



Lusk, Michael <michael_lusk@fws.gov>

Re: Pink Chiffon, Angry Men and Manatees

1 message

Kleen, Joyce <joyce_kleen@fws.gov>
To: "Lusk, Michael" <michael_lusk@fws.gov>

Mon, Mar 3, 2014 at 1:51 PM

Wow-Michael. Can't believe that happened. That's why I limit my recreation here to when I have company visiting because whenever you are inside TSS, someone is always doing something that's not right. I had to catch a woman who was clearly chasing a manatee while I was swimming in there with my friends. I asked if she was with a dive shop and she said no. I asked if she had watched Manatee Manners and she said yes, but I doubt it. They had come in on their own kayaks from out-of-state.

On Mon, Mar 3, 2014 at 12:40 PM, Lusk, Michael <michael_lusk@fws.gov> wrote:
Dear Elizabeth, James and Andrew,

I would like to share with you what is perhaps the most bizarre, and unpleasant, experience I have yet to have in Three Sisters Springs and how it has further changed my thinking about current and future conditions.

This past Saturday, 3/1/2014, I was in Crystal River and decided to go for one last swim with the manatees in 3SS as the season was winding down. I waited until late in the afternoon, about 4:45 PM, so I could catch the high tide. This is a good time to swim because most people are gone by that time, but a bad time because there is no LE on duty. I was wearing a Manatee Rescue t-shirt identifying myself as USFWS staff.

As I entered the springs, I met a group of two people on paddle boards, two photographers with very large underwater cameras and flash arrays and/or continuous video lighting, and a young woman hanging onto one of the paddle boards in a pink chiffon dress. I was immediately concerned because five or six manatees were using the springs at the time. I asked them if they were conducting commercial photography and they said that were not. I asked them if they were taking pictures of dresses and manatees, and they said they were not photographing manatees, only doing fashion photography. I asked them if they had watched Manatee Manners and were aware of the rules concerning disturbing manatees, and the man on the paddle board assured me they were aware of the rules, had already been doing this for two days, and were "dialed in" to what was required of them. I said no more after that.

I watched their activities from in the water with snorkel gear and observed one photographer and the woman in the dress diving down several feet below the surface in the vicinity of a manatee. They were not diving down on to the manatee, so it was not technically illegal, but they were in close proximity to the manatee. Once the photographer and model were at the surface, they were both kicking their feet and causing such a disturbance that the manatee they were close to raised from the bottom and moved. Their actions clearly changed the natural resting behavior of the manatee. However, because I could see they had not intended to dive down on to the manatee, I did not say anything at that time. That was my mistake.

I swam around the spring for approximately 75 minutes that day and observed other people using the spring. In all, I spoke to about five other groups of both men and women and educated them about not touching sleeping manatees, not chasing manatees and not getting on/off vessels in the springs. I note this because I was not targeting the photographers, and one man even complimented me for how polite and courteous I was after educating him about not chasing manatees. I asked everyone I talked to if they had seen the Manatee Manners video, and none of them were aware of its existence. Also, I always first identified myself as a U.S. Fish and Wildlife Service employee and noted the insignia on my t-shirt when approaching visitors.

About 30 minutes after observing the disturbance by the photographer and model, I returned and watched their activities. As I observed them, both the model and the photographer dove down about five or six feet in front of a manatee. Although they were not diving down on to the manatee, it appeared they were trying to get a picture of the model underwater with a manatee in the background. Regardless of their motives, they were close enough to the manatee that their activities could result in a second disturbance.

Once the model and photographer returned to the surface, I reminded them that it was illegal to dive down on sleeping manatees and that any disturbance to a sleeping manatee was illegal. I acknowledged that although what they had just done had not disturbed the manatee, they were extremely close to the manatee and could easily cause a disturbance. I cautioned them that if they did disturb a manatee through their activities, I would ask them to leave the springs. The photographer started to become defensive and angry, but the man on the paddle board calmed her down, and told her I didn't say they had done anything wrong, but was just cautioning them. I then left the area and swam around other parts of the springs. At this point, I thought the issue had been resolved.

