

**CHAPTER 62-330**  
**ENVIRONMENTAL RESOURCE PERMITTING**

62-330.054 - Individual Permits

62-330.056 - Other Conceptual Approval Permits

62-330.060 - Content of Applications for Individual and Conceptual Approval Permits

62-330.301 - Conditions for Issuance of Individual and Conceptual Approval Permits

62-330.320 - Duration of Permits

62-330.351 - General Conditions for Conceptual Approval Permits

**62-330.054 Individual Permits.**

(1) through (2) No change.

(3) An application for a mitigation bank permit shall be processed as a type of individual permit, but also is subject to the requirements in Chapter 62-342, F.A.C. If there is a conflict between this chapter and Chapter 62-342, F.A.C., Chapter 62-342, F.A.C., will control.

(4) An application for a water quality enhancement area permit shall be processed as a type of individual permit, but also is subject to the requirements in Chapter 62-332, F.A.C. If there is a conflict between this chapter and Chapter 62-332, F.A.C., Chapter 62-332, F.A.C., will control.

(5)(4) An individual permit required solely pursuant to both paragraph 62-330.020(2)(i), F.A.C., and Chapter 40C-44, F.A.C., shall be reviewed and acted upon in accordance with Chapter 40C-44, F.A.C., (October 1, 2013), incorporated by reference herein (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02533>), and application for such permit shall be made in accordance with that chapter. A copy of Chapter 40C-44, F.A.C., may be obtained as provided in subsection 62-330.010(5), F.A.C.

*Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS.*

*Law Implemented 373.118(1), 373.406(5), 373.4131, 373.4134, 373.4136, 373.414(9), 373.4145, 373.416, 373.418, 373.426 FS.*

*History—New 10-1-13, Amended 6-1-18,\_\_\_\_\_.*

**62-330.056 Other Conceptual Approval Permits.**

(1) No change.

(2) A conceptual approval permit does not authorize any construction, alteration, operation, maintenance, removal, or abandonment, or the establishment and operation of a mitigation bank or a water quality enhancement area. Issuance of a conceptual approval permit does not relieve the holder of such a permit of any requirements to obtain a permit to construct, alter, operate, maintain, remove, or abandon projects that require a permit under this chapter, or to establish and operate a mitigation bank or a water quality enhancement area.

(3) An application for a conceptual approval permit shall be prepared and submitted using the procedures in Rule 62-330.060, F.A.C., and sections 4.2.3, 4.2.3.1, 4.3, and 4.4 of Volume I, in addition to either of the following:- ~~An application for conceptual approval for a mitigation bank also shall include the materials required by Chapter 62-342, F.A.C.~~

(a) An application for conceptual approval for a mitigation bank also shall include the materials required by Chapter 62-342, F.A.C.

(b) An application for conceptual approval for a water quality enhancement area also shall include the materials required by Chapter 62-332, F.A.C.

(4) The application shall be reviewed and acted on in accordance with this section, Rules 62-330.062, 62-330.071, 62-330.075, 62-330.090, 62-330.301, and 62-330.302, F.A.C., and the Applicant's Handbook. Agency review and action also shall be in accordance with Chapter 62-342, F.A.C., when the conceptual approval application involves a mitigation bank, and in accordance with 62-332, F.A.C., when the conceptual approval application involves a water quality enhancement area.

(5) through (13) No change.

*Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.4131, 373.4134, 373.4136, 373.414(9), 373.4145, 373.416, 373.418, 373.426 FS. History—New 10-1-13, Amended 6-1-18,\_\_\_\_\_.*

#### **62-330.060 Content of Applications for Individual and Conceptual Approval Permits.**

Materials to include in an application or notice for a permit are described below. Applicants are encouraged to have a pre-application meeting or discussion with Agency staff prior to submitting the application or notice.

(1) An application for an individual permit or conceptual approval permit shall be made on Form 62-330.060(1), “Application for Individual and Conceptual Approval Environmental Resource Permit, State 404 Program Permit, and Authorization to Use State-Owned Submerged Lands”, including the information required in the applicable Sections A through ~~I~~ J (insert date) ~~(December 22, 2020)~~, incorporated by reference herein (insert link) ([https://www.flrules.org/Gateway/reference.asp?No=Ref\\_12036](https://www.flrules.org/Gateway/reference.asp?No=Ref_12036)), a copy of which may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., or by use of the equivalent e-application form of the applicable Agency. Attachments 1, 2, and 3 of the form (containing agency contacts and a summary of the application fees related to applications and notices) are not incorporated by reference, but are available at <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/forms-environmental-resource>.

