

What's Up Docks

Navigating the Dock Permitting Process

December 14, 2017













Outline

Forms of Authorization and Application Tips

- How to apply
- Review Process
- Forms of Authorization

E-Apps Tips and Tricks

- E-permitting
- Self-Certifications



Florida Department of Environmental Protection

Forms of Authorization and Application Tips

How to apply
Review Process
Forms of Authorization













Dock Application Tips

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: <u>http://www.dep.state.fl.us/water/wetlands/erp/forms.h</u> <u>tm</u>



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.:

File Name:

Marco Island, FL 34145

- Self Cert Exempt Dock with Boat Lift(s) (General)

Deag 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 LONG -SITE ADDRESS: COUNTY: Collier For.

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:

 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.

 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 of the Chapters 253 and 258, Com

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

REGULATORY

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 (F.S.) or Rule (F.A.C.)

 General Permits: activities that have been determined to the have minimal direct and secondary impacts

• <u>Individual Permits:</u> 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					403.813 (1)(i), F.S. /
Waterway:	1000 sq ft	Private	Dock	not limited	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

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



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



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



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
- <u>Letter of Consent</u> written authorization is required
- <u>Leases</u> written agreement with annual fees for all commercial facilities, and those facilities which do not qualify for a lesser authorization
- <u>Easements</u> written agreement with fees (not necessarily annual), generally for linear activities



Application Process











Three Reviews/Authorizations and 403, Chapters 253 and 258, Com

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



Federal Authorization: SPGP

- State Programmatic General Permit (SPGP)
 - Current: SPGP V, valid July, 2016 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 V
 - Activities are reviewed based on the *Permit Instrument* which essentially is a checklist of location information and compliance with certain criteria





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



http://www.surveygizmo.co m/s3/3461063/SD-DEP-Pre-Application-Meeting-Request



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, noncommercial activities	Over-water structure less than or equal to 2000 square feet No more than 2 watercraft	Docks that are not exempt or that do not qualify for a general permit
	Non-Artificial Waterbodies: Sole dock per 65 feet of shoreline	Minimum of water depth of 2 feet below MLW	
	<u>Artificial Waterbodies:</u> 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 <u>A</u> and <u>B</u>
Amount of time to issue:***	30 days	30 days	60 days
Fee:	\$100.00	\$250.00	\$420

^{*}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.

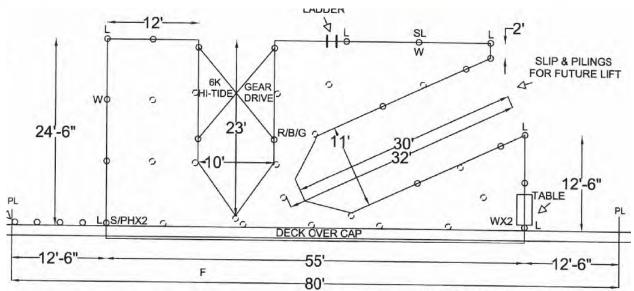


How Do I Apply?

- 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: <u>SD_ERP_Permit@dep.state.fl.us</u>
 - 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</p>
- ArtificialWaterway



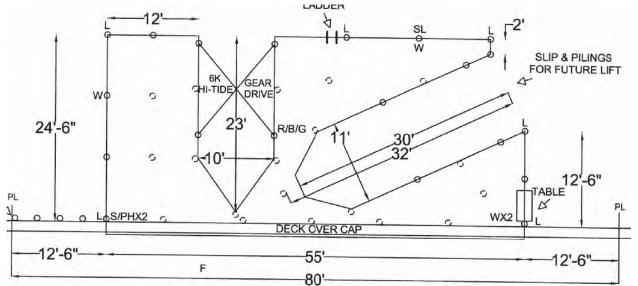


Dock Exemptions

Where	Size	Type	What	Number of docks	Statute/Rule Citation (please refer to full criteria for all requirements):
Artificial					403.813 (1)(i), F.S. /
Waterway:	1000 sq ft	Private	Dock	not limited	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.



