

By Representatives Harrington, Allen, Sorensen, Mayfield, Green, Needelman, Machek, Kottkamp, Clarke, Haridopolos, Harrell, Maygarden, Brummer, Baxley, Arza, Trovillion, Kallinger, Kendrick, Dockery, Littlefield and Kilmer

1 A bill to be entitled
2 An act relating to the protection of manatees;
3 amending s. 370.12, F.S.; requiring notice to
4 counties where manatee protection zones or
5 manatee speed zones may be imposed by the Fish
6 and Wildlife Conservation Commission; providing
7 for establishment of local rule review
8 committees; providing duties and
9 responsibilities of the counties, committees,
10 and commission; providing for committee reports
11 and recommendations; providing that written
12 reports submitted to the commission by the
13 committees, and commission staff responses,
14 shall be part of the rulemaking record;
15 requiring the Department of Environmental
16 Protection to adopt certain rules relating to
17 marine facilities to protect manatees;
18 requiring commission staff to begin reviewing
19 all existing manatee protection rules at a
20 future specified date; providing for review by
21 local rule review committees; providing a rule
22 review schedule; revising the circumstances
23 under which the commission may post and
24 regulate motorboat speeds to protect manatees;
25 revising the circumstances under which a local
26 government may regulate motorboat speed and
27 operation on waters within its jurisdiction by
28 ordinance; eliminating provisions requiring
29 creation of local manatee protection committees
30 for resolving certain disputes involving such
31 ordinances; requiring the commission to develop

1 a measurable biological goal that defines
2 manatee recovery; amending s. 327.41, F.S.;
3 correcting a cross reference; providing
4 legislative intent that the provisions of the
5 act not be retroactively applied; providing an
6 effective date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Subsection (2) of section 370.12, Florida
11 Statutes, is amended to read:

12 370.12 Marine animals; regulation.--

13 (2) PROTECTION OF MANATEES OR SEA COWS.--

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

16 (b) The State of Florida is hereby declared to be a
17 refuge and sanctuary for the manatee, the "Florida state
18 marine mammal."

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

29 (d) Except as may be authorized by the terms of a
30 valid state permit issued pursuant to paragraph (c) or by the
31 terms of a valid federal permit, it is unlawful for any person

1 at any time, by any means, or in any manner intentionally or
2 negligently to annoy, molest, harass, or disturb or attempt to
3 molest, harass, or disturb any manatee; injure or harm or
4 attempt to injure or harm any manatee; capture or collect or
5 attempt to capture or collect any manatee; pursue, hunt,
6 wound, or kill or attempt to pursue, hunt, wound, or kill any
7 manatee; or possess, literally or constructively, any manatee
8 or any part of any manatee.

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

24 (f)1. Except for emergency rules promulgated under s.
25 120.54, rules of the commission, including all rules for which
26 a notice of intended agency action is filed after the
27 effective date of this act, proposing to govern the speed and
28 operation of motorboats for purposes of manatee protection
29 shall be submitted to the counties where the proposed rules
30 will take effect for review by local rule review committees.

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

9 3. The county commission of each county in which a
10 rule to regulate the speed and operation of motorboats for the
11 protection of manatees is proposed shall designate a local
12 rule review committee that represents a balance of fishers,
13 boaters, water skiers, other traditional waterway users, and
14 environmental interests. A county commission may designate an
15 existing advisory group as the local rule review committee so
16 long as the membership of the advisory group maintains a
17 balance of fishers, boaters, water skiers, other traditional
18 waterway users, and environmental interests.

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

23 5. The county shall provide logistical and
24 administrative staff support to the local rule review
25 committee and may request technical assistance from the
26 commission staff.

27 6. Each local rule review committee shall elect a
28 chair and recording secretary from among its voting members.

29 7. Commission staff shall submit the draft rule and
30 any supporting data used to develop the draft rule to the
31 local rule review committees.

