



# Florida Department of Environmental Protection

## Wetland Permitting 101

Southeast District Open House  
September 27, 2018



# Outline

- What are wetlands?
- Why are wetlands important?
- How do I know if I have wetlands?
- What do I need if I have wetlands on my property?





# What are wetlands?

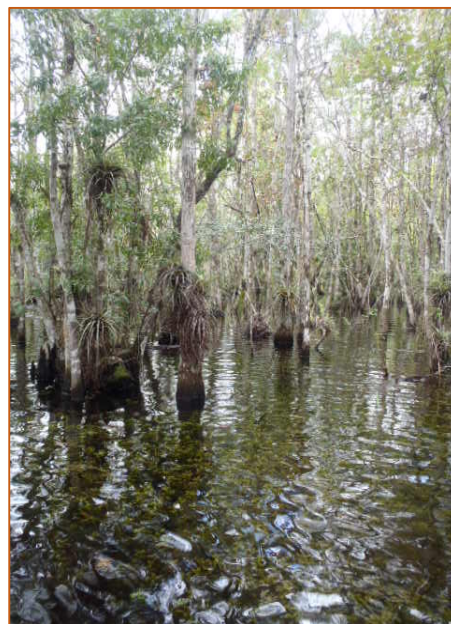
- Defined in subsection 373.019(27), Florida Statutes
- State's procedure for delineation codified in Rule 62-340, Florida Administrative Code
- Generally, you need two of three criteria below to be a wetland:
  - Hydrophitic (water loving) Vegetation; Hydrology; Hydric Soils





# Wetland Functions

- Improve water quality
  - Act as “nature’s kidneys”
  - Filtration
  - Drinking water
- Provide habitat
  - Spawning
  - Nesting
  - Foraging
- Provides Flood control
  - Low landscape holds stormwater
- Support Florida’s economy





# Are there wetlands on your property?

- **How to know if there are wetlands on your property**
  - Use online resources
  - Hire an environmental consultant
  - DEP Non-Binding Jurisdictional Determination
- **What to do if you have wetlands on your property**
  - Determine *if* you need a permit to build
  - Learn *how* to apply for a permit





# DEP MapDirect Tool

- [MapDirect](#)
- Allows access to:
  - Aerial photographs
  - National Wetlands Inventory (NWI) layer (estimate)
  - Hydric Soils
  - Historical and current permit information



# DEP MapDirect Tool



- You might have wetlands if:
  - Property is close to or within NWI
  - Some of the neighbors have permits
  - There is an existing wetland permit for the property






# I probably have wetlands, now what?

- Get an onsite delineation – Private environmental consultant
  - DEP Non-binding Jurisdictional Determination
  - DEP Formal Wetland Determination
  - DEP field pre-application meeting
- Apply for authorization for your project

**Welcome**  
to the  
Florida Department of Environmental Protection's Business Portal. If you don't find what you're looking for please come back as we're continually adding to the site.

---

**I would like to:**

 <b>Apply</b> To build, repair, operate, discharge, ... see more.	 <b>Pay</b> For fees, invoices, park reservations, ... see more.	 <b>Sign Up</b> For subscriptions, newsletters, notifications, ... see more.
--	---	---





# Permitting Agencies in Florida

- US Army Corps of Engineers
  - Jacksonville District
- Florida Department of Environmental Protection
- Water Management Districts
- Local governments



Local Regulation



State Regulation



Federal Regulation



# Do I need a permit or authorization?

- Will your project impact wetlands?
  - Filling, dredging, or constructing anything in, on, or over wetlands or other surface waters
- If yes, then you need a permit
  - Contact FDEP for a free pre-application meeting
  - Private environmental consultants can help assist you through the process





