



REPLY TO
ATTENTION OF

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

DEC 09 2009

Regulatory Division
North Permits Branch
SAJ-2008-04617 (IP-TSH)

Ms. Jena Brooks, Director
Office of Greenways & Trails
Florida Department of Environmental Protection
3900 Commonwealth Boulevard M.S. 795
Tallahassee, FL 32399-3000

Dear Ms. Brooks:

On December 5, 2008, your office submitted a permit application to the U.S. Army Corps of Engineers, Jacksonville District (Corps), for the discharge of approximately 99,332 cubic yards of fill material within the Inglis Lock for closure of that facility. The project is located within the navigation lock located between Lake Rousseau and the Cross Florida Barge Canal, at the southern terminus of SE 90th Avenue, Section 5, Township 17 South, Range 1 East, Town of Inglis, Levy County, Florida. The Corps has assigned file number SAJ-2008-04617 (IP-TSH) to the proposed project.

On October 28, 2009, your office provided the Corps with the text of your letter written to the editor of the Citrus County Chronicle in response to recent articles in that paper regarding the proposed closure of Inglis Lock. That letter was subsequently published by the Citrus County Chronicle on November 6, 2009. In your letter, you stated that the Department of Environmental Protection (DEP) does not intend to permanently close Inglis Lock, but that the permit application was submitted to determine if closure of the lock is legally feasible and if it would require Congressional authorization. Additionally, on November 30, 2009, the Corps received a copy of your department's email correspondence to Ms. Carol Lyons. This correspondence restated the position that the Inglis Lock would not be permanently filled-in, even if a Corps permit were issued.

It is the Corps' position that the legality of permanently closing the Inglis Lock and the need for Congressional authorization of the project can both be determined through the ongoing evaluation by our Office of Counsel. As such, continued evaluation of a complex and controversial permit application, for a project that the DEP has committed not to pursue, is not warranted. Your permit application has been withdrawn. Our Office of Counsel will continue its evaluation to determine the legality of closing the Inglis Lock and whether Congressional authorization would be required. Upon conclusion of that evaluation, you will be apprised of the Corps' determinations. If you have any questions concerning this letter, you may contact the project manager, Shayne Hayes, by electronic mail at terry.s.hayes@usace.army.mil, in writing at the letterhead address or by telephone at 850-433-8859.

Sincerely,

A handwritten signature in black ink, appearing to read "D. W. Kinard". The signature is fluid and cursive, with a large initial "D" and "K".

Donald W. Kinard
Chief, Regulatory Division