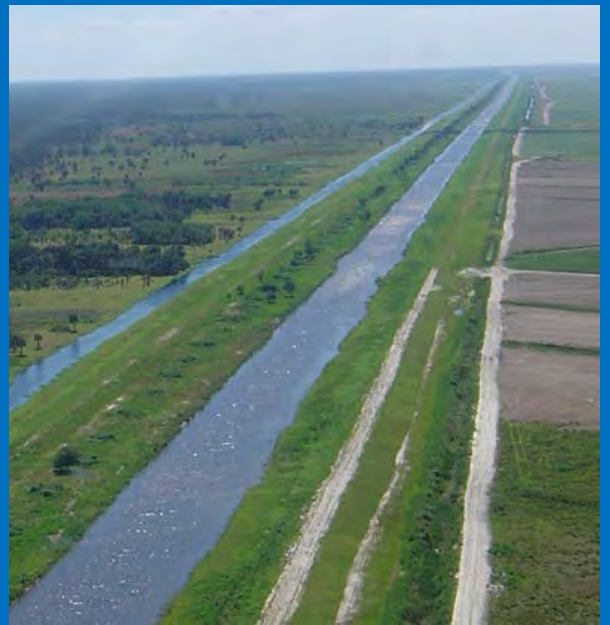


SFWMD

Right of Way Criteria Manual
for Use of Works or Lands of the District



sfwmd.gov



Criteria Manual
August 12, 2013

S F W M D

CRITERIA MANUAL



**Right of Way Criteria Manual
for
Use of Works or Lands of the District**
August, 2013

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I. INTRODUCTION

1. Policy Statement

It is the policy of the South Florida Water Management District to allow adjacent owners, governmental entities and utilities to utilize Works and Lands of the District provided that the use does not adversely impact or interfere with the District's ability to utilize these lands in any manner it sees fit in furtherance of the District's missions. In order that the District can determine that a use of the right of way will not interfere with the District's objectives, unless specifically exempt under the District's Rules, the District requires that an individual or entity desiring to utilize the District's rights of way first obtain approval **before any activity begins** within the District's rights of way. (Please refer to the "Exemptions" section of this manual for information on exempt uses of the right of way and related criteria – Refer to page 47).

It is the District's position that construction on, or use of, the District's rights of way without obtaining prior approval is an act of bad faith which will be taken into consideration in the review of any request the user may subsequently make or in such compliance action as the District may elect to initiate.

2. Objective

The purpose of this manual is to provide information which describes the Rules and Criteria which relate to the utilization of Works and Lands of the District.

This manual is used as a guideline by the District staff in reviewing proposals for the issuance of permits. The Rules and criteria contained herein are not intended to restrict the District's use of its rights of way and are subject to change by the Governing Board of the District.

The criteria in this manual has been developed and refined over a period of 50 years. This criteria has been established to allow the most liberal use of the right of way possible by members of the public without interfering with the District's missions. The criteria represents the minimum allowable conditions acceptable to the District. Please do not consider it as the starting point or a basis for negotiations in an effort to have an unacceptable use or facility approved.

The reader will note that the criteria is based on the District's need to access, operate and maintain its canal and levee system. In order to do this, the District has made conscious decisions on the width of the right of way necessary to perform various functions and has acquired land or obtained sufficient property rights to perform its duties. Please keep in mind that the South Florida Water Management District and its predecessors (the Central and Southern Florida Flood Control District and the Everglades Drainage District) have, since 1915, gained an expertise in the amount of right of way which is necessary to efficiently perform a variety of tasks.

While the amount or width of right of way varies somewhat depending on field conditions and the types of equipment employed, it has been determined that an unencumbered strip of land 40 feet in width is necessary in order to perform the majority of the maintenance operations in the most expeditious and cost effective manner.

Many individuals have commented that they have never seen District maintenance equipment working on the right of way behind their home. This may be true. In some areas, the District has determined that routine maintenance, such as mowing, is not needed on certain stretches of right of way. In these cases the only type of routine maintenance which may be required is control of aquatic weeds and spraying of emergent vegetation by means of boats. However, the District must maintain the operational flexibility of being able to access and travel the right of way to perform certain emergency activities such as removing sunken boats, trees or other storm debris which have blown into the canal during a hurricane or other severe storm. Activities such as these cannot be performed from boats, particularly during storms when canal levels can fluctuate greatly and the canal is flowing rapidly.

**CHAPTER 40E-6
UTILIZATION OF WORKS OR LANDS OF THE DISTRICT**

PART I

- 40E-6.011 Policy & Purpose
- 40E-6.021 Definitions
- 40E-6.031 Implementation
- 40E-6.041 Consent Required
- 40E-6.051 Exemptions
- 40E-6.091 Publications Incorporated by Reference

PART II - PERMITS & GENERAL PROVISIONS

- 40E-6.201 Content of Application
- 40E-6.221 Conditions for Issuance of Permits
- 40E-6.321 Duration of Permits
- 40E-6.331 Modification of Permits
- 40E-6.341 Revocation of Permits
- 40E-6.351 Transfer of Permits
- 40E-6.361 Financial Assurances and Insurance
- 40E-6.381 Limiting Conditions

PART III - EMERGENCIES

- 40E-6.451 Emergency Authorization
- 40E-6.481 Emergency Measures

PART IV - VIOLATIONS

- 40E-6.501 Unlawful Use and Civil Penalties
- 40E-6.521 Self-Help

PART V – PROCESSING FEES

- 40E-6.601 Permit Application Processing Fees

PART VI – C-18

- 40E-6.701 C-18 Policy and Purpose
- 40E-6.711 C-18 Canal Right of Way Boundary
- 40E-6.721 C-18 Permits Required
- 40E-6.731 General Permit for Occupancy or Use of the C-18 Right of Way
- 40E-6.741 C-18 Implementation
- 40E-6.751 C-18 Exemptions
- 40E-6.761 C-18 Content of Application

40E-6.771 C-18 Conditions for Issuance of Permits
40E-6.781 C-18 Duration of Permits
40E-6.791 C-18 Modification of Permits
40E-6.801 C-18 Revocation of Permits
40E-6.811 C-18 Transfer of Permits
40E-6.821 C-18 Limiting Conditions
40E-6.831 C-18 Use Zones

40E-6.011. Policy and Purpose.

(1) This chapter governs the use of or connection to works or lands of the District. Conditions and criteria are established to ensure that uses are compatible with the construction, operation, and maintenance of such works or lands.

(2) Due to the critical importance of works and lands of the District in providing flood protection and other benefits, it is considered essential that the District retain complete dominion and control over the use of such works or lands, including those subject to right of way occupancy permits. The District acts in a proprietary capacity in acquiring lands or interests therein for utilization as works of the District. These rules are based upon proprietary concepts of property law. A "permit" to utilize works or lands of the District is a contract between the District and the "permittee," whereby the permittee obtains a license which is revocable at will, except as otherwise provided herein. All risk of loss regarding expenditures in furtherance of the permitted use is borne by the permittee. The District retains complete discretion as to the manner, if any, in which works or lands of the District shall be utilized, and nothing in these rules is intended to limit that discretion.

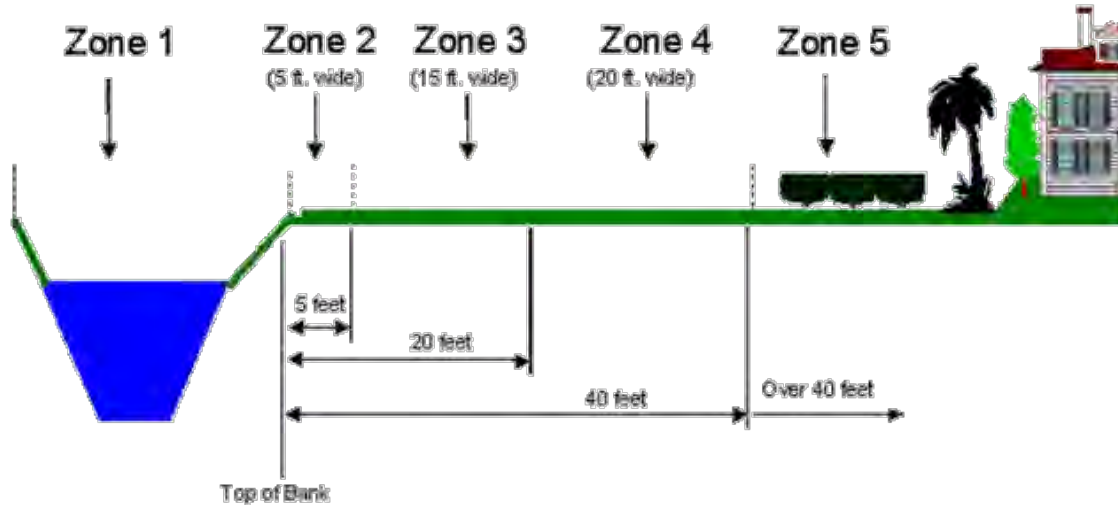
(3) An exception to subsection (2), above, is made for governmental entities and utilities, which may have their consent to utilize District works or lands revoked only for cause, pursuant to the criteria set forth in this chapter.

(4) The District has determined that an unencumbered 40 foot wide strip of right of way, measured from the top of bank landward, is required in order for the District to perform the required routine and emergency operations and maintenance activities necessary to insure flood protection to the entire community. In this 40 foot right of way, subject only to limited exceptions provided in this rule, the District shall not authorize any above-ground facilities or other encroachments.

(5) The requirement for the unencumbered 40 foot right of way shall be applicable regardless of the District's quality of title to the right of way and regardless of the width of the overbank right of way.

(6) In the past, the District has authorized certain above-ground facilities and uses on its rights of way within a 40 foot wide area adjacent to the top of bank, as set forth in subsection (4), above. However, over time and with experience gained in disaster preparation, operation and recovery, the District has determined that these previously authorized above-ground facilities and uses are now inconsistent with the current and future operation and maintenance needs of the District. These facilities and uses have also been determined by the District to increase the operation and maintenance costs (for both routine and emergency operation and maintenance activities) and pose a significant additional physical burden on District staff. Subject to those uses specifically allowed in the Right of Way Criteria Manual for Use of the Works or Lands of the District (Criteria Manual), no future authorizations by the District shall allow above-ground facilities or uses within that 40 foot wide area adjacent to the top of bank within the right of way, and all previous authorizations for facilities and uses shall be expressly limited to minimize their adverse impact on District operations and maintenance. Specifically, such authorizations shall not be modified or transferred, and shall be subject to the revocation provisions set forth herein as determined necessary by the District in order to meet its current and future operation and maintenance responsibilities to provide adequate flood protection to the community.

(7) In order to effectively and efficiently evaluate proposed installations of above-ground facilities and uses, the District has segmented the canal and rights of way into five (5) operational zones shown on the diagram below:



*The District's rights of way vary in width, and may be either less than forty feet or more than forty feet in width. Accordingly, in those cases when the right of way is less than forty feet, only those zones depicted above would be applicable to the actual width of the right of way.

The specific above-ground facilities and uses which are consistent with the District's operation and maintenance needs, and which will generally be authorized are set forth in Rule 40E-6.221, F.A.C. Those facilities and uses not specifically identified as being consistent with the District's operation and maintenance needs for the respective zones have been determined by the District to be inconsistent with District operation and maintenance needs and no District authorization shall be granted.

(8) Due to the varying widths and physical limitations of the rights of way obtained by the District for the canals of the Big Cypress Basin, maintenance of the Basin canals is currently performed with different equipment than is utilized throughout the remainder of the District. Based on the differing maintenance needs of the Big Cypress Basin, application of the five operational zones, as set forth in subsection (7), above, will be reviewed on a case by case basis taking into account the width of overbank right of way, the accessibility of the right of way to land-based maintenance equipment and any site specific conditions that would impact the Basin's ability to operate and maintain the canal which is the subject of a particular application.

(9) The District reserves sole authority to make a determination that portions of the District's rights of way are inaccessible for routine maintenance activities due to a variety of physical limitations. While a determination that a certain segment of right of way is presently unusable for routine land-based maintenance activities and relaxation of the restrictions in zones 2, 3, 4, and 5 may be allowed, such determination shall be at the sole discretion of the District and does not obviate the need for individuals with proposed or existing facilities within these areas to obtain permits from the District. Further, the District reserves the right to enter these areas to conduct emergency operations or to require the removal

of any encroachments that are inconsistent with these rules at such time as maintenance access is perfected through the area.

(10) The District has further determined that certain facilities and uses meeting specific minimum criteria for various right of way zones shall more efficiently be granted authorization with a limited review by District staff, since these specific facilities and uses do not adversely impact the District's ability to operate and maintain the District's right of way and works of the District. Such authorizations shall be administered by the provisions of Rules 40E-6.201 and 40E-6.221, F.A.C., as a notice general permit. The District will incur less expense in the review of notice general permit applications, and, therefore the application processing fee associated with such facilities and uses shall reflect accordingly, as set forth herein. If multiple uses are being requested and any of those uses require a standard permit, all authorizations shall be requested under the standard permit application and a notice general permit will not be required.

(11) In managing its canal and levee system the District must, from time to time, change its criteria and permit requirements based on regional and site specific conditions. Applicants are cautioned that the information provided by District staff is based on the best available information at the time the information is conveyed, but is subject to change. This is particularly true when applicants delay months or years in submitting an application for permit. Therefore the rules, criteria and requirements in effect at the time a formal application is received for review will be applied to the permit application.

Rulemaking Authority 373.113 FS. Law Implemented 373.016, 373.085, 373.086, 373.118, 373.129, 373.1395 FS. History--New 9-3-81, Formerly 16K-5.01(1), Amended 12-29-86, 9-15-99, 7-12-06, 8-12-13.

40E-6.021. Definitions.

(1) The term "above-ground facilities" when used in these rules is intended to mean any and all physical improvements or uses, whether man-made or natural (e.g., vegetation), that are extended above the existing surface of the ground.

(2) The term "change of ownership" when used in these rules is intended to mean the sale, purchase, or transfer of beneficial ownership of property adjacent to the District's right of way relative to a right of way occupancy permit; or in the case of utilities, bridges, or other such public facilities, the sale, purchase, or transfer of responsibility.

(3) The term "easement" when used in these rules is intended to mean the District's legal interest in the land for a specific limited use, such as access, construction, operation and maintenance of a canal or levee, access, stock piling of spoil material, or flowage of the land of another.

(4) The term "fee" ownership when used in these rules is intended to mean absolute and unconditional ownership by the District.

(5) The term "financial assurances" when used in these rules is intended to mean a cash bond to be held by the District in a non-interest bearing account, a performance bond issued by a licensed bonding company, a letter of credit issued by a financial institution authorized to do business in the State of Florida, or other such instrument approved by the District.

(6) The term "marina" when used in these rules is intended to mean a docking facility for four (4) or more watercraft.

(7) The term "modification" when used in these rules is intended to mean the addition or deletion of any facilities or uses not specifically authorized by the original permit.

(8) The term "notice general permit" when used in these rules is intended to mean a revocable license to occupy the works or lands of the District for specific types of uses, with limited review by District staff, as set forth herein, and not requiring Governing Board approval.

(9) The term "owner" when used in these rules is intended to mean the individual or entity legally responsible for the ownership and control of the facility or authorized use.

(10) The term "permit transfer" when used in these rules is intended to mean the changing of responsibility for the permit authorization from one person or entity to another.

(11) The term "public works project" when used in these rules is intended to mean projects such as bridges, roads, utilities, and parks.

(12) The term "right of way" when used in these rules is intended to mean those lands acquired by the District in fee, easement, or other type of grant, for the purpose of construction, operation and maintenance of works of the District including, but not limited to, canals, levees, water control structures, spoil areas, Stormwater Treatment Areas (STAs), and access roads.

(13) The term "right of way occupancy permit" when used in these rules is intended to mean a revocable license to occupy the works or lands of the District, either by a notice general permit or a standard permit.

(14) The term "safety features" when used in these rules is intended to mean those appurtenances/facilities associated with public work projects such as signage, guardrails, bollards, signalization, handrails and lighting/security poles.

(15) The term "STA" when used in these rules is intended to mean the District's Everglades Nutrient Removal Project ("ENR"), as well as those areas currently, or in the future, designated by the District as Stormwater Treatment Areas.

(16) The term "staging area" when used in these rules is intended to mean that portion of land, 100' in length, for the entire width of the District's right of way, located on the upstream and downstream sides of all bridge and pile-supported utility crossings.

(17) The term "standard permit" when used in these rules is intended to mean a revocable license to occupy the works or lands of the District for all uses not covered by a notice general permit, with a full review by District staff, as set forth herein, and requiring Governing Board approval.

(18) The term "top of bank" when used in these rules is intended to mean the point at which the flat or nearly level ground surface transitions down to the channel along the side slope of the canal bank.

(19) The term "tree" when used in these rules is intended to mean not only the trunk of the tree, but the farthest part of the canopy of the tree at maturity as well.

(20) The term "utility" when used herein means entities providing water, electric, telephone, fiber optic/cable, sewer, or natural gas services.

(21) The term "violator" when used in these rules is intended to mean any persons or entities acting contrary to the provisions of Chapter 373, F.S., these rules, as well as the provisions of any permit issued pursuant to these rules.

(22) The term "works of the District" when used in these rules is intended to mean the canals, levees, structures, lands, water bodies, and other associated facilities which have been adopted as such by the District's Governing Board.

(23) The term "Zone 1" when used in these rules is intended to mean the canal channel from the top of bank to the opposite top of bank, as depicted in Rule 40E-6.011(7), F.A.C.

(24) The term "Zone 2" when used in these rules is intended to mean the point on the right of way from the top of bank to a point five (5) feet landward, as depicted in Rule 40E-6.011(7), F.A.C.

(25) The term "Zone 3" when used in these rules is intended to mean the point on the right of way from a point five (5) feet landward from top of bank to a point twenty (20) feet landward, as depicted in Rule 40E-6.011(7), F.A.C.

(26) The term "Zone 4" when used in these rules is intended to mean the point on the right of way from a point twenty (20) feet landward from top of bank to a point forty (40) feet landward, as depicted in Rule 40E-6.011(7), F.A.C.

(27) The term "Zone 5" when used in these rules is intended to mean any right of way located farther than forty (40) feet from the top of bank, as depicted in Rule 40E-6.011(7), F.A.C.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.085, 373.086 FS. History--New 9-15-99, Amended 7-12-06, 8-12-13.

40E-6.031. Implementation.

(1) The effective date for the program established in this chapter is August 12, 2013.

(2) All permits issued prior to the effective date of these rules shall remain in effect, except as provided herein.

(3) All applications, and permit application processing fees, for permits received by the District prior to the effective date of these rules shall be processed using the criteria set forth in Criteria Manual for Use or Occupancy of the Works or Lands of the District -- Permit Information Manual, adopted August 12, 2013.

(4) All applications, and permit application processing fees, received by the District on or after the effective date of these rules shall be subject to the provisions of these rules and the criteria adopted pursuant to these rules as set forth in Rule 40E-6.091, F.A.C.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.085, 373.086 FS. History--New 9-3-81, Amended 12-29-86, 9-15-99, 8-12-13.

40E-6.041. Consent Required.

(1) Unless expressly exempt by law or District rule, a right of way occupancy permit, either a notice general permit or a standard permit, must be obtained prior to connecting with, placing structures in or across, discharging into or making use of the works of the District and any additional lands or real property interest owned by the District used in conjunction with such works, including the Stormwater Treatment Areas (STA's).

(2) All other use and occupancy of District works or lands must be consistent with the purposes and objectives of Ch. 373, F.S., and Title 40E, F.A.C.

(3) These rules do not apply to:

(i) Those portions of "Management Areas" described pursuant to Chapter 40E-7, Part V, F.A.C., not contained within Works of the District, or

(ii) Property managed by the District pursuant to the District's real estate or leasing policies, except as otherwise limited by Rule 40E-6.221(9), F.A.C.

(4) These rules do not apply to the Seminole Tribe of Florida at such time as there exists a District approved agreement specifically addressing the use and management of District rights of way between the District and the Seminole Tribe of Florida.

(5) Except when works or lands of the District have been affirmatively opened to public vehicular use, a right of way occupancy permit must be obtained prior to traveling on or across such works or lands.

(6) A conceptual approval for the use of works of the District may be obtained by processing a right of way occupancy permit application in conjunction with the request for a letter of conceptual approval only if the letter of conceptual approval is requested pursuant to section 380.06(9)(b), F.S.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.085, 373.086, 380.06(9)(b), 373.118 FS. History--New 9-3-81, Formerly 16K-5.01(1), 16K-5.10, Amended 7-1-86, 12-29-86, 12-24-91, 9-15-99, 8-12-13.

40E-6.051. Exemptions.

(1) The following uses are exempt from permitting under this chapter where such facilities and uses comply with the criteria contained in the Criteria Manual, incorporated by reference in subsection 40E-6.091(1), F.A.C.:

- (a) The planting or maintenance of native or drought and insect resistant turf grasses;
- (b) Drain lines (pool, roof, air-conditioning);
- (c) Low lying groundcover; and
- (d) Irrigation lines, flush or pop-up sprinklers, draft lines.

(2) An exemption from these rules shall not relieve any person or entity from compliance with other District permit requirements and any applicable permit requirements of federal, state and local government.

(3) The District is not responsible for the repair of or claims of damage to any facilities and uses which may incur damage resulting from the District's utilization of its rights of way or use by third parties. Improvements placed within the right of way are done so at the sole risk of the owner.

(4) The District is not responsible for any personal injury or property damage which may directly or indirectly result from the use of water from the District's canal or any activities which may include use or contact with water from the District's canal, since the District periodically sprays its canals for aquatic weed control purposes and uses substances which may be harmful to human health or plant life.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.085, 373.086 FS. History--New 12-24-91, Amended 9-15-99, 7-12-06, 8-12-13.

40E-6.091. Publications Incorporated by Reference.

(1) The "Right of Way Criteria Manual for Use of the Works or Lands of the District - August 12, 2013" ("Criteria Manual") (<http://www.flrules.org/Gateway/reference.sap?No=Ref-03052>), which includes separate and distinct minimum criteria developed to address the unique characteristics and operational needs of the respective areas of the District.

(2) The works and lands of the District subject to this Chapter are adopted by the Governing Board by Resolution in accordance with the provisions of section 373.086, F.S., A current list of the adopted Works of the District is available upon request and can also be located on the District's website (www.sfwmd.gov).

(3) The document listed in subsection (1) is published by the District and available upon request, as well as located on the District's website.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.085, 373.086, 403.0877 FS. History--New 9-3-81, Formerly 16K-5.01(3), Amended 12-29-86, 12-24-91, 9-15-99, 8-12-13.

40E-6.101. Content of Application. (REPEALED)

Repealed 8-12-13.

40E-6.121. Conditions for Issuance of Notice General Permits. (REPEALED)

Repealed 8-12-13.

40E-6.201. Content of Application.

(1) Applications for permits shall be filed with the District. The permit application shall contain the following information:

(a) A completed Form 0122 "Application to the South Florida Water Management District for Right of Way Occupancy Permit" effective date August 12, 2013, which is hereby incorporated by reference and which may be obtained at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406;

(b) The applicant's name and address, if other than owner, including zip code and phone number;

(c) All owner's names, as appearing on the tax rolls, and complete address if applicant or user is other than the owner;

(d) The project location relative to County, Section, Township and Range; Lot, Block and Subdivision; or a metes and bounds description;

(e) A description of the portion of the works or lands of the District to be used;

(f) Whether the use is a proposed, existing, or a modification of an existing use;

(g) A description of the use or encroachment on works or lands of the District and in which zone, as depicted in Rule 40E-6.011(7), F.A.C, the use will be located;

(h) At a minimum, four (4) copies of the following scaled or fully dimensioned 8 1/2 " x 11" drawings: the use in plan and elevation views, related to the applicable work of the District, and tied to a known reference point in the immediate area of the proposed use. Larger drawings or aerial photographs shall be required, if necessary to adequately show the location and nature of the proposed use. A property survey, indicating the location of the District right of way boundary line, shall also be provided.

1. All drawings shall utilize English units of measure or a combination of both English and metric units of measure. Vertical datum shall be National Geodetic Vertical Datum (1929),

North American Vertical Datum (1988), or Mean Sea Level and the datum utilized shall be specified on the drawing(s).

2. All drawings shall be in accordance with the specified requirements set forth in the Criteria Manual.

(i) Information sufficient to demonstrate that the use meets the criteria established in the document referred to in Rule 40E-6.091, F.A.C.; and

(j) The estimated length of time needed for completion of the proposed work once construction has begun.

(2) Applications shall be signed by both the owner(s) and/or authorized agent, if applicable.

(3) Applications shall not be considered complete until such time as the following have been received and accepted by the District:

(a) all requirements set forth in subsections (1) and (2), above;

(b) insurance and financial assurances in accordance with Rule 40E-6.361, F.A.C.; and

(c) all land interests required for access and/or maintenance easements in connection with applications for permits that impede District access.

(4) If the District determines that the application is incomplete, the District shall request the information needed to complete the application within 30 days of its receipt. The applicant shall have 90 days from receipt of a timely request for additional information to submit that information to the District.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.085(1), 373.086, 373.117, 471.003 FS. History--New 9-15-99, Amended 8-12-13.

40E-6.221. Conditions for Issuance of Permits.

(1) The District has determined that certain uses shall be authorized under a notice general permit when located in an authorized operational zone and the activity fully complies with all of the criteria set forth in the Criteria Manual, incorporated by reference in Rule 40E-6.091, F.A.C. These uses are set forth in the Permit Index Chart included in the Criteria Manual.

(2) The District has determined that certain uses, not eligible for a notice general permit, shall be authorized under a standard permit when located in an authorized zone and when they comply with the criteria established in the Criteria Manual, incorporated by reference in Rule 40E-6.091, F.A.C. These uses are set forth in the Permit Index Chart included in the Criteria Manual.

(3) In determining whether a permit should be issued, the District shall consider whether the activity unduly burdens the District's interests. In making this decision, the District shall weigh the following critical factors:

(a) interferes with the present or future construction, alteration, operation or maintenance of the works or lands of the District;

(b) is consistent with the policy and objectives of Chapter 373, F.S., including the legislative declaration of policy contained in section 373.016, F.S.

(c) has an actual or potential negative impact upon environmentally sensitive areas, which include: wetlands; endangered or threatened species habitat; aquatic preserves; Outstanding Florida Waters; Class I or Class II waters; federal, state and privately owned parks and wildlife management areas; designated areas of critical state concern; lands purchased by federal, state and local governments for the purpose of environmental protection, water resource protection and aesthetics; and lands which contain native terrestrial plant species in significant amounts. Environmentally sensitive areas include areas on and off-site that are affected by activities which occur on, or are initiated from, the works of the District;

(d) degrades water quality within the receiving water body or fails to meet the provisions of Ch. 373, F.S., the state water policy, and Title 40E, F.A.C.;

(e) involves a discharge of wastewater from a new wastewater source or an increased discharge from an existing wastewater source;

(f) will discharge debris or aquatic weeds into works of the District or cause erosion or shoaling within the works of the District;

(g) is supported by financial assurances, which will ensure that the proposed activity will be conducted in accordance with Chapter 373, F.S., and Chapter 40E-6, F.A.C.;

(h) interferes with scientific activities;

(i) presents an increased liability risk to the District;

(j) meets the general and specific criteria in the Criteria Manual which is incorporated by reference in Rule 40E-6.091, F.A.C.;

(k) interferes with actual or potential public use of the District's works or lands, including public recreational or other facilities not within the District's works;

(l) meets applicable criteria in Chapter 40E-61, F.A.C.

(m) The nature of the District's property interest.

(n) Any and all above-ground facilities located within the clear 40 foot wide right of way, as set forth in Rule 40E-6.011(4), F.A.C., or within the right of way at locations where the right of way is less than 40 feet wide, as measured from the top of the canal bank landward, are prohibited, except for:

1. safety features associated with public works projects; and
2. installations necessary to support District works, including but not limited to utilities.

(4) The District shall consider a permit applicant's past and present violation of any District rules or permit conditions, including enforcement action, when determining whether the applicant has provided reasonable assurances that District standards will be met.

(5) Activities which can be carried out through the District's real property acquisition and disposal policy will not be eligible for a permit under this chapter.

(6) The District shall also consider the cumulative impact of allowing the proposed use. Based upon the cumulative impact of allowing similar uses in the affected area, the District shall deny uses which appear insignificant with regard to the above criteria if the cumulative impact is significant.

(7) The structural integrity of bridges across District works or lands shall be certified by a professional engineer registered in the State of Florida, except as provided in Section 471.003, F.S.

(8) In those instances where the District does not own the underlying fee simple title, it shall be the responsibility of the applicants to obtain approval from the owner of the underlying fee. The District does not, however, assume any duty to protect the legal rights of the underlying fee owner.

(9) Except for utilities, no commercial uses on the District's fee owned rights of way will be authorized by a Right of Way Occupancy Permit. However, applicants may apply for such use in accordance with the District's real estate or leasing policies. Commercial use of the District's non fee-owned rights of way by the underlying fee-owner shall be authorized under a right of way occupancy permit, provided such authorizations take into consideration those determining factors set forth in Rule 40E-6.221(3), F.A.C.

(10) Except for utilities and governmental entities, an applicant must own or lease the land underlying or adjacent to or served by the portion of the works or lands of the District involved.

(11) In addition to the requirements and restrictions set forth in Subsections (1) through (9), the District, due to its proprietary interest in its lands and works, possesses and exercises all the rights and remedies available to owners of real property through statutory and common law.

(12) The Limiting Conditions set forth in Rule 40E-6.361, F.A.C., shall be incorporated into every Permit issued.

(13) Special Conditions that are site specific shall be incorporated into every Permit as may be necessary in the best interest of the District.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.085, 373.086, 373.117, 471.003 FS. History--New 9-15-99, Amended 8-12-13.

40E-6.321. Duration of Permits.

(1) Permits issued prior to the effective date of August 12, 2013, and which do not comply with the Criteria Manual incorporated by reference in Rule 40E-6.091, F.A.C., shall expire upon the change of ownership of the property unless transferred pursuant to Rule 40E-6.351, F.A.C., below. However, upon request, these authorizations shall be transferred to a new property owner if the activity complies with Rule 40E-6.221(3)(a) – (i), (m). Otherwise it must be immediately removed from the District's right of way.

(2) Unless revoked or otherwise modified the duration of a right of way occupancy permit is:

(a) as set forth in the permit, including the special conditions to the permit; or

(b) after construction is complete, perpetual, unless revoked.

(3) Once issued, a permit is valid to the date indicated on the face of the permit unless construction of the authorized facilities has begun. Otherwise, a written request for extension must be received by the District on or before the expiration date. If an extension has not been requested prior to the expiration of the permit, a new application, including the application processing fee, must be submitted. The District has the right to decline the extension of a permit authorizing construction if the proposed use is no longer consistent with the objectives of the District or other provisions of these rules.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.085, 373.086 FS. History--New 9-3-81, Formerly 16K-5.07, Amended 12-29-86, 9-15-99, 8-12-13.

40E-6.331. Modification of Permits.

(1) Applications for permit modifications required by this Chapter shall be filed by formal application, including the permit modification application fee, with the District.

(2) Applications for modification to permitted uses shall be reviewed using the same criteria as new applications, pursuant to Rules 40E-6.091 and 40E-6.221, F.A.C.

(3) Letter modifications shall be issued by District staff, provided the requested modification:

(a) does not substantially alter the permit authorization;

(b) does not interfere with construction, operation and maintenance of District lands or works;
and

(c) is otherwise consistent with the purposes and policies of Chapter 373, F.S., and Chapter 40E-6, F.A.C.

(4) Under sections 373.083 and 373.085, F.S., the District is authorized to modify a permit when it determines that the currently permitted use has become inconsistent with the factors and conditions enumerated in Rule 40E-6.221, F.A.C.

(5) Permit modifications may be initiated by the District in accordance with the provisions of Chapter 40E-1, F.A.C.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.085, 373.086 FS. History--New 9-3-81, Formerly 16K-5.11(1), Amended 12-29-86, 12-24-91, 9-15-99, 8-12-13.

40E-6.341. Revocation of Permits.

(1) Under sections 373.083 and 373.085, F.S., the District is authorized to revoke a right of way occupancy permit under any of the following circumstances:

(a) the permittee or his agent has committed any of the acts enumerated in Rule 40E-1.609, F.A.C.;

(b) the permitted use interferes or will interfere with the construction, alteration, operation, or maintenance of present or proposed works or lands of the District;

(c) the permittee has failed to immediately comply with an emergency or other order issued pursuant to Rule 28-106.501, F.A.C.;

(d) the permitted use is no longer consistent with the factors and conditions enumerated in Rule 40E-6.221, F.A.C., the provisions of Chapter 373, F.S., Title 40E, F.A.C., and the state water policy, Chapter 62-40, F.A.C.;

(e) the permitted use is inconsistent with any provision of this rule, or any subsequent revisions to this rule, including any provision of the Criteria Manual, incorporated by reference in Rule 40E-6.091, F.A.C.; or

(f) the permitted use is no longer consistent with District policy, based upon a change in District policy.

(2) Right of Way Occupancy Permits are subject to immediate revocation by the District's Executive Director with the concurrence of the Governing Board if an emergency condition exists and the continued exercise of the permit might endanger lives, human safety or property.

(3) Revocations for reasons specified in subsection (1) shall be conducted in accordance with the procedures specified in Rules 40E-1.609 and 28-107.004, F.A.C. Emergency revocations under subsection (2) shall be conducted in accordance with the procedures specified in Rule 28-107.005, F.A.C.

(4) The provisions herein shall take precedence over the general revocation provisions set forth in Rule

40E-1.609(1)(a) through (e), F.A.C., as the permit program governing use of works and lands of the District is a proprietary based program. To the extent there is any conflict between the general provisions of Chapter 40E-1, F.A.C., the specific provisions of Chapter 40E-6, F.A.C., shall prevail.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 120.60(5), 373.085, 373.086, 373.129 FS. History--New 9-3-81, Formerly 16K- 5.07(3), (4), Amended 12-29-86, 12-24-91, 9-15-99, 8-12-13.

40E-6.351. Transfer of Permits.

(1) As the District has no control over the sale or transfer of real or personal property, it is the sole obligation of a permittee or their agent to disclose the existence of a Right of Way Occupancy Permit, its terms and conditions, to prospective purchasers.

(2) Right of Way Occupancy Permits shall be transferred when:

(a) The request is otherwise consistent with the provisions of these rules and Chapter 373, F.S.

(b) The applicant demonstrates that the permitted use still qualifies for a permit under Rule 40E-6.221, F.A.C.

(c) The applicant agrees to abide by the provisions of Chapter 373, F.S., this chapter, and the terms and conditions of the permit, including these rules, including the standard limiting conditions, and criteria which are applicable at the time of the request for transfer.

(d) The adjoining land use has not changed.

(e) The request for transfer is accompanied with the correct fee as set forth in Rule 40E-6.601(3)(j), F.A.C.

(f) The applicant authorizes the District to record a Notice of Permit in the official records of the county clerk's office where the project is located.

(g) In cases where unauthorized facilities or uses have been added that are not included in the permit authorization, a permit transfer request must also be accompanied by a request for modification pursuant to Rule 40E-6.331, F.A.C.

(3) All transfers require a field inspection and shall not become effective until such inspection is conducted and confirms all existing facilities and uses are permitted and comply with the criteria in Rule 40E-6.091, F.A.C., and the conditions of issuance in Rule 40E-6.221, F.A.C. If additional facilities are present, no transfer will be allowed unless the unauthorized facility or use is removed immediately and the right of way restored; or Applicants must submit a new permit application, along with the appropriate application processing fee, for all additional facilities not removed and not currently authorized by a Right of Way Occupancy Permit.

(4) The District staff shall not issue transfers until all financial assurance and insurance requirements, if any, have been provided and accepted by the District staff.

Rulemaking Authority 373.044, 373.109, 373.113, FS. Law Implemented 373.085, 373.086, 373.109, FS. History--New 9-3-81, Formerly 16K-5.10, 16K-5.11(2), 16K-5.12, Amended 12-29-86, 9-15-99, 8-12-13.

40E-6.361. Financial Assurances and Insurance.

(1) The District shall require the applicant requesting a right of way occupancy permit to provide and maintain financial assurances to the District and its successors, in the form of a cash bond to be held by the District in a non-interest bearing account, a performance bond issued by a licensed bonding company, a letter of credit issued by a financial institution authorized to do business in the State of Florida, or other such instrument approved by the District to ensure full compliance with terms of the permit, including the proper construction, operation, and maintenance of the facility. The amount and type of financial assurance shall be determined by the District.

(a) In instances where the District authorizes use of its rights of way as a temporary haul or access road, which does not include crossing over District structures or associated facilities, the amount of the financial assurance shall be Five Thousand (\$5,000.00) Dollars per half mile or multiple thereof, with a minimum amount of Five Thousand (\$5,000.00) Dollars.

(b) In instances where the District authorizes the construction of a private bridge on or across the District's right of way, the amount of the financial assurance shall be based upon a professional engineer's or certified demolition company's itemized estimate, to be provided by and paid for by the applicant, of the cost of the demolition of the bridge, removal of the debris, and restoration of the right of way. Such estimates shall be reviewed and approved by District staff.

(c) In instances where the District authorizes the installation of a water or sewer force main installation on or across the District's right of way other than those constructed by governmental entities, the amount of the financial assurance shall be based upon a professional engineer's or certified demolition company's itemized estimate, to be provided by and paid for by the applicant, of the cost of the demolition of the water or sewer force mains, removal of the debris, and restoration of the right of way. Such estimates shall be reviewed and approved by District staff. Upon acceptance by the governmental entity of the facility and the issuance of a permit transfer by District staff, such financial assurances shall be released.

(d) Any other uses of the District's right of way authorized by the District are subject to adequate financial assurances as determined necessary and reasonable by District staff based upon a complete review of the unique circumstances and the potential liability, both personal injury and property damage, and environmental risks involved with the specific authorized use.

(2) In addition to the provision for financial assurances as provided in subsection (1), above, the District shall require liability insurance, naming the District as an additional insured, in such amount and type as the District staff determines necessary. All insurance must be written by a company duly authorized to do

business in the State of Florida or provided pursuant to a self insurance program consistent with the requirements of Florida law.

(3) Any applicable financial assurance or insurance requirement set forth above shall be maintained as a condition of the continued validity of the right of way occupancy permit.

Rulemaking Authority 373.044, 373.113, FS. Law Implemented 373.085, 373.086, 373.103, FS. History—New 9-15-99, Amended 8-12-13.

40E-6.381. Limiting Conditions.

The District's authorization to utilize lands and other works constitutes a revocable license (including both notice general permits and standard permits). In consideration for receipt of that license, permittees shall agree to be bound by the following standard limiting conditions, which shall be included within all permits issued pursuant to this chapter:

(1) All structures on District works for lands constructed by permittee shall remain the property of permittee, who shall be solely responsible for ensuring that such structures and other uses remain in good and safe condition. Permittees are advised that other federal, state and local safety standards may govern the occupancy and use of the District's lands and works. The District assumes no duty with regard to ensuring that such uses are so maintained and assumes no liability with regard to injuries caused to others by any such failure.

(2) Permittee solely acknowledges and accepts the duty and all associated responsibilities to incorporate safety features, which meet applicable engineering practice and accepted industry standards, into the design, construction, operation and continued maintenance of the permitted facilities/authorized use. This duty shall include, but not be limited to, permittee's consideration of the District's regulation and potential fluctuation, without notice, of water levels in canals and works, as well as the permittee's consideration of upgrades and modifications to the permitted facilities/authorized use which may be necessary to meet any future changes to applicable engineering practice and accepted industry standards. Permittee acknowledges that the District's review and issuance of this permit, including, but not limited to, any field inspections performed by the District, does not in any way consider or ensure that the permitted facilities/authorized use is planned, designed, engineered, constructed, or will be operated, maintained or modified so as to meet applicable engineering practice and accepted industry standards, or otherwise provide any safety protections. Permittee further acknowledges that any inquiries, discussions, or representations, whether verbal or written, by or with any District staff or representative during the permit review and issuance process, including, but not limited to, any field inspections, shall not in any way be relied upon by permittee as the District's assumption of any duty to incorporate safety features, as set forth above, and shall also not be relied upon by permittee in order to meet permittee's duty to incorporate safety features, as set forth above.

(3) Permittee agrees to abide by all of the terms and conditions of this permit, including any representations made on the permit application and related documents. This permit shall be subject to the requirements of Chapter 373, F.S., and Chapter 40E-6, F.A.C., including all subsequent rule and criteria revisions. Permittee agrees to pay all removal and restoration costs, investigative costs, court costs and

reasonable attorney's fees, including appeals, resulting from any action taken by the District to obtain compliance with the conditions of the permit or removal of the permitted use. If District legal action is taken by staff counsel, "reasonable attorney's fees" is understood to mean the fair market value of the services provided, based upon what a private attorney would charge.

(4) This permit does not create any vested rights, and except for governmental entities and utilities, is revocable at will upon reasonable prior written notice. Permittee bears all risk of loss as to monies expended in furtherance of the permitted use. Upon revocation, the permittee shall promptly modify, relocate or remove the permitted use and properly restore the right of way to the District's satisfaction. In the event of failure to so comply within the specified time, the District may remove the permitted use and permittee shall be responsible for all removal and restoration costs.

