

**JOHN R. THOMAS  
THOMAS & ASSOCIATES, P.A.  
233 THIRD STREET NORTH, SUITE 101  
ST. PETERSBURG, FLORIDA 33701  
Telephone: (727) 550-9072  
Facsimile: (727) 550-9073  
jrthomasesq@earthlink.net**

August 24, 2010

Citizens Preservation Fund  
c/o Paige Cool,  
Alison Walter

Re: Out of Bounds, Inc. v. Florida Department of Environmental Protection, etc.,  
DOAH Case No. 10-2683

Dear Friends:

Last week, Out of Bounds Inc. (OOB) headed back to the drawing board regarding its ill-conceived Croom Landfill. In March, they were ferocious. They stormed out of my office when we tried to talk with them. They laughed from behind a ditch and berm roadblock they built to retaliate when we complained the landfill was too close to drinking wells. OOB followed this intimidating behavior with thinly-veiled threats of legal retaliation, then angry demands. When the Department of Environmental Protection withdrew the proposed landfill permit and proposed instead to deny it, OOB sued and ordered the interrogation of nine people during lengthy depositions. But when OOB's Jack Hamilton was to sit for his own deposition, OOB humbly slid a letter across the table, saying that:

Out of Bounds has determined that it would like to consider a modification of its permit application to include: (a) install a liner in accordance with F.A.C. 62-701.730; and (b) redesign the proposed landfill to provide that no debris will be accepted within 500 foot radius of any wells that have been identified. Accordingly we request a six month continuance . . . .

The Judge agreed to continue the case for six months. After the six month continuance, the case will be re-set unless OOB decides not to continue to pursue the landfill permit.

The landfill permit case is far from over though. OOB only says it will "consider" reconfiguring the proposed landfill to stay away from the potable wells of Dan and Bob Knox and Bob McCune, and will "consider" adding a liner and leachate collection system to prevent groundwater contamination. But OOB made no firm commitments, and OOB has made no other offers regarding any of the other landfill issues. They still plan to accept Chinese Drywall, they still intend to create "Mount Croom" of waste 60 or 70 feet (or more) above-grade on this 26 acre site, they still plan to widen and pave Forest Trail 18 for their use as a private easement, and

Citizens Preservation Fund  
c/o Paige Cool,  
Alison Walter  
August 24, 2010  
Page 2

they still plan to use Wildlife Lane and High Corner Road as a driveway for up to 75 waste-hauling trucks a day.

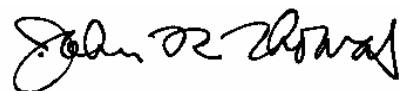
While folks should be thankful that Out of Bounds will “consider” preventing the proposed landfill from contaminating the groundwater and wells nearby, even with a liner, the landfill would still affect daily life and safety for many. Declared one of the “10 Coolest Places You’ve Never Been in North America” by the World Wildlife Fund, the Withlacoochee State Forest’s miles of trails for hiking, bicycling and horseback riding would never be the same. The truck traffic alone would make access to the Croom/Wildlife area and many of these forest trails unsafe. Odors, noxious gas, dust and noise from the proposed landfill would seriously interfere with the peaceful enjoyment of the forest and area, chasing forest visitors and area residents away in droves, and converting this area from one of the “10 Coolest Places” to just another industrial dump site. I sure hope it does not happen.

The landfill permit will be in limbo for the next several months, but Out of Bounds is also pursuing other State, Regional and County approvals. From the get-go, Citizens’ Preservation Fund has been out-funded and has been playing catch-up throughout the landfill permitting processes. The continuance provides an opportunity to raise the funds needed to more effectively participate in the landfill permit case, and time to make sure the other agencies involved hear from you and receive all of the relevant information we have gathered before they approve this misplaced landfill. Lastly, the continuance allows a chance to try to develop a long-term solution for all. While you have earned a reprieve and opportunity to take a break, I hope the association membership does not become complacent and is not distracted by this delay.

I look forward to continuing the efforts we have begun and successful resolution of this matter.

Sincerely,

THOMAS & ASSOCIATES, P.A.,

A handwritten signature in black ink, appearing to read "John R. Thomas". The signature is written in a cursive, slightly slanted style.

John R. Thomas