



CITIZENS FOR FLORIDA'S WATERWAYS

Volume 26 - Issue 1

January/ February 2019

Citizens For Florida's Waterways promotes the need for responsible use of Florida's waterways. Our primary objective is to encourage coexistence among recreational and commercial boaters, the marine industry, property owners and the environment. Citizens For Florida's Waterways advocates education in the safe and considerate use of watercraft with respect for our marine environment and conservation.

President's Message

OFFICIAL Manatee Abundance Estimate Increases Dramatically from 6,300 in June 2015 to 8,800 in December 2018

This is Our 25th Year.

I remember the "birth" of CFFW. It was 1994 – but to be honest, I can't remember the month. By that time, there was a growing resistance to any further slow speed zones. I was FURIOUS. At the time, I was an avid skier and member of the re-formed Space Coast Waterski Club and an appointee by the County Commission to help draft the Brevard County Manatee Protection Plan. I was asked to help preserve the watersports areas from over-regulation. I gladly provided a detailed spreadsheet of my favorite 19 places to ski and then could not stop 18 of them from becoming slow speed zones.

A lot of folks were equally upset. Brevard waterways had been successively restricted, beginning with a highly visible boat strike during a Kiwanis Basin waterski event on April 6, 1986. That accident forever closed the popular tournament site (How many remember the ski jump that used to be a landmark?). With each passing year from '86 to '94, we had been losing the reasonable usage of more and more critical channels and recreational areas.

The state had scheduled another public hearing to get input from the locals about the next round of proposed slow speed zones. A handful of us met on the back porch of a Kiwanis Basin canal front home to strategize how we could show the state and the local paper just how many more local residents opposed than supported the proposal.

In our hearts, I think we all knew public hearings were just a checkbox in a state process and the outcome was a foregone conclusion. The result of every previous public hearing supported that thinking. No matter how sound our arguments or how many angry objections, the restrictions followed. What was worse, the local paper continued to report that the proposed zones were actually supported by the attendees. Nothing could have been farther from the truth and we wanted undeniable proof.

The venues for each successive hearing had grown to accommodate the number of people who showed up to fight the proposals. This hearing was to be held in the BCC/Cocoa Auditorium and the turnout was expected to fill it. We greeted each attendee at the door and tied an orange armband on everyone opposed to the additional zones. We distributed key messages to known potential speakers to cover all the reasons NOT to implement zones. And we came up with a name to identify our opposition, Citizens for Florida's Waterways, abbreviated CFW in those days.

The turnout was tremendous. All but a handful sported our orange bands. Our arguments were sound. Our questioning of the science behind the proposals was well founded. The state politely listened. The proposed zones were imposed. Honestly, I don't remember which of the collection of Brevard zones were on this agenda.

... (Continued on Page 3)

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Please Mark Your Calendars!



- » **February 21: Brevard Marine Advisory Council** 6:00 pm
Viera Government Center, Bldg. C, 2nd Floor.
- » **March 4: Board of Directors Meeting** 6:30 pm Lighthouse Christian
Church on N. Banana River Dr. Open to the public.
- » **March 6: District 2 Dredging Committee Meeting** 6:00 pm Karen Rood
Bldg (near the boat ramp) at Kiwanis Island, Merritt Island. Open to the
public.
- » **March 21: Brevard Marine Advisory Council** 6:00 pm Viera Government
Center, Bldg. C, 2nd Floor.
- » **March 30-31: 22nd Annual CFFW Marine Flea Market at HarborTown
Marina on Sea Ray Dr. 8-4 Saturday and Sunday.**
- » **April 1: Board of Directors Meeting** 6:30 pm Lighthouse Christian
Church on N. Banana River Dr. Open to the public.
- » **April 3: District 2 Dredging Committee Meeting** 6:00 pm Karen Rood
Bldg (near the boat ramp) at Kiwanis Island, Merritt Island. Open to the
public.

Newsletter Delivery Mode

E-Newsletters Now Available

CFFW is offering all members the option to receive all future newsletters by email instead of a hard copy by mail.

If you wish to save your club money on printing and postage, please reply to info@cffw.org and we will add you to the email list for your newsletters!.

You can view the same exact version online at CFFW.org and click on "newsletters" tab and the issue you would like to view. ❖

***When Does Your
Membership Expire?***
(See Back Cover)

President's Message

Continued from Page 1

What Have We Accomplished?

Our highest priority goal has always been elimination of over-restrictive or unnecessary slow speed zones. If you measure success based on achievements in this effort, we have nearly failed. We have not YET been able to recover the access and usage of any of the restricted waterways in Brevard County. On the other hand, we have exerted some impact on the implementation of regulatory zones in other counties around the state.