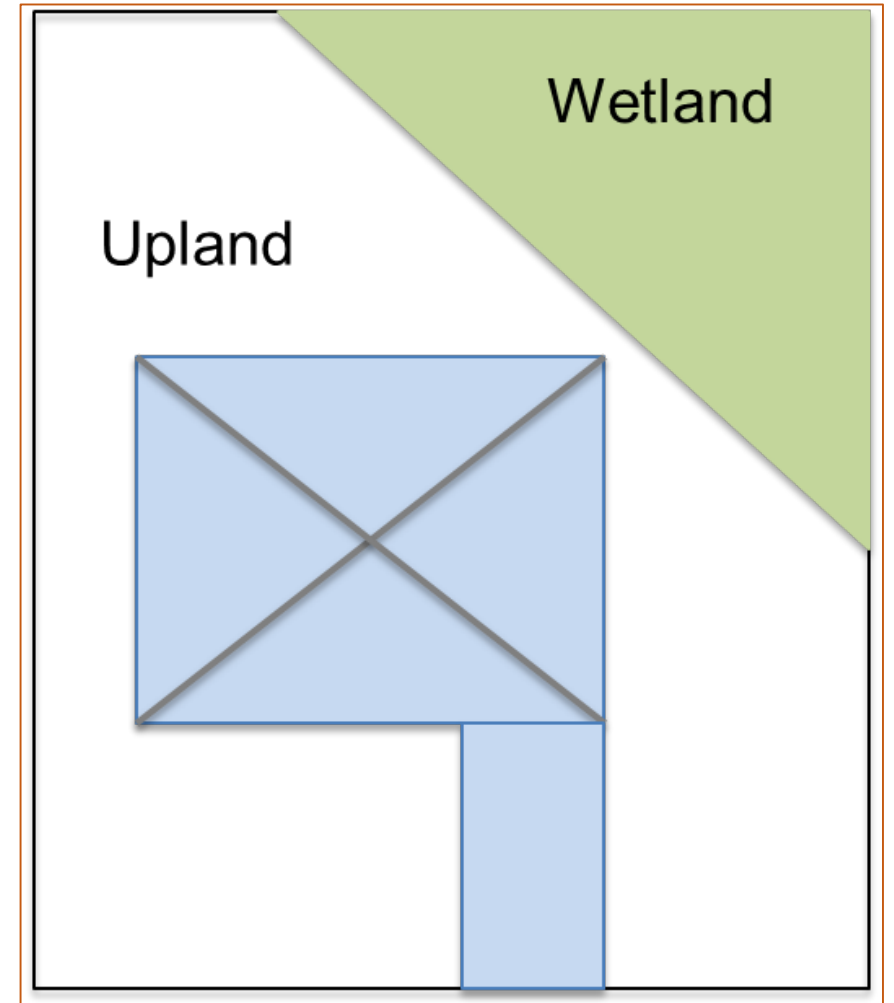
# Different Levels of Authorization

- Exemption
- General Permit
- Individual Permit



# Exempt Activity

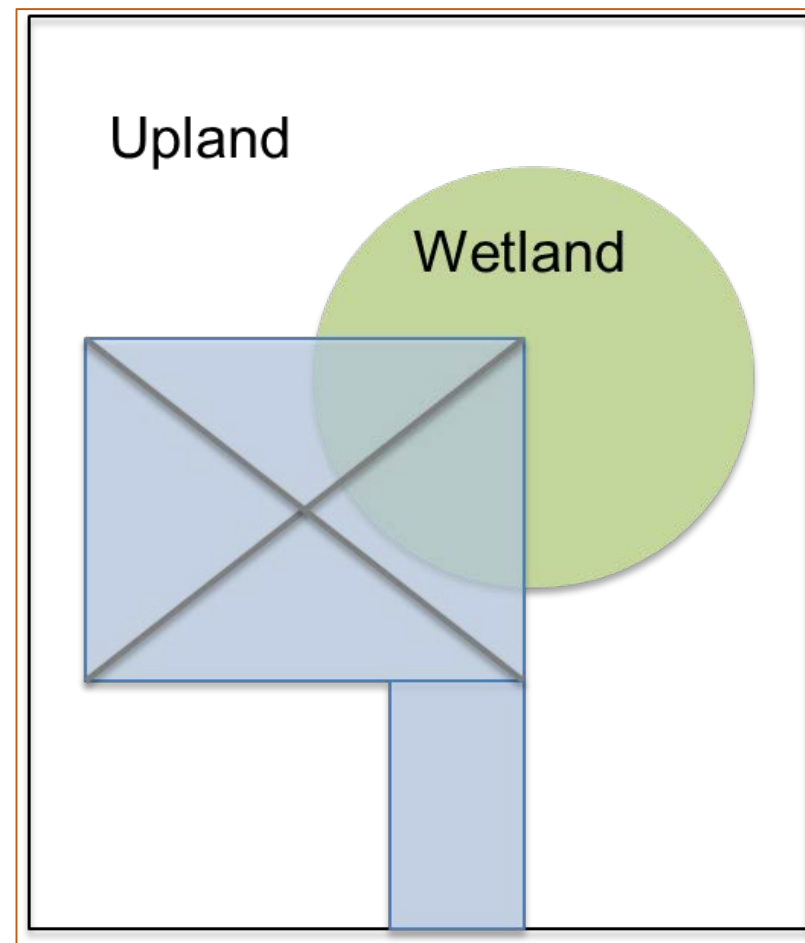
- No permit required
- No wetlands impacted or lost due to dredging and filling activities
- \$100 application fee





