

Presentation to the  
Board of Commissioners  
Pinellas County  
April 23, 2024

**Supporting Documentation**

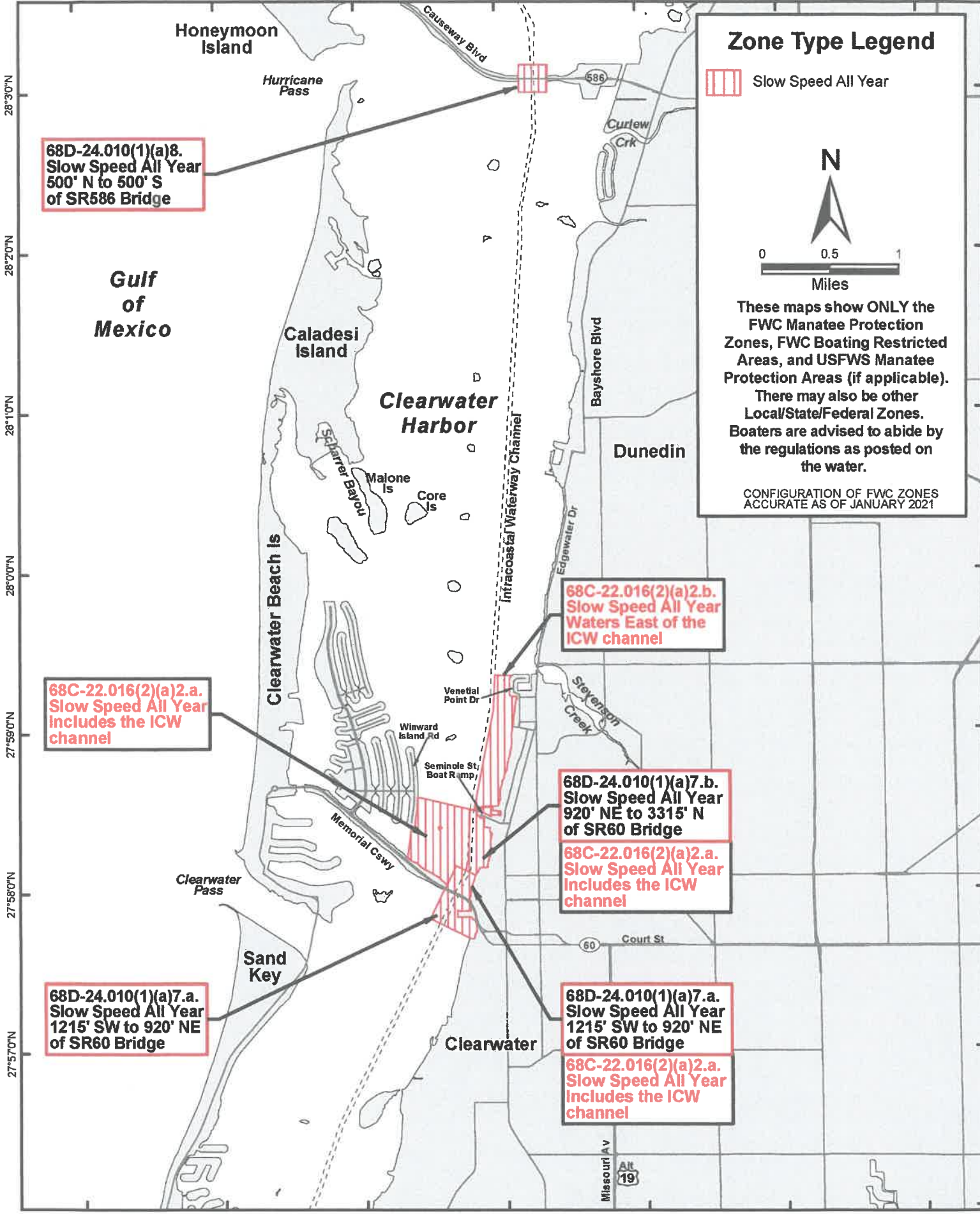
Presented by:  
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President  
Stevenson Creek Advocacy Group, Inc.  
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727-434-4056

Attachments:

Map of intercoastal and Stevenson Creek

Email to Pinellas County representatives dated April 15<sup>th</sup>

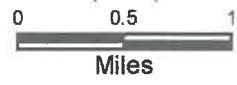
Additional information



### Zone Type Legend

 Slow Speed All Year

N



These maps show ONLY the FWC Manatee Protection Zones, FWC Boating Restricted Areas, and USFWS Manatee Protection Areas (if applicable). There may also be other Local/State/Federal Zones. Boaters are advised to abide by the regulations as posted on the water.

