

Analysis of Latest Mangrove Trimming Permit

John B. Smith, March 28, 2019

Revised, March 31, 2019

1. Last Issued - The last permit for trimming is dated March 24, 2017 and was approved on April 7, 2017. (Another permit was requested in February 2019; but, an approval of this request could not be found.) This 2017 permit is a modification of existing permit number MA 31/221778-4. **Debbi Fletch should be asked to provide the last permit so it can be reviewed by the engineering committee.** The permit issued in 1993 clearly defines the area within the mangroves where the mangroves may be trimmed and the trimmed height. The trimmed heights vary. The trimmed areas either keep the mangroves to a manageable height for playing golf or provide an aesthetic appearance near houses. One exception is mangroves permitted to be trimmed to provide a view of the salt water lake south of Saint Josephs.
2. Termination - The permit does not state the length of period that it covers. **The engineering committee needs to ask Florida DEP or Debbi Fletcher how often the permit needs to be renewed.**
3. Request for Transfer - The permit includes a box requesting transfer of the permit to a new owner so the GHCA needs to ensure that the permit is transferred, if needed, when the GHCA is turned over to the homeowners.
4. Area - The permit covers the entire conservation easement area and shows, via aerial photos and tables, which areas may be trimmed. In all other areas the mangroves may not be trimmed and must be allowed to reach their natural height. There are restrictions on the amount (in percentage of tree height) which may be cut annually and restrictions on the minimum height of any mangrove tree within Florida Statutes. (Florida Statutes do not allow trimming of mangrove trees over a specific height.)
5. Amount - The 1993 permit includes a table which shows the permitted trimmed height, which varies by area. Florida Statutes restrict trimming to 10 percent of the height of a tree per year and includes other restrictions. The 1994 permit, in some cases, seems to give permission to trim in a manner contrary to the 1996 Florida act on trimming mangroves.
6. Trimmings - All trimmings must be removed from the conservation easement area.
7. Complete Removal - It is prohibited to completely remove, destroy, or defoliate a mangrove tree. Prop roots and aerial roots may not be cut.
8. Mangrove Blockage of Bridges - The 1993 permit allows mangroves blocking the passage of golf carts on bridges within the conservation easement area to be cut back up to 2 feet from the bridge..
9. Invasive Species, Noxious Weeds, and Brazilian Peppers - The 1993 permit includes two instances where it requires the removal of Brazilian pepper trees or Austrian pines. It does not address whether other invasive species or noxious weed must be removed - it is a requirement of the conservation easement to maintain the vegetation predominately in its natural condition which implies invasive species or noxious weeds must be removed.

10. Mangroves Outside Easement - The Trimming permit covers mangroves within the conservation easement area. Since the permit is the renewal of an existing permit it is unclear whether mangroves within Grand Harbor but outside the conservation easement area may be trimmed under the authority of this permit.
11. Native Estuarine Plants - The trimming permit does not address the trimming or maintenance of native plants normally found in an estuary (low marsh, high marsh, or salt marsh) other than mangroves. It should be checked whether there are any restrictions on the trimming of native estuarine plants other than mangroves is included in any statutes, regulations, or the existing permit.