# General Permit Required

- Impacting less than 4,000 square feet of isolated wetlands
- No mitigation required
- \$250 application fee

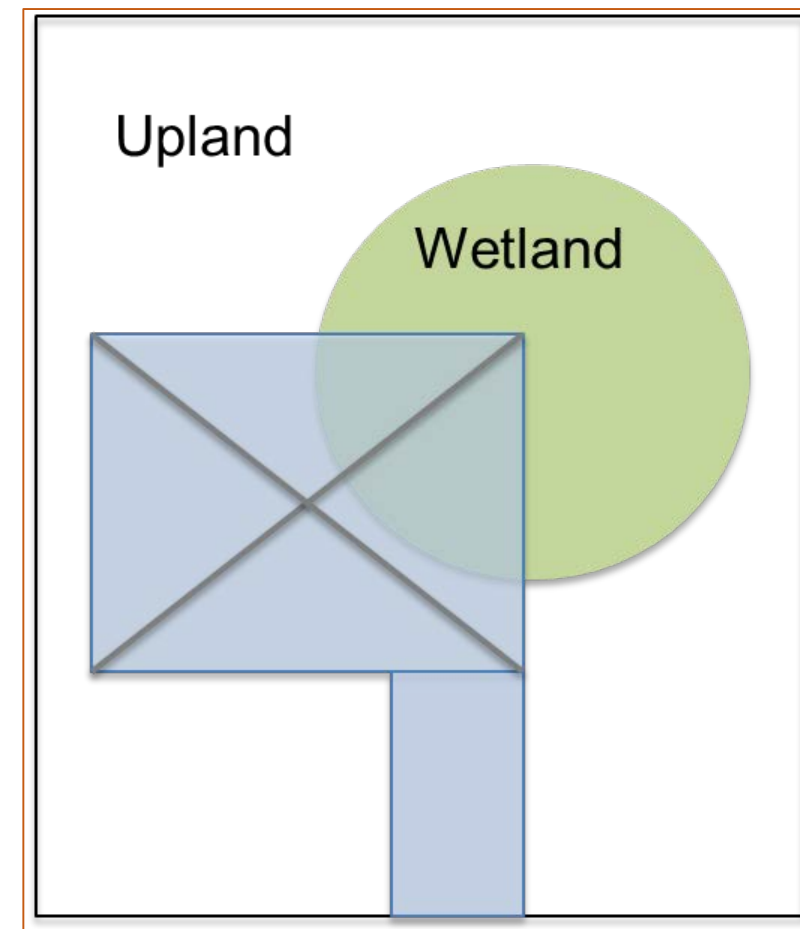






# General Permit Required

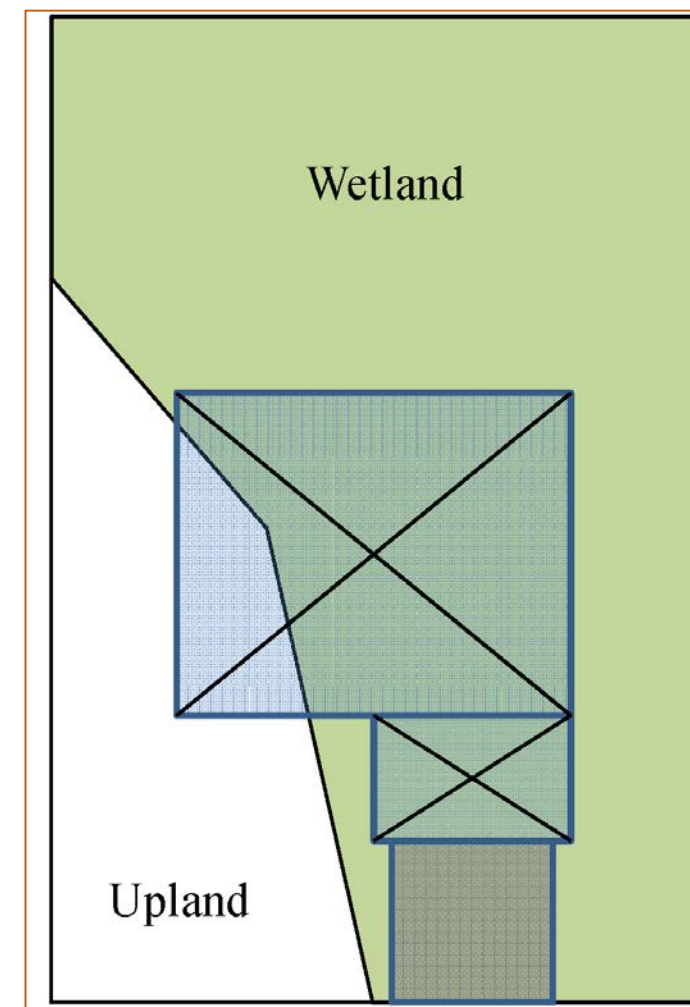
- Impacting up to 0.75 acres in Jupiter Farms
- Mitigation pre-established (\$4,000/acre)
- \$250 application fee





# Individual Permit Required

- Impacting wetlands