Examples

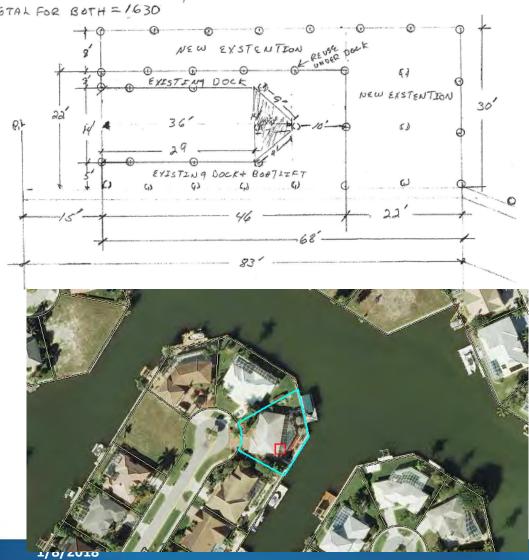


- <1,000 square feet</p>
- Artificial Waterway
- State:
 - Eligible for Self Cert
 - Exempt
- ACOE: Could be eligible for SPGP



Examples

EXESTENG DOCK S. G FT = 476 EXSTENTION TO VOCK = 1154 TOTAL FOR BOTH = 1630



- ArtificialWaterway
- 1630 square feet



Dock Exemptions

Where	Size	Type	What	Number of docks	Statute/Rule Citation (please refer to full criteria for all requirements):
Artificial					403.813 (1)(i), F.S. /
Waterway:	1000 sq ft	Private	Dock	not limited	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. <u>/</u> 62-330.051(5)(d), F.A.C.





