

## MANATEE SPECIFIC

### **What is the history of the manatee listing action?**

In August 2001, the Florida Fish and Wildlife Conservation Commission (FWC) received a petition (<http://myfwc.com/imperiledspecies/petitions/manatee.htm>) from the Coastal Conservation Association to evaluate the endangered status of the West Indian manatee (*Trichechus manatus*), specifically the Florida subspecies (*T. manatus latirostris*). In October 2001, the FWC's Commissioners accepted this petition and directed staff to complete a biological status review of the Florida manatee. This review was completed in 2003. Since then, the FWC has revised its listing process, and another manatee biological status review has been conducted under the new process. The preliminary 2005-2006 report is currently undergoing peer review and should be finalized in June 2006.

### **How did the biological review panel come to recommend the classification of "threatened" for the Florida manatee?**

While the manatee population appears to have increased over the past few decades, threats still remain that could cause the population to decline significantly in the future. Population model results indicated the potential for a future population decline of greater than 50% in the next 50 years. It also met the requirements of "threatened" because the number of mature individuals was estimated to be less than 2,500 and the population could decline by more than 20% in the next two generations.

### **How does manatee status impact speed zones?**

Existing boat speed zones established for manatee protection will not change if the proposed reclassification is approved. Speed zone regulations are implemented independent of the manatee's status in the state of Florida. Changes to boat speed zones are accomplished through the State rulemaking process, which includes extensive coordination with local governments and public participation. In addition, the manatee is federally protected under both the

Endangered Species Act (( <http://endangered.fws.gov/whatwedo.html#General> )) and the Marine Mammal Protection Act (([http://www.nmfs.noaa.gov/prot\\_res/laws/MMPA/MMPA.html](http://www.nmfs.noaa.gov/prot_res/laws/MMPA/MMPA.html) )), and the Florida Manatee Sanctuary Act (370.12 (2), Florida Statutes) specifically provides protection for manatees that is independent of, and not contingent upon, its status as a listed species.

### **If the Florida Fish and Wildlife Conservation Commission reclassifies the Florida manatee from "endangered" to "threatened," will it also eliminate protections?**

No. The categories in Florida's listed species rule describe the relative risk of extinction, not the level of protection. Prior to any reclassification, a species management plan will be developed that incorporates protections to foster the continued recovery of the species. The plan could take a year or longer to develop, during which the FWC will seek both professional and public input. This plan will propose protections necessary to guide species recovery.

In addition, the manatee is federally protected under both the Endangered Species Act (( <http://endangered.fws.gov/whatwedo.html#General> )) and the Marine Mammal Protection Act (([http://www.nmfs.noaa.gov/prot\\_res/laws/MMPA/MMPA.html](http://www.nmfs.noaa.gov/prot_res/laws/MMPA/MMPA.html) )), and the Florida Manatee Sanctuary Act (370.12 (2), Florida Statutes) specifically provides protection for manatees that is independent of, and not contingent upon, its status as a listed species.

### **Will the change in status impact review of marina and other coastal projects?**

The FWC will continue to provide review of permit applications that could impact the manatee and its habitat. Manatee protections will be defined by the species-specific management plan, which will take about one year to develop and incorporate public comment.

## **GENERAL QUESTIONS ON THE LISTING PROCESS**

### **What are the current criteria used for listing species in the state of Florida?**

The FWC listing process is driven by Florida-specific data and clear standards consisting of measurable biological criteria, peer reviewed by panels of experts, agreed upon by FWC's Commissioners, and strengthened by species-specific management plans that are tailored to the unique conditions and needs of each species. To view the criteria, see the definition section of the condensed rules at:

<http://myfwc.com/imperiledspecies/listingproceduresanddefinitions.pdf>

### **What is the FWC's listing process and how does it work?**

The listing process is a petition-initiated process the Florida Fish and Wildlife Conservation Commission (FWC) uses to classify imperiled wildlife species in Florida. There are three imperiled species classifications: endangered, threatened, and species of special concern. The imperiled species list classifications identify those species facing the greatest risk of extinction, they do not dictate the level of protection a species receives.

