

JOINT APPLICATION FOR
ENVIRONMENTAL RESOURCE PERMIT/

AUTHORIZATION TO USE
SOVEREIGN SUBMERGED LANDS/

FEDERAL DREDGE AND FILL PERMIT

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION/
WATER MANAGEMENT DISTRICTS/
U.S. ARMY CORPS OF ENGINEERS

**INTRODUCTION FOR JOINT APPLICATION FOR
ENVIRONMENTAL RESOURCE PERMIT/AUTHORIZATION TO USE
STATE OWNED SUBMERGED LANDS/FEDERAL DREDGE AND
FILL PERMIT**

INTRODUCTION

Attached is a joint application for:

- 1) activities regulated under Part IV of Chapter 373, F.S.;
- 2) activities which require authorization to use state owned submerged lands; and
- 3) activities which require federal dredge and fill permit.

Certain activities may qualify for an exemption. If an activity qualifies for an exemption, an application is not required, although the use of this application form is the most expeditious way for the agencies to make the determination that the activity qualifies for an exemption. Attachment 2 list various regulated activities and the type of permit required for each activity. If you have any questions, please contact the staff of the nearest office of either the Florida Department of Environmental Protection (DEP) or a Water Management District (WMD).

PROCESSING AGENCY/DISTRICT SERVICE CENTERS

The Department of Environmental Protection ("Department" or "DEP") regulates some types of activities, and the Water Management Districts ("WMDs") regulate others. Attachment 1, DEP/WMD Permitting Responsibilities, specifies which activities are regulated by each agency. Environmental Resource Permit Applications shall be made to the appropriate District/Department office serving the area in which the activity is proposed. Attachment 4 designates the appropriate agency office for each geographic area.

COPIES/APPLICATION FEES

Submit an original signed application form plus four copies of the form, and five complete sets of all the requested drawings and other information to the appropriate DEP or WMD office. Submit the appropriate fee with your application. Application fees are listed in Attachment 3.

DISTRIBUTION TO U.S. ARMY CORPS OF ENGINEERS

When activities are proposed in, on or over wetlands or other surface waters, a portion of the application (Section A and Section C, with the associated drawings) will be forwarded to the Army Corps of Engineers (ACOE) by the reviewing agency. The ACOE will advise you of any additional information that may be required to complete your federal dredge and fill permit application. It is not necessary for the applicant to submit a separate application to the ACOE. The information requested in this application form may be more than required to make a complete application to the ACOE. However, it is useful and may be essential for subsequent evaluation. Reducing unnecessary paperwork and delays is a continuing goal of the ACOE.

DISTRIBUTION TO THE DEP FOR STATE LAND APPROVAL

If the application checks the box to request authorization to use sovereign submerged lands, the Department will begin processing the request for sovereign submerged lands approval. Additionally, if at any time during the processing of the application, it appears that the proposed activities may take place on sovereign submerged lands, the Department will initiate a review for the authorization to use such lands. For an explanation of sovereign submerged lands approval see Attachment 5.

NOTE: The information listed in Sections B, D, E, and F of this application package is not intended to be all-inclusive. Additional information may be requested by the reviewing agency in order to complete your application.

TABLE OF CONTENTS

FOR ERP APPLICATION FORM PACKAGE

HEADING:	SUBJECT:
Section A	Basic application form
Section B	Information for noticed general environmental resource permits
Section C	Notice of receipt of application
Section D	Information required for standard general and individual environmental resource permit applications related to a single family dwelling unit
Section E	Information requested for standard general, individual and conceptual environmental resource permit applications not related to a single family dwelling unit
Table 1	Project impact summary
Table 2	On-site mitigation summary
Table 3	Off-site mitigation summary
Table 4	Docking facility summary
Table 5	Shoreline stabilization summary
Section F	Information for mitigation banks
Section G	Application for authorization to use sovereign submerged lands
Attachment 1	DEP and WMD permitting responsibilities
Attachment 2	Summary of activities typically authorized by each permit type
Attachment 3	Permit application processing fees
Attachment 4	Mailing instructions for submitting ERP applications to DEP, with map showing the DEP district boundaries and addresses
Attachment 5	Proprietary verses regulatory authorization

“What Sections of the Application Must I Fill Out?”

Section:	Noticed General Permits	Individual Permits		
		Single- Family Residences	Others	Mitigation Banks
Section A	Yes	Yes	Yes	Yes
Section B	Yes			
Section C		Yes	Yes	Yes
Section D		Yes		
Section E			Yes	
Section F				Yes
Section G	As Needed	As Needed	As Needed	As Needed

SECTION A

FOR AGENCY USE ONLY

ACOE Application #
 Date Application Received
 Proposed Project Lat.
 Proposed Project Long.

DEP/WMD Application #
 Date Application Received
 Fee Received \$
 Fee Receipt #

PART 1:

Are any of the activities described in this application proposed to occur in, on, or over wetlands or other surface waters?

☒ yes ☐ no

Is this application being filed by or on behalf of a government entity or drainage district? ☒ yes ☐ no

A. Type of Environmental Resource Permit Requested (check at least one). See Attachment 2 for thresholds and descriptions.

☐ Noticed General - include information requested in Section B.

☐ Standard General (Single Family Dwelling) - include information requested in Sections C and D.

☐ Standard General (all other Standard General projects) - include information requested in Sections C and E.

☐ Individual (Single Family Dwelling) - include information requested in Sections C and D.

☒ Individual (all other Individual projects) - include information requested in Sections C and E.

☐ Conceptual - include information requested in Sections C and E.

☐ Mitigation Bank Permit (construction) - include information requested in Sections C and F. (If the proposed mitigation bank involves the construction of a surface water management system requiring another permit defined above, check the appropriate box and submit the information requested by the applicable section.)

☐ Mitigation Bank (conceptual) - include information requested in Sections C and F.

B. Type of activity for which you are applying (check at least one)

☐ Construction or operation of a new system, other than a solid waste facility, including dredging or filling in, on or over wetlands and other surface waters.

☐ Construction, expansion or modification of a solid waste facility.

☒ Alteration or operation of an existing system which was not previously permitted by a WMD or DEP.

☐ Modification of a system previously permitted by a WMD or DEP.

Provide previous permit numbers: _____

☐ Alteration of a system

☐ Extension of permit duration

☐ Abandonment of a system

☐ Construction of additional phases of a system

☐ Removal of a system

C. Are you requesting authorization to use Sovereign Submerged Lands?

☐ yes ☒ no

(See Section G and Attachment 5 for more information before answering this question.)

D. For activities in, on, or over wetlands or other surface waters, check type of federal dredge and fill permit requested:

☒ Individual

☐ Programmatic General

☐ General

☐ Nationwide

☐ Not Applicable

E. Are you claiming to qualify for an exemption? ☐ yes ☒ no

If yes, provide rule number if known. _____

PART 3: A. OWNER(S) OF LAND	B. ENTITY TO RECEIVE PERMIT (IF OTHER THAN OWNER)
Name TIITF/REC + PARKS CAYO COSTA STATE PARK	Name
Title and Company DEPT OF ENVIR PROTECTION	Title and Company
Address 3900 COMMONWEALTH BLVD.	Address
City, State, Zip TALLAHASSEE, FL, 32399	City, State, Zip
Telephone and Fax 850-245-3104 FAX: 850-245-3114	Telephone and Fax
C. AGENT AUTHORIZED TO SECURE PERMIT	D. CONSULTANT (IF DIFFERENT FROM AGENT)
Name JEFF RALEY	Name
Title and Company COASTAL PROJECTS MANAGER, FLORIDA REC. & PARKS	Title and Company
Address 3900 COMMONWEALTH BLVD.	Address
City, State, Zip TALLAHASSEE, FL, 32399	City, State, Zip
Telephone and Fax 850-245-3104 FAX: 850-245-3114	Telephone and Fax

PART 4: (Please provide metric equivalent for federally funded projects):

- A. Name of Project, including phase if applicable: Cayo Costa State Park Landbase Maintenance Dredge
- B. Is this application for part of a multi-phase project?
☐ yes ☒ no
- C. Total applicant-owned area contiguous to the project?
5.6 ac.; 2.3 ha.
- D. Total area served by the system: 7.8 ac.; 3.2 ha.
- E. Impervious area for which a permit is sought: 0 ac.; 0 ha.
- F. Volume of water that the system is capable of impounding:
 _____ ac. ft.; _____ m
- G. What is the total area of work in, on, or over wetlands or other surface waters?
0.5 ac.; 0.20 ha. 22,000 sq. ft.; 2,040 sq. m.
- H. Total volume of material to be dredged: _____ yd; _____ m
- I. Number of new boat slips proposed: 0 wet slips; 0 dry slips

PART 5:

Project location (use additional sheets if needed):

County(ies) LEE COUNTY

Section(s)	Township	Range
------------	----------	-------

Section(s)	Township	Range
------------	----------	-------

Section(s)	Township	Range
------------	----------	-------

Land Grant name, if applicable: NA

Tax Parcel Identification Number: 25432101000130000

Street Address Road or other location: 8135 MAIN ST

City, Zip Code, if applicable: BOKEELIA, 33922

PART 6: Describe in general terms the proposed project, system, or activity.

Perform maintenance dredging on canal and place dredge waste on proposed spoil site.

PART 7:

A. If there have been any pre-application meetings, including on-site meetings, with regulatory staff, please list the date(s), location(s), and names of key staff and project representatives.

B. Please identify by number any MSSW/Wetland Resource/ERP/ACOE Permits pending, issued or denied for projects at the location, and any related enforcement actions.

Agency	Date	No./Type of Application	Action Taken
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

C. Note: The following information is required for projects proposed to occur in, on or over wetlands that need a federal dredge and fill permit or an authorization to use state owned submerged lands. Please provide the names, addresses and zip codes of property owners whose property directly adjoins the project (excluding application) and/or (for proprietary authorizations) is located within a 500 ft. radius of the applicant's land. Please attach a plan view showing the owner's names and adjoining property lines. Attach additional sheets if necessary.

- | | |
|----|----|
| 1. | 2. |
| 3. | 4. |
| 5. | 6. |
| 7. | 8. |

PART 8:

A. By signing this application form, I am applying, or I am applying on behalf of the applicant, 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 relive me of any obligation for obtaining any other required federal, state, water management district or local permit prior to commencement of construction. I agree, or I agree on behalf of the applicant, to operate and maintain the permitted system unless the permitting agency authorizes transfer of the permit to a responsible operation 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.

