Working with the LRRC may lead us to develop draft rule modifications for our Commissioners to consider, but alternatively upon further analysis and review of local input, we may conclude no rule changes are warranted.

Please let us know as soon as the LRRC has been selected and also if there is a specific person or persons with whom we should work at a staff-to-staff level as this process moves forward. Mr. Scott Calleson on my staff will be taking the lead for the FWC. If you have any questions about this letter, the rule making process, or if we can assist you in any way, please contact me or Mr. Calleson at 850-922-4330. We look forward to working with you and Broward County.

Sincerely,

R. Kipp Frohlich
Section Leader
Imperiled Species Management Section

Enclosure
(1) PROTECTION OF MARINE TURTLES.—(not shown)

(2) PROTECTION OF MANATEES OR SEA COWS.—

(a) This subsection shall be known and may be cited as the "Florida Manatee Sanctuary Act."

(b) The State of Florida is hereby declared to be a refuge and sanctuary for the manatee, the "Florida state marine mammal." The protection extended to any authorized or protected manatee by this act are independent of, and therefore are not contingent upon, its status as a state or federal listed species.

(c) Whenever the Fish and Wildlife Conservation Commission is satisfied that the interest of science will be subserved, and that the application for a permit to possess a manatee or sea cow (Trichechus manatus) is for a scientific or propagational purpose and should be granted, and after concurrence by the United States Department of the Interior, the commission may grant to any person making such application a special permit to possess a manatee or sea cow, which permit shall specify the exact number which shall be maintained in captivity.

(d) Except as may be authorized by the terms of a valid state permit issued pursuant to paragraph (c) or by the terms of a valid federal permit, it is unlawful for any person at any time, by any means, or in any manner intentionally or negligently to hunt, molest, harass, or disturb any manatee; injure or harm any manatee; capture or collect; or attempt to capture or collect any manatee; pursue, hunt, wound, or kill any manatee; or possess, literally or constructively, any manatee or any part of any manatee.

(e) Any gun, net, trap, spear, harpoon, boat of any kind, aircraft, automobile of any kind, other motorized vehicle, chemical, explosive, electrical equipment, scuba or other subaquatic gear, or other instrument, scuba, or apparatus of any kind or description used in violation of any provision of paragraph (d) may be forfeited upon conviction. The foregoing provisions relating to seizure and forfeiture of vehicles, vessels, equipment, or supplies do not apply when such vehicles, vessels, equipment, or supplies are owned by, or titled in the name of, innocent parties; and such provisions shall not violate any valid lien, retain title contract, or chattel mortgage on such vehicles, vessels, equipment, or supplies if such lien, retain title contract, or chattel mortgage is property of public record at the time of the seizure.

(f) Exempt from the provisions of this section shall be the for emergency rules adopted under s. 120.54, all proposed rules of the commission for which a notice of intended rule action is filed proposing to govern the speed and operation of motorboats for purposes of manatee protection shall be submitted to the counties in which the proposed rules will take effect for review by the local rule review committees.

2. No less than 60 days prior to filing a notice of rule development in the Florida Administrative Weekly, as provided in s. 120.54(3)(e), the commission shall notify the counties for which a rule to regulate the speed and operation of motorboats for the protection of manatees is proposed. A county so notified shall establish a rule review committee or several counties may combine rule review committees.

3. The county commission of each county in which a rule to regulate the speed and operation of motorboats for the protection of manatees is proposed shall designate a rule review committee. The designated voting membership of the rule review committee must be comprised of waterway users, such as fishers, boaters, water skiers, other waterway users, as compared to the number of manatee and other environmental advocates. A county commission may designate an existing advisory group as the rule review committee. With regard to each committee, fifty percent of the voting members shall be manatee advocates and other environmental advocates, and fifty percent of the voting members shall be waterway users.

4. The county shall invite other state, federal, county, municipal, or local agency representatives to participate as nonvoting members of the local rule review committee.

5. The county shall provide logistical and administrative staff support to the local rule review committee and may request technical assistance from commission staff.
6. Each local rule review committee shall elect a chair and recording secretary from among its voting members.

7. Commission staff shall submit the proposed rule and supporting data used to develop the rule to the local rule review committees.

8. The local rule review committees shall have 60 days from the date of receipt of the proposed rule to submit a written report to commission members and staff. The local rule review committees may use supporting data supplied by the commission, as well as public testimony which may be collected by the committee, to develop the written report. The report may contain recommended changes to proposed manatee protection zones or speed zones, including a recommendation that no rule be adopted, if that is the decision of the committee.

9. Prior to filing a notice of proposed rulemaking in the Florida Administrative Weekly as provided in s. 120.54(3)(a), the commission staff shall provide a written response to the local rule review committee reports to the appropriate counties, to the commission members, and to the public upon request.

10. In conducting a review of the proposed manatee protection rule, the local rule review committees may address such factors as whether the best available scientific information supports the proposed rule, whether seasonal zones are warranted, and such other factors as may be necessary to balance manatee protection and public access to and use of the waters being regulated under the proposed rule.

11. The written reports submitted by the local rule review committees shall contain a majority opinion. If the majority opinion is not unanimous, a minority opinion shall also be included.

12. The members of the commission shall fully consider any timely submitted written report submitted by a local rule review committee prior to authorizing commission staff to move forward with proposed rulemaking and shall consider any timely submitted subsequent reports of the committee prior to adoption of a final rule. The written reports of the local rule review committees and the written responses of the commission staff shall be part of the rulemaking record and may be submitted as evidence regarding the committee’s recommendations in any proceeding relating to a rule proposed or adopted pursuant to this subsection.

13. The commission is relieved of any obligations regarding the local rule review committee process created in this paragraph if a timely noticed county commission fails to timely designate the required rule review committee.

(g) In order to protect manatees or sea cows from harmful collisions with motorboats or from harassment, the Fish and Wildlife Conservation Commission is authorized, in addition to all other authority, to provide a permitting agency with comments regarding the expansion of existing, or the construction of new, marine facilities and mooring or anchoring slips, by the addition or construction of five or more powerboat slips. The commission shall adopt rules under chapter 120 regulating the operation and speed of motorboat traffic only where manatee sightings are frequent and the best available scientific information, as well as other available, relevant, and reliable information, which may include but is not limited to, manatee surveys, observations, available studies of food sources, and water depths, supports the conclusions that manatees inhabit these areas on a regular basis:

1. In Lee County: the entire Orange River, including the Tice Florida Power and Light Corporation discharge canal and adjoining waters of the Caloosahatchee River within 1 mile of the confluence of the Orange and Caloosahatchee Rivers.

2. In Broward County: those portions of the Indian River within three-fourths of a mile of the Orlando Utilities Commission DeSapine power plant effluent and the Florida Power and Light Frontenac power plant effluents.

3. In Indian River County: the discharge canals of the Vero Beach Municipal Power Plant and connecting waters within 3/4 mile thereof.
### Exhibit 3

**List of Potential Candidates for the Manatee Local Rule Review Committee**

<table>
<thead>
<tr>
<th>Waterway/Boating Interests</th>
<th>Manatee/Environmental Interests</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dan Yaffe (Marine Advisory Committee)</td>
<td>George Cavros, Esq. (Sierra Club)</td>
</tr>
<tr>
<td>Barry Webber, Esq. (Marine Advisory Committee)</td>
<td>Gary Hecker (Ecology Party of Florida)</td>
</tr>
<tr>
<td>Mark Ercolin, Esq. (Marine Advisory Committee)</td>
<td>Dr. Ed Keith (Nova Southeastern University Oceanographic Center)</td>
</tr>
<tr>
<td>Gordon Connell (Marine Industries Association of South Florida)</td>
<td>Dr. Lisa Baumbach (Audubon Society)</td>
</tr>
</tbody>
</table>
Appendix C. Graphic Summary of LRRC Recommendations

C1: 8 to 1 in favor of FWC staff recommendations

C2: Unanimous support for FWC staff recommendations.

C3: 7 to 3 in favor of FWC staff recommendations.

C4: 6 to 4 to accept FWC staff recommendations to Atlantic Blvd.

C5: 9 to 1 rejecting FWC staff recommendations.

C6: Unanimous support for FWC staff recommendation

H3: 8 to 1 to extend C2 past Harbor’s Edge Park. See map H3 for more detail.
C4: 7 to 3 to **reject** FWC staff recommendation between Atlantic Blvd. and Commercial Blvd.

C5: 9 to 1 rejecting FWC staff recommendations.

D1: **Unanimous support for the FWC staff recommendation.**
E1: 8 to 1 in favor of FWC staff recommendations.

E2: Unanimous rejection of FWC staff recommendations.

D1: Unanimous support for the FWC staff recommendation.

F1: 9 to 1 to reject FWC staff recommendations.

See H1 – H2 map for details.
Map for H1 and H2

H1: 5 to 4 to change ICW between Dania Cut-off canal to Dania Bch. Blvd. Bridge from year round slow to cold season slow and warm season 25 mph with 50’ buffer.

H2: 5 to 4 to change Dania Cut-off canal from year-round slow to cold season slow and warm season 25 mph with a 50’ buffer.
Map H3

H3: 8 to 1 to extend C2 past Harbor’s Edge Park.
APPENDIX D. Minutes of Broward County LRRC meetings.

SUMMARY MINUTES

Broward County Local Rule Review Committee

Meeting

Thursday June 3, 2010 10:00AM Secret Woods Nature Center

Voting Members: Non-Voting Members:

Lisa Baumbach, LRRC Ed Martinez, Hollywood Marine Board
Allan Burrows, LRRC John Fiore, BC Marine Advisory Comm.
George Cavros, LRRC Clive Taylor, City of Dania Beach - MAB
Gordon Connell, LRRC Scott Caske, FWC
Mark Ercolin, LRRC Dale Twist, FWC
Gary Heckler, LRRC Amy Garretz, City of Hollywood
Ed Keith, LRRC Pat Quinn, BCNRPMD
Karl Roeder, LRRC Judi Kladerman, BCNRPMD
Barry Webber, LRRC Jennifer Jurado, BCNRPMD
Daniel Yaffe, LRRC Daphne Jones, County Attorney

The meeting was called to order at 10:10am by Broward County staff member Pat Quinn. A sign in sheet was circulated.

Pat Quinn welcomed all to the first meeting and an introduction of all Local Rule Review Committee members (to be referred in the future as LRRC).

- Review of the letter from FWC.
- Review of the Florida Statute states in part that
  1. Fifty percent of the voting members shall be manatee advocates and other environmental advocates, and fifty percent of the voting members shall be waterway users.
  2. The county shall invite other state, federal, county, municipal or local agency representatives to participate as non-voting members of the LRRC.
  3. Each LRRC shall elect a chair and a recording secretary from among its voting members.
  4. The LRRC shall have sixty days from the date of the proposed rule to submit a written report to commission members and staff.
5. The LRRC may address such factors as whether the best available scientific information supports the proposed rule, whether seasonal zones are warranted, and such other factors as may be necessary to balance manatee protection and public access to and use of the waters being regulated under the proposed rule.

6. The written reports submitted by the LRRC shall contain a majority opinion. If the majority opinion is not unanimous, a minority opinion shall also be included.