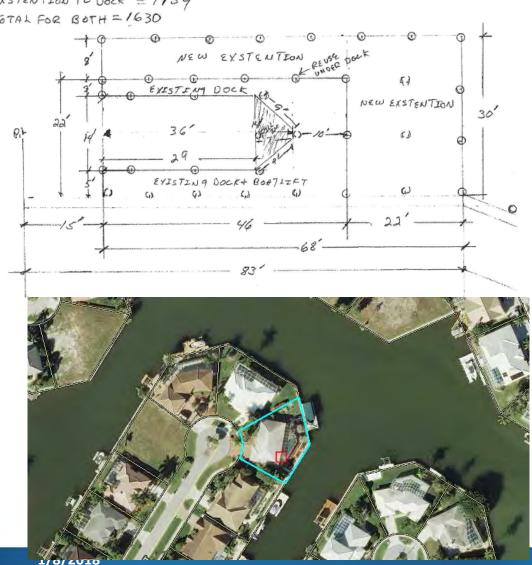
Dock General Permit

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



Examples

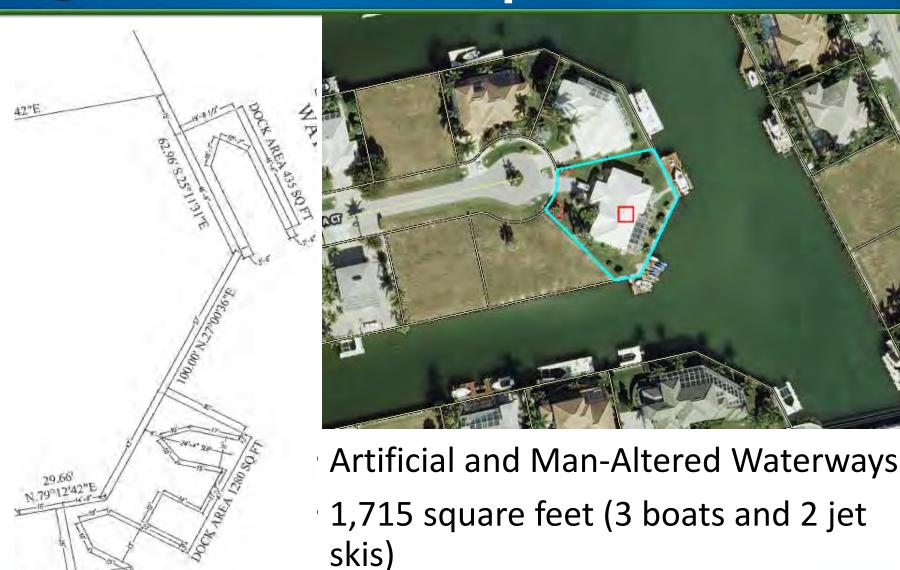
EXESTENG DOCK S.4 FT = 476 EXSTENTION TO DOCK = 1154 TOTAL FOR BOTH = 1630



- ArtificialWaterway
- 1630 square feet
- State: General Permit
- ACOE: RGP-20



Examples





Dock Exemptions

Where	Size	Type	What	Number of docks	Statute/Rule Citation (please refer to full criteria for all requirements):
Artificial					403.813 (1)(i), F.S. /
Waterway:	1000 sq ft	Private	Dock	not limited	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.

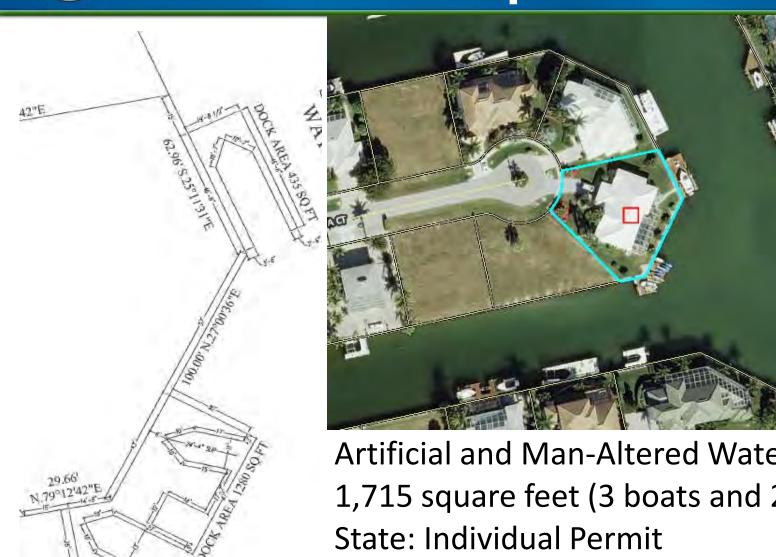


Dock General Permit

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.



Examples



Artificial and Man-Altered Waterways 1,715 square feet (3 boats and 2 jet skis)

ACOE: Letter of Permission



Florida Department of Environmental Protection

E-Apps Tips and Tricks E-permitting

Self-Certifications













E-Apps Tips and Tricks

- E-Apps Tips and Tricks
 - E-permitting
 - Dd
- https://webappsbeta.dep.state.fl.us/DepPortal/go/ home/



поше						
Authorization Process	Help	About				
"Go Back to Previous Step" allows	pplication purpose determines the information needed in this process. On this screen, sell you to change the application to a different purpose (e.g. from Verification of Exemption resetting the application process and all previously saved data will be erased.					
that only one fee will be charged project is likely to complicate and	emption(s) for which you are requesting verification. Please check all that apply. Please regardless of the number of selections, selecting activities that are not applicable to you delay processing of your application. Some selections may require further information.	our				
I am requesting verification of an	exemption Docks, piers, boat ramps, navigational aids, and related activities					
for:*	Shoreline stabilization					
	☐ Single-family residences					
	Maintenance and restoration, including maintenance dredging					
	Utilities					
	Pipes, culverts and conveyances					
	Bridges, roads, driveways and paths					
	Sampling and testing					
	Removal of aquatic plants or organic detritus					
	De minimis and other miscellaneous activities					
	Go Back to Previous Step Save and Go to Next Step					



Home —	
Authorization Process	Help About
"Go Back to Previous Step" allows you to ch	purpose determines the information needed in this process. On this screen, selecting nange the application to a different purpose (e.g. from Verification of Exemption to a the application process and all previously saved data will be erased.
that only one fee will be charged regardles) for which you are requesting verification. Please check all that apply. Please note is of the number of selections, selecting activities that are not applicable to your occessing of your application. Some selections may require further information.
I am requesting verification of an exemption for: * Choose Wisely!	Docks, piers, boat ramps, navigational aids, and related activities Shoreline stabilization
These categories	Single-family residences
mirror the	■ Maintenance and restoration, including maintenance dredging ■ Utilities
exemptions T	Pipes, culverts and conveyances
pursuant to Rule	Bridges, roads, driveways and paths
62-330.051	Sampling and testing Removal of aquatic plants or organic detritus
02 330.031	De minimis and other miscellaneous activities
Go Back	s to Previous Step Save and Go to Next Step



