

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:

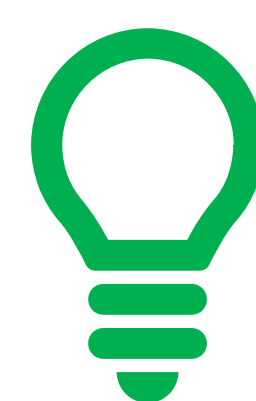
- Located adjacent to OFW
- T/E Species Nesting
- Impacts to Conservation Easements
- Severance of Wildlife Corridors

NGP Checklist

- Wetland Determination (Current CAD Process)
- Avoidance/Minimization
- Meets Specific Criteria (Depending on NGP type)
- Mitigation for Impacts (Depending on project type)
- Simplified Application & Reduced Fee

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

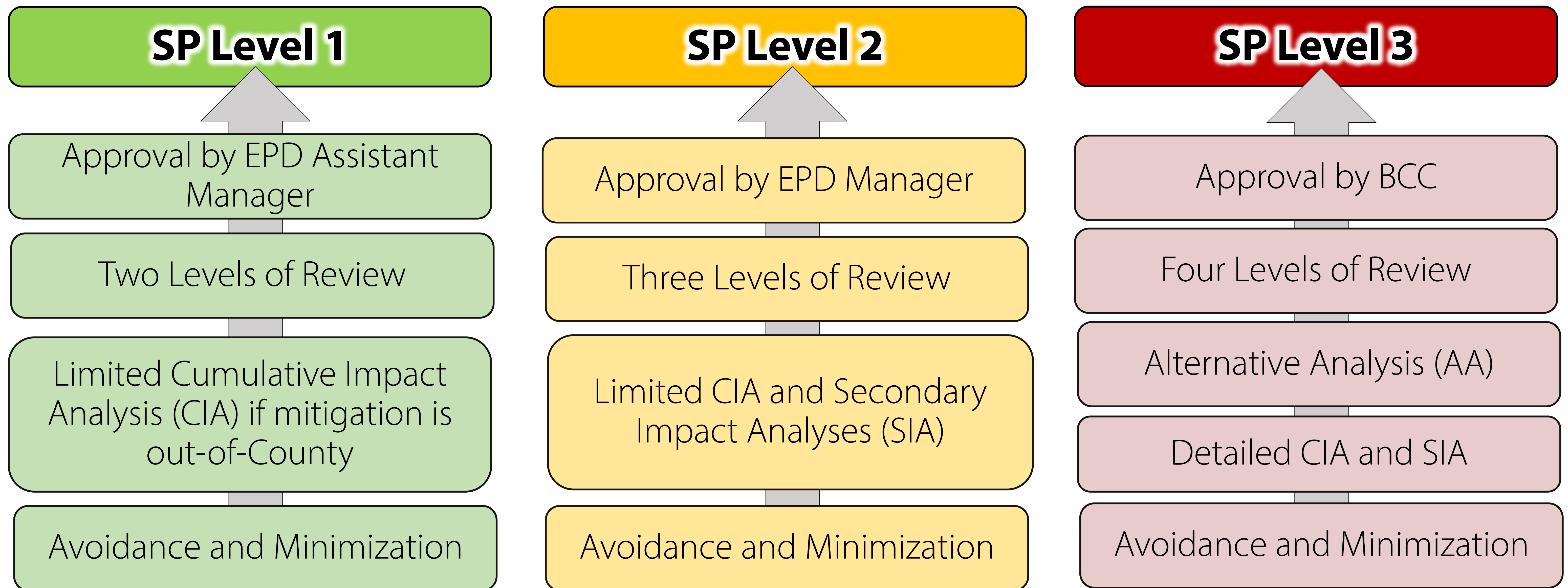


We want your feedback!

