
**Application for
Individual and Conceptual Approval
Environmental Resource Permit,
State 404 Program Permit,
and Authorization to Use State-Owned
Submerged Lands**

Florida Department of Environmental Protection/
Water Management Districts
Effective December 22, 2020



Instructions for Use of This Form:

This form is designed to assist you in submitting a complete application. All applications must include Section A- General Information for All Activities. Sections B through H list typical information that is needed based on the proposed activities and are only required as applicable. Part 1-C of Section A will guide you to the correct sections needed based on your proposed activities. Applicants are advised to consult Chapter 62-330, F.A.C., and the Environmental Resource Permit Applicant's Handbook Volumes I and II for information regarding the ERP permitting process and requirements while preparing their application. Internet addresses for Chapter 62-330, F.A.C., and the Applicant's Handbook, Agency contact information, and additional instructions for this form can be found in Attachment 1.

What Sections of the Application Must I Fill Out?

Type of Activity	Section A	Section B	Section C	Section D	Section E	Section F	Section G	Section H	Section I
Fill in wetlands or waters for a single family residence?	Y	Y	N	N	N	N	N	N	Y, if in assumed waters
Docks, shoreline stabilization, seawalls associated with a single family residence?	Y	Y	N	N	N	Y, as needed	N	N	Y, if in assumed waters
Wetland impacts (other than association with an individual residence)?	Y	N	Y	N	N	N	N	N	Y, if in assumed waters
Boating facilities, a marina, jetty, reef, or dredging?	Y	N	Y	Y	N	Y, as needed	N	N	Y, if in assumed waters
Any work on state owned submerged land?	Y	N	Y	N	N	Y	N	N	Y, if in assumed waters
Construction of a stormwater management system?	Y	N	Y, as needed	N	Y	N	N	N	N
Constructing a mitigation bank?	Y	N	Y	N	Y, as needed	N	Y	N	Y, if in assumed waters
Creating a mine?	Y	N	Y, as needed	N	N	N	N	Y	Y, if in assumed waters

If you have any questions, or would like assistance completing this form, please contact the staff of the nearest office of either the Florida Department of Environmental Protection (DEP) or a Water Management District (WMD) (see Attachment 2).

Section A: General Information for All Activities

Part 1: Name, Application Type, Location, and Description of Activity

A. Name of project, including phase if applicable: **Brooker Creek Mitigation Bank**

B. This is for (check all that apply):

- Construction and operation of **new** works, activities, and/ or a stormwater management system
- Conceptual Approval** of proposed works, activities and/ or a stormwater management system
- Modification or alteration of **existing** works, activities, and/or a stormwater management system. Provide the existing DEP or WMD permit #, if known: Note: Minor modifications do not require completion of this form, and may instead be requested by letter in accordance with section 6.2 of Applicant's Handbook Volume I.
- Maintenance or repair** of works, activities, and/ or a stormwater management system previously permitted by the DEP or WMD. Provide existing permit #, if known:
- Abandonment or removal of works, activities, and/ or a stormwater management system.
Provide existing DEP or WMD permit #, if known:
- Operation of an **existing unpermitted** work, activity, and/or stormwater management system.
- Construction of additional phases of a permitted work, activity, or system.
Provide the existing DEP or WMD permit #, if known:
- A State 404 Program authorization:
- Exemption General Permit Individual Permit
- If requesting an Exemption or General Permit provide Rule #, if known:

By checking this box, I hereby voluntarily waive, in accordance with Rule 62-330.090(8), F.A.C., the agency action deadlines in section 5.5.3 of Volume I in the event my project also requires a State 404 Program authorization (other than an exemption) under Chapter 62-331, F.A.C., and request that the agency actions for the ERP and State 404 Program authorizations be issued at the same time. (This is strongly recommended to ensure consistency, and to reduce the potential need for project modifications to resolve inconsistencies that may occur when the agency actions are issued at different times.) If this box is checked and the Agency(ies) determines that no State 404 Program authorization is required, the Agency will continue to abide by section 5.5.3 of Volume I.

