

Water quality issues take center stage

As awareness of water quality issues has grown over the past few years, so has stormwater and sewer projects among our CRAs. Pg 12

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Caulkins funding uncertain

A flock of Black-bellied Whistling Ducks with orange-pink beaks and legs, with wings that flash brilliant white stripes as they take flight, are among the assortment of residents at the Caulkins Water Farm pilot project that may need to find new roosts after February 2016.

Funding to expand the remarkably effective water project on Citrus Boulevard in Indiantown, which also has become a birders' paradise, was vetoed by Gov. Rick Scott during the last legislative session.

The governor nixed the spending, he said, because it was more appropriately done by water management districts, then pressured water management districts to cut their tax rates. The SFWMD Governing Board, after announcing a tax rate reduction, voted instead in August to hold their current rate to avoid losing an estimated \$21 million in revenues.

The Caulkins water project is not technically an Everglades project, but will make an impact on the St. Lucie and Indian River Lagoon estuaries. If funding is found, it can be expanded to 3,200 acres from its current 400-acre pilot program to store 80,000 to 100,000 acre-feet of water pumped from the C-44 canal that connects Lake Okeechobee with the St. Lucie River into Caulkins' fallow or-



A flock of Black-bellied Whistling Ducks, the only duck that roosts in trees, takes flight from the Caulkins water project on Citrus Blvd.

ange grove laced with deep ditches. "No question the governor's veto of water farming was a setback," says Caulkins water project manager Tom Kenny. "It had nothing to do with our project, thankfully, but we got caught in the wash."

Lauded by environmental officials and scientists throughout the state for its effectiveness at storing and cleaning water, the state's first true water farm seemed also to be getting a reprieve through a US Dept. of Agriculture grant, for which Martin County had agreed to apply.

Closer inspection revealed, however, that a "program" could get up to \$2 million per year for five years, Kenny explains, but individual entities could receive only \$50,000 per year, insufficient to expand the Caulkins project.

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Bacteria not linked to pollution

An ancient bacterium that lives in Florida's coastal waters, *Vibrio vulnificus*, is not linked to pollution, requires warm salt water to live (although ocean waters will kill it), and is usually associated with eating raw shellfish, according to the US Centers for Disease Control and Prevention in Atlanta; however, a *Vibrio* infection can be deadly unless treated immediately.

Two deaths have recently occurred locally: Bill Benton, of Ft. Pierce, who died Oct. 14, 2014, three days after swimming in the lagoon with a cut on his leg, and David Trudell, also of Ft. Pierce, died of an unknown bacterial infection July 20, two days after a fish-fin punctured him while fishing in the lagoon. No tests were conducted to determine what bacterium infected Trudell, but his symptoms and quick onset led local officials to conclude it was most likely *V. vulnificus*.

Hippocrates may have reported the first case of *V. vulnificus* infection in the 5th century BC, according to the Oxford Journal, when he described a fatal foot wound infection in a man living by the Aegean Sea, characterized by black, bulous skin lesions leading to death within 48 hours of onset.

According to the CDC, a person who

acquires an infection will most often recover and won't experience any long-term effects, but those with preexisting conditions, particularly liver disease, are 80 times more likely to develop a bloodstream infection than those who do not. If an infection progresses to the bloodstream and causes skin ulcerations, there is a potential to develop gangrene, or decomposition of body tissue, which may require skin-grafting or amputation.

The bacterium's role in nature is to break down dead crustaceans, which is why the skin and tissue of an infected area will necrotize and has led to confusion with "flesh-eating" bacteria, however, approximately 50 percent of patients who develop a bloodstream infection will die, according to the CDC.

As sea temperatures warm and populations increase, incidents of *V. vulnificus* also are likely to increase; therefore, those who spend time on the water are urged to pay closer attention to any cuts or abrasions on their skin, to use soap and water immediately to wash hands and wounds, and to disinfect fishing equipment and knives with household bleach. If a cut becomes red and swollen, seek immediate medical attention, according to the CDC. ■

Caulkins

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"We have submitted our preliminary ideas for expanding the project to SFWMD staff in preparation of September's legislative committee hearings," Kenny adds. "We have proposed switching to a system where they, the South Florida Water Management District, only pay us for water pumped, i.e. per acre-foot of water stored. Remember we also take over 55 inches of rain each year in addition to that pumped into the facility."

Kenny also "strongly suggested" to the water management district that the Caulkins project be re-branded from "water farming" to a more descriptive name, such as "Stormwater Treatment and Aquifer Recharge System," not only to avoid a repeat of the veto pen, but to move away from the perception that the Caulkins project merely traps rainwater, as do the other dispersed water projects throughout the state, commonly called "water farms."

"We are confident that we will receive attention from (SFWMD)," Kenny adds, "and be ready for line item funding when the state legislative session starts in January."

The Caulkins project funding expires on Feb. 1, 2016, so the earlier start date for legislators is fortuitous for Caulkins, creating optimism among environmentalists that the project will continue, as well as for owner George Caulkins, whose father purchased the land in the '60s to grow oranges.

"Failing (state funding)," Kenny says, "we will return to (vegetable) crop farming. I feel like we are a very valuable environmental tool, and that most understand that, so we keep moving forward."

Part of that initiative is to continue to raise awareness of the project, which was a "much-discussed topic" at a recent Florida Chamber of Commerce Environmental and Water Conference, Kenny added, attended by Caulkins project engineer Melissa Corbett of the Milcor Group in Hobe Sound. Both will present the project at a Rivers Coalition meeting in Stuart on August 27.

With the recent, below-average rainfall totals and with Lake Okeechobee below 12.5 feet, Kenny adds, no water currently is being pumped out of the C-44 canal. "We are at rest currently," Kenny says. "Our water level is about 23.5 feet, or near empty today. The birds are having a feast!"

Caulkins' Facebook page launched

Recognizing the value that an expanded Caulkins water project will bring to the St. Lucie and Indian River Lagoon estuaries, a group of local citizens formed the Caulkins Water Farm Coalition.

"We want to spread awareness of this amazing project," says Debra Melillo, one of the organizers, "and the tremendously positive impact it will have on our community, our state and our environment."

The group launched a Facebook page in June, and has arranged radio interviews, tours, rotating 30-second radio spots, and are spotlighting the Caulkins project among legislative candidates.

"I personally speak about Caulkins Water Farm at every networking group I do regularly—and I do many," she adds, "and am working with Melissa Corbett (of the MilCor Group) and her amazing team to keep the momentum going."

For more information, go to www.facebook.com/CaulkinsWaterFarm. ■

Jeff Krauskopf retains City Commission seat



Jeffrey Krauskopf

The City of Stuart election August 25 saw incumbent City Commissioner for Group 2, Vice-Mayor Jeffrey Krauskopf, hold onto the commission seat with a 204-vote margin of the 1,326 votes cast. He's held the seat since 1984, except for the four

years he spent as Martin County Commissioner for District 2 from 1990-94.

Endorsed unreservedly for his experience and his commitment to environmental issues by the editorial board of The Stuart News, Krauskopf will serve his 15th term as city commissioner.

Usually running unopposed, Krauskopf faced challenger Stuart artist Christine de la Vega in this election, who garnered 42.3 percent of the vote to Krauskopf's 57.7 percent. Named 2009 Hispanic Artist of the Year by then-Gov. Charlie Crist, de la Vega is well known for her Florida wilderness landscape paintings and has been active in several local organizations, including Citizens for Responsible Growth.

Mayor Kelli Glass-Leighton, who was unchallenged in this election, retains her seat for Group 4. All the city commission races are non-partisan, and each elected official will serve two-year terms. ■

Comp Plan changes sent to Gov. Scott

Gov. Rick Scott and his Cabinet are reviewing the county's proposed changes to Chapters 1, 2 and 4 of the Martin County Comprehensive Growth Management Plan, Amendment 13-5, following objections to the judge's ruling in a legal challenge that initially found the changes "not in compliance" with state law.

First challenged in 2013 by multiple landowners, including Becker Holdings, Consolidated Citrus, Lake Point, and Midbrook 1st Realty, which owns the Hobe Grove property west of the Florida Turnpike and south of Bridge Road, the case was heard Sept. 30 and Oct. 1, 2014, by Administrative Law Judge Christine Van Wyk in Stuart.

The county had already reached out-of-court settlement agreements with all the landowners except Midbrook 1st Realty by rewriting a majority of the amendments, thus Judge Van Wyk reviewed what she called "the amended amendments."

Martin County Commissioner Ed Fielding announced at the June 9 county commission meeting that the county had "won" its legal battle, which turned out to be premature. Following Van Wyk's recommended order on June 2 stating that the changes were not in compliance, attorneys for both Midbrook and Martin County responded with their "exceptions" to the judge's order. Fielding indicated during the meeting that he anticipated the

county being able to reach another out-of-court settlement with Midbrook, but it did not materialize.

Midbrook attorneys argued that the judge's order had not gone far enough to overrule the changes, and the county argued that she had gone too far—but the judge was not swayed by either side to change her mind. As a result, the legal challenge to the Comp Plan changes crafted in 2012 by Maggy Hurchalla has been blocked from becoming law until the review by the Governor is completed.

The landowners challenged the amendment on the basis that "relevant and appropriate data and analysis" had not been used in crafting the rewrites, thus leaving landowners unable to determine the county's "predictable standards" for use of their land.

The contested rules include a 4-1 super-majority vote by county commissioners for development proposals with undefined standards—other than "could affect" waterways or water supply generally—that would trigger the super-majority vote. Van Wyk did not object to those changes.

The eastern and western urban services boundaries also were combined—as they had been prior to 2009, when it was determined that the coastal area was significantly outpacing the growth of inland areas. Re-combining the two districts into one to determine future housing needs for all areas would block

any additional homes in the county's inventory for approximately 15 years, which Van Wyk found "illogical" and contrary to state statute.

All parties involved in the case, including interveners, are prohibited from contacting the Governor or any of his cabinet or staff members, and none of the rule changes are in effect until a final ruling is rendered. ■

County raises taxes, considers more fees

A projected tax increase of 2.3 percent on Martin County properties won tentative approval in June by commissioners for its 2016 budget, which will be finalized during a Board of County Commissioners meeting Sept. 22.

Martin County's proposed \$368.2 million budget for the next fiscal year is about 4.67 percent higher than this year's budget, records show, which does not include tax revenues from other taxing agencies and districts, including the Martin County School Board, which reduced its tax rate by .52 percent, the South Florida Water Management District, which held its rate, and increases by the Children's Services Council and all municipalities.

Commissioners Doug Smith and John Haddox attempted to dissuade the commission majority of Ed Fielding, Sarah Heard, and Anne Scott from

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adopting a tax increase, urging that the commission look to the anticipated \$6 million increase in revenues as a result of rising property values to address ongoing needs and, instead of raising ad valorem taxes, to stimulate the economy in order to further increase revenues.

"It's a philosophical difference," Haddox said to Anne Scott. "Would you not consider utilizing opportunities at the fairgrounds, to make use of that prime property to attract some light industry...to attract some manufacturing?" Without hesitation, Scott answered, "No."

The proposed tax increase passed 3-2, with Haddox and Smith dissenting. Commissioners also discussed additional options to raise revenues at an August 18 workshop, including another sales tax referendum, adopting a FPL "franchise fee" that would add a 5.6 percent increase to electric bills for the next 30 years, and creating a "stormwater fee" added to tax bills in order to meet the stormwater treatment standards mandated by the state.

In order to address fully the backlog in maintenance, Smith added, approximately \$1.3 billion in property values would need to be created in order to avoid levying additional taxes.

"This is not the time to discuss economic development," Scott replied.

The county staff was directed to return more details of each revenue plan to the commission for a vote. ■

Citizens suggest budget scrutiny

Two Martin County residents have joined Martin County Commissioner Anne Scott's call for an independent review of the county's budget. Scott often says at commission meetings: "I want to be sure that what we're doing is right, and that there's



Gayla Tanner



Sheila Donovan

nothing more we could be doing" to address the county's backlog of infrastructure maintenance that has topped \$258 million.

Local residents Gayla Tanner and Sheila Donovan of Stuart have said the county's budget is off kilter, due to the addition of county employees, unfunded employee benefits, and budgeting policies that add unnecessarily to what they consider to be an inflated budget unsupported by revenue streams outside of property taxes and fees.

"The proposed 2016 budget shows a \$1.3 million increase in salary and wages and an increase of \$1.5 million for fringe benefits," Tanner said, who provided Florida Association of Counties statistics that show Martin County employees as ranked third of 67 counties for average salaries.

Tanner pointed specifically to the county engineering department's request for 13.5 more full-time employees, 10 of whom are for maintaining overgrown vegetation.