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

STANDARD PERMITS

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



INCENTIVE MODIFIERS

Application may move down in Level of Review

- Projects that Minimize Fragmentation
- Upland Buffers > 300 feet (outside of Special Protection Areas)
- 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
- Sufficiently-sized in-County Mitigation
- Demonstrated Public Benefit
- 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

DRAFT PERMITTING MATRIX

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



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

Limited Cumulative Impact Analysis (CIA) if mitigation is out-of-County

SP Level 2

Limited CIA and Secondary Impact Analyses (SIA)

SP Level 3

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



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

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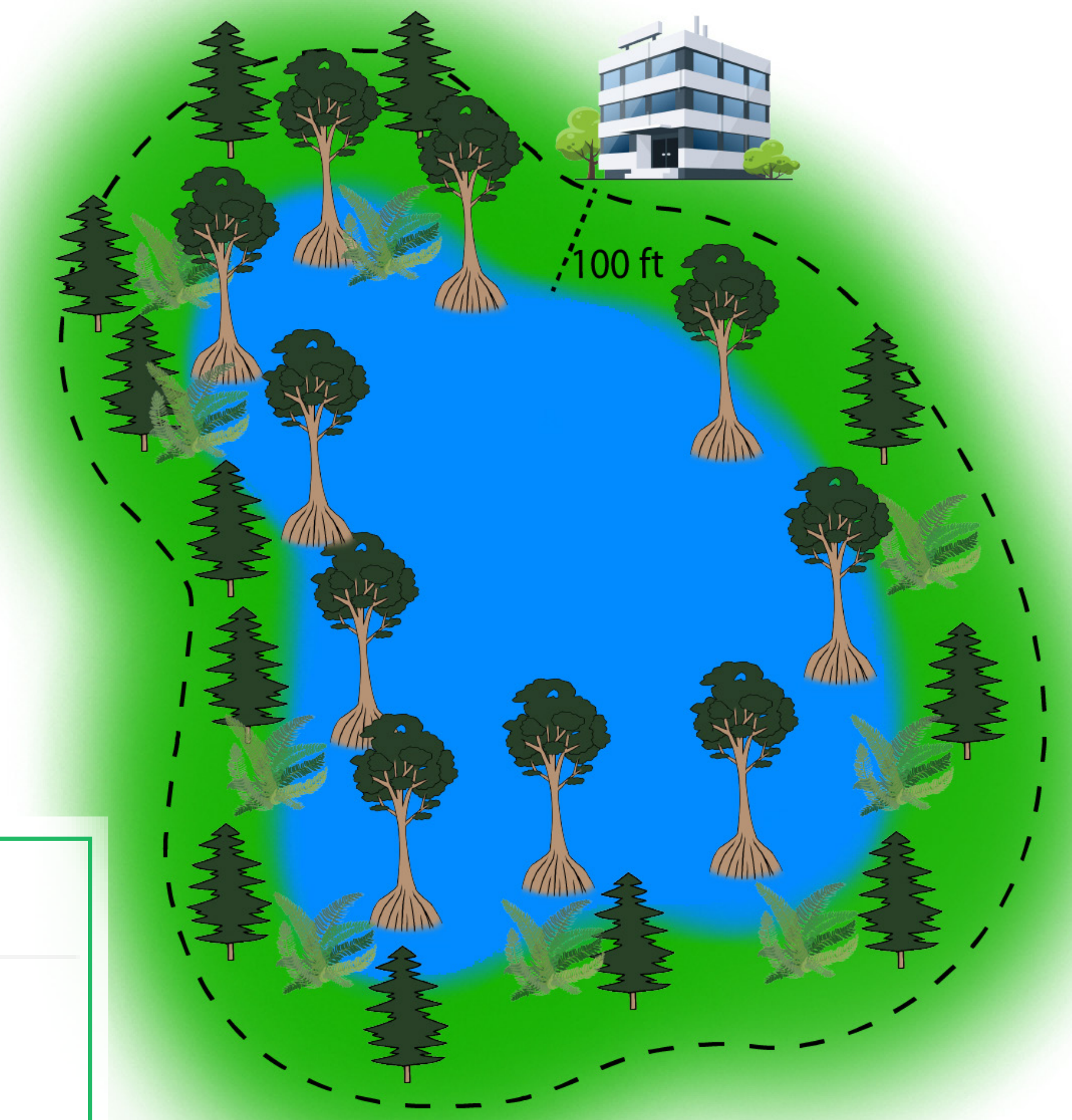


- CE Size Limits
- Reporting & Maintenance Requirements

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.)



