

Beach project OK'd

Judge approves Boca plan to pump sand ashore

By BARBARA J. DURKIN
Staff Writer

BOCA RATON — U.S. District Judge Norman C. Roettger Jr. on Friday rejected a request to halt the city's plan to widen north beach, delivering what may be the final blow to environmentalists who have protested the project for three years.

City officials' nervous anticipation of the federal court order was heightened because City Manager Jim Rutherford on June 3 had quietly told B.K. Marine Inc. to begin work on the project with-

out waiting for a decision.

The city could begin to pump sand onto the 1.45-mile stretch of beach along Spanish River Park within the next two weeks, said Rick Spadoni, the city's coastal engineer.

"I'm thrilled the three-year battle is over," Mayor Emil Danciu said. "Right now, we're moving ahead and getting the job done. This is what's good for the citizens of Boca Raton."

The judge, in a 30-page decision, said that the 12-party coalition of environmentalists had failed to meet any of the four conditions needed to win an injunc-

tion. Attorneys for the coalition said they would decide next week whether to appeal Roettger's decision.

Roettger dismissed as invalid the environmentalists' arguments that the beach was not eroded, that the project would harm marine life and nesting sea turtles, and that the U.S. Army Corps of Engineers had insufficiently reviewed the project before approving it.

"The pattern of beach erosion, as well as the resulting higher percentage of relocated turtle nests annually, indicates any delay would disserve the public interest," Roettger wrote.

"A review of the corps' findings . . . clearly indicates that the corps gave significant consideration to the effect the project would have on recreation as a whole. Indeed, the entire purpose of the project is to enhance opportunities for recreation in the project area."

The ruling came as a relief to city officials, who had been waiting for the decision since Roettger visited the beach more than a week ago.

"We're ecstatic," said attorney AJ Malefatto, who represented the city.