

**Staff Report on**  
**Proposed Manatee Protection Plan (MPP), 4<sup>th</sup> Edition**

**ORDINANCE 2017-837**

The proposed legislation is for the adoption of the Manatee Protection Plan (MPP), 4<sup>th</sup> Edition. The 3<sup>rd</sup> Edition of the Manatee Protection Plan was adopted by Council in August 2014.

Since the adoption of the 3<sup>rd</sup> Edition, the Downtown Investment Authority (DIA) has requested a modification to the MPP to allow an additional 175 boat slips to the Consolidated Downtown Development of Regional Impact (DRI) area. The 3<sup>rd</sup> Edition of the MPP included major revisions to address county-wide manatee management goals. Additionally, the Consolidated Downtown DRI was identified as a Special Management Area and entitled to 789 boat slips as also indicated in the DRI. The addition of 175 boatslips would allow a total of 964 boatslips in the DRI area.

The need for additional boatslips in the Downtown area is in reaction to evolving development plans.

The City has negotiated with the Florida Fish and Wildlife Commission (FWC) and the United States Fish and Wildlife Service (USFWS) to add additional mitigation measures to offset the requested increase in boat slips and possible manatee interactions. The City and FWC and USFWS have agreed to additional mitigation measures once the slips have been constructed. At this time the only change to the MPP is the addition of 175 boat slips, changing the Downtown Special Management Area to allow for a total of 964 boat slips within the DRI. Due to this change in the plan, the adopted date and edition must also be updated.

The agreed upon additional mitigation measures will be included in the MPP at the 5 year review which is scheduled to start in 2019.

The Planning and Development Department recommends **APPROVAL** of the Manatee Protection Plan, 4<sup>th</sup> Edition, in the attached **EXHIBIT 1** and submitted as **Ordinance 2017-837**.

1 Introduced by the Council President at the request of the Mayor:  
2  
3

4 **ORDINANCE 2017-837**

5 AN ORDINANCE APPROVING AND ADOPTING THE FOURTH  
6 EDITION OF THE DUVAL COUNTY MANATEE PROTECTION  
7 PLAN AS REQUIRED BY THE FLORIDA FISH AND  
8 WILDLIFE CONSERVATION COMMISSION; PROVIDING  
9 FOR OVERSIGHT BY THE PLANNING AND DEVELOPMENT  
10 DEPARTMENT; PROVIDING AN EFFECTIVE DATE.  
11

12 **BE IT ORDAINED** by the Council of the City of Jacksonville:

13 **Section 1. Approval and Adoption.** There is hereby  
14 approved and adopted the Fourth Edition of the Duval County Manatee  
15 Protection Plan (MPP), in substantially the same form placed **on**  
16 **file** with the Division of Legislative Services, as required by the  
17 Florida Fish and Wildlife Conservation Commission. The proposed  
18 MPP, 4th Edition, includes a modification to allow an additional  
19 175 boat slips to the Consolidated Downtown Development of Regional  
20 Impact (DRI) area. The current MPP, 3<sup>rd</sup> Edition, allows a total of  
21 789 boat slips in the Consolidated Downtown DRI area. The addition  
22 of 175 boat slips would allow a total of 964 boat slips in the DRI  
23 area. Because of the change in the number of boat slips, the  
24 adopted date and edition of the MPP must also be updated.

25 **Section 2. Departmental Oversight.** The Planning and  
26 Development Department shall oversee the project described herein.

27 **Section 3. Effective Date.** This ordinance shall become  
28 effective upon signature by the Mayor or upon becoming effective  
29 without the Mayor's signature.  
30  
31