C. **List the type of activities proposed. Check all that apply, and provide the supplemental information requested in each of the referenced application sections.** Please also reference Applicant's Handbook Volumes I and II for the type of information that may be needed.

- Activities associated with one single-family residence, duplex, triplex, or quadruplex that do not qualify for an exemption or a General Permit: **Provide the information requested in Section B. Do not complete Section C.**
- Activities within wetlands or surface waters, or within 25 feet of a wetland or surface water, (not including the activities associated with an individual single-family residence). Examples include dredging, filling, outfall structures, docks, piers, over-water structures, shoreline stabilization, mitigation, reclamation, and restoration/enhancement. **Provide the information requested in Section C.**
- Activities within navigable or flowing surface waters such as a multi-slip dock or marina, dry storage facility, dredging, bridge, breakwaters, reefs, or other offshore structures: **In addition to Section C, also provide the information requested in Section D.**
- Activities that are (or may be) located within, on, or over state-owned submerged lands (See Chapter 18-21, F.A.C. <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=18-21>): **In addition to Section B or C, also provide the information requested in Section F.**
- Construction or alteration of a stormwater management system serving residential, commercial, transportation, industrial, agricultural, or other land uses, or a solid waste facility (excluding mines that are regulated by DEP). **Provide the information requested in Section E.**
- Creation or modification of a Mitigation Bank (refer to Chapter 62-342, F.A.C. <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-342>): **Provide the information requested in Section G.**
- Mines (as defined in Section 2.0 of Applicant's Handbook Volume I) that are regulated by the DEP: **Provide the information requested in Section H.**
- Other, describe: Please contact the Agency to determine which additional sections of the application are needed. See Attachment 2 for Agency contacts.

D. Describe in general terms the proposed project, system, works, or other activities. For permit modifications, please briefly describe the changes requested to the permit:

The Applicant proposes Conceptual approval of Brooker Creek Mitigation Bank including the wetland boundary lines, mitigation service area, current condition of wetland and upland habitats, and conceptual design plans. Brooker Creek Mitigation Bank is a 168.40-acre historic golf course in Palm Harbor, Pinellas County, that includes golf course uplands, open water ponds, forested floodplain wetlands along Brooker Creek, and native upland pine flatwoods.

Proposed Restoration activities include:

- Restoration of Golf Course uplands (182EN434) through the removal of all sodded grass and sand pits, herbaceous seeding of native upland grasses, shrub and pine/oak tree supplemental plantings.
- Enhancement of existing native Pine Flatwoods – Altered (411A) through the removal of nuisance exotic vegetation, thinning of pine trees, shrubs, and expansion of herbaceous layer.
- Creation of freshwater marsh wetlands from golf course uplands (182C64) through the expansion of the existing open water ponds, and planting native herbaceous wetland species.
- Restoration of forested wetlands from golf course uplands (182RE630) to wetland forested mixed wetlands adjacent to Brooker Creek through the removal of all sodded grasses, seeding native herbaceous wetland species, and planting native shrub and mixed forested wetland species.
- Excavated golf course ponds (510RE641) will be restored to a freshwater marsh habitat through filling the bottom elevation within 1-foot of the seasonal high water elevation, removal of excess amounts of fertilizers that discharge into the habitat, and planting native herbaceous wetland species.
- Excavated Ditch (511RE630) will be restored to a wetland forested mixed habitat through filling the bottom elevation within 1-foot of the seasonal high water elevation, removal of excess amounts of fertilizers that discharge into the habitat, and planting native wetland herbaceous, shrub and tree species.
- Wetland Forested Mixed – Altered (630A) habitat will be restored through the removal of nuisance exotic vegetation, removal of golf cart paths, removal of excess amounts of fertilizers that discharge into the habitat, and supplemental cypress tree planting.
- Establishment of a Conservation Easement over the entire 168.40 acre mitigation bank removing the golf course operation, removing the potential of platted development in the upland pine flatwood habitat, removing the continual application of excess fertilizers that discharge into onsite habitats and Brooker Creek, and preserving the site and managing the upland and wetland habitats in perpetuity.

