Florida Department of Environmental Protection

Expediting your Application

August 17, 2015







Overview

- How to apply
- Different types of permits
- Location specific requirements
- Assistance with permitting and compliance

How Do I Apply?

- Through the Business Portal: www.fldepportal.com
  - Self-Certification: Certify to certain terms and agreements, print your authorization
  - E-App System: Ability to apply, pay, upload attachments through one process
- Submit via Email: SD_ERP_Permit@dep.state.fl.us
  - Email completed application and attachments. Pay electronically after submittal.
  - Forms: http://www.dep.state.fl.us/water/wetlands/erp/forms.htm

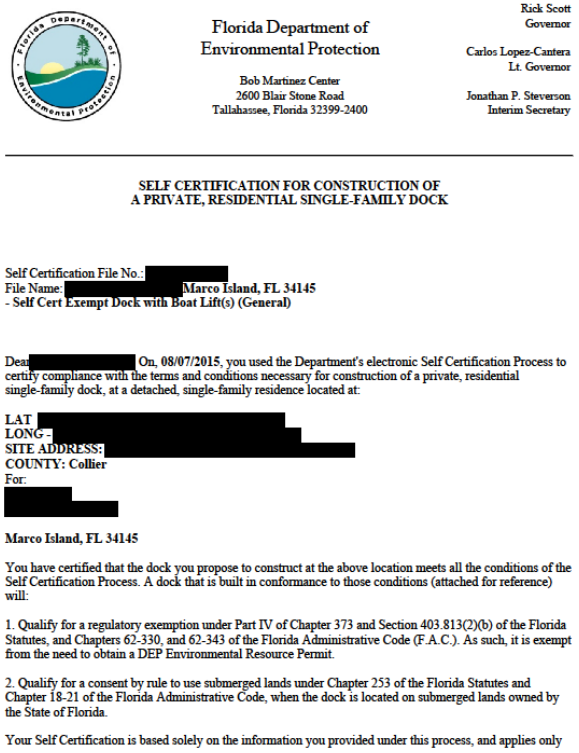
Self-Certification



Covers 3 different activities:

- Exempt Boat Lift at an Existing Single Family Dock
- New Exempt Single Family Dock
- Repair/Replace Single Family Dock'

- May include Federal Authorization



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Interim Secretary

SELF CERTIFICATION FOR CONSTRUCTION OF A PRIVATE, RESIDENTIAL SINGLE-FAMILY DOCK

Self Certification File No.: [redacted]
File Name: [redacted] **Marco Island, FL 34145**
- Self Cert Exempt Dock with Boat Lift(s) (General)

Dear [redacted] On, **08/07/2015**, you used the Department's electronic Self Certification Process to certify compliance with the terms and conditions necessary for construction of a private, residential single-family dock, at a detached, single-family residence located at:

LAT [redacted]
LONG - [redacted]
SITE ADDRESS: [redacted]
COUNTY: Collier
For:
[redacted]

Marco Island, FL 34145

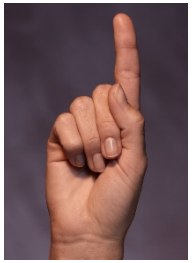
You have certified that the dock you propose to construct at the above location meets all the conditions of the Self Certification Process. A dock that is built in conformance to those conditions (attached for reference) will:

1. Qualify for a regulatory exemption under Part IV of Chapter 373 and Section 403.813(2)(b) of the Florida Statutes, and Chapters 62-330, and 62-343 of the Florida Administrative Code (F.A.C.). As such, it is exempt from the need to obtain a DEP Environmental Resource Permit.

2. Qualify for a consent by rule to use submerged lands under Chapter 253 of the Florida Statutes and Chapter 18-21 of the Florida Administrative Code, when the dock is located on submerged lands owned by the State of Florida.