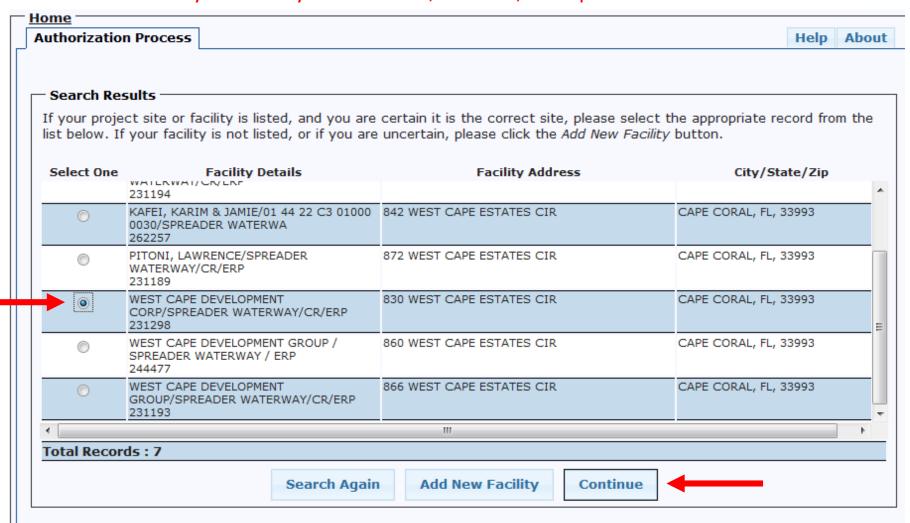
Authorization Process		Help About
- Notification Type		
"Go Back to Previous Step" allows you to ch	ourpose determines the information needed in this process. On this stange the application to a different purpose (e.g. from Verification of the application process and all previously saved data will be a	of Exemption to
that only one fee will be charged regardles	for which you are requesting verification. Please check all that appoints of the number of selections, selecting activities that are not application of your application. Some selections may require further in	cable to your
I am requesting verification of an exemptio for: *	_ books, place, boat ramps, manigements and, and related determ	ties 62-330.051(5) and (8)
	Single-family residences 62-330.051(13)	(4)
	Maintenance and restoration, including maintenance dredging	62-330.051(7)
	Utilities 62-330.051(14)	
	Pipes, culverts and conveyances 62-330.051(9) and (15)	
	Bridges, roads, driveways and paths 62-330.051(4) and (10)	
	Sampling and testing 62-330.051(11)	
	Removal of aquatic plants or organic detritus 62-330.051(3)	
	De minimis and other miscellaneous activities 373.406(6) and 62-33	J.051(1), (2), (6) and (16)
Go Back	to Previous Step Save and Go to Next Step	





