

Dear,

With your expertise, can you help us out on trying to stop this either officially or unofficially?

Indian River County Public Works Department has requested (dated June 24, 2008, attached) from St. John River Water Management District a variance to construct a replacement boat ramp and a new fishing pier at the Oslo Road Boat Ramp within both the Oslo Riverfront Conservation Area and one of Florida's Indian River Aquatic Preserves located within Florida Outstanding Waters, Class II surface waters that are also classified by the Florida Department of Agriculture and Consumer Services. These waters have the best seagrasses in our Lagoon in our county. The area also serves as an important nursery for the spotted seatrout.

The county originally requested 30 spaced parking lot in 2.5 acres of mangroves and a paved road in addition to a fishing pier and a new ramp. Apparently, now they have decided to postpone their request of the paved road and parking places until after the ramp and fishing pier are built (requested now). The county's new plans still call for putting in: a 118.5 ft long fishing and observation pier into the seagrasses, and dredging into the Aquatic Preserve to install a 60 ft boat ramp with two 70 and 50 ft long docks on the sides of the dredge ramp through the mangroves to the shallow channel which contains seagrasses. The channel has never been dredge before, but the county talks of even dredging this at a later date. If they were just redoing the ramp, we would probably not raise a fuss, but the issue is more as after increased use, they will in the future be going for more parking lots than the current 5-8 parking spaces, paving the road, and dredging the channel.

We are in the process of forming a coalition of folks (Pelican Island Audubon, Audubon of Florida, Marine Resource Council, Kayak Etc, Sierra Club, and Save Our Manatee Club) to get this variance denied. Below is a summary of our concerns. We would like to have your support on this issue. I am also attaching the Feb 8th response that Karen Garrett-Kraus [who says the current request is within minimum changes, even though there will still be major seagrass loss] from St. Johns sent to Michael Nixon (County Public Works man) in response to the County's original January request for the permit. The variance request and new plans still go completely against the County's Manatee Protection Plan and Oslo Riverfront Conservation Management Plan, which I can attach in separate emails. The county through the help of Rep. Poppell, a county commissioners, probably including Rep. Mayfield and others are fast tracking this now and want it on the St. Johns Governing Board August Agenda. We will be contacting the COE, USFWS, FWC, and Marine Fisheries next week to see if they can help.

Dennis- Maybe you can add to this Draft of the The Major Reasons This Variance Application Should Be Denied:

1. Damage to a major fish nursery shellfish habitat, harming the fishing and tourist industries.
 - A. This request for variance still does not address the impact that will be done on essential fishery and shellfish habitat for the health of the Indian River Lagoon.

- B. The county proposes increasing 50% the length of the existing ramp by dredging and thus destroying the habitat by 50% and adding 120 ft. of additional wooden docks on both sides of the ramp, which will cause a further loss of light due to shading to seagrasses, as well as more murkiness due to swirling loose material. They even admit adverse shoreline impact.
 - C. They propose a 118.5 foot fishing pier in an area in less than 2 feet depth of water all the way out to 100 ft in length having thereby shading more seagrasses, activities which are unnecessary in an Aquatic Preserve. Actually the area is currently used most by wadding fishermen who do not need a "fishing pier."
2. Our ocean and lagoon fish are declining rapidly due to rising temperatures, over-fishing, pollution, and loss of critical habitat, and some fish species could be extinct by 2048. Scientists have indicated that Shellfish catch decreased 32% from 2000-2006.
- A. **Dr. Grant Gilmore**, a highly noted fish and seagrass expert wrote to St. Johns on March 4, 2008 that: **"this project will deleteriously impact essential fish habitat for four of the most protected and intensely managed fish species within the State of Florida. These are the common snook, tarpon, spotted seatrout and red drum. It will modify present habitat used by these species, both in seagrass communities and adjacent impounded wetlands. Historical research has shown that sparse shoal grasses adjacent to principal spawning sites are prime spotted seatrout settlement sites. The Oslo area is such an area. Increased boat traffic and channel prop dredging at this location will very likely impact the seagrass flats at this location that were no more than 2 ft deep 100 ft from shore when G.K. Environmental, Inc. examined the site.**
 - B. Although the fishermen may not know that the seagrass beds in the Oslo area are key fish nurseries (that protects baby fish by hiding and providing food for them), they do know that baby fish need to be protected if there are fish to be caught.
 - C. The idea of wanting to dredge in an Aquatic Preserve for a boat ramp in shallow waters next to a conservation area is completely out of touch with reality. This is critical habitat for fish nurseries that have already been destroyed in other areas. The loss of sea grasses due to releases in Lake Okeechobee were so severe in places in the southern Indian River Lagoon Ecosystem that we may need to preserve all habitats to insure survival of these ocean species and our fishing and tourist industries. Why add another cut to an already much damaged system.
3. Water quality will actually be reduced by prop wash of larger boats that are now accommodated. The area is just too shallow for a boat ramp as proposed.
4. Birds and wildlife feeding will be disturbed by noise and strong wake actions caused by increased rapid big boat traffic.
5. No Social Hardship Will Occur. County claims a hardship will be caused by denial of the variance although alternatives can be used that are less harmful. There are actually other more viable sites, including a site in Indian River County which should first be considered for putting the ramp/dock at the east end of 45th St. (Gifford Rd) on the western shore of the Indian River Lagoon, across from the Lost Tree Islands,