Upland Buffers Provide Critical Protections to Wetlands:

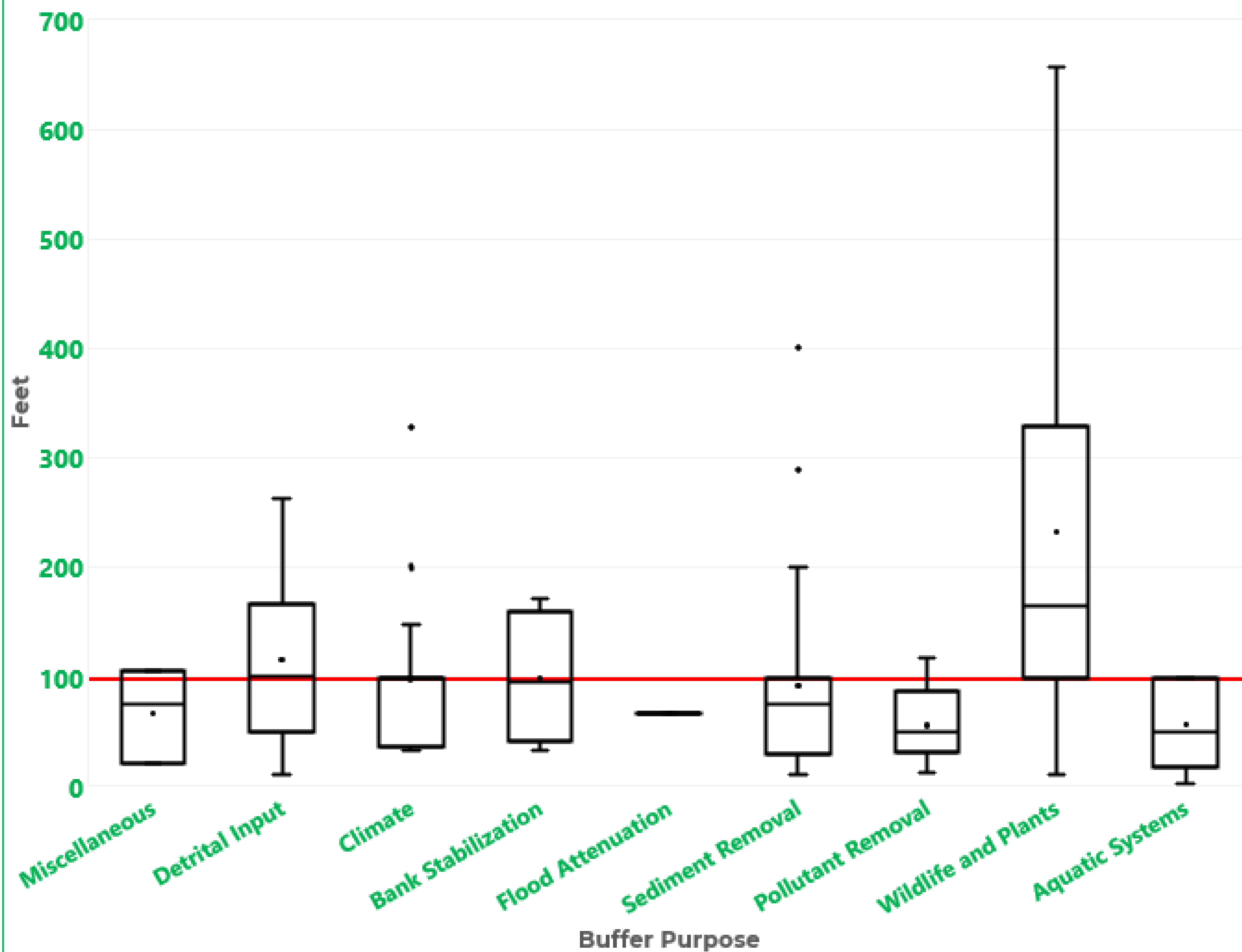
- Human Disturbance Prevention
- Wildlife & Habitat Protection
- Pollutant Filtration
- Flood Attenuation
- Climate Regulation
- Maintain Biodiversity



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- Buffer sizes
- Parcels with limited uplands

