



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

ENVIRONMENTAL RESOURCE AND WETLAND RESOURCE PERMIT AND NOTICE FEE CHANGES EFFECTIVE JULY 1, 2008

Senate Bill 1294 was enacted as Chapter 2008-150, Laws of Florida, on June 11, 2008. This bill *mandates* that minimum fees and new fees must be collected by the Department of Environmental Protection (DEP) to process certain types of environmental resource permits (ERPs) and wetland resource permits (WRPs) and notices under Part IV of Chapter 373, F.S., starting **July 1, 2008**. The fee changes that go into effect on that date are:

Activity	Existing Fee	Fee Effective 7/1/08
Verification of an ERP or WRP exemption	\$0	\$100
ERP noticed general permit or WR general permit	\$100	\$250
Individual ERP (includes standard general, standard, general, and conceptual approval permits); and short-form or standard-form WRP — no change, except:		
• Minor modification to permit with a fee of less than \$300	\$50	\$250
• Environmental restoration or enhancement	\$100	\$250
Non-binding informal determination of wetlands and other surface waters	\$0	\$100

These fee changes will be binding on applications and notices for environmental resource permit activities under Part IV of Chapter 373, F.S., that are reviewed and acted upon by the DEP, Broward County's Department of Planning and Environmental Protection, or the Northwest Florida Water Management District (NFWFMD), in accordance with Operating Agreements adopted between the agencies. Rulemaking is underway to delegate the authority to the other water management districts to assess these fees as well. Requests by disadvantaged communities to have fees reduced under Section 218.075, F.S., will not be affected by these changes. Also, there will continue to be no fee required when persons self-certify certain private residential single-family docks at <http://appprod.dep.state.fl.us/erppa/> and certain stormwater management systems within the NFWFMD.

Payment of these new or revised fees is required before applications and notices subject to these fees can be processed by the DEP or Broward County.

SB 1294 also mandates the Department to initiate rulemaking by July 1 to review all fees authorized under Part IV of Chapter 373, F.S., at least once every five years, and adjust the fees to reflect changes in the rate of inflation since the time each fee was established or most recently revised. Initiation of that rulemaking was noticed in the *Florida Administrative Weekly* on June 27. The new fees and minimum fees will not be reflected in the ERP and WRP rules until the amended rules are adopted. Therefore, persons who question the authority for these fees are encouraged to review the amendments to Sections 373.109 and 403.087, F.S., in Sections 18 and 19 of the above legislation, accessible at: <http://www.flsenate.gov/data/session/2008/Senate/bills/billtext/pdf/s1294er.pdf>.

These new and minimum fees will remain in effect until the Department adopts new fees by rule.

If you have any questions about these fee changes, you may contact the Office of Submerged Lands and Environmental Resource Permitting at 850-245-8474.