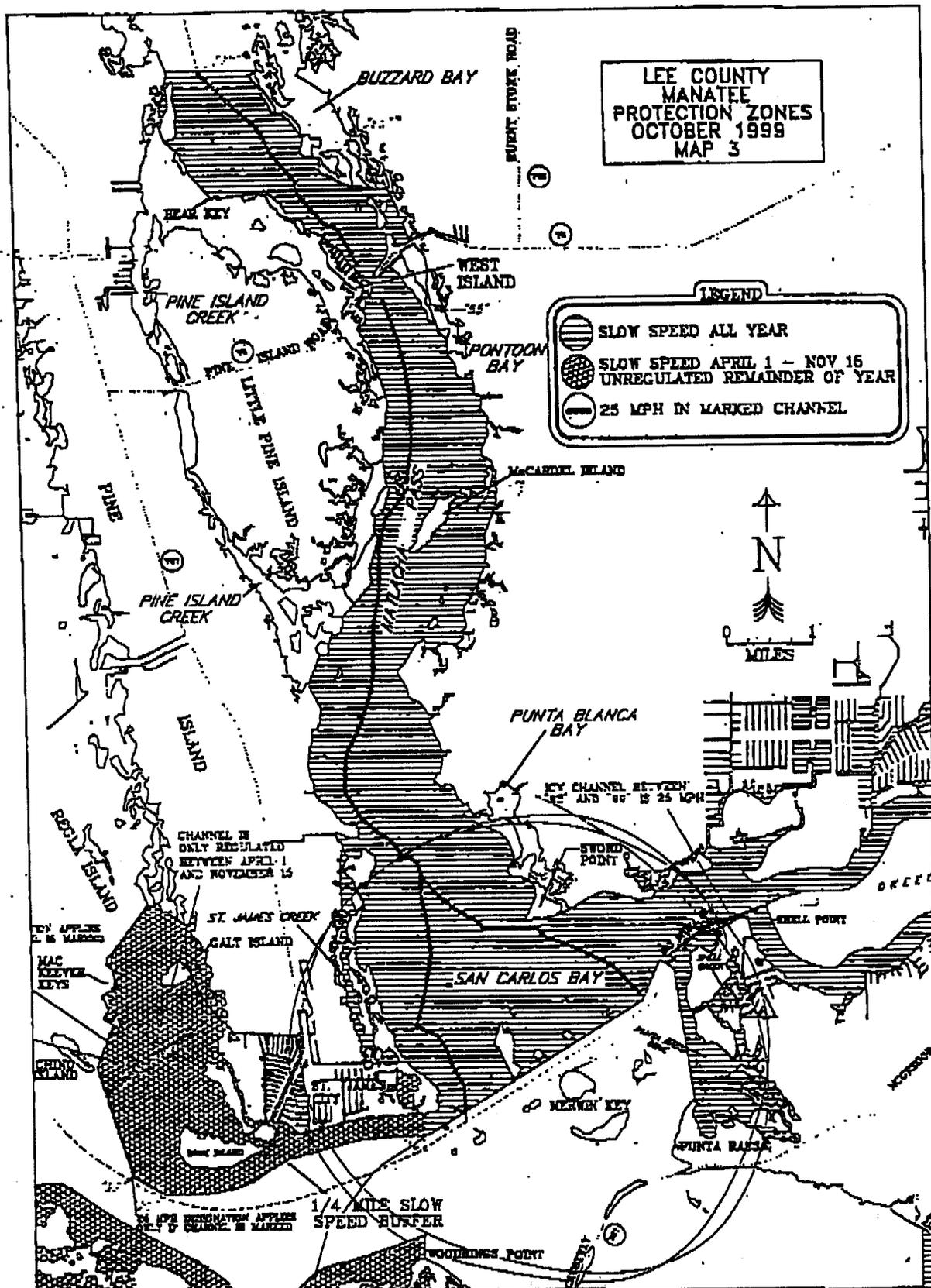


Figure 11b. Caloosahatchee River

● = Watercraft Mortality
▲ = Aerial Survey Data

Figure 13. San Carlos Bay



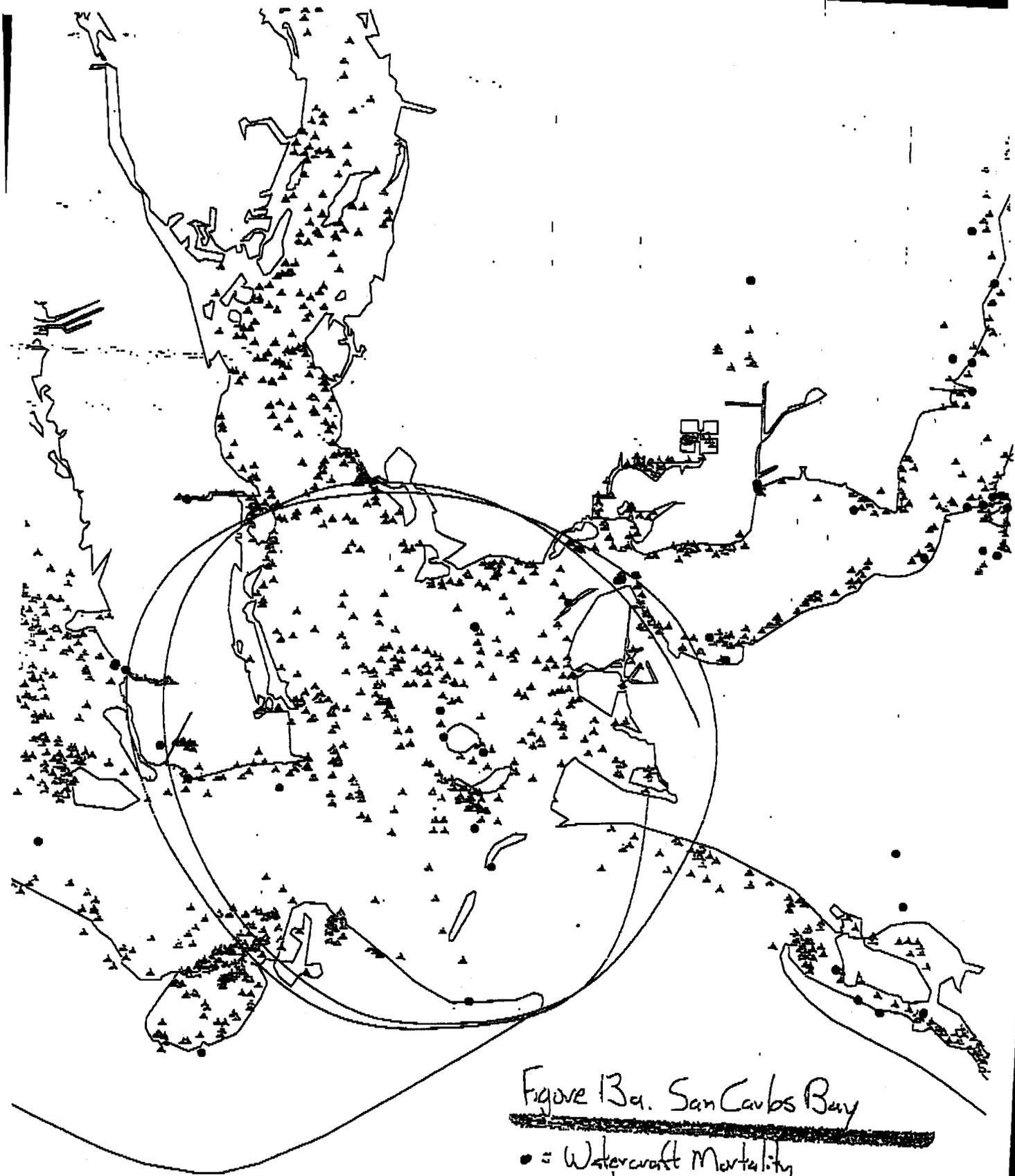
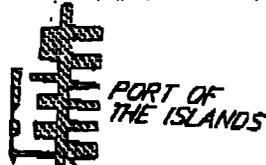


Figure 13a. San Carlos Bay

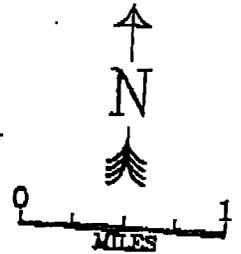
- = Watercraft Mortality
- △ = Aerial Survey data

22.023(1)(e)5.
5 MPH IN CHANNEL,
1 MPH OUTSIDE
CHANNEL ALL YEAR



PORT OF
THE ISLANDS

68C-22.023(1)(b)7.
IDLE SPEED ALL YEAR
(CHANNEL INCLUDED)



US 11

Figure 14.