"Why are we not contracting this work," she asked. "The \$217,000 for equipment being requested for mowing equipment is not specific about to what department this is attached. Is this for the engineering department's new employees?"

Other issues addressed by Tanner include the cost of fire rescue services, the staffing of the Children's Services Council, the sale of county-owned properties, golf course revenues and expenses, and the additional funding for the county's new Tourism Office.

"There should be at least some mention of the \$350 million-plus infrastructure unfunded liability and the \$339 in unfunded pensions...which gives a true picture of the county's finances," Tanner said. She also questioned the county's fund balance of \$51.3 million or 14 percent of the total budget.

"I don't have a problem with a reserve account for unanticipated expenses—responsible people do this in their own homes," Tanner said.

"My only question is, does it need to be 10 percent?" She suggested that carryovers be applied to the backlog, as well as reducing the reserve fund to five percent of the budget, which would exceed revenues from the proposed tax increase.

"The budget statement states that there's an upward trend in the local economy, but not enough to provide sig-

nificant revenue," she added. "Realistically, would there ever be enough for government?"

Tanner again called for the county to place a moratorium on hiring and other contract conversions until an independent review of the county budget can be authorized and completed. ■

Martin candidates begin filing for seats

All Martin County constitutional officers, one judge and three county commissioners will be chosen in the 2016 election.

Dennis Root of Stuart, who owns security firms and is active in providing community-based self-defense courses, will run for the position of Martin County Sheriff now held by Will Snyder, who has not yet filed.

All other constitutional officers have filed for re-election, including Supervisor of Elections Vicki Davis, Comptroller and Clerk of the Courts Carolyn Timmann, Property Appraiser Laurel Kelley, and Tax Collector Ruth Pietruszewski, all filing as Republicans.

A challenger for tax collector is Joe Sesta, Republican, from Palm City, an employee of the Stuart Police Department.

The county commission seats will include District 1, now held by Doug Smith, District 3, now held by Anne Scott, and District 5, now held by John Haddox, none of whom have filed for re-election. Two challengers have filed for the District 1 seat: attorney Henry Copeland of

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Jensen Beach and Sewall's Point Commissioner Jacqui Thurlow-Lippish.

Two school board seats with terms ending are District 5, held by Michael DiTerlizzi, and District 2, held by Marsha Powers, neither of whom have filed, and County Court Judge from Group 1 Darren Steele will also see his term end in 2016, but has not yet filed for re-election.

The total number of registered voters in Martin County is nearly 104,000, with slightly more than 51,000 as Republican, 26,000 as Democrat, and 26,000 as independent or other party. ■

Golf cars invading Stuart's downtown

A major success undertaken by the City of Stuart has been the use of large golf carts as pedestrian trolleys to transport shoppers throughout downtown. Now, the city commission has taken the idea one step further and opened its downtown to individual golf car transportation.

But don't take off without first getting legal, which requires a trip to the Stuart Police Department. Police officers will inspect the golf car to ensure it has specified equipment, including rear reflectors. The driver must have a valid driver's license and proof of insurance. After payment of a \$50 fee, a two-year decal will be applied to the rear bumper.

Drivers will be handed a map of public streets open to golf cars, and a brochure of regulations. To schedule an inspection or for more information, con-

tact the Stuart Police Department's Community Relations Unit at 772.288.5339. ■



Pitchford's Landing takes county to court

Attorney David Acton, the former assistant county attorney who successfully defended the county's approval of the Pitchford's Landing project in 2008, was tapped by County Attorney Michael Durham to defend the county again.

In this instance, however, Acton has been asked to represent the county commission's effort to reverse its original decision by rejecting the same plan.

The Pitchford's Landing Final Site Plan for a redevelopment project in Jensen Beach was rejected by the Martin County Commission on July 28, within hours of which a challenge was filed in Martin County Circuit Court by project owners, Reily Enterprises LLC of Jensen Beach.

Originally approved almost 10 years

ago, the redevelopment would have reduced its 158-unit RV park to an 83-unit subdivision of Key West-style houses and two-story condominiums on 17.7 acres between Indian River and Skyline drives in Jensen Beach, less than one third of the density cap required by the county Comp Plan.

Proponents argued that the already approved, low-density development would broaden the county's tax base and represent an injection of about \$30 million in private investment.

Commissioner John Haddox, who frequently supports redevelopment efforts, this time joined the commission majority of Ed Fielding, Anne Scott and Sarah Heard in their vote against the project, citing his concern about the potential impact of All Aboard Florida on Pitchford's residents. An FEC rail line bisects the Pitchford's property, where many current residents live year round.

The county's ruling was challenged by attorney Ethan Loeb on grounds that the county commission had breached its Planned Unit Development contract with Reily Enterprises, which had been approved by the commission, the Local Planning Agency and upheld by the courts in 2008.

Construction had been delayed by lawsuits against the county for granting the project's approval, personal lawsuits and counter-suits, followed by a bankruptcy and the economic recession. As a result, the Reilys, who live on the property, were granted development timeline extensions by both the county and the state, which had pre-

served their right to proceed under their original PUD contract, according to court records.

Although the personal lawsuits ended in 2011 and the economy improved, an "orchestrated controversy ...that evolved into a vendetta" was launched against the project in the ensuing years, according to comments by Jensen Beach Chamber of Commerce Executive Director Ron Rose during the project's public hearing.

Many of those original litigants, known as the Jensen Beach Group, and their attorney Virginia Sherlock, continued to make allegations against the project during ensuing public comment periods at commission meetings, in letters to the newspaper and in emails to commissioners, making allegations that seemed to be supported by the county commission majority of Ed Fielding, Sarah Heard and Anne Scott. The commissioners, except Fielding, made personal visits to the site.

Rose added that in his role as chamber executive director, he had become aware that a majority of Jensen Beach residents supported Pitchford's Landing. "Why?" Rose asked. "Because it is a redevelopment project that improves the quality of life in Jensen Beach and cleans up a blighted area."

The project also will remove dozens of septic tanks along the Indian River Lagoon and generate an estimated half a million dollars in tax revenue annually, he added.

In an apparent response to the alle-

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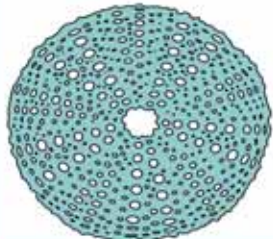


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gations of violations by the project owners, Commissioner Anne Scott called for the county to pursue breach proceedings against Pitchford's in the summer of 2014; however, the county attorney's office reported that they had found no grounds for a breach proceeding. The commission directed the county attorney to continue to seek grounds, however, instructing staff to prepare reports on any activity or contact with Pitchford's representatives, and to seek opportunities to force the Reilys to start over "from square one."

In planners' meetings with county staff over the previous 12 months, as they prepared the Pitchford's Final Site Plan—which must match the original Master Site Plan but in greater detail—the county staff insisted that Pitchford's make numerous changes to its Master Site Plan in order to match the county's recent changes to its Land Development Regulations and its Comprehensive Growth Management Plan, some of which are still being reviewed by the courts.

The project's designers, in an effort to comply with those rule changes, made 11 staff-directed changes to the Final Site Plan, only to be informed that those changes would require a new application and a new Master Site Plan—kicking the application back to the beginning with a new development application, new engineering designs, and undergo new review and ap-

provals by the Growth Management Department staff, the Local Planning Agency and the county commission.

The Reilys opted to proceed instead with the original Master Site Plan and submit their Final Site Plan without the staff-directed changes, except to comply with changes to the Comprehensive Growth Management Plan, under what they feel is the protective umbrella of the state timeline extensions.

The case will be heard in the 19th Circuit Court in Martin County before Judge Shields McManus. ■



County continues fight to stop AAF rail project

Despite losing two court cases against All Aboard Florida in an attempt to stop the sale of private activity bonds, County Attorney Michael Durham presented an optimistic picture to the Board of County Commissioners Sept. 1 before they voted to spend another \$67,646 of the \$1.4 million set aside for that purpose.

Most of that will go to the law firm designated as the lead counsel in the AAF fight, McDermott Will & Emery, and also for more studies, Durham said.

"These studies are extremely valuable," Durham added, and will include a rail safety study, further study on boat

counts and a study of the 646-page, final Environmental Impact Statement, comparing it to the Draft Environmental Impact Statement issued by the Federal Railroad Administration on Sept. 19, 2014.

Martin County initially pointed to a wide range of issues, ranging from impediments to maritime navigation on the St. Lucie River, to the project's negative impact on property values, to emergency response times, which have now been substantiated with additional studies. Preliminary examination by county staff show that little has changed between the draft and the final EIS, Durham told commissioners.

In addition to addressing the legal issues surrounding the FRA's environmental impact studies, the legal fight also will continue to focus on the Florida Development Finance Corporation, which approved the issuance of \$1.75 billion in tax-free, private activity bonds to AAF on August 5. The county contends that FDFC was not legally constituted, violated its own bylaws, and had already included the \$1.8 million provided by AAF to FDFC for approving the bonds in its 2016 budget before the agency voted.

All Aboard Florida, a subsidiary of Florida East Coast Industries, would connect Miami and Orlando with 16 round-trip passenger trains with stops only in Fort Lauderdale and West Palm Beach, beginning in 2017. Indian River County dedicated \$2.7 million to try to block the project, of which less than one-third has been spent.

According to county records, less than one half of the \$1.4 million set aside by Martin County for the All Aboard Florida battle has been spent thus far.

FEC ownership questioned

Among the studies underway at the county level is a review of the Federal East Coast railway deeds that include what the company claims to be a 100-foot right-of-way through Martin County. Only 76-percent ownership can be verified, according to the county attorney's office.

In a July 23 letter to Robert Ledoux, VP and general counsel for Florida East Coast Railway, Martin County Attorney Michael Durham asked for relevant documents to verify FECR ownership.

"With respect to the remaining 24 percent (of the FEC corridor) that the County was unable to map," Durham said, "we respectfully request your prompt assistance in verifying and confirming ownership by FEC or its subsidiaries by providing the County with additional relevant documentation."

In addition, Durham also said that grants of use, condemnations or ownership documents also were missing at several grade crossings including: crossing over the St. Lucie River, crossing at N.E. Dixie Highway in Rio, a portion of the crossing at Monterey Road, the crossing at Indian Street, the crossing at Salerno Road, a portion of the crossing at Cove Road, and the crossing at the S.E. County Line Road.

As of the first week of September, the county had received no further documentation. ■



Doug Smith urges public to continue AAF protest

Martin County Commissioner Doug Smith told the members of the Hobe Sound-Port Salerno Rotary Club recently that the \$1.4 million set aside by the county to fight plans for All Aboard Florida "is money well spent," in spite of losing two court battles.

"We've not had big 'wins' in the courtroom to stop the sale of those private activity bonds," he said, as a guest speaker at the Rotary meeting, "but we've learned an awful lot that will serve us well in the long run ... and we're getting studies done that are giving us some really valuable information about our county."

Smith, who says he's loved trains since a child and lives now within 100 feet of the FEC tracks in Jensen Beach, had been a proponent of extending the AmTrak train line from Miami north to Stuart and creating a multi-modal transportation station within the city limits.

"But this (AAF) with 32 trips a day is an entirely different animal," he told the Rotarians, "and the impacts on residents will be entirely different."

When asked what he thought the outcome would be, he responded that four outcomes were possible: The first being that the project will be killed, the second is that the route will be changed, the third is that changes to AAF plans will be made to mitigate their impacts, or AAF will proceed with their current plan unhampered.

"It's unlikely that the first or the last option will occur, but changes (to AAF plans) are already being made," he said, which he learned from attending earlier in the day a Jensen Beach Chamber luncheon with AAF Vice President Rusty Roberts as speaker.

In response to the public outcry regarding the length of time that the St. Lucie bridge would be closed to boaters, Smith said, AAF proposes upgrades that will raise and lower the span in 12 minutes, instead of the 23 minutes required now.

Rotarian Peggy Merritt of Hobe Sound asked Smith if there was "any

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point" to continuing to fight the rail project, which seems to have the blessing of the governor, as well as of the federal government.

"Don't get discouraged," Smith responded. "We have no guarantees of what will, or what might not happen, but this I can tell you for sure. This is not the time to give up." ■

Last landowner loses challenge to Chapter 10

The day before Administrative Law Judge Christine Van Wyk heard the challenge to the rewrites of Chapter 10 of the Comprehensive Growth Management Plan on April 28-29, Martin County modified the amendments to reach out-of-court settlements with nine of the 10 challengers, which included exempting their lands targeted for future development, according to court records.