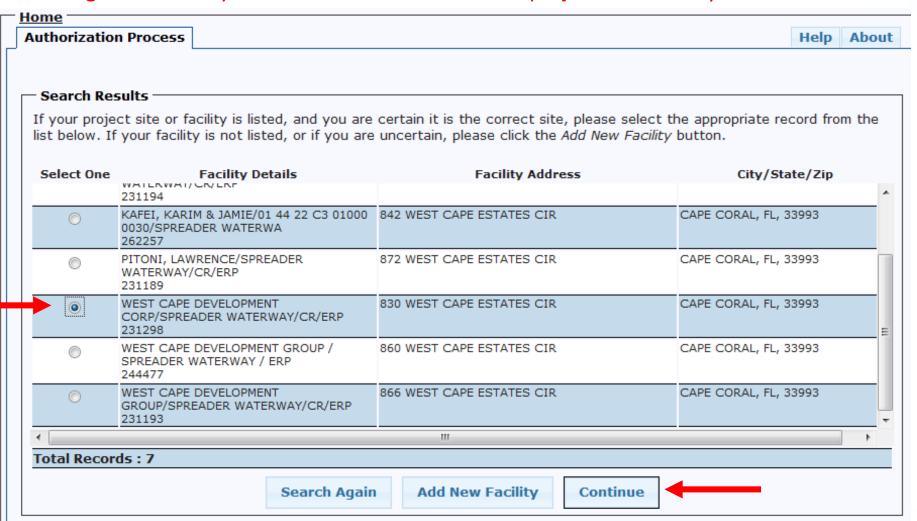


If your facility is on the list, select it, then press CONTINUE



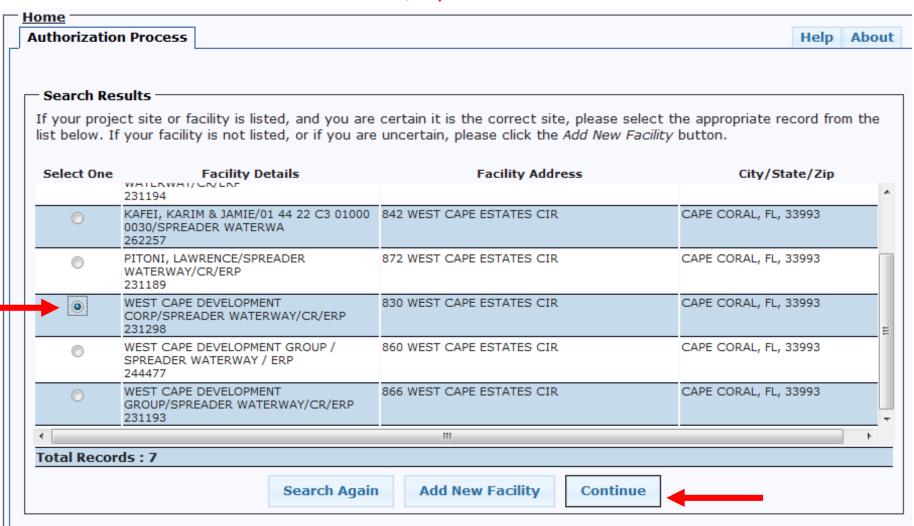


Adding a new facility does NOT mean to add a new project at the site you have selected





Add a NEW FACILITY, if your result is not on the list



1/8/2018



Authorization Process		Help	About		
,					
Please enter or update the physical address for your facility or site. NOTE: For sites that do not have a postal or rural route number, or for very large projects or linear projects (e.g. utility, road, or ditch/canal activities), put "See Directions" in the Address Line 1 field and use the Directions field to describe the location and boundaries of your project. For example, you can identify a parcel or lot number, or for linear projects, provide a starting and ending point using street names and nearest house numbers or provide length of project in miles along named streets or highways. For projects that are located in open waters or offshore, please provide the latitude and longitude (in either degrees-minutes-seconds or decimal degrees format) of all proposed activities.					
Address Line 1:*	830 W Cape Estates Cir				
Address Line 2:					
Directions:					
Zip Code: *	33993 9103				
City: *	Cape Coral				
State: *	FL				
Is this your mailing addre	ess?:* © Yes No				
	Cancel				

