



**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](http://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](mailto: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. Stevenson  
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 have minimal direct and secondary impacts
- **Individual Permits:** all other activities that do not qualify for exemption or general permit



# Dock Exemptions

<b>Where</b>	<b>Size</b>	<b>Type</b>	<b>What</b>	<b>Number of docks</b>	<b>Statute/Rule Citation</b> (please refer to full criteria for all requirements):
Artificial Waterway:	1000 sq ft	Private	Dock	not limited	<a href="#"><u>403.813 (1)(i), F.S. / 62-330.051(5)(c), F.A.C.</u></a>
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	<a href="#"><u>403.813(1)(b), F.S. / 62-330.051(5)(b), F.A.C.</u></a>
Repair/ Replace:	Same as before	Not specified	Same as before	Same as before	<a href="#"><u>403.813(1)(d), F.S. / 62-330.051(5)(d), F.A.C.</u></a>



# 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	<a href="#"><u>62-330.427, F.A.C</u></a>
All Waterways	1000 sq ft	Any	Piling supported structures	Unspecified	<a href="#"><u>62-330.475 F.A.C.</u></a> 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



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Compliance with the  
State's Programmatic  
General Permit



# Proprietary Program



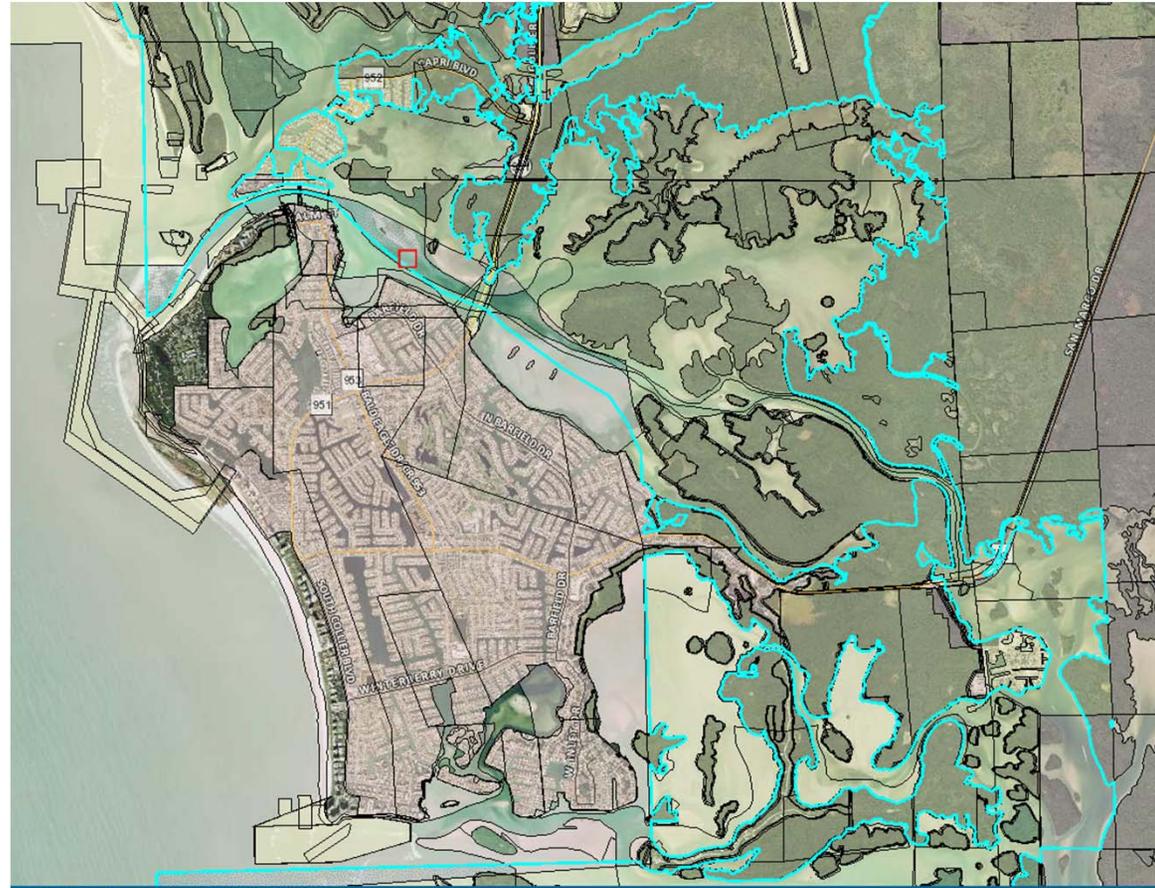
- **Regulates activities that occur on state-owned, or sovereign submerged lands**
  - Florida Constitution, Article X, Section 11: *“The title to lands under navigable waters, within the boundaries of the state, which have not been alienated including beaches below the mean high water lines, is held 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		
Marie Vidrine	239-344-5701	<a href="mailto:Marie.Vidrine@dep.state.fl.us">Marie.Vidrine@dep.state.fl.us</a>
Jeannie Gerhart	239-344-5645	<a href="mailto:Jeannie.Gerhart@dep.state.fl.us">Jeannie.Gerhart@dep.state.fl.us</a>
Permitting: Kent Edwards, Manager	239-344-5673	<a href="mailto:Kent.Edwards@dep.state.fl.us">Kent.Edwards@dep.state.fl.us</a>
Patricia Clune	239-344-5639	<a href="mailto:Patricia.Clune@dep.state.fl.us">Patricia.Clune@dep.state.fl.us</a>
Jon Guinn	239-344-5650	<a href="mailto:Jonathan.Guinn@dep.state.fl.us">Jonathan.Guinn@dep.state.fl.us</a>
Jessica Magrino	239-344-5671	<a href="mailto:Jessica.Magrino@dep.state.fl.us">Jessica.Magrino@dep.state.fl.us</a>
Tim Steeves	239-344-5681	<a href="mailto:Tim.Steeves@dep.state.fl.us">Tim.Steeves@dep.state.fl.us</a>



