

**Delegations of Authority
OFFICE OF BEACHES AND COASTAL SYSTEMS**

1. Purpose

To establish all of the delegations of authority from the Director, Office of Beaches and Coastal Systems. This delegation replaces and supercedes all previous delegations of authority issued to the Office of Beaches and Coastal Systems, formerly the Bureau of Beaches and Coastal Systems, formerly the Division of Beaches and Shores.

2. Authority

Administrative Directive DEP 100, Delegations of Authority.

3. Limitations on Exercise of Delegations of Authority

- a. All delegations of authority are to the Director of Office of Beaches and Coastal Systems, or his/her designee.
- b. The exercise of any delegated authority shall conform with all statutes and rules applicable to the DEP.
- c. The terms "issue," "approve," "execute," "release," and "grant" inherently include the authority to "deny," "reject," or "cancel.". Denials shall be accomplished after consultation with the Secretary.
- d. Delegations of authority are to be exercised with a high degree of judgment and caution. If there is any doubt whether exercising a delegation of authority is inconsistent with any of the above limitations, the person to whom the authority is delegated shall not exercise the authority without first consulting with the Director of Office of Beaches and Coastal Systems.
- e. When a matter which is the subject of a delegation involves a controversial matter or an issue of significant public interest, the matter shall be brought before the Deputy Secretary or Secretary, as appropriate.

- f. Delegations of authority are internal management memoranda which are not rules under s. 120.52(15)(a), F.S., so long as they do not affect either the private interests of any person or any plan or procedure important to the public and they have no application outside the agency issuing the memorandum. These delegations are not intended to affect the private interests of any person or any plan or procedure important to the public. They have no application outside the agency issuing this directive; except, where the Florida Legislature has transferred duties from DEP to another agency or to DEP from another agency, this Directive may serve as a temporary guideline until any necessary rules or statutes can be adopted to effect such transfer of duties.
- g. Nothing contained in this Directive is intended to supercede, alter, or otherwise affect the agreement between the Department of Environmental Protection and the State Technology Office dated August 18, 2000, or other DEP Directives related to Information Technology Resources, including but not limited to DEP 370 and DEP 390, as those documents exist or as they may be revised in the future.

4. Explanation of Delegations of Authority

- a. Any authority delegated to a subordinate may also be exercised by any of the subordinate's superiors. All supervisors may designate a person to act in their capacity during their absence. Such designation must be in writing unless the supervisor's absence is due to sudden illness or emergency. Designation of authority to act in the absence of a supervisor conveys all authority of the supervisor unless otherwise stated herein or in the supervisor's designation.
- b. In the absence of the Director of the Office of Beaches and Coastal Systems the Program Administrator is delegated authority to perform all functions delegated at the Director level to carry out the duties and responsibilities of their respective Offices with the overall authority provided by the Director.

5. Delegations From The Director of the Office of Beaches and Coastal Systems

The Director of the Office of Beaches and Coastal Systems, hereby makes and approves the following delegations of authority:

DIR-1 Regarding contracts and agreements:

- (1) Negotiate, enter into, execute, administer, modify, extend, assign, enforce, and terminate** the following contracts and agreements on behalf of DEP:
 - (a) Contracts or agreements required for day-to-day operations of the Department for programs approved by the Legislature.
 - (b) Contracts or agreements for purchases specifically identified by the Legislature either as an appropriation line item or in *proviso* language.
 - (c) Contracts or agreements for other contractual services necessary for administration of the delegate's program or office up to any statutory or rule amount or any other limitation expressed further herein.
 - (d) Contracts or agreements for services and commodities as defined in s. 287.012, F.S., subject to DEP Directive 300 or 315.
 - (e) Contracts or agreements for professional services pursuant to s. 287.055, F.S., subject to DEP Directive 300 or 315.
 - (f) Contracts or agreements for construction services pursuant to ch. 255, F.S., subject to DEP Directive 300 or 315.
 - (g) Settlement agreements relating to the purchase of commodities, contractual services, or construction services not acquired in compliance with ch. 255 and 287, F.S.
 - (h) Contracts or agreements which give authority to DEP contract and project managers identified in the contract to execute task assignments or work orders on behalf of DEP under the contract. [partly new; DNR 100]

**** Limitation:** Termination of contracts for goods and services made under ch. 287, F.S., for cause must be reviewed by the Contract Administrator, Division of Administrative Services. [s. 287.058, F.S.; DEP Directive 315]

Program Administrator: #01257-Program Administrator and #01800-Environmental Program Administrator are delegated the authority to administer existing agreements and contracts only.