Everglades National Park, Ten Thousand
Islands, Faka Union Canal (Part of the Is.)

FAKA
UNION
CANAL

68C-22.023(1)(c)6.
SLOW SPEED ALL YEAR
(CHANNEL INCLUDED)

68C-22.023(1)(e)8.
30 MPH IN CHANNEL,
20 MPH OUTSIDE
OF CHANNEL ALL YEAR

FAKA
UNION
BAY

ENP
BOUNDARY

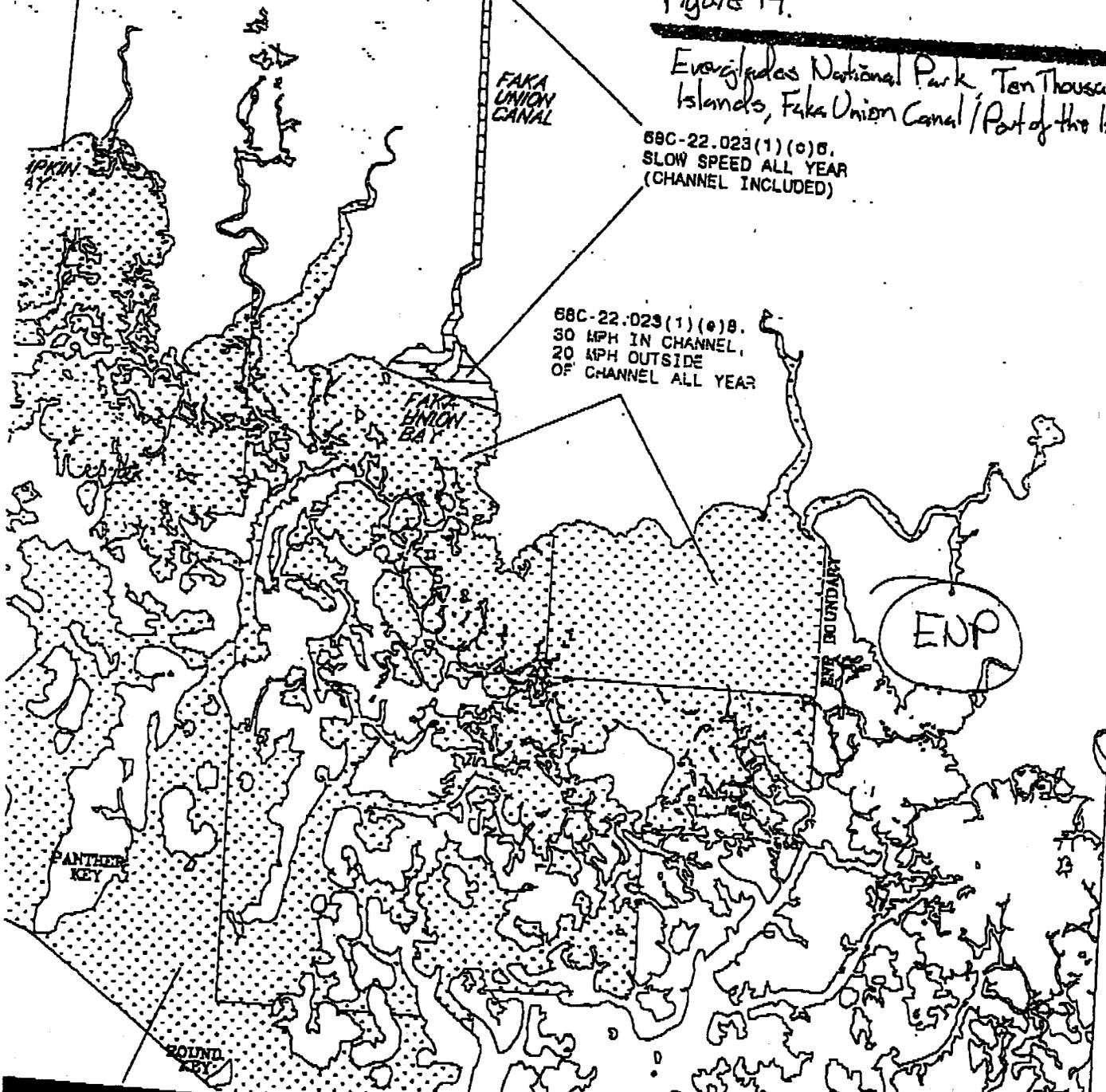
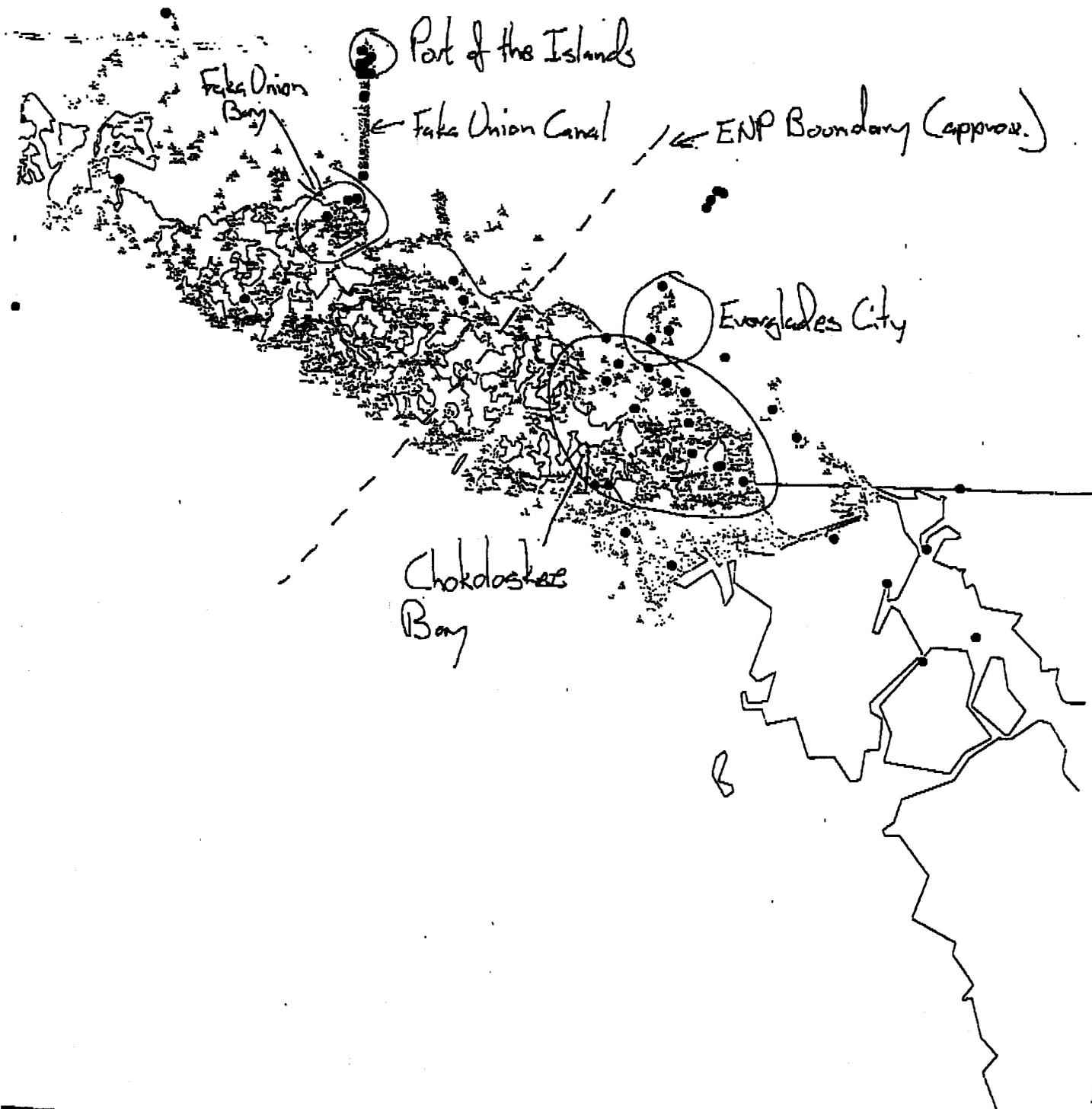