Jeff Raley, PE

Typed/Printed Name of Applicant (If no Agent is used) or Agent (If one is so authorized below)

Signature of Applicant/Agent

Date

(Corporate Title if applicable)

AN AGENT MAY SIGN ABOVE ONLY IF THE APPLICANT COMPLETES THE FOLLOWING:

B. I hereby designate and authorize the agent listed above 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.

Jeff Raley, PE

Typed/Printed Name of Applicant

Signature of Applicant

Date

(Corporate Title if applicable)

Please note: The applicant's original signature (not a copy) is required above.

PERSON AUTHORIZING ACCESS TO THE PROPERTY MUST COMPLETE THE FOLLOWING:

C. I either own the property described in this application or I have legal authority to allow access to the property, and I consent, after receiving prior notification, to any site visit on the property by agents or personnel from the Department of Environmental Protection, the Water Management District and the U.S. Army Corps of Engineers necessary for the review and inspection of the proposed project specified in this application. I authorize these agents or personnel to enter the property as many times as may be necessary to make such review and inspection. Further, I agree to provide entry to the project site for such agents or personnel to monitor permitted work if a permit is granted.

Typed/Printed Name of Applicant

Signature of Applicant

Date

(Corporate Title if applicable)

SECTION B

INFORMATION FOR NOTICED GENERAL ENVIRONMENTAL RESOURCE PERMITS

INSTRUCTIONS: To qualify for a Noticed General Permit (NGP) for specific activities, the project must strictly comply with all of the terms, conditions, requirements, limitations and restrictions applicable to the desired NGP. A summary of the types of NGP's available is contained in Attachment 2. Carefully review the rule section of the NGP for which you are applying to ensure that your project meets the requirements of that NGP. Please complete Section A and submit it along with the information required in this Section (on 8 1/2" x 11" paper).

1. Indicate the project boundaries on a USGS quad map, reduced or enlarged as necessary to legibly show the entire project. If not apparent from the quad map, provide a location map (in sufficient detail to allow a person unfamiliar with the site to find it), containing a north arrow and a graphic scale and showing the boundary of the proposed activity and Section(s), Township(s), and Range(s).
2. A legible site plan showing the following features:
 - a) property boundaries and dimensions
 - b) name and location of any adjoining public streets or roads
 - c) location and dimensions of all existing structures
 - d) label all impervious and pervious area and indicate their size (area)
 - e) the direction of drainage relative to the proposed improvements (using arrows)
 - f) locations of all proposed works
 - g) permanent and temporary erosion, sedimentation and turbidity controls
 - h) boundaries of wetlands and other surface waters, identifying open water areas
 - i) boundary area and volume of all temporary and permanent earthwork, including pre and post construction grades
3. Description of wetland or aquatic habitat .
4. Construction methods and schedule.
5. Additional information that would show that you qualify for the general permit, addressing all the parameters, thresholds and conditions required in the general permit. Errors and omissions will be identified within 30 days by the processing agency.
6. Provide the rule section number of the NGP for which you are applying.
7. The construction plans and supporting calculations must be signed, sealed, and dated by an appropriate registered professional as required by the relevant statutory provisions when the design of the system requires the services of an appropriate registered professional.

SECTION C

Environmental Resource Permit Notice of Receipt of Application

Note: this form does not need to be submitted for noticed general permits.

This information is required in addition to that required in other sections of the application. Please submit five copies of this notice of receipt of application and all attachments with the other required information. Please submit all information on 8 1/2" x 11" paper.

Project Name Cayo Costa State Park Landbase Maintenance Dredge
County Lee County
Owner TIITF/REC + PARKS
 CAYO COSTA STATE PARK
Applicant: Jeff Raley, PE
Applicant's Address: 3900 Commonwealth Blvd, MS#530

1. Indicate the project boundaries on a USGS quadrangle map. Attach a location map showing the boundary of the proposed activity. The map should also contain a north arrow and a graphic scale; show Section(s), Township(s), and Range(s); and must be of sufficient detail to allow a person unfamiliar with the site to find it.
2. Provide the names of all wetlands, or other surface waters that would be dredged, filled, impounded, diverted, drained, or would receive discharge (either directly or indirectly), or would otherwise be impacted by the proposed activity, and specify if they are in an Outstanding Florida Water or Aquatic Preserve:
 Refer to Appendix 7
3. Attach a depiction (plan and section views), which clearly shows the works or other facilities proposed to be constructed. Use multiple sheets, if necessary. Use a scale sufficient to show the location and type of works.
4. Briefly describe the proposed project (such as "construct dock with boat shelter", "replace two existing culverts", "construct surface water management system to serve 150 acre residential development"):
 Perform maintenance dredging on canal and place dredge waste on proposed spoil site.
5. Specify the acreage of wetlands or other surface waters, if any, that are proposed to be filled, excavated, or otherwise disturbed or impacted by the proposed activity:

 filled 0 ac.; 0.5 excavated ac.;

 other impacts 0 ac.
6. Provide a brief statement describing any proposed mitigation for impacts to wetlands and other surface waters (attach additional sheets if necessary):
 No impacts are expected to wetlands or other surface waters, therefore no mitigation plans are proposed.

FOR AGENCY USE ONLY

Application Name:
Application Number:
Office where the application can be inspected:

Note to Notice recipient: The information in this notice has been submitted by the applicant, and has not been verified by the agency. It may be incorrect, incomplete or may be subject to change.

SECTION D

INFORMATION REQUIRED FOR STANDARD GENERAL OR INDIVIDUAL ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS RELATED TO A SINGLE FAMILY DWELLING UNIT

Complete this Section only if your project does not qualify for an exemption or noticed general permit. The information requested below is only for projects related to an individual, single family dwelling unit, duplex, triplex, or quadruplex which is not part of a larger common plan of development proposed by the applicant. Please contact the local office of the DEP or WMD if you are unsure whether your project would fit this description.

PLEASE SUBMIT ALL INFORMATION ON 8 1/2" by 11" PAPER

A. SITE INFORMATION

1. Directions: Provide written directions to the property.
2. Specify how the location of the proposed work is marked on site: for example, the center line of the road is flagged, string running between stakes identifies bulkhead location, etc.

B. DRAWINGS

Drawings should be of sufficient detail to clearly show the existing physical conditions of the site, and the extent, type, and location of the proposed activities. The drawings should clearly show waters/wetlands to be impacted, either temporarily or permanently. Any water/wetland areas proposed to be created, enhanced, restored, preserved, or which will remain undisturbed should be clearly identified and labeled. The following drawings are required:

1. PLAN VIEW (TOP VIEW)

This shows the work as viewed from above. A survey of the project site is very useful as a starting point for preparing plan views of the project. Include the following:

- a. Applicant name, property line, north arrow and graphic scale or dimensions of proposed work on each drawing sheet.
- b. Representative land elevations (spot elevations or contour lines) referred to National Geodetic Vertical Datum (NGVD), as is used on the USGS contour maps.
- c. The limits of wetlands and other surface waters and the limits of open water areas in the vicinity of the proposed work. Describe how the wetland limits were determined. If there has ever been a jurisdictional declaratory statement, a formal wetland determination, a formal determination, validated informal determination, or a revalidated jurisdictional determination, provide the identifying number.
- d. All proposed work, including dredging, filling or structures. Where possible, differentiate between work in open water, marshes, swamps, or tidal flats and uplands.
- e. Show selected water depths in and adjacent to the project site. For dock projects, show water depths at all mooring sites. These depths should be determined at approximate mean low water (MLW) or seasonal low water. Include the approximate tidal range (the difference between approximate mean high water (MHW) elevation and approximate MLW elevation) if the project is in a tidal waterbody.
- f. Label all existing structures in wetlands or other surface waters at or adjacent to the proposed activity, such as docks, bulkheads, riprap, or buildings.
- g. If dredging or dewatering is involved, show the location of proposed disposal or containment sites. Include any levees, control structures or other methods for retaining or detaining return water. Also include locations of discharge sites where appropriate. (Note that a consumptive or water use permit may be required for dewatering.)

h. For piling supported structures over wetlands or other surface waters, show the entire structure. Indicate the location of any aquatic vegetation in the vicinity of the proposed structure.

i. Show distance between the most waterward point of the proposed facility and the nearest edge of any navigation channel, where appropriate. If the project is on a waterway that has a federally maintained channel, a survey may be required to establish the distance from the waterward points of the structure to the near edge of the federal channel. Also indicate the width of the waterway.

j. Clearly show the locations of all corresponding cross-sectional or profile views on the plan view drawings.

2. CROSS-SECTIONAL AND PROFILE VIEWS

The cross-sectional view should show a "cut-away" end or middle view of the project, while the profile view should show a side view as if cut length-wise. All drawings should include:

a. Applicant name and graphic horizontal and vertical scales or dimensions of the proposed work on each drawing sheet.

b. Show approximate mean or seasonal (high and low) water line elevations referenced to NGVD.

C. PROJECT DETAILS

Provide a detailed description of the proposed project, including the following:

1. The type of activity that is proposed, how the activity will be conducted, construction techniques and sequencing, including equipment to be used, and methods for moving the equipment to and from the site. For projects that involve any dredging or excavation, describe the method of excavation, the type of material to be excavated, and the disposal location for the excavated material. State whether dredged material is to be placed (either temporarily or permanently) in a wetland or other surface water. Indicate the time period any temporary structures will be in place.

2. The acreage (or square footage) of excavation and fill and differentiate between temporary and permanent work.

3. Methods for controlling turbidity (muddy water caused by erosion or work in the water).

4. Methods for stabilizing any slopes that will be created or disturbed during construction, including times expected to elapse before stabilization is performed. Describe both temporary and permanent stabilization methods, such as staked hay bales, temporary grass seed, and permanent sod.

5. If pilings or a seawall are to be installed state whether pilings and seawall slabs are to be installed by jetting or driving.

6. For fill projects, describe the source and type of fill material to be used. For activities that involve the installation of riprap, describe the source, type and size of the rocks, concrete, or other material to be used for the riprap, and how these materials are to be placed. State whether the rocks will be underlain with filter cloth.

