



UNIVERSITY OF
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EXTENSION

Institute of Food and Agricultural Sciences

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Florida Department of Environmental Protection Aquatic Plant Management Permits¹

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Excess growth of aquatic plants limits the use of Florida's fresh water resources. To manage the growth of these aquatic weeds, agricultural producers, homeowners, and land and water managers must implement an aquatic weed management program. With a few exceptions, these aquatic weed management operations will require an Aquatic Plant Management Permit issued by the Florida Department of Environmental Protection (DEP).

Basis for the Permit Program

The Florida Department of Environmental Protection conducts the Aquatic Plant Management Permit Program based on Sections 369.20 and 369.22, Florida Statutes (F.S.). The rule describing the permit program is Chapter 62C-20 Aquatic Plant Management Permits, Florida Administrative Code (F.A.C.).

Scope of the Rule

The rule states that "No person shall attempt to control, eradicate, remove, or otherwise alter any aquatic plants in waters of the state, including those listed in s. 369.251, F.S., except as provided in a

permit issued by the department unless the waters in which aquatic plant management activities are to take place are expressly exempted in Rule 62C-20.0035, F.A.C."

Exemptions from the Permit Program

Chapter 369.20 Florida Aquatic Weed Control Act, (F.S.) states in paragraph (7), "No person or public agency shall control, eradicate, remove, or otherwise alter any aquatic weeds or plants in waters of the state unless a permit for such activity has been issued by the department, or unless the activity is in waters expressly exempted by department rule."

In the rule 62C-20.0035 Waters Exempt from Permitting (F.A.C.), the requirements for a body of water to be exempt from the permitting process are detailed as shown below.

"(1) No aquatic plant management permit is required by the department for the following waters:

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(a) Waters wholly owned by one person, other than the state, provided there is no connection to Waters of Special Concern.

(b) Class IV waters or artificially created waters used exclusively for agricultural purposes, provided there is no connection to Waters of Special Concern.

(c) Electrical power plant cooling ponds, reservoirs, or canals unless used as or connected to waters designated by the department as manatee aggregation sites.

(d) In waters of 10 surface acres or less provided there is no connection to Waters of Special Concern. The acreage of waters in systems with any connections shall be calculated for each individual water rather than collectively as a system. Natural connections between non-exempt waters shall be considered part of those waters.

(e) In that specific area of a waterbody where a dredge and fill activity is permitted by the Department of Environmental Protection and aquatic plants are removed as a part of the permitted activity.

(2) Although certain waters are exempt from the department's permit requirements, all aquatic plant management activities shall be conducted in a manner so as to protect human health, safety, recreational use, and to prevent injury to non-target plant and animal life, and property, to the greatest degree practicable. When applying a herbicide in exempt waters, all persons shall comply with label rates, instructions, cautions, and directions, and shall follow the public notice requirements of paragraph 62-20.0055(2)(c), F.A.C. No aquatic plant management activity using herbicides or mechanical harvesting equipment shall be conducted when manatees are in the control area in exempt waters. Copper-based herbicides shall not be used in any exempt waterbody connected to any

natural waterbody designated as a manatee aggregation site without a permit from the department."

Criteria for Obtaining a Permit

For an individual or company to be issued an Aquatic Plant Management Permit, certain criteria, established by the Florida Department of Environmental Protection must be met. The conditions for obtaining a permit are detailed below.

2C-20.0045 Criteria for Issuing, Modifying or Denying Permit Applications.

(1) The department recognizes the varied human and environmental concerns for Florida's waters. Aquatic plant management permits shall be issued to allow persons reasonable access to, and use of, these waters while maintaining sufficient native vegetation to provide for environmental concerns such as the impact upon fish, wildlife, water quality, and shoreline stabilization. Native aquatic plant species in natural waters will not be considered for control unless the native species alone, or when intermingled with nonindigenous species, have become noxious.

(2) In determining whether a permit shall be issued for aquatic plant management purposes, the department shall consider the following criteria:

(a) The noxious aquatic plant species present and the potential of the target plants to create adverse effects.

(b) The amount and quality of the aquatic plants within the waterbody and the proposed management site, and their importance to biological communities that are utilizing them.

(c) The positive or adverse impacts of the aquatic plant management activities on public interest considerations such as:

1. Health and safety of the public.
2. Navigation.
3. General public's access to, or use of, the waterbody.
4. Riparian property owners' access to, or use of, the waterbody.
5. Swimming, fishing or other recreational activities.
6. Water flow or the potential for flooding.

(d) The positive or adverse impacts of the aquatic plant management activities on fish and wildlife considerations such as:

1. Endangered or threatened species, species of special concern, or their prey species and habitat.
2. The potential of the management activities to improve habitat for the production of fish and wildlife, including non-game species.
3. The potential of the plant management activities to increase or improve native aquatic plant species diversity.