1 Form Approved:

2

3           /s/ Susan C. Grandin          

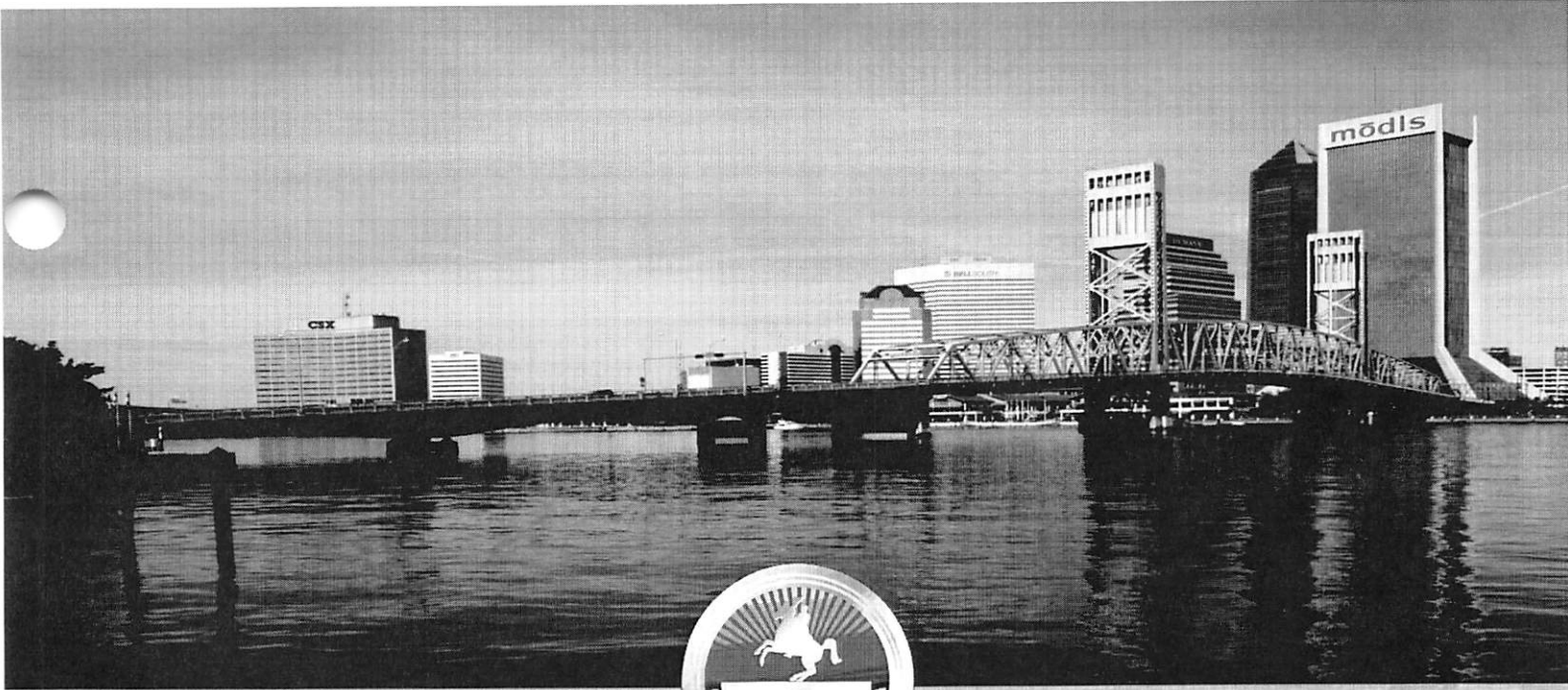
4 Office of General Counsel

5 Legislation prepared by: Susan C. Grandin

6 GC-#1171229-v1-11\_27\_17\_4th\_Ed\_DC\_ManateeProtectPlan\_oversight.doc

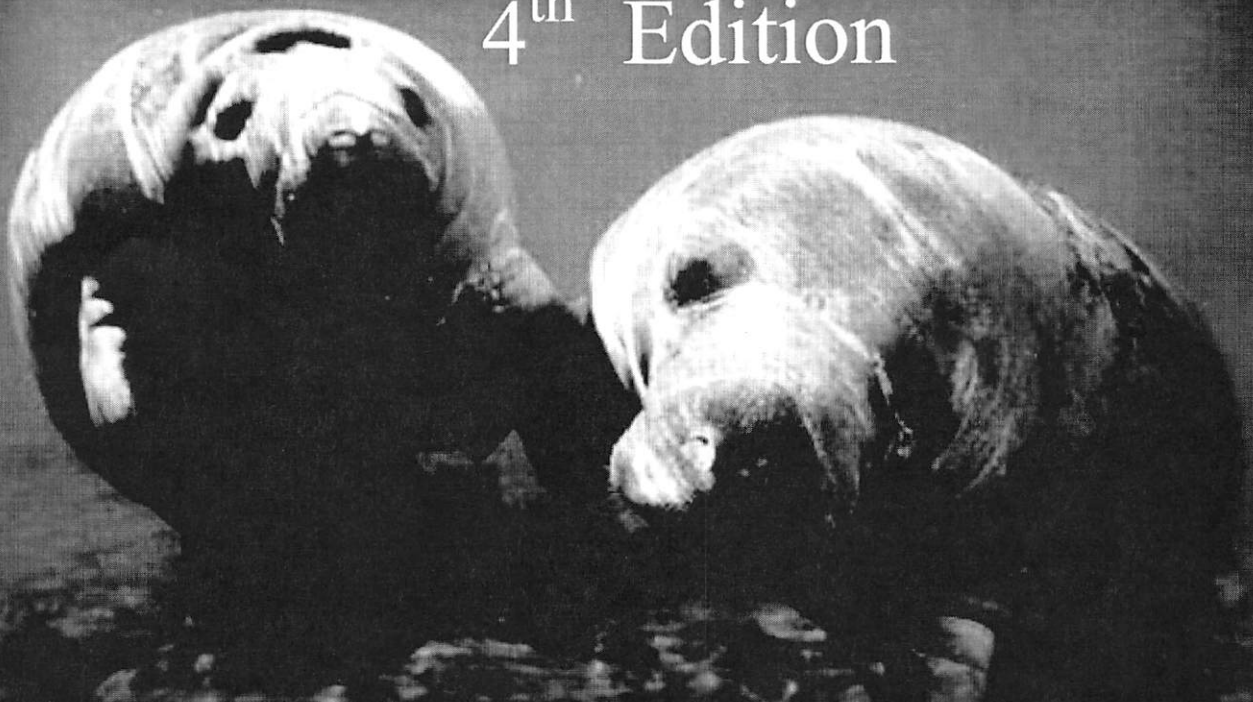
Clean Version of Relevant Pages of the  
Proposed Modifications in the  
Manatee Protection Plan, 4<sup>th</sup> Edition





# Manatee Protection Plan

## 4<sup>th</sup> Edition



City of Jacksonville  
Planning and Development Department  
November 2017

## **Executive Summary**

This document is the third revision to the Duval County Manatee Protection Plan (MPP). A MPP is a comprehensive planning document that addresses the long-term protection of the Florida manatee through law enforcement, education, boat facility siting, and habitat protection initiatives on a county-wide basis. The original MPP was developed by the Jacksonville Waterways Commission for the Jacksonville City Council. Jacksonville University (JU) conducted much of the research on which that plan was based. In 1999, the MPP was approved by the Jacksonville Waterways Commission as well as the State of Florida and the U.S. Fish and Wildlife Service (USFWS). In 2004, it became apparent that a revision was needed to the MPP because of differing interpretations of the plan, and a revision was adopted in 2006. The Florida Fish and Wildlife Conservation Commission (FWC) encourages reassessments of MPPs every five to seven years. The purpose of revising this MPP is to collect and evaluate updated information on manatee use and boat activity in the City of Jacksonville (COJ) and provide guidance targeted at reduction of human-related threats to manatees and manatee habitat. Both the 1999 and 2006 versions of the MPP included a provision that defined five or more watercraft-related mortalities in all COJ waters within a 12 month period as an unacceptable level of manatee mortality. Between 2000 and 2010, the level of watercraft-related manatee deaths was at this unacceptable level for over half of those 10 years. It was apparent that the MPP needed major reassessment and revision to address county-wide manatee management goals.

