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# Neighbors sink plan to bulldoze mangroves to build 55-home development near Shell Point

*Commissioners reject plan to develop 55 homes on the Eden Oak area near Shell Point*



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Lee County commissioners have rejected a proposal to sacrifice 30 acres of mangroves to make way for a development of 55 new homes off Shell Point Boulevard.

The commission's unanimous vote came after residents of the booming Shell Point Retirement Community and the nearby Palm Acres residential community explain how they owe their lives, and property, to mangrove plants that buffered surging gulf waters as Hurricane Ian reached land six months ago.

The development proposal, which has taken nearly eight years to reach county commissioners for a vote, would have included 55 new single-family homes on a 306-acre parcel with 13 mooring slips for boats. The land is currently zoned for agricultural use the developer applied for a residential designation to allow the new construction.

Residents worried that losing mangroves in favor of new homes could mean a future hurricane will be more dangerous than the storm they endured six months ago. Hurricane Ian struck Southwest Florida on Sept. 28, destroying barrier island homes and sweeping across the state, causing billions in damage.

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Homeowner Ralph Clark, quoted reports from the Conservancy of Southwest Florida on the ability of mangroves to choke off a property-destroying, life-threatening sea surge by nearly two feet and break down waves, and counted himself as one of the lucky residents, and gave the mangroves the credit.

"Ian did stop by, my house -- on Caleb Drive -- is on the same elevation as houses on the other side of Shell Point Boulevard. They are on a golf course; my house had less than an inch of water in the surge, the houses protected by the golf course had 2 to 3 feet," Clark said.

## **Mangroves protected homes during hurricane**

The mangroves around his property now were replacements for trees that had been cut down decades ago. The replacements were much smaller than other mangroves that were allowed to thrive.

"I love those mangroves, they may be compromised by the description of the developer but they look great to me and they saved me of a quarter of a million or more," Clark said.

The county's community development manager, Anthony Rodriguez, told county commissioners that mangroves are very important when Southwest Florida faces the imminent threat of a hurricane.

"This is typically the first line of defense during storm events, both in terms of mitigating wave action and capacity for storm water and flood surge," Rodriguez said. "Impacts of the mangrove swamp and salt water marsh that exists on this site would exacerbate flooding storm surge and other erosion related impacts

The developer's environmental expert, Fort Myers based ecologist Paul Owen, told commissioners that the area near the development had been impacted previously by developing canals and mosquito ditches and by cutting down mangroves and replacing them with trees that were not as sturdy.

"The current site plan has reduced wetland impacts as much as possible while still having an economically viable project," Owen said. "This is not a high-quality mangrove area or salt water marsh. This is not normal, not native."

Noting that mangroves had been clear cut at least twice by prior owners, Owen said wetland areas that would be impacted by the development were 32 acres of "low-quality" mangroves, and not the trees that perform miracles in the eye of a storm.

"As a result of all of the site alterations over the years, the on-site wetlands consist primarily of a dense thicket of sapling mangroves which are eight to 12 feet tall with trunks of one to three inches in diameter," Owen said. "These mangroves do not provide the same level of functions as high-quality wetlands."

Resident Warren Myers was among several speakers who told the commission how the mangroves surely did save them during the worst of Hurricane Ian.

"My house is directly next to a mangrove area on Shell Point, and were it not for those mangroves my house would have been inundated by feet of water rather than inches," Myers said. "It saved me, it saved the house, it saved the contents -- many of those houses that were not protected by mangroves had serious damage; feet of water whether they are mature or not they are protective and we need to keep our protection and our mangroves."

## **Counterpoint: Plan consistent with county requirements**

Sarah Spector, the attorney for the Canadian-based developer argued that the plan is consistent with all of the goals and policies of the county's development requirements, continuing with the theme that the mangroves near the proposed home sites are not as effective in reducing hurricane threats.

"These are not high-quality wetlands," Spector said. "The wetlands that are on the site that are pristine. (The) 143 acres of the 306 acre site that will be preserved, will not be touched. We will only be building on 15% of the site that has been impacted several times over history."

Paul Ross, a resident of nearby Palm Acres, remained at his 4-year-old house as Hurricane Ian made landfall last September. Ross is convinced that the mangrove area, weakened as the developer may claim, saved his home.

"We did not leave our home during the storm, therefore we were eye-witnesses to the impacts of raging water driven by a 150 mile per hour wind. We watched a 4-foot wall of water surge down Caleb Drive to the west-southwest reaching just to the thresholds of our doors with only a slight amount of water trickling in," he said. "I can't imagine the impact of another hurricane would be if Eden Oak was flooded and paved over with hard surfaces and the essential mangroves gone."

The commission's unanimous decision came despite a plea from the attorney for the developer that the case be remanded back to the county's hearing officer or continued to a

later date. Attorney Susan Spector, said that hearing examiner Donna Marie Collins recently recommended approval of another project, and on some issues the hearing examiner approved of a finding Spector said was not approved in the the Shell Point case.

Lee County planning staff members stuck to their position that the construction could be harm the environment.

"The request will adversely affect the environmental critical and sensitive areas as well as natural resources," said the county's Rodriguez, who warned that removing mangroves would impact wetlands, including mangrove swamps and salt water marsh areas.

"Mangroves are the best defense against storms and storm surge and mangroves can't get bigger if you cut them down," he said. "Just because they might not be the highest quality according to some standards doesn't mean that they don't protect the public, that they don't protect the land and that they aren't the best thing to be there for Lee County."

Commissioners voted unanimously to reject the proposal.

"There are far too many items and inconsistencies within the Lee Plan" which sets standards for land use in the unincorporated county, " Commissioner Kevin Ruane said. "I'm not really prepared to do any kind of remand or any type of continuance -- here is just far too many inconsistencies."