(5) This permit does not convey any property rights nor any rights or privileges other than those specified herein and this permit shall not, in any way, be construed as an abandonment or any other such impairment or disposition of the District's property rights. The District approves the permitted use only to the extent of its interest in the works of the District. Permittee shall obtain all other necessary federal, state, local, special district and private authorizations prior to the start of any construction or alteration authorized by the permit. Permittee shall comply with any more stringent conditions or provisions which may be set forth in other required permits or other authorizations. The District, however, assumes no duty to ensure that any such authorizations have been obtained or to protect the legal rights of the underlying fee owner, in those instances where the District owns less than fee.

(6) Unless specifically prohibited or limited by statute, Permittee agrees to indemnify, defend and save the District (which used herein includes the District and its past, present and/or future employees, agents, representatives, officers and/or Governing Board members and any of their successors and assigns) from and against any and all lawsuits, actions, claims, demands, losses, expenses, costs, attorneys fees (including but not limited to the fair market value of the District's in-house attorneys' fees based upon private attorneys' fees/rates), judgments and liabilities which arise from or may be related to the ownership, construction, maintenance or operation of the permitted use or the possession, utilization, maintenance, occupancy or ingress and egress of the District's right of way which arise directly or indirectly and are caused in whole or in part by the acts, omissions or negligence of the Permittee or of third parties. Permittee agrees to provide legal counsel acceptable to the District if requested for the defense of any such claims.

(7) The District does not waive sovereign immunity in any respect.

(8) The Permittee shall not engage in any activity regarding the permitted use which interferes with the construction, alteration, maintenance or operation of the works of the District, including:

(a) discharge of debris or aquatic weeds into the works of the District;

(b) causing erosion or shoaling within the works of the District;

(c) planting trees or shrubs or erecting structures which limit or prohibit access by District equipment and vehicles, except as may be authorized by the permit. Permittee shall be responsible for any costs incurred by the District resulting from any such interference, as set forth in (a), (b), and (c), above.

(d) leaving construction or other debris on the District's right of way or waterway;

(e) damaging District berms and levees;

(f) the removal of District owned spoil material;

(g) removal of or damage to District locks, gates, and fencing;

(h) opening of District rights of way to unauthorized vehicular access; or

(i) running or allowing livestock on the District's right of way.

(9) The District is not responsible for any personal injury or property damage which may directly or indirectly result from the use of water from the District's canal or any activities which may include use or contact with water from the District's canal, since the District periodically sprays its canals for aquatic weed control purposes and uses substances which may be harmful to human health or plant life.

(10) Permittee shall allow the District to inspect the permitted use at any reasonable time.

(11) Permittee shall allow, without charge or any interference, the District, its employees, agents, and contractors, to utilize the permitted facilities before, during and after construction for the purpose of conducting the District's, routine and emergency, canal operation, maintenance, and construction activities. To the extent there is any conflicting use, the District's use shall have priority over the permittee's use.

(12) This permit is a non-exclusive revocable license. Permittee shall not interfere with any other existing or future permitted uses or facilities authorized by the District.

(13) The District has the right to change, regulate, limit, schedule, or suspend discharges into, or withdrawals from, works of the District in accordance with criteria established by the Big Cypress Basin, the District, or the U.S. Army Corps of Engineers for the works of the District.

(14) If the use involves the construction of facilities for a non exempt water withdrawal or surface water discharge, the applicant must apply for and obtain a water use or surface water management permit before or concurrently with any activities which may be conducted pursuant to the right of way occupancy permit.

(15) The District shall notify the local ad valorem taxing authority of the lands affected by the permitted use, where the Permittee owns the underlying fee and derives a substantial benefit from the permitted use.

The taxing authority may reinstate such lands on the tax roll. Failure to pay all taxes in a timely manner shall result in permit revocation. Such permit revocation shall not alleviate the responsibility of the Permittee to pay all taxes due and payable.

(16) Permittee shall provide prior written notice to their successors in title of the permit and its terms and conditions.

(17) Permittee authorizes the District to record a Notice of Permit through filing the appropriate notice in the public records of the county or counties where the project is located. Governmental entities and utilities are not subject to this provision.

(18) Permittee shall be responsible for the repair or replacement of any existing facilities located within the District's right of way which are damaged as a result of the installation or maintenance of the authorized facility.

(19) All obligations under the terms of this permit authorization and any subsequent modifications hereto shall be joint and several as to all owners.

(20) It is the responsibility of the permittee to make prospective bidders aware of the terms and conditions of this permit. It shall be the responsibility of the permittee's contractors to understand the terms and conditions of this permit and govern themselves accordingly.

(21) It is the responsibility of the permittee to bring to the attention of the District any conflict in the permit authorization or permit conditions in order that they may be resolved prior to the start of construction. In resolving such conflicts the District's determination will be final.

(22) Special Conditions that are site specific shall be incorporated into every Permit as may be necessary in the best interest of the District.

(23) The District is not responsible for the repair of or claims of damage to any facilities and uses which may incur damage resulting from the District's utilization of its rights of way or use by third parties. Improvements placed within the right of way are done so at the sole risk of the owner.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.085(1), 373.086, 373.103, 373.109, 373.129, 373.1395, 373.603, 373.609, 373.613 FS. History--New 9-3-81, Formerly 16K-5.01(2), 16K-5.02(2), 16K-5.03(2), 16K-5.04(4), 16K-5.05, Amended 5-30-82, 12-29-86, 12-24-91, 9-15-99, 8-12-13.

40E-6.451. Emergency Authorization.

(1) Permission to begin use of works or lands of the District prior to the issuance of a permit shall be granted pursuant to Rule 40E-0.108, F.A.C.

(2) All requests for emergency authorizations must be submitted with both the emergency application processing fee set forth in Rule 40E-6.601(2)(h), F.A.C., in addition to the applicable standard permit application processing fee set forth in Rules 40E-6.601(2)(d) through (g), F.A.C.

(3) In order to be eligible for an emergency permit authorization the applicant must have already filed a standard permit application with the District or simultaneously file a standard permit application with the District.

(4) In addition to the required standard permit application contents, the applicant must also file a written statement with the District which fully explains the basis and circumstances which support and justify the request for emergency authorization.

(5) Mere carelessness or lack of planning on the part of the applicant shall not be sufficient grounds to warrant the granting of an emergency authorization.

(6) The Executive Director may grant an emergency authorization pursuant to section 373.119(2), F.S.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.085, 373.086, 373.119, 373.439 FS. History--New 9-3-81, Formerly 16K-5.09, Amended 12-29-86, 7-2-98, 9-15-99, Amended 8-12-13.

40E-6.481. Emergency Measures.

(1) In addition to the provisions of Rule 40E-6.521, F.A.C., permitted uses are also subject to immediate alteration, repair or removal if an emergency condition exists and the continued exercise of the permitted use might endanger lives or property.

(2) In such event the Permittee shall immediately comply with any written or oral instructions from the District regarding alteration, repair or removal of the permitted use.

(3) If the Permittee fails to remove, alter or repair a permitted use when so ordered by the District, the District is authorized to repair, alter or remove it at the permittee's expense.

(4) Permittee may request an administrative hearing regarding the emergency order in accordance with the procedures set forth in Rule 28-107.004, F.A.C.

(5) In addition to the provision of Rule 40E-6.521, F.A.C., unpermitted uses are also subject to the provisions of this section.

(6) In no circumstances shall the District be responsible for any claims or damages caused in whole or in part, from any necessary emergency removal, alteration, or repair of any permitted or unpermitted use.

(7) All permitted and unpermitted uses are subject to the specific terms of an Emergency Order(s) which may be issued by the District.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.085, 373.086, 373.119, 373.439 FS. History--New 9-3-81, Formerly 16K-5.08, Amended 12-29-86, 7-2-98, 9-15-99, 8-12-13.

40E-6.501. Unlawful Use and Civil Penalties.

(1) It shall be unlawful to connect with, place structures in or across, or otherwise make use of works or lands of the District without a Right of Way Occupancy Permit. The District may use any remedy available to it under Florida common law and statutory law and the District's rules, to remove or cause the unpermitted use to be removed, as well as the assessment of civil penalties pursuant to this rule.

(2) It shall be unlawful for any permittee to violate the provisions of Chapter 373, F.S., Chapter 40E-6, F.A.C., or the terms and conditions of a Right of Way Occupancy Permit. The District shall use any remedy available to it under Florida common law and statutory law and the District's rules, to remove or cause the unpermitted use to be removed, as well as the assessment of civil penalties pursuant to this rule. The District shall, in furtherance of the purposes of Chapter 373, F.S., allow the permitted use to be brought into compliance with the permit by means of a permit modification if the unlawful use complies with the criteria set forth in Rule 40E-6.091, F.A.C.

(3) Damage to works or lands of the District resulting from the violations specified in subsections (1) and (2), above, shall, within the timeframes and in a manner consistent with the District's requirements, be repaired by the violator to the satisfaction of the District, however, the District reserves the right to make any and all necessary repairs, the full cost of which shall be the responsibility of the violator.

(4) Violators shall be responsible for payment of civil penalties up to \$10,000.00 per day, per violation, pursuant to section 373.129, F.S., investigative costs and the District's attorney's fees (including appeals).

(5) Factors considered in the assessment of civil penalties shall be:

- (a) habitual violator;
- (b) threat to health, safety, and welfare (flooding);
- (c) immediacy of threat;
- (d) severity of impact (size of drainage basin);
- (e) potential for damage to surrounding property;
- (f) threat to District staff if self-help used;
- (g) exposure of District to other liabilities;
- (h) environmental impact;
- (i) water quality; and
- (j) unusual circumstances.

(6) Vessels which are being occupied or used as a temporary or permanent residence or business, or other vessels which have an adverse impact on the District's ability to construct, operate, and maintain its canals and structures, will not be permitted within District works or lands. However, this limitation shall not be construed to prohibit vessels which are actively navigating from place to place.

(7) The planting of any vegetation not included on the District's designated plant list, contained in the Criteria Manual, incorporated by reference in Rule 40E-6.091, F.A.C., or specifically authorized by District permit within District works or lands will not be permitted.

(8) The abandonment of personal property within District works or lands will not be permitted.

(9) Use of the works or lands of the District as a temporary or permanent place of residence or shelter will not be permitted.

(10) It shall be unlawful for any person or entity to remove any spoil, without authorization from the District, and the District specifically reserves any and all rights to pursue such violations in both criminal and civil proceedings, in addition to the provisions contained herein.

Rulemaking Authority 373.044, 373.113, 373.129 FS. Law Implemented 373.085, 373.086, 373.603, 373.609, 373.613 FS. History--New 9-15-99, Amended 8-12-13.

40E-6.521. Self Help.

(1) Unlawful uses or facilities placed within the works or lands of the District are subject to removal and restoration at the District's discretion with no guarantee of salvageability. In no circumstances shall the District be responsible for any claims or damages caused, in whole or in part, from any self help removal and restoration of any unlawful uses or facilities.

(2) When employing self help, the District is not required to provide any notice of its intended action.

(3) The District may seek to recover removal and restoration costs, investigative costs, and attorneys fees and costs (including appeals) incurred in carrying out self help done to resolve the unlawful use of District works and lands.

Rulemaking Authority 373.044, 373.113, 373.129 FS. Law Implemented 373.085, 373.086, 373.603, 373.609, 373.613 FS. History--New 9-15-99.

40E-6.601. Permit Application Processing Fees.

(1) A permit application processing fee is required and shall be paid to the District when applications are filed pursuant to District rules to connect with and make use of the works or lands of the District. An application is not deemed complete and shall not be processed until the appropriate application fee is submitted. These fees are assessed in order to defray the cost of evaluating, processing, and mailing required in connection with consideration of such applications. Fees are non-refundable in whole or part

unless the activity for which an application is filed is determined by the District to be exempt or the fee submitted is determined by the District to be incorrect.

(2) Based upon years of experience in reviewing applications for District right of way occupancy permits, the District has determined that applications for existing facilities or uses require additional staff time and resources (as compared to proposed facilities) in order to thoroughly review and inspect, and this differential shall be reflected in the application processing fees for all right of way occupancy permit authorizations as set forth herein.

(3) The fee for permit applications reviewed pursuant to Chapter 40E-6, F.A.C., more specifically described in the Criteria Manual, incorporated by reference in Rule 40E-6.091, F.A.C., are as follows:

(a) Notice General Permit Application, Notice General Permit Modification Application relating to a single family residential use (Category NGP-1) No Fee

Existing, unpermitted facilities which would otherwise be eligible for a NGP-1 shall pay the Category SP-1 fee, below.

(b) Notice General Permit Application, Notice General Permit Modification Application for uses proposed by homeowners associations and condominium associations relating to more than one individual lot or dwelling unit (Category NGP-2) \$150.00

Existing, unpermitted facilities which would otherwise be eligible for a NGP-2 shall pay the Category SP-2 fee, below.

(c) Notice General Permit Application, Notice General Permit Modification Application for uses proposed by developers, builders, corporate entities, utilities, county, state, or local entities (Category NGP-3) \$300.00

Existing, unpermitted facilities which would otherwise be eligible for a NGP-3 shall pay the Category SP-3 fee, below.

(d) Notice General Permit Application, Notice General Permit Modification Application relating to bridges, excluding culvert bridges (Category NGP-4) \$900.00

Existing, unpermitted facilities which would otherwise be eligible for a NGP-4 shall pay the Category SP-4 fee, below.

(e) Standard Permit Application, Standard Permit Modification Application relating to a single family residential use which does not meet Notice General Permit Criteria (Category SP-1) \$75.00

(f) Standard Permit Application, Standard Permit Modification Application relating to uses by homeowners associations and condominium associations and do not meet Notice General Permit Criteria (Category SP-2) \$300.00

(g) Standard Permit Application, Standard Permit Modification Application relating to uses by developers, builders, corporate entities, utilities, county, state, or local entities, as well as all other uses not covered in Categories SP-1, SP-2 and SP-4 (Category SP-3) \$625.00

(h) Standard Permit Application, Standard Permit Modification Application relating to uses involving bridges, linear parks, greenways, similar park and recreation projects, marinas and associated facilities (Category SP-4) \$1750.00

(i) Application for emergency authorization pursuant to Rule 40E-6.401, F.A.C. \$275.00

(j) Requests for transfer of Right of Way Occupancy Permits, pursuant to Rule 40E-6.351, F.A.C. (Transfer) \$50.00

(4) Notwithstanding the provisions set forth in this rule, upon request, the District shall waive any and all right of way occupancy permit application processing fees for right of way occupancy permit applications submitted by the governing body of a governmental entity only if provided with a resolution or other documentation as to the reciprocity commitment of the respective governmental entity applying for the right of way occupancy permit and clearly establishing that governmental entity's reciprocal waiver of any and all fees required for the District to carry out canal operation, maintenance, and construction activities for the District.

(5) Notwithstanding the provisions set forth in this rule, no permit application processing fee will be required from utilities or other necessary service providers, where the permitted facility or use of the works or lands of the District is required to supply utility or other necessary service to an existing or proposed District facility.

(6) The above permit application processing fees shall not apply to either the Seminole Tribe of Florida or the Miccosukee Tribe of Indians of Florida for facilities and uses located exclusively within the boundaries of their respective reservations or included in leases with the District.

Rulemaking Authority 373.044, 373.109, 373.113 FS. Law Implemented 373.109, 373.085, 373.086 FS. History--New 9-15-99, Amended 8-12-13.

40E-6.701 C-18 Policy and Purpose.

In addition to the policies and purposes enumerated in Rule 40E-6.011, F.A.C., the C-18 canal right of way, downstream of the District's S-46 structure, was established as a revegetation area in order to implement a policy for revegetation of the C-18 canal right of way through the use of a small scale land use plan. The intent of the revegetation plan ("C-18 Plan") is to restore the natural river values of the northwest fork of the Loxahatchee River and Limestone Creek for the benefit of all canal right of way users. The purposes of the revegetation plan include maintenance of flood control protection, increasing diversity and desirability of wildlife habitat, providing filtering and water quality benefits, and considering the goals of adjacent landowners.

Rulemaking Authority 373.044, 373.113 F.S. Law Implemented 373.085, 373.086 F.S. History--Formerly 40E-62.021, New 8-12-13.

40E-6.711 C-18 Canal Right of Way Boundary.

The boundary of the C-18 canal right of way which is the subject of this rule lies east of District Structure S-46 to the easterly limit of the Canal right of way. The boundary is generally depicted on the map in

Figure 62-1. The map is for illustrative purposes only and should not be relied upon for conveyances of title to real property.

Rulemaking Authority 373.044, 373.113 F.S. Law Implemented 373.085, 373.086 F.S. History—Formerly 40E-62.023, New 8-12-13.

40E-6.721 C-18 Permits Required.

In addition to the requirements of Section 40E-6.041(1), F.A.C.,:

(1) an occupancy permit must be obtained prior to removing, maintaining, or pruning vegetation, mooring boats, and placing other items on, across, under, or upon District lands and works along the C-18 canal right of way.

(2) General Permits shall be issued for occupancy or uses of the C-18 right of way that are consistent with the use zones provided for in Rule 40E-6.751, F.A.C.

(3) The District shall require a standard right of way occupancy permit pursuant to Rule 40E-6.221, F.A.C., for any occupancy or use of the C-18 right of way which does not comply with the C-18 revegetation plan set forth herein.

(4) Occupancy or uses of the C-18 right of way which are inconsistent with the use zones provided for in Rule 40E-6.751, F.A.C., will not be eligible for a general permit under these rules.

(5) All projects located within the C-18 canal right of way which require permits pursuant to Rules 40E-6.041 and 40E-6.721, F.A.C., shall be constructed, altered, operated, and maintained in accordance with the standards and criteria specified in Rules 40E-6.091, 40E-6.201, and 40E-6.751, F.A.C. The most restrictive criteria will apply unless the applicant can demonstrate to the District's satisfaction through accepted methodology that the policy and purpose of C-18 revegetation plan will be fulfilled using alternative criteria.

(6) An occupancy permit issued pursuant to this Part is authorized to be revoked if the permitted use or maintenance practices are no longer consistent with the use zones specified in Rule 40E-6.751, F.A.C.

Rulemaking Authority 373.044, 373.113 F.S. Law Implemented 373.085, 373.086 F.S. History—Formerly 40E-62.041, 40E-62.042, 40E-62.043, 40E-62.341, New 8-12-13.

40E-6.731 C-18 Exemptions.

(1) No permit is required under this Part for the improved boat docks in existence as of September 3, 1981, which include, but may not be limited to the boat dock located on lot 25.2, Figure 62-1, on the south side of the C-18 canal approximately 1900 feet west of Loxahatchee River Road (the Moore dock).

(2) The exemption provided in section (1) above shall be in effect for as long as the property owner on the established date for the C-18 revegetation plan (1-23-1990), owns and occupies the premises. A change in ownership or occupancy of the designated lot shall subject the boat dock to the requirements of the C-18 plan.

Rulemaking Authority 373.044, 373.113 F.S. Law Implemented 373.085, 373.086 F.S. History—Formerly 40E-62.051, New 8-12-13.

40E-6.741 C-18 Limiting Conditions.

All projects which have been permitted pursuant to the C-18 Plan shall be subject to the following limiting conditions, in addition to all limiting conditions set forth in Rule 40E-6.381, F.A.C.:

(1) Maintenance practices or other activities not authorized by an occupancy permit which result in clearing or destruction of plant materials or modification of ground slopes or elevations shall be corrected by the permittee. Should the correction not be performed in a timely manner, the District is authorized to pursue corrective action against the permittee. In the event the permittee does not pursue the necessary corrective action, District forces may perform the work. In the event District forces perform the restorative work, the permittee shall be liable for the restoration costs.

(2) The District is authorized to install access control fences on District property on the C-18 right of way at locations to be determined by the District. Access control fences may obstruct or eliminate the view corridor overlay zones associated with said fence.

(3) The District may modify the vegetation on District property on the C-18 right of way at locations to be determined by the District.

(4) The permittee shall not engage in any activity in the area associated with the permit which interferes with the District's construction, alteration, maintenance or operation of the C-18 canal right of way, and shall be responsible for any costs incurred by the District resulting from any such interference including, but not limited to:

(a) Discharging debris or aquatic weeds into the C-18 canal, including the renovated portions of Limestone Creek;

(b) Causing erosion or shoaling within the C-18 canal right of way;

(c) Mooring watercraft or other floating objects;

(d) Planting plants which are not included in the District's authorized plant list or which are not authorized by the permit;

(e) Placing plants in undesirable locations or locations not authorized by the permit.

(5) The permittee shall not engage in any activity which interferes with the environmental preservation and enhancement of the C-18 canal right of way, including, but not limited to:

(a) Trimming or removing existing natural mangroves unless in strict accordance with current permits;

(b) Trimming or removing vegetation along the C-18 canal right of way.

(6) The limiting conditions provided by Rule 40E-6.381, F.A.C.

Rulemaking Authority 373.044, 373.113 F.S. Law Implemented 373.083, 373.085, 373.086, 373.103, 373.129 F.S. History—Formerly 40E-62.381, New 8-12-13.

40E-6.751 C-18 Use Zones.

(1) The following sections identify and describe the eight use zones that have been established within the C-18 canal right of way. Three of the use zones are identified as overlay zones. The overlay zones

occupy lands in common with the other use zones and further define the use regulations in the underlying zone area. The eight use zones are:

- (a) Canal Flood Zone;
- (b) General Wildlife Area Zone;
- (c) Limestone Creek Shallow Zone;
- (d) Limestone Creek Zone;
- (e) Fire Control Zone;
- (f) Intertidal Wet Area Overlay Zone;
- (g) Canal Flood Overlay Zone; and

(h) View Corridor Overlay Zone. The use zones are generally depicted in Figure 1. The overlay zones are generally depicted in Figure 1. The following provisions identify uses which are consistent and inconsistent with each use zone.

(2) The District has identified water skiing, jet skiing, and any other boating activity that produces boat wakes as inconsistent with the Canal Flood Zone, the Limestone Creek Shallow Zone, and the Limestone Creek Zone. Although the District does not have jurisdiction to regulate such activities, the District encourages users of the C-18 canal to observe no wake speeds. The District will also cooperate with the appropriate regulatory authorities to establish and maintain no wake zones in the above specified zones.

(3) There may be locations in the Limestone Creek Shallow Zone and the Limestone Creek Zone where boat docks and access platforms are proposed for installation on private property. The District views such boat docks and access platforms as inconsistent with the initial phases of the revegetation plan and discourages, but cannot and does not prohibit, construction of such boat docks and access platforms until the revegetation plan succeeds and until no wake speeds are established.

(4) Canal Flood Zone

(a) Description: This zone consists of the primary canal cross section designed for flood control. Said zone is defined as the area consisting of the canal, including 105' bottom width, 1 on 2 side slopes from elevation -6.0 to -3.0, 1 on 5 side slopes from elevation - 3.0 to 3.0, or the channel as it currently exists. This zone shall be free of floating or submerged obstructions.

(b) Consistent uses include the following:

1. Fishing;
2. Public watercraft sightseeing and cruising;
3. Environmental study and appreciation;
4. Swimming;
5. Maintenance activities conducted by the District and the permittee; and
6. Navigation signs.

(c) Inconsistent uses include the following:

1. Mooring boats or other floating items;
2. Docks of any kind; and
3. Any activity which blocks, impedes or creates turbulence in the flow of water from flood control discharges.

(5) General Wildlife Area Zone

(a) Description: This zone consists of lands from above elevation 3.0 to the edge of the C-18 canal right of way. The area within this zone is intended for the primary use of wildlife and therefore is designed to provide food, cover and resting places for wildlife.

(b) Consistent uses include the following:

1. Typical and normal activities of wildlife residing in or visiting the area;
2. Environmental study and appreciation;
3. Public passage from upland, off-site areas to the C-18 canal right of way, including Limestone Creek;
4. Maintenance activities conducted by the District and the permittee;
5. Paths which meet the requirements of subsection 40E-62.651(5)(e), F.A.C.;
6. Permitted utility uses; and
7. Small group picnicking.

(c) Inconsistent uses include the following:

1. Clearing or substantial thinning of vegetation;
2. Capturing, trapping, hunting or otherwise taking, harassing or destroying wildlife, not including fishing and shellfishing activities or removing dangerous wildlife, such as poisonous snakes and rats;
3. Camping; and
4. Large group picnicking.

(d) Public passage areas shall not interfere with areas designed for food, cover, resting and passageways for wildlife. Users of the C-18 canal right of way are advised to dress properly for passage through native vegetation and are further advised that wildlife may be encountered.

(e) A general permit is in effect pursuant to this Part for paths which are designed and maintained for access by residents adjacent to the C-18 canal right of way subject to the following requirements:

1. Paths shall meet District design standards, generally following an irregular alignment in order to minimize interruption to wildlife areas, to minimize opening direct viewing corridors from the C-18 canal, and to discourage passage of the general public from the right of way onto private property;

2. Paths shall be a maximum of six feet in width;

3. Path design shall include a landscape plan, a maintenance plan and details necessary to illustrate proposed construction. Sod and regular intervals of mowing will not be considered an acceptable path;

4. Paths located within the C-18 right of way shall be open to the public; the District will consider alternative designs for paths which would allow access to the handicapped; and

5. The District recognizes that adjacent property owners may erect signs or other barriers on their own property in order to limit public access to private property from the C-18 right of way.

(6) Limestone Creek Shallow Zone

(a) Description: This zone consists of the portions of Limestone Creek that are specified and designed to be one to two feet deep. This zone includes the portions of Limestone Creek depicted in Figure 1 and further described as follows:

1. Adjacent to River Oaks: Lots 17-21.

2. Adjacent to Jupiter Landings: 10' east of the westerly line of the boat storage area extending 56' east of the Central Blvd. bridge.

3. Adjacent to Riverwalk: 75' east of the Central Blvd. bridge extending to 500' east of the Central Blvd. bridge.

4. Adjacent to the remaining single family uses along the South of the Canal: 3000' east of the Central Blvd. bridge to 1100' west of the Loxahatchee River Road bridge.

(b) Consistent uses include the following:

1. Fishing;

2. Boating by low speed, low noise watercraft;

3. Environmental appreciation; and

4. Permitted maintenance activities.

(c) Inconsistent uses include the following:

1. Recreational or other activities that damage or remove plant or bank material.

(7) Limestone Creek Zone

(a) Description: This zone consists of the portions of Limestone Creek that are designed to be greater than two feet in depth and are not a part of the Limestone Creek Shallow Zone.

(b) Consistent uses include the following:

1. Fishing;

2. Environmental appreciation;

3. Sightseeing by water; and

4. Limited subdivision access, subject to zone requirements.

(c) Zone requirements for the Limestone Creek Zone include the following:

1. The adjacent residents have indicated interest in access to the water by subdivision. During the period that revegetation is proceeding, the District will allow limited subdivision access consisting of one access area per subdivision for the purpose of canoe access and pedestrian access. Conditions will be specified per subdivision and will include, but not be limited to:

a. The revegetation is proceeding without delay and with success;

b. Subdivisions shall agree to design, construct and maintain access areas according to the provisions of Section 40E-62.651(7)(c)2., F.A.C.

2. Limited subdivision access areas shall meet the following requirements:

a. Design of all facilities which connect with the C-18 canal right of way or Limestone Creek shall be approved by the District through the permit process established by this Part;

b. The C-18 canal right of way shall remain open to the public;

c. Water access facilities placed upon the C-18 right of way shall be open to the general public and shall contain a permanent sign so stating; the sign shall be visible and legible from the center of the adjacent water area;

d. Access areas shall be available to the District for inspection, maintenance and other activities associated with District functions;

e. Access areas shall be kept in good repair, free of litter and provide minimum interruption to the view from the C-18 canal right of way; access areas will be landscaped to maximize the use of plant materials to blend the access area into the river character; uses related to the access point, such as parking, picnic, fish cleaning and similar uses will be screened from view; the design of access areas shall include a swale or other suitable system extending the entire length of the lot, including the access ramp, intended to divert overland water flows from paved areas into vegetated areas; such systems and vegetated areas are to provide detention of runoff to encourage percolation of water through earth and vegetation; and

f. Electrical and water facilities may be included on subdivision access facilities; facilities shall be designed to meet applicable county and city safety and building requirements; lighting fixtures shall be shielded downward and/or designed so as to minimize light pollution and glare to the surrounding areas; water facilities shall be designed and maintained to function with no erosion or discharge of waste into the C-18 canal or Limestone Creek; said facilities shall not be for the purpose of providing service to live aboard boats or boat repair facilities.

(8) Fire Control Zone

(a) Description: This zone is intended to provide a buffer safety area to help prevent the spread of wildfire from the C-18 canal right of way onto private property. This zone shall consist of a fifteen foot wide area containing low native ground covers or grasses and mature native trees.

(b) Shrubs and trees that invade this zone may be removed to maintain the low character and protection; provided however, that mature trees must not be removed without a permit from the District.

(9) Intertidal Wet Area Overlay Zone

(a) Description: This zone includes lands that are inundated during periods of high tide, during parts or all of the year, and generally exposed during periods of low tide.

(b) Consistent uses include the following:

1. Maintenance and monitoring activities; and
2. Permitted utility uses, provided disturbed vegetation is replaced.

(c) Zone requirements for the Intertidal Wet Area Overlay Zone include the following:

1. Plants in this zone, especially mangroves, are not to be removed or pruned unless there is a current permit approved by Palm Beach County; a District permit issued pursuant to this Part, and any other permits required by law; pruning must be performed in strict accordance with the terms of all applicable permits.

(10) Canal Flood Overlay Zone

(a) Description: This zone consists of an overlay of the Canal Flood Zone including both sides of the canal from elevation - 1.5, as measured from the edge of the water at low tide, to the top of the canal bank, as measured from the edge of the canal.

(b) Consistent uses include the following:

1. Fishing;
2. Environmental study and appreciation;
3. Temporary, not to exceed approximately four hours, stopping and anchoring of watercraft for permitted public recreational purposes;
4. Permitted maintenance activities; and
5. Swimming.

(c) Inconsistent uses include the following:

1. Recreational or other activities which damage or remove plant material or soil;
2. Camping; and
3. Mooring watercraft to mangroves.

(11) View Corridor Overlay Zone

(a) Description: This zone is intended to provide for a view of the canal from adjacent residential buildings. The District's intent is to allow vegetation on these areas with ground cover plant materials that remain low enough to allow view over the top, and trees that, when mature, allow view under the canopy.

(b) Consistent uses include the following:

1. Uses allowed in the underlying zones; and
2. Scenic viewing of the canal from residences.

(c) Inconsistent uses include the following:

1. Uses that substantially obstruct the intended view, unless the obstruction is caused by immature vegetation; and

2. Uses that are not consistent with underlying zones.

(d) Zone regulations for the View Corridor Overlay Zone:

1. Maintenance will be limited to minimal care of plant materials;

2. Ground covers will be left at their natural height with no mowing or clearing;

3. Pathways shall conform to regulations in the General Wildlife Zone;

4. Tree pruning shall require a current District permit issued pursuant to this Part, prior written notification, and District approval each time a permittee proposes to prune. Said notification shall include photographs of the trees(s) to be pruned;

5. Permit applications shall include photographs of the tree to be pruned, prior to work being accomplished, pursuant to subparagraph (4), above.

Rulemaking Authority 373.044, 373.113 F.S. Law Implemented 373.085, 373.086 F.S. History – Formerly 40E-62.651, New 8-12-13.

OPERATIONAL ZONES

In order to effectively and efficiently evaluate proposed installations of above-ground facilities and uses, the District has segmented the canal and rights of way into five (5) operational zones:*

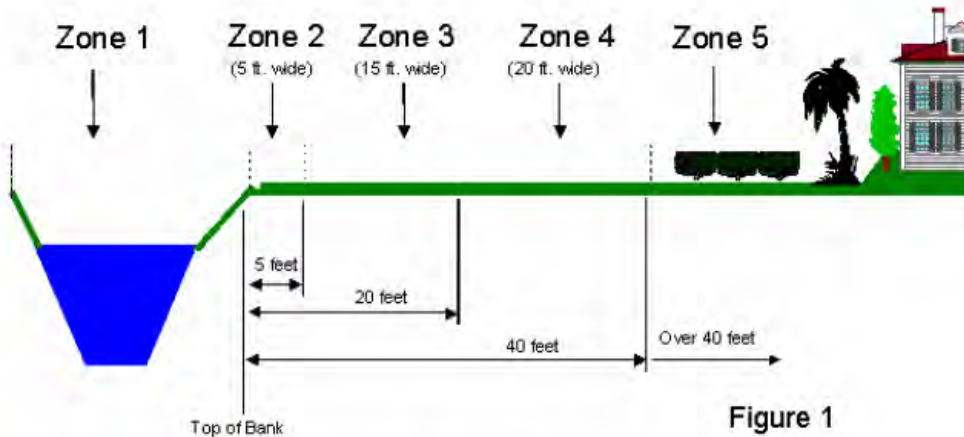


Figure 1

- ZONE 1 is the canal channel from the top of bank to the opposite top of bank.
- ZONE 2 is the point on the right of way from a point five (5) feet landward.
- ZONE 3 is the point on the right of way from a point five (5) feet landward from top of bank to a point twenty (20) feet landward.
- ZONE 4 is the point on the right of way from a point twenty (20) feet landward from top of bank to a point forty (40) feet landward.
- ZONE 5 is any right of way located further than forty (40) feet landward.

* The District's rights of way vary in width, and may be either less than forty feet or more than forty feet in width. Accordingly, in those cases when the right of way is less than forty feet, only those zones depicted above would be applicable to the actual width of the right of way.

STAGING AREAS

In order to provide adequate areas to set up and operate equipment, particularly for the purpose of removing and temporarily stockpiling storm debris that accumulate on pilings, the District will set aside and preserve staging areas at bridge and pile-supported utility crossings. These staging areas will be 100' in length, for the entire width of the District's right of way, and will be located on the upstream and downstream sides of all bridge and utility crossings. No docks or above-ground structures will be allowed within these staging areas. However, this exclusion does not apply to requests for safety features associated with public works projects or installations necessary to support District works, including but not limited to utilities, that do not interfere with the District's operations and maintenance activities.

Zone 5 is the area on the right of way located further than 40' landward of top of bank.

PERMIT INDEX CHART - Continued

Abbreviations: **E = exempt** **NGP = notice general permit**
 RD = recommend denial **SP = standard permit** **NA = non-applicable**

FACILITY	ZONE 1 (Channel)	ZONE 2 (5' wide)	ZONE 3 (20' wide)	ZONE 4 (40' wide)	ZONE 5 (Beyond 40')
Landscaping/Trees	RD	RD	RD	RD	NGP
Linear Park/Greenway	NA	SP	SP	SP	SP
Park Amenities (benches/trash receptacles, etc.)	NA	RD	RD	RD	SP
Low-Lying Groundcover	NA	E	E	E	E
Marina & Associated Facilities	SP	SP	NA	NA	NA
Mitigation and Environmental Enhancement	SP	SP	SP	SP	SP
Monitoring Wells	NA	NGP	NGP	NGP	NGP
Non-Profit, Organized Recreational Events	E	E	E	E	E
Nursery Operations	RD	RD	RD	RD	RD
Open Channel Connection	RD	RD	RD	RD	RD
Parking:					
Permanent	NA	RD	RD	RD	RD
Patio Stones, Walkway and other similar At-Grade Installations	NA	NGP	NGP	NGP	NGP
Petroleum, Petroleum Products & Pipeline Crossings	SP	SP	SP	SP	SP
Public Roadway/Highway, Guardrailing, Sidewalks, Handicap Ramps, etc.	NA	RD	RD	RD	RD
Ramps:					
Public Boat Launching	SP	SP	NA	NA	NA
Private/Residential Boat Launching	SP	SP	NA	NA	NA
Retention/Detention/Impoundments	RD	RD	RD	RD	RD
Satellite Dishes/Communication Towers	NA	RD	RD	RD	RD
Signs:					
Airspace Encroachment	RD	RD	RD	RD	NGP
Commercial	RD	RD	RD	RD	RD
Informational/Regulatory	NGP	NGP	RD	RD	NGP
Stabilization/Erosion Control	NGP	NGP	NA	NA	NA
Staging Area Encroachment	RD	RD	RD	RD	RD
Storage:					
Temporary Sheds	NA	RD	RD	RD	NGP
Permanent Sheds	NA	RD	RD	RD	RD
Temporary Construction Office/Trailer	NA	RD	RD	NGP	NGP
Temporary Construction Material	NA	RD	RD	NGP	NGP
Temporary Construction Equipment	NA	RD	RD	NGP	NGP
Hazardous Material	NA	RD	RD	RD	RD
Swimming Pools:					
In-ground	NA	RD	RD	RD	RD
Above-ground	NA	RD	RD	RD	NGP
Transmission Lines:					
Crossings	NGP	NGP	NGP	NGP	NGP
Parallel runs	NA	RD	RD	RD	RD

Zone 1 is the canal channel from the top of bank to the opposite top of bank.

Zone 2 is the area on the right of way between top of bank and a point 5' landward of top of bank.

Zone 3 is the area on the right of way from a point 5' landward of top of bank to a point 20' landward of top of bank.

Zone 4 is the area on the right of way from a point 20' landward of top of bank to a point 40' landward of top of bank.

Zone 5 is the area on the right of way located further than 40' landward of top of bank.



South Florida Water Management District

NOTICE TO APPLICANTS

At its June 2013 Meeting, the Governing Board of the South Florida Water Management District adopted amendments to Rule 40E-6, F.A.C., governing fees associated with the processing of certain applications for permits. This Rule requires that affected applications for permits to utilize the District's rights of way and Lands be accompanied by an application fee to defray the costs associated with the processing of an Application. This rule is contained in Chapter 40E-6.601 of the Florida Administrative Code.

PLEASE NOTE:

- ▶ Fees are non-refundable unless it is determined that the use is exempt from District Rules.
- ▶ Permit applications will not be processed without the simultaneous submittal of the correct fee. [Overpayment of a fee will not delay application processing and the amount of over-payment will be refunded].
- ▶ In cases where applications for Right of Way Occupancy Permits cover uses within more than one category, the higher fee will be charged.
- ▶ Future applications submitted to modify existing permits will require the submittal of another fee. Therefore, it is in the applicant's best interest to submit a completed application covering all anticipated uses of the right of way in the initial submittal.
- ▶ Applications for a SFWMD Water Use or Surface Water Management Permit also require a fee. Please refer to Chapter 40E-1.607, F.A.C. for fee information or contact the District's Regulation Department at (561) 686-8800 or 1-800-432-2045.
- ▶ In cases where more than one type of permit is required, a fee will be assessed for each permit application.
- ▶ Checks are preferred and should be made payable to the South Florida Water Management District. Do not send cash through the mail.
- ▶ Should you elect to deliver the application in person and intend to pay your fee in cash, please bring the exact amount.
- ▶ Questions on fees for Right of Way Occupancy Permits may be directed to the District's Right of Way Section at (561) 686-8800 or 1-800-432-2045.

EXEMPT FROM PAYMENT OF APPLICATION PROCESSING FEES

The Seminole Tribe of Florida or the Miccosukee Tribe of Indians of Florida for facilities and uses located exclusively within the boundaries of their respective reservations or included in leases with the District.

Governmental applicants requesting a Waiver or reduction of the Application Processing Fee pursuant to Section 218.075, Florida Statutes in accordance with the submittal of Certification of Waiver of Permit Application Processing Fee (District Form Number 889).

Utilities or other necessary service providers, where the permitted facility or use of the Works or Lands of the District is required to supply utility or other necessary service to an existing or proposed District facility.

NOTICE GENERAL PERMIT FEE SCHEDULE

Notice General Permit Application or Modification (40E-6)

Category "NGP-1" – NO FEE

This Category covers the following types of uses of the right of way which are proposed by individual lot owners in conjunction with adjacent domestic, single family residential land use:

1. Bulkheads/Seawalls
2. Fences
3. Gazebos/Chickee Huts
4. Landscaping
5. Non-Public Docks, Mooring Facilities and Associated Appurtenances
6. Sheds (Temporary Only)
7. Utility Services to Docks
8. Vegetation Clearing/Removal
9. Walkways, Patio Stones and Similar At-Grade Installations

Existing, unpermitted facilities which would otherwise be eligible for a NGP-1 shall pay the Category SP-1 fee.

Notice General Permit Application or Modification (40E-6)

Category "NGP-2" - \$150.00

This Category covers the following types of uses of the right of way which are proposed by homeowner associations and condominium associations which are adjacent to more than one individual lot or dwelling unit:

1. Bulkheads/Seawalls
2. Fences
3. Gazebos/Chickee Huts
4. Landscaping
5. Non-Public Docks, Mooring Facilities and Associated Appurtenances
6. Sheds (Temporary Only)
7. Utility Services to Docks
8. Vegetation Clearing/ Removal
9. Walkways, Patio Stones and Similar At-Grade Installations

Existing, unpermitted facilities which would otherwise be eligible for a NGP-2 shall pay the Category SP-2 fee.