- Mitigation is typically required
- Minimum \$420 application fee
  - \$100 discount if apply online





# Mitigation

- Offsets the loss of wetland functions by improving existing wetlands within the area
  - Restores
  - Enhances
  - Preserves
  - Creates

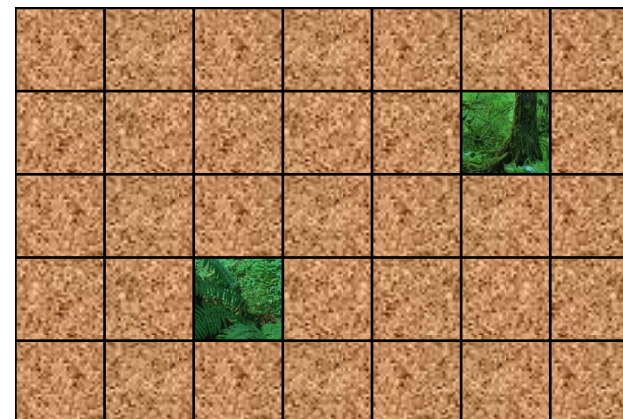
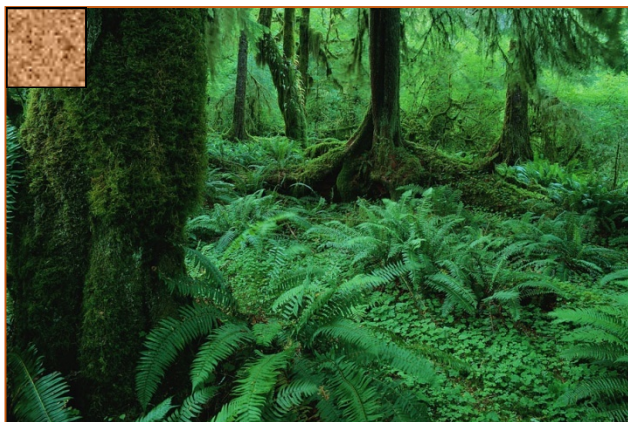




# Mitigation FAQs

My project is small – why do I have to provide mitigation?