- (2) Negotiate, execute, enforce and enter into the following contracts and agreements on behalf of BOT:
 - (a) Contracts or agreements required for day-to-day operation of the BOT for programs approved by the Legislature or BOT.
 - (b) Purchases specifically identified by the Legislature either as an appropriation line item or in *proviso* language.
 - (c) Other contractual purchases of less than \$25,000.*
 - (d) Contracts or agreements for services and commodities as defined in s. 287.012, F.S., subject to DEP Directive 300 or 315.
 - (e) Contracts or agreements for professional services pursuant to s. 287.055, F.S., subject to DEP Directive 300 or 315.
 - (f) Contracts or agreements for construction services pursuant to ch. 255, F.S., subject to DEP Directive 300 or 315.

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- (3) Take the following actions with regard to BOT contracts:
 - (a) Extend or modify contracts when the extension or modification will not substantially alter the purpose, terms, and conditions of the contract and there is no increase in the amount of the contract.

- (b) Terminate contracts by mutual consent or when there is a violation of any applicable rule, statute, or any of the terms and conditions of the contract.**
- (c) Execute contracts, and agreements, orders, documents and instruments except any of the foregoing, which convey or agree to convey fee simple title interest held by the BOT.

* All BOT contracts for services or commodities over \$25,000 which are not made from a state contract established by the Department of Management Services shall be reported to the BOT by the Division of State Lands on a quarterly basis.

**** Limitation:** Termination of contracts for goods and services made under ch. 287, F.S., for cause must be reviewed by the Contract Administrator, Division of Administrative Services. [s. 287.058, F.S.; DEP Directive 315]
[Sources: ED-05-ED-07, ED-21, ED-23; ch. 255, 283, 287, F.S.; ch. 60A-1, 60D-5, F.A.C., DEP Directives 300 and 315]

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DIR-2 Regarding grants:

- (1) Negotiate, execute, enter into grant programs approved by the Legislature.

NOTE: Refer to OBSCS-4 for delegations regarding grants.

- (2) Extend or modify grants or grant contracts authorized by the BOT if they do not substantially alter the purpose, terms, and conditions of the grant or grant contract and there is no increase in the amount of the grant or grant contract.
- (3) Negotiate, execute, amend, and terminate revenue-generating contracts and accept revenue-generating grants. Limitation: No grant agreement or contract shall encumber any state-owned land without prior approval of the BOT.
- (4) Sign all forms required by EPA or other state or federal agencies for grant proposals and acceptance of awards. [ss. 216.212, F.S.; Presidential Order 12372; Gov. Exec. Order 95-329]

DIR-3 Regarding donations: Accept donations and gifts of personal property, such as funds, equipment, supplies, and related items on behalf of DEP or BOT when made in compliance with the law, provided such gifts are unencumbered or, for DEP gifts, any encumbrances are acceptable to the Director; and, such gifts have no adverse impact on any other agency.

Limitation: This delegation does not include acceptance of donations of real property, title to which will vest in the BOT. [ED-13, 7/26/96 DEP memo]

DIR-4 Related to purchasing:

- (1) Enter into settlement agreements for claims regarding the rendering of services or providing of goods without a properly executed contract or issuance of a purchase order. These agreements must be approved as to form and legality by the Office of General Counsel. [s. 17.03, F.S., s. 3A-21.005, F.A.C.]

Program Administrator: #01257-Program Administrator

- (2) Utilize Field Purchase Order (FPO) or Purchasing Card for procurement of commodities and services. [ch. 287, F.S.; ch. 60A-1, F.A.C.; DEP Directive 300]

Authorized Purchasing Card Holders

- (3) Approve Purchase Order Requisitions and Request for Purchase of Mobile Equipment forms to request the issuance of a Purchase Order. [ch. 287, F.S.; ch. 60A-1, F.A.C.; DEP Directive 300]

Program Administrator: #01257-Program Administrator

- (4) Authorize the Department's Purchasing Card Administrator to issue State Purchasing Cards to Department staff. [ch. 287, F.S.; ch. 60A-1, F.A.C.]

