



Environmental Protection Commission of Hillsborough County (EPC)
Roger P. Stewart Center
3629 Queen Palm Drive · Tampa, FL 33619
Ph: (813) 627-2600 · Fax: (813) 627-2630

WEA10: WETLANDS NOTICED EXEMPT ACTIVITIES FORM

Submit this form to the EPC to provide notice of the exempt activities you intend to conduct as required in [Section 1-11.11\(1\)\(b\)](#), Wetlands, and/or [Section 1-14.05\(a\)](#), Mangrove Trimming and Preservation, Rules of the EPC. If you would like a response confirming qualification for the exemption, a service fee of \$100 is required. If no response is requested, there is no service fee for this notice.

Request written response (\$100 fee included with notification form)

No written response requested (no fee)

In order to facilitate the EPC verification review, please provide any drawings/site plan that show parcel boundaries, existing shoreline, wetland/other surface water boundary (ditch or pond) and/or location of proposed activities.

Return completed notification form to above address, Attn: Wetlands Management Division or e-mail to wetlandspermits@epchc.org

(If written response is requested please mail completed form and payment to above address Attn: Wetlands Management Division)

Please be advised an exemption allowed under EPC Rules does not release you from obtaining all proper permits or complying with regulations of other federal, state or local agencies.

Activities exempt from Chapter 1-11, Rules of the EPC, may require other permits such as a Florida Department of Environmental Protection (FDEP) Environmental Resource Permit (ERP). The EPC has limited delegation from the FDEP to issue certain permits such as single-family ERP permits if the project is not associated with a larger plan of common development, a surface water management system or three or more contiguous parcels of land under single ownership where each parcel contains or is proposed to contain one or more dwelling units.

1. CONTACT INFORMATION

APPLICANT

The Applicant must have real property interest over the land upon which the activities subject to this notice will be conducted. An applicant may be the property owner, the holder of a recorded easement, a buyer with a contract to purchase or an entity that possesses other equitable property interest that allows for modifications to the land and authorizes the Agency staff or its agents to access and inspect the property. **Documentation that explains the type of property interest must be included with this notice.**

Select Property Interest: Property Owner Recorded Easement Contract to Purchase Other

Select Applicant Type: Individual Business Organization Government Entity

Request to be present at site inspection

First Name _____ Last Name _____

Business Organization (if applicable) _____ Title _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone _____ E-mail _____

PROPERTY OWNER

Check if same as Applicant listed above.

Select Property Owner Type: Individual Business Organization Government Entity

Request to be present at site inspection

First Name _____ Last Name _____

Business Organization (if applicable) _____ Title _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone _____ E-mail _____

AUTHORIZED REPRESENTATIVE e.g. Agent, Consultant, Contractor, Attorney, etc.

Check if Not Applicable.

*If a representative is submitting this notice on behalf of the Applicant, the **Owner/Applicant Authorization form**, which is located at the end of this notice (see Section 6), must be signed by the Applicant listed above.*

I am a representative filling out this notice on behalf of the Applicant and I acknowledge that the information contained herein is true, correct and accurate.

Request to be present at site inspection

First Name _____ Last Name _____

Business Organization (if applicable) _____ Title _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone _____ E-mail _____

2. SITE INFORMATION

Street Address _____

City _____ State _____ Zip Code _____

Folio Number(s) of Site _____ (xxxxxx.xxxx)

Section/Township/Range (STR) of Site _____ (xx-xx-xx)

3. PROPOSED NOTICED EXEMPTION PURSUANT TO CHAPTER 1-11, RULES OF THE EPC (Wetlands) *(Skip to Section 4 if Mangrove Trimming)*

Thirty (30) calendar days after verified receipt by the Executive Director of written notice of the proposed activity, and upon no agency denial being issued, the following activities in wetlands and other surface waters shall be exempt from the application of Chapter 1-11 provided the activity is reviewed and approved by other appropriated agencies as necessary.

