



Close Record Card

Property Identification

Site Address: OCEAN DR
 Sec/Town/Range: 18/35S/41E
 Parcel ID: **2413-501-0154-000-6**
 Jurisdiction: Saint Lucie County
 Land Use Code: 0000 - Vac Residential
 Account #: **150186**
 Map ID: [25/18N](#)
 Zoning: Hutch Isla



Legal Description

SURFSIDE HARBOR BLK 10 LOT 10

Total Areas

Finished/Under Air (SF): 0
 Gross Sketched Area (SF): 0
 Land Size (acres): 0.19
 Land Size (SF): 8,100

Map



State of Florida, Maxar, Microsoft Powered by Esri

Building Wind Speed

Occupancy Category	I	II	III & IV
Speed	140	160	170

[Sources/links:](#)

Ownership

Anthony S Acerra
 Claudia F Acerra



APPLICATION FOR ANNEXATION

Annexation applications will require the adoption of an ordinance which will require a public meeting before the Planning Board and two public hearings before the City Commission.

Application submission shall include the following:

- **TRC (*Initial Submission):** One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **Planning Board:** One (1) original and (16) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **City Commission:** One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

In addition to a complete application, packets shall include:

- Warranty Deed
- Current Survey (completed within the last 12 months)

1. Address: SURFSIDE HARBOUR HUTCHINSON ISLAND, FORT PIERCE

2. Legal description of real property for which annexation is being requested:
SURFSIDE HARBOUR BLK 10 - LOT 10

Property Tax ID: 2413-501-0154-000-6

3. Size of described property: 8,100 sq. ft. - .19 ACRES

4. Project description: ANNEXATION INTO CITY OF FORT PIERCE

5. Current St. Lucie County Future Land Use Designation: RESIDENTIAL R-1

6. Current St. Lucie County Zoning: HUTCHINSON ISLAND

7. Is this a Historic property? NO

8. Appraised value: \$20,933

9. Name of Owner(s): ANTHONY S. ACERRA + CLAUDIA F. ACERRA

Signature of Owner(s): Anthony S. Acerra, Claudia F. Acerra

Mailing Address: 302 SWI KANE AVE.

City PORT SAINT LUCIE State FL Zip 34953

Phone 732-822-1859 Fax _____

10. Name of Representative: _____
Signature of representative: _____
Mailing Address: _____
City) _____ State _____ Zip _____
Phone _____ Fax _____
E-mail: _____

INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

OFFICE USE:

DATE RECEIVED: _____	Signed: _____	
File Number: _____	Check No: _____	Receipt No: _____
TRC Review: _____	Planning Board Review: _____	City Commission: _____
Ordinance No: _____	Date Approved: _____	

QUITCLAIM DEED

Anthony S. ACERRA

This quitclaim deed made on 6-7-08, between CLAUDIA F. GLOGOWSKI
(TRANSFEROR), of 24 DELAWARE AVE. (ADDRESS), WEST LONG BRANCH
(CITY), MONMOUTH Co. (COUNTY), N.J. 07764 (STATE), and
Anthony S. ACERRA / CLAUDIA F. ACERRA (TRANSFeree), of WEST LONG BRANCH (CITY),
monmouth (COUNTY), _____ (STATE).

Anthony S. ACERRA / CLAUDIA F. ACERRA

That for and in the consideration of the sum of ONE Dollars, the receipt of which is hereby acknowledged, Anthony S. ACERRA (TRANSFEROR) + CLAUDIA F. GLOGOWSKI (TRANSFeree) does hereby release, remise and forever quitclaim unto Anthony S. ACERRA / CLAUDIA F. ACERRA (TRANSFeree) all of his interest, if any, in that certain real property commonly known as # 2413-SD-0154-000-6 (Property Address), located in the City of FORT PIERCE, County of ST. LUCIE, State of FLORIDA, described as follows:

(PARCEL)

Legal Description SURFSIDE HARBOR BLK 10 LOT 10

Together with all the tenements, hereditaments, and appurtenances thereunto belonging, and the reversions, remainders, rents, issues, and profits thereof.

To have and to hold, all and singular the premises, with the appurtenances, unto Anthony S. ACERRA (TRANSFeree) and his heirs and assigns forever.

CLAUDIA F. ACERRA

In witness whereof, Anthony S. ACERRA (TRANSFEROR) has hereunto this day and year as set forth above.

Anthony S. Acerra
Claudia F. Glogowski
[Signature]

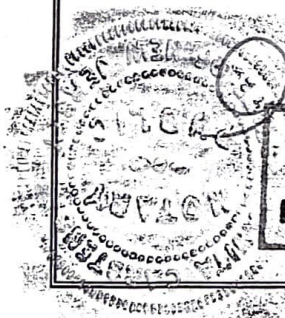
[Acknowledgment]

Signed, sealed and delivered in the presence of:

WITNESSES

ANTA CARSTENS
Notary Public of New Jersey
My Commission Expires May 9, 2012

Daniel Cappola
Amy Sobotka



Prepared By and Return To:
Gail Logan, AVP
Fidelity National Title Insurance Company of New York
118 North Second Street
Fort Pierce, FL 34950

File No. 03-020-702292

Property Appraiser's Parcel I.D.(folio) Number(s)

2413-501-0152-000/2

RETURN TO:
Fidelity National Title
Courthouse Box 121

WARRANTY DEED

THIS WARRANTY DEED dated April 7, 2003, by Marion Paul Broome hereinafter called the grantor, to Anthony S. Acerra and Claudia F. M. Glogowski whose post office address is 24 Delaware Avenue, West Long Branch, New Jersey 07764, hereinafter called the grantee: **AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP.

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in St. Lucie County, Florida, viz:

Lot 10, Block 10, Surfside Harbor Subdivision, according to the plat thereof, as recorded in Plat Book 10, Page 68 the Public Records of St. Lucie County, Florida.

Subject to easements, restrictions, reservations, and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining

TO HAVE AND TO HOLD the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.

Grantor hereby certifies that subject property is vacant land and does not represent homestead property.

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
File Number: 2192653 OR BOOK 1699 PAGE 927
Recorded:04/24/03 10:49

* Doc Assump: \$ 0.00
* Doc Tax : \$ 273.00
* Int Tax : \$ 0.00

**THIS DEED IS BEING RE-RECORDED TO ADD VESTING TO GRANTEEES.

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
File Number: 2207688 OR BOOK 1717 PAGE 2702
Recorded:05/21/03 15:43

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Roxanne M. Huldeen
(Witness Signature)

Roxanne Huldeen
(Print Name of Witness)

Linda B. Hays
(Witness Signature)

LINDA B. HAYS
(Print Name of Witness)

Marion Paul Broome
Marion Paul Broome

(Address and Phone Number)

STATE of FL.

