

## **LONG BAR POINTE: PRESERVING AND PROTECTING THE LAND THAT WE LOVE**

### **Slide Presentation**

**By**

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#### **COVER SLIDE—THE RALLY FOR LONG BAR POINTE/FIRST REASON/TEXT AMENDMENT**

In a mere two months' time, a protest movement the likes of which Manatee County had never seen before rallied for a worthy cause: Long Bar Pointe. Constituents not just from Cortez—as is sometimes misstated in the press—but from all over the county and beyond Facebooked each other, engaged in petition drives, held on-the-water protests, and other rallies downtown and on the streets of Manatee. We came from all walks of life: Republicans, Democrats, Independents, rural, suburban, urban, Florida native, non-native, working class, professional class, employed, retired. You name it. We were there. Why? First, to prevent the gutting of our environmental policies in our county's text. Over 6,000 people signed petitions, and over 1,000 turned out for the August 6<sup>th</sup> commission hearing. We succeeded in a 7-0 vote that blocked radical changes as requested by land developers Carlos Beruff and Larry Lieberman.

#### **SLIDE 2-SECOND REASON/MAP AMENDMENT**

But the fight to preserve our county's text was only half the battle. We also petitioned against the turning of Long Bar Pointe into a so-called "new dense urban core" directly on Sarasota Bay. To do so would turn two-and-one-half miles of thick, old mangrove trees, saltwater wetlands, sea-grasses, and freshwater wetlands into a paved-over promenade, convention center, a sweeping high-rise hotel, condos, two marinas, and a maze of seawalls inspired by one person's stroll down a promenade in Barcelona. Make no mistake, our cause was not just against "a marina." It was against turning something authentic into something fake. People saw this as sacrificing the bay to mere fashion. They questioned whether a dense urban core directly on the bay would be worth the alleged 900 jobs it would create. If the project instead broke the bay, they reasoned, in the long-run it might ruin existing economies, including the multi-million dollar one in Cortez. Nevertheless, a majority four county commissioners voted for this mixed-use "dense urban core" directly on Sarasota Bay.

#### **SLIDE 3-BAY AND HUMAN ECOLOGY**

People everywhere want to preserve and protect what is real. They instinctively know that their lives and their children's future depends on protecting Long Bar Pointe and other similar places throughout our county. They know that the land in its current state offers more storm-water run-off protection not only for the bay' ecology but also its human ecology. Long Bar is a natural Storm Surge Buffer Zone. Putting "a new dense urban core" with excessive impervious structures directly on the bay would change all that.

#### **SLIDE 4-LONG BAR'S SECRETS**

Long Bar Pointe's value, however, not only is predicated on its saltwater wetlands but also on its wetlands. Very few people know about or have even seen these wetlands that exist in the upland areas of the property closer to the El Conquistador Parkway Extension.

#### **SLIDE 5-UPLAND WETLANDS**

Encased behind metal and barbed-wire fencing, this is what exist a very short hike behind the pastures and fruit farms that we have all seen from the road. Early on, someone suggested the mangroves were blighted by Brazilian Pepper and therefore the property should be marked for fill and a "new dense urban core." It's true most of what people see from the road is Brazilian Pepper, but behind it you see waves of cat-tails and other plant species suggestive of wetlands. Should not this land have been been studied by local, state, and federal public agencies more closely prior to the August 6<sup>th</sup> hearing? Now, the fate of this land rests with the Florida Department of Economic Opportunity (FDEO). Large portions of Long Bar's uplands are acting as wetlands, yet they could be filled in and replaced with a 300-room hotel, a massive convention center, shopping centers, a business park, and a lot of pavement.

#### **SLIDE 6-GREEN SLIME**

Long Bar holds other secrets that you can't see from the road. This is run-off from the uplands flowing toward both the freshwater wetlands in Long Bar's uplands and toward the bay.

In my petition to the FDEO and other agencies for a reversal of the mixed-use vote, I maintained that no decision should be made on how to use Long Bar until local, state, and federal agencies have had as much time as they need to study it in a free and unfettered manner. Public safety is at stake here. The Long Bar developers should grant this request to the people of Sarasota Bay. The people of Manatee County have given the developers breaks on their application fees. Now it's their turn to give us a break.

#### **FINAL SLIDE-7**

A New College thesis from the 1990s cites the National Estuary Program (NEP) as recommending that Long Bar Pointe be developed in a manner that preserves and protects its mangrove fringe and outlying waters. Recommendations included a xeriscaped buffer and swale for runoff between built *residential* structures and the property's mangrove fringe. That early position taken by the NEP about Long Bar is telling. It implies low-intensity/low-density development. And frankly, we should question whether residential is acceptable. This land and its outlying waters are very sensitive, full of endangered, threatened, other species that breed and forage there, and the property is considered polluted from agricultural runoff. How polluted we don't know.

For these reasons, I have many questions to ask the Sarasota Bay Estuary Program and its policy board.

While over 6,000 people took action to protect the bay this summer, you, the Sarasota Bay Estuary Program (SBEP), a public agency with a mission to restore *and* protect the bay, remained silent. With a mission to *educate* us, you remained silent.

This was a moment of critical public need.

