

115TH CONGRESS
1ST SESSION

S. 1747

To authorize research and recovery activities to provide for the protection, conservation, and recovery of the Florida manatee, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2017

Mr. NELSON introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To authorize research and recovery activities to provide for the protection, conservation, and recovery of the Florida manatee, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Florida Manatee Re-
5 search and Recovery Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) FLORIDA MANATEE.—The term “Florida
9 manatee” means the subspecies *Trichechus manatus*
10 latirostris.

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior, acting through the Di-
3 rector of the United States Fish and Wildlife Serv-
4 ice.

5 **SEC. 3. MANATEE RESEARCH AND RECOVERY.**

6 (a) IN GENERAL.—Not later than 1 year after the
7 date of enactment of this Act, the Secretary shall begin
8 to carry out research and recovery activities specific to
9 Florida manatee populations in the United States.

10 (b) REQUIREMENTS.—The research and recovery ac-
11 tivities under subsection (a) shall—

12 (1) be informed by—

13 (A) the prioritized research and recovery
14 recommendations of—

15 (i) the Florida Manatee Recovery
16 Plan (*Trichechus manatus latirostris*)
17 Third Revision, published by the United
18 States Fish and Wildlife Service and dated
19 October 30, 2001, or any subsequent revi-
20 sion published after the date of enactment
21 of this Act; and

22 (ii) any other recovery, research, or
23 conservation plan that supersedes or sup-
24 plements the plan referred to in clause (i),
25 adopted by the United States Fish and

1 Wildlife Service after the date of enact-
2 ment of this Act in accordance with appli-
3 cable law;

4 (B) the research and recovery rec-
5 ommendations of the State of Florida and other
6 States, the waters of which serve as Florida
7 manatee habitat; and

8 (C) the research and recovery rec-
9 ommendations of the Marine Mammal Commis-
10 sion under section 4;

11 (2) include—

12 (A) monitoring, analyzing, and assessing
13 Florida manatee population demographics,
14 health, causes of mortality, and life history pa-
15 rameters, including range-wide population sur-
16 veys; and

17 (B) developing and implementing measures
18 to mitigate or eliminate factors that limit Flor-
19 ida manatee recovery, including factors relating
20 to marine ecosystem health and to human activ-
21 ity; and

22 (3) comply with the prohibitions and permitting
23 requirements of the Endangered Species Act of 1973
24 (16 U.S.C. 1531 et seq.), the Marine Mammal Pro-

1 tection Act of 1972 (16 U.S.C. 1361 et seq.), and
2 any other applicable law.

3 **SEC. 4. MARINE MAMMAL COMMISSION RECOMMENDA-**
4 **TIONS.**

5 Not later than 180 days after the date of enactment
6 of this Act, the Marine Mammal Commission shall rec-
7 ommend to the Secretary such steps as the Commission
8 considers necessary or desirable for the protection, con-
9 servation, and recovery of Florida manatee populations in
10 the United States.

11 **SEC. 5. FLORIDA MANATEE RESEARCH AND RECOVERY**
12 **GRANTS.**

13 (a) IN GENERAL.—The Secretary shall establish a
14 peer-reviewed, merit-based process to award competitive
15 grants for—

- 16 (1) research regarding Florida manatees; and
17 (2) recovery activities that assist in or promote
18 the protection, conservation, and recovery of Florida
19 manatees.

20 (b) PEER REVIEW PANEL.—The Secretary shall es-
21 tablish as necessary a peer review panel to provide sci-
22 entific advice and guidance in prioritizing proposals for
23 grants under this section.

24 (c) RESEARCH GRANT SUBJECTS.—Research funded
25 by grants awarded under this section—

1 (1) shall be in accordance with the research rec-
2 ommendations under section 3; and

3 (2) may include research on topics such as—

4 (A) causes of Florida manatee mortality;

5 (B) Florida manatee demographics and
6 natural history;

7 (C) sources and effects of poor water qual-
8 ity on Florida manatees, including pollutants,
9 nutrients, and toxicants;

10 (D) methods and mechanisms to address
11 the sources and effects described in subpara-
12 graph (C);

13 (E) sources and effects of diseases and
14 parasites affecting Florida manatees;

15 (F) limitations on the availability of food
16 resources for Florida manatees and the impacts
17 of food limitation on Florida manatee carrying
18 capacity;

19 (G) interactions between Florida manatees
20 and human activities in the marine environ-
21 ment;

22 (H) assessment of the ecological role of
23 Florida manatees in coastal marine ecosystems,
24 including as it may pertain to human welfare,
25 resource use, and ecosystem services;

1 (I) assessment of the adequacy of response
 2 and contingency plans for emergencies involving
 3 Florida manatees; and

4 (J) assessment of the impacts of climate
 5 change on Florida manatees.