- Proposed rule due to be out the third week of June. The clocks starts from the date of receipt.
- Election of chair – Mark Ercolin nominated Dan Yaffe. Allan Burrows seconded. All were in favor.
- Election of recording secretary – Lisa Baumbach nominated George Cavros who declined. George Cavros nominated Karl Roeder who declined. Lisa Baumbach then nominated Ed Keith and all seconded. All were in favor.
- Pat Quinn reviewed the Sunshine procedures. There was a discussion about the decision-making.
- Daphne Jones reviewed the Sunshine law. Communication between members must be sunshined. No e-mailing of any issues to each other. E-mail to Pat Quinn for distribution to other members.
- Public has a right to attend meetings, but not participate.
- Pat Quinn discussed the current manatee rule and Manatee Protection Plan waterway zones. Links to the files are available on line.
- There is a Boating Safety Guide that John Fiore will bring to the next meeting.
- Dan Yaffe mentioned an overlay of the manatee zone vs safety zones.
- FWC said to make a list of all issues (i.e. signage). Lisa Baumbach suggested getting information about zones from FWC and BSO.
- Request for John Fiore to do a presentation on conflicts of zones for the next meeting.
- Pat Quinn discussed manatee flights, surveys, and the record count of manatees which have been observed in Broward County.
- Discussion of the website and that most information will be posted to the website. [http://www.broward.org/Manatees/Pages/Local Rule Review Committee.aspx](http://www.broward.org/Manatees/Pages/Local Rule Review Committee.aspx)
Discussion about future meeting. The LRRC will determine dates and times. County staff will secure locations. There will be a need to hold a Public Comment meeting in the evening to receive input from municipalities, law enforcement, etc. All requests to county staff. Note that FWC will also have its Public Hearing in Broward County.

Next meeting date and time - June 17, 2010 at 10:00 am at Secret Woods Nature Center.

With there being no further business, meeting adjourned at 11:30am.

Prepared by Judi Kladerman

Review and approved by _______EK_______ Date ______6/14/10_______
SUMMARY MINUTES
Broward County Local Rule Review Committee

Meeting
Thursday June 17, 2010  10:00AM  Secret Woods Nature Center

Voting Members:  County Staff:

Lisa Baumbach - Present  Pat Quinn, BCNRPM
Allan Burrows - Present  Judi Kladerman, BCNRPM
George Cavros - Present  Ryan Goldman, BCDERD
Gordon Connell - Present  Stephen Higgins, BCNRPM
Mark Ercolin - Present
Gary Heckler - Excused
Ed Keith - Present
Karl Roeder - Present
Barry Webber - Present
Daniel Yaffe - Present

The meeting was called to order at 10:00am by LRRC Chair, Daniel Yaffe. A sign-in sheet was circulated. Roll was called and noted for the record. There was discussion to approve the minutes from the previous meeting. A motion to approve the minutes from June 3, 2010 was made by Barry Webber and seconded by Allan Burrows; all were in favor.

- It was noted that there will be a quorum at the next meeting.
- Discussion about “when does the clock” start for review and response to the State’s document. It begins when the document is received by Broward County and concludes 60 days from receipt.
- Daniel Yaffe moved the next meeting time from 10:00AM to 2:00PM.
- Discussion of the Broward Manatee Rule – John Fiore (Broward County) reviewed the differences between the Manatee Zones and the Speed Zones, noting that there are also Holiday zones in Fort Lauderdale as well as Boating Safety Zones.
- John Fiore distributed a handout regarding Broward County Manatee Protection and Boating Safety Zone conflicts.
- There was some debate as to whether the manatees travel from Broward County to Dade County.
- It was mentioned that the zones continue thru April in Dade County.
- Karl Roeder mentioned that the Manatee Survey Flights end March 31; there have been sightings in Pompano Beach during the summer. Pat Quinn (Broward County) said there are additional flights in May, July, and October.
- Allan Burrows talked about cameras on bridges to monitor manatees in the waterways and Lisa Baumbach discussed the possibility of a hotline.
- All calls for injured manatees go to FWCC at 1-888-404-3922 (FWCC).
There was discussion about signage along the waterways and how perhaps boaters do not read the whole sign, rather only a speed posted. It was noted by attending local law enforcement officers that most boaters don’t differentiate between idle and slow speed noted on some signs.

Florida Inland Navigation District (FIND) had maintained the manatee protection signs prior to the transfer of responsibility to FWCC. The boating safety zone signs are maintained by Broward County.

A handout was provided to the members from Robert Wolfkill, Hollywood Police Marine Unit, regarding Hollywood’s desire to change the Intracoastal Waterway speed zone which the city considers a boating safety concern.

Conversation regarding compliance between 25 mps or idle/slow, no wake. Idle speed is defined as 5-7mph no wake. Slow is defined as 9-11 mph minimum wake.

Ed Keith to ask David Roach to attend the meeting.

Lisa Baumbach thanked the officers for their attendance at the meeting.

Dan Yaffe spoke about the importance of attending these meetings due to the limited amount of time to return a response to FWCC.

Broward County staff to check on ability for conference calls and if a member on a conference call is part of the quorum.

Note for County staff to check availability for use of Hearing Room for the July 8, 2010 meeting.

The next meeting is June 24, 2010 at 2:00 pm at Secret Woods Nature Center.

With there being no further business, meeting adjourned at 11:38am.

Prepared by Judi Kladerman
SUMMARY MINUTES
Broward County Local Rule Review Committee

Meeting
Thursday July 1, 2010 10:00AM Secret Woods Nature Center

Voting Members: County Staff:
Lisa Baumbach - Absent Pat Quinn, BCNRPMD
Allan Burrows - Present Judi Kladerman, BCNRPMD
George Cavros - Present Ryan Goldman, BCDERD
Gordon Connell - Present Stephen Higgins, BCNRPMD
Mark Ercolin - Present
Gary Hecker - Present
Ed Keith - Present
Karl Roeder - Excused
Barry Webber - Present
Daniel Yaffe - Present

The meeting was called to order at 10:06am by LRRC Chair, Daniel Yaffe. A sign in sheet was circulated. Roll was called and noted for the record. There was discussion to approve the minutes from the previous meeting. A motion to approve the minutes from June 17, 2010 was made by Allan Burrows and seconded by Ed Keith; all were in favor.

- It was noted that the ability for conference calling will be available.
- The Chair introduced Mr. Scott Calleson, Fisheries and Wildlife Biologist with FWC.
- Mr. Calleson thanked the members for their participation in reviewing and offering their comments for review.
- It was noted that the travels of the manatees and the boating collisions have the Florida Fish and Wildlife Commission considering changes to the speed zones.
- Scott went over the framework of the document which included analyses of data, aerial surveys of manatees, boat survey, and mortality.
- Gary Hecker asked if there is currently a hotline in place to take calls about injured manatees. Scott’s response was yes there is and it is in place statewide.
- There was discussion on manatee vs boat coincidence.
- Scott discussed the differences in speeds cruising, planing, and plowing.
- Scott reviewed the four tables in the document. He also went over the differences in the maps.
- Scott reviewed the State Boating Safety Zones and the Manatee Protection Zones in all areas.
- Some of the changes to be considered are expanding speed zones along the Hillsboro Canal. Changing weekend speed zones in the winter and eliminating the summer speed zones on the Intracoastal Waterway.
LRRC Meeting Minutes

• Discussion regarding signage and when the changes be seen; response was latter half of 2011 into 2012.
• Dan Yaffe ask the members if they would agree on extending the meeting past 12 noon all we agreeable.
• Scott went over how the recommendation process works, once the FWC has initial recommendations, the document is forwarded to the LRRC committee for their review and comments. Once the LRRC has completed their comments (in the 60 day time frame) the recommendations are sent to FWC for their review. Then, final recommendations are presented to the FWC Commission. Once the LRRC has presented their recommendation, the LRRC is disbanded.
• Dan Yaffe thanked Scott Calleson for attending this meeting. Scott said that he or a fellow staff member will try and attend all meetings.
• Allan Burrows asked about a recent seagrass survey report. Pat Quinn said that he will do some research and send out to all members.

The next meeting is July 15, 2010 at 10:00 am at BC Government Center West.

With there being no further business, meeting adjourned at 12:35pm.

Prepared by Judi Kladerman

Review and approved by _____EK_______ Date __7/16/10________
The meeting was called to order at 10:18am by Committee Chair Dan Yaffe. A sign-in sheet was circulated. Roll was called and noted for the record. No minutes were reviewed and approved.

Dr. Ed Gerstein gave a presentation titled “Of Manatees and Men Sound Science for Sound Decisions.” which discussed manatees and bioacoustics. The highlights of the presentation included:

- Why are individual manatees hit repeatedly by boats?
- After they have been hit once, twice, or three times, why don’t they learn to avoid boats better?
- Are manatees aware danger is present?
- Can they hear the boat approaching, and if so, from how far away and from which direction?
- What is the overall hearing range and capability of manatees?
- What frequencies and amplitudes can they hear best?
- How is their hearing affected by background noise?
- How well can they localize sounds underwater?
- How is their hearing sensitivity in the real world? The audiogram measures hearing in quiet conditions. However, manatees and other animals do not live in quiet environments. They live in relatively noisy habitats. Their hearing and directional abilities were tested against various background noise conditions to simulate natural habitat levels and measured auditory masking effects.
• Five Psychoacoustic Tests were done: Masked Thresholds, pulsed and continuous pure tones with q/3 octave noise; Masked Thresholds, pulse repetition, pure tones with broadband noise; Masked Thresholds, complex FM tones with broadband noise; Masked Thresholds, environmental sounds with broadband noise and Directional Hearing, clicks with broadband noise.

• Acoustic consequences of reducing speed lessens cavitation noise and overall acoustic energy (lower sound intensity, quieter propeller noise)

• Lowers the frequency content of the noise which reduces the audibility of the sound as well as its directivity

• In shallow water these lower frequencies do not propagate effectively due to boundary effects of environment. Additional low frequency attenuation and cancellation can occur near the surface as well (Lloyd’s mirror effect)

• These acoustic and subsequent propagation effects, increases the likelihood of acoustic masking by the prevailing ambient levels including noise of distant faster moving vessels and loud slow moving ships.

• Slower speeds increasing boat transect times and thus the time traversing through manatees habitats and subsequent opportunities for collisions.

• The growing number of surviving manatees with increasing multiple propeller scars may be the result of acoustical masking.

• The video of manatees being approached by slow boats helps to demonstrate the impact on manatee awareness.

• While slow speed zones may reduce the chance of mortalities in turbid waters it does not mitigate the occurrence collisions that can still mortally injure individuals and reduce their fitness.

• The blanket application of speed regulations in turbid waters without mitigating the acoustic consequences for the manatee can actually exacerbate the risk of collisions by reducing the audibility of approaching watercraft while conversely increasing the transect and the opportunities for collisions.

• Manatees are at a sensory disadvantage and in many instances have reduced awareness and less time to react.

• After nearly two decades of slow speed regulations and significant expansion and increased enforcement over the last decade manatee mortalities and injuries are at record highs. Even after reduced boat registrations following a succession of hurricanes, manatee mortalities still increased in Brevard County.

• The growing number of surviving manatees with increasing multiple propeller scars (up to 50 different encounters) may be a result of reduced speeds and increased acoustical masking.

• Blanket speed restrictions without mitigating the associated acoustic consequences can exacerbate the risks of collisions through masking and increased transect times through populated areas.

• Each year manatees are killed by barges and large vessels that lumber at speeds of 6 mph or less. Their tremendous mass can result in significant momentum impacts even at such slow speeds. These encounters can sometimes be indistinguishable from high speed impacts with smaller boats. Slow speed zones do not impact the operation of these large vessels nor do they reduce mortalities with these commercial vessels.

• Lloyds Mirror Effect and Acoustic Shadows ahead of large vessels may be responsible for many mortalities.
An acoustic array designed to selectively fill in these shadows with a highly directional alarm could help alert manatees of an approaching vessel and reduce the ambiguity of the quiet zone ahead of these vessels. Such a strategy may be helpful for both manatees and whales that face similar challenges from ships near the surface.

A manatee warning device has been developed to project a low intensity, highly directional narrow band of sound in front of approaching boats. The selected signals exploit the manatees' best hearing and localization abilities and are designed to enhance the manatees' sensory awareness of approaching boats and ships.

Experimental Treatments: Slow approaches without an alarm; slow approaches with the alarm; Controls 30 + min before and after runs and Controlled site, no public boating, few variables and quiet conditions.

