

1989

Session Law 89-314

Florida Senate & House of Representatives

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H 775 GENERAL BILL/CS/1ST ENG by Natural Resources; Graham and others

Manatee Protection/Motorboat Traffic; directs D.N.R. to regulate motorboat traffic to protect manatees in additional areas in Volusia County; requires dept. to adopt rules designating a manatee sanctuary & regulating motorboat traffic therein. Amends 370.12. Effective Date: 07/05/89.

03/14/89 HOUSE Prefiled
03/16/89 HOUSE Referred to Natural Resources; Appropriations
04/04/89 HOUSE Introduced, referred to Natural Resources; Appropriations -HJ 76
04/07/89 HOUSE On subcommittee agenda—Natural Resources, 04/11/89, 8:30 am, 317-C
04/11/89 HOUSE Subcommittee Recommendation: Favorable with 2 amendments; On Committee agenda—Natural Resources, 04/13/89, 3:30 pm. 413-C
04/14/89 HOUSE Preliminary Committee Action by Natural Resources: Favorable as a CS
04/20/89 HOUSE Comm. Report: CS by Natural Resources -HJ 258; CS read first time -HJ 254; Now in Appropriations -HJ 258; Subreferred to Subcommittee on General Government
05/12/89 HOUSE On Committee agenda—Appropriations, 05/16/89, 8:00 am, 21-HOB
05/16/89 HOUSE Preliminary Committee Action by Appropriations: Favorable
05/18/89 HOUSE Comm. Report: Favorable by Appropriations, placed on Calendar -HJ 537
05/26/89 HOUSE Placed on Consent Calendar; Read second time; Read third time; CS passed; YEAS 113 NAYS 0 -HJ 665
05/26/89 SENATE In Messages
05/30/89 SENATE Received, referred to Natural Resources and Conservation -SJ 562
06/02/89 SENATE Withdrawn from Natural Resources and Conservation -SJ 863; Placed on Calendar; Placed on Special Order Calendar -SJ 892; CS passed as amended; YEAS 33 NAYS 0 -SJ 1003
06/02/89 HOUSE In Messages
06/03/89 HOUSE Concurred; CS passed as amended; YEAS 108 NAYS 0 -HJ 1547
06/03/89 Ordered engrossed, then enrolled
06/20/89 Signed by Officers and presented to Governor
07/05/89 Approved by Governor; Chapter No. 89-314

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NOTES: Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

STORAGE NAME: h0775-f.nr
DATE: July 10, 1989

**HOUSE OF REPRESENTATIVES
NATURAL RESOURCES COMMITTEE
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT**

BILL #: CS/HB 775
RELATING TO: Manatee Protection/Motorboat Traffic
SPONSOR(S): Representative Graham
EFFECTIVE DATE: Upon becoming law
DATE BECAME LAW: July 5, 1989
CHAPTER #: Chapter 89-314, Laws of Florida
COMPANION BILL(S): None
OTHER COMMITTEES OF REFERENCE: (1) Appropriations
(2)

I. SUMMARY:

A. PRESENT SITUATION:

The Legislature, in Section 370.12, Florida Statutes, has designated numerous surface water bodies and parts of surface water bodies as manatee sanctuaries and has directed the Department of Natural Resources to adopt rules pursuant to Chapter 120 to regulate the speed and operation of motorboat traffic in the portions of these areas where manatee sightings are frequent and it can be assumed that manatees inhabit the areas on a regular basis.

The manatee, which has been designated as Florida's marine mammal by the Florida Legislature, is an endangered species. About 1200 remain in Florida. In 1988, 133 manatee mortalities were recorded in Florida--the most deaths since they began to be counted. Forty-three of the deaths were caused by collisions with boats or barges.

Approximately 50 to 60 manatees are known to inhabit the Tomoka River and its tributaries (Dodson, Thompson and Strickland Creeks) and the area is believed to be important for manatee calving. Recently, the U.S. Marine Mammal Commission reported that this area is one of the most important stopping points for manatees migrating to and from the northeastern coast of Florida, and recommended that regulations on boat speeds be established in the area.

The Department of Natural Resources has the authority to create manatee sanctuaries by rule, but has not created one for the

manatee sanctuaries by rule, but has not created one for the Tomoka River and Strickland, Dodson, and Thompson Creeks because areas with higher manatee mortality rates have had priority. On February 21, 1989, the City of Ormond Beach passed a resolution requesting that the Volusia County Delegation sponsor legislation establishing a manatee sanctuary on the Tomoka River and Strickland, Dodson, and Thompson Creeks.

B. EFFECT OF PROPOSED CHANGES:

House Bill 775 creates a manatee sanctuary on Strickland, Dodson, and Thompson Creeks (tributaries of the Tomoka River) and on the Tomoka River between United States Highway 1 and the river's point of confluence with the Intercoastal Waterway [the Halifax River]. The department is directed to adopt rules regulating the speed and operation of motorboat traffic in the area not later than December 31, 1989.

C. SECTION-BY-SECTION ANALYSIS:

Section 1. Establishes a portion of the Tomoka River and three of its tributaries as a manatee sanctuary.

Section 2. Directs the Department of Natural Resources to adopt rules regulating the speed and operation of motorboat traffic in the area by December 1, 1989.

Section 3. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

Approximately \$18,000 would be needed for the placement of signs designating the area alluded to in the bill as a manatee sanctuary to alert boaters of the existence of the boating regulations within the sanctuary. These funds have not been appropriated in the bill.

2. Recurring or Annualized Continuation Effects:

If a manatee sanctuary is created, additional Department of Natural Resources Marine Patrol personnel may be needed to enforce the regulations. No appropriations for this have been provided in the bill. Representatives of local governments in the area have indicated that they may be willing to provide the needed enforcement personnel.

3. Long Run Effects Other Than Normal Growth:

None.

4. Appropriations Consequences:

See above.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise, and Employment Markets:

None.

D. FISCAL COMMENTS:

None.

III. LONG RANGE CONSEQUENCES:

This bill is consistent with several policies in the State Comprehensive Plan, particularly the following:

(10) NATURAL SYSTEMS AND RECREATIONAL LANDS.--

(b) Policies.--

1. Conserve forests, wetlands, fish, marine life, and wildlife to maintain their environmental, economic, aesthetic, and recreational values.

3. Prohibit the destruction of endangered species and protect their habitats.

4. Establish an integrated regulatory program to assure the survival of endangered and threatened species within the state.

IV. COMMENTS:

This bill is consistent with the Mission Statement of the Natural Resources Committee particularly the provision stating:

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Protect both game and nongame wildlife and fish, and the habitats that support them, especially endangered and threatened species.

V. SIGNATURES:


SUBSTANTIVE COMMITTEE:

Prepared by:



Mike Brothers

Staff Director:



Dana D. Minerva

SECOND COMMITTEE OF REFERENCE:

Prepared by:

Staff Director:

APPROPRIATIONS:

Prepared by:

Staff Director:
