

St. Lucie County ERD Memorandum – Implications for Acerra Annexation

Purpose

This document summarizes the findings of the St. Lucie County Environmental Resources Department (ERD) memorandum regarding the Surfside Harbor parcels and identifies key considerations for the City of Fort Pierce when evaluating a proposed annexation of these properties.

Key Findings from the ERD Memorandum

1. The property lies within the U.S. Fish and Wildlife Service Coastal Barrier Resources System (CBRS) under the Coastal Barrier Resources Act (CBRA).
2. The area contains significant mangrove and wetland ecosystems that are subject to strong environmental protections.
3. Development in the area may conflict with multiple St. Lucie County Comprehensive Plan policies related to coastal protection, wetlands, and habitat preservation.
4. County policy requires a 50-foot native upland buffer along the Indian River Lagoon shoreline.
5. The County Comprehensive Plan requires avoidance of wetlands and prohibits unmitigated encroachment into coastal wetlands.
6. The County enforces a 'no net loss of wetland functions or values' standard for development proposals.
7. Development must comply with the most restrictive requirements of local, state, and federal environmental regulations.

Environmental and Regulatory Implications

The ERD memorandum indicates that the Surfside Harbor parcels exist within a highly sensitive coastal ecosystem that includes mangrove forests, tidal wetlands, and lagoon shoreline habitat. Development in these environments typically requires extensive environmental permitting from multiple regulatory agencies including the Florida Department of Environmental Protection (FDEP), the U.S. Army Corps of Engineers, and other state or federal environmental authorities.

In addition to permitting, development proposals would likely require wetland delineation, mitigation planning, shoreline protection measures, and engineering solutions to address tidal influence and poor soil bearing capacity.

Important Considerations for the City of Fort Pierce

Annexation does not remove federal CBRS designation. Only Congress can change CBRS boundaries.

Environmental regulations imposed by federal and state agencies would continue to apply even if the property were annexed into the City.

Utility service extensions may still be subject to federal funding restrictions and environmental review.

City land use and zoning approvals cannot override state or federal wetland protection requirements.

Approving annexation may create expectations of development that may not be achievable due to environmental constraints.

The City should ensure that applicants understand the extensive permitting, mitigation, engineering, and infrastructure requirements before pursuing development.

Policy Question for the City Commission

The key policy question for the City Commission is not only whether the parcel qualifies for annexation under Florida Statutes, but whether annexation would meaningfully change the development feasibility of the property given the extensive environmental protections identified by the County.

Understanding these constraints can help ensure that both property owners and the public have realistic expectations regarding development potential within this sensitive coastal area.

Hutchinson Island Annexation & Development Constraints

Commission Briefing Packet
Prepared for Public Hearing

Executive Summary

This briefing provides a clear overview of the environmental, regulatory, engineering, and financial constraints affecting proposed annexation and development of Surfside Harbor parcels on Hutchinson Island.

While annexation may meet statutory criteria, multiple overlapping federal, state, and local regulations significantly limit development feasibility. The purpose of this document is to ensure all parties understand the full scope of constraints before decisions are made.

Core Issue

The central question is not whether annexation is legally permissible, but whether annexation changes the practical ability to develop the property.

Conclusion: Annexation does not remove federal or state environmental constraints and does not guarantee development feasibility.

Key Regulatory Layers

Development must comply with ALL of the following:

- Federal: Coastal Barrier Resources Act (CBRA / CBRS designation)
- State: Florida Forever / Indian River Lagoon Blueway priorities
- State & Federal: Wetlands & mangrove protection laws
- County: St. Lucie County Comprehensive Plan & ERD policies
- City: Fort Pierce land use, zoning, and utility requirements

The most restrictive regulation applies.

Environmental Reality

The parcels are located within a tidal mangrove and wetland system including red, black, and white mangroves.

Implications:

- Highly regulated habitat
- Likely permitting challenges
- Limited or no buildable upland
- Significant mitigation requirements

Development Reality Checklist

Before development could occur:

1. Wetland delineation
2. Army Corps jurisdiction determination
3. FDEP permitting
4. Mangrove mitigation plan
5. Soil/geotechnical testing
6. Structural pilings design
7. Stormwater design
8. Sewer extension (force main)
9. Utility connection fees
10. City zoning compliance
11. Multi-agency approvals
12. Significant upfront financial investment

Development Cost Reality

Typical cost categories include:

- Environmental studies
- Permitting
- Mitigation credits (potentially very high)
- Engineering & pilings
- Utility infrastructure extension

These costs may exceed the value of the property.

ERD Findings (County)

St. Lucie County ERD has identified:

- Location within CBRS
- Conflict with environmental policies
- Required lagoon buffer protections

- No net loss of wetlands policy
- Development must avoid wetlands where possible

Conclusion: County has documented significant environmental constraints.

State Policy Context

The State of Florida, through Florida Forever and the Indian River Lagoon Blueway, has spent decades targeting these types of lands for acquisition and conservation.

Key Point:

These lands are identified as environmentally sensitive and often unsuitable for development.

This aligns with federal and county policy direction.

City of Fort Pierce Considerations

The City should consider:

- Annexation does NOT remove CBRS designation
- Federal/state regulations still apply
- Utility extensions may be constrained
- Development expectations may not be achievable
- Risk of creating unrealistic expectations

Annexation changes jurisdiction — not feasibility.

Key Policy Question

Does annexation create a realistic path to development, or does it create expectations that cannot be fulfilled due to environmental and regulatory constraints?

This is the central issue for Commission consideration.

Closing Statement

This issue is not new. For decades, federal, state, and county policies have aligned toward protection of these coastal systems.

The Commission's role is to ensure decisions are made with full understanding of:

- Environmental constraints
- Regulatory requirements

- Financial realities

and to ensure the public is fully informed.

State Acquisition Context – Florida Forever & Indian River Lagoon Blueway

For more than two decades, the State of Florida has actively pursued acquisition of environmentally sensitive lands along the Indian River Lagoon through the Florida Forever Program.

One of the most relevant initiatives is the Indian River Lagoon Blueway Project, which spans multiple counties including St. Lucie County. This program targets coastal wetlands, mangrove systems, and barrier island environments for conservation and public acquisition.

These lands are prioritized because they:

- Protect water quality in the Indian River Lagoon
- Preserve critical wildlife habitat
- Serve as natural buffers for storm surge and coastal flooding
- Are often unsuitable for traditional residential development

The Blueway project includes thousands of acres of mangrove wetlands and coastal habitats, many of which are still in private ownership and are acquired over time as funding allows.

Key Policy Insight:

The existence of these programs demonstrates a long-standing state policy direction: These lands are more suitable for conservation than development.

This aligns with:

- Federal policy (Coastal Barrier Resources Act)
- State acquisition priorities (Florida Forever)
- Local environmental protections (St. Lucie County ERD policies)

Implication for the City of Fort Pierce:

Even if annexation is approved, the broader policy framework across all levels of government has consistently moved toward preservation of these types of lands.

As a result:

- Development may remain highly constrained
- Acquisition by public agencies may remain a long-term outcome
- Property owners should understand the environmental and regulatory context before making investment decisions