After landowners Star Farms, Hobe Sugar Company, Turnpike Dairy, Bull Hammock Ranch, Lake Point, Becker Holdings, Agri-gators, Tesoro Groves and Consolidated Citrus settled with Martin County, withdrawing from the suit filed in January, only one challenger remained, Martin Land Company, which owns land at the intersection of Bridge Road and I-95.

On Sept. 1, however, Van Wyk ruled against the landowner's challenge, concluding that the amended amendment does not conflict with state law.

Amendment 14-6, authored by former County Commissioner Maggy Hurchalla and approved by the county in December 2014, will eliminate the expressway-oriented zoning at all interchanges with I-95 in Martin County, which have been in place since the highway was constructed in 1982, to permit gas stations, restaurants, hotels and/or research facilities at interchanges with major arterial roads.

Bridge Road is a minor arterial road, but as the number of cars increase, it could at some point in the future qualify as a major arterial road, according to the Martin County Growth Management Department, which lead to the county's rejection of plans for a gas station, hotel, RV park and a wake board facility on the lake between I-95 and the Florida Turnpike at Bridge Road in 2011.

The amendment also banned package plants at those intersections, which also would prohibit any construction since the county does not have a central sewer system, extending the ban to all rural lands.

The amendment also bans sewer line extensions into the secondary urban services district or into any rural lands outside of the primary urban services district, and reduces the maximum size of septic tanks to 2,000 gallons, which had been the state standard until 2005. The county's Comprehensive Growth Management Plan, which underwent a state-mandated review in 2009, adopted the new state standard size of 10,000 gallons, which was approved in 2011. The new amendment also restricts the number of septic tanks to one per parcel.

An old lawsuit shows up in court again

Most thought that the case was over, but now it's back in court—this time over nonpayment of attorneys' fees and costs.

The Department of Economic Opportunity filed an administrative appeal regarding a lawsuit initially filed by Donna Melzer and the Martin County Conservation Alliance and 1,000 Friends of Florida in 2008 against the Board of County Commissioners challenging a Comprehensive Growth Management Plan amendment that would allow developments to "cluster" their permitted density.

The administrative law judge had found that under the plan amendment,

the density would not change, but would allow more open space and less fragmentation to occur, a desirable rather than a harmful result.

The groups lost the case and the appeal, but sought a hearing before the Florida Supreme Court, which refused to hear the case due to a lack of standing, since no "harm" could be demonstrated.

Labeled by the appellate court as "frivolous," attorneys fees and costs were to be paid by the plaintiffs, including their attorney, Richard Grosso of the Everglades Law Center, but the Department of Economic Opportunity said "the parties dispute the amount of

attorneys fees and costs to be awarded," according to court records.

The Martin County Commission opted to reject the court's order for sanctions against a group to which three of the commissioners were members, drawing sharp criticism for its behind-closed-doors decision in 2012, in which Commissioner Doug Smith refused to take part. The county settled for a nominal payment of costs.

A video teleconference hearing in West Palm Beach and Tallahassee has been set for Nov. 10 before Administrative Law Judge Bram D.E. Canter to determine "reasonable" attorneys fees and costs. ■

County Attorney Michael Durham announced the judge's ruling at the conclusion of the Sept. 1 county commission meeting, but did not know if "any further action" would be taken by the landowner (to appeal the decision). ■

Rodeo coming, but no ribbon-cutting

Two county commissioners, Doug Smith and John Haddox, said it would be appropriate to share the excitement of the Indiantown community as they celebrate the completion of the long-sought rodeo

arena roof at the Friday, Oct. 16, kick-off of the 68th Annual Indiantown Rodeo that runs through Saturday, Oct. 17. The vote, however, was defeated 3-2.

The date of the ribbon cutting for the "official" opening of the Rodeo arena has not been announced.

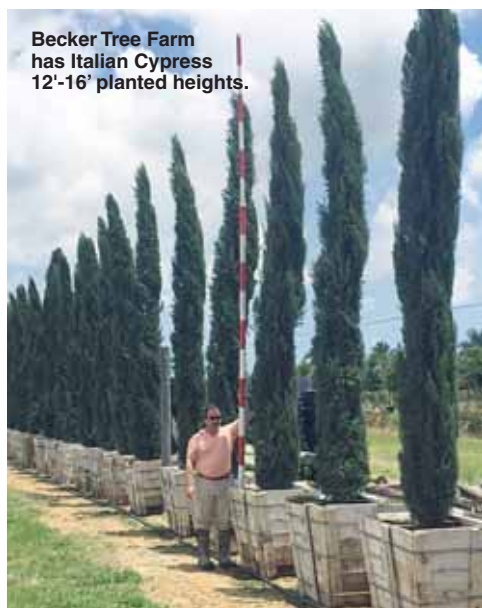
"As far as the rodeo goes, Commissioners, don't sweat it," said Indiantown resident Brian Powers, who was on hand at the Sept. 1 commission meeting to support FPL's warehouse expansion. "We just want to be able to look you in the eye and say, 'thank you.'"

The more important information is that rodeo tickets are now available at all Seacoast Bank branches in Martin, St.

Lucie, Palm Beach and Okeechobee counties and are \$15 for a one-day pass. Tickets will be available at the gate for \$18 each day.

The annual rodeo is presented in affiliation with the prestigious Professional Rodeo Cowboys Association (PRCA) and the Women's Professional Rodeo Association (WPROA), and is produced by the 4L Rodeo Company. Seacoast Bank is the presenting sponsor for the 5th consecutive year.

For sponsorship and volunteer opportunities, or to learn more about the 2015 Indiantown Rodeo, visit www.indiantownrodeo.com, call 772-597-2184, or download the iTown app. ■



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Editorial: Connect the dots to understand agenda

The distorted view of the Community Redevelopment Area's successes and gross exaggerations of their failures by commission majority Ed Fielding, Anne Scott and Sarah Heard, strong-armed from the sidelines by former county commissioner Maggy Hurchalla, has confused residents. Their politically correct rhetoric, which cloaks their hidden agendas, blocks genuine citizen participation and undermines the tenets of open government.

A citizen's best defense? Awareness.

It's already worked in the case of some of our CRA projects. The county commission majority recently reversed two decisions—to kill a sewer line extension in Port Salerno and a floating dock in Old Palm City—purely because they could not easily explain those actions in the face of aware citizens.

The same held true with the decision to proceed with the renovation of the Golden Gate building, a privately financed project with undeniable, larger benefits to the wider community.

Yet other CRA projects that hit the commission's stated targets as precisely as William Tell's arrow, including infrastructure improvement, stormwater treatment and the health of our waterways, have been killed.

Why? Because what the commission majority describes as priorities hides their true agenda, which is revealed only after you connect some dots so the pattern can emerge.

Listen to their criticism of the Rio Town Center project in Rio's CRA, which more clearly reveals their true motives of creating a wealthy bedroom community of single-family homes, rather than their professed fiscal concerns for addressing budget shortfalls.

The total amount collected from CRAs will total less than half of one percent of the county's 2016 budget, which will not touch the \$258 million infrastructure backlog.

The true agenda is to stop growth, particularly the denser populations allowed by CRA zoning in our historic areas, as well as the mix of commercial and residential areas.

"Too dense," all three commissioners said about the Rio Town Center project, vowing to change Comp Plan rules relating to CRAs, as they also poo-hooed Rio's stormwater design that captures run-off and stores it underground, percolating cleansed water into the river—the same design the Old Palm City CRA had proposed for Mapp Road.

The commission also has decided, again under the guidance of former county commissioner Maggy Hurchalla, to rewrite not only the CRA rules, but also the rules for Planned Unit Development zoning, to eliminate condominiums or town homes from being included in single-family housing developments.

In the August workshop on Planned Unit Development zoning, Commissioner Sarah Heard told Growth Man-

agement Director Nicki van Vonno, that PUDs increase density. "No, Commissioner Heard," van Vonno replied, "they do not increase density."

Van Vonno repeated what staffer Catherine Riiska had just explained to the commission: The Comp Plan caps density at 15 units per acre, and no PUD can exceed that amount.

Heard replied, stone-faced, "They increase density."

Here we go again: More dishonest discourse.

We will continue to hear that PUDs increase density like a mantra, to be repeated over and over again, even though untrue, until residents themselves are demanding the end to PUDs.

How can that happen?

A very small, but highly organized group of people led by attorneys Virginia Sherlock and Donna Melzer (another former county commissioner), plays on residents' fears of an over-populated Martin County that looks like Miami-Dade or Broward counties—the worst of all fates. No one wants that kind of development.

They also do not want to be driven out of the county by rising taxes, exorbitant housing costs, and few well-paying jobs. Commissioner John Haddox sees the emerging picture.

"Not everyone can afford to live in a house surrounded by big spaces," he said during the PUD workshop, refraining from pointing to Scott's oceanfront

home on Jupiter Island or Heard's riverfront home in Rocky Point.

"I'm very happy living in Martin Downs (a PUD)," he added, telling the commissioners that they are "crossing the line" as a governing body by telling residents how they MUST live—in only single-family homes if they're going to live in Martin County.

At the same time that our commission majority wants to limit housing options—driving up rents and housing prices—they also pass ordinances to limit industrial and agricultural growth—not to protect the environment as they claim—but to drive down land values to make their lands easier to purchase.

What they do not want you to know is that our combined governments already own more than 60 percent of county properties, according to state and county statistics—not the 26 percent so often touted by certain commissioners.

Another 10,000 acres is designated as permanent preserve areas on privately owned properties, says van Vonno. Several thousand more acres of our western lands are targeted for eventual acquisition by the South Florida Water Management District.

Since the tax burden already has been shifted to residents, just imagine the tax bills to come. Our commission majority will get the wealthy-retired bedroom community they seek—or maybe they won't. Only citizen awareness can make the difference. ■

Letters to Editor

Do not underestimate value of CRAs

Long before NACs or a CRA existed, Port Salerno residents had a vision for their community. We did a lot ourselves, but we achieved much more because of our Community Redevelopment Area.

Back in the '90s, we started a Crime Watch with Forrest Yingling, our Community Oriented Policing officer, and with the help of county Code Enforcement, Waste Management and Keep Martin Beautiful, we had a major village cleanup. We were just getting started.

With the help of Barbara Hogan, Mary Ann Meyers, Donna Dupuy, Elmira Gainey and our local fishermen, the Port Salerno Revitalization Committee was born in 1995. By 1997, we were fighting to keep A1A only two lanes to save our small businesses and our sense of community. In 2000, the county formed our Neighborhood Planning Area and adopted our CRA Plan, which is our vision put on paper.

Since then, we have used our TIF funding to get grants to lay sewer lines and install lift stations, and we are currently expanding our sewer line down Salerno Road. (We had hoped to get more grants to help our neighbors get hooked up, but now all grant-writing has stopped.) Our road project gave our businesses on-street parking and stopped stormwater from draining directly into the Manatee Pocket. A restaurant was built, others added more seating, and more jobs were provided.

We reached into our neighborhoods with Habitat houses and a paint-up, fix-up program. These projects have not all been for beautification, nor solely for the benefit of businesses, as some have suggested, but for the betterment of the whole community.

Salerno is well known for its fishermen, for its artists, for its Pocketwalk, for the Seafood Festival, for New Monrovia's Bahamian Festival and the Christmas Jamboree. People come here, because Salerno now is a nice place to be.

I pray that you fully understand the value of our NACs and our CRAs.
*Ellen Asselin
Port Salerno*

CRAs: vital component of community

As a relatively new resident and business operator here, recently I witnessed what makes Martin County truly unique and special: people's pride for their communities.

The night following the July 4 holiday, when folks seemingly would have something better to do, more than 250 packed the Blake Library to have their voices heard on the seven designated Community Redevelopment Agency neighborhoods.

The CRA model is designed to help neighborhoods overcome challenges that negatively affect property values — as infrastructure, safety and quality of life.

The county is questioning the relevance of the CRAs and how it should be able to direct the additional revenues they generate. Of particular concern are the shovel-ready improvements in Hobe Sound and Palm City which, if not for a recession, would have been long-since completed.

These are smart and necessary im-

provements that need to be completed.

Some of those on the CRA-governing commission board want to take more time to gather more data and prove a return-on-investment.

Others, like commissioners John Haddox and Doug Smith, enthusiastically support finishing the already approved projects, while the county and the Neighborhood Advisory Committees work together to design long-term improvements to the CRA operating model.

Since its inception in 1985, the CRA model has been an example of an effective partnership between local government and caring volunteers. The best example of a CRA is the revitalization of downtown Stuart. Numerous success stories are sprinkled throughout the seven CRA neighborhoods.

If the county needs to justify the ROI on this project, one need look no further than the Blake Library on a Monday night in July.

Indiantown's Brian Powers said it best: "Good things happen when a community has a say."

