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A Volusia County Treasure Under Threat: Spruce Creek and the Pioneer Trail Interchange

(NEW SMYRNA BEACH, FL – May 24, 2023) - Ask any New Smyrna Beach or Port Orange resident about Spruce Creek, and you'll most likely hear stories of an idyllic place, and of time spent fishing, paddling, and picnicking on the shore or marveling at the abundant diversity of plant and animal life that call the 16-mile long meandering waterway home.

Those memories of this Volusia County treasure are slowly eroding as the ironies of “progress” take over. Although deemed an Outstanding Florida Waterway, housing developments, roads, shopping centers, and other impacts of population growth have taken their toll and introduced dangerous levels of pollutants that harm fish, wild animals, plants, and the people who live nearby.

Today, Spruce Creek is facing a combination of threats exacerbated by shifts in climate, increasing pollution, and development of natural drainage and filtration lands. A proposal for a contentious highway Interchange at I-95 and Pioneer Trail continues to loom over the area despite the overwhelming opposition expressed by residents, environmentalists, and community leaders. On February 28th, 2023, the St. Johns River Water Management District finished their year-long assessment and issued a permit, but citizens from the “Save Don't Pave Spruce Creek” coalition immediately spoke up against the many errors it contained, and filed formal legal action to stop it.

In a parallel permitting process, the EPA sustained an objection to the Florida Department of Environmental Protection's handling of their own permitting, which has reverted jurisdiction of that review away from the FDEP and back to the U.S. Army Corps of Engineers. Any citizen wishing to share their views on this project is welcome to submit comments to the Army Corps by the May 29, 2023 deadline at Veronica.C.Beech@usace.army.mil or by telephone at 850-763-0717, Ext. 6.

Save Don't Pave Spruce Creek

A group of concerned citizens created the Save Don't Pave campaign to encourage regulators and elected officials to take seriously the citizen opposition that was presented at the two public hearings about the project in 2018 and 2020. They are seeking a halt to the Interchange, get stronger protections for Spruce Creek waterway and its nature Preserve, and create more transparency regarding the societal and environmental costs that such a project would permanently bring to the area.

According to Derek LaMontagne, local conservationist and researcher for the Save Don't Pave Spruce Creek campaign, the latest FDOT plans show a project footprint that has expanded beyond what was ever presented in those public meetings.

“The price tag has *tripled* since the initial public meeting in 2018, to over \$120 million dollars, and much of this cost is due to extra construction projects being added which have nothing to do with an Interchange,” he said. “Based on the permitting website, it looks like the FDOT has secretly added three new and unrelated parts to the project, including two new developer road stub-outs and a roundabout. These parts were never presented at a public meeting and we feel they are a ‘poison pill’ which should make even supporters of the Interchange question why this is getting pushed forward. With over \$100

million coming from ARPA stimulus dollars, do we really want to cause more inflation by wasting so much money on something that provides no statistical traffic benefit according to experts?"

The all-volunteer group has hosted fundraisers and is distributing yard signs to interested residents in the New Smyrna Beach and Port Orange areas. Their interest is in protecting the impaired and imperiled creek, which studies found to be polluted in 2008, but for which FDEP never implemented a Basin Management Action Plan (BMAP) to start the clean-up process, as required by state law. Without accurate information about the health of Spruce Creek, the Save Don't Pave group is concerned there is no way to truly understand how much deterioration is taking place, which just further raises the question as to why this polluted Outstanding Florida Waterway doesn't have a BMAP to protect it like nearly all other impaired waterways in the state.

"A BMAP is needed if we wish to protect Spruce Creek," noted LaMontagne. "We as a community are impacting this ecosystem with additional pressures every day, and the biggest threat is loss of natural habitat caused by overdevelopment. It is unwise to proceed with more development until we truly understand these impacts, and these concerns were echoed in the EPA objection to this Interchange project. We must take a careful look at wetland mitigation, as *over 70%* of the project footprint is wetlands, and flooding vulnerability in that area of New Smyrna Beach is real. The EPA objection was a meaningful validation, but now we need to continue to raise awareness and get the public to demand we stop the irreversible harms we are facing from this Interchange."

In the last few weeks, the Save Don't Pave group has filed a petition requesting an administrative hearing and challenging the Water Management District's permit that would allow construction of the Interchange to proceed. According to Macie Codina, an environmental attorney at Guilday Law, P.A. in Tallahassee who is representing the Petitioners, "the Pioneer Trail / I-95 Interchange permit must be revoked, or at a minimum postponed, until the Florida Department of Transportation conducts the proper federal and state environmental assessments for the *entire project as it is proposed to date.*" Codina elaborated "By failing to assess the environmental and cumulative impacts of the project in its entirety, FDOT and the St. John's River Water Management District are jeopardizing the fragile and already deteriorating ecosystem in and around the Spruce Creek basin. Protecting the uplands, vegetation, and waterways of the Spruce Creek basin is crucial for nutrient cycling throughout the basin as well as protecting essential habitat for Florida's native, threatened, and endangered species."

Protecting Spruce Creek Preserves Old Florida

The state of Florida began acquiring land along Spruce Creek in 1990, spending more than \$19 million to cobble together nearly 2,500 acres to create the Doris Leeper Spruce Creek Preserve. With the intent of protecting "one of the largest tracts of undeveloped land left in this region along the estuary of Spruce Creek and . . . to maintain the water quality of the creeks and bays here . . .", Florida Forever has assembled a crown jewel of a treasured Old Florida forest for all citizens. But the envisioned area isn't complete, and an "essential parcel" that lies at its Southwest Corner is earmarked to be paved over by the planned I-95/Pioneer Trail Interchange.

Save Don't Pave encourages those interested in helping to challenge the Interchange to send comments to the Army Corps this week before the May 29th deadline. According to Lori Sandman, a local attorney, landowner along Spruce Creek, and co-founder of a citizens group focused on protecting the creek, the fragile ecosystem is directly threatened. Sandman explained "The consequences to the environment we are seeing now cannot be ignored. We are losing critical natural areas to development and are

witnessing the result. Flooding and other impacts to existing homes and infrastructure are obvious; impacts to threatened and endangered species are documented. We have the ability to stop this wasteful and unwanted government project, but we need to act now.”

For more information about Save Don't Pave Spruce Creek and to learn what you can do to help, please visit their campaign website, <https://savedontpavesprucecreek.com/>, or their social media pages.



Derek LaMontagne



Macie Codina



Lori Sandman