

On Friday, December 4, we went to Washington DC for the court hearing on the St. Lucie River. The case is about the people who live along the River having the riparian right of water free from pollution and against the US Army Corps of Engineers who have discharged polluted water into the St. Lucie River estuary with massive water releases from Lake Okeechobee and taken away that right. It was held in the Federal Claims Court in Washington DC with Judge Lynn Bush hearing oral arguments from both sides. A delegation from the area included Bob Voisinet, Karl Wickstrom, Jacqui Thurlow-Lippish, Mark Perry, Kevin Henderson and John Mildenberger (photo L-R). Also attending were Sarah Heard and Charlie deGarmo. We were introduced by our legal team of Marzula and Marzula one-by-one and it was good to have Commissioners Sarah Heard and Jacqui Thurlow-Lippish there representing thousands of concerned citizens from Martin County and the Town of Sewalls Point, respectively. The Judge was very appreciative of us being there and she could tell the commitment we had to the cause.

Each side presented their respective argument and then each side had the chance to respond. After each presentation Judge Bush had some very specific questions which were from the written submitted documents indicating that she had an in-depth knowledge of the case materials. Arguments from the Department of Justice (US Army Corps of Engineers) included technical areas of compensatory ownership, navigational servitude, the pollution as “intervening” and the damage as time-barred or beyond statute of limitations. Our side clearly outlined the damage to the River and specifically detailed their promises to remedy the situation over the years while countering each of the specific points of ownership and time limitations.

The hearing lasted for 3 hours and Judge Bush thanked us again for coming and valued the time to hear the arguments. The Judge did not make a ruling then but will consider the case over the next 90 days and then may issue a judgment. It was important that the Judge was very specific in her questions and we feel she will give careful consideration to the case. We are especially grateful to Karl Wickstrom, the Rivers Coalition and all the individuals who have contributed their time and funding to support this issue. This is truly a voice for the River that we hope will be heard.

Should you have any specific questions, please give me a call. Thank you for the opportunity to represent Florida Oceanographic Society in this important conservation effort.