

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Needelman offered the following:

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3 **Amendment (with title amendment)**

4 Remove lines 100-200 and insert:

5 (2)(a) As part of the enhanced manatee protection study,  
6 the Legislature intends that the commission shall contract with  
7 a Florida marine mammal institution to conduct a Manatee Habitat  
8 and Submerged Aquatic Vegetation Assessment that specifically  
9 considers:

10 1. Manatee populations that congregate in the warm water  
11 discharge sites at power plants in the state and the potential  
12 risks for disease resulting from increased congregation of  
13 manatees at these sites.

14 2. Development of research, monitoring, and submerged  
15 aquatic vegetation restoration priorities for manatee habitat in

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16 and near the warm water discharge sites at power plants in the  
17 state.

18 3. The potential impacts on manatees and manatee habitat  
19 if power plants that provide warm water discharge sites where  
20 manatees congregate are closed, including how closure will  
21 affect the size and health of submerged aquatic vegetation  
22 areas.

23 (b) A Florida marine mammal institution selected by the  
24 Fish and Wildlife conservation Commission must submit an interim  
25 report on the Manatee Habitat and Submerged Aquatic Vegetation  
26 Assessment to the Governor, the President of the Senate, the  
27 Speaker of the House of Representatives, and the commission by  
28 September 1, 2006. The interim report must detail the progress  
29 of the assessment. The final report, due to the Governor, the  
30 President of the Senate, the Speaker of the House of  
31 Representatives, and the commission by January 1, 2007, must  
32 detail the results of the assessment and include recommendations  
33 for protection of manatee habitat in warm water discharge sites  
34 at power plants in the state.

35 (c) The commission shall ensure that funds allocated to  
36 implement the Manatee Habitat and Submerged Aquatic Vegetation  
37 Assessment are expended in a manner that is consistent with the  
38 requirements of this subsection. The commission may require an  
39 annual audit of the expenditures made by the selected Florida  
40 marine mammal institution. Copies of any audit requested under  
41 this subsection must be provided to the appropriate substantive  
42 and appropriations committees of the Senate and the House of  
43 Representatives as they become available.

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44 (3) As part of the enhanced manatee protection study, the  
45 Legislature intends that the commission must conduct a Signage  
46 and Boat Speed Assessment to evaluate the effectiveness of  
47 manatee protection signs and sign placement and assess boat  
48 speeds. The commission shall evaluate existing data on manatee  
49 mortality before and after existing manatee protection zones  
50 were established, boater compliance with and comprehension of  
51 regulatory signs and buoys, changes in boating traffic patterns,  
52 and manatee distribution and behavior. The commission shall also  
53 provide recommendations on innovative marker designs that are in  
54 compliance with the federal aids to navigation system. The  
55 Signage and Boat Speed Assessment must address:

56 (a) The effectiveness of signs and buoys to warn boaters  
57 of manatee slow-speed zones with a goal of developing federally  
58 approved standards for marking manatee protection zones.

59 (b) Determining where buoys may be used in place of  
60 pilings for boating safety purposes.

61 (c) An evaluation of higher speed travel corridors in  
62 manatee zones to determine the most effective speed to balance  
63 safe boating, recreational use, vessel operating  
64 characteristics, and manatee protection.

65  
66 The commission shall complete its Signage and Boat Speed  
67 Assessment by January 1, 2007, and must submit a report of its  
68 findings to the Governor, the President of the Senate, and the  
69 Speaker of the House of Representatives by February 1, 2007. The  
70 report must detail the results of the assessment, including  
71 specific recommendations for developing state and local policies

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72 relating to the appropriate placement of signs, including  
73 innovative markers, in manatee slow-speed zones.

74 (4) The commission is authorized to develop and implement  
75 the use of genetic tagging to improve its ability to assess the  
76 status, health, and reproductive capacity of the manatee  
77 population, estimate annual survival rates through mark  
78 recapture studies, determine migration patterns, and determine  
79 maternity and paternity. The development and use of genetic  
80 tagging may be done in cooperation with federal agencies or  
81 other entities, such as genetic laboratories at schools within  
82 the state university system.

83 Section 3. Subsection (6) of section 372.072, Florida  
84 Statutes, is amended to read:

85 372.072 Endangered and Threatened Species Act.--

86 (6) MEASURABLE BIOLOGICAL GOALS.--~~No later than February~~  
87 ~~15, 2003, the commission, working in conjunction with the United~~  
88 ~~States Fish and Wildlife Service, shall develop measurable~~  
89 ~~biological goals that define manatee recovery. These~~  
90 Measurable biological goals that define manatee recovery  
91 developed by the commission, working in conjunction with the  
92 United States Fish and Wildlife Service, shall be used by the  
93 commission in its development of management plans or work plans.  
94 In addition to other criteria, these measurable biological goals  
95 shall be used by the commission when evaluating existing and  
96 proposed protection rules, and in determining progress in  
97 achieving manatee recovery. Any evaluation of an existing or  
98 proposed protection rule must describe how the measurable  
99 biological goals were used in the evaluation.

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100           Section 4. Appropriations.--  
 101           (1) For fiscal year 2004-2005, the sum of \$325,000 is  
 102 appropriated from the Save the Manatee Trust Fund to the Fish  
 103 and Wildlife Conservation Commission for the purpose of  
 104 contracting with a Florida marine mammal institution to conduct  
 105 the Manatee Habitat and Submerged Aquatic Vegetation Assessment  
 106 as provided in this act.

===== T I T L E   A M E N D M E N T =====

107           Remove line 22 and insert:  
 108           the commission to contract with a Florida marine mammal  
 109           institution to  
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