Notice General Permit Application or Modification (40E-6)

Category “NGP-3” - \$300.00

This Category covers the following types of proposed facilities and uses of the right of way which are proposed by developers, builders, corporate entities, utilities, county, state or local entities, as well as other uses not covered in Categories NGP-1, NGP-2 and NGP-4:

1. Access - Temporary Use of the Right of Way
2. Bulkheads/Seawalls
3. Docks, Mooring Facilities and Associated Appurtenances
4. Fences
5. Filming/Motion Picture Production/Photo Shoot
6. Gazebos/Chickee Huts
7. Landscaping
8. Monitoring Wells
9. Pipe and Culvert Connections for Irrigation and/or Drainage
10. Sheds (Temporary Only)
11. Signs (Informational/Regulatory)
12. Storage – Temporary Office/Trailer, Construction Material and/or Equipment
13. Utility/Communication Installations (Aerial, Subaqueous, Pile-Supported, Parallel Runs, Underground Feeds, Poles, Anchors, Down Guys, Attachment to Bridges).
14. Utility Services to Docks
15. Vegetation Clearing/Removal
16. Walkways, Patio Stones and Similar At-Grade Installations
17. All other uses not covered in Categories NGP-1, NGP-2 and NGP-4

Existing, unpermitted facilities which would otherwise be eligible for a NGP-3 shall pay the Category SP-3 fee.

Notice General Permit Application or Modification (40E-6)

Category “NGP-4” - \$900.00

This Category covers the following types of uses of the right of way, which are proposed:

1. Bridges – vehicular (Private and Public), Golf Cart, Pedestrian (Pile-Supported and Free-Span Only). Excludes Culvert Bridges

Existing, unpermitted facilities which would otherwise be eligible for a NGP-4 shall pay the Category SP-4 fee.

STANDARD PERMIT FEE SCHEDULE

NOTE: ISSUANCE OF A RIGHT OF WAY OCCUPANCY PERMIT IS CONTINGENT UPON SITE SPECIFIC CONDITIONS AND THEIR IMPACT ON THE DISTRICT'S ABILITY TO OPERATE AND MAINTAIN THE CANAL SYSTEM. LACK OF SUFFICIENT WIDTH OF RIGHT OF WAY TO PROVIDE FOR ALL FIVE (5) ZONES AS INDICATED IN THE DISTRICT'S CRITERIA IS TAKEN INTO CONSIDERATION DURING THE APPLICATION REVIEW PROCESS.

Standard Permit Application or Modification (40E-6)

Category "SP-1" – \$75.00

This Category covers the following types of uses of the right of way by individual lot owners in conjunction with adjacent domestic, single family residential land use which do not meet Notice General Permit Criteria:

1. Bulkheads/ Seawalls
2. Docks, Boat Ramps/Launching Ramps, Mooring Facilities and Associated Appurtenances
3. Fences
4. Gazebos/Chickee Huts
5. Landscaping
6. Sheds (Temporary Only)
7. Stabilization - Bank/Berm
8. Utility Services to Docks
9. Vegetation Clearing/Removal
10. Walkways, Patio Stones and Similar At-Grade Installations

Standard Permit Application or Modification (40E-6)

Category "SP-2" - \$300.00

This Category covers the following types of uses of the right of way by homeowner associations and condominium associations that are adjacent to more than one individual lot or dwelling unit and do not meet Notice General Permit Criteria:

1. Bulkheads/ Seawalls
2. Docks, Boat Ramps/Launching Ramps, Mooring Facilities and Associated Appurtenances
3. Fences
4. Gazebos/Chickee Huts
5. Landscaping
6. Sheds (Temporary Only)
7. Stabilization - Bank/Berm
8. Utility Services to Docks
9. Vegetation Clearing/Removal
10. Walkways, Patio Stones and Similar At-Grade Installations

Standard Permit Application or Modification (40E-6)

Category “SP-3” - \$625.00

This Category covers the following types of uses of the right of way by developers, builders, corporate entities, utilities, county, state or local entities, as well as other uses not covered in Categories SP-1, SP-2 and SP-4 and do not meet Notice General Permit Criteria:

1. Access - Temporary Use of the Right of Way
2. Bulkheads/ Seawalls
3. Culvert Connections
4. Docks, Boat Ramps/Launching Ramps, Mooring Facilities and Associated Appurtenances
5. Dredging
6. Fences
7. Filming/Motion Picture Production/Photo Shoot
8. Gazebos/Chickee Huts
9. Landscaping
10. Mitigation and Environmental Enhancement
11. Monitoring Wells
12. Petroleum, Petroleum Product and Pipeline Crossings
13. Project Culverts - Use of or Connection to
14. Sheds (Temporary Only)
15. Signs (Informational/Regulatory)
16. Stabilization - Bank/Berm
17. Storage – Temporary Office/Trailer, Construction Material and/or Equipment
18. Utility/Communication Installations (Aerial, Subaqueous, Pile-Supported, Parallel Runs, Underground Feeds, Poles, Anchors, Down Guys, Attachment to Bridges)
19. Utility Services to Docks
20. Vegetation Clearing/Removal
21. Walkways, Patio Stones and Similar At-Grade Installations
22. All other uses not covered in Categories SP-1, SP-2 and SP-4

Standard Permit Application or Modification (40E-6)

Category “SP-4” - \$1750.00

This Category covers the following types of uses of the right of way which do not meet Notice General Permit Criteria:

1. Bridges – vehicular (Private and Public), Golf Cart, Pedestrian (Pile-Supported, Free- Span or Culvert).
2. Linear Parks, Greenways and Similar Public Parks and Recreation Projects.
3. Marinas and Associated Facilities.

Emergency Authorization Application (40E-6) - \$275.00

This category is for those uses of the right of way which are listed in Categories “SP-1”, “SP-2”, “SP-3” or “SP-4”, but where the applicant is requesting issuance of an Emergency Authorization prior to Governing Board consideration for issuance of a routine Right of Way Occupancy Permit. This fee is in addition to the required processing fee, as described in Categories “SP-1”, “SP-2”, “SP-3” or “SP-4” of this schedule.

EXEMPTIONS

Utilization of the District's rights of way for certain uses and facilities, in conformance with the District's criteria, are considered "exempt" from the issuance of a Notice General Permit or Standard Right of Way Occupancy Permit from this District. However, sole responsibility for ensuring that the use of or installation placed on the District's rights of way meet District criteria is borne by the user. Should you desire, please contact the District's Right of Way Section who will provide you a Letter of Exemption.

UNDERSTANDING EXEMPTIONS UNDER THE DISTRICT'S RIGHT OF WAY PERMITTING RULES (40E-6, F.A.C.)

Owners of facilities and users of the District's rights of way seeking to qualify exemption under District Rule acknowledge that:

- A. The owner of the proposed encroachment or use of the right of way/user must be the owner or lessee of the property (except those covered in Item E), lying adjacent to the District's Works, where improvement/use is proposed.
- B. An exemption, pursuant to District Rules, does not relieve the owner/user from compliance with other District permitting requirements and any applicable permit/zoning requirements of federal, state and local governmental entities.
- C. In those areas where the right of way is not solely owned by the District, be advised that the owner of the land (underlying fee owner) has the right to prohibit or limit use of that land for recreational activities.
- D. The District is not responsible for repair of any improvements which may incur damage resulting from the District's utilization of its rights of way/or use by third parties. Improvements placed within the right of way are at the sole risk of the owner.
- E. Uses/facilities placed within the District's rights of way not meeting the District's criteria are subject to **removal, modification or alteration** at the District's discretion at the sole expense of the owner/user without notice and with no guarantee of salvageability.

EXEMPT FACILITIES AND USES

A. DRAIN LINES (Pool, Roof, Air-Condition):

The installation and maintenance of pool or roof drain lines, AC heat exchanger, withdrawal and water return lines are exempt from permitting under this chapter when:

1. The drain line does not adversely impact any bank stabilization, erosion control, levee or District facility. (Please contact the Right of Way Permitting staff to confirm that your facilities meet this exemption requirement.)
2. That portion of the line crossing the right of way is buried to provide a minimum of 18 inches of cover as measured from the existing ground elevation.
3. That portion of the line located within the sideslope of the canal bank is buried in the sideslope a minimum of 12 inches and stabilized with grass/sod.
4. The line projecting into the channel is a minimum of 36 inches below the normal water surface of the canal.
5. The line does not extend more than 24 inches into the channel.
6. The drain line is not for discharge of chemically contaminated or bio-hazardous substances. (The discharge of chlorinated swimming pool water is acceptable).
7. The proposed use does not adversely affect previously-authorized use(s) of the right of way.
8. The proposed use is not located within an environmentally sensitive area.*
9. The proposed use will not encroach within a Water Control Structure site or compound.

B. GRASS/SOD:

The planting and maintenance of grass/sod is exempt from permitting under this chapter when:

1. The grass/sod does not involve the re-shaping or alteration of levees, banks, berms or other ground surfaces lying within the District's Lands.
2. Grass species are limited to bahia or other drought-tolerant species only.
3. The proposed use does not adversely affect previously-authorized use(s) of the right of way.
4. The proposal is not located within an environmentally sensitive area.*
5. The proposed use will not encroach within a Water Control Structure site or compound.

C. LOW-LYING GROUNDCOVER: (Refer to page 52)

The planting/maintenance of low-lying groundcovers is exempt from permitting under this chapter when:

1. The proposal does not involve the re-shaping or alteration of banks, berms or other ground surfaces lying within the District's Lands.
2. The proposed landscape plan of low-lying groundcover is comprised of native species that is 2' or lower in height or maintained to a maximum height of 2'.
3. The proposed use does not adversely affect previously-authorized use(s) of the right of way.
4. The proposal is not located within an environmentally sensitive area.
5. The proposed use will not encroach within a Water Control Structure site or compound.

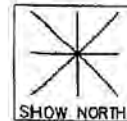
EXEMPT FACILITIES AND USES (Cont'd.)

D. IRRIGATION LINES, SPRINKLERS, FIRE FIGHTING DRAFT LINES: (Residential and Non-Residential)

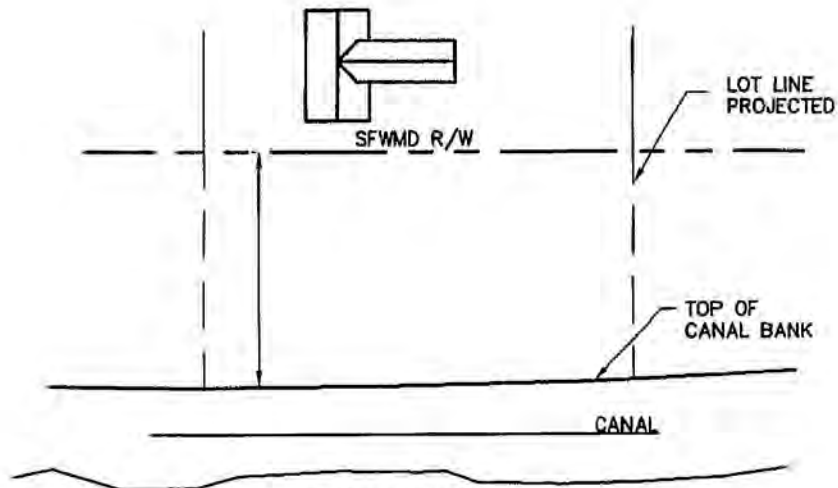
The installation and maintenance of irrigation lines and associated sprinkler systems are exempt from permitting under this chapter when:

1. The irrigation system does not adversely impact any bank stabilization, erosion control, levee or District facility. (Please contact the Right of Way Permitting staff to confirm that your facilities meet this exemption requirement.)
2. That portion of the line crossing the right of way is buried to allow a minimum of 18 inches as measured from the existing ground elevation.
3. That portion of the line located within the sideslope of the canal bank is buried in the sideslope a minimum of 12 inches and stabilized with grass/sod.
4. The line projecting into the channel is a minimum of 36 inches below the normal water surface of the canal.
5. The line does not extend more than 24 inches into the channel.
6. No portion of a pump or a pumphouse is located within the District's rights of way.
7. If used, sprinkler heads must be set flush with ground or be of the pop-up variety.
8. Concrete doughnuts, edging or similar materials are not placed around the sprinklers.
9. Sprinklers are not placed at or near the top of the canal bank (to prevent wash-outs or erosion of the bank and sideslope of the canal).
10. A rain sensor, soil moisture sensor, soil moisture controller, tensionometer or similar switch device is installed, which will override the irrigation cycle of the sprinkler system when an adequate rainfall has occurred.
11. The system is operated in compliance with water use restrictions during water emergencies or declared water shortages. The line does not leak or otherwise waste water.
12. The irrigation system is properly designed, operated and maintained to prevent leaks or ponding that could lead to erosion.
13. Proposed use does not adversely affect previously-authorized use(s) of the right of way.
14. Proposed use is not located within an environmentally sensitive area.
15. If not exempt from the District's Water Use Permit Permitting Rules, a Water Use Permit has been obtained. (Certain types of water withdrawals require permits under the provisions of Rule 40E-20, F.A.C. For this reason, it is recommended that you contact the Water Use Division of the District's Regulation Department).
16. The proposed use will not encroach within a Water Control Structure site or compound.

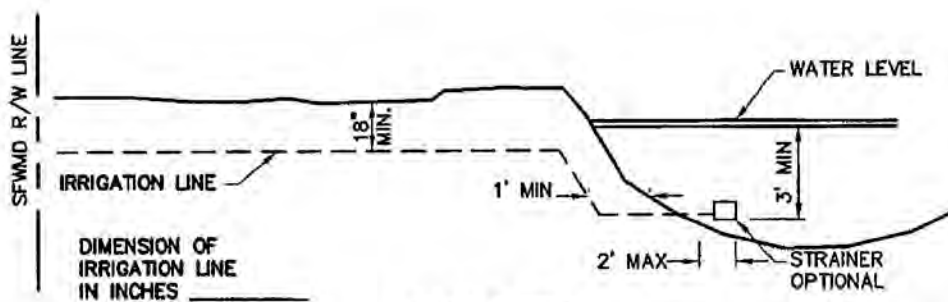
**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
IRRIGATION INSTALLATION
SAMPLE INSTALLATION**



NAME _____
 ADDRESS _____
 SUBDIVISION _____ BLOCK _____ LOT _____
 COUNTY _____ SEC. _____ TWP. _____ RGE. _____



LOCATION PLAN
N.T.S.



PROFILE VIEW
N.T.S.

(INSTRUCTIONS FOR COMPLETING DRAWING AND NOTES ON BACK)

DRAWING TO ACCOMPANY APPLICATION FOR IRRIGATION LINE	
APPLICANTS NAME: _____	
DATE: _____	SIGNED: _____

E. NON-PROFIT, ORGANIZED RECREATIONAL EVENTS:

Boat races, regattas, sponsored walks or runs and other similar recreational activities are exempt from permitting under this chapter when:

1. The proposed use is a non-profit activity, or is a benefit for a charity.
2. The proposed use does not include the placement of permanent or semi-permanent above-ground structures within the District's right of way.
3. The proposed use does not interfere with District operations and maintenance activities.
4. The proposed activity does not impede or interfere with canal flows.
5. The proposed activity does not block the public's access to the District's rights of way.
6. The proposed use does not adversely affect previously-authorized use(s) of the right of way.
7. The proposed use is not located within an environmentally sensitive area.
8. The proposed use does not involve access to a Water Control Structure site or compound.

ACCEPTABLE NATIVE SPECIES OF GROUNDCOVER FOR EXEMPTION



Introduction:

The following list of native groundcovers is considered acceptable for use on District rights of way. Properly sited, these native groundcovers provide soil stabilization, environmental, and aesthetic benefits, without interfering with the District's operation and maintenance activities. Rather than planting just one species of groundcover, a mixture of species is suggested because it is difficult to predict how well a groundcover may grow in a particular area. In addition to improving the chance of success, mixed plantings also provide diversity for greater environmental benefits. It should be noted that wildflowers may bloom only at certain periods of the year and re-seed themselves – another reason for diversification of your plantings. The list is divided into the following categories.

Categories:

- Wildflowers
- Grasses
- Ferns
- Vines
- Herbaceous
- Woody

DEFINITIONS AND KEY TO ABBREVIATIONS

EXAMPLE:

COMMON NAME Scientific Name	PLANTING ZONE	AVERAGE HEIGHT	SALT TOLERANCE	LIGHT REQUIREMENT	SOIL REQUIREMENT	GROWTH RATE	FEATURES AND USES	CLIMATE ZONE
GROUNDCOVERS								
Beach Sunflower <i>Helianthus debilis</i>	U	6 – 12"	H	H, M	S, WD	F	FL, A	S, SC

Planting Zone Relative elevation where optimum growth is expected. Closely related to moisture preference.

U = Upland Elevated and generally drier soils; soil not water saturated. Typical of most residential lots. Upper canal bank slope and canal overbank.

T = Transitional Lower elevations where soil tends to be wetter; sometimes saturated. Lower portions of canal bank slope.

W = Wetland Littoral shelf or intertidal areas where soil is periodically inundated. Saturated soil conditions. Lowest portion of canal slope and waterward.

Average Height Height of average specimen expressed in inches or feet.

Salt Tolerance Ability of plant to withstand exposure to salt.

H = High High or exceptional tolerance to salt. Seaside/shoreline conditions.

M = Moderate Moderate tolerance to salt exposure. Some seaward protection required.

L = Low Low tolerance to salt exposure.

Light Requirement Light conditions conducive to optimum growth.

H = High Full sun.

M = Moderate Partial Sun. Shaded during part of the day.

L = Low Low light levels. Shade to deep shade during most of the day.

Soil Requirement General soil characteristics conducive to optimum growth.

A = Acidic **W = Wide range of soil types** **WD = Well-drained**

S = Sandy **M = Moist** **MF = Moderately Fertile**

FD = Flooded/Saturated

Growth Rate Relative growth rate under average or generally favorable conditions of soil, light, moisture, etc.

F = Fast **M = Moderate** **S = Slow**

DEFINITIONS AND KEY TO ABBREVIATIONS (continued)

Features & Uses Features of notable interest of uses in landscaping.

FL = Flowers **A** = Accent **FO** = Foliage **SP** = Specimen

BK = Bark **SH** = Shade Tree **FR** = Fruits **SCR** = Screen

WV = Wildlife Value **HG** = Hedge

Climate Zone Region of state where climate will support long-term survival and growth of plant; often corresponds to a natural range of plant. Closely related to resistance to cold temperatures.

All = All portions of the District - from Orlando area south through the Florida Keys.

S = Southern portions of the state – from Lake Okeechobee area southward.

SC = Southern coastal areas – same approximate latitude as Lake Okeechobee southward.

C = Coastal areas.

NATIVE GROWDCOVERS

COMMON NAME Scientific Name	PLANTING ZONE	AVERAGE HEIGHT	SALT TOLERANCE	LIGHT REQUIREMENT	SOIL REQUIREMENT	GROWTH RATE	FEATURES AND USES	CLIMATE ZONE
WILDFLOWERS								
Asters Aster spp.	U, T	Varies	L, M	H, M	W	M, F	FL, WV	ALL
Beach Verbena Verbena maritima	U	6 – 12"	H	H, M	S, WD	F	FL	S, SC
Beach Sunflower Helianthus debilis	U	6 – 12"	H	H, M	S, WD	F	FL, A	S, SC
Black-Eyed Susan Rudbeckia hirta	U	2'	L	H, M	W	F	FL	ALL
Blanket Flower Gaillardia pulchella	U	6 – 12"	M, H	H	S	F	FL	ALL
Blue-Eyed Grass Sisyrinchium atlanticum	U, T	1'	L	H, M	M, MF	M	FL	ALL
Blue Mistflower Conoclinium coelestinum	U, T	1 -2'	L	H, M	M, MF	F	FL, WV	ALL
Blue Porterweed Stachytarpheta jamaicensis	U	6 – 12"	M	H, M	W	M	FL, WV	S, SC
Blue Spiderwort Tradescantia ohiensis	U	1 -2'	L	H, M	MF, S	M, F	FO, FL	ALL
Horsemint Monarda punctata	U	2 -2'	M	H, M	WD	F	FL, WV	ALL
Partridge Pea Chamaecrista fasciculata	U	2'	M, H	H, M	S, WD	F	FL	ALL
Pencil Flower Stylosanthes hamata	U	1 – 6'	H	H, M	WD, W	F	FL, FL	ALL
Pineland Heliotrope Heliotropium polyphyllum	U	1 -2'	M	H, M	W	M	FL	S, SC
Sage (Blue, Tropical, Lyre-Leaf) Salvia spp.	U	1 -3'	M, H	H, M	WD	M, F	FL, WV	ALL
Scorpion Tail Heliotropium angiospermum	U	2 – 3'	M	H, M	W	M, F	FL, WV	ALL
Tickseed Coreopsis leavenworthii	U, T	1 -2'	L	H, M	M, MF	M, F	FL	ALL
GRASSES								
Bluestem Schizachyrium spp.	U	1 -2'	M	H, M	S, W	M	FO	ALL
Broom Sedge Andropogon spp.	T, U	2 -4'	L, M	H, M	W, M	M, F	A, FO	ALL
Cordgrass (Smooth) Spartina alterniflora	W, S	2 -4'	H	H	FD	F	FO, WV	ALL
Cordgrass (Sand) Spartina bakeri	T, U	2 -3'	L, M	H	S	M	A, FO, WV	ALL
Eastern Gamagrass Tripsacum dactyloides	T, U	2 -4'	L, M	H, M	M, MF	M	FO, WV, A	ALL
Florida Gamagrass Tripsacum floridanum	U	1 – 2'	L, M	H, M	W	M	FO, WV, A	S, SC
Murphy Grass Muhlenbergia capillaris	U, T	2'	M	H	S	M	A, FO, FL	ALL
Purple Lovegrass Eragrostis spectabilis	U	1 -2'	M	H, M	S	M	FL	ALL
Saltmeadow Cordgrass Spartina patens	T	2'	H	H, M	S, M	M	FO, WV	ALL

COMMON NAME Scientific Name	PLANTING ZONE	AVERAGE HEIGHT	SALT TOLERANCE	LIGHT REQUIREMENT	SOIL REQUIREMENT	GROWTH RATE	FEATURES AND USES	CLIMATE ZONE
Seashore Dropseed <i>Sporobolus virginicus</i>	T	1'	H	H, M	S, M	M	FO	ALL
Seashore Paspalum <i>Paspalum vaginatum</i>	T	6 – 12"	H	H, M	S, M	M	FO	ALL
Wiregrass <i>Aristida beyrichiana</i>	U	1'	L	H, M	W	M	FO	ALL
FERNS								
Fern, Leather <i>Achrostichum</i> spp.	W, T	2 -5'	M, H	W	M, MF, FD	F	A	S, SC
Fern, Shield <i>Thelypteris</i> spp.	T, U	1 -2'	L	M, L	M, MF	S, M	A, FO	ALL
Fern, Swamp <i>Blechnum serrulatum</i>	T, U	1 -3'	L	M, L	M, MF	M, F	A, FO	ALL
VINES								
Coral Huneysuckle <i>Lonicera sempervirens</i>	U	Vine	M	H, M	MF	M	FL, WV	ALL
Corky-Stemmed Passionflower <i>Passiflora suberosa</i>	U	Vine	M, H	W	W	M, F	WV	S, SC
Mimosa Vine <i>Mimosa strigillosa</i>	U, T	1 -6'	M	H, M	W	M, F	FL	ALL
Railroad Vine <i>Ipomea pes-capre</i>	U	1'	H	H	S, WD	F	FL, FO	SC, S
HERBACEOUS								
Matchwood <i>Phyla nodiflora</i>	U, T	1 -6'	M, H	H, M	W	M, S	FO	ALL
Peperomia <i>Peperomia</i> spp.	U	6"	M	M, L	WD, MF	S, M	FL	ALL
Alligator Lily <i>Hymenocallis palmeri</i>	W, T	2'	M	W	FD, M, MF	M	A, FO	ALL
Spider Lily <i>Hymenocallis latifolia</i>	U	2'	M, H	H, M	WD, S	M, F	A, FO	ALL
String, Swamp Lily <i>Crinum americanum</i>	W, T	2'	M	W	M, F, FD	M	FO, FL	ALL
Wild Petunia <i>Ruellia caroliniensis</i>	U	6 "	M	W	W	M	FL	ALL
WOODY								
Golden Creeper <i>Ernodea littoralis</i>	U	1'	H	H	S, WD	M	FO	SC, S
Gopher Apple <i>Licania michauxii</i>	U	6 – 12"	M, H	H, M	S, WD	M	FR, WV	ALL
Snowberry, Pineland <i>Chiococca pinetorum</i>	U	2'	M	H, M	MF, S, WD	M	FR	SC, S
St. John's Wort <i>Hypericum</i> spp.	T, U	2'	L	H, M	M, S, A	M	FL	ALL
Quail Berry <i>Crossopetalum ilicifolium</i>	U	1 – 6'	M	H, M	MF	S	FO, WV	S, SC
Sea Oxeye Daisy <i>Borrchia frutescens</i>	T, U	2'	H	H, M	W	M, F	FL, FO	C
Yaupon Holly, Dwarf <i>Ilex vomitoria</i> cv. "Schellings"	U	1 – 2'	M, H	H, M	W	S, M	FO, A	ALL

DISTRICT REQUIREMENTS FOR DRAWINGS ACCOMPANYING APPLICATIONS

APPLICATION DRAWINGS:

Drawings to Accompany Applications for Permits:

Four (4) sets of drawings no larger than 8 ½" x 11" are required to be submitted with the permit application package and will ultimately be included in the District's permit files. The use of colors is discouraged, unless the applicant is willing to submit multiple copies. Reduced large drawings rarely result in legible 8½" x 11" drawings. Such illegible drawings are unacceptable and will be returned.

Application drawings must:

1. Utilize English units of measurement or a combination of English/Metric.
2. Be drawn to scale or fully-dimensioned.
3. Provide both plan and profile (section) views.
4. Include a north arrow showing the orientation of the plan view of the drawing.
5. Must be accompanied by a recent property or boundary survey depicting the lot or boundary lines of the adjacent owner/applicant; the lot, block and subdivision (if applicable) must appear on the survey or the survey must be accompanied by a metes and bounds description.
6. Depict the location of the top of canal bank, edge of water and District canal right of way lines.
7. Identify all existing encroachments and uses.
8. Identify all proposed facilities and uses.
9. Be certified by a Professional Engineer, registered in the State of Florida, when a vehicular bridge is proposed.
10. If applicable, vertical datum (NGVD – National Geodetic Vertical Datum) must be indicated on profile views.

CROSS-SECTIONS:

Cross-sections of canals and District rights of way are required for certain types of application review. Applicants are encouraged to discuss the District's cross-section requirements, (number of sections, locations, etc.), for a particular project before planning any field survey work.

Where cross-sections are required by the District, the applicant will provide cross-sections which meet the following requirements:

1. Elevations (soundings) taken and plotted at 10 foot intervals from District right of way line to right of way line, with the District's right of way lines shown on the each section.
2. Sections shall be plotted to the same horizontal and vertical scale (preferably 1" = 10') with the canal design section overlaid on the existing cross-section. (CAD drawings having similar characteristics are acceptable).
3. Show datum, utilizing NGVD.
4. Show north arrow showing orientation.
5. The number and locations of cross-sections needed to evaluate a proposal is based on a number of site specific characteristics. Please contact the District's Right of Way Permitting staff to discuss cross-section requirements and obtain canal design section information.

NOTICE:

For the purpose of this manual, environmentally sensitive areas are defined as wetlands, areas dominated by native vegetation, mitigation areas, environmental restoration or enhancement areas, gopher tortoise preserves, areas utilized by protected or listed species, and the reach of Canal 18 downstream of Water Control Structure 46.

ACCESS-TEMPORARY**(Allowable Zone 3, 4, 5)**

In order for temporary access purposes to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. Where access to the right of way is controlled by District-owned locked gates, the applicant must also obtain a Key Permit and pay any applicable fees or deposits as specified by the District.
3. Applicants are advised that the review of applications for this type of use of the District's rights of way are complex and time consuming. Due to the need to obtain necessary information and assurances. Applicants should anticipate delays in obtaining a permit for this type of use and submit the request as early as possible. Further, the applicant should also clearly understand that failure to maintain the right of way on a daily basis in accordance with the terms and conditions of the permit is grounds for immediate permit revocation. In this regard, permittees are responsible for the repair, replacement and restoration of any damage to the District's rights of way, which may result from the permitted use. Such restoration shall be to original or better condition and to the satisfaction of the District.

Criteria To Be Met:

1. The use must not be in any way adverse to the District's operation and maintenance programs, policies and goals.
2. The proposal does not involve crossing a District Water Control Structure service bridge.
3. The proposal does not adversely affect previously-authorized use(s) of the right of way.
4. Assurance that no vehicular maintenance/repair activities, substances or parts associated with the repair or maintenance of vehicles/equipment will take place, be used, stored or discarded within the right of way.
5. The proposed use will not interfere with the District's continuous, uninterrupted vehicular access along either canal bank.
6. The proposed use is not intended to provide permanent and/or temporary access to owners of private land that is otherwise "land-locked".
7. The proposed use must not be located within a staging area or other area where the District has designated as being prohibited.
8. The project associated with the request has obtained all necessary permits, licenses or other forms of approval.
9. The applicant demonstrates financial assurance to ensure compliance with permit conditions.
10. The applicant provides insurance coverage to the amounts and limits specified by the District.

ACCESS - TEMPORARY (CONT'D.)

11. Where applicable, the applicant provides necessary deposits associated with Key Permits which may be required.
12. The use is otherwise consistent with the provisions of Chapter 373, F.S., and Chapter 40E-6, F.A.C.
13. The proposed use is not located within an environmentally sensitive area.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. The precise locations of ingress and egress.
3. Narrative addressing:
 - a. The length of time use of the right of way is being requested.
 - b. An outline of other alternate routes which are available and why they cannot be used.
 - c. The type and size of vehicles to utilize the right of way and frequency (in round trips per day) that each type of vehicle would be using the right of way.
4. The measures to be taken by applicant which will preclude the vehicular use of the right of way by the general public.
5. The posting of financial assurance in the form of a bond or other surety in an amount satisfactory to the District (See Financial Assurance and Insurance, page 19).
6. A Certificate of Insurance to the limits and amounts specified by the District. (Please contact Right of Way Permitting Staff for current requirements)

"AIR SPACE" ENCROACHMENTS

Signs, roofs and other installations which overhang the District's rights of way are considered encroachments and are subject to District right of way permitting rules. As many of these installations are permanent structures (particularly roof eaves or overhangs), District staff will recommend denial of applications for encroachments of this type, due to the prohibition against placement of permanent facilities within the District's rights of way.

BRIDGES - HIGHWAY, PEDESTRIAN, BICYCLE AND GOLF CART, ETC.

(Allowable Zone 1)

In order for a bridge crossing to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. For bridges located in Big Cypress Basin - Collier County, please refer to the Big Cypress Basin – Quick Reference Table For Bridge and Utility Crossing Criteria, beginning on Page 77.
3. Please refer to the Quick Reference Table for Pile-Supported Crossings on Page 75.
4. Applicants are cautioned that pile-supported bridge crossings have the potential to adversely impact canal flow characteristics and limit District maintenance access capabilities. Therefore, the designer shall take these factors into consideration in the design stage and develop a proposal that will minimize these impacts.
5. The criteria contained in this manual for bridge and pile-supported crossings is established based on the District's ability to move floating maintenance equipment and the ability of the canal to convey water. The criteria is not established for recreational navigation.
6. The owner of the bridge is responsible for meeting any applicable safety standards for structures of this type, either existing or as required in the future.
7. In managing its canal and levee system, the District must, from time to time, change permit requirements based on regional and site specific conditions. Applicants are cautioned that the information provided is based on the best available information at the time. This is particularly true when applicants delay months and years in submitting an application for permit. Therefore, the rules, criteria and requirements in effect at the time a formal application is received for review will be applied to the permit application.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. Low member elevation.
 - d. District access openings and staging areas at the bridge quadrants.
 - e. Certified canal cross-sections (Refer to page 64).
 - f. Hydraulic Report.

Criteria To Be Met:

1. The structure must be designed and certified by a professional engineer registered in the State of Florida.

BRIDGES (CONT'D.)

2. The design must not exceed the maximum allowable headloss through the structure, 0.1', (one-tenth foot) in most places. As such, applicant must provide a Bridge Hydraulic Report (one hard copy and one CD).
3. The structure meets or exceeds the applicable minimum clear horizontal center span and minimum clear approach spans criteria as measured from the face of the piles. The minimum clear center and horizontal spans vary depending on the location of the bridge. Refer to Horizontal and Vertical Criteria, page 69.
4. The structure meets or exceeds the minimum low member elevation. Low member elevations are site specific. Refer to Horizontal and Vertical Criteria, page 69.
5. The design incorporates continuous erosion control and bank stabilization. Limits of bank stabilization shall extend a minimum of 25' up and downstream of the proposed project.
6. The piles of proposed structure must align with pile bents of adjacent structures, if applicable.
7. The installation is designed in such a way that it can be constructed without the use of dams, fills or other constrictions or impediments to canal flows.
8. The facility is designed and constructed to provide for continuous, uninterrupted access for District maintenance equipment and vehicles along both canal banks located inside the District's rights of way.
9. The plans provide required access features, such as but not limited to, drop curbs, reinforced sidewalk sections, ramps, guardrail gaps and median gaps, and equipment staging areas, as directed by the District.
10. The facility must not be located within a staging area or other area where the District has designated as being prohibited.
11. The facility is not located within an environmentally sensitive area.
12. The project does not adversely affect previously authorized use(s) of the right of way.
13. Verification that provisions have been made for all utility and other relocations.
14. At no time will the District's continuous vehicular access, along either canal berm be blocked, restricted or impeded during all phases of construction and maintenance.
15. Maintenance or recreational access will not be blocked during construction.
16. Private bridge crossings must provide a detailed cost analysis of the removal and disposal of the bridge and post financial assurance in favor of the District (Refer to Private Bridges, page 68).

Construction Elements:

1. Excavation Required in Conjunction with Bridge Construction:

Where the District determines that excavation of the canal to the design section is required, the Permittee will perform such excavation to the limits specified by the District.

Improper and incomplete excavation to the required cross-section after piles are in place is a recurring problem. Therefore, the permittee must submit and receive written approval that the certified canal cross-sections which prove that the excavation to the district's pre-determined canal design section has been accomplished prior to the driving of piles (with the exception of two (2) test piles) and if applicable, the removal of any existing piles has

BRIDGES (CONT'D.)

been completed. The District is not responsible for the permittee(s) neglecting to inform the contractor of this requirement when writing bid documents, order of work or similar construction specifications.

In cases where the applicant proposes to widen an existing bridge, especially where traffic flow is to be maintained during construction, the applicant must provide at least one proposal containing an order of work that addresses how the excavation will be performed to the required section without impacting canal flows. Deferring this requirement to the contractor is not an acceptable option.

In cases where a bridge crossing is proposed over a canal which, as determined by the District, has not been dug to its ultimate section, the District will require excavation of the canal beneath the bridge, extending upstream and downstream normally a minimum of 25 feet from the proposed bridge faces, plus adequate transitions. In the alternative, applicants must design the proposed bridge to accommodate future enlargement of the canal to the ultimate section. In the latter case, the applicant must perform geologic studies to determine what type of rock or other non-dredgeable strata exists.

Excavated material from the canal shall not be stockpiled in the canal. Permittee shall remove all excess material from the District's right of way.

2. Cross-Sections:

In order for the District to determine if clean-out or excavation of the channel is necessary at the point of a proposed crossing, the applicant must provide cross sections of the canal. For bridge crossings, the applicant will provide a minimum of five cross-sections: one at the centerline of the crossing, one each at the proposed upstream and downstream faces of the bridge and one each at a point 25 feet upstream and downstream of the proposed faces of the bridge. (For installations proposing to cross at a skew angle, please contact the District to determine a suitable cross-section layout plan). The cross-sections shall be taken perpendicular to the centerline of the channel. Soundings for cross-sections are to be taken at a maximum of 10 foot intervals, from top of bank to top of bank and tied into the canal rights of way lines. The cross-sections must be plotted on standard 10 x 10 cross-section paper or a similar CAD drawings, including the District's right of way lines, north arrow and have the design canal section superimposed on each section. Mean Sea Level (MSL) or National Geodetic Vertical Datum (NGVD 1929) shall be used as datum and English units of measure employed. The design, existing and proposed canal design cross sectional area below the Design Water Surface elevation shall be accurately calculated by the applicant and printed on or adjacent to each cross-section.

NOTE: The number and locations of cross-sections needed to evaluate a proposal is based on a number of site specific characteristics. Please contact the District's Right of Way Permitting Staff to discuss cross-section requirements and obtain canal design section information.

BRIDGES (CONT'D.)

3. Load Ratings:

The District only specifies load or capacity rating for those bridge crossings over open channel connections located within its rights of way. (Please refer to the section of this manual entitled "Crossings Over Open Channel Connections" – Refer to page 69).

4. Headloss Through Bridges:

The maximum allowable headloss through a bridge structure will be one-tenth foot (0.1'). However, for canals located in the Big Cypress Basin – Refer to page 77).

5. Bridges Must Have A Center Span:

Bridges crossing over District canals must utilize a design having an odd number of spans. Designs using a center pier or pile bent will not be authorized. Refer to Horizontal and Vertical Criteria, page 69.

6. Piles Must Align With Canal Flows:

Piles in bridge pile bents shall be parallel with the centerline of the channel in order to minimize impacts on canal flows and minimize the accumulation of floating debris and aquatic weeds.

7. Canal Side Slope Stabilization:

Bridge designers must incorporate bank stabilization methods into the design of the structure that are appropriate to the on-site soil conditions.

8. Future Bridge Alteration/Relocation:

All costs related to any future bridge alteration or relocation which is necessary to accomplish the missions of the District will be borne by the owner of the bridge.

9. Establishing Low Member Elevation and Future Bridge Widening Considerations:

To determine the proper low member elevation of a bridge, the applicant must consider the possibility of future bridge widening to accommodate the addition of extra lanes. Due to the crown in most bridges, the low member elevation will be reduced if additional lanes are added to the structure. Should a bridge be designed to just meet the District's minimum vertical clearance requirements, future widening of the structure would possibly necessitate raising of the entire structure or designing a more complicated and expensive span in order to continue to meet District criteria. Engineers designing highway bridges are encouraged to take into consideration the maximum number of lanes the highway will ultimately require, and based on that information plan for a structure which exceeds the District's minimum vertical clearance requirements.

10. Access Requirements:

With few exceptions, all bridges crossing District canals must provide for continuous, uninterrupted access for District maintenance equipment and vehicles along both canal banks located inside the District's rights of way. Normally, this will be accomplished by the

BRIDGES (CONT'D.)

Access Requirements – cont'd.

applicant providing drop curbs, reinforced sidewalk sections, ramps, guardrail gaps and median gaps (if applicable), where road crossings are at or near berm grade. Therefore, bridge designs must be submitted so that guardrailing, raised medians or lane dividers do not interfere with the District's access requirements.

Bridge approaches shall be designed and constructed in such a manner as to not interfere with the passage of the District's maintenance equipment along the right of way. In designing roadway approaches to bridges, engineers should consider the following guidelines:

In cases where the District determines access is undesirable for employee safety or due to site specific conditions, such as differences in berm and roadway grades, available road and canal rights of way width or configuration (such as in the case of expressways or other high level or high speed crossings), the applicant must satisfy the intent of these access requirements by securing alternate access easements in the District's favor, or design bridge configurations which allow for District access beneath the bridge.

When the District has determined that access beneath the bridge upon the berm is preferable, the applicant must design an installation which provides a minimum vertical clearance of 15 feet, as measured from the highest elevation of the stabilized required berm elevation to the lowest horizontal member of the bridge where it crosses the berm. Depressing the berm elevation below District/U.S. Army Corps of Engineers' requirements is not an acceptable alternative to achieving the required 15 foot clearance requirement.

In cases where road beds or embankments are allowed to encroach within the District's rights of way in order to reduce the length of bridge structures, a minimum berm width of no less than 15 feet as measured from the useable ultimate top of bank will be constructed and maintained by the permittee. The berm and road embankment end slope must be stabilized or paved. The berm must be backsloped landward and acceptable berm drainage system provided to prevent overbank stormwater flows.

Unless specifically accepted for operations and maintenance by the District, all facilities provided by the permittee for the purpose of providing the District with alternate access or access beneath bridges shall be the permittee's responsibility for operation and maintenance for the life of the permit (existence of the bridge structure).

11. Berm Ramps:

Where there is a difference between the proposed road grade and the District's berm, the applicant must provide berm ramps, which incorporate the following criteria:

- a. Ramps must be constructed of suitable, compacted material or paved.
- b. A minimum top width of 15 feet and stable side slopes.
- c. A slope not steeper than 10 horizontal to 1 vertical.
- d. Any curves must have a minimum radius of 50 feet, as measured at the centerline of the ramp.
- e. Berm ramps (including side slopes) must be constructed fully within the District's rights of way.

BRIDGES (CONT'D.)

12. **Curbs and Sidewalks:**

Where curbs and sidewalks will be part of the roadway design, drop curbs and reinforced sidewalk sections must be provided at the berm access point. Length of drop curb section shall be determined by the District based on site specific conditions, but shall not be less than 15 feet.

13. **Guardrailing of Bridge Approaches:**

Where bridges and their roadway approaches cross District rights of way, particularly where the rights of way have a canal maintenance berm, bridge and roadway designs must make accommodations for uninterrupted, continuous District access along the berm. Therefore, designs which propose guardrailing, raised medians or lane dividers must be adapted to meet the District's access requirements. (Please refer to the section of the manual entitled "Access Requirements"– Page 65).

Guardrailing must not block or interfere with District access. Although, guardrailing designs tend to be site specific, applicants should consider the following in their proposals:

- a. Continuous guardrailing that blocks access to berms will not be allowed.
- b. The District may, at its discretion, require that the applicant design, install and maintain a gate having a minimum clear horizontal opening of 16 feet; Gate shall be designed to be secured with a District lock.
- c. The gate must be designed so that it can be opened without the use of tools or equipment. Designs which necessitate the removal of posts or unbolting of panels are not acceptable.
- d. Gates and guardrails must be constructed so as to enable vehicles and equipment to pull out of traffic to stop to open the gate. This will frequently require the guardrail alignment to be moved away from the roadway.
- e. A minimum of one (1) foot wide paved mowing strip must be provided beneath all guardrail sections.
- f. Design of all guardrailing installations to meet both the District requirements and highway standards is the responsibility of the applicant.

14. **Medians:**

Where divided highways are proposed, gaps in medians shall be provided to allow for continuous access by District equipment and vehicles from one side of the roadway to the other.

15. **Land Acquisition/Additional Right of Way:**

It is incumbent upon the applicant to accommodate District access requirements into plans when determining right of way requirements for road and highway projects. Any additional land acquisition which may be necessary to provide for District access is the applicant's sole responsibility. Thus, this requirement should be carefully considered particularly prior to the land acquisition phase of any roadway widening project.

BRIDGES (CONT'D.)

16. Relocations and Relocation Notification:

The District assumes no responsibility for any relocations of existing facilities which may have to be modified to accommodate proposed construction activities. The various entities involved in construction/relocation projects shall determine responsibility for any expenses associated with the project, including costs which may be related to the improvement of an existing canal section which impacts existing installations. Under no circumstances shall the District assume responsibility for relocation of facilities within District Project Works.

17. Staging Areas:

In order to provide adequate areas to set up and operate equipment, particularly for the purposes of removing and temporarily stockpiling storm debris that accumulate on pilings, the District will set aside and preserve staging areas at bridge and pile-supported utility crossings. These staging areas will be 100' in length, for the entire width of the District's right of way, and will be located on the upstream and downstream sides of all bridge and utility crossings. No docks or above-ground structures will be allowed within these staging areas. However, this exclusion does not apply to requests for safety features associated with public works project that do not interfere with the District's operations and maintenance activities.

BRIDGES CROSSING OVER PROJECT LEVEES:

These bridges must meet the minimum requirements for bridges crossing Project Canals, but the vertical clearance may be governed by the elevation of the crown of the levee. The deck elevation must be sufficient height to maintain the integrity of the levee.

That portion of the right of way used as approaches to the bridges must be surfaced or properly stabilized to provide for proper protection to the levee crown and be properly graded and drained to prevent erosion of the levee section.

Bridge approaches shall be designed and constructed in such a manner as to not interfere with the passage of the District's maintenance equipment along the canal right of way, which shall include draglines, tractor trailers and similar types of large maintenance equipment.

PRIVATE BRIDGES:

Due to the abandonment of bridges by insolvent entities, the District will not approve requests for private bridges unless the applicant meets the Bridge Criteria Requirements and is willing to post and maintain financial assurance. Said financial assurance must be equal to the amount of the cost of removal of the bridge, disposal of the bridge materials and restoration of the channel and right of way to original or better condition. Applicant must provide a detailed cost analysis of the cost to remove and dispose of the bridge and restore the District's right of way. In addition, it will be the responsibility of the owner of a private bridge crossing to post and maintain insurance coverage, naming the South Florida Water Management District as an additional insured to the limits and amounts deemed acceptable by the District.

BRIDGES (CONT'D.)

Both financial assurance and insurance shall be maintained by the permittee and shall not be released until such time as all facilities have been removed and the right of way restored to the satisfaction of the District.

Developers are encouraged to make arrangements with the various county road and bridge departments to accept bridge installations and serve as applicant for such requests, thereby negating the need for the developer to maintain insurance coverage and financial assurance for the life of the facility.

CROSSINGS OVER OPEN CHANNEL CONNECTIONS:

Bridges constructed on District rights of way for the primary use of providing access for District vehicles and equipment over open channel connections to District Projects and facilities must meet the following requirements:

- 1) Provide a minimum roadway width of 14 feet.
- 2) Designed for the standard H-20 loading or better.

Should other than concrete construction be considered, applicant must provide the District with acceptable financial assurance guaranteeing maintenance of the bridge.

HORIZONTAL AND VERTICAL CLEARANCE REQUIREMENTS:

(For horizontal and vertical clearance requirements located in Big Cypress Basin, please refer to the Big Cypress Basin - Quick Reference Table for Bridge Crossing Criteria - Page 77).

Coastal Canals:

A coastal section of a canal is defined as the reach of the waterway which is located in saline water and is downstream of a salinity control structure.

The minimum horizontal and vertical clearances will be determined by the District on an individual application basis for all bridges over coastal canals. Applicants are advised that the U.S. Coast Guard and U.S. Army Corps of Engineers may set more stringent requirements.

Miami-Dade County Canals:

Canals having only one (1) Water Control Structure: Bridges crossing over canals having only one (1) water control structure shall meet the following minimum and vertical clearance requirements:

- Horizontal:
- 1) Center Span – 25 feet clear bent spacing, measured perpendicular to the channel.
 - 2) Approach bents – 20 feet between faces of bents.

Vertical: 6 feet above the seasonal high optimum water control elevation, or 2 feet above the design water surface, whichever produces the higher low member elevation.

BRIDGES (CONT'D.)

Canals having two (2) or more Water Control Structures: Bridges crossing over canals having two (2) or more water control structures shall conform to the same minimum horizontal and vertical clearance requirements:

- Horizontal:
- 1) Center Span – 25 feet clear bent spacing, measured perpendicular to the channel.
 - 2) Approach bents – 20 feet between faces of bents.

Vertical: In the reach between the salinity control structure (eastern-most structure) and the second water control structure, the requirements are the same as those specified for canals having only one (1) water control structure - except the east side of U.S. Highway Number 1 shall be the upstream limits of the 6 feet vertical clearance requirement where the Highway lies east of the second water control structure - on those canals lying south of the Snapper Creek Canal, C-2.

In the reach upstream of the second water control structure or the east side of U.S. Highway Number 1, whichever applies, the minimum vertical clearance shall provide 4.5 feet above the seasonal high optimum water control elevation or 2 feet above the design water surface, whichever produces the higher low member elevation.

The 6 feet, 4.5 feet vertical clearances are based on District maintenance navigational access needs. In areas where existing structures already limit the vertical clearance, or it is not feasible for economic reasons to obtain these clearances, the District may give consideration to a reduction. However, in no case will an elevation less than 2 feet above the design water surface elevation be allowed.

Miami Canal (C-6):

This canal is a special exception to the above stated criteria. Minimum horizontal and vertical clearances on this canal will be determined on individual application basis.

Tamiami Canal (C-4):

A portion of the Tamiami Canal, C-4, requires a special exception to the previously specified vertical clearances, as follows:

- 1) From the F.E.C. Rail Road easterly to the east side of Red Road, a minimum low member elevation of 9 feet MSL is required.
- 2) From the east side of Red Road easterly to LeJeune Road, a minimum low member elevation of 13 feet MSL is required.

Removable center spans are not required for bridges over Miami-Dade County Area canals.

BRIDGES - CONT'D.

Everglades Agricultural Area (EAA):

The canals located within this area are as follows:

- West Palm Beach Canal (L-10 and L-12) from Lake Okeechobee to Pump Station S-5A.
- Hillsboro Canal (L-14 and L-15) from Lake Okeechobee to Pump Station S-6.
- North New River Canal (L-18, L-19 and L-20) from Lake Okeechobee to Pump Station S-7.
- Miami Canal (L-23, L-24 and L-25) from Lake Okeechobee to Pump Station S-8.
- Cross Canal (L-13).
- Bolles Canal (L-16 and L-21).

Bridges crossing over these canals shall meet the following minimum horizontal and vertical clearance requirements:

Horizontal: 1) Center Span - 29 feet clear bent spacing, measured perpendicular to channel.
2) Approach Spans - 20 feet between faces of bents.

Vertical: 4.5 feet above the seasonal high optimum water control elevation or 2 feet above the design water surface elevation, whichever produces the higher low member elevation.

A removable center span is no longer required for bridges crossing over Project Canals in the Everglades Agricultural Area.

Kissimmee River Basin:

The following canals are subject to the current navigation requirements of the U.S. Coast Guard regarding all horizontal and vertical clearances and thereby require a Department of Transportation (Federal) Permit in addition to a District permit.

- C-29 - (Hart-Mary Jane Canal)
- C-29A - (Ajay-Hart Canal)
- C-29B - (Ajay-East Tohopekaliga Canal)
- C-30 - (Myrtle-Mary Jane Canal)
- C-31 - (St. Cloud Canal)
- C-32B - (Joel-Myrtle Canal)
- C-32C - (Trout-Joel Canal)
- C-32D - (Lost-Trout Canal)
- C-32F - (Lizzie-Lost Canal)
- C-32G - (Alligator-Lizzie Canal)
- C-33 - (Alligator-Gentry Canal)
- C-34 - (Canoe Creek)
- C-35 - (South Port Canal)*

BRIDGES - CONT'D.

- C-36 - (Cypress-Hatchineha Canal)*
- C-37 - (Hatchineha-Kissimmee Canal)*
- C-38 - (Kissimmee River)*

*Bridge crossings over these canals shall satisfy the following minimum District horizontal and vertical clearance requirements:

Horizontal: 1) Center Span - 40 feet clear bent spacing, measured perpendicular to channel.
2) Approach Spans - 20 feet between faces of bents.

Vertical: 12 feet above the seasonal high optimum water control elevation or 2 feet above the design water surface elevation, whichever produces the higher low member elevation.

All other bridges crossing Project Canals in the Kissimmee River Basin will satisfy the following minimum horizontal and vertical clearance requirements.

Horizontal: 1) Center Span - 25 feet clear bent spacing, measured perpendicular to channel.
2) Approach Spans - 20 feet between faces of bents.

Vertical: 6 feet above the seasonal high optimum water control elevation or 2 feet above the design water surface elevation, whichever produces the higher low member elevation.

A removable center span is no longer required for bridges crossing over Project Canals in the Kissimmee River Basin.

West Palm Beach Canal (C-51):

Bridges crossing over this canal shall meet the following minimum horizontal and vertical clearance requirements:

Horizontal: 1) Center Span - 29 feet clear bent spacing, measured perpendicular to channel.
2) Approach Spans - 20 feet between faces of bents.

Vertical: 6 feet above the seasonal high optimum water control elevation or 2 feet above the design water surface elevation, whichever produces the higher low member elevation.

A removable center span is no longer required for bridges crossing over C-51.

BRIDGES - CONT'D.

Other Canals:

All bridges crossing Project waterways not previously covered shall meet the following minimum horizontal and vertical clearance requirements:

- Horizontal:
- 1) Center Span - 25 feet clear bent spacing, measured perpendicular to channel.
 - 2) Approach Spans - 20 feet between faces of bents.
- Vertical: 6 feet above the seasonal high optimum water control elevation or 2 feet above the design water surface elevation, whichever produces the higher low member elevation.

A removable center span is not required for bridges crossing these canals.

TRESTLE TYPE BRIDGES:

Spacing of bents for all trestle type crossings must be consistent with hydraulic and maintenance requirements of the District. Bents and piers are required to be so located that they will not catch debris or interfere with the normal flow of water. Placement of the center bent in the center of the channel will not be approved.

All piles must be placed parallel to the centerline of the channel.

Bridge approaches shall be properly graded, shaped or otherwise treated to prevent erosion of the District's levees, mounds, berms and canal banks.

The District recognizes that in present day design practice, more economical crossings can be constructed, in many instances, by using uniform spacing which provide horizontal clearances of less than 25 feet. It is not the intention of these requirements to be inflexible to the degree that more economical bridge designs can not be utilized, which will still be consistent with the District's hydraulic and maintenance requirements.

CULVERTS INSTALLED IN LIEU OF BRIDGES:

Note: The following criteria does not apply to the canals located in the Big Cypress Basin, please refer to the Big Cypress Basin - Quick Reference Table for Bridge Crossing Criteria (page 77).

Due to problems associated with the installation of culvert bridges, adverse impacts on canal conveyance and District operations and maintenance activities, culvert bridges are discouraged. However, the District will consider culvert bridges in lieu of pile-supported bridges, where:

1. The maximum headloss through the proposed culvert bridge is one-tenth foot (0.1') or less.
2. The installation can be accomplished without interfering with canal flows during or after construction. Under no circumstances will the District allow construction

BRIDGES - CONT'D.

or installation techniques (such as earthen fill plugs or sheet pile dams), that block or interfere with canal flows. Note: Should a culvert bridge be authorized, it is the responsibility of the permittee to inform prospective contractors of all construction restrictions and requirements.

3. In order to pass floating debris (drift clearance) the crown elevation of round, elliptical or structural plate arch culvert bridges will be no less than the low member elevation specified in this criteria manual for conventional pile-supported bridges at the location of the proposed crossing. Similarly, concrete box culvert installations must conform with the low member requirements for conventional pile-supported bridges.
4. In order to allow the District's floating maintenance equipment to pass, culvert bridges must be set in such a manner so as to allow for the passage of a boat having an 8 foot wide deck, with the deck being 2 feet above the seasonal high optimum water surface elevation of the canal, with a minimum of 2 feet of clearance from the boat to the culvert walls on either side. Further, the invert of the culvert must provide for a minimum water depth of 5 feet as measured from the seasonal low water elevation.
5. The bottom of the culvert must be a minimum of one-half foot above the design canal bottom to minimize loss of culvert capacity due to the accumulation of silt in the bottom of the culvert.
6. Where culvert bridges are acceptable, the permittee must clean out the canal to the design section for a minimum distance of 50 feet upstream and downstream of the ends of the culvert plus provide suitable transition sections.
7. Culvert bridge installations must not interfere with the District's maintenance access from the roadway to the canal maintenance berm.

QUICK REFERENCE TABLE FOR PILE-SUPPORTED FACILITIES CROSSING DISTRICT WORKS

NOTE: For pile-supported facilities crossing canals in the Big Cypress Basin (Collier County) refer to Page _____

	DADE COUNTY AREA (except C-4 and C-6)	C-4	C-6 & SALINE (tidal) REACHES OF CANALS	EVERGLADES AGRICULTURAL AREA	KISSIMMEE RIVER BASIN	C-51	ALL OTHER CANALS
Minimum Center Span (Clear Opening)	See Footnote A B C	25'	Determined on a case by case basis	See Footnote D	See Footnote E F	29'	25'
Minimum Approach Bents (Measured on Centers)	25'	25'	Determined on a case by case basis	29'	40'	29'	25'
Minimum Low Member Elevation	20'	20'	Determined on a case by case basis	20'	20'	20'	20'
	See Footnote 1	See Footnote 1	Determined on a case by case basis	See Footnote 2	See Foot- Note 3	See Footnote 1	See Footnote 1

FOOTNOTES:

- A** applies to those canals with only one Water Control Structure.
 - B** applies to those canals with two Water Control Structures – upstream of first Structure or east of U.S. #1.
 - C** applies to those canals with two Water Control Structures – upstream of second Structure or west of U.S. #1.
 - D** applies to the Borrow Canals for L-10, L-12, L-13, L-14, L-15, L-16, L-18, L-19, L-20, L-21, L-23, L-24 and L-25.
 - E** applies to Canals C-35, C-36, C-37 and C-38.
 - F** applies to Canals C-29, C-29A, C-29B, C-30, C-31, C-32B, C-32C, C-32D, C-32E, C-32F, C-32G, C-33 and C-34.
- 1** 2' above design water surface elevation or 6' above seasonal high optimum water control elevation, whichever produces the higher low member elevation.
 - 2** 2' above design water surface elevation or 4.5' above seasonal high optimum water control elevation, whichever produces the higher low member elevation.
 - 3** 2' above design water surface elevation or 12' above seasonal high optimum water control elevation, whichever produces the higher low member elevation.
 - 4** 9' MSL/NGVD is required from the F.E.C. Railroad easterly to the east side of Red Road.
13' MSL/NGVD is required east side of Red Road east to LeJeune Road.

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BIG CYPRESS BASIN

QUICK REFERENCE TABLE FOR BRIDGE AND UTILITY CROSSING CRITERIA

CANAL NAME	TYPE OF BRIDGE STRUCTURE ALLOWED	MINIMUM VERTICAL CLEARANCE (DHW TO LOW MEMBER)	MINIMUM VERTICAL CLEARANCE FOR UTILITY CROSSINGS, PEDESTRIAN AND BICYCLE BRIDGES (DHW TO LOW MEMBER)	MINIMUM HORIZONTAL CENTER SPAN CLEARANCE	MAXIMUM HEAD LOSS ALLOWED
AIRPORT ROAD	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	2 Feet	4 Feet	20 Feet	0.05 Feet
COCOCHACHEE	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	2 Feet	4 Feet	20 Feet	0.05 Feet
CORKSCREW	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	4 Feet	8 Feet	20 Feet	0.05 Feet
CR - 951	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	2 Feet	4 Feet	20 Feet	0.05 Feet
CURRY	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	4 Feet	8 Feet	20 Feet	0.05 Feet
CYPRESS	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	2 Feet	8 Feet	20 Feet	0.05 Feet
FAKA UNION	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	4 Feet	8 Feet	20 Feet	0.05 Feet
GOLDEN GATE MAIN	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	4 Feet	8 Feet	20 Feet	0.05 Feet
GREEN	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	2 Feet	8 Feet	20 Feet	0.05 Feet

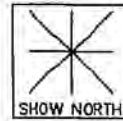
BIG CYPRESS BASIN

QUICK REFERENCE TABLE FOR BRIDGE AND UTILITY CROSSING CRITERIA

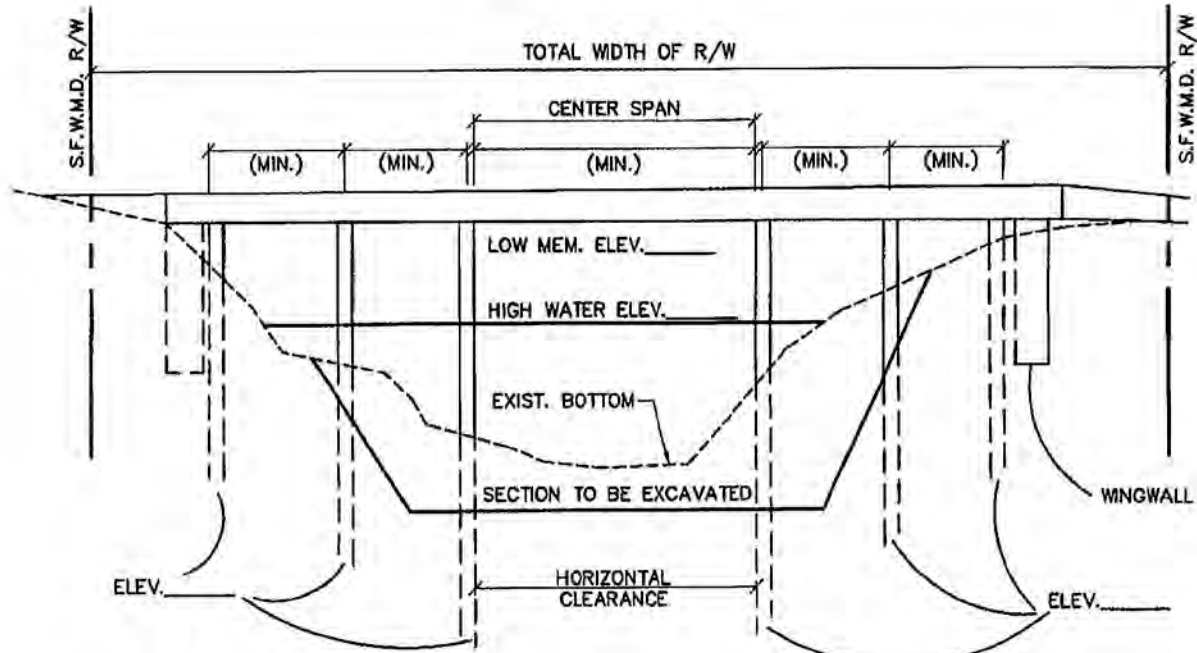
CANAL NAME	TYPE OF BRIDGE STRUCTURE ALLOWED	MINIMUM VERTICAL CLEARANCE (DHW TO LOW MEMBER)	MINIMUM VERTICAL CLEARANCE FOR UTILITY CROSSINGS, PEDESTRIAN AND BICYCLE BRIDGES (DHW TO LOW MEMBER)	MINIMUM HORIZONTAL CENTER SPAN CLEARANCE	MAXIMUM HEAD LOSS ALLOWED
HENDERSON CREEK NORTH of VERONA WALK	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	2 Feet	4 Feet	20 Feet	0.05 Feet
HENDERSON CREEK SOUTH of VERONA WALK	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	4 Feet	8 Feet	20 Feet	0.05 Feet
I - 75	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	4 Feet	8 Feet	20 Feet	0.05 Feet
MERRITT	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	4 Feet	8 Feet	20 Feet	0.05 Feet
MILLER	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	4 Feet	8 Feet	20 Feet	0.05 Feet
ORANGETREE	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	2 Feet	8 Feet	20 Feet	0.05 Feet
SR - 29 (First 6 miles South of I-75 only)	PILE-SUPPORTED, SINGLE SPAN, or ARCHED/ CON-SPAN BRIDGE	2 Feet	4 Feet	20 Feet	0.05 Feet

- PEDESTRIAN OR BICYCLE BRIDGES AND ABOVE GROUND UTILITY CROSSING OVER THE CANALS MUST BE BY MEANS OF PILE-SUPPORTS. SINGLE SPAN BRIDGES AND SUBAQUEOUS UTILITY INSTALLATIONS ARE ENCOURAGED ACROSS CANALS.
- DHW = DESIGN HIGH WATER
- IN THE EXTENUATING CIRCUMSTANCE, WHERE VARIANCE FROM THE CRITERIA IS SOUGHT, THE APPLICANT MAY BE REQUIRED TO PROVIDE MAINTENANCE BOAT RAMPS ON EITHER SIDE OF THE BRIDGE CROSSING. IT WILL BE THE APPLICANTS RESPONSIBILITY TO PROVIDE THE DISTRICT WITH SUCH ADDITIONAL RIGHT OF WAY AS MAY BE REQUIRED TO ACCESS THE MAINTENANCE RAMPS. SPECIFICATIONS FOR SUCH RAMPS WILL BE DETERMINED ON A CASE BY CASE BASIS.

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
PILE-SUPPORTED UTILITY OR ROADWAY BRIDGE
CROSSING OVER A CANAL**



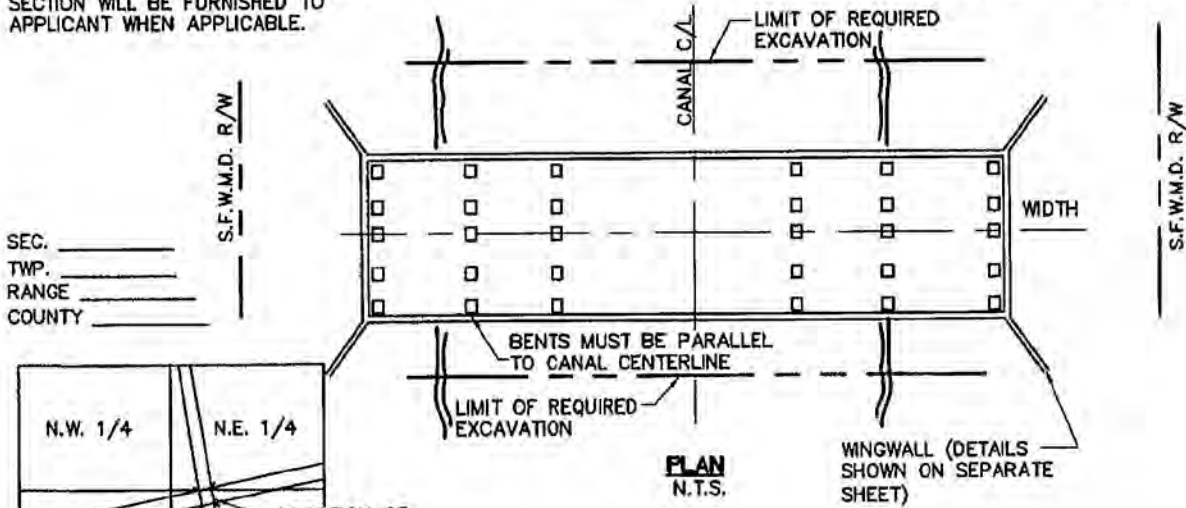
SAMPLE ILLUSTRATION



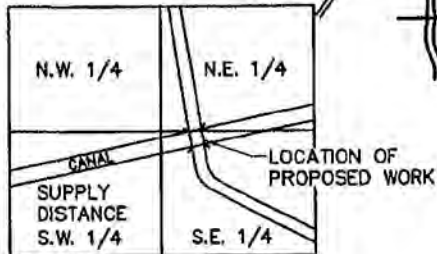
NOTE:
CANAL SECTION. LIMITS OF EXCAVATION
AND LENGTH OF TRANSITION TO EXISTING
SECTION WILL BE FURNISHED TO
APPLICANT WHEN APPLICABLE.

SECTION
N.T.S.

NOTE:
ALL ELEVATIONS REFER
TO MEAN SEA LEVEL



SEC. _____
TWP. _____
RANGE _____
COUNTY _____



VICINITY PLAN

PLAN
N.T.S.

DRAWING TO ACCOMPANY APPLICATION FOR CONSTRUCTION OF	
A	FT. BRIDGE OVER
CANAL	
APPLICANTS NAME: _____	
DATE: _____	SIGNED: _____

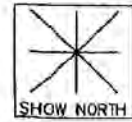
NOTE:

1. DRAWING MUST SHOW THE EXISTING CANAL SECTION AS ESTABLISHED FROM A RECENTLY TAKEN CROSS SECTION OF THE CANAL.
2. SECTION TO BE EXCAVATED MUST BE SHOWN ON SECTION VIEW AND LIMITS OF EXCAVATION MUST BE SHOWN ON PLAN VIEW.
3. SHOW LOCATION OF PILE BENTS AND SIZE OF PILES, (ALL PILE BENTS MUST BE PARALLEL TO THE CENTERLINE OF THE CANAL). INDICATE PROPOSED PILE TIP ELEVATION.
4. INDICATE THE PILE SPACING (SEE CRITERIA MANUAL FOR MINIMUM CRITERIA) AND BRIDGE LOW MEMBER ELEVATION AT THE LOWEST POINT OF EACH SPAN (IF DIFFERENT).
5. WHERE BRIDGE CROSSINGS SEVER DISTRICT MAINTENANCE ACCESS ON CANAL MAINTENANCE BERMS, RAMPS ARE REQUIRED. RAMPS MUST BE A MINIMUM OF 15 FEET WIDE AND HAVE A MAXIMUM SLOPE OF 1 VERTICAL TO 10 HORIZONTAL.
6. SHOW ANY PROPOSED ATTACHMENTS TO THE BRIDGE (SUCH AS UTILITY LINES).

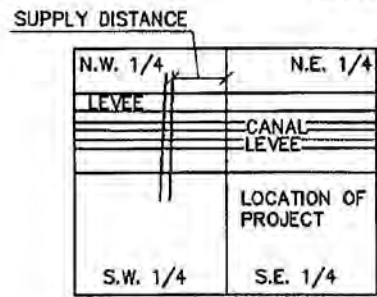
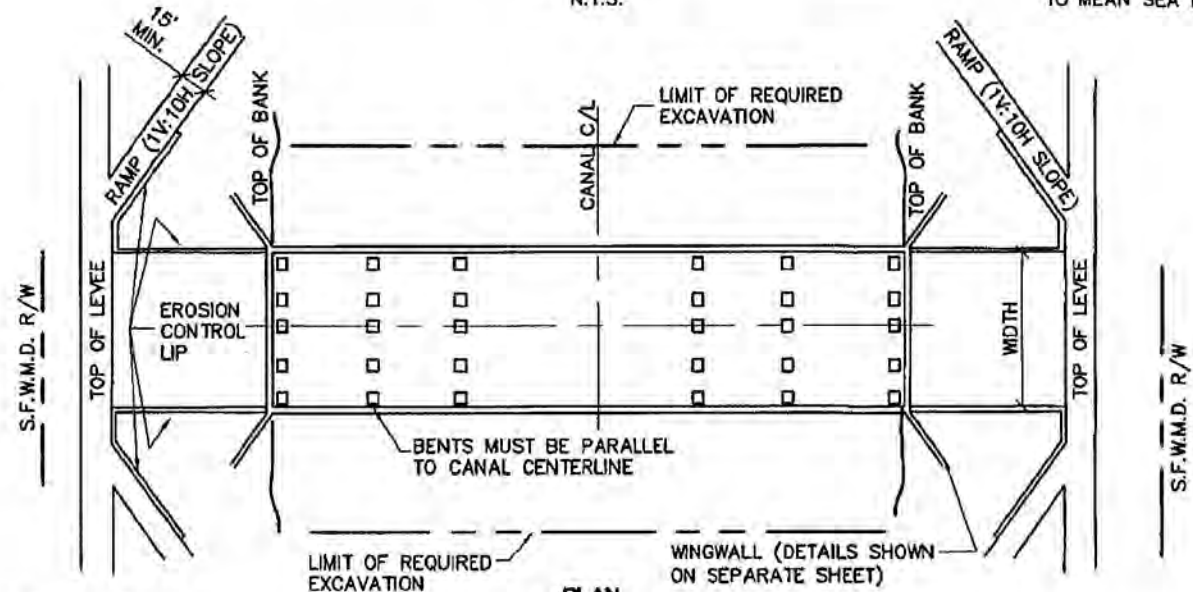
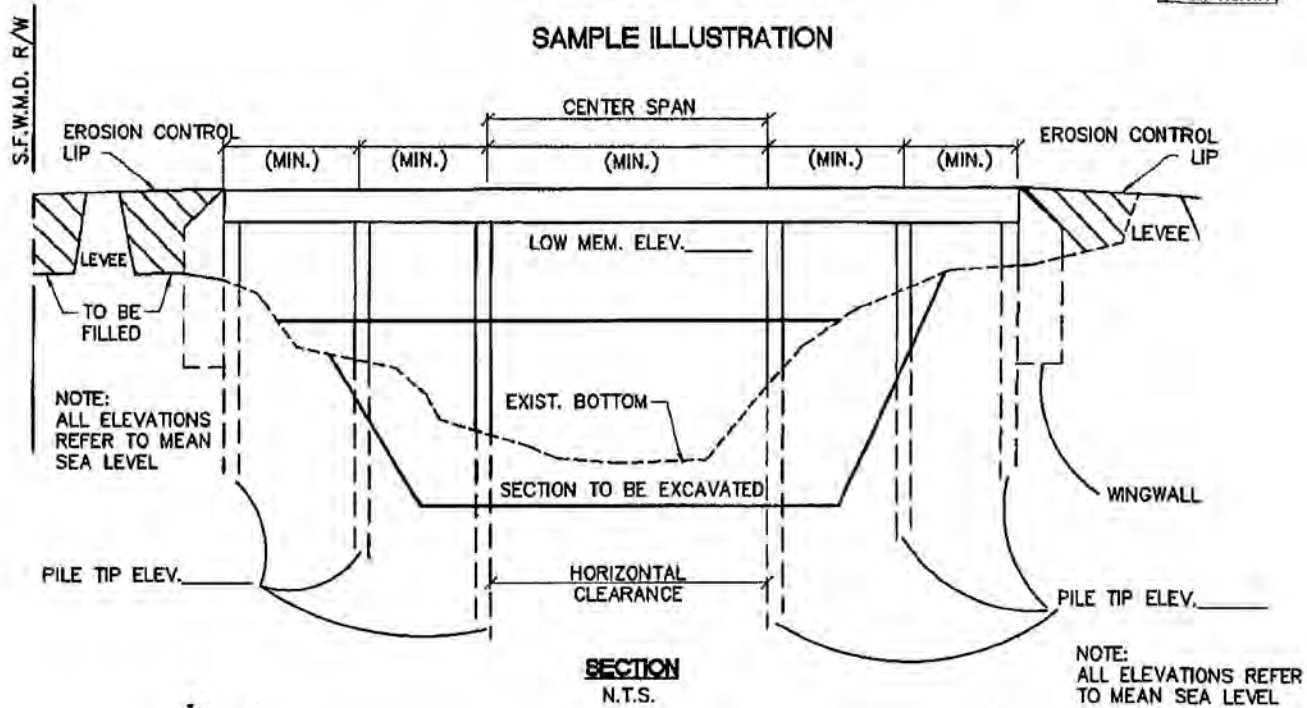
INSTRUCTIONS FOR COMPLETING DRAWING:

1. 8 ½" X 11" SKETCH(S) ARE REQUIRED.
2. PLAN AND PROFILE VIEWS ARE REQUIRED AND MUST DEPICT THE ITEMS IN THE NOTES SECTION (ABOVE).
3. PROVIDE A LOCATION SKETCH WHICH TIES IN THE PROPOSE BRIDGE TO A SECTION LINE OR KNOW LANDMARK.
4. INSERT THE INDICATED INFORMATION IN THE BLOCK AT THE LOWER RIGHT CORNER OF THE DRAWING.
5. VEHICULAR BRIDGES MUST BE SIGNED AND SEALED BY A PROFESSIONAL ENG. REGISTERED IN THE STATE OF FLORIDA.

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
PILE-SUPPORTED UTILITY OR ROADWAY BRIDGE
CROSSING OVER A LEVEE**



SAMPLE ILLUSTRATION



NOTE:
INSTRUCTIONS FOR COMPLETING
DRAWING AND NOTES ON BACK.

DRAWING TO ACCOMPANY APPLICATION NO. _____
FOR CONSTRUCTION OF A _____ FT. BRIDGE OVER _____ LEVEE
CROSSING: _____
APPLICANTS NAME: _____
DATE: _____ SIGNED: _____

NOTE:

1. DRAWING MUST SHOW THE EXISTING CANAL SECTION AS ESTABLISHED FROM A RECENTLY TAKEN CROSS SECTION OF THE CANAL.
2. SECTION TO BE EXCAVATED MUST BE SHOWN ON SECTION VIEW AND LIMITS OF EXCAVATION MUST BE SHOWN ON PLAN VIEW.
3. SHOW LOCATION OF PILE BENTS AND SIZE OF PILES, (ALL PILE BENTS MUST BE PARALLEL TO THE CENTERLINE OF THE CANAL). INDICATE PROPOSED PILE TIP ELEVATION.
4. INDICATE THE PILE SPACING (SEE CRITERIA MANUAL FOR MINIMUM CRITERIA) AND BRIDGE LOW MEMBER ELEVATION AT THE LOWEST POINT OF EACH SPAN (IF DIFFERENT).
5. WHERE BRIDGE CROSSINGS SEVER DISTRICT MAINTENANCE ACCESS ON CANAL MAINTENANCE BERMS, RAMPS ARE REQUIRED. RAMPS MUST BE A MINIMUM OF 15 FEET WIDE AND HAVE A MAXIMUM SLOPE OF 1 VERTICAL TO 10 HORIZONTAL.
6. SHOW ANY PROPOSED ATTACHMENTS TO THE BRIDGE (SUCH AS UTILITY LINES).

INSTRUCTIONS FOR COMPLETING DRAWING:

1. 8 ½" X 11" SKETCH(S) ARE REQUIRED.
2. PLAN AND PROFILE VIEWS ARE REQUIRED AND MUST DEPICT THE ITEMS IN THE NOTES SECTION (ABOVE).
3. PROVIDE A LOCATION SKETCH WHICH TIES IN THE PROPOSE BRIDGE TO A SECTION LINE OR KNOWN LANDMARK.
4. INSERT THE INDICATED INFORMATION IN THE BLOCK AT THE LOWER RIGHT CORNER OF THE DRAWING.
5. VEHICULAR BRIDGES MUST BE SIGNED AND SEALED BY A PROFESSIONAL ENG. REGISTERED IN THE STATE OF FLORIDA.

BULKHEADS AND SEAWALLS

(Allowable Zone 1)

In order for a bulkhead or seawall to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria, you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. Due, in part, to the forces acting on bulkheads and seawalls, the District will only consider those requests for bulkheads or seawalls (including those which are constructed to satisfy revertible easement requirements or are subject to surcharges imposed by buildings placed on or adjacent to the seawall), which are:
 - a. Designed by a professional engineer, registered in the State of Florida.
 - b. To be constructed within an existing man-made canal and the shoreline of said canal is currently occupied in whole or in part by vertical seawalls.
 - c. The District assumes no responsibility for the failure of bulkheads or seawalls or any damage or loss related thereto.

Criteria to be met:

In designing a bulkhead or seawall, the applicant should bear in mind that the proposed structure must:

1. Align with adjacent seawalls;
2. Attach securely to adjacent seawalls;
3. Incorporate adequate return ends;
4. Be capable of withstanding forces acting on it through a wide range of water elevations;
5. The toe of the seawall shall be faced with natural limerock rip-rap on filter fabric along tidal (saline) reaches of Project Canals.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. Certified canal cross-sections of the existing channel.
 - Soundings for the cross-sections shall be taken at 10 foot intervals from top of bank to top of bank and shall be tied to both canal/levee rights of way lines.
 - Normally, cross-sections will be no more frequent than one cross-section per every 25 feet of proposed bulkhead. Cross-sections shall be plotted to the same horizontal and vertical scale, using standard 10 x 10 cross-sectional paper or similar CAD format. The cross-sections shall have superimposed upon them the design section for the canal at the location. The design, existing and proposed canal design cross sectional area below the Design Water Surface elevation

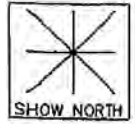
BULHEADS AND SEAWALLS (CONT'D)

shall be accurately calculated by the applicant and printed on or adjacent to each cross-section.

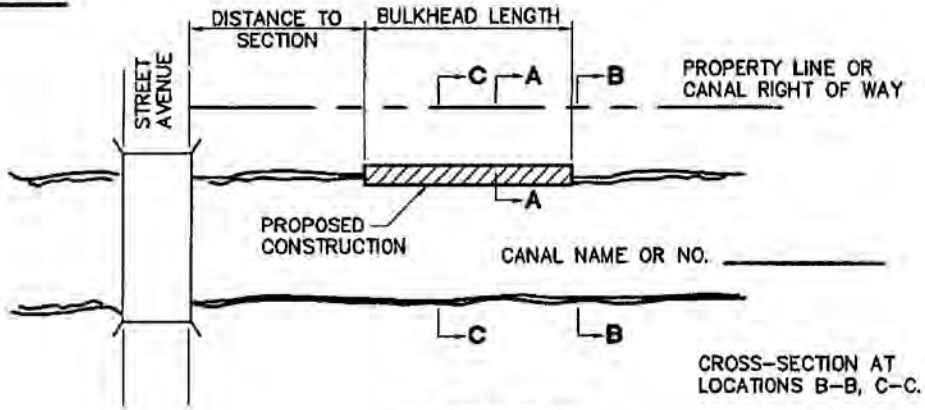
- Mean Sea Level (MSL) or National Geodetic Vertical Datum (NGVD 1929) will be used as datum and English units of measure employed.

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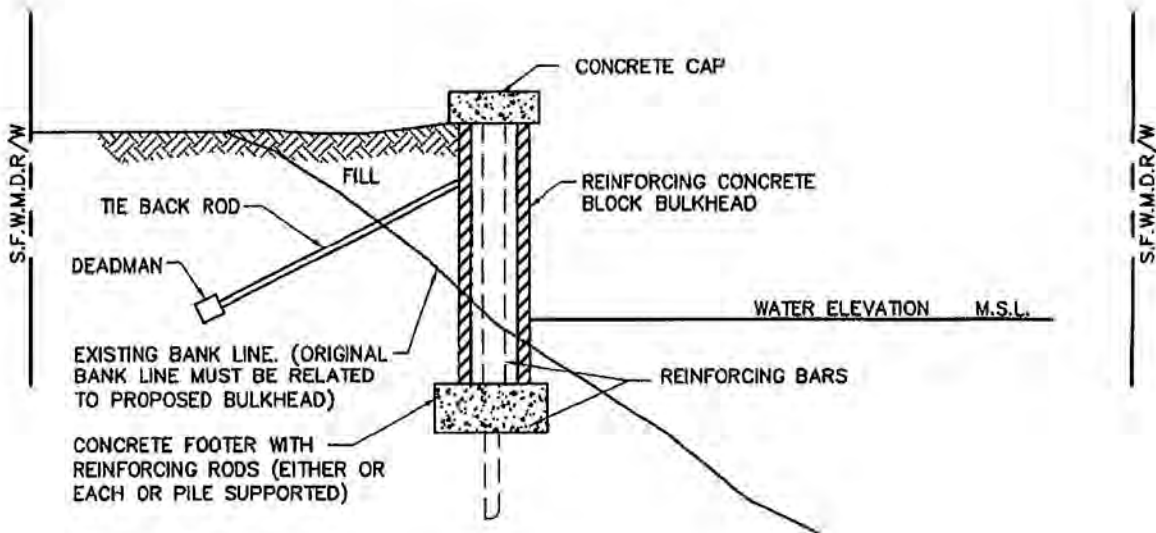
**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
BULKHEAD INSTALLATION
SAMPLE INSTALLATION**



SEC. _____
TWP. _____
RGE. _____



LOCATION PLAN
N.T.S.



