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## READER SNAPSHOT

Bill Capie found this bald eagle in flight over a pond at the River Club in Indian River Shores. Capie reports that the wading birds made a hasty exit when the eagle appeared, but the diving ducks were unfazed by the visitor. CONTRIBUTED PHOTO BY BILL CAPIE

# Hurchalla trial goes into its second week

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STUART — As the trial of environmentalist Maggy Hurchalla entered its second week, Judge William Roby touched on an uncomfortable undercurrent.

"She's a wonderful lady," Roby said Monday morning about Hurchalla, a prominent Martin County citizen who served the community as a county commissioner and through a variety of environmental causes. "The question is whether or not certain (improper) statements were made."

That tension — a revered figure accused of doing something improper — is one that could influence six jurors when they decide whether to find Hurchalla, 77, guilty of interfering with contracts between Lake Point, a private company, and Martin County and the South Florida Water Management District.

Lake Point filed suit against the county and the district for breach of contract in 2013 and later added Hurchalla to the suit for her alleged interference in those contracts, which laid out the mining and water-quality projects Lake Point would conduct on its swath of land near Lake Okeechobee.

Specifically, Lake Point alleges Hurchalla's statements to county commissioners about wetland damage caused the commission to breach its contract.

Jurors must determine whether Hurchalla's words were lies intended to harm Lake Point or simply the questions of a private citizen concerned about wetlands.

On Monday, Hurchalla's defense team continued its case, and in late morning called ecologist Greg Braun as an expert witness.

Braun testified that a series of Google Maps photos showed Lake Point had destroyed one of a dozen wetlands identified on the western-Martin County property.

"Unquestionably in 2006 wetlands are present," he said as he looked at aerial photos. "In January of '09, impacts were made to those wetlands ... and then later in '09 we can see some fill material had been brought into the area."



Lake Point Restoration, a rock-mining company located in western Martin County, is seeking \$22 million in lost profits from Maggy Hurchalla (pictured), a former Martin County commissioner, in a civil trial that began Feb. 5 at the Martin County Courthouse. LEAH VOSS/TCPALM

On cross-examination, Braun said he had not visited the property or taken soil samples.

Braun's testimony contradicted statements given last week by Ed Weinberg, an environmental consultant involved in Lake Point's planning and permitting processes, who testified that Lake Point had not destroyed wetlands.

Lake Point is seeking \$4 million in damages from Hurchalla.

The company contends it suffered \$22 million in damages, but a \$12 million financial settlement with Martin County and a business agreement valued at \$6 million with the South Florida Water Management District leave \$4 million remaining, according to Lake Point attorneys.

Billionaire and Lake Point owner George Lindemann Jr. and Hurchalla are expected to testify Tuesday.