



South Florida Wildlands Association  
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Public Comments Processing  
Attn: Docket No. FWS-R4-ES-2014-0024  
U.S. Fish and Wildlife Headquarters, MS: BPHC  
5275 Leesburg Pike  
Falls Church, VA 22041-3803

Greetings:

South Florida Wildlands Association (SFWA) appreciates the opportunity to provide these comments on the "Notice Of 90 Day Petition Finding And Initiation Of Status Review" for the West Indian Manatee. SFWA is a 501c3 non-profit founded in March of 2010 to protect remaining wildlife and habitat in the Greater Everglades. We support maintaining the manatee's current "endangered" status and strongly object to lowering its protective status to "threatened." Designated as the official Florida marine mammal in 1975, manatees face an enormous array of present and future challenges. Their habitat and food supply has been significantly degraded from coastal and inland development, sharp increases in boating, urban and agricultural runoff, and climate change. Virtually all science based analyses agree that living conditions for this iconic species will continue to deteriorate in the near and long term.

According to their website, Pacific Legal Foundation has filed its petition on behalf of its client, Save Crystal River, Inc., as an attempt to remove protections for the manatee that the organization believes are unnecessary and unduly burdensome given the manatees current status.

Ironically, on their webpage on this issue, Pacific Legal Foundation has posted a video which shows a swimmer petting an endangered manatee.

<http://www.pacificlegal.org/releases/Feds-are-petitioned-to-drop-manatees-listing-as-endangered>

The video is posted separately by the Foundation here:

<https://www.youtube.com/watch?v=KeF1Ku5Mnd4>

According to the Florida Fish and Wildlife Conservation Commission's (FWC) website on "Do's and Don'ts" on interacting with manatees:

"Look, but don't touch manatees. Also, don't feed manatees or give them water. If manatees become accustomed to being around people, they can alter their behavior in the wild, perhaps causing them to lose their natural fear of boats and humans, which may make them more susceptible to harm. Passive observation is the best way to interact with manatees and all wildlife."

Petting a manatee would also be a violation of protections afforded the manatee under the Endangered Species Act. A legal firm purporting to represent the best interests of one of Florida's iconic endangered species should know better.

A few points.

Since April of 2010, SFWA has been on the email distribution list and received all public notices from the Army Corps of Engineers regarding applications for projects which could impact wetlands and coastal areas and which require federal permits. We have received approximately 2000 notices in that time. Here is an excerpt from the first notice sent to us on April 2, 2010:

**PROPOSED WORK:** The applicant proposes the following work: 1) to expand the existing marina with the addition of 4,488 square feet of additional docking structures and mooring piles (see attached plan sheets 1 through 11 for more details). A total of 3 slips will be removed and 16 slips added, for a net increase of 13 slips; 2) to dredge 65 cubic yards of material within the proposed expansion area to (-5) feet Mean Low Water (MLW); 3) to dredge 1525 cubic yards of material within a proposed private easement to a depth of (-6) feet MLW. All spoil material will be taken via barge to Naples Landing where it will be placed in sealed 18 yard containers. The containers will then be placed on trucks and taken to an upland disposal site.

A Google Map showing the location - excellent manatee habitat - is here:

<http://bit.ly/1rapLvD>

Like the one described above, these applications, which involve destruction of coastal manatee habitat and seagrass foraging areas, come in like rain from throughout the state. They are generally the subject of Section 404 permitting under the Clean Water Act. Our understanding is that virtually all are approved. In addition, major federal port expansion projects involving miles of coastal waters and manatee habitat are being conducted (or applied for) in the Port of Miami (Biscayne Bay), Port Everglades (Ft. Lauderdale), Port Canaveral (North end of the Indian River Lagoon), and others. These port projects are also subject to federal approval under Section 10 of the Rivers and Harbors Appropriation Act of 1899. They will result in significant loss of habitat over and above the destruction caused by new coastal housing and businesses, private boat slips and

marinas. The proposed project in Ft. Lauderdale's port in particular is located adjacent to a well known (and well used) wintering area for manatees.

In their August, 2008, "Wildlife 2060" report written to consider impacts to Florida's wildlife from an expected population increase from 18 million (when the report was written) to 36 million in the year 2060, the FWC had this to say about coastal areas of Florida.

"Florida's coral reefs and keys, barrier islands and sugar-sand beaches, mangrove forests, salt marshes and fertile estuaries powerfully lure residents and tourists alike to linger. Seventy-two percent of Florida's estimated 18 million residents live or work in coastal areas. The population of our coastal counties is predicted to double from 12.3 million to more than 26 million by 2060."

Along with the somewhat shocking direct loss of manatee habitat and food supply that growth will facilitate (as evidenced by numerous Army Corps applications already mentioned), the report also indicates a loss of millions of acres of natural areas due to development throughout the state.

"recent predictions indicate that our state's human population may double to 36 million in the next 50 years. If that happens, as a study published by 1000 Friends of Florida suggests (see maps at right), about 7 million acres of land could be converted from rural and natural to urban uses. If we develop—as we have in the past—roads, shopping malls and subdivisions will replace the rich diversity our landscape currently offers. Development also will impact our coastal waters and coral reefs.

And as virtually all fresh waters in our state eventually drain to our Gulf and Atlantic marine waters, that predicted development (now occurring) means dramatic increases in runoff from new buildings, cars, roads, lawn fertilizers and pesticides, and septic tanks,

mounds and fields. All of this can be expected to further degrade habitat and food supply for manatees. The future for manatees is grim indeed.