*Charles Gerardi
Executive Director, Economic Council
of Martin County*

Exploring hidden source of CRA criticism



Barbara Clowdus

Unfiltered

The most disturbing criticism of our Community Redevelopment Area projects took aim at the Carter Park project in the Indiantown CRA, a national award recipient for public-private partnerships in community redevelopment.

We should be holding up this project as the premier example of what can be accomplished when local residents identify a community's needs, and their governing body is willing to work in partnership with them and private non-profits to fulfill that need.

Instead, anti-CRA critics omit relevant facts in order to add credibility to their message that almost all CRA projects waste taxpayer money, particularly Carter Park. Wasting money or investing it? That's the question.

A quick recap of the project tells you that organizers, under the deft direction of Community Development Depart-

ment Director Kev Freeman, targeted a predominantly black community to harness the resources of Habitat for Humanity, which wanted to build homes in the economically depressed area, and the Boys & Girls Clubs of Martin County, which desired to construct a larger facility somewhere in Indiantown.

By shuffling some county-owned properties and getting all the parties working together—including the Indiantown Neighborhood Advisory Committee, the Indiantown Non-Profit Housing Authority and the House of Hope—the Community Development Department's staff brought the county \$830,000 in state grants to provide stormwater treatment for 256 acres of land that previously drained untreated water into the St. Lucie River.

That stormwater lake now lies at the heart of Carter Park, anchored on one end by a 22,000-sq ft Boys & Girls Club with a House of Hope office inside, to be surrounded by 40 Habitat for Humanity homes.

The \$2.3 million project was approved unanimously by the Martin County Commission. Thirteen of the 40 planned Habitat houses have been built in a community where housing ap-

praisals have jumped from \$60,000 to \$120,000 per house.

More important, though, the Boys & Girls Club and its plethora of youth programs and indoor gym is now accessible to dozens of families through safe, uninterrupted sidewalk connections as part of the Indiantown CRA plan.

The money spent will see long-term returns on future property tax assessments and a less tangible return on an investment in our children.

The Railroad Avenue project in Golden Gate is another easy target for anti-CRA critics, but what looks like a "road to nowhere" alongside a railroad grade, in reality combines stormwater treatment, pollution abatement, flood control and business revitalization in one project that also attracted large state grants.

Both of these denigrated projects share something in common besides having been born among the volunteers of each of the Community Redevelopment Area's Neighborhood Advisory Committees. They both serve primarily minority populations: a largely black community in Indiantown and an Hispanic community in Golden Gate. Does racial and ethnic prejudice play a part in the untoward criticism of these projects? Indeed, they could.

Anyone growing up in the south in the '50s and '60s probably still carries subconscious imprints about race—those nearly invisible threads to the past that tug on attitudes of the present—but gosh they're hard to see and impossible to break if you do not first recognize them.

They likely reside at the same deep level where mine had lain for decades—even as I taught my own children tolerance and acceptance and respect for all backgrounds and all races—until I saw my teenaged daughter walk across a college campus hand-in-hand with a black student-athlete.

My face flushed first with embarrassment—I worked at the same college—then with shame for experiencing the feelings that had to have stemmed from a racist, segregated upbringing. My brain had been imprinted with values that I did not recognize and that consciously, intellectually, I rejected.

In that moment, though, I was staring straight at them. Racial prejudice laid bare.

Could unacknowledged, prejudicial threads from the past be sabotaging the conversation about these much maligned CRA projects? Unfortunately, that could well be the case. ■

Our Comp Plan gives priority to CRAs

Tom Fucigna, Jr.

Guest Columnist

My name is Tom Fucigna, and I have lived in Hobe Sound for 18 years, so I'm a relatively new guy. I participated actively in the Hobe Sound Community Redevelopment planning process as a member of the public and as a member, and then chair, of the Hobe Sound Neighborhood Advisory Committee for a total of 10 years under three successive county commissioners.

I gave that time because I believe in the value of the planning process.

I think it is important to remember that Martin County's seven Community Redevelopment Plans have not been produced in a vacuum. Our seven Community Redevelopment Plans have been developed in compliance with the widely respected Martin County Comprehensive Growth Management Plan, as part of a process to maintain Martin County's character, stability and quality of life through orderly growth and development, as defined in the county's "2020 Vision for a Sustainable Martin County."

Chapter 1 of the Comp Plan preamble reads: "The purpose of the Comprehensive Growth Management Plan is to use and strengthen Martin County's role in establishing and implementing the com-

prehensive planning process in order to protect natural and man-made resources and to maintain, through orderly growth and development, the character, stability and quality of life of present and future community residents."

Chapter 2 of the Comp Plan Overall Goals section includes this text:

– Under the paragraph entitled, "Re-development and Renewal," the Comp Plan says: "Martin County shall alleviate the negative impacts of inadequate public facilities and services, and sub-standard structures for affected areas of the County."

– Under the paragraph entitled, "Traditional Neighborhoods," the Comp plan reads: "Martin County shall provide opportunities for a diversification and integration of residential, retail, professional and business office uses and coordinated systems of recreation and conservation open spaces to be located in close proximity to each other in mixed arrangements to meet the needs of the population, provide residents with a variety of choices in lifestyle arrangements and experiences, and reduce infrastructure impacts, while protecting residential neighborhoods from adverse impacts of non-residential uses."

– In this same section, under the header, "Encourage Urban Development in Urban Service Areas," the Comp Plan

says: "Martin County shall regulate urban sprawl and leap-frog development, which are counter (to) the county policy for planned urban development."

The Comp Plan identifies goals and objectives that are intended to be implemented through various means. The process of Community Redevelopment Planning and implementation—which has been ongoing for more than 20 years in seven Martin County communities—does just that.

The Community Redevelopment Plans support and implement the goals and objectives of the Comp Plan.

Our Community Redevelopment Plans—which are one of the few forums we have to address the future of our communities—are intended to articulate the Comp Plan's "Vision" of sustainable, integrated town and neighborhood settings.

The goals of the Community Redevelopment Plans include supporting and maintaining vibrant, successful and sustainable downtowns that work for all of us, identifying actions that can improve neighborhoods and encouraging traditional town and neighborhood features.

Our Community Redevelopment Plans are part of our local government's best effort to recognize our attributes and implement means to protect and enhance them.

Our Community Redevelopment

Plans are not about asphalt or sewer pipe or power lines (although they may be about pedestrian crosswalks). They are about the past and the present and the future of places that we are all part of.

Change is the only constant. Properties will be bought and sold. Tear downs, rebuilds and new construction will occur. Re-development will happen, and it's important to ensure that it happens in ways that are good for our communities. Planning can preserve and enhance the attributes that make Martin County a unique and desirable place to live. Planning can help us preserve our past and shape our future.

We've all driven through old downtowns that have become degraded or abandoned over time or—perhaps worse—places that have been sucked up into the sameness that creeps in from all around. We don't want that to happen.

We want our communities to maintain their character. We want them to work for all of us, and we want them to thrive. Character Counts in Martin County, and supporting our Community Redevelopment Plans is one of the best ways in which we can prove it. ■

Remarks made by Tom Fucigna at the July 6 Community Redevelopment Workshop at the Blake Library in Stuart.

Stormwater, sewer projects a part of CRA plans

Awareness for the need to incorporate stormwater treatment and sewer lines has long been a part of community redevelopment projects in Martin County. It's just the way people feel about their neighborhoods.

Although killed by the Martin County Commission majority of Ed Fielding, Sarah Heard and Anne Scott, the Old Palm City project for Mapp Road was primarily a stormwater treatment project that would help alleviate the flooding in residential areas, which in turn causes failures of septic tank drain fields.

But the road improvement—adding parking, sidewalks and bike lanes—would also attract new businesses to Mapp Road's 10 empty storefronts, adding significantly to the county's tax

base, as did completion of County Road 707 in Rio helped to attract a developer for the new Rio Town Center.

The Carter Park project in Indiantown now has drainage for 256 acres that previously had none, and the lake has become a favorite place for kids to fish right in the heart of a reborn community. The 40 homes planned by Habitat for Humanity, which have doubled in value, also will add significantly to the county's tax base.

The need to revitalize our aging, fragile areas became apparent in 1988 in Jensen Beach when a group of local residents banded together to form its own revitalization committee, followed by creation of the first Community Redevelopment Agency. The idea spread to Port Salerno, which had formed their own re-

vitalization committee by the mid-90s, with Hobe Sound soon on its heels.

By 2002, Martin County had established a Community Redevelopment Agency with the county commission serving as its board, with seven distinct planning areas that hosted charettes, formed Neighborhood Advisory Committees, and established their own plans to create safe, walkable neighborhoods.

Hobe Sound installed sewer and water lines as one of its first, but nearly invisible first steps, and Golden Gate's Railroad Avenue project was another major stormwater project to begin the process of alleviating the sheetflow of water across Dixie Highway as it also stopped polluted water from the railbed from flowing into the Indian River Lagoon.

Port Salerno's project will install its

second phase in sewer line extensions and lift stations beginning in 2016, long after other stormwater projects were completed.

But all these projects, as important as they are, are synergistic components of Community Redevelopment Areas that bring neighborhoods back to life. They transform those places easy to forget due to old buildings, poorly planned street layouts, and few or missing sidewalk connections.

The value in creating traditional neighborhoods that have been largely abandoned in our rush to the suburbs and gated communities pays far greater returns than just what can be measured on a balance sheet. They perhaps have never been quite so valued as they are now—as they face extinction. ■

Attempts at eliminating CRAs not a new trend

The Community Redevelopment Areas have been under attack since May 2015 when two major projects were defunded, but the effort to eliminate CRAs altogether began in earnest after the 2012 election; however, campaign rhetoric foretold the direction the newly elected commissioners would take regarding CRAs.

In one political forum at the Banner Lake Community Center in Hobe Sound, then-commission candidates John Haddox and Anne Scott spoke against the Community Redevelopment Agency.

"I believe that CRAs have probably outlived their useful life," said Haddox, who has since become an outspoken, ardent supporter of all seven Community Redevelopment Areas and the NAC volunteers, particularly in Old Palm City.

Anne Scott, on the other hand, said that the CRA was a "pseudo-government" that put an unnecessary layer between commissioners and constituents, and those who volunteered were "empire builders," more interested in themselves and their properties than in their community.

At that point, she had attended one

NAC meeting for one hour.

The first official act taken by Martin County Commissioner Sarah Heard after being elected chair of the county commission in November 2012 was to abolish the independent Community Redevelopment Agency, which had been created in 2010 in response to neighborhood criticism that projects were taking too long to complete, which increased their cost.

Heard said that she was following through on her own campaign promise to abolish the agency that she said was heavily influenced by business owners, instead of the residents who lived in each of the seven communities: Rio, Jensen Beach, Hobe Sound, Port Salerno, Golden Gate, Old Palm City and Indiantown. The county commission would again serve as the Community Redevelopment Agency, as it did from 2001 to 2010.

At the time, Heard assured those communities, each with its own Neighborhood Advisory Committee of volunteers appointed by the county commission, that she "would not touch" the Neighborhood Advisory Committees—a promise broken four months later.

In February 2013, the county commission approved Heard's direction to disband all seven NACs and to change the qualifications of appointees, because, she said, "Business interests, not residents, control the NACs." The new NAC members would need to apply for commission appointment.

A survey of NAC members showed that more than a majority of NAC members were residents with zero business interests, and even among those who owned or managed businesses within the CRAs, only two were not also homeowners within the same CRA.

Still, it took the county commission 12 months to decide the new qualifications for NAC volunteers, and it's now the county's first, if not the only, advisory board that requires its members to be registered voters. The commission also decided to allow one member of each NAC to live outside of the CRA boundaries.

After the independent agency was abolished, the Community Development Department, comprising the staff that implements the plans under the direction of the county commission and liai-

son to the Neighborhood Advisory Committees, lost its grant writer, Nakeisha Loi Smith, who had successfully brought more than \$3 million in grant funding to Martin County in two years.

After accepting a job offer elsewhere in community redevelopment, Smith said that "she felt like she'd been kicked in the stomach," with the dissolution of the CRA agency. "That's two years' of work down the drain."

This summer, the Community Development Department lost two more staff members: Edward Erfurt, an urban planner, who left his design stamp on several of the CRAs and is now working in the panhandle of West Virginia near Harper's Ferry, and Nancy Johnson, who spent 18 months helping to create the Micro-Entrepreneurial curriculum at IRSC (a project to strengthen the business skills of small business owners with fewer than five employees, which was killed by Heard in May 2013) before she transferred to the county's Parks and Recreation Department in August.

The two remaining staff members are Director Kev Freeman and planner Pinal Gandhi. ■

Question of CRA underpayments unanswered

The \$25 million in Tax Increment Financing funds collected from the properties within CRA boundaries over the past 16 years, which amounts to around \$220,000 invested annually in each, that critics claim had "disappeared" was a myth finally debunked by the Martin County Comptroller and the county's Budget Office.