SECTION E

INFORMATION REQUESTED FOR STANDARD GENERAL, INDIVIDUAL AND CONCEPTUAL ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS NOT RELATED TO A SINGLE FAMILY DWELLING UNIT

Please provide the information requested below if the proposed project requires either a standard general, individual, or conceptual approval environmental resource permit and is not related to an individual, single family dwelling unit, duplex or quadruplex. The information listed below represents the level of information that is usually required to evaluate an application. The level of information required for a specific project will vary depending on the nature and location of the site and the activity proposed. Conceptual approvals generally do not require the same level of detail as a construction permit. However, providing a greater level of detail will reduce the need to submit additional information at a later date. If an item does not apply to your project, proceed to the next item. Please submit all information that is required by the Department on either 8 1/2 in. X 11 in. paper or 11 in. X 17 in. paper. Larger drawings may be submitted to supplement but not replace these smaller drawings.

I. Site Information

- A. Provide a map(s) of the project area and vicinity delineating USDA/SCS soil types.
Refer to Appendix 1.
- B. Provide recent aerials, legible for photo interpretation with a scale of 1" = 400 ft, or more detailed, with project boundaries delineated on the aerial.
Refer to Appendix 2.
- C. Identify the seasonal high water or mean high tide elevation and normal pool or mean low tide elevation for each on site wetland or surface water, including receiving waters into which runoff will be discharged. Include dates, datum, and methods used to determine these elevations.
Refer to Appendix 3.
- D. Identify the wet season high water tables at the locations representative of the entire project site. Include dates, datum, and methods used to determine these elevations.
Refer to Appendix 4.

II. Environmental Considerations

- A. Provide results of any wildlife surveys that have been conducted on the site, and provide any comments pertaining to the project from the Florida Game and Fresh Water Fish Commission and the U.S. Fish and Wildlife Service.
A plant and animal survey of Cayo Costa State Park was conducted in 2005 as part of the park's Unit Management Plan. Refer to Appendix 5 for the Plant and Animal List and a Designated Species List.
- B. Provide a description of how water quantity, quality, hydroperiod, and habitat will be maintained in on-site wetlands and other surface waters that will be preserved or will remain undisturbed.
Water quality will be maintained by the use of type 1 DOT floating turbidity barrier placed at the entrance of the channel. Silt barriers will be placed on the canal bank along the side where dredge material will be placed. Water quantity, hydroperiod, and habitat are not expected to change.
- C. Provide a narrative description of any proposed mitigation plans, including purpose, maintenance, monitoring, and construction sequence and techniques, and estimated costs.
There are no mitigation plans for this project.
- D. Describe how boundaries of wetlands or other surface waters were determined. If there has ever been a jurisdictional declaratory statement, a formal wetland determination, a formal determination, a

validated informal determination, or a revalidated jurisdictional determination, provide the identifying number.

Wetlands and boundaries were determined through interpretation of the U.S. Fish and Wildlife Service's National Wetland Inventory.

E. Impact Summary Tables:

1. For all projects, complete Tables 1, 2 and 3 as applicable.

2. For docking facilities or other structures constructed over wetlands or other surface waters, provide the information requested in Table 4.

Docking facilities or other structures will not be constructed in this project.

3. For shoreline stabilization projects, provide the information requested in Table 5.
This project will not include shoreline stabilization.

III. Plans

Provide clear, detailed plans for the system including specifications, plan (overhead) views, cross sections (with the locations of the cross sections shown on the corresponding plan view), and profile (longitudinal) views of the proposed project. The plans must be signed and sealed by an appropriate registered professional as required by law. Plans must include a scale and a north arrow. These plans should show the following:

A. Project area boundary and total land area, including distances and orientation from roads or other land marks;

B. Existing land use and land cover (acreage and percentages), and on-site natural communities, including wetlands and other surface waters, aquatic communities, and uplands. Use the Florida Land Use Cover & Classification System (FLUCCS)(Level 3) for projects proposed in the South Florida Water Management District, the St. Johns River Water Management District, and the Suwannee River Water Management District and use the National Wetlands Inventory (NWI) for projects proposed in the Southwest Florida Water Management District. Also identify each community with a unique identification number which must be consistent in all exhibits.

C. The existing topography extending at least 100 feet off the project area, and including adjacent wetlands and other surface waters. All topography shall include the location and a description of known benchmarks, referenced to NGVD. For systems waterward of the mean high water (MHW) or seasonal high water lines, show water depths, referenced to mean low water (MLW) in tidal areas or seasonal low water in non-tidal areas, and list the range between MHW and MLW. For docking facilities, indicate the distance to, location of, and depths of the nearest navigational channel and access routes to the channel.

D. If the project is in the known flood plain of a stream or other water course, identify the following: 1) the flood plain boundary and approximate flooding elevations; and 2) the 100-year flood elevation and floodplain boundary of any lake, stream or other watercourse located on or adjacent to the site;

E. The boundaries of wetlands and other surface waters within the project area. Distinguish those wetlands and other surface waters that have been delineated by any binding jurisdictional determination;

F. Proposed land use, land cover and natural communities (acreage and percentages), including wetlands and other surface waters, undisturbed uplands, aquatic communities, impervious surfaces, and water management areas. Use the same classification system and community identification number used in III (B) above.

G. Proposed impacts to wetlands and other surface waters, and any proposed connections/outfalls to other surface waters or wetlands;

No impacts to wetlands and other surface waters are expected and no connections/outfalls to other surface waters or wetlands are proposed.

- H. Proposed buffer zones;
Turbidity barriers and silt screens will be placed to control water quality. Refer to Attachment for details.
- I. Pre- and post-development drainage patterns and basin boundaries showing the direction of flows, including any off-site runoff being routed through or around the system; and connections between wetlands and other surface waters;
- J. Location of all water management areas with details of size, side slopes, and designed water depths;
- K. Location and details of all water control structures, control elevations, any seasonal water level regulation schedules; and the location and description of benchmarks (minimum of one benchmark per structure);
- L. Location, dimensions and elevations of all proposed structures, including docks, seawalls, utility lines, roads, and buildings;
- M. Location, size, and design capacity of the internal water management facilities;
- N. Rights-of-way and easements for the system, including all on-site and off-site areas to be reserved for water management purposes, and rights-of-way and easements for the existing drainage system, if any;
- O. Receiving waters or surface water management systems into which runoff from the developed site will be discharged;
- P. Location and details of the erosion, sediment and turbidity control measures to be implemented during each phase of construction and all permanent control measures to be implemented in post-development conditions;
- Q. Location, grading, design water levels, and planting details of all mitigation areas;
- R. Site grading details, including perimeter site grading;
- S. Disposal site for any excavated material, including temporary and permanent disposal sites;
- T. Dewatering plan details;
- U. For marina facilities, locations of any sewage pumpout facilities, fueling facilities, boat repair and maintenance facilities, and fish cleaning stations;
- V. Location and description of any nearby existing offsite features which might be affected by the proposed construction or development such as stormwater management ponds, buildings or other structures, wetlands or other surface waters.
- W. For phased projects, provide a master development plan.

IV. Construction Schedule and Techniques

Provide a construction schedule, and a description of construction techniques, sequencing and equipment. This information should specifically include the following:

- A. Method for installing any pilings or seawall slabs;
- B. Schedule of implementation of temporary or permanent erosion and turbidity control measures;
- C. For projects that involve dredging or excavation in wetlands or other surface waters, describe the method of excavation, and the type of material to be excavated;

D. For projects that involve fill in wetlands or other surface waters, describe the source and type of fill material to be used. For shoreline stabilization projects that involve the installation of riprap, state how these materials are to be placed, (i.e., individually or with heavy equipment) and whether the rocks will be underlain with filter cloth;

E. If dewatering is required, detail the dewatering proposal including the methods that are proposed to contain the discharge, methods of isolating dewatering areas, and indicate the period dewatering structures will be in place (Note: a consumptive use or water use permit may be required);

F. Methods for transporting equipment and materials to and from the work site. If barges are required for access, provide the low water depths and draft of the fully loaded barge;

G. Demolition plan for any existing structures to be removed; and

H. Identify the schedule and party responsible for completing monitoring, record drawings, and as-built certifications for the project when completed.

V. Drainage Information

A. Provide pre-development and post-development drainage calculations, signed and sealed by an appropriate registered professional, as follows:

1. Runoff characteristics, including area, runoff curve number or runoff coefficient, and time of concentration for each drainage basin;
 2. Water table elevations (normal and seasonal high) including aerial extent and magnitude of any proposed water table draw down;
 3. Receiving water elevations (normal, wet season, design storm);
 4. Design storms used including rainfall depth, duration, frequency, and distribution;
 5. Runoff hydrograph(s) for each drainage basin, for all required design storm event(s);
 6. Stage-storage computations for any area such as a reservoir, close basin, detention area, or channel, used in storage routing;
 7. Stage-discharge computations for any storage areas at a selected control point, such as control structure or natural restriction;
 8. Flood routings through on-site conveyance and storage areas;
 9. Water surface profiles in the primary drainage system for each required design storm event(s);
 10. Runoff peak rates and volumes discharged from the system for each required design storm event(s);
 11. Tail water history and justification (time and elevation); and
 12. Pump specifications and operating curves for range of possible operating conditions (if used in system).
- B. Provide the results of any percolation tests, where appropriate, and soil borings that are representative of the actual site conditions;
- C. Provide the acreage, and percentages of the total project, of the following:
1. Impervious surfaces, excluding wetlands;
 2. Pervious surfaces (green areas, not including wetlands);

3. Lakes, canals, retention areas, other open water areas; and
4. Wetlands.
- D. Provide an engineering analysis of floodplain storage and conveyance (if applicable), including:
 1. Hydraulic calculations for all proposed traversing works;
 2. Backwater water surface profiles showing upstream impact of traversing works;
 3. Location and volume of encroachment within regulated floodplain(s); and
 4. Plan for compensating floodplain storage, if necessary, and calculations required for determining minimum building and road flood elevations.
- E. Provide an analysis of the water quality treatment system including:
 1. A description of the proposed stormwater treatment methodology that addresses the type of treatment, pollution abatement volumes, and recovery analysis; and
 2. Construction plans and calculations that address stage-storage and design elevations, which demonstrate compliance with the appropriate water quality treatment criteria.
- F. Provide a description of the engineering methodology, assumptions and references for the parameters listed above, and a copy of all such computations, engineering plans, and specifications used to analyze the system. If a computer program is used for the analysis, provide the name of the program, a description of the program, input and output data, two diskette copies, if available, and justification for model selection.