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

\*if repair in place 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.



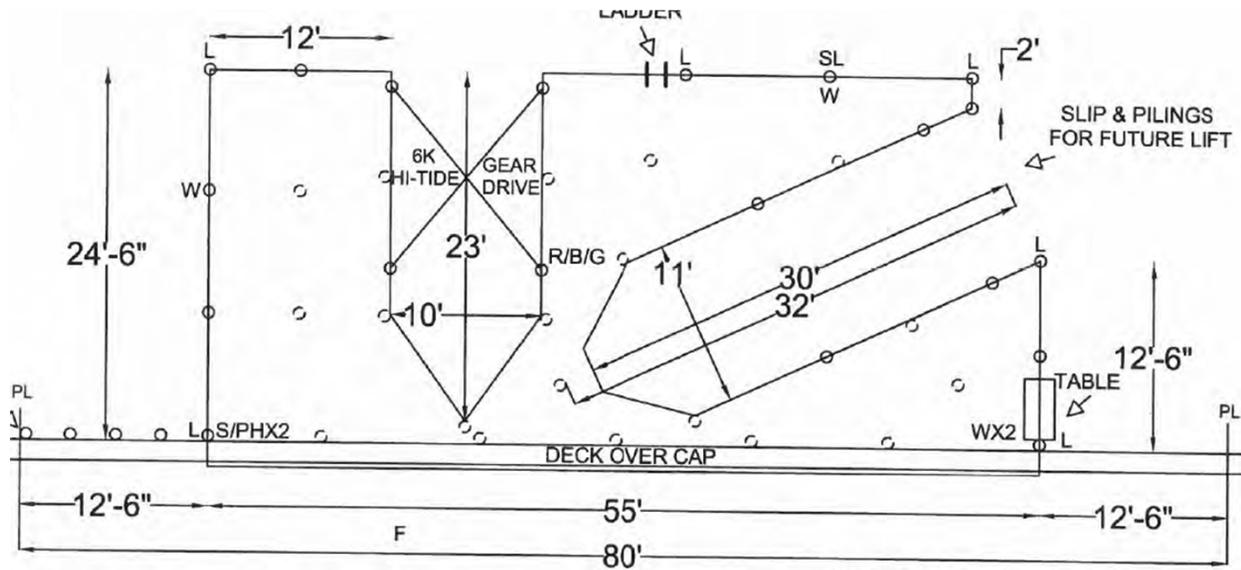
# How Do I Apply?