All expenditures by the Community Development Office had always been accounted for, according to County Administrator Taryn Kryzda, but simply not labeled per project. The system has been changed, according to county staff, and the updated records are posted on-

line with each expenditure labeled per project within each CRA area.

Underpaid to CRAs' trust fund

CRA funds collected from properties within CRA boundaries, which by state law are supposed to be expended only within those boundaries, were underpaid until 2013 due to an error discovered in the Property Appraiser's Office. Those funds have never been paid to the CRA trust fund, neither have they been reconciled, according to the county Budget Office, which supplied these statistics.

A total of \$4.6 million was underpaid

to the CRAs since their inception. The biggest loser was the Port Salerno CRA, which is owed \$1.163 million with \$116,826 of that owed from the 2012-2013 fiscal year alone, and close to Port Salerno is the Hobe Sound CRA, which is owed a little more than \$1 million with \$71,000 owed from the 2012-2013 fiscal year.

The Rio CRA is owed almost \$860,000 with nearly \$22,000 from 2012-13; the Old Palm City and Indiantown CRAs are each owed more than \$440,000 with nearly \$37,000 owed Old Palm City from 2012-13.

The Golden Gate CRA is owed more than \$350,000 with about \$21,000 due

from 2012-13, and Jensen Beach is owed more than \$300,000 with more than \$52,000 due from 2012-13.

The funds earmarked for the CRAs went into the general fund, instead of into the Community Redevelopment Trust Fund. If the funds collected are not spent (or earmarked) for a particular CRA project within three years of collection, they revert to the county's general fund.

The City of Stuart's CRA had to file a suit against the county in order to obtain a \$1 million partial payment of TIF monies collected by the county and underpaid to Stuart's CRA. The case was settled last year. ■

CRA Project Maps

The Community Redevelopment Areas each have projects in various stages of completion. Prior to his departure from the county, Community Development Planner Edward Erfurt created these "heat" maps of the CRAs to show visually the activity in each neighborhood.

Each of the layers include variations of transparency. The greatest transparency or lightest colors represent the phases of a project in the following order, Planning, Design, Permitting, and Implementation. The more intense colors are the areas where planning has led to final implementation.

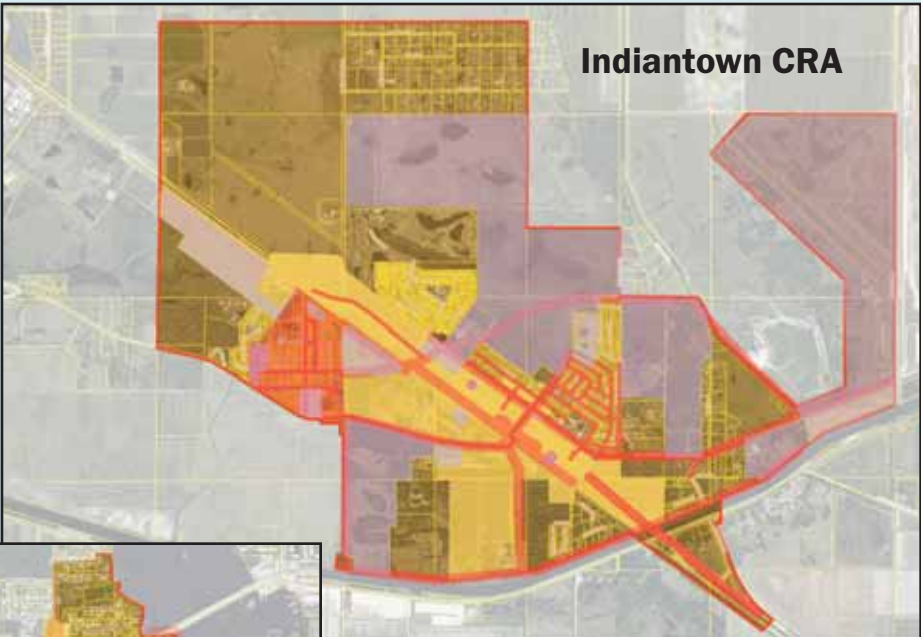
- YELLOW:** Comprehensive Plans, Land Development Regulations, and Design Regulations
- ORANGE:** Public Utilities (Water and Sewer)
- RED:** Capital Improvement Projects
- PURPLE:** Private Development



Golden Gate CRA



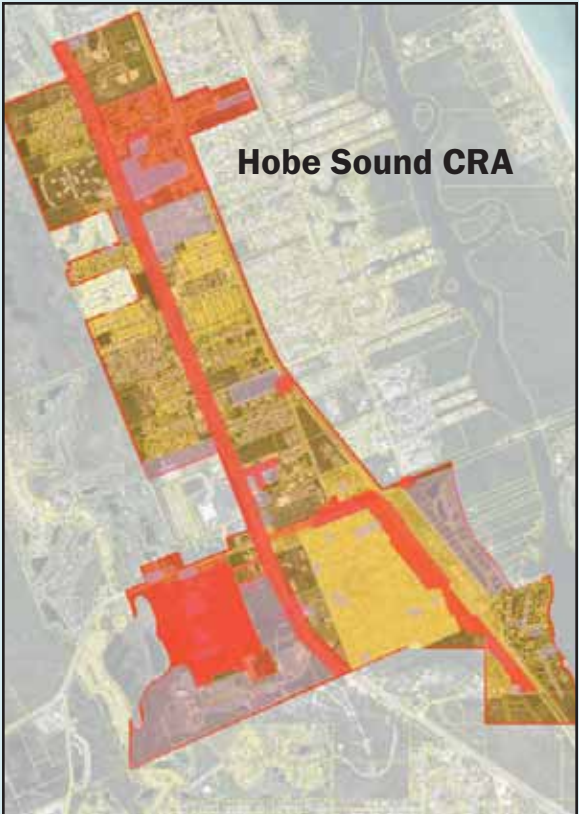
Rio CRA



Indiantown CRA



Palm City CRA



Hobe Sound CRA



Port Salerno CRA



Jensen Beach CRA

Judge renders order

in Lake Point's public records trial

The public records trial in the Lake Point lawsuit against Martin County that concluded August 30 in Martin County Circuit Court resulted only in stopping Lake Point from making any more public records requests regarding emails about Lake Point housed on commissioners' personal computers. Lake Point also can no longer seek copies of Commissioner Sarah Heard's personal notes she used during the Feb. 5, 2013, county commission meeting.

At that meeting, some county commissioners had called for the 1,005-acre rock mine in Indiantown to be shut down for alleged code violations of its housing development order, which the county had agreed to revoke if state authorities granted Lake Point its rock mining permits. The permits were granted, however, the county did not revoke the housing development order, according to court records.

Loeb had attended the Feb. 5, 2013, commission meeting, according to court testimony, and had submitted to the clerk during a commission meeting break a hand-written public record's request for Heard's notes, which was submitted into evidence.

Then-acting County Attorney Krista Storey testified that since the personal notes were not public records, she had not provided that request to Heard, who later testified that her "habit" is to toss any personal notes into a trash can under the dais immediately following every commission meeting.

Lake Point continued to submit public records request for the notes, however, because no one had informed Loeb that they had been destroyed, he testified, until the day of the trial.

Outside council attorney John Fumero representing Martin County asked the court to sanction Lake Point for undue harassment of commissioners and for its excessive public records requests, contending in earlier testimony that more than 100,000 pages of records had been provided to Lake Point.

Circuit Court Judge Shields McManus, however, ordered that neither Lake Point nor Martin County would be sanctioned for their actions; therefore, neither would be reimbursed for their attorney fees and costs associated with the public records issue, ongoing since the Feb. 5, 2013, county commission meeting.

Although conceding in his Sept. 3 ruling that some records "no longer existed or had been destroyed" regarding correspondence among commissioners

If anyone thought that Martin County Commissioner Sarah Heard would be held accountable for the alleged destruction of public records on her personal computer more than two years ago, they were wrong.



In the recent public records trial in Martin County Circuit Court, Lake Point attorney Ethan Loeb included clips of Commissioner Sarah Heard reading from notes that the rock mine and water restoration project sought through multiple public records requests. Judge Shields McManus ruled they were not public records.

and Maggy Hurchalla about Lake Point, McManus determined that all remaining records had been provided in a "reasonable manner" prior to the filing of Lake Point's public records lawsuit Feb. 14, 2014.

He ruled also that the discovery process (in the contract dispute between Lake Point and Martin County) had already revealed that many of the records Lake Point sought to obtain no longer existed, including the emails that had disappeared from Heard's personal computer. As a result, McManus declared that Lake Point's allegations of public records violations were "moot," thus denying Lake Point's request for a writ of mandamus to force the county's compliance with state public records laws.

Although McManus did not go so far as to declare that no public records laws had been violated regarding the missing emails, he did rule that Heard's personal



Sarah Heard



Ed Fielding



Maggy Hurchalla

notes that Lake Point spent the most energy attempting to obtain do not qualify as public records. Lake Point argued that by reading the notes at the 2013 meeting, Heard had "shared" them, thus qualifying under the law as public records. McManus disagreed.

Missing public records

Court testimony revealed that Heard had informed Lake Point attorney Ethan Loeb early in 2013 that her personal computer had been "hacked," and all her emails and personal contacts had disappeared.

"I got up one morning, and they were all gone," she testified.

Loeb asked her if public records were on that computer. She answered, "Yes." He followed by asking if she had contacted Yahoo immediately to attempt to retrieve them. She answered, "No."

Heard said that she conducted an on-line search of the Yahoo! website, which told her that deleted emails were not kept by Yahoo! longer than 48 hours, so she took her computer to Tiger Direct to have the hard drive examined to see if any of her emails could be retrieved. The receipt for that examination was entered into evidence.

McManus also ruled that no emails had been "altered or manipulated" by either Heard or Commissioner Ed Fielding, another of Lake Point's allegations, and that Fielding's nine-month delay in providing an email from Maggy Hurchalla housed on his personal computer was "inadvertent."

Signed "Deep Rockpit," Hurchalla had instructed Fielding in the email he identified in court as being from Hurchalla not to accept \$44,000 in environmental fees paid by Lake Point to the

county as part of the inter-local agreement between the county and the South Florida Water Management District. She also provided instructions as to how to proceed in voiding agreements with Lake Point.

Fielding, who admitted to being "not very technically saavy," had not used search terms, but had manually searched the folders on his computer, thus overlooking the Hurchalla email, according to testimony. He also had not listed his personal email address as one with which he conducts county business, because he does not engage in "back-and-forth, substantive conversation" regarding county business on his personal computer.

Fielding's lack of expertise prompted the court to order a forensic examination in 2014 of his home computer's hard drive, which resulted in finding three other emails, none of which were substantial in nature, according to testimony.

"There were many circumstances which would cause a reasonable person to suspect there were records not yet disclosed," McManus wrote in his order. "The destruction of Commissioner Heard's notes was not verified. The destruction of Commissioner Heard's emails was very curious and remains unexplained."

The public records Lake Point had been seeking are "material evidence," according to Loeb's testimony, in Lake Point's suit against Martin County, the South Florida Management District and Maggy Hurchalla for tortious interference and breach of contract in a suit filed Feb. 5, 2013.

The issue erupted in 2012 after a Palm Beach Post article described a presentation by American Water to the Palm Beach County Commission regarding the possibility that the Lake Point project could supply cleansed water from the C-44 canal north of its property to reservoirs near the L-8 canal at the south of Lake Point's property, which Martin County claims is a violation of their agreements.

According to court records, the case likely will not go to trial until the fall of 2016. ■

--Barbara Clowdus

Legal tussles mount in Lake Point case

The court docket in the Lake Point lawsuit reveals dozens of motions and notices filed in Lake Point's 2013 case against Martin County, the South Florida Water Management District and former County Commissioner Maggy Hurchalla. The mining company alleges violations of contracts and agreements, as well as tortious interference with Lake Point's contract with SFWMD.

So many motions have been filed regarding evidence and the discovery process that the court appointed a special magistrate at \$250 an hour just to listen to their arguments and rule on their dozens of filings.

The cost of the special magistrate is being split between Martin County and the South Florida Water Management District, after Hurchalla's attorney, Virginia Sherlock, told the court Hurchalla could not afford to share that cost.

The Lake Point Water Restoration project is a rock mine uniquely positioned on a 2,000-acre tract of land between the C-44 Canal and the Martin-Palm Beach county line at the L-8 canal. Originally an agricultural land-development project, Lake Point contends that its agreements with Martin County allowed it to become a rock mine after it received state mining permits and environmental permits; however, the county did not issue a revocation order for the Lake Point Ranches housing development, which in turn, resulted in code enforcement violations levied against the operation for violating its housing development order.

