



Florida Department of Environmental Protection

Northwest District
160 West Government Street
Pensacola, Florida 32502

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

August 10, 2017

Mayor Hayward K. Strong, Jr.
City of Valparaiso
465 Valparaiso Parkway
Valparaiso, Fla. 32580
mayor@valp.org

Dear Mayor Strong,

Thank you for taking time yesterday to discuss the sedimentation issue affecting Tom's Bayou and other adjacent waterways. I understand your concerns, as well as those of the community, and want to assure you the department is fully committed to ensuring a timely and thorough resolution of this issue.

Coronal Energy, who subleases the site, constructed and operates the 226-acre Gulf Coast Solar Center located on Eglin Air Force Base. DEP issued two separate permits to Coronal for the project. The NPDES Stormwater Permit includes protections and requirements associated with the construction activities, and the Environmental Resource Permit includes requirements associated with the construction, operation and maintenance of the stormwater management system.

On June 7, Coronal reported a significant erosion event from the site associated with a large rain event which impacted nearby waterways and wetlands, and created turbidity issues in Toms Bayou. Following this report and after receiving several resident complaints, DEP conducted a site visit on June 8, at which time we requested a formal plan detailing actions the permittee would take to mitigate impacts and immediately reduce the potential for further erosion from the site. At the time of our visit, staff confirmed that erosion control measures had either been restored or were in the process of being restored, and required that additional erosion control measures be put in place. Subsequent erosion and turbidity events occurred on June 29 and July 27. In addition, a significant amount of sediment remains outside of the boundary of the Gulf Coast Solar Energy Site that has, and could potentially contribute to, additional turbidity issues. While several temporary turbidity control structures have been installed to reduce the risk of this happening, there is a possibility that residents could observe additional turbidity until the restoration is complete and any remaining materials flush through the system.

On June 23, following the first incident, DEP issued a warning letter to Coronal outlining potential non-compliance issues. A warning letter is often the first step in DEP's enforcement process and identifies potential violations and department expectations. In addition, DEP informed the permittee of the need to develop a comprehensive impact assessment and restoration plan.

On July 21, the department received a response from Coronal to the June 23 warning letter, along with an initial impact assessment report. In their response, Coronal disagreed with the allegations and possible violations identified in the warning letter. Coronal's response indicated that they believe that during the initial heavy rain, a hill downstream from the project site significantly eroded leading to the failure of one of the stormwater ponds on the site resulting in sand and sediment being washed downstream. Coronal's position, as stated in that letter, was that the June 7 erosion event was "jointly caused by an Act of God" and that the factors leading to the erosion event were "completely out of Coronal's control." Coronal stated they "should not be responsible for restoration and remediation activities to address an erosion event originating offsite and caused by an Act of God."

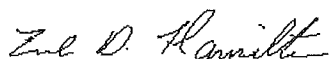
DEP met with Coronal last week, and after discussion, Coronal has agreed to move forward with developing a comprehensive restoration plan to address the impacts to the area waterways and wetlands as required by DEP. While the initial impact assessment report is under review by state and federal agencies, our initial review indicates additional information will be required before the assessment is finalized.

Also last week, DEP received a plan for reconstruction/stormwater modification for the pond (detention basin 6a) that initially failed during the storm that occurred on June 7. We reviewed the plan, which proposes a change in the capacity of the basin, and notified Coronal that the plan will require a modification to their permit. For the department to process the modification, we will need additional information to assure that the proposed changes meet permitting requirements and will appropriately address the issues at the site.

While the department and our federal partners review the impact assessment, and await more information on the proposed permit modification and the comprehensive restoration plan that will outline Coronal's plan to address the impacts to the area waterways and wetlands, we will continue our frequent communication with Coronal. DEP has visited the site on multiple occasions and will continue to make regular inspections. We will also continue our weekly teleconference meetings with the permittee and other project partners to ensure that response efforts are progressing effectively and promptly.

I will be sure to update you and the commission as we progress through the activities identified above. The department takes the responsibility of protecting our waterways seriously and we will remain fully engaged with Coronal and the other project partners until this issue has been resolved.

Sincerely,



Emile D. Hamilton
Northwest District Director

C: Carl Scott, City Administrator