**THIS FORM IS INTENDED TO FACILITATE AND GUIDE THE DIALOGUE DURING A PRE-APPLICATION MEETING BY PROVIDING A PARTIAL "PROMPT LIST" OF DISCUSSION SUBJECTS. IT IS NOT A LIST OF REQUIREMENTS FOR SUBMITTAL BY THE APPLICANT.**

# SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
# RESOURCE REGULATION DIVISION
# PRE-APPLICATION MEETING NOTES

**FILE NUMBER:**

**PA xxxxxx**

| | |
|---|---|
| **Date:** | xx/xx/xxxx |
| **Time:** | xx:xx |
| **Project Name:** | Name |
| **District Engineer:** | |
| **District ES:** | |
| **Attendees:** | |

| | |
|---|---|
| **County:** | **Sec/Twp/Rge:** |
| **Total Land Acreage:** | **Project Acreage:** acres |

**Prior On-Site/Off-Site Permit Activity:**

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**Project Overview:**

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**Environmental Discussion:** (Wetlands On-Site, Wetlands on Adjacent Properties, Delineation, T&E species, Easements, Drawdown Issues, Setbacks, Justification, Elimination/Reduction, Permanent/Temporary Impacts, Secondary and Cumulative Impacts, Mitigation Options, SHWL, Upland Habitats, Site Visit, etc.)

- {insert general project discussion as it relates to wetlands and wetland impacts}
- Provide the limits of jurisdictional wetlands.
- Provide appropriate mitigation using UMAM for impacts, if applicable.
- Demonstrate elimination and reduction of wetland impacts.
- Maintain minimum 15 foot, average 25 foot wetland conservation area setback or address secondary impacts.
- {delete if not in a coastal county}There will be a noticing period once the permit application is deemed complete if the District receives comments from one or more of the CZM review agencies,. Wetland and/or surface waters impacts less than 1 acre in size will require a 10 day noticing period, prior to the issuance of the permit. Wetland and/or surface water impacts greater than 1 acre in size will require a 30 day noticing period, prior to the issuance of the permit. Permits could be issued as early as the 11th or 31st day, but staffs' schedule and workload will determine the actual issuance date.
- {delete if no wetland treatment proposed}The project is proposing to attenuate/treat in wetlands. Please demonstrate that adverse impacts to the wetland hydro periods will not occur by providing hydrographs of the 2.33 year mean annual storm. The graph should start and end at the pop-off elevation with Existing Condition and Proposed Condition hydrographs superimposed for comparison. Please provide a supporting narrative for the hydrographs explaining any variations that are shown. The invert of the agricultural ditches may be the existing 'pop-off' elevation, or SHWL of the wetland and may need to be considered when designing the storm water management system.
- Determine SHWL's at pond locations, wetlands, and OSWs.
- Determine normal pool elevations of wetlands.
- Determine 'pop-off' locations and elevations of wetlands.

**Site Information Discussion:** (SHW Levels, Floodplain, Tailwater Conditions, Adjacent Off-Site Contributing Sources, Receiving Waterbody, etc.)

- Existing roadway/intersections
- Watersheds
- <u>WBIDs need to be independently verified by the consultant</u> - WBID -
- Possibly discharging to impaired waters.
- May discharge to a closed basin
- Document/justify SHWE's at pond locations, wetlands, and OSWs.

- Determine normal pool elevations of wetlands.
- Determine 'pop-off' locations and elevations of wetlands.
- Proposed control structures in wetlands should be consistent with existing 'pop-off' elevations of wetlands; demonstrate no adverse impacts to wetland hydroperiod for up to 2.33yr mean annual storm.

**Water Quantity Discussions:** (Basin Description, Storm Event, Pre/Post Volume, Pre/Post Discharge, etc.)

- Demonstrate that discharges from proposed project area will not cause an adverse impact for a 25-year, 24-hour storm event.
- For projects or portions of projects that discharge to a closed basin, limit the post-development 100-year discharge volume to the pre-development 100-year, 24-hour volume.
- Demonstrate that site will not impede the conveyance of contributing off-site flows.
- Demonstrate that the project will not increase flood stages up- or down-stream of the project area(s).[Refer to Subsections 3.0(a)(b)(c), 3.3, and 3.7 A.H.V.II]
- Provide equivalent compensating storage for all 100-year, 24-hour riverine floodplain impacts if applicable.
- Please be aware that if there is credible historical evidence of past flooding or the physical capacity of the downstream conveyance or receiving waters indicates that the conditions for issuance will not be met without consideration of storm events of different frequency or duration, applicants shall be required to provide additional analyses using storm events of different duration or frequency than the 25-year 24-hour storm event, or to adjust the volume, rate or timing of discharges. [Section 3.0 Applicant's Handbook Volume II]

**Water Quality Discussions:** (Type of Treatment, Technical Characteristics, Non-presumptive Alternatives, etc.)

- Provide water quality treatment for entire project area and all contributing off-site flows.
- In addition, if the project discharges to an impaired water body, must provide a net environmental improvement.
- Applicant must demonstrate a net improvement for the parameters of concern by performing a pre/post pollutant loading analysis based on existing land use and the proposed land use.
- Also replace treatment function of existing ditches to be filled.
- Presumptive Water Quality Treatment for Alterations to Existing Public Roadway Projects:
  -Refer to Section 4.5 A.H.V.II for Alterations to Existing Public Roadway Projects.
  -Refer to Sections 4.8, 4.8.1 and 4.8.2 A.H.V.II for Compensating Stormwater Treatment, Overtreatment, and Offsite Compensation.
  -All co-mingled existing & new impervious that is proposed to be connected to a treatment pond will require treatment for an area equal to the co-mingled existing & new impervious (times ½" for dry treatment or 1" for wet treatment). This applies whether or not equivalent treatment concepts are used.
  -However, if equivalent treatment concepts are used it is possible to strategically locate the pond(s) so that the minimum treatment requirement may be for an area equivalent to the new impervious area only. That is, co-mingled existing & new impervious that is not connected to a treatment pond may bypass treatment (as per Section 4.5(2), A.H.V.II); as long as the 'total impervious area' that is connected to the treatment pond(s) is at least equivalent to the area of new impervious only. The 'total impervious area' that is connected to the pond(s) may be composed of co-mingled existing & new impervious.
  -Offsite impervious not required to be treated; but may be useful to be treated when using equivalent treatment concepts.
  -Existing treatment capacity displaced by any road project will require additional compensating volume. Refer to Subsection 4.5(c), A.H.V.II.
- Will acknowledge compensatory treatment to offset pollutant loads associated with portions of the project area that cannot be physically treated.
- Provide additional 50% treatment for any direct discharges to OFW. Refer to ERP Applicant's Handbook Vol. II Subsection 4.1(f).
- Please be advised that although use of isolated wetlands for ERP treatment purposes is permittable as per Section 4.1(a)(3), A.H.V.II, use of isolated wetlands for treatment purposes may not necessarily meet US Army Corps criteria.
- Net improvement
  -Refer to rule 62-330.301(2), F.A.C.
  -WBID ___ impaired for _____. Please verify accuracy of WBID boundaries and status of impairment.
  -The Tampa Bay Estuary Program (TBEP) identifies WBID ____ as a discharge to Tampa Bay. Tampa Bay is designated as a Category 4b waterbody (impaired, but no TMDL required); therefore net improvement (for nutrients) is required for discharges to Tampa Bay.

-The application must demonstrate a net improvement for nutrients. Applicant may demonstrate a net improvement for the parameters of concern by performing a pre/post pollutant loading analysis based on existing land use and the proposed land use. Refer to ERP Applicant's Handbook Vol. II Subsection 4.1(g).
-Effluent filtration is known to be ineffective for treating nutrient related impairments, unless special nutrient absorbing media provided. However, please note special nutrient absorbing media has extremely low conductivity values compared to typical sand type effluent filtration filter media. Note: if treatment volume required for net improvement is less than the treatment volume required for 'presumptive' treatment, then use of effluent filtration is ok.

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**Sovereign Lands Discussion:** (Determining Location, Correct Form of Authorization, Content of Application, Assessment of Fees, Coordination with FDEP)

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**Operation and Maintenance/Legal Information:** (Ownership or Perpetual Control, O&M Entity, O&M Instructions, Homeowner Association Documents, Coastal Zone requirements, etc.)

- The permit must be issued to entity that owns or controls the property.
- Provide evidence of ownership or control by deed, easement, contract for purchase, etc. Evidence of ownership or control must include a legal description. A Property Appraiser summary of the legal description is NOT acceptable.
- Provide Homeowners Association (HOA) or Property Owners Association (POA) documents and affidavit. Refer to ERP Applicant's Handbook Vol. I Subsection 12.3.3 and Section 7 of the References and Design Aids for Vol. I.
- The HOA/POA documents, covenants, and deed restrictions will need to address any docking facility, boat uses, wetland, wetland mitigation, and all other applicable regulatory and proprietary restrictions that are a result of the requested uses.
- Provide detailed construction surface water management plan.