The full "Wildlife 2060" report can be downloaded here:

<http://myfwc.com/media/129053/FWC2060.pdf>

This important report should be consulted and its implications fully considered before making a decision to downgrade the manatee's conservation status based on supposedly improved conditions for an endangered species. The doubling of Florida's human population within a few decades, loss of natural coastal areas and inland areas which serve as watersheds for our estuaries, increased boat traffic, increased runoff, warmer and more acidic oceans, and sea level rise will combine to have catastrophic impacts on Florida's state marine mammal. This is hardly the time to consider a downgrading from endangered to threatened.

It should be pointed out that many of those impacts predicted for the future are already taking place. In an article published earlier this year, National Geographic reported on the record number of deaths for manatees in 2013 (White M., 2014, January. Record 829 Manatee Deaths in 2013 Puzzle Scientists. National Geographic). While part of the increase in deaths was explained, deaths which occurred in the Indian River Lagoon were not.

"More puzzling are the deaths of more than 100 manatees in the Indian River area of east-central Florida. Despite months of study and necropsies on dead manatees, scientists don't know what killed the animals.

'It started out pretty baffling, and to this point they still have no clue,' says Bob Bonde, a research biologist with the U.S. Geological Survey and co-author of the book *The Florida Manatee: Biology and Conservation*. Though scientists speculate that a toxin of some sort is responsible, they don't know what it is or how manatees may have ingested it."

The article further states that from "2010 to 2013, about 900 more manatees died than expected—from red tides, cold weather, and other mysterious causes." We agree fully with Pat Rose, Executive Director of Save the Manatees and his response to that statistic - "It would be absolutely wrong to move forward with downlisting without factoring in the extremely high mortality over this three-year period."

Full article can be found here:

<http://news.nationalgeographic.com/news/2014/01/140122-manatee-deaths-florida-red-tide-threats-endangered-species/>

It should also be noted that runoff into the Indian River Lagoon - the location of the "mystery deaths" - has not decreased. More residential development in the watershed for the estuary, continued seasonal discharges of agricultural pollution from Lake

Okeechobee and other sources to the west, and increases in pollution from the planned expansion of Port Canaveral will combine to create manatee habitat conditions which are likely to be worse - not better - in the years to come.

Other comments from SFWA deal with manatee deaths as a result of boat collisions - apart from red-tides and cold snaps, generally the leading cause of death for manatees in Florida. In a survey of data conducted by the Smithsonian Marine Station at Fort Pierce, manatee deaths were sorted by cause during the twenty year period covering 1985 to 2005. Boat collisions accounted for 25 percent of deaths - the leading cause after "undetermined causes." However a percentage of those undetermined deaths were also caused by boats - but bodies were too badly decomposed due to age to make an exact determination. The Marine Station also predicts that as the number of boats on the water grows along with increases with the human population, the number of manatee deaths by collision will continue to rise as well:

"all indicators show that on an annual basis, there is likely to be even greater watercraft pressure on manatee populations as Florida's human population grows and the number of watercraft increases."

Full report with graphics can be found here:

[http://www.sms.si.edu/irlspec/Trichec\\_manatu.htm](http://www.sms.si.edu/irlspec/Trichec_manatu.htm)

Even within the boundaries of protected conservation areas such as Everglades National Park, manatee deaths as a result of boating collisions continue unabated. Little has changed in the management of boating in Everglades National Park since I wrote this editorial for the Miami Herald in 2007.

<https://www.dropbox.com/s/uve4urh856dmery/Matthew%20Schwartz%20Manatee%20Editorial.pdf?dl=0>

And no "Manatee Conservation Plan" is in effect nor is one being contemplated for the new General Management Plan for Everglades National Park. It should be anticipated that manatee deaths by powerboat will continue to rise even as suitable habitat continues to shrink and the quality of that habitat degrades as a result of numerous factors. One of those factors not yet mentioned in these comments is sea level rise. See article from today's press covering unprecedented levels of ice melt from Greenland and Antarctica.

[http://ecowatch.com/2014/09/01/greenland-antarctic-melting-climate-change/?utm\\_source=EcoWatch+List&utm\\_campaign=deb0e0ab29-Top\\_News\\_9\\_2\\_2014&utm\\_medium=email&utm\\_term=0\\_49c7d43dc9-deb0e0ab29-85905697](http://ecowatch.com/2014/09/01/greenland-antarctic-melting-climate-change/?utm_source=EcoWatch+List&utm_campaign=deb0e0ab29-Top_News_9_2_2014&utm_medium=email&utm_term=0_49c7d43dc9-deb0e0ab29-85905697)

As sea levels rise (now assured), sea grass beds will receive less sunlight and that will further reduce quality of habitat and food supply for manatees.

It is illogical and contrary to the mandates of the Endangered Species Act to move the manatee from "endangered" to "threatened" status at this time. The requirements of the Act are far stronger for an animal listed as "endangered" and cannot so easily be set aside due to "other considerations" as they can be for a species listed as "threatened." FWS staff will require the entire regulatory tool box be available and at their disposal for manatees to have a chance of surviving in the years to come. Please leave the manatee's conservation status "as is" and deny the petition to downgrade from the Pacific Legal Foundation.

Best regards,

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