



August 18, 2022

Submitted via email

Florida Department of Environmental Protection
Compliance Assurance Program, SW District

RE: Long Bar/Aqua Mangrove Trimming Violations

Dear FDEP District Staff,

Thank you for following up on the numerous citizens complaints relating to mangrove trimming permit violations at Long Bar Point. As you know, Suncoast Waterkeeper has been following the investigation and has a substantial interest in mangrove regulation and enforcement in Sarasota Bay and beyond.

It appears that the investigation has resulted in some remedial action for which we are pleased, however current conditions at the site reveal significant debris remaining and further evidence of permit violations. Furthermore, it appears from our review of public records that the investigation has remained just that, an investigation. Can you please provide us with a file or link to a complete set of documents in DEP's possession related to the 2022 trimming at Long Bar/Aqua? We are not sure if there are other documents related to the trimming and investigating in Oculus is a vexing exercise.

A recent visual observation from the water revealed that only the small portion of the mangrove forest that corresponded with the GPS coordinates contained within the inspection report were cleaned up. However, the extent of the trimming damage was much more extensive suggesting that the investigatory measures taken by DEP have not been adequate to achieve compliance. Please accept and review the documents shared on our drive as evidence of current conditions. (<https://drive.google.com/drive/folders/18rpkYKt7dJ9AWLFosJhvyVeS7Qo-htvk>). All photos were taken by Rusty Chinnis on August 17, 2022 from the Bay at the edge of the site.

Furthermore, from what we have seen, there has been no Compliance Assistance Offer, no Warning Letter, no Notice of Violation, or other enforcement action taken. This is concerning to us. We want to see the regulatory framework accomplish environmental protection at Long Bar

and elsewhere. DEP should do its job, rather than the Waterkeepers. We believe that but for our advocacy, the DEP would have dropped the matter long ago without finding any violations and likewise, we want to see DEP play this matter out according to your own rules and regulations.

We have witnessed a disturbing pattern of mangrove trimming violations and a lack of DEP enforcement, particularly in Manatee County. Manatee County still has significant mangrove coverage, permitted and unpermitted mangrove trimming and removal is taking a disturbing toll on these precious environmental resources. We believe that property owners and contractors perceive that DEP is not providing oversight and that there will be little or no consequence to illegal trimming or removal. The environmental degradation that results is significant.

It is imperative that in this case and others, DEP gauge the environmental costs of non-compliance and the benefits of enforcement, including recovering taxpayer funded expenses, deterring further violations, and restoring, preserving or improving the environment. The environmental impacts of the trimming at Long Bar appear to be significant, not only have the habitat values been degraded, but we are concerned that the reduced function of the trimmed mangroves and the significant biomass decay has contributed to harmful algal blooms. In fact, Dr. David Tomasko of Sarasota Bay Estuary Program completed preliminary calculations based on a mangrove loading model conducted by LSU researchers and found that at minimum hundreds of pounds of nitrogen were likely to come from debris left behind during the trimming event. There is no doubt that this unnatural load of nutrients has deteriorated water quality in the surrounding Bay waters, that will require restoration and extended monitoring.

We encourage DEP to consider this and all other pertinent information and recommend that you take appropriate actions to protect Long Bar, a section of Sarasota Bay that has historic, ecological and recreational significance and to protect the integrity of our environmental laws and regulations.

Best,



Abbey Tyrna
Executive Director & Waterkeeper



Rusty Chinnis
Board Chair



Justin Bloom
Founder & Board Vice-Chair