

40E-1.607 Permit Application Processing Fees.

A permit application processing fee is required and shall be paid to the District when certain applications are filed pursuant to District rules. An application shall not be considered complete until the appropriate application fee is submitted. These fees are assessed in order to defray the cost of evaluating, processing, monitoring, and inspecting for compliance 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. Failure of any person to pay the applicable fees established herein will result in denial of an application. Activities that do not require a permit and are exempt pursuant to Rule 40E-2.051 or 40E-3.051, F.A.C., are not subject to the following permit application fees. The District's permit application processing fees are as follows:

(1) Water Use Permit Application processing fees are in the following table:

TABLE 40E-1.607(1)	
PERMIT APPLICATION PROCESSING FEES FOR WATER USE PERMIT APPLICATIONS	
REVIEWED PURSUANT TO CHAPTER 40E-2, F.A.C.	
Fee amounts shall apply to applications for new permits, permit modifications, and permit renewals, except as noted.	
Category	Amount
Individual Permit, except Mining/Dewatering (applies to all durations). Maximum monthly allocation:	
Up to 3 million gallons per month (mgm).	\$350
Greater than 3 mgm through 15 mgm.	\$1,000
Individual Public Water Supply with a duration less than 20 years.	
Maximum monthly allocation:	
Greater than 15 mgm through 30 mgm	\$2,700
Greater than 30 mgm through 300 mgm	\$5,500
Greater than 300 mgm	\$7,000
Individual Public Water Supply with a duration of at least 20 years.	
Maximum monthly allocation:	
Greater than 15 mgm through 30 mgm.	\$4,200
Greater than 30 mgm through 300 mgm.	\$8,500
Greater than 300 mgm.	\$11,500
Individual Irrigation with a duration less than 20 years.	
Maximum monthly allocation:	
Greater than 15 mgm.	\$1,000
Individual Irrigation with a duration of at least 20 years.	
Maximum Monthly allocation:	
Greater than 15 mgm through 30 mgm.	\$1,600
Greater than 30 mgm through 300 mgm.	\$3,400
Greater than 300 mgm.	\$5,600
Individual Mining/Dewatering.	
Standard Individual Permit with a total project duration of up to one year.	\$500
Standard Individual Permit with a total project duration of greater than one year.	\$1,800
Master Individual Permit.	\$4,000
Individual Commercial/Industrial with a duration less than 20 years.	
Maximum monthly allocation:	
Greater than 15 mgm through 30 mgm.	\$1,400
Greater than 30 mgm through 300 mgm.	\$2,750
Greater than 300 mgm.	\$3,500
Individual Commercial/Industrial with a duration of at least 20 years.	
Maximum monthly allocation:	

Greater than 15 mgm through 30 mgm.	\$2,000
Greater than 30 mgm through 300 mgm.	\$3,650
Greater than 300 mgm.	\$5,600
Individual Diversion and Impoundment with a duration less than 20 years. Maximum monthly allocation:	
Greater than 15 mgm through 30 mgm.	\$1,400
Greater than 30 mgm through 300 mgm.	\$2,750
Greater than 300 mgm.	\$3,500
Individual Diversion and Impoundment with a duration of at least 20 years. Maximum monthly allocation:	
Greater than 15 mgm through 30 mgm.	\$2,000
Greater than 30 mgm through 300 mgm.	\$3,950
Greater than 300 mgm.	\$6,200
Independent Secondary User of a Diversion and Impoundment (applies to all durations).	
Maximum monthly allocation:	
Greater than 15 mgm through 30 mgm.	\$1,000
Greater than 30 mgm through 300 mgm.	\$2,000
Greater than 300 mgm.	\$3,200
Noticed General Water Use Permit.	
Applications for a 30-day backup supply for interrupted reclaimed water service.	\$500
Applications filed electronically at https://www.sfwmd.gov/RegPermitting .	\$100
Application filed by other means.	\$350
Aquifer Storage and Recovery: cost added to the applicable use type listed above.	\$1,000
Permit Transfer to Another Entity Pursuant to Rules 40E-0.107 and 40E-2.351, F.A.C.	no fee \$300
Letter Modification.	no fee
General Permit by Rule.	no fee
<u>Withdrawal of Application for Individual or Conceptual Approval Prior to Agency Action – any processing fee submitted with that application shall be applied to the processing fee for a new application or notice received from the same applicant if done within 365 days from when the original application was withdrawn, provided the activity is located within all or part of the same project area. In such a case, additional processing fees will be required only to collect the balance due for the activities proposed in the revised application or notice. For resubmittal, within 365 days of an application for the same project that was previously withdrawn under Chapter 40E-2, F.A.C., any fee paid as part of the previous application will be applied toward the fee required for the application under this rule. Processing fees previously paid for an application or notice that was denied by the Agency shall not be applied to a new or revised application or notice.</u>	

