

U.S. Fish and Wildlife Service Announces Final Interim Strategy to Protect Florida Manatees

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Today, the U.S. Fish and Wildlife Service <<http://www.fws.gov/>> released its final interim strategy for evaluating future watercraft access projects in Florida that may affect the endangered Florida manatee. The interim strategy should ensure that additional watercraft access facilities, marinas and slips can be permitted while still protecting manatees. The interim strategy incorporates Florida,s increased law enforcement efforts to minimize manatee-watercraft collisions, the most significant human-cause of manatee death and injury.

“The State of Florida has taken the responsibility for ensuring adequate law enforcement personnel are on the water to enforce manatee speed zones,” said Sam D. Hamilton, Southeast Regional Director for the U.S. Fish and Wildlife Service. “We applaud the State,s leadership on manatee protection and are confident that these efforts will result in a significantly higher level of on-the-water manatee protection and law enforcement than the Service could have provided through its draft interim strategy.”

The Florida Legislature has authorized a significant increase in State law enforcement personnel to be deployed throughout coastal counties where manatees have the highest number of interactions with watercraft. The State has reassigned 23 law enforcement officers and hired 25 additional officers to increase and improve enforcement of manatee protection laws, including manatee speed zones. The Florida Fish and Wildlife Conservation Commission <<http://www.floridaconservation.org/>> has also reorganized the duties of 313 existing law enforcement officers to refocus a portion of their activities toward manatee protection. Further, the State has allocated \$2 million for those officers willing to work overtime, which translates into additional hours of manatee protection. Finally, the State is considering the addition of a number of new officers for manatee protection next year.

Based on Florida,s commitments and comments received on the draft interim strategy from more than 2,000 individuals during public hearings and in writing Service made several changes from its original proposal. The final interim strategy deletes a proposed requirement that permit applicants, in the absence of adequate law enforcement in their area, fund increased law enforcement efforts.

The final interim strategy identifies measures that the U.S. Army Corps of Engineers <<http://www.usace.army.mil/>> should take prior to approving Federal permits for watercraft access projects such as docks, boat ramps and marinas to reduce or eliminate the likelihood that those projects could contribute to the injury or death of manatees. The strategy is based on the Service's conclusion that the best way to prevent manatee injuries and death is to reduce the potential for manatee/watercraft collisions.

Under the final interim strategy, the Service will evaluate projects on a case-by-case basis and make recommendations to the Corps. When evaluating a project, the Service must find that:

adequate speed zones exist in the areas reasonably anticipated to have increased watercraft traffic as a result of the project;

signs posted in these areas are adequate to ensure that boaters are aware of the speed zones;

speed zone enforcement in these areas is, or with project-related conservation measures, will be sufficient to prevent watercraft collisions from occurring as a result of the project; and

these conservation measures are or will be in place prior to the project's implementation.

A copy of the final interim strategy, frequently asked questions, and a fact sheet are available on the web at verobeach.fws.gov <<http://verobeach.fws.gov/>> .

Florida manatees are a federally protected species under both the Endangered Species Act <<http://laws.fws.gov/lawsdigest/esact.html>> (ESA) and the Marine Mammal Protection Act <<http://laws.fws.gov/lawsdigest/marmam.html>> (MMPA), both of which prohibit the "take" of protected species. "Take" as defined by the ESA, means "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." "Take", as defined by the MMPA, means "to harass, hunt, capture, or kill, or attempt to harass, capture or kill any marine mammal." The MMPA further defines "harassment" as any pursuit, torment, or annoyance which - 1) has the potential to injure a marine mammal; or 2) has the potential to disturb a marine mammal. Incidental take refers to take that occurs as the consequence, but not the focus of, any otherwise legal activity.

To date, the Service has not developed regulations under the Marine Mammal Protection Act to specify the circumstances, if any, under which the incidental take of a Florida manatee would be authorized. A permanent strategy for the evaluation of watercraft access projects will not be completed until such incidental take regulations have been developed under the MMPA. The Service believes that a watercraft access

project can be designed so that take from boats using the watercraft access facility is unlikely to occur.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting, and enhancing fish and wildlife and their habitats for the continuing benefit of the American people. The Service manages the 93-million-acre National Wildlife Refuge System comprised of more than 535 national wildlife refuges, thousands of small wetlands, and other special management areas. It also operates 66 national fish hatcheries, 64 fish and wildlife management offices, and 78 ecological services field stations. The agency enforces Federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign governments with their conservation efforts. It also oversees the Federal Aid program that distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to State fish and wildlife agencies.