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  - 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](mailto: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>





# Examples



- <1,000 square feet
- Artificial Waterway



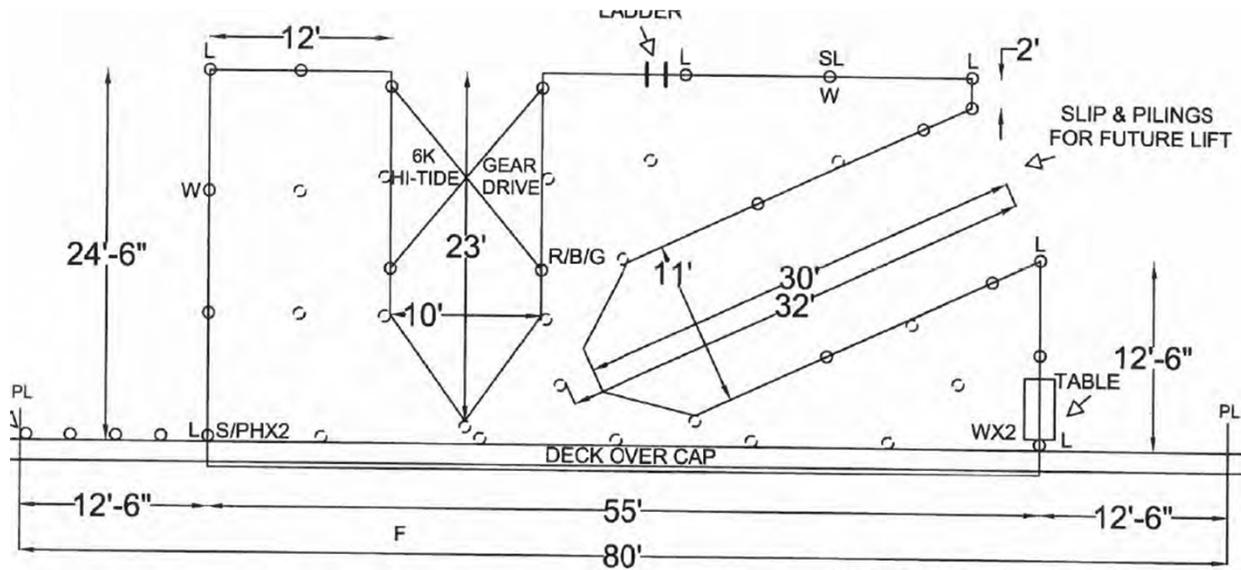


# Dock Exemptions

<b>Where</b>	<b>Size</b>	<b>Type</b>	<b>What</b>	<b>Number of docks</b>	<b>Statute/Rule Citation</b> (please refer to full criteria for all requirements):
Artificial Waterway:	1000 sq ft	Private	Dock	not limited	<a href="#"><u>403.813 (1)(i), F.S. / 62-330.051(5)(c), F.A.C.</u></a>
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	<a href="#"><u>403.813(1)(b), F.S. / 62-330.051(5)(b), F.A.C.</u></a>
Repair/ Replace:	Same as before	Not specified	Same as before	Same as before	<a href="#"><u>403.813(1)(d), F.S. / 62-330.051(5)(d), F.A.C.</u></a>



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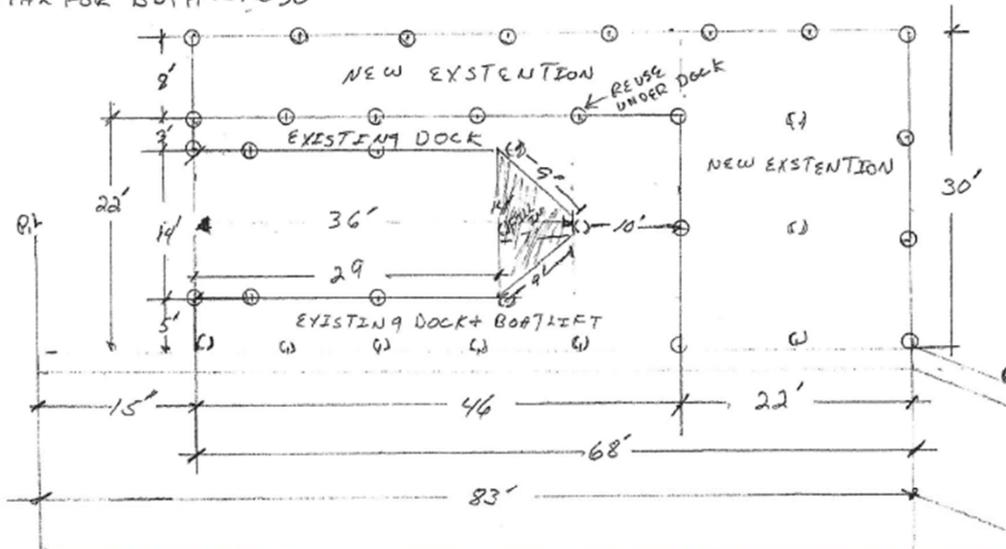


