NOTICED GENERAL PERMITS

Potential Activities with Minimal Impacts:

- Single Family Homesites*
- Isolated Artificial Surface Waters
- Upland Cut Drainage Ditches
- Commercial and Residential Development*
- Urban Infill*
- Utilities with Temporary Impacts
- Invasive/Exotic Plant Removal
- Wetland Enhancement/Restoration
- Water Quality Enhancement
- Fence Installation
- Intake or Outfall Structures
- Maintenance Activities

*Wetland/surface water impact is less than 0.25 acres




Noticed General Permits *may not* be issued if the project is associated with the following modifiers:

- Located adjacent to OFW
- T/E Species Nesting
- Impacts to Conservation Easements
- Severance of Wildlife Corridors

Noticed General Permit Process

- Designed to minimize impacts to wetlands
- Custom applications by activity type to ensure specific criteria are met
- Does not require BCC approval

We want your feedback!

- Evaluating Wildlife Corridors
- Special Protection Areas
- Certified Affordable Housing
- Minimal impact area definition

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APPLIED ECOLOGY

STANDARD PERMITS

A Standard Permit must be utilized if an activity does not qualify for a Noticed General Permit

SP Level 1	SP Level 2	SP Level 3
Approval by EPD Assistant Manager	Approval by EPD Manager	Approval by BCC
Two Levels of Review	Three Levels of Review	Four Levels of Review
Limited Cumulative Impact Analysis (CIA) if mitigation is out-of-County	Limited CIA and Secondary Impact Analyses (SIA)	Alternative Analysis (AA)
		Detailed CIA and SIA
Avoidance and Minimization	Avoidance and Minimization	Avoidance and Minimization

INCENTIVE MODIFIERS

Application may move down in Level of Review

- Projects that Minimize Fragmentation
- Sufficiently-sized in-County Mitigation
- Upland Buffers > 300 feet (outside of Special Protection Areas)
- Demonstrated Public Benefit
- Projects with a Sole Purpose to:
  - Create a wildlife corridor
  - Provide water quality/wetland enhancement or restoration
  - Remove invasive/exotic species
  - Remediate pollutants in surface or groundwater
- LID Projects

DETERRENT MODIFIERS

Application may move up in Level of Review

- Located Adjacent to OFW
- Located within Special Protection/Critical Areas
- T/E Species Nesting
- Proposed impacts to:
  - Conservation Easements
  - Wildlife Corridors
  - Vulnerable Habitat
  - Interconnected Habitat

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APPLIED ECOLOGY

DRAFT PERMITTING MATRIX

UMAM Score	Wetland Impact (Acres) ≤ 2.0	> 2.0-10.0	> 10.00-25.0	>25.0
10				
9				
8				
7				
6				
5				
4				
3				
2				
1				

We want your feedback!

- Evaluating incentive and deterrent modifiers
- Certified Affordable Housing as a modifier
- Permitting matrix impact acreages
- Defining vulnerable habitats
- New permitting requirements

ANALYSES REQUIRED FOR STANDARD PERMITS

SP Level 1	SP Level 2	SP Level 3
Limited Cumulative Impact Analysis (CIA) if mitigation is out-of-County	Limited CIA and Secondary Impact Analyses (SIA)	Alternative Analysis (AA) and Detailed CIA and SIA

Alternative Analysis

- No Action/No Work Alternative
- Reasonable and practicable alternatives
- NEPA established framework
- ACOE requires for standard permit
- Requires demonstration of two presumptions
- Different level of detail required commensurate with scale of impact
- Least Damaging Alternative
- Avoidance and Minimization
- Compensatory Mitigation