(2) Water Well Construction Permit Application processing fees are in the following table:

TABLE 40E-1.607(2)	
PERMIT APPLICATION PROCESSING FEES FOR WATER WELL CONSTRUCTION PERMIT APPLICATIONS	
REVIEWED PURSUANT TO CHAPTER 40E-3, F.A.C.	
Category	Amount
Water Well Construction.	\$100
Water Well Abandonment.	no fee

(3)(a) Environmental Resource Permit Application processing fees are in the following table:

TABLE 40E-1.607(3)(a)	
PERMIT APPLICATION PROCESSING FEES FOR ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS	
REVIEWED PURSUANT TO CHAPTER 62-330, F.A.C.	

For the purposes of determining the applicable processing fee, “project area” means the total area wherein works occur as part of an activity requiring a permit under Chapter 373, Part IV, F.S., including all portions of the stormwater management system serving the project area.	
1. Use of the reviewing agency’s electronic self-certification system.	\$0
2. Verification of exemption under Section 373.406 or 403.813(1), F.S. or under Rules 62-330.050 through 62-33.051, F.A.C.	\$100
3. Verification of qualification to use a General Permit.	\$250
4. Individual or Conceptual Approval Permits, excluding Permits for a Mitigation Bank.	
a. New applications – the processing fee for a new permit application shall be as determined from the categories below:	
(I) Total project area of less than 10 acres and no activities in, on or over wetlands or other surface waters, except where exempt under paragraphs 62-330.051(9)(a) through (c), F.A.C.	\$2,000
(II) Project exceeds any of the thresholds in sub-sub-subparagraphs (3)(a)4.a.(I), above involves a total project area of less than 10 acres, less than 1 acre of works (i.e. dredging, filling, construction, or alteration) in, on or over wetlands and other surface waters, AND less than 10 new boat slips.	\$3,500
(III) Project exceeds any of the thresholds in sub-sub-subparagraph (3)(a)4.a.(II), above, but involves a total project area of less and 40 acres, less than 3 acres of works in, on or over wetlands and other surface waters, AND less than 30 new boat slips.	\$5,500
(IV) Project exceeds any of the thresholds in sub-sub-subparagraph (3)(a)4.a.(III), above, but involves a total project area of less than 100 acres, less than 10 acres of works in, on or over wetlands and other surface waters, AND less than 50 new boats ships.	\$7,500
(V) Project exceeds any of the thresholds in sub-sub-subparagraph (3)(a)4.a.(IV), above, but involves a total project area of less than 640 acres, AND less than 50 acres of works in, on or over wetlands and other surface waters.	\$13,125
(VI) Project exceeds any of the thresholds sub-sub-subparagraph (3)(a)4.a.(V), above.	\$25,000
(VII) Projects that are exclusively for agriculture or silviculture, and that involve a total project area of less than 10 acres AND less than 1 acre of works (i.e. dredging, filling, construction, or alternatiion) in, on or over wetlands and other surface waters.	\$859
(VIII) Projects that are exclusively for agriculture of silviculture, and that exceed any of the thresholds in sub-sub-subparagraph (3)(a)4.a.(VII), above, but involves a total project area of less than 40 acres AND less than 3 acres of works in, on or over wetlands and other surface waters.	\$2,444
(IX) Projects that are exclusively for agriculture or silviculture, and that exceed any of the thresholds in sub-sub-subparagraph (3)(a)4.a.(VIII), above, but involve a total project area of less than 100 acres AND less than 10 acres of works in, on or over wetlands and other surface waters.	\$4,029
(X) Projects that are exclusively for agriculture or silviculture, and that exceed any of the thresholds in sub-sub-subparagraph (3)(a)4.a.(IX), above, but involve a total project area of less than 640 acres AND less than 50 acres of works in, on or over wetlands and other surface waters.	\$5,284
(XI) Projects that are exclusively for agriculture or silviculture, and that exceed any of the thresholds in sub-sub-subparagraph (3)(a)4.a.(X), above.	\$6,605
(XII) Individual or Conceptual Permits solely for environmental restoration or enhancement activities, provided such activities are not associated with a mitigation bank and are not being implemented as mitigation for other activities that require a permit under Chapter 373, Part IV, F.S. For the purposes of this provision, the term “environmental restoration or enhancement” means an action or actions designed and implemented solely to convert degraded or altered uplands, wetlands, or other surface waters to intact communities typical of those historically present, or to improve the quality and condition of currently degraded wetlands or other surface waters to the more healthy, functional, and sustaining condition for fish, wildlife, and listed species.	\$250
(XIII) Individual or Conceptual Permit solely to retrofit an existing stormwater management system or systems to add treatment to and reduce stormwater pollutant loadings from the system or systems.	\$250
(XIV) An Individual Permit for a phase of construction that is consistent with an existing Conceptual Approval	\$1,500