Program Administrator, #01257; Administrative Assistant II, #00101

DIR-5 Regarding personnel actions: Take final agency action on or approve the following personnel actions for the types of employees specified herein any and all of which must be in compliance with provisions of applicable federal law, Florida Statutes, Florida Administrative Code, DEP Directives including the DEP Code of Ethics (DEP Directive 202), salary rate and budget authority, and sound management principles:

- (1) Make performance appraisals, work assignments, training, regular compensatory leave accrual, and leave usage approvals for all career service employees, and OPS employees if applicable; and supervise volunteers:

Section Administrators: #00329-P.E. Administrator, #01270-P.L.S. Supervisor II, #01059-P.E. Administrator, #01929-Environmental Administrator, #01800-Environmental Program Administrator

NOTE: Area Engineers-Coastal Protection and Engineering, may only authorize performance appraisals, work assignments, and leave usage for career service employees, OPS employees, and supervise volunteers under their direct supervision: #00328-Engineer IV, #01536-Engineer III, #01932-Engineer IV, #01537-Engineer III, #01060-Professional Engineer, #01258-Engineer III

- (2) Give oral and written reprimands to Career Service and OPS employees:

Section Administrators: #00329-P.E. Administrator, #01270-P.L.S. Supervisor II, #01059-P.E. Administrator, #01929-Environmental Administrator, #01800-Environmental Program Administrator

- (3) Approve Career Service employee enrollment in tuition-free university courses. (Must also be signed by Chief, Bureau of Personnel Services, in accordance with universities' requirements for one authorizing signature per state agency).

Program Administrator: #01257-Program Administrator

- (4) Approve travel authorizations and requests for reimbursement for travelers in accordance with DEP Directive 610, for all employees and non-DEP travelers as authorized by law, *except for conferences and out of state travel*. [ED-04; see others at end of DIR-7].

Section Administrators: #00329-P.E. Administrator, #01270-P.L.S. Supervisor II, #01059-P.E. Administrator, #01929-Environmental Administrator, #01800-Environmental Program Administrator

DIR-6 Regarding personnel actions: Take final agency action on or approve the following personnel actions for the types of employees specified herein any and all of which must be in compliance with provisions of applicable federal law, Florida Statutes, Florida Administrative Code, DEP Directives

including the DEP Code of Ethics (DEP 202), salary rate and budget authority, and sound management principles:

- (1) Recommend, as applicable, to DMS, or approve if delegated by DMS, dual employment for SES and SMS employees after consultation with the General Counsel, and recommend to DMS, or approve if delegated by DMS, dual employment within state government for Career Service and OPS employees. [new]
- (2) Recommend to DMS approval of new perquisites for any employees.
- (3) Approve payment of moving expenses and perquisites previously approved by DMS for any employees.
- (4) Approve flextime and variable workweek schedules for any employees.
- (5) Approve the employment, promotion, or advancement of relatives, other than their own relative for any employees.
- (6) Approve cash and honorary awards for any employees.
- (7) Authorize drug testing for reasonable suspicion for Career Service or OPS employees.
- (8) Request formal internal investigation by the Inspector General concerning alleged or suspected wrongdoing by any Career Service or OPS employee, in accordance with DEP Directive 290.
- (9) Effect adverse personnel actions against Career Service employees with or without permanent status and OPS employees, including transfer in excess of fifty miles, suspensions without pay, reduction in pay, involuntary demotions, and dismissal.

Program Administrator: #01257-Program Administrator (2), (3) and (4) only.

DIR-7 Regarding personnel actions: Take final agency action on or approve the following personnel actions for the types of employees specified herein any and all of which must be in compliance with provisions of applicable

federal law, Florida Statutes, Florida Administrative Code, DEP Directives including the DEP Code of Ethics (DEP 202), salary rate and budget authority, and sound management principles:

- (1) Effect organizational changes that do not require Department of Management Services (DMS) approval. Recommend organizational changes that require DMS approval.
- (2) Effect or approve personnel actions for SES employees, including but not limited to: appointments, pay changes, performance appraisals, work assignments, training and leave approvals, and dual employment outside state government after consultation with General Counsel. Recommend to DMS, as applicable, dual employment within state government for SES employees only after consultation with General Counsel.
- (3) Request formal internal investigation by the Inspector General, in accordance with DEP Directive 290, concerning alleged or suspected wrongdoing by any SES employee in accordance with DEP Directive 290. Effect adverse personnel actions against SES employees including reduction in pay or pay grade; changes in job classification, headquarters, or workstation assignments; disciplinary actions; and dismissal.
- (4) Authorize drug testing for reasonable suspicion for SES employees.
- (5) Subject to provisions of ch. 216, F.S., Authorize monetary settlement agreements for personnel disputes involving any employee arising from actions before the Public Employees Relations Commission, Division of Administrative Hearings, Florida Commission on Human Relations, or Equal Employment Opportunity Commission, or arising from collective bargaining arbitration, or formal mediation proceedings. When the Division of Risk Management, Department of Insurance (DOI) negotiates such settlement agreements by formal mediation, act as the DEP representative to recommend appropriate monetary settlement to DOI.
- (6) Approve SES employee enrollment in tuition-free university courses. (Must also be signed by Chief, Bureau of Personnel Services, in

accordance with universities' requirements for one authorizing signature per state agency.)