Controlled approach trials with wild manatees were only run when water visibility was clear enough to view focal animals and track their positions throughout approach sequences.

A total of 111 trials have been run to date. Only four (5%) of the no-alarm approach trials have resulted in a measurable avoidance reaction or change in behavior. For 95% of these no-alarm trials manatees did not react to the approaching boat. During these no-alarm trials some avoidance reactions were observed but only after the boat passed the animal and was forced to veer in order to avoid hitting the manatee. In contrast, (97%) of the alarm trials elicited overt avoidance responses (a change from resting or feeding to swimming away or diving). These changes were exhibited at distances ranging from 12 m to 35 m ahead of the bow. The mean response change in behavior was significantly greater during alarm trials (F=198, df=1, p< 0.01). The mean distance at which focal manatees responded was also significantly greater during alarm trials (F= 46.46, df=1, p< 0.01). During no-alarm trials behavioral changes significantly increased only at the moment the bow passed or when the boat was forced to veer away (t- statistic = 5.348, p<0.05). This result indicates that these manatees would have responded during these boat approaches had they been able to detect the boat sooner.

Manatees do not react to, and are unable to effectively detect the sounds of approaching boats traveling at slow speeds at distances greater than 8 m away. The manatees’ low frequency hearing constraints, along with measured shallow water and near surface propagation factors, render these sounds inaudible against the prevailing ambient noise.

The tests significantly demonstrate the parametric alarm’s efficacy for reliably alerting manatees of approaching boats at safe distances (12 to 35 m) and how manatees remain vulnerable to collisions without it.

Manatees are able to effectively avoid approaching boats provided they have the sensory awareness to do so.

In Jacksonville, there was a spike in deaths due to dredging.

The committee will accumulate data and decide what to put in the report. The entire report and recommendations are on the website.

Questions and comments followed the presentation.

The presentation by David Roach, Executive Director Florida Inland Navigation District was cancelled and will be rescheduled at a future meeting.
Dr. Keith has obtained the FWC website mortality rates in Broward County. This will be discussed at next week’s meeting.

Mr. Hecker would like a chart showing where people are waterskiing. The data will be available at next week’s meeting.

What is the number of manatees that use power plants or other areas as a refuge? How much vegetation is available and how much is needed? The data will be available at next week’s meeting.

The next meeting is July 15, 2010 at 2:00pm at Secret Woods Nature Center. The committee will check to see if next week’s meeting can be moved to the Government Center West and be held from 10:00am to 12:00 Noon.

With there being no further business, the meeting adjourned at 12:35PM.

Prepared by Jaclynn Conner

Review and approved by ___EK________ Date__ 7/18/10___________
SUMMARY MINUTES

Broward County Local Rule Review Committee

Meeting

Thursday July 15, 2010 10:00AM Governmental Center West

Voting Members: County Staff:

Lisa Baumbach - Present  Pat Quinn, BCNRPM MD
Allan Burrows - Present  Judi Kladerman, BCNRPM MD
George Cavros -Absent  Ryan Goldman, BCDERD
Gordon Connell - Absent  Stephen Higgins, BCNRPM MD
Mark Ercolin - Present  David Stout, BCNRPM MD
Gary Hecker - Absent  Eric Myers, BCEPGMD
Ed Keith - Present
Karl Roeder - Present
Barry Webber - Present
Daniel Yaffe - Present

The meeting was called to order at 10:14am by LRRC Chair, Daniel Yaffe. A sign in sheet was circulated. Roll was called and noted for the record. There was discussion to approve the minutes from the previous meeting. A motion to approve the minutes from July 8, 2010 was made by Allan Burrows and seconded by Karl Roeder. All were in favor.

Dr. Ed Keith, Associate Professor with Nova Southeastern University and LRRC Member gave a presentation on Manatee Mortality; some of the highlights included:

- Known vs. unknown causes of manatee deaths
- Synoptic Surveys and how they are not very reliable to determine manatee population
- Manatee life span is about 30-40 years, 10% die each year, and gestation is about 13 months.
- Manatees in Port Everglades – come to power plant in the winter to find warm water, monitoring has been in place over the last 10 years.
- There has been Camera Research as well as Sonar Research to detect manatee presence.
- Broward County Manatee Mortality – 70% is water craft related over the last 35 years
- It was noted that manatee speed zones are working.

Lisa Baumbach thanked Dr. Keith for the informative presentation.

- Pat Quinn reviewed the Survey Maps, the Survey Data Spreadsheet and the Seagrass Survey.
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- Dan Yaffe, Chair discussed the 60 day deadline and the fact that he is hoping to have the report completed sooner.
- It was noted that the report is to be transmitted in pdf format.
- There was discussion regarding the members taking a boat ride to view the signage along the waterways.
- Lisa Baumbach raised the question of is this allowed under Sunshine? Pat Quinn noted that he would find out.
- There was discussion regarding having an evening for Public Comment, date/times were discussed. It was decided that Public Comment would be held on August 3, 2010 from 5:30 – 7 PM. Location to be determined.

There are two gentlemen wishing to address the LRRC.

The first is MF Sullivan, 2831 NE 47th Street, Lighthouse Point. Mr. Sullivan distributed an abridged version of the potential rule changes that FWC had presented to the Broward County LRRC. Mr. Sullivan then mentioned that he is a retired engineer. Mr. Sullivan then discussed various points on each page of the document he handed out.

The next speaker was Mr. George Counts, 2449 Nassau Lane, Ft. Lauderdale. Stated that the boating population will eventually double and there is a need to keep the slow speed zones. Mr. Counts concern was to protect the manatees.

The next meeting is July 22, 2010 at 10:00am at Secret Woods Nature Center.

With there being no further business, meeting adjourned at 12:32pm.

Prepared by Judi Kladerman

Review and approved by EK Date 7/20/10
SUMMARY MINUTES
Broward County Local Rule Review Committee
Meeting
Thursday July 22, 2010 10:00AM Secret Woods Nature Center

Voting Members: County Staff:
Lisa Baumbach – Absent       Pat Quinn, BCNRPM
Allan Burrows - Present     Judi Kladerman, BCNRPM
George Cavros -Absent        Ryan Goldman, BCDERD
Gordon Connell - Absent
Mark Ercolin – Absent
Gary Hecker - Absent
Ed Keith - Present
Karl Roeder - Present
Barry Webber - Present
Daniel Yaffe - Present

The meeting was called to order at 10:12am by LRRC Chair, Daniel Yaffe. A sign-in sheet was circulated. Roll was called and noted for the record. There was discussion to approve the minutes from July 1 and July 15. A motion to approve the minutes from July 1, 2010 was made by Barry Webber and seconded by Allan Burrows; all were in favor. A motion to approve the minutes from July 15 was made by Allan Burrows and seconded by Barry Webber; all were in favor.

Mr. Yaffe brought forth that the Public Comment meeting will be held on August 3, 2010 between the hours of 5:30 – 7:30 PM. There was discussion whether to hold the event at Broward County Government Center West or Anne Kolb Nature Center and, by a tally vote, the meeting is to be held at Anne Kolb Nature Center.

Scott Calleson, with FWC, was on conference call and available for question or comments.

Mr. Yaffe introduced David Roach, Executive Director with Florida Inland Navigation District (FIND). FIND deals with aspects of the Intracoastal Waterway throughout the State of Florida.

- FIND is an independent special taxing district, in the State of Florida, created to be the local sponsor of the Intracoastal Waterway, the Federal partner is the US Army Corps of Engineers.
- Control 60,000 acres of land in which the channel sits on.
- Place for dredge material from periodic dredging.
- 75% of funding required to maintain and dredge the ICW.
- The Intracoastal requires a half million cubic yards to be dredged from the channel over 400 mile length every year
• Cost is about $16 million per year, the federal government puts in about $4 million and FIND puts in $12 million.

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• FIND builds boat ramps, public marinas, and public parks. It is the most successful waterway in the world.
• From 1990-2007 FIND was responsible for all the manatee signage on the east coast of Florida. We have 9 critical counties within Florida 12 eastern counties.
• 5000 signs have been put in place to slow down boaters to protect the manatees.
• FIND supports safe use of our waterways
• Boating safety zones and manatee zones are working together.
• FIND has a speed zone policy the state has maintained the policy

Discussion regarding the potential rule change Agenda Item 4:

Manatee Local Review Document

• Discussion letter J – Page 8 5a F1 Ft. Lauderdale Inland Power Plant cooling ponds – FWC to discuss with FPL.
  50/50 split
• Discussion Letter G Page 6 5a D1 Port Everglades Power plant Discharge Canal – All members are in agreement with recommendation.
• Discussion Letter H Page 7 5a E1 West of ICW, South of Dania Beach Blvd. – All members are in agreement with recommendation.
• Discussion Letter I Page 7 5b E2 ICW south of Dania Beach Blvd. to Miami-Dade County – All members opposed to recommendation
  Pat Quinn talked about south ICW helicopter survey.

Dr. Keith noted that he is uncomfortable with removing manatee zones.

Dr. Keith also would like for County Staff to review all comments that have been received.

Review discussion stopped at 11:55.

It was noted that Dr. Keith would not be at the meeting of 7/29/10 and 8/12/10. Karl Roeder will be out for the meeting of 7/29/10 and will not be available for the Public Comment on 8/3/10. Dan Yaffe will not be available for the meeting of 8/5/10 and 8/12/10. Barry Webber will chair the meeting of August 12, 2010. Pat Quinn, county staff will be unavailable on August 12 as well.

The next meeting is July 22, 2010 at 10:00am at Secret Woods Nature Center.

With there being no further business, meeting adjourned at 12:02pm.

Prepared by Judi Kladerman
Review and approved by EK Date 7/29/10
SUMMARY MINUTES

Broward County Local Rule Review Committee

Meeting
Thursday July 29, 2010 10:00AM Secret Woods Nature Center

Voting Members: County Staff:
Lisa Baumbach – Present  Pat Quinn, BCNRPM
Allan Burrows - Present  Judi Kladerman, BCNRPM
George Cavros -Present  Ryan Goldman, BCDERD
Gordon Connell - Absent
Mark Ercolin – Present
Gary Hecker - Present
Ed Keith - Absent
Karl Roeder - Absent
Barry Webber - Present
Daniel Yaffe - Present

The meeting was called to order at 10:05 am by LRRC Chair, Daniel Yaffe. A sign-in sheet was circulated. Roll was called and noted for the record. There was discussion to approve the minutes from July 22. A motion to approve the minutes from July 22, 2010 was made by Allan Burrows and seconded by Barry Webber. All were in favor.

Announcement was made that Christopher Boland with FWC was on conference call.

Mr. Yaffe discussed the upcoming boat trip to be held on Saturday July 31, 2010, leaving from Dania Beach Marine at 9:00AM to view signage along the Intracoastal Waterway. Four members will be in attendance. They were reminded about the sunshine law and that this trip is a fact finding trip and no discussion regarding the LRRC can take place.

There was discussion regarding the Public Hearing which is to be held on August 3, 2010 from 5:30 – 7:30 at the Anne Kolb Nature Center. Dr. Quinn will give a 10 minute presentation on the process and discussion points, those wishing to speak will sign in and fill out a request-to-speak card. The public will then have 3 minutes each to make their comments.

It was noted that BSO and FWC will be available to attend the Public Hearing.

There was a question as to whether or not there will be a stop clock available for the meeting. County staff will look into obtaining one.

Discussion regarding the potential rule change Agenda Item 5 Manatee Local Review Document:

A recap of the current straw poll has:
• A majority vote that all were *agreement* with FWC’s recommendation for C1, C2, C5, C6, D1 and E1

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• A majority vote that all were *opposed* with FWC’s recommendation for E2
• It was noted that C3 and C4 were undecided
• And F1 had been a 50/50 Split.
• Dan Yaffe discussed the current and proposed rule for C3 and C4.
• Chris Boland indicated that there are boating aerial survey data included Monday – Friday and Weekend/Holiday. He said he would provide us with the requested data.
• Steve Salach with BSO noted that historically in the area of C3 and C4 there is little traffic on the ICW during the week.
• There was discussion on how to simplify the signage
• Can holidays be included with weekends?
• Chris Boland stated that he would send Pat Quinn the state recognized holidays

The next meeting is August 5, 2010 at 10:00am at Secret Woods Nature Center.