- <1,000 square feet
- Artificial Waterway
- State:
  - Not eligible for Self Cert
  - Exempt
- ACOE: Could be eligible for SPGP



# Examples

EXISTING DOCK S.A FT = 474  
EXTENSION TO DOCK = 1154  
TOTAL FOR BOTH = 1630



- Artificial Waterway
- 1630 square feet



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# Dock Exemptions

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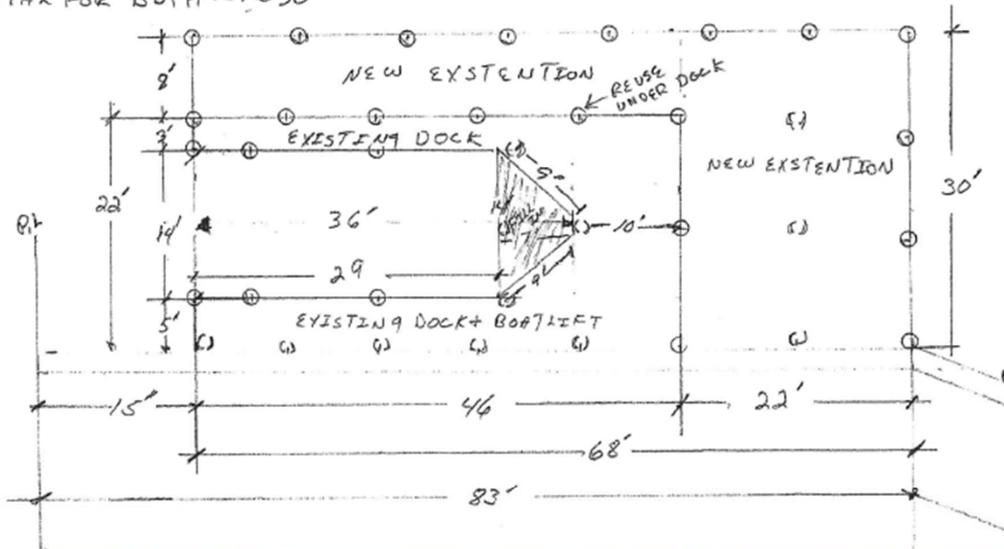
# Dock General Permit

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	<a href="#"><u>62-330.427, F.A.C</u></a>
All Waterways	1000 sq ft	Any	Piling supported structures	Unspecified	<a href="#"><u>62-330.475 F.A.C.</u></a> Cannot be granted more than once within a 3 year period where the combination of activities exceed the thresholds.



