



Florida Department of Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

REQUEST FOR ADDITIONAL INFORMATION

June 22, 2016

Kanter Real Estate LLC
C/O John Kanter
2601 S. Bayshore Dr., Suite 1450
Miami, FL 33133
jemia@bellsouth.net

Re: Third Request for Additional Information (RAI)
Broward County – Environmental Resource Permit
Site Name: Kanter 23-1
Site ID: 06-0336409-001
DEP Application No.: 06-0336409-001

Dear Mr. Kanter:

Thank you for the additional information submitted on May 23, 2016, for DEP Application No. 06-0336409-001 for an Individual Permit. The additional information has been reviewed and the information requested below is still needed to complete the application. Pursuant to the provisions of Chapter 62-330, F.A.C., please provide the information listed below and refer to this correspondence in your response.

1. The proposed mitigation plan describes a real property conveyance of other Kanter-owned lands within Water Conservation Area (WCA) 3A South. Although the information does not indicate to whom this property will be conveyed, staff is aware that the applicant proposes to convey the 186 acres of private lands to the SFWMD. As discussed with Carol Howard, these lands are part of the Florida Fish and Wildlife Conservation Commission's Everglades Wildlife Management Area and, among other management activities, are currently managed for invasive exotic vegetation. As part of this management area, active and passive recreational activities (e.g. hunting, airboating, camping, wildlife observation, etc) are authorized. Additionally, the area is also managed for some exotic vegetation by the SFWMD. Furthermore, the area is designated as "Conservation Use" in Broward County Land Use maps. Because of these described activities and designation, staff is unable to assess a development threat or calculate a functional lift for these lands as they are already protected and managed. As such, the proposed mitigation is not appropriate to offset the proposed adverse impacts associated with the project.

Staff acknowledges that you are exploring other mitigation options as a result of discussions with Ms. Howard. Please submit an appropriate mitigation plan that adequately offsets the proposed

adverse impacts. If mitigation credits will be proposed, then please contact Monica Sovacool to verify the number of credits and submit a letter of reservation from an appropriate mitigation bank verifying that the sufficient amount of credits have been reserved.
[62-330.301 & 62-330.302, F.A.C.; 10.2.8; 10.3 A.H. Volume I]

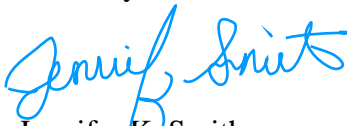
2. The submitted information describes the use of four native grasses to stabilize the berm around the project area. In order provide assurance the vegetation is appropriate to stabilize the berm, please provide details for the planting plan, including location and number of plants per species and planting densities. A separate exhibit/drawing may be submitted or the submitted plans may be revised to show the plantings.
[62-330.301 & 62-330.302, F.A.C]
3. Please explain the specific water velocities generated by the calculated discharge and how these velocities compare with critical shear stress thresholds that entrain canal and marsh sediments.
[5.1 A.H. Vol II]

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 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.

Please submit the response in electronic format to SED_Permitting@dep.state.fl.us, with a copy to Monica.Sovacool@dep.state.fl.us. If the file is very large, you may post it to a folder on this office's ftp site at: ftp://ftp.dep.state.fl.us/pub/incoming/ERP_Documents/Southeast_District/. After posting the document, send an e-mail to SED_Permitting@dep.state.fl.us, with a copy to Monica.Sovacool@dep.state.fl.us, alerting us that it has been posted.

In order to ensure the next submittal will be as complete as possible, the Department requests that a meeting be scheduled prior to submitting a response in order to discuss the draft submittal. Once you have a draft submittal, contact Monica Sovacool to schedule a meeting time and date. If you have any questions, please contact Monica by telephone at 561-681-6698 or by e-mail at Monica.Sovacool@dep.state.fl.us.

Sincerely,



Jennifer K. Smith
District Director
Southeast District
Florida Department of Environmental Protection

cc:

Kanter Real Estate LLC

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