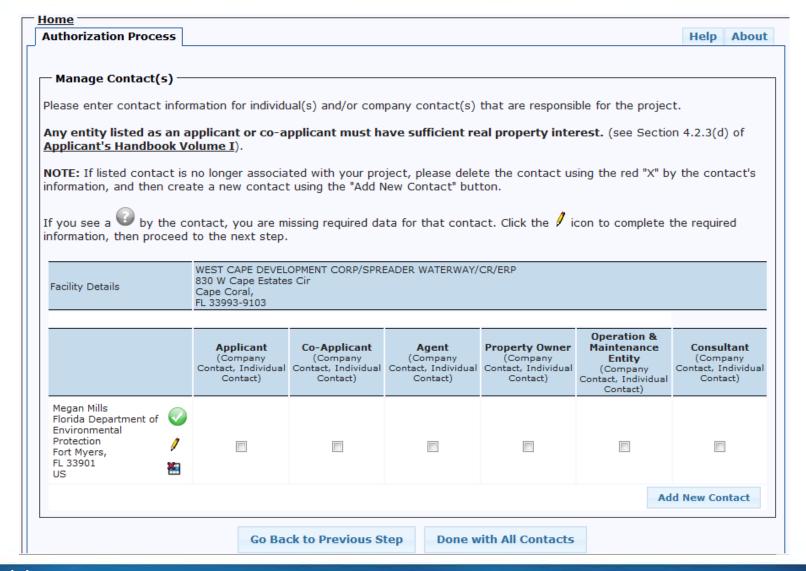
1/8/2018



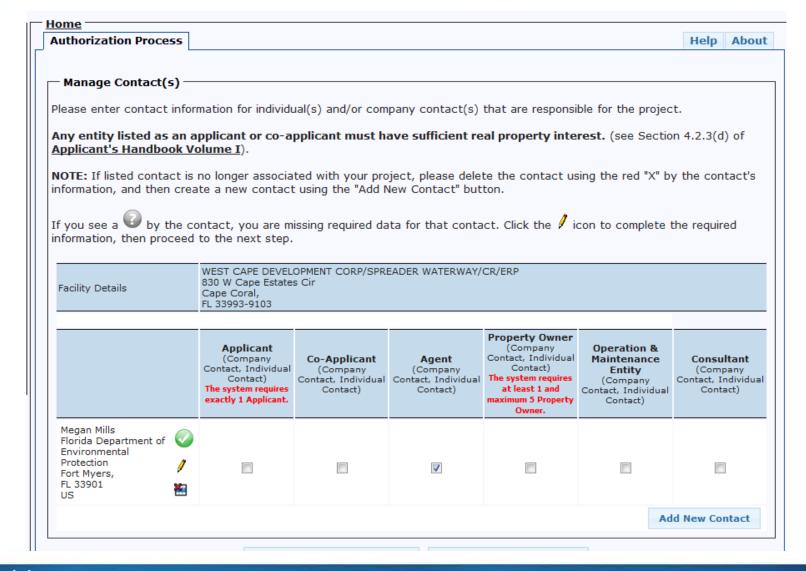
	<u>Home</u>					
	Authorization Process	Н	elp About			
Γ						
	— Facility Information:	Physical Address				
	Please enter or update the physical address for your facility or site.					
	NOTE: For sites that do not have a postal or rural route number, or for very large projects or linear projects (e.g. utility, road, or ditch/canal activities), put "See Directions" in the Address Line 1 field and use the Directions field to describe the location and					
	boundaries of your project. For example, you can identify a parcel or lot number, or for linear projects, provide a starting and					
	ending point using street names and nearest house numbers or provide length of project in miles along named streets or highways. For projects that are located in open waters or offshore, please provide the latitude and longitude (in either degrees-					
	minutes-seconds or decimal degrees format) of all proposed activities.					
	Facility Site Name: *	Smith, Jane / 12 34 56 78 90123 4567				
	Address Line 1:*	830 W Cape Estates Cir				
	Address Line 2:					
	Address Line 2 .					
	Directions :					
	Zip Code: *	33993 9103				
	City:*	Cape Coral				
	Charles a M					
	State: *	FL				
	Is this your mailing addre	ress?:* © Yes				
		© No				
		Cancel Continue				

1/8/2018











Home —		
Authorization Process		Help About
Project Information		
Tax Parcel Identification Number	r(s):	
Dates for proposed activity (if k	nown):	
Anticipated Commencement Dat	e:	
Anticipated Completion Date :		
Project Name (including Phase)	SD TEST DOCK	
	Go Back to Previous Step Save and Go to Next Step	



- Project Name = Applicant Name and short description of the activity
 - Smith SF dock
 - Smith Boat lift.
 - Smith Seawall
 - Smith Maintenance Dredge
- 29 characters or less