A MPP attempts to balance boater waterway access with impact to manatees from boat traffic, and is intended to increase the predictability of permitting outcomes for boat facility development. The Boat Facility Siting strategy is a primary component of a MPP, however it relies heavily on the other components of the plan. Manatees are most likely to be struck by boats in areas where there is high manatee abundance and high boat traffic. A Boat Facility Siting strategy is intended to direct new boat slips in areas where the risk of boat and manatee interaction is relatively low and discourage new boat slips in areas of relatively high risk. This MPP includes updated manatee data, boating activity data (boat traffic studies and marina inventories), and details about manatee habitat, law enforcement, port facilities, and education and outreach. Current data and information in each of these areas has been collected and analyzed to develop this revision of the MPP, including revised boat facility siting recommendations that are based on this updated data analysis.

Additionally, recommendations are made in this MPP that address plan implementation, funding to perform MPP implementation tasks, continued and improved education and awareness, increased law enforcement and plan revision guidelines. Ultimately, this MPP will be adopted by reference in the COJ Coastal Management Element of the Comprehensive Land Use Plan.

- ii. Acceptable With Conditions - Development in an Acceptable With Conditions area may occur at up to five (5) slips for every 100 feet of shoreline owned or controlled by the applicant. For example: A site has 342 feet of shoreline. In order to calculate the allowable number of slips, 342 is rounded up to the next one hundred foot increment (400), then divided by 100 which equals 4. That number is multiplied by the slip to shoreline ratio (5). In this example, 20 would be the allowable number of slips.
- iii. Unacceptable – Development may occur in an Unacceptable area if the development is proposed at a level of one slip for every 100 feet of shoreline owned or controlled by the applicant. For example: A site has 442 feet of shoreline. In order to calculate the allowable number of slips, 442 is rounded up to the next one hundred foot increment (500), then divided by 100 which equals five (5). That number is multiplied by the slip to shoreline ratio one (1). In this example, five (5) would be the allowable number of slips.

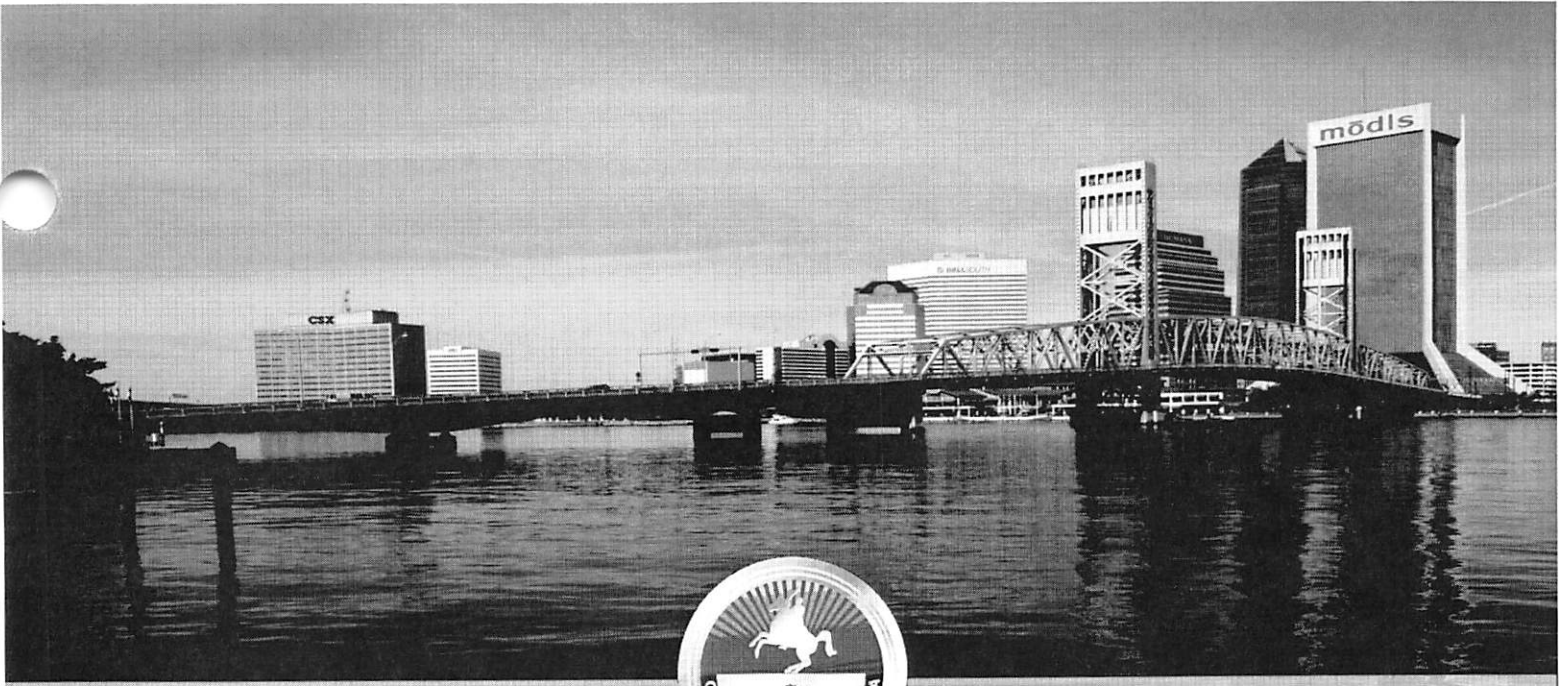
**G. Special Development Area – Development in the following locations is allowable as detailed below:**