COUNTY of St. Lucie

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and the County aforesaid to take acknowledgements, personally appeared Marion Paul Broome

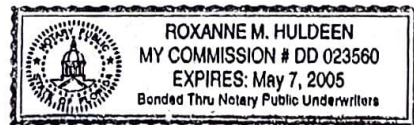
to me known to be the person(s) described in or who has/have produced personally known as identification and who executed the foregoing instrument and he/she/they acknowledged before me that he/she/they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 11th day of April, 2003.

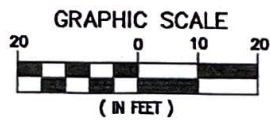
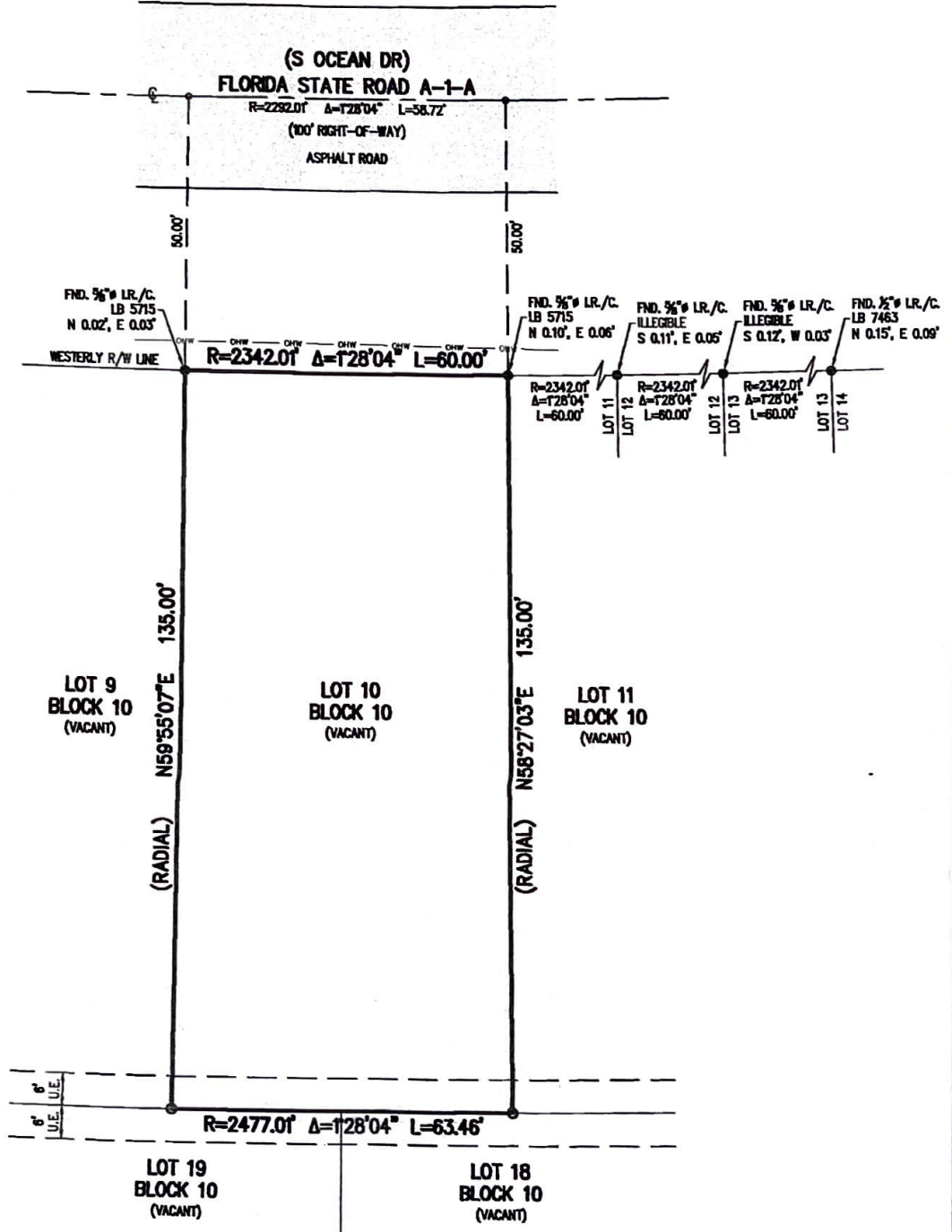
Roxanne M. Huldeen
Notary Signature

Roxanne M. Huldeen
Printed Notary Name

My commission expires: _____



OR BOOK 1717 PAGE 2703



SHEET 2 OF 2

CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452

SURFSIDE HARBOR
LOT 10, BLOCK 10 - BOUNDARY SURVEY

REVISIONS	DATE	BY

FILE NAME: 9873_Lot 10 Blk 10 Boundary.dwg

DATE	2/22/2022
DRAWN BY	RFC
F.B./ PG.	N/A
SCALE	1" = 20'
JOB NO.	9873

Justification Statement

All my life I enjoyed creating and building. In 1979 I became a union carpenter and worked in the extreme heat and cold for 38 years. I first visited Florida in 1975 with a couple of friends and returned many times afterwards. In 1989 I visited friends and Stuart. Their parents just built a house on the river in Sewall's Point. The sunsets were amazing and the warmth thawed my frostbitten fingers and toes. I knew I had to return here someday. My dream was to build a home with a sunset view.

I bought a fixer-upper house in my hometown and worked on it for 35 years. I also sacrificed to save money by working side jobs, nights and weekends. In 2003, 12 years before my retirement in 2015 because of spinal injuries. I bought my first Lot #14 on Hutchinson Island at Bear Point Sanctuary in the Surfside Harbor subdivision. I envisioned my dream three-story home with 360° sunrise to sunset views. I was curious why no one had built in the area after finding out that those lots were plotted out in 1950. So, I did my due diligence and visited the county building department on 2300 Virginia Ave in 2003 a couple of weeks later. The gentleman in the office there took me into the conference room and I showed him what I had just purchased. weeks later. He told me, "You are grandfathered into the lot size and setbacks for your house and septic tank". I felt relieved, so I bought my second lot #10.

Soon after I did a lot of legwork and asked many questions. I hired a wetlands consultant and started my mitigation process for Lot 14 with Lauri Heistermann at the Bear point Mitigation Bank. I paid for one reservation credit to mitigate the mangoes which amounted to 1/10th of an acre, or 4,500 square ft. I then hired my wetlands consultant to begin my DEP application much time and money later. I also have my DEP approval. Which, by the way, included a septic tank because the county did not provide sewer or water service. The City of Fort Pierce had a waterline installed only. Powerlines were there, and my dream was coming true. Little did I know my nightmare was just about to begin. Not just for me, before the whole subdivision dozens of lots were sold off during 2003 to 2004 and no one discovered any restrictions either.