Permit.	
b. Major Modifications that exceed any of the thresholds in subsection 62-330.315(3), F.A.C.	
(I) Major Modification to an Individual or Conceptual Approval Permit that increase the project area.	60% of fee for new permit for the same activity
(II) All other Major Modification.	60% of fee for new permit for the same activity
c. Minor Modifications that do not exceed any of the thresholds in subsection 62-330.315(2), F.A.C.	
(I) Time Extensions of Permits, where not exempt from fees under Florida Statutes.	\$500
(II) Minor Modifications to correct minor errors that do not involve technical review, to transfer ownership of a permit, or to transfer a permit from the construction to the operation phase.	\$0
(III) All other Minor Modifications.	\$250
5. Individual or Conceptual Permits for a Mitigation Bank.	
a. New applications.	
(I) For a Mitigation Bank with a permit area less than 100 acres.	\$7,500
(II) For a Mitigation Bank with a permit area greater than 100 acres but less than 640 acres.	\$13,125
(III) For a Mitigation Bank with a permit area of 640 acres or more.	
b. Major Modifications involving changes to one or more of the following components: service area; credit assessment; success or release criteria; hydrologic structures or alterations; constructions or mitigation design that does not increase the project area; elimination of lands; or monitoring or management plans:	\$25,000
(I) Affecting one of the above components.	20% of the fee under 5.a.
(II) Affective to of the above components.	40% of the fee under 5.a.
(III) Affective three of the above components.	60% of the fee under 5.a.
(IV) Major modifications affecting four or more of the above components of the increase the project area.	100% of the fee under 5.a.
c. Major Modification that do not involve changes to the components listed in sub-subparagraph (3)(a)5.b. above, but that exceed any of the thresholds in subsection 62-330.315(2), F.A.C.	100% of the fee under 5.a.
d. Minor Modifications that do not exceed any of the thresholds in subsection 62-330.315(2), F.A.C.	
(I) Time Extensions of Permits, where not exempt from fees under Florida Statutes.	\$500
(II) To correct minor errors that do not involve technical review, to transfer ownership of a permit, or to transfer a permit from the construction to the operation phase.	\$0
(III) All other Minor Modifications.	\$250
e. Mitigation Bank Credit Release.	\$0

f. Mitigation Bank Credit Withdrawal.	\$0
6. Informal Wetland Determination.	
a. Where total area included is less than 1 acre.	\$250
b. Where total area included is greater than 1 acre.	\$500
7. Variance or Waiver:	
a. Under Section 120.532, F.S.	\$0
b. Under Section 373.414(17), F.S.	\$1,125
8. Fee reductions.	
a. Applications by an entity qualifying under Section 218.075, F.S., when the fee exceeds \$100.00.	\$100.00
b. Applications submitted by the U.S. Department of Defense.	\$0
c. For resubmittal, within 365 days, of an application for the same project that was previously withdrawn, under subsection 62-330.071(3), F.A.C., any fee paid as part of the previous application will be applied toward the fee required for the application under this rule.	Previously paid fee shall be applied

9. When used in Table paragraph 40E-1.607(3)(a), F.A.C., “Agriculture” shall be defined as set forth in Section 570.02, F.S.

