

APPENDIX A: Incidental take avoidance and minimization measures for new or expanding multi-slip facilities and for dredging projects, March 2011

Projects determined to be “may affect” as per the 2011 Manatee Key may or may not be reasonably certain to result in take of manatees. The following discussion is intended to provide more specific guidance on when take may occur, and what measures may offset the potential for adverse effects.

1. There are locations or circumstances in which take of manatees is **reasonably certain to occur** from new or expanding multi-slip facilities or from dredging. However, in some cases, it is possible the likelihood of take may be eliminated or reduced through a case-by-case review of the project including the implementation of alternative measures developed among the applicant, FWS, FWC and the county. These locations or circumstances include the following:
 - a. **Counties with State-approved MPPs in place:** The project has not been reviewed by the FWC or FWS **or** has been reviewed by the FWC or FWS **and** determined that the project is not consistent with the county’s State-approved MPP. These counties include Brevard, Broward, Citrus, Clay, Collier, Duval, Indian River, Lee, Martin, Miami-Dade, Palm Beach, St. Lucie, Sarasota, and Volusia. Projects proposed within the St. Johns River portion of Lake, Marion and Seminole counties shall be evaluated using the Volusia County MPP for those shorelines depicted as contiguous with Volusia County in the MPP.
 - b. **Counties not required to have a State-approved MPP, but where manatee protection is necessary for all or a portion of the county:** The project’s total number of slips **exceeds** the residential dock density threshold of 1 slip to 100 feet of shoreline **and** measures or project modifications proposed by the applicant have been determined to be insufficient. These counties include Charlotte, DeSoto (Peace River), Flagler, Glades, Hendry, Hillsborough, Levy, Manatee (excluding Braden River AIP), Monroe (north of Craig Key in the Florida Keys), Pasco (Anclote and Pithlachascotee Rivers), Pinellas, Putnam and St. Johns.
 - c. **Manatee County, Braden River AIP:** The take of manatees is reasonably certain to occur for projects located within an AIP. The only acceptable incidental take avoidance and minimization measure available is to implement sufficient manatee protection measures (i.e., speed zones, signage, law enforcement) that warrant the removal of the AIP designation. Until such designation is removed, permits should not be issued.
 - d. The applicant **does not elect** to follow the standard manatee conditions for in-water activities (Appendix B) as recommended by the 2011 Manatee Key.
 - e. The applicant **does not elect** to follow all dredging protocols described on the maps for the specific IMAs and WWAAs as recommended by the 2011 Manatee Key or **does not elect** to comply with any additional protection measures required for dredging projects not addressed in the 2011 Manatee Key.

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2. There are locations in which take of manatees is **not reasonably certain to occur** from new or expanding multi-slip facilities or from dredging. These locations include the following:
 - a. **Counties with State-approved MPPs in place:** The project has been designed or modified to be consistent with a county's State-approved MPP **and** verified by a FWC review or FWS review, **and** the applicant elects to follow conditions 2.c., 2.d. and 2.e. below. These counties include Brevard, Broward, Citrus, Clay, Collier, Duval, Indian River, Lee, Martin, Miami-Dade, Palm Beach, St. Lucie, Sarasota, and Volusia. Projects proposed within the St. Johns River portion of Lake, Marion and Seminole counties shall be evaluated using the Volusia County MPP for those shorelines depicted as contiguous with Volusia County in the MPP.
 - b. **Counties not required to have a State-approved MPP, but where manatee protection may be necessary for all or some areas of the county:** The project's total number of slips **does not exceed** the residential dock density threshold of 1 slip to 100 feet of shoreline **and** the applicant elects to follow conditions 2.c. and 2.d. (and 2.e. where appropriate) below **or** the project's total number of slips **exceeds** the residential dock density threshold of 1 slip to 100 feet of shoreline, **but** measures or project modifications proposed by the applicant have been determined to be sufficient. These counties include Charlotte, Desoto (Peace River), Flagler, Glades, Hendry, Hillsborough, Levy, Manatee (excluding Braden River AIP), Monroe (north of Craig Key in the Florida Keys), Pasco (Anclote and Pithlachascotee Rivers), Pinellas, Putnam and St. Johns.
 - c. The applicant **elects** to follow the standard manatee conditions for in-water activities (Appendix B).
 - d. The applicant **elects** to follow all dredging protocols described on the maps for the specific IMA in which the project is proposed or comply with any additional protection measures required for dredging projects not addressed in the 2011 Manatee Key.
 - e. The applicant **elects** to install and maintain permanent manatee educational signs for projects that involve watercraft access. If a project involves a boating facility with greater than fifty slips, the applicant also **elects** to develop, and make available for distribution to patrons, additional manatee educational materials acceptable to FWC and FWS.