E. Project/Activity Street/Road Address or other location (if applicable): **1100 Tarpon Woods Blvd**
City: **Palm Harbor** County(ies): **Pinellas** Zip: **34685**

Note: For utility, road, or ditch/canal activities, provide a starting and ending point using street names and nearest house numbers or provide length of project in miles along named streets or highways.

F. Project location map and Section, Township, and Range information (use additional sheets if needed):

Please attach a location map showing the location and boundaries of the proposed activity in relation to major intersections or other landmarks. The map should also contain a north arrow and a graphic scale; show Section(s), Township(s), and Range(s); and must be of sufficient detail to allow a person unfamiliar with the site to find it.

Section(s): **34** Township: **27** Range: **16** Land Grant name, if applicable:

Section(s): Township: Range:

1. Section(s): Township: Range:

G. Latitude (DMS) **28° 05' 20.3"N** Longitude (DMS) **82° 41' 28.0"W** (Taken from central location of the activity). Explain source for obtaining latitude and longitude (i.e. U.S.G.S. Quadrangle Map, GPS, online resource): Google Maps

H. Tax Parcel Identification Number(s): **34-27-16-00000-140-0000**

[Number may be obtained from property tax bill or from the county property appraiser's office; if on multiple parcels, provide multiple Tax Parcel Identification Numbers]

I. Directions to Site (from major roads; include distances and landmarks as applicable): From Dale Mabry Highway/Linebaugh Ave: **Take Linebaugh Ave and Forest Lakes Blvd west, turn right on Tampa Blvd, turn right on East Lake Rd, turn right on Tarpon Woods Blvd.**

J. Project area or phase area: **185.70 acres**

K. Name of waterbody(ies) (if known) in which activities will occur or into which the system will discharge: **Brooker Creek**

The following questions (M-O) are not applicable to activities related to an individual single-family residence, including a dock, pier, and/or seawall associated with that residence.

L. Is it part of a larger plan of development or sale? yes no

M. Impervious or semi-impervious area excluding wetlands and other surface waters (if applicable):

0 acres or 0 square feet

N. Volume of water the system is capable of impounding (if applicable): **N/A**

Normal Pool: acre-feet. Depth ft.
Maximum Pool: acre-feet. Depth ft.

Part 2: Supplemental Information, and Permit History

A. Is this an application to modify an existing Environmental Resource Permit or to construct or implement part of a multi-phase project, such as a project with a Conceptual Approval permit? Yes No (If you answered "yes", please provide permit numbers below):

Agency	Date	Permit/Application No.	Project Name

B. Indicate if there have been any **pre-application meeting(s)** with the DEP, WMD, or delegated local government, or other discussions, meetings, or coordination with other stakeholders or agencies about the proposed project, system or activity. If so, please provide the date(s), location(s) of the meeting, and the name(s) of Agency staff that attended the meeting(s):

Agency	Date	Location	Meeting Attendees
SWFWMD	4/10/2023	Teams Meeting	Bob Dasta, Cliff Ondercin, Adrienne Vining, Lee Hughes, John Emery, Ryan Deibler, Lisa Cartwright, Jamie Rand

C. **Attach a depiction (plan and section views), which clearly shows the works or other activities proposed to be constructed.** Use multiple sheets, if necessary, a scale sufficient to show the location and type of works, and include a north arrow and a key to any symbols used. **Specific information to be included in the plans is based on the activities proposed and is further described in Sections B-H.** However, supplemental information may be required based on the specific circumstances or location of the proposed works or other activities.