1 8. The local rule review committees shall have 60 days
2 after receipt of the draft rule and any supporting data to
3 submit a written report to commission members and staff. The
4 report may contain recommended changes to proposed manatee
5 protection zones or speed zones, including a recommendation
6 that no rule be adopted, if that is the finding of the
7 committee.

8 9. Prior to filing a notice of proposed rulemaking in
9 the Florida Administrative Weekly as provided in s.
10 120.54(3)(a), the commission staff shall provide a written
11 response to the local rule review committee reports to the
12 appropriate counties and to the commission members.

13 10. In conducting a review of the proposed manatee
14 protection rule, the local rule review committees may address
15 such factors as whether the best available science justifies
16 the proposed rule, whether seasonal zones are warranted, and
17 such other factors as may be necessary to balance manatee
18 protection and public access to and use of the waters being
19 regulated under the proposed rule.

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

24 12. The members of the commission shall fully consider
25 any timely submitted written report submitted by a local rule
26 review committee prior to authorizing commission staff to move
27 forward with proposed rulemaking and prior to adoption of a
28 final rule. The written reports of the local rule review
29 committee and the written responses of the commission staff
30 shall be part of the rulemaking record.

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1 (g)~~(f)~~ In order to protect manatees or sea cows from
2 harmful collisions with motorboats or from harassment, the
3 department ~~Fish and Wildlife Conservation Commission~~ shall
4 adopt rules under chapter 120 regarding the expansion of
5 existing, or construction of new, marine facilities and
6 mooring or docking slips, by the addition or construction of
7 five or more powerboat slips. The commission shall regulate,
8 ~~and regulating~~ the operation and speed of motorboat traffic,
9 only where manatee sightings are frequent and the best
10 available science, including, but not limited to, manatee
11 surveys, justifies the conclusion that manatees it can be
12 ~~generally assumed, based on available scientific information,~~
13 ~~that they~~ inhabit these areas on a regular or continuous
14 basis:
15 1. In Lee County: the entire Orange River, including
16 the Tice Florida Power and Light Corporation discharge canal
17 and adjoining waters of the Caloosahatchee River within 1 mile
18 of the confluence of the Orange and Caloosahatchee Rivers.
19 2. In Brevard County: those portions of the Indian
20 River within three-fourths of a mile of the Orlando Utilities
21 Commission Delespine power plant effluent and the Florida
22 Power and Light Frontenac power plant effluents.
23 3. In Indian River County: the discharge canals of the
24 Vero Beach Municipal Power Plant and connecting waters within
25 1 1/4 miles thereof.
26 4. In St. Lucie County: the discharge of the Henry D.
27 King Municipal Electric Station and connecting waters within 1
28 mile thereof.
29 5. In Palm Beach County: the discharges of the Florida
30 Power and Light Riviera Beach power plant and connecting
31 waters within 1 1/2 miles thereof.

1 6. In Broward County: the discharge canal of the
2 Florida Power and Light Port Everglades power plant and
3 connecting waters within 1 1/2 miles thereof and the
4 discharge canal of the Florida Power and Light Fort Lauderdale
5 power plant and connecting waters within 2 miles thereof. For
6 purposes of ensuring the physical safety of boaters in a
7 sometimes turbulent area, the area from the easternmost edge
8 of the authorized navigation project of the intracoastal
9 waterway east through the Port Everglades Inlet is excluded
10 from this regulatory zone.

11 7. In Citrus County: headwaters of the Crystal River,
12 commonly referred to as King's Bay, and the Homosassa River.

13 8. In Volusia County: Blue Springs Run and connecting
14 waters of the St. Johns River within 1 mile of the confluence
15 of Blue Springs and the St. Johns River; and Thompson Creek,
16 Strickland Creek, Dodson Creek, and the Tomoka River.

17 9. In Hillsborough County: that portion of the Alafia
18 River from the main shipping channel in Tampa Bay to U.S.
19 Highway 41.

