

# **EPC WORKSHOP**

## **for PROPOSED RULE REVISIONS to CHP. 5 of THE BASIS OF REVIEW**

**FOR AUTHORIZATION OF ACTIVITIES PURSUANT TO  
CHAPTER 1-11 – WETLANDS**

and

## **CHP. 1-6, RULES OF THE EPC**



**THIS WORKSHOP IS BEING RECORDED**



# Virtual Housekeeping

- ▶ Thank you for attending this Workshop.
- ▶ Please mute microphone unless speaking.
- ▶ Please avoid use of video during presentation.
- ▶ Avoid the use of inappropriate language or visuals.
- ▶ Written questions during the workshop can be typed in the Q & A section – located on the bottom right corner of your screen.
- ▶ Verbal questions will be taken at the end of the presentation.



# Outline of Presentation

- BOR History & Purpose of Revisions
- Non-Construction Related Activities
  - Aquatic Plant Control (*previously Whole Lake Treatment*)
  - Removal of Floating Tussocks
- Construction Related Activities
  - Fences
  - Marginal Structures
  - Shoreline Stabilization – *New activity type created*
- Exemptions
- Ch. 1-6, Rules of the EPC



# Basis of Review History & Revision Purpose

Rule adopted in 2008 by the EPC Commission and amended in May 2021.

Chapter V contains criteria required for Miscellaneous Activities in Wetlands (MAIW). MAIWs are those activities that constitute development within wetlands or other surface waters under Section 1-11.02(2)(b) yet are considered to have a nominal consequence on those wetland or other surface water functions thus qualifying them for a permit under Chapter 1-11 (the EPC Wetlands Rule).

The proposed amendments address:

- feedback from citizens, staff, and other stakeholders
- clarify criteria for common activity types



## 5.2.5 Aquatic Plant Control

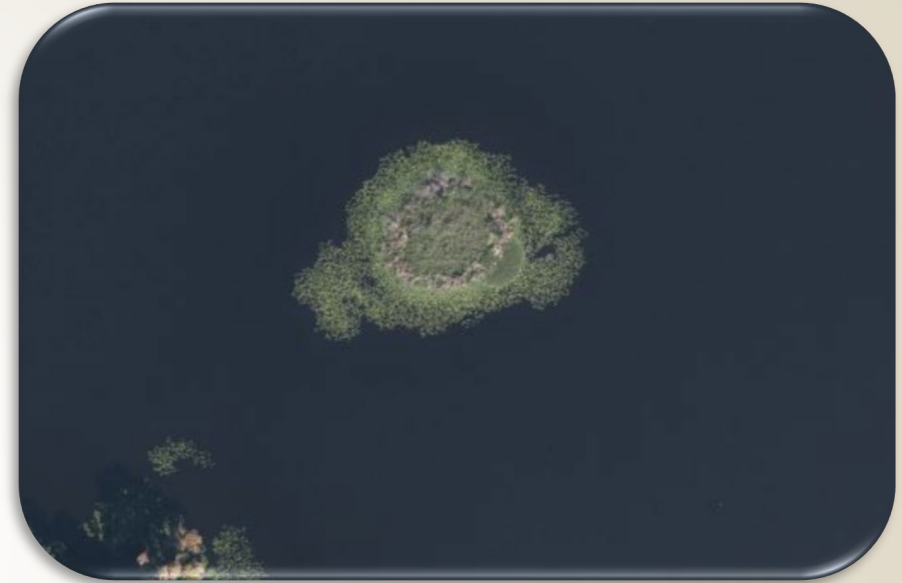
- ▶ Revised section title from Whole Lake Treatment to Aquatic Plant Control
- ▶ Aquatic Plant Control Noticed Exemption
  - ▶ Included algae
  - ▶ Clarified duration of noticed exemption validity
- ▶ Noticing of a permit not required for federal, State, and local governments

*Reminder: Aquatic Plant Control does not include shoreline/littoral vegetation removal*



## 5.2.6 Removal of Floating Tussocks

- Created section for removal of floating tussocks composed of predominantly **native vegetation**.
  - Ownership requirements
  - Tussock must limit access/use of surface water, hinder flood control, or impair open water access
  - Active bird nesting
- Tussocks that are composed of **non-native vegetation** are now included in 5.4 Exempt Activities.





## 5.3.2 Fences

- Modified language to clearly limit the appropriate fencing materials
- Elevation above OHW line
- Identify that wire fencing is appropriate between substrate and OHW





## 5.3.4.2 Marginal Structures

- Revised the definition of a marginal structure
- Combined language regarding a structure located within a swim/open water access area
- PTB jurisdiction and other artificially created residential canals exempt from certain criteria





## 5.3.5 Shoreline stabilization

- 5.3.5.(1) Native Based Solutions
  - Native Shoreline
  - Native Shoreline with Minimum Shoreline Hardening *\*New\**
- 50% Fee reduction for Native Based Solutions






## 5.4 Exempt Activities

- Removed cumulative language to clarify multiple exemptions may be obtained on a single structure
- (6) Native plantings along natural shoreline areas that does not involve vegetation removal or re-grading of shoreline.
  - Added criteria to allow the use of fiber logs for native plantings exemption
- (21) Removal of floating tussocks composed of predominantly non-native vegetation.

*Reminder: A separate Port Tampa Bay authorization may still be required for any activity that is exempt.*



# Ch. 1-6, Rules of the EPC




## Fee Schedule - Section 1-6.05.I.

Revised subsections 3. and 4. from Whole Lake Treatment to Aquatic Plant Control to be consistent with BOR revisions.

Subsection 6. creates 50% fee reduction for Native Based Solution projects either under an MAIW or MWP.





## Conclusion & Reminders

- Rule opened for revision to clarify criteria and address stakeholder feedback.
- If the applicant doesn't qualify for an MAIW, the draft rule clarifies that the applicant can apply for a Wetland Impact Review pursuant to Section 1-11.07
- Port Tampa Bay Submerged Lands Management Rules are still applicable and may be more stringent than the criteria contained in the Basis of Review.



# WRITTEN COMMENTS

➤ After the workshop you can send written comments to [epcinfo@epchc.org](mailto:epcinfo@epchc.org)

- Send comments by **April 29**, so they can be considered before the EPC Commission Meeting
- Thank you for attending!

# Written Q & A Responses

Docks, Observation Platform, Marginal Structures,  
Shoreline Stabilization, Exempt Activities



After the workshop please send all written comments to [epcinfo@epchc.org](mailto:epcinfo@epchc.org)