- Many small impacts → large cumulative impacts
- Florida lost approximately ½ of its wetlands pre-1970's

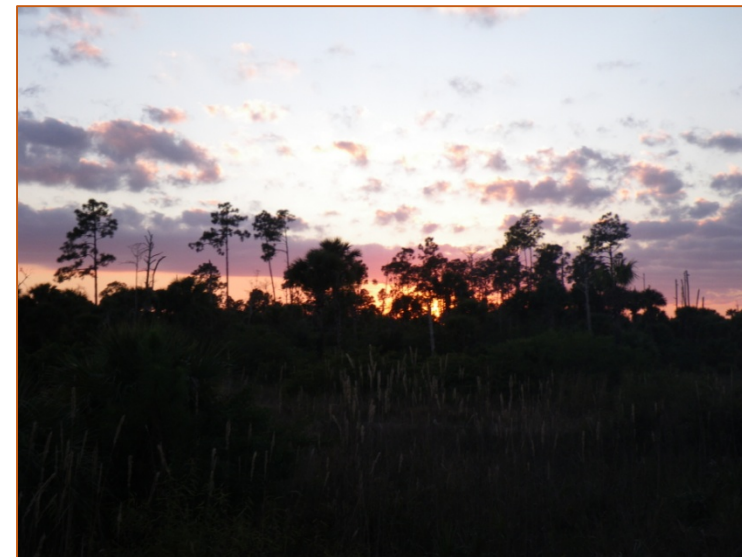




# Mitigation FAQs

How do I know how much mitigation my project requires?

- Not all wetlands function equally
- Wetland functions are scored objectively
  - Uniform Mitigation Assessment Method (UMAM)
    - Location of the wetland in the larger landscape
    - Hydrology of the wetland
    - Vegetative community



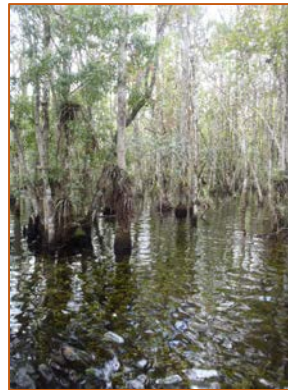




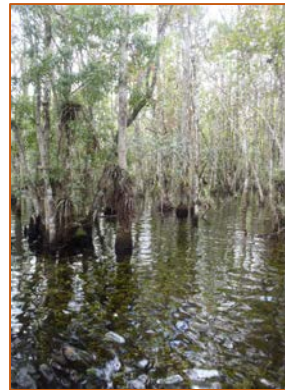
# Mitigation FAQs

What kind of mitigation should I use?

- Must be “in-kind” and “like for like”
- Similar vegetative community
- Similar wetland functions
- **Replacement of functions**, not acreage



Replace this...



with this...



not this.