(2) through (4) No change.

*Rulemaking Authority 373.044, 373.113, 373.171, 373.4131 FS. Law Implemented 373.042, 373.413, 373.4131, 373.416, 668.003, 668.004, 668.50 FS. History—New 10-1-13, Amended 6-1-18, 12-22-20,\_\_\_\_\_.*

#### **62-330.301 Conditions for Issuance of Individual and Conceptual Approval Permits.**

(1) through (5) No change.

(6) In addition to the criteria in Chapter 62-330, F.A.C., applications for a water quality enhancement area must also meet the criteria of Chapter 62-332, F.A.C.

(6) through (7) renumbered (7) through (8) No change.

~~(9)(8)~~ No change.

(a) through (q) No change.

(r) Form 62-330.301(25), “Deed of Conservation Easement for Water Quality Enhancement Areas.” (insert date) (insert link).

(9) through (10) renumbered (10) through (11) No change.

*Rulemaking Authority 373.026(2), 373.026(4), 373.026(7), 373.043, 373.117, 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.016, 373.026, 373.042, 373.109, 373.117, 373.403, 373.409, 373.413, 373.4131, 373.4132, 373.414(9), 373.4141, 373.4142, 373.4145, 373.416, 373.418, 373.422, 373.423, 373.426, 373.429, 403.061, 403.067(7), 403.0891, 668.003, 668.004, 668.50, 704.06 FS. History—New 10-1-13, Amended 6-1-18, 6-28-24,\_\_\_\_\_.*

#### **62-330.320 Duration of Permits.**

Unless revoked, extended or otherwise modified, the duration of a permit under this chapter is:

(1) through (5) No change.

(6) Water quality enhancement area permit – As provided in Rule 62-332.350(3), F.A.C.

~~(7)(6)~~ A modification to extend the duration of the construction phase of an individual permit shall be granted if the extension request is received in writing by the Agency before expiration of the construction phase; and:

(a) through (b) No change.

*Rulemaking Authority 373.026(7), 373.043, 373.118, 373.4131, 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.118, 373.413, 373.4131, 373.4134, 373.4136, 373.4142, 373.4145, 373.416, 373.426 FS. History—New 10-1-13, Amended 6-1-18,\_\_\_\_\_.*

**62-330.351 General Conditions for Conceptual Approval Permits.**

The following general conditions are binding on all conceptual approval permits issued under this chapter, except where the conditions are not applicable to the activity or where the conditions must be modified to accommodate project-specific situations. In addition to these general conditions, the Agency shall impose any additional special conditions necessary to assure the permitted activities will not be harmful to the water resources, as set forth in Rules 62-330.301 and 62-330.302, F.A.C., Volumes I and II, as applicable, and the rules incorporated by reference in this chapter.

(1) through (5) No change.

(6) This conceptual approval permit only authorizes design concepts for a master or future plan to construct, alter, operate, maintain, remove, or abandon projects that require a permit under Part IV of Chapter 373, F.S. It does not authorize any construction, alteration, operation, maintenance, removal, or abandonment, or the establishment and operation of a mitigation bank or a water quality enhancement area, or relieve the permit holder of any requirements to obtain such permits.

(7) Subsequent applications to construct and operate activities shall be prepared and submitted using the applicable procedures in Rules 62-330.052, 62-330.054, 62-330.060, and 62-330.402, F.A.C., and sections 4.2.2, 4.2.3, 4.3, and 4.4 of Volume I. An application for conceptual approval for a mitigation bank shall also include the materials required by Chapter 62-342, F.A.C. An application for conceptual approval for a water quality enhancement area shall also include the materials required by Chapter 62-332, F.A.C.

(8) through (9) No change.

*Rulemaking Authority 373.026(7), 373.118(1), 373.043, 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.116, 373.117, 373.118(1), 373.406(5), 373.409, 373.413, 373.4131, 373.414(9), 373.4142, 373.4145, 373.416, 373.418, 373.419, 373.422, 373.423, 373.426, 373.428, 403.0877 FS. History—New 6-1-18,\_\_\_\_\_.*