- (7) Approve educational leave with pay for Career Service employees.
- (8) Approve memberships in professional and other organizations in which state funds appropriated to the DEP or BOT will be used in payment of dues, pursuant to s. 216.345, F.S.
[s. 62-113.200(9), F.A.C.; 1/4/95 Memo, Sec. to Division Directors and DDMs; ch. 110, F.S.; ss. 112.0455, 112.3135, F.S.; ch. 60K-2, 3, 4, 5, and 8, 60L-1 through 60L-3, 60L-11, 60L-13, 60L-26, 60L-27, 60M, 60N, F.A.C.; collective bargaining agreements; DEP Directives 407, 420, and 475; delegations letters from DMS; DMS Guidelines and Procedures for the Meritorious Service Awards Program]

DIR-8 Designate appropriate officials or employees to act as custodian of the records of DEP and BOT, including: records retention and disposal.
[ED-09; ch. 119, 257, F.S.; ch. 1B-24, 1B-26, and 1B-27, F.A.C.]

Program Administrator: #01257-Program Administrator

DIR-9 Approve and sign all correspondence to elected or public officials and all correspondence that appears to be controversial.

DIR-10 Designate appropriate employees or officials to act as custodians of all real and tangible personal property owned by DEP and BOT.
[ch. 273, 287, 705, F.S.; s. 216.011, F.S.; s. 3A-21.002, F.A.C.; ch. 10.300, rules of the Auditor General; DEP Directive 320]

Program Administrator: #01257-Program Administrator

DIR-11 Initiate rulemaking, hold public workshops and hearings, and give notice of DEP's or BOT's intent to adopt, amend, or repeal any rule as provided in ch. 120, F.S.

Limitation for BOT rules only (Title 18, F.A.C.): Final adoption of rules shall be made by the BOT. (Limitation does not include DEP rules, which are adopted by the Secretary.) [ED-16]

DIR-12 Approve petitions for variances and waivers as follows:

- (1) Those filed under ss. 373.414 or 403.201, F.S., except that variances or waivers to dredge and fill permits cannot be approved by the Northwest DEP Director of District Management.
- (2) Those filed under s. 120.542, F.S., except those which involve sovereign submerged lands. [4/18/96 and 6/30/98 memos]

Program Administrator: #01257-Program Administrator and Section Administrator: #01929-Environmental Administrator, (1) only.

- DIR-13 Notify state attorneys, sheriffs or other law enforcement agencies of activity in violation of state law or DEP or BOT rules when the violation is beyond the jurisdiction of the DEP or the BOT to halt or prosecute.
[ED-12]
NOTE: Any DEP employee may also do this, as a concerned citizen, if a violation of law is in process.
- DIR-14 Close any non-DMS facility for up to two calendar days in the event of an emergency condition or other occurrence that renders the office facility unable to provide service to the public or creates a hazardous or unreasonable working condition. [DEP Directive 280]
- DIR-15 Settle claims, administrative actions, and legal proceedings brought by or against DEP or BOT, or it's/their employees acting within the scope of their employment, with the following limitations:
- (1) For suits brought against DEP or BOT, settlements shall be limited to \$25,000 per claimant and shall not exceed \$75,000 per incident.
 - (2) If the DEP or BOT has initiated suit, settlement shall be no less than 75% of damages sought.
 - (3) If the suit involves a third party defendant, the amount of settlement shall equal the amount of damages or indemnification sought by the DEP or BOT.
 - (4) No settlement shall convey fee simple title from the BOT. All such conveyances must be approved by the BOT. [ED-11 from BOT.]

