



**LEE COUNTY**  
SOUTHWEST FLORIDA

Writer's Direct Line (239) 533-2236

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October 21, 2011

Kirk S. White  
Assistant General Counsel  
Florida Department of Environmental Protection  
3900 Commonwealth Boulevard, MS #35  
Tallahassee, FL 32399-3000

Re: Second Amended Consent Order  
OGC Case No. 06-2345

Dear Mr. White:

In response to your letter of September 20, 2011, regarding the issues concerning the Ceitus Boatlift, please be advised that Lee County cannot agree to the proposals outlined in your letter on the options proposed by the City of Cape Coral to resolve the conflict. Lee County insists that a solution involve an immediate restoration of the Ceitus Boatlift to address the significant water quality concerns existing in the Pine Island and Matlacha areas.

Unfortunately, I do not see an option at this point other than to proceed with the legal alternatives to obtain the desired results. I will continue to monitor my client's desires and instructions and advise if there is any change of position.

Thank you for your cooperation in this matter and the opportunity to discuss these issues with you.

Yours truly,

John S. Turner  
Chief Assistant County Attorney

JST/sch

cc: Karen Hawes, County Manager

RECEIVED  
OCT 26 2011  
DEPT. OF ENVIRONMENTAL PROTECTION  
OFFICE OF GENERAL COUNSEL