With there being no further business, meeting adjourned at 12:15pm.

Prepared by Judi Kladerman

**Review and approved by ___EK__________ Date ___8/13/10_______**
SUMMARY MINUTES

Broward County Local Rule Review Committee

Meeting

Thursday August 5, 2010 10:00AM Secret Woods Nature Center

Voting Members: County Staff:
Lisa Baumbach – Absent Pat Quinn, BCNRPM
Allan Burrows - Present Judi Kladerman, BCNRPM
George Cavros -Present Ryan Goldman, BCDERD
Gordon Connell - Present
Mark Ercolin – Present
Gary Hecker - Present
Ed Keith - Present
Karl Roeder - Absent
Barry Webber - Present
Daniel Yaffe - Present (via conference call)

The meeting was called to order at 10:10am by LRRC Interim Chair, Ed Keith. A sign in sheet was circulated. Roll was called and noted for the record. There were no minutes to approve at this meeting.

Announcement was made that Dan Yaffe was on conference call.

During a recap of the Public Hearing it was noted that Pat Quinn presented an overview of the LRRC Process. The turnout for the Public Hearing was 39 people, which included the LRRC Members, County staff and the public. Eleven people spoke and several just handed in their comments. Most of the comments were to reduce speed.

Discussion regarding the potential rule change Agenda Item 4 Manatee Local Review Document:

Letter J – F1 Fort Lauderdale Inland Power Plant cooling ponds. There is a contractor that wishes to dredge the minerals from the bottom of the lake. There is a permit process for this to happen. FPL has not offered any comment. They will be asked to attend the next meeting. In regards to having a straw poll, it was decided to table this item until the next meeting.

- It was noted by Mr. Burrows that Lighthouse Point (LHP) Chief of Police had been on the water and saw a pod of manatees during warm season.
- Officer Scott Caske with FWC noted there is a high presence of manatee in LHP.
- Dan Yaffe added that based on the current regulation of slow speed and the fact that there is little boat traffic during the week, he felt a change from the area of LHP to Lauderdale-By-The-Sea to idle speed would be over regulating in this area.
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• George Cavros noted that data shows there are manatees (in the area of C3 and C4 of the Rule Review document) during the week. He feels that it should be regulated during the week.
• Scott Calleson will provide additional data weekend vs weekday boater use C3 & C4.

• Letter c. C3 – Straw vote Cold Season; 5 in favor, 3 against, pending data from FWC.
• Letter d. C4 – No straw vote taken
• It was agreed to wait on final votes, put on as an agenda item and put to a ballot vote.
• There was additional discussion regarding the signage: size of the signs, wording and location.
• Barry Webber opined that signage is not an issue and that most boaters know the signs. That “travelers” should read all signs.
• Scott Calleson – signs should be as simple as possible as a rule

Discussion about the report:

• Cover letter should go to R. Kipp Frohlich.
• The report should contain the “why” on the recommendations, if the majority vote differs
• Review Sarasota’s Returned document
• Vote on some of the issues next week
• Scott Calleson was asked about the 60-day return – His comment stated that it is a “State Statue” that notes the 60-day turnaround

There was discussion to change the balance of meeting dates:

Move August 12\textsuperscript{th} to August 13\textsuperscript{th} (Vote on easy rule review)
Move August 19\textsuperscript{th} to August 20\textsuperscript{th} (Vote on balance of rule review)
Add Monday August 23\textsuperscript{rd} to review the Draft Response
Cancel Thursday August 26\textsuperscript{th}
Add August 27\textsuperscript{th} for discussion of final document to be submitted to FWC on Monday August 30\textsuperscript{th}.

A motion was made by George Cavros to change the meeting dates, and seconded by Allan Burrows. All were in favor.

The next meeting is August 13, 2010 at 10:00am at Secret Woods Nature Center.

With there being no further business, a motion was made by Allan Burrows and seconded by Mark Ercolin to adjourn meeting, meeting adjourned at 12:15pm.
SUMMARY MINUTES

Broward County Local Rule Review Committee

Meeting

Friday August 13, 2010 10:00AM Secret Woods Nature Center

Voting Members: County Staff:
Lisa Baumbach – Absent Ryan Goldman, BCNRPM
Allan Burrows – Present Judi Kladerman, BCNRPM
George Cavros – Present John Fiore, BC Parks and Rec.
Gordon Connell – Present
Mark Ercolin – Present
Gary Hecker – Present
Ed Keith – Present
Karl Roeder – Present
Barry Webber – Present
Daniel Yaffe – Absent
Scott Calleson, FWC

The meeting was called to order at 10:02am by LRRC Interim Chair, Ed Keith. A sign in sheet was circulated. Roll was called and noted for the record. Minutes for the August 5th meeting were reviewed. A motion to approve the minutes was made by Barry Webber. Karl Roeder provided the second and motion was approved.

Dr. Keith introduced Winifred Perkins and Jodie Gless from Florida Power (FPL) and Light. Ms. Perkins briefed the committee on the Lauderdale Power Plant and that FPL is not supportive of allowing access (F1, FWC proposal) into the cooling ponds citing access, safety, and emergency response issues. It was noted by Dr. Keith that if F1 was approved, there layers of protection would still exist. Boat access could still be required in the ponds by FPL if maintenance is required in the area. Discussion followed of the system functioning as a cooling canal/pond system and multiple levels of approval would be needed to dredge (e.g. remove peninsulas). Scott Calleson provided information that is currently no public requests to enter the cooling ponds besides the owner of the area’s mineral rights. It was noted that not changing the zone would be cost effective as signs would not need to be changed. Discussion continued on turbidity monitoring and dredging permit expiration dates. When asked, Ms. Perkins stated there were few manatees in the ponds during the warm season.

Discussion shifted to the FPL Port Everglades Power Plant (D1) and a request to mention in the Rule an exception for launching a boat in that area for emergency maintenance. Mr. Calleson stated they would be in touch with FPL regarding the issue.

A straw poll vote was suggested. Allan Burrows requested the expiration date on the dredging permit before a vote. The question was raised if that would change an opinion. Mr. Burrows agreed to the straw vote. The FWC F1 proposal was rejected 6 to 2.
Although final votes were to begin at this meeting, it was noted that LRRC Chair Dan Yaffe was unable to attend the meeting and requested that all final voting take place on August 20th, when he would in attendance. Ms. Perkins said an FPL representative would be present at the next meeting.

Gary Hecker suggested dealing with the non-controversial proposal items and not delay the voting. Dr. Keith requested the opinion in the form of a motion. Mr. Hecker made the motion and George Cavros seconded the motion. Mr. Webber stated that that voting would take place quickly and there was no benefit to vote now. Mr. Cavros stated that opinions should have been made last week and summarized the short time frame with the remaining meetings.

After further discussion, Dr. Keith called for a vote. The motion failed, 1 to 7.

Dr. Keith raised the C4 proposal. Discussion followed on boat traffic on weekends as compared to weekdays and it was acknowledged that traffic is heavier on the weekends. At the request of Gordon Connell, Mr. Calleson reviewed the way FWC calculates risk to manatees. Mr. Roeder states he uses this area regularly and it takes only about 4 vessels to create a situation similar to 4-6’ seas. This proposal would add 10 minutes to his transit time to the inlet and the change is a minor inconvenience to the public while adding manatee protection.

Mr. Connell stated adding 10 minutes to the transit repeatedly impacts boaters. Discussion continued on weekdays vs. weekends and a comparison was made with manatee zones to school zones. Mr. Calleson brought up the issue of whether the southern boundary of C4 would extend to Atlantic Blvd. or Commercial Blvd. Mr. Roeder stated that a Commercial Blvd. boundary would impact boaters more severely as winter requires boats to be run at full throttle. Officer Quentin Waters (Ft. Lauderdale Marine Unit) stated the Atlantic-Commercial area is a problem area with many non-compliant boaters.

Dr. Keith called for a straw vote on the C4 proposal. Results were 6 to 2 in favor of the FWC proposal in general. A straw vote on the southern boundary was called and results were 5 to 3 in favor of Atlantic Blvd as the southern extent of the zone.

Mr. Hecker said he would write an opinion on C4 and submit it for the final report.

Dr. Keith raised the G proposals (Other Rule Issues) and suggested the members read the proposals and appendices for the next meeting. Mr. Webber noted a straw vote was held on 7/29 for G2 and it pass unanimously.

Dr. Keith then raised G3, but Mr. Calleson stated no vote was needed as FWC is intent on simplifying zone descriptions.

Dr. Keith asked what the issue with the holidays was and it was noted this stands for state-recognized holidays. Mr. Connell asked Officer Waters if there is good compliance on holidays and Officer Waters stated there is good compliance with simple signs.

Dr. Keith addressed a letter from John Fiore and Mr. Fiore explained the letter which requests a change in the south Port Everglades and eastern most Dania Cutoff Canal areas. There are currently no safe-boating zones in this area. Mr. Burrows made a motion to adopt Mr. Fiore’s recommendations and Mr.
Roeder seconded the motion. Mr. Hecker questioned why the recommendation was made so late in the process. Mr. Burrow amended his motion to the warm season only. Mr. Connell asked FWC’s position and Mr. Calleson stated FWC would not likely support the recommendations as the areas are less than a mile from Port Everglades and there are zone complexity and seagrass issues as well. Dr. Keith called for a vote on the Fiore recommendations during the warm season. The straw vote results were 5 to 3 in favor.

Dr. Keith asked if there were any other issues to be discussed. Mr. Webber stated he would not be able to attend the meeting of the 27th and John Fiore reviewed the tele-voting protocol as provided by the County Attorney’s Office. Mr. Calleson said he would be calling in for the remaining meetings. Dr. Keith then reviewed the remaining meeting dates of 8/20, 8/23, and 8/27, with the meeting starting at 10:00 at Secret Woods Nature Center. Final votes will be on 8/20. A draft report will be reviewed on 8/23 and comments made.

With there being no further business, a motion was made by Dr. Keith and seconded by Mr. Connell to adjourn meeting.

Prepared by Pat Quinn

Review and approved by EK Date 8/20/10
SUMMARY MINUTES

Broward County Local Rule Review Committee

Meeting

Friday August 20, 2010  10:00 AM  Secret Woods Nature Center

Voting Members:  County Staff:

Lisa Baumbach – Present (10:30)  Ryan Goldman, BCNRPMMD
Allan Burrows – Present  Judi Kladerman, BCNRPMMD
George Cavros –Present  John Fiore, BC Parks and Rec.
Gordon Connell – Present  Scott Calleson, FWC - teleconference
Mark Ercolin – Present
Gary Hecker – Present
Ed Keith –Present
Karl Roeder – Present
Barry Webber – Present
Daniel Yaffe – Present

The meeting was called to order at 10:06 am by LRRC Chair, Daniel Yaffe. A sign in sheet was circulated. Roll was called and noted for the record. Minutes for the August 13 meeting were reviewed. Two changes were noted and a motion to approve the minutes with changes was made by Allan Burrows. Ed Keith provided the second and motion was approved.

Winifred Perkins, Florida Power and Light (FPL) addressed the Committee regarding the Port Everglades Cooling Canal. She stated FPL would be in favor of the Florida Fish and Wildlife Conservation Commission (FWC) recommendation to close the eastern end of the cooling canal to boaters if an exemption was granted to FPL for emergency maintenance. Scott Calleson said that was not an issue and FWC issues 5-year maintenance permits under similar situations.

