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# Notice of Intent to Use an Environmental Resource and/or State 404 Program General Permit

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**Instructions:** This form is for projects that qualify for a General Permit in accordance with Chapter 62-330 F.A.C., and/or Chapter 62-331, F.A.C. General Permits (GP) are provided for certain activities that have been determined to have minimal impacts to the water resources of the state when conducted in compliance with the terms and conditions of the general permit. Complete and submit this form to the appropriate agency as identified in Part 3 below.

If activity is located on, or has the potential to be located on, state-owned sovereignty submerged lands (SSL), the reviewing Agency will begin processing the request for state-owned sovereignty submerged lands authorization. If you know that your project is located on SSL, (i.e., waterward of the line of mean or ordinary high water of rivers, streams, bays, bayous, sounds, the Gulf of Mexico, the Atlantic Ocean, or certain natural lakes, we recommend completing Section F of the Environmental Resource Permit Application. You are not required to complete Section F to receive a General Permit, but it will help the agency process the SSL authorization. Both authorizations are required prior to construction on SSL.

## Part 1: General Information

**A. Rule section number of the GP(s) for which you are applying:**  
62-330. / 62-331. ,F.A.C.

**We recommend contacting your local Corps district office if your project is not within state-assumed waters regulated under Chapter 62-331, F.A.C., does not qualify for the State Programmatic General Permit (SPGP) and you are not sure whether the project requires separate Corps authorization. If Corps authorization is required, you will need to submit the appropriate federal application form separately to the Corps. Corps contact information may be found online at the Jacksonville District Regulatory Division website.**

**B. Applicant**  **This is a Contact Person for Additional Information**

Name: Last: \_\_\_\_\_ First: \_\_\_\_\_ Middle: \_\_\_\_\_  
Title: \_\_\_\_\_ Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Home Telephone: \_\_\_\_\_ Work Telephone: \_\_\_\_\_  
Cell Phone: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**Correspondence will be sent via email,** unless you check here to receive it via  US Mail



**C. Consultant/Agent**  **This is a Contact Person for Additional Information**

Name: Last: \_\_\_\_\_ First: \_\_\_\_\_ Middle: \_\_\_\_\_  
Title: \_\_\_\_\_ Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Home Telephone: \_\_\_\_\_ Work Telephone: \_\_\_\_\_  
Cell Phone: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**Correspondence will be sent via email**, unless you check here to receive it via  US Mail

**D. Land Owner(s) (If Different or in Addition to Applicant Identified Above)**

Name: Last: \_\_\_\_\_ First: \_\_\_\_\_ Middle: \_\_\_\_\_  
Title: \_\_\_\_\_ Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Home Telephone: \_\_\_\_\_ Work Telephone: \_\_\_\_\_  
Cell Phone: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**Correspondence will be sent via email**, unless you check here to receive it via US Mail:

**E. Location of proposed activities:**

Tax Parcel Identification Number: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ County: \_\_\_\_\_ Zip: \_\_\_\_\_  
Latitude (DMS)     °     '     "     Longitude (DMS)     °     '     "

**F. Date activity is proposed:** To Commence: \_\_\_\_\_ To be Completed: \_\_\_\_\_

**G. Describe in general terms the proposed project, system, or activity:**

**H. Describe wetland and aquatic habitats to be affected:**

**I. Construction methods and schedule:**

**J. Additional information that demonstrates that you qualify for the general permit, addressing all the parameters, thresholds, and conditions required in the general permit.**

**K. Additional information for State 404 Program General Permits (available within state-assumed waters only - leave blank if not applicable)**

1. Describe the project purpose (*Describe the purpose and need for the proposed project. Why are you proposing the work? How will you use the proposed structure(s); and/or, how will the proposed fill area(s) be used?*):

2. Describe direct and indirect adverse environmental effects the activity will cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the activity. Include acres and square feet of impact. If this notice is for a linear project that includes multiple “single and complete projects”, include quantity of impact for each single and complete crossing. (see section 3.2.1 of the 404 Handbook):

3. If the General Permit specifically requires mitigation, or if the proposed activity will result in the loss of more than 1/10 acre of wetlands, describe proposed mitigation measures (see preferential mitigation hierarchy in Rule 62-331.130, F.A.C.). If no mitigation is proposed, explain why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. The Agency shall determine if the described mitigation or explanation is appropriate and sufficient.

4. List any other State 404 Program general permits or individual permits used or intended to be used to authorize any part of the proposed project or any related activity, including, but not limited to other separate and distant crossings for linear projects that require a GP but do not require pre-construction notification:

5. Include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations shall be prepared in accordance with Chapter 62-340, F.A.C.

6. Describe any listed species or designated critical habitat that might be affected by, or is in the vicinity of, the proposed activity. Include the name(s) of those listed species or critical habitat areas. Describe any actions proposed to be taken to avoid or minimize adverse effects to listed species.

7. If the activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, describe which historic property might have the potential to be affected by the proposed activity and include a vicinity map indicating the location of the historic property (see paragraph 62-331.200(3)(j), F.A.C.)

8. If the activity will occur in a component of the National Wild and Scenic River System, or is a river officially designated by congress as a “study river” for possible inclusion in the system while the river is in an official study status, identify the Wild and Scenic River or the “study river” (see paragraph 62-331.200(3)(d), F.A.C.)

9. For activities that require permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a Corps federally authorized civil works project, include a statement confirming that a written request for section 408 permission has been submitted to the Corps office having jurisdiction over that Corps project. The permittee is responsible for obtaining such permission separately from the Corps. Failure to obtain permission from the Corps may subject you to enforcement action by the Corps.