Your Self Certification is based solely on the information you provided under this process, and applies only

Application Process



One Application







Three Reviews/Authorizations

Chapters 373 and 403, Florida Statutes
Rule 62-330 and the Applicant's Handbook

Chapters 253 and 258, Florida Statutes
Rules 18-20 and 18-21, Florida Administrative Code

Compliance with the State's Programmatic General Permit



Forms of Authorization

- **Exemptions:** No permit required if activity meets thresholds defined in Statute or Rule
- **General Permits:** activities that have been determined to the have minimal direct and secondary impacts
- **Individual Permits:** all other activities that do not qualify for exemption or general permit



Dock Exemptions

Where	Size	Type	What	Number of docks	Statute/Rule Citation (please refer to full criteria for all requirements):
Artificial Waterway:	1000 sq ft	Private	Dock	not limited	403.813 (1)(i), F.S. / 62-330.051(5)(c), F.A.C.
All Waterways (authorizes boat lifts):	1000 sq ft	Private, or local government	Dock and other structures (boat shelters and boat lift)	1 dock per every 65 lf of shoreline	403.813(1)(b), F.S. / 62-330.051(5)(b), F.A.C.
Repair/ Replace:	Same as before	Not specified	Same as before	Same as before	403.813(1)(d), F.S. / 62-330.051(5)(d), F.A.C.



Dock General Permit

Where	Size	Type	What	Number of docks	Rule
All Waterways	2000 sqft 2 vessels 2' MLW	Single-family	Dock and other structures	1 per parcel	62-330.427, F.A.C
All Waterways	1000 sq ft	Any	Piling supported structures	Unspecified	62-330.475 F.A.C. Cannot be granted more than once within a 3 year period where the combination of activities exceed the thresholds.

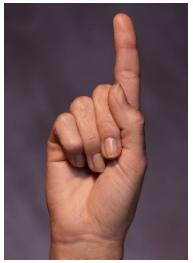
Water Designations

Artificial Waters – bodies of water that were totally excavated from uplands, do not overlap historic wetlands or other surface waters, and were not created as part of a mitigation plan.
[Applicant's Handbook, Volume I]



Purple: Class II Waters/Man-Altered/Natural

Application Process



One Application







Three Reviews/Authorizations

Chapters 373 and 403, Florida Statutes
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Compliance with the State's Programmatic General Permit

