**Documentation in Support of NNC Exclusion Request**

**[Highlighted areas need to be addressed]**

**Purpose of Documentation**

The purpose of this documentation is to support the determination of the applicability of the stream nutrient thresholds for waterbodies assessed under Chapter 62-303, Florida Administrative Code. Unless it is demonstrated that a Class III stream-like waterbody meets the criteria in either one of the exclusions for the definition of a “stream” as described in 62-302.200(36)(a) or (b), F.A.C., the stream Numeric Nutrient Criteria (NNC) in Paragraph 62-302.531(2)(c), F.A.C. apply. As per Paragraph 62-302.200(36)(b), F.A.C., ditches, canals and other conveyances (or segments of conveyances) can be excluded from the stream definition if they are demonstrated to:

1. Be man-made, or predominantly channelized or predominantly physically altered,

2. Be primarily used for water management purposes, such as flood protection, stormwater management, irrigation, or water supply; and

3. Have marginal or poor stream habitat or habitat components, such as a lack of habitat or substrate that is biologically limited, because the conveyance has cross sections that are predominantly trapezoidal, has armored banks, or is maintained primarily for water conveyance.

If a waterbody meets this exclusion, the waterbody is still covered by the narrative nutrient criterion. The waterbody will be assessed for impairment using the 20 µg/L chlorophyll-a impairment threshold for streams (expressed as an annual geometric mean, not to be exceeded more than once in a three-year period), a statistically significant increasing trend in the annual geometric means in TN, TP and chlorophyll-a over the assessment periods, and other information indicating an imbalance of flora or fauna due to nutrient enrichment (including, but not limited to, algal blooms, excessive macrophyte growth, decrease in the distribution (either in density or areal coverage) of native submerged aquatic vegetation, changes in algal species richness, and excessive diel oxygen swings shall also be considered.

|  |  |  |  |
| --- | --- | --- | --- |
| **Waterbody/Watershed Identification:** | | | |
|  | | *Organization* | Organization petitioning for NNC Stream Exclusion |
|  | | *Point of Contact* | Name, Address, Email and Phone Number |
|  | | *Waterbody(s)* | WBID ID # and Name |
|  | | *Watershed(s)* | Basin Group “Name” and “Number” |
|  | | | |
| **Description of Proposed Exclusion(s):** | | | |
|  | | *Map* | See Figure # (Maps should depict the exact segment(s) in each WBID being proposed for exclusion). If available, please provide a GIS layer, .kmz file, or land planning map with the water lines of the area requested for the stream NNC exclusion clearly delineated. |
| **Documentation for Proposed Exclusion(s)** | | |
|  | *Evidence of Channelization* | Historical and current photos (aerial, if available) or topographic maps showing the proposed exclusion is either man-made or predominately channelized or physically altered.  Please use the most recent channel lines when applicable. These can be found using MapDirect in the Florida NHD GIS layer. |
|  | *Primary Purpose* | Information on current primary purpose of the waterbody or segment(s) proposed for exclusion. This can include a narrative description, photos, operational protocols, permits, memorandums of understanding (MOUs), contracts, etc. |
|  | *Demonstration of Absence of Recreational Uses* | Records (includes photos aerial imagery, or other applicable information) that show there is no recreational use in the proposed exclusion segment(s) or waterbody (e.g., presence of flood control devices, no access by canoe/kayak, no docks, no swimming).  Please include a statement in the submittal indicating a lack of recreational use. |
|  | *Demonstration of Maintenance* | Records of herbicide application, physical removal of aquatic substrate, dredging of sediments, or removal of riparian trees to verify the primary management conditions of the waterbody or segment(s) proposed for exclusion.  Please provide the locations and dates, as well as the most recent maintenance information. |
|  | *Point Sources and Indirect Source Monitoring (Sites)* | List and describe point sources contributing to the watershed, MS4 monitoring sites, and include most recent MS4 annual report.  The entire area is regulated by a Municipal Separate Storm Sewer System (MS4) permit (if applicable). Yes/No, if yes provide permit#  Note: Generic Permits for stormwater discharge from large and small construction activities are considered temporary; therefore, are not included in this listing. |
|  | *Nonpoint Sources* | List and Describe: Land uses (including % and type); pollutant loading sources.  Include maps and tables as necessary. |
|  | *Habitat Assessment* | Include photos and categorized results of Habitat Assessment(s) (HA) following DEP SOP FT 3000 for each segment of the waterbody proposed for exclusion(s). Include field sheets and names of investigators.  If the HA investigation was not conducted by DEP, please provide the DEP Watershed Assessment Section External Bioassessment Template with the submittal. |
|  | *Current Restoration Conditions* | Is the waterbody or segment(s) proposed for exclusion included in a Total Maximum Daily Load (TMDL) or a Basin Management Action Plan (BMAP) area? |
|  | *Downstream Protection Considerations* | List the downstream waterbody(s):include WBID number(s) from the proposed exclusion.  List any verified impairment(s) or TMDL(s) for the downstream waterbody(s). |

**Area of Restoration**