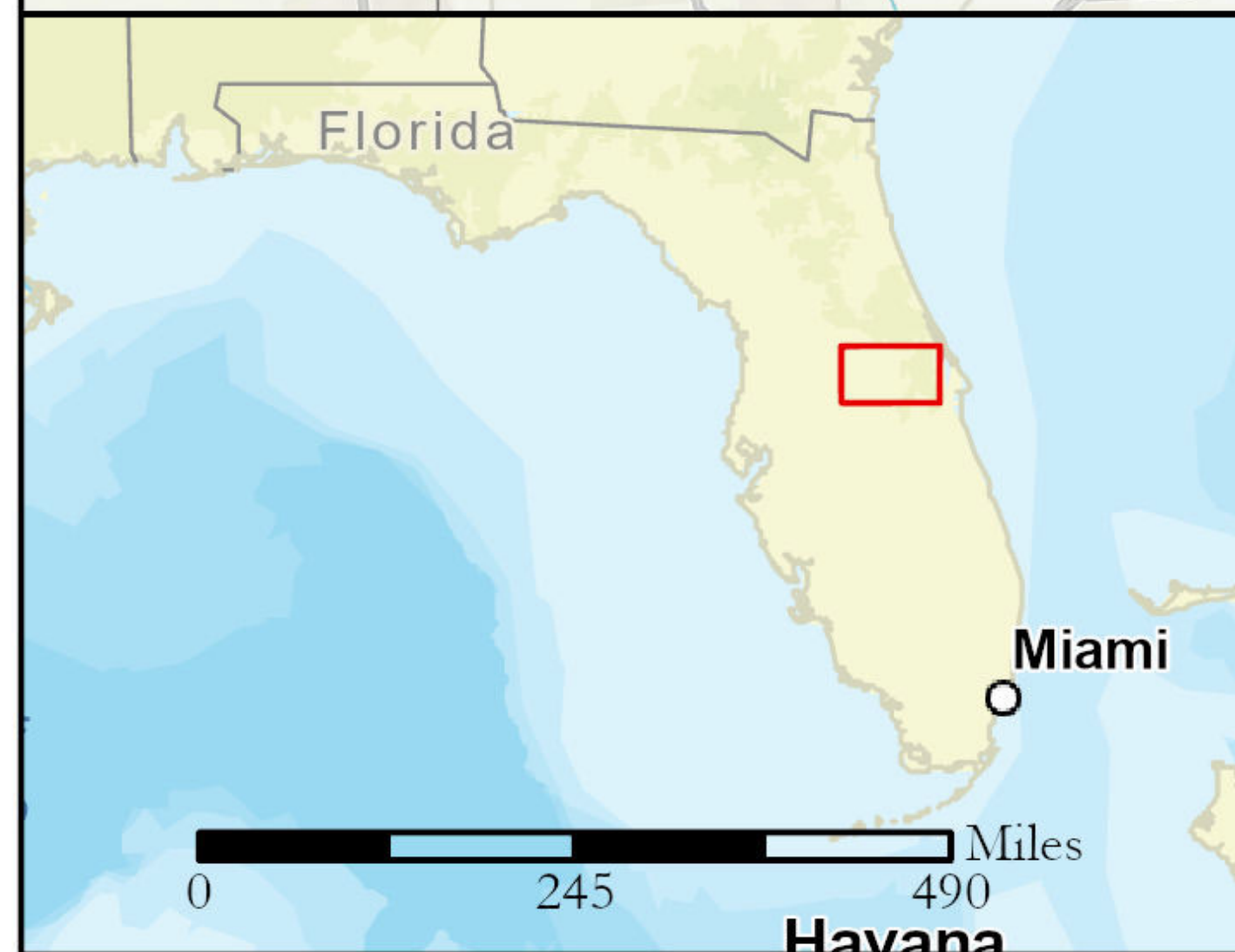
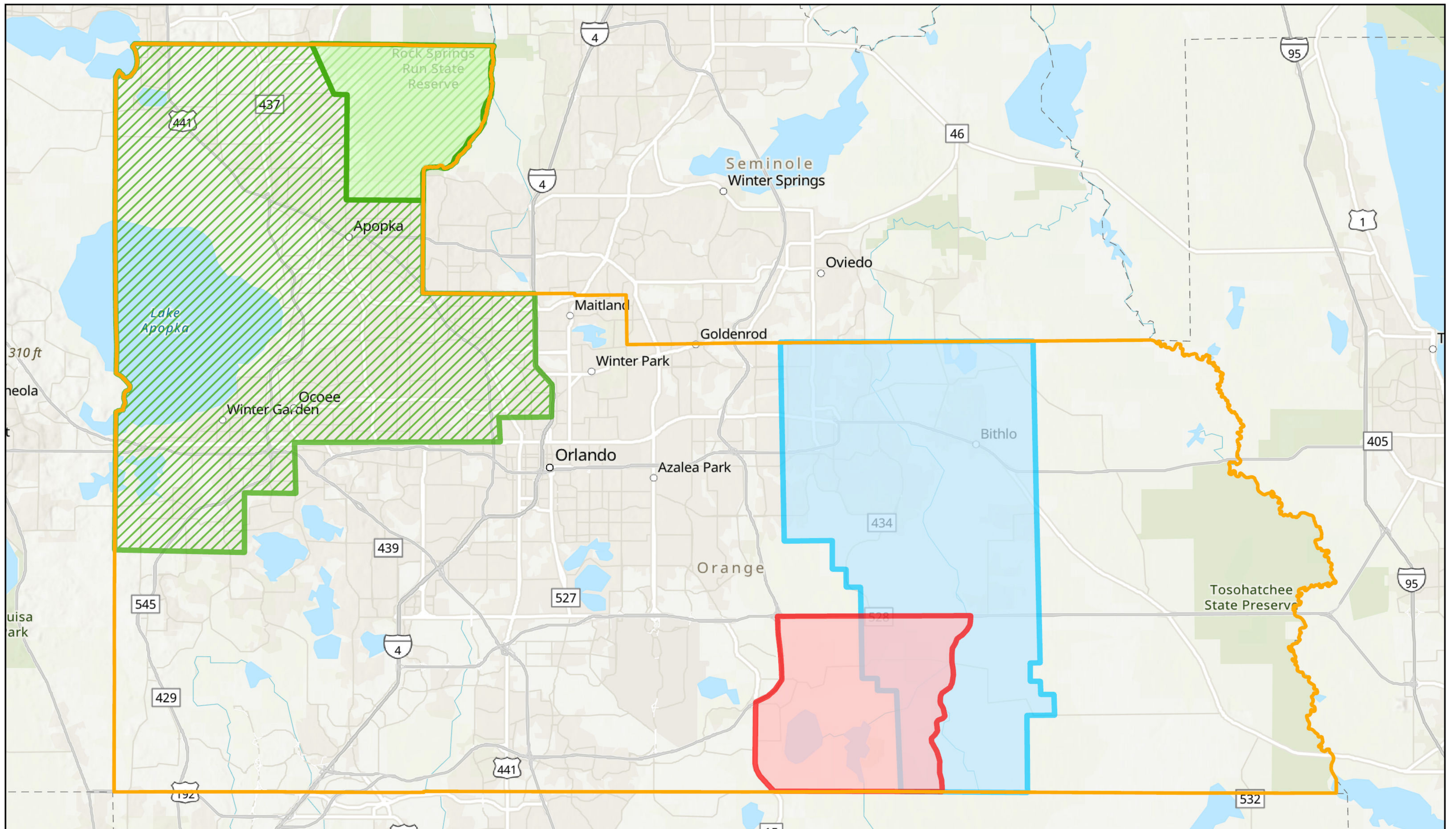
Minimum Wetland Buffer Distances based on Literature Reviews