A 2008 agreement, Lake Point says in its lawsuit, exempts the Lake Point stormwater management project from county land-development regulations, giving it the right to mine rock, as well as transport water across its property.

The South Florida Water Management District, which controls drinking water supplies from north of Lake Oke-

chobee through the Florida Keys, has "sole and absolute discretion" over the Lake Point project, but Hurchalla had made public allegations that Lake Point was "selling Martin County water" and destroying wetlands.

Lake Point's suit alleges that Hurchalla's secret correspondence with county commissioners and state officials was the primary motivator behind the county's attempt to shut down the Lake Point mining operation in January 2013, which prompted Lake Point attorney Ethan Loeb to file a public records request prior to filing its lawsuit, asking Martin County for all correspondence regarding Lake Point among Hurchalla, county staff and all commissioners.

Hurchalla makes plea for cash

In other developments in August, the Fourth Circuit Court of Appeals overruled the 19th Circuit Court's order granting abatement of the Homeowners Choice Insurance lawsuit against Hurchalla.

The insurance company had provided an attorney for Hurchalla's defense during the first year of the Lake Point case, before rejecting Hurchalla's claim for coverage.

The insurance company filed a lawsuit against Hurchalla to regain the monies it had expended during the first year of her defense, purportedly to be around \$300,000, claiming that her homeowners insurance policy did not provide coverage for "intentional" acts, according to court records.

Her personal attorney, Virginia Sherlock, had asked the Martin County court to delay proceedings until after the Lake Point case concluded. The case is again before the court.

Hurchalla launched a website asking for donations to cover her litigation costs. ■

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Geoffrey Smith sculpture sings song of wildlife

The Geoffrey C. Smith gallery-studio on Route A1A in Port Salerno brings to this rapidly growing artist's hub a truly inspiring dimension of high art—wildlife magically transformed into bronze sculptures of mind-blowing beauty under the skillful hands of Geoffrey Smith, in a place where a deep synergy between the artist and his art becomes a totally enchanting spectacle.

The studio space is where, in fact, it's the viewer who becomes a statue, transfixed and pinned to the floor, while egrets and sandhill cranes, herons, alligators and other amazing creatures of Florida wildlife gracefully dance and prance in fluid rhythmic motion, revealing what French sculptor Auguste Rodin called, "the unknown forces of nature."

Realistic and highly intricate in form, a Geoffrey Smith sculpture is as mysterious as the sphinx of Giza, transcending its own mass, gravity, visual form, and even the constraints of the medium to which it owes its very existence. Astounded and literally gasping for air on my first visit to the Geoffrey Smith studio, I asked him what is the first spark that breathes life into his sculptures.

"Serendipity," he replied with a contagious smile, kindly ushering me around his elegant, sunlit gallery. "I discover my subject matter in nature as I fish or boat. Recently, for instance, I happened to observe an amazing scene: Sharks were chas-



Maya Ellenson
Art Kaleidoscope



Visitors to the Geoffrey C. Smith Gallery on A1A in Port Salerno often remark that they feel they've just visited a museum rather than a sculptor's studio. Many of the works are awaiting installation throughout Martin County.

ing a bonito, which managed to find its way out. It was really dramatic."

With an enthusiastic tone, he added: "To convey the truth of wildlife in my sculptures, first I become thoroughly familiar with the subject and the environment it belongs to."

Imbuing a sense of motion to his compositions, Geoffrey turns the base of a sculpture into a sort of theatrical stage, where the



Sculptor Geoffrey Smith at work on a mermaid in his studio at the Geoffrey C. Smith Gallery in Port Salerno with a view of his recently completed alligator mold, soon to be shipped to a Montana foundry. The mermaid may become the centerpiece of the Port Salerno turnabout on Salerno Road.

central figure interacts with smaller "characters" and the space around them, as they engage in a breathtaking dance to the tunes of nature. A custom order, the "Coral Reef Table" with 100 sculpted fish under nearly eight feet of glass, exemplifies a sculpture morphing into the genre of drama.

After Geoffrey's mind's-eye vision is formed from observing both the habits and habitats of his characters, he builds his sculpture with Styrofoam for large pieces, armature and clay—step by step—directing the metamorphosis into a full-sized sculpture. What occurs in the foundry is the ultimate alchemy as a clay original is cast in bronze by using the ancient, multi-step lost-wax casting process. Upon completion, a traditional colored patina gets applied to emphasize the style and intricate details of his work.

The clay from which Geoffrey's sculptures emerge, never gets too cold or hardened. I was lucky to see the life-sized "Everglades Gator" sculpture before the "bad boy" left Port Salerno to be cast in one of Montana's foundries. The clay was still warm and palpable; the gator articulating with his whole being the fascinating mystique of the Everglades.

Quite serendipitously, I also happened to watch Geoffrey sculpting a miniature mermaid that eventually may grow into ... and here I am going to reveal a secret ... Port Salerno's centerpiece sculpture for its traffic circle that will include a fountain to enfold the mermaid with the mysterious spirit of water. And if this beautiful fantasy envisioned by the artist becomes real, then Port Salerno will certainly become the "Mermaid Capital of the World."

Originally from San Francisco, Geoffrey moved in 1996 to Florida from Montana, where he received a major in economics, but the artist always lived within him. He showed me a carving from his past when he used to carve wooden duck decoys of exceptional quality. "That's what I was doing at the age of 15," he said.

His quest for creative growth uncovered for Smith the immense potential of



A glass table top is suspended by a commissioned undersea sculpture by Geoffrey Smith.

another art medium, the bronze, which he combined with his education and business drive to attain global recognition as a sculptor. Now the owner of two galleries in downtown Stuart and Port Salerno, Smith is a living legend whose iconic sculptures, including the Stuart Fountain Sailfish, the Jensen Beach High Falcon, the Sea Life Monument, among others, will inhabit Martin County's urban landscape forever, elevating and amplifying our culture of environmental consciousness.

"Our community is highly eco-conscious," he said, referring to his six waterbird sculptures recently commissioned for Colorado Avenue as part of the City of Stuart's centennial celebration, and supported by the Art in Public Places program, Women in Support of the Arts, and various individuals.

"We've got to protect our rivers, ocean and the species that inhabit them," he added, "otherwise, in this sailfish capital of the world, there will only be a one-a-kind sailfish left—by the Lyric Theater," referring to the city's sailfish fountain.

Recognized by Florida Fish and Wildlife Commission for "Excellence

in Capturing the Beauty of Florida Wildlife," Geoffrey C. Smith in many ways rekindles the trend of American romanticism, whose great painters initiated the Conservation Movement in the U.S. with their awe-inspiring paintings of the Rocky Mountains. It's a historical fact that Thomas Moran's sublime images of the Grand Canyon convinced President Grant, and eventually Congress, to establish the Yellowstone region as the first national park in 1872.

If, back in the 19th century, the Conservation Movement was mainly associated with the West, in the 21st century, it's our Florida, and thanks to Geoffrey C. Smith's wildlife bronze sculptures, the entire planet can hear the magic song of the Everglades as it's never been heard before. ■

Russian-American Maya Ellenson, who holds M.A. and PhD degrees in Russian language and literature from Moscow State University, has lived in Martin County for eight years. A free-lance writer, she has a particular interest in world culture and art.

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'Hard-knocks' kids earn college scholarships

From losing a sibling to fleeing an abusive parent to working in the fields at age six, several recipients of the Visiting Nurse Association scholarship awards this year overcame hard-scrabble circumstances to achieve stellar accomplishments—academic and otherwise.

The VNA of Florida awarded \$8,000 in scholarships to graduates from Martin and Okeechobee high schools seeking careers in the medical field based on need, academic performance and the strength of personal essays describing their life experiences.

"These young people are amazing in what they've overcome and what they're poised to achieve," said Jennifer Crow, marketing and communications director for VNA of Florida. "We're thankful for the chance to provide a small investment in their future careers—which are headed for greatness."

JULIET SHARPE, Palm City

South Fork High School, 3.94 GPA, ranked No. 24 of 417 seniors. Attending University of Central Florida, major in Nursing.

Juliet's mother fled to a shelter when Juliet was six years old. Confused, Juliet still harbored hopes of seeing her dad again, but he died of alcoholism and diabetes when she was 13. Resolving "to live each day to the fullest and to never give up on what I want to accomplish in life,"

Juliet worked at both Panera Bread and Little Prodigy School of Music while in school to supplement her family's income. A founding member of Artists for a Cause Club, she performed at senior communities, created Braille menus for the blind, helped raise supplies for local food banks and funds to fight human trafficking. She also created Braille menus for Lighthouse for the Blind. With an interest in medical bioengineering, she hopes to help people with prosthetic limbs.

JENNA LEONARD, Port St. Lucie

Martin County High School, ranked No. 42 of 449 seniors. Attending University of Central Florida, major in Nursing.

With her mom working in the kitchen at Palm City Elementary and her dad disabled, Jenna worked 24 hours a week to supplement her family's income. Accepted in Martin County High's medical academy (which enabled

her to stay at the school even after her family moved to Port St. Lucie), Jenna earned a Certified Medical Assistant license. Combining her love of dance and community outreach, she helped the staff at Healthsouth choreograph a fundraising video for the Pink Glove Project's campaign against breast cancer. Her work ethic impressed Healthsouth, which hired her as a rehab nursing technician after she earned her CMA. "My dream is to become a pediatric nurse," she said, "so I can help give children a second chance."

TAYLOR ELYSE LOPRETO, Palm City

Clark Advanced Learning Center, ranked No. 2 of 92 seniors. Attending Emory University, major in Biology/pre-med.

Christmas toy drives. Mentoring Boys and Girls Club members. Conducting a study to help protect the ecosystem at Dupuis Management Area. Knowing her dream of becoming a doctor demanded drive and a fearless confrontation of challenge, Taylor took it all on—

while maintaining excellent grades. She learned a whole new lesson when her father became unemployed for two years. The family was forced to drain their savings, then her college fund, and she took two part-time jobs—intern, then office staff at Treasure Coast Podiatry and hosting at Flanigan's Seafood Bar & Grill. "It just taught me that there's more to life than materialistic things," she said, "and as long as you have your family, you're OK."

LUCIA PINEDA, Stuart

South Fork High School. Attending University of Central Florida, major in Nursing.

After emigrating from Mexico, Lucia's family settled in Indiantown, with a mom protecting her children with a mix of strict rules and high expectations.

"She always reminded us that we came here for a better life—and that's not going to make your life better," Lucia said. "I knew that there wasn't anything out there for me, and if I got into these bad habits, my life would go nowhere."

Her parents divorced after the prolonged hospitalization and death of an infant sibling. To help her mother financially, Lucia worked 20 hours a week at McDonald's. She also volunteered with Habitat for Humanity, House of Hope

and the Red Cross Top Model Pageant, while excelling in school. In honor of her little brother, she hopes as a nurse to help children—particularly newborns.

EMILY JONES, Palm City

Martin County High School graduate, No. 50 of 449 seniors. Attending University of Central Florida, major in Nursing.

From a large family of limited means, Emily learned early not to expect the indulgences other kids enjoyed; however, she was dumbstruck when at 14 her parents admitted they couldn't afford her college. She'd have to find a way to figure how to go. Learning about dual enrollment from her guidance counselor, she graduated with an associate's degree. She also danced with Martin County Tigerettes, performing in Macy's Day Parade and at the 2014 Orange Bowl. She volunteers in the kids' ministry at church, as well as with Red Cross, Salvation Army and at area soup kitchens.

"Nothing in life comes easy," she said, "but throughout my high school

years I learned with hard work and dedication I can achieve anything."

LAWRENCE PARZYGNAT III, Jensen Beach
Jensen Beach High School. Attending University of Florida, major in Biology.

In ninth grade, Lawrence's father left the family. His mom took three jobs to pay the bills. Lawrence cared for his little sister, encouraging her by "complimenting her on every little thing she did and being a large part of her life." Sharpening his leadership skills in JROTC, he took part in trash pickups, car washes, coupon drives for overseas families of military personnel and restoring a oyster beds in the St. Lucie River. Although his "father was on my mind most of the time," Lawrence determined to "push on, because it would make me stronger for the predicaments that would be harder to handle later in life." He plans to become an anesthesiologist.

The Okeechobee High School graduates earning scholarships are Mariah Ruiz, who earned 28 credits toward college while in high school, and Sandra Hernandez, who was fourth in her class, earning her associate's degree in nursing prior to graduating. Both are students at Indian River State College. ■

--Ike Crumpler





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One Florida members work to spread the message

The ongoing efforts to improve water quality and eliminate Lake Okeechobee discharges dominated a recent roundtable discussion at which Nyla Pipes of One Florida Foundation was invited to participate.