Around 6 PM I was preparing to leave the spring and met the group as they were also exiting. A few minutes before this I had overheard the group talking loudly and saying things like, "he was just given a little bit of power and it went to his head" and "I bet he has a little dick and no balls." I did not engage or respond to these statements in any way. However, as I was leaving the springs, they began to attack me verbally with great vitriol.

Although I do not remember exactly all that was said due to the intense nature of the encounter, the man on the paddle board accused me of unjustly correcting the behavior of the two women and said I had been rude to them, and that I especially should not be rude to women. The male photographer in the group then said, "Yeah, you don't have any balls." As I attempted to explain they were in a National Wildlife Refuge and that our purpose was to protect manatees, not take pictures of models in dresses, the man on the paddle board became increasingly aggressive. Finally, he interrupted me by shouting, "You're just a dick in a wet suit!" As I explained why I had been concerned with their activities and the mission of the NWR, and how the women had initially changed the behavior of a sleeping manatee, he continued to interrupt me and shout, "You're a dick in a wet suit!" He did this five or six times before finally exiting the springs.

Unfortunately, every staff member or Manatee Watch volunteer who has tried to educate people about proper behavior around manatees in the springs has a similar story. I had just never experienced this degree of animosity or viciousness of verbal attacks.

Reflecting on the situation, I have come to several conclusions:

- 1) Despite the Refuge's herculean education efforts, we are not reaching the public entering the springs that are not part of a tour group. The general public is mostly unaware of the federal designation of 3SS as a NWR and the special rules that apply there. As a result, activities by an uneducated public are likely resulting in the regular take of manatees inside the springs.
- 2) Trying to educate the public in such a sensitive but highly visited resource as 3SS for non-LE staff and volunteers is both difficult and potentially dangerous. It has been my experience when people start using such extreme abusive language as I encountered, physical violence may potentially follow. In an enclosed area like the springs, getting away from such violence might be difficult. Volunteers and staff should not be attempting to educate the public in this environment unless LE is either directly present or within a few minutes (five or less) of response time. And all staff and volunteers need to have access to ready communications to call for back-up.
- 3) As Ivan recently mentioned, amateur flash photography is out-of-hand in the springs and is likely resulting in the take of manatees. Either all flash photographers need to be brought under strict SUP requirements, or the activity should be banned in the springs.
- 4) There is a large amount of activity occurring in the springs when there is no Manatee Watch, regular staff or LE to monitor behavior. Based on my observations, take of manatees is likely occurring on a regular basis during these times.
- 5) Visitor behavior in the water cannot be adequately monitored solely from land, the boardwalk or from a kayak. Due to glare and angle, it is impossible to see what the majority of visitors are doing inside the springs. The only way to monitor the most visitor activity is to be either in the water with snorkel gear, or on a paddle board so you can look down in the water from a close distance. I refer to my suggestion in my December email for the need for staffed, not volunteer, Water Rangers that regularly patrol the springs from opening to closing during manatee season.
- 6) During this same day, I overheard one group of locals bragging about how they sneak into the springs at

night. A system needs to be put in place that closes off the upper part of the spring run to swimmers and vessels but still allows manatees to enter and exit underneath it. This barrier needs to be put in place at closing and removed at opening during manatee season. It may not keep everyone out at night, but it will clarify hours of operation and discourage some.

In conclusion, I believe the amount of unregulated activity in 3SS is likely resulting in the take of manatees. I believe that if the refuge has enough resources, the swim-with and photography activities inside the springs can be regulated so that they would not result in take of manatees. However, if the resources are not available, the Service should close the springs while manatees are present to prevent take, until such time as resources are available to safely open the springs.

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"We must take change by the hand or rest assuredly, change will take us by the throat." - Winston Churchill

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