

Jimmy Palmer
09/17/2002 07:13 PM

To: Richard Harvey/R4/USEPA/US@EPA
cc:
Subject: Re: Winding Cypress 3b letter

Cool your jets and focus on the status of the matter. Bob Szabo (Van Ness Feldman -- Wash. D. C.) is a friend of mine who is wired tightly into some VERY high places. He (and others) are voicing concerns about how Bruce conducts his business. You and I will discuss that privately.

Jimmy
Richard Harvey

Richard Harvey
09/17/2002 12:56 PM

To: Jimmy Palmer/R4/USEPA/US@EPA
cc: Beverly Banister/R4/USEPA/US@EPA, Jim
Giattina/GMPO/USEPA/US@EPA, Carol
Kemker/R4/USEPA/US@EPA, Tom Welborn/R4/USEPA/US@EPA,
Veronica Fassel/R4/USEPA/US@EPA, Bruce
Boler/R4/USEPA/US@EPA
Subject: Re: Winding Cypress 3b letter

Jimmy,

It looks like the Consultants/Lawyers may have misrepresented the facts to you? Do you know these folks well? Skip and Ron, referred to in Bruce's e-mail message, run the Corps permitting program in SW Florida and in Jax--so they would know if such a letter was going to be sent. None-the-less, I will have Bruce take a quick look to see if there are still any outstanding issues.

Richard

----- Forwarded by Richard Harvey/R4/USEPA/US on 09/17/2002 12:51 PM -----

Bruce Boler
09/17/2002 12:35 PM

To: Beverly Banister/R4/USEPA/US@EPA
cc: Beverly Banister/R4/USEPA/US@EPA, Jim
Giattina/GMPO/USEPA/US@EPA, Richard
Harvey/R4/USEPA/US@EPA, Tom Welborn/R4/USEPA/US@EPA
Subject: Re: Winding Cypress 3b letter

Beverly,

Skip just sent me an email after he talked to Ron Silver, head of his permitting staff in Jax. He said that Ron Silver has not heard anything about Winding Cypress, thus they are not at the stage purposed in your email.

Bruce

WINDING
CYPRESS

Jimmy Palmer

To: Beverly Bahstler/KAUSEPA/US@EPA
cc: Alon Barnes/RA/USEPA/US@EPA, Jim Giatini/GMPO/US/EP/US@EPA
Subject: Our Meeting on September 17th

09/16/02 12:52 PM

Beverly

Here's the note from Szabo about our meeting tomorrow. I hope you can sit in. Given Collinson's career with the COE, he could be a useful contact on 404 issues. The meeting is from 9:00 to 10:30.

Jimmy

Forwarded by Jimmy Palmer/RA/USEPA/US on 09/16/2002 12:46 PM

Bob Szabo <RGS@vni.com>

To: Jimmy Palmer/RA/USEPA/US@EPA

09/12/02 10:08 PM

Subject: Our Meeting on September 17th

Important
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Jimmy, I look forward to seeing you on Tuesday, September 17th at 9:00 in your office in Atlanta. Here are the items that I wanted to speak to you about, in addition to catching up with you in general:

First, a mitigation banking problem a client is having in Alabama. The Alabama DOT refuses to purchase mitigation credits in a mitigation bank of our client, but rather is purchasing mitigation credits from a bank it has established over 100 miles and several watersheds farther away from the impact. Obviously, we think this is wrong.

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Second, I want to speak to you about the Winding Cypress proposed development near Naples, Florida. You and your office have raised concerns about the project in the past; the Colonel is about to send a letter to you stating that the Corps is ready to issue the permit, believing the concerns of EPA have been addressed and giving you a chance to elevate. Obviously, we hope that you will not elevate but share our view and the view of the Corps that EPA's concerns have been addressed.

NOT TRUE! Forcing EPA to withdraw sections

Third, I want to talk to you about implementation of the SWANCC decision and what we are doing on that front in Washington. As you may know, some at EPA headquarters are working to "interpret" this decision out of existence.

Finally, I want to talk to you about the issues you are running into with surrounding Corps offices and, more importantly, introduce you to Sam Collinson as a potential resource for assistance. Sam recently retired from Corps headquarters where his job was to write the rules and regulations for the 404 program - he is certainly one of the top resources on the nation on this issue.

With me will be Sam Collinson and Howard Bleichfeld, who works with me on a number of 404 issues and is an expert on mitigation banking.

See you Tuesday, Jimmy. Hope you get some time off this weekend.

Robert G. Szabo
Member
Van Ness Feldman, P.C.
1050 Thomas Jefferson Street, NW
Suite 700
Washington, DC 20007
(202) 298-1920 - telephone
(202) 338-2416 - fax
rgs@vnf.com

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Jimmy Palmer
07/28/2002 02:48 PM

To: Richard Harvey/R4/USEPA/US@EPA
cc:
Subject: Re: Lake Toho

Another permit but shows effects threats

Thanks. I did not get to meet w/ Gen. Madsen and the DE's last week, as planned. His Deputy screwed up the dates. I told Madsen that I'd just have to engage with the DE's on an ad hoc basis until we can reschedule our collective sit down. That said, I'll be glad to talk w/ May whenever.....
Richard Harvey



Richard Harvey
07/25/2002 05:03 PM

To: Jimmy Palmer/R4/USEPA/US@EPA
cc: Carol Kemker/R4/USEPA/US@EPA
Subject: Re: Lake Toho

Jimmy, I honestly don't know who is going to call you or what position they are going to take. I spoke to the FDEP Water Resource Management Division Deputy Director and his staff had the same concerns as we did--and want to work with everyone to appropriately address the muck disposal issue. We are in favor of the drawdown and the muck scraping--but more info is needed on the disposal. Our staff is meeting with project folks tomorrow to look at upland disposal sites--which in the absence of any additional info is the preferred option as far as we are concerned. I told Col. May that we would be glad to participate in the multi-agency evaluation process.

Richard
Jimmy Palmer

Jimmy Palmer
07/24/02 08:50 PM

To: Richard Harvey/R4/USEPA/US@EPA
cc:
Subject: Re: Lake Toho

I signed the letter, but I'll quickly say that ya'll had damned well be right on this -- or you'll just be damned.....
Richard Harvey



Richard Harvey
07/24/2002 06:04 PM

To: Jimmy Palmer/R4/USEPA/US@EPA, Carol Kemker/R4/USEPA/US@EPA, Tom Welborn/R4/USEPA/US@EPA, Ron Miedema/R4/USEPA/US@EPA, Veronica Fassel/R4/USEPA/US@EPA, Stan Meiburg/R4/USEPA/US@EPA, Philip Mancusi-Ungaro/R4/USEPA/US@EPA
cc:
Subject: Lake Toho

Jimmy I was told today that you can expect a call about the Lake Toho restoration project and our "b" letter from a high level official--My source didn't say who. Col. May (the Jacksonville COE DE) called me today to discuss another issue and I asked him where they were with the permit. He said that they are still evaluating the project thru NEPA- but he thinks that it is a good idea to get an agency group together to discuss the muck disposal issue. I told him that our office would be glad to participate.

Richard