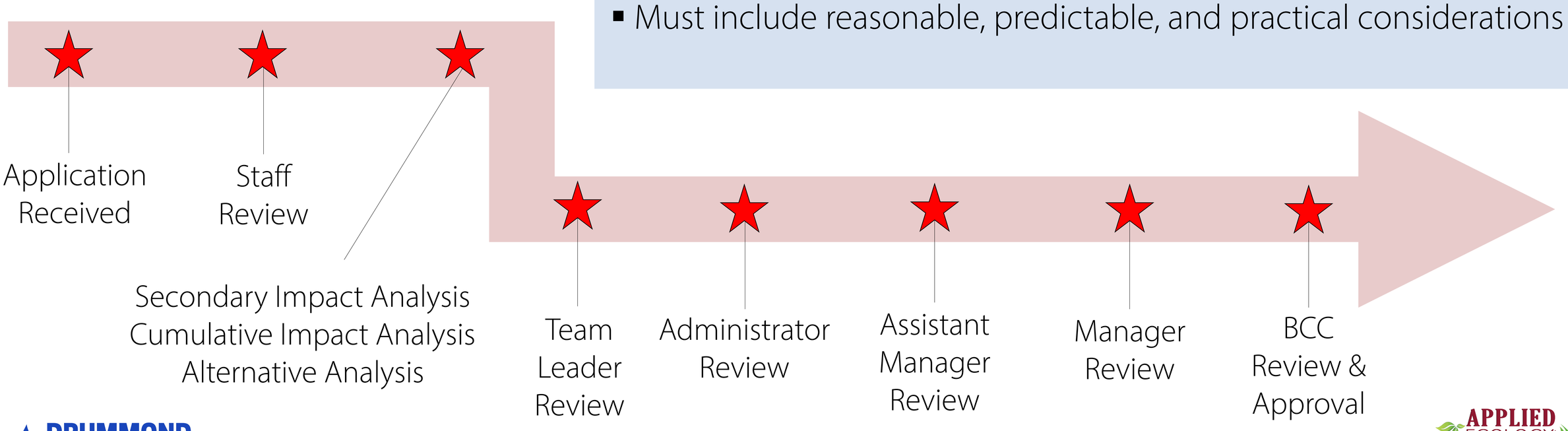
Secondary Impact Analysis

- Impacts to a resource that do not result from direct impact of dredge/fill
- Includes changes in:
  - Wetland Size
  - Hydrology
  - Vegetation Composition
  - Threatened/Endangered Species
  - Habitat Fragmentation

Cumulative Impact Analysis

- Combined effects of an activity as it poses a threat to the environment
- Required by ACOE for standard permit
- Impacts may be direct, indirect, and/or cumulative
- Must include reasonable, predictable, and practical considerations

Standard Permit Level 3 Processing Example



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APPLIED ECOLOGY

WETLAND MITIGATION

Preservation – To protect and maintain existing wetlands from harm or destruction
Enhancement – Improvement of specific functions of an existing wetland
Creation – Artificially creating wetlands in areas that have never hosted this type of ecosystem
Restoration - The return of a wetland to a close approximation of its condition prior to disturbance

On-Site

- Mitigation within the project site
- Small conservation easements (CEs) will no longer be accepted
- Amendments to CEs only considered with limited exceptions

Off-Site

- Mitigation at off-site property that is not within a bank
- Small CEs will no longer be accepted
- Amendments to CEs only considered with limited exceptions

Banking

- Purchase of mitigation credits at a permitted bank
- Applicant should purchase credits within Orange County when available

In-Lieu Fee

- Monetary contribution to Conservation Trust Fund
- Codify new methodology for evaluating fees
- Fee would be comparable to mitigation banking fee

Perpetual Maintenance = Wetland Longevity

- Healthy vegetation community
- Native species recruitment
- Minimal invasive species (< 5%)
- Maintains ecological function

New Maintenance & Monitoring Requirements

- All on-site and off-site mitigation will now require **perpetual** maintenance and monitoring
  - Maintain <5% invasive/exotic species
  - Periodic trash removal
- Reporting:
  - Annual Reports for first 5 years
  - After 5 years, reports every 2-3 years
- Wildlife-friendly fencing
  - Prevent encroachment
  - Maintain around entire wetland
- Signage

We want your feedback!