Proprietary Program

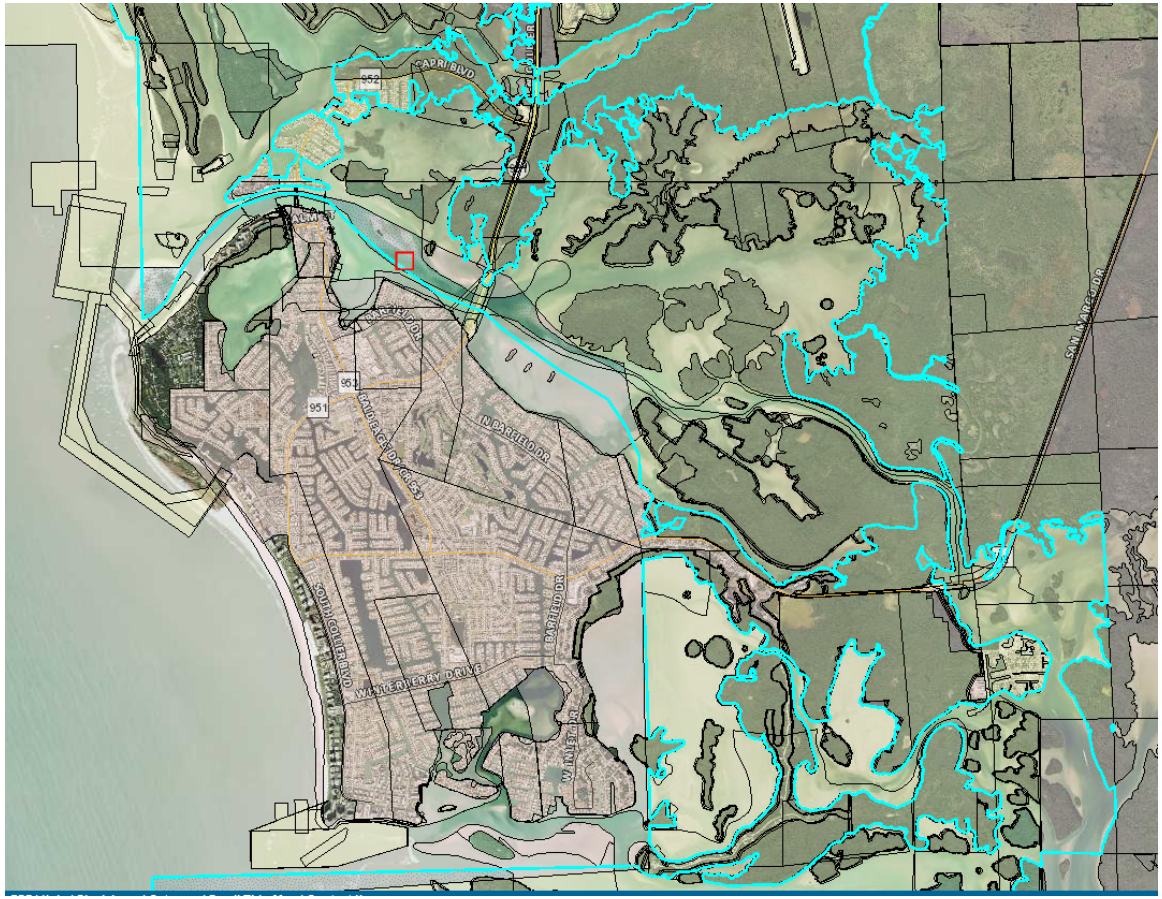


- Regulates activities that occur on state-owned, or sovereign submerged lands
  - Florida Constitution, Article X, Section 11: *"The title to lands under navigable waters, within the boundaries of the state, which have not been alienated including beaches below the mean high water lines, is held by the state, by virtue of its sovereignty, in trust for all the people."*
- Lands are held in trust by the Board of Trustees of the Internal Improvement Trust Fund (Governor, Attorney General, Chief Financial Officer, and Commissioner of Agriculture)
  - Board of Trustees has delegated authority to the Department and the Water Management Districts to review activities that require authorization

State Lands



Deltona Settlement Agreement



Generalized State Lands Areas: Big Marco River; Collier Bay Roberts Bay; Barfield Bay; Caxambas Bay

State Lands

Rookery Bay Aquatic Preserve: Additional Criteria for Docking Facilities



Proprietary Program



- **Authorizations for use consider:**
  - Water dependency;
  - Riparian rights;
  - Impacts to submerged resources; and
  - Preemption from other uses of the water by the public
- **Forms of authorization**:
  - **Exceptions** – no authorization required
  - **Consent By Rule** – authorization automatic if meet certain criteria
  - **Letter of Consent** – written authorization is required
  - **Leases** – written agreement with annual fees for all commercial facilities, and those facilities which do not qualify for a lesser authorization
  - **Easements** – written agreement with fees (not necessarily annual), generally for linear activities

Federal Authorization: SPGP



- State Programmatic General Permit (SPGP)
  - Current: SPGP IV-R1, valid July 25, 2011 for 5 years
  - Includes ONLY the following categories of work:
    - Shoreline Stabilization
    - Boat Ramps and Boat Launch Areas and Associated Structures
    - Docks, Piers, Associated Facilities, and Other Minor piling-supported Structures
    - Maintenance Dredging of Canals and Channels
    - De Minimis activities that are not in conflict with SPGP (IV-R1)
  - Activities are reviewed based on the *Permit Instrument* which essentially is a checklist of location information and compliance with certain criteria

