

Surfrider defeats Palm Beach Florida beach fill project

Surfersvillage Global Surf News, 3 March, 2009 : - - Palm Beach, Fla -- The Surfrider Foundation won an important victory yesterday when Administrative Law Judge Robert E. Meale denied the town of Palm Beach a Joint Coastal Permit for the Reach 8 beach fill because of the project's potential to harm environmental resources and the local economy dependent on them. This ruling will help reform beach management practices, not only within the state of Florida, but also throughout the U.S.

In March of 2008, the Surfrider Foundation, joined by the Snook Foundation and three individuals, filed suit against the Florida Department of Environmental Protection (DEP) for approving a Joint Coastal Permit for the town of Palm Beach's Reach 8 beach fill project. The town of Palm Beach intervened in opposition of the project on behalf of the DEP, along with the city of Lake Worth and Eastern Surfing Association. The trial lasted three weeks, ending in October of 2008.

"The Judge clearly grasped the significance of the geological and biological coastal systems in this area and their rarity," said attorney Jane West, whose firm Collins & West, P.A. represented the five petitioners. "His ruling focused extensively on the overwhelming data from numerous experts that supported the denial of this permit."

Reach 8 is one of eleven "reaches," or stretches of sand within Palm Beach County that extends 1.8 miles and includes beaches within the city of Lake Worth and town of Palm Beach. In 2005, the town of Palm Beach dredge-and-filled Reach 7, costing taxpayers tens of millions of dollars. Not only did Reach 7 cause substantial environmental harm to the local coastal resources, the beach fill has already significantly eroded away.

With Reach 8, the town of Palm Beach proposed dredging offshore and filling in 700,000 cubic yards on the stretch, directly burying seven acres of near-shore hard-bottom reefs, killing marine life, and destabilizing valuable recreational uses of the area.

Rob Young, Director of the Program for the Study of Developed Shorelines at Western Carolina University, and an expert witness in the case expressed admiration for the judge's ruling. "Judge Meale took a very hard look at the numerical computer model used to predict where the nourishment sand would go, and he strongly criticized its use. This same model, GENESIS, is used all over the country for the design of beach nourishment projects. The Judge's ruling is a serious indictment of that practice."

"This is a tremendous win for Florida's Beaches," said attorney Martha Collins, also of Collins & West, P.A. "To our knowledge, this is the first time that any court in the U.S. has flatly rejected the permitting of an approved beach nourishment project due primarily to the potential negative environmental impacts.

"It is time for the State of Florida to re-examine its policies on beach management and realize these dredge and fill projects can be detrimental to the coastal environment they are alleged to be protecting."

“We look forward to working with our experts and the Florida Department of Environmental Protection in opening dialogue and coordinating our efforts toward better implementation of Florida’s beach management programs,” said Ericka D’Avanzo, Surfrider Foundation’s Florida Regional Manager.

Judge Meale’s ruling is an order of recommendation to Secretary of the Florida Department of Environmental Protection, Michael Sole, who will now have 45 days to issue the final order.

For more information on Reach 8, go to savelakeworth.blogspot.com

About Surfrider Foundation: The Surfrider Foundation is a non-profit grassroots environmental organization dedicated to the protection and enjoyment of our world’s oceans, waves and beaches. Now in its 25th year, the Surfrider Foundation has grown from a small group of dedicated surfers in Malibu, California to a global movement made up of over 50,000 members and 90 chapters worldwide.