Then a stroke of luck. After buying YMCA Easter house tickets since 1989, yes 31 years, I got a call from the YMCA in 2020. " You won the house". A year later our house was sold in a good market and my wife and I moved into the house in Port St. Lucie. I was ready to build. But, not so fast. First, the county said they would not allow a septic tank. I needed a sewer line. One day I was speaking to a builder/ developer from West Palm Beach who had bought a lot just up from me about my sewer petition. He said he was told the county had created. Something called an NCLOR, which rendered our lots, non-conforming, not billable, I basically worthless. Deep depression. I had been in the process of trying to get a sewer line from the county 1.5 miles to the south of our subdivision at a cost of \$1.5 million in 2021. This first MSBU consisted of 75 lots from Blue Heron Boulevard to the end of our subdivision just north of the Bear Point Sanctuary parking lot. I questioned Barbara Getler and Cathy Altizer about the targeted area because it included the lots not just fronting A1A, but also the lots behind us. I mentioned that I was always told that the back lots were never going to be able to be built on. Barbara said, "This is what they gave us".

I had no choice, but to continue on with the MSBU, even though I told Barbara and Cathy, that I was afraid for my life. Can you imagine me getting them to pay for my sewer line knowing that they could not use it? They know where I live, and everyone in Florida has a gun. I had checked in with the petition count for the MSBU from time to time. Two years later, I was seven petitions short.

The next time I called Barbara, she told me my MSBU would not be allowed because our properties were not valuable enough. I said they were not valuable because we do not have a sewer line. I called Ray Morankus from the county sewer department to ask him if our subdivision could self-pay. He said the cost to install the sewer line went from \$1.5 million to \$4.5 million during that two year time period. This MSBU was doomed to fail from the beginning. Even if I did get the last seven properties, my MSBU would have been rejected by the county attorney anyway. I know this now only because of what happened next.

One day, I went to talk to Otis the owner of the Pie Hole pizza restaurant in our subdivision. The waitress said he was out of town. I mentioned about the sewer line and she told me he got approval from FPUA to bring it from Blue Heron Boulevard to the north south to his restaurant and properties. I was confused. When I inquired about that, I was told that would not be possible because that line was installed with federal money and it could not be extended south of Blue Heron Boulevard. Apparently, I was given wrong information again.

In March 2022, I decided to hire a lawyer to see what my options were. He told me that I needed to annex into the City of Fort Pierce because they did not change their ordinance and our lots would be considered conforming and buildable. I got in contact with Venus Gilmore, who is very helpful. My lawyer set up a meeting with him at City Hall. At that meeting, Venus confirmed that I could annex, my lots would be conforming, and that I could have a septic tank.

Great, I didn't have to bother with another MSBU for sewer line. Weeks later, I walked into the annexation meeting, and Ryan Altizer said, "You're going to be quick and easy so we are going to do yours first". I was annexing my Lot 14 to the lot across A1A to whom I paid \$2100 for his survey to get him to annex because he was contiguous with the lot next to him thus making me contiguous with his lot across A1A. This is basically what lot number #9 did which my second lot to be annexed #10 is contiguous to. He annexed his lot in 2007 according to ordinance K-438 which was created by the City of Fort Pierce in 2006. But it wasn't that easy. As soon as the mention of a septic tank, I believe it was Alicia, said septic tanks were not allowed. At this point, the highs and lows are destroying my soul. Kevin Freeman said my annexation was on hold until we had a sewer line, not canceled.

So I contacted Bo Hutchinson and Lugey Dawson at the FPUA. He said yes the sewer line was federally funded. I asked him then how was Pie Whole Pizza was able to bring the sewer line down about 800' to his restaurant. He told me he paid for it himself. Private money. I contacted Barbara to start another MSBU to service the second half of our subdivision with FPUA. Bo said we first had to get approval from Florida Fish And Wildlife. We called and emailed Patricia Kelly. She explained to us over the phone and through emails that she would only give permission for the 26 lots fronting A1A, and it had to be paid for by our private money. There was no formal application or document. The new 26 lot approval map was drawn up and Patricia indicated the area with a red arrow.

The new area map is part of my application and has been uploaded to the portal.

Of the 26 parcels, I have more than 75% of the required MSBU applications signed. Only 51% is required for approval. So here we are today because our MSBU was denied by the county because 10 of the 26 lots that are in the county are nonconforming. The county attorney said an owner of a nonconforming lot cannot be forced to pay for a MSBU if they are not able to build. We need to annex the 10 county lots first into the City of Fort Pierce to be conforming. Then, at that time, the sewer line can be installed. 16 of the 26 lots south of Pie Hole Pizza are already city lots in our MSBU. The lots from Blue Heron Boulevard south to Pie Hole Pizza are all city lots which make up the northern half of our subdivision. That makes about 90% city lots and 10% county lots total in our Surfside Harbor subdivision. This annexation process will conform the whole subdivision to city lots. Note, the FPUA owns the water line already and because of this if anyone were ever to build they would have to sign an annexation agreement for the City of Fort Pierce before any building would be able to commence. Thank you for considering our annexation applications.