How We Can Help



Megan Mills, Program Administrator	239-344-5670	Megan.Mills@dep.state.fl.us
Administrative Support		
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Jeannie Gerhart	239-344-5645	Jeannie.Gerhart@dep.state.fl.us
Permitting: Kent Edwards, Manager	239-344-5673	Kent.Edwards@dep.state.fl.us
Patricia Clune	239-344-5639	Patricia.Clune@dep.state.fl.us
Jon Guinn	239-344-5650	Jonathan.Guinn@dep.state.fl.us
Jessica Magrino	239-344-5671	Jessica.Magrino@dep.state.fl.us
Tim Steeves	239-344-5681	Tim.Steeves@dep.state.fl.us

Resources



- MapDirect:
  - ERP view: http://ca.dep.state.fl.us/mapdirect/?focus=erp
  - Mapdirect Lite: http://ca.dep.state.fl.us/mapdirect/?focus=standard
- Information Portal: http://webapps.dep.state.fl.us/DepNexus/public/search-portal



http://publicfiles.dep.state.fl.us/dwrm/slerp/erphelp/index.htm

Quick Summary

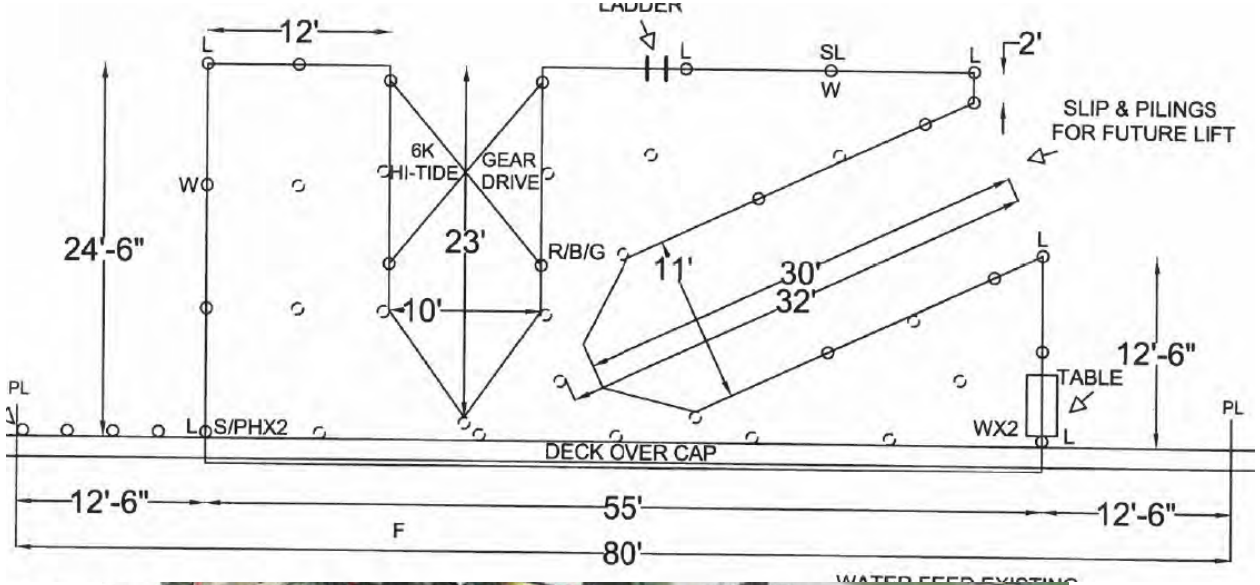
Authorization Type	Exempt Criteria: New structures, additions, change in configuration*	General Permit Criteria: Rule of 2's	Individual Permit
Requirements:	Over-water structure less than or equal to 1000 square feet**	Over-water structure less than or equal to 2000 square feet	Docks that are not exempt or that do not qualify for a general permit
	Used for recreational, noncommercial activities	No more than 2 watercraft	
	Non-Artificial Waterbodies: Sole dock per 65 feet of shoreline	Minimum of water depth of 2 feet below MLW	
	Artificial Waterbodies: no specification on number of docks	Terminal platform not over seagrass and no mooring over seagrass/resources	
Application Electronic:	Request Verification of an Exemption	Apply for a General Permit (GP)	Apply for an Individual Permit for a Project related to a Single-family Dwelling
Application "Paper":	Request for Verification of an Exemption	Notice of Intent to Use an Environmental General Permit	Section A and B
Amount of time to issue:***	30 days	30 days	60 days
Fee:	$100.00	$250.00	varies

*if repair in replace in same configuration as existing, exempt.
**In an Outstanding Florida Waterbody (CH 62-302)/ Aquatic Preserves structure must be less than or equal to 500 square feet
***If application is not complete, applicant will be notified within 30 days of receipt of application as to what information is still needed. Time clocks will start over when that information is received.