- (5) Settlements must be in accordance with all Florida Statutes including s. 216.216, F.S. (s. 29, HB 2377 (2000)). [new]

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DIR-16 Regarding enforcement and compliance matters:

- (1) Issue warning letters and notices of violation;
- (2) Approve case reports and informal conference extensions;
- (3) Execute final orders, consent orders, and site rehabilitation completion orders;
- (4) Approve all actions against governmental entities;
- (5) Take other such action as authorized for the administration of ch. 253, F.S.;
- (6) Settle violations of the rules, statutes, and authorizations of the BOT;
- (7) Impose administrative fines as provided in ch. 18-14, F.A.C., and s. 253.04, F.S.
[6/28/95 memo—Sec. to DDM; 5/97 draft memo; new for those other than DDM]

NOTE: Refer to OBCS-2, 9, 10, 18, and 34 for delegations regarding enforcement and compliance matters.

DIR-17 Execute agreements with local governments for local programs.

DIR-18 Perform other such functions as may be necessary to supervise, direct, conduct and administer the day-to-day duties of the Department or Board of Trustees as authorized by law or by rules or directives adopted by the DEP or BOT. [ED-17]

Program Administrator: #01257-Program Administrator to be further delegated as appropriate.

OBCS-1 Approve actions by the Florida Inland Navigation District (FIND) and the West Coast Inland Navigation District (WIND) taken under the provisions of chapter 374, Part III, F.S. [ED-26]

OBCS-2 Take final agency action to administer and enforce the provisions of ch. 161, and those provisions in ch. 253, 258, 373, and 403, F.S., related to the duties defined in ch. 161 F.S., or required by the linkage statutes in ch. 373, F.S., including, after briefing the Deputy Secretary:

- (1) Approve permits for new rigid coastal structures.
- (2) Approve major structures which advance the line of construction.
- (3) Approve major structures located seaward of the thirty-year erosion projection.
- (4) Approve subdelegation of authority to local governments for major structures.
- (5) Approve major bridges connecting barrier islands to the mainland or other barrier islands.
- (6) Approve new inlet construction.
- (7) Approve maintenance of inlets that have not been altered, modified, or improved.
- (8) Approve new navigation channels.
- (9) Approve new port construction.
- (10) Approve environmental and aquatic resource restoration projects.
- (11) Approve revisions to the Florida Beach Management Plan.
- (12) Approve annual recommendations for funding of beach restoration and beach renourishment projects, as provided in subsection 161.161(3), F.S.

- (13) Approve beach restoration projects.
- (14) Assess administrative fines under ch. 161, F.S., and 62B-54, F.A.C. over \$5,000. [BS-01 through BS-12; 7/1/99 memo]

- OBCS-3 Administer any other program within DEP's authority related to OBCS, such as the Beach Erosion Control, Coastal Construction Control Line, and Joint Coastal Permit programs; Port Authority regulation; and maintenance dredging by the U.S. Army Corps of Engineers. [new]
- OBCS-4 Negotiate, execute and administer cost-sharing agreements and grants for beach erosion control pursuant to ss. 161.088 through 161.161, F.S. [new]

Program Administrator: #01257-Program Administrator and #01800-Environmental Program Administrator are delegated the authority to administer existing grants only.

- OBCS-5 Notify state law enforcement officers of any situation in which there exists an immediate need to prevent an imminent danger to the beach or dune system. [new]

Administrative Enforcement Supervisor: #01758-Environmental Manager

- OBCS-6 Issue any wetland resource, JCP, stormwater, or ERP permit, and the corresponding authority to use sovereign submerged lands when the Deputy Secretary is unavailable and action is required to meet permitting deadlines or due to an emergency situation. [new]
- OBCS-7 Transfer any wetland resource, JCP, stormwater, or ERP permit, and the corresponding authority to use sovereign submerged lands, normally processed by the OBCS to a DEP District after consultation with the applicant and the District Director or their designee. [new]
- OBCS-8 Declare a shoreline emergency under ch. 62B-33, 62B-41, or 62B-49, F.A.C. [new]
- OBCS-9 Take final agency action on permit applications and violations pursuant to Sections 161.052, 161.053, 161.054, 161.085, Florida Statutes, and Rule 62B-33, F.A.C., except those listed in OBCS-2 and the following:

- (1) Major reconstruction of rigid coastal structures.
- (2) Any modifications to any permit approved by the Director where such modification would authorize an increase of the authorized level of impact.
- (3) Placement of rock seaward of existing seawalls.
- (4) Beach scraping.
- (5) Suspension or revocation of approved permits.
- (6) Execution of agreements relating to the programmatic aspects of the permitting or violations programs, including but not limited to litigation settlements and restoration, removal or revegetation, except agreements for those activities which the administrator currently has delegation to act on.

Section Administrator: #01059-P.E. Administrator.