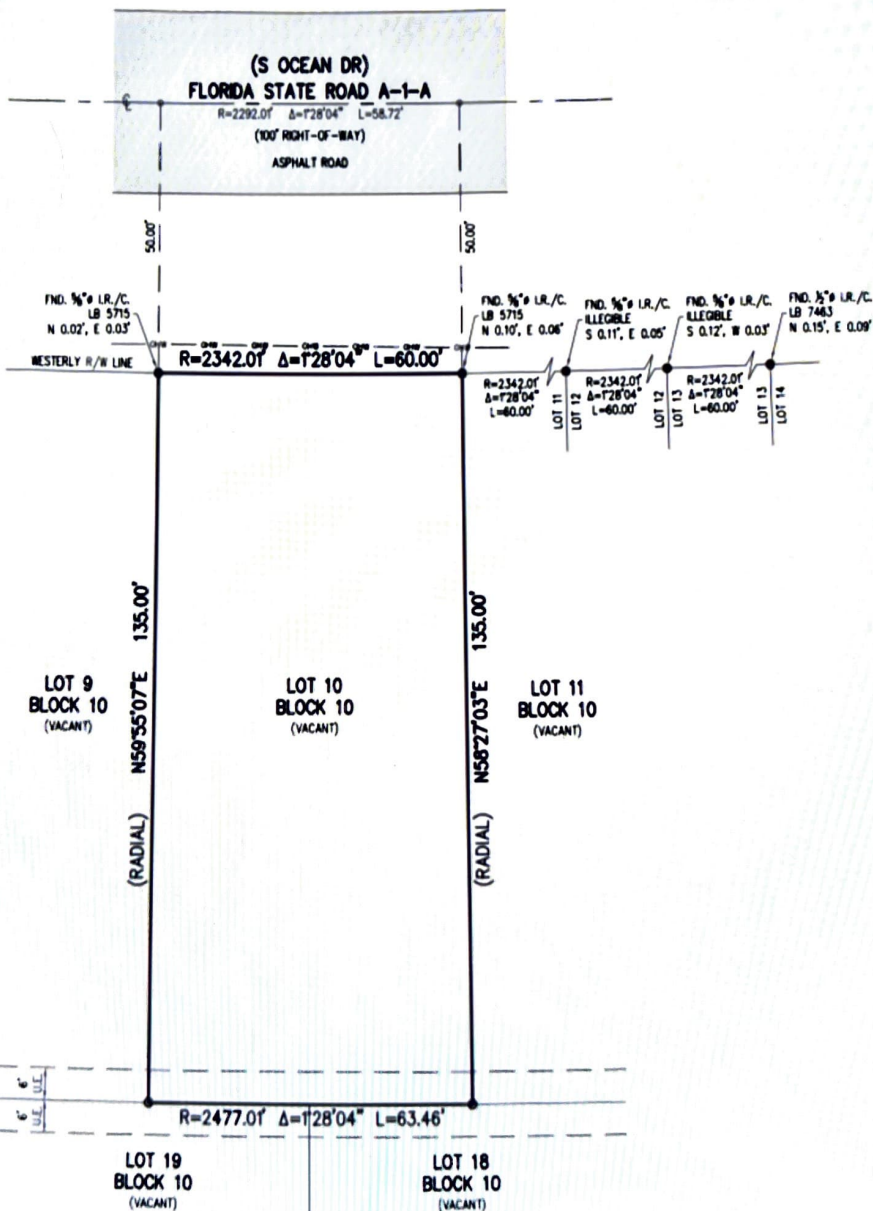


CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561) 392-1991 / FAX (561) 750-4252

REVISIONS	DATE	BY
FILE NAME: 9873_Lot 10 Bk 10 Boundary.dwg		

DATE	2/22/2022
DRAWN BY	RFC
F.B./ PG.	N/A
SCALE	1" = 20'
JOB NO.	9873

SURFSIDE HARBOR
LOT 10, BLOCK 10 - BOUNDARY SURVEY



SHEET 2 OF 2



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F.B./ PG.	N/A
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JOB NO.	9873

SURFSIDE HARBOR
LOT 10, BLOCK 10 - BOUNDARY SURVEY



Surfside Harbor-Hutchinson Island

Parcel I.D. #: 2413-501-0154-000-6

Wetland Delineation

Field Report

St. Lucie County, FL

Surfside Harbor:
Block 10, Lot 10,
St. Lucie County

P.I.N. #: 2413-501-0154-000-6

Table of Contents:

Location Map: Delorme Topo USA

Field Report: To Include Detailed Findings & Conclusion

**Aerial Map: St. Lucie County Property Appraiser
Aerial of Site**

**Site Map: LABINS Aerial of Site
With Wetland Delineation Lines Superimposed**

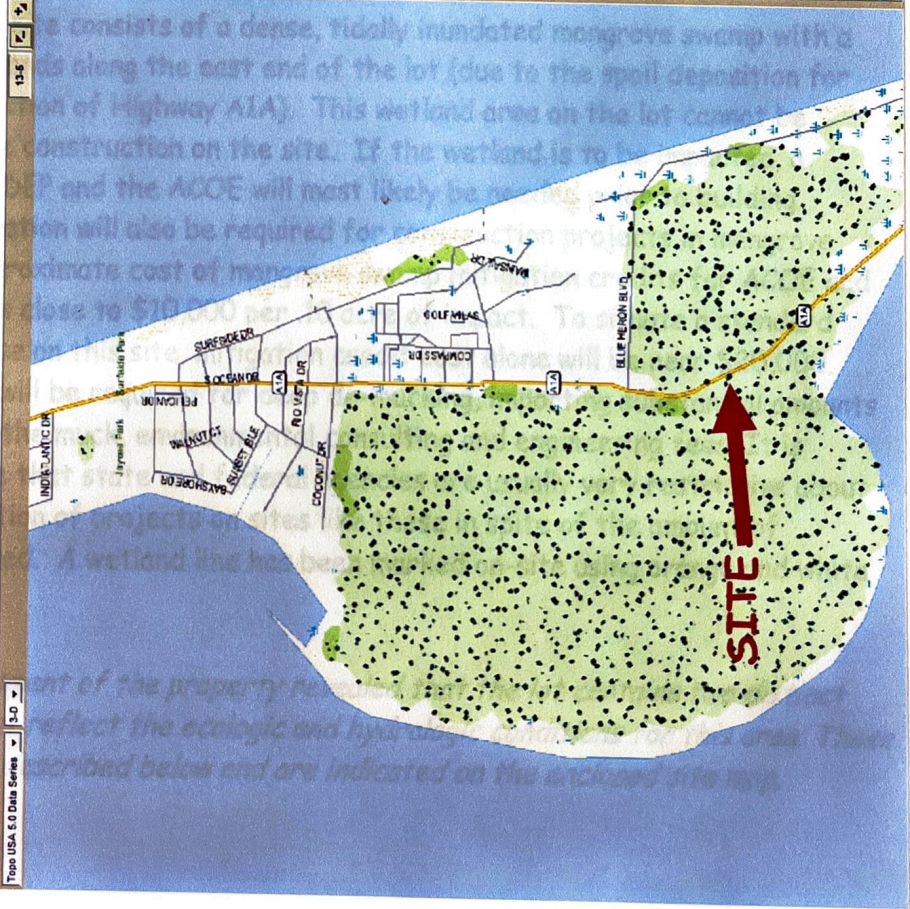
Site Photos: On Site Digital Photographs

LOCATION MAP

PIN: 2413-501-0154-000-6
Surfside Harbor Block 10, Lot 10, St. Lucie County



CLOSE UP



REGIONAL



Mark Youmans
Environmental Consultant
909 SW Idol Avenue
Port St. Lucie, FL 34986
Phone/Fax # (772) 340-0749

Client: Mr. Anthony Acerra

Location: PIN: 2413-501-0154-000-6, Surfside Harbor,
Block 10, Lot 10 (OR 1699-927: 1717-2702),
Hutchinson Island, Highway A1A, St. Lucie County, FL

On October 11, 2006, a wetland survey was performed at the above referenced property, utilizing the wetland delineation standards set forth in 62-340 F.A.C. The findings are outlined below:

