

Florida Department of Environmental Protection

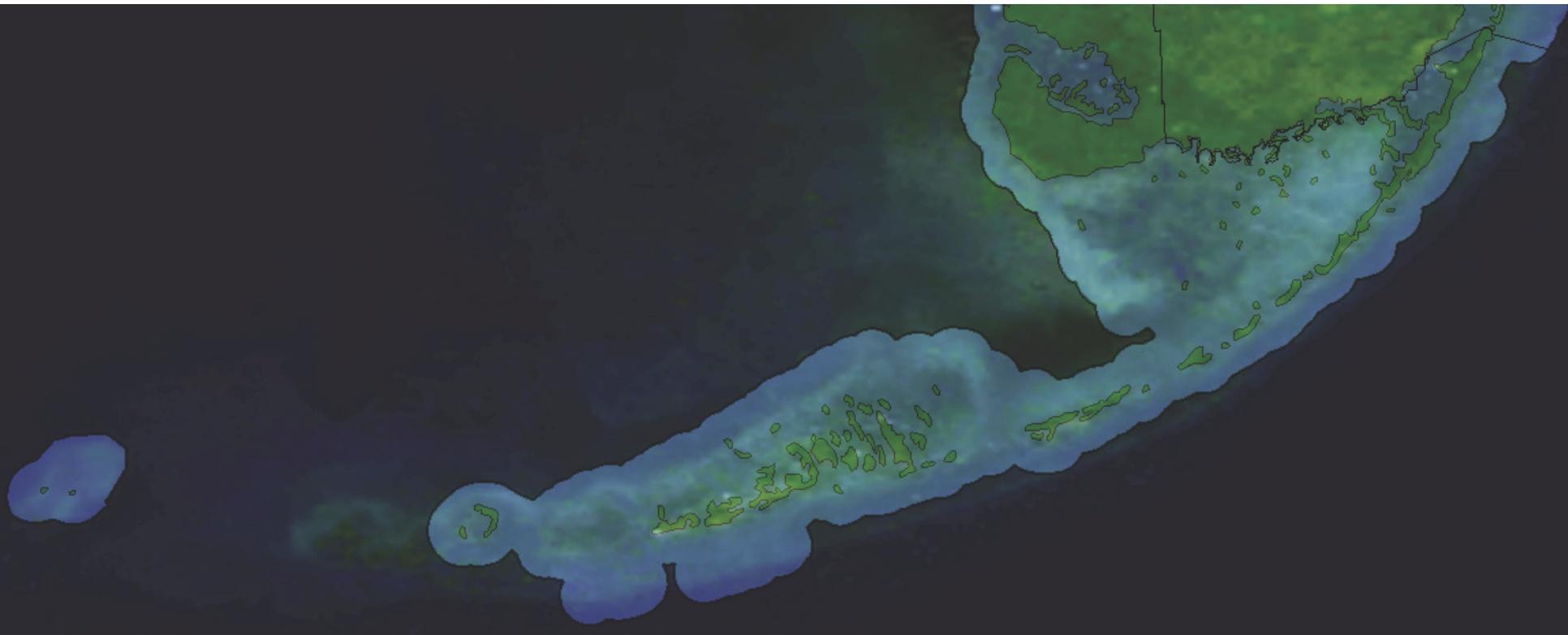


Submerged Lands and Environmental Resource Coordination (SLERC) Program





State Boundaries





Permitting – 2 types of approvals

Regulatory –

- approval required for any activity in surface waters & wetlands
- **Criteria**
 - whether activity will adversely affect water quality standards
 - ensuring habitat function for fish & wildlife is maintained

Proprietary –

- *Additional* approval required for activities involving state-owned submerged lands
- **Criteria:** *similar to regulatory but also concerned with use of a public good*
- can also include Aquatic Preserves & State Parks



Types of Regulatory Approval

- **Exemptions:** *No permit required if activity meets thresholds defined in Statute or Rule*
 - There is no “standard” exemption for coral restoration activities
 - may qualify for “Deminimis” exemption
- **Noticed General Permits (NGPs):** *activities that have been determined to have minimal direct/secondary impacts*
 - subject to General Conditions
 - For coral restoration activities, existing NGPs include:
 - Environmental Enhancement/Restoration *by DEP, WMD or USACOE*
 - Artificial Reefs
 - or may qualify for “Minor Activity” “NGP”
- **Standard General / Individual Permits:** *all other activities that do not qualify for exemption or NGP*
 - Requires extensive submittal of information, review, cross-coordination & possibly mitigation/public interest project



Types of Proprietary Approval

Letter of Consent (LOC) – written authorization required

Leases – written agreement with annual fees. Typically for *commercial* activities, but also other activities that do not qualify for an LOC

Easements – written agreement with fees (usually annual), generally for linear activities (bridges, utility lines, etc.)



Types of LOCs for coral-related activities

13. Minor activities or temporary structures which require a Part IV, Chapter 373, F.S., permit required for the **removal of wrecked, abandoned or derelict vessels** or structures, except for vessels or structures of archaeological or historical value relating to the history, government and culture of the state that are defined as historic properties in Section 267.021(3), F.S.
14. **Emergency** or other critical, time-sensitive activities necessary to enhance, protect or restore: public health, safety or welfare; utility service; the health of fish, other aquatic life, or other animals; or recreational, commercial, industrial, agricultural, or other reasonable uses. Unless the activity otherwise qualifies for a letter of consent under the provisions of this rule, the activity shall require the applicable form of authorization as specified in this rule within one year.
15. **Habitat restoration, enhancement**, or permitted mitigation activities without permanent preemption by structures or exclusion of the general public, but excluding all mitigation banks.
16. **Management activities** associated with protection of threatened, endangered and special concern species, rookeries, artificial or natural reefs, parks, preserves, historical sites, scientific study activities, or habitat restoration or enhancement areas, provided that there is no permanent preemption by structures or exclusion of the general public.



Past Permitting Examples

Project Type	Location	Permittee	Type of Regulatory Approval	Type of Proprietary Approval
Emergency Reef Restoration	off Boca Chica	FKNMS	Deminimis EX	LOC
Re-attach Coral Fragments	Dry Tortugas Eco Reserve	FKNMS	Deminimis EX	LOC
Emer. Coral stabilization & Establish In-Situ Coral Nursery	Washerwoman Reef; Newfound Harbor SPA	FKNMS	Deminimis EX	LOC
Coral Restoration & Stabilization	Western Sambo grounding site	NMFS & FKNMS	Deminimis EX	LOC
Temp place Rock/Rods to Study Succession on Damaged Reefs	Sandy Bottom, Atlantic Ocean	Thomas Cuba; Delta Seven Inc.	Deminimis EX	LOC
Reef Balls	Below dock in FL Bay	Pareira/ Sea Grant	Minor Act. NGP	LOC
Artificial Reef	Vandenberg	City of Key West	Standard GP	?
Reef Restoration	Contship Houston Grounding, Saddlebunch	Dr. Waxman; Post, Buckley, Schuh & Jernigan	Coded as Standard GP, but withdrawn	?
Reef Balls	Below dock, FL Bay	Islander Motel	Coded as Standard GP, but withdrawn	n/a
Install a Limestone Reef	Key West	Seward Johnson	Denied	?



Application Process

- **Joint Application Form**
 - used by DEP and ACOE
 - required information
- **Fees**
 - Exemptions: \$100
 - NGPs: \$250
 - Standard/Individual Permits: \$430+
- **Timeframes**
- **Pre-application meetings**