



**US Army Corps
of Engineers®**
Jacksonville District

NEWS RELEASE

Release No.: 0833
For Release: 9 May 2008
P.O. Box 4970 Jacksonville, FL 32232-0019

Contact: Barry Vorse
Phone: 904-232-2236 FAX: 904-232-2237
Email: barry.d.vorse@usace.army.mil

FOR IMMEDIATE RELEASE

U.S. Army Corps of Engineers Fines Company \$300,000 For Constructing Illegal Boat Ramp and Damaging Wetlands

CAPE HAZE, Florida -- The Jacksonville District U.S. Army Corps of Engineers and the U.S. Department of Justice have completed an enforcement action against David Arp and Triple Diamond Enterprises, LLC, resulting in a civil penalty of \$300,000 against the company.

The fine was levied due to the company's unauthorized activities in Charlotte County, which required a Clean Water and Rivers and Harbors Act permit from the Corps. Arp and his company have also been ordered to remove a boat ramp, restore wetland areas and purchase 0.80 wetland credits at a mitigation bank.

Triple Diamond constructed a multi-vessel dock and the boat ramp in question. It also dredged 150 cubic yards of sediment and discharged riprap material within an unnamed tidal canal connected to Lemon Bay. The work was being done for a development to be known as "Cape Haze Yacht Club". The company also placed shell rock within wetlands for an access road and parking lot.

Although Triple Diamond did obtain a Charlotte County permit, the company did not submit an application to the Corps for a required federal permit. Corps attorneys were able to demonstrate the company's knowledge of that requirement by producing prior requests by the company and by proving the company's previous experience in marina operations.

The Corps' Regulatory Division and its attorneys worked in partnership with the Department of Justice Environmental Defense Section and the Office of the Assistant U.S. Attorney in Tampa to analyze the impacts, assess the penalties and resolve the violation.

The Jacksonville District has an ongoing and active enforcement program throughout Florida, Puerto Rico and the U.S. Virgin Islands with the express intent to deter unauthorized activities and maintain the integrity of aquatic resources, including wetlands.

For more information on the enforcement program, visit the web site at:
<http://www.saj.usace.army.mil/Divisions/Regulatory/regulpolicy.htm>.

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