- Property Size: 0.19 Acres
- Approximate Percentage of Wetlands: 95%
- Approximate Percentage of Uplands: 05%

Comments: The site consists of a dense, tidally inundated mangrove swamp with a thin fringe of uplands along the east end of the lot (due to the spoil deposition for the road construction of Highway A1A). This wetland area on the lot cannot be avoided for house construction on the site. If the wetland is to be impacted, a permit from the DEP and the ACOE will most likely be needed prior to building. Substantial mitigation will also be required for construction projects in mangrove swamps. The approximate cost of mangrove swamp mitigation credits for ACOE and DEP dual credit is close to \$10,000 per .10 acre of impact. To situate a standard single family house on this site, mitigation credit cost alone will be near \$20,000. Additional costs will be required for deep de-mucking, importing substantial amounts of fill to replace the muck, environmental consulting and engineering fees. It is important to note that state and federal agencies are usually very restrictive about the size and location of projects on sites like these in spite of the amount of mitigation proposed. A wetland line has been marked on-site using orange and white striped ribbon.

An on-site assessment of the property revealed that the lot contains two distinct habitat types that reflect the ecologic and hydrologic conditions for this area. These two habitats are described below and are indicated on the enclosed site map.

Habitat Types:

(Habitats are described using D.O.T. F.L.U.C.C.S. Codes and the 10YR page of the Munsell Soil Chart)

HABITAT #1 - WETLAND MANGROVE SWAMP

F.L.U.C.C.S. CODE # 612

Biological Description of Wetland Habitat:

These dense, brackish water swamps occur along low-energy shorelines and in protected, tidally influenced bays of southern Florida. This community is composed of freeze-intolerant tree species that are distributed south of a line from Cedar Key on the Gulf coast to St Augustine on the Atlantic coast. These swamp communities are usually dominated by red, black, and white mangroves that progress in a sere from seaward to landward areas, respectively, while buttonwood trees occur in areas above high tide. Openings and transitional areas in mangrove swamps sometimes contain glasswort, saltwort, and other salt marsh species. All three major species of mangroves are mapped as a single class with no effort made to differentiate these species into separate zones.

Facultative Wetland Plants:

(Open Space & Subcommunity) 100%

(Mangrove) 0%

(Non-mangrove) 0%

Obligate Wetland Plants:

(Mangrove) 100%

(Non-mangrove) 0%

(Open Space) 0%

(Subcommunity) 0%

PLANT COVERAGE OF THE WETLAND HABITAT AREA

Upland Plants:

(Upper Canopy & Sub-canopy): NONE

(Ground Cover): NONE

Percentage of total habitat coverage = 0%

Facultative Plants:

(Upper Canopy & Sub-canopy): BRAZILIAN PEPPER, AUSTRALIAN PINE

(Ground Cover): NONE

Percentage of total habitat coverage = 10%

Facultative Wetland Plants:

(Upper Canopy & Sub-canopy): NONE

(Ground Cover): NONE

Percentage of total habitat coverage = 0%

Obligate Wetland Plants:

(Upper Canopy & Sub-canopy): RED MANGROVE, BLACK MANGROVE,
WHITE MANGROVE

(Ground Cover): NONE

Percentage of total habitat coverage = 90%

TYPICAL SOIL PROFILE IN THE WETLAND HABITAT AREA

(Using the 10YR page of the Munsell Soil Chart)

Soil Type: ARENT SOIL (INUNDATED ALONG WETLAND LINE)

Hydric/Depressional: YES

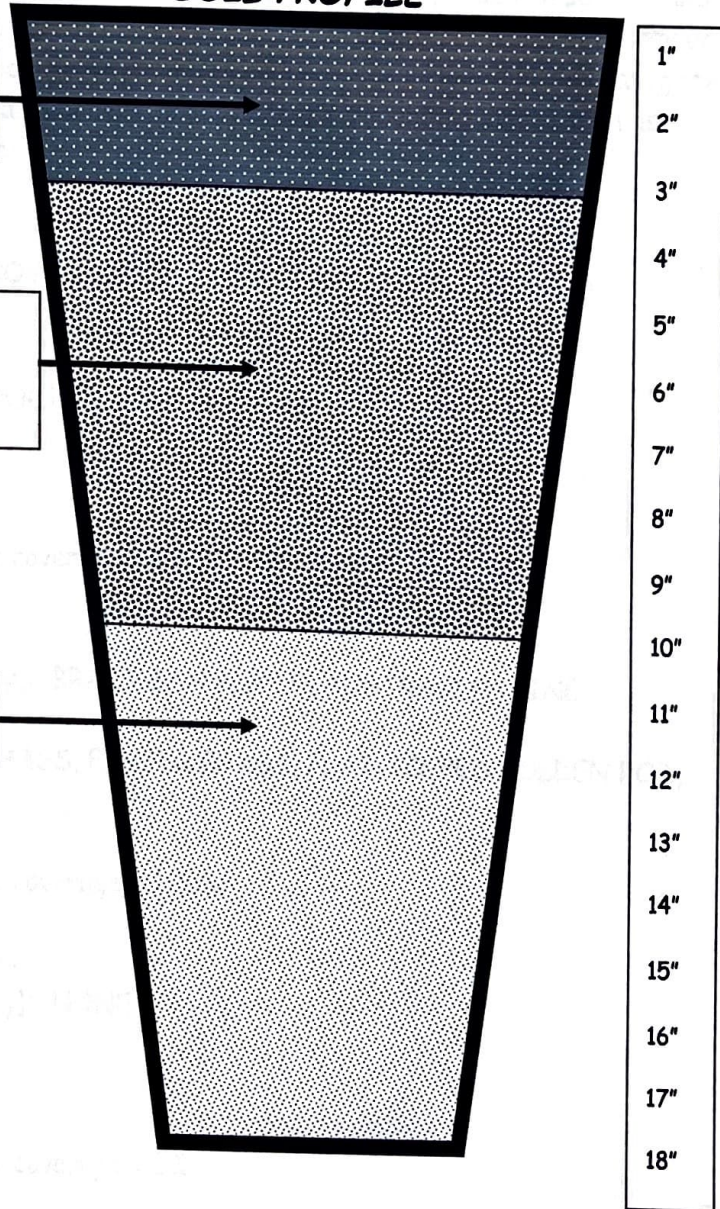
HORIZON

SOIL PROFILE

O: 2/1 FINE SAND WITH
40% ORGANIC CONTENT

A1: 3/1 FINE SAND MATRIX WITH
25% ORGANIC CONTENT

A2: 3/1 FINE SAND MATRIX
WITH 10% ORGANIC CONTENT



Hydrologic indicators present in this habitat area: Tidally Influenced Water Levels, Water Stains, Aquatic Plants, Aquatic Fauna, Adventitious Roots, Muck, Hydrogen Sulfide In The Upper 6" Of Soil & Defined Ecotone

HABITAT #2 - UPLAND- EXOTIC PLANT COMMUNITY
F.L.U.C.C.S. CODE # 422

Biological Description of Upland Habitat:

This community is defined by disturbed upland areas that are dominated by non-native trees that were planted or have escaped and invaded native plant communities. These exotics include melaleuca, Australian pine, Brazilian pepper, and eucalyptus. These disturbed areas usually occur within urbanized areas that may or may not have been vegetated. Some examples of land uses included in this category are lawns, golf courses, road shoulders, grassy areas surrounding places such as airports, park facilities, etc.