Almost all of our early arguments have endured and many have prevailed with time. One of these was that there was enough evidence available from many manatee mortalities classified as "boat/barge" to actually make a determination that small recreational and even larger mid-size cruisers were not involved. This argument was proven correct by one of our members that developed an approach to determine boat class of size by the spacing of propeller scars. While the manatee community was in denial, government agencies from Australia adopted the results and applied them to whale collisions. Finally, the manatee community

accepted the validity of the result – but still make no effort to break down watercraft mortality by boat size – even when the evidence overwhelmingly points to propellers large enough to practically sever an animal in two.

To try and get a reasonable voice in manatee policy making, CFFW brought much of the boating community together in a single meeting around 2003 to achieve a unified approach to manatee protection. We also invited the state agency and the biggest result coming from the gathering was the state's commitment to convene a forum of stakeholders and to work to find common ground with respect to balancing manatee protection and boating access and usage. This became the Manatee Forum. This has given CFFW a platform to discuss, challenge and change the status quo with respect to all aspects of manatee "science".

Probably the greatest legal achievement for CFFW was the impact we brought to bear motivating the reclassification

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President's Message

Continued from Page 3

of the manatee to “threatened” within the Endangered Species Act. In addition we motivated legislative changes to the Manatee Sanctuary Act affecting zones in navigational channels and changes to the rule-making process, including requirements for a Local Rule Review Committee to participate in the overall decision process. Through the years, CFFW has influenced the rules proposed for other counties.

We have consistently challenged that the annual manatee counts were only the basis for a minimum since not all manatees could be counted and that as long as the state was determined to account for EVERY manatee death, there was an equal obligation to better estimate the living population. Finally, in 2015 the first legitimate attempt to statistically estimate the population was conducted, resulting in a population estimate of over 6,300. This assessment was updated to over 8,800 last month. All of the data to date is consistent with a population growth rate around 6%. This is an explosive rate, as the population has been and can be expected to continue to double every 10-15 years.

Although we had asked the question repeatedly since the mid 80s, the agencies had NEVER attempted to determine the carrying capacity or optimum sustainable population (as required by the Endangered Species Act). Even faced with the rate of growth data, they remain too concerned and focused on saving every animal to consider adverse consequences. They made an attempt to determine if there was enough natural warm water output to accommodate the herd if the illegal artificial warm water sources were finally eliminated. What they overlooked in those results was that they had really determined that available seagrass was more critical than warm water availability.

Given that the agencies had developed enough data to determine seasonal productivity of an acre of IRL seagrass and also the consumption requirements of an individual manatee, it was not a difficult task to demonstrate local area carrying capacity – which we have. In 2014, when there was much more seagrass remaining in the IRL, we showed the

increasing consumption requirements of the growing winter herd in the central/northern IRL was threatening to surpass the available forage. This is mainly due to the fact that over 1,000 animals were squeezing in to the Port St John outflows. Today, for a combination of a lot of theoretical reasoning, there is drastically less seagrass remaining in the IRL. This is probably a more critical crisis than potential manatee extinction ever WASN'T.

In addition, most manatee protectors continue to deny that manatees destroy seagrass beds. We established parametric analyses, considering percent of seagrass uprooted during foraging and seagrass recovery rates. We determined that ANY amount of uprooting on an annual basis, requiring more than one year to regrow (consider how long prop scars take to recover), results in a permanent loss of a percentage of the seagrass bed. This is a cumulative annual loss. As percent uprooting or recovery rates increase, so does the percentage annual loss. A conservative example is to start with 1,000 acres of seagrass, assume that 10% of it is uprooted each year, and it takes 2 years to recover. Each year the acreage would be reduced by 50 acres. Think how conservative 10% and 2 years really are and yet, if this continues to occur for 10 years, half of the original acreage has been FOREVER lost.

SO . . . What Now?

Fortunately, there are those within the agencies that realize that even if we don't have a statewide carrying capacity concern, we definitely have seen localized carrying capacity issues here in Brevard. In other words we have a population distribution problem. We all know the cause of our local problem. It is the attractive nuisance of the artificial warm water outflow, ridiculously allowed to continue outside the 1974 Federal Clean Water Act as a “manatee sanctuary” due to the Crisis that NEVER Was.

Whether the manatee protectors believe that the manatee played any role in the REAL current IRL crisis, we all know that the manatee is not playing a positive role in the recovery. The USFWS finds itself in a self-created box and cannot find

... (Continued on Page 5)

President's Message

Continued from Page 4

the way out. They have trained the manatees that winter in Port St John that there is refuge from the winter cold there since 1960. That's when the power plants started using IRL water to cool the machinery and discharged the heated water back into the lagoon.