See Conceptual Design Plans

D. Processing Fee: **Please submit the application processing fee along with this application form and supplemental information.** Processing fees vary based on the size of the activity, the type of permit applied for, and the reviewing Agency. Please reference Appendix D of Applicant’s Handbook Volume I to determine the appropriate fee.

The Application Fee will be provided with the RAI Response.

Part 3: Applicant and Associated Parties Information

Instructions: Please complete the following sections. For corporations, list a person who is a registered agent or officer of the corporation who has the legal authority to bind the corporation.

A. Applicant (Entity Must Have Sufficient Real Property Interest)

This is a Contact Person for Additional Information

Last Name:

First Name:

Middle Initial:

Form 62-330.060(1) - Application for Individual and Conceptual Approval Environmental Resource Permit, State 404 Program Permit, and Authorization to Use State-Owned Submerged Lands

Incorporated by reference in subsection 62-330.060(1), F.A.C. (effective date: December 22, 2020)

Title: _____ Company: _____
Address: _____
City: _____ State: _____ Zip: _____
Home Telephone: _____ Work Telephone: _____
Cell Phone: _____ E-mail Address: _____

Correspondence will be sent via email, unless you check here to receive it via US Mail:

B. Land Owner(S) (If Different or in Addition to Applicant)

Check here if land owner is also a co-applicant

Last Name: _____ First Name: _____ Middle Initial: _____
Title: _____ Company: _____
Address: _____
City: _____ State: _____ Zip: _____
Home Telephone: _____ Work Telephone: _____
Cell Phone: _____ E-mail Address: _____

Correspondence will be sent via email, unless you check here to receive it via US Mail:

C. Operation and Maintenance Entity(see Applicant's Handbook I, Section 12.3)

Last Name: _____ First Name: _____ Middle Initial: _____
Title: _____ Company: _____
Address: _____
City: _____ State: _____ Zip: _____
Home Telephone: _____ Work Telephone: _____
Cell Phone: _____ E-mail Address: _____

Correspondence will be sent via email, unless you check here to receive it via US Mail:

D. Co-Applicant (If Different or In Addition to Applicant and Owner)

Last Name: _____ First Name: _____ Middle Initial: _____
Title: _____ Company: _____
Address: _____
City: _____ State: _____ Zip: _____
Home Telephone: _____ Work Telephone: _____
Cell Phone: _____
E-mail Address: _____

Correspondence will be sent via email, unless you check here to receive it via US Mail:

E. Registered Professional Consultant

This is a contact person for additional information

Last Name: Merly First Name: Jesus Middle Initial: _____
Title: Owner/Professional Engineer Company: 5M Civil, LLC
Address: 12506 Bronco Drive
City: Tampa State: FL Zip: 33626
Home Telephone: _____ Work Telephone: 813-404-8872

Cell Phone:

E-mail Address: jesus.merly@5mcivil.com

Correspondence will be sent via email, unless you check here to receive it via US Mail:

F. Environmental Consultant

This is a contact person for additional information

Last Name: Cartwright

First Name: Lisa

Middle Initial:

Title: Senior Environmental Scientist

Company: GreenSource Environmental Professionals

Address: 15315 Indian Head Drive

City: Tampa

State: FL

Zip: 33618

Home Telephone:

Work Telephone:

Cell Phone: 813-892-4755

E-mail Address: lcartwright@greensourceep.com

Correspondence will be sent via email, unless you check here to receive it via US Mail:

G. Agent Authorized to Secure Permit (If Different from Consultant)

Last Name: Deibler

First Name: Ryan

Middle Initial:

Title: Owner

Company: GreenSource Environmental Professionals Inc

Address: 15315 Indian Head Drive

City: Tampa

State: FL

Zip: 33618

Home Telephone:

Work Telephone: 813-264-4324

Cell Phone: 813-767-2035

E-mail Address: rdeibler@greensourceep.com

Correspondence will be sent via email, unless you check here to receive it via US Mail:

If necessary, please add additional pages for other contacts and property owners related to this project.