- CE Size Limits
- Reporting & Maintenance Requirements

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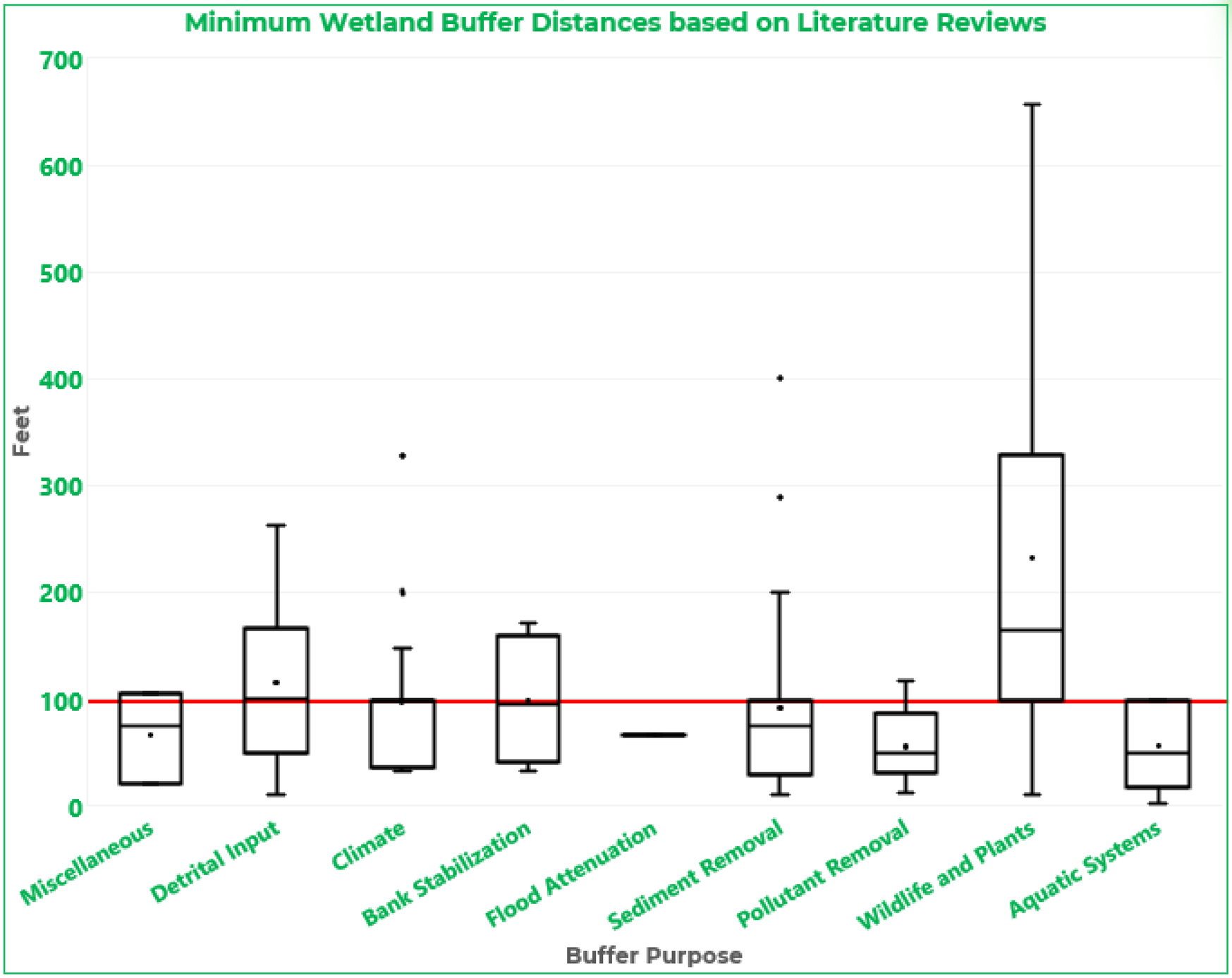
APPLIED ECOLOGY

UPLAND BUFFERS

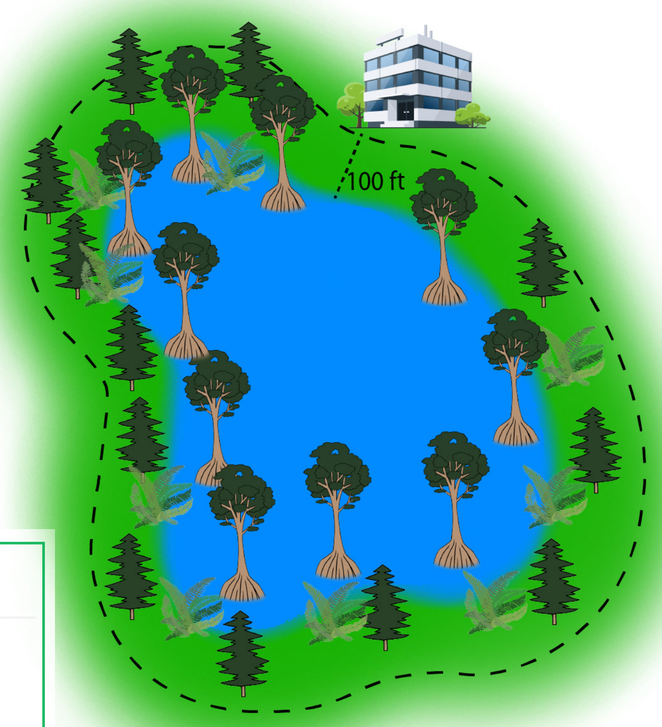
New Buffer Requirements

- Minimum **100-foot** natural, undisturbed buffer required for all sites except those with limited uplands
- Minimum 25-feet, Average 50-feet for sites with limited uplands
- Mitigation required if buffer requirement cannot be met
- Additional buffer sizes may be required for sites including modifiers (ex. OFWs, Special Protection Areas, etc.)



