

Please see the Riverwatch Amendment Letter attachment below that serves as an application to remove the Riverwatch CE gas engine restriction that has been legally deeded and protecting seagrass, listed, endangered marine life and manatees since 1991. All POA residents knew about the CE before they purchased their homes. Also **see the 3-20-26 letter from FDEP Director Davila, in coordination with the Office of General Counsel, with plans to take violators of the gas engine restriction to circuit court. The scores of violators included the Riverwatch BOD president, BOD members and the Riverwatch BOD attorney who authored the Riverwatch Amendment letter in the attachment below. After the enactment of the "Boaters' Freedom Act", the FDEP General Counsel voted that this legislation did not apply to the Riverwatch CE restriction. The CE restrictions on gas engines still stand.** The FDEP Application process for removing a CE restriction deeded "in perpetuity" seems to be **fast moving** with no particular format or comment time period-see Mr. Guidoni's letter below. Also listed below is contact info for 3 top FDEP staff. Short notes are fine. Address to the blue highlighted and FDEP administrators below.

Please, please write letters to these administrators and anyone else that can save this valuable resource on the Indian River.

Thank you,

Frank Mockus and Patty Barlow

To: me, Cc: Useche,, and 1 other · Tue, Oct 20 at 11:59 AM

Good morning Mr. Mockus,

Mrs. Alonso will be conducting field training for the next few days, so I'm responding on her behalf. I've attached a copy of the letter that Riverwatch POA sent to the Department requesting to amend the conservation easement by removing the "gas motor" restriction and replacing it with an "idle speed/no wake" requirement. **Please note, because this is not a regulatory permit or state lands lease application there isn't a traditional noticing/commenting period like one would see with the standard application process, and comments can be submitted at any time.**

Please send all comments to Southeast.District@FloridaDEP.gov so they can be properly routed and reviewed. Feel free to use any of the documented info below.

Thank you,

Luciano J. Guidoni-Tovar

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7/26- 3/26- Serena Davila, FDEP Southeast Director's email to seek evidence to take violators to circuit court:

Davila, Sirena

To: me · Fri, Mar 20 at 3:54 PM

Hello, Mr. Mockus,

I just met with our Office of General Counsel to talk through the situation, and I wanted to share an update so we can continue working together toward a solution.

While the CE provides a path for the Department to pursue enforcement in circuit court, to move forward we need clear evidence showing that gas powered vessels are being used by POA members within the CE. Because our team isn't regularly onsite and we don't have the resources to monitor the channel ourselves, gathering that evidence is challenging.

To demonstrate an ongoing pattern of violation, we would need more than a single video. If you're willing to help by capturing clear footage on **multiple occasions that shows POA members using gas engines within the CE, and are open to serving as a witness for the Department, this would give us the documentation needed to proceed.**

Please let me know if this is something you'd feel comfortable assisting with. We appreciate any partnership that helps us ensure compliance.

Thank you,

Sirena

Marine Experts Speak Out to Save Riverwatch CE

- **Dr. Grant Gilmore, Senior Scientist, Estuary and Coastal Science, Inc. researched the Riverwatch Conservation Easement area for decades and stated, “The barrier island habitat in this region of the Lagoon is the only nursery habitat for marine mangrove fishes, Goliath grouper, gray snapper, snook and tarpon ncluded.”**
- **Jim Moir, Indianriverkeeper, stated, “Sediments will certainly disturb the benthic infaunal community in this area that is a transitional zone between mangrove and seagrass ecosystems. This area is a critical fish habitat within the aquatic preserve. The area provides important refuge and habitat for endangered and threatened species. I have a hard time imagining a single good reason for granting exemptions to the prohibitions on this property.”**
- **Andreas Mager, Jr., of the National Marine Fisheries Service, wrote of the mangroves which border the Conservation Easement “The site**

includes area identified as Essential Fish Habitat (EFH) by the South Atlantic Fish Hatchery Council.”

- **Amy Griffin, Director of the St. Lucie County Environmental Resources Department, requested that the DEP “...deny any such request that could harm our local aquatic resources and contradict our local regulations protecting this valuable resource.”**
- **Conservation Alliance of St. Lucie County with Audubon, Sierra Club, Indian Riverkeeper and Presidents Club on Hutchinson Island wrote to the FDEP “that the permits be denied on the basis of impacts to the Aquatic Preserve.”**
- **Tiare Fridrich, M.P.S., Manatee Biologist, Save the Manatee Club, stated, “Manatees utilize the conservation easement as refuge for foraging, resting, and calving. For this reason, Save the Manatee Club is opposed to any action that would reduce the size of the conservation easement or allow any uses not currently permitted.”**