Sen. Marco Rubio's chief of staff, Todd Reid, hosted the "Lake Okeechobee Roundtable" at the Chastain campus of IRSC on June 18 in Stuart to hear updates from US Army Corp of Engineers Lt Col. Jennifer Reynolds and Jeff Kivett, engineering operations manager for the South Florida Water Management District.

"The Army Corps of Engineers and the South Florida Water Management District gave us updates about where we are now (regarding CERP and CEPP projects) and where we must work next," Pipes said, "with consensus that we must continue to fight for funding for Everglades restoration. It was also evident that there will be further effort needed to seek funding for more water storage throughout the system."



Don Pipes, of One Florida Foundation, takes the measurements of a nurse shark aboard the Sea Siren off Dania Beach.

Others from the SFWMD and the Army Corps participated, as well as Martin County Commissioner Ed Fielding and staff Kate Parmalee and Don Donaldson; Sebastian Mayor Richard



One Florida Foundation members join the Shark Whisperers on the Sea Siren out of Pompano Beach to spend the day helping conduct shark research.

Gilmore; Chuck Jacoby, supervising environmental scientist for St John's River Water Management District; Meagan Davis, executive director at Harbor Branch Oceanographic Institute; Mark Perry, executive director, Florida Oceanographic Society; activist Rae Ann Wessel of Sanibel-Captiva; Jason Bessey, St. Lucie County Utilities Dept., and Sewall's Point Commissioner Jacqui Thurlow-Lippisch.

At the "Big Sugar Summit," hosted by the Sierra Club in West Palm Beach, we heard Chairman Collie Billie of the Miccosukee Tribe, who spoke eloquently about the need to ensure the quality of the water prior to sending it through the Everglades. In fact, the Miccosukee Tribe's lawsuit against Florida is what set the standard of 10ppb of phosphorus for water entering the Everglades.

Pipes said that what struck her the most about Billie was his comment that "only by working together that we will truly be able to restore the Everglades," which is the founding theme of One Florida Foundation.

"It is time to come together in our ef-

orts to save the Everglades," Pipes added, "and stop the damaging Lake Okeechobee discharges."

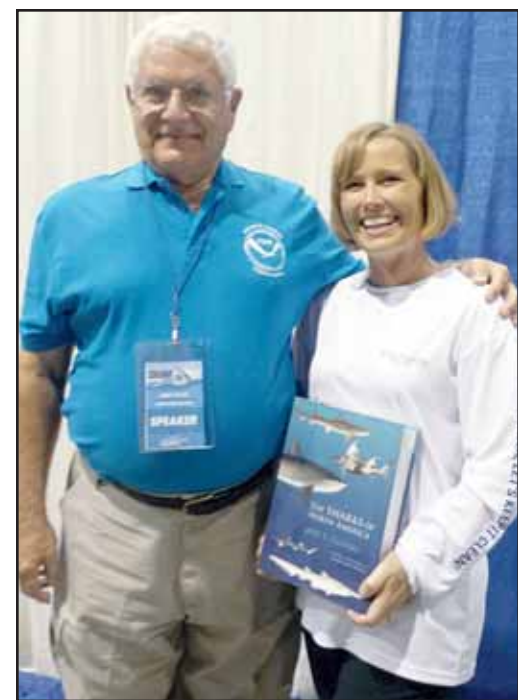
The same message was also given by One Florida Foundation Co-founder Capt. Don Voss, who spoke before Tampa Bay Watch and members of the United Nations on World Ocean's Day. He also spoke at the Indian River State College Leadership Camp and at Florida Atlantic University H2O to Go Summer Camp about being an advocate,

enumerating the challenges Florida faces to clean its waters.

"This was directly after we spent a day on the Kissimmee River studying beside these bright young people," Pipes added, "some of whom were scholarship recipients to attend the H2O to Go camp."

The One Florida Foundation was also part of the grand re-opening celebration of the Fort Pierce City Marina, spending the day teaching residents about Florida's aquifer.

"The Fort Pierce City Marina is now one of the greenest marinas in the country," Pipes said, "and is being looked at as an example for others to follow." ■



A featured speaker at Shark-Con, expert Dr. Jose Castro signed his most recent book, *The Sharks of North America*, for Nyla Pipes, of One Florida.

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Youngsters hear message of clean water for all

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H2O to Go campers aboard the Kissimmee Explorer, of the Riverwoods Field Laboratory from Lorida, Fla., examine the marine animals they found living in the Kissimmee River.

United Nations on World Ocean's Day. He also spoke at the Indian River State College Leadership Camp and at Florida Atlantic University H2O to Go Summer



H2O to Go camper Melanie Cheda finds her first apple snail.



One Florida Foundation co-founder, Capt. Don Voss, with Indiantown YMCA students Gustavo Lucas, 11, Eli Martinez, 10, and Petrona Francisco, 10, at the YMCA Lunch Bunch. One Florida Foundation donated \$250 to provide swim lessons for five Indiantown youngsters.

Camp about being an advocate, enumerating the challenges Florida faces to clean its waters.

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Hope springs eternal for healing our estuaries

The special session of the Florida Legislature ended June 21 with no money budgeted for purchase of U.S. Sugar land. Neither was \$780 million placed into the Forever Florida fund authorized by Amendment One. This made headlines and was trumpeted by many caring residents as a major shunning of our estuary and a detriment to the future of our lagoon. But is it really?

No discharges were released from Lake Okeechobee during the rainy season of 2014, yet we still saw harmful algae blooms, loss of sea grasses, dead oyster reefs, beaches closed by bacterial conditions, and reported fish kills.

Without the Lake discharges to blame, we can look only to the local run-off into canals and ditches that discharge into our estuaries. When data is recovered from recently installed Kilroy and LOBO monitoring systems, the locations and determination of pollutants will be established, and the rest of the story will be told.

This is all important, since the U.S. Supreme Court recently clarified the Clean Water Act's jurisdiction of U.S. waters, thus upholding a lower court's ruling on EPA standards set for the Chesapeake Bay for total daily loads of phosphorus and nitrogen. Cleanups for this 64,000-square-mile watershed across six states and the District of Columbia, according to the agency, calls for



**Capt.
Don Voss**

*One Florida
Foundation*

25 percent reductions of nitrogen and phosphorous levels and at least a 16-percent reduction in sediment by 2025 through a combination of federal and state actions.

This ruling flies right in the face of Florida's Attorney General Pam Bondi, who fought the ruling, and was on the losing side; however, that case also can finally give some teeth to the Rivers Coalition Defense Fund to use its purported \$800,000 raised from River Kidz events, Rivers Coalition rallies, fishing tournaments, marches and other fundraising events over the past several years to demand that our state waters be cleaned up, too. The time is ripe to step up and provide the legal solution that this group advocates, but we also have hope that perhaps the Florida Legislature will step up to ensure that our local TMDL standards are met.

We also have other great news. The South Florida Water Management District has taken over control of the Ten



A weekly gathering of volunteers assist Jim Oppenborn, of the St. Lucie County artificial reef program, to bag oyster shells at Harbor Pointe Park to help restore estuary oyster beds.

Mile Creek reservoir from the Army Corps of Engineers and has gotten it partially operational, and the St. Lucie County Department of Environmental Resources Management, in conjunction with DEP, has completed the Taylor Creek and leg one of the Savannas water retention project.

In Martin County, the C-44, C-23/C-24 and the C-25 canal projects are getting funded by state and federal agencies; and Martin County donated \$2 million towards the SFWMD \$22 million purchase of Harmony Ranch property along Pratt-Whitney Road for additional stormwater treatment.

Martin County and the South Florida Water Management District also swapped properties on the Williamson Ranch in Indiantown for property in Palm City on the All American Ditch, one of the county's septic tank effluent "hot spots," which will soon begin a water treatment project adjacent to Mapp Road.

All of these projects will help move, clean and store water, taking pressure off our lagoon.

Imagine if our counties took control of septic systems and folded them into a new modernized sewer system (wherever possible).

The news is actually verging on the side of great. Reports from all along the estuary indicate that the sea grass once touted as dead...murdered by the discharges...has begun to spring to life, even with local discharges in 2014 and Lake and local discharges in early 2015. Grasses are not only starting to come back, they are thriving. Numerous planting projects outside of the sea grass fields are proceeding, and this is great news for the estuary.

Also the oyster reef restoration projects are in full swing in St Lucie and Martin counties. Jim Oppenborn, from the St. Lucie County Artificial Reef program, has a healthy crew of volunteers that meet weekly and bag the oysters in

preparation of deployment. Thirty cubic yards of shells are brought to the staging lot at Harbor Pointe Park weekly, and hundreds of locals come out and put in an hour or two whenever they can to keep this project ongoing. It requires much much money and, yet the improvements to water quality is undeniable as each one of these critters filters and cleans 50 gallons of water a day.

There also are federal projects that are moving forward, albeit at a snail's pace. It must be accepted that nearly 100 years ago, land speculators in Miami began the idea of draining the swamps, claiming the "new" land, and selling it to make their fortunes. Those who settled there pestered Washington DC and the Army Corps of Engineers to protect them from flooding.

That is when the sheet flow of water went. That is when the River of Grass ceased. As with anything lost...it is gone. It would be wise of us to accept this fact, and find the new best way to address getting sufficient water south. Not just the dirty water of Lake Okeechobee. Not just the 1.6 million acre-feet of water discharged to the estuaries in 2013. But rather, the 2,500 acre-feet per day the Everglades can handle and needs.

One Florida Foundation leads the pack calling for storage anywhere/everywhere, not just south of the lake. The reason is to prepare for drinking water shortages coming soon to our area. We are absolutely in favor of water going south, just not flushing it south to placate a few. ■

Capt. Don Voss, nationally recognized for his environmental initiatives to improve the water quality of the Indian River Lagoon, will be a regular contributor to Martin County Currents. All advertising on these pages will benefit One Florida Foundation, dedicated to addressing water issues throughout the state.



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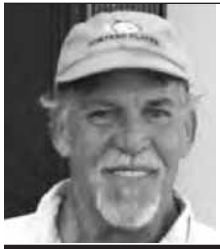
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Sharks on TVs, on minds, but not on our plates



**Rich
Vidulich**
*Pompano
Reporter*

Nothing new. It's the summer of sharks. The Discovery Channel recently entertained us with "Shark Week" to watch these predators perform, but they're not performing—they're biting! Personally, I'm worried. Is it reasonable to believe shark populations are growing? To find real answers, I decided to interview the key people who assess our fishery and are real shark specialists.

Ben Hartig is the chairman of the South Florida Fishery Management Council, which assesses fish stocks for the coastal regions from Florida to the Carolinas using data derived from commercial fisheries and the Florida Fish and Wildlife Commission on recreational catches.

"Over the years I have followed a basic management philosophy," he said, "that if you take care of the fish—manage a long term sustainability—the fishermen will reap the benefits of larger and more abundant fish."

Hartig knows the industry first hand. He has worked on the Juno Beach Pier, managed a tackle shop, obtained his captains license, partnered in a wholesale/retail seafood market, and caught and sold fish since he was 10 years old.

I asked him to explain the dynamics of the summer shark phenomenon. Among the numerous reasons he gave me, here are a few:

- Sharks bear their puppies in very shallow water during the summer, which explains the numerous trout-sized sharks that were caught recently by my fellow anglers in Hatteras, N.C. The large sand sharks that were caught were dropping pups as they re-entered the sea.

- The combination of high salinity from drought conditions, record high sea temps and turbid water create the conditions that excite migratory fish to feed at the beach, Hartig added. The North Carolina beaches have been invaded by schools of oily bluefish and mackerel.

- The loggerhead turtles, the greens, the leatherbacks have all beach-farmed their eggs in record numbers this season, Hartig reminded me. As we admire the hatchlings leaving for the enormous ocean, we all know their stories don't end there, as mutton snapper and grouper leave the reefs and quickly get to the shallows to feast on the hatchlings. As reef fish leave, the sharks exit the shelf and cruise to the shallows.

It's well known that the Juno Pier and surf anglers fishing for snook will

start catching snapper as they reap the turtle spawn rewards. Unfortunately, tiger sharks will dine on mature turtles, and the bulls, lemons, black tips and sandbar sharks feast on the snapper and snook. This is when the beach will become a hazard to swim in. You spot this type of fishing activity on the piers and beaches, don't go in the water!

On the positive side regarding our little hatchlings, however, we have one savior. Remember last month's column on the sargassum weed clogging our surf? Fortunately for our turtle population, the weed, which can be found everywhere, creates that first special home for our turtle newbies!