PLANT COVERAGE OF THE UPLAND HABITAT AREA

Upland Plants:

(Upper Canopy & Sub-canopy): NONE

(Ground Cover): NONE

Percentage of total habitat coverage = 0%

Facultative Plants:

(Upper Canopy & Sub-canopy): BRAZILIAN PEPPER, AUSTRALIAN PINE

(Ground Cover): CARPET GRASS, FINGER GRASS, FLAT-TOPPED GOLDEN ROD, WEDILIA

Percentage of total habitat coverage = 100%

Facultative Wetland Plants:

(Upper Canopy & Sub-canopy): NONE

(Ground Cover): NONE

Percentage of total habitat coverage = 0%

Obligate Wetland Plants:

(Upper Canopy & Sub-canopy): NONE

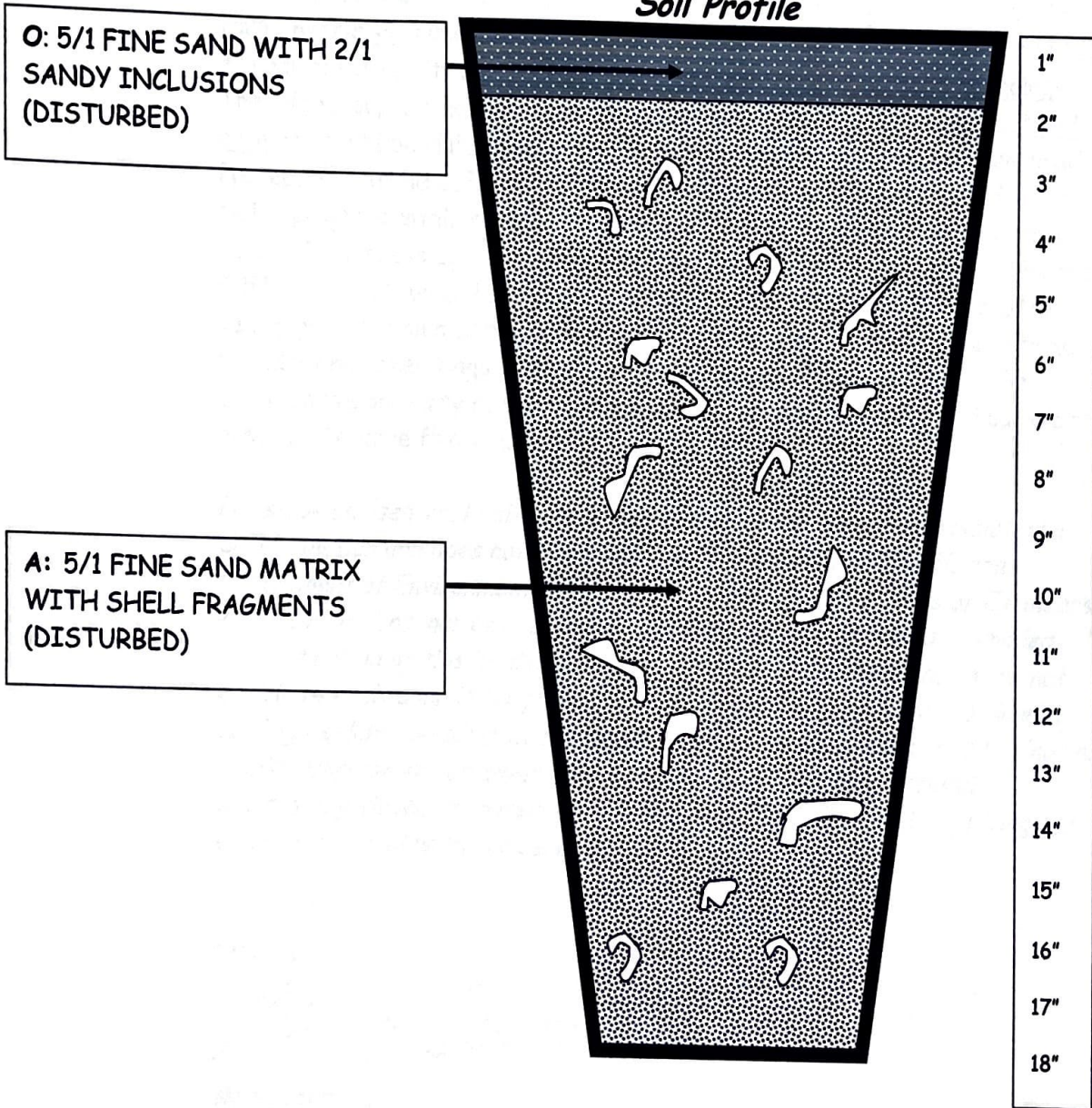
(Ground Cover): NONE

Percentage of total habitat coverage = 0%

TYPICAL SOIL PROFILE IN THE UPLAND HABITAT AREA

(Using the 10YR page of the Munsell Soil Chart)

Soil Type: ARENT (Disturbed- soil deposited during adjacent road construction)
Hydric/Depressional: N/A




Hydrologic indicators present in this habitat area: None

Conclusion:

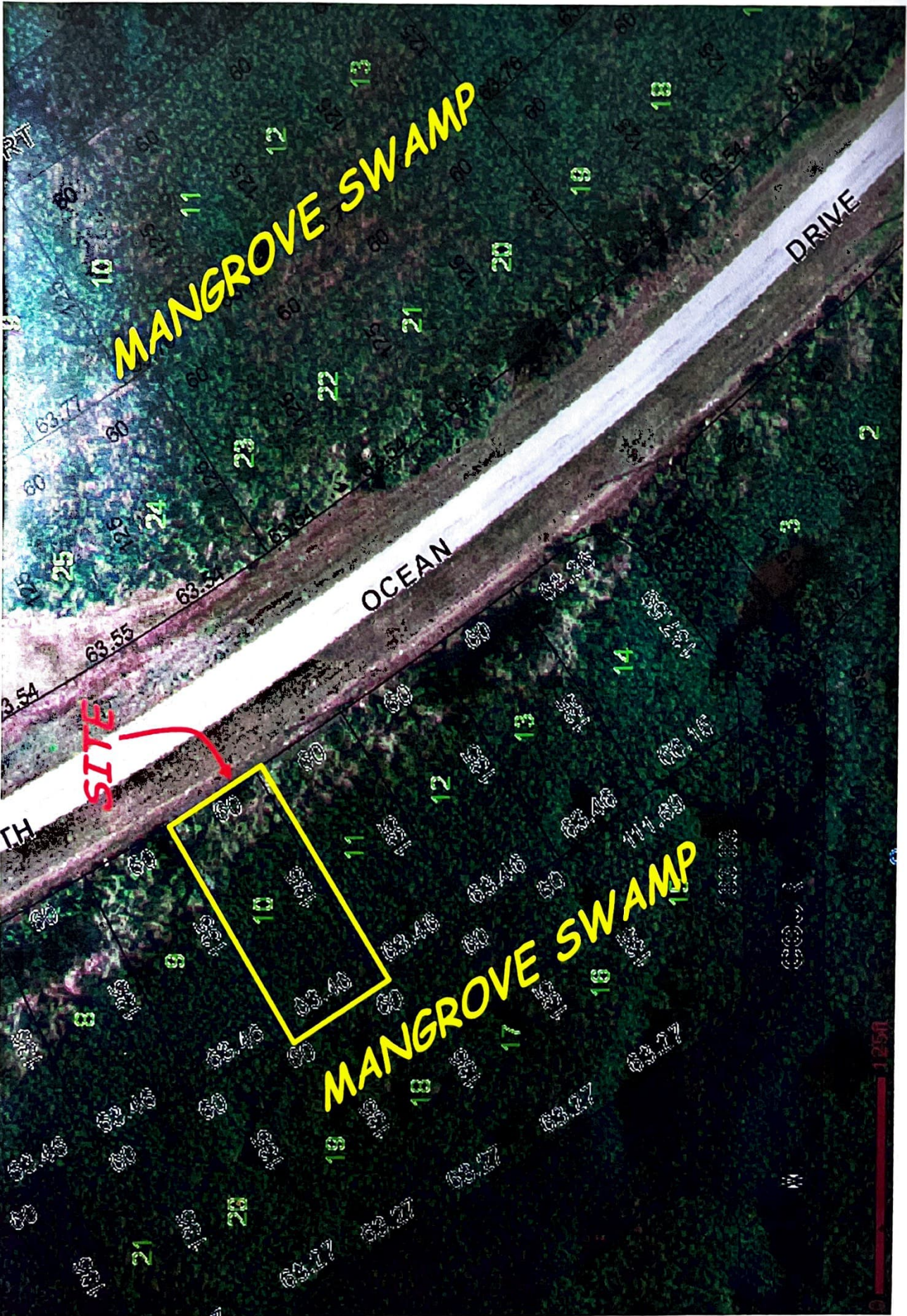
After careful review of aerial photographs, St. Lucie County soil maps, on-site soil samples, hydrologic conditions and botanical observations, it is my professional opinion, based on reasonable scientific judgment that Habitat #1 of this lot lies within the State of Florida's wetland regulatory jurisdiction. This opinion is based on the fact that the site characteristics of Habitat #1 satisfy all of the four wetland tests (A, B, C & D). In this habitat area I have found hydric soils in all of the sample locations, obligate plants dominating the ecological community and there is convincing evidence of wetland hydrology. Therefore, approximately 95% of this lot lies within a jurisdictional wetland area and could be claimed by both the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers. Any proposed dredging or filling projects within wetland areas should require an environmental resource permit from these agencies. Fines of \$10,000 per day may be imposed by the D.E.P. for unauthorized activities in wetland areas; additional fines and/or felony prosecution may be imposed by the federal government. The wetland boundary has been flagged with orange and white stripped ribbons. The approximate property corners along the roadside have been flagged using pink, green and orange fluorescent tape.

Please be advised that this assessment is an informal wetland jurisdictional determination and does not in any way bind the consultant, the Florida Department of Environmental Protection or the U.S. Army Corps of Engineers to its conclusions, nor does it convey any legal rights, expressed or implied. Persons obtaining this informal wetland jurisdictional determination are not entitled to rely upon it for purposes of compliance with provisions of law. A binding wetland jurisdictional determination can be obtained by petitioning the Florida Department of Environmental Protection for a jurisdictional declaratory statement pursuant to Rule 62-340.300, FAC, or by applying for an environmental resource permit.

Sincerely,



Mark Youmans
Environmental Consultant





SITE MAP

PIN: 2413-501-0154-000-6
Surfside Harbor Block 10, Lot 10, St. Lucie County



NON-JURISDICTIONAL
UPLANDS

WETLAND AREA

A1A - ROW

SITE

135'

63'

MANGROVE SWAMP

SITE PHOTO'S

**PIN: 2413-501-0154-000-6 ,
Surfside Harbor Block 10, Lot 10, St. Lucie County**

October 11, 2006



**CENTRAL
WETLAND
BOUNDARY
LOOKING
WEST**



**UPLAND FRINGE LOOKING
WEST FROM ROAD R.O.W.**



From: **Tony Acerra** tonyacerra@comcast.net
Subject: **Re: [EXTERNAL] Re: Please Respond / Sewer line extension
Surfside Harbor**
Date: **Nov 10, 2025 at 10:44:49 AM**
To: **Patricia Kelly** patricia_kelly@fws.gov

Good morning Patricia,

I am in the process of annexing into the City of Fort Pierce. They are asking for an official letter from you stating your approval of our sewer line install on A1A on Hutchinson Island in Fort Pierce at Bear Point Sanctuary. I sent them your below response of "Yes", but they want an official letter from your department. Could you please send that letter?

Thanks, Tony

Sent from my iPad

On Jan 19, 2025, at 2:45 PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Yes. Thanks for your patience.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov
*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Thursday, January 16, 2025 3:20 PM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Cc: Bo Hutchinson <bhutchinson@fpu.com>
Subject: Re: [EXTERNAL] Re: Please Respond / Sewer line extension Surfside Harbor

Patty,

Ok, understood. With that being said, can we get started?

Can you give us a firm

YES or No.

Thanks, Tony

Sent from my iPhone

On Jan 16, 2025, at 3:00 PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Mr. Acerra and Mr. Hutchinson,

That is correct, there can be no federal dollars used to support development into areas designated as a System Unit under the Coastal Barrier Resources Act (CBRA) unless that action meets an exception. The purposes of the CBRA are to 1) keep human life out of harms way but not supporting development in high risk areas, 2) minimize wasteful expenditure of federal funds [construction in high risk areas are likely to be repeatedly damaged and require funds to repair; 3) minimize damage to fish, wildlife, and natural resources. Expanding development via construction of water, sewer, electrical lines does not meet any exception even if the facility that supplies the utilities are located out of a CBRA System Unit, as is the case here.