(e) The positive or adverse impacts of the proposed aquatic plant management activities on water quality considerations such as:

1. Native plant coverage which may protect or improve water quality.
2. Native plant coverage which may prevent or reduce shoreline erosion and runoff.
3. Nutrient levels, dissolved oxygen levels, deposition of organic matter, herbicide residues or other impacts on water quality outside of the control area designated by the department.

(f) The protection of the receiving waterbodies consistent with the classes of

surface waters established pursuant to Chapter 62-302, F.A.C.

(g) The potential of the proposed activity to spread noxious aquatic plants, or to promote the survival and growth of native aquatic plants.

(3) The department will not issue more than one permit for the same activity at the same site, at the same time, in the behalf of a riparian owner.

(4) The removal, cutting, collecting, or altering in any way of mangroves, mangrove seeds (fruits) or propagules, or plants restricted by Rule 46-42.001, F.A.C., are not regulated by this Chapter and, therefore, shall not be permitted pursuant to Chapter 62C-20, F.A.C.

(5) If after review of a complete application the department determines that the proposed activity does not conform to the criteria as established in Rule 62CF.A.C., the department shall deny the permit."

How to Obtain a Permit

A permit is required if the aquatic weed management operation or program that you are proposing does not meet the criteria listed above to be exempt. It will be necessary for you to apply for and receive an Aquatic Plant Management Permit from the Florida Department of Environmental Protection before beginning your management program.

Where to Apply for Your Permit

The Florida Department of Environmental Protection operates its Aquatic Plant Management Program through seven (7) regional offices that are located throughout the state. Each office is staffed with at least one biologist who assists with the administration of the permit program in that region. The locations, addresses and telephone numbers of each of the regional offices and the geographical boundaries of each region are shown below. Contact the Florida Department of Environmental Protection Office in the region where the aquatic plant management work will occur to obtain an application

for an aquatic plant management permit and a complete copy of the Aquatic Plant Management Permits Rule (Chapter 62c-20, F.A.C.).

Agency Address

If you should need to contact the office that administers the Statewide Aquatic Plant Management Permit program, the address and telephone number is:

Bureau of Invasive Plant Management
Florida Department of Environmental
Protection

3900 Commonwealth Blvd., MS 705

Tallahassee, Florida 32399-3000

Telephone: (850) 488-5631

Fax: (850) 488-4922

Cost of the Permit

There is no charge to apply for a permit and there is no charge associated with receiving the permit.

Length of Time the Permit is Valid

The Aquatic Plant Management Permit issued by the Florida Department of Environmental Protection is valid for a period of three (3) years from the date it is issued.

Florida Department of Environmental Protection Bureau of Aquatic Plant Management Regional Offices

South Florida Office

Broward, Collier, Glades, Hendry, Indian River, Martin, Miami-Dade, Monroe, Okeechobee, Palm Beach, and St. Lucie Counties.

3111B-13 Fortune Way

Wellington, FL 33414

TEL 561-791-4720

FAX 561-791-4722

Contact: Jackie.c.smith@dep.state.fl.us

South Gulf Office

Charlotte, Desoto, Hardee, Hillsborough, Lee, Manatee, Pasco, Pinellas, and Sarasota Counties

8302 Laurel Fair Circle, Suite 140

Tampa, FL 33610

TEL 813-744-6163

FAX 813-744-6165

Contact: john.rogers@dep.state.fl.us

South Central Florida Office

Highlands and Polk Counties

2001 Homeland-Garfield Road

Bartow, FL 33830

TEL 863-534-7074

FAX 863-534-7181

Contact: matt.v.phillips@dep.state.fl.us

or david.demmi@dep.state.fl.us

St. John's River Office

Brevard, Flagler, Orange, Osceola,

Seminole, St. Johns, and Volusia Counties

5882 South Semoran Blvd.

Orlando, FL 32822

TEL 407-275-4004

FAX 407-275-4007

Contact: ed.harris@dep.state.fl.us

Southwest Florida Office

Citrus, Hernando, Lake, Levy, Marion, and Sumter Counties

6355 South Florida Avenue

Floral City, FL 33436

TEL 352-726-8622

FAX 352-726-4911

Contact: kelleyj@mail.state.fl.us

lovestra@mail.state.fl.us

sulliva1@mail.state.fl.us

Suwannee River Office

Alachua, Baker, Bradford, Clay,

Columbia, Dixie, Duval, Gilchrist, Hamilton,

Lafayette, Madison, Nassau, Putnam,

Suwannee, Taylor, and Union Counties

1498 S. Country Club Rd.

Lake City, FL 32025

TEL 386-758-0464

FAX 386-758-0493

Contact: joe.hinkle@dep.state.fl.us

Northwest Florida Office

Bay, Calhoun, Escambia, Franklin,
Gadsden, Gulf, Holmes, Jackson, Leon,
Liberty, Okaloosa, Santa Rosa, Wakulla,
Walton, Washington, and Jefferson
Counties.

3900 Commonwealth Blvd., MS705

Tallahassee, FL 32399

TEL 850-488-5631

FAX 850-488-2216

Contact: jess.vandyke@dep.state.fl.us