Each year, more and more manatees stopped their natural migration to points farther south and stayed here in Brevard. The outflows provided shelter from the ambient winter water temperatures that are too cold for manatee survival. This warm refuge combined with the lush seagrass acreage in the surrounding area was a perfect home for the aquatic "snowdodgers". Today, after nearly 60 years, most of the manatee that winter in Brevard County have never known any other behavior. And that is the source of the dilemma facing the USFWS:

- If the warm outflow is eliminated – how many manatee will not "relearn" migration and die of cold stress? Think of the potential public reaction if hundreds of manatee die looking for warmth that isn't there.
- If the warm water outflow is not eliminated – how many manatee can winter there before some are crowded out and die of exposure - or worse – how many will starve to death because the lush seagrass acreage is GONE.

We contend the later scenario is the more onerous because if there is no forage for the manatee there is no other aquatic wildlife in the IRL that requires seagrass for any part of its life cycle. This potential impact stretches into the Atlantic, when you consider the marine species that spawn or spend a part of their life cycle in the IRL. It is unfortunate that while the USFWS desperately looks for Door #3, we may already be standing on the threshold of Door #2.

In the end, for us, the issue always comes back to enjoyment of the waterway. The basic maxim of the Manatee Forum, the collective body of all manatee experts and stakeholders, has always been "Follow wherever sound science leads". We have worked hard to be a balancing force against the court of public opinion swayed by the bias and misinformation provided by many of the manatee protectors. We have



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tried to illuminate the dangers of reacting to misconceptions based on assumption of the obvious. And have been proven over time to have often times been correct, when we challenged the status quo.

Do you honestly believe that there is a single manatee protector that would have believed in their wildest dreams that we there would be nearly 10,000 manatees, EVER, let alone less than 30 years from the "Last Decade of the Manatee", as was declared in 1990? Remember that exhibit at Sea World along with the mass of propaganda that boats were the reason for concern? To see manatees at Sea World today, you will have to go to the "Turtle Trek" exhibit.

Believe me, we will never give up our original and highest priority. We are committed to achieve a more reasonable balanced access to the water for recreational boating. We think of all of you living in Central Merritt Island and dealing with the endless slow speed of Sykes Creek and the Barge Canal and those of you in Cocoa Beach with no reasonable access channels. Those access routes are our focus.

They should have never made some of us so angry.❖

... (Continued on Page 6)



CFFW 22nd Annual Marine Flea Market

Harbortown Marina
Sea Ray Drive (SR528) Merritt Island

March 30th & 31st, 2019
8:00 am - 4:00 pm

***Central Florida's Largest
Marine Flea Market***

FREE ADMISSION - FREE PARKING!
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For More Information, Please Contact: Kelly Haugh
(321) 543-6970 or email: cfwbrevard@aol.com

(See Map on Back)

FWC – Manatee Population on the Rise

The 2nd iteration of the manatee population abundance was released by FWC in December. The updated manatee population estimate is 8,810.

The estimate is calculated through computer modeling and statistical analysis of actual counts and predicts the number that exist but go uncounted. This assessment has been in development and review for several months and relies heavily on data from the 2016 annual synoptic survey, which is a major topic of conversation and reporting whenever the counts are released.

The synoptic surveys take place every year in winter, preferably on cold, windless, sunny, days. The highest synoptic count to date was 6,620 from February 2017.

In other words, the annual synoptic survey counts about 3 out of every 4 manatees – 6620:8810 – compared to this new “population abundance” estimate.



An overview of the abundance estimate process and findings was presented at the Fall Meeting of the Manatee Forum, held mid-December at FWC's Florida Wildlife Research Institute (FWRI) in St. Petersburg. The findings were highly anticipated by those of us arguing that the manatee no longer should be listed within the Endangered Species Act. They were released to the public immediately following the discussion.

As noted above, this is the 2nd such abundance estimate. You may recall that the initial estimate, released mid 2015, was 6,305. Unlike synoptic surveys, abundance estimates are not performed annually. The first abundance estimate, along with an extensive population prediction model, was the foundation of the USFWS decision to reclassify the manatee from ‘endangered’ to ‘threatened’ in March of last year.

For those of you statistically inclined, the 95% confidence interval for the 8,810 population abundance estimate is from 7,520 to 10,280, but we expect to see 8,810 referenced when these abundance estimates are reported.

In fairness, I must note that the authors of the abundance method caution against saying the manatee population increased from 6305 to 8810 since 2014. They say at least some of the increase comes from better methods and more data. We say: OK, so noted. But it's still a bunch more manatees in a short time.

... (Continued on Page 8)

FWC – Manatee Population on the Rise

Continued from Page 7

What does this mean?

First – Irrespective of the gnashing of teeth of those fearing the worst for the manatee due to high observations of red-tide and watercraft mortality, the population is not only surviving but actually increasing at a rate in excess of 5% annually. Many of us would use the terminology “explosive growth” to describe a population that is doubling every 10-15 years. We at CFFW have been pleading with the agencies to wake up to the fact that, like the alligator, the manatee is more likely to become a nuisance than endangered. These estimates are consistent with that prediction.