CONFIGURATION OF FWC ZONES ACCURATE AS OF JANUARY 2021

**68D-24.010(1)(a)8.**  
Slow Speed All Year  
500' N to 500' S  
of SR586 Bridge

**68C-22.016(2)(a)2.b.**  
Slow Speed All Year  
Waters East of the  
ICW channel

**68C-22.016(2)(a)2.a.**  
Slow Speed All Year  
Includes the ICW  
channel

**68D-24.010(1)(a)7.b.**  
Slow Speed All Year  
920' NE to 3315' N  
of SR60 Bridge

**68C-22.016(2)(a)2.a.**  
Slow Speed All Year  
Includes the ICW  
channel

**68D-24.010(1)(a)7.a.**  
Slow Speed All Year  
1215' SW to 920' NE  
of SR60 Bridge

**68D-24.010(1)(a)7.a.**  
Slow Speed All Year  
1215' SW to 920' NE  
of SR60 Bridge

**68C-22.016(2)(a)2.a.**  
Slow Speed All Year  
Includes the ICW  
channel

**From:** Stevenson Creek Advocacy Group [stevensonadvocates@gmail.com](mailto:stevensonadvocates@gmail.com)

**Subject:** Stevenson Creek Estuary - Permit application no. WND-24-00210

**Date:** April 15, 2024 at 3:11 PM

**To:** [deggers@pinellas.gov](mailto:deggers@pinellas.gov)

**Bcc:** Darrell Lakey [dlakey3233@gmail.com](mailto:dlakey3233@gmail.com), Deena Stanley [deena.stanley2015@gmail.com](mailto:deena.stanley2015@gmail.com), Sherry Day [sherrydaytampa@gmail.com](mailto:sherrydaytampa@gmail.com), Larry and Debora Fey [fey.cliff@gmail.com](mailto:fey.cliff@gmail.com), Mike Foley [mwfoley@hotmail.com](mailto:mwfoley@hotmail.com), Aimee Trachtenberg [aimeetrachtenberg@gmail.com](mailto:aimeetrachtenberg@gmail.com)



Ref: SCAG introduction and mission  
**Permit application no. WND-24-00210 concerning Stevenson Creek**

Dear Commissioner Eggers,

We are pleased to announce that a group of volunteers has formed the Stevenson Creek Advocacy Group, Inc., a nonprofit registered with the State of Florida, to represent and defend Stevenson and Spring Branch Creeks and more largely the waterways included in Watersheds no. 15 and 18. This nonprofit was created in response to the constant assault on creek and wetland wildlife and ecosystems, and the increasing nuisances for residents due to the rapid development along and around these creeks.

Today, we would more specifically like to discuss the situation of Stevenson Creek in the City of Clearwater, which features an estuary onto the intercoastal, very close to the Clearwater marina. Millions of dollars in taxpayer funds were spent on the creek between 1999 and 2010 and beyond to rehabilitate and improve it, and the authorities responsible for these works namely included Pinellas County, and the city of Clearwater. This ambitious and long-lasting project included the development of improved tidal and flood capacities, for instance with the transformation of Glenn Oaks Park in Clearwater amongst other major infrastructural works, and the dredging of polluted parts of the creek to restore a water quality suitable to attract wildlife.

Since these rehabilitation efforts were completed a little over 10 years ago, the protection of Stevenson Creek and other waterways within the city of Clearwater no longer seems to be a foremost priority, as the current policy vision appears focused on high-rise and other luxury developments in the remaining exploitable coastal/waterfront areas of the city.

