



# FLORIDA DEPARTMENT OF Environmental Protection

**Ron DeSantis**  
Governor

**Alexis A. Lambert**  
Secretary

South District  
PO Box 2549  
Fort Myers FL 33902-2549  
[SouthDistrict@FloridaDEP.gov](mailto:SouthDistrict@FloridaDEP.gov)

## REQUEST FOR ADDITIONAL INFORMATION

February 26, 2025

Michael Feldman  
c/o Greg Orick II  
2815 Bayview Dr  
Naples, FL 34108  
[info@orickmarine.com](mailto:info@orickmarine.com)

Re: First Request for Additional Information (RAI)  
Collier County – Environmental Resource Permitting Program  
Site Name: Feldman Seawall – 354 Oak Ave, Naples, FL 34108  
Site ID: 457100  
DEP Application No.: 001 EI

Dear Greg Orick II:

Thank you for your application for an Individual Permit submitted on January 28, 2025 for the above referenced Site. A review of your application and supporting documentation indicates the application is incomplete. Please provide the information in the attached document and refer to this RAI in your response.

To continue the processing of your application, the Department must receive a response within 90 days of this letter, May 26<sup>th</sup>, 2025, unless a written request for additional time to provide the requested information is submitted and approved. It is the Department's desire to provide prompt turnaround times on permit applications, and a quicker response to this RAI shortens the timeframe for which a final decision on the application can be made. Pursuant to Chapter 62-330 and Section 120.60, F.S., failure of an applicant to provide timely requested information by the applicant deadline may result in denial of the application. You are encouraged to contact this office to discuss the items requested to assist you in developing a complete and adequate response.

Your processor, Jo Santos can be contacted at (239) 344-5689, [Jo.Santos@FloridaDEP.gov](mailto:Jo.Santos@FloridaDEP.gov). Please submit your response by email to [SD\\_RAI\\_Response@floridadep.gov](mailto:SD_RAI_Response@floridadep.gov), with a copy to [Jo.Santos@FloridaDEP.gov](mailto:Jo.Santos@FloridaDEP.gov). If the submittal is very large, you may post it to a folder on this office's ftp site at: [South District Incoming FTP site](#). After posting the submittal, send an e-mail to [SD\\_ERP\\_Permit@floridadep.gov](mailto:SD_ERP_Permit@floridadep.gov), with a copy to [Jo.Santos@FloridaDEP.gov](mailto:Jo.Santos@FloridaDEP.gov), alerting us that it has been posted.

Michael Feldman  
Page 2 of 2  
February 26, 2025

Sincerely,

A handwritten signature in blue ink, appearing to read "Toby Schwetje", with a stylized, flowing script.

Toby Schwetje  
Environmental Administrator  
South District

*v. 1.9*

Attached: List of Requested Information

**Attachment: List of Requested Information**

Michael Feldman

Site Name: Feldman Seawall – 354 Oak Ave, Naples, FL 34108

Site ID: 457100

DEP Application No.: 001 EI

**Your application does not qualify for an SPGP.** Please see the Army Corps Jacksonville District Regulatory Division Sourcebook for more information about federal permitting. Please call your local Corps office if you have questions about federal permitting.

1. A payment of \$70 for the application processing fee must be made before the department can call your application complete. You may provide that payment at <https://prodenv.dep.state.fl.us/DepPortal/go/pay> using your application ID (0457100-001) [Chapter 62-330.050 F.A.C.].
2. An inspection of the project site will be conducted to determine and evaluate the resources expected to be impacted. Impact mitigation and/or modifications to your project may be required following the inspection. Please submit the information requested on Form 62-330.060(1) Sec. A, and complete Part 4. [Rule 62-330.050(2), F.A.C.].
3. Please provide the square footage and number of mangroves to be removed. [Rule 62-345.300, F.A.C. & Section 373.414(b), F.S.].
4. The Department, in deciding whether to grant or deny a permit, shall consider measures proposed by or acceptable to the applicant to mitigate adverse effects which may be caused by the project. Mitigation allows the applicant to compensate for alteration of wetlands at the project site by enhancing, preserving, or restoring other wetland areas either on or off the project site in a variety of ways. In many cases, mitigation makes it possible to obtain a permit for work in wetlands and waters of the State without causing a net environmental degradation, which would otherwise be unpermissible. Applicants may propose mitigation for their impacts using one particular approach or a combination of mitigation types. For example, an applicant may propose to make a monetary donation for use in the enhancement of other offsite wetlands, which are already preserved and/or propose to preserve a portion of their onsite wetlands. Before considering mitigation, all reasonable measures must first be taken to reduce the adverse affects which otherwise render the project unpermissible. Please note that mitigation may also be needed to offset unavoidable wetland impacts. Please submit to the Department a mitigation plan that will offset those impacts that remain after reduction or elimination of impacts. This should describe the proposed project as well as the mitigation proposal [Rule 62-345.300, F.A.C. & Section 373.414(b), F.S.].
  - a. To use Mitigation Credits from a Mitigation Bank, the permit applicant must provide documentation from the banker demonstrating that Mitigation Credits have been reserved. Once an agreed amount of credits have been determined, please provide proof that the mitigation credits have been reserved. Please provide proof that the mitigation credits have been reserved. The project is located within the Mitigation Bank Service Areas for: Corkscrew Regional & Little Pine Island [Applicant's Handbook, Volume I, Section 10.3.1.3, Rule 62-342.470(7), F.A.C.].