20 10. In Sarasota County: the Venice Inlet and
21 connecting waters within 1 mile thereof, including Lyons Bay,
22 Donna Bay, Roberts Bay, and Hatchett Creek, excluding the
23 waters of the intracoastal waterway and the right-of-way
24 bordering the centerline of the intracoastal waterway.

25 11. In Collier County: within the Port of Islands,
26 within section 9, township 52 south, range 28 east, and
27 certain unsurveyed lands, all east-west canals and the
28 north-south canals to the southerly extent of the intersecting
29 east-west canals which lie southerly of the centerline of U.S.
30 Highway 41.

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1 12. In Manatee County: that portion of the Manatee
2 River east of the west line of section 17, range 19 east,
3 township 34 south; the Braden River south of the north line
4 and east of the west line of section 29, range 18 east,
5 township 34 south; Terra Ceia Bay and River, east of the west
6 line of sections 26 and 35 of range 17 east, township 33
7 south, and east of the west line of section 2, range 17 east,
8 township 34 south; and Bishop Harbor east of the west line of
9 section 13, range 17 east, township 33 south.

10 13. In Dade County: those portions of Black Creek
11 lying south and east of the water control dam, including all
12 boat basins and connecting canals within 1 mile of the dam.

13 (h)~~(g)~~ ~~The Fish and Wildlife Conservation~~ commission
14 shall adopt rules pursuant to chapter 120 regulating the
15 operation and speed of motorboat traffic only where manatee
16 sightings are frequent and the best available science,
17 including, but not limited to, manatee surveys, justifies the
18 conclusion that manatees ~~it can be generally assumed that they~~
19 inhabit these areas on a regular or continuous basis within
20 that portion of the Indian River between the St. Lucie Inlet
21 in Martin County and the Jupiter Inlet in Palm Beach County
22 and. ~~In addition, the commission shall adopt rules pursuant to~~
23 ~~chapter 120 regulating the operation and speed of motorboat~~
24 ~~traffic only where manatee sightings are frequent and it can~~
25 ~~be generally assumed that they inhabit these areas on a~~
26 ~~regular or continuous basis~~ within the Loxahatchee River in
27 Palm Beach and Martin Counties, including the north and
28 southwest forks thereof. ~~A limited lane or corridor providing~~
29 ~~for reasonable motorboat speeds may be identified and~~
30 ~~designated within this area.~~

1 ~~(i)(h)~~ The commission shall adopt rules pursuant to
2 chapter 120 regulating the operation and speed of motorboat
3 traffic only where manatee sightings are frequent and the best
4 available science, including, but not limited to, manatee
5 surveys, justifies the conclusion that manatees ~~it can be~~
6 ~~generally assumed that they~~ inhabit these areas on a regular
7 or continuous basis within the Withlacoochee River and its
8 tributaries in Citrus and Levy Counties. The specific areas
9 to be regulated include the Withlacoochee River and the U.S.
10 19 bridge westward to a line between U.S. Coast Guard markers
11 number 33 and number 34 at the mouth of the river, including
12 all side channels and coves along that portion of the river;
13 Bennets' Creek from its beginning to its confluence with the
14 Withlacoochee River; Bird's Creek from its beginning to its
15 confluence with the Withlacoochee River; and the two dredged
16 canal systems on the north side of the Withlacoochee River
17 southwest of Yankeetown. ~~A limited lane or corridor providing~~
18 ~~for reasonable motorboat speeds may be identified and~~
19 ~~designated within this area.~~

20 (j)1. Beginning February 1, 2004, commission staff
21 shall initiate a review of all currently existing rules that
22 establish manatee protection zones, manatee speed zones, or
23 "no access" or "limited entry" zones to determine their
24 continued effectiveness. All rules eligible for review under
25 this paragraph shall also be reviewed by the local rule review
26 committees established in paragraph (f). Local rule review
27 committee written reports on the rules under review shall be
28 reviewed by commission staff and commission members and shall
29 be considered part of the rulemaking record.

30 2. To accommodate commission staff workload
31 limitations, the rule review schedule shall be as follows:

1 a. Brevard County and one other county in year one.