# Examples

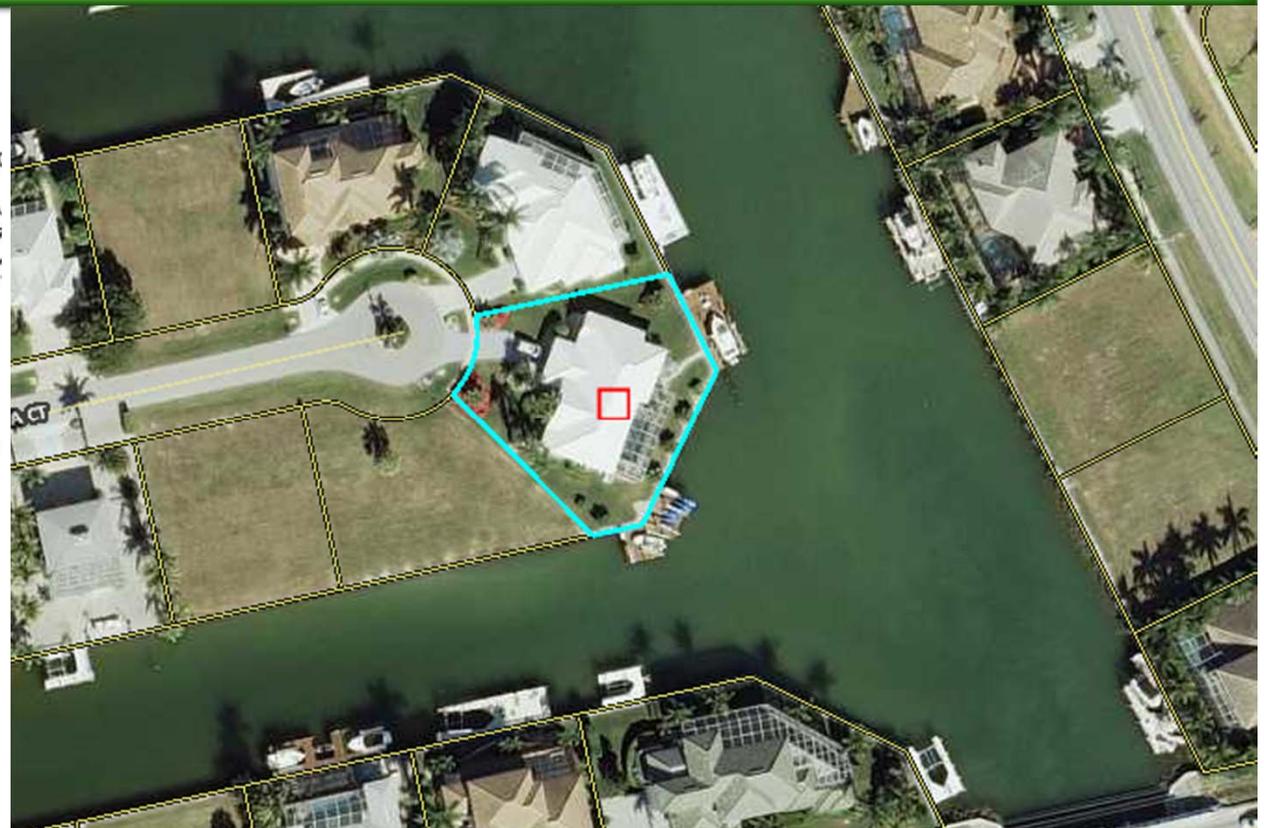
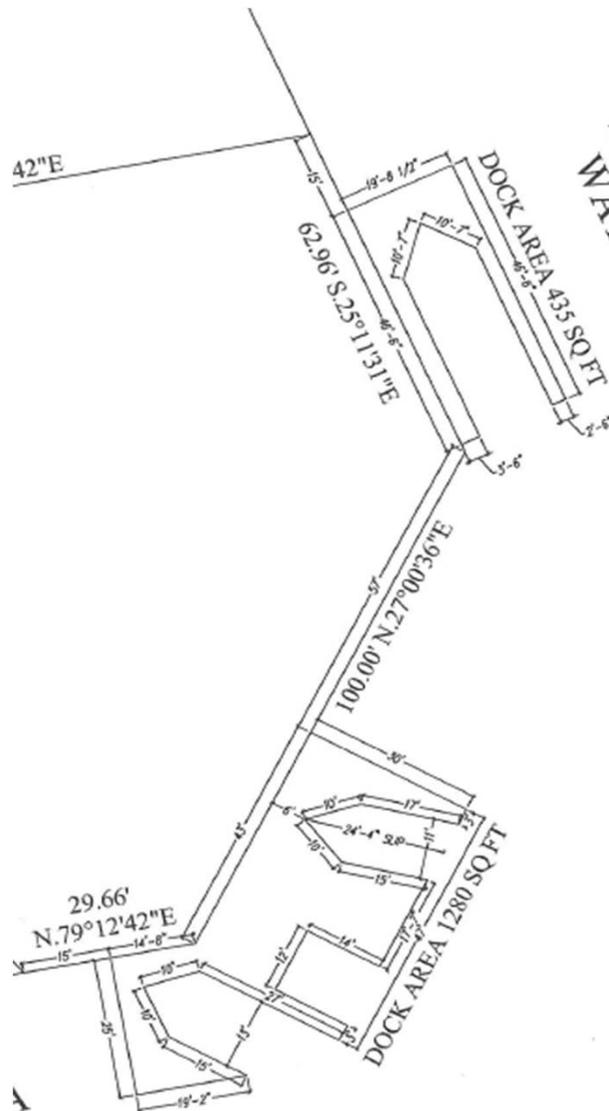
EXISTING DOCK S.A FT = 474  
EXTENSION TO DOCK = 1154  
TOTAL FOR BOTH = 1630



- 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

<b>Where</b>	<b>Size</b>	<b>Type</b>	<b>What</b>	<b>Number of docks</b>	<b>Statute/Rule Citation</b> (please refer to full criteria for all requirements):
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**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



### **Our focus is to be proactive!**

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 - Compliance Assurance Program

## CAP Staff Contacts

South District – Compliance Assurance Program  
2295 Victoria Avenue, Suite 364  
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Environmental Specialist

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