

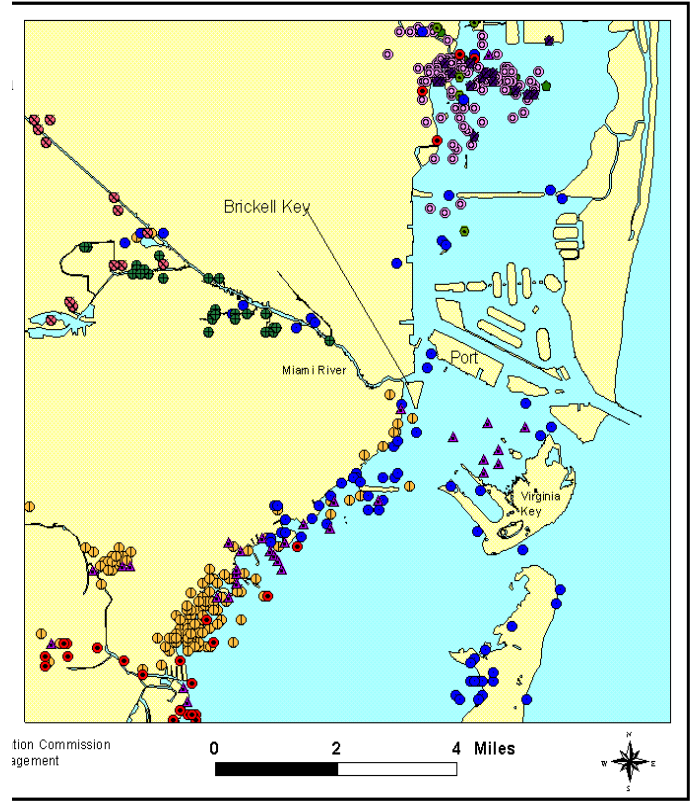
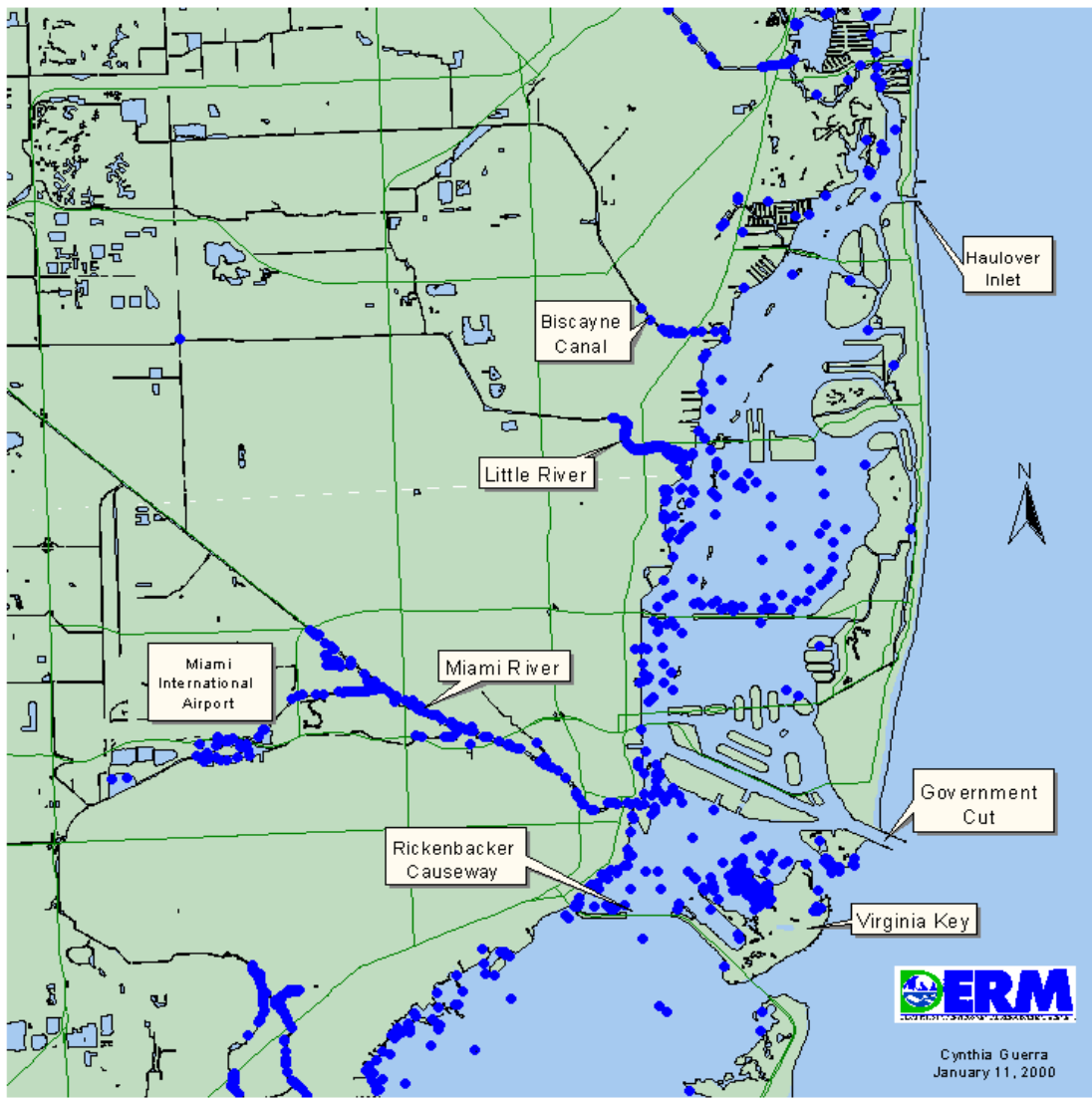
State Guidance for New or Expanded Facility Siting:

- Minimize overlap of boat travel corridors with areas most likely to be occupied by manatees
- Avoid warm water aggregation sites, seagrass
- Avoid areas with sensitive behaviors, i.e. mating, nursing
- Avoid areas with high mortality
- Consider adequacy of speed zones



Where is a good place for a new marina?





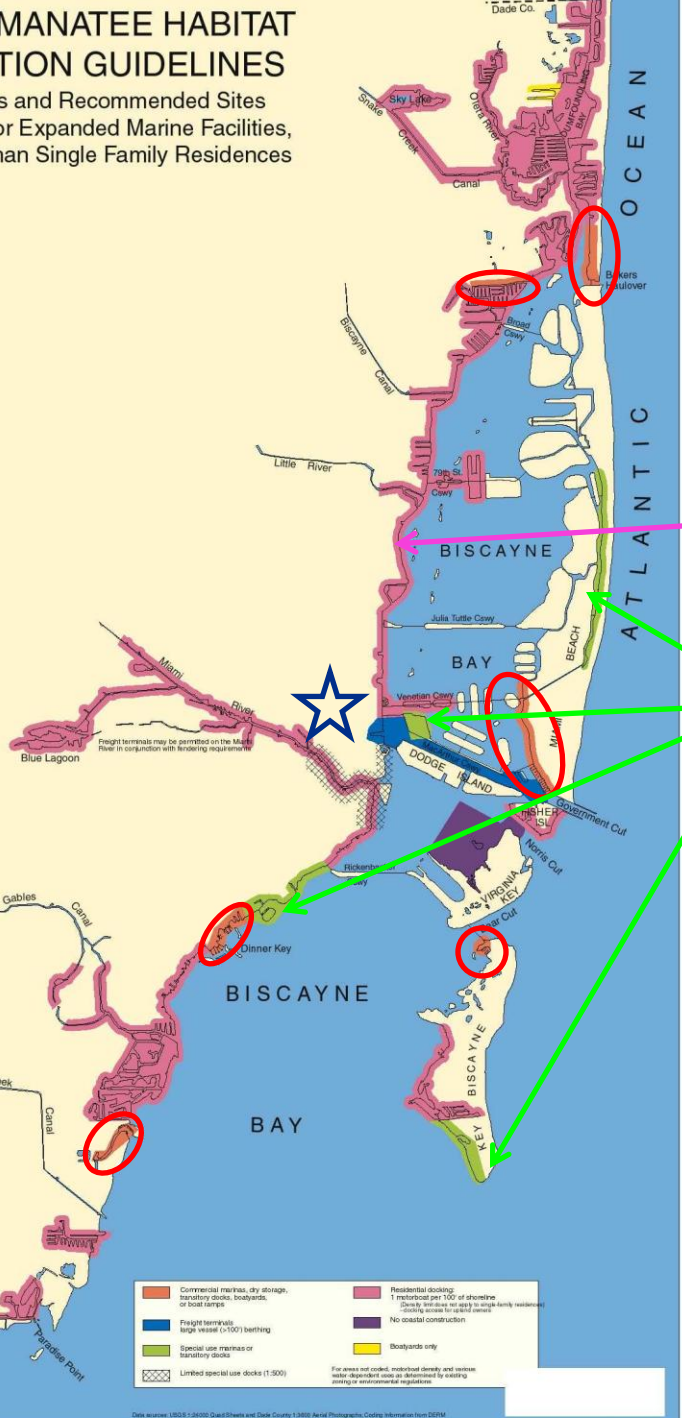
Additional considerations:

- AMOUNT and TYPE of vessel traffic generated
 - Size and type of facility (number of vessel trips generated)
 - Types of vessels (eg. large or small; sail or power)
 - Type of operations and frequency of use (recreational marina, transient/courtesy docks, boatyard, terminal, fishing boats)
 - Preferred destinations
- Occupancy rates of facilities
- Traditional riparian rights for reasonable access



ESSENTIAL MANATEE HABITAT PROTECTION GUIDELINES

Limits and Recommended Sites for New or Expanded Marine Facilities, Other than Single Family Residences



Commercial marinas, dry storage, temporary docks, boatyards, or boat ramps	Residential docking: 1 residential per 100 of shoreline (Density and use not applicable to single-family residences directly adjacent to residential areas)
Freight terminals (large vessel >100') berthing	No coastal construction
Special use marinas or berthing docks	Boatyards only
Limited special use docks (1:500)	

For areas not coded, individual density and service use dependent rules or determinations for existing zoning or environmental regulations.

1995 MPP:

- Unlimited facility expansion recommended near open water, channels, etc.
- Limited expansion recommended in essential habitat
- Special uses recommended in specific areas
- Very few areas where no expansion of any kind is recommended
- NO total cap or limit of slips countywide
- Existing facilities allowed to rebuild, repair, etc. provided there is no change in type of vessel use

- **Current definition of EXISTING FACILITY:**
- An “existing marine facility” ...is one which was in use on October 28, 1984 or later, and if constructed after 1980, must have appropriate DERM permits. Facilities that have not been in use at any time since October 28, 1984 will not be considered existing and will be considered a new facility. An existing marine facility may be reconstructed with at least the maximum number of slips that were in use at one time since October 28, 1984. ***ALL EXISTING MARINE FACILITIES SHOULD BE ALLOWED TO CONTINUE WITH THE EXISTING USE, AND MAY RENOVATE*** (according to permitting guidelines) as long as there is no change in facility size, including no increase in number of wet or dry slip (unless the facility meets the expansion criteria addressed below).”

- Based on a compromise to recognize concerns of traditional or historic uses (esp. following Hurricane Andrew); not a biological determination that impacts of existing facilities were acceptable
- **EXISTING MARINE FACILITY definition issues**
 - October 28, 1984: increasingly difficult to accurately document in-water use back more than 20 years
 - October 28, 1984: a facility or slips that stopped operating a long time ago is NOT representative of an existing impact
 - Deals with a site, but does not address how to deal with a business relocating (a “fairness” issue)
 - Need to define “existing use” more specifically, particularly with respect to power boats and categories of marine facilities

Regulatory Issues Other than Manatees

- Biscayne Bay Aquatic Preserve (no further conveyance of submerged land for private purpose except SF docks)
- National Park management issues
- Other listed species
 - American crocodile
 - Halophila johnsonii critical habitat
- Mangrove and seagrass protection areas
- Water Quality
- Navigation (esp. federal channels) and water depth
- Zoning and neighbors