2 b. At least two counties in each succeeding year until
3 manatee protection rules for all remaining counties, including
4 Palm Beach, Broward, Dade, Citrus, Hillsborough, Pinellas,
5 Manatee, Sarasota, Charlotte, Lee, Collier, Duval, St. Johns,
6 Flagler, Volusia, Martin, Indian River, and St. Lucie
7 Counties, have been reviewed.

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9 The rule review schedule may be accelerated at the discretion
10 of commission staff. If a county rule review results in a rule
11 challenge, the initiation of subsequent county rule reviews
12 may be delayed for no more than 18 months or until resolution
13 of the rule challenge, whichever occurs first.

14 ~~(k)(i)~~ If any new power plant is constructed or other
15 source of warm water discharge is discovered within the state
16 which attracts a concentration of manatees or sea cows, the
17 ~~Fish and Wildlife Conservation~~ commission is directed to adopt
18 rules pursuant to chapter 120 regulating the operation and
19 speed of motorboat traffic within the area of such discharge.
20 Such rules shall designate a zone which is sufficient in size,
21 and which shall remain in effect for a sufficient period of
22 time, to protect the manatees or sea cows.

23 ~~(l)(j)~~ It is the intent of the Legislature ~~through~~
24 ~~adoption of this paragraph~~ to allow the ~~Fish and Wildlife~~
25 ~~Conservation~~ commission to post and regulate boat speeds only
26 where the best available science, including, but not limited
27 to, manatee surveys, justifies the conclusion that manatees
28 ~~manatee sightings are frequent and it can be generally assumed~~
29 ~~that they~~ inhabit waters of the state ~~these areas~~ on a regular
30 or continuous basis. The commission may post and regulate boat
31 speeds on a seasonal basis in areas where the best available

1 science, including, but not limited to, manatee surveys,
2 justifies the conclusion that manatees inhabit such areas on a
3 seasonal basis. It is not the intent of the Legislature to
4 permit the commission to post and regulate boat speeds
5 generally in the waters of the state,~~above-described inlets,~~
6 ~~bays, rivers, creeks,~~ thereby unduly interfering with the
7 rights of fishers, boaters, ~~and~~ water skiers, and other
8 traditional waterway users who are using the areas for
9 recreational and commercial purposes. The Legislature further
10 intends that the commission establish limited lanes or
11 corridors providing for reasonable motorboat speeds within
12 waters of the state whenever such lanes and corridors are
13 consistent with manatee protection and recovery goals ~~may be~~
14 ~~identified and designated within these areas.~~

15 (m)(*) The commission shall adopt rules pursuant to
16 chapter 120 regulating the operation and speed of motorboat
17 traffic all year around within Turkey Creek and its
18 tributaries and within Manatee Cove in Brevard County. The
19 specific areas to be regulated consist of:

20 1. A body of water which starts at Melbourne-Tillman
21 Drainage District structure MS-1, section 35, township 28
22 south, range 37 east, running east to include all natural
23 waters and tributaries of Turkey Creek, section 26, township
24 28 south, range 37 east, to the confluence of Turkey Creek and
25 the Indian River, section 24, township 28 south, range 37
26 east, including all lagoon waters of the Indian River bordered
27 on the west by Palm Bay Point, the north by Castaway Point,
28 the east by the four immediate spoil islands, and the south by
29 Cape Malabar, thence northward along the shoreline of the
30 Indian River to Palm Bay Point.

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1 2. A triangle-shaped body of water forming a cove
2 (commonly referred to as Manatee Cove) on the east side of the
3 Banana River, with northern boundaries beginning and running
4 parallel to the east-west cement bulkhead located 870 feet
5 south of SR 520 Relief Bridge in Cocoa Beach and with western
6 boundaries running in line with the City of Cocoa Beach
7 channel markers 121 and 127 and all waters east of these
8 boundaries in section 34, township 24 south, range 37 east;
9 the center coordinates of this cove are 28°20'14" north,
10 80°35'17" west.