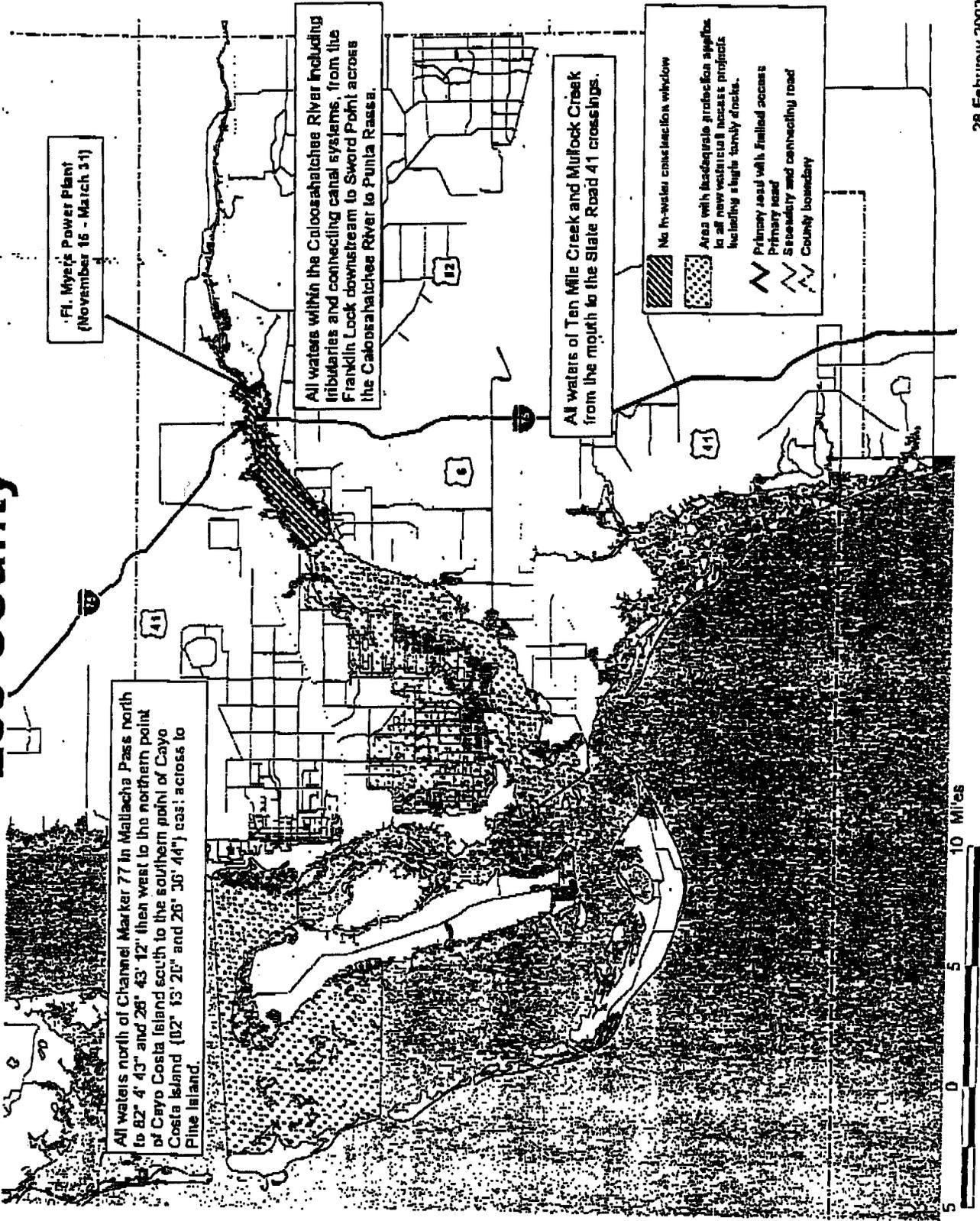
Figure 14a.

Everglades National Park, Ten Thousand Islands, Faka Union Canal/Part of the Is.

- = Watercraft-related mortality
- △ = Aerial Survey data



Lee County



Attachment 3

**U.S. Fish and Wildlife Service (Internal Use)
Criteria for Evaluation of Potential Manatee Protection Areas
December 20, 2001**