SECTION A-A
N.T.S.

NOTE:
SEE REVERSE SIDE OF THIS SHEET FOR A LIST OF MATERIALS AND CONSTRUCTION DETAILS TO BE SUBMITTED WITH YOUR APPLICATION FOR

DRAWING TO ACCOMPANY APPLICATION FOR BULKHEADS/SEAWALLS	
CANAL/LEVEE:	_____
APPLICANT'S NAME:	_____
DATE:	_____ SIGNATURE: _____

PILE CAP

DIMENSIONS: _____ INCHES WIDE, _____ INCHES THICK _____

REINFORCING RODS: SIZE _____ NUMBER USED _____ SPACING _____

BLOCK

SIZE OF BLOCKS: _____

NUMBER OF COURSES: _____ (HOW MANY BLOCKS HIGH?)

SIZE AND LOCATION OF REINFORCING RODS: _____

FOOTER

DIMENSIONS: _____ INCHES WIDE, _____ INCHES THICK _____
(EXAMPLE 3/8" ROUND) (EXAMPLE 4" CENTERS)

PILING

SIZE OR DIAMETER: _____ INCHES, LENGTH _____ FEET, NUMBER BEING USED _____

TIE BACK ROD

SIZE OF ROD: _____ INCH

LENGTH: _____ FEET

SPACING: _____ FEET BETWEEN EACH ROD.

CULVERT CONNECTIONS

(Allowable Zone 1, 2)

In order for a culvert connection to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. In order to prevent the discharge of aquatic weeds into the District's canal system, all culverts 36 inches in diameter or larger that serve to connect an open ditch or canal system to the Works of the District will be equipped with a skimmer or baffle which effectively prevents the discharge of aquatic weeds into the District's canal system. The skimmer or baffle will be designed to be effective through a range of water surface conditions from:
Lower Limit: One (1) foot below either the District's canal design water surface elevation or seasonal low optimum water control elevation (whichever produces the lower elevation) to:
Upper Limit: Two (2) feet above either the District's canal design water surface elevation or seasonal high optimum water surface elevation whichever produces the higher elevation. In cases where a riser is attached to the culvert, the top of the skimmer or baffle will be equal to the top of the riser.

Maintenance of the skimmer or baffle is the responsibility of the permittee.

This requirement will not be applied where the applicant utilizes a pumped discharge system that employs a functional trash rack (or other effective means of blocking the discharge of aquatic weeds) on the intake side of the pump station.

The discharge of aquatic weeds into District Works is grounds for permit revocation and removal of the culvert facilities.

Criteria To Be Met:

1. The invert elevation is acceptable to the District and produces a crown elevation ½ foot below the design water surface or optimum water control elevation, whichever produces the lower installation. (Information for establishing invert elevations is site specific and can be obtained by contacting the District's Right of Way Permitting staff).
2. The proposal incorporates a right of way erosion control and bank stabilization method that is acceptable to the District.
3. The length of the pipe is sufficient to provide a minimum 15' top width maintenance roadway across pipe connection.
4. Where required, the top of rip-rap or headwall shall match existing grade.
5. Where used, end/headwalls include adequate returns to prevent erosion.
6. The design utilizes an effective skimmer to prevent the discharge of aquatic weeds.

CULVERT CONNECTIONS (CONT'D.)

7. The facility must not be located within a staging area or other area where the District has designated as being prohibited.
8. A flap gate or similar device is placed on the discharge end of the proposed facility (applies to those installations located downstream of a District Salinity Control Structure [brackish/saltwater]).
9. The facility is not located within an environmentally sensitive area.
10. The facility does not adversely affect previously authorized use(s) of the right of way.
11. The facility does not interfere with the District's maintenance and operations activities.
12. Drainage culvert connections must be sized to conform with the inflow limitation criteria of the District.
13. That portion of any line crossing District rights of way must have sufficient cover in order to prevent damage from District maintenance equipment and vehicles.
14. Permittee will be required to adequately identify culverts with a permanent type marker which is to be placed in a position so as not to prohibit vehicular access along the canal. This does not apply where visible headwalls are used.
15. Connections for withdrawal of water for irrigation or other purposes shall be sized and invert elevations established in conformity with the criteria of the Project for water withdrawals. Where the District has established Basin Rules, setting minimum water withdrawal elevations, pipe inverts which due to their invert elevation, would enable the withdrawal of water from District canals below the canal's established minimum elevation, will not be allowed. This restriction applies to culverts utilized for gravity irrigation, as well as pump tubes for pumped irrigation systems or other similar systems.
16. A gate of approved type and design or stop-log structure shall be a part of the installation of all culverts if required for compliance with Project Specifications.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. The pipe size, material of pipe, invert elevation, controls, risers, burial depth at crown of pipe, width of cover and if applicable, forebay.
 - d. The distance pipe extends into canal.
3. A recent property/boundary survey.
4. Evidence that applicant has applied for and obtained a Water Use or Surface Water Management Permit from the District's Regulation Department.

Connections to Borrow Canals Through Project Levees:

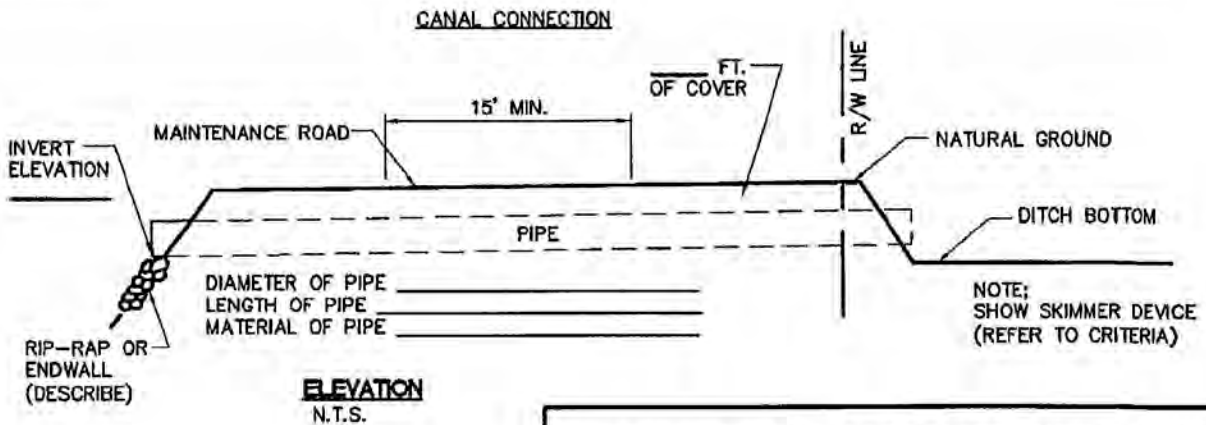
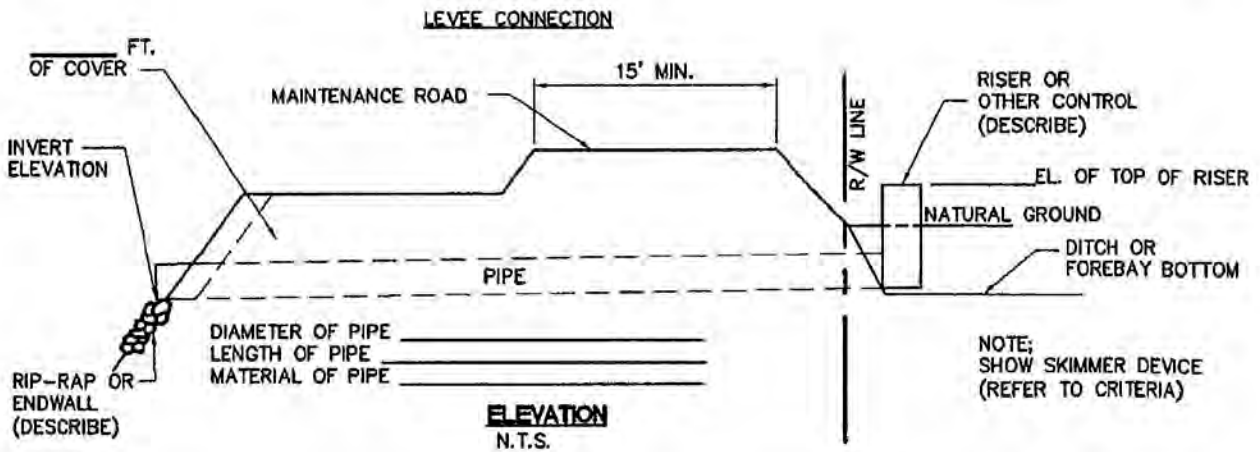
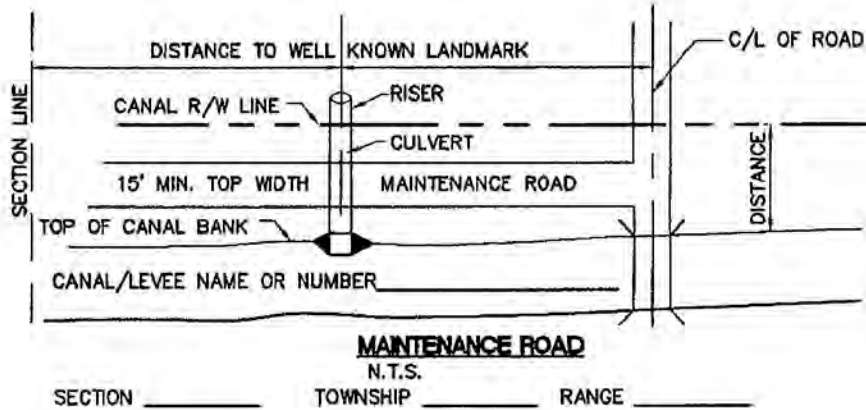
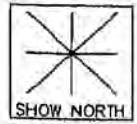
- The general conditions stated prior apply to this type of connection with the exception of the roadway requirements.
- Culverts through levees such as tie-back levees which are designed to define pumped drainage basins will not be authorized.
- Culverts through L-31E (Levee 31 East) will not be authorized.

CULVERT CONNECTIONS (CONT'D.)

- The width of the levee crown at the point of connection will be no less than fifteen (15) feet or equal to that required by Project specifications.
- Sloping and grassing, if normally required, will also be equal to or better than the Project minimum.
- The construction of erosion control features is a required part of such a connection.
- Where culverts do not extend to the bank line, access ramps from the berms up to and over the culvert must be provided. Generally, ramps of well-stabilized materials not less than fifteen (15) feet wide and constructed on a 1 vertical to a 10 horizontal (1:10) slope will be accepted. Adequate erosion control provisions for the ramps are also required. The District may require barricades on either side of the channel leading from the end of the culvert to the bank line. On-going repair and maintenance of these facilities is the responsibility of the permittee.

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**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
SAMPLE CULVERT INSTALLATION ILLUSTRATION**



DRAWING TO ACCOMPANY APPLICATION FOR CULVERT INSTALLATION	
APPLICANTS NAME:	_____
DATE:	_____ SIGNED: _____

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DOCKS

(Allowable Zone 1)

In order for a pile-supported docking facility to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide complete information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. Applicants for boat docks are advised that permits may be required from the Department of Environmental Protection (DEP), whose criteria may be more stringent than the Water Management District's. Additionally, approvals or permits are normally required from the local building and zoning departments of the community. For this reason, it is suggested that proposals for boat docks be first discussed with the DEP and other entities to determine the permissibility potential of the project, prior to filing an application with the District.
3. Proximity of District Water Control Structures:
The construction of boat docks within an area from 250 feet upstream as measured from the water control structure centerline to a point 250 feet downstream of the discharge end of the water control structure is prohibited. Additionally, in cases where the District has installed cables or booms across canals, no docking facilities may be constructed within these areas.
4. Live Aboards: The mooring of any vessel in a District waterway, being used either permanently or temporarily as a "live aboard" or residence, is prohibited.
5. Construction of Boat Docks on Speculation: Construction of docks on speculation by builders or developers is not permitted. Should an applicant wish to request a waiver of this prohibition, the applicant must: (1) Agree, in writing, to inform buyers of the existence of a permit and the need to request a transfer of the permit; (2) agree, in writing, to remove the dock(s) and restore the District's right of way in the event the buyer fails or refuses to transfer the permit; and (3) Demonstrate the financial ability to remove the dock(s) in their entirety and restore the District's right of way, if the permit is not transferred.
6. Boat Docks May Be Prohibited in Certain Areas:
Construction of docks in areas, where in the District's opinion, wakes attributable to boat operation in District canals, combined with geologic and other conditions contribute to bank slope erosion, resulting in diminished canal maintenance berm widths and shoaling in canals, will be prohibited. In areas where unacceptable rates of bank erosion are occurring, the District reserves the right to deny or revoke permits for boat access facilities such as boat ramps, boat docks and open channel connections.
7. Boat Dock Permits May Be Revoked for Certain Unauthorized Activities:
These unauthorized activities include, but are not limited to:
 - a. The dock or any portion of it is being used either permanently or temporarily as a place of residence.

DOCKS AND ASSOCIATED FACILITIES - PILE-SUPPORTED CONT'D.

- b. The dock is being used for the mooring of houseboats; or, other vessels are being used either permanently or temporarily as a place of residence.
- c. The permittee is renting or leasing "dock space".
- 8. Construction of boat docks which do not involve environmentally sensitive areas, or areas designated as restricted by the District, may be authorized under District permit. Each application will be judged on its merits and shall meet the Project requirements of the specific location.
- 9. Applicants in areas downstream of water control structures should realize that in a few areas extremely high tides combined with structure discharges may cause docks to be inundated. The applicant may want to consider building the dock to a higher elevation in such cases.
- 10. **As-Built Certifications on Boat Dock Low Member Elevations:**
In the absence of existing elevation benchmark, or if the applicant disagrees with the existing elevation benchmark established by the District, the District shall require the applicant to certify the as-built low member elevation of the dock installation. The certification will consist of the permittee engaging the services of a professional engineer or land surveyor, who is registered in the State of Florida. The professional engineer or land surveyor shall determine the low member elevation for the dock and certify, in writing, as to the dock's low member elevation. The certification should be in the form of a copy of the approved permit drawing with the dock's low member elevation (using NGVD as datum) clearly shown. Said drawing must be signed and sealed by the professional engineer or land surveyor performing the work.

Applicant Must Provide:

- 1. A completed application for permit, including signature(s) and processing fee, if applicable.
- 2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. A recent boundary/property survey.
- 3. The type/size and location of associated facilities such as boat lifts, davits, whips, mooring piles, etc.
- 4. The low member elevation of the proposed dock.
- 5. If applicable, the location of the utility lines within the District's right of way.

Criteria To Be Met:

- 1. The dock is located adjacent to the landowner's lot within the extension of the lot lines, as extended perpendicular from the centerline of the canal.
- 2. The docking facilities, including associated mooring facilities and vessels moored thereto must not extend more than 25% of the entire width of the canal. (As measured at the average mean high water line or bulkhead line, whichever applies).
- 3. The minimum low member elevation requirement is met. (Low member elevations are site specific, please contact the District's Right of Way Permitting staff for information). Docks located downstream of coastal structures shall have no required low member elevation but are recommended to be above mean high tide.

DOCKS AND ASSOCIATED FACILITIES - PILE-SUPPORTED (CONT'D)

4. The dock is not within an area 250' upstream of the centerline of a District Water Control Structure or 250' downstream of the discharge end of a District Water Control Structure.
5. The dock is not proposed within 100' of a bridge or pile-supported utility crossing.
6. The facility must not be located within a staging area or other area where the District has designated as an area where docks are prohibited.
7. The dock is not proposed inside an area where the District has installed cables or booms across the canal.
8. The facility is not located within an environmentally sensitive area.
9. The docking spaces accommodate no more than 3 watercraft.
10. The dock space will not be rented or leased.
11. The dock or any portion will not be used as either a temporary or permanent place of residence or for the mooring of houseboats or other vessels being used for either a temporary or permanent place of residence.
12. The dock is not attached to a District/U.S. Army Corps owned bulkhead.
13. The dock does not incorporate walls or other similar enclosures, whether solid, partly solid, screened or transparent, regardless of the type of material to be used.
14. The facility does not interfere with District access, operations or maintenance activities.
15. The use does not adversely affect a previously-authorized use(s) of the right of way.

Maximum Projection of Docks Into District Waterways:

No dock or mooring facility (including pilings, moored vessels) shall extend into the waterway more than 25% of the distance of the width of the waterway. This distance is measured at the average mean high water or bulkhead line, whichever applies, in saltwater reaches of canals and at optimum water elevation in fresh water reaches of canals.

Minimum Low Member Elevation of Docks Shall Be:

The minimum low member elevation is the elevation of the lowest member of the dock or connecting walkway, including cross bracing, that is perpendicular to the flow of water.

If Located Upstream of a Water Control Structure:

Two (2) feet above design high water or two (2) feet above seasonal high optimum water elevation (whichever is higher).

If Located Downstream of a non-Coastal Water Control Structure:

Two (2) feet above mean high tide or design water surface (whichever produces the higher elevation).

If Located Downstream of a Coastal Water Control Structure:

Docks located downstream of coastal structures shall have no required low member elevation but are recommended to be above mean high tide.

DOCKS AND ASSOCIATED FACILITIES - PILE-SUPPORTED (CONT'D)

In the Big Cypress Basin – Two (2) feet above the design water surface or two (2) feet above seasonal high optimum water surface elevation, whichever is higher. In cases where the design water surface elevation is higher than the berm elevation (the canal overtops the canal bank), the District will consider waiving the 2 foot clearance requirement, on a case by case basis and based upon field conditions at the site of the proposed installation.

Boat Houses and Boat Docks With Roofs:

The District will not authorize the construction of docks or boat houses that incorporate walls or other similar enclosures, whether solid, partly solid, screened or transparent, regardless of the type of materials used in construction. All roof designs must be supported by a Florida professional engineer's or architect's certification.

Utility Services To Boat Docks:

Utility services such as electricity and water are allowable provided they are not installed to service vessels being used either temporarily or permanently as "live aboards".

The District's approval of utility services to docks shall be limited to those which are supported by a Florida professional engineer or architect, or supported by a Florida licensed electrical contractor's certification that the utilities proposed design conforms to the Standard Building Code. The inability or failure of the applicant to provide this information shall result in the denial of the application. Applicant/Permittees must also provide as-built certifications from a Florida professional engineer or architect, or supported by a Florida licensed electrical contractor's certification that the project was constructed in accordance with the design permitted by the District. In lieu of the referenced certifications, the District will accept written verification from authorized local government representatives, that the construction meets the Standard Building Code or another more stringent local government building code.

1. The proposed utility service is of sufficient burial depth (18" or greater for water service, 24" or greater for electrical service) to withstand the weight of the District's heavy maintenance equipment and vehicles.
2. The plans of the proposed utility service do not incorporate above-ground facilities.
3. Water supply lines must not leak or otherwise waste water. Leaking water supply lines, valves and appurtenances; or otherwise failing to maintain permitted facilities, are grounds for permit revocation.

Decorative Or Security Lights:

Decorative or security lights shall be shielded, cut off design that minimizes light pollution to surrounding areas.

DOCKS AND ASSOCIATED FACILITIES - PILE-SUPPORTED (CONT'D)

Boat Dock Storage-Lockers/Boxes:

Docks may be equipped with lockers or storage boxes; however, storage shall be limited to fishing or boat-related equipment such as floatation devices, rope and line, first aid articles and fire extinguishers. Boat dock storage-lockers/boxes shall not be used for the storage of pesticides, fuel oils, or other petroleum products, including solvents, paints and thinners. If found to be on-site during inspections, the presence of such items will be grounds for permit revocation.

Construction Of Boat Docks On Speculation:

Consideration of requests for Waiver of criteria will be limited to:

1. Detached single family residences or single lots.
2. Construction of a maximum of (1) one dock for each home immediately adjacent to the canal.
3. The proposed project otherwise meets the requirements of the Basis of Review, Chapter 373, F.S, and Chapter 40E-6., F.A.C.
4. Documentation is provided which demonstrates that meeting the District's criteria would: 1) Create a "substantial hardship" or, 2) Violate "principles of fairness".

The District has no objection to builders or developers filing applications on behalf of prospective buyers, as long as the property is under contract. However, the District must be supplied with a copy of the contract when the application is submitted.

Floating Docks:

Issuance of permits for floating docks upstream of all salinity control structures will not be authorized. Due to the danger of floating docks breaking loose during hurricanes and other severe weather conditions and becoming caught in District Water Control Structures, floating docks are acceptable only in tidal reaches of the District's canals. However, in designing and installing floating docks, applicants should bear in mind that high water velocities and great differences in water stages can be experienced in storm surges; should a floating dock break loose and damage other docks or boats, the permittee is liable for all damages which may result.

BOAT RAMPS / LAUNCHING RAMPS

(Allowable Zone: 1, 2)

Construction of boat launching ramps, which do not involve environmentally sensitive areas, or areas designated as restricted by the District may be authorized under District permit. Each application will be judged on its merits and shall meet the Project requirements of the specific location.

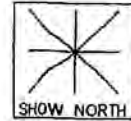
Entities proposing public boat launching ramps need to be aware of the long term maintenance obligations associated with such facilities, including, but not limited to, litter removal, parking area maintenance, maintenance of the ramp itself and repairs to launching piers (if applicable).

Ramps are prohibited in areas where such a facility:

1. Is adverse to the District's operation and maintenance of the Project Works, especially where increased boat usage has the potential to accelerate slope erosion damage.
2. Is located where adverse environmental impacts may occur due to boating activity.
3. Would interfere with or sever the District's access.
4. Present an unusual liability risk to the District.

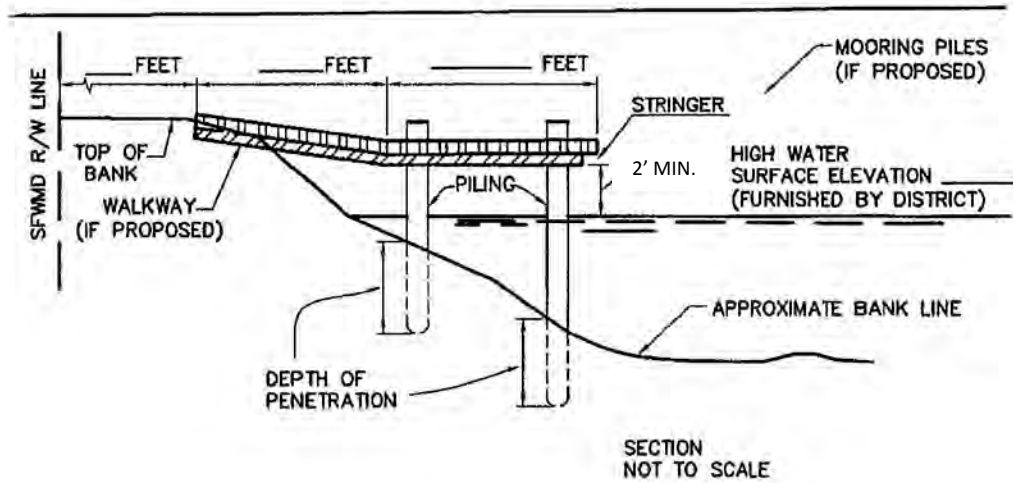
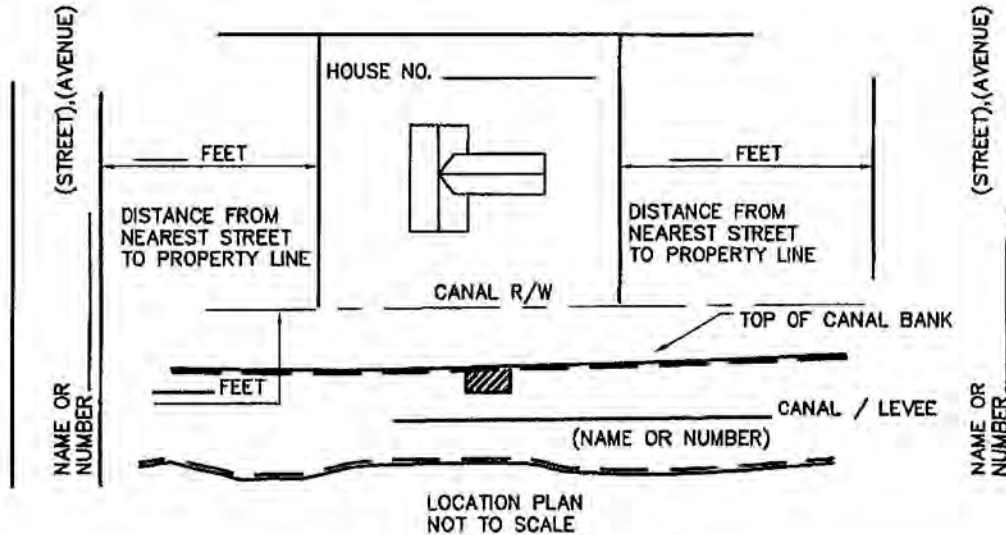
Private boat ramps permitted to individuals, homeowner associations, condominium associations and similar entities must be gated, chained or otherwise barricaded when not in use to prohibit users other than the permittee from using the ramps. The Permittee is responsible for placement of signage, conspicuously displayed at the ramp notifying "Ramp Not Open For Use By General Public".

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
PILE-SUPPORTED DOCK INSTALLATION**



SAMPLE ILLUSTRATION

NAME _____
 ADDRESS _____
 CITY, STATE _____ ZIP _____
 SUBDIVISION _____ BLOCK NO. _____ LOT NO. _____
 COUNTY _____ SEC. _____ TWP. _____ RGE. _____



SEE REVERSE SIDE OF THIS SHEET FOR LIST OF MATERIALS AND CONSTRUCTION DETAIL TO BE SUBMITTED WITH YOUR APPLICATION FOR PERMIT.

DRAWING TO ACCOMPANY APPLICATION FOR PILE SUPPORTED DOCK

APPLICANTS NAME: _____

DATE: _____ SIGNED: _____

PLEASE COMPLETE THE FOLLOWING:

WALKWAY: (IF REQUIRED)

_____ FEET LONG X _____ FEET WIDE

DOCK:

FINAL DIMENSION WILL BE _____ FEET PARALLEL WITH CANAL AND EXTENDED _____ FEET INTO CANAL.

PILING: CHECK TYPE TO BE USED

WOOD STEEL CONCRETE PVC

HOW MANY WILL BE USED IN YOUR CONSTRUCTION? _____

WHAT SIZE WILL BE USED?

DIAMETER _____ INCHES

LENGTH _____ FEET

THE DEPTH OF PENETRATION OF THE FRONT PILING WILL BE _____ FEET.

THE DEPTH OF PENETRATION OF THE REAR PILING WILL BE _____ FEET.

DECK: CHECK TYPE TO BE USED

WOOD CONCRETE OTHER

STATE SIZE OR DIMENSION:

EXAMPLE: _____
(2" x 6" PINE) (4' X 4' SLAB) (OTHER)

THE DISTANCE OF CLEARANCE BETWEEN DOCK LOW MEMBER AND HIGH WATER ELEVATION WILL BE 2 FEET MINIMUM. (DISTRICT WILL FURNISH HIGH WATER SURFACE ELEVATION)

STRINGER: CHECK TYPE TO BE USED:

WOOD CONCRETE OTHER

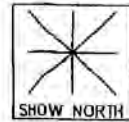
STATE SIZE OR DIMENSION:

EXAMPLE: _____
(4" X 4" PINE) (4' X 4' SLAB) (4" H-BEAM)

ANCHOR POINT

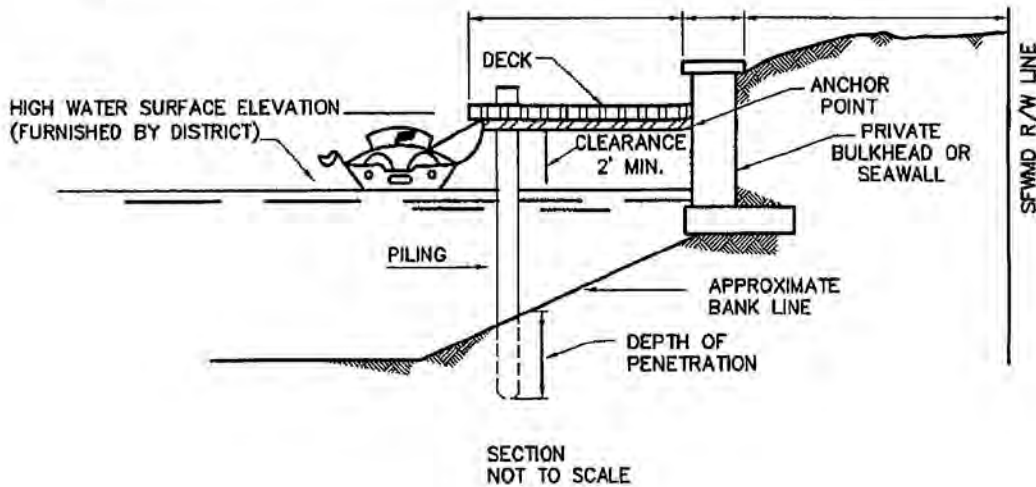
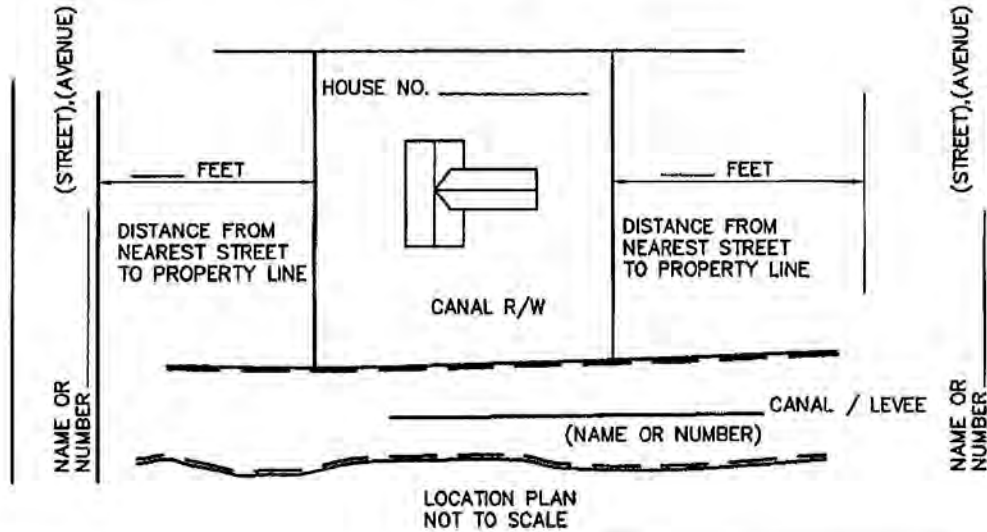
IF DOCK IS TO BE BUILT AGAINST A BULKHEAD OR SEA WALL, DESCRIBE MANNER OF ANCHORING DOCK TO THE WALL OR BULKHEAD.

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
DOCK CONSTRUCTION ATTACHED TO SEAWALL**



SAMPLE ILLUSTRATION

NAME _____
 ADDRESS _____
 CITY, STATE _____ ZIP _____
 SUBDIVISION _____ BLOCK NO. _____ LOT NO. _____
 COUNTY _____ SEC. _____ TWP. _____ RGE. _____



SEE REVERSE SIDE OF THIS SHEET FOR LIST OF MATERIALS AND CONSTRUCTION DETAIL TO BE SUBMITTED WITH YOUR APPLICATION FOR PERMIT.

DRAWING TO ACCOMPANY APPLICATION FOR DOCK ATTACHED TO SEAWALL

APPLICANTS NAME: _____

DATE: _____ SIGNED: _____

NOTE:

DOCK ATTACHMENTS TO DISTRICT SEAWALLS WILL NOT BE AUTHORIZED

PLEASE COMPLETE THE FOLLOWING:

1. BE SURE TO GIVE THE NUMBER OR NAME OF STREETS OR AVENUES. IF AVENUE IS CORRECT STRIKE OUT THE WORD STREET. (EXAMPLE NW 29TH AVENUE OR ~~STREET~~).
2. GIVE YOUR LOT AND BLOCK NUMBER, AS INDICATED ON YOUR DEED.
3. **IMPORTANT:** FILL IN THE BLANKS BELOW.

DOCK

FINAL DIMENSIONS WILL BE _____ FEET LONG X _____ FEET WIDE

PILING: CHECK TYPE TO BE USED

WOOD STEEL CONCRETE PVC

HOW MANY WILL BE USED IN YOUR CONSTRUCTION? _____

WHAT SIZE WILL BE USED?

DIAMETER _____ INCHES

LENGTH _____ FEET

THE DEPTH OF PENETRATION OF THE FRONT PILING WILL BE _____ FEET.

THE DEPTH OF PENETRATION OF THE REAR PILING WILL BE _____ FEET.

MOORING PILES (IF PROPOSED) DEPTH OF PENETRATION WILL BE _____ FEET.

MOORING PILES (IF PROPOSED) WILL BE _____ FEET FROM FACE OF SEAWALL.

DECK: CHECK TYPE TO BE USED

WOOD CONCRETE OTHER

STATE SIZE OR DIMENSION:

EXAMPLE: _____
(2" x 6" PINE) (4' X 4' SLAB) (OTHER)

THE APPROXIMATE DISTANCE OF CLEARANCE BETWEEN LOW MEMBER AND KNOWN HIGH WATER ELEVATION WILL BE _____ FEET.

STRINGER: CHECK TYPE TO BE USED:

WOOD CONCRETE OTHER

STATE SIZE OR DIMENSION:

EXAMPLE: _____
(4" X 4" PINE) (4' X 4' SLAB) (4" H-BEAM)

ANCHOR POINT

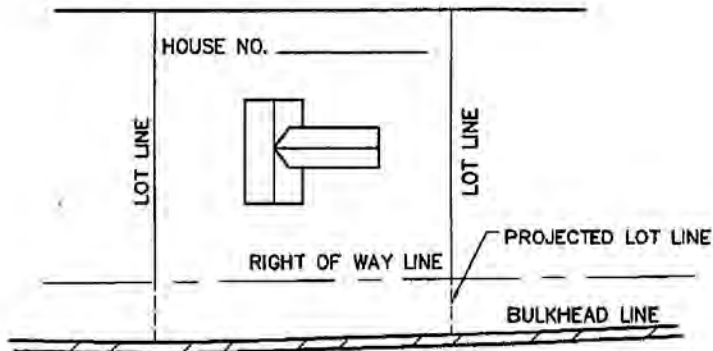
IF DECK IS TO BE BUILT AGAINST A BULKHEAD OR SEA WALL. DESCRIBE MANNER OF ANCHORING DOCK TO THE WALL OR BULKHEAD.

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
FREE-STANDING DOCK ADJACENT TO SEAWALL
(MOORING PILES OPTIONAL)**



SAMPLE ILLUSTRATION

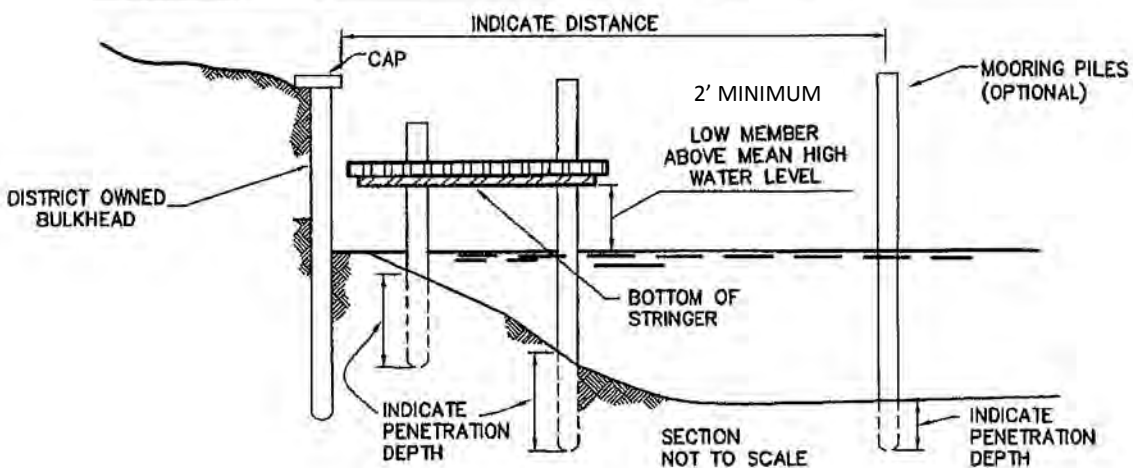
NAME _____
 ADDRESS _____
 CITY, STATE _____ ZIP _____
 SUBDIVISION _____ BLOCK NO. _____ LOT NO. _____
 COUNTY _____ SEC. _____ TWP. _____ RGE. _____



SKETCH PROPOSED DOCK AND/OR MOORING PILE LAYOUT HERE

CANAL NAME OR NUMBER _____

LOCATION PLAN
NOT TO SCALE



SEE REVERSE SIDE OF THIS SHEET FOR LIST OF MATERIALS AND CONSTRUCTION DETAIL TO BE SUBMITTED WITH YOUR APPLICATION FOR PERMIT.

DRAWING TO ACCOMPANY APPLICATION FOR FREE STANDING DOCK
 APPLICANTS NAME: _____
 DATE: _____ SIGNED: _____

NOTE:
DOCK ATTACHMENTS TO DISTRICT SEAWALLS WILL NOT BE AUTHORIZED

PLEASE COMPLETE THE FOLLOWING:

WALKWAY: (IF REQUIRED)

_____ FEET LONG X _____ FEET WIDE

DOCK:

FINAL DIMENSION WILL BE _____ FEET PARALLEL WITH CANAL AND EXTENDED _____ FEET INTO CANAL.

PILING: CHECK TYPE TO BE USED

WOOD STEEL CONCRETE PVC

HOW MANY WILL BE USED IN YOUR CONSTRUCTION? _____

WHAT SIZE WILL BE USED?

DIAMETER _____ INCHES

LENGTH _____ FEET

THE DEPTH OF PENETRATION OF THE FRONT PILING WILL BE _____ FEET.

THE DEPTH OF PENETRATION OF THE REAR PILING WILL BE _____ FEET.

MOORING PILES (IF PROPOSED) DEPTH OF PENETRATION WILL BE _____ FEET.

MOORING PILES (IF PROPOSED) WILL BE _____ FEET FROM FACE OF SEAWALL

DECK: CHECK TYPE TO BE USED

WOOD CONCRETE OTHER

STATE SIZE OR DIMENSION:

EXAMPLE: _____

(2" x 6" PINE)

(4' X 4' SLAB)

(OTHER)

THE DISTANCE OF CLEARANCE BETWEEN DOCK LOW MEMBER AND HIGH WATER ELEVATION WILL BE 2 FEET MINIMUM. (DISTRICT WILL FURNISH HIGH WATER SURFACE ELEVATION)

STRINGER: CHECK TYPE TO BE USED:

WOOD CONCRETE OTHER

STATE SIZE OR DIMENSION:

EXAMPLE: _____

(4" X 4" PINE)

(4' X 4' SLAB)

(4" H-BEAM)

ANCHOR POINT

IF DOCK IS TO BE BUILT AGAINST A BULKHEAD OR SEA WALL. DESCRIBE MANNER OF ANCHORING DOCK TO THE WALL OR BULKHEAD.

FENCES

(Allowable Zone: 5)

In order for fencing to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide complete information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. The District's rights of way were acquired at taxpayers' expense, and because it is the policy of the District to encourage passive recreational use of the various waterways and adjacent District right of way, the erection of fencing which would prevent public access along the bank will not normally be authorized. However, in those cases where the applicant can demonstrate that he/she is the underlying fee simple owner to a District easement and does not interfere with the District's operations and maintenance activities, the District will consider fence installations that block public access.
3. Fence encroachment:
In certain areas, the District will allow fences to encroach within, but not block the right of way. The District's pre-determined set-back requirements must be met and the applicant must agree to be responsible for the maintenance of the right of way within the fenced area and for the area 5 to 15 feet in width immediately outside of the fence. Applicants should realize that obtaining District authorization (permit) for fencing does not obviate the need for obtaining District approval for any facilities to be placed within the fenced area.
4. Gate Requirements:
 - a. Unless otherwise specified, gates required in fences, walls, hedges and similar installations shall be equipped with a gate or gates having a minimum clear horizontal opening of 16 feet and situated within the District's right of way. The applicant is encouraged to discuss the District's gate requirements with the appropriate Field Station prior to submitting the application and drawings. Gate locations must be clearly shown on all application drawings.
 - b. Gates adjacent to roadways must be set back sufficiently from the edge of pavement of the roadway in order that District vehicles may safely pull out of traffic in order to stop to unlock and open the gates. Where gates are provided in the form of hinged guardrail sections, the gate design must be capable of being opened readily without the need for unbolting panels, removing posts and without the use of tools. Designs that do not meet this requirement are not acceptable and are grounds for denial of the application.
 - c. Maintenance of, and repairs to, gate installations are the responsibility of the permittee.
5. District Locks Required on Gates:
 - a. Authorized fencing with gates installed for the passage of District vehicles and equipment will be locked with a District padlock, purchased from the District.

