



## Memorandum

# Florida Department of Environmental Protection

Submerged Lands and Environmental Resources  
2600 Blair Stone Road – MS 2500  
Tallahassee, FL 32399-2400

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November 16, 2007

TO: Interested Parties

FROM: Jim Stoutamire, Administrator  
Submerged Lands and Environmental Resources Office

SUBJECT: Notice of Development of Rulemaking, Chapter 62-113.100, F.A.C.  
Delegations – Environmental Protection Commission of Hillsborough County (OGC Tracking  
No. 07-1612R)

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The Department of Environmental Protection will publish the enclosed notice on November 16, 2007, to amend Chapter 62-113, F.A.C., Delegations. This rule announces that rules are being developed to provide for a partial delegation of the Environmental Resource Permitting program under Part IV of Chapter 373, F.S., to the Environmental Protection Commission of Hillsborough County.

A copy of the notice is enclosed and also may be found on the *Florida Administrative Weekly* at <http://www.flrules.org>. That site further allows you to subscribe to receive copies of future notices for this or other rule chapters or types of notices of interest. If you subscribe, you'll receive an e-mail notification when a notice fitting your selection has been published. You may also sign up to receive future notices directly from the Office of Submerged Lands and Environmental resources via the Internet by subscribing at: [http://tlhdwf2.dep.state.fl.us/registration/ERP\\_Interested\\_Parties.asp](http://tlhdwf2.dep.state.fl.us/registration/ERP_Interested_Parties.asp). There are no fees for these subscription services.

You may contact Mary Van Tassel at (850)245-8486 or at [Mary.VanTassel@dep.state.fl.us](mailto:Mary.VanTassel@dep.state.fl.us) if you have any questions regarding the enclosed material.

Also enclosed is a form for you to return to Mary Van Tassel at (850)245-8486 or at [Mary.VanTassel@dep.state.fl.us](mailto:Mary.VanTassel@dep.state.fl.us) if you wish to remain on the mailing list for this rulemaking.

Enclosure

cc: Meredith Fields, OGC

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*

## NOTICE OF DEVELOPMENT OF RULEMAKING

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Division of Water Resource Management

RULE CHAPTER NO.:      RULE CHAPTER TITLE:  
62-113                      Delegations  
RULE NO.:                RULE TITLE:  
62-113.100                Purpose.

**PURPOSE AND EFFECT:** The Department proposes the development of rules that will provide for a partial delegation of Environmental Resource Permit (ERP) program responsibilities for permitting, compliance and enforcement under Part IV of Chapter 373, F.S., from the Department to the Environmental Protection Commission of Hillsborough County. The purpose of the delegation is to provide for streamlined review and agency action on state and local permits for activities involving such things as construction of docks, seawalls, and single-family residences in wetlands and other surface waters within Hillsborough County. The EPC has an existing memorandum of understanding with the Southwest Florida Water Management District to perform compliance and enforcement of ERP activities authorized by the SWFWMD within the county.

**SUBJECT AREA TO BE ADDRESSED:** Amend Chapter 62-113, F.A.C., to incorporate by reference a delegation agreement between the Department and the Environmental Protection Commission of Hillsborough County regarding permitting, compliance, and enforcement of activities regulated under Part IV of Chapter 373, F.S. The delegation will be in accordance with the criteria established by Chapter 373.441, F.S., and Chapter 62-344, F.A.C.

**SPECIFIC AUTHORITY:** 373.043, 373.046, 373.418, 403.061 FS.

**LAW IMPLEMENTED:** 373.026, 373.046, 373.441, 403.061, 403.182 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE IS: Mary Van Tassel, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources—MS 2500, 2600 Blair Stone Road, Tallahassee, FL, 32399-2400, telephone (850) 245-8486, or e-mail: [Mary.VanTassel@dep.state.fl.us](mailto:Mary.VanTassel@dep.state.fl.us). For questions about the rule and delegation, contact Katherine Gilbert at (850) 245-8482 or [Katherine.Gilbert@dep.state.fl.us](mailto:Katherine.Gilbert@dep.state.fl.us). Further information and updates on this rule development also may be obtained from the Department's web site at: <http://www.dep.state.fl.us/water/wetlands/erp/rules/rulestat.htm>. (OGC Tracking No. 07-1298)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62-113.100 Purpose

(1) No change.

(2) Delegations to political subdivisions.

(a) through (p) No change.

(q) #08-X: Delegation Agreement Between the Florida Department of Environmental Protection and the Environmental Protection Commission, Hillsborough County, Regarding Implementation of Environmental Resource Permitting, Compliance, and Enforcement, under Part IV, Chapter 373, F.S.

(3) No change.

Specific Authority 373.043, 373.046, 373.418, 403.061 FS. Law Implemented 373.026, 373.046, 373.441, 403.061, 403.182 FS. History—New 1-5-93, Amended 11-16-93, 3-14-94, Formerly 17-113.100, Amended 7-4-95, 4-3-96, 3-24-98, 12-3-98, 7-16-01, 7-1-07, \_\_\_\_\_.

**PROPOSED RULE DEVELOPMENT  
OF THE FLORIDA ADMINISTRATIVE CODE  
“Delegations-Environmental Protection Commission  
of Hillsborough County”**

**Chapter 62-113.100 F.A.C.  
(OGC No. 07-1612R)**

**MAILING LIST:**

If you wish to receive notices of public meetings and copies of rule drafts on this specific rulemaking topic regarding “**Hillsborough EPC**” please **fill in the below form.**

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MAIL OR E-MAIL FORM TO:

Yes, I would like to continue to receive information on the following rule:

\_\_\_\_\_ Hillsborough EPC

Mary Van Tassel  
Department of Environmental Protection  
2600 Blair Stone Road, MS 2500  
Tallahassee, FL 32399-2400  
[Mary.VanTassel@dep.state.fl.us](mailto:Mary.VanTassel@dep.state.fl.us)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

**Prefer E-mail only; no paper copies** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**RETURN THIS FORM TO CONTINUE RECEIVING FUTURE MAILINGS  
ON THIS RULE TOPIC.**