The Fish and Wildlife Service selected sites for inclusion in the draft proposed rule for the establishment of additional manatee protection areas from the list of sites developed through five preliminary meetings with State and Federal resource managers and manatee experts, and the information gathered from the public at six public workshops and in response to the advance notice of proposed rule-making. We based site selection on four factors--(1) evidence that the site is used by manatees; (2) historic evidence of take (harm or harassment) of manatees at the site due to waterborne human activities; (3) the potential for additional take based on manatee and human use of the site; and (4) a determination that we could implement effective measures at the site to address the identified problem. In determining the potential effectiveness of our proposed actions, we considered the costs of managing sites versus the benefits to manatee conservation. Costs associated with site management include installation and maintenance of appropriate signage, public education, and enforcement. In addition, designation of sanctuaries in the waters bordered by private property would entail additional administrative burdens in terms of identifying and providing access to affected residents. We considered these administrative burdens in selecting sites. Finally, we evaluated the effectiveness of our proposed actions against the likely effectiveness of actions by State and/or local governments. We have not proposed areas for which we have determined that identified threats to manatees can be most effectively addressed by State or local action. We made every effort to make our proposed designations consistent with the adjacent State or local designations.

Comparison of Save the Manatee Club's Recommended Sites to FWS Criteria

Criteria

C1 = Evidence of manatee use

C2 = History of take

C3 = Continued potential for take

C4 = Potential for effective FWS management

(An 'X' indicates that this criteria is met for this site,

a '?' indicates that it cannot be determined whether this criteria can be met)

Table 1. Comparison of sites recommended by SMC in October 2000 to our site selection criteria. Sites in bold were discussed at July 23, 2001 meeting with SMC representatives.

Site Name	County	C1	C2	C3	C4	Comments
Mulberry Cove	Duval	X	X			Not mentioned by SMC, but mentioned by FWS as alternative to Goodby's Creek. Limited historic or potential continued take, but would make nice sanctuary. FWC not considering action in this area. Potential for action with Navy. FWS (Benjamin) will contact Navy.
Downtown Jacksonville	Duval	X	X	X	?	SMC recommends slow speed with 25 mph channel (return to previous designation). Would be more effectively addressed through County MPP. County currently improving signage, to resolve FWS concerns. FWC believes current plan should be given time to work, and will evaluate the area in 2003.
Goodby's Creek	Duval	X				SMC recommended sanctuary. Currently slow speed, County will make it idle speed soon. No FWS action warranted (see Mulberry Cove). FWC not considering action.
Doctors Lake and Inlet	Clay	X	X			
Welaka Spring	Putnam	X				Minimal evidence of take, proposed for State action
Salt Spring	Marion	X				Minimal evidence of take, proposed for State action

Site Name	County	C1	C2	C3	C4	Comments
Silver Glen Spring	Lake	X	X	X		Limited evidence of take, proposed for State and/or Forest Service action
Bethune Beach Park	Volusia	X	X	X		
Tomoka River	Volusia	X	X	X	X	SMC wants slow speed throughout. Low mortality historically, but three deaths in 2001. Low priority but worth looking at. FWC is not considering action.
DeLeon Spring	Volusia	X				minimal evidence of take, proposed for State action
Lake Woodruff	Volusia	X	X			Existing speed zones adequate
The Lagoon south of Blue Spring run	Volusia	X				minimal evidence of take
Haulover Canal	Brevard	X	X	X	X	SMC wants small sanctuary. Low priority, but worth looking at. FWS NWR favors establishment. FWC is not considering action.
OUC	Brevard	X	X			Existing speed zones adequate
Barge Canal/Sykes Creek	Brevard	X	X	X	X	SMC wants slow speed. Fixed per recent State and/or federal rules.
Banana River between Barge Canal and Federal no-motor zone	Brevard	X	X	X	X	
Cocoa Beach Canals	Brevard	X	X	X		Fixed per recent State rule
Canaveral Sewer	Brevard	X	X			SMC wants sanctuary. Low Priority, limited potential for current or future take. FWC not considering action.
Berkley Canal	Brevard	X	X	X	X	Fixed per recent State rule
Grand Canal - Lake Shepard	Brevard	X	X	X	X	Fixed per recent State rule
Crane Creek	Brevard	X	X	X	X	Fixed per recent State rule
Eau Gallic River	Brevard	X	X	X	X	Fixed per recent State rule
Turkey Creek	Brevard	X	X	X	X	Fixed per recent State rule

