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The Fellsmere Water Management Area, which has cost taxpayers many millions since breaking ground nearly a decade ago, is seen in December. St. Johns River Water Management District bought most of the property for the 10,000-acre reservoir. XAVIER MASCAREÑAS/TCPALM



Maggy Hurchalla (seen Feb. 5) seemed relaxed on the stand, talking about her background and sharing anecdotes that got laughs from those in the courtroom. LEAH VOSS/TCPALM

Hurchalla takes stand in civil trial

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STUART — For nearly five years, Maggy Hurchalla has stood by her assertion that Lake Point's mining project in western Martin County destroyed wetlands.

On Tuesday — the seventh day of her civil trial — Hurchalla did not waiver.

"I think it was a rational conclusion," Hurchalla testified in Judge William Roby's courtroom. "If you fill a wetland it will be destroyed."

Lake Point disagrees, and in 2013 filed suit against Hurchalla, alleging that she made misleading statements which interfered with contracts that the company held with Martin County and the South Florida Water Management District, costing Lake Point millions of dollars.

On Tuesday, Hurchalla, for the first time, had the chance to tell jurors her side of the story.

Much of Hurchalla's testimony focused on the content of emails she sent in 2013 to County Commissioners Sarah Heard and Ed Fielding and former County Commissioner Anne Scott on the elected officials' personal email accounts.

Questions about Lake Point that she posed in those emails were not intended to mislead, just to elicit more information, she said.

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"It's much easier to get answers from staff if a commissioner asks the questions," Hurchalla said.

Instructions that Hurchalla gave commissioners about how to proceed with Lake Point was simply advice from an experienced environmentalist and former five-term county commissioner, she said.

"I cared that the contract was going to be followed," said Hurchalla, whose signature on one email was "Deep Rock Pit" and on another "Miss Machiavelli."

Asked by defense attorney Howard Heims whether she ever deliberately misrepresented facts regarding Lake Point, Hurchalla replied no.

Hurchalla — an environmentalist who speaks frequently in public — seemed relaxed on the stand, talking about her background and sharing anecdotes that got laughs from the courtroom.

During cross-examination, however, exchanges between Hurchalla and Lake Point attorney Ethan Loeb grew more heated, particularly with regard to Hurchalla's deletion of emails related to the case.

"Except for the tone of voice, that's correct," Hurchalla responded to Loeb at one point, later informing him that "Your interpretation is imperfect."

The production of Lake Point-related emails is at the heart of not only Hurchalla's civil trial but also pending criminal cases against Fielding and Heard.

Both have pleaded not guilty to misdemeanor charges for public-records violations, according to the State Attorney's Office. Heard also faces a non-criminal infraction related to her handling of public records.

Earlier Tuesday, Lake Point owner George Lindemann Jr., testified that Lake Point's harmonious relationship with the Water Management District and the county fell apart in 2012.

"Something changed fast," Lindemann said. "It was devastating to all of us at Lake Point."

Heims, while questioning Lindemann, focused on whether Lake Point rushed into litigation rather than voicing its concerns at the multiple County Commission meetings where the project was discussed.

"The commission wanted a spectacle, not answers," Lindemann said.

Lake Point already had reached out to the county to request a meeting — the proper venue for that type of discussion, according to Lindemann.

Closing arguments are expected Wednesday.