



The Pelican Island Audubon Society

Peligram

- founded in 1964 to serve Indian River County -

P.O Box 1833, VERO BEACH, FL 32961 772-567-3520 Fax 772-567-3521 www.pelicanislandaudubon.org
Our 43rd Year Vol. 43 No. 6 October 2007

Our Mission: To preserve and protect the animals, plants, and natural communities in Indian River County through advocacy, education, and public awareness.

CALENDAR OF EVENTS

More information on all these events may be found at www.pelicanislandaudubon.org

Sat Oct. 13th – 7:30 a.m. Birding to the West County Waste Facility, 8405 8th St. Vero Beach led by Jens Tripson. Limited to 15 Call 567-3520 for reservations.

Sun Oct. 14th – 8:00 a.m. – noon. ORCA Canoe Trip. Meet at the FMEL Boathouse 200 9th St. (Oslo Rd) east of US 1 Call 567-3520 for reservations.

Mon Oct. 15th – 7:30 p.m. PIAS General Meeting at Vero Beach Community Center, 2266 14th Ave. TOPIC: Ecosystem Health: The difference between life and death in Tsunamis and Hurricanes by Jim Egan.

The PIAS office has moved to the Florida Medical Entomology Laboratory 200 9th St. (Oslo Rd) east of US 1 (Oslo Rd). Our phone and Fax remain the same. We would like to thank **Tommie Lee "Bubba" Lewis, Jens Tripson and his truck, Darlene Halliday, Jean Catchpole, Joel Day, Tina Marchese, Lynne Larkin, Billie Wagner, Tim Towles, and Janice Broda** for doing it smoothly.

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You can now purchase your copy of *Reflections of Blue Cypress* on our website using Visa or Mastercard! Visit us at pelicanislandaudubon.org to see how!!

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Ecosystem Health: The difference between life and death in Tsunamis and Hurricanes

October 15, 2007 General Meeting

Jim Egan, M.S. Environmental Science, B.S. Geology will be our feature speaker at the Vero Beach Community Center, 2266 14th Avenue, starting at 7:30pm. This talk could save your life. His important, interesting, and timely presentation will cover lessons drawn from recent tsunamis and hurricanes about how natural systems protected lives and how thousands died when their natural protective systems were compromised. This is a talk for everyone including engineers.

Last year Jim was chosen for our Maggy Bowman Conservation Award for his tremendous impact in eliminating exotic pest plant species throughout the Lagoon, in the planting of mangroves, in saving whales, and in water testing. His efforts to preserve environmental lands led to the Marine Resources Council being the first private non-profit organization to receive a state grant to preserve land.

Jim is Executive Director of the Marine Resources Council, a nonprofit dedicated to the preservation of the Indian River Lagoon, that has the nation's second largest volunteer water quality network with these Programs: Shoreline Restoration, Northern Right Whale, Regional Land Trust of the Indian River Lagoon, Adopt a Drain, Boaters for a Healthy Lagoon, a Brown Bag Lunch Educational Series, and a Library. Jim created several new mangrove shoreline planting techniques found in side by side testing to have survival rates 500% greater than conventional planting techniques.

Officers

President, **Richard H. Baker**
1st Vice President, **Jens Tripson**
2nd Vice President, **Susan Boyd**
Recording Secretary, **Darlene Halliday**
Corresponding Secretary, **Jean Catchpole**
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Elected Directors

Nancy Irvin '10 Susan Richardson '10
David Cox'09 Roz James '09
Joe Carroll '08 Debby Ecker '08

Appointed Board Members

Joel Day Tina Marchese
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Advisory Board Members

Janice Broda Kevin Doty Lynne Larkin
Bob Smith Paul Triaik Billi Wagner

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Editorials on the St. John-Corrigan Land Exchange

Indian River County down the river--With "conservationists" like the St. Johns River Water Management District, who needs developers?

For too long, Indian River County, which sits at the headwaters of the St. Johns River, has been treated like a second-class citizen by the water district. It's doubly unfortunate when the agency, which controls one-third of this county's acreage, wreaks havoc on local conservation efforts. ...**So far, this deal doesn't pass the smell test.**" *Press Journal*, May 17, 2007

Reverse course at St. Johns:"Nothing about the old Berry Grove parcel, which was purchased by the district for conservation purposes in 1999, has changed — except that it now sits smack in the middle of Fellsmere's annexation map.".... "Yet a bad deal is hardly surprising, considering that Indian River County has no direct voice in the matter." ..."St. Johns has created a credibility gap for itself " *Press Journal*, July 8, 2007

A rotten deal--Our position: Possible lawsuit shouldn't cause water district to give up land.

