

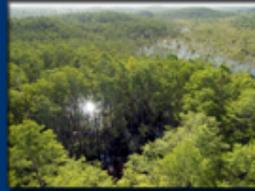
# Florida Department of Environmental Protection



South District

## Environmental Resource Permitting for Artificial Reefs

February 17, 2015





# Environmental Resource Permitting (ERP)

The Environmental Resource Permitting Program regulates **dredging, filling, and construction** in wetlands and **other surface water**, as well as stormwater and surface water management systems in uplands.

The program is designed to ensure that **activities** in uplands, wetlands and other surface waters **do not degrade water quality or degrade habitat** for aquatic or wetland dependent wildlife.



# Types of State Authorization

- **Regulatory**
  - Environmental rules
  - Exemptions, permits, etc.
  
- **Proprietary**
  - State lands authorization
  - Activities on public property

# Jurisdiction

- **FDEP regulates artificial reefs in State Waters**
  - within 3 miles of the Atlantic Coast
  - within 9 miles of the Gulf Coast





# Application Review

- **Regulatory Review**

- Authorizations:
  - General Permit
  - Individual Permit
- Rules:
  - Chapter 62-330, F.A.C.
  - Chapter 62-343, F.A.C.
  - Applicant's Handbook Volume I

- **Proprietary Review**

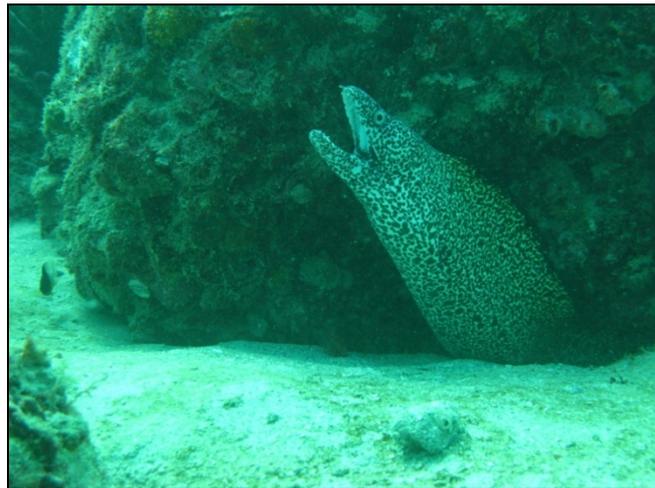
- Authorization:
  - Letter of Consent
  - Lease
- Rules:
  - Chapter 18-21, F.A.C.
  - Chapter 18-20, F.A.C. (Aquatic Preserves)



# General Permit (GP)

Chapter 62-330.600, F.A.C.

## **General Permit for the Construction of Artificial Reefs**





# General Criteria

- Clean concrete, rock, steel boat hulls, other heavy gauge steel, or a mixture of clean concrete and steel;
- Material free of pollutants and debris;
- Firmly anchored to the bottom;
  - sufficiently massive
- Not indiscriminately dumped; and
- Top of reef shall not exceed 1/2 distance from the bottom to the surface of the water



# Specific Criteria

- Site shall not be located on grasses, corals, or other hard bottom communities
- Water depths shall not be less than 12 feet deep
- No “white goods”, asphalt, or tires
- Site marked with buoys during deployment
- Not located within shipping lanes
- Notify State and Federal agencies of location
- Boundary shall not exceed  $\frac{1}{4}$  **mile** on any side
  - $\frac{1}{4}$  nautical mile accepted

# Regulatory Review

- If project exceeds the thresholds or criteria of the General Permit, then:
  - **Individual Permit**





# Individual Permit

- Application fees based on cumulative footprint of proposed deployment locations in the site for the life of the permit:
  - Less than 1 acre - \$420
  - Less than 3, more than or equal to 1 acre - \$1,500
  - Less than 10, more than or equal to 3 acres - \$5,000
  - Less than 50, more than or equal to 10 acres - \$9,000
  - 50 acres or more - \$14,000



# Individual Permit

- Coastal Zone Consistency Review
  - Department of Economic Opportunity
  - Florida Fish and Wildlife Conservation Commission
  - Department of State
  - In addition, we typically cc the FKNMS and local governments with applications for individual permits.

# Proprietary Review

- Authorization reviewed concurrently with regulatory permit
  - **Letter of Consent**
    - Chapter 18-21.005(1)(c)(9), F.A.C.
    - Must be for public use
    - No size limits
    - No additional review fee
    - Division of Recreation and Parks would comment on any activities within State Parks.





# Permit Conditions

- Set Specific and General conditions in GP
- Pre-construction meeting
- Cargo manifest and pre-deployment notification
- Turbidity
- Boundary buoys during construction
- Threatened & endangered species protection
- Project and waterbody specific conditions



# Before Applying

- **Consult with FWC's Artificial Reef Program**
  - Keith Mille – [Keith.Mille@myfwc.com](mailto:Keith.Mille@myfwc.com)
  - Jon Dodrill – [Jon.Dodrill@myfwc.com](mailto:Jon.Dodrill@myfwc.com)
- **Schedule a pre-application meeting with FDEP**
  - Bruce Franck (SD) – [Bruce.Franck@dep.state.fl.us](mailto:Bruce.Franck@dep.state.fl.us)
  - (305) 289-7080
  - For other districts go to <http://www.dep.state.fl.us/secretary/dist/default.htm> for contact information



# Application Submittal

- **General Permit**
  - GP application form
  - \$250 fee
- **Individual Permit**
  - Appropriate joint application form
    - Form 62-330.060(1)
  - Application fee



May be submitted electronically to  
[ERP\\_Apps\\_Monroe@dep.state.fl.us](mailto:ERP_Apps_Monroe@dep.state.fl.us)



# Thank You!

**Bruce Franck**

Environmental Specialist III

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