

40B-4.1040 Permits Required.

(1) Permits are required as follows:

(a) Works of the ~~District~~district permit prior to initiating any project which involves draining, developing, construction of roads or bridges, commercial or industrial developments, and agricultural or forestry activities, including dredging of filling, or the construction, alteration, maintenance operation, or abandonment of any dams, impoundment reservoir, appurtenant works, works or surfacewater system.

(b) When the need to obtain a ~~Works of the District~~works of the district permit is in conjunction with the requirements for obtaining an environmental resource permit or a state-owned submerged lands authorization, application shall be made and shall be considered by the ~~District~~district as part of the request for an environmental resource permit application. In such cases the environmental resource permit shall include the requirements of this chapter and the state-owned submerged lands authorization. In instances when requirements of this chapter or the state-owned submerged lands authorization conflict with requirements to obtain an environmental resource permit, the more stringent requirement shall be followed. Otherwise, a separate ~~Works of the District~~works of the district permit must be obtained.

(c) When the need to obtain a Works of the District permit does not require an environmental resource permit, the state-owned submerged lands authorization and the environmental resource permit exemption shall be obtained concurrently with the Works of the District permit. Where requirements of this chapter and the appropriate state-owned submerged lands authorization conflict, the more stringent requirement shall be followed.

(2) Works of the District permits may be issued in one of five forms as follows:

(a) through (d) no change,

(e) Abandonment permits are issued for projects which propose to remove works or development in a ~~Work of the District~~work of the district.

(3) Specific procedures, noticing or application requirements, and conditions for issuance of ~~Works of the District~~works of the district permits are detailed in Rule 40B-1.703, F.A.C., and Part III of this chapter including any materials adopted by reference thereto.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.084, 373.085, 373.086, 373.413, 373.416, 373.426 FS. History—New 9-25-85, Amended 12-22-92, 10-3-95, 10-18-04, 10-14-13, [DATE].

40B-4.1100 Duration of Permits.

(1) The standard duration of permits issued pursuant to this chapter shall be as follows.

(a) ~~Five~~Three years duration for noticed general, general, and individual permits authorizing the construction or alteration of a work or development in a ~~Works of the District~~works of the district. When a permit is issued for construction or alteration and the subsequent operation and maintenance, the portion of the permit authorizing construction or alteration shall be limited to ~~five~~three years from the date of issuance. The portion of the permit for the subsequent operation and maintenance shall be perpetual.

~~(b) Three years duration for general permits authorizing the construction or alteration of a work or development in a works of the district. When a permit is issued for construction or alteration and the subsequent operation and maintenance, the portion of the permit authorizing construction or alteration shall be limited to three years from the date of issuance. The portion of the permit for the subsequent operation and maintenance shall be perpetual.~~

~~(c) Five years' duration for individual permits authorizing the construction or alteration of a work or development in a works of the district. When a permit is issued for construction or alteration and the subsequent operation and maintenance, then the portion of the permit authorizing construction or alteration shall be limited to five years from the date of issuance. The portion of the permit for the subsequent operation and maintenance shall be perpetual.~~

~~(b)(d)~~ Five years' duration for conceptual permits unless, within that period, application for a ~~Works of the District~~works of the district permit for any part of the project is filed. If the aforementioned permit application is filed, the conceptual permit is valid for the duration of the project or for twenty (20) year from issuance, whichever is less.

~~(c)(e)~~ Five years duration for abandonment permits to remove a work or development in a ~~Work of the District~~work of the district.

(2) no change.

~~(3) Permits shall not be extended.~~

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.084, 373.085, 373.413, 373.416, 373.426 FS. History—New 9-25-85, Amended 12-22-92, 9-13-04, 10-14-13, [DATE].