



## South Florida Water Management District

### NOTICE TO APPLICANTS

At its **May 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.

## **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.

**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.