A motion to approve the D1 recommendation was made by Barry Webber and seconded by Allan Burrows. The motion passed 9 to 0.

A motion to approve the E1 recommendation was made by Gary Hecker and seconded by Allan Burrows. The motion passed 8 to 1.

A motion to approve the C2 recommendation was made by Barry Webber and seconded by Gary Hecker. The motion passed 9 to 0.

A motion to approve the C1 recommendation was made by Gordon Connell and seconded by Allan Burrows. The motion passed 8 to 1.
A motion to approve the C6 recommendation was made by Gary Hecker and seconded by George Cavros. The motion passed 9 to 0.

A motion to reject the E2 recommendations of either removing the manatee protection zones or removing the 50-ft buffers was made by Allan Burrow and seconded by Karl Roeder. The motion passed 9 to 0.

A motion to take Item 10, F1 recommendation, out of order in consideration of the FPL representative in attendance was made by Barry Webber and seconded by Allan Burrows. The motion was approved.

Dr. Lisa Baumbach arrived at 10:30 am.

A motion to reject the F1 recommendation was made by Gordon Connell and seconded by Allan Burrows. Ms. Perkins stated that FPL would support the motion to reject FWC’s recommendation. There was discussion on whether any of the issues were civil matters. The motion passed 9 to 1.

A motion to accept the C3 recommendation was made by Allan Burrows and seconded by Karl Roeder. Mr. Burrows noted the high density of manatees present in the area and Mr. Roeder stated he would support the motion and that residents, through a municipal resolution, support the recommendation. Mr. Webber reminded the committee of comments he received from officers in the area and that they slow down boaters when high numbers of manatees are present. Mr. Connell stated a balance is needed and cannot support the recommendation. Mr. Yaffe said he also could not support the recommendation as the metric used, mortality, is low and there is no scientific evidence that additional regulation would result in decreased mortality. Mr. Cavros agrees with the metric being used, but stated it doesn’t show other interactions between boaters and manatees although the risk is probably less during the week than the weekend.

Dr. Baumbach asked Mr. Webber to repeat what he told the committee at a previous meeting regarding officers seeing large numbers of manatees in the area and Mr. Webber elaborated on his earlier comment. Dr. Keith pointed out that there is reportedly less boat traffic in the area during the week and he may find it hard to support the recommendation. Mr. Connell stated there are marine law enforcement officers in the area and, rather than additional regulation, the committee should trust the officers to slow boaters down when there are large numbers of manatee present.

Mr. Yaffe called into question the Coin and Fast-Coin analyses FWC used to create the recommendation and restated the low mortality in the area. Questions were asked of Scott Calleson who provided more insight to data collection and analyses for the recommendations. Dr. Keith stated it would very difficult to gather the type of data some committee members state are lacking on actual boater vs manatee interactions and the best data we have is the coincidence data.

A vote was called and the motion passed 7 to 3.

A motion to approve the C4 recommendation down to Atlantic Blvd. was made by Allan Burrows and seconded by George Cavros. The motion passed 6 to 4.
A motion to reject the C4 recommendation from Atlantic Blvd. to Commercial Blvd was made by Allan Burrows and seconded by Karl Roeder. Mr. Yaffe stated that this appears to be regulation for regulation’s sake. The motion passed 7 to 3.

A motion to reject the C5 recommendation was made by Allan Burrows and seconded by Barry Webber. The motion passed 9 to 1.

A motion to approve the G1 recommendation was made by Allan Burrows and seconded by George Cavros. After discussion, Mr. Burrows withdrew his motion and made another motion the Committee not consider the G1 recommendation due to insufficient information. Mark Ercolin made the second and the motion passed 10 to 0.

Gordon Connell left the meeting at 11:45.

A motion to approve the G2 recommendation was made by Allan Burrow and seconded by Mark Ercolin. The motion passed 9 to 0.

A motion to approve the G3 recommendation was made by Barry Webber and seconded by Mark Ercolin. The motion passed 9 to 0.

At the request of Dan Yaffe, John Fiore was asked to review the proposal he submitted in a letter to the Committee at the August 13th meeting. Although submitted on Broward County Marine Advisory Committee (MAC) letterhead, it was made known to the LRRC that this proposal was not a formal request from the MAC. During the discussion regarding the proposal, Mr. Fiore stated that the County Attorney’s Office ruled that the vote taken on August 13 was a binding vote. Several committee members took issue with this stating it had been an understanding that all votes prior to August 23 were to be straw votes and thus not binding. Mr. Hecker stated the report should reflect this issue was not formally discussed and the vote should not be counted. Mr. Yaffe suggested the committee revisit the issue and vote again. A motion was made by Mr. Burrows and seconded by Mr. Ercolin to reconsider the potential zone change in south Port Everglades and the eastern most stretch of the Dania Cutoff Canal. During discussion of the eastern Dania Cutoff Canal, Mr. Calleson noted that manatee use the canal as a travel corridor and any change would be an issue and the proposed change would also create additional zone complexity in the area. He did state that any change would not be approved in the cold season, but a warm season change would be considered. Mr. Burrows made a motion to support a change in the south part of Port Everglades to 25 MPH with a 50-ft buffer during the warm season. Mr. Ercolin seconded the motion and the motion passed 5 to 4. Another motion was made to support a change in the eastern stretch of the Dania Cutoff Canal of 25 MPH with a 50-ft buffer during the warm season. The motion passed 5 to 4.

Dan Yaffe presented a request the committee received by email through Pat Quinn from Paul Webb, president of the Harbor Village Civic Association. Mr. Yaffe made it know that he is a member of this association. Mr. Webb requested that the manatee zone south of the 14th Street Bridge over the Intracoastal Waterway be extended sufficiently south of Harbor’s Edge Park to protect the habitat. A
motion was made by Gary Hecker and seconded by George Cavros to extend the C2 recommendation south past the Harbor’s Edge Park. The motion was approved 8 to 1.

Lisa Baumbach left the meeting at 12:30 pm.

Ed Keith opened discussion on the format of the committee’s final report, combining the sections of majority and minority opinions. He asked that all minority opinions be emailed to Pat Quinn who would forward them to Dr. Keith and a draft report would be sent via email to all committee members that weekend for review at the August 23rd meeting.

Barry Webber made a motion to revisit and review a discussion from an earlier meeting to ask FWC to consider regulating speeds in the waterways by size of the vessel. Allan Burrows seconded the motion. Discussion on the motion followed and it was clarified that this was for areas with a 25 MPH regulation. The motion passed unanimously.

The discussion returned to the final report and suggestions were made that it include all data, copies of the public hearing comments, and mention of the Intracoastal Waterway tour.

With there being no further business, a motion was made and the meeting adjourned at 12:50 pm.

Prepared by Pat Quinn

Review and approved by ____EK_______ Date __8/27/10________
SUMMARY MINUTES

Broward County Local Rule Review Committee

Meeting

Monday August 23, 2010 10:00 AM Secret Woods Nature Center

Voting Members: County Staff:

Lisa Baumbach – Conference Call ended 11:10 am Ryan Goldman, BCDERD
Allan Burrows – Present Judi Kladerman, BCNRPMDB
George Cavros – Absent
Gordon Connell – Present arrived 11:15 am
Gary Hecker - Absent
Mark Ercolin – Present
Ed Keith – Present
Karl Roeder – Present
Barry Webber – Present
Daniel Yaffe – Present

Scott Calleson, with FWC, was on conference call and available for questions or comments.

The meeting was called to order at 10:04 by LRRC Chair, Daniel Yaffe. A sign-in sheet was circulated. Roll was called and noted for the record. Ed Keith requested the minutes for all the meetings for the final report.

Ed Keith led the discussion of the report editing. Ed Keith actively edited the report on a laptop computer while the committee discussed the edits. The committee edited the report page by page making edits along the way.

The edits that were discussed included:
Title page, signatures, contents, Acknowledgements, Participants, Introduction and Background, boating data, meeting dates, Sunshine disclosure, public comments and Summary of Expert Information Sessions.

The committee reviewed the sections of the draft report in the following order:
C-1, 2, 3, 4, 5, 6
D-1
E-1
F-1
G-1, 2, 3
H-1 Dan Yaffe opened discussion regarding the Paul Web email request of Harbor Village Homeowners Association, Inc. and speed zone restrictions around Harbor’s Edge Park.

H-2 Barry Webber opened discussion for a topic limiting boat speed related to length/beam and displacement of vessel.

Appendix A, B, C

Ryan Goldman verified the timeframe and format for submittal of the report to FWCC within the requirements of the LRRC.

The next meeting will be at the same location on Friday, August 27, 2010.

With there being no further business, the meeting adjourned at 12:15 PM

Reviewed and approved by __________ EK __________________ Date ___ 8/27/10 ______________
SUMMARY MINUTES
Broward County Local Rule Review Committee

Meeting
Friday August 27, 2010  10:00 AM  Secret Woods Nature Center

Voting Members:  County Staff:
Lisa Baumbach – Arrived 10:28 am  Ryan Goldman, BCDERD
Allan Burrows – Present  Judi Kladerman, BCNRPMRD
George Cavros – Present  Pat Quinn, BCNRPMRD
Gordon Connell – Absent
Gary Hecker - Absent
Mark Ercolin – Present
Ed Keith – Present
Karl Roeder – Present
Barry Webber – Via Conference Call
Daniel Yaffe – Present

The meeting was called to order at 10:05 by LRRC Chair, Daniel Yaffe. A sign-in sheet was circulated. Roll was called and noted for the record.

A motion was made by Allan Burrows and seconded by Marc Ercolin to approve the minutes of the August 20th meeting. All were in favor of approving minutes.

A motion was made by Allan Burrows and seconded by Marc Ercolin to approve the minutes of the August 23rd meeting. All were in favor of approving minutes.

Dan Yaffe discussed and the committee members agreed that the minutes for today’s meeting will be included in the final report although the committee will not be able to approve them due to not having any remaining meetings.

Ed Keith led the discussion of the report editing. Dr. Keith reviewed page by page of the report all of the changes that were made at the last meeting; as each page was reviewed members any additional changes/comments that were noted were incorporated into the final document. It was agreed to add an Appendix F that included the resolutions from The City of Lighthouse Point and the Town of Hillsboro Beach. It was also noted that Dr. Quinn will be adding all of the e-mails and letters that were received by the public.
After all the changes were incorporated into the document and there being no further discussion, a motion was made by Lisa Baumbach and seconded by Allan Burrows to approve the final Report. After a roll call vote, the motion passed 8 to 0.

Daniel Yaffe, followed by Lisa Baumbach thanked everyone for all their hard work and continued support.

With there being no further business, the meeting adjourned at 12:15 PM.

Minutes created by Judi Kladerman.

Reviewed and approved by EK 8/27/10
APPENDIX E. Summary of public comments.
Name: Patience Cohn
Address: 831a S. Andrews Ave, FT 33316
Phone: 954-524-2733

Are you representing an organization? Yes [X] No
If "Yes", name: MIAF

Are you a Registered landlord with Broward County? Yes [X] No

Comments:

---

66
Went from Redman full time

How been nanato knows what
day of the week it is.