OBCS-10 Authorize final orders that assess administrative fines not to exceed \$750.00.

Section Administrator: #01059-P.E. Administrator.

OBCS-11 Issue intent and take final agency action on permit applications within the Office's jurisdiction pursuant to chapters 161.041, 161.055, 373, 403 and 253, F.S., except those listed in OBCS-2 and the following:

- (1) Beach scraping.
- (2) Long-term port maintenance dredging.

Section Administrator: #01929-Environmental Administrator.

OBCS-12 Issue minor modifications to wetland resource, stormwater, JCP, and ERP permits.

Section Administrator: #01929-Environmental Administrator.

OBCS-13 Issue requests to transfer wetland resource, stormwater, JCP, and ERP permits.

Section Administrator: #01929-Environmental Administrator.

OBCS-14 Issue wetland resource, stormwater, JCP, and ERP general permits and corresponding authorization to use Sovereign Submerged Lands unless authorization has been retained by the Board of Trustees.

Section Administrator: #01929-Environmental Administrator.

OBCS-15 Make a determination that the activities described in chapter 161.041 and in section 62B-41.004, F.A.C., are exempt from the permit process.

Section Administrator: #01929-Environmental Administrator.

OBCS-16 Issue major modifications of wetland resource, stormwater, JCP, and ERP permits and associated variances, and corresponding authorizations to use Sovereign Submerged Lands unless authorization has been retained by the Board of Trustees, after consultation with the Director.

Section Administrator: #01929-Environmental Administrator.

OBCS-17 Issue a notice to proceed for all coastal construction permits.

Coastal Permitting Section: #01929-Environmental Administrator, #10477-Environmental Specialist III, #00327-Environmental Specialist III, #02523-Environmental Specialist III, #20488-Environmental Specialist III

OBCS-18 Sign Warning Letters for Possible Permit Violations, Notice of Possible Permit Violations, and Notice of Violation/Cease and Desist Orders, after review by the Section Administrator of the Coastal Protection or the Engineering or Environmental Permitting (as appropriate), and the Director.

Program Administrator: #01257-Program Administrator, Administrative Enforcement Supervisor: #01758-Environmental Manager, Section Administrator: #01059-P.E. Administrator, Section Administrator: #01929-Environmental Administrator.

OBCS-19 All duties and authorities of the Section Administrator, Coastal Protection and Engineering, during periods when the Section Administrator is absent.

P.E. Administrator: #01695-P.E. Administrator

OBCS-20 Pursuant to sections 161.052 and 161.053, Florida Statutes take final agency action on applications for the following:

- (1) Major structures with the following restrictions:

- (a) Shore-parallel coverage, when calculated with existing structures, may not exceed 65 percent.
- (b) The structure is landward of the thirty-year erosion projection.
- (c) Development must be contiguous on or landward of a reasonable continuous and uniform line of construction which has not been affected by erosion.

(2) Minor structures.

P.E. Administrator: #01695-P.E. Administrator

OBCS-21 Take final agency action on applications for minor revisions or structural modifications for coastal construction projects or activities permitted pursuant to sections 161.052 and 161.053, F.S.

P.E. Administrator: #01695-P.E. Administrator

OBCS-22 Approve or execute transfer agreements for coastal construction control line permits.

P.E. Administrator: #01695-P.E. Administrator

OBCS-23 Take final agency action on permit applications pursuant to section 161.053, Florida Statutes, on major structures with the following exceptions:

- (1) Impactive shore-parallel coverage, when calculated with existing structures, does not exceed 60 percent.
- (2) The structure is landward of the following:
 - (a) The 30-year erosion projection of the seasonal high water line.
 - (b) A reasonable uniform, and continuous line of construction which has not been unduly affected by erosion.
 - (c) The original coastal construction control or setback line.

(d) A line 50 feet upland of the crest of the frontal dune and/or existing coastal armoring, or 100 feet landward of the historic vegetation line in cases where there is no dune or armoring structure.

(3) The structures are designed to meet the standards of the rule.

(4) The project is non-controversial.

Area Engineers-Coastal Protection and Engineering: #01060-Professional Engineer

***Note: Authority also is given to #00328-Engineer IV, #01932-Engineer IV, after review by P. E. Administrator.**

OBCS-24 Take final agency action on administrative permits, and field permits using DEP form 73-122, after review by the P.E. Supervisor, Coastal Protection and Engineering, for the following:

(1) Minor structures, with the following exceptions:

(a) Controversial projects.