In criticizing a land deal as rotten as the one the St. Johns River Water Management District is concocting in Indian River County, it's hard to know where to begin -- except to first step aside and warn district commissioners preparing to review it on Tuesday of its toxicity. Someone's got to...."The district has no business giving up land it bought with state money for preservation to a landowner, in hopes of dodging a lawsuit. Indeed, the whole point of the state's land-preservation program is to protect such land from development -- not give it up

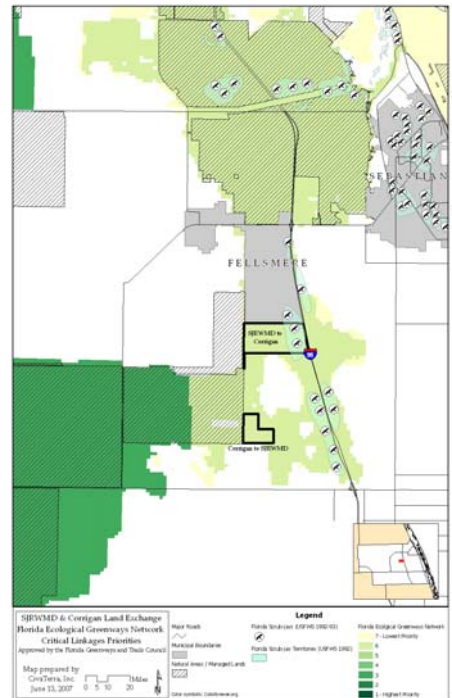
in a swap with developers. And it shouldn't try to quiet the cries surrounding its action by saying the land's not particularly remarkable. Or, by asking, as Mr. Christianson did, "Do citizens need to own all land with conservation value?" *Orlando Sentinel*, July 8, 2007

Still a bad deal: Our position: A land swap near the St. Johns should be rejected once and for all.

They failed to hoodwink enough commissioners to get them to sign off on an awful land deal that would have traded away 1,265-conservation acres to landowners in hopes that they'd drop a lawsuit. But this week administrators with the St. Johns River Water Management District will try again. If they can bamboozle just one of three new commissioners appointed to the district board better than they did former commissioner Ometrius Deon Long, the tract along Interstate 95 in Indian River County could go the way of development. *Orlando Sentinel*, September 9, 2007

Florida's Shame Day 1: The big con-Wonder why so few people trust government? Here's why:

Who could blame folks in Indian River County eight years ago for wanting to preserve forever more than 1,200 acres just west of Interstate 95? After all, the imperiled scrub jays and snail kites call it their home. Even better, the land is a key part of a 10-mile ridge along the interstate, not only for the wildlife that can get from one side to the other through underpasses but to cleanse the Indian River Lagoon's increasingly fouled water. Wow. Florida is finally serious about preserving land -- even land that can be turned into the next megasubdivision. *Orlando Sentinel*, September 12, 2007



Map of area



THE PRESIDENT'S HOOT!

Florida's Shame Day- The Number 1 Con

The Orlando Sentinel called it “**Florida’s Shame Day 1: The big con**” (See page 2 for editorials and area map), when the St. Johns River Water Management District Governing Board voted to swap 1,266 acres of state owned conservation lands (now called Sand Lake tract) for 460 acres of private land owned by the Corrigan, plus giving them \$657,300 to be held harmless in a threatened suit!

The district used an old appraisal done in 2005 ((FL. law says 2 within 120 days of the agreement) which said the district’s 1,265 ac, composed mostly upland developable, adjacent to I95 on the east and Fellsmere on the north, was valued at only \$7,000/ac, while the 460 ac of wetlands, less developable and more isolated from major roads was worth \$17,000/ac- a \$10,000 difference which does not make sense and is a waste of taxpayer’s dollars. However,

- Despite your wonderful email letters (their Board Members said they got over 150!),
- Despite Charles Lee from Audubon of Florida, Frank Wegel, Buzz Herrmann, Kathy Wegel from the Friends of St. Sebastian River (FoSSR), Jim Egan from Marine Resource Council, and David Cox and me from PIAS, giving powerful, dynamic, and scientific presentations that should have persuaded anyone,
- Despite several strong editorials from the Indian River Press Journal, Palm Beach Post and the Orlando Sentinel,
- Despite a strong resolution by all 5 of our county commissioners to keep this land in public conservation,

the St. Johns River Water Management District Governing Board, 9 Board members (but none living in Indian River County, the headwaters of the St. Johns that covers 18 counties over the 300 miles of the St. Johns), 7 voted for and 2 against this shameful swap.