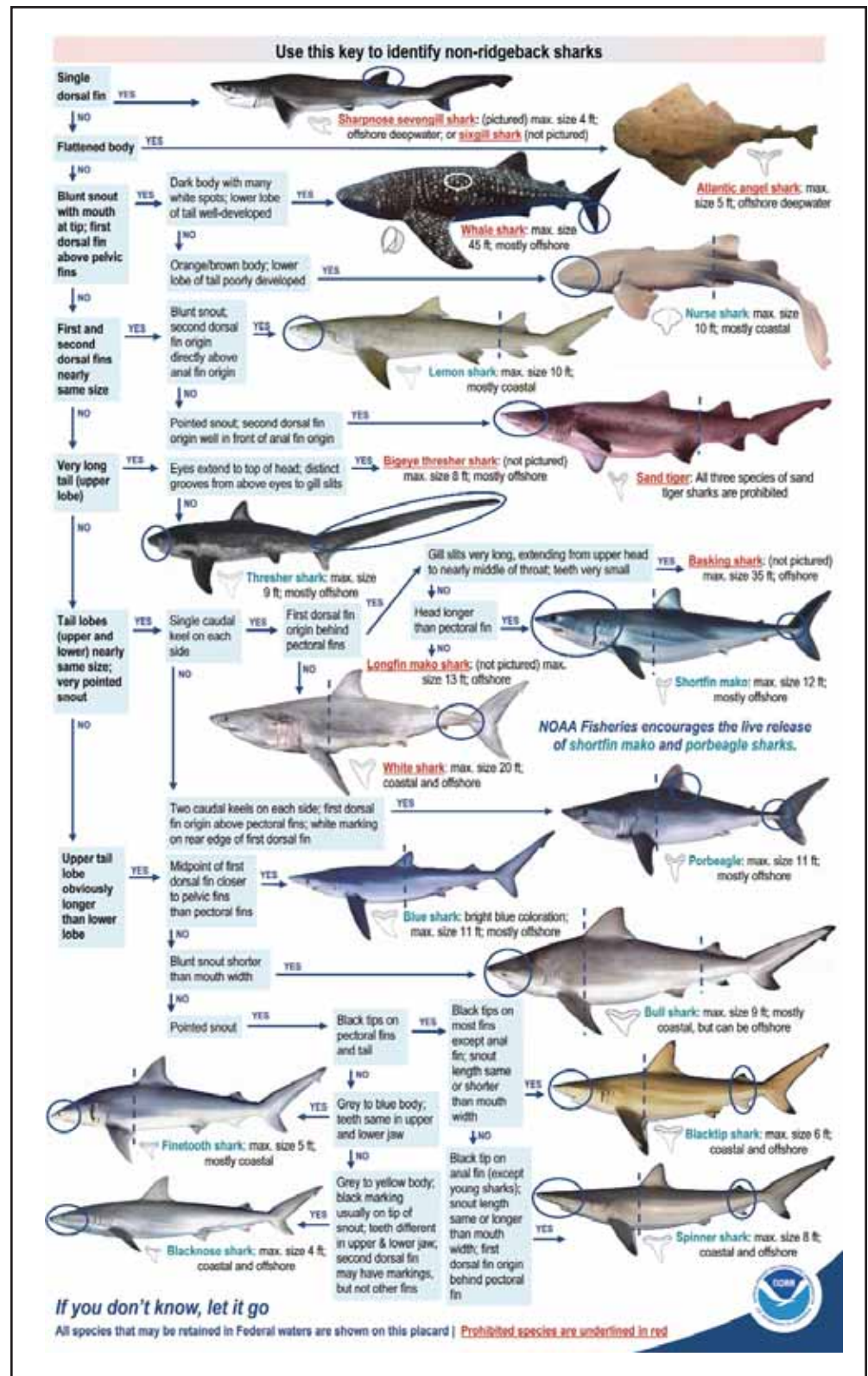
To answer my question regarding whether or not the shark population is growing and, if so, would it affect our fishery, Hartig referred me to Rusty Hudson, a shark specialist and president of the Directed Sustainable Fisheries, Inc. He was a commercial shark harvester for many years and is now a consultant to many federal panels. His July 8, 2015, federal report is entitled, "The Unintended Consequence from Underfishing and Overregulation."

He tells me that in the early '80s, the U.S. government instructed the commercial fisheries to harvest land sharks and sell them domestically and internationally. By the late 1980s, China's demand for shark fin soup skyrocketed, in part because of the increase in supply.

The National Marine Fisheries Service noted a major decline in coastal shark populations as a result of China's increased demand, and stopped Atlantic Coast shark fishing in 1993. They lobbied scientists in Florida to declare that mercury levels in shark meat made them unsafe to consume, Hudson explained. To save the sharks, the government created coastal shark sanctuaries over the past 20 years, which are loaded with sharks. The restricted shark fishing has led to specific coastal areas being victimized by sharks, he added.

New Smyrna Beach became the shark capital of the world, recording more than 250 shark bite victim over the past 20 years, and the sanctuary off the Carolinas has prospered so successfully that the results are fairly regularly featured on the evening news broadcasts.

Locally, off-shore charter captains Eden White and Eric Gates have experienced the negative impacts of just trying to reel in a fish! The bull's simply follow large vessels and wait to eat a free meal. Capt. Gates, out of Juno Beach, says a prized mutton snapper has a very difficult time reaching the cooler. Besides the inadvertent charter feeds, the sharks are always happy to see dive boats approaching the continental shelf. Shark dive charters feed the sharks to take dramatic photos for tourists and residents to take home.



Most commercial fisherman just call the slow years a bad cycle, yet overall, the mackerel and pompano fishery have declined 30 to 50 percent over the past 10 years, according to Hudson. The king mackerel decline has been troubling.

"The decades of underfishing sharks has lead to the unintended consequence of creating shark sanctuaries," he says. "The American public are hearing about more shark sightings and attacks along numerous beaches, and expanding shark populations are negatively impacting US saltwater fisheries, causing large financial losses. The federal shark fishery has done a very poor job of assessing shark populations."

Jupiter off-shore commercial fisherman David Williams knows how to curtail bull sharks from eating your prized

catch. Simply entice a bull into biting a big bait. Fight him and reel him to the boat, then carefully release the beast. Within minutes the bull sharks will vamoose! They know when one of their kind has been injured and will behave accordingly.

If you own a dive charter business and feed sharks, that's your business, but if we continue to make life easy for sharks, one day we won't have much left to catch! ■

Rich Vidulich, a commercial pompano surf fisherman who traverses the beaches of Martin County and points north for his "golden nuggets," lives in Jupiter. Send comments or questions to Pompano@MartinCountyCurrents.com.



Thursday, Sept. 17 Seine & Snorkel Day at River Center

The River Center's environmental educators will host an Estuary Family Snorkel and Seine Expedition at Coral Cove Park on Jupiter Island, 1 p.m. to 3 p.m., Thursday, Sept. 17, as they guide a seine and dip net trip through the mangroves and seagrass. All staff members are certified lifeguards, and while there is no charge for the event, space is limited and reservations are required. Participants may bring snorkel equipment or goggles, but it is not required. Water shoes are strongly recommended. Contact the River Center at 561-743-7123.

Thursday, Sept. 17 Constitution Day Speaker

The Center for Constitutional Values, an organization working to enhance the knowledge of the Constitution especially among young people, will host its next speaker Sept. 17 at the Blake Library in Stuart with a presentation by FAU Professor and Constitutional scholar Marshall DeRosa. This event is being sponsored jointly with the Library Foundation of Martin County. Doors open at 6pm in the Armstrong Room. Dr. DeRosa will speak at 6:30 pm. For more information, contact Kate Boland at 772-266-3386 or ccvmartincounty@gmail.com.

Saturday, Sept. 19 Talk Like a Pirate Day!

The centers of the pirate universe will be at the Hobe Sound Public Library and the Peter and Julie Cummings Library in Palm City on Saturday, Sept. 19, when buccaneers from the Treasure Coast gather for their annual International Talk Like a Pirate Day! Movies, crafts, treasure hunting, fun - and of course - a boatload of buccaneers. A special event will be the Geocache Treasure Hunt, 12 pm-5 pm, for all ages at the Cummings Library. For more information, call (772) 219-4908, pick up a Library Connection at any library location, or visit the library website at library.martin.fl.us.

Thursday, Sept. 24 A Town Hall Meeting

A town hall meeting hosted by City Commissioner Eula Clarke will give an update on issues that impact City of Stuart residents Thursday, Sept. 24, at the 10th Street Community Center, 724 SE 10th Street, Stuart.



Friday, Sept. 25 Book-signing at Apollo School



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Award-winning and best-selling authors will include Miriam Auerbach, Ali Brandon, Gregg Brickman, Sharon Menear, Randy Rawls, Deborah Sharp, Joanna Campbell Slan, and Elaine Viets. The bookseller will be Murder on the Beach from Delray Beach.

A book-signing and presentation featuring eight Florida mystery authors will be Friday, Sept. 25, from 6 to 8 p.m. at the Apollo School, 9141 S.E. Apollo Street, Hobe Sound.



Friday, Sept. 25 7th Annual Health & Wellness Show

The Stuart/Martin County Chamber invites the public to discuss, discover, and get up to date on the latest in health and self-maintenance at the 7th Annual Health & Wellness Show on Friday, Sept. 25 at the Grace Place Connection Center on Salerno Road in Stuart. Hands-on demonstrations and one-on-one instruction from wellness experts! Healthy foods and cooking experts! An array of health professionals on hand to answer questions! The show is free to the public from 9 a.m. to 2 p.m.

Beginning Friday, Sept 25 Barn Theatre features Odd Couple



"The Female Odd Couple" opens the Barn Theatre season, running from Sept. 25 through Oct. 11. Unger and Madison are at it again - Florence Unger and Olive Madison, that is! A feminine twist to Neil Simon's hilarious comic classic. Tickets are only \$20 for the best in community theatre! Tickets: www.barn-theatre.com or call 772-287-4884.

Thursday, Oct. 1 LEADERship Martin at Stuart Jet Center

Spend an exclusive evening at the Stuart Jet Center on Oct. 1 for the LEADERship Martin County Alumni and Stuart/Martin County Chamber of Commerce after-hours social to raise funds for the Next Step Advanced LEADERship Symposium. Admission is just \$20, and guests will enjoy a full bar, appetizers and an exclusive behind-the-scenes look at the Stuart Jet Elite Hangar.

Explore helicopters, jets, regatta racing boats, and win dozens of prizes in the raffle auction. Tickets are \$20 and are available at the Stuart/Martin Chamber of Commerce or online at www.leadershipmcalumni.com. All funds raised will be used for the Next Step Advanced LEADERship Symposium, a day of learning and leadership skill development in Martin County.

Saturday, Oct. 3 Dine Around Hobe Sound Progressive Dinner



One of the most popular events in the county, the Dine Around Hobe Sound Progressive Dinner, will be Saturday, Oct 3 from 5:30pm-11pm. Every year

the event is sold out, because tickets are limited to 88 persons. The evening begins with hors d'oeuvres and a cocktail at a lovely Jupiter Island home, then you will progress to one of 11 homes of the "celebrity chef" you have chosen for a gourmet meal that never disappoints. The evening ends this year at Flash Beach Grille for a nightcap, dessert bar, and entertainment. Tickets are \$50 per person, and early reservations are suggested. You may register online at www.hobesound.org or call 772-546-4724.

Saturday, Oct. 31 Sheriff's Halloween Trunk or Treat

The Martin County Sheriff's Office is gearing up for its 2nd Annual Trunk or Treat event on Saturday, Oct. 31. Business owners interested in participating to provide the community with a fun-filled evening for children and adults in a safe and controlled environment, please contact the Sheriff's Office. The registration donation is \$60 per business, and will support the Venture Program. The evening will include displays from the Sheriff's Office, bounce houses, hot dogs, hamburgers, food trucks, hay rides, live DJ and much more! For more information, contact Trisha M. Kukuvka, Sheriff's Office Public Affairs Coordinator, at tmkukuvka@sheriff.martin.fl.us or call 772.320.4737.

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What's missing from Sept. 11?

Patriotic colors and U.S. flags infused life in Martin County from the first week of June through mid-July as residents celebrated Flag Day and Independence Day. Ocean Palms hosted a Flag Day extravaganza with a full day of music, fashion shows, salute to veterans, and even a troupe of show girls. The Fourth of July celebration in Stuart included two bands and family-friendly activities at Flagler Park and fireworks over the St. Lucie River that went off without a hitch. Speakers and audience members who jammed the Community Redevelopment Area workshop in Blake Library wore red, white or blue to demonstrate their First Amendment right that County Commissioner Anne Scott called "a rally." But where were the flags to honor our Sept. 11 heroes.