



SURFRIDER FOUNDATION
SOUTH FLORIDA CHAPTER

September 20, 2006

Mayor Seymour Roth
Bal Harbour Village
655 96th Street
Bal Harbour, Florida 33154

Mayor Roth,

The Surfrider Foundation is a non-profit environmental organization dedicated to the protection and enjoyment of the world's oceans, waves and beaches for all people. We have over 65,000 members around the world that focus their energies within local chapters to effectuate positive change. We have over 300 members in our South Florida Chapter, some of which are Village residents.

Recently, Surfrider members have brought photos and other documentation to our attention that the walkway within the Village along Haulover Inlet and the State leased parking area under the Herman B. Fultz (Baker's Haulover) Bridge have been closed and are being used for storage of materials in conjunction with the construction of a nearby condominium project. This effectively eliminates all public fishing, diving, surfing and beach bathing on the south side of Haulover Inlet.

As I'm sure you're aware the beach along south Haulover Inlet within Bal Harbour Village is a special place. Many Miami-Dade County residents, Floridians, and visitors from around the world come to enjoy recreational activities there. You may not be aware, but due to the areas unique currents, bathymetry and other features it is often the only place in the County where one can find the most optimal conditions for such activities.

We have been informed by Charles Stevens with the U.S. Army Corps of Engineers that the reason for closure of the beach access walkway is to make improvements. While we support the improvements, we do not see that any work has commenced at this time; nearly two months after the closure took place. More so, we have been advised that pertaining to the State leased area under the Herman B. Fultz (Baker's Haulover) Bridge "no land shall be used for other than the accommodation of public facilities, including the parking of automobiles". The members of South Florida Surfrider believe Bal Harbour Village has a moral and legal duty to correct these situations.

We would like to initiate purposeful dialogue with you to resolve the aforementioned matters and their conflicts with the Army Corps of Engineers (ACE) "Water Resource Policies and Authorities, Federal Participation In Shore Protection" regulations, Florida's Beach Management Funding Assistance Program and Bal Harbour's municipal code.



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The members of South Florida Surfrider have thoughtfully discussed this issue and propose the following reasonable remedies. Foremost, until actual construction of the access walkway improvements begin, immediately re-open the Haulover Inlet beach access within the Village and the parking lots associated with that beach access point. In addition, enforce the use of public parking lots and easements to their mandated use so taxpayers have full and complete use of amenities.

Prior to closure and construction on the improvements to the Haulover Inlet beach access walkway, provide an alternative beach access point with sufficient parking for the public so as not to create a “de facto restriction on public use” as ACE regulations specifically preclude. Done correctly, we believe the proposed use of Bal Harbour Club as a temporary, alternative access point is a suitable option. We would appreciate the opportunity to work with the Village on the plans for use of the Club prior to their implementation.

Also, before renovations and over the long term we believe a “reasonable rate” needs to be addressed for the state leased parking lot under the Herman B. Fultz (Baker’s Haulover) Bridge, along with the need for expanded facilities such as restrooms and multiple showers for convenient use of the beach. Considering the Village has accepted public funding for large scale beach projects as well as favorable leases to meet requirements for public access, there is a strong argument against such a high parking meter rate.

It is our sincere hope that the Village follows the precedence of its founder Robert Graham when he rented the land that encompasses the current Village, back in 1940, to the U.S. Air Corps for \$1. The grace and generosity of ‘giving back’ to the public in appreciation for the significant resources they’ve provided to maintain the shoreline, which so much defines Bal Harbour Village, would indeed be a noble gesture.

Sincerely,

Sam Proffitt
Chairman
Surfrider Foundation
South Florida Chapter