Self-Certification

- Self-Certification is a type of authorization where the user certifies compliance with exemption criteria for the following activities:
 - New dock
 - New Boat lift at an existing dock
 - Repair and replace of an existing dock
- Self-Certification system uses geographic information and your proximity to determine qualification – if you are in or adjacent to something that is identified as a sensitive area, you may not qualify to use the self-certification system



Self-Certification

- New Dock with or without a Boat Lift
- Repair or Replace an Existing Dock
- Addition of a Boat Lift to an Existing Dock

Electronic Application System

- http://www.dep.state.fl.us/water/wetlands/erp/eper mitting.htm
- Can be used to apply for anything
- Can pay application fees online
- Some activities qualify for a reduced application fee when system is used

Will have additional training March 18, 2014



Paper Forms

- 3 forms for the three authorization types:
 - Verification of Exemption Form
 - General Permit Notice
 - Application Form
- Can be submitted via email to
 SD ERP Permit@dep.state.fl.us
- Money can be accepted online after submitting your email/paper application



Waterbody: Artificial

Over-water Structure: < 2,000 sqft

Number of Vessels: 3 (1 boat, 2 PWC)

Authorization?

Individual Permit





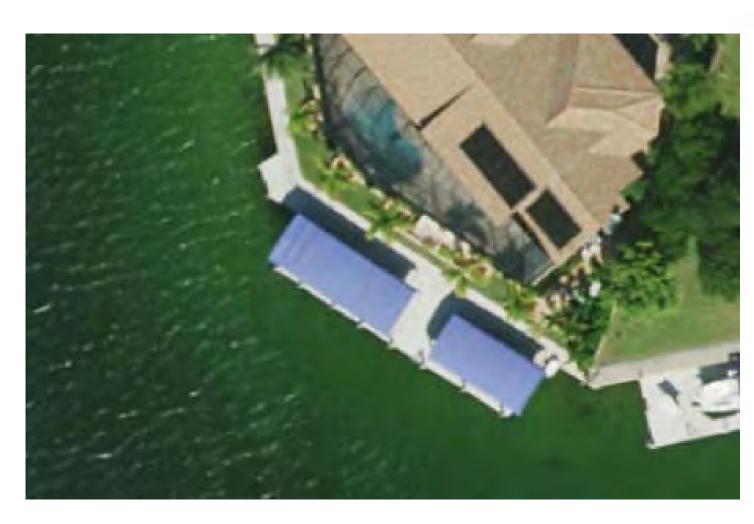
Waterbody: Artificial

Over-water Structure: < 2,000 sqft

Number of Vessels: 2 (2 boats)

Authorization?

General Permit





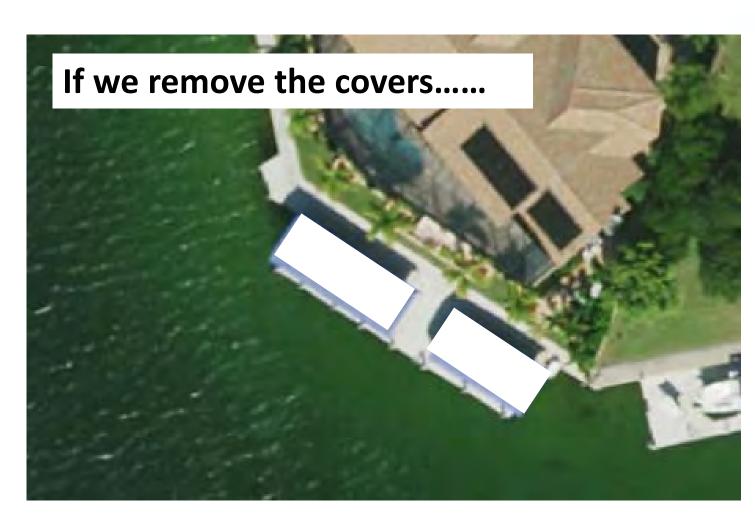
Waterbody: Artificial

Over-water Structure: ≤ 1,000 sqft

Number of Vessels: 2 (2 boats)

Authorization?

Exemption





Waterbody:
State Lands
Aquatic Preserve

Over-water Structure: < 500 sqft

Number of Vessels: 1 boat

Authorization?

Exemption

