



# Statewide ERP Rule Development Chapter 62-330 F.A.C.

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Environmental Resource Permitting  
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# Statewide ERP

## *HB 7003 (s. 373.4131, F.S.) -- Legislation for Statewide ERP Rule*

- Purpose
  - Simplify and streamline permitting process
  - Improve statewide consistency
- Relies primarily on existing rules, except:
  - Account for regional natural or physical differences, including special basin criteria
  - Implement additional streamlining measures



## Statewide ERP - Chapter 62-330

### Part I – General and procedural

Thresholds, permit types, exemptions, definitions

### Part II – Delineations

Procedures for requesting delineation of wetlands and other surface waters

### Part III – Authorization and Administering

Conditions for issuance, modifications, duration, transfers, general conditions

### Part IV – Noticed General Permits



## Statewide ERP

### DOES NOT:

- Create a new permitting program
- Establish new statewide stormwater rule
- Weaken environmental protection
- Adversely affect agriculture or silviculture
- Increase fees (but some activities may be affected by new categories)
- Increase regulatory burdens



# Summary of Changes

What's changing?	What's not changing?
<ul style="list-style-type: none"> <li>• Rule locations and structure</li> </ul>	<ul style="list-style-type: none"> <li>• Environmental Criteria</li> </ul>
<ul style="list-style-type: none"> <li>• Permit types &amp; thresholds</li> </ul>	<ul style="list-style-type: none"> <li>• Water Quality &amp; Quantity Criteria</li> </ul>
<ul style="list-style-type: none"> <li>• Conceptual approvals</li> </ul>	<ul style="list-style-type: none"> <li>• UMAM (62-345)</li> </ul>
<ul style="list-style-type: none"> <li>• Fee categories</li> </ul>	<ul style="list-style-type: none"> <li>• District specific agriculture regulations (Vol. II A.H.)</li> </ul>
<ul style="list-style-type: none"> <li>• State-wide forms</li> </ul>	<ul style="list-style-type: none"> <li>• Special Basin Criteria (Vol. II A.H.)</li> </ul>
<ul style="list-style-type: none"> <li>• New &amp; amended exemptions &amp; NGPs</li> </ul>	<ul style="list-style-type: none"> <li>• Water Quality Standards (62-302, F.A.C.)</li> </ul>
	<ul style="list-style-type: none"> <li>• Aquatic Preserves and SSLs (18-20 and 18-21, F.A.C.)</li> </ul>

# Joint Application Form

- **Complete overhaul-activity based**
- **One statewide form**
  - **Federal “dredge & fill”**
  - **ERP**
  - **Sovereign Submerged Lands**
- **Better aligned with USAC requirements**

**JOINT APPLICATION FOR  
ENVIRONMENTAL RESOURCE PERMIT/  
AUTHORIZATION TO USE STATE-OWNED  
SUBMERGED LANDS/  
FEDERAL DREDGE AND FILL PERMIT**

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION/  
WATER MANAGEMENT DISTRICTS/  
U.S. ARMY CORPS OF ENGINEERS

Effective **[Effective Date]**





**Example- Fill for single- family residence and non-exempt dock:  
Provide Sections A and B**

# What Application Sections Do I Need?



**Proposed residential subdivision, with wetland impacts, preservation and a water management system:**

**Provide Sections A, C and E**

# What Application Sections Do I Need?



Proposed commercial marina with stormwater management system for upland parking lot, boat ramp and hi-and-dry storage facility:

Provide Sections A, C, D & E (and likely “F”, too)

# Timeline

- July 6, 2012 Published NRD (with workshop dates)
- 3 workshops held in July/August
- Sept. 20, 2012 Workshop #4
- Sept. 28, 2012 Publish NPR
- Oct. 17, 2012 Hearing (Tallahassee)
- Oct. 31, 2012 Comments due
- Mid-late Nov. 2012 Publish Notice of Change (if required)
- Dec. 31, 2012 File Rule Certification
- Jan. 31, 2013 Effective date



# SWERP Website

<http://www.dep.state.fl.us/water/wetlands/swerp/index.htm>

The screenshot shows a web browser window displaying the SWERP website. The browser's address bar shows the URL <http://www.dep.state.fl.us/water/wetlands/swerp/index.htm>. The website features a navigation menu on the left with categories such as Assessment, Beaches, Drinking Water, Everglades Restoration, Grants & Loans, Ground Water, Mining & Minerals, Monitoring, Restoration, Springs, Standards & Assessment, Stormwater, TMDLs, Underground Injection, Wastewater, Water Policy, Watersheds, and Wetlands. The main content area is titled "ERP Statewide Rulemaking" and includes a news item dated April 14, 2012, regarding Governor Rick Scott's legislation. A sidebar on the right contains links to Home, What is ERP?, Rulemaking, Timeline & Events, News & Notices, Workshops & Hearings, Rule Drafts, Discussion Forum, and Comment Policy. The footer of the website includes the SFWMD logo and the text "Hostina public workshoos and comment pages for 'real time' feedback from the public."

**ERP Statewide Rulemaking**

On April 14, 2012, Governor Rick Scott signed legislation granting DEP the authority to create one statewide rule for the environmental resource permit program. [Discussion Forum](#)  
[Comment Policy](#)

**New! A Draft version of Chapter 62-330, F.A.C. is Now Available from the [Rule Drafts Page!](#)**

Currently, between DEP and Florida's five water management districts, at least five different versions of the ERP rules are in place statewide. Reducing the number and complexity of the rules will make it easier for everyone to understand and apply what is expected of them during the ERP regulatory process, and will improve predictability and consistency in permitting decisions. A statewide rule will not raise or lower environmental standards.

DEP will work with the water management districts, local governments, citizens and businesses throughout the development of the statewide rule.

**About this website**

This website will be the primary source of public information on the progress of this rulemaking and will be updated weekly. You are encouraged to check for updates. DEP and the water management districts will engage the public during rule development by:

- » Hostina public workshoos and comment pages for "real time" feedback from the public.

**Home**

**What is ERP?**

**Rulemaking**

**Timeline & Events**

**News & Notices**

**Workshops & Hearings**

**Rule Drafts**

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**QUESTIONS?**