As a result, there has been increasing interest from luxury developers in the pristine and wild Stevenson Creek estuary because it offers waterfront access to the new projects along the banks, while sitting less than a mile from the city's marina and downtown areas. This is a notoriously rare and expensive commodity in this area, which inevitably attracts the attention of speculators seeking the best locations and a high ROI.

Stevenson Creek and its estuary have been somewhat preserved until now, but it seems especially important to ponder any new development decision carefully so as not to create a precedent that could lead to the death of the estuary and irreversible damage to Stevenson and Spring Branch creeks.

Furthermore, during recent years, the construction of the Serena luxury complex just upland from the north side of Stevenson Creek has led to run off waters from the building sites accumulating into the floodable area on Sunset Point Road and flowing into the creek during heavy rains, contributing to poor water quality in this already distressed area.

Most recently, permitting applications are being submitted for an additional extension to the same Serena complex which overlooks the estuary, for a proposed *multi-boat dock for 9 motorized crafts* (which to date has never existed on the creek or in the estuary). The docks

are to be located just south of the Serena townhouse construction site.

As background information concerning the permitting process, the dock project and the exceptions/deviations it required were approved by the Clearwater Community Development Board on the basis that the necessary exceptions had to be granted, not only because a multi-boat dock hosting 9 motorized crafts will not affect the estuary ecosystem, but also because the developer would suffer extreme hardship if his application was not approved. In making its decision, it appears the CDB relied on an environmental report commissioned by Valor Capital in 2021. It also appears that the CDB supported its agreement to variances based on the undue hardship criteria for the applicant, even though this application concerns a multi-million dollar venture. For various administrative reason, it was not possible to submit an appeal of the decision within the imparted 15-day delay.

The city permitting hurdle being out of the way, **Valor Capital is therefore currently pursuing permitting at the Pinellas County level.** An application has been submitted to PC Water and Navigation under no. **WND-24-00210**, one of several steps to be completed. This application is currently being reviewed by Mr. Robert McWilliams, Senior Environmental Scientist at PC Watershed Management, to whom this letter is also addressed and whom we thank for his expertise.

We are hoping that this permit application review will be performed in terms of what appears to us as **positive answers to criteria (1), (4), (5), (6), (8), and (9)** as defined in the Pinellas County Code of Ordinances, ARTICLE XV - WATER AND NAVIGATION REGULATIONS Sec. 58-530- Permit required; review of applications, detailed as follows:

*“(b) The board and its staff shall consider, in its review of permit applications under this article, the following criteria. If any of the following questions are answered in the affirmative, the application shall be denied or modified:”*

(1) *Would the project have a detrimental effect on the use of such waters for navigation, transportation, recreational or other public purposes and public conveniences?*

YES – it will have a detrimental effect on use by non-motorized watercraft, fishermen, and residents, creating environmental dangers and a residential nuisance, as well as a hazard due to 9 or more motorized boats occupying the entrance of the estuary very near the narrow bridge to the inter-coastal.

(4) *Would the project have a material adverse effect upon erosion, erosion control, extraordinary storm drainage, shoaling of channels, or would be likely to adversely affect the water quality presently existing in the area or limit progress that is being made toward improvement of water quality in the area?*

YES – Stevenson Creek was extremely polluted at the end of the 20<sup>th</sup> century and underwent extensive rehabilitation works followed by dredging to restore the waters to an acceptable level that would foster the regeneration of wildlife and encourage manatee presence. This was performed with millions of dollars in taxpayer funds, namely by Pinellas County and the City of Clearwater. The creek was also adversely affected by red tide (again caused by human pollution) in recent years, even though its water quality has improved overall in the past decade and wildlife is slowly being regenerated.

While this multi-boat dock may appear relatively harmless upon first glance, the motorboats it will host are likely to produce substantial erosion of the creek/estuary bottom, especially during low tides, and contribute to poor water quality overall throughout the estuary.