How Do I Apply?

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Examples





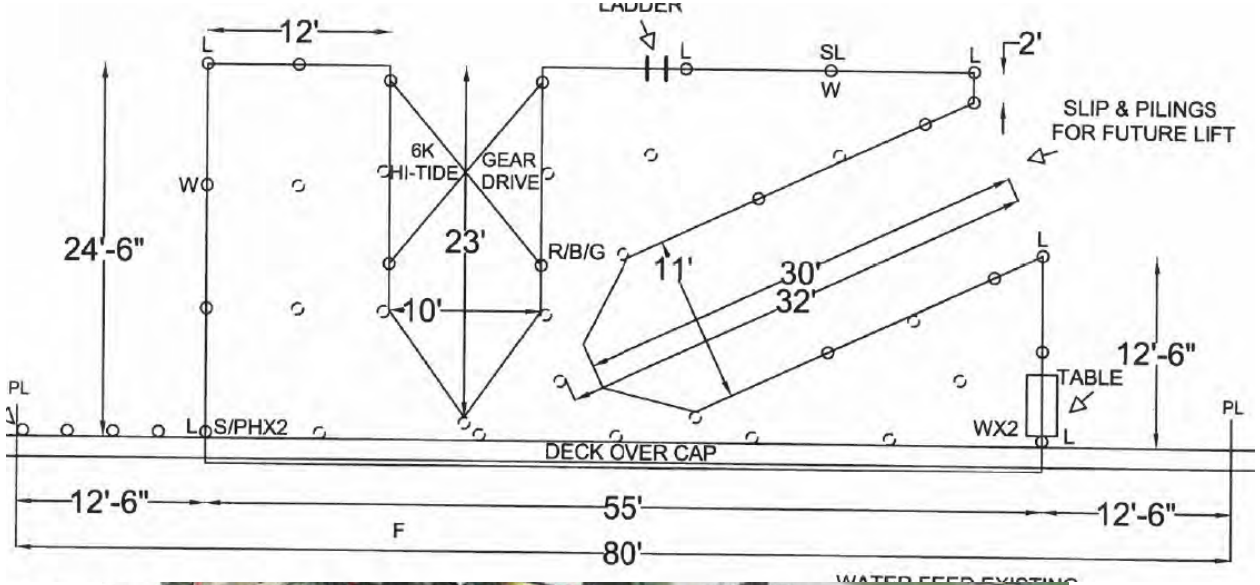
- <1,000 square feet
- Artificial Waterway



Dock Exemptions

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All Waterways (authorizes boat lifts):	1000 sq ft	Private, or local government	Dock and other structures (boat shelters and boat lift)	1 dock per every 65 lf of shoreline	403.813(1)(b), F.S. / 62-330.051(5)(b), F.A.C.
Repair/ Replace:	Same as before	Not specified	Same as before	Same as before	403.813(1)(d), F.S. / 62-330.051(5)(d), F.A.C.