VI. Operation and Maintenance and Legal Documentation

- A. Describe the overall maintenance and operation schedule for the proposed system.
- B. Identify the entity that will be responsible for operating and maintaining the system in perpetuity if different than the permittee, a draft document enumerating the enforceable affirmative obligations on the entity to properly operate and maintain the system for its expected life, and documentation of the entity's financial responsibility for long-term maintenance. If the proposed operation and maintenance entity is not a property owner's association, provide proof of the existence of an entity, or the future acceptance of the system by an entity which will operate and maintain the system. If a property owner's association is the proposed operation and maintenance entity, provide copies of the articles of incorporation for the association and copies of the declaration, restrictive covenants, deed restrictions, or other operational documents that assign responsibility for the operation and maintenance of the system. Provide information ensuring the continued adequate access to the system for maintenance purposes. Before transfer of the system to the operating entity will be approved, the permittee must document that the transferee will be bound by all terms and conditions of the permit.
- C. Provide copies of all proposed conservation easements, storm water management system easements, property owner's association documents, and plats for the property containing the proposed system.
- D. Provide indication of how water and waste water service will be supplied. Letters of commitment from off-site suppliers must be included.
- E. Provide a copy of the boundary survey and/or legal description and acreage of the total land area of contiguous property owned/controlled by the applicant.

VII. Water Use

- A. Will the surface water system be used for water supply, including landscape irrigation, or recreation.

- B. If a Consumptive Use or Water Use permit has been issued for the project, state the permit number.
- C. If no Consumptive Use or Water Use permit has been issued for the project, indicate if such a permit will be required and when the application for a permit will be submitted.
- D. Indicate how any existing wells located within the project site will be utilized or abandoned.

TABLE 1
 Project Impact Summary

WL & SW ID	WL & SW TYPE	WL & SW SIZE (ac.) ON SITE	WL & SW ACRES NOT IMPACTED	PERMANENT IMPACTS TO WL & SW		TEMPORARY IMPACTS TO WL & SW		MITIGATION ID
				IMPACT SIZE (acres)	IMPACT CODE	IMPACT SIZE (acres)	IMPACT CODE	

--	--	--	--	--	--	--	--	--

WL = Wetland; **SW** = Surface water; **ID** = Identification number, letter, etc.

Wetland Type: Use an established wetland classification system and, in the comments section below, indicate which classification system is being used.

Impact Code (Type): D = dredge; F = fill; H = change hydrology; S = shading; C = clearing; O = other. Indicate the final impact if more than one impact type is proposed in a given area. For example, show F only for an area that will first be demucked and then backfilled.

Note: Multiple entries per cell are not allowed, except in the "Mitigation ID" column. Any given acreage of wetland should be listed in one row only, such that the total of all rows equals the project total for a given category (column). For example, if Wetland No. 1 includes multiple wetland types and multiple impact codes are proposed in each type, then each proposed impact in each wetland type should be shown on a separate row, while the size of each wetland type found in Wetland No. 1 should be listed in only one row.

Comments: _____

TABLE 2
 ON-SITE MITIGATION SUMMARY

MITIGATION ID	CREATION		RESTORATION		ENHANCEMENT		WETLAND PRESERVE		UPLAND PRESERVE		OTHER	
	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE

PROJECT TOTALS:												

CODES (multiple entries per cell not allowed): Target Type or Type = target or existing habitat type from an established wetland classification system or land use classification for non-wetland mitigation

COMMENTS:

TABLE 3
 OFF-SITE MITIGATION SUMMARY

MITIGATION ID	CREATION		RESTORATION		ENHANCEMENT		WETLAND PRESERVE		UPLAND PRESERVE		OTHER	
	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE

PROJECT TOTALS:												

CODES (multiple entries per cell not allowed):

Target Type=target or existing habitat type from an established wetland classification system or land use classification for non-wetland mitigation

TABLE 4
 DOCKING FACILITY SUMMARY

Type of Structure*	Type of Work**	Number of Identical Docks	Length (feet)	Width (feet)	Height (feet)	Total square feet over water	Number of slips
*Dock, Pier, Finger Pier, or other structure (please specify what type) **New, Replaced, Existing (unaltered), Removed, or Altered/Modified				TOTALS:	Existing	Proposed	
				Number of Slips			
				Square Feet over the water			

Use of Structure:

Will the docking facility provide:

Live-aboard Slips? If yes, Number:

Fueling Facilities: If yes, Number

Sewage Pump-out Facilities? If yes, Number:

Other Supplies or Services Required for Boating (excluding refreshments, bait and tackle)

☐ Yes ☐ No

Type of Materials for Decking and Pilings (i.e., CCA, pressure treated wood, plastic, or concrete)

Pilings

Decking

Proposed Dock-Plank Spacing (if applicable)

Proposed Size (length and draft), Type, and Number of Boats Expected to Use or Proposed to be Mooring at the facility)

Table 5: SHORELINE STABILIZATION
 IF YOU ARE CONSTRUCTING A SHORELINE STABILIZATION PROJECT, PLEASE PROVIDE THE
 FOLLOWING:

Type of Stabilization Being Done	Length (in feet) of New	Length (in feet) of Replaced	Length (in feet) of Repaired	Length (in feet) of Removed	Slope: H: V:	Width of the Toe (in feet)
Vertical Seawall						
Seawall plus Rip- Rap						
Rip-Rap						
Rip-Rap plus Vegetation						
Other Type of Stabilization Being Done:						

Size of the Rip Rap: _____

Type of Rip Rap: _____

COMMENTS:

SECTION F

Information for Mitigation Banks

Please provide the information requested below if you are applying for a mitigation bank permit or a mitigation bank conceptual approval.

A. General Site Conditions. Provide the following:

1. A map, at regional scale, of the mitigation bank in relation to the regional watershed and proposed mitigation service area.
2. A vicinity map showing the mitigation bank in relation to adjacent lands and off-site areas of ecological or hydrologic significance which could affect the long term viability or ecological value of the bank;
3. A recent aerial photo of the mitigation bank (no photocopies) identifying boundaries of the project area;
4. A highway map showing points of access to the mitigation bank for site inspection;
5. A legal description of the proposed mitigation bank;
6. A description and assessment of current site conditions including:
 - (a) a soils map of the mitigation bank site;
 - (b) a topographic map of the mitigation bank site and adjacent hydrologic contributing and receiving areas;
 - (c) a hydrologic features map of the mitigation bank and adjacent hydrologic contributing and receiving areas;
 - (d) current hydrologic conditions in the mitigation bank site;
 - (e) a vegetation map of the mitigation bank site;
 - (f) ecological benefits currently provided to the regional watershed by the mitigation bank site;
 - (g) adjacent lands, including existing land uses and conditions, projected land uses according to comprehensive plans adopted pursuant to Chapter 163, F.S., by local governments having jurisdiction, and any special designations or classifications associated with adjacent lands or waters;
 - (h) a disclosure statement of any material fact which may affect the contemplated use of the property; and
 - (i) a Phase I environmental audit of the property (not required for a Conceptual Approval).

B. Mitigation Bank Information

1. A description of the ecological significance of the proposed mitigation bank to the regional watershed in which it is located.
2. A mitigation plan describing the actions proposed to establish, construct, operate, manage and maintain the mitigation bank including:
 - (a) construction-level drawings detailing proposed topographic alterations and all structural components associated with proposed activities (not required for a Conceptual Approval);
 - (b) proposed construction activities, including a detailed schedule for implementation (not required for a Conceptual Approval);
 - (c) the proposed vegetation planting scheme and detailed schedule for implementation;
 - (d) measures to be implemented during and after construction to avoid adverse impacts related to proposed activities;
 - (e) a detailed long-term management plan comprising all aspects of operation and maintenance, including water management practices, vegetation establishment, exotic and nuisance species control, fire management, and control of access; and
 - (f) a proposed monitoring plan to demonstrate mitigation success.

3. An assessment of improvement or changes in ecological value anticipated as a result of proposed mitigation actions including:
 - (a) a description of anticipated site conditions in the mitigation bank after the mitigation plan is successfully implemented;
 - (b) a comparison of current fish and wildlife habitat to expected habitat after the mitigation plan is successfully implemented; and
 - (c) a description of the expected ecological benefits to the regional watershed.
4. Evidence of sufficient legal or equitable interest in the property which is to become the mitigation bank to meet the requirements of the Applicant's Handbook / Basis of Review (not required for a Conceptual Approval).
5. Draft documentation of financial responsibility meeting the requirements of the Applicant's Handbook / Basis of Review (not required for a Conceptual Approval).
6. Any engineering calculations and/or computer modeling (such as hydrograph or staging) needed to assess the effects of the project on the hydrologic characteristics of the mitigation bank site and upstream and downstream areas.

SECTION G

Application for Authorization to Use Sovereign Submerged Lands

Part 1: Sovereign Submerged Lands title information (see Attachment 5 for an explanation). Please read and answer the applicable questions listed below:

A. I have a sovereign submerged lands title determination from the Division of State Lands which indicates that the proposed project is NOT ON sovereign submerged lands (Please attach a copy of the title determination to the application). Yes ☐ No ☐

- If you answered Yes to Question A and you have attached a copy of the Division of State Lands Title Determination to this application, you do not have to answer any other questions under Part I or II of Section G.

B. I have a sovereign submerged lands title determination from the Division of State Lands which indicates that the proposed project is ON sovereign submerged lands (Please attach a copy of the title determination to the application). Yes ☐ No ☐

- If you answered yes to question B please provide the information requested in Part II. Your application will be deemed incomplete until the requested information is submitted.

C. I am not sure if the proposed project is on sovereign submerged lands (please check here). ☐

- If you have checked this box department staff will request that the Division of State Lands conduct a title determination. If the title determination indicates that the proposed project or portions of the project are located on sovereign submerged lands you will be required to submit the information requested in Part II of this application. The application will be deemed incomplete until the requested information is submitted.

D. I am not sure if the proposed project is on sovereign submerged lands and I DO NOT WISH to contest the Department's findings (please check here). ☐

- If you have checked this box refer to Part II of this application and provide the requested information. The application will be deemed incomplete until the requested information is submitted.

E. It is my position that the proposed project is NOT on sovereign submerged lands (please check here) ☐

- If you have evidence that indicates that the proposed project is not on sovereign submerged lands please attach the documentation to the application. If the Division of State Lands title determination indicates that your proposed project or portion of your proposed project are on sovereign submerged lands you will be required to provide the information requested in Part II of this application.

F. If you wish to contest the findings of the title determination conducted by the Division of State Lands please contact the Department of Environmental Protection's Office of General Counsel. Your proposed project will be deemed incomplete until either the information requested in Part II is submitted or a legal ruling indicates that the proposed project is not on sovereign submerged lands.

