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Oslo boat ramp project backers target of probe

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Posted on Oct 13, 2011
by [Steven Thomas](#)

INDIAN RIVER COUNTY — A fraudulent letter-writing campaign and questionable signatures on petitions are being investigated by a state agency whose approval is needed for a controversial \$1 million county project to dredge portions of the Indian River lagoon at the Oslo Road boat ramp and build a parking lot.

A review by sister publication *Vero Beach 32963* of St. Johns River Water Management District documents found more than 100 letters of acknowledgment sent by St. John's to supposed boat ramp supporters were returned to the district stamped "No Such Street," "No Such Number" and "Unable to deliver."

A number of letters to the district from Vero Beach and Fort Pierce residents protested the unauthorized use of their names on petitions or letters of support.

In a letter received by St. Johns on March 26, 2010, Russell Pieper wrote: "Please be advised I did not send any letters to your department. I do not own a boat or have any interest in boat

ramps . . . I would like a copy of the letter that was sent using my name. I believe my identity was stolen. I want to use the letter to make a report to law enforcement so the criminal(s) that are using my name

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can be prosecuted."

Some hand-delivered petitions list non-working phone numbers, making it difficult to verify if the signers are actual people.

"This does not happen very often," said Victor Castro, division director of regulatory information management at St. Johns. "Our legal department is investigating the forged letters."

Indian River County needs a permit from the water management district to pursue the boat ramp project.

Petition organizers said they do not know where the forged letters came from and deny participating in any attempt to fraudulently influence the district's permitting decision.

"Any petition I turned in, I saw somebody sign," said Charley Searcy, a former Indian River County School Board member and outspoken advocate for the boat ramp alterations who delivered 630 petitions to St. Johns.

The Oslo Road boat ramp has been in place on the mainland shore for more than 50 years and is well-used today by kayakers, canoeists and fishermen with shallow-draft outboard motor boats.

Indian River County officials said the proposed improvements are intended only to make parking and boating safer and more convenient for the type and number of boat owners now using it.

Opponents believe the real intent is to increase ramp usage and allow bigger boats that will damage a unique and sensitive aquatic environment.

"It is about getting bigger boats in there, period," said Richard Baker, biology professor emeritus at Florida State University and president of the Pelican Island Audubon Society.

Since first seeking a permit in 2008 to fill in three acres of mangrove swamp to create a parking lot for 40 cars, build a 120-foot fishing dock and dredge a channel that connects the existing boat ramp to the intercostal waterway, the county has encountered passionate opposition from The Sierra Club, Save the Manatee Club, the Marine Resources Council and half a dozen other respected scientific and



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environmental organizations.

The organizations say the proposed work will endanger or damage manatees, fish populations, sea grass and lagoon water quality.

They point out the ramp is located within the boundaries of a state aquatic preserve in a high-use manatee area on property the county bought through the Florida Communities Trust Program primarily for conservation.

Over the past four years, county efforts to upgrade the facility have been rejected firmly and repeatedly by a laundry list of state and federal regulatory agencies including the Environmental Protection Agency, the U.S. Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission.

In a November letter, the EPA said the project did not meet its guidelines and had "the potential to cause or contribute to significant degradation" of water quality.

Also in 2010, the Florida Fish and Wildlife Conservation Commission informed the county "the project is inconsistent with the Indian River Manatee Protection Program because it represents a deepening of the boat ramp, and an increase in the size of vessels that would be able to launch."

In response, the county repeatedly scaled back the project, cutting the size of the proposed parking lot in half, eliminating a fishing dock and reducing the depth of dredging.

Those changes - and perhaps the letters of support - eventually won tentative approval from St. Johns River Water Management District.

In October 2010, the district announced its intent to issue a permit.

But the county needs a federal, as well as a state, permit and key federal agencies still aren't buying in.

On Aug. 26, the Army Corps of Engineers denied the county's application for a permit, mainly because of concerns about impacts on water quality.

Despite the Corps' thumbs down and all the other opposition, the county is not giving up.

Commissioner Peter O'Bryan said the county commission is united in support of the project, altered though it may be, and public works point man Michael Nixon said he will meet with the Corps to try and overcome its objections.

According to O'Bryan, the county's motivation is simple and straightforward.

"The improvements are needed," he said. "I don't understand the objection to dredging. All we are doing is removing muck from an existing channel to help navigation, which is usually favored by permitting agencies. Another important thing - we'll reduce runoff into the lagoon by paving that dirt road. Normally they give you a medal and a parade when you reduce runoff."

Former State Legislator Ralph Poppell, a longtime supporter of the project, believes the Corps' denial was based on invalid reasons.

"They are getting bad information from their staff," he said. "There has never been a manatee killed within a mile of that boat ramp, and no one is going to try and put a big, deep-V hull boat in there. There is a rock ledge offshore that would tear up your prop and the bottom of your boat."

"Opposition to this is not being driven by science. It is being driven by an agenda. The people with kayaks and canoes want to have the area to themselves."

Still, the county's fixation with the project seems strange to some observers.

"I don't know why they are pushing it so hard," said Carol Knox, an official with the Florida Fish and Wildlife Conservation Commission.

"It is hard to understand what is going on," said Baker.

"My impression from talking to the Audubon Society is that politically connected local businesses in the area would like to see larger vessels, or more vessels, putting in there," said James Egan, executive director for the Marine Resources Council.

Project proponent Poppell used to own and is still connected with Float-On Trailers, which makes boat trailers of the type that might be

used at the Oslo ramp, and Gary Rhinehart, who helped organize the petition drive supporting the project, owns Professional Outfitters, a bait and tackle shop near the boat ramp.

"I might see a 10 or 15 percent increase in business if the project gets done, but I would be supporting it even if I didn't own this business," Rhinehart said. "It has become a personal passion for me. It is a simple, common-sense project that should be done and would be done if not for special interest groups with high-powered attorneys."

The scope and design of the 2008 proposal put environmentalists and agencies on guard.

"It was a huge overreach in terms of what is appropriate for that site," said Pat Rose, an aquatic biologist and executive director of Save the Manatee Club.

Even though the project has been scaled back to have less ecological impact many people remain suspicious and the county contributes to those doubts by sometimes contradictory statements.

County officials say they want to improve the facility mainly so citizens can use it to get out on the river and enjoy the pleasures of fishing and experience the county's beautiful natural environment.

At the same time, they admit it is being used now. The road leading to the boat ramp is lined with trucks and empty boat trailers on weekends.

According to Nixon, a main purpose for the proposed upgrades is to make the facility safer, but he also said he is not aware of any accidents or injuries at the ramp.

Commissioners and other supporters say the project is important enough to the county's well-being to justify the \$462,000 already spent and the nearly half million dollars budgeted for it in the current fiscal year.

But Nixon said it won't really change anything.

"It is not an expansion," he said. "We aren't really adding any parking places. It is just a better configuration. It shouldn't change anything in terms of boats, either."

So why keep battling uphill to get the project done?

"It is something the county desires to have," said Nixon.

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