



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
11420 N. Kendall Drive, Suite 104
Miami, Florida 33176

1699

Regulatory Division
South Permits Branch
1995-6797 (IP-RK)

December 20, 2005

Mr. Steve Torcise
Atlantic Civil Inc.
C/O Ed Swakon
EAS Engineering, Inc.
55 Almeria Avenue
Coral Gables, FL 33134

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EAS ENGINEERING, INC.

Dear Mr. Torcise:

Reference is made to your letter dated November 17, 2005 in which you voluntarily agreed to restrict fill to areas north of SW 360th Street until December 15, 2005. This fill was authorized for agricultural activities by Corps permit 1995-6797 in 535.7 acres of freshwater wetlands located east of U. S. 1, north of Card Sound Road, and south of SW 344th Street in Sections 27 through 33; Township 57 South, Range 39 east and Sections 4, 5 and 6, Township 58 South, Range 39 east Miami-Dade County, Florida. Your agreement to refrain from filling the southern portions of your property allowed time for the Corps of Engineers to determine the extent of possible conflict between ongoing Comprehensive Everglades Restoration Projects (CERP) and fill at this site.

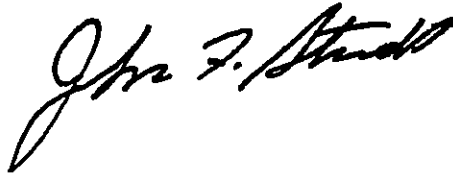
At this time, the Corps is unable to conclude that there exists a direct conflict between the filling you are authorized to conduct and CERP projects in the area, since the permitted fill would only allow use of the areas for agricultural purposes. The Corps appreciates your voluntary efforts to refrain from fill during this period. You are authorized to conduct the activities as allowed under permit 1995-6797. The expiration date of this permit is August 21, 2006.

The Corps is aware of Atlantic Civil, Inc.'s potential interest in constructing homes on the area that is being filled for agriculture. The Corps is in receipt of the permittee's July 2005 request for Development of Regional Impact review. Please be advised that should Atlantic Civil make a decision to proceed with construction of infrastructure on this fill, it would be a substantial change in use and therefore would require a permit modification from the Corps. This review will be required even after the area is entirely filled or after the

expiration date of the permit. Since such a change in use of the fill would be substantial, a full and careful public interest review, including public notice, would be required by the Corps. Such a change in use may have very different impacts on not only the Comprehensive Everglades Restoration Plan (CERP), but also on the aquatic environment.

Point of contact for this correspondence is Robert Kirby and can be contacted at the letterhead address, by telephone at 305-274-1035, or email Robert.J.Kirby@SAJ02.usace.army.mil

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Studt". The signature is written in a cursive style with a large, sweeping initial "J".

John F. Studt
Chief, South Permits