## Part 2: Certification

I hereby certify I have read and will conduct the above activities in accordance with the criteria, limitations, and specific conditions of the general permit(s) identified in Part 1 Section A, and in accordance with the general conditions of Rule 62-330.405, and/or 62-331.201, F.A.C, as applicable. Unless otherwise provided in Chapter 62-330, F.A.C., or unless the timeframes in 62-330.402(4), F.A.C. have been waived below, activities conducted pursuant to an ERP general permit may commence thirty (30) days after providing written notice to the Department of Environmental Protection or the Water Management District, along with any required additional documentation which may be required to fulfill the requirements of the general permit, unless the Agency responds that the proposed work does not qualify for a general permit. For State 404 Program general permits that require pre-construction notice under Chapter 62-331, F.A.C., the activity shall not commence until the permittee receives written confirmation of qualification for the general permit from the Agency. If both an ERP and State 404 Program general permit is required for such projects, the activity shall not commence until thirty (30) days after notice is received by the Agency, or until written confirmation of qualification for the State 404 Program general permit is received by the permittee, whichever is later.

I understand I may have to provide any additional information/data that may be necessary to provide reasonable assurance or evidence that the proposed project will comply with the applicable state water quality standards or other environmental standards both before construction and after the process is completed.

I further acknowledge that work done under the general permit(s) may also require the review and approval of other federal, state, or local agencies, and that commencement of construction before such federal, state, or local agency approvals or permits are obtained may subject me to enforcement action and fines or penalties by such agencies. Further, the work shall be conducted in a manner that does not violate applicable water quality standards.

**By checking this box**, I hereby voluntarily waive, in accordance with subsection 62-330.402(7), F.A.C., the 30-day or 60-day deadline in subsection 62-330.402(4), F.A.C., in the event my project also requires a State 404 Program authorization (other than an exemption) under Chapter 62-331, F.A.C., and request that the agency actions for the ERP general permit and State 404 Program be issued at the same time. (This is strongly recommended to ensure consistency, and to reduce the potential need for project modifications to resolve inconsistencies that may occur when the agency actions for the ERP and State 404 Program are issued at different times). If this box is checked and the Agency(ies) determines that no State 404 Program authorization is required, the Agency(ies) will continue to abide by subsection 62-330.402(4), F.A.C.

Typed/Printed Name of Applicant or Agent      \_\_\_\_\_      Signature of Applicant or Agent      Date

An Agent May Sign Above If Applicant Completes the Following:

I hereby designate and authorize the agent listed in Item Part 1 Section C to act on my behalf as my agent in the processing of this permit application and to furnish on request, supplemental information in support of the application.

Typed/Printed Name of Applicant  
(And corporate title, if applicable)      \_\_\_\_\_      Signature of Applicant      Date

**Certification of Sufficient Real Property Interest and Authorization for Staff to Access the Property:**

**I certify that:**

**I possess sufficient real property interest in or control, as defined in Section 4.2.3(d) of Applicant's Handbook Volume I**, over the land upon which the activities described in this application are proposed and I have legal authority to grant permission to access those lands. I hereby grant permission, evidenced by my signature below, for staff of the Agency to access, inspect, and sample the lands and waters of the property as necessary for the review of the proposed works and other activities specified in this application. I authorize these agents or personnel to enter the property as many times as may be necessary to make such review, inspection, and/ or sampling. Further, I agree to provide entry to the project site for such agents or personnel to monitor and inspect permitted work if a permit is granted.

**OR**

I represent an entity having **the power of eminent domain and condemnation authority**, and I/we shall make appropriate arrangements to enable staff of the Agency to access, inspect, and sample the property as described above.

Typed/Printed Name of Applicant  
(And corporate title, if applicable)

\_\_\_\_\_  
Signature of Applicant

Date

**Part 3: Submittal**

In addition to the information described in this form, any Notice of Intent to use a General Permit must also include the following, as described in Section 4.2.2 of the Applicant's Handbook, Volume I:

- Location map(s) of sufficient detail to allow someone who is unfamiliar with the site to travel to and locate the specific site of the activity.
- One set of plans and drawings, calculations, environmental information, and other supporting documents that clearly and legibly depict and describe the proposed activities in sufficient detail to demonstrate that the work qualifies for the specified General Permit(s).
- The required fee made payable to the appropriate agency.

Fees for the appropriate agency are established in the rules adopted in subsection 62-330.071(1), F.A.C., as listed below:

- Rule 62-4.050, F.A.C. (Department of Environmental Protection or the Northwest Florida Water Management District)
- Rule 40B-1.706, F.A.C. (Suwannee River Water Management District)
- Rule 40C-1.603, F.A.C. (St. Johns River Water Management District)
- Rule 40D-1.607, F.A.C. (Southwest Florida Water Management District)
- Rule 40E-1.607, F.A.C. (South Florida Water Management District)

Operating Agreements between the Department and the water management districts specify which agency will process any given application. For copies of the operating agreements, go to <https://floridadep.gov/ogc/ogc/content/operating-agreements>

This application form may be submitted online; to do so, follow the on-line submittal requirements of the agency:

- o **Florida Department of Environmental Protection:** <http://www.fldeportal.com/go/>
- o **Northwest Florida Water Management District:** <https://permitting.sjrwmd.com/nweppermitting/jsp/start.jsp>
- o **Suwannee River Water Management District:** <https://permitting.sjrwmd.com/srepermitting/jsp/start.jsp>

- o **St. Johns River Water Management District:**  
<https://permitting.sjrwmd.com/epermitting/jsp/AccountOverview.do?command=init>
- o **Southwest Florida Water Management District:**  
<http://www.swfwmd.state.fl.us/permits/epermitting/>
- o **South Florida Water Management District:** <http://my.sfwmd.gov/ePermitting/MainPage.do>

If submitting a paper application, please see Appendix A of Applicant's Handbook, Volume I for submittal locations.