(5) *Would the project have a material adverse effect upon the natural beauty and recreational advantages of the county?*

YES – Without a doubt, this is one of the most beautiful waterways in the city of Clearwater, hence its attractiveness to luxury developers, and city residents expect it to be a highly valued and protected natural habitat for both the city and county authorities. Creek residents and users currently appreciate a nearly pristine and relatively quiet estuary, where it is safe to use non-motorized crafts, fish, or otherwise peaceably enjoy this natural environment. The presence of a 9-motorboat dock would increase noise levels, effluent leaks and waste, speeding, and would likely attract events such as “sandbar parties” due to the proximity of the city marina and the presence of over 70 dwellings in the two Valor Capital developments that the docks are meant to serve.

*(6) Would the project have a material adverse effect upon the conservation of wildlife, marine life, and other natural resources, including beaches and shores, so as to be contrary to the public interest?*

YES – the restoration of Stevenson Creek has been an expensive and lengthy process. It seems contrary to the public interest and to common sense to dedicate such a large amount of taxpayer funds and commit so many public resources to the restoration of this extremely fragile environment, only to then commit more taxpayer funded resources to study and allow the construction of a multi-boat dock that will inevitably impact the wildlife, including manatees (and set a precedent for future such permits in the area).

Sea grass is growing in the creek and estuary which is also lined with mangroves, creating a haven for local wildlife. Seagrass is dependent on good water quality which our creek is struggling with. It supports food, filters contaminants and sediment, stabilizes the bottom and serves as and a breeding area for fish and shellfish, not to mention it is also a food source for the West Indian Manatees which are harboring in a few areas of the creek.

The Comprehensive Conservation Management plan reported that Stevenson Creek had the highest unit area loads for hydrologic load and Spring Branch even higher.

It is essential to promote the growth and restoration of seagrass and vegetation through improved water quality, and that is not going to happen if motorboats are attracted and encouraged to use the creek as a playground.

We already have a letter from Save the Manatee Club attesting to their concerns regarding the impact of this large dock on manatees and we are seeking the opinion of other environmental organizations to support this point.

*(8) Would the project have a material adverse effect on the safety, health, and welfare of the general public?*

YES – many long-time residents of the creek who have enjoyed a peaceable and natural lifestyle are already disturbed by motorized watercrafts speeding up and down the creek noisily, agitating the waters and disregarding the safety of other users. Residents are expressing concern that attracting many more motorboats to the area would considerably worsen the noise and reduce their enjoyment of their properties and the well-being they are accustomed to. Videos by residents are available concerning the nuisance that motorized crafts represent for residents.

*(9) Would the project be inconsistent with adopted state plans (e.g., manatee protection, SWIM plans), county and municipal comprehensive plans, other formally adopted natural resource management plans, or any other county ordinances or regulations?*

YES – Allowing a multi-boat dock to be built on Stevenson Creek Estuary is contrary to anything that has been done until now, and inconsistent with a decades old policy of defending and cleaning the creek. Our watersheds are protected and vital areas and must be vigorously and coherently defended by authorities in terms of the priorities established by this county regarding its natural resource management. Stevenson Creek features a unique estuary, located in a densely populated area. It is especially threatened, and deserves to be protected from any further development, especially those requiring exceptions or deviations to existing code provisions, that will definitely endanger the wildlife, water quality, non-motorized craft users, or

provisions, that will definitely endanger the wildlife, water quality, non-motorized craft users, as well as residents and visitors.

On behalf of concerned residents and taxpayers, the SCAG is requesting:

- 1) that this permit application no. WND-24-00210 be carefully reviewed in terms of the points stated above and that the authorities question the overall appropriateness of such a project within an endangered and protected creek;
- 2) that the clearly voiced resident opposition to the realization of this project be considered, in terms of their valid concerns over the multi-boat dock's environmental impact and the effect it will have on the well-being of area inhabitants, wildlife, and plants;
- 3) that you provide SCAG with a detailed answer to this letter, explaining the reasons for disagreeing (or agreeing) with the points brought up by its members concerning the multi-boat dock permit application contested herein.

We are looking forward to working with all of you to resolve this specific issue, and in the longer term to achieve improved protection and awareness of the vital nature of our watersheds and their many human and wild residents.

Thank you for your continued service to our communities and county. Sincerely,

Alexandra Nixon  
President  
Stevenson Creek Advocacy Group, Inc.  
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