I see them working all the time,
especially during the season and
really want to emphasize that fact.
Broward County
REQUEST TO SPEAK AT PUBLIC HEARING
Phased Plan

Name: KAYNA HARPER
Address: 1818 E OAKLAND PARK BLVD. FORT LAUDERDALE, FL
Phone: 954-432-7255

Are you representing an organization? ■ Yes □ No
If "YES", name: —
Are you a Registered lobbyist in Broward County? □ Yes ■ No
(If "YES", copy entire registration form)

Comments: Cherry Creek North Fork Middle River

C5
REQUEST TO SPEAK AT PUBLIC HEARING

Name: SHARI SAWCYN
Address: 1908 INDIANHILL DR. S. BURLINGTON
Phone: 954-589-7606

Are you representing an organization? [ ] Yes [ ] No
If "Yes", name: [ ]
Are you a Registered Lobbyist with Burlington County? [ ] Yes [ ] No
Comments:

I live on the Intracoastal Waterway with my husband and I continually see manatees throughout the year. I'm not sure.
Name:  
Address:  
Phone:  
Are you representing an organization?  
If YES, name:  
Are you a Registered Lobbyist with Broward County?  
If YES, name:  
Comments:  

N/A
Name: Cara Campbell
Address: 641 SE 5th Ave
Phone: 
Are you representing an organization? Yes □ No □
If "YES", please: Ecology, Inc.
Are you a Registered Lobbyist with Broward County? Yes □ No □
Comments:

Do you have any questions to stop

N/A
Maintain slow speed through the City of Hallandale Beach year round.
Name:  New Stone  
Address:  2012 Coral Springs  FL 33067-8235  
Phone:  954-205-9595  
Are you representing an organization?  Yes  
If Yes, name:  Florida Wildlife Federation  
Are you a Registered Lobbyist with Broward County?  No  

In support of Slow Speed Zones.
<table>
<thead>
<tr>
<th>Name</th>
<th>John Passalicchio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>3974 N Ocean AVE</td>
</tr>
<tr>
<td>Phone</td>
<td>954-928-6119</td>
</tr>
<tr>
<td>E-Mail</td>
<td>John passalicchio@</td>
</tr>
<tr>
<td>Are you representing an organization?</td>
<td>Yes</td>
</tr>
<tr>
<td>Organization Name</td>
<td>Hollywood North Beach Aces (HUNBA)</td>
</tr>
<tr>
<td>Are you a Registered Lobbyist with Broward County?</td>
<td>No</td>
</tr>
</tbody>
</table>

**Comments**

$E_1 + E_2$

Need to look at Areas 2 areas ($E_1 + E_2$) for a Vehicular Patches of Hamlet. May need to spend money in these areas. Will work on the economics of Broward's largest Nature Reserve. Have some dollars.
I am in the intracoastal between...
To: Whom It May Concern at The Florida Fish & Wildlife Conservation Commission  
Re: Changes to Speed Zones on Broward County Waterways  
Date: August 3, 2010

My family has owned speed boats all of my life- on the Great Lakes & off the coast of Maine and South Florida since the mid 1950s. I personally have owned several motorboats for all 12 of the years I have been living in Fort Lauderdale.

In my opinion running more chance of maiming or killing manatees simply for the pleasure of going faster in a speedboat is not good policy. I suggest you raise the speed limit in the months when manatees aren’t in the waterways but extend the current “weekend only zones” on the Intracoastal Waterway to the entire week from Nov 15 to March 31 when the manatees are here. Human pleasures are causing our planet to rapidly lose the species we should be treasuring.

Thanks for hearing my opinion.

Sincerely,

Mari Mennel-Bell

[Signature]
From: Charles Stephens [cstepcms@bellsouth.net]  
Sent: Thursday, April 01, 2010 18:31  
To: MANATEE  
Subject: to Scott Calleson comments about Speed zones.  

Importance: High

1 The West Indies manatee is not from South Florida and that is why it is not cold resistant and seeks out the FPL power company discharge canals or it just gets sick and dies.

2 If a boater should run aground and damage sea grass NOAA will levy a very large $ cost lien in a range from $40,000 to $100,000 to replant the sea grass on the vessel and to the owner of the vessel. That is usually paid by insurance which makes rates go up.

3 When pod of manatee eat up large sea grass areas there are no fines or funds to replace the sea grass. We keep allowing or wanting more and more manatee with less and less marine sea grass as a food supply.

4 We need the sea beds as nursery areas to allow fish to grow and thrive. With less and less sea grass then less fish and less fishing and with less fishing means less jobs for the recreational and commercial fishing industry that generate funds or taxes to pay for government agencies to do their jobs.

5 If we have so little boating and or local fishing income then less taxes to support government programs that are there to promote a good tourist driven marine environment. That then means we have lots of manatee with no fishing and thus less and less government funds to pay for the enforcement and the protection of an animal that is not native to Florida and eats sea grass 24/7 while boaters once in a great while damage some shallow area.

6 What we have to do is use all of our government resources’ to make the bays, inlets and channels over abundantly rich with native marine life that we then only focus on those organisms that make the marine areas very plentiful. This then has a return on an investment to make jobs and a food chain to live off of for all residences that use those resources’. The manatee may not be the correct candidate to support and make the food chain grow and offer better use of what the water resources offer.

7 How much does a manatee eat in a day to support an animal that weights over 900 to 1,200 lbs especially in cold months? Broward has no sea grass for the past 10 years or longer and yet it has lots of manatee and they leave to go eat sea grass in other locations. Sea grass takes about 3 to 4 years to grow back from being damaged by a boat and about 2 years by a manatee but a manatee eats every day and thus what does a population of 1500 manatees eat every week
8 Marine patrol officers should be building fish habitats in protected areas so fish, lobsters, crabs and juvenile eco systems can grow and thrive instead of chasing after boaters. Telling boaters to slow down from 20 MPH to 6 MPH or making the boater pay fines is just counter productive. If the boating public starts seeing a growing change with an increase in the fish population, cleaner water, with other wild life and that makes boating more enjoyable then marine and boating industry would support it and look to also help in growing the sea grass with more fishing programs. The boaters who wants to go faster than 20 MPH may have to be required as a punishment for exceeding the posted speeds limits would be to spend time in community projects to help build habitats for marine organisms. This then allows those fast boaters to see and learn that we do not need fast boating but instead great places to go, use and be a part of what boating is all about.

The manatee is not the animal to keep boaters from going fast it is just a poor means of controlling boaters that is actually harming the boating environment.

This is the way I see it and just felt it needed to be said.

Charles Stephens
954 921-7449
Dania Beach Florida a Native born Floridian since 1944
Dear Mr. Calleson,

I live at the intersection of the Mercedes River and the Intracoastal, across from the marina at Pier 66. I often see very slowly moving manatees, in both the river and the intracoastal, and then very fast moving yachts of various lengths and engine configurations (inboard vs. outboard) immediately afterward. Often I cannot see how the operator of the boat could see the manatee from his driving station nor stop his forward motion if he had seen the animal. I, myself, have a motorboat and operate it in these waters. I always go at the slowest possible speed because I know there are animals near and how hard it would be for me to see it from my center console 26 foot boat. Many of the boats in the marina are visiting from other areas and I do not think they are aware of the manatees even if they are told. I have noticed that visitors cannot see the manatees even when I point them out and they are so very visible to me. It took me years of training after I moved here to see the manatees even on the surface. Once I saw one, I found it easier to see the next, then the next, and the next. But these visiting boat operators cannot see the animals right in front of their faces. The speed limit must be "Slowest."

I have also seen my first sea turtle in the Mercedes River ten days ago. A visitor pointed it out to me. Now I am wondering if they have been here all along and I couldn't see them either. Right after seeing the turtle, a boat speeded by. There is no way it could have stopped. I hope the turtle dove below and was not hurt.

I have posted a manatee sign at the point of my property. People still speed. There used to be a pier marking a sandbar and the speed limit out in front of my property but it disappeared after Hurricane Wilma. Since it disappeared I have noticed an increase in the speed of boats navigating around my point. The water busses also speed.

In addition to lowering the speed limit, I would like to suggest an increase enforcing it. The police should ticket scofflaws. I believe that enforcing existing speed limits might help. It would also increase revenue to the city at a time when it needs revenue. I often see boats speeding, even in the Pier 66 Marina and on Mercedes River, and they never suffer any consequences.

Sincerely,
Isobel Sturgeon
2500 Mercedes Drive
Fort Lauderdale, FL 33316
954 467 2793 (home)
Mr. Scott Calleson, Fisheries and Wildlife Biologist
Florida Fish and Wildlife Conservation Commission
Imperiled Species Management Section
620 S. Meridian Street
Tallahassee, FL 32399

Dear Mr. Calleson:

I live on the east side of the Intracoastal Waterway about eight blocks south of the Hillsboro Blvd Bridge that runs over the ICW in Deerfield Beach, Broward County, Florida. I’m writing to advocate the placement of wake/speed restrictions on vessels transiting sections of the Intracoastal Waterway that are as narrow as this section that is just south of the Hillsboro Blvd bridge.

This request is based upon the frequently ignored regard for the safety of the many manatees that have been seen using these narrow sections to get between warmer waters to the south and their feeding areas to the north. A blatant disregard for the safety of these mammals can be observed on a nearly daily basis - sometimes on an hourly basis.

The vessels that show this disregard include the mega – yachts, although it is usually the cigarette boats, the inboards, the outboards, the pontoon boats and the jet skis, etc. If they can go fast enough to be a problem, they are.

Sometimes the vessels line up four or more abreast to try to either beat another boat to a bridge opening, or to insure that they make an opening. Whenever this happens, the boats get very close to the edges of the ICW which is often where the manatees travel.

While recent increases in marine law enforcement presence have helped, more reasonable restrictions on speed or wake are needed and I hope this letter will be helpful in getting these restrictions put in place in the narrow sections of the ICW.

If it would be helpful to have me provide more details, I would be happy to do so.

Sincerely,

John Deam
From: spardon@hollywoodfl.org
Sent: Tuesday, April 20, 2010 12:10
To: Quinn, Pat; scott.calleson@myfwc.com
Subject: Intracoastal Waterway
Attachments: Proposed Intracoastal No Wake Zone.pdf

I am the Police Marine Unit supervisor at the Hollywood P.D. and was asked to provide input on the City's behalf regarding the upcoming review of the Intracoastal Waterway (ICW) speed zones. One area of concern to us is south of Hollywood Boulevard, which has been developed into residential waterfront properties with boat dockage in recent years. There are thirty-three waterfront homes with dockage on the west side of the ICW. This area is currently a "resume speed zone" and we have concerns about damage to the docks and a safety concern as docked vessels attempt to enter the waterway. When traveling south on the ICW the "resume speed zone" is followed by a small "no wake zone" which then becomes a "resume speed zone" once again.

We are requesting this area be reviewed during the upcoming assessment and the ICW from Hollywood Boulevard south to Hallandale Beach Boulevard be changed to a "no wake zone" throughout.

I would like to thank you in advance for your consideration in this matter. If any further information is needed, please feel free to contact me. I have attached a map of the area with both the current zones and the proposed changes noted for your review.