Part II: If you were referred to this section by Part I, please provide this additional information. Please note that if your proposed project is on sovereign submerged lands and the below requested information is not provided, your application will be considered incomplete.

A. Provide evidence of title to the subject riparian upland property in the form of a recorded deed, title insurance, legal opinion of title, or a long-term lease which specifically includes riparian rights. Evidence submitted must demonstrate that the application has sufficient title interest in the riparian upland property.

B. Provide a detailed statement describing the existing and proposed upland uses and activities. For commercial uses, indicate the specific type of activity, such as marina, ship repair, dry storage (including the number of storage

spaces), commercial fishing/seafood processing, fish camp, hotel, motel resort restaurant, office complex, manufacturing operation, etc.

For rental operations, such as trailer or recreational vehicle parks and apartment complexes, indicate the number of wet slip units/spaces available for rent or lease and describe operational details (e.g., are spaces rented on a month-to-month basis or through annual leases).

For multi-family residential developments, such as condominiums, townhomes, or subdivisions, provide the number of living units/lots and indicate whether or not the common property (including the riparian upland property) is or will be under the control of a homeowners association.

For projects sponsored by a local government, indicate whether or not the facilities will be open to the general public. Provide a breakdown of any fees that will be assessed, and indicate whether or not such fees will generate revenue or will simply cover costs associated with maintaining the facilities.

C. Provide a detailed statement describing the existing and proposed activities located on or over the sovereign submerged lands at the project site. This statement must include a description of docks and piers, types of vessels (e.g., commercial fishing, liveaboards, cruise ships, tour boats), length and draft of vessels, sewage pumped facilities, fueling facilities, boat hoists, boat ramps, travel lifts, railways, and any other structure or activities existing or proposed to be located waterward of the mean/ordinary high water line.

If slips are existing and/or proposed, please indicate the number of powerboat slips and sailboat slips and the percentage of those slips available to the general public on a "first come, first served" basis. This statement must include a description of channels, borrow sites, bridges, groins, jetties, pipelines, or other utility crossings, and any other structures or activities existing or proposed to be located waterward of the mean/ordinary high water line. For shoreline stabilization activities, this statement must include a description of seawalls, bulkheads, riprap, filling activities, and any other structure or activities existing or proposed to be located along the shoreline.

D. Provide the linear footage of shoreline at the mean/ordinary high water line owned by the application which borders sovereign submerged lands.

E. Provide a recent aerial photo of the area. A scale of 1"=200' is preferred. Photos are generally available at minimal cost from your local government property appraiser's office or from district Department of Transportation offices. Indicate on the photo the specific location of your property/project site.

PROPRIETARY PROJECT DESCRIPTIONS

Please check the most applicable activity which applies to your project(s):

Leases

- ☐ Commercial marinas (renting wet slips) including condos, etc., if 50% or more of their wet slips are available to the general public
- ☐ Public/Local governments
- ☐ Yacht Clubs/Country Clubs (when a membership is required)
- ☐ Condominiums (requires upland ownership)
- ☐ Commercial Uplands Activity (temporary docking and/or fishing pier associated with upland revenue generating activities, i.e., restaurants, hotels, motels) for use of the customer at not charge
- ☐ Miscellaneous Commercial Upland Enterprises where there is a charge associated with the use of overwater structure (Charter Boats, Tour Boats, Fishing Piers)
- ☐ Ship Building/Boat Repair Service Facilities
- ☐ Commercial Fishing Related (Offloading, Seafood Processing)
- ☐ Private Single-family Residential Docking Facilities; Townhome Docking Facilities; Subdivision Docking Facilities (upland lots privately owned)

Public Easements and Use Agreements

- ☐ Miscellaneous Public Easements and Use Agreements
- ☐ Bridge Right-of-way (DOT, local government)
- ☐ Breakwater of groin
- ☐ Subaqueous Utility Cable (TV, telephone, electrical)
- ☐ Subaqueous Outfall or Intake
- ☐ Subaqueous Utility Water/Sewer
- ☐ Overhead Utility w/Support Structure on Sovereign Submerged Lands
- ☐ Disposal Site for Dredged Material
- ☐ Pipeline (gas)
- ☐ Borrow Site

Private Easements

- ☐ Miscellaneous Private Easements
- ☐ Bridge Right-of-way
- ☐ Breakwater Groin
- ☐ Subaqueous Utility Cable (TV, telephone, electrical)
- ☐ Subaqueous Outfall or Intake
- ☐ Subaqueous Utility Water/Sewer
- ☐ Overhead Utility Crossing
- ☐ Disposal Site for Dredged Material
- ☐ Pipeline (gas)

Consents of Use

- ☐ Aerial Utility Crossing w/no support structures on sovereign submerged lands
- ☐ Private Dock
- ☐ Public Dock
- ☐ Multi-family Dock
- ☐ Fishing Pier (private or Multi-family)
- ☐ Private Boat Ramp
- ☐ Sea Wall
- ☐ Dredge
- ☐ Maintenance Dredge
- ☐ Navigation Aids/Markers
- ☐ Artificial Reef
- ☐ Riprap
- ☐ Public Boat Ramp
- ☐ Public Fishing Pier
- ☐ Repair/Replace Existing Public Fishing Pier
- ☐ Repair/Replace Existing Private Dock
- ☐ Repair/Replace Existing Public Dock
- ☐ Repair/Replace Existing Multi-family Dock
- ☐ Repair/Replace Existing Fishing Pier (Private or Multi-family)
- ☐ Repair/Replace Existing Private Boat Ramp
- ☐ Repair/Replace Existing Sea Wall, Revetments, or Bulkheads
- ☐ Repair/Replace/Modify structures/activities within an exiting lease, easement, management agreement or use agreement area or repair/replace existing grandfathered structures
- ☐ Repair/Replace Existing Public Boat Ramp

Miscellaneous

- ☐ Biscayne Bay Letters of Consistency/Inconsistency w/258.397, F.S.
- ☐ Management Agreements - Submerged Lands
- ☐ Reclamation
- ☐ Purchase of Filled, Formerly Submerged Lands
- ☐ Purchase of Reclaimed Lake Bottom
- ☐ Treasure Salvage
- ☐ Insect Control Structures/Swales
- ☐ Miscellaneous projects which do not fall within the activity codes listed above

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

ATTACHMENTS TO FORM 62-343.900(1):
JOINT APPLICATION FOR
ENVIRONMENTAL RESOURCE PERMIT
AUTHORIZATION TO USE SOVEREIGN SUBMERGED LANDS
FEDERAL DREDGE AND FILL PERMIT

Attachment No.	Title	Effective Date
1	DEP and WMD Permitting Responsibilities	October 3, 1995
2	Summary of Activities Typically Authorized by Each Permit Type	October 3, 1995
3	Permit Application Processing Fees	October 3, 1995
4	Mailing instructions for submitting ERP applications to DEP, with Map Showing the DEP District Boundaries and Addresses	October 3, 1995
5	Proprietary v. Regulatory Authorization	October 3, 1995

**Attachment 1 to Instructions for Joint
Summary of DEP and WMD Permitting Responsibilities**

The Department of Environmental Protection ("Department" or "DEP") is responsible for issuing (or denying) permits for some types of activities. The Water Management Districts ("WMDs") issue (or deny) the remaining types. You must submit your permit application to the agency which is responsible for permitting your proposed activities. This summary covers typical cases; applicants with non-typical situations or who need further clarification should contact the nearest DEP or WMD office.

THE DEPARTMENT is responsible for reviewing and taking agency action on the following activities (including compliance and enforcement):

- Systems designed to accommodate only one single-family dwelling unit, duplex, triplex, or quadruplex on a contiguous ownership of property of five acres or less, provided the single-family dwelling unit, duplex, triplex, or quadruplex is not part of a larger common plan of development or sale proposed by the applicant. The term "system" means a stormwater management system, dam, impoundment, reservoir, appurtenant work or works, or any combination thereof, including dredged or filled areas. This term includes the construction of docks, seawalls, structures, and all other types of dredging or filling in surface waters and wetlands.
- Projects that also need a waste treatment or management permit from DEP:
 - Solid waste (except certain activities that qualify for general permits)
 - Hazardous waste (except where the storage of hazardous waste is an incidental part of the facility)
 - Domestic wastewater (except for certain applications)
 - Industrial wastewater (except certain activities that qualify for general permits)
- All mining projects (excluding borrow pits).
- Power plants and electrical distribution and transmission lines, including associated facilities
- Communication cables and lines.
- Natural gas or petroleum exploration activities and facilities, and product pipelines.
- Docking facilities involving the creation of 10 or more new boat slips, including adjacent docking-related development and associated navigational dredging, except where the docking facility and associated navigational dredging is part of a larger plan of other commercial or residential development that has received or requires a permit under Part IV of Chapter 373, F.S. The term "adjacent docking-related development" includes parking areas for the docking facility, dry storage facilities, boat sales and supply facilities, maintenance and repair facilities, associated seafood loading and processing facilities, restaurants, and harbor master and marina administration facilities.
- Activities proposed in whole or in part seaward of the coastal construction control line.
- Navigational dredging conducted by governmental entities.
- Seaports and adjacent seaport-related development where the applicant or property owner is a port authority.
- The following activities in wetlands and other surface waters when such activities are not part of a larger plan of development: boat ramps, ski jumps, ski slalom courses, aids to navigation, mooring buoys and fields, piling supported structures which are not physically connected to uplands, estuarine and marine aquaculture facilities, fish attractors, artificial reefs, treasure salvage, and archaeological research or exploration.
- Temporary systems for commercial film productions.
- High speed rail facilities.

- Magnetic levitation demonstration projects.
- Mitigation banks primarily for: mining or power production; governmental solid waste facilities; governmental domestic wastewater facilities; industrial waste facilities; communication cables and lines; natural gas or petroleum exploration activities and facilities; and product pipelines; navigational dredging projects conducted by governmental entities; seaports; and modifications of permits previously issued by the Department.
- Modification of permits issued by the Department. If the permit has been modified, the agency that issued the last modification to the permit shall process the modification. Modifications to Management and Storage of Surface Waters (MSSW) Permits shall be processed by the appropriate Water Management District, except that the Department shall process modifications of MSSW permits for solid waste facilities and mining projects.
- All applications for wetland resource permits within the territory of the Northwest Florida Water Management District.

