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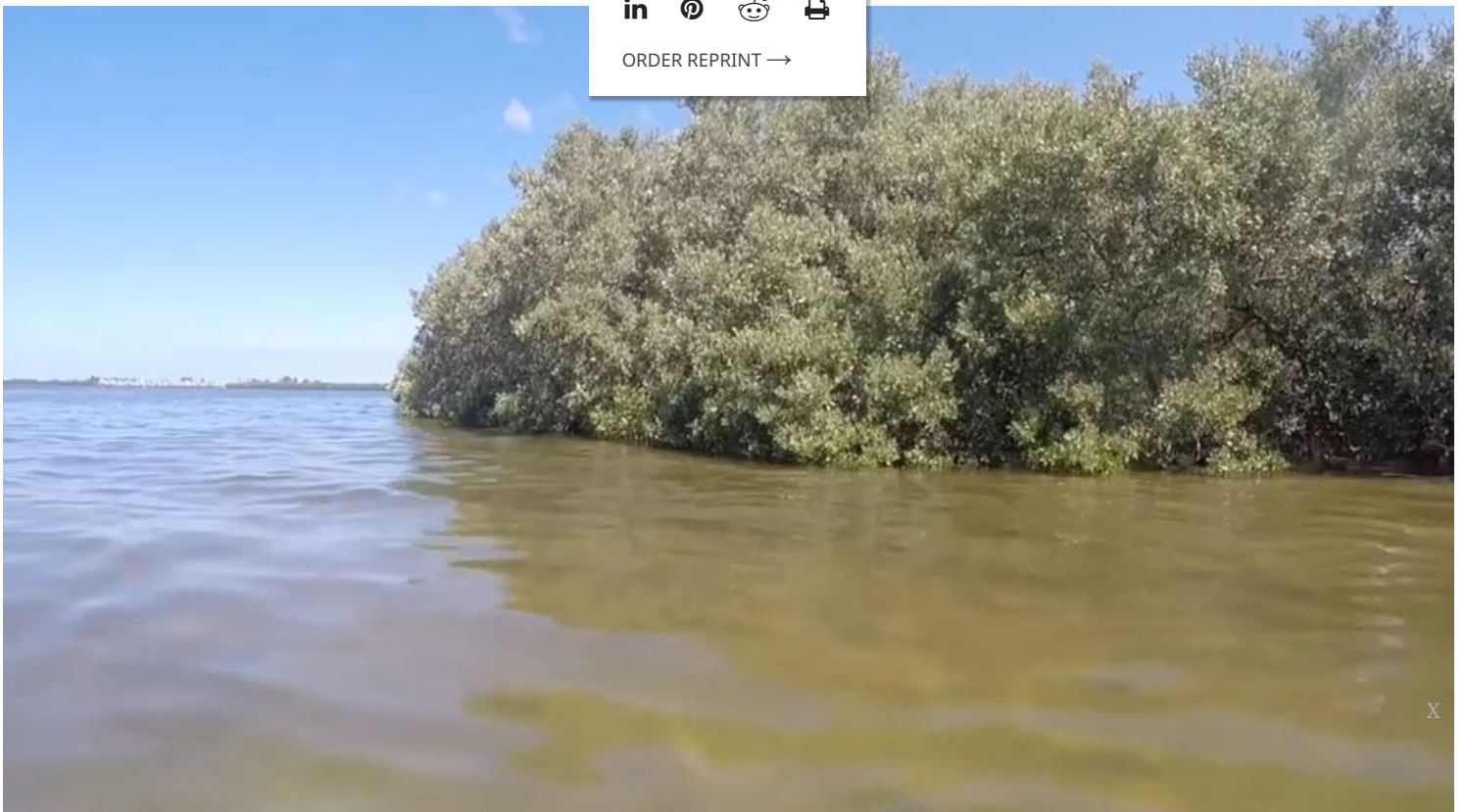
Florida reverses course, fines Aqua development's mangrove trimming on Sarasota Bay

BY RYAN CALLIHAN

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BRADENTON

The owners of the Aqua by the Bay development in southwest Manatee County have been hit with an \$8,500 fine for illegal mangrove trimming.

In a Dec. 22 consent order obtained by the Bradenton Herald, state officials with the Florida Department of Environmental Protection said the fine served as punishment for improper mangrove pruning.

The fine marks a reversal for FDEP officials, who wrote after an initial inspection last summer that, “the mangroves appeared to be healthy and trimmed within the permit limits,” and described the damage as “minor non-compliance.”

TOP VIDEOS

The Herald previously reported on [concerns raised by local environmental activists](#) about the trimming, which appeared to cut mangroves beyond what is allowed by state law. The trimming also left dead branches in the water, which can fuel harmful algae blooms as they decompose.

As part of the consent order, FDEP officials said it found evidence of “unauthorized activity” because Aqua by the Bay developers did not remove all mangrove trimmings that were over 3 feet long or over 3 inches in diameter, evenly distribute the remaining trimmings in the water, or provide the required pre- and post-photo documentation of the trimming.