Sincerely,

Scott Pardon
Lieutenant
Hollywood Police Department
954-967-4567
Spardon@hollywoodfl.org
C1 – Hillsboro Canal

C2 – Hillsboro Inlet Area

C3, C5 – ICW from Palm Beach County to Marker 68A
Sheri Hanley [sherihanley@hotmail.com]
I live on the Intercostals in Deerfield Beach, on a daily basis I am upset my the speed in which boaters pass by. I have Manatees and tried to wave down the boater in an attempt to slow them down. They pay no attention and the Manatees seem to make a quick dive and I can only pray that they are ok. rarely see a law enforcer try to slow these crazy drivers down. These boaters also pose a danger to themselves but seem to be totally unaware. Please put speed zones in place and enforce them.
Thank you....S. Hanley
dbruce222@aol.com
To Whom It May Concern
  I live on a canal one house off the intra coastal. As a boat owner I do not like no wake zones, however I feel that it is a must to have Deerfield Beach made a no wake.
  In the nine years that I have lived here there has never been a time when I have seen so many manatees. All year long we have seen them in the intra coastal and in our canal.
  So for the safety of the manatees and the boating public please designate Deerfield Beach a no wake zone.
  Thank You
  Dave Bruce
  1550 S.E.14 Dr.
  Deerfield Beach

C4, C5 – ICW from NE 14th St. to Atlantic or Commercial Blvd
jholza [tradewindsj@comcast.net]
While waiting for changes, why aren't the laws already on the books being enforced?????? I live on the intracoastal near commercial bridge in LBTS. I'm a few feet from the signs posted 'idle speed, no wake zones, manatee sanctuary'. Boaters who do slow down, only start to after they are already in the zone. Most have total disregard for these postings. Why aren't there any tickets or warnings being handed out? Only once this season did I see someone pulled over. It's really sad to watch when you see the manatees swimming by in the center & you pray they will be ok when yet another speeding boat is coming their way. Quite frankly, they have total disregard for bulkheading repairs being done by MEN on small floats, who are screaming SLOW DOWN. By the end of the job weeks later they weren't so polite in that request. If there were more patrol boats & consequences, people might follow the law. Til then, it's all about speed. Good luck, JH
Corinne Sacca [cesacca@verizon.net]
Regarding re-assessing speed zones: I live on the Intracoastal Waterway in Pompano Beach, between the Atlantic Boulevard and Fourteenth Street Bridges. Presently, there are slow speed zones to the north of Fourteenth Street, and to the south of the Atlantic Boulevard, however NO T for the mile stretch of Intracoastal between these two bridges. The result is that this stretch of water has become a speedway for boats and water jet-skis, many of which can be observed turning and making this run over and over. It becomes a testing ground for speed. We have watched the manatees go by, some near the docks, with their calves at their sides, and have observed scars from collisions with boats. Often we see other manatees come up for air in the center of the Waterway, and fear for what might happen if a speeding boat should collide with one of them. The fact that we are situated in the middle of two slow speed zones has served to heighten this problem. I am asking that this area be designated a slow speed zone and hope that you will make this recommendation.

Jbcoastal@aol.com
I live on the Intracoastal at Commercial Blvd. I fully believe the Intracoastal should be no wake as most of the boaters have no idea what to look for, the boat renters go right through the no wake zones.I have never understood why there are not more marine patrols. The revenue from ticketing, would more than support their pay and boat costs. The Manatees deserve a safe environment, and it is something that for once is an easy fix. The boating speeds must be reduced to protect these beautiful animals.

I am hopeful the review of the speed on the intercoastal will provide slow speed at all times. As winter visitors to North Riverside Drive in Pompano my husband and I watch the manatees swim by daily. So many are scarred and damaged by the boats. It would seem that this could be controlled by keeping the speed of the boats to the no wake speed that is now in place on Saturdays and Sundays. I support your efforts to control the speed.
Dorothy Romanelli
10 Yost St
Norwalk, CT 06854
dotr@optonline.net

Dr. Quinn,
I am a boater in Broward County and I use the ICW as far South as the Keys and as far North as St. Augustine. I find the current speed restrictions along the ICW to be confusing since they do not identify the speed limit. "NO Wake" and "Minimum Wake" are either impossible to achieve for a boat moving through the water or not measurable from the bridge of a boat. "Fifteen Inch Wake" is almost impossible to judge when you are on the bridge of the boat 20' above the water. Please consider specific speed limits like 10 mph instead of the ambiguous rules we have now. This will make it easier to obey and easier to enforce.
Thank you,
Dear Dr. Quinn,

I sincerely hope that your Committee will recommend "No Wake / Idle Speed" restrictions, at all times, on the ICW in Broward County. The Intracoastal is simply too narrow, here, to safely accommodate big powerboats travelling at high speeds and generating large wakes that carom off the sea walls.

Besides endangering animal life, there is a clear and present risk to human safety. From my balcony overlooking the ICW, I have watched families with children launched airborne from their open watercraft when crossing these boat wakes. Parents put their children in the water to ski or be towed amongst congested, high speed boat traffic.

Private property is also endangered. Because the ICW is so narrow, 3 foot wakes roll into residential canals, creating havoc for docked boats and damage to docks and pilings.

I am a boat owner and my fellow boaters agree that we need "No Wake / Idle Speed" restrictions in this area. Thank you.

Sincerely,

David Connolly
Lighthouse Point

My 2 cents....I can run 25MPH plus in my little inflatable RIB with a 10HP motor annd have no wake at all...same boa tloated with 4 people trying to plane will throw a 2 foot wake....so is it no wake or a speed limit? all boats have different wakes... a a displacement tug pushing a barge with no wake can cause alot of damage on the ICW....hard to figure out...but all boaters must be accountable for their wakes and damage they cause....thanks

Nicholas R. Von Staden
3201 Beacon Street
Pompano Beach, Fl 33062
954 695 0918

If they change the speed limit on the ICW will they change the schedule for bridge openings?

Please consider that all sizes of boats and types use the ICW . a sailboat cannot make more than 6 MPH if at all ,and a power boat can easily do 10 MPH

I have no problem raising the speed limit as long as the slowest boat can still make the bridge without having to wait a half hour between openings

Thank you for your consideration on this issue

John A. Schaefer
Project Superintendent | D4 Pompano Beach

Hello Dr. Quinn;
I am the president of the condo association, Palm-Aire at Coral Key, which is located at the end of 48 Court in Lighthouse Point. We have 272 resident unit located along the waterway with slips for approximately 40 boats. Currently the no wake zone does not extend along our property but does start at the south end of out property and again starts to the north in Deerfield. What we see are a large number of boaters traveling at high rates of speed with young people on skies or in tubes in the same area. This is just a area waiting for a major accident to occur. When some young child is run over or hit, then the outrage will result in some action to control the boat speeds in this area. At night, high speed boats will leave the Hillsboro Blvd bridge and travel at very high speeds until they get to the no wake section in Lighthouse Point. These speeds at night are well beyond their ability to see or react to any emergency. Some small craft will get hit some dark night. It is only a question of when.

The entire ICW in these populated areas needs to be controlled. There is no reason why a 10 or 15 mph speed limit should not be posted for this entire area before someone gets badly hurt or killed. If you need to travel at 35-50+ mph, then go off shore and make your speed runs. Get away from populated areas.

Rudy Janis
President
Palm-Aire at Coral Key

Dear Committee Members,
My name is Paul Webb and I am the president of the Harbor Village Civic Association. Our association represents the single family homeowners in Pompano Beach, from Atlantic Boulevard to the 14th Street Causeway and from Federal Highway to the Intracoastal Waterway. Harbor’s Edge Park is a jewel in our community. This city owned park is located along the west side of the ICW a few hundred yards south of the 14th Street Bridge. This mangrove habitat has been a safe haven for manatees for many years as well one of the few areas of sea grass located in Northern Broward County.
We are respectfully requesting that the existing year round manatee zone be extended south from its current southern end at the 14th Street Bridge sufficiently south of Harbor’s Edge Park to protect this important habitat. We believe that these additional few hundred yards of slow speed will have no material impact on boaters and is a minimal request.

Thank you for your consideration.
Paul Webb, President
Harbor Village Civic Association
Pompano Beach, FL

Hi, Dan. I read in the paper that you were chairing some hearings regarding changes to the no-wake zones in Broward County. We live in Harbor Village and are boaters; I believe we met a while ago at one of the Harbor Village Civic Association meetings.
While a lot of the focus on no wake zones is in regard to manatee protection, we feel there are some other issues that should be considered. Specifically, the no wake zones on the south side of both the Atlantic Boulevard and 14th Street bridges are much shorter than the no wake zones on the north side of these bridges. This creates a dangerous situation for boats waiting for a bridge opening when approaching from the south, especially when there are several boats waiting for the bridge. The boats that are waiting in that situation are outside of the no wake zone and get rocked violently by the wakes of boats approaching the bridges. It would be a great safety advantage to increase the no wake zones south of these bridges so they would be of approximately the same length as the no wake zones on the north side of these bridges.

I understand there are hearings regarding the no wake zones at which we could present this concern; however, we will be out of town due to a family emergency and cannot attend the hearing. Thank you for your consideration of the above issue. Please do not hesitate to contact me if you have any questions or would like additional information.

Regards,
Kathleen M. Moore, Esq.
Law Offices of Kathleen M. Moore, LLC
750 E. Sample Road, Suite 3-228
Pompano Beach, FL 33064
(954) 366-3694
kmoore@kmoorelaw.com

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**C5 – ICW from Commercial to Burnham Point**

Jim Sawran [jsawran@mspcesq.com]

I have lived in Broward County for more than 30 years, the last ten of which have been directly on the Intracoastal Waterway (between Sunrise and Oakland Pard Boulevards). I own a boat, and am as enthusiastic about boating and water sports as anyone else. However, the uncontrolled speed zones along the Intracoastal (there is no such thing as a "minimum wake zone", as boaters ignore it unless a law enforcement boat is within sight) without question disrupt the path of the peaceful manatees. I frequently see them swimming and feeding below my dock, and the overwhelming majority display the ugly scars of boat propellers on their backs. Even if fatalities of manatees are down, it is my firm belief that boats speeding along at 40-50 miles per hour or more, with the five to six foot wakes they generate, are disruptive to the migration and feeding habits of the manatees. I would advocate a "NO WAKE" zone from the Las Olas bridge to Oakland Park Bridge, at a minimum, which would certainly help to ensure the safety and growth of the manatee population in Broward County. And, perhaps as an unintended consequence, we would reduce injuries and fatalities to humans as well. We all seem to have forgotten the tragic deaths of six young men several years ago, who were riding in a chartered boat and were struck by a speeding boat driven by Stan Cameron, who remains in prison after his conviction. A "no wake" zone in that area, just south of the Sunrise bridge, would likely have prevented those deaths.

Thank you for considering my comments.
Hi
I have lived in Fort Lauderdale for 12 years and always had a boat. I consider it our responsibility to protect manatees during manatee season. I always want to get where I am going fast, but there's a bonus to protecting these gentle creatures-manatees offer me the gift of "slowing down & enjoying the journey." We can open our boats up out in the ocean & enjoy the serenity of our gorgeous waterway while getting there.
Mari Mennel-Bell
Fort Lauderdale, Fl

Hi,
I live on Intracoastal Drive in Fort Lauderdale (across from Birch State Park). I would like to see the City of Fort Lauderdale make the Intracoastal waterway between Las Olas Blvd. and Oakland Park Blvd. a NO WAKE ZONE. During Manatee season we watch many Manatees swim past the back of our house. We also watch speeding boats run right over the Manatees, despite our best efforts to try to get the attention of the boaters and motion for them to slow down (they never do). What can we do as homeowners and taxpayers to make this portion of the Intracoastal waterway a NO WAKE ZONE?
Thank you,
Lisa Rodriguez

Hi
I have just purchased property on the Intracoastal @ NE 19th St. in Ft. Lauderdale. The sign in the water instructs boaters that they have to adhere to “slow speed” based on the date and distance to shore but doesn’t specify what it is. I have also witnessed the majority of boat operators totally ignoring any limits and speeding up and down the waterway. It was quite disturbing to watch this at the same time manatee were swimming in the same water. There is no reason to speed on the Intracoastal at any time let alone when the water is inhabited by these large helpless mammals. It is cruel to allow this. Please petition to have the speed limits reduces to a maximum of 10 mph at all times to preserve the species, prevent unnecessary harm to them and enhance the quality of life for the entire community.
Thank You
Capt. David G Smith, USN Ret. [uss605css18@hotmail.com]
Finally the implementation of a speed limit is being considered - but would it be enforced.
I reside on the Intracoastal Waterway between Las Olas and Sunrise. In this area the average speed of power boats is in the 25 to 30 Knots range. A few boats go past doing 40 to 45 knots - one resulting in the death of several individuals a few years ago. Some of the boats pass close to the seawalls, right in the area where the manatees seek safety.
Hopefully you will be successful in implementing a speed limit.
Capt. D G Smith, USN Ret.