THE SOUTH FLORIDA, SOUTHWEST FLORIDA, ST. JOHNS RIVER, AND SUWANNEE RIVER WATER MANAGEMENT DISTRICTS are responsible for reviewing and taking agency action (including compliance and enforcement) on all other Environmental Resource Permit Applications. THE NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT is responsible for reviewing and taking agency action (including compliance and enforcement) for agriculture and silviculture activities.

Attachment 2 to Instructions for Joint Application Summary of Activities Typically Authorized by Each Permit Type

These summary lists will assist an applicant in determining what type of permit their project will normally require. These lists are only a brief summary of the various exemptions or permit types and do not contain all of the requirements for each exemption or permit. Applicants unfamiliar with the details of all the requirements which apply to the various exemptions or permit types, or uncertain of how the conditions would apply to a specific situation, should discuss their project with staff of the appropriate reviewing agency before submitting an application.

EXEMPTIONS

You do not normally need to apply for a permit for these activities. If you are uncertain if your specific project meets the conditions for an Exemption, contact the agency with jurisdiction in the location where the activity is proposed.

- The repair or replacement of existing functional pipes or culverts, the purpose of which is the discharge or conveyance of stormwater
- The performance of maintenance dredging of existing manmade canals, channels, basins, berths, and intake and discharge structures
- The maintenance of functioning insect control structures, and the maintenance of functioning dikes and functioning irrigation and drainage ditches, including roadway drainage ditches
- The maintenance of previously-permitted minor silviculture surface water management systems
- The restoration of less than 100 feet in length of existing insect control impoundment dikes and the connection of such impoundments to tidally-influenced waters
- The installation, replacement or repair of mooring pilings and dolphins associated with private docking facilities
- The installation of private docks of 1000 square feet or less of surface area over wetlands or other surface waters or 500 square feet or less of surface area over wetlands or other surface waters for docks which are located in Outstanding Florida Waters
- Construction of private docks in artificially-created waterways where construction will not violate water quality standards, impede navigation, or adversely affect flood control
- The replacement or repair of existing docks and mooring piles
- The installation and maintenance to design specifications of boat ramps on artificial bodies of water, or the installation and maintenance to design specifications of boat ramps open to the public in any wetlands or other surface waters
- Construction of seawalls or riprap in artificially-created waterways
- The restoration of a seawall or riprap at its previous location or within one foot waterward of its previous location
- The construction of vertical seawalls in wetlands or other surface waters and the construction of riprap revetments, where such construction adjoins at both ends existing seawalls or riprap, follows a continuous and uniform construction line with the existing seawalls or riprap, is no more than 150 feet in length
- The installation of subaqueous transmission and distribution lines laid on, or embedded in, the bottoms of wetlands or other surface waters
- The replacement or repair of subaqueous transmission and distribution lines laid on, or embedded in, the bottoms of wetlands or other surface waters
- Activities necessary to preserve, restore, repair, remove, or replace an existing communication or power pole or line
- Installation, removal, and replacement of utility poles that support telephone or communication cable lines, or electric distribution lines of 35 kV or less
- The replacement or repair of existing open-trestle foot bridges and vehicular bridges that are 100 feet or less in length and two lanes or less in width
- Construction or maintenance of culverted driveways or roadway crossings and bridges of artificial waterways
- The installation of aids to navigation
- The use of rotenone, by Florida Game and Fresh Water Fish Commission
- Construction of fresh water fish attractions by Florida Game and Fresh Water Fish Commission, U.S. Forest Service, and county and municipal governments

- Installation of piling support structures associated with water quality testing or monitoring equipment by the Department or the Water Management Districts

NOTICED GENERAL ENVIRONMENTAL RESOURCE PERMIT

Listed below are activities which may qualify for a Noticed General Permit. Applicants who believe their projects might qualify should discuss the proposed project with the agency with jurisdiction in the location where the activity is proposed; obtain a copy of the applicable rule section(s) where the detailed terms, conditions, limitations and restrictions are listed; and then file an application.

- General Permit for installation, alteration or maintenance of boat ramps and associated accessory docks (Section 62-341.417, F.A.C.)
- General Permit for certain piers and associated structures (Section 62-341.427, F.A.C.)
- General Permit for installation of riprap (Section 62-341.431, F.A.C.)
- General Permit for installation of fences (Section 62-341.437, F.A.C.)
- General Permit for the construction or maintenance of culverted driveway or roadway crossings and bridges of artificial waterways (Section 62-341.439, F.A.C.)
- General Permit to the Florida Department of Transportation, counties and municipalities, for minor bridge alteration, replacement, maintenance and operation (Section 62-341.443, F.A.C.)
- General Permit to the Florida Department of Transportation, counties and municipalities for minor activities within existing rights-of-way or easements (Section 62-341.447, F.A.C.)
- General Permit for installation, maintenance, repair, and removal of underground cable, conduit, or pipeline (Section 62-341.453, F.A.C.)
- General Permit for the construction of aerial pipeline, cable, and conduit crossings of certain waters (Section 62-341.455, F.A.C.)
- General Permit for subaqueous utility crossings of artificial waterways (Section 62-341.457, F.A.C.)
- General Permit for the construction and operation of culverts and associated water control structures in mosquito control impoundments by governmental mosquito control agencies (Section 62-341.463, F.A.C.)
- General Permit for breaching mosquito control impoundments by governmental mosquito control agencies (Section 62-341.467, F.A.C.)
- General Permit for minor activities (Section 62-341.475, F.A.C.)
- General Permit for the U.S. Forest Service for minor works within National Forests (Section 62-341.495, F.A.C.)
- General Permit for the construction of artificial reefs (Section 62-341.600, F.A.C.)
- General Permit for clam and oyster culture on sovereignty submerged lands aquaculture leases (Section 62-341.601, F.A.C.)
- General Permit for installation and maintenance of intake and discharge pipes associated with marine bivalve facilities (Section 62-341.602, F.A.C.)
- General Permit for non-nursery cultivation and wild collection of aquatic plants (Section 62-341.603, F.A.C.)
- General Permit to perform prospecting activities for phosphate minerals (Section 62-341.610, F.A.C.)
- General Permit for temporary dragline crossings of waters (Section 62-341.611, F.A.C.)
- General Permit for low water crossings (Section 62-341.612, F.A.C.)
- General Permit for the construction and maintenance of electric powerlines by electric utilities (Section 62-341.620, F.A.C.)
- General Permit for relocation of aerial electric and communication lines associated with road improvement projects (Section 62-341.621, F.A.C.)

STANDARD GENERAL ENVIRONMENTAL RESOURCE PERMIT

Activities which do not qualify for an exemption or a noticed general permit may qualify for a Standard General Permit, if those activities meet all (except as noted) the criteria listed below. Applicants who are uncertain, especially with regard to "incidental site activities", should contact the appropriate reviewing agency. Applicants must file a permit application for any project which meets the criteria for a Standard General Permit.

- System must not be capable of impounding a volume of water more than 120 acre-feet, and

- Construction or alteration involving less than one acre of wetlands, and
- Project size is less than 100 acres, and
- The number of boat slips is less than ten.

or

- Is limited to incidental site activities (not applicable in St. Johns River WMD and Southwest Florida WMD).

INDIVIDUAL, AND CONCEPTUAL, ENVIRONMENTAL RESOURCE PERMIT

Any project or activity involving the construction, alteration, operation, maintenance, repair, or abandonment of any surface water or stormwater management system, dam, impoundment, reservoir, appurtenant work or works - including dredging and filling, and establishment and maintenance of a mitigation bank - must receive an Individual, or a Conceptual, Environmental Resource Permit, unless the project qualifies for an exemption or some type of general permit.

U.S. ARMY CORPS OF ENGINEERS GENERAL PERMITS

GP Number	ACTIVITY	COUNTY	ISSUED DATE	DATE EXPIRES
SAJ-5	Maintenace Dredge of Residential Canals	All Florida	8-15-94	8-15-99
SAJ-9	Private Piers	Palm Beach	7-22-94	7-22-99
SAJ-12	Boat Ramp	All Florida	3-1-94	3-1-99
SAJ-13	Aerial Transmission Lines	All Florida	3-1-94	3-1-99
SAJ-14	Subaqueous Transmission Lines	All Florida	3-1-94	3-1-99
SAJ-17	Minor Structures	All Florida	12-7-90	12-7-95
SAJ-18	Boat Slips	All Florida	3-31-94	3-31-99
SAJ-20	Private Piers	All Florida	3-1-94	3-1-99
SAJ-33	Private Multi-family Piers	All Florida	3-1-94	3-1-99
SAJ-34	Commercial Piers	All Florida	3-1-94	3-1-99
SAJ-41	Bulkheads and Backfill	Pine Island	4-13-89	4-13-94
SAJ-42	Private Piers	Dade	2-16-94	2-16-99
SAJ-46	Bulkheads and Backfill in Residential Canals	All Florida	1-19-95	1-19-00
SAJ-48	Fill	Alligator Alley	10-12-88	10-12-93
SAJ-50	Artificial Reefs	All Florida	7-1-89	7-1-94
SAJ-59	Fill	Dade: Bird Drive Basin	8-2-94	8-2-99
SAJ-67	Minor Structures	Okeechobee Waterway	1-24-91	1-24-99
SAJ-68	Restricted Zones	All Florida	5-1-90	5-1-95
SAJ-70	Bulheads and Backfill	Monroe: Cudjoe Gardens	11-9-90	11-9-95

Notes: ALL GENERAL PERMITS ARE SUBJECT TO GENERAL CONDITIONS.

As of March 1, 1994, all general permits for single-family piers that have been revoked are now replaced by SAJ-20.