In dissent, District Board Member Ann Moore said the district should consider the local interests of Indian River County, and she said” Under this proposal before us, they (County) have no opportunity to keep it under public ownership.” Orlando Board Member Michael

Ertel who represents the western part of Indian River County said the District should not set a precedent in getting rid of conservation lands. The debate lasted over two hours. However, at the end of the debate when I thought we still had a chance to defeat this, Board Member Bill Kerr who represents the eastern part of Indian River County but does not live in our county said “it’s a bad precedent when you let local government interests override the interests of the district.”

Mr. Kerr also passed around a July 10, 2007 letter from Jason Nunemaker, City Manager of Fellsmere to the District, which stated “that any annexation of the Corrigan property would require the Sand Lake property to be set aside for conservation purposes in perpetuity.” This nonbinding statement by one official is of course less safe than having the District own it as it could be changed in a heartbeat by a future city council vote.

The board members apparently had not been given a copy of the letter before our hearing. Strangely it seemed to influence the vote as Board Member Bill Kerr stated that "Now the Sand Lakes property is safe with Jason Nunemaker's and Fellsmere assurances!" Charles Lee then asked that development rights be taken out of the Sand Lake deed and it should state the land can only be used for conservation, thus codifying Nunemaker’s statement, but Kerr was not supporting that!

Your PIAS board (along with David Cox and FoSSR) believe this is important advocacy, so we decided to file an appeal (the County is also filing a separate appeal) to the Florida Land and Water Adjudicatory Commission (the Governor and Cabinet) to overturn this deal based in part on the following which goes against Florida’s laws:

1. The need to preserve and stop the degradation of water resources, destruction of wildlife habitat, wetlands and forests resources, land under the Florida Preservation 2000 Act
2. Need to preserve natural resources, fish and wildlife to promote recreational development and protect public lands
3. The District has not and could not make a good faith determination that the Sand Lake tract is not needed for conservations purposes.

The land is utilized by a variety of listed species, including peregrine falcons, snail kites, wood storks, scrub jays, sand hill cranes, caracara, gopher tortoises, wading birds, etc. It was and still is valuable diverse conservation land purchased with state conservation tax payer funds. (David Cox presented recent scientific evidence that the Sand Lakes tract was 3 times more valuable than *(Continued on page 4.....Hoot)*

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Hoot... (Continued from the President's Hoot)
the Corrigan parcel. This action heads down the slippery slope of getting rid of conservation lands for both private and public political expediency. Moreover this is a bad deal for the taxpayer. Finally, this deal sets a dangerous precedent in that landowners can threaten a law suit, and with no demonstration of merit, get public conservation lands from a water management district. These damage claims made by the landowners should be settled in the courts to be fair for everyone.

You can help by sending a contribution to PIAS to help cover legal costs (This will cost at least \$5,000) and by writing to the following who will be voting on this (3 out of 4 needed), asking them to rescind the September 11, 2007 Final Order of the St. Johns River Water Management District Governing Board approving the exchange of the Sand Lake tract:

Governor Charlie Crist:

e-mail: Charlie.crist@myflorida.com Address: Office of Governor, PL-05 The Capitol, Tallahassee, Florida 32399

Attorney General Bill McCollum:

e-mail: BillMcCollum@myfloridalegal.com Address: Bill McCollum, PL-01, The Capitol, Tallahassee, Florida 32399

Chief Financial Officer Alex Sink:

e-mail: AlexSink@dfs.state.fl.us Address: Florida Dept. of Financial Service, 200 E. Gaines St., Tallahassee, Florida 32399-0300

Agricultural Commissioner Charles Bronson:

e-mail: Charles.Bronson@myflorida.com Address: Florida Dept. of Agriculture & Consumer Services, The Capitol, Tallahassee, Florida 32399-0800

Thank you for your support, Richard Baker, President



Answer: Great Crested Flycatcher

NAME THIS BIRD!

This denizen of wooded areas is notable for its shaggy crest and yellow belly. If its otherwise drab brown-gray body does not strike you, its love of insects, which it catches in midair, will make you a believer. This cavity nester is a common sight in Florida during the winter.

Photo: Bob Montanaro

**BECOME A MEMBER OF THE
PELICAN ISLAND AUDUBON SOCIETY**

Membership benefits include subscriptions to *Audubon* magazine, *Florida Naturalist*, and the PIAS newsletter *The Peligram*. Additionally, members have full borrowing privileges to the PIAS nature library and much more!

- \$20 one-year membership
- \$30 two-year introductory membership
- Donation \$ _____
- \$20 Friend (receive *The Peligram* only)
- Check box if a **MEMBERSHIP RENEWAL**.

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Please send your name and address along with a check payable to the "**Pelican Island Audubon Society**" to: Pelican Island Audubon Society,