The process follows this outline:

- An external or internal individual or group can petition to have a species classification reviewed.
- Once the Fish and Wildlife Conservation Commission accepts a petition, a team of FWC biologists and non-FWC professionals conduct a biological status review following the FWC's listing process.
- The biological status review team is comprised of 3, 5, or 7 biological and professional experts, most of which are not with the FWC.
- The classification recommendations are peer reviewed by other biologists to see if they agree.
- The peer-reviewed classification recommendations are presented before the FWC's Commissioners at a meeting open to the public.
- If the recommendation is accepted, a detailed management plan and recommended rule changes for each species are developed, with public input, to guide species recovery.
- No change in status will occur until the FWC's Commissioners approve the management plan and vote on species-specific rules recommended in the plan. Development of the plan can take more than a year.

### **Why does the FWC use this listing process?**

From 1972 through 1999, Florida's listing process was an intuitive process with no fixed criteria and no standardized formal review process. There was no listing process rule, the definitions were considered somewhat vague, and listing actions were done through rule changes.

Questions were raised on this process and the Game and Freshwater Fish Commission (GFC) agreed to improve it. At that time, the GFC implemented a self-imposed moratorium on listing actions from 1994 until a new process would be approved.

In 1998, the GFC appointed an 11-member stakeholder panel (a mix of environmental, development, agricultural and recreational user groups) to review the issues and provide a list of desired characteristics for a listing process.

Staff used the stakeholder input to draft the process, which was adopted in 1999, and supported by the stakeholders with no major objections. The 1999 process was adopted by the GFC just prior to the constitutionally mandated merger, and therefore did not address marine species. As a result, the newly formed FWC reconvened the

Stakeholder Panel in September 2002 with new marine membership to address concerns during implementation of the 1999 process and new marine issues the agency faced, and issued a moratorium on reviewing listed species.

As a result in April 2005, the FWC adopted the new IUCN criteria, the IUCN regional guidelines, and other modifications, which have been tested by the scientific community worldwide. In fact, at least 30 countries are using IUCN standards as the basis for their own imperiled species classification process.

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**When will the biological status reviews be completed?**

The final peer-reviewed biological status review of the bald eagle, Florida manatee, gopher tortoise and Panama City crayfish are to be presented at the June 2006 meeting of the Florida Fish and Wildlife Conservation Commission.

**Will all biological status reviews be identical?**

No. The biology, life history and available data on each species vary greatly. Species experts, both within and outside of the FWC, will use the best available science, data and information for each species review. In addition, the reviews will consider the unique risks each species faces so that the appropriate imperilment category is identified. To strengthen this review recommendation, all information and findings will be evaluated by different independent scientists to ensure that the biological review panel made sound science-based decisions/recommendations.

**If the FWC's Commissioners decide that a reclassification change is warranted, when will this change occur?**

The status change for any species will occur only after a species management plan is developed, professionally and publicly reviewed, and accepted by the FWC's Commissioners. The development of a species management plan can take more than a year.

**What does it mean if a species is reclassified from "endangered" to "threatened?"**

A reclassification from "endangered" to "threatened" means that a species is no longer in imminent danger of extinction, but still has a very high risk of extinction. It also means that the species' biological data no longer meet the criteria for endangered, but they do meet the criteria for threatened.

**If a species is reclassified, does it mean that species protections change?**

It could. The classification categories in Florida's listed species rule describe the relative risk of extinction, not level of protection. The protections for any reclassified species will be defined in a species-specific management plan that guides species recovery.

**Why is the FWC evaluating the status of the bald eagle, gopher tortoise, manatee and Panama City crayfish?**

The FWC received petitions to assess the status of the bald eagle, gopher tortoise, manatee, and Panama City crayfish from 2001-03. In April 2005, the listing process was updated and the Commission directed staff to evaluate these species under the new listing process rules. All four biological status reviews are expected to be completed in June 2006.

**How long have the manatee and bald eagle been protected in Florida?**

Florida's manatee protection laws date back to 1893. The bald eagle has been protected since 1940.