Research Basis for 100-foot Buffer

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

EXISTING SPECIAL PROTECTION AREAS



Orange County Existing Protection Areas

Legend

- Existing Wekiva River Study Area
- Existing Wekiva River Protection Area
- Existing Innovation Way Environmental Land Stewardship Program Protection Area
- Existing Econlockhatchee River Protection Area
- County Boundary

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet

CURRENT PERMITTING CRITERIA:

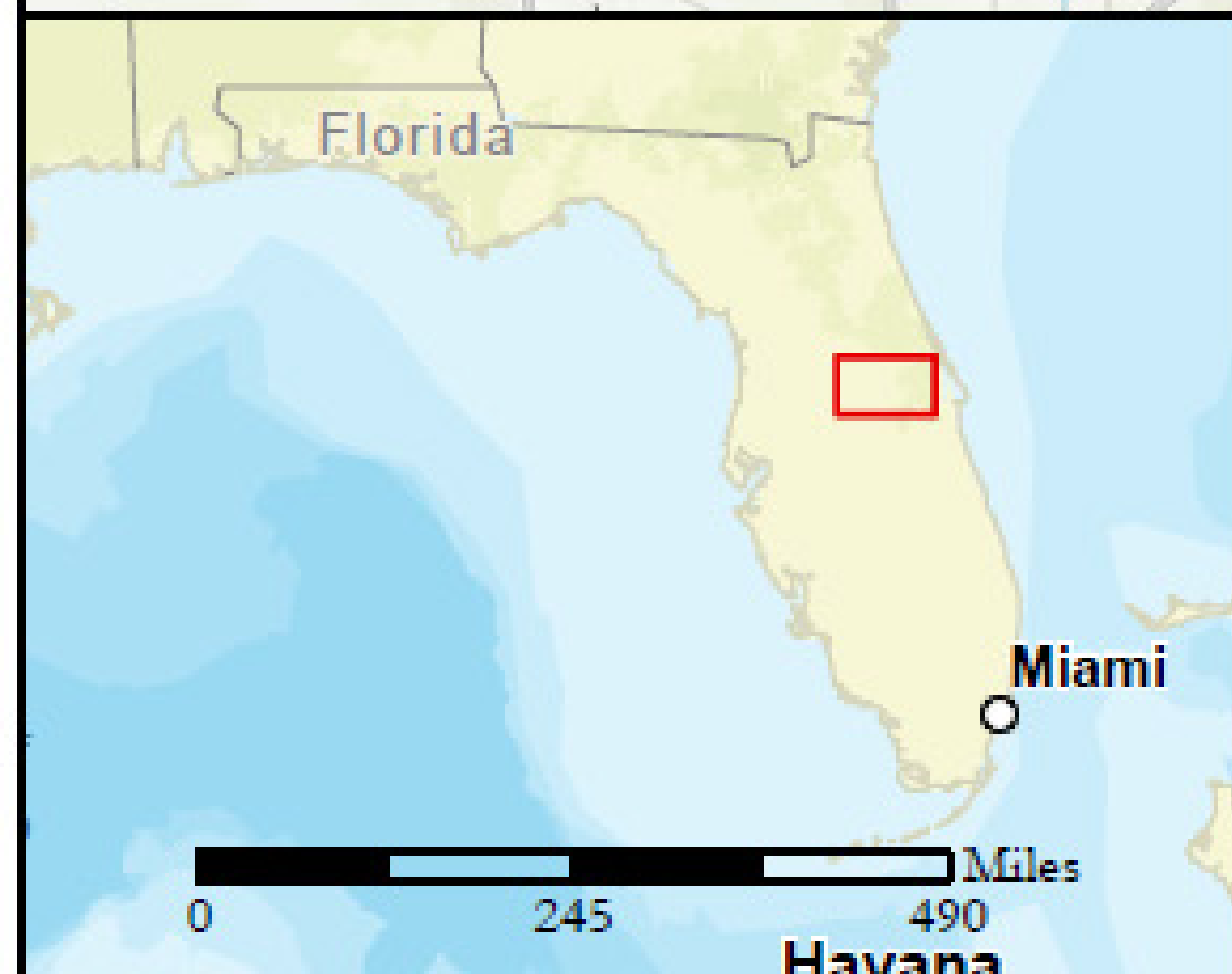
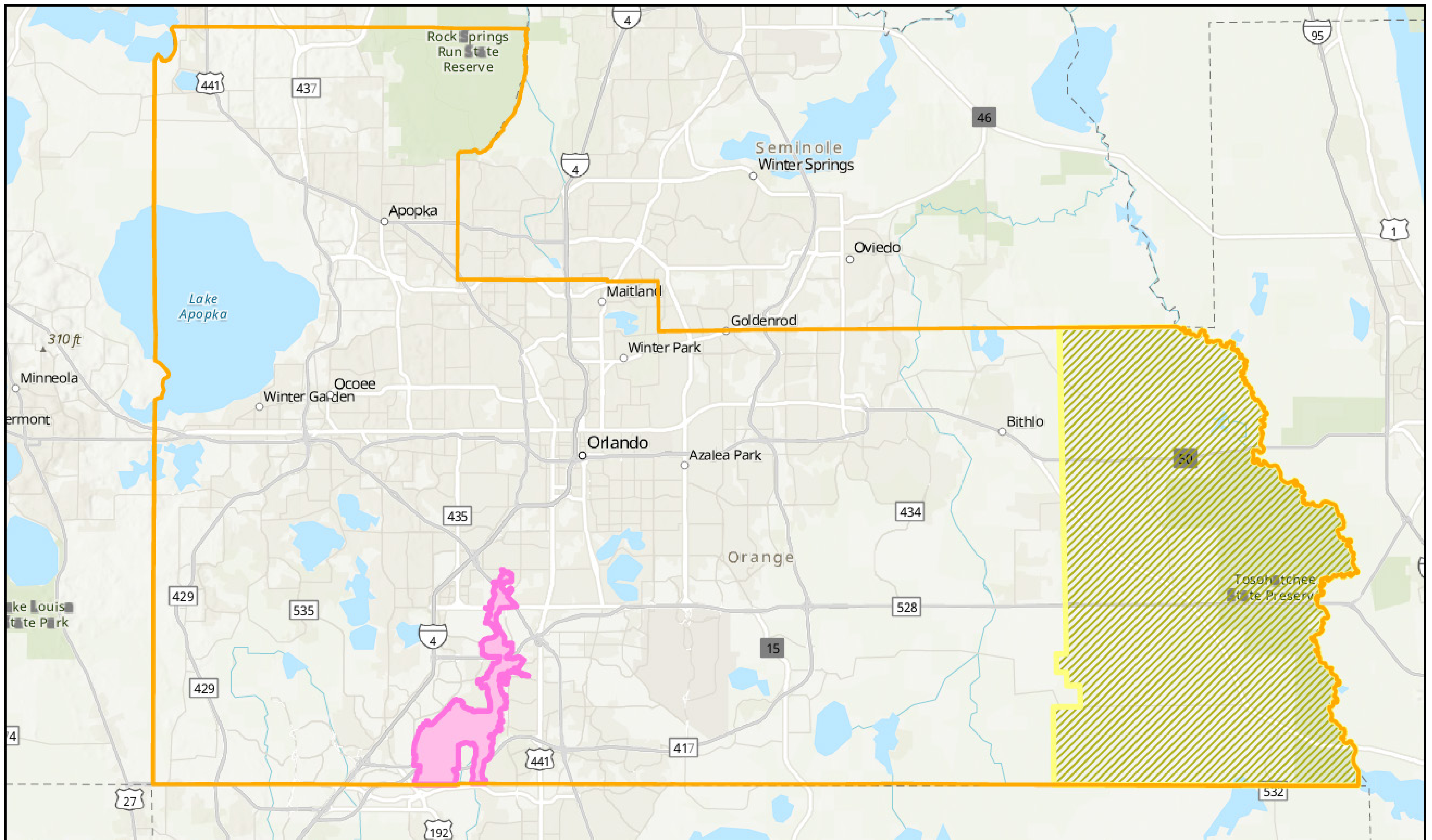
Buffers – 1,100 feet from the river’s edge, 550 feet from major tributary edge, and 50 feet landward of wetlands within the Econ River Protection Area; 550 feet from the river’s edge in the Wekiva River Protection Area

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

PROPOSED SPECIAL PROTECTION AREAS

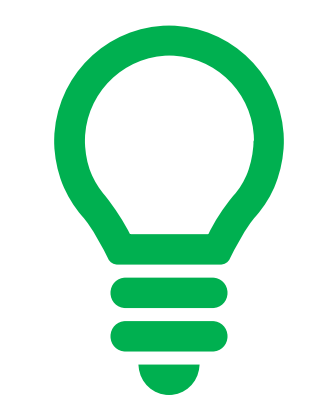


Orange County Proposed Protection Areas

Legend

-  County Boundary
-  Proposed Shingle Creek Protection Area
-  Proposed St. Johns Protection Area

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet



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