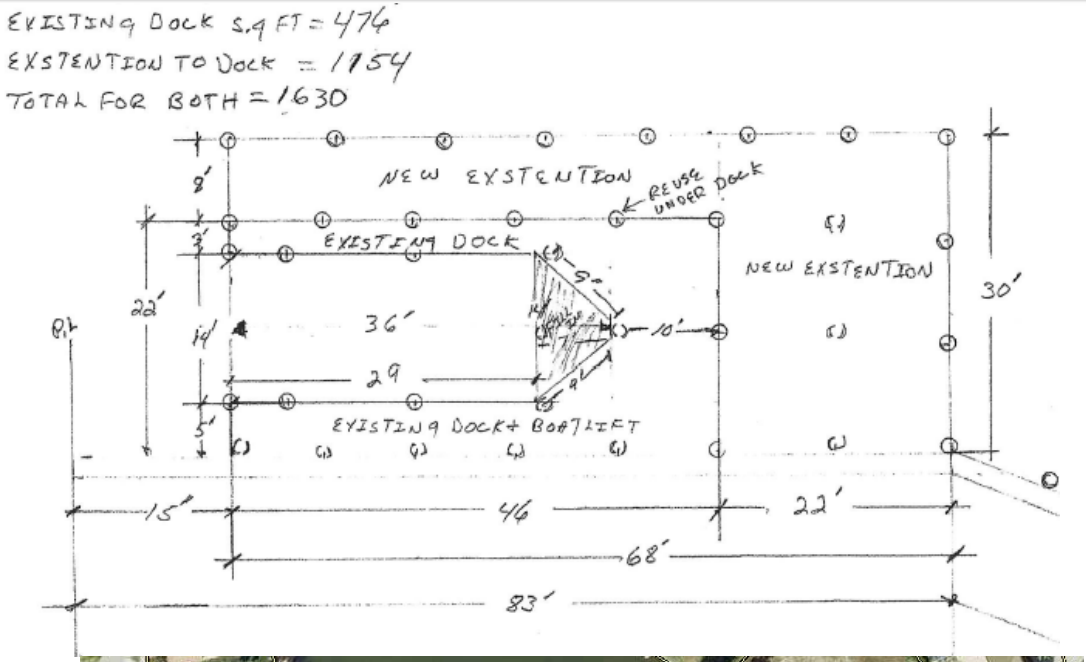
Examples





- <1,000 square feet
- Artificial Waterway
- State:
  - Not eligible for Self Cert
  - Exempt
- ACOE: Could be eligible for SPGP

Examples





- Artificial Waterway
- 1630 square feet



Dock Exemptions

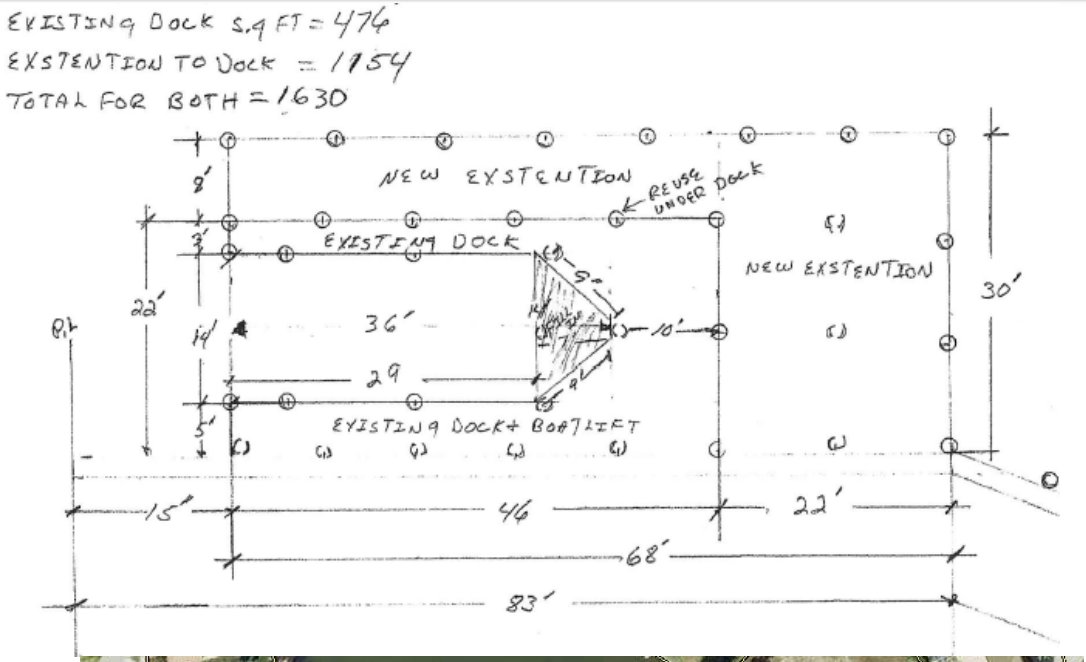
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Dock General Permit

