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## **Section J: Supplemental Information Required for Water Quality Enhancement Areas**

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Instructions: Please provide the information requested below if you are applying for a Water Quality Enhancement Area (WQEA) permit in accordance with Chapter 62-332, F.A.C., and Section 373.4134, F.S. To obtain a water quality enhancement area permit, the applicant must provide reasonable assurances that the proposed water quality enhancement area will be used to:

- a) Meet the requirements for issuance of an environmental resource permit;
- b) Benefit water quality in the watershed in which the WQEA is located;
- c) Meet defined performance or success criteria for the reduction of one or more pollutants or other constituents that prevent receiving waters from meeting applicable water quality criteria;
- d) Ensure long-term pollutant reduction through effective operation and maintenance in perpetuity by designation of a responsible long-term maintenance entity supported by a long-term financial assurance mechanism sufficient to ensure perpetual operation and maintenance;
- e) Demonstrate sufficient legal or equitable interest in the property to ensure access and perpetual protection and management of the land and water within the WQEA; and
- f) Provide for permanent preservation of the WQEA that meets the requirements of Section 704.06, F.S.

In addition, a phased WQEA must demonstrate that each phase independently meets the WQEA reasonable assurances above (Section 373.4134, F.S.).

### **Part 1: Perpetual Protection of Water Quality Enhancement Areas (62-332.530, F.A.C.)**

Please provide the following information:

1. The WQEA Owner shall cause a conservation easement to be conveyed to the Department to provide for permanent preservation of the WQEA. All conservation easements shall be of a form and content sufficient to ensure preservation of the WQEA, and shall, at a minimum, meet requirements and restrictions of section 704.06, F.S., except as provided in subsection 62-332.530(7), F.A.C.
  - a. Title search
  - b. A boundary survey of the real property interest being conveyed. The survey must be certified by a land surveyor and mapper, registered in the State of Florida;
2. A certified appraisal or other documentation demonstrating the market value of the property or interest to be conveyed to determine the appropriate amount of title insurance;
3. A marketable title commitment issued to the Department as beneficiary in an amount at least equal to the fair market value; and
4. A current Phase I environmental assessment;



**Part 2: Location of the Proposed WQEA (62-332.350(4)(a), F.A.C.)**

Please provide a description of the location of the proposed WQEA which shall include:

1. Map at regional scale showing the project area in relation to the regional watershed and proposed WQEA service area;
2. Vicinity map showing the project area in relation to adjacent lands and offsite areas of ecologic or hydrologic significance which could affect the perpetual viability or ecological and hydrological value of the WQEA;
3. Aerial photograph identifying boundaries of the project area;
4. Map or survey showing legal access to the WQEA for site inspection; and,
5. Legal description of the proposed WQEA.

**Part 3: Current Site Conditions (62-332.350(4)(b) and (c), F.A.C.)**

Please provide a description and assessment of the current site conditions which shall include:

1. Soils map of the project area;
2. Topographic map of the project area and adjacent hydrologic contributing and receiving areas;
3. Hydrologic features map of the project area and adjacent hydrologic contributing and receiving areas;
4. Geotechnical report of the project area within or adjacent to sensitive karst areas.
5. Vegetation description and map of the project area;
6. Existing ecological and hydrological conditions of the regional watershed that includes the project area;
7. Adjacent lands, including existing land uses and conditions, projected land uses according to comprehensive plans adopted pursuant to Chapter 163, F.S., by local governments having jurisdiction, and any special designations or classifications associated with adjacent lands or waters; and,
8. Disclosure by the Owner of any material fact that would affect the contemplated use of the property.
9. Description of the ecological and hydrological significance of the proposed WQEA to the regional watershed in which it is located.

**Part 4: Enhancement Credit Generation, Valuation and Modeling (62-332.400, F.A.C.)**

Please provide the following information:

1. Is the WQEA located within a BMAP or adopted RAP and has the numerical models or analytical tools used for that BMAP or adopted RAP received updates within the last 10 years?
  - a. Yes  (If yes, skip to #2)
  - b. No  (If no, skip to #3)
  - c. Unknown  (Please schedule a pre-application meeting with the Department.)

2. Are the numerical models or analytical tools used for that BMAP or adopted RAP determined appropriate by the Department for determining the pollutant loading reductions for the proposed WQEA?
  - a. Yes  (If yes, skip to #4)
  - b. No  (If no, skip to #3)
  - c. Unknown  (Please schedule a pre-application meeting with the Department.)
  
3. **If the WQEA is not located within a BMAP or adopted RAP, or the Department determines that the numerical model or analytical tool used for the applicable BMAP or adopted RAP is not appropriate for determining the pollutant loading reductions for the proposed WQEA, the Owner must use another standard numerical model or analytical tool that has been approved by the Department for the proposed WQEA.**

Please provide the following information.

