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Lauderdale condo destroys sand dune

Environmentalists say dune vital to sea turtles



This dune was leveled by the Mayan Beach Club condominium complex in Fort Lauderdale.

By [David Fleshler](#), Sun Sentinel

A sand dune on Fort Lauderdale's beach has been destroyed by a condominium complex, despite objections from environmentalists that it played an important role in the ecology of the beach.

The Mayan Beach Club leveled the 176-foot-long dune last week, having won a court fight with Broward County and Sea Turtle Oversight Protection, which sought to protect the dune.

The condo wanted the dune removed because it accumulated trash and blocked its ocean view. The county and

the sea turtle group argued the dune prevented beach erosion and provided nesting habitat for endangered green sea turtles.

Mitchell Burnstein, attorney for the condo association, said an analysis by coastal engineers had found the dune — really a mound of sand — was too isolated to provide much protection from the ocean, since storm surges could just go around it. The dune had no bearing on the beach's fate in Hurricane Sandy since the storm's waves barely reached the dune, and there was no erosion at that beach from the storm.

The Florida Department of Environmental Protection "forced Mayan to go through an exhaustive analysis proving that removal of the sand mound would not harm nesting turtles or their hatchlings, would not destroy protected vegetation, and would not cause beach erosion," he wrote in an email. "In authorizing removal of the sand mound, a judge ruled that Mayan had jumped through every necessary legal hoop."

But Richard WhiteCloud, head of Sea Turtle Oversight Protection, said the environmental agency went too far to accommodate the condo's plans. He pointed to an emailed response to the condo from Gov. Rick Scott, in which the governor stated his desire to reduce "unnecessary bureaucracy and red tape" in regulatory reviews.

"What it means is that the best available science is irrelevant when you have DEP treating the condo as a customer – because that's how they refer to folks like the Mayan Beach Club – instead of the actual environment being the customer," WhiteCloud said. "These

people were intent on obliterating a dune system, and the governor helped do that."

Dee Ann Miller, spokeswoman for DEP, said the decision to issue the permit was governed by "science and the law."

"In the case of the permit for the Mayan Beach Club, not only did the application undergo the thorough review of our regulatory program staff; the permit decision also went before administrative law judge who upheld the issuance of the permit after hearing the evidence and science not only from DEP and the applicant, but the petitioner as well," she wrote in an email. "This permit has undergone a rigorous review and administrative process."