(b) Wooden decks which do not comply with current guidelines.

(c) Retaining walls.

(2) Landscaping and dune stabilization projects.

(3) Limited grading not to exceed one vertical foot from existing average grade elevation, and the removal and relocation of windblown sediment.

(4) Removal of any rigid structure or loose debris not to include the permanent removal of beach and dune sediment.

(5) Emergency construction for temporary repair of a major structure which is undergoing progressive structural failure.

- (6) Any other minor activity seaward of the coastal construction control line whose impacts would be similar in nature to authorizations identified herein.

Area Engineers-Coastal Protection and Engineering: #00328-Engineer IV, #01536-Engineer III, #01932-Engineer IV, #01537-Engineer III, #01060-Professional Engineer, #01258-Engineer III

- OBCS-25 Require additional engineering information and related data, including engineering design computations, when such information is necessary for the proper evaluation of the application for the permit under sections 161.052, and 161.053, F.S. Any request for additional information, which would extend the incomplete status of a permit application beyond 180 days, must be approved by the Section Administrator.

Area Engineers-Coastal Protection and Engineering: #00328-Engineer IV, #01536-Engineer III, #01932-Engineer IV, #01537-Engineer III, #01060-Professional Engineer, #01258-Engineer III

- OBCS-26 Waive requirements for topographic survey drawings; dimensioned site plan drawings; dimensioned cross-sectional drawings; details, justification and engineering design computations for waste or storm water discharge onto, over, under or across beach/dune systems for permits under sections 161.052 and 161.053, F.S.

Area Engineers-Coastal Protection and Engineering: #00328-Engineer IV, #01536-Engineer III, #01932-Engineer IV, #01537-Engineer III, #01060-Professional Engineer, #01258-Engineer III

- OBCS-27 Issue a notice to proceed for all coastal construction control line permits.
Coastal Protection and Engineering: #01695-P.E. Administrator #00328-Engineer IV, #01536-Engineer III, #01932-Engineer IV, #01537-Engineer III, #01060-Professional Engineer, #01258-Engineer III

- OBCS-28 Place a reasonable time limit on coastal construction control line permits issued under section 161.053, F.S.

Area Engineers-Coastal Protection and Engineering: #00328-Engineer IV, #01536-Engineer III, #01932-Engineer IV, #01537-Engineer III, #01060-Professional Engineer, #01258-Engineer III

- OBCS-29 Extend the expiration date of coastal construction control line permits.

Area Engineers-Coastal Protection and Engineering: #00328-Engineer IV, #01536-Engineer III, #01932-Engineer IV, #01537-Engineer III, #01060-Professional Engineer, #01258-Engineer III

OBCS-30 Take final agency action to determine whether an activity is exempt from permit requirements pursuant to the provisions of subsection 161.053(12), F.S., and Rule 62B-33.004, F.A.C., for types of projects for which authority has been delegated.

Area Engineers-Coastal Protection and Engineering: #00328-Engineer IV, #01536-Engineer III, #01932-Engineer IV, #01537-Engineer III, #01060-Professional Engineer, #01258-Engineer III

OBCS-31 Issue notice of intent to close application file pursuant to Rule 62B-33.008(5), F.A.C.

Area Engineers-Coastal Protection and Engineering: #00328-Engineer IV, #01536-Engineer III, #01932-Engineer IV, #01537-Engineer III, #01060-Professional Engineer, #01258-Engineer III

OBCS-32 Approve or execute transfer agreements for coastal construction control line permits.

Area Engineers-Coastal Protection and Engineering: #00328-Engineer IV, #01536-Engineer III, #01932-Engineer IV, #01537-Engineer III, #01060-Professional Engineer, #01258-Engineer III

OBCS-33 Issue permits using DEP form 73-122, applying the guidelines set forth in the CCCL Procedures Manual for Field Inspectors, for the following:

- (1) Construction of, or repair to, the following structures within vegetated or unvegetated dune areas:
 - (a) Beach access stairs.
 - (b) Elevated, wooden beach and dune walkover structures meeting Department standards.
 - (c) Decks, gazebos, tiki huts, or similar unenclosed, elevated, wooden structures not exceeding 144 square feet in floor area, located a minimum of 30 feet landward of the frontal dune, escarpment, or coastal armoring structure.