Select the exemption(s) you intend to utilize. Please refer to [Section 1-11.11\(1\)\(b\)](#) to ensure compliance with all conditions and limitations that apply:

- (i) Development within artificially created ditches which were excavated within predominantly upland soils, within the project limits, for the purpose of draining water from the land or wetlands, or for transporting water for use on the land, and which are not built for any navigational or recreational purpose. However, alterations authorized under this section may not increase the length, width, depth and/or side slopes of any drainage system beyond its original design or permitted specifications, if available. Additionally, this provision does not apply to ditches that divert historic, perennial or intermittent streams or creeks. *
- (ii) Development within wholly owned artificially created wetlands or other wholly owned surface waters less than one (1) acre in surface area, such as stock watering ponds, which were constructed entirely in historic uplands, including those areas legally converted to uplands, as determined through review of historic aerial photography and soil mapping.*
- (iii) Alterations to commercial fish ponds, whether for food or the pet trade. *

*** Section 1-11.11(2)(a-h): Conditions and limitations applicable to all of the above exempt activities:**

- a. These exemptions do not apply to wetlands or other surface waters that serve as significant habitat, such as roosting, nesting or denning areas, for state listed threatened or endangered species.
- b. These exemptions do not apply to any filling activity using anything other than clean fill as defined in 62-701.200(32) or (15), 62.701.730(15), F.A.C.
- c. Development under these exemptions shall not cause offsite adverse impacts, including flooding, or otherwise affect the local hydrology so as to adversely affect other wetlands.
- d. These exemptions do not apply to wetlands created, enhanced or restored as mitigation for wetlands or other surface water impacts under a permit issued by the Executive Director, DEP, SWFWMD, or United States Army Corps of Engineers.
- e. Development under these exemptions shall include best management practices for erosion, turbidity and other pollution control to prevent violations of state or Commission water quality standards.
- f. These exemptions shall not apply to those artificial wetlands or surface waters which were constructed pursuant to a permit under Part IV, Chapter 373, F.S.
- g. These exemptions do not apply to activities reviewed under the Mangrove Trimming and Reservation Rule, Chapter 1-14.
- h. The above exemptions do not imply exemption from obtaining all proper permits or complying with regulations of other federal, state or local agencies

4. PROPOSED MANGROVE TRIMMING NOTICED EXEMPTION PURSUANT TO CHAPTER 1-14, RULES OF THE EPC (Mangrove Trimming and Preservation)

Upon at least 10 days and no more than 30 days prior written notice being provide to the Executive Director the following activities are exempt from the permitting requirements of the Executive Director and any other provisions of law if no herbicide or other chemical is used to remove mangrove foliage.

Select the exemption(s) you intend to utilize. Please refer to [Section 1-14.05\(a\)](#) to ensure compliance with all conditions and limitations that apply. If selecting option (3) or (4), documentation is required and must be submitted with this notification form. In most circumstances trimming mangroves below 6 feet in height will not be allowed. A Professional Mangrove Trimmer (PMT) may be required.

- 1. Mangrove trimming in riparian mangrove fringe areas that meet the following criteria:
 - (i) The riparian mangrove fringe must be located on lands owned or controlled by the person who will supervise or conduct the trimming activities.
 - (ii) The mangroves that are the subject of the trimming activity may not exceed 10 feet in pretrimmed height as measured from the substrate and may not be trimmed so that the overall height of any mangrove is reduced to less than 6 feet as measured from the substrate. This exemption applies to property with a shoreline of 150 feet or less. Owners of property with a shoreline of more than 150 feet may not trim, under an exemption, more than 65 percent of the mangroves along the shoreline.

- 2. Mangrove trimming supervised or conducted exclusively by a professional mangrove trimmer (PMT) in riparian mangrove fringe areas that meet the following criteria:
 - (i) The riparian mangrove fringe must be located on lands owned or controlled by the PMT or by the person contracting with the PMT to perform the trimming activities.
 - (ii) The mangroves that are the subject of the trimming activity may not exceed 24 feet in pretrimmed height and may not be trimmed so that the overall height of any mangrove is reduced to less than 6 feet as measured from the substrate.
 - (iii) The trimming of mangroves that are 16 feet or greater in pretrimmed height must be conducted in stages so that no more than 25 percent of the foliage is removed annually.
 - (iv) A PMT that is trimming red mangroves for the first time under the exemption provided by this paragraph must notify the Executive Director or authorized staff in writing at least 10 days before commencing the trimming activities.
 - (v) This exemption applies to property with a shoreline of 150 feet or less. Owners of property with a shoreline of more than 150 feet may not trim, under an exemption, more than 65 percent of the mangroves along the shoreline.

