



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232-0019

May 31, 2011

REPLY TO  
ATTENTION OF

Regulatory Division  
Special Projects and Enforcement Branch  
Fort Myers Section  
SAJ-2007-00679 (IP-SMB)

City of Cape Coral  
P.O. Box 150027  
Cape Coral, Florida 33915

Ladies and Gentlemen:

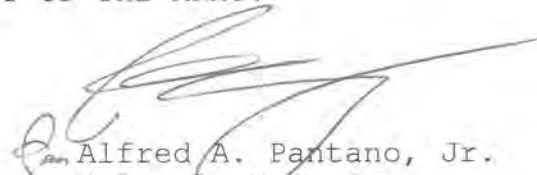
This refers to the Department of the Army permit application which you submitted. The application has been assigned number SAJ-2007-00679 (IP-SMB).

This office has received information that the State of Florida Department of Environmental Protection (DEP) denied your request for a permit. The DEP notification was dated May 13, 2011 and is identified by tracking number 36-0295854-002.

By regulation, specifically 33 CFR Part 320.4(j), this office may deny permits when required State or local authorization and/or certification has been denied. Accordingly, your application for a Department of the Army permit is hereby denied without prejudice.

This denial does not prohibit submittal of future applications. You must notify us in writing if your proposed work is approved by the DEP in the future. Further consideration will be given to your application at that time.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

  
Alfred A. Pantano, Jr.  
Colonel, U.S. Army  
District Commander

Copies Furnished:

bcc:

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Cynthia Ovdenk, Army Corps of Engineers, Special Projects and  
Enforcement Section (CESAJ-RD-PE)