U. S. ARMY CORPS OF ENGINEERS NATIONWIDE PERMITS

Nationwide Permit Number & Description	Water Quality Certification	Coastal Zone Consistency	PredischARGE Notification Requirements
1: Aids to Navigation	Certified	Certified	None
2: Structures in Artificial Canals	Certified	Certified	None
3: Maintenance	Certified	Certified	None
4: Fish & Wildlife Harvesting, Enhancement and Attraction Devices and Activities	Certified	Certified	None
5: Scientific Measurement Devices	Certified	Certified	No PDN coordination required
6: Survey Activities	Certified	Certified	None
7: Outfall Structures	Certified	Certified	No PDN coordination required
8: Oil and Gas Structures	Denied	Denied	
9: Structures in Fleeting and Anchorage Areas	Certified	Certified	None
10: Mooring Buoys	Certified	Certified	None
11: Temporary Recreational Structures	Certified	Certified	None
12: Utility Line Backfill and Bedding	Certified	Certified	None
13: Bank Stabilization	Certified	Certified	PDNs will be coordinated with all Federal agencies
14: Road Crossing	Certified	Certified	PDN coordination for tidal crossings only
15: USCG Approved Bridges	Certified	Certified	None
16: Return Water from Upland CDF (contained disposal facility)	Denied	Certified	None
17: Hydropower Projects	Certified	Certified	PDN required for all applications with coordination with all agencies
18: Minor Discharges	Certified	Certified	PDNs coordinated with all agencies
19: 25 Cubic Yards of Dredging	Certified	Certified	None

20: Oil-Spill Cleanup	Certified	Certified	None
22: Removal of Vessels	Certified	Certified	None
23: Approved Categorical Exclusions	Certified	Certified	None
24: State-Administered Section 404 Program	NA	NA	None
25: Structural Discharge	Certified	Certified	None
26: Headwaters and Isolated Waters Discharges	Denied	Certified	All work between 1 and 5 acres coordinated with EPA, NMFS and USF&WS. Work between 5 and 10 acres coordinated with ALL agencies, including State Clearinghouse in Tallahassee
27: Wetland Restoration Activities	Certified	Certified	None
28: Modification of Existing Marinas	Certified	Certified	None
32: Completed Enforcement Actions	Certified	Certified	None
33: Temporary Construction and Access	Certified	Certified	No PDN coordination required
35: Maintenance Dredging of Existing Basins	Certified	Certified	None
36: Boat Ramps	Certified	Certified	None
37: Emergency Watershed Protection	Certified	Certified	No PDN coordination required with ALL agencies
38: Cleanup of Hazardous and Toxic Waste	Certified	Certified	No PDN coordination required with ALL agencies
40: Farm Buildings	Certified	Certified	None

Notes: Further explanations of listed activities can be found at 33 CFR Part 330 Appendix B.

Nationwide permit program revised - January 21, 1992
 Information on nationwides as of June 28, 1993

ATTACHMENT 3 TO INSTRUCTIONS FOR JOINT APPLICATION PERMIT APPLICATION PROCESSING FEES FOR DEP

(Note - fees may be different if application is processed by a WMD)

Environmental Resource Permits

For individual, conceptual approval or standard general permit applications that involve a combination of the fee categories listed in Paragraphs A and B below, the highest fee in these paragraphs that applies to the project in question shall be the correct application fee.

- A. Individual and Conceptual Approval Permits (those systems that involve \$ 1 acre of construction or alteration in, on or over wetlands or other surface waters, involve \$ 10 new boat slips, are capable of impounding > 120 acre feet, serve a total land area \$ 100 acres, or provide for the placement of \$ 12 acres of impervious surface):
1. For a system that involves < 1 acre of construction or alteration in, on or over wetlands or other surface waters and involves < 10 new boat slips but reaches any of the following three thresholds:
 - a. is capable of impounding > 120 acre feet;
 - b. serves a total land area \$ 100 acres; or
 - c. provides for the placement of \$ 12 acres of impervious surface..... \$2,500.00
 2. For a system involving the following total acreage of construction or alteration in, on or over wetlands or other surface waters:
 - a. $\geq$ 100 acres\$10,000.00
 - b. < 100 acres and \$ 50 acres\$8,000.00
 - c. < 50 acres and \$ 10 acres.....\$6,500.00
 - d. < 10 acres and \$ 5 acres.....\$5,500.00
 - e. < 5 acres and \$ 2 acres.....\$4,000.00
 - f. < 2 acres and \$ 1 acre.....\$3,000.00
 3. For a system involving 10 or more new boat slips and either capable of impounding \$ 40 acre feet, serving a total land area \$ 40 acres, providing for the placement of \$ 12 acres of impervious surface, or involving construction or alteration (other than new boat slips) in, on or over wetlands or other surface waters, with the following number of new slips:
 - a. 50 or more.....\$6,500.00
 - b. 30 - 49.....\$5,500.00
 - c. 10 - 29.....\$4,000.00
 4. For a system involving 10 or more new boat slips and capable of impounding < 40 acre feet, serving a total land area < 40 acres, providing for the placement of < 12 acres of impervious surface, and not involving construction or alteration (other than new boat slips) in, on or over wetlands or other surface waters, with

the following number of new slips:

- a. 50 or more.....\$4,000.00
- b. 30 - 49.....\$3,000.00
- c. 10 - 29.....\$1,500.00

- 5. For a system involving a new solid waste facility.....\$7,500.00
- 6. For a system involving an existing solid waste facility.....\$8,500.00

B. Standard General Permits (those systems below the thresholds listed in Paragraph A, above):

- 1. For a system serving a project with a total land area < 100 acres and \$ 40 acres, with the following additional activities:
 - a. Both the construction of 1 - 9 new boat slips and the construction or alteration (other than new boat slips) in, on or over a total area of wetlands or other surface waters < 1 acre and > 0 acres.....\$1,500.00
 - b. Either the construction of 1 - 9 new boat slips or the construction or alteration (other than new boat slips) in, on or over a total area of wetlands or other surface waters < 1 acre and > 0 acres.....\$1,000.00
 - c. No construction or alteration in, on or over wetlands or other surface waters.....\$700.00
- 2. For a system serving a project with a total land area < 40 acres and > 1 acre, with the following additional activities:
 - a. 3 - 9 new boat slips.....\$700.00
 - b. 1 - 2 new boat slips.....\$600.00
 - c. Construction or alteration (other than new boat slips) in, on or over a total area of wetlands or other surface waters < 1 acre and > 0 acres.....\$600.00
- 3. For a system serving a project with a total land area # 1 acre, with the following additional activities:
 - a. 3 - 9 new boat slips.....\$600.00
 - b. 1 - 2 new boat slips.....\$300.00
 - c. Construction or alteration (other than new boat slips) in, on or over a total area of wetlands or other surface waters < 1 acre and > 0 acres.....\$500.00

C. Environmental Resource Permit for a system serving a project with a total land area < 40 acres and involving no construction or alteration in, on or over wetlands or other surface waters.....\$300.00

D. For a Noticed General Permit.....\$100.00

E. Modifications:

- 1. For major modifications of Individual and Conceptual Approval Permits (no increase in project area).....\$700.00

2. For major modifications of Individual and Conceptual Approval Permits (with an increase in project area).....\$2,000.00
3. For major modifications of Individual and Conceptual Approval Permits for solid waste facilities.....\$4,000.00
4. For major modifications of Standard General Permits50% of original application fee
5. For minor modifications of Individual and Conceptual Approval Permits for solid waste facilities.....\$1,500.00
6. For other minor modifications.....Fee specified in F.A.C. Rule 62-4.050(4)(r)
7. For permit extensions.....\$50.00

Mitigation Bank

Mitigation Bank and Mitigation Bank Conceptual Approval Permits.....\$4,000.00

Variances

- A. To the prohibition of work in Class II Waters, approved for shellfish harvesting.....\$100.00
- B. To mangrove prohibitions in Chapter 17-321, F.A.C.....\$100.00
- C. Other variances\$500.00

Formal Determinations of Wetlands and Other Surface Waters

Petitions for Formal Determinations of the Landward Extent of Wetlands and Other Surface Waters:

- A. Petition application fees shall be based on the acreage of the entire property for which the petition is filed, according to the following schedule:
 1. > 0 acres and $\leq$ 1 acre.....\$250.00
 2. > 1 acre and $\leq$ 10 acres.....\$550.00
 3. > 10 acres and $\leq$ 40 acres.....\$750.00
 4. > 40 acres and $\leq$ 100 acres.....\$1,500.00
 5. For property greater than 100 acres in size, the fee will be **\$1,500.00** plus an additional **\$200.00** for each additional 100 acres (or portion thereof) that exceeds the first 100 acres.
- B. For a new formal determination that covers property on which a valid formal determination exists, provided that the petition for the new formal determination is filed within 60 days of the date of expiration of the existing formal determination and the physical conditions on the property have not changed, other than changes authorized by a permit, so as to alter the boundaries of surface waters or wetlands, and provided the methodology for determining the

extent of surface waters and wetlands authorized by
Sections 373.421 and 373.4211, F.S., has not been
amended since the previous formal determination.....\$250.00

Attachment 4: Mailing Instructions for DEP Permit Applications

Applications for projects that will be reviewed by DEP (see Attachment 1) will be received by either the Beaches and Coastal Systems Office, the Bureau of Mine Reclamation (both in Tallahassee), or the district offices of the Submerged Lands and Environmental Resources Program (SLER) located throughout the state, corresponding to the project type and location as explained in Attachment 6.

Please mail your permit application to the appropriate address indicated below.

Northwest District

Main Office

For applications in Escambia, Santa Rosa, Okaloosa, Walton, and Holmes Counties
 160 Governmental Center
 Pensacola, FL 32501-5794
 Ofc (850) 595-8300
 Fax (850) 595-8311

Panama City Branch Office

For applications in Bay, Washington, Jackson, Calhoun, and Gulf Counties
 2353 Jenks Avenue
 Panama City, FL 32405-4389
 Ofc (850) 872-4375
 Fax (850) 872-3704

Tallahassee Branch Office

For applications in Gadsden, Leon, Liberty, Wakulla and Franklin Counties
 630-3 Capital Circle NE
 Tallahassee, FL 32301-3560
 Ofc (850) 488-3704
 Fax (850) 922-3620

Southwest District

Main Office for all counties in district
 13051 N Telecom Parkway
 Temple Terrace, FL 33637-0926
 Ofc (813) 632-7600
 Fax (813) 632-7672

Tallahassee Offices

Submerged Lands and Environmental Resources Office
 2600 Blair Stone Road MS 2500
 Tallahassee, FL 32399-2400
 (850) 245-8474

Bureau of Beaches and Coastal Systems
 3900 Commonwealth Blvd. MS 300
 Tallahassee, FL 32399-3000
 (850) 922-7881

Bureau of Mining and Mineral Regulation
 2051 E Paul Dirac Drive MS 715
 Tallahassee, FL 32310-3760
 (850) 488-8217

South District

Sebring Branch Office

For applications in Glades, Hendry and Highlands Counties
 2812 Kenilworth Blvd.
 Sebring, FL 33870-4305
 Ofc (863) 314-5975
 Fax (863) 314-5978 or 314-5979