Second – De-listing of the manatee is long overdue. This should be accompanied with significant reduction of the millions of tax dollars spent, thousands of Federal and State agency hours expended, and the continual OVER-regulation of Florida’s public waters for manatee protection.

Third – The focus on manatee protection should be realigned to improving the quality of the environment the manatee requires for survival, water quality and seagrass, and assuring it’s long-term sustainability. Managing the growing manatee population, as opposed to the current approach of promoting unlimited growth, will need to be a part of the preservation of the waterway ecosystem for all inhabitants and users, including man.❖

Boat Safe Reimbursement Program

CFFW promotes the need for responsible use of Florida waterways.

Our primary objective is to encourage coexistence among recreational and commercial boaters, the marine industry, property owners, and the environment.

CFFW advocates education in the safe and considerate use of watercraft with respect for our marine environment and conservation.

If you would like to receive reimbursement for the class fees charged by the Coast Guard Auxiliary or the Cocoa Beach Power Squadron, you can contact a CFFW Board member and present your certificate of completion, and receive your reimbursement. CFFW funds are limited, but at this time we should be able to accommodate a relatively large class.

Because we do have a finite amount of money, it is on a first come, first served basis. You can visit our website at www.cffw.org for more info. You may also contact Kelly Haugh CFFW V.P. at 321-543-6970 for more information.

Enjoy safe boating!

VOLUNTEERS NEEDED FOR THE 2019 CFFW FLEAT MARKET

It's time for the 22nd Annual CFFW Marine Flea Market on March 30 and 31 and CFFW needs your help.

If you are interested in volunteering your time to help set-up, tear-down or work the event, please contact Kelly Haugh at 321-543-6970. Please leave a message with your name and phone number and she will contact you.

Volunteer for at least 4 hours and receive a full year extension on your CFFW Membership!

CFFW welcomes your input to the annual fundraising event! This event has become known around the state for it's great vendor participation and shopping opportunity. CFFW has been making it happen for 22 years and we could really use some additional help with this event. A few hours of your time during this weekend event would be greatly appreciated, and you might even meet some new friends or see old ones that you have been missing.

If you have a business or you have marine related items for sale and would like to have a booth at the Flea Market, please contact Kelly Haugh at 321-543-6970 or go to the CFFW website at www.cffw.org/fleamarket and you can download the information necessary.

We also have posters available. If you have a business and would like one for display, please call Sandy Reynolds at 321-543-7532 to arrange for pick up.❖

Ethanol Misfueling Danger Laid Bare: Gas Pump Photos

“The ethanol industry doesn’t want you to see these photos”

SPRINGFIELD, Va., Dec. 5, 2018 -- President Trump has officially moved to allow E15 (15 percent ethanol) gasoline sales year-round – a fuel prohibited for use in recreational boats and a decision that recreational boating groups say will needlessly put 142 million American boaters at risk. [Protecting Boaters at the Gas Pump](#) is a new website with a series of photos of gas station pumps in Illinois, Indiana and Wisconsin that clearly shows the challenges boaters face with poor ethanol warning labels at the pump, resulting in a greater risk of misfueling.

The effort is from the National Marine Manufacturers Association’s (NMMA), which was recently shared in “Boating United” campaign that urges recreational boat owners to tweet their members of Congress to stop the expansion of the government-mandated fuel. Boat Owners Association of The United States ([BoatUS](#)) supports the effort and is urging recreational boaters to share the website with friends:

<https://spark.adobe.com/page/dYPx7SjouAr2k/>

“The ethanol industry doesn’t want you to see these photos of gas pumps,” said BoatUS Manager of Government Affairs David Kennedy. “The confusion presented to consumers at the pump today is real. Putting the wrong fuel in your boat will likely void your engine’s warranty. We applaud NMMA for clearly showing the misfueling problem.”

E15 is currently banned for sale in many states by the Environmental Protection Agency during summer months over concerns that it contributes to smog on hot days. The push for more ethanol into the nation’s fuel supply is a result of the Renewable Fuel Standard (RFS). When it was passed in 2005, RFS assumed that America’s use of gasoline would continue to grow. Since then, however, gasoline usage has not increased as forecast, which today forces more ethanol into each gallon of gas.

BoatUS has long had concerns over potential consumer misfueling with E15. Most recreational boaters refuel their vessels at roadside gas stations where pump-labeling requirements are minimal with just a small E15 orange warning label. The advocacy, services and safety group for recreational boaters is a member of [Smarter Fuel Future](#), a coalition that aims to reform the RFS.❖

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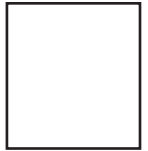


CFFW is a 501(c)4 organization. Donations and
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Citizens For Florida's Waterways

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