11 (n)~~(t)~~ The commission shall promulgate regulations
12 pursuant to chapter 120 relating to the operation and speed of
13 motor boat traffic in port waters with due regard to the
14 safety requirements of such traffic and the navigational
15 hazards related to the movement of commercial vessels.

16 (o)~~(m)~~ The commission may designate by rule adopted
17 pursuant to chapter 120 other portions of state waters where
18 manatees are frequently sighted and the best available
19 science, including, but not limited to, manatee surveys,
20 justifies the conclusion ~~it can be assumed~~ that manatees
21 inhabit such waters periodically or continuously. Upon
22 designation of such waters, the commission shall adopt rules
23 pursuant to chapter 120 to regulate motorboat speed and
24 operation which are necessary to protect manatees from harmful
25 collisions with motorboats and from harassment. The commission
26 may adopt rules pursuant to chapter 120 to protect manatee
27 habitat, such as seagrass beds, within such waters from
28 destruction by boats or other human activity. Such rules
29 shall not protect noxious aquatic plants subject to control
30 under s. 369.20.

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1 (p)~~(n)~~ The commission may designate, by rule adopted
2 pursuant to chapter 120, limited areas as a safe haven for
3 manatees to rest, feed, reproduce, give birth, or nurse
4 undisturbed by human activity. Access by motor boat to private
5 residences, boat houses, and boat docks through these areas by
6 residents, and their authorized guests, who must cross one of
7 these areas to have water access to their property is
8 permitted when the motorboat is operated at idle speed, no
9 wake.

10 (q)~~(o)~~ Except in the marked navigation channel of the
11 Florida Intracoastal Waterway as defined in s. 327.02 and the
12 area within 100 feet of such channel, a local government may
13 regulate, by ordinance, motorboat speed and operation on
14 waters within its jurisdiction only where the best available
15 science, including, but not limited to, manatee surveys,
16 justifies the conclusion that manatees inhabit these areas on
17 a regular or continuous basis ~~where manatees are frequently~~
18 ~~sighted and can be generally assumed to inhabit periodically~~
19 ~~or continuously.~~ However, such an ordinance may not take
20 effect until it has been reviewed and approved by the
21 commission according to the criteria in this paragraph. ~~If the~~
22 ~~commission and a local government disagree on the provisions~~
23 ~~of an ordinance, a local manatee protection committee must be~~
24 ~~formed to review the technical data of the commission and the~~
25 ~~United States Fish and Wildlife Service, and to resolve~~
26 ~~conflicts regarding the ordinance. The manatee protection~~
27 ~~committee must be comprised of:~~
28 1. ~~A representative of the commission;~~
29 2. ~~A representative of the county;~~
30 3. ~~A representative of the United States Fish and~~
31 ~~Wildlife Service;~~

1 4. ~~A representative of a local marine-related~~
2 ~~business;~~

3 5. ~~A representative of the Save the Manatee Club;~~

4 6. ~~A local fisher;~~

5 7. ~~An affected property owner; and~~

6 8. ~~A representative of the Florida Marine Patrol.~~

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8 ~~If local and state regulations are established for the same~~
9 ~~area, the more restrictive regulation shall prevail.~~

10 (r)~~(p)~~ The commission shall evaluate the need for use
11 of fenders to prevent crushing of manatees between vessels
12 (100' or larger) and bulkheads or wharves in counties where
13 manatees have been crushed by such vessels. For areas in
14 counties where evidence indicates that manatees have been
15 crushed between vessels and bulkheads or wharves, the
16 commission shall:

17 1. Adopt rules pursuant to chapter 120 requiring use
18 of fenders for construction of future bulkheads or wharves;
19 and

20 2. Implement a plan and time schedule to require
21 retrofitting of existing bulkheads or wharves consistent with
22 port bulkhead or wharf repair or replacement schedules.