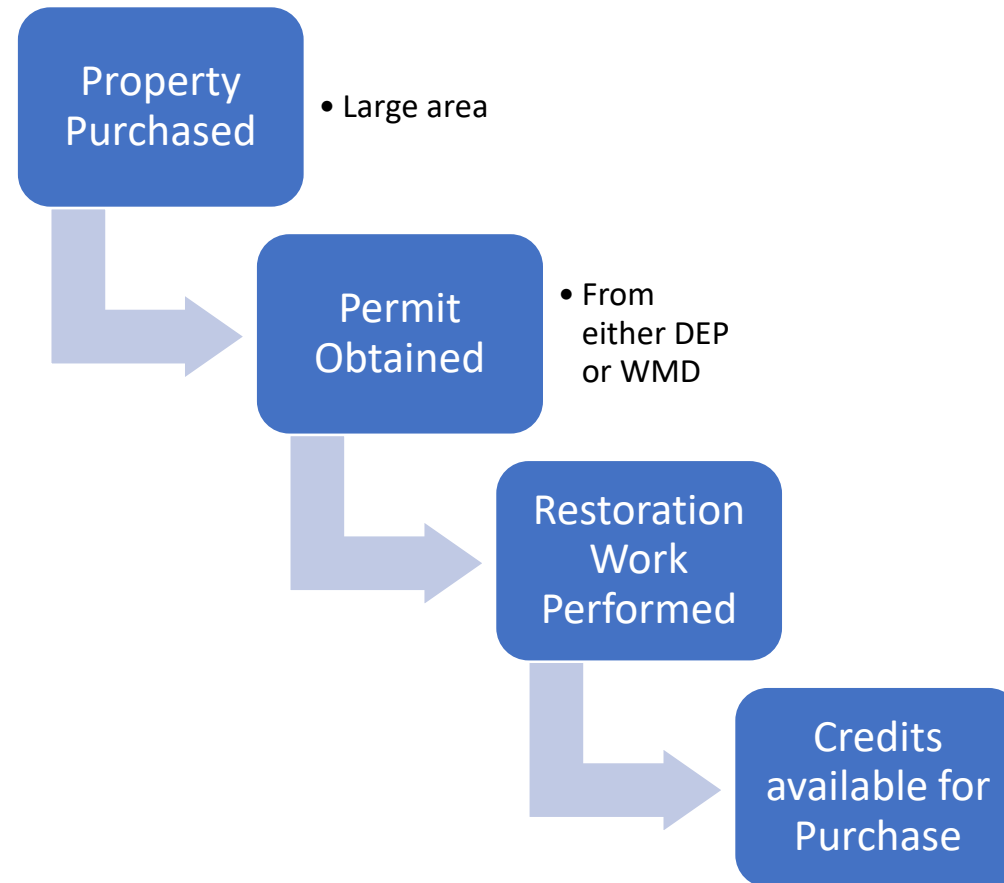
# Mitigation options

- **On-site mitigation**
  - At the project location
  - May require monitoring and a conservation easement
- **Off-site mitigation**
  - Not at the project location
  - Within the same watershed as the project
  - May require monitoring and a conservation easement
- **Mitigation bank**
  - Purchase appropriate credits
  - Project must be within bank's service area
  - Bank must be within same drainage basin as the impacts



# Mitigation Bank

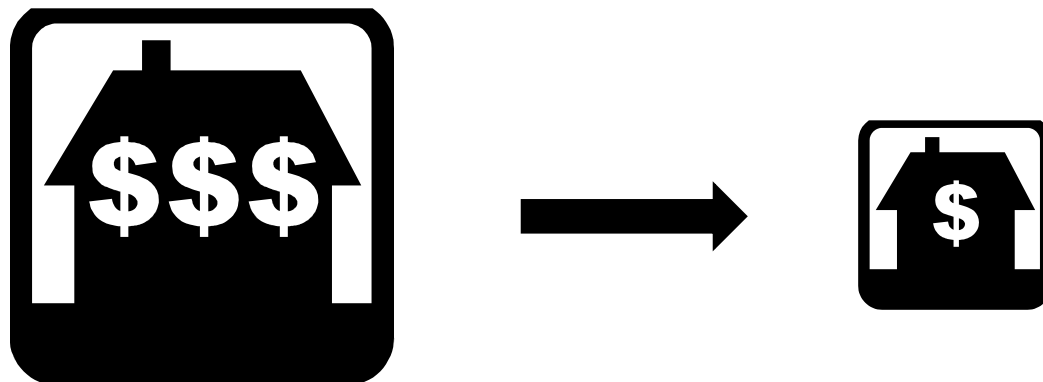
## Private sector business





# Reducing Costs

- Elimination and Reduction of impacts
- Less impact → less mitigation → less expensive





# Elimination & Reduction

- **Elimination** – removing all impacts to wetlands and surface waters.
- **Reduction** – reducing the acreage or severity of impacts to wetlands and surface waters.
- Must be demonstrated before proposing mitigation.