Multiple public stakeholders could have benefitted from your expertise. In the past, the program applied its expertise by working with Manatee County to develop the very strong environmental protection policies embedded in the county's Comprehensive Plan.

This year those same environmental policies you helped write were put in jeopardy by the requests of land developers Carlos Beruff and Larry Lieberman.

In haste, county planners admitted to not having conducted a comprehensive review but recommended the Board of County Commissioners (BOCC) approve the requests anyway. They seemed to accept everything the developers were saying as "truth."

County staff mirror-imaged the developers' "vision" as an opportunity to conduct New Urbanist land use on a completely undeveloped marine ecosystem directly on the bay, sacrificing the bay to mere fashion.

In July, the developers revealed their conceptual plan, which advocated ripping out and trimming down mangroves, destroying seagrass, carving out a 2100-ft. channel with two marinas and a canalized seawall system, and putting in a public boat ramp. There was nothing consistent about any of this with the environmental policies in Comprehensive Plan that SBEP helped write.

At the August 6<sup>th</sup> BOCC hearing, SBEP made no official appearance to present any scientific facts that would help the commission make an informed decision about the adverse effects of high-density/high-intensity land use on the bay's fragile ecosystem.

Where were you?

The 4-3 vote to turn the property into a dense urban core of the bay was no victory. The people of Manatee received no contingency agreement except for an agreement to eliminate a marina, and even that is open to future legal challenge.

It's only common sense that changing the map from residential to mixed-use signifies a detrimental high-density/high-intensity load directly on Sarasota Bay.

This decision now in the hand of the Florida Department of Economic Opportunity (FDEO) was arguably one of the most pivotal decisions in BOCC history. It is a decision that, if not reversed, will break our bay—not make it.

Has the program in official capacity communicated with the FDEO?

Isn't your mission to "protect" the bay? Aren't you supposed to "educate"? How does remaining silent fulfill that mission?

Aren't you supposed to "strive to . . . increase habitat"? How does New Urbanism, advocated directly for the Long Bar shoreline, marketed by the developers, and pitched by the county staff do that? How

do trimmed-down mangroves enable that? How does a seawalled boardwalk preventing mangroves from being able to walk inland during sea-level rise accomplish that?

Is the NEP recommendation cited in the New College thesis true? If true, what is your position on it now?

Did you in the mid-1990s assist Manatee County in drafting the county's environmental protection policies embedded county's comprehensive plan? Or did it not? Having provided such science-based policy recommendations in the past, is not this a precedent for assisting the county today in a critical time of need?

And even if you had placed limits on the extent to which it advises policy-makers, isn't it possible to give scientific information about the impact of overdevelopment on bay ecology without making specific recommendations about specific development requests?

I have heard that you were silent because you did not believe it was in your lane to advocate about land use policy. If your role does not include land use advocacy, then why did you invite land use planner Andre Duany to tout New Urbanism in June, prior to the Long Bar hearing? Was this mere pretext to mollify concerned environmentalists prior to the Long Bar vote? Is there any scientific proof that New Urbanist planning, if done directly on a pristine coast like Long Bar Pointe, will protect the bay? We find that hard to believe.

Do you receive funding from the people of Manatee County? What do the people of Manatee County receive for their largesse? Well-advertised social activities and guest appearances by urban planners are not enough. We expect that you will avail yourself with your research and professional counsel in moments of dire public need.

Did Manatee County Commissioners ask you for information? If you did not give the public and our elected officials any information when they requested it, why did you deny them?

What about Manatee County attorneys? Did you oblige them if they asked? Why? Why not? What did they do with the information if you gave any to them?

What about the Long Bar developers and/or their consultants? Did you give developer consultant Doug Robison, who spoke on August 6, any information? To some of us present who were listening carefully, it sure sounded as if he was using your research. What about other developers' consultants? Did you give them information if they asked?

Did anyone from the Southwest Florida Water Management District (SWFMD), whose board chairman is Long Bar developer Carlos Beruff, imply a threat or threaten to suspend future SBEP funding? Was SBEP reminded of the funding and the veto power of the SWFMD chair? If so, who coerced or reminded you? When? And why?

Who else may have gagged SBEP? Bill Clague counseled Manatee Commissioners from talking with any members of special interest groups prior to the hearing, even though the hearing was quasi-legislative.

He did so out of concern that the county would open itself to litigation by the developers. Did he gag SBEP on the same grounds? Were you one of the groups he advised the commissioners not to talk to? Did he block you and the commission?

Is protecting Manatee County from future litigation by developers sufficient reason for you not to provide the county with scientific information that would enable to BOCC to make informed decisions? Is that in your mission?

Did you ever consider that in the course of remaining silent it might place itself at risk of litigation by citizens and elected officials who think SBEP violated its compact with the people SBEP portends to “educate?”

What is the salary of the program’s director? What is the process for deciding how he receives pay raises? How many hours a week does he spend in his office? Has the director abdicated his authority? If so, how? To whom?

To whom is the program accountable?

The people of Sarasota Bay have an expectation that our government, government employees, and public agencies are truthful, transparent, and trustworthy. We have an expectation that for every dollar we allocate we will receive something in return. The Sarasota Bay Estuary Program (SBEP) is no exception. We have an expectation that you will fulfill your compact with us. In the words of economist Milton Friedman, “There’s no such thing as a free lunch.