10. For permit applications which involve a combination of fee categories, the highest fee that applies shall be charged.

11. Any individual permit application submitted concurrently with a conceptual approval application – where the individual permit application represents a phase of the conceptual approval application – is exempt from the above environmental resource permit fees.

12. For projects grandfathered pursuant to Section 373.414, F.S., the letter modification, conceptual approval, individual or general surface water management permit application fee shall be the same as listed in Table paragraph 40E-1.607(3)(a), F.A.C.

13. The District shall use the Consumer Price Index (CPI) adopted by the United States Department of Labor since the most recently revised fee increase for revising fees under Chapter 373, Part IV, F.S., pursuant to Section 373.109, F.S. The inflation index used is the price paid by all urban consumers for a market basket of consumer goods and services; specifically, the CPI figures for the “CPI-U, U.S. City Average. All Items” established for the previous five years by the Bureau of Labor Statistics (BLS) (www.bls.gov/cpi), computed as provided in the BLS publication Bureau of Labor Staticstics Handbook of Methods, Chapter 17 (www.bls.gov/opub/hom/pdf/homch17.pdf).

(b) Permit application processing fees for projects grandfathered pursuant to Section 373.414, F.S., wetland resource (dredge and fill) are in the following table:

TABLE 40E-1.607(3)(b)	
PERMIT APPLICATION PROCESSING FEES FOR PROJECTS GRANDFATHERED PURSUANT TO SECTION 373.414, F.S.	
WETLAND RESOURCE (DREDGE AND FILL) PERMIT APPLICATIONS	
REVIEWED PURSUANT TO CHAPTERS 40E-4, 40E-40, AND 40E-400, F.A.C.	
Category	Amount
Construction projects up to and including 5 years.	
Standard form projects including dredge and fill activities that affect 10 or more acres of jurisdictional area, pursuant to subsection 62-312.070(2), F.A.C. (1993).	\$7,500
Short form construction projects including dredging and filling activities that affect less than 10 acres of jurisdictional area, pursuant to subsection area, pursuant to subsection area, pursuant to subsection.	\$750
Variance associated with a wetland resource permit application.	
From the prohibition of subsection 62-312.080(7), F.A.C.	\$132
From other permitting standards, permit conditions, or water quality standards.	\$661
General Permits.	\$132

Minor modifications of permits that do not require substantial technical evaluation by the District, in conformance with subsections 62-4.050(6) and (7), F.A.C. (1993), do not require a new site inspection by the District, and will not lead to substantially different environmental impacts or will lessen the impacts of the original permit:	\$66
Transfer of permits or time extensions. Minor technical changes.	
Existing permit fee is less than \$300, except for modification to permits issued pursuant to Section 403.816, F.S.	\$66
Existing permit fee is equal to or more than 300.	\$330

1. For the purposes of determining the fee for wetland resource management permits, the term of duration for the permit shall be reduced by the period of time (in yearly increments) during which no dredging or filling activity occurs or no reclamation, restoration, or mitigation occurs and only minor monitoring and maintenance activities are required. The fee for the full term shall be submitted with the application. After the District determines the period of time that the term of the permit can be reduced, the excess fee shall be returned.

2. For permit applications which involve a combination of the project fee categories listed above, the highest fee that applies to the appropriate standard form or short form project, pursuant to Rule 62-312.070, F.A.C., shall be charged.

3. A single additional fee of \$500 shall be required for projects in which monitoring and evaluation to determine the success of the mitigation will be required beyond the period of time to which the permit fee will ordinarily apply. If it is determined at the time of the permit application that monitoring and evaluation to determine the success of the mitigation will be required beyond the time period to which the permit fee will ordinarily apply, then this single additional fee shall be due when it is determined that this monitoring and evaluation is required.

