

Meeting Date
February 3, 2015



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AGENDA	
Section	New Business
Item No.	VI F 1

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Resolution RE: Update of the Florida Manatee Sanctuary Act
DEPT/OFFICE:	Commissioner Curt Smith, District 4

Requested Action:

It is requested that the Board of County Commissioners approve the attached resolution supporting and encouraging efforts to amend the Florida Manatee Sanctuary Act. The resolution moves to incorporate the best scientific data, establish clear criteria and benchmarks for regulator actions and to provide for the long-term health of all valued species.

Summary Explanation & Background:

On January 31, 2006 the Board of County Commissioners adopted Resolution No. 06-025 (attached) supporting the Florida Fish and Wildlife Conservation Commission to appropriately review the following:

- The designation of moderate speed corridors in marked channels and the two water sport areas of Brevard County
- The development of a risk analysis model that will help regulatory agencies and the public better understand when and where we can establish higher speed corridors or channels

During the past 9 years the Florida Manatee Sanctuary Act appears to have been saddled with archaic, unproven, and often disproven requirements that focus too much effort on speed zones and permitting, and too little on population assessment, habitat improvement, and rescue and rehabilitation. The existing law has become a hindrance to effective manatee management.

As part of the discussion of this item Commissioner Smith will propose to create a Manatee Protection Plan (MPP) Review Committee. With the majority of the Board's concurrence, staff will be tasked with facilitating the creation of the committee with the goal of reviewing and advising an update of the MPP using the most current scientific data available.

It is suggested that each Commissioner will have one appointment to the committee and two at large appointments will be made by nomination and ratification of the whole board.

It is anticipated that if the review committee's product results in a Board of Commissioner approved significant update to the MPP, then the Commission may submit the MPP recommendations to the Florida Fish and Wildlife Conservation Commission.

Fiscal Impact: None known

Contact: Pat Woodard, District 4 Legislative Aide
 (321) 633-2044

Clerk to the Board Instructions:

Exhibits

Attached: Resolution No. 06-025 and Proposed Resolution

Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager	Assistant County Manager, Mel Scott	Department Director / Extension Commissioner Curt Smith, District 4
Stockton Whitten	Assistant County Manager, Venetta Valdengo	

RESOLUTION NO. _____

WHEREAS the Brevard County Manatee Protection Plan and protection zones promulgated by the Fish & Wildlife Conservation Commission in 2003 have not been reviewed or updated to reflect significant scientific and economic information,

WHEREAS the Fish and Wildlife Conservation Commission has yet to address pressing concerns regarding the effectiveness of its protection efforts

WHEREAS local governments and citizens should have the right to redress potential harms caused by regulation, and to petition the Fish and Wildlife Commission for changes to regulation, including Manatee Protection Plans and protection efforts

WHEREAS the Fish and Wildlife Conservation Commission has not responded to a nine-year old Resolution by the Brevard County Board of County Commissioners supporting the creation of reasonable speed channels, restoration of water sports areas, and to analyze the effectiveness of speed zones

WHEREAS Local Rule Review Committees cannot be established, except by the Fish and Wildlife Commission and the findings of Local Rule Review Committees are advisory

WHEREAS the Brevard County Board of County Commissioners recognizes the pressing need to ensure the health and sustainability of the Indian River Lagoon

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA does hereby support and encourage efforts to amend the Florida Manatee Sanctuary Act to incorporate best science, establish clear criteria and benchmarks for regulatory action, improve the Local Rule Review Committee process, and to provide for the long-term health of all valued species.

DONE, ORDERED AND ADOPTED in session, the 3rd day of February 2015 A.D.

ATTEST

BREVARD COUNTY COMMISSION

Scott Ellis, Clerk

Robin Fisher, Chairman
(As approved by the Board
of County Commissioners
on February 3, 2015)

RESOLUTION NO. 06-025

WHEREAS, the Brevard County Board of Commissioners seeks to balance public access and use of waterways with effective environmental regulation; and

WHEREAS, in 2001, the Florida Fish and Wildlife Conservation Commission adopted the Brevard Rule removing many moderate speed corridors and designated water sports areas; and

WHEREAS, Since 2001, the Florida Legislature passed revisions to the Manatee Sanctuary Act to provide balance between regulation and public access and use of the water; and


WHEREAS, it is the intent of the Legislature to establish such channels or corridors wherever they can be done and be consistent with manatee protection.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA does hereby support that the Florida Fish and Wildlife Conservation Commission appropriately review the designation of moderate speed corridors in marked channels and the two water sport areas of Brevard County and the development of a risk analysis model that will help regulatory agencies and the public better understand when and where we can establish higher speed corridors or channels.

DONE, ORDERED AND ADOPTED in session, the 31st day of January 2006 A.D.

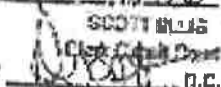
AT TEST

BREVARD COUNTY COMMISSION


Scott Ellis, Clerk


Helen Voltz, Chairman
(As approved by the Board of County Commissioners on January 31, 2006)

STATE OF FLORIDA
COUNTY OF BREVARD

This is to certify that the foregoing is a true and correct copy of Resolution No. 06-025 as shown by the original seal of the 27 day of JANUARY 2006.
SCOTT ELLIS
Clerk, Brevard County
BY  D.C.