Site Name	County	C1	C2	C3	C4	Comments
Mullet Creek	Brevard	X	X	X	X	Fixed per recent State rule
Sebastian River	Brevard	X				SMC claims enforcement is inadequate. Limited evidence of recent take. Little or no potential for future take. FWC is not considering action.
Vero Beach Power Plant	Indian River	X	X	X		Limited opportunities for effective federal action, proposed for State action
Little and Big Mud Creeks	St. Lucie	X				minimal evidence of take, proposed for State action
Taylor Creek	St. Lucie	X				Currently Idle speed
C-24 canal	St. Lucie					
Manatee Pocket	Martin	X	X			Currently slow speed
Earman River/C-17 Canal/N. Palm Beach Waterway	Palm Beach	X				Currently slow speed
Munyon Island and Little Munyon Island	Palm Beach	X	X			Currently slow speed/slow speed channel exempt, proposed for State action
Boynon Canal (C-16)	Palm Beach	X				Currently slow speed
C-15 Canal	Palm Beach	X				Currently slow speed
Hillsboro Canal (C-14)	Palm Beach	X				Currently slow speed
Whiskey Creek	Broward					
Downstream of S-27 on Little River	Dade	X				Currently seasonal no entry/idle speed
Blue Lagoon	Dade	X				Currently slow speed, proposed for State action
Sky Lakes	Dade	X				Currently slow speed, proposed for State action

Site Name	County	C1	C2	C3	C4	Comments
Oleta River	Dade	X				Currently idle speed
Whitewater Bay	Monroe	X				
Wakulla River	Wakulla	X				minimal evidence of take
Manatee Springs Run	Levy	X				minimal evidence of take
Blue Waters	Citrus	X	X	X	X	Proposed for State action
Kings Bay watersports zone	Citrus	X	X	X	X	Take is limited, low priority but perhaps worth looking at
Weekee Wachee Spring Run and Canals	Hernando	X				minimal evidence of take
Jenkins Creek	Hernando	X				minimal evidence of take
Anclote Power Plant	Pasco	X				
Spring Bayou	Pinellas	X				
Bartow Power Plant	Pinellas	X	X	X	X	Proposed for State action
Weedon Island	Pinellas	X				Proposed for State action
Coffee Pot Bayou	Pinellas	X				Proposed for State action
Hillsborough River	Hills					Proposed for State action
Tampa Bay - Alafia to Little Manatee	Hills	X	X	X	X	Proposed for State/County action
Cockroach Bay/Little CB	Hills	X	X	X	X	Proposed for State/County action
Terra Ceia Bay	Manatee	X	X	X	X	Proposed for State action
Bishop Harbor	Manatee					
Miguel Bay	Manatee					
Manatee River/Bradon River	Manatee	X	X	X	?	SMC wants slow speed with 25 mph channel. Currently unregulated. Potential for future take increasing with rapid development of area. Worth looking at, but size of waterbody may prove difficult for us to regulate effectively. FWC not considering action. Potential for County action.

Site Name	County	C1	C2	C3	C4	Comments
City Island(Pansy Bayou)	Sarasota	X	X	X	X	Proposed for State action
Roberts Bay	Sarasota	X				Limited evidence of take, Low priority but potential for future consideration
Warm Mineral Springs	Sarasota	X	X	X		Limited potential for effective federal action, proposed for State action
Dona Bay/Roberts Bay	Sarasota	X				
Bull Bay	Charlotte	X				
Lemon Bay	Charlotte	X	X	X	X	proposed for State action
Turtle Bay	Charlotte	X				proposed for State action
Pirate Harbor	Charlotte					
Burnt Store Isles	Charlotte					
Peace River	Charlotte	X	X	X	X	proposed for State action
Waters of Ding Darling NWR	Lee	X				proposed for State evaluation
Safety Harbor	Lee	X				limited evidence of take, proposed for State evaluation
Bokeelia Point	Lee	X	X	X	X	SMC wants slow speed zone. Low priority but potential for future consideration. FWC will evaluate in 2003.
Canals at Matlacha Isles	Lee	X				limited potential for effective federal action
Caloosahatchee River	Lee	X	X	?	?	SMC wants slow speed with 25mph channel. Current zones appear adequate, but high levels of take continue. Cause of problem not apparent. Size of waterbody would prove difficult for us to regulate effectively. FWC is evaluating. FWS should also evaluate.
Deep Lagoon	Lee	X				current zones adequate, proposed for State evaluation

Site Name	County	C1	C2	C3	C4	Comments
Ten Mile Canal/Mullock Creek	Lee	X	X	X	?	SMC wants slow speed zone in creek and sanctuary in borrow pit. Recently adopted FWC zones have not been implemented, but would weaken existing protections in creek. May pose risk of increased take. FWC will evaluate, wants to give new zones a chance to work. FWC not considering sanctuary. FWS should monitor new FWC zone.
Faka Union Canal/Port of the Islands	Collier	X	X			existing zones effective, proposed for State evaluation
Ten Thousand Islands	Collier	X	X	X	?	proposed for State evaluation

Table 2. Sites recommended by SMC in October 2001, but not mentioned in October 2000. Sites in bold were discussed with SMC representatives at July 23, 2001, meeting.