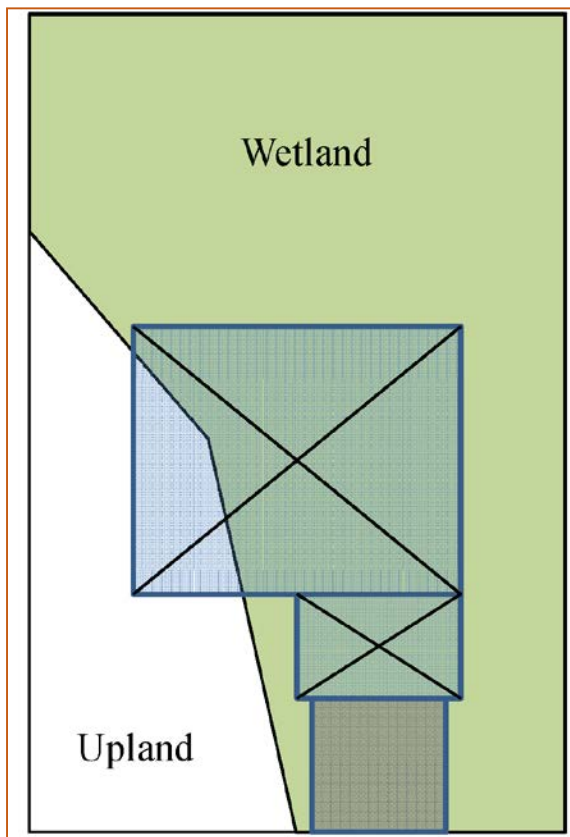
# Ways to Eliminate and Reduce

- Keep all structures in uplands
- Propose piling supported structures
- Use stem-wall foundation to eliminate fill slopes
- Build smaller structures
- Build multi-story structures
- Move accessory structures (pools or large decks) out of wetlands

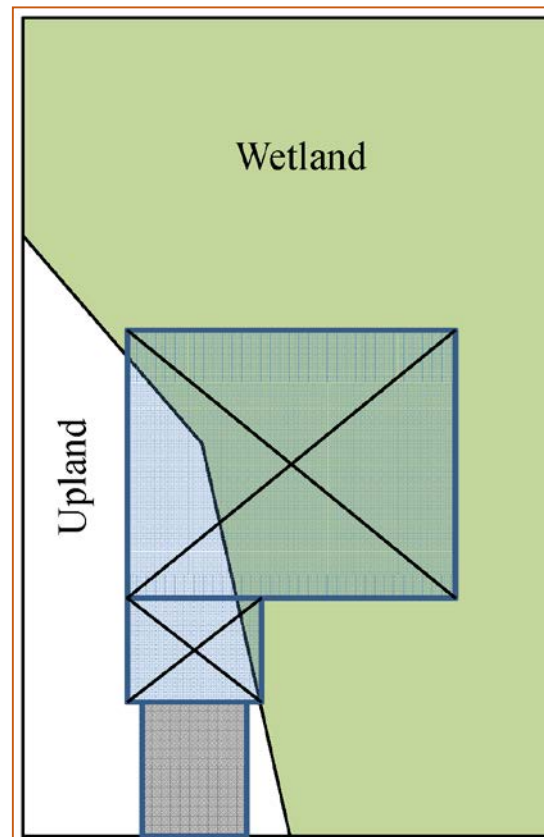


# Elimination and Reduction Utilized

**Before**



**After**





# Summary

- Wetlands are important
  - Impacts are regulated
- Use tools to find out if your project may impact wetlands
- Regulatory Authorizations and Agencies
- We are here to help





# Florida Department of Environmental Protection

## Questions?

**Monica Sovacool**

Environmental Manager

[Monica.Sovacool@FloridaDEP.gov](mailto:Monica.Sovacool@FloridaDEP.gov)

561-681-6698