C6 – Entrance to Pompano Canal/Cypress Creek

D1 – Port Everglades Power Plant Discharge Canal

E1 – West of ICW, South of Dania Beach Blvd

F1 – Ft. Lauderdale Power Plant cooling ponds
Thank you Pat for keeping us informed. We cannot attend tomorrow’s meeting, but I wanted to share with you FPL's initial thoughts on this. FPL does not support the notion of boats going into the cooling lake system for a number of reasons. Safety, security concerns, disturbance of the manatees, and the fact that this is a cooling treatment system and not a recreational area. However, we are available to discuss this in more detail with you.
Jodie Gless is taking the lead on this for FPL, but she is on vacation this week, so I just wanted to get back to you in her absence.
Jodie is back next week, if you would like to talk to her then or want additional information.
Thank you,
Winifred Perkins

No Applicable Zone

etroland [etroland@bellsouth.net]
Many thanks for SunSentinel article focussing on safety of manatees. We see many manatees on Intercoastal near Woolbright Bridge in Ocean Ridge (near Briney Breezes) in Palm County. We need signs on the Intercoastal to slow boaters down to protect the gentle manatees. Thanks for your help.
Eleanor H. Roland

John Michael Pierobon [pierobon@pierobon.org]
Hello!
Any and all steps to save the manatee are welcomed and highly encouraged. The county and the state do not do enough to protect manatee and much more needs to be done.
John Michael Pierobon
osirisseth@aol.com
Hi there,
Just wanted to bring up that I had a professor in college, FAU, in ’04 who did a study with manatees that shows their hearing capabilities only allow them to hear high frequencies related to fast going motors. They cannot hear well enough the motors in idle speed to get out of the way..This must be considered...
Thanks,
Tricia Paolucci
954-682-2743

Robert Waite [Robert_Waite@Edwards.com]
Scott:
The article in the paper said there were no Manatees killed this year by boats. That pretty much says it all. There is no reason to add more no wake zones.
Thanks,
Robert T. Waite
Robert_Waite@edwards.com
561 573-2065
800 243-6245 x8552

Gaum, Alberta [Gaum@mydelraybeach.com]
Good Morning,
Palm Beach County also has a problem with run-away boaters who either rush to meet the opening of a bridge or are just trying to see how fast they can go. I think most of the problem is lack of knowledge. In Delray Beach by the Atlantic Ave. bridge many manatee migrate to areas around the bridge during the cold. Many boaters are unaware of the restrictions and or do not understand that manatees are very slow.
Thanks
Alberta

DonSan619@aol.com
Hi: We live on the intracoastal in Highland Beach. It provides much joy when seeing manatees swim by. BUT then we see boaters speeding by and know that one time or another one of these beautiful creatures will be hit. We did in fact see it happen right opposite our dock last year. Heard the "thud" and knew the boat never slowed down to avoid the hit. It seems that this area between Linton Blvd. and Spanish River is open for greater speeds and cannot figure out why. The Cigarette boats, along with some of the other power boats, come thru here as though they’re being chased. It is our hope that this can be changed and a no wake zone can once and for all be in place. Sincerely, Donald & Sandra DeBonis
As a boater in Broward County and a 100 Ton Licensed captain I would like to see a fixed speed of 8mph on our waters. Large yachts do not travel this fast on the ICW and smaller boats should not be generating the speeds they do. Lets slow everyone down to a speed where they can react so accidents do not occur.

Captain Andy Anderson

I understand you are part of the committee looking into changing ICW speed zone changes. This sounds like a euphemism for establishing more no wake zones. When will there be public hearings so that I may voice my opinion about expanding the current restrictions?
Sully7000@aol.com

Dr. Quinn,
Rather than wake measurements which are nearly impossible to either maintain or measure, why not do it in knots? Other than a kayak or other form of canoe, I have never seen a boat not make a wake.
Sincerely,
Peter Wilkinson

Hi Dr Quinn. I am a sailboater who uses the IC all the time. Would it be possible to Post a speed limit in the areas where no wake is the order. Seems like it might be clearer to boaters in general.
Regards
Tim Leonard
Sales Representative
Packaging Corporation of America
TBL Associates, Inc
cell 754 367 1085
tbleonard@bellsouth.net
DATE: August 11, 2019

TO: Local Rule Review Committee Members

FROM: John R. Fiore, Liaison

Re: Slow Speed Zone Changes

As the LLRC Committee has reviewed the recommendations by the Florida Fish and Wildlife Conservation Commission, there are other potential changes in two other areas that the Local Rule Review Committee (LLRC) should consider.

The first area for consideration is the Intracoastal Waterway from the Dania Cut-off Canal south to the Dania Beach Boulevard Bridge Idi Speed Zone. This is currently a Slow Speed Zone year round. There is no purpose for this area of the waterway to be a Slow Speed Zone. There are no marinas, boat ramps, fuel docks, safety issues, homes etc located in this stretch of the Intracoastal Waterway. Additionally, the aerial flights have shown hardly any manatees in this area during the winter season. This area should be zoned the same as the Intracoastal Waterway just to the south of the Dania Beach Boulevard Bridge, which is Maximum Speed 25 mph year round.

The other area is the Dania Cut-off Canal from Harbor Town Marina east to the Intracoastal Waterway. This body of water also has no marinas, boat ramps, fuel docks, safety issues, homes etc on it. The aerial flights have also shown hardly any manatees in this area during the winter months. This area should be zoned Maximum Speed 25 mph year round.

The scientific data collected by flying these areas every week during manatee season the last two years does not justify these areas be kept slow speed zones. Additionally, the City of Hollywood Police Department Marine Unit, which has jurisdiction on these two waterways, does not consider these areas to be dangerous boating areas that warrant a Slow Speed Zone. Also, these Slow Speed Zones are not essential for Port Everglades Security.

I respectfully request that the LLRC consider these proposed changes. Attached is an aerial photo of the area in question.

attachment
APPENDIX F: MUNICIPAL RESOLUTIONS

TOWN OF HILLSBORO BEACH
FLORIDA

RESOLUTION NO. 708

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, URGING THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION TO EXTEND THE NO-WAKE ZONE IN THE INTRACOASTAL WATERWAY THROUGH THE CITY; REQUESTING THE BROWARD COUNTY LOCAL RULE REVIEW COMMITTEE AND THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS TO INCLUDE IN ITS REPORT TO THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION A RECOMMENDATION TO EXTEND THE NO-WAKE ZONE THROUGH THE TOWN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Fish and Wildlife Conservation Commission is considering changes to rules relating to marina protection and boat speed zones; and,

WHEREAS, Broward County has created a Local Rule Review Committee (LRR) to review the proposed changes to the rules relating to marina protection and boat speed zones, and has inquired as to the Town's participation with the LRR; and,

WHEREAS, the Intracoastal Waterway within the Town contains protected vegetation, including seagrasses, whose preservation is vital to the environment; and,

WHEREAS, properties along the Intracoastal Waterway within the Town, including DeGroat Park, have been determined to be areas of new seagrass growth and are currently threatened by erosion whose potential increases as a result of excessive wake; and,

WHEREAS, given the unique location of the Town along the Intracoastal Waterway, due to the opening of the Hillsboro Inlet, special precautions should be taken to protect wildlife and vegetation and encourage responsible boating within the Town; and,

WHEREAS, the Town Commission of the Town of Hillsboro Beach believes that the speeding in the Intracoastal Waterway within the Town is a detriment to the health, welfare and safety of the residents and citizens of the Town, and causes a safety concern among users of the Intracoastal Waterway and particularly in the area of DeGroat Park.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.
TOWN OF HILLSBORO BEACH
FLORIDA

RESOLUTION NO. 708

Section 2. The Town Commission of the Town of Hillsboro Beach, Florida hereby urges the Broward County Local Rule Review Committee and the Broward County Board of County Commissioners to support the extension of the No-Wake Zone in the Intracoastal Waterway within the Town, and urges the Florida Fish and Wildlife Conservation Commission to implement a rule to do so.

Section 3. The Town Clerk is directed to provide a copy of this Resolution to the Broward County Local Rule Review Committee, the Broward County Board of County Commissioners, the Town Clerk and Elected Officials of the Town of Hillsboro Beach, and the members of the Florida Fish and Wildlife Conservation Commission.

Section 4. This Resolution shall become effective immediately upon its passage and adoption.

PASSED this 6th day of July, 2010.

BY: Carmen R. McGarvey, Mayor

ATTESTED

BY: Jean-Marie Mark, Town Clerk
June 23, 2010

Chuck Collins, South Regional Director
Florida Fish and Wildlife Conservation Commission
8535 Northlake Boulevard
West Palm Beach, FL 33412

Re: Resolution recommending the extension of No-Wake Zone in the City of Lighthouse Point

Dear Mr. Collins:

Enclosed please find a certified copy of Resolution No. 2010-1757 recommending that the No-Wake Zone be extended on the Intracoastal Waterway between the north and south boundaries of the City of Lighthouse Point.

Please distribute the attached Resolution to your Commissioners. The City of Lighthouse Point would like the Florida Fish and Wildlife Conservation Commission to support the No-Wake Zone in our City.

If you have any questions, or need additional information, please contact me at 954-784-3431, or clandau@lighthousepoint.com.

Sincerely,

CITY OF LIGHTHOUSE POINT, FLORIDA

Carol Landau, MMC
City Clerk

Enclosure
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, URGING THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION TO EXTEND THE NO-WAKE ZONE IN THE INTRACOASTAL WATERWAY THROUGH THE CITY; REQUESTING THE BROWARD COUNTY LOCAL RULE REVIEW COMMITTEE AND THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS TO INCLUDE IN ITS REPORT TO THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION A RECOMMENDATION TO EXTEND THE NO-WAKE ZONE THROUGH THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Fish and Wildlife Conservation Commission is considering changes to rules relating to manatee protection and boat speed zones; and,

WHEREAS, Broward County has created a Local Rule Review Committee (LRRC) to review the proposed changes to the rules relating to manatee protection and boat speed zones and has inquired of the City as to the City’s participation with the LRRC; and

WHEREAS, the Intracoastal Waterway within the City contains protected vegetation, including seagrass, whose preservation is vital to the environment; and,

WHEREAS, properties along the Intracoastal Waterway within the City, including DeGroff Park have been determined to be areas of new seagrass growth and are currently threatened by erosion whose potential increases as a result of excessive wake; and,

WHEREAS, given the unique location of the City along the Intracoastal Waterway, at the opening of the Hillsboro Inlet, special precautions should be taken to protect wildlife and vegetation and encourage responsible boating within the City; and,

WHEREAS, the City Commission of the City of Lighthouse Point believes that the speed in the Intracoastal Waterway within the City is a detriment to the health, welfare, and safety of the residents and citizens of the City, and causes a safety concern among users of the Intracoastal Waterway and particularly in the area of DeGroff Park.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.
CITY OF LIGHTHOUSE POINT  
FLORIDA  

RESOLUTION NO. 2010 - 1757

Section 2. The City Commission of the City of Lighthouse Point, Florida hereby urges the Broward County Local Rule Review Committee and the Broward County Board of County Commissioners to support the extension of the No-Wake Zone in the Intracoastal Waterway within the City, and urges the Florida Fish and Wildlife Conservation Commission to implement a rule to do so.

Section 3. The City Clerk is directed to provide a copy of this Resolution to the Broward County Local Rule Review Committee, the Broward County Board of County Commissioners, the City Clerk and Elected Officials of the Town of Hillsboro Beach, and the members of the Florida Fish and Wildlife Conservation Commission.

Section 4. This Resolution shall become effective immediately upon its passage and adoption.

PASSED this 22nd day of June, 2010.

BY: [Signature]

Susie E. Gordon, Commission President

ATTESTED

BY: [Signature]

Carol Landau, MMC, City Clerk

APPROVED

BY: [Signature]

Office of the City Attorney

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CERTIFICATION

I certify this to be a true and correct copy of the record in my office. WITNESSETH my hand and official seal of the City of Lighthouse Point, Florida, this the 23 day of June, 2010.

[Signature]

City Clerk

[Seal]