



For Immediate Release

Siesta Key Association Announces Additional Legal Action To Halt Big Pass Dredge

Siesta Key Association (SKA) announced today that it has notified the Florida Department of Environmental Protection (FDEP), the City of Sarasota and the Army Corps of Engineers that it intends to file a verified complaint in Florida Circuit Court to enjoin FDEP to comply with the Florida Environmental Protection Act of 1971. The complaint alleges, among other things, that FDEP would be in violation of the Act if it issues a permit to dredge Big Sarasota Pass because the dredging in Sarasota County would violate Sarasota County's Comprehensive Plan. Sarasota County's Comprehensive Plan specifically prohibits dredging of County waterways except to maintain previously dredged waterways. Big Sarasota Pass has never been dredged. This notice starts a 30-day period in which FDEP must take appropriate action, or at the end of the 30-day period, SKA will file the verified complaint in circuit court seeking appropriate injunctive relief. SKA notified Sarasota County of this action on January 20th.

This action is in addition to SKA's Administrative Appeal of FDEP's Notice of Intent to Issue a Permit for the project which was filed by SKA on January 13th.

In a statement, Catherine Luckner, Vice President of SKA said, "We are very proud of our County. We feel it's absolutely the best place to live in all of Florida. It's in this spirit, with commitment to being responsible beneficiaries of where we live, this initiative is taken."

In July, Sarasota County, at the request of SKA, requested the Army Corps to order an Environment Impact Statement (EIS), which would contain information about the significant environmental impact of the project. The County made such a request in a letter to the Army Corps on August 24th which reads in part "As the U.S. Army Corps of Engineers and the City of Sarasota undertakes this complex project within the dynamic coastal system, there may be possible consequences associated with moving forward. Those consequences should be clearly understood by decision-makers and citizens in advance, thereby informing those decisions at local, state, and federal levels." The Army Corps denied the request by letter to the Sarasota County Commissioners dated November 29th, citing among other things that Big Pass is a "man-made inlet." "It boggles my mind that the Army Corps would deny such a request," said Mrs. Luckner. "Big Pass has never been dredged and the environmental damage that may result needs to be disclosed and evaluated by decision-makers. That's what an EIS does. It discloses all environmental impacts, as well as alternatives to the proposed dredging, so decision makers can make an informed decision. The Army Corps' reasoning for denying the EIS, as well as the FDEP's basis for issuing the Permit, is replete with technical and factual errors which we intend to expose during this process. For example, the Army Corps has stated in their denial letter that



Big Pass is a man-made inlet. That is simply not true. We intend to show that Big Pass is a natural inlet which has existed for as long as we can find in historical documents, that go back to the 1800s, and therefore is protected from dredging by the Sarasota County Comprehensive Plan.”

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