

# Questions and Answers

## Environmental Resource Permit

### When do I need an Environmental Resource Permit?

An Environmental Resource Permit (ERP) will be required for new projects or changes to existing projects that impact wetlands, surface waters or floodplains. Some activities are exempt from environmental resource permits. District staff can aid in evaluating the need for a permit. In general, the information below can help you determine if your planned activity needs an ERP.

You will need an Environmental Resource Permit to:

- construct either a residential or a golf course community
- construct an urban or rural facility that will increase, decrease, or divert surface water runoff; encroach on a floodplain; or disrupt existing wetlands
- plant new crops in an area that has not previously been placed in production; or, in some cases, if the area is planted with different crops
- construct a dam, impoundment or reservoir
- construct or clear within wetlands
- change the point of discharge of an existing surface water management system
- create or construct a mitigation bank

### What is the application procedure?

The procedure can be complex if your project has unusual features. However, here are the typical steps:

1. (Optional) Schedule a pre-application meeting with District staff. While the meeting is not required, it is strongly recommended. During the meeting, staff can tell you what information they will need and identify potential complications.
2. After the pre-application meeting, submit your completed permit application form to the appropriate location. Use Form 0971 for standard general and individual permits, and Form 0980 for noticed general permits. (See also "What information will I need to provide?" and "For Only Noticed General Permits" below.) The District has 30 days to review the application and ask for any necessary additional information. You, in turn, have 90 days to supply the information.
3. Sometimes a second or even third round of information-gathering is necessary to clarify specific points, with a 30-day time clock for both parties. If you do

not meet these deadlines, the permit may be denied unless you make a written request for an extension before the deadline. If the District fails to meet the deadlines, the permit is automatically approved.

4. Once the file is complete, the District has 60 days to authorize general permits and 90 days to take final agency action on individual permits.

**For Only Noticed General Permits:** A Noticed General Permit is authorized by Florida Administrative Code for certain minor activities that have been determined to have minimal adverse impacts to the water resources of the District, both individually and cumulatively.

A Noticed General Permit requires submitting a completed Form 0980 and the permit application processing fee. The permit will become effective 30 days from the date the District receives the application, unless the District notifies the applicant within those 30 days that the activity does not qualify for a Noticed General Permit. See Chapter 40E-400, F.A.C. for a complete discussion of Noticed General Permits.

## What information will I need to provide?

District staff members will ask you to provide information that will help them evaluate your application and the potential impacts of your proposed activities on underground or surface water systems and water-related resources. The information requested varies according to the type and complexity of the project, but what follows are general guidelines, along with a short explanation of the criteria used by the District to assess your application.

An Environmental Resource Permit application typically contains:

- a completed permit application form
- a demonstration of ownership or other sufficient legal interests in the property
- a legal description of the land on which the work is planned
- recent aerial photos of the site
- an assessment of any wetlands or other environmentally sensitive areas
- the purpose of the work
- a discussion of possible adverse impacts of the project
- calculations and a master plan, signed and sealed by a Florida Registered Professional Engineer, showing the location of all water bodies, water control structures and basin boundaries
- the appropriate permit application processing fee