- (2) Construction of, or repair to, the following structures located a minimum of 30 feet landward of the frontal dune, escarpment, or coastal armoring structure and where the construction will have a minimal impact on the existing beach and dune vegetation:
 - (a) Unroofed wooden decks less than 600 square feet attached to existing buildings.
 - (b) Building stairways, concrete slabs (less than 144 square feet), and understructure latticework.
 - (c) Utility or storage sheds (including understructure storage areas) of a breakaway design, not exceeding 144 square feet in floor area.
 - (d) Fences/privacy walls and sidewalks to existing developments.
 - (e) Driveways, parking aprons and understructure parking pads to existing developments.
 - (f) Enclosures to conceal or protect solid waste containers such as dumpsters, garbage cans, trash bags, etc.
 - (g) On-site sewage disposal systems.
 - (h) Water and irrigation wells.
 - (i) Temporary excavation for subgrade utilities including water, sewer, electrical, and gas lines to existing developments.
 - (j) Any other minor structures similar in nature to those listed above which would not result in measurable interference with the natural functioning of the beach dune system, after consultation with the area engineer or P.E. Supervisor, Coastal Protection and Engineering.
- (3) Repair of the following structures (no expansion or enlargement of the existing structures is allowed) located landward of the frontal

dune, escarpment, or coastal armoring structure:

- (a) Asphalt street and road shoulders, parking areas and pavements not draining or discharging onto the beach.
 - (b) Recreational concrete slabs such as tennis courts or shuffleboard courts.
 - (c) Swimming pools undergoing progressive structural failure.
 - (d) Existing wooden decks.
- (4) Other minor activities:
- (a) Beach vehicular ramp maintenance.
 - (b) Placement of sand fill material, installation of sand fencing, and planting of vegetation for dune restoration, to include the filling of blow-outs and other low areas.
 - (c) Temporary placement of sand fill or sand bags to relieve emergency conditions when no emergency has been declared. The duration of the permit is not to exceed 6 months. This activity will be conducted in accordance with established guidelines for the protection of marine turtles.
 - (d) Beach cleaning activities.
 - (e) Placement of sand fill material and sand retention geotextiles immediately landward of existing rigid coastal structures.
 - (f) Construction of temporary structures or activities for special events in non-vegetated areas of the beach.
 - (g) Limited grading not to exceed one vertical foot from existing grade elevation landward of the frontal dune.
 - (h) Landscaping not involving net excavation of existing grade or destruction or removal of native salt resistant vegetation.

- (i) Removal of collected windblown sediment provided that it is retained seaward of the CCCL and returned to the active beach or dune system in the general vicinity.
 - (j) Access to the beach to conduct other authorized activities.
 - (k) Removal of any rigid coastal structure or loose debris from the upland in areas not requiring the permanent removal of sediment.
 - (l) Any other activity similar in nature to the activities listed above and which is not expected to cause a measurable interference with the natural functioning of the beach and dune system, after consultation with the area engineer or P.E. Supervisor, Coastal Protection and Engineering.
- (5) Once an emergency has been declared at any level:
- (a) Limited and temporary emergency measures to protect the foundation of existing structures from further damage or collapse after a coastal storm.
 - (b) Limited and temporary emergency measures to relieve coastal flooding which has resulted from a coastal emergency.
 - (c) Measures to remove debris seaward of the coastal construction control line.
 - (d) Measures to restore public power, water, sanitary, and storm sewer facilities.
 - (e) Measures to return sand deposited upland by the storm to the beach and dune system to restore it. (Such material shall be free of debris and not be placed to cover other debris).

**Field Inspectors-Coastal Protection and Engineering: #01409-Engineer I, #01799-Engineer I, #00331-Engineer II, #01696-Engineer I, #00330-Engineer I, 01757-Environmental Specialist II, #00326-Engineer I
Administrative Enforcement Supervisor: #01758-Environmental Manager**

OBCS-34 Issue Warning Notices using DEP form 73-306 for possible violations of chapter 161, Florida Statutes.

Field Inspectors-Coastal Protection and Engineering: #01409-Engineer I, #01799-Engineer I, #00331-Engineer II, #01696-Engineer I, #00330-Engineer I, 01757-Environmental Specialist II, #00326-Engineer I

OBCS-35 Make a determination that the following activities are exempt from the permit process:

(1) Routine maintenance of coastal vegetation.

(2) Activities listed in 62B-33.004, F.A.C.

Field Inspectors-Coastal Protection and Engineering: #01409-Engineer I, #01799-Engineer I, #00331-Engineer II, #01696-Engineer I, #00330-Engineer I, 01757-Environmental Specialist II, #00326-Engineer I