FENCES (CONT'D)

Charges for padlocks will be based on the District's cost for the padlock at the time the permit is issued.

- b. The District will not accept keys for padlocks supplied by the permittee. It should be obvious that if the District were to use the permittee's padlock and key, it would take several dozen keys to travel certain portions of the right of way. In addition, several District employees need to have the ability to access the rights of way, necessitating duplicate keys for each lock, resulting in the District trying to keep track of hundreds of keys. Partially in an effort to eliminate this problem, the District utilizes special keyed-alike padlocks for various geographical areas of the District. With this system each District employee is able to gain access to a certain area.
6. When requesting a permit for such a structure, the applicant should keep in mind that under emergency circumstances it may be necessary to have the fence removed on short notice under adverse weather conditions. While the District will attempt to notify owners of such structures that immediate removal of their fence is necessary, conditions may require immediate removal by District forces without prior notice. Under such circumstances, the District cannot guarantee salvageability of the fence. The District assumes no responsibility for damage to these facilities.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee, if applicable.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. The size (height), type of material and location and width of gates, etc.
3. A recent boundary/property survey.
4. A narrative documenting why fencing cannot be placed at right of way/common property line or within applicant's lot.

Criteria To Be Met:

1. The fencing is located adjacent to the landowner's lot within the extension of the lot lines, as extended perpendicularly from the centerline of the canal.
2. The fencing is constructed of acceptable material commonly used for fence construction.
3. No permanent above-ground facilities are proposed to be placed inside the fenced area.
4. If the fencing is parallel to the canal, this portion of the fence must align with existing, adjacent fences.
5. The fence will not be placed within 100' of a bridge or pile-supported utility crossing.
6. The fence must not be located within a staging area or other area where the District has designated as being prohibited.
7. The fencing will not be located within an environmentally sensitive area.
8. The fencing will not interfere with District access, operations or maintenance activities.

9. The fencing will not adversely affect previously authorized use(s) of the right of way.
-

South Florida Water Management District Application Drawing for Fence Enclosure

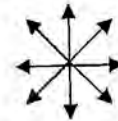
Name _____

Address _____

Canal _____

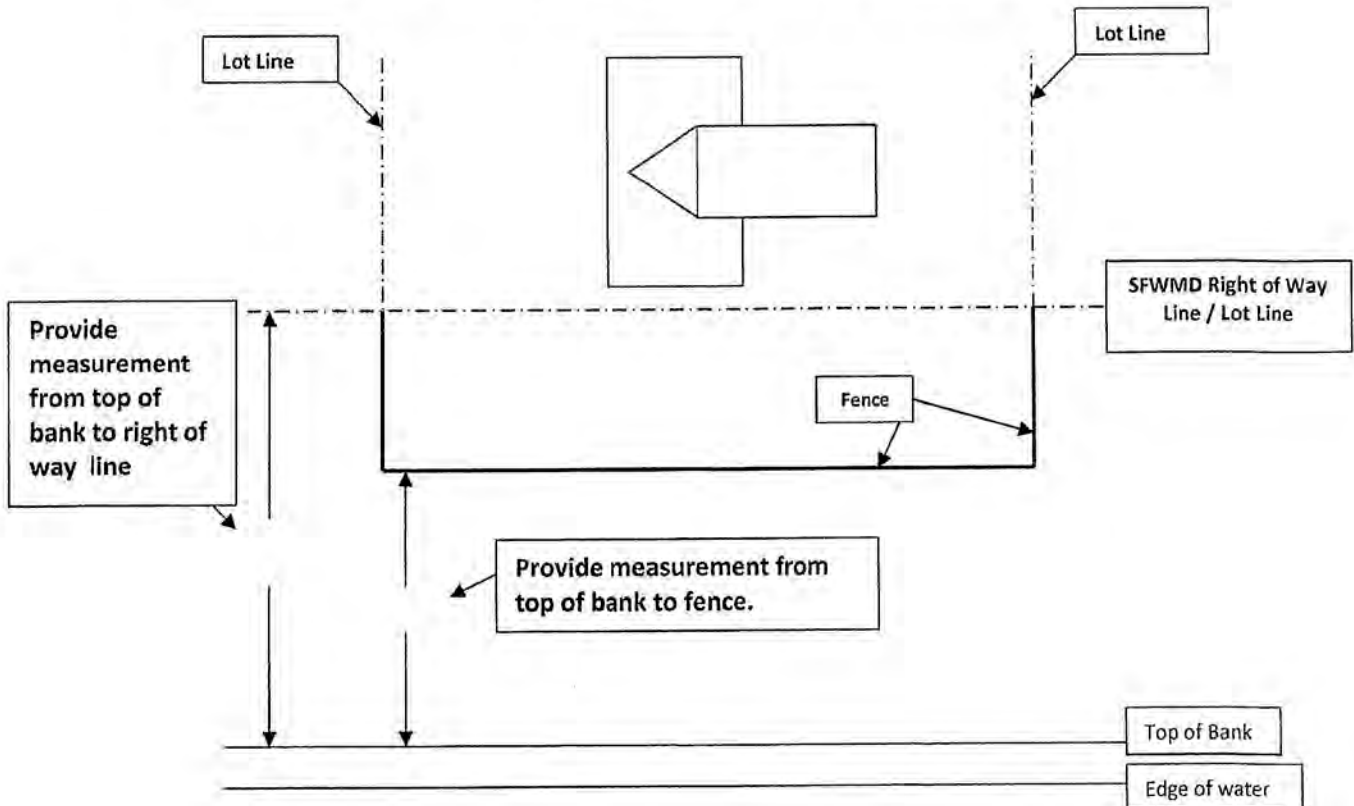
Date _____

Signature _____



Show North

Fence Location Subject to those Operational Zones (Locations) identified in the Criteria Manual



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FILMING/MOTION PICTURE PRODUCTION/PHOTO SHOOT

(Allowable Zone: 1, 2, 3, 4, 5)

In order for filming, motion picture production and photo shoot activities to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide complete information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. There is no prohibition against taking photographs, filming or video taping for private use where the Works or Lands of the District are open to the public for recreational use.
3. Motion picture production companies desiring to utilize the Works and Land of the District are advised that permits are required prior to filming. In this regard, production companies desiring to use District property must allow for the time needed to apply for and obtain a permit in setting their schedules.
4. Due to the vast number of variables involving in filming motion pictures on the Works and Lands of the District, applications will be evaluated on a case by case basis.
5. Film producers are cautioned that changes in schedules, locations, etc. will cause delays in permit processing.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
3. A complete and detailed description of the action to be filmed including specific information on any stunts which may be proposed.
4. An accurate schedule of the filming date(s) including any rain delay dates.
5. A comprehensive listing of the number of people and vehicles that will be on-site and the reason for them being there.
6. A detailed security plan covering what persons will be authorized to participate in the filming and how spectators will be kept out of the area.
7. A detailed emergency services plan including which entity will respond to requests for fire, paramedic and police services.
8. Where access to the right of way is controlled by District-owned locked gates, the applicant must also obtain a Key Permit and pay any applicable fees or deposits as specified by the District.
9. The applicant provides insurance coverage to the amounts and limits specified by the District.

FILMING/MOTION PICTURE PRODUCTION/PHOTO SHOOT (CONT'D.)

Criteria To Be Met:

1. The filming must be proposed.
2. The applicant agrees to immediately restore any facilities damaged by the filming activities.
3. The applicant agrees to abide by any special provisions established by the District based on the type of use/activities proposed.
4. The proposed use does not involve the use of explosives or pyrotechnics.
5. The applicant agrees to pay for any costs incurred by District personnel assigned to monitor the filming activities, including but not limited to, time, and mileage and further agrees to abide by any directives issued by District personnel.
6. The applicant agrees to provide a certificate of insurance to the limits and amounts specified, naming the South Florida Water Management District as an additional insured, based on the type of use activities proposed, as may be set by the District's Risk Management Division. (Please contact Right of Way Permitting Staff for current requirements.)
7. The applicant agrees to post financial assurances with the District in the amount which will be specified by the District, based on the type of use activities proposed. Said financial assurance will not be released until such time as all terms and conditions of the permit are met to the satisfaction of the District.
8. The proposed use is not located within an environmentally sensitive area.
9. The proposed use does not interfere with the District's access, operations and maintenance activities.
10. The proposed use does not adversely affect a previously-authorized use(s) of the right of way.
11. The applicant agrees to take all necessary measures to preclude the vehicular use of the right of way by the general public.
12. The proposal will not expose the District to any unnecessary risk or hazard.

FIRE HYDRANTS

(Allowable Zone 5)

In order for placement of a fire hydrant to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met.

NOTES:

1. If the applicant is a developer, requiring the transfer of the project over to a government or municipal entity, the applicant must provide a letter from that entity stating their intentions with regard to the facility to be located within the District's rights of way.
2. District Access: The fire hydrant must be located so as not to interfere with the District's access or canal maintenance, operations, District ingress/egress routes.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District's rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.

Criteria To Be Met:

1. The location of the fire hydrant does not interfere with District ingress/egress routes.
2. The buried portion of the proposed water line is of sufficient burial depth (18" or greater) to withstand the weight of the District's heavy maintenance equipment and vehicles.
3. The facility is not located within 100' of a bridge or pile-supported utility crossing.
4. The facility must not be located within a staging area or other area where the District has designated as being prohibited.
5. The facility is not located within an environmentally sensitive area.
6. The facility does not adversely affect a previously-authorized use(s) of the right of way.
7. If not exempt from the District's Water Use Permitting Rules, the applicant may be required to obtain a District Water Use Permit. It is recommended that you contact the Water Use Division of the District's Regulation Department.

GAZEBOS/CHICKEE HUTS

(Allowable Zone 5)

In order for non-permanent gazebos or chickee huts to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. Where water or electric service is proposed, the District's applicable criteria must also be met. (Refer to page 98)
3. When requesting a permit for such a structure, the applicant should keep in mind that under emergency circumstances it may be necessary to have the gazebos/chickee huts removed on short notice under adverse weather conditions. While the District will attempt to notify owners of such structures that immediate removal of their gazebos/chickee huts and any contents is necessary, conditions may require immediate removal by District forces without prior notice. Under such circumstances, the District cannot guarantee salvageability of the gazebos/chickee huts and any contents. The District assumes no responsibility for damage to these facilities.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee, if applicable.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
3. A recent boundary/property survey.

Criteria To Be Met:

1. The facility must be temporary in nature, readily and easily dismantled by manpower and hand tools.
2. The slab/foundation, if applicable, must be flush with existing grade.
3. The facility is not located within 100' of a bridge or pile-supported utility crossing.
4. The facility is not located within a staging area or other area which the District has designated as an area where temporary structures, such as chickee huts or gazebos are prohibited.
5. The facility is not located within an environmentally sensitive area.
6. The use does not adversely affect a previously authorized use(s) of the right of way.
7. The use does not interfere with the District's maintenance and operations activities.

LANDSCAPING

(Allowable Zone: 5)

Certain requests for landscaping within District lands and rights of way are eligible for issuance of a Notice General Permit. Individuals wishing to pursue beautification proposals that are inconsistent with the 40 foot set-back requirements or are otherwise inconsistent with District policy and rules are not eligible for Notice General Permits.

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. The District encourages the creation of well designed and maintainable planting schemes utilizing species native to Florida and Xeriscape principles within its various rights of way where the plantings will not interfere with the District's ability to operate and maintain its canal system or become a liability to the District.
3. The planting of grass or low lying groundcover, (height not to exceed 2 feet at maturity), which are on the District's approved planting list, has been determined to have minimal impact on the District's ability to operate and maintain its system. It is permissible to plant approved low lying groundcover species without the benefit of a permit on that portion of the right of way lying adjacent to the individual owners' property provided the planting conforms with the applicable exemption criteria. (Please refer to the Exemptions section of this manual, page 47.) However, individuals proposing to plant grass or groundcover are advised that such plantings may be damaged by District equipment traversing the right of way. The District assumes no responsibility for damage to any improvements placed within its rights of way.
4. The permittee is responsible for the maintenance of all authorized trees and plantings within the District's right of way and the growth of said trees, including pruning of tree canopies. The permittee shall maintain the trees in such a manner so no portion of the authorized plantings either over-hang or encroach onto the areas specified by the District to remain clear for canal maintenance purposes. Upon the request by the District, the permittee shall immediately trim or prune any trees or plantings identified by the District to the District's satisfaction and at the permittee's sole expense. Large trees must be maintained at a maximum height of twenty-five (25) feet.
5. Should an individual permit be obtained for landscaping, the applicant must be aware that such improvements are made at the risk of the permittee and are subject to prompt removal upon notification by the District, at the permittees sole expense. Failure of the permittee to respond to the District's request for removal of such improvements will result in the District removing same without liability or responsibility and with no guarantee of salvageability.
6. The permittee shall also be aware that in the event the District must remove plantings that are protected by local ordinances, any mitigation requirements shall be the responsibility of the permittee and that the District may not allow the mitigation to take place within the District's right of way.
7. The District may require the applicant to remove and/or treat existing invasive, exotic vegetation within the District's right of way.

LANDSCAPING (CONT'D.)

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee, if applicable.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
3. A recent boundary/property survey.
4. Detailed landscaping plans.

Criteria To Be Met:

1. The work shall not interfere with the District's operations and maintenance activities.
2. Applicant shall utilize the District's planting list contained in this manual (Refer to pg 165).
3. The use does not adversely affect a previously authorized use(s) of the right of way.

LINEAR PARKS AND GREENWAYS

(Allowable Zone: 5)

Due to the complexity and site specific nature of linear park and greenway proposals, they will not be eligible for Notice General Permits.

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. It is the policy of the District to allow the public to utilize publicly-owned rights of ways for passive recreational purposes.
3. Due to the on-going expense of maintaining plants, only financially responsible entities such as local governmental entities and homeowner condo/associations may make application for linear park or greenway related beautification proposals.
4. The permittee is responsible for the maintenance of all authorized trees and plantings within the District's right of way and the growth of said trees, including pruning of tree canopies. The permittee shall maintain the trees in such a manner so no portion of the authorized plantings either over-hang or encroach onto the areas specified by the District to remain clear for canal maintenance purposes. Upon the request by the District, the permittee shall immediately trim or prune any trees or plantings identified by the District to the District's satisfaction and at the permittee's sole expense. Large trees must be maintained at a maximum height of twenty-five (25) feet.
5. Prior to making an application for trees and other plantings within the right of way the applicant should consider the long term financial impact that accompanies the routine maintenance and possible emergency removal associated with a planting proposal.
6. Entities proposing linear parks and greenways should bear in mind that their designs must accommodate the District's on-going need to traverse the right of way and access the canal for maintenance operations.
7. Governmental entities proposing linear parks are encouraged to work closely with area residents to obtain the residents' support for the linear park project. In designing linear parks, governmental entities are encouraged to develop designs that are economical to maintain and to be prepared to adequately fund maintenance of the improvements in perpetuity.
8. Nothing in this section shall be construed to mean that the District accepts any responsibility for damages which may be caused by trees planted by a permittee. As the permittee is responsible for the improvements, the permittee assumes all liability associated with the tree(s) and plantings, including encroachments in air space pursuant to applicable sections of this rule and criteria.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee, if applicable.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
3. A recent boundary/property survey.

LINEAR PARKS AND GREENWAYS CONT'D.

4. Provide detailed linear park/greenway plans.

Criteria To Be Met:

1. The proposed work shall not interfere with the District's operations and maintenance activities.
2. Applicant shall utilize the District's planting list contained in this manual (Refer to page 165).
3. The proposed use does not adversely affect previously authorized use of the right of way.
4. Governmental entity requests must be supported with a resolution acknowledging responsibility associated with a linear park or greenway, including:
 - a. By filing an application for a linear park or greenway, particularly where trees are proposed, the applicant is making a commitment that it is willing and financially capable of maintaining the landscaping to the District's satisfaction for the life of the permit.
 - b. Understands the implications that fallen trees/debris represent with regard to the District's ability to perform its flood control mission and the financial responsibility of the permittee should a loss occur.
 - c. Will remove and trim any landscaping in a timely manner when requested to do so by the District.
5. Will assume the responsibility for complying with any applicable tree ordinances and not attempt to use such ordinances as a means to keep trees which the District determines must be removed.
6. Clear access is preserved for District maintenance equipment and vehicles.
7. Suitable set-up and operation areas are provided along the canal bank to enable District equipment to perform emergency debris removal operations.
8. Plantings within the right of way are spaced intermittently along the right of way in such a manner so as to provide areas to temporarily stockpile debris.
9. At least 98% of all plantings used are on the District's approved plant list and no noxious or undesirable species are used.
10. Taller plants and trees are set back from the top of bank in order that they do not fall into the canal if they topple during a hurricane or windstorm.
11. District staging areas are not impacted.
12. No encroachment of permanent structures (including but not limited to shelters, benches, trash receptacles, bicycle racks, fish cleaning tables, bollards, pedestrian signage and signalization) are proposed within forty (40) feet of top of bank.
13. If fencing is proposed, it does not interfere with the District's access or prohibit the public's passive recreational access along the canal.

MARINAS

(Allowable Zone: 1, 2)

For purposes of this criteria, the District considers marinas to be a public or private boat docking facility with spaces for (4) four or more watercraft. Marinas, public or private, are not eligible for the issuance of a Notice General Permit.

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. The construction of commercial marinas offering services to the general public will not be authorized by the District unless the applicant can demonstrate that the facilities:
 - a. Do not adversely affect the District's interests;
 - b. Serve the public interest; and
 - c. Meet the requirements of the Criteria Manual, Chapter 373, F.S., and Chapter 40E-6, F.A.C.
3. Applicants for private marinas for use by adjacent property owner(s) or unit owners in a condominium or homeowners association will not represent any vested right in the permitted marina. This policy is intended to protect the buyer from misrepresentation and the developer and the District from claims of reliance in the event the District denies the applicant's request for a permit or later revokes, suspends or modifies a permit.
4. All developers, builders and homeowners are cautioned that in performing its function as a regional water manager, the District may need to fill-in or relocate waterways, construct or relocate water control structures or other works and these activities may necessitate the removal of permitted facilities or, may render them unusable. The District may also determine that for policy reasons certain activities once authorized must be terminated and not reinstated. Applicants should carefully consider these facts before applying for permits. Developers in particular, should be careful to make no representations to prospective buyers that by living in a particular development, they will have any particular rights with regard to the District's waterways.
5. In evaluating applications for marinas, the District will take into account ownership and quality of title to the right of way upon which the waterway is situated. Where the District is the fee simple owner, the District, in exercising its proprietary rights, dictates to what extent the right of way can be used, including the number of boat slips or mooring spaces which may be built. A lease agreement will be required and an annual lease fee paid to the District by commercial marinas meeting District criteria, for the privilege of running a commercial operation on the District's Lands.
6. In cases where the applicant can prove underlying fee ownership of a District easement, the District will be governed by its proprietary interests established in the deed by which the District took title to the right of way, and the provisions of Chapter 40E-6., F.A.C. and Chapter 373, F.S. The District may require mitigation as part of any approvals.
7. Where marinas are considered acceptable, density will be limited to not more than (4) four slips or mooring spaces per (100) one hundred feet of frontage on the District's waterways.
8. Where marinas are proposed, it will be the applicant's responsibility to show that no adverse impacts will result from the construction or operation of a marina facility.

MARINAS (CONT'D.)

9. For boat docks located in Collier County and specific criteria regarding required low member elevations, please refer to the Big Cypress Basin – Quick Reference Table, beginning on page 77.
10. Applicants for boat docks are advised that permits may be required from the Department of Environmental Protection (DEP), whose criteria may be more stringent than the District's. Additionally, approvals or permits are normally required from the local building and zoning departments of the community. For this reason, it is suggested that proposals for boat docks be first discussed with the DEP and other entities to determine the potential permissibility of the project, before filing an application with the District.
11. Proximity of District Water Control Structures:
The construction of boat docks within an area from 250 feet upstream as measured from the water control structure centerline to a point 250 feet downstream of the discharge end of the water control structure is prohibited. Additionally, in cases where the District has installed cables or booms across canals, no docking facilities may be constructed within these areas.
12. Live Aboards: The mooring of any vessel in a District waterway, being used either permanently or temporarily as a "live aboard" or residence, is prohibited.
13. Boat Docks May Be Prohibited in Certain Areas:
Construction of docks in areas, where in the District's opinion, wakes attributable to boat operation in District canals, combined with geologic and other conditions contribute to bank slope erosion, resulting in diminished canal maintenance berm widths and shoaling in canals, will be prohibited. In areas where unacceptable rates of bank erosion are occurring, the District reserves the right to deny or revoke permits for boat access facilities such as boat ramps, boat docks and open channel connections.
14. Boat Dock Permits May Be Revoked for Certain Unauthorized Activities. These unauthorized activities include, but are not limited to:
 - a. The dock or any portion of it is being used either permanently or temporarily as a place of residence.
 - b. The dock is being used for the mooring of houseboats; or, other vessels are being used either permanently or temporarily as a place of residence.
15. Construction of boat docks which do not involve environmentally sensitive areas, or areas designated as restricted by the District, may be authorized under District permit. Each application will be judged on its merits and shall meet the Project requirements on the specific location.
16. Applicants in areas downstream of water control structures should realize, that in a few areas, extremely high tides combined with structure discharges may cause docks to be inundated. The applicant may want to consider building the dock to a higher elevation in such cases.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee, if applicable.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.

MARINAS (CONT'D.)

3. A recent boundary/property survey.
4. The type/size and location of associated facilities such as boat lifts, davits, whips, mooring piles, etc.
5. The low member elevation of the proposed dock(s).

Criteria To Be Met:

1. The docking facilities are located adjacent to the applicant's ownership within the extension of the property lines, as extended perpendicular from the centerline of the canal.
2. The docking facilities, including associated mooring facilities and vessels moored thereto must not extend more than 25% of the entire width of the canal, as measured at the average mean high water line or bulkhead line, whichever applies.
3. The minimum low member elevation requirement is met. (Low member elevations are site specific, please contact the District's Right of Way Permitting staff for information).
4. The facilities are not proposed within 100' of a bridge or pile-supported utility crossing.
5. The facilities must not be located within a staging area or other area where the District has designated as being prohibited.
6. The facilities are not proposed inside an area where the District has installed cables or booms across the canal.
7. The facilities are not located within an environmentally sensitive area.
8. The docking spaces accommodate no more than four (4) slips or mooring spaces per 100' of frontage on the District's waterways.
9. The facilities do not incorporate walls or other similar enclosures, whether solid, partly solid, screened or transparent, regardless of the type of material to be used.
10. The facilities do not interfere with District access, operations or maintenance activities.
11. The use does not adversely affect previously-authorized use(s) of the right of way.

MITIGATION AND ENVIRONMENTAL ENHANCEMENT (Allowable Zone: 1, 2, 3, 4, 5)

Mitigation or environmental enhancement projects may be authorized when such projects do not interfere with the District's operations and maintenance needs.

The District may also require mitigation based on a project's actual or potential adverse impact on existing wetland or upland habitat; and the projects actual or potential impact for shoaling or erosion.

In locations where mitigation or environmental enhancement is appropriate, it may consist of the following activities:

1. Erosion control and improving water quality;
2. Enhancing or providing wildlife habitat;
3. Placement of limerock rip-rap on filter fabric;
4. Removal and treatment of invasive, exotic vegetation; and
5. Planting of native wetland, transitional or upland vegetation.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee, if applicable.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. The location of all existing and proposed conditions, elevations, plant materials (species, size and number to be planted)
3. A recent boundary/property survey.
4. A listing of all erosion control materials (specifications), etc.

Criteria To Be Met:

1. The work shall not interfere with the District's operations and maintenance activities.
2. Applicant shall utilize the District's planting list contained in this manual (Refer to Page 165).
3. The use does not adversely affect previously authorized uses of the right of way.

MONITORING WELLS

(Allowable Zone 2, 3, 4, 5)

In order for a monitoring well(s) to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee, if applicable.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. A narrative explaining why the well is necessary, why it must be placed on a District right of way, what data will be gathered from the well and where the data will be maintained and made available.

Criteria To Be Met:

1. The monitoring well must be flush with surrounding ground, or if above ground, is placed in locations determined to be acceptable by the District.
2. The location of the proposed installation does not interfere with District ingress/egress routes.
3. If below grade, the installation must be constructed so as to withstand the weight of the District's heavy maintenance equipment and vehicles.
4. The facility is appropriately staked or otherwise marked, as directed by the District.
5. The facility must not be located within a staging area or other area where the District has designated as being prohibited.
6. The facility is not located within an environmentally sensitive area.
7. The facility does not adversely affect previously authorized use(s) of the right of way.
8. The application is supported by a "Well Abandonment Plan" that is acceptable to the District.

PATIO STONES, WALKWAYS AND OTHER SIMILAR AT-GRADE INSTALLATIONS
(Allowable Zone 2, 3, 4, 5)

In order for installation of a patio, slab, walkway or similar installations to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee, if applicable.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
3. A recent property/boundary survey.

Criteria To Be Met:

1. The installation is at existing ground/grade level.
2. The installation is constructed so as to withstand the weight of the District's heavy maintenance equipment and vehicles.
3. The location of the installation does not interfere with District access and ability to perform routine and emergency maintenance operations.
4. The facility is not located within an environmentally sensitive area.
5. The installation does not adversely affect previously authorized use(s) of the right of way.

PROJECT CULVERTS

USE OF OR CONNECTION TO PROJECT CULVERTS (INLET STRUCTURES)

Under the Central & Southern Florida Flood Control Project, inlet structures (Project Culverts) are provided during the course of existing channel or levee improvements or new channel or levee construction. These inlet structures are provided at the cost of that Project. They are generally installed at points of existing artificial and natural inflow into the Project improved or constructed facility. In certain instances, they are installed at points where no inflow exists, but where future inflow is planned to enter.

At those locations where a pre-existing on-the-land facility providing drainage discharge connections to a District facility by means of a Project inlet structure, this connection shall be placed under District Right of Way Occupancy Permit. This permit would be for the connection to and use of the Project inlet structure only and will not obligate the permittee for maintenance of the inlet structure itself.

At those locations where an inlet structure has been installed by the Project at a point of no pre-existing inflow, the subsequent connection of an on-the-land drainage facility to that inlet structure will require the connection to be placed under District Right of Way Occupancy Permit. This permit would be for the connection of the upland ditch or channel to and use of the Project inlet only and will not obligate the permittee for maintenance of the inlet structure itself.

At those locations where a pre-existing on-the-land facility providing positive drainage discharge connects to a District facility by means of an open channel; this connection shall be placed under District Right of Way Occupancy Permit.

Regardless of the status of previous connection(s) prior to Project construction, the landowner is obligated and required by law to apply for a Right of Way Occupancy Permit for any connection, whether culverted or open channel, made in conjunction with or subsequent to Project improvement of the canal or levee.

Method of Allocation of Benefits Derived from Project-Provided Inlet Structures

Inlet structures so installed are designed to serve specific area tributaries. These areas may, and often do, contain several ownerships. Therefore, each ownership, if more than one, accrues a use benefit in direct proportion to the individual ownership of the entire area to be served.

When one ownership, which would normally share in the benefits from the Project installed inlet structure, wishes to connect to the Project by other means or at other locations, the landowner, in a written statement, must first relinquish all rights to the Project inlet structure before permission can be granted to connect otherwise.

PROJECT CULVERTS (INLET STRUCTURES) CONT'D.

In cases where Project Culvert installations exist and serve a single piece of property, attachments to District Project Culverts such as the addition or attachment of weir plates, gates or other control shall be authorized, if requested by the property owner, under the following circumstances which the property owner agrees to:

- a. The applicant must obtain U.S. Army Corps of Engineers approval.
- b. Assume full responsibility and full expenses for the replacement of the entire culvert when the culvert, in the opinion of the District, reaches a state of disrepair and must be replaced.
- c. Pay the District the depreciated value of the culvert (if any), since the applicant will assume control and derive the sole benefit of the culvert. (Depreciated value can be obtained from the District); and,
- d. Ensure the use is otherwise consistent with the provisions of Chapter 373, F.S., and Chapter 40E-6, F.A.C.

In cases where the Project Culvert installations serve a single piece of property and are no longer needed for irrigation or drainage of the property, the owner may request permission to remove the non-functional culvert. Such removal shall be authorized under the following circumstances:

- a. The applicant must obtain U.S. Army Corps of Engineers approval.
- b. The applicant agrees to remove the culvert in good and useable condition and deliver the culvert to the District.
- c. The applicant agrees that in the event the culvert cannot be removed in a good and useable condition, the applicant will pay the District the depreciated value of the culvert (if any), and dispose of the debris. (The depreciated value can be obtained from the District).
- d. The applicant agrees to restore the berms, banks, levees and rights of way to original or better condition to the satisfaction of the District; and,
- e. The use is other consistent with the provisions of Chapter 373, F.S., and Chapter 40E-6, F.A.C.

The applicant/permittee is advised to obtain all other necessary permits and approvals, such as a Water Use or Surface Water Management Permit, etc. from the District's Regulation Department.

PUMP CONNECTIONS

Such a connection to Project Works usually involves a permanent or semi-permanent installation. Since no permanent pumping stations are allowed on Project rights of way, a culvert connection is the usual means by which a pump connection is made. The standards applicable to culvert connections found previously in this manual shall be the criteria used in such installations. (Refer to Culverts on Page 89)

The settling basin or forebay shall be located clear of Project rights of way. Under certain conditions, where Project levees are involved, the forebay may be constructed on the land side of the levee within Project rights of way. Such conditions include the amount of available right of way not needed for District operations and maintenance, future canal enlargement or levee expansion and the applicant's property interests.

Levees surrounding forebays shall be constructed with a crown elevation one-half ($\frac{1}{2}$) foot or lower, below the required elevation of the adjacent District levee.

Each applicant shall be required to take all feasible measures, acceptable to the District, to prevent discharge of debris or aquatic weeds into any Project Works by the permitted use.

The discharge of aquatic weeds into the Works of the District is grounds for permit revocation.

Every installation must incorporate adequate erosion and anti-shoaling measures in the design and construction.

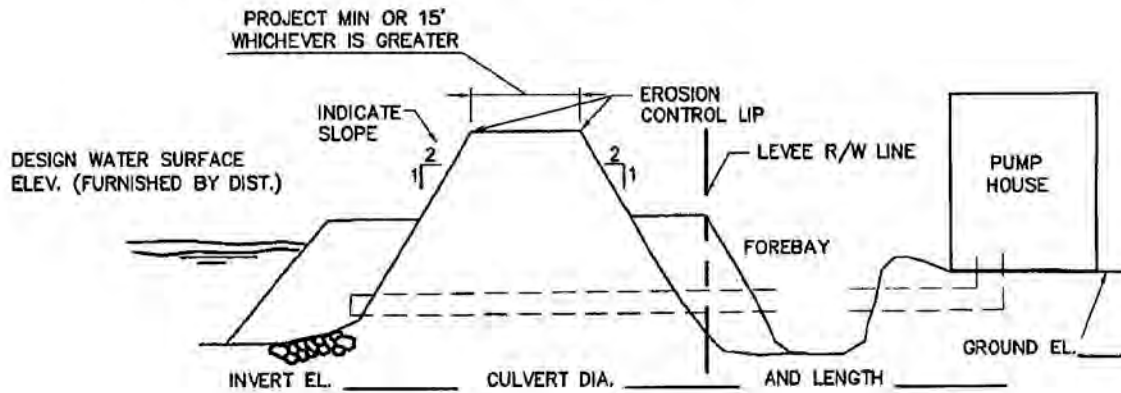
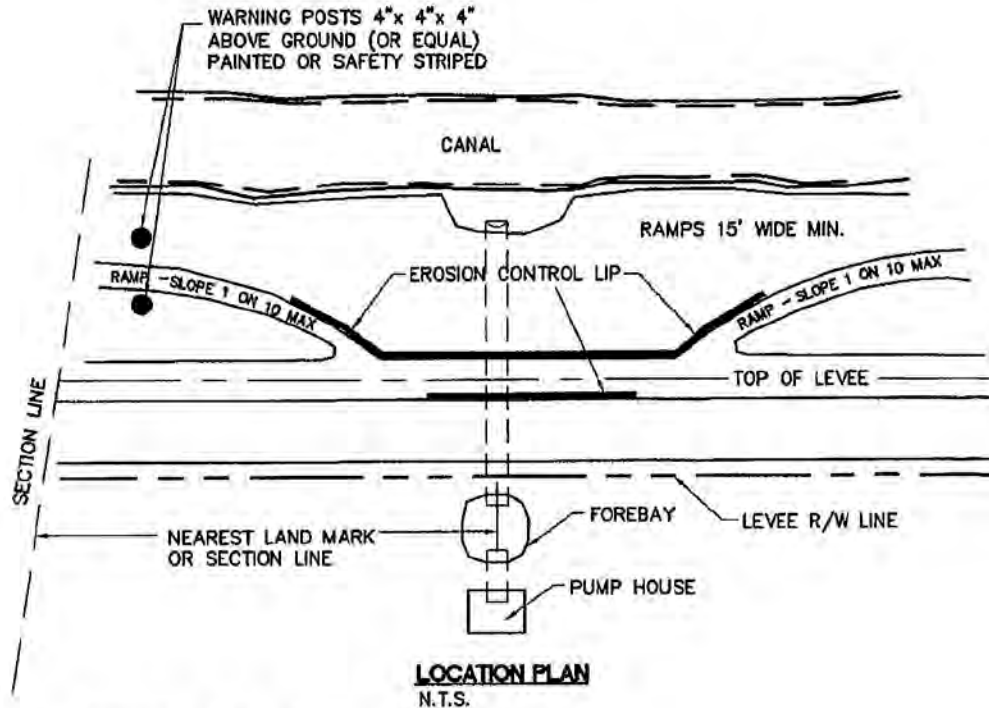
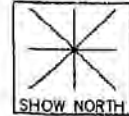
When pumps are connected directly to the culverts, thereby eliminating the usual forebay, flanged type connections will be required rather than bands.

All other specifications governing connection of culverts, both directly and through levees, apply.

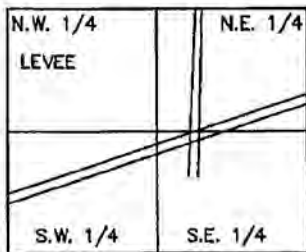
Pump capacities must comply with limitations in keeping with District criteria. Please contact the District's Regulation Department by calling the District's Main Office.

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**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
PUMP STATION CULVERT
SAMPLE INSTALLATION ILLUSTRATION**



SEC. _____ TWP. _____ RGE. _____



- NOTE:**
 1. ALL ELEVATIONS REFER TO MEAN SEA LEVEL.
 2. ALL AREAS DISTURBED DURING PIPE INSTALLATION SHALL BE GRASSED IN KIND.

DRAWING TO ACCOMPANY APPLICATION NO. _____	
FOR PUMP STATION CULVERT CONNECTION TO:	

APPLICANTS NAME:	_____
DATE:	SIGNED: _____

SHEDS

(Allowable Zone: 5)

In order for a non-permanent shed to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. Small temporary storage sheds may be permitted under certain circumstances. In order to be considered for approval by the District, sheds must be:
 - a. Small, temporary, of kit-type or similar simplified construction, which may readily be dismantled with manpower and hand tools, but without the use or erection of machinery or equipment.
 - b. A maximum size of 100 square feet of floor space.
2. When requesting a permit for such a structure, the applicant should keep in mind that under emergency circumstances it may be necessary to have the shed removed on short notice under adverse weather conditions. While the District will attempt to notify owners of such structures that immediate removal of their shed and its contents is necessary, conditions may require immediate removal by District forces without prior notice. Under such circumstances, the District cannot guarantee salvageability of the shed or its contents. The District assumes no responsibility for damage to these facilities.
3. If water or electric service is proposed, the District's applicable criteria must also be met. (Refer to page 98).
4. The shed will not be used for the storage of pesticides, fuel oils, or other petroleum products, including solvents, paints and thinners.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee, if applicable.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
3. A recent property/boundary survey.

Criteria To Be Met:

1. The slab/foundation, if applicable, must be flush with existing ground/grade level.
2. The facility is not located within 100' of a bridge or pile-supported utility crossing.
3. The facility must not be located within a staging area or other area where the District has designated as being prohibited.
4. The facility is not located within an environmentally sensitive area.
5. The use does not adversely affect previously authorized use(s) of the right of way.
6. The use does not interfere with the District's maintenance and operations activities.

SIGNS

(Allowable Zone 5)

In order for the placement of signage within the right of way to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. The applicant must be a governmental or municipal entity.
3. The sign is of a regulatory informational or directional nature (no advertising or commercial signs).
4. Such use is not adverse to the District's operations and maintenance programs, including encroachment into air space above the District's rights of way.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.

Criteria To Be Met:

1. The location of the sign, or any portion of a sign that overhangs the District's right of way, does not interfere with the District's ingress/egress routes or its ability to perform canal operation and maintenance activities.
2. The sign is not located within 100' of a bridge or pile-supported utility crossing.
3. The facility is not located within a staging area or other area which the District has designated as an area where regulatory/informational signs are prohibited.
4. The facility is not located within an environmentally sensitive area.
5. The facility does not adversely affect previously authorized use(s) of the right of way.

SPOIL MATERIAL

The disposition and sale of District-owned spoil is not handled through the issuance of a Right of Way Occupancy Permit.

All inquiries concerning the disposition and sale of District-owned spoil material should be directed to the District's General Asset Manager.

The public is warned that the unauthorized removal of District-owned spoil is considered as theft of State-owned property. The theft of spoil will be punished to the fullest extent of the law.

Where removal of spoil material results in damage to the required levee section of a Project Work of the District, the individual or entity may also be liable for prosecution under Federal Statutes.

STABILIZATION/EROSION CONTROL

(Allowable Zone: 1, 2)

The District encourages the construction of well designed bank stabilization/erosion control projects. In order for such proposals to be considered for issuance of a Notice General Permit, each of the following items must be met in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit.

NOTE:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. The District is not under any circumstances responsible for the repair or replacement of stabilization projects damaged as a result of water level fluctuations, flows or operations of its water control structures.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting:
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. Existing conditions and proposed work.
3. A recent boundary/property survey.
4. A list of all erosion control material (specifications), methods, etc.

Criteria To Be Met:

3. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
4. The work shall not interfere with the District's operations and maintenance activities.
5. The project does not reduce the cross-sectional area of the canal.
6. The project does not interfere with previously authorized uses of the right of way.
7. The project incorporates smooth transitions into the adjacent bank and does not result in eddies or erosion to adjacent property.
8. Stabilization/erosion control materials shall consist of clean environmentally friendly materials that do not release pollutants or measurably degrade water quality or soils.
9. The project does not impact mangroves or other environmentally sensitive areas.

STORAGE - TEMPORARY OFFICE TRAILER/CONSTRUCTION EQUIPMENT/ MATERIALS
(Allowable Zone 4, 5)

In order for storage - temporary office trailer/construction equipment/materials to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. Approved use of the District's rights of way for the temporary placement of office trailers, equipment or material storage is not an approval of electric, telephone or other utility service to the trailer. Utility service providers must also obtain a permit for their use of the right of way and must meet all applicable criteria.
3. Evidence that restroom/sanitary facilities have been authorized and conform to local codes/ordinances.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
3. A narrative explaining why the District's right of way must be utilized, rather than privately owned land located off of the District's rights of way.
4. The time-frame for use of the District's right of way.
5. If applicable, the location of any fencing.
6. The type of materials to be stored.
7. The posting of financial assurance in an amount satisfactory to the District (See Financial Assurance and Insurance, page 19).
8. A Certificate of Insurance to the limits and amounts specified by the District (Please contact Right of Way Permitting Staff for current requirements).

Criteria To Be Met:

1. If the proposal is for an office trailer or for the storage of construction equipment or materials the request must be in conjunction with an authorized construction project within the District's right of way.
2. The use is for a term of 2 years or less.
3. The location of trailer does not interfere with District ingress/egress routes therefore, allowing District maintenance vehicles to perform routine and emergency field maintenance operations.
4. The facility is not located within 100' of a bridge or pile-supported utility crossing.
5. The facility must not be located within a staging area or other area where the District has designated as being prohibited.
6. The facility does not involve an environmentally sensitive area.

**STORAGE- TEMPORARY OFFICE TRAILER/CONSTRUCTION EQUIPMENT/MATERIALS
(CONT'D.)**

7. The facility does not adversely affect previously authorized use(s) of the right of way.
8. The facility does not interfere with the District's access, operation or maintenance activities.
9. After use of the District's right of way, it shall be restored (graded, re-sodded with Bahia grass and stabilized) to the satisfaction of the District.

