Submerged Lands and Environmental Resource Coordination (SLEREC) Program
Permitting – 2 types of approvals

**Regulatory** –
- approval required for any activity in surface waters & wetlands
- Criteria
  - whether activity will *adversely* affect water quality standards
  - ensuring habitat function for fish & wildlife is maintained

**Proprietary** –
- Additional approval required for activities involving state-owned submerged lands
- Criteria: *similar to regulatory but also concerned with use of a public good*
- can also include Aquatic Preserves & State Parks
Types of Regulatory Approval

- **Exemptions:** No permit required if activity meets thresholds defined in Statute or Rule
  - There is no “standard” exemption for coral restoration activities
  - May qualify for “Deminimis” exemption

- **Noticed General Permits (NGPs):** activities that have been determined to have minimal direct/secondary impacts
  - Subject to General Conditions
  - For coral restoration activities, existing NGPs include:
    - Environmental Enhancement/Restoration by DEP, WMD or USACOE
    - Artificial Reefs
    - Or may qualify for “Minor Activity “NGP

- **Standard General / Individual Permits:** all other activities that do not qualify for exemption or NGP
  - Requires extensive submittal of information, review, cross-coordination & possibly mitigation/public interest project
Types of Proprietary Approval

**Letter of Consent (LOC)** – written authorization required

**Leases** – written agreement with annual fees. Typically for *commercial* activities, but also other activities that do not qualify for an LOC

**Easements** – written agreement with fees (usually annual), generally for linear activities (bridges, utility lines, etc.)
13. Minor activities or temporary structures which require a Part IV, Chapter 373, F.S., permit required for the removal of wrecked, abandoned or derelict vessels or structures, except for vessels or structures of archaeological or historical value relating to the history, government and culture of the state that are defined as historic properties in Section 267.021(3), F.S.

14. Emergency or other critical, time-sensitive activities necessary to enhance, protect or restore: public health, safety or welfare; utility service; the health of fish, other aquatic life, or other animals; or recreational, commercial, industrial, agricultural, or other reasonable uses. Unless the activity otherwise qualifies for a letter of consent under the provisions of this rule, the activity shall require the applicable form of authorization as specified in this rule within one year.

15. Habitat restoration, enhancement, or permitted mitigation activities without permanent preemption by structures or exclusion of the general public, but excluding all mitigation banks.

16. Management activities associated with protection of threatened, endangered and special concern species, rookeries, artificial or natural reefs, parks, preserves, historical sites, scientific study activities, or habitat restoration or enhancement areas, provided that there is no permanent preemption by structures or exclusion of the general public.
### Past Permitting Examples

<table>
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<tr>
<th>Project Type</th>
<th>Location</th>
<th>Permittee</th>
<th>Type of Regulatory Approval</th>
<th>Type of Proprietary Approval</th>
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<tbody>
<tr>
<td>Emergency Reef Restoration</td>
<td>off Boca Chica</td>
<td>FKNMS</td>
<td>Deminimis EX</td>
<td>LOC</td>
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<tr>
<td>Re-attach Coral Fragments</td>
<td>Dry Tortugas Eco Reserve</td>
<td>FKNMS</td>
<td>Deminimis EX</td>
<td>LOC</td>
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<tr>
<td>Emer. Coral stabilization &amp; Establish In-Situ Coral Nursery</td>
<td>Washerwoman Reef; Newfound Harbor SPA</td>
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<td>LOC</td>
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<tr>
<td>Coral Restoration &amp; Stabilization</td>
<td>Western Sambo grounding site</td>
<td>NMFS &amp; FKNMS</td>
<td>Deminimis EX</td>
<td>LOC</td>
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<tr>
<td>Temp place Rock/Rods to Study Succession on Damaged Reefs</td>
<td>Sandy Bottom, Atlantic Ocean</td>
<td>Thomas Cuba; Delta Seven Inc.</td>
<td>Deminimis EX</td>
<td>LOC</td>
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<tr>
<td>Reef Balls</td>
<td>Below dock in FL Bay</td>
<td>Pareira/ Sea Grant</td>
<td>Minor Act. NGP</td>
<td>LOC</td>
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<tr>
<td>Artificial Reef</td>
<td>Vandenberg</td>
<td>City of Key West</td>
<td>Standard GP</td>
<td>?</td>
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<tr>
<td>Reef Restoration</td>
<td>Contship Houston Grounding, Saddlebunch</td>
<td>Dr. Waxman; Post, Buckley, Schuh &amp; Jernigan</td>
<td>Coded as Standard GP, but withdrawn</td>
<td>?</td>
</tr>
<tr>
<td>Reef Balls</td>
<td>Below dock, FL Bay</td>
<td>Islander Motel</td>
<td>Coded as Standard GP, but withdrawn</td>
<td>n/a</td>
</tr>
<tr>
<td>Install a Limestone Reef</td>
<td>Key West</td>
<td>Seward Johnson</td>
<td>Denied</td>
<td>?</td>
</tr>
</tbody>
</table>
Application Process

• Joint Application Form
  – used by DEP and ACOE
  – required information

• Fees
  – Exemptions: $100
  – NGPs: $250
  – Standard/Individual Permits: $430+

• Timeframes

• Pre-application meetings