just north of the Barber Bridge in Vero Beach. This site is available and better suited for the following reasons:

- A. Gifford Road area already is owned by Indian River County and has space available for 2 to 3 ramps and even more space for parking vehicles and trailers, unlike the Oslo Riverfront Conservation Area
 - B. The Gifford Road riverbed area does not have extensive seagrasses as is found at ORCA, which has some of the best seagrasses in the lagoon as documented by Robert Virnstein, others, and even the County's own Manatee Protection Plan.
 - C. Gifford Road area is not in an Aquatic Preserve or Conservation Area purchased with Florida Forever Funds like ORCA and the Oslo Rd area.
 - D. Gifford Road area is not scientifically documented for being a major nursery and adult habitats for tarpon, snook, and sea trout as is the Oslo Aquatic Preserve.
 - E. Gifford Road is closer to the Inter Coastal Waterway and will not prop damage seagrasses and will use less energy to get into the Lagoon than the Oslo Rd site.
 - F. A ramp at Gifford Road will most likely ***not*** require dredging as the depths there are deeper than at Oslo.
 - G. Gifford Road area can handle larger craft whereas Oslo is better set up for small motor boats, kayak, and canoes. Jon boats with small motors, wadding fishermen, kayakers, and canoeists are not as destructive of the habitat.
 - H. Gifford Rd Ramp will be less expensive to construct as the land is already cleared, will not require dredging, will not destroy precious mangroves, and the site already has a fishing pier.
6. No Social, Economic, or Environmental Gains Will Be Made. The County claims that there will be a positive social, economic, and environmental impact but does not give any detail nor evidence of same, nor that whatever benefits it sees could not be provided at the Gifford Road site.
- A. There are no further passive recreation opportunities for all of the parcels in the Oslo Riverfront Conservation Area as proposed. This may help one bait provider on US 1 who is promoting this dock; however, the site is already popular with kayakers and canoeists, some who fish in the area who will be discouraged by a large ramp for big boats and the attendant high traffic.
 - B. Audubon leads a monthly trip in the area and so do many of the kayak rental companies. The existing sandy shore is a perfect put-in for these small boats.
 - C. Having large boats with large motors will diminish the necessary quiet and calm necessary to birders and to small boaters and may endanger their craft.
7. The mitigation to offset seagrass impacts (a 30-inch diameter pipe culvert) is not appropriate as there is already a major breach in Impoundment 17 south of Oslo Road where they propose to place the culvert, thus installing a culvert would be redundant and according to Dr. Grant Gilmore might even be harmful to the fish nursery there.
8. The Proposal Lacks Protective Measures For the Aquatic Preserve.
- A. The county does a very poor job of providing human, solid, and hazardous waste discharge at the Oslo Dock site now. What will happen if more boaters are present? There are no facilities or services available. The site is frequently a dump with human waste, beer cans among the mangroves at the water's edge.
 - B. There are no environmental controls such as 4-stroke engines, or direct injection 2-stroke engines, which pollute less or restricting the size of the boats.

- C. No enforcement of any rules is proposed.
9. Project Goes Against the Indian River County's Own Manatee Protection Plan
 10. Docks, Larger Ramp, and Dredging in an Aquatic Preserve Were Not included in MANAGEMENT PLAN for the SOUTH OSLO CONSERVATION AREA amended to include the **ORCA SOUTH LINK PROPERTY** and the **ORCA DIAMOND TRACT** when applying for the FTC grant, nor discussed by the County's Conservation Lands Advisory Committee!

SUMMARY: This application does not present sufficient evidence of any social, economic, or environmental benefits for this requested variance to be approved. Please do not allow more harm to come to the Indian River Lagoon in the Oslo Road Area.

Sincerely,

Richard Baker