

POST-STORM GUIDANCE

ENVIRONMENTAL RESOURCE PERMITTING



EMERGENCY FINAL ORDER (EFO) AUTHORIZATIONS (DOCKS, BOATLIFTS, BULKHEADS, ETC.)

I need to make repairs, what can I do without talking to or notifying DEP?

The EFO's intention is to let people repair what was legally there immediately before the hurricane. Anyone can go ahead and do the following:

- » Repair (either temporarily or permanently) structures and drainage systems that have not been completely destroyed.
- » Repair structures on state owned submerged lands that are water dependent, like a residential dock.
- » IF I AM A GOVERNMENT ENTITY - Restore elevations and contours of uplands, wetlands and submerged lands and navigation channels by local, regional, and state governments.
- » Remove debris and trash, sunken vessels, vegetation, and structural remains that have been deposited into waters or wetlands, so long as no dredging or filling.
- » Repair, restore, or replace structures, land, and submerged contours to the conditions that were authorized or otherwise legally existed prior to the Hurricane.

I need to make repairs or rebuild, what do I have to get authorization for?

Certain activities that need to occur in order to recover property, protect property from further damage, maintain navigation, or protect public health, safety and welfare may not qualify for the exemptions mentioned below. If that is the case, your activity may qualify for a Field and Individual Authorization.

What activities may qualify for a Field and Individual Authorization?

- » Replacement of structures that are completely destroyed
- » Non-water dependent activities on state owned submerged lands
- » Regrading, dredging or filling uplands, wetlands and submerged lands, if not a Government entity
- » Trimming or altering mangroves
- » Removal of debris, sunken or grounded vessels, vegetation, and structural remains that have been deposited in to waters, wetlands or uplands by the Hurricane if it requires filling or dredging
- » Other minimally adverse impacts as determined by the Department

How do I request a Field or Individual Authorization?

Provide a notice to the applicable District office of the Department that includes:

- » Description of the work requested
- » DEP Facility I.D. for the location (if applicable)
- » The name, address and telephone number of the contact person for the work requested

Where do I send my Notice requesting a Field or Individual Authorization?

Please email your request to: DEP_NED @dep.state.fl.us
(please include Emergency Field Authorization in the subject line)

What happens after I submit my Notice?

Department staff will conduct a site inspection and issue a Field Authorization if the activity qualifies. The Field Authorization may include specific conditions and an expiration date.

What is the deadline for my request for Field or Individual Authorization?

Important: Field Authorizations must be requested by Sept. 30, 2016.

What specific exemptions (those that require no notification) are included in this Emergency Order?

- » The installation and repair of mooring pilings and dolphins associated with private docking facilities or piers and the installation of private docks, piers and recreational docking facilities, or piers and recreational docking facilities of local governmental entities when the local governmental entity's activities will not take place in any manatee habitat, any of which docks:
- » Has 500 square feet or less of over-water surface area for a dock which is located in an area designated as Outstanding Florida Waters or 1,000 square feet or less of over-water surface area for a dock which is located in an area which is not designated as Outstanding Florida Waters;
- » The replacement or repair of existing docks and piers, except that fill material may not be used and the replacement or repaired dock or pier must be in the same location and of the same configuration and dimensions as the dock or pier being replaced or repaired.
- » The restoration of seawalls at their previous locations or upland of, or within 18 inches waterward of, their previous locations
- » The performance of maintenance dredging of existing manmade canals, channels, intake and discharge structures, and previously dredged portions of natural water bodies within drainage rights-of-way or drainage easements which have been recorded in the public records of the county, where the spoil material is to be removed and deposited on a self-contained, upland spoil site which will prevent the escape of the spoil material into the waters of the state
- » The maintenance of existing insect control structures, dikes, and irrigation and drainage ditches, provided that spoil material is deposited on a self-contained, upland spoil site which will prevent the escape of the spoil material into waters of the state.
- » The repair or replacement of existing functional pipes or culverts the purpose of which is the discharge or conveyance of stormwater.
- » The construction and maintenance of swales.
- » The replacement or repair of existing open-trestle foot bridges and vehicular bridges that are 100 feet or less in length and two lanes or less in width.
- » The replacement or repair of subaqueous transmission and distribution lines laid on, or embedded in, the bottoms of waters of the state.
- » The restoration of existing insect control impoundment dikes which are less than 100 feet in length.
- » The repair, stabilization, or paving of existing county maintained roads.

What State Lands Authorization do I need to conduct repairs associated with the DEP Exemption?

These activities are now granted a Letter of Consent (authorization to be located on State own lands) provided all the terms and conditions of those rules are met including restrictions for activities performed within aquatic preserves.

What activities are not authorized in the Emergency Area?

This Order does not authorize the construction of structures that did not exist prior to the Hurricane unless it fall under a category in either Section a. No Notice Required, or Section b. Filled and Individual Authorization Required.