23
24 The fenders shall provide sufficient standoff from the
25 bulkhead or wharf under maximum operational compression to
26 ensure that manatees cannot be crushed between the vessel and
27 the bulkhead or wharf.

28 (s)~~(q)~~ Any violation of a restricted area established
29 by this subsection, or established by rule pursuant to chapter
30 120 or ordinance pursuant to this subsection, shall be
31 considered a violation of the boating laws of this state and

1 shall be charged on a uniform boating citation as provided in
2 s. 327.74, except as otherwise provided in paragraph~~(u)~~~~(s)~~.
3 Any person who refuses to post a bond or accept and sign a
4 uniform boating citation shall, as provided in s. 327.73(3),
5 be guilty of a misdemeanor of the second degree, punishable as
6 provided in s. 775.082 or s. 775.083.

7 (t) No later than February 15, 2003, the commission,
8 working in conjunction with the United States Fish and
9 Wildlife Service, shall develop a measurable biological goal
10 that defines manatee recovery. This measurable biological
11 goal shall be used by the commission in its development of
12 management plans or work plans and shall be used by the
13 commission and the local rule review committees to evaluate
14 the effectiveness of existing and proposed manatee protection
15 rules and to determine the progress in achieving manatee
16 recovery.

17 ~~(u)~~~~(r)~~ Except as otherwise provided in this paragraph,
18 any person violating the provisions of this subsection or any
19 rule or ordinance adopted pursuant to this subsection shall be
20 guilty of a misdemeanor, punishable as provided in s.
21 370.021(1)(a) or (b).

22 1. Any person operating a vessel in excess of a posted
23 speed limit shall be guilty of a civil infraction, punishable
24 as provided in s. 327.73, except as provided in subparagraph
25 2.

26 2. This paragraph does not apply to persons violating
27 restrictions governing "No Entry" zones or "Motorboat
28 Prohibited" zones, who, if convicted, shall be guilty of a
29 misdemeanor, punishable as provided in s. 370.021(1)(a) or
30 (b), or, if such violation demonstrates blatant or willful
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1 action, may be found guilty of harassment as described in
2 paragraph (d).

3 Section 2. Subsection (2) of section 327.41, Florida
4 Statutes, is amended to read:

5 327.41 Uniform waterway regulatory markers.--

6 (2) Any county or municipality which has been granted
7 a restricted area designation, pursuant to s. 327.46, for a
8 portion of the Florida Intracoastal Waterway within its
9 jurisdiction or which has adopted a restricted area by
10 ordinance pursuant to s. 327.22, s. 327.60, or s.
11 370.12(2)(~~q~~), or any other governmental entity which has
12 legally established a restricted area, may apply to the
13 commission for permission to place regulatory markers within
14 the restricted area.

15 Section 3. The Legislature intends that the provisions
16 of this act may not be retroactively applied to manatee
17 protection rules existing on the effective date of this act.

18 Section 4. This act shall take effect upon becoming a
19 law.

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HOUSE SUMMARY

Provides for review by local rule review committees of draft rules of the Fish and Wildlife Conservation Commission proposing to regulate the speed and operation of motorboats to protect manatees. Provides that written reports submitted to the commission by such committees, and written responses by commission staff, shall be part of the rulemaking record. Requires the Department of Environmental Protection, rather than the commission, to adopt certain rules relating to marine facilities to protect manatees. Requires commission staff to initiate a review of all currently existing manatee protection rules on February 1, 2004, and provides a review schedule. Revises circumstances under which the commission is authorized to post and regulate motorboat speeds for manatee protection. Revises circumstances under which a local government may regulate motorboat speed and operation on waters within its jurisdiction by ordinance. Eliminates provisions requiring creation of local manatee protection committees for resolving disputes between the commission and local governments involving such ordinances. Requires the commission to develop, by February 15, 2003, a measurable biological goal that defines manatee recovery, for evaluating the effectiveness of existing and proposed manatee protection rules. Provides legislative intent that the provisions of the act not be retroactively applied to existing manatee protection rules.