Where	Size	Type	What	Number of docks	Rule
All Waterways	2000 sqft 2 vessels 2' MLW	Single-family	Dock and other structures	1 per parcel	62-330.427, F.A.C
All Waterways	1000 sq ft	Any	Piling supported structures	Unspecified	62-330.475 F.A.C. Cannot be granted more than once within a 3 year period where the combination of activities exceed the thresholds.

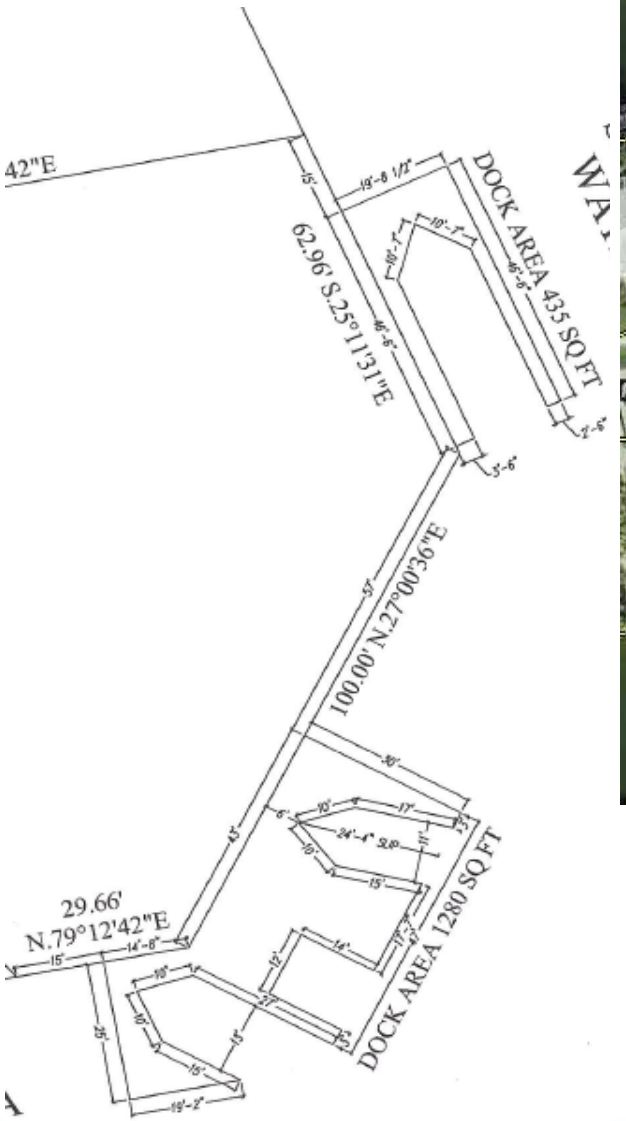
Examples





- Artificial Waterway
- 1630 square feet
- State: General Permit
- ACOE: RGP-20

Examples





Artificial and Man-Altered Waterways

1,715 square feet (3 boats and 2 jet skis)