5. Your project has been forwarded to certain state agencies with statutory authority under Florida's approved Coastal Zone Management Program, including the Florida Fish and Wildlife Conservation Commission (FWC), the Department of Agriculture and Consumer Services (DACS), the Department of Economic Opportunity (DEO), and the Department of State, Division of Historical Resources. Those agencies may comment on the application as it is being processed and may request additional information be provided to them so that they may fully evaluate the application. [Section 5.5.2.2, Applicant's Handbook, Volume I].
6. Your project has been forwarded to certain state agencies with statutory authority under Florida's approved Coastal Zone Management Program, including the Division of State Lands. Those agencies may comment on the application as it is being processed and may request additional information be provided to them so that they may fully evaluate the application. [Section 5.5.2.2, Applicant's Handbook, Volume I].

## Part 4: Signatures and Authorization to Access Property

Instructions: For multiple applicants please provide a separate Part 4 for each applicant. For corporations, the application must be signed by a person authorized to bind the corporation. A person who has sufficient real property interest (see Section 4.2.3(d) of Applicant's Handbook Volume I) is required in (B) to authorize access to the property, except when the applicant has the power of eminent domain.

**A.** By signing this application form, I am applying for the permit and any proprietary authorizations identified above, according to the supporting data and other incidental information filed with this application. I am familiar with the information contained in this application and represent that such information is true, complete and accurate. I understand this is an application and not a permit, and that work prior to approval is a violation. I understand that this application and any permit issued or proprietary authorization issued pursuant thereto does not relieve me of any obligation for obtaining any other required federal, state, water management district, or local permit prior to commencement of construction. I agree to operate and maintain the permitted system unless the permitting agency authorizes transfer of the permit to a different responsible operation and maintenance entity. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

Typed/Printed Name of Applicant or  
Applicant's Authorized Agent

\_\_\_\_\_  
Signature of Applicant or Applicant's  
Authorized Agent

Date

(Corporate Title if applicable)

### **B. Certification of Sufficient Real Property Interest And Authorization For Staff To Access The Property:**

**I certify that:**

☐ **I possess sufficient real property interest in or control, as defined in Section 4.2.3 (d) of Applicant's Handbook Volume I**, over the land upon which the activities described in this application are proposed and I have legal authority to grant permission to access those lands. I hereby grant permission, evidenced by my signature below, for staff of the Agency to access, inspect, and sample the lands and waters of the property as necessary for the review of the proposed works and other activities specified in this application, upon advance notice. I authorize these agents or personnel to enter the property as many times as may be necessary to make such review, inspection, and/ or sampling. Further, if a permit is granted, upon advance notice, I agree to provide entry to the project site for such agents or personnel with proper identification to determine compliance with permit conditions and permitted plans and specifications.

**OR**

☐ I represent an entity having **the power of eminent domain and condemnation authority**, and I/we shall make appropriate arrangements to enable staff of the Agency to legally access, inspect, and sample the property as described above.

Typed/Printed Name

\_\_\_\_\_  
Signature

Date

(Corporate Title if applicable)

**C. Designation of Authorized Agent (If Applicable):**

I hereby designate and authorize \_\_\_\_\_ to act on my behalf, or on behalf of my corporation, as the agent in the processing of this application for the permit and/or proprietary authorization indicated above and to furnish, on request, supplemental information in support of the application. In addition, I authorize the above-listed agent to bind me, or my corporation, to perform any requirements which may be necessary to procure the permit or authorization indicated above. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S., and 18 U.S.C. Section 1001.

\_\_\_\_\_  
Typed/Printed Name of Applicant

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

(Corporate Title if applicable)