(4) Application for proprietary authorization under Chapters 253 and 258, F.S., except consent of use authorizations, processing fees are in the following table:

TABLE 40E-1.607(4)	
PERMIT APPLICATION PROCESSING FEES FOR PROPRIETARY AUTHORIZATIONS UNDER CHAPTERS 253 AND 258, F.S., EXCEPT CONSENT OF USE AUTHORIZATIONS	
See Chapter 18-21, F.A.C. for application fees for proprietary authorizations, specifically as follows:	
18-21.008(1)(a)8., F.A.C.	Applications for Lease (eff. 8-10-05)
18-21.0081(1)(k), F.A.C.	Grandfather Structure Applications (eff. 8-10-05)
18-21.009(1)(g), F.A.C.	Applications for Public Easement (eff. 8-10-05)
18-21.010(1)(i), F.A.C.	Applications for Private Easement (eff. 8-10-05)
18-21.013(1)(l), F.A.C.	Applications to Purchase Lands Riparian to Uplands (eff. 3-27-82)
18-21.019(7), F.A.C.	Applications for Disclaimers, Quitclaim Deeds or Certificates to Clear Title to Filled Sovereignty Lands and for Disclaimers for Lands Lost Due to Avulsion or to Reclaim Lands Lost due to Artificial Erosion or Artificial Erosion and Avulsion (eff. 4-13-98)

(5) Petition for Formal Determination of Wetlands and Other Surface Waters processing fees are in the following table:

TABLE 40E-1.607(5)	
DETERMINATION PETITION PROCESSING FEES FOR FORMAL DETERMINATION OF WETLANDS AND OTHER SURFACE WATERS	
For the validation of informal, non-binding wetland determinations pursuant to Section 373.421(6), F.S., the fees shall be the same as formal determinations listed in Table subsection 40E-1.607(5), F.A.C.	
Category	Amount
Property less than or equal to 10 acres.	\$500
Property greater than 10 acres but less than or equal to 40 acres.	\$1,000
Property greater than 40 acres but less than or equal to 100 acres.	\$1,500
Additional fee per 100 acres (or portion thereof) beyond the first 100 acres.	\$350
Reissuance of a Formal Determination.	\$350

(6) Permit Processing Fee Waiver for Certain Local Governments.

Notwithstanding the provisions set forth above in this rule, the District shall waive permit processing fees for permit applications submitted by the governing body of a county with a population of less than 50,000, a municipality with a population of less than 25,000, a county or municipality not included within a metropolitan statistical area, or a third party under contract with such a county or municipality, provided:

- (a) The project for which the fee waiver is sought serves a public purpose; and
- (b) The governing body submits Form No. 889 certifying that the fee reduction is necessary due to an environmental need for a particular project or activity; or
- (c) The governing body submits Certification of Waiver of Permit Application Processing Fee, Form No. 0889, certifying that the permit processing fee is a fiscal hardship due to one of the following factors:
 - 1. Per capita taxable value is less than the statewide average for the current fiscal year;
 - 2. Percentage of assessed property value that is exempt from ad valorem taxation is higher than the statewide average for the current fiscal year;
 - 3. Any condition specified in Section 218.503, F.S., that determines a state of financial emergency;
 - 4. Ad valorem operating millage rate for the current year is greater than 8 mills; or
 - 5. A financial condition is documented in annual statements at the end of the current fiscal year which indicates an inability to pay the permit processing fee during that fiscal year.

Form 0889, December 2011, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00061>, is incorporated by reference herein and available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6436 or (561)682-6436.

(7) PERMIT APPLICATION PROCESSING FEES FOR MODIFICATION OR TRANSFER OF ENVIRONMENTAL RESOURCE, SURFACE WATER MANAGEMENT OR WORKS OF THE DISTRICT PERMITS FOR PROPERTIES ACQUIRED BY THE DISTRICT PURSUANT TO THE FLORIDA FOREVER WORK PLAN OR SAVE OUR RIVERS LAND ACQUISITION AND MANAGEMENT PLAN:

(a) Modification of existing permits to reflect property ownership changes where no new works or modifications to an existing stormwater management system is requested.	\$0
(b) Permit transfer pursuant to Rules 40E-1.6107 and 62-330.340, F.A.C.	\$0

Rulemaking Authority 373.044, 373.109, 373.113, 373.171, 373.421(2), 373.421(6)(b), 373.4131 FS. Law Implemented 218.075, 373.109, 373.4131, 373.421(2), 373.421(6)(b), 403.201 FS. History—New 1-8-89, Amended 1-2-91, 11-15-92, 6-1-93, 1-23-94, 10-3-95, 4-1-96, 11-8-99, 5-24-00, 6-26-02, 7-11-02, 8-10-03, 8-14-03, 11-18-07, 11-1-09, 12-15-11, 10-23-12, 10-1-13, 7-31-14, 9-7-15, 8-7-16.