- 3. Mangrove trimming in riparian mangrove fringe areas which is designed to reestablish or maintain a previous mangrove configuration if the mangroves to be trimmed do not exceed 24 feet in pretrimmed height. The reestablishment of a previous mangrove configuration must not result in the destruction, defoliation, or removal of mangroves. Documentation of a previous mangrove configuration may be established by affidavit of a person with personal knowledge of such configuration, through current or past permits from state or local government, or by photographs of the mangrove configuration. Trimming activities conducted under the exemption provided by this paragraph shall be conducted by a PMT when the mangroves that are the subject of the trimming activity have a pretrimmed height which exceeds 10 feet as measured from the substrate. A person trimming red mangroves for the first time under the exemption provided by this paragraph must notify the Executive Director in writing at least 10 days before commencing the trimming activities.

- 4. The maintenance trimming of mangroves that have been previously trimmed in accordance with an exemption or government environmental regulatory authorization, including those mangroves that naturally recruited into the area and any mangrove growth that has expanded from the area subsequent to the authorization, if the maintenance trimming does not exceed the height and configuration previously established. Historically established maintenance trimming is grandfathered in all respects, notwithstanding any other provisions of law. Documentation of established mangrove configuration may be verified by affidavit of a person with personal knowledge of the configuration or by photographs of the mangrove configuration.

Additional information for trimming mangroves

A. Has a conservation easement or any other restriction been placed on the property?

No

Yes If Yes, list restrictions _____

B. Has a mangrove trimming, dock or dredge and fill permit been previously issued for this property?

No

Yes If Yes, list permits _____

5. PLEASE PROVIDE A GENERAL DESCRIPTION OF THE WORK TO BE PERFORMED, INCLUDING COMMENTS.

(This space intentionally left blank)

6. OWNER/APPLICANT ACKNOWLEDGEMENT, AUTHORIZATION TO ACCESS PROPERTY, AND DESIGNATION OF AUTHORIZED REPRESENTATIVE

Instructions: Owner/Applicant intending to use exemption must complete this section. For multiple persons submitting notice, please provide a separate notification form for each person. For business organizations (e.g. LLC, corporations, partnerships), the notification form must be signed by a person authorized to bind the organization. A business organization or person who has sufficient real property interest is required to authorize access to the property.

A. OWNER/APPLICANT ACKNOWLEDGEMENT

By signing below, I, or the business organization, am notifying the EPC of my intent to use an exemption. I am familiar with the information contained in this form and represent that such information is true, complete and accurate. I understand this is a notice and not an application for a permit, and that work prior to EPC verification or beyond the scope of the exemption may be a violation. I understand that this form and any exemption verification issued thereto does not relieve me of any obligation for obtaining any other required federal, state, water management district or local permit prior to commencement of activities. I agree to operate and maintain the proposed activity in compliance with the law. I understand that my notice will not be processed if there is any missing, insufficient, or invalid information. I understand that knowingly making any false statement or representation in this form is a violation of the EPC Act and rules and may result in denial of the exemption.

B. CERTIFICATION OF SUFFICIENT REAL PROPERTY INTEREST AND AUTHORIZATION FOR STAFF TO ACCESS THE PROPERTY

By signing below, I certify that I, or the business organization, possess sufficient real property interest in or control over the land upon which the activities described in this notice are proposed and that I have legal authority to grant permission to access those lands. I hereby grant permission, evidenced by my signature below, for staff of the EPC to access, inspect, and sample the lands and waters of the property as necessary for the review of the exempt activity specified in this notice. I authorize EPC, its agents, and assigns to enter the property as needed 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 the noticed exemption activity.

C. DESIGNATION OF AUTHORIZED REPRESENTATIVE (IF APPLICABLE)

By signing below, I authorize the representative listed below to act on my behalf, or on behalf of the business organization, in the processing of this notification form; to provide supplemental information in support of the notice. In addition, I authorize the representative listed below to bind me, or the organization, to perform any requirements which may be necessary to qualify for the noticed exemption.

Authorized Representative Name _____

Telephone _____ **Email** _____



Owner/Applicant Signature _____ **Date** _____

Print Name _____

Business Organization (if applicable) _____ **Title** _____