- i. **Downtown Development of Regional Impact (DRI) Area** - Slips within this area will be limited to the 789 slips authorized by the Consolidated Downtown (DRI) Consolidated Order as of 2012 (see attached Appendix C, DRI location map). These 964 slips to be distributed to locations within the Special Development area as specified in the DRI consolidated order, some of which may already be permitted and existing.
- ii. **Ortega River Working Waterfront Zone** – Development on the parcels with riparian rights at the six (6) marina sites in that zone (Huckins Yacht, Cedar Point Marina, Lambs Yacht Center, Lakeshore Dry Storage and Sadler Point Marina) is unrestricted from a manatee management perspective.
- iii. **Property Parcel North of Atlantic Boulevard on Pablo Creek** – A maximum of 650 slips (wet and dry) as authorized by City of Jacksonville Ordinance 2009 – 621-E are allowable within this area.
- iv. **City of Jacksonville Public Boat Ramps** - The following planned expansions and one new public boat ramp are allowable as detailed below:
  - a) **Wayne B. Stevens Park Boat Ramp** at 4555 Ortega Farms Boulevard – 10 additional boat trailer parking spaces at this location. For a total of 59 trailer parking spaces (49 existing + 10 additional).
  - b) **Lighthouse Marine Boat Ramp** at 5434 San Juan Avenue – Four (4) additional boat trailer parking spaces at this location. For a total of 20 trailer parking spaces (16 existing + 4 additional).
  - c) **Bert Maxwell Park Boat Ramp** at 500 Maxwell Road - 15 additional boat trailer parking spaces at this location. For a total of 60 trailer parking spaces (45 existing + 15 additional).
  - d) **Lonnie Wurn Boat Ramp** at 4131 Ferber Road – Five (5) additional boat trailer parking spaces at this location. For a total of 14 trailer parking spaces (9 existing + 5 additional).
  - e) **Oak Harbor Boat Ramp** at 2428 Seaway Street – Four (4) additional boat trailer parking spaces at this location. For a total of 32 trailer parking spaces (28 existing + 4 additional).