4. Identify and document the numerical model or analytical tool, inputs, and results, used to establish the efficacy of the WQEA, including all information to support the permit application required by Rule 62-330.054, F.A.C., and any other information required by this chapter relevant to substantiate the level of pollutant load reduction generated. At a minimum, the application must contain:
  - a. Rainfall data over the longest period of record available, either from the National Centers for Environmental Information or collected from the closest site to the proposed WQEA, preferably within the same drainage basin;
  - b. Anticipated water quality and quantity inflows over a wide range of climatic conditions that captures interannual variation to the proposed WQEA, based on published local data collected over a period of record that most closely matches the rainfall data collected under (a) above;
  - c. Site-specific conditions affecting the anticipated performance of the proposed WQEA, including the proposed BMP for stormwater treatment and the anticipated associated reduction rates, as demonstrated by the performance of other areas where the same BMP treatment type has been established and operating over a minimum of two consecutive wet and dry seasons;
  - d. Engineering calculations and/or computer modeling (such as hydrograph or staging) needed to assess the effects of the project on the hydrologic characteristics of the water quality enhancement area site and upstream and downstream areas; and
  - e. Any other supporting information deemed necessary by the Department.
  
5. Assessment of anticipated pollutant load reductions or other nutrients to be removed annually from the WQEA. Provide an initial valuation of enhancement credits and propose a release schedule based on conservative estimates including but not limited to expected hydrologic variations. The initial valuation of credits and release schedule shall consider the uncertainty between the numerical models or other analytical tools used to estimate the expected removal of pollutants, and the actual pollutant removal from the proposed WQEA.

**Part 5: Service Area and Enhancement Credit Locational Valuation Factors (62-332.500, F.A.C.)**

Please provide the following information (in addition to the requirements of Rule 62-332.500, F.A.C.):

1. Extent of the water quality enhancement service area, determined by modeling, outlining the area within which the WQEA could reasonably be expected to reduce impacts given the attenuation of the applicable pollutant downstream of the WQEA.
2. Documentation of the Location Valuation Factor (LVF) calculations used for each pollutant subject to a credit purchase.

**Part 6: Financial Responsibility (62-332.550, F.A.C.)**

Please provide the following information:

1. Sufficient legal or equitable interest in property to ensure access and perpetual protection and management of the land within or associated with the WQEA including, as necessary, permanent preservation of the WQEA pursuant to the requirements of Section 704.06, F.S.
2. Cost estimates and draft documentation of financial responsibility for the construction, operation and maintenance, and the perpetual management phases of the WQEA meeting the requirements of 62-332.550, F.A.C. The amount of financial assurance shall be based on the cost estimates determined under subsection 62-332.550(13), F.A.C.
3. Identify a responsible long-term maintenance entity supported by the perpetual financial assurance mechanism.

**Part 7: Construction Plans (62-332.350(4)(f), F.A.C)**

Please provide the following:

1. A plan describing the actions proposed to establish and construct the WQEA which shall include, as applicable:
  - a. Construction-level drawings detailing proposed topographic alterations, and all structural components associated with proposed activities;
  - b. Proposed construction activities, including a detailed schedule for implementation;
  - c. The proposed vegetation planting scheme and detailed schedule for implementation; and
  - d. Measures to be implemented during and after construction to avoid adverse impacts related to proposed activities.

**Part 8: Perpetual Management Plan (62-332.350(4)(g), F.A.C.)**

Please provide the following:

Detailed perpetual management plan comprising all aspects of operation and maintenance, including water management practices, vegetation establishment, exotic and nuisance species control, fire management, and control of access to ensure long-term pollutant reduction.

**Part 9: Monitoring and Verification Plan (62-332.800, F.A.C.)**

Please provide the following information:

1. A proposed performance and success criteria monitoring and verification plan meeting the requirements of Rule 62-332.800, F.A.C.
  - a. Sampling location and coordinates identifying the inflow and outflow sampling points.
  - b. Protocols and monitoring frequency. At a minimum, provide monitoring for flow and concentration data into and out of the WQEA. Monitoring data shall contain the following:
    - 1) Permit number;
    - 2) Dates of sampling and analysis;
    - 3) A statement describing the methods used in collection and analysis of the samples;
    - 4) A map showing the sampling locations, along with indicating the latitude and longitude;
    - 5) Copies of the Quality Assurance/Quality Control log; and
    - 6) A statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision and accuracy of the data;

**Part 10: Additional Information (62-332.400(e), F.A.C.)**

Please provide the following information:

1. Any additional information which the Agency requests or would need in order to evaluate whether the proposed Water Quality Enhancement Area meets the criteria of Section 373.4134, F.S., and Chapter 62-332, F.A.C.