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Mangroves also were cut more than the authorized 25% foliage, FDEP noted.

Under its state permit, developers had permission to trim the mangroves within 28 acres of the 61-acre mangrove fringe.

STATE ISSUES \$8,500 FINE AGAINST AQUA

In a previous statement provided to the Bradenton Herald, Carlos Beruff, founder of the Medallion Home company that is building Aqua by the Bay, said he hired a certified contractor to complete the mangrove work.

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Beruff did not respond to a request for comment Monday.

Within 120 days, Medallion Home must “make all reasonable efforts to remove as much trimmed material as possible,” including large pieces that are longer than 3 feet or over 3 inches in diameter, according to FDEP’s consent order.

Photographs must also be submitted to FDEP before a follow-up site visit within 30 days.

Aqua by the Bay, a large-scale waterfront development along El Conquistador Parkway in Bradenton, has long been considered a controversial project. In 2017, residents pushed hard against the addition of 510 single-family homes, 2,384 multifamily units and 78,000 square feet of commercial space before it won approval from the Manatee County Commission.

Construction has already [begun on the gated community](#), which has shortened its name to Aqua. Homes start at about \$750,000 and townhomes will start at about \$850,000, according to Medallion Home’s website.



Captain Kathe Fannon, of Captain Kathe and First Mate Pup-Pup Charters, said the proposed Aqua by the Bay development from Medallion Home could end up destroying the last pristine mangrove shoreline on Sarasota Bay. The Manatee County Board of Cou BY HANNAH MORSE

While they welcomed FDEP's financial penalty, local activists had mixed reactions about how the state agency handled the case.

"It's too bad that it took so much time and energy from an outside organization to get it, but I applaud FDEP for doing it and following through," said Rusty Chinnis, chairman of [Suncoast Waterkeeper](#).

Abbey Tyrna, executive director at Suncoast Waterkeeper, called on FDEP to revisit the law to create stiffer penalties for people who violate the rules on mangrove trimming.

"This is the law working the way it's supposed to," Tyrna said. "But \$8,500 is just not enough to really make a dent in the actions of this big development company. That might just be the cost of doing business."

MANGROVE TRIMMING HAS ENVIRONMENTAL IMPACT

Improper mangrove trimming can have a [negative impact on water quality](#), said David Tomasko, executive director of the [Sarasota Bay Estuary Program](#). His organization estimated that the damage equated to hundreds of pounds of nitrogen pollution.

“If you care about water quality, this sort of thing shouldn’t happen,” said Tomasko, who explained how healthy mangrove fringes play a role in filtering runoff pollution, protecting wildlife and reducing property damage from storm surges.

Tomasko also criticized FDEP’s consent order, which does not require Medallion Home to plant new mangroves to make up for the violation.

“There’s nothing in there that asks them to address the excessive trimming, so we have fewer healthy mangroves in Sarasota Bay right now, and that’s not good,” he said.

Moving forward, environmental groups ask residents to report mangrove alterations that appear to go too far. Suncoast Waterkeeper is also developing a drone program to monitor local mangrove forests and inspect how they change over time.

“There was a law put in place to protect these trees because these trees protect us,” Tyrna said.



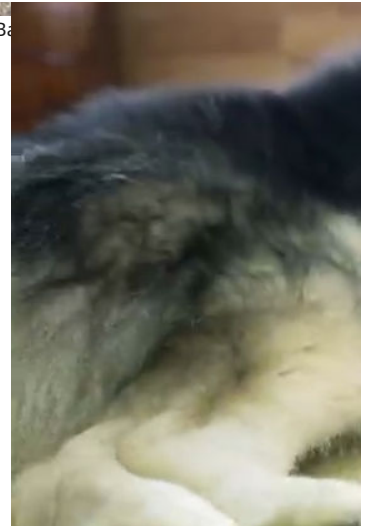
Local environmentalists have raised concerns over recent mangrove trimming along Sarasota Bay where Aqua by the Bay and Cirrus Apartments at Aqua are under construction on El Conquistador Blvd. Tiffany Tompkins ttompkins@bradenton.com



Local environmental advocates have raised concern with recent mangrove trimming along the western shoreline of Sarasota Bay, where the Aqua by the Bay development is under construction. Suncoast Waterkeeper



Local environmental advocates have raised concern with recent mangrove trimming along the western shoreline of Sarasota Bay. Development is under construction. Dave Tomasko





Local environmental advocates have raised concern with recent mangrove trimming along the western shoreline of Sarasota Bay, where the Aqua by the Bay development is under construction. Dave Tomasko

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RYAN CALLIHAN

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Ryan Callihan is the Bradenton Herald's County Reporter, covering local government and politics. On the weekends, he also covers breaking news. Ryan is a graduate of USF St. Petersburg.

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