**Application Type and Fee Required:**

- SWERP – Sections A, C, and E of the ERP Application.
- < 10 acres of project area and no wetland or surface water impacts - $273.00 Online Submittal
- < 10 acres of project area and < 1 acre of wetland or surface water impacts - $
- Consult the fee schedule for different thresholds.

**Other:** (Future Pre-Application Meetings, Fast Track, Submittal Date, Construction Start Date, Required District Permits – WUP, WOD, Well Construction, etc.)

- In accordance with Section 5.5.2.3 of the Applicant's Handbook Volume I (A.H.V.I), upon receipt by the District of an application for an individual permit to construct or alter a dam, impoundment, reservoir, or appurtenant work, a notice of receipt of the application must be published in a newspaper having general circulation (meeting the requirements of Section 50.031, F.S.) within the affected area in accordance with Sections 373.116, F.S., 373.118(3), 373.146, and 373.413(3), F.S. Please provide documentation that such noticing has been accomplished. Note that the published notices of receipt for an ERP can be in accordance with the language provided in Rule 40D-1.603(10), F.A.C., and receipt of an affidavit establishing proof of this publication will be considered a completeness item of this ERP Application.

  40D-1.603(12) – "Applicants required to publish a notice of receipt of application must provide to the District a publisher's affidavit establishing proof of publication pursuant to Sections 50.041and 50.051, F.S., before the application will be considered complete and the applicable timeframe for taking agency action on the application will commence."

- Provide a copy of the legal description (of all applicable parcels within the project area) in one of the following forms:
  a. Deed with complete Legal Description attachment.
  b. Plat.
  c. Boundary survey of the property(ies) with a sketch.

- The plans and drainage report submitted electronically must include the appropriate information required under Rule 61G15-23.005(3)(d), F.A.C. The following text is acceptable to the Florida Board of Professional Engineers (FBPE) to meet this requirement and must appear where the signature would normally appear:

*[Licensee] State of Florida, Professional Engineer, License No. X*
*This item has been electronically signed and sealed by [Licensee, PE] on [DATE] using a SHA-1 authentication code. Printed copies of this document are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies*

- Provide soil erosion and sediment control measures for use during construction. Refer to ERP Applicant's Handbook Vol. 1 Part IV Erosion and Sediment Control.
- If wells and/or a water use permit (WUP) are located on-site, contact District Water Use staff if wells or WUP will be impacted. You may be required to properly abandon/cap/plug wells located on site and/or modify the WUP quantities and/or type of use.
- Demonstrate that excavation of any stormwater ponds does not breach an aquitard (see Subsection 2.1.1, A.H.V.II) such that it would allow for lesser quality water to pass, either way, between the two systems. In those geographical areas of the District where there is not an aquitard present, the depth of the pond(s) shall not be excavated to within two (2) feet of the underlying limestone which is part of a drinking water aquifer. [Refer to Subsection 5.4.1(b), A.H.V.II]
- If lowering of SHWE is proposed, then burden is on Applicant to demonstrate no adverse onsite or offsite impacts as per Subsection 3.6, A.H.V.II. Groundwater drawdown 'radius of influence' computations may be required to demonstrate no adverse onsite or offsite impacts. Please note that new roadside swales or deepening of existing roadside swales may result in lowering of SHWE. Proposed ponds with control elevation less than SHWE may result in adverse lowering of onsite or offsite groundwater.
- Check for contaminants and assure that FDEP clearance is secured, if so found within 1500 feet. If found within 500 feet, the permit cannot be issued until Applicant provides the District with written verification from FDEP demonstrating the proposed system will not result in adverse water quality affects. If found between 500 and 1500 feet, the permit may be issued with a condition that all contaminated site assessment concerns have been addressed with FDEP prior to beginning construction.
- Contact FDEP Petroleum Restoration Program #850-245-8839 regarding potential groundwater contamination issues associated with existing onsite or offsite underground petroleum storage tanks (UST's).
- Federal Supplemental Application Form - to be used with the Joint Application form under SWERP 2 (SWERP 2 has not been approved yet). This form will not be incorporated into rule but will be added to the electronic application. The Corps has requested that we begin using this form now to help them gather the information they need to process their permits. This should be provided during any pre-application meeting that proposed work in, on or over wetlands or surface waters.

**Disclaimer:** The District ERP pre-application meeting process is a service made available to the public to assist interested parties in preparing for submittal of a permit application. Information shared at pre-application meetings is superseded by the actual permit application submittal. District permit decisions are based upon information submitted during the application process and Rules in effect at the time the application is complete.