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PRESS RELEASE

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PROPERTY OWNERS SUE U.S. ARMY CORPS TO SAVE ST. LUCIE RIVER

Washington, DC—Twenty Central Florida property owners filed suit today against the United States seeking damages for the U.S. Army Corps of Engineers' destruction of their riparian rights to the use and enjoyment of the St. Lucie River resulting from the discharge of highly polluted Lake Okeechobee water into the St. Lucie estuarine system. The Corps' discharge of pollution, including huge mats of toxic blue-green algae, has devastated the ecology of the St. Lucie, and destroyed the human enjoyment of the River as well. The suit, seeking \$50 million in damages, was filed in the U.S. Court of Federal Claims in Washington, D.C.

“Today’s lawsuit represents an important step forward in the battle to save the St. Lucie River, and has the potential to be a precedent-setting case,” said Roger J. Marzulla, a Washington D.C. attorney who represents the plaintiffs. “It is only fair, and is also constitutionally required, that the Corps compensate homeowners for all the damage that it has caused to the St. Lucie River,” added Mr. Marzulla. “If the lawsuit is successful, the Corps will see that there is a cost associated with its pollution, and we are optimistic that the government will stop polluting the River.”

The Corps’ operational plan for Lake Okeechobee, by which it periodically releases large quantities of water from the Lake into the St. Lucie River, is killing the River, while destroying the use and enjoyment of the River by adjacent homeowners. Releases of the polluted water of Lake Okeechobee have, over time, severely degraded the St. Lucie River estuary, wiping out native fish and plant species and causing massive algae blooms. As a result, the water in the St. Lucie River is unfit for human contact and cannot be used and enjoyed for swimming, boating, or fishing. In fact, much of the St. Lucie today is a biological dead zone. The plaintiffs are seeking damages for the government’s unconstitutional taking of their riparian rights to swim, boat, fish and enjoy the St. Lucie. All monetary awards will go into a fund to clean up the St. Lucie River.

Support for the lawsuit came from David Guest, an attorney with the environmental law firm Earthjustice, who said: "Lake Okeechobee is the largest drinking water source in South Florida. It is facing a pollution crisis that is being transferred by the Corps of Engineers to the St. Lucie and Caloosahatchee Rivers and Estuaries." A fuller explanation of the issue is set out in an Earthjustice report titled "The Lake Okeechobee Pollution Crisis and the St. Lucie River and Estuary" which is posted on the Earthjustice website at

<http://www.earthjustice.org/library/reports/lake-okeechobee-pollution-crisis-and-the-st-lucie-river-and-estuary.pdf>. Additional information on the economic, ecologic, and public health concerns associated with toxic blue-green algae can be found on the Earthjustice website at http://www.earthjustice.org/library/legal_docs/comments-of-proposed-water-transfer-rule-part-2.pdf.

Marzulla & Marzulla is a Washington, D.C.-based law firm with extensive litigation experience handling environmental and property rights litigation, including representation of the State of Florida. For further information about the lawsuit, call (202) 822-6760, or go to www.marzullalaw.com.

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