Dock Exemptions

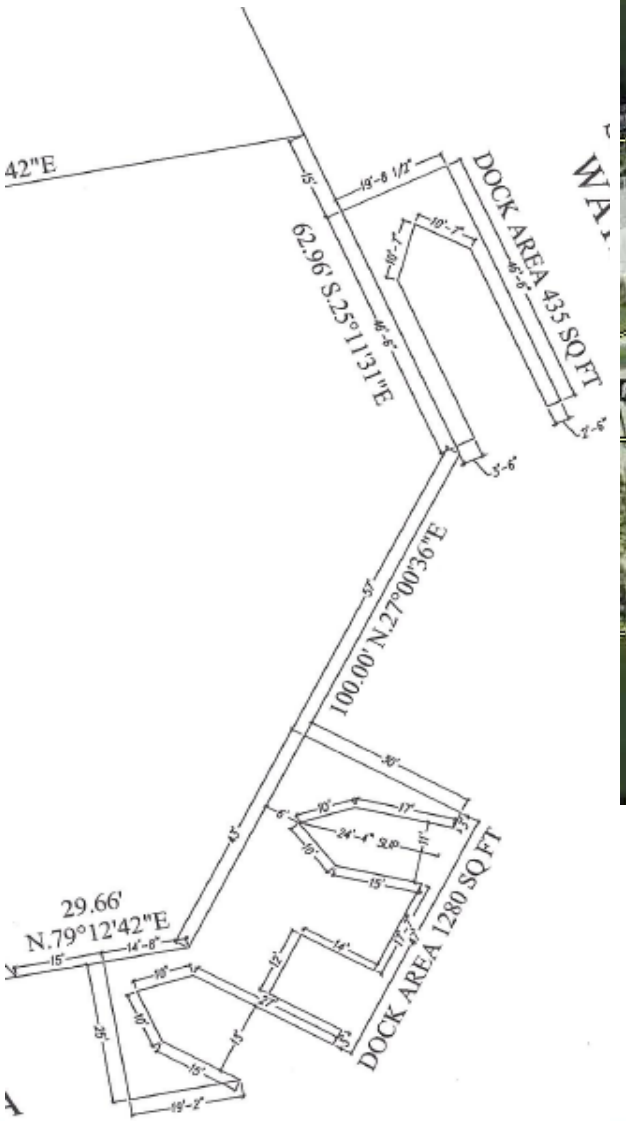
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Dock General Permit

Where	Size	Type	What	Number of docks	Rule
All Waterways	2000 sqft 2 vessels 2' MLW	Single-family	Dock and other structures	1 per parcel	62-330.427, F.A.C
All Waterways	1000 sq ft	Any	Piling supported structures	Unspecified	62-330.475 F.A.C. Cannot be granted more than once within a 3 year period where the combination of activities exceed the thresholds.

Examples





Artificial and Man-Altered Waterways

1,715 square feet (3 boats and 2 jet skis)

State: Individual Permit

ACOE: Letter of Permission

Florida Department of Environmental Protection

Compliance Assistance Program

Permit Review, Inspections, Compliance Assurance







CAP - Compliance Assurance Program

CAP Purpose

- Provide Compliance Assistance to the regulated community (our customers)
- Provide Outreach or informal training
  - to increase compliance rates
  - to increase overall environmental stewardship



<u>Our focus is to be proactive!</u>

Focus our efforts to prevent environmental problems from occurring, rather than only toward addressing a violation once it has occurred (being reactive)

CAP - Compliance Assurance Program

CAP Goals

- Achieve environmental compliance
  - Preferably without the need for formal enforcement
- Clearly explain regulatory requirements and the agency's expectations
- Provide technical assistance
  - Pre-construction meetings
  - On-site compliance inspections
  - Modifications to address changes in permitted design or any site related construction complications

CAP - Compliance Assurance Program

CAP Technical Assistance

- Available to answer questions about permit requirements
- Participate in professional consultation with applicants, governments, professional engineers, consultants and other agencies
- Make recommendations regarding permitting and/or compliance
- Work cooperatively to resolve any issues of non-compliance

CAP - Compliance Assurance Program

CAP Goals

- Seek feedback from our customers
- Help correct any industry recognized non-compliance issues
- Promote a positive business relationship
- Identify opportunities for Improvement
  - interpretation/modification of permit conditions or rules
  - maintain/enhance environmental protection
  - reduce potential for regulatory burden

CAP Staff Contacts

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