Track Changes Version of of Relevant Pages of the  
Proposed Modifications in the  
Manatee Protection Plan, 4<sup>th</sup> Edition

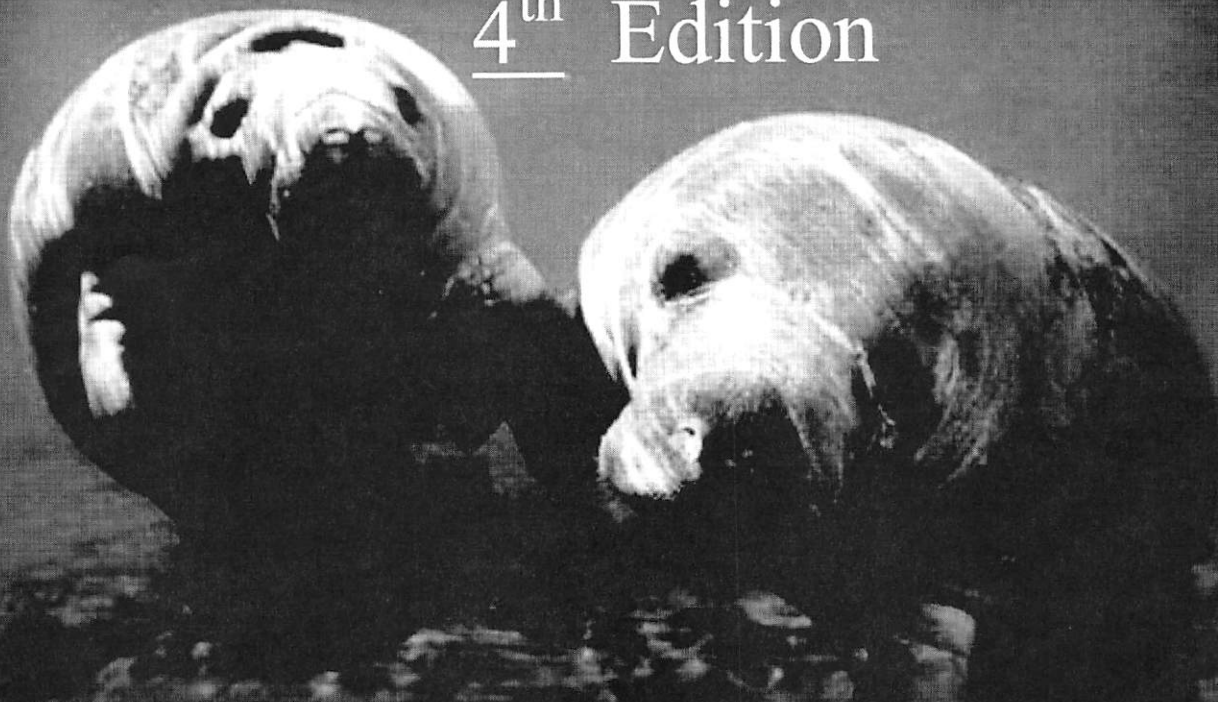






# Manatee Protection Plan

4<sup>th</sup> Edition



City of Jacksonville  
Planning and Development Department  
November 2017

## **Executive Summary**

This document is the third revision to the Duval County Manatee Protection Plan (MPP). A MPP is a comprehensive planning document that addresses the long-term protection of the Florida manatee through law enforcement, education, boat facility siting, and habitat protection initiatives on a county-wide basis. The original MPP was developed by the Jacksonville Waterways Commission for the Jacksonville City Council. Jacksonville University (JU) conducted much of the research on which that plan was based. In 1999, the MPP was approved by the Jacksonville Waterways Commission as well as the State of Florida and the U.S. Fish and Wildlife Service (USFWS). In 2004, it became apparent that a revision was needed to the MPP because of differing interpretations of the plan, and a revision was adopted in 2006. The Florida Fish and Wildlife Conservation Commission (FWC) encourages reassessments of MPPs every five to seven years. The purpose of revising this MPP is to collect and evaluate updated information on manatee use and boat activity in the City of Jacksonville (COJ) and provide guidance targeted at reduction of human-related threats to manatees and manatee habitat. Both the 1999 and 2006 versions of the MPP included a provision that defined five or more watercraft-related mortalities in all COJ waters within a 12 month period as an unacceptable level of manatee mortality. Between 2000 and 2010, the level of watercraft-related manatee deaths was at this unacceptable level for over half of those 10 years. It was apparent that the MPP needed major reassessment and revision to address county-wide manatee management goals.

