



Florida Department of Environmental Protection

South District
Post Office Box 2549
Fort Myers, Florida 33902-2549
SouthDistrict@dep.state.fl.us

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

REQUEST FOR ADDITIONAL INFORMATION

November 30, 2016

City of Cape Coral
c/o Jacob Schrader
Avalon Engineering, Inc.
2503 Del Prado Boulevard South, Suite 200
Cape Coral, FL 33904
jack@avaloneng.com

Re: First Request for Additional Information (RAI)
Lee County – Environmental Resource Permitting Program
Site Name: City of Cape Coral – Chiquita Lock
Site ID: 244816
DEP Application No.: 244816-005

Dear Mr. Schrader:

Thank you for your application for an Individual Environmental Resource Permit for the above referenced Site. The Department has assigned DEP Application No. 244816-005 to the application. A Department staff review of the application and supporting documentation submitted on October 31, 2016, indicates the application is incomplete. Pursuant to the provisions of Chapter 62-330, F.A.C., please provide the information in the attached document and refer to this correspondence in your response.

In order for the Department to continue processing your application, please submit the requested information as soon as possible. The Department must receive a response within 90 days of the date of this letter, February 28, 2017, unless a written request for additional time to provide the requested information is submitted and approved. Pursuant to Chapter 62-330 and Section 120.60, F.S., failure of an applicant to provide the timely requested information by the applicable deadline may result in denial of the application. You are encouraged to contact this office to discuss the items requested to assist you in developing a complete and adequate response.

City of Cape Coral
Page 2 of 2
November 30, 2015

Please submit the response in electronic format to Daniel.Sensi@dep.state.fl.us with a copy to SD_ERP_Permit@dep.state.fl.us.

If you have any questions, please contact me by telephone at 239-344-5614 or by e-mail at Daniel.Sensi@dep.state.fl.us.

Sincerely,



Megan Mills
Permitting Program Administrator South District
Florida Department of Environmental Protection

v. 1.4

cc:

Tony Janicki, Janicki Environmental, Inc., tjanicki@janickienvironmental.com

Oliver Clarke, City of Cape Coral, oclarke@capecoral.net

John Szerlag, City of Cape Coral, jserlage@capecoral.net

John Cassani, jcass927@gmail.com

Daniel Sensi Daniel.Sensi@dep.state.fl.us

Attached: List of Requested Information

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1. Please submit the required \$420.00 non-refundable, application processing fee. The fee is payable electronically at www.fldepportal.com/go/pay. Please use 0244816-005 as the application ID. If the fee cannot be paid electronically, please contact your processor. *[Rule 62-4.050, F.A.C.]*
2. Section C, Part 2, Question 3 of the application addresses the water **quantity** impacts from the proposed project. The response provided in the application addressed water **quality** impacts. Please provide a response to the potential for water quantity impacts from the proposed project. This may be demonstrated by modeling the water budget with and without the lock present. *[Applicant's Handbook, Volume I, Section 10.2.2.4, and Applicant's Handbook, Volume II].*
3. Please provide the location of the spoil disposal site for the removed materials, ensuring they will be placed in an upland location of adequate size to hold the material. If there is a need for dewatering of the spoil please indicate the discharge details for that return water. *[Applicant's Handbook, Volume I, Section 10.2.4.1]*
4. Please provide a comparison between water quality data collected as a requirement of Consent Order #15 and the water quality data currently collected by the City of Cape Coral. Please also compare this data to the development of the area, showing any trends between water quality and the percent build-out of the subdivision. Additionally, please clarify that the canals are meeting water quality standards for all other parameters, in addition to Total Nitrogen (TN) and the unionized ammonia exceedances that were specifically referenced in the report by Janicki Environmental. *[Applicant's Handbook, Volume I, Section 10.2.4]*
5. Regarding TN, the report by Janicki Environmental, seems to defer to the Department's pending analysis of data to determine the best loading estimate from the South Spreader Waterway. It is unknown when this will be finalized. In additional discussions with Department staff about the nature of the Department's model, it does not seem that the model is necessarily at the appropriate scale to support the characterizations being made. Please provide the reasonable assurance that the removal of the lock will not result in an increase of loading of TN to the Caloosahatchee River. *[Applicant's Handbook, Volume I, Section 10.2.4]*
6. It is understood that the City is currently obligated to meet the current BMAP allocations for TN reduction to the Caloosahatchee. Please provide the City's plan to achieving that goal.
7. Enclosed in this Request for Additional Information are comments received from various entities. Please respond to the enclosed comments as applicable. Both the comments and respective responses will be considered in the evaluation of your application, as appropriate.