Research Basis for 100-foot Buffer

- Research from a metanalysis of 130+ studies
- Studies focused on Florida wetlands
- 100 feet is included in the recommended buffer range for 8 out of 9 purposes



Upland Buffers Provide Critical Protections to Wetlands:

- Human Disturbance Prevention
- Wildlife & Habitat Protection
- Pollutant Filtration
- Flood Attenuation
- Climate Regulation
- Maintain Biodiversity

We want your feedback!

- Buffer sizes
- Parcels with limited uplands

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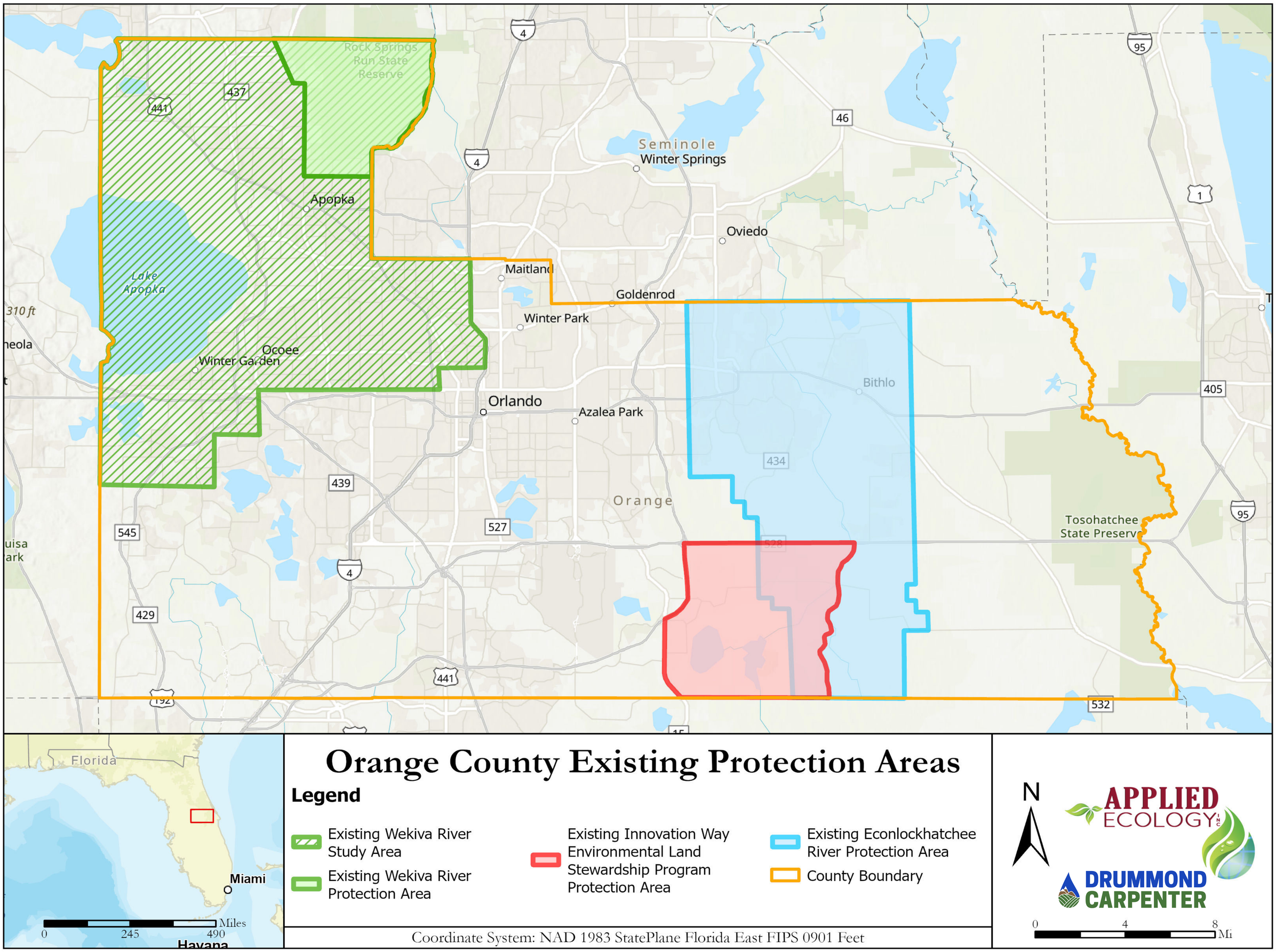
APPLIED ECOLOGY

EXISTING SPECIAL PROTECTION AREAS



CURRENT PERMITTING CRITERIA:

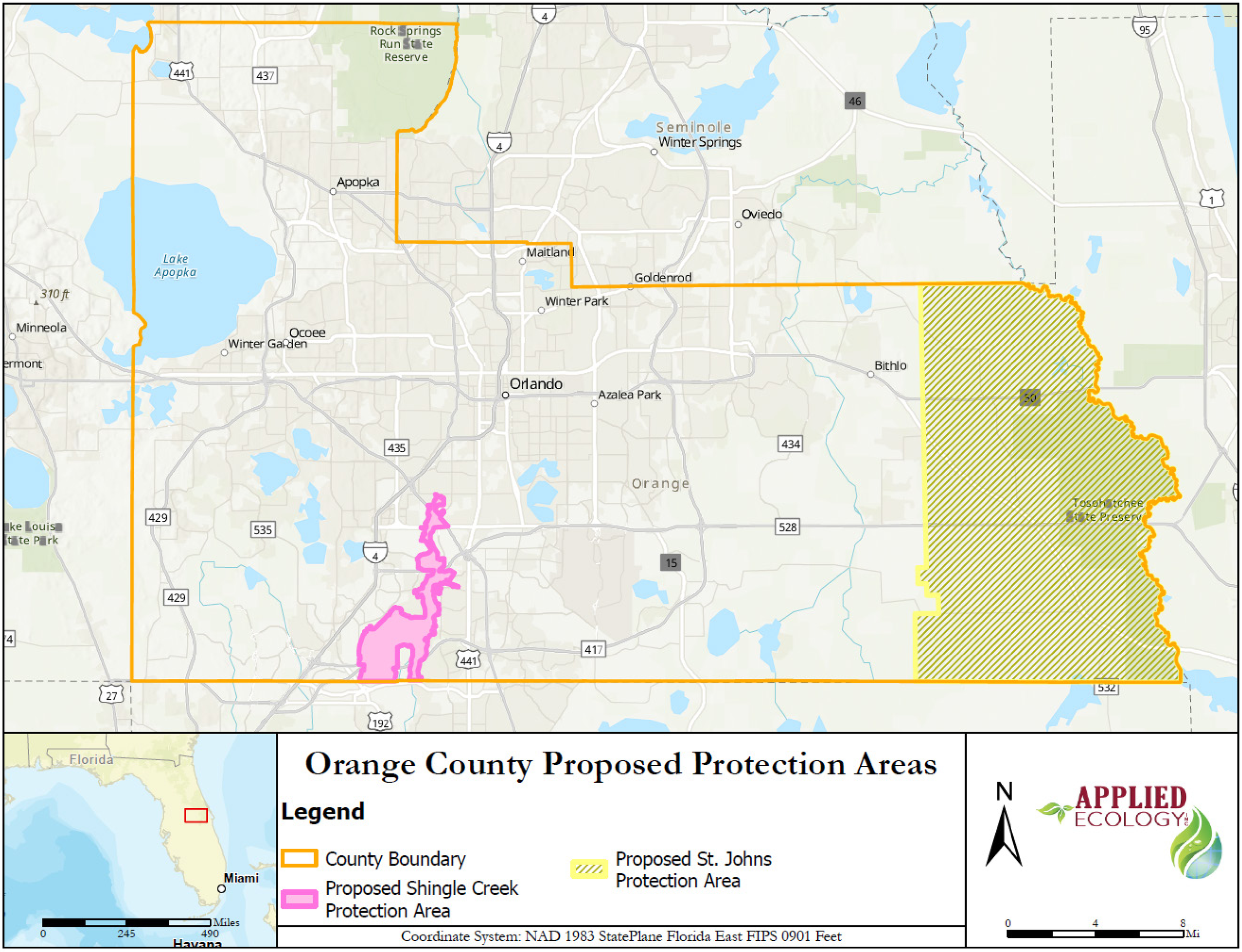
Buffers – 1,100 feet from the river's edge, 550 feet from major tributary edge, and 50 feet landward of wetlands within the Econ River Protection Area; 550 feet from the river's edge in the Wekiva River Protection Area

Econlockhatchee and Wekiva River Protection Areas – T/E species survey, native plants for landscaping, stormwater pond separation, BCC approval of permit, archaeological/historical review, preservation of rare upland habitat

Environmental Land Stewardship Program – Also applies to a portion of the Econ River Protection Area

- Utilize existing wetland crossings
- Preserve wetland/wildlife corridors
- Incorporate firewise techniques
- Utilize water conservation measures

PROPOSED SPECIAL PROTECTION AREAS



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- Proposed additional Special Protection Areas
- New permitting requirements
- Buffer sizes

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