No funds can be used to finance nor upgrade nor repair utilities that FPUA intends to provide to the private citizens within Hutchinson Island that occur within the CBRA Unit. We recommend that separate records are kept if FPUA ever receives federal funds to upgrade the facility that occurs outside of the CBRA Unit but that will support the residents inside of the Unit. IF FPUA receives funds to upgrade/repair/maintain the main FPUA facility that is to service Hutchinson Island, they will need to pro-rate all funds. For example, lets assume that Hutchinson Island accounts for 10% of FPUA's business. If FPUA has a \$100,000 damage to their facility and FEMA might assist in repairs, FPUA will need to pay for \$10,000 of damages out of pocket. That \$10,000 cannot be considered as part of a percentage match that is often required as

part of a Federal loan or grant for the remainder of the repair calculation.

It can get complicated but its doable. Thanks for the coordination.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov

*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Thursday, January 16, 2025 1:30 PM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Cc: Bo Hutchinson <bhutchinson@fpu.com>; Tony Acerra <tonyacerra@comcast.net>
Subject: [EXTERNAL] Re: Please Respond / Sewer line extension Surfside Harbor

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Good afternoon Patty,

As per our conversation on Friday 1-10-24, you informed me that it would be ok for Bo Hutchinson at FPUA to began the process of having the sewer line installed on A1A at the Surfside Harbor subdivision in Fort Pierce. I have a petition in place and it will be funded privately. There will be no Federal money

used for this project.

Please give an official response to this email to Bo Hutchinson so he will know we can get started on our sewer line installation process.

Thank you, Tony Acerra

Sent from my iPad

On Oct 16, 2024, at 12:19PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Mr Acerra, apologies. Its on my list but there are other pressing documents ahead of it but it will get completed. Thanks for your patience.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov

*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Wednesday, October 16, 2024 8:19 AM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Subject: Re: [EXTERNAL] Map-Sewer line extension Surfside Harbor

Good morning Patricia,

I'm sure this might be a busy time for you and I hope you fared well with the

Hurricane.

I noticed it's been about six weeks since our last email. I was wondering if you were able to send out the letter for the sewer line at Surfside Harbor.

Thanks, Tony Acerra

Sent from my iPad

On Aug 29, 2024, at 5:13 PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Hi Tony.. Sorry, I was pulled onto another project but its completed so this letter is near the top of my list. Hoping by next week it will be approved to send out.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov

*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Wednesday, August 28, 2024 8:33 AM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Subject: Re: [EXTERNAL] Map-Sewer line extension Surfside Harbor

Good Morning Patty,

I spoke to several property owners. They are very excited about finally getting sewer service to our properties at Surfside Harbor. Hope we are still on track. If there is any other information you need please call me. 732-822-1859

Thank you, Tony

Sent from my iPad

On Jul 31, 2024, at 12:56 PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

This helps a lot. Thanks.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov
*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Wednesday, July 31, 2024 11:35 AM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Subject: Re: [EXTERNAL] Map-Sewer line extension Surfside Harbor

<IMG_0194.png>

Sent from my iPad
Hi Patty,

This is the are of our MSBU. It consists of 26 lots fronting A1A only on both sides of the road represented by the red line and arrow heading south of the pizza restaurant. Our subdivision is called Surfside Harbor. For reference, the pizza restaurant is just north of the red horizontal line on the right/east side of A1A. Note, the nearest crossroad is just north of us labeled Blue Heron Blvd as shown on the map.

Thank you for your help,
Tony Acerra

On Jul 23, 2024, at 12:37 PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Thanks!

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov
*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Tuesday, July 23, 2024 11:32 AM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Subject: Re: [EXTERNAL] Sewer line extension Surfside Harbor

Patricia,

Bo's email is....bhutchinson@fpua.com.

Please copy me in.

Thank you Tony

Sent from my iPad

On Jul 23, 2024, at 12:08 PM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Hi Mr. Acerra-- I did receive the attached letter from Atlanta and tried to reach out via phone on April 9th but did not receive a return call from FPUA. I can write them a response to their request. Would you be able to find an "email address" for Bo Hutchinson, Director of Water/Wastewater Systems?

Thanks.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov

*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>

Sent: Tuesday, July 23, 2024 7:03 AM

To: Kelly, Patricia <patricia_kelly@fws.gov>

Subject: Re: [EXTERNAL] Sewer line extension Surfside Harbor

<IMG_0194.png>

Good Morning Patty,

Thank you for helping me with this matter. Above is a copy of the letter from FPUA that was sent to US Fish and Wildlife Service in Atlanta, GA. Included is a copy of the map provided to me from the MSBU that shows the area we are requesting to be serviced by the sewer line. It consists of 26 lots fronting A1A only in Fort Pierce south of Blue Heron Blvd at the Surfside Harbor subdivision. I have more than enough petitions for the MSBU, and at this point all the FPUA needs is approval to extend the line down another roughly 1,200 feet south of the red line. North of the red line has already been extended south of Blue Heron Blvd about 800 feet to the pizza restaurant. I already have obtained DEP approval and paid my mitigation fees to the Bear Point Mitigation Bank on one of my lots. All we need is a sewer line to have a buildable and conforming lot and will greatly help the environment. I have owned my two lots for 21 years and people have been paying property taxes in that section for 75 years. A lack of sewer is causing a great financial hardship for many people in that area. Most of those lots are Fort Pierce city lots, and are serviced by their water line.

Thank you,

Tony Acerra 732-822-1859

Sent from my iPad

On Jul 22, 2024, at 11:48 AM, Kelly, Patricia <patricia_kelly@fws.gov> wrote:

Perhaps. Send me the letter/info and we can figure out where you need to be.
Sorry for the delay in response.

Patty Kelly
Wildlife Biologist
& Regional CBRA Coordinator for Region 4
US Fish & Wildlife Service
Florida Ecological Services Field Office
1601 Balboa Avenue
Panama City, FL 32405

email: patricia_kelly@fws.gov
*Ph: 850-273-4611

From: Tony Acerra <tonyacerra@comcast.net>
Sent: Sunday, July 21, 2024 6:16 PM
To: Kelly, Patricia <patricia_kelly@fws.gov>
Subject: [EXTERNAL] Sewer line extension Surfside Harbor

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Good Morning,

A letter was sent to the US Fish and Wildlife Service in Atlanta, GA five months ago and no response. Bo said perhaps we need to contact a local division. Can you help me with that?

Thank you, Tony

Sent from my iPad