A MPP attempts to balance boater waterway access with impact to manatees from boat traffic, and is intended to increase the predictability of permitting outcomes for boat facility development. The Boat Facility Siting strategy is a primary component of a MPP, however it relies heavily on the other components of the plan. Manatees are most likely to be struck by boats in areas where there is high manatee abundance and high boat traffic. A Boat Facility Siting strategy is intended to direct new boat slips in areas where the risk of boat and manatee interaction is relatively low and discourage new boat slips in areas of relatively high risk. This MPP includes updated manatee data, boating activity data (boat traffic studies and marina inventories), and details about manatee habitat, law enforcement, port facilities, and education and outreach. Current data and information in each of these areas has been collected and analyzed to develop this revision of the MPP, including revised boat facility siting recommendations that are based on this updated data analysis.

Additionally, recommendations are made in this MPP that address plan implementation, funding to perform MPP implementation tasks, continued and improved education and awareness, increased law enforcement and plan revision guidelines. Ultimately, this MPP will be adopted by reference in the COJ Coastal Management Element of the Comprehensive Land Use Plan.

- i. Acceptable With Conditions - Development in an Acceptable With Conditions area may occur at up to five (5) slips for every 100 feet of shoreline owned or controlled by the applicant. For example: A site has 342 feet of shoreline. In order to calculate the allowable number of slips, 342 is rounded up to the next one hundred foot increment (400), then divided by 100 which equals 4. That number is multiplied by the slip to shoreline ratio (5). In this example, 20 would be the allowable number of slips.
- ii. Unacceptable – Development may occur in an Unacceptable area if the development is proposed at a level of one slip for every 100 feet of shoreline owned or controlled by the applicant. For example: A site has 442 feet of shoreline. In order to calculate the allowable number of slips, 442 is rounded up to the next one hundred foot increment (500), then divided by 100 which equals five (5). That number is multiplied by the slip to shoreline ratio one (1). In this example, five (5) would be the allowable number of slips.

**B. Special Development Area – Development in the following locations is allowable as detailed below:**

- i. Downtown Development of Regional Impact (DRI) Area - Slips within this area will be limited to the 789 slips authorized by the Consolidated Downtown (DRI) Consolidated Order as of 2012 (see attached Appendix C, DRI location map). These ~~789~~ 964 slips to be distributed to locations within the Special Development area as specified in the DRI consolidated order, some of which may already be permitted and existing.
- ii. Ortega River Working Waterfront Zone – Development on the parcels with riparian rights at the six (6) marina sites in that zone (Huckins Yacht, Cedar Point Marina, Lambs Yacht Center, Lakeshore Dry Storage and Sadler Point Marina) is unrestricted from a manatee management perspective.
- iii. Property Parcel North of Atlantic Boulevard on Pablo Creek – A maximum of 650 slips (wet and dry) as authorized by City of Jacksonville Ordinance 2009 – 621-E are allowable within this area.
- iv. City of Jacksonville Public Boat Ramps - The following planned expansions and one new public boat ramp are allowable as detailed below:
  - a) Wayne B. Stevens Park Boat Ramp at 4555 Ortega Farms Boulevard – 10 additional boat trailer parking spaces at this location. For a total of 59 trailer parking spaces (49 existing + 10 additional).
  - b) Lighthouse Marine Boat Ramp at 5434 San Juan Avenue – Four (4) additional boat trailer parking spaces at this location. For a total of 20 trailer parking spaces (16 existing + 4 additional).
  - c) Bert Maxwell Park Boat Ramp at 500 Maxwell Road - 15 additional boat trailer parking spaces at this location. For a total of 60 trailer parking spaces (45 existing + 15 additional).
  - d) Lonnie Wurn Boat Ramp at 4131 Ferber Road – Five (5) additional boat trailer parking spaces at this location. For a total of 14 trailer parking spaces (9 existing + 5 additional).
  - e) Oak Harbor Boat Ramp at 2428 Seaway Street – Four (4) additional boat trailer parking spaces at this location. For a total of 32 trailer parking spaces (28 existing + 4 additional).