UTILITY INSTALLATIONS

For crossings in the Big Cypress Basin, please refer to the Big Cypress Basin – Quick Reference Table, beginning on page 77, otherwise:

Requests for construction of utility crossings must be submitted by an established utility company, governmental or other similar entity. Requests for construction of utility facilities submitted by private or individual developers or other entities will be denied, unless:

1. The applicant demonstrates financial assurance to ensure compliance with permit conditions (Please contact Right of Way Permitting Staff for current requirements).
2. The applicant provides insurance coverage to the amounts and limits specified by the District;
3. The applicant provides signed verification from the utility company or governmental entity who will be accepting the facility, once constructed and accepted, for ultimate operation and maintenance; and,
4. The use is otherwise consistent with the provisions of Chapter 373, F.S., and Chapter 40E-6, F.A.C.

AERIAL CROSSINGS

(Allowable Zone: 5)

In order for aerial/pole supported utility crossings to be considered for issuance of Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTE:

The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. The minimum vertical clearance above the highest elevation of the berm or levee as measured from the point of maximum sag.

Criteria To Be Met:

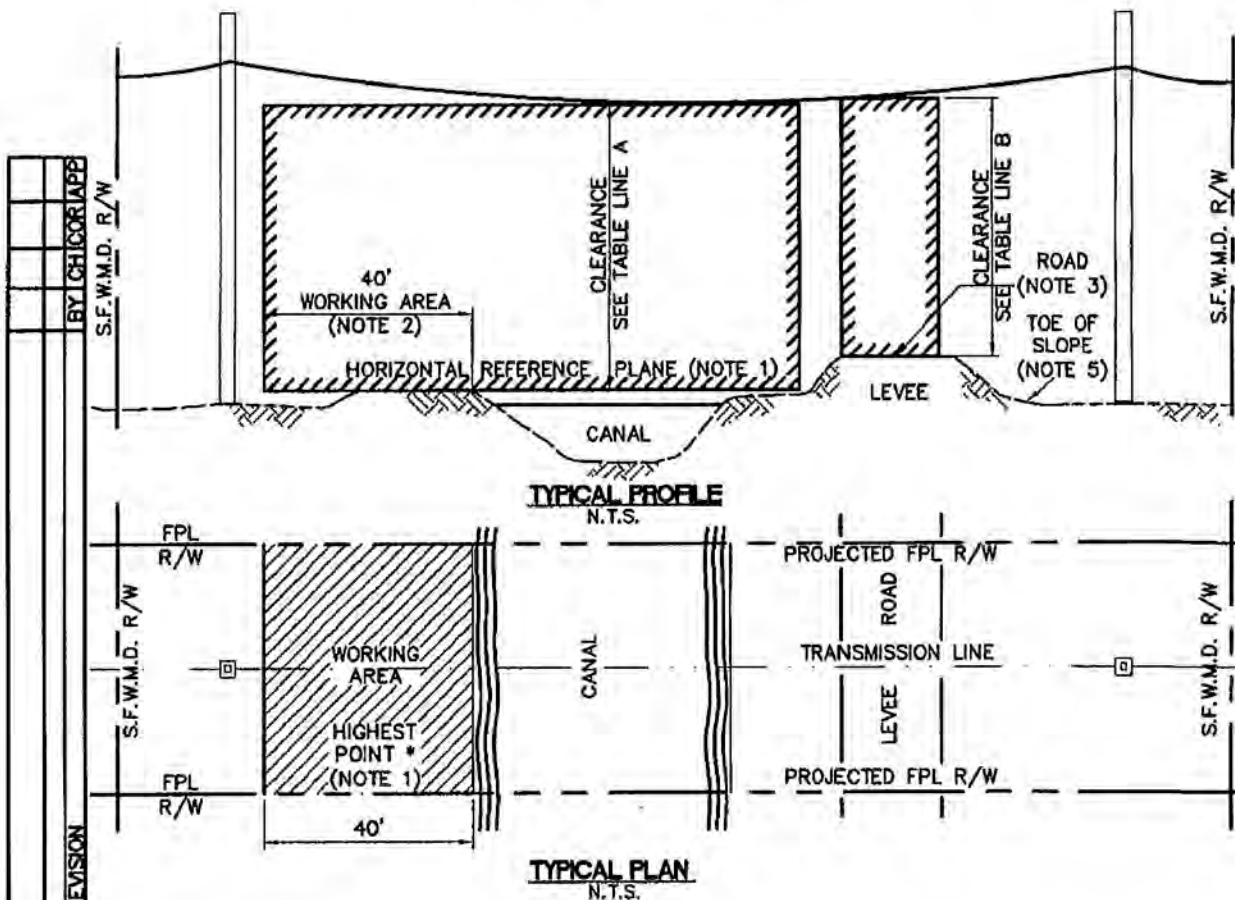
1. The facilities may not be located directly overhead of a District water control structure or project culvert.
2. All poles, down guys, anchors, etc. are located either outside or within one (1) foot of the rights of way lines (or in other locations acceptable to the District).
3. The facility is not located within 100' of a bridge or pile-supported utility crossing.
4. The facility must not be located within a staging area or other area where the District has designated as being prohibited.
5. The facility does not involve an environmentally sensitive area.
6. The facility does not adversely affect previously authorized use(s) of the right of way.
7. The facility does not interfere with the District's access, operation or maintenance activities.
8. The vertical clearance of aerial lines must be calculated from the elevation of the point of maximum sag to the highest ground elevation in the vicinity of the crossing.
9. Meets the minimum vertical clearance criteria as depicted below.

Telephone & Other Low-Voltage Carrying Lines & Span Guys or Other Non-Voltage Carrying Lines

40' or higher above the highest berm elevation as measured at the point of maximum sag;
or, 20' above levee crown or higher as measured from the point of maximum sag.

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**SOUTH FLORIDA WATER MANAGEMENT DISTRICT FACILITIES
CANALS AND LEVEES OTHER THAN STA CANALS AND LEVEES
SAMPLE INSTALLATION**



REVISION
 DATE
 BY: CHICORIA
 S.F.W.M.D. R/W

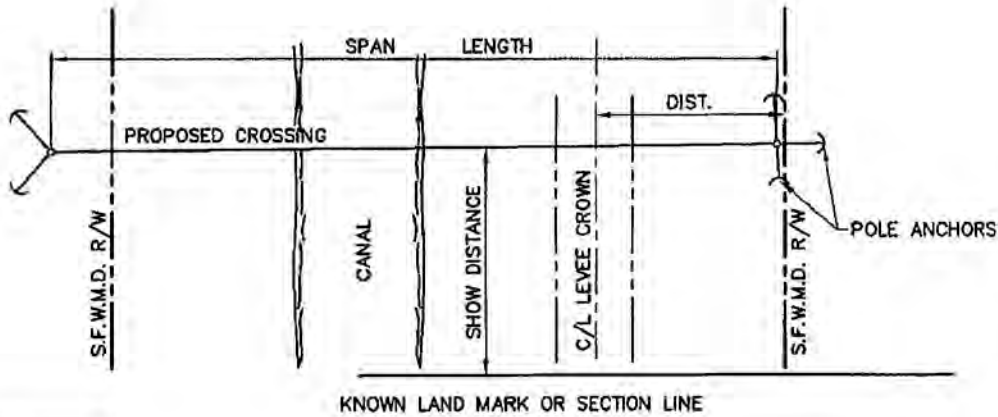
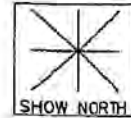
CROSSING OVER	VOLTAGE OF CROSSING CHART						
	PHASE TO PHASE	GUYS (GROUNDED)	69kv	115kv	138kv	230kv	500kv
A. HORIZONTAL REFERENCE PLANE	40'-0"	45'-0"	45'-8"	46'-2"	48'-0"	54'-0"	
B. TOP OF PROJECT LEVEE (OR ROAD)	20'-0"	20'-0"	25'-0"	25'-0"	25'-0"	35'-0"	

NOTES:

1. THE HORIZONTAL REFERENCE PLAN IS DRAWN THROUGH THE HIGHEST POINT OF LAND BOUNDED BY 40' WORKING AREA AND FPL'S RIGHT-OF-WAY PROJECTED. (HIGHEST POINT NOT NECESSARILY UNDER TRANSMISSION LINE.)
2. NO FPL FACILITY MAY BE LOCATED WITHIN THE 40' WORKING AREA.
3. IF ROAD IS USED BY THE PUBLIC, REQUIRED CLEARANCE SHALL BE THE GREATER OF THAT SHOWN ON THE LINE "B" ABOVE OR THAT SPECIFIED ON A-88348.
4. CLEARANCES SHOWN SHALL BE WITH CONDUCTOR AT MAXIMUM DESIGN TEMPERATURE AND FINAL SAG.
5. POLE AND/OR ANCHORS MAY BE SET AS CLOSE AS TOE OF SLOPE ON LANDWARD SIDE OF LEVEE.

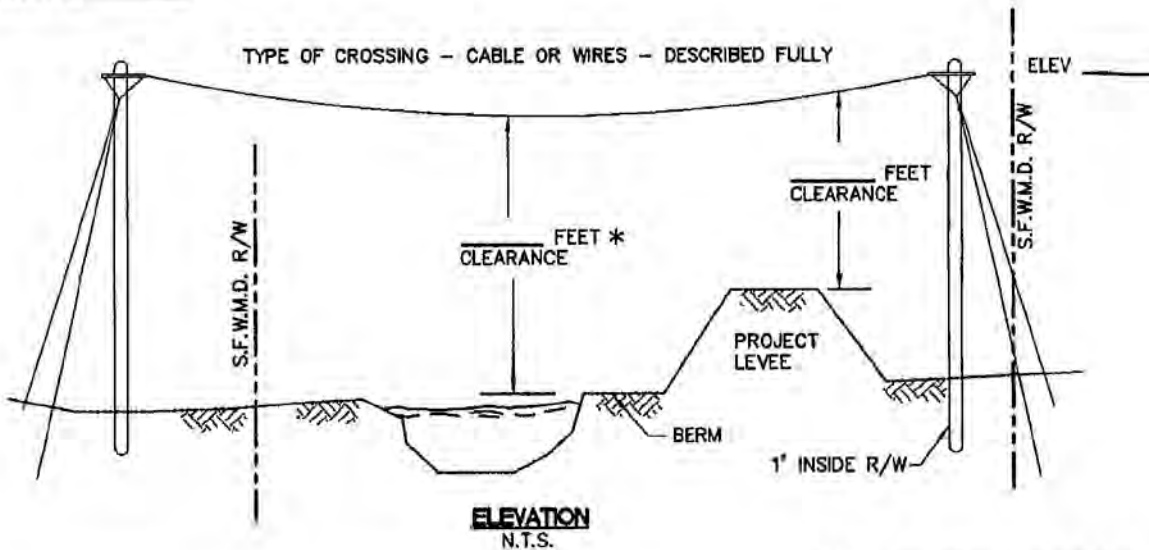
POWER DELIVERY	TRANSMISSION STRUCTURE STANDARDS		
	DATE:	APPROVED:	SECTION 4.0
			SHEET 1 OF 3 A-88349-1

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
AERIAL/POLE SUPPORTED UTILITY CROSSING
SAMPLE ILLUSTRATION**



SEC. _____
TWP. _____
RGE. _____
COUNTY: _____

PLAN
N.T.S.



ELEVATION
N.T.S.

NOTE: USE VERTICAL CLEARANCE MINIMUM THAT FURNISHES GREATER CLEARANCE

* CLEARANCE MUST BE CALCULATED FROM POINT OF MAX. SAG TO THE HIGHEST BERM ELEVATION UNDER THE CROSSING.



DRAWING TO ACCOMPANY APPLICATION FOR PROPOSED OVERHEAD	
CROSSING OVER CANAL OR LEVEE _____	
WITH _____ K.V. LINE OR _____ CABLE.	
APPLICANTS NAME: _____	
DATE: _____	SIGNED: _____

AERIAL PARALLEL RUN INSTALLATIONS
Includes CATV and conventional utility lines

(Allowable Zone: 5)

In order for an aerial parallel utility installation to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. The use of the District's works and land for the construction, operation, and maintenance of transmission lines has the potential to interfere with the District's operations, maintenance and allied purposes. Applicants should acquire their own right of way and should not look to the District to utilize District-controlled works or land, which were acquired for water management and other allied purposes.
3. This policy should not be construed as a prohibition against the construction of distribution or transmission line crossings, nor is it a prohibition against use of short segments of the District's right of way for the construction of local distribution facilities when such facilities will not interfere with operations and maintenance and are otherwise acceptable to the District.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. The minimum vertical clearance above the highest elevation of the berm or levee as measured from the point of maximum sag.

Criteria To Be Met:

1. The installation is a distribution line and not a transmission line.
2. Installation is located within a strip no wider than 10' parallel and adjacent to the District's right of way line and a minimum of 40' from the top of the canal bank.
3. Installation must provide a sufficient vertical clearance to allow District maintenance vehicles to ingress/egress and traverse the right of way to perform routine and emergency field maintenance operations.
4. The minimum vertical clearance above the District's canal berm is evaluated and based on a number of site specific characteristics. Please contact the District's Right of Way Permitting staff to discuss the required vertical clearance requirements for parallel run installations.
5. Facility must not be located within a staging area or other area where the District has designated as being prohibited.
6. Facility is not located within an environmentally sensitive area.

AERIAL PARALLEL RUN INSTALLATIONS (CONT'D.)

7. Facility does not interfere with the District's access, operations or maintenance activities.
8. The facility does not adversely affect previously authorized use(s) of the right of way.
9. Restoration/re-sodding with Bahia grass of all disturbed areas within the right of way to the District's satisfaction.

BRIDGE ATTACHMENT
Includes CATV and communications, etc.

(Allowable Zone: 1)

In order for a bridge attached utility installation to be eligible for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The designer is responsible for meeting any applicable safety standards for structures of this type, either existing or as may be developed in the future.
2. The designer should be cognizant during the design stage of this type of installation that future road and bridge widening/replacement/improvement may affect the subject installation. In this regard designers should provide adequate accommodations to avoid future relocation costs.
3. The applicant is responsible for obtaining the approval of the owner of the bridge or crossing prior to performing the installation.
4. Any petroleum product pipeline installations must comply with current, applicable, industry and federal Department of Transportation guidelines.

Applicant Must Provide:

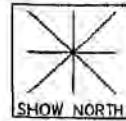
1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. The low member elevation of the utility attachment and low member elevation of existing bridge structure.
 - d. The locations where facilities enter and exit the District's right of way.

Criteria To Be Met:

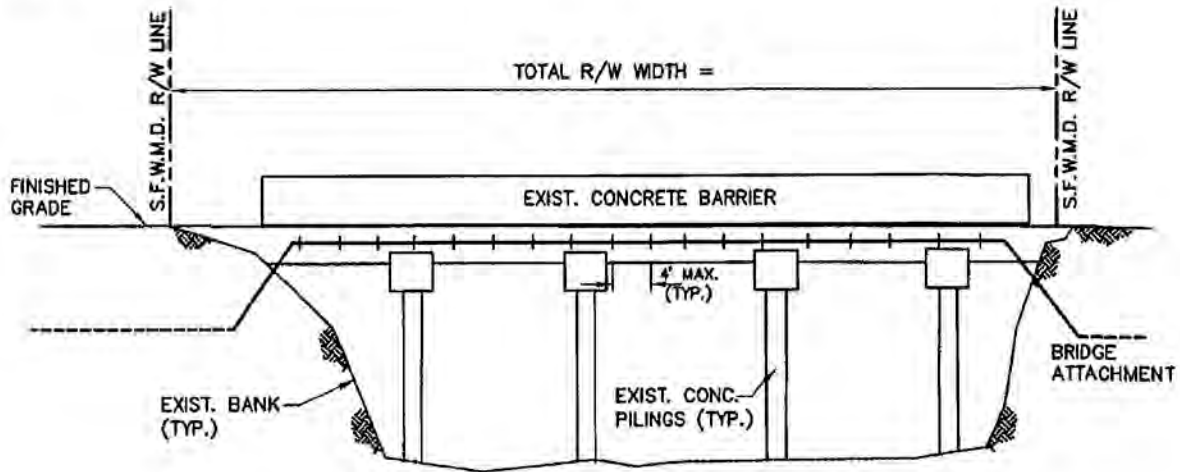
1. The low member elevation of the installation is higher than, or at a minimum equal to, the low member of the bridge to which it is attached.
2. The buried portion of the installation located within the District's rights of way, if applicable, must provide a minimum of two (2) feet of cover below the existing ground elevation.
3. Bank stabilization measures acceptable to the District are employed to limit slope erosion.
4. The facility does not interfere with the District's access, operation or maintenance activities.
5. The facility does not involve an environmentally sensitive area.
6. The facility does not adversely affect previously authorized use(s) of the right of way.
7. Where roadway bridges incorporate cable raceways or duct banks into the design of the bridge structures, these facilities shall meet or exceed the bridge low member elevation requirements.

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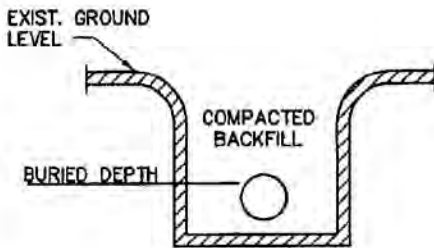
**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
BRIDGE ATTACHMENT
SAMPLE ILLUSTRATION**



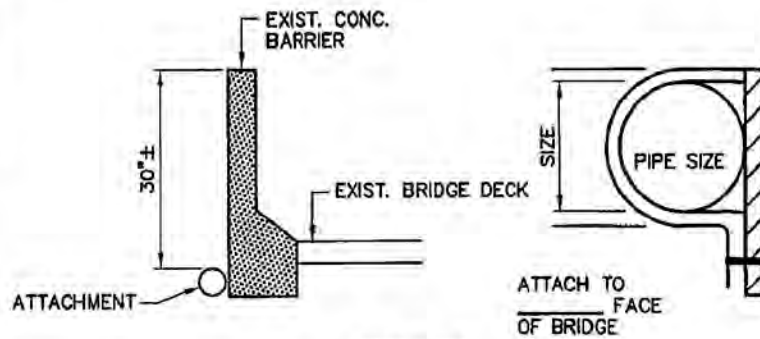
SEC. _____
 TWP. _____
 RGE. _____
 COUNTY: _____
 LOCATION: _____



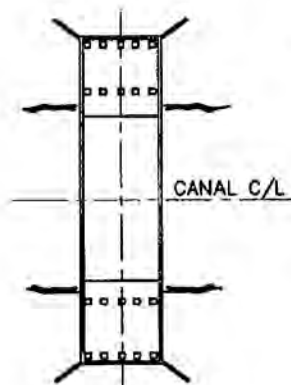
**PROFILE VIEW
N.T.S.**



**TRENCH DETAIL
N.T.S.**



**END VIEW
N.T.S.**



**PLAN VIEW
N.T.S.**

DRAWING TO ACCOMPANY APPLICATION FOR BRIDGE ATTACHMENT

APPLICANTS NAME: _____

DATE: _____ SIGNED: _____

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BURIED PARALLEL RUN INSTALLATIONS

(Allowable Zone: 2, 3, 4, 5)

In order for a buried utility installation crossing within a road/culvert/bridge embankment to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. The use of the District's works or land for the construction, operation, and maintenance of transmission lines has the potential to interfere with the District's operation, maintenance and allied purposes. Applicants should acquire their own right of way and should not look to the District to utilize District-controlled works or land, which were acquired for water management and other allied purposes.
3. This policy should not be construed as a prohibition against the construction of distribution or transmission line crossings, nor is it a prohibition against use of short segments of the District's right of way for the construction of local distribution facilities when such facilities will not interfere with operations and maintenance and are otherwise acceptable to the District.
4. Buried water, gas, sewage, petroleum products line or cable installed on District rights of way in a manner generally paralleling the right of way or the canal must be installed in such a manner that will not limit the District's use of its rights of way.
5. When designing utility lines which run parallel to District rights of way, utility companies should strive to make use of platted utility easements or adjacent landowners' properties. The District should not be approached for authorization to place a utility run within its canal/levee right of way simply because an adjacent utility easement already has other existing installations; or, because adjacent landowners' have encumbered the utility easements with encroachments. Dealing with these types of problems is the responsibility of the utility desiring to provide service and not the District's.
6. Utility companies designing buried parallel runs should bear in mind the time it takes to process their permit application and govern themselves accordingly when setting work schedules or promising service to customers. This is especially true in dealing with non-essential services such as cable TV installations.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. The burial depth of installation within the District's right of way.
 - d. The locations where facilities enter and exit the District's right of way.
 - e. Documentation why it is not feasibly possible for the installation to be located within a platted utility easement or adjacent landowners' property.

BURIED PARALLEL RUN INSTALLATIONS (CONT'D.)

Criteria To Be Met:

1. The burial depth of the installation should provide for a minimum of two (2) feet of cover below existing ground within the District's right of way.
2. No above-ground facilities are proposed within forty (40) feet of the top of canal bank.
3. Installation is located within a strip no wider than 10' parallel to and adjacent to the right of way line.
4. The facility does not involve an environmentally sensitive area.
5. The facility does not interfere with the District's access, operation or maintenance activities.
6. The facility does not adversely affect previously authorized use(s) of the right of way.
7. Bank stabilization measures necessary to restore (grade, re-sod with Bahia grass, stabilized) to the District's satisfaction.

PILE-SUPPORTED OR ARCHED
Includes CATV and communications, etc.

(Allowable Zone: 1)

In order for a pile-supported utility crossing to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. When the existence of a pile-supported crossing will conflict with the provisions of Chapter 373, F.S., and Chapter 40E-6, F.A.C., subaqueous crossings will be required in areas where existing pile-supported crossings have a potential adverse impact in canal flow characteristics or where right of way constraints or other elements, in the opinion of the District, have limited District maintenance access capabilities to a few maintenance platforms or sites.
3. When construction of utility lines is supported on pilings for free-span, the required clearance (both horizontal and vertical) for bridge crossings are in effect. Should installations be made adjacent to an existing bridge, pilings of the proposed installation must align with bridge pilings, so that a minimum of obstruction to the flow of water by accumulation of debris is assured.
4. A certified cross-section of the canal as it exists, taken at the location of the proposed crossing, super imposed over the ultimate design section. (Refer to page 64).
5. Documentation of reason installation is pile-supported in lieu of subaqueous or bridge attachment design.
6. Certificate of Insurance or evidence of self-insurance indemnification to the amounts and limits specified by the District (Please contact Right of Way Permitting Staff for current requirements).
7. For private entities, the District will not approve requests unless the applicant posts and maintains financial assurance. Said financial assurance must be equal to the amount of the cost of removal and disposal of the facilities and restoration of the right of way to original or better condition. Applicant must provide a detailed cost analysis of the cost to remove and dispose of the bridge and restore the District's right of way.
8. Developers are encouraged to make arrangements with the various county road and bridge departments to accept bridge installations and serve as applicant for such requests, thereby negating the need for the developer to maintain insurance coverage and financial assurances for the life of the facility.
9. Any petroleum product pipeline installations must comply with current, applicable, industry and federal Department of Transportation guidelines.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting
 - a. District rights of way lines.

PILE-SUPPORTED OR ARCHED CONT'D.

- b. Location tied to the nearest crossroad or bridge.
- c. The low member elevation.
- d. Documentation why it is not feasibly possible for the installation to be subaqueous or bridge attachment design.
- e. The locations where facilities enter and exit the District's right of way.

Criteria To Be Met:

1. The structure meets or exceeds the applicable minimum clear horizontal center span and minimum clear approach spans criteria. The minimum clear center and horizontal spans vary depending on the location of the bridge. Refer to Horizontal and Vertical Criteria, page 75.
2. The facility meets or exceeds the applicable minimum low member elevation. Low member elevations are site specific. (Please contact the District's Right of Way Permitting staff for requirements).
3. The design includes measures for right of way erosion control and bank stabilization acceptable to the District.
4. The piles of the facility must align with the pile bents of adjacent structures (if applicable).
5. The structure does not exceed the maximum allowable headloss through the structure of 0.1' (one-tenth foot). However, for crossings located in Big Cypress Basin – Collier County, please refer to the Big Cypress Basin – Quick Reference Table, beginning on page 77.
6. The placement of additional piles in the canal do not have an adverse impact on the canal's ability to flow water or on the movement of District's floating maintenance equipment.
7. The installation is designed in such a way that it can be constructed without the use of dams, fills or other constrictions or impediments to canal flows.
8. The facility must not be located within a staging area or other area where the District has designated as being prohibited.
9. The facility is not located within an environmentally sensitive area.
10. The facility does not interfere with the District's access, operation or maintenance activities.
11. The facility does not adversely affect previously authorized use(s) of the right of way.
12. The buried portion of the proposed facility within the right of way, if applicable, shall have a minimum of 2 feet of cover below existing ground elevation.

Construction Criteria To Be Met:

1. At no time will the canal be blocked or flows otherwise restricted or impeded; no dams or fills will be placed in the canal during any phase of construction or maintenance.
2. Where the District determines that excavation of the canal to the design section is required, the applicant will perform such excavation to the limits specified by the District.
3. Excavated material from the canal shall not be stockpiled in the canal. The applicant will remove all excess material from the right of way.
4. Turbidity screens shall be used during excavation operations.
5. Above the water surface, the trench shall be backfilled in six (6) inch compacted lifts.

PILE-SUPPORTED OR ARCHED CONT'D.

6. No piles shall be driven until the District has been provided with certified cross-sections, prepared by a professional land surveyor or professional engineer, registered in the State of Florida, showing the canal section has been excavated to the ultimate section as prescribed by the District.

ROAD/CULVERT/BRIDGE EMBANKMENT – BURIED
Includes CATV and conventional utility lines

(Allowable Zone: 1)

In order for a buried utility installation crossing within a road/culvert/bridge embankment to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.
2. The designer is responsible for meeting any applicable safety standards for structures of this type, wither existing or as may be developed in the future.
3. The designer should be cognizant during the design stage of this type of installation that future road and bridge widening/replacement/improvement may affect the subject installation. In this regard, designers should provide adequate accommodations to avoid future relocation costs.
4. Any petroleum product pipeline installations must comply with current, applicable, industry and federal Department of Transportation guidelines.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. The burial depth of installation within the District's right of way.
 - d. The locations where facilities enter and exit the District's right of way.

Criteria To Be Met:

1. The burial depth of the installation should provide for a minimum of two (2) feet of cover below existing ground within the District's right of way.
2. No above-ground facilities are proposed within forty (40) feet of the top of canal bank.
3. The facility is designed in such a manner as to allow for the future replacement or improvement of the bridge and roadway without disrupting service.
4. The facility does not involve an environmentally sensitive area.
5. The facility does not interfere with the District's access, operation or maintenance activities.
6. The facility does not adversely affect previously authorized use(s) of the right of way.
7. Bank stabilization measures necessary to restore (grade, re-sod with Bahia grass, stabilized) to the District's satisfaction.

SUBAQUEOUS (BURIED BENEATH CANAL SECTION)
Includes CATV and communications, etc.

(Allowable Zone: 1)

In order for a subaqueous utility installation to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTES:

1. It should be noted that during construction of a subaqueous crossing, no sheet piling, earthen dams or fills (except backfilling of the trench dug to install the crossing) or other installations that would restrict canal flows shall be allowed to be placed in the wetted canal section. The applicant should bear this requirement in mind when planning or designing such an installation. The applicant is responsible for advising potential bidders or contractors on the project of the requirement in order that costly delays do not result.
2. A certified cross-section of the canal as it exists, taken at the location of the crossing, super imposed over the ultimate design section. (For cross-section requirements, refer to page 64).
3. Any petroleum product pipeline installations must comply with current, applicable, industry and federal Department of Transportation guidelines.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. Provide a certified canal cross-section with the design canal section superimposed.

Criteria To Be Met:

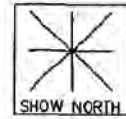
1. The subaqueous installation is laid a minimum of two (2) feet below the canal design section, ultimate design section or existing section, whichever produces the lowest installation. (Please contact the District's Right of Way Permitting staff for information).
2. The portion of the crossing that is buried within the right of way and sideslope must be buried a minimum of 24" below existing ground.
3. The design must employ rip-rap or alternative erosion control measures on canal side-slope acceptable to the District.
4. The facility must not be located within an area where the District has designated as being prohibited.
5. The facility is not located within an environmentally sensitive area.
6. The facility does not interfere with the District's access, operation or maintenance activities.
7. The facility does not adversely affect previously authorized use(s) of the right of way.

SUBAQUEOUS (BURIED BENEATH CANAL SECTION) CONT'D.

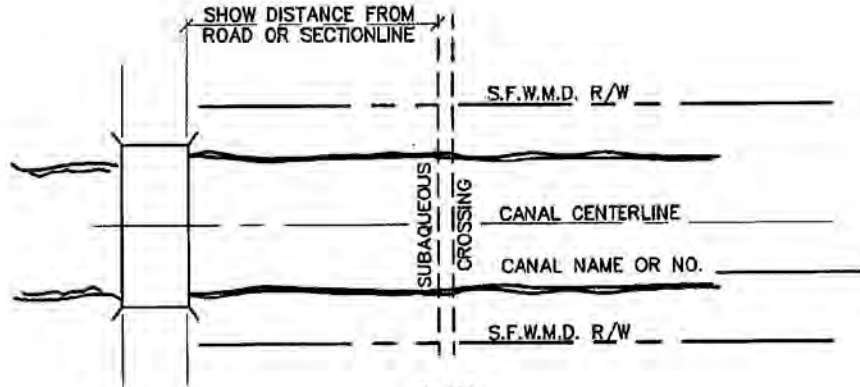
Construction Criteria To Be Met:

1. At no time will the canal be blocked or flows otherwise restricted or impeded; no dams or fills will be placed in the canal during any phase of construction or maintenance.
2. Excavated material from the canal shall not be stockpiled in the canal. The applicant will remove all excess material from the District's right of way.
3. Turbidity screens shall be used during construction activity in conformance with applicable regulations.
4. Above the water surface, the trench shall be backfilled in six (6) inch compacted lifts.
5. Restoration/sodding with bahia grass of all disturbed areas located within the District's right of way.

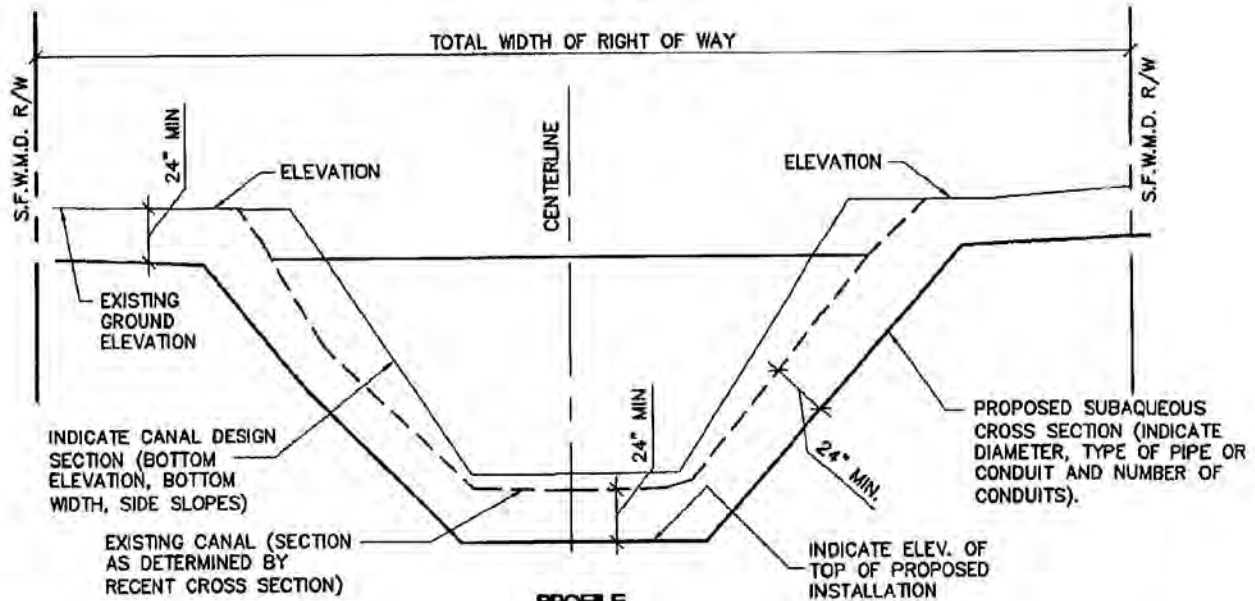
**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
SUBAQUEOUS CROSSING
SAMPLE ILLUSTRATION**



SEC. _____
TWP. _____
RANGE _____
COUNTY _____



PLAN
N.T.S.



PROFILE
N.T.S.

NOTES:

1. DRAWING MUST SHOW THE EXISTING CANAL SECTION AS ESTABLISHED FROM A RECENTLY TAKEN CROSS SECTION OF THE CANAL.
2. SUBAQUEOUS CROSSING MUST HAVE A MIN. OF 2 FT. OF COVER AS MEASURED FROM THE DESIGN SECTION OR EXISTING SECTION, WHICHEVER PRODUCES THE LOWER INSTALLATION.
3. DRAWING SHOULD BE TO SCALE OR FULLY DIMENSIONED.

DRAWING TO ACCOMPANY APPLICATION FOR SUBAQUEOUS CROSSING	
CANAL:	_____
LEVEE:	_____
APPLICANTS NAME:	_____
DATE:	_____ SIGNED: _____

(page intentionally left blank)

VEGETATION CLEARING/REMOVAL

(Allowable Zone: 1, 2, 3, 4, 5)

In order for removal/clearing of vegetation to be considered for issuance of a Notice General Permit, each of the following items listed below must be met or exceeded, in their entirety. If your proposal does not meet the following criteria you must apply for a Standard Permit. Responsibility is borne by the applicant to provide information sufficient to the District which insures the following criteria will be met:

NOTE:

The applicant is cautioned that the District's approval of such a request will be limited to its interest in the right of way. Where the District owns less than a fee simple interest in the right of way, it is the individual applicant's responsibility to obtain any additional approvals that may be required.

Applicant Must Provide:

1. A completed application for permit, including signature(s) and processing fee.
2. Legible 8 ½" x 11" plan view and profile drawings, either drawn to scale or fully dimensioned depicting
 - a. District rights of way lines.
 - b. Location tied to the nearest crossroad or bridge.
 - c. The existing elevation and proposed elevation of the District's right of way shown in profile view (cross-sectional).

Criteria To Be Met:

1. The clearing/removal is limited to exotic species; the removal of native or protected species must not be part of the proposal.
2. The applicant agrees that all stumps will be cut at or below existing grade.
3. The applicant agrees that all debris generated by the activity will be properly disposed of off-site.
4. The applicant agrees that any sections of the rights of way disturbed during clearing must be seeded/re-sodded with bahia, argentine or other species acceptable to the District and recognized for being drought tolerant.
5. The site must not be located within an area where the District has designated as being prohibited.
6. The clearing/removal does not involve an environmentally sensitive area.
7. The clearing/removal does not adversely affect previously authorized use(s) of the right of way.
8. The clearing/removal does not interfere with the District's access, operation or maintenance activities.

Criteria Applicable to Stormwater Treatment Areas

Criteria in this section shall apply to each of the District's Stormwater Treatment Areas (STAs) and the Everglades Nutrient Removal Project impoundments. These facilities include, but are not limited to, STA-1East, STA-1West, STA-2, STA-3, STA-4, STA-5, STA-6 and the Everglades Nutrient Removal Project and such other similar facilities as the District may construct or designate from time to time. The criteria contained in these rules shall be deemed in effect at the time the Governing Board of the South Florida Water Management District adopts such facilities as Works of the District pursuant to Chapter 373.085, F.S.

1. Aerial Electrical Power Transmission Line Crossings

Overhead electrical power transmission lines crossing Stormwater Treatment Areas shall have a minimum vertical clearance as shown in the table below. While these clearances are calculated from the top of the levee, they are intended to:

1. Provide sufficient clearance for District equipment to travel along the top of the levee, and
2. To provide sufficient clearance for floating District maintenance equipment to operate beneath them when working within the impoundment bounded by the STAs levee system.

Clearance shall be calculated from the elevation of the top of the STA levee confining the water body in questions to the point of maximum sag of the lowest line of the transmission line. In determining the levee elevation to be used for vertical clearance calculations, the District shall use the design levee elevation or as-built levee elevation, whichever produces the greater clearance.

Voltage of Crossing Circuit							
Guys (Grounded)	69kV		115kV	138kV	240kV	500kV	PHASE TO PHASE PHASE TO PHASE CLEARANCE ABOVE LEVEE
	50kV under	and	67kV	80kV	138kV	289kV	
20'	20'		25'	25'	25'	35'	

2. Culvert Connections to Stormwater Treatment Areas and Appurtenant Works

Connections to STAs or their seepage, intake or discharge canals by culverts or other means is strictly prohibited and will not be authorized.

3. Use of Stormwater Treatment Areas for Access

Except where access provisions have been negotiated during the acquisition of the lands needed for the STA projects, the use of the perimeter levees, intake and discharge canals rights of way for vehicular or other access to adjacent properties will not be authorized.

Access rights secured, or otherwise specifically reserved, during the land acquisition will obviate the need to secure a right of way use permit pursuant to Chapter 373.085, F.S.

4. Public Utilization

As the STAs have been established to improve water quality and to provide scientific data which is necessary to conform with the provisions of Everglades Forever Act, public access to, or any use of, the interiors of the impoundments (e.g., internal canals, internal levees and retention areas) can not be allowed during the construction, vegetation and initial testing phases of the project. Until such time as the STAs are operational and studies are available to show that specific types of public utilization are not adverse to the efficient functioning of the STAs, public utilization of STAs shall be specifically limited to the following suitable activities:

1. Hiking along the external levees;
2. Bicycling along the external levees;
3. Equestrian use of external levees;
4. Canoeing, kayaking and use of non-motorized vessels in the external canals and in internal borrow canals immediately adjacent to the external levee;
5. Fishing from external levee in external and internal canals;
6. Birdwatching and nature appreciation from external levees and,
7. Picnicking on external levees.

All other activities are specifically prohibited, including, but not limited to:

1. Sailboats/sailboating;
2. Hang gliding;
3. Motorized vehicles such as but not limited to: Motor boats, airboats, jet skis, off-road vehicles, motorcycles, motor bikes, etc.
4. Hunting;
5. Access to internal works of the project of any kind.

5. Boat Ramps

The installation or use of any boat ramps which provide boat access to the STAs is specifically prohibited. Any boat ramps installed or used by the District for purposes of construction, operation or maintenance of the STAs shall not be open for public use or access.

6. Other Uses of Stormwater Treatment Areas

Due to the nature of the STAs and the purposes for which they were acquired, no other uses of these areas are anticipated at this time.

NON-ALLOWABLE USES OF THE DISTRICT'S RIGHTS OF WAY

The District will not issue permits for uses which, in its judgment, will impose hardships on or otherwise interfere with its present or future ability to operate and maintain the Project Work. Therefore, staff will not recommend approval of the following types of encroachments (entirely or partially) within its rights of way:

1. Buildings of any type (commercial or residential)
2. Garages, storage or other permanent out-buildings (commercial or residential)
3. In-ground swimming pools or associated screened enclosures
4. Transmission or receiving towers, etc.
5. The storage of, or repair of, equipment, automobiles or materials
6. Rubbish, trash piles or burn pits
7. Nursery operations
8. Farming
9. Aircraft/Landing Sites

1. "AIR-SPACE" ENCROACHMENTS

Signs, roofs and other installations which overhang the District's rights of way are considered permanent structures and will not be authorized.

2. ATTACHMENTS TO DISTRICT STRUCTURES, PROJECT CULVERTS AND FACILITIES

Water Control Structures

Due to the potential to interfere with District Water Control Structure operations and maintenance, attachments to these structures will not be authorized.

Aerial powerline or other utility crossings over District Structures or Project Culverts will not be authorized. There shall be no prohibition, however, on utility drops or service to structures when such is requested by the District.

Bulkheads (Seawalls)

Attachments to District and/or U.S. Army Corps of Engineers bulkheads will not be authorized due to the potential for damage to the bulkhead. In particular, mooring cleats, whips, ladders, lifting davits, hoists and docks will not be allowed to attach to bulkheads due to the loading which may be placed on the bulkhead and the damage which may result therefrom.

3. BEE HIVES

This District is required by Florida Statute 44.056 to adopt and use methods and processes reasonably adequate to render any place of employment safe; and, to protect the well-being of its employees.

NON-ALLOWABLE USES OF THE DISTRICT'S RIGHTS OF WAY (CONT'D.)

4. COMMERCIAL OR ADVERTISING SIGNS

No commercial or advertising signs will be authorized by a Right of Way Occupancy Permit within the District's rights of way.

5. CROSS-FENCES

Due to the potential interference with District operations and maintenance activities and in some cases restricting the public's use along its right of way, the installation of cross-fences will not be authorized.

6. GRAZING

Due to the potential of damage to the District's canal banks, berms, levees and impacts on water quality, the use of the District's rights of way for grazing, herding or running of cattle or livestock will not be authorized by permit.

7. HUNTING AND CAMPING

Camping or any other form of temporary extended residence on Project Works and Lands of the District is not allowed except in those areas designated as "Wildlife Management Areas". Camping is only allowed then when rules promulgated by the Florida Wildlife Commission makes provisions for camping.