6 (d) RECOVERY GRANT SUBJECTS.—Recovery activi-
 7 ties funded with grants under this section—

8 (1) shall be conducted in accordance with—

9 (A) the recovery recommendations under
 10 section 3; and

11 (B) the findings of the research conducted
 12 under this section; and

13 (2) may include activities—

14 (A) to protect, conserve, and recover Flor-
 15 ida manatees;

16 (B) to reduce, mitigate, or eliminate poten-
 17 tial factors limiting Florida manatee popu-
 18 lations that are related to human activities, in-
 19 cluding—

20 (i) factors contributing to mortality,
 21 adversely affecting health, or restricting
 22 distribution and abundance; and

23 (ii) factors that harm or reduce the
 24 quality of Florida manatee habitat or the
 25 health of coastal marine ecosystems; and

1 (C) to implement emergency response and
2 contingency plans.

3 **SEC. 6. REPORT TO CONGRESS.**

4 The Secretary shall—

5 (1) not later than 2 years after the date of en-
6 actment of this Act, submit to the Committee on
7 Commerce, Science, and Transportation of the Sen-
8 ate and the Committee on Natural Resources of the
9 House of Representatives a report on—

10 (A) the status of Florida manatee popu-
11 lations;

12 (B) the research and recovery activities
13 under this Act;

14 (C) the grant review and award process
15 authorized by this Act; and

16 (D) any relevant formal consultations con-
17 ducted during the 2 years preceding the date of
18 enactment of this Act, and any other consulta-
19 tions the Secretary determines to be relevant,
20 under section 7 of the Endangered Species Act
21 of 1973 (16 U.S.C. 1536) with respect to the
22 Florida manatee; and

23 (2) not later than 3 years after the date of en-
24 actment of this Act, and every 5 years thereafter,
25 submit to the Committee on Commerce, Science, and

1 Transportation of the Senate and the Committee on
2 Natural Resources of the House of Representatives
3 and make available to the public a report that in-
4 cludes—

5 (A) an evaluation of—

6 (i) Florida manatee health;

7 (ii) causes of Florida manatee mor-
8 tality; and

9 (iii) the interactions of Florida
10 manatees with coastal and inland aquatic
11 ecosystems;

12 (B) an evaluation of actions taken—

13 (i) to improve Florida manatee health;

14 (ii) to reduce Florida manatee mor-
15 tality; and

16 (iii) to improve and protect Florida
17 manatee habitat;

18 (C) recommendations for actions that may
19 be taken under current law—

20 (i) to improve Florida manatee health;

21 (ii) to reduce the occurrence of
22 human-related Florida manatee mortality;
23 and

1 (iii) to improve the health of the
2 coastal marine ecosystems that serve as
3 Florida manatee habitat;

4 (D) recommendations for funding to carry
5 out this Act; and

6 (E) a description of any formal consulta-
7 tions that the Secretary determines to be rel-
8 evant to the research and recovery activities au-
9 thorized by this Act conducted in accordance
10 with section 7 of the Endangered Species Act of
11 1973 (16 U.S.C. 1536) after the date of enact-
12 ment of this Act.

13 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) IN GENERAL.—There is authorized to be appro-
15 priated to the Secretary to carry out the provisions of this
16 Act \$5,000,000 for each of fiscal years 2018 through
17 2022.

18 (b) ADMINISTRATIVE EXPENSES.—Of the amounts
19 made available each fiscal year under subsection (a), the
20 Secretary may expend not more than the greater of 7 per-
21 cent of the amounts or \$150,000 to pay the administrative
22 expenses incurred carrying out this Act.

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