

**SOUTH FLORIDA
BRANCH OFFICE**

11400 OVERSEAS HIGHWAY
SUITES 219-224
MARATHON, FLORIDA 33050

DEPARTMENT OF ENVIRONMENTAL REGULATION



BOB GRAHAM
GOVERNOR

VICTORIA J. TSCHINKEL
SECRETARY

Certified Mail No. P 409 713 616
RETURN RECEIPT REQUESTED

April 23, 1986

Jeffrey Meyer
Rt. 5 Box 8
Big Pine Key, FL 33043

Re: Permit number 440928725 authorizing the construction of holding pens adjacent to Little Conch Key, in Section 15, Township 65 south, Range 34 east, Monroe County, Florida.

Dear Mr. Meyer:

The project authorized by the above sited permit, which was issued to you on January 4, 1985 is presently in a state of noncompliance with the permit. Specifically, the water quality monitoring programs required by specific condition number three has not been properly carried out. The inverted culvert which is supposed to be installed in "area C" has never been properly built and has fallen into disrepair. Holding pen A was built in a configuration different from that authorized by the permit. Additionally, a several hundred foot long submerged pipe has been installed at the project site.

Available information indicates that you are a party responsible for the above activities, either as a property owner, or person performing or causing the performance of this work which violates the following:

Chapter 403.161 Florida Statutes--It is a violation of this chapter to violate or fail to comply with any rule, regulation, order or permit.

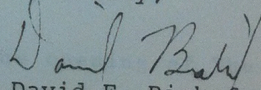
You are hereby requested to immediately cease and desist from all unauthorized activities which are under the Department's jurisdiction. Failure to do so may subject you to the imposition of civil and criminal penalties as provided in Sections 403.161 and 403.141 Florida Statutes.

The Department considers this to be a very serious matter. As a result, you are requested to submit a plan for bringing the facility in question into compliance with permit number 440928725. The plan shall include properly installing the culvert into pen C, rebuilding pen A in accordance with the permit, properly monitoring water quality at the facility and removing all unauthorized structures. The plan shall be submitted to this office within 10 days of receipt of this letter.

Your cooperation in this matter will be appreciated and although it does not release you from responsibility for the above actions, it will be considered relative to the Department's future actions with regard to this case.

Inquiries pertaining to the contents of this notice should be directed to this writer at the letterhead address or call (305) 743-5955

Sincerely,



David E. Bishof
Environmental Specialist

cc: Curtis Kruer ACOE
Barbara Gomez Monroe County
W. Kym Murphy W.E.D. Enterprises
File (2)

DEB/shm