Due to the fact that many of the camps have no means of identifying the owner or owners of the facility, any camps found on the rights of way outside of "Wildlife Management Areas" are subject to summary removal without notice. Within "Wildlife Management Areas" any camps remaining on the right of way seven (7) days after the close of hunting season will be considered abandoned property and may be removed to such locations as the District deems appropriate or taken to a landfill or salvage yard.

In the event the District can identify the owner of an abandoned camp, the District may pursue enforcement to cause the removal of the camp or payment to the District of expenses associated with the cost of the removal activities.

Proposals for camps within Water Conservation Areas 2 and 3 will be processed consistent with the provisions of Section 253.037(7)(d), Florida Statutes.

8. OPEN CHANNEL CONNECTIONS

Open channel connections disrupt continuous access along the canal by District maintenance equipment and vehicles and will not be permitted.

NON-ALLOWABLE USES OF THE DISTRICT'S RIGHTS OF WAY (CONT'D.)

9. PARKING

Since the use of motorized vehicles within the District's rights of way is contrary to the District's Rules and criteria, and parking within the District's rights of way implies the use of motor vehicles and could expose the District to unnecessary liability, use of the District's rights of way for parking purposes will not be considered for approval. This is especially true where the request for parking is being made to provide parking to comply with zoning and building department requirements.

10. PERMANENT ACCESS TO PRIVATE PROPERTY

The District's canal and levee rights of way were neither intended or designed for use as roadways and such use would expose the District to unnecessary maintenance and liability problems, the use of District rights of way for permanent access will not be permitted.

Similarly, the District's water control structures or their service bridges were not designed for use by the public. The uses of these structures for temporary local access will not be considered for issuance of a permit, unless:

1. The bridge was designed specifically to be used as a public roadway; and,
2. The District and other governmental entities enter into an agreement, which addresses, among other concerns, the on-going maintenance of the bridge structure and indemnification of the District.

11. PUBLIC ROADWAYS

The use of the District's rights of way for the construction of roads and highways within and parallel to the right of way alignment will not be authorized.

In cases where roads or highways already encroach within the right of way, and where proposals are made to widen or otherwise modify the roadway from its current configuration, the District will dictate whether such modification will be allowed or if removal of the roadway facility from the right of way is required.

Highway designers must bear the foregoing in mind when initiating road improvement projects, as failure to secure needed road right of way for a proposed road project is not sufficient cause for the District to waive this Rule and allow for either road construction or improvement within its rights of way.

Nothing in this rule shall, however, be construed to be a prohibition of bridge and roadways crossing the various rights of way, provided the crossings meet applicable District requirements and criteria.

12. RETENTION/DETENTION/IMPOUNDMENT AREAS

Within District Rights of Way and Lands

The use of the District's rights of way to provide impoundment areas, retention/detention facilities or borrow pits by adjacent property owners, developers or in association with road and highway projects will not be authorized.

NON-ALLOWABLE USES OF THE DISTRICT'S RIGHTS OF WAY (CONT'D.)

The District has acquired its various rights of way for purposes which include, but are not limited to, operation and maintenance of its canal and levee system and future canal widening/improvement purposes.

Designers of impoundment areas, reservoirs, retention/detention facilities and borrow pits are responsible for designing their project in such a manner so as to contain all facilities (including sideslopes) within the boundaries of their own property. In the event the District needed to utilize all of its right of way for some future project improvement or if the right of way were encumbered by a drainage system, the filling or other alterations to that drainage system which would be required would alter the operational characteristics of that system, possibly to the point where it could no longer perform as authorized by the covering Surface Water Management Permit.

It should be clearly noted that this prohibition only deals with impoundment areas, reservoirs, retention/detention ponds, borrow pits and similar facilities. It is not intended to apply to outfall facilities such as forebays, channels, culverts and similar facilities used to connect surface water management systems to District canals.

Adjacent to District Rights of Way

The District requires that designers of ponds or borrow pits, which are proposed adjacent to the District's canals and levees, demonstrate that their excavations will have no impact on the stability of the land within the right of way.

Designers of such facilities must take into account the lateral stability and need for lateral support of the mounds, berms, bands and levees located along the various canals and impoundment areas of the District, where the possibility of extreme head differentials exist.

13. STAGING AREA ENCROACHMENTS

In order to provide adequate areas to set-up and operate equipment, particularly for the purposes of removing and temporarily stockpiling storm debris that accumulate on pilings, the District will set aside and preserve staging areas at bridge and pile-supported utility crossings. These staging areas will be 100 feet in length and will be located on the upstream and downstream sides of all bridge and utility crossings. No docks or above-ground structures that will have the potential to interfere with the District's maintenance activities will be allowed within these staging areas.

14. STORAGE OF HAZARDOUS MATERIALS / VEHICLE SERVICING, REPAIRS AND MAINTENANCE

Due to the hazard of ground and surface water degradation, the District will not authorize uses which may have a potentially adverse impact on the resource. Therefore, the following types of uses are prohibited:

- a. Storage of gasoline or other liquid fuel oils, paints, thinners, solvents or other petroleum distillates;

NON-ALLOWABLE USES OF THE DISTRICT'S RIGHTS OF WAY (CONT'D.)

- b. Underground or above-ground fuel storage tanks (either permanent or temporary);
- c. Storage of lead, batteries, or other articles containing heavy metals;
- d. Vehicle, truck or engine maintenance activities;
- e. Pesticides;
- f. Explosives.

15. WASTEWATER TREATMENT / SEPTIC

It is the intention of the District to urge the removal of existing treatment plant effluent discharge from surface waters under its jurisdiction. Consideration should be given to this goal when alterations to existing wastewater treatment plants are proposed. Owners and operators of sewage facilities are encouraged to investigate, plan and develop wastewater re-use systems in the communities which they serve.

In this regard, no permit shall be granted for the discharge of wastewater from a new wastewater source into any waterway under the jurisdiction of the South Florida Water Management District.

Permits will not be issued to existing wastewater sources which now discharge into waterways under the jurisdiction of the South Florida Water Management District, and which desire to increase the volume of wastewater discharged. Such would be considered only under conditions that the total BOD and suspended solids load contributed to the receiving waterway, as a minimum requirement, not be increased. Existing BOD and suspended solids load shall be based on the present minimum requirement of the State of Florida, Department of Environmental Protection of 90% BOD and suspended solids removal.

Applications for District permits for an existing wastewater treatment plant will not be considered unless the plant has a valid Permit to Operate or Temporary Permit to Operate as issued by the State of Florida, Department of Environmental Protection. However, possession of such a permit does not ensure the issuance of a permit by this District.

The permit issued by the District for a wastewater treatment plant discharge shall be for the physical works and not for the action of discharging effluent into the waterway. All criteria for construction standards found elsewhere in this manual shall be applicable.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT RIGHT OF WAY PLANTING CHOICES



Due to the South Florida Water Management District's interest in eliminating invasive exotic or otherwise objectionable plant species from its rights of way, and in an effort to expand the use of native species in beautification or landscaping projects on the various rights of way when such projects can be accommodated without conflicting with District operations and maintenance programs or other efforts, the District has compiled the attached listing of desirable native species. This list was created, and will be used, as a guide in determining what types of vegetation may be used within the various rights of way of the District when making Application for a Right of Way Occupancy Permit. It should not be considered all inclusive, but rather as a guide in selecting species for beautification proposals. The District staff will consider requests to use native species not included on this list on a case by case basis, particularly those native species which are drought tolerant or are part of a planting scheme employing sound *Xeriscape* principles. (For more information on *Xeriscape*, you are encouraged to contact the District's Office of Communications.)

It should be understood that not all the plant species that appear on the attached list should be considered native to all areas throughout the District. Therefore, ***the District reserves the right to specify which species may be used in a particular area.*** The Applicant should also be aware that while the list contains a section on trees, the planting of trees on the District's rights of way by private individuals will not be permitted.

DEFINITIONS AND KEY TO ABBREVIATIONS

EXAMPLE:

COMMON NAME Scientific Name	PLANTING ZONE	AVERAGE HEIGHT	SALT TOLERANCE	LIGHT REQUIREMENT	SOIL REQUIREMENT	GROWTH RATE	FEATURES AND USES	CLIMATE ZONE
GROUNDCOVERS								
Beach Sunflower <i>Helianthus debilis</i>	U	6 – 12"	H	H, M	S, WD	F	FL, A	S, SC

Planting Zone Relative elevation where optimum growth is expected. Closely related to moisture preference.

U = Upland Elevated and generally drier soils; soil not water saturated. Typical of most residential lots. Upper canal bank slope and canal overbank.

T = Transitional Lower elevations where soil tends to be wetter; sometimes saturated. Lower portions of canal bank slope.

W = Wetland Littoral shelf or intertidal areas where soil is periodically inundated. Saturated soil conditions. Lowest portion of canal slope and waterward.

Average Height Height of average specimen expressed in inches or feet.

Salt Tolerance Ability of plant to withstand exposure to salt.

H = High High or exceptional tolerance to salt. Seaside/shoreline conditions.

M = Moderate Moderate tolerance to salt exposure. Some seaward protection required.

L = Low Low tolerance to salt exposure.

Light Requirement Light conditions conducive to optimum growth.

H = High Full sun.

M = Moderate Partial Sun. Shaded during part of the day.

L = Low Low light levels. Shade to deep shade during most of the day.

Soil Requirement General soil characteristics conducive to optimum growth.

A = Acidic **W = Wide range of soil types** **WD = Well-drained**

S = Sandy **M = Moist** **MF = Moderately Fertile**

FD = Flooded/Saturated

Growth Rate Relative growth rate under average or generally favorable conditions of soil, light, moisture, etc.

F = Fast **M = Moderate** **S = Slow**

DEFINITIONS AND KEY TO ABBREVIATIONS (continued)

Features & Uses Features of notable interest of uses in landscaping.

FL = Flowers **A** = Accent **FO** = Foliage **SP** = Specimen

BK = Bark **SH** = Shade Tree **FR** = Fruits **SCR** = Screen

WV = Wildlife Value **HG** = Hedge

Climate Zone Region of state where climate will support long-term survival and growth of plant; often corresponds to a natural range of plant. Closely related to resistance to cold temperatures.

All = All portions of the District - from Orlando area south through the Florida Keys.

S = Southern portions of the state – from Lake Okeechobee area southward.

SC = Southern coastal areas – same approximate latitude as Lake Okeechobee southward.

C = Coastal areas.

NATIVE GROWDCOVERS

COMMON NAME Scientific Name	PLANTING ZONE	AVERAGE HEIGHT	SALT TOLERANCE	LIGHT REQUIREMENT	SOIL REQUIREMENT	GROWTH RATE	FEATURES AND USES	CLIMATE ZONE
WILDFLOWERS								
Asters Aster spp.	U, T	Varies	L, M	H, M	W	M, F	FL, WV	ALL
Beach Verbena Verbena maritima	U	6 – 12"	H	H, M	S, WD	F	FL	S, SC
Beach Sunflower Helianthus debilis	U	6 – 12"	H	H, M	S, WD	F	FL, A	S, SC
Black-Eyed Susan Rudbeckia hirta	U	2'	L	H, M	W	F	FL	ALL
Blanket Flower Gaillardia pulchella	U	6 – 12"	M, H	H	S	F	FL	ALL
Blazing Star Liatris spp.	U	2-3'	L	H	S, WD	M	FL	ALL
Blue-Eyed Grass Sisyrinchium atlanticum	U, T	1'	L	H, M	M, MF	M	FL	ALL
Blue Mistflower Conoclinium coelestinum	U, T	1 -2'	L	H, M	M, MF	F	FL, WV	ALL
Blue Porterweed Stachytarpheta jamaicensis	U	6 – 12"	M	H, M	W	M	FL, WV	S, SC
Blue Spiderwort Tradescantia ohiensis	U	1 -2'	L	H, M	MF, S	M, F	FO, FL	ALL
Goldenrods Solidago spp.	U	2 - 4'	M	H, M	W	F	FL, WV	ALL
Horsemint Monarda punctata	U	2 -3'	M	H, M	WD	F	FL, WV	ALL
Lantana, Pineland Lantana depressa	U	1'	M	H, M	W	F	FL, WV	ALL
Partridge Pea Chamaecrista fasciculata	U	2'	M, H	H, M	S, WD	F	FL	ALL
Pencil Flower Stylosanthes hamata	U	1 – 6'	H	H, M	WD, W	F	FL, FL	ALL
Pineland Heliotrope Heliotropium polyphyllum	U	1 -2'	M	H, M	W	M	FL	S, SC
Pluchea Pluchea spp.	U, T	1 -2'	M, H	H, M	W	M	FL	ALL
Sage (Blue, Tropical, Lyre-Leaf) Salvia spp.	U	1 -3'	M, H	H, M	WD	M, F	FL, WV	ALL
Scorpion Tail Heliotropium angiospermum	U	2 – 3'	M	H, M	W	M, F	FL, WV	ALL
Tickseed Coreopsis leavenworthii	U, T	1 -2'	L	H, M	M, MF	M, F	FL	ALL
Twinflower Dyschoriste oblongifolia	U	1'	L	H, M	W, WD	F	FL	ALL
Yellowtop Flaveria linearis	U, T	1'	M, H	H	W	M	FL	ALL (C)
GRASSES								
Bluestem Schizachyrium spp.	U	1 -2'	M	H, M	S, W	M	FO	ALL
Broom Sedge Andropogon spp.	T, U	2 -4'	L, M	H, M	W, M	M, F	A, FO	ALL
Cordgrass (Smooth) Spartina alterniflora	W, S	2 -4'	H	H	FD	F	FO, WV	ALL
Cordgrass (Sand) Spartina bakeri	T, U	2 -3'	L, M	H	S	M	A, FO, WV	ALL

COMMON NAME Scientific Name	PLANTING ZONE	AVERAGE HEIGHT	SALT TOLERANCE	LIGHT REQUIREMENT	SOIL REQUIREMENT	GROWTH RATE	FEATURES AND USES	CLIMATE ZONE
GRASSES (continued)								
Eastern Gamagrass Tripsacum dactyloides	T, U	2 -4'	L, M	H, M	M, MF	M	FO, WV, A	ALL
Florida Gamagrass Tripsacum floridanum	U	1 – 2'	L, M	H, M	W	M	FO, WV, A	S, SC
Muhly Grass Muhlenbergia capillaris	U, T	2'	M	H	S	M	A, FO, FL	ALL
Purple Lovegrass Eragrostis spectabilis	U	1 -2'	M	H, M	S	M	FL	ALL
Saltmeadow Cordgrass Spartina patens	T	2'	H	H, M	S, M	M	FO, WV	ALL
Seashore Dropseed Sporobolus virginicus	T	1'	H	H, M	S, M	M	FO	ALL
Seashore Paspalum Paspalum vaginatum	T	6 – 12"	H	H, M	S, M	M	FO	ALL
Wiregrass Aristida beyrichiana	U	1'	L	H, M	W	M	FO	ALL
FERNS								
Fern, Leather Achromochium spp.	W, T	2 -5'	M, H	W	M, MF, FD	F	A	S, SC
Fern, Shield Thelypteris spp.	T, U	1 -2'	L	M, L	M, MF	S, M	A, FO	ALL
Fern, Swamp Blechnum serrulatum	T, U	1 -3'	L	M, L	M, MF	M, F	A, FO	ALL
VINES								
Coral Honeysuckle Lonicera sempervirens	U	Vine	M	H, M	MF	M	FL, WV	ALL
Corky-Stemmed Passionflower Passiflora suberosa	U	Vine	M, H	W	W	M, F	WV	S, SC
Mimosa Vine Mimosa strigillosa	U, T	1 -6'	M	H, M	W	M, F	FL	ALL
Railroad Vine Ipomea pes-capre	U	1'	H	H	S, WD	F	FL, FO	SC, S
HERBACEOUS								
Matchwood Phyla nodiflora	U, T	1 -6'	M, H	H, M	W	M, S	FO	ALL
Peperomia Peperomia spp.	U	6"	M	M. L	WD, MF	S, M	FL	ALL
Alligator Lily Hymenocallis palmeri	W, T	2'	M	W	FD, M, MF	M	A, FO	ALL
Spider Lily Hymenocallis latifolia	U	2'	M, H	H, M	WD, S	M, F	A, FO	ALL
String, Swamp Lily Crinum americanum	W, T	2'	M	W	M, F, FD	M	FO, FL	ALL
Wild Petunia Ruellia caroliniensis	U	6 "	M	W	W	M	FL	ALL
WOODY								
Golden Creeper Ernodea littoralis	U	1'	H	H	S, WD	M	FO	SC, S
Gopher Apple Licania michauxii	U	6 – 12"	M, H	H, M	S, WD	M	FR, WV	ALL
Snowberry, Pineland Chiococca pinetorum	U	2'	M	H, M	MF, S, WD	M	FR	SC, S
Quail Berry Crossopetalum ilicifolium	U	1 – 6'	M	H, M	MF	S	FO, WV	S, SC
Sea Oxeye Daisy Borrchia frutescens	T, U	2'	H	H, M	W	M, F	FL, FO	C

COMMON NAME Scientific Name	PLANTING ZONE	AVERAGE HEIGHT	SALT TOLERANCE	LIGHT REQUIREMENT	SOIL REQUIREMENT	GROWTH RATE	FEATURES AND USES	CLIMATE ZONE
WOODY (continued)								
St. John's Wort Hypericum spp.	T, U	2'	L	H, M	M, S, A	M	FL	ALL
Yaupon Holly, Dwarf Ilex vomitoria cv. "Schellings"	U	1 – 2'	M, H	H, M	W	S, M	FO, A	ALL

NATIVE SHRUBS

COMMON NAME Scientific Name	PLANTING ZONE	AVERAGE HEIGHT	SALT TOLERANCE	LIGHT REQUIREMENT	SOIL REQUIREMENT	GROWTH RATE	FEATURES AND USES	CLIMATE ZONE
Beauty Berry Callicarpa americana	U	4 – 6'	M	W	W	F	FR, WV	ALL
Buttonbush Cephalanthus occidentalis	T, W	4 – 6'	L	H, M	M, MF, FD	F	FL, WV	ALL
Cocoplum Chrysobalanus icaco	T, U	5 – 8'	M, H	H, M	W	M	FO, WV, HG, SCR	S, SC
Cocoplum (horizontal) Chrysobalanus icaco var. icaco cv. "horizontal"	U, T	1 – 3'	M	H, M	W	S, M	FO, WV, FR	SC, S
Firebush Hamelia patens	U	4 – 8'	M	W	MF	F	FO, FL, WV, SP	S, SC
Florida Boxwood Schaefferia frutescens	U	4 - 8'	M	H, M	MF, WD	M, S	FO	S, SC
Florida Privet Forestiera segregata	U	5 – 8'	M	H, M	W	M	FR, WV, SCR, HG	ALL
Holly, Yaupon Ilex vomitoria	U	5 - 8'	M	H, M	W	M	FR, WV, HG	ALL
Jamaican Caper Capparis cynophallophora	U	6 – 10'	M	H, M	WD, MF	M	FO, FL, SP	S, SC
Lantana, Native White Lantana involucrata	U	3 - 5'	M	H, M	W	F	FL, FR WV	S, SC
Maidenbush Savia bahamensis	U	4 - 6'	M	H, M	MF	M, S	FO	S, SC
Marlberry Ardisia escallonioides	U	5 - 8'	M	W	MF	M	FL, FR, WV	S, SC
Myrsine, Rapanea Myrsine guianensis	U	6 – 10'	M, H	W	W	H	FO, HG	S, SC
Randia, White Indigo Berry Randia aculeata	U	3 – 5'	M, H	W	W	M, S	FO, HG	ALL
Saw Palmetto Serenoa repens	U	2 - 5'	M, H	H, M	W	S	FO, A, WV	ALL
Silver Buttonwood Conocarpus erectus var. sericeus	U, T	6 – 12'	M, H	H, M	M	M	FO, A HG	S, SC
Saltbush, Sea Myrtle Baccharis halimifolia	U, T	4 – 8'	M, H,	H, M	W	F	FO	ALL
Spicewood Calyptanthus pallens	U	4 – 6'	L	H, M	M, MF, WD	M	FO, WV	S, SC
Stopper, Red Eugenia rhombea	U	4 – 6'	M	H, M	MF	M	FO, WV	S, SC
Stopper, Simpson Myrcianthes fragrans	U	5 – 10	M	W	W	M	FR, B, WV, SCR, HG	S, SC
Stopper, Spanish Eugenia foetida	U	5 – 10'	M	H, M	MF	M	WV	S, SC
Stopper, White Eugenia axillaris	U, T	4 – 6'	M	W	M, MF	M	WV	S, SC

COMMON NAME Scientific Name	PLANTING ZONE	AVERAGE HEIGHT	SALT TOLERANCE	LIGHT REQUIREMENT	SOIL REQUIREMENT	GROWTH RATE	FEATURES AND USES	CLIMATE ZONE
SHRUBS (continued)								
Torchwood Amyris elemifera	U	5 – 8'	M	H, M	MF, WD	M, S	FO	S, SC
Varnish Leaf Dodonea viscosa	U	4 – 6'	M	H, M	WD	M, F	FR, FO	S, SC

NATIVE TREES

COMMON NAME Scientific Name	PLANTING ZONE	AVERAGE HEIGHT	SALT TOLERANCE	LIGHT REQUIREMENT	SOIL REQUIREMENT	GROWTH RATE	FEATURES AND USES	CLIMATE ZONE
Bahama Strongback Bourreria ovate	U	15 – 25'	M	M, H	MF, WD	M, F	FL, FR, WD	SC
Black Ironwood Krugiodendron ferreum	U	12 – 25'	M	M, H	MF, WD	S, M	A, FO, WV	S, SC
Blolly Guapira discolor	U	15 – 20'	M, H	M, H	MF, WD	M	FO, FR, WV	S, SC
Buttonwood, Green Conocarpus erectus	U, T	25 – 25'	M, H	M, H	M, W	M, F	FR, SCR	S, SC
Cabbage Palm Sabal palmetto	U, T	30 – 40'+	M, H	H, M	W	M	A, FO, WV	ALL
Cinnamon Bark Canella winterana	U	15 – 20'	M	M, H	MF, WD	M	A, FO, FR	S, SC
Crabwood Ateramnus lucidus	U	15 – 20'	M	H, M	MF	M	A, FO	S, SC
Cypress, (Bald, Pond) Taxodium spp.	W, T	35 – 60'+	L	H	FD, M, MF	M	FO	ALL
Dahoon Holly Ilex cassine	T, U	12 – 20'	L	H, M	M	M	FR, WV	ALL
Fiddlewood Citharexylum fruticosum	U	15 – 20'	M	H, M	WD	M, F	FO, FR, FL, WV	ALL
Geiger Tree Cordia sebestena	U	15 – 20'	M, H	H, M	MF, WD	M, F	FL, FL	SC
Gumbo Limbo Bursera simaruba	U	25 – 40'	M	H, M	WD	F	SH, BK, SP	S, SC
Inkwood Exothea paniculata	U	20 – 20'	M	H, M	MF, WD	M	FL	S, SC
Krug's Holly Ilex Krugiana	U	15 – 25'	M	W	W	M	FO, BK, WV	S, SC
Lancewood Nextandra coriacea	U	20 – 30'	M	H, M	MF, WD	M	FR, WV	S, SC
Laurel Oak Quercus laurifolia	T, U	30 – 50'+	L	H, M	M	M, F	SH, WV	ALL
Live Oak Quercus virginiana	U	30 – 50'+	M, H	H, M	W	M	SH, BK, WV	ALL
Loblolly Bay Gordonia lasianthus	T, U	25 – 40'	L	H, M	M, MF	M	SP, FL	ALL
Magnolia, Southern Magnolia grandiflora	U	35 – 50'+	M	H, M	MF, A	M	FL, FO	ALL
Mahogany Swietenia mahogani	U	25 – 35'	M	H	MF	M	SH	S, SC
Mangrove, Red Rhizophora mangle	W	15 – 25'	H	H, M	FD	M	FO, WV	ALL (C)
Mangrove, Black Avicennia germinans	W	15 – 30'	H	H, M	FD	M	FO, WV, AC	ALL (C)
Mangrove, White Laguncularia racemosa	W	20 – 30'	H	H, M	M, FD	F	WV	SC
Mastic Tree Mastichodendron foetidissimum	U	30 – 45'	M	H, M	MF, WD	M	FR, WV, SH	S, SC

COMMON NAME Scientific Name	PLANTING ZONE	AVERAGE HEIGHT	SALT TOLERANCE	LIGHT REQUIREMENT	SOIL REQUIREMENT	GROWTH RATE	FEATURES AND USES	CLIMATE ZONE
TREES (continued)								
Paradise Tree <i>Simarouba glauca</i>	U	25 – 35'	M	H, M	MF, WD	M	SH, FO, FR, WV	S, SC
Paurotis Palm <i>Acoelorrhaphe wrightii</i>	U, T	15 – 20'	M	H, M	M, MF, FD	M, S	AC, FO	ALL (C)
Persimmon <i>Diospyros virginiana</i>	U	20 – 30'	L	H, M	W	M	FR, WV	ALL
Pigeon Plum <i>Coccoloba diversifolia</i>	U	25 – 30'	M	W	MF	M	FO, SP, WV	S, SC
Pitch Apple <i>Clusia rosea</i>	U	20 – 30'	M, H	H	W	M	FL, FO	S, SC
Pond Apple <i>Annona glabra</i>	W, T	12 – 20'	M	H, M	M, MF, FD	M, F	FO, FR, WV	S, SC
Pop Ash <i>Fraxinus caroliniana</i>	T, U	15 – 25'	L	W	M, MF, FD	M	FO, WV	ALL
Red Bay <i>Persea borbonia</i>	U, T	20 – 35'	M	H, M	W	M	WV	ALL
Red Maple <i>Acer rubrum</i>	T, U	35 – 45'	L	H	M, MF, FD	F	FO, SH, WV	ALL
Red Mulberry <i>Morus rubra</i>	U	25 – 35'	M	H, M	MF	F	FO, SH, WV	ALL
Redberry Stopper <i>Eugenia confusa</i>	U	15 – 25'	M	H, M	MF, WD	M	FO, WV	S, SC
Royal Palm <i>Roystonea elata</i>	U	50 – 60'+	M	H, M	M, MF	M	SP, FO	S, SC
Satinleaf <i>Chrysophyllum oliviforme</i>	U	20 – 30'	M	H, M	M, MF	M	FO, AC, WV	S, SC
Seagrape <i>Coccoloba uvifera</i>	U	20 – 30'	H	H, M	W	M	FO, BK, WV	S, SC
Slash Pine <i>Pinus elliotii, var. densa</i>	U	40 – 50'	M	H	W	M	FO, AC, WV	ALL
Southern Red Cedar <i>Jumiperus silicicola</i>	U	25 – 30'	M, H	H	W	M	FL, SCR, WV	ALL
Sugarberry <i>Celtis laevigata</i>	U, T	25 – 35'+	L, M	H, M	M, MF	M	SH, WV	ALL
Sweetbay Magnolia <i>Magnolia virginiana</i>	T, U	25 – 35'	M	H, M	M, MF	M	SH, FL, FR, WV	ALL
Thatch Palm <i>Thrinax radiata, T. morrisii</i>	U	12 – 20'	M	H, M	MF, WD	M	FL, AC, FR, WV	S, SC
West Indian Cherry <i>Prunus myrtifolia</i>	U	20 – 35'	M	W	MF, WD	M	FO, SH, FR, WV	S, SC
Wild Tamarind <i>Lysiloma latisiliquum</i>	U	30 – 40'+	M	M, H	MF, WD	F	FO, FL, SH	S, SC
Willow Busic <i>Dipholis salicifolia</i>	U	20 – 30'	M	H, M	W	M	FO, FR, WV	S, SC
Winged Elm <i>Ulmus alata</i>	U	20 – 35'	M	H, M	W	F	FO, SH, WV	ALL

Application to the South Florida Water Management District for Issuance of a Right of Way Occupancy Permit

Post Office Box 24680, West Palm Beach, FL 33416-4680
 Telephone (561) 686-8800 FL WATS Line 1-800-432-2045
 Attention: Right of Way Permitting
 Application
 No. _____

Permittee/Owner(s) Full Name (include all Permittee/Owner(s) if applicable)				
Email Address				
Street Address	City	State	ZIP	Telephone No.
Agents' Name (if applicable)				
Email Address				
Street Address	City	State	ZIP	Telephone No.
REQUESTED USE				
<input type="checkbox"/> New Permit	<input type="checkbox"/> Modification of Existing Permit (Permit Number)	_____		
<input type="checkbox"/> Proposed	<input type="checkbox"/> Existing	<input type="checkbox"/> Both		
LOCATION OF PROJECT (Note: Copy of recent property/boundary survey and aerial map of property tied to a well-known landmark must be provided)				
Work or Land (canal or levee) Involved	County	Section	Township South	Range East
Lot No.	Block No.	Subdivision Name		
DESCRIPTION OF PROJECT (Note: Check all uses/facilities that apply)				
<input type="checkbox"/> Bridge	<input type="checkbox"/> Bulkhead/Seawall	<input type="checkbox"/> Culvert	<input type="checkbox"/> Dock	
<input type="checkbox"/> Fencing	<input type="checkbox"/> Landscaping	<input type="checkbox"/> Temporary Use (access/storage)	<input type="checkbox"/> Utility Installation	
<input type="checkbox"/> Other (include description below)				

40E-6.381 LIMITING CONDITIONS

The District's authorization to utilize lands and other works constitutes a revocable license (including both notice general permits and standard permits). In consideration for receipt of that license, permittees shall agree to be bound by the following standard limiting conditions, which shall be included within all permits issued pursuant to this chapter:

1) All structures on District works or lands constructed by permittee shall remain the property of permittee, who shall be solely responsible for ensuring that such structures and other uses remain in good and safe condition. Permittees are advised that other federal, state and local safety standards may govern the occupancy and use of the District's lands and works. The District assumes no duty with regard to ensuring that such uses are so maintained and assumes no liability with regard to injuries caused to others by any such failure.

2) Permittee solely acknowledges and accepts the duty and all associated responsibilities to incorporate safety features, which meet applicable engineering practice and accepted industry standards, into the design, construction, operation and continued maintenance of the permitted facilities/authorized use. This duty shall include, but not be limited to, permittee's consideration of the District's regulation and potential fluctuation, without notice, of water levels in canals and works, as well as the permittee's consideration of upgrades and modifications to the permitted facilities/authorized use which may be necessary to meet any future changes to applicable engineering practice and accepted industry standards. Permittee acknowledges that the District's review and issuance of this permit, including, but not limited to, any field inspections performed by the District, does not in any way consider or ensure that the permitted facilities/authorized use is planned, designed, engineered, constructed, or will be operated, maintained or modified so as to meet applicable engineering practice and accepted industry standards, or otherwise provide any safety protections. Permittee further acknowledges that any inquiries, discussions, or representations, whether verbal or written, by or with any District staff or representative during the permit review and issuance process, including, but not limited to, any field inspections, shall not in any way be relied upon by permittee as the District's assumption of any duty to incorporate safety features, as set forth above, and shall also not be relied upon by permittee in order to meet permittee's duty to incorporate safety features, as set forth above.

3) Permittee agrees to abide by all of the terms and conditions of this permit, including any representations made on the permit application and related documents. This permit shall be subject to the requirements of Chapter 373, F.S., and Chapter 40E-6, F.A.C., including all subsequent rule and criteria revisions. Permittee agrees to pay all removal and restoration costs, investigative costs, court costs and reasonable attorney's fees, including appeals, resulting from any action taken by the District to obtain compliance with the conditions of the permit or removal of the permitted use. If District legal action is taken by staff counsel, "reasonable attorney's fees" is understood to mean the fair market value of the services provided, based upon what a private attorney would charge.

4) This permit does not create any vested rights, and except for governmental entities and utilities, is revocable at will upon reasonable prior written notice. Permittee bears all risk of loss as to monies expended in furtherance of the permitted use. Upon revocation, the permittee shall promptly modify, relocate or remove the permitted use and properly restore the right of way to the District's satisfaction. In the event of failure to so comply within the specified time, the District may remove the permitted use and permittee shall be responsible for all removal and restoration costs.

5) This permit does not convey any property rights nor any rights or privileges other than those specified herein and this permit shall not, in any way, be construed as an abandonment or any other such impairment or disposition of the District's property rights. The District approves the permitted use only to the extent of its interest in the works of the District. Permittee shall obtain all other necessary federal, state, local, special district and private authorizations prior to the start of any construction or alteration authorized by the permit. Permittee shall comply with any more stringent conditions or provisions which may be set forth in other required permits or other authorizations. The District, however, assumes no duty to ensure that any such authorizations have been obtained or to protect the legal rights of the underlying fee owner, in those instances where the District owns less than fee.

6) Unless specifically prohibited or limited by statute, Permittee agrees to indemnify, defend and save the District (which used herein includes the District and its past, present and/or future employees, agents, representatives, officers and/or Governing Board members and any of their successors and assigns) from and against any and all lawsuits, actions, claims, demands, losses, expenses, costs, attorneys fees (including but not limited to the fair market value of the District's in-house attorneys' fees based upon private attorneys' fees/rates), judgments and liabilities which arise from or may be related to the ownership, construction, maintenance or operation of the permitted use or the possession, utilization, maintenance, occupancy or ingress and egress of the District's right of way which arise directly or indirectly and are caused in whole or in part by the acts, omissions or negligence of the Permittee or of third parties. Permittee agrees to provide legal counsel acceptable to the District if requested for the defense of any such claims.

7) The District does not waive sovereign immunity in any respect.

8) The permittee shall not engage in any activity regarding the permitted use which interferes with the construction, alteration, maintenance or operation of the works of the District, including:

- a) discharge of debris or aquatic weeds into the works of the District;
- b) causing erosion or shoaling within the works of the District;
- c) planting trees or shrubs or erecting structures which limit or prohibit access by District equipment and vehicles, except as may be authorized by the permit. Permittee shall be responsible for any costs incurred by the District resulting from any such interference, as set forth in (a), (b), and (c), above.

Permittee shall be responsible for any costs incurred by the District resulting from any such interference, as set forth in a), b), and c), above;

- d) leaving construction or other debris on the District's right of way or waterway;
- e) damaging District berms and levees;
- f)

- g) the removal of District owned spoil material;
- h) removal of or damage to District locks, gates, and fencing;
- i) opening of District rights of way to unauthorized vehicular access; or
- j) running or allowing livestock on the District's right of way.

9) The District is not responsible for any personal injury or property damage which may directly or indirectly result from the use of water from the District's canal or any activities which may include use or contact with water from the District's canal, since the District periodically sprays its canals for aquatic weed control purposes and uses substances which may be harmful to human health or plant life.

10) Permittee shall allow the District to inspect the permitted use at any reasonable time.

11) Permittee shall allow, without charge or any interference, the District, its employees, agents, and contractors, to utilize the permitted facilities before, during and after construction for the purpose of conducting the District's, routine and emergency, canal operation, maintenance, and construction activities. To the extent there is any conflicting use, the District's use shall have priority over the permittee's use.

12) This permit is a non-exclusive revocable license. Permittee shall not interfere with any other existing or future permitted uses or facilities authorized by the District.

13) The District has the right to change, regulate, limit, schedule, or suspend discharges into, or withdrawals from, works of the District in accordance with criteria established by the Big Cypress Basin, the District, or the U. S. Army Corps of Engineers for the works of the District.

14) If the use involves the construction of facilities for a non exempt water withdrawal or surface water discharge, the applicant must apply for and obtain a water use or surface water management permit before or concurrently with any activities which may be conducted pursuant to the right of way occupancy permit.

15) The District shall notify the local ad valorem taxing authority of the lands affected by the permitted use, where the permittee owns the underlying fee and derives a substantial benefit from the permitted use. The taxing authority may reinstate such lands on the tax roll. Failure to pay all taxes in a timely manner shall result in permit revocation. Such permit revocation shall not alleviate the responsibility of the permittee to pay all taxes due and payable.

16) Permittee shall provide prior written notice to their successors in title of the permit and its terms and conditions.

17) Permittee authorizes the District to record a Notice of Permit through filing the appropriate notice in the public records of the county or counties where the project is located. Governmental entities and utilities are not subject to this provision.

18) Permittee shall be responsible for the repair or replacement of any existing facilities located within the District's right of way which are damaged as a result of the installation or maintenance of the authorized facility.

19) All obligations under the terms of this permit authorization and any subsequent modifications hereto shall be joint and several as to all owners.

20) It is the responsibility of the permittee to make prospective bidders aware of the terms and conditions of this permit. It shall be the responsibility of the permittee's contractors to understand the terms and conditions of this permit and govern themselves accordingly.

21) It is the responsibility of the permittee to bring to the attention of the District any conflict in the permit authorization or permit conditions in order that they may be resolved prior to the start of construction. In resolving such conflicts the District's determination will be final.

22) Special Conditions that are site specific shall be incorporated into every permit as may be necessary in the best interest of the District.

23) The District is not responsible for the repair of or claims of damage to any facilities and uses which may incur damage resulting from the District's utilization of its rights of way or use by third parties. Improvements placed within the right of way are done so at the sole risk of the owner.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.085(1), 373.086, 373.103, 373.109, 373.129, 373.1395, 373.603, 373.609, 373.613 FS. History—New 9-3-81, Formerly 16K-5.01(2), 16K-5.02(2), 16K-5.03(2), 16K-5.04(4), 16K-5.05, Amended 5-30-82, 12-29-86, 12-24-91, 9-15-99

In compliance with provisions of Chapter 373, Florida Statutes and Chapter 40E-6, Florida Administrative Code, application is hereby made for a Right of Way Occupancy Permit in accordance with support drawings, data and incidental information filed with this application and made a part of this application. I hereby certify that all information contained in or made a part hereof is true and correct to the best of my knowledge, that any permit issued shall require that the permitted use be constructed and operated in accordance with such information.

I further certify that I have read the Standard Limiting Conditions appearing on this application and understand that said conditions will be incorporated within any permit issued pursuant to the application, unless expressly waived by the Governing Board. I further acknowledge that the SFWMD may incorporate additional special conditions as may be necessary in the best interest of the District.

In signing this application, I acknowledge that failure to comply with all conditions of this permit may result in permit revocation, financial assurance or bond forfeiture, and remedial action against me by the SFWMD. I assume full responsibility for the actions of all my employees, agents and persons, whether under direct contractual obligation to me or indirectly, with respect to compliance with the conditions and limitations contained within this application or within a permit issued as a result of this application.

NOTE: Either Permittee/Owner – or – Agent can sign

_____	_____	_____
Permittee/Owner's Name (print or type)	Permittee/Owner's Name (sign)	Date
_____	_____	_____
Agent Name (print or type)	Agent Name (sign)	Date

Please be sure the following accompany the submittal of your application:

- Application Processing Fee** (if applicable)
- 8 ½" x 11" Drawings describing the use or facilities**
- All other information as outlined in the Criteria Manual**
- Submit the original application package and 3 duplicates**

Right of Way Occupancy Permit Transfer Request

To: South Florida Water Management District
 P.O. Box 24680, W. Palm Beach, FL 33416-4680

The undersigned requests that the name of the permittee for SFWMD
 Right of Way Occupancy Permit Number _____
 be transferred:

FROM:

Name
Company Name (if applicable)
Address
City, State, ZIP Code
Telephone No.

TO:

Name
Company Name (if applicable)
Address
City, State, ZIP Code
Telephone No.

Rule 40E-6.351 Transfer of Permits.

- 1) As the District has no control over the sale or transfer of real or personal property, it is the sole obligation of a permittee to disclose the existence of a Right of Way Occupancy Permit, its terms and conditions to prospective purchasers.
- 2) Right of Way Occupancy Permit shall be transferred when:
 - a) The request is otherwise consistent with the provisions of these rules and Chapter 373, F.S.
 - b) The applicant demonstrates that the permitted use still qualifies for a permit under Rules 40E-6.121 or 40E-6.221, F.A.C.
 - c) The applicant agrees to abide by the provisions of chapter 373, F.S., this chapter and the terms and conditions of the permit; including these rules, including the standard limiting conditions, and criteria which are applicable at the time of the request for transfer.
 - d) The adjoining land use has not changed.
 - e) The request for transfer is accompanied with the correct fee.
 - f) The applicant authorizes the District to record a Notice of Permit in the official records of the county clerk's office where the project is located.
 - g) In cases where unauthorized facilities or uses have been added that are not included in the permit authorization, a permit transfer request must also be accompanied by a request for modification pursuant to Rule 40E-6.331, F.A.C.
- 3) All transfers require a field inspection and shall not become effective until such inspection is conducted and confirms all existing facilities are permitted and all uses comply with the criteria in Rule 40E-6.091, F.A.C., and the conditions of issuance in Rules 40E-6.121 or 40E-6.221, F.A.C. If additional facilities are present, no transfer will be allowed unless the unauthorized facility or use is removed immediately and the right of way restored. Applicants must submit a new Permit Application, along with the appropriate application processing fee, for all additional facilities not removed and not currently authorized by a Right of Way Occupancy Permit.
- 4) The District staff shall not issue transfers until all financial assurance and insurance requirements, if any, have been provided and accepted by the District staff.

Attached is a copy of the instrument transferring ownership of the property.

Applicant's Name (Print)	Applicant's (Signature)	Date
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