Main Office

For applications in Charlotte, Collier and Lee Counties
 2295 Victoria Ave., Suite 364
 Ft. Myers 33901-3881
 Ofc (239) 332-6975
 Fax (239) 332-6969

Marathon Branch Office

For applications in Monroe County only
 2796 Overseas Hwy, Suite 221
 Marathon, FL 33050-4276
 Ofc (305) 289-2310
 Fax (305) 289-2314

Northeast District

Main Office for all counties in district
 7825 Baymeadows Way, Suite B200
 Jacksonville, FL 32256-7590
 Ofc (904) 807-3351
 Fax (904) 448-4366

Central District

Main Office for all counties in district
 3319 Maguire Blvd., Suite 232
 Orlando, FL 32803-3767
 Ofc (407) 894-7555
 Fax (407) 893-3075

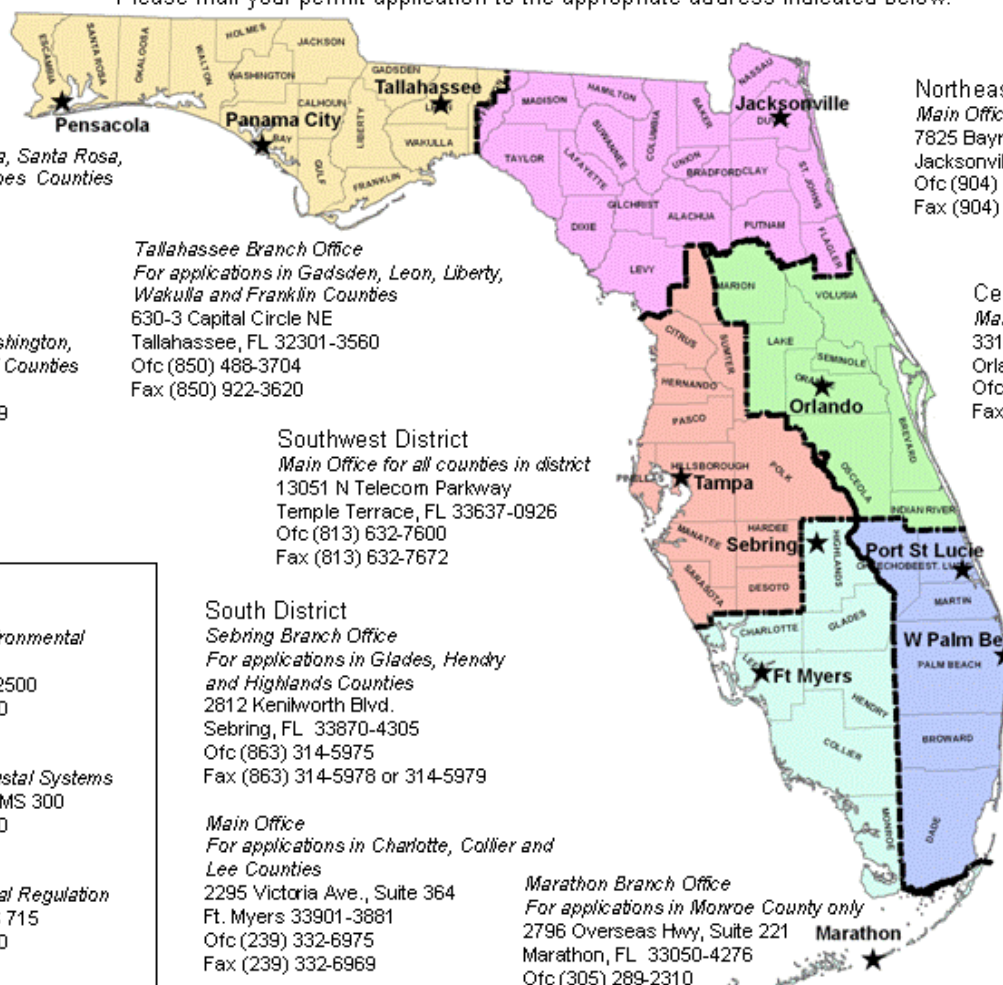
Southeast District

Port St. Lucie Branch Office

For applications in Martin, St. Lucie, and Okeechobee Counties
 1801 SE Hillmoor Dr., Suite C-204
 Port St. Lucie, FL 34952
 Ofc (772) 398-2806
 Fax (772) 398-2815

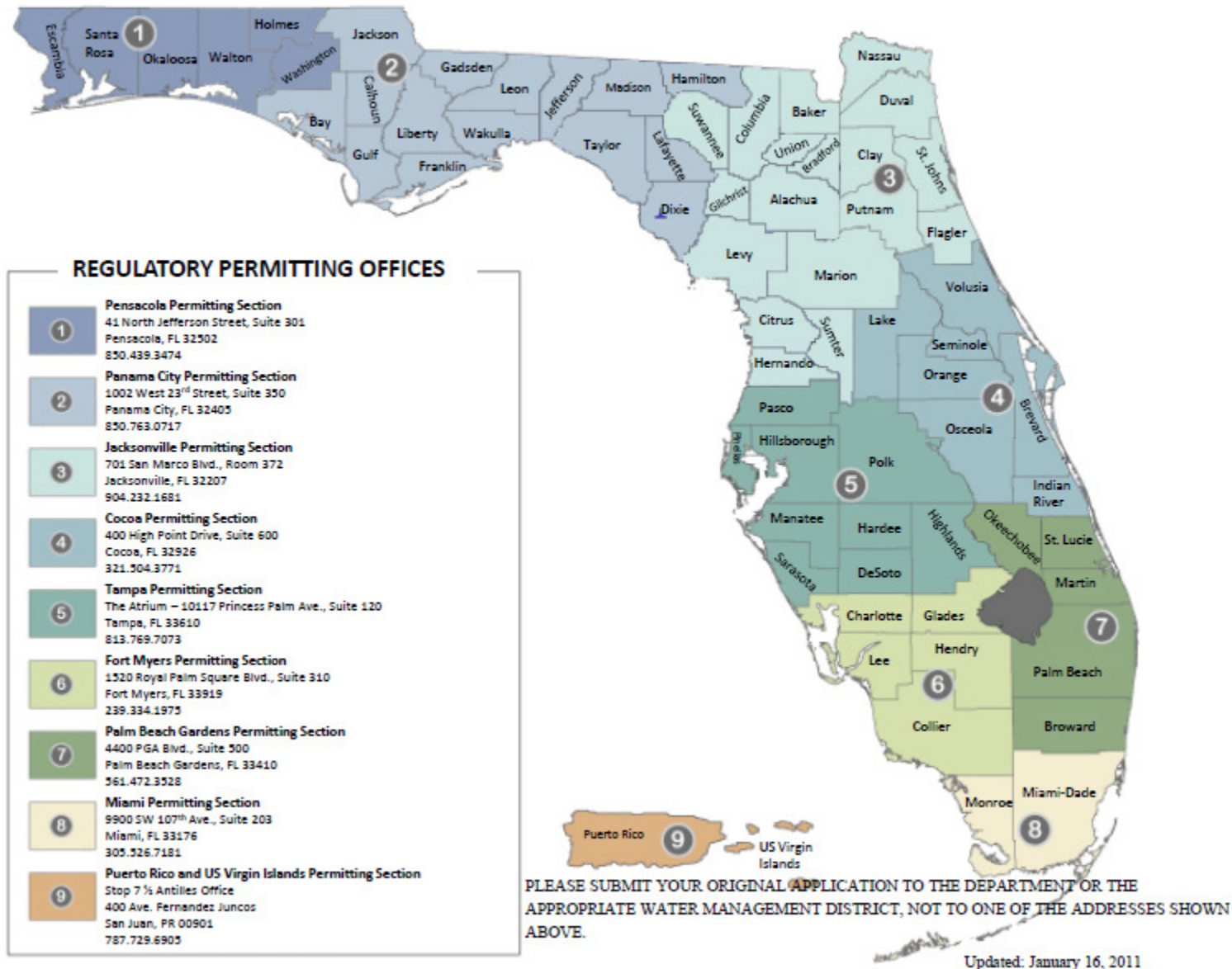
Main Office

For applications in Dade, Broward, or Palm Beach Counties
 400 N. Congress Ave., Suite 200
 West Palm Beach, FL 33401-2913
 Ofc (561) 681-6600
 Fax (561) 681-6780



Updated 06/04/08

US Army Corps of Engineers



ATTACHMENT 5 TO INSTRUCTIONS FOR JOINT APPLICATION
PROPRIETARY VERSUS REGULATORY

Prior to the merger into the Department of Environmental Protection (DEP), the Department of Environmental Regulation had regulatory jurisdiction over certain activities affecting air, water, and land. The Department of Natural Resources had proprietary jurisdiction over uses of sovereign submerged lands. The following explains the proprietary and regulatory functions of DEP's Submerged Lands and Environmental Resources Program.

The word **regulatory** refers to a type of authority that allows an entity of the government, such as DEP, to limit certain activities on your property, as well as on publicly owned lands, to some specific degree for the greater public good. DEP, in its regulatory capacity, is required by acts of the Florida Legislature, to protect the natural resources of the state, such as air, water and wildlife, to insure that these resources will be healthy and abundant for present and future generations. DEP's Submerged Lands and Environmental Resources Program reviews applications for proposed works in wetlands and other surface waters, as well as works in uplands that can affect water quality and quantity, to ensure compliance with the Florida Administrative Code and Florida Statutes.

Over a century ago, the Governor and Cabinet, as the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Trustees), were designated by the state legislature as the Trustees of sovereign submerged lands. All tidally influenced waters to the mean high water line and navigable fresh waterbodies to the ordinary high water line in existence when Florida became a state in 1845 are considered sovereign. In accordance with the Constitution of the State of Florida, these lands are held in trust by the state for all the people. As the Trustees, the Governor and Cabinet have **proprietary** (ownership) authority over sovereign submerged lands and their uses and are responsible for insuring that these lands and the associated aquatic resources remain healthy and in abundance for present and future generations.

The Department of Environmental Protection, in addition to its regulatory capacity, acts as the staff to the Trustees in the review of proposed uses of sovereign submerged lands. If you are proposing to conduct an activity in waters that are not sovereign submerged lands, you will only be required to meet regulatory standards. If your proposed activity is located on sovereign submerged lands, you may be required to meet both regulatory and proprietary requirements as found in the Florida Statutes and Florida Administrative Code.

n:rules/rules/forms/joint.app/62-343~1.dot

updated 11/3/97 kg