Site Name	County	C1	C2	C3	C4	Comments
Southern San Carlos Bay	Lee	X	X	X	X	SMC wants slow speed zone with 25 mph channel. Continued potential for take with existing regulations. Probably worth future consideration. FWC will evaluate.
Rivera Beach Power Plant	Palm Beach	X	X	X	X	SMC wants seasonal idle speed in ICW. Continued potential for take with current regulations. Low priority but potentially worth looking at. FWC is not considering action.

Site Name	County	C1	C2	C3	C4	Comments
Indian River Railroad Bridge	Brevard	X		?	?	SMC wants slow speed zone. FWC recently converted from slow speed to high speed use. FWC rule not yet implemented, and ramifications of rule change uncertain. FWS should monitor, but action not warranted at this time.
Everglades National Park	Monroe/ Collier	X	X	X		SMC wants slow speed with 25 mph channel. Currently unregulated. Potential for future take increasing with rapid development of area. Worth looking at, but size of waterbody may prove difficult for us to regulate effectively. FWC not considering action. Potential for County action. regulations

Discussion

All of the above-mentioned sites, and others, were considered at some point in our evaluation process. Of the sites specifically discussed with SMC representatives at the July 23, 2001, meeting (indicated on the above tables in bold), some (such as the Goodby's Creek, and the Canaveral sewer outfall) did not meet our criteria for further consideration because there are currently adequate protective measures in place at these sites and the likelihood of future take at these sites is limited, provided the existing regulations are appropriately enforced. Others (such as Caloosahatchee River, Everglades National Park, and Ten Thousand Islands/Chokoloskee Bay) did not meet our criteria for designation at this time because it is as yet unclear, based on current information, what additional protective measures could be implemented to effectively reduce on-going watercraft-related manatee mortality in these areas; however, we agreed that these sites needed further study. We could not agree with SMC regarding the need for additional action at Bokeelia Point (the FWC is proposing to evaluate this area as part of their broader evaluation of Lee County).

We note that the SMC, who recommended we take immediate action in the Ten Thousand Islands/Chokoloskee Bay area, could offer no specific recommendation as to what to do in this area. In the Everglades National Park, SMC recommended an area-wide 25 mph speed limit, which would be completely ineffective in reducing watercraft-related mortality, as demonstrated by the ineffectiveness of 25 mph speed limits in other waters such as the Barge Canal and the Tomoka River. Further, we note that they only developed recommendations for the Faka Union Canal/Port of the Islands area after we published the proposed rule. We agreed that the Port of the Islands may warrant consideration for a sanctuary designation in one very small portion of the area; but this was not a high priority compared to the sites identified in our proposed rule. It is also interesting to note that the SMC considered Mulberry Cove to warrant "immediate" action in their comments of October 2000, but this site was not mentioned by SMC during the July 23 meeting. We had to remind them of this area, at which point they agreed that it was a better site for a sanctuary than Goodby's Creek, which they agreed at that time would not make a good sanctuary. Amazingly, Goodby's Creek is recommended as a sanctuary in their October 2001 comments.

We agreed that the remaining sites discussed with SMC representatives at the July 23 meeting (the St. John's River in downtown Jacksonville, the Tomoka River, the Haulover Canal observation area, the Indian River southeast of the railroad bridge causeway, the Riviera Beach power plant outfall, the Manatee and Braden Rivers, San Carlos Bay, and Mullock Creek/Ten Mile Canal) do, or may, warrant further consideration, particularly if State or local efforts to improve manatee protection at these sites are unsuccessful, and if manatees do not make satisfactory progress toward recovery. However, we do not agree with the SMC that action at any of these sites is any more urgent than the actions identified in our proposed rule. Additionally, we made it clear that we would prefer State or local action; particularly in downtown Jacksonville, and that we would need more data before agreeing that action is needed at the Indian River southeast of the railroad bridge causeway.