H. Real Property Interest

- a. Permits are only issued to entities having sufficient real property interest as described in Section 4.2.3(d) of Applicant's Handbook Volume I. **Please attach evidence of the applicant's real property interest over the land upon which the activities subject to the application will be conducted, including mitigation areas (if applicable).** Refer to Sections 4.2.3(d)-(e) for sufficient real property interest documentation.
- b. For activities that require a recorded notice in accordance with rule 62-330.090(7), F.A.C., please provide either the complete legal description of the property or a copy of the pages of the document recorded in the public records that contains the complete legal description. If the land upon which the proposed activities are to occur is not owned by the applicant, the applicant must also provide copies of any right-of-way, leases, easements, or other legal agreement which authorizes the applicant to perform the activities on those lands.

Part 4: Signatures and Authorization to Access Property

Instructions: For multiple applicants please provide a separate Part 4 for each applicant. For corporations, the application must be signed by a person authorized to bind the corporation. A person who has sufficient real property interest (see Section 4.2.3(d) of Applicant's Handbook Volume I) is required in (B) to authorize access to the property, except when the applicant has the power of eminent domain.

A. By signing this application form, I am applying for the permit and any proprietary authorizations identified above, according to the supporting data and other incidental information filed with this application. I am familiar with the information contained in this application and represent that such information is true, complete and accurate. I understand this is an application and not a permit, and that work prior to approval is a violation. I understand that this application and any permit issued or proprietary authorization issued pursuant thereto does not relieve me of any obligation for obtaining any other required federal, state, water management district, or local permit prior to commencement of construction. I agree to operate and maintain the permitted system unless the permitting agency authorizes transfer of the permit to a different responsible operation and maintenance entity. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

Ryan Deibler
Typed/Printed Name of Applicant or
Applicant's Authorized Agent



Signature of Applicant or Applicant's
Authorized Agent

2/28/2024
Date

(Corporate Title if applicable)

B. Certification of Sufficient Real Property Interest And Authorization For Staff To Access The Property:

I certify that:

I possess sufficient real property interest in or control, as defined in Section 4.2.3 (d) of Applicant's Handbook Volume I, over the land upon which the activities described in this application are proposed and I have legal authority to grant permission to access those lands. I hereby grant permission, evidenced by my signature below, for staff of the Agency to access, inspect, and sample the lands and waters of the property as necessary for the review of the proposed works and other activities specified in this application, upon advance notice. I authorize these agents or personnel to enter the property as many times as may be necessary to make such review, inspection, and/ or sampling. Further, if a permit is granted, upon advance notice, I agree to provide entry to the project site for such agents or personnel with proper identification to determine compliance with permit conditions and permitted plans and specifications.

OR

I represent an entity having **the power of eminent domain and condemnation authority**, and I/we shall make appropriate arrangements to enable staff of the Agency to legally access, inspect, and sample the property as described above.

Ryan Deibler
Typed/Printed Name



Signature

2/28/2024
Date

(Corporate Title if applicable)

C. Designation of Authorized Agent (If Applicable):

I hereby designate and authorize to act on my behalf, or on behalf of my corporation, as the agent in the processing of this application for the permit and/or proprietary authorization indicated above and to furnish, on request, supplemental information in support of the application. In addition, I authorize the above-listed agent to bind me, or my corporation, to perform any requirements which may be necessary to procure the permit or authorization indicated above. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S., and 18 U.S.C. Section 1001.

Typed/Printed Name of Applicant

Signature of Applicant

Date

(Corporate Title if applicable)

Attachment 1
Authorized Agent
Letter

February 27th, 2024

Cliff Ondercin
Environmental Manager
Southwest Florida Water Management District
7601 US-301
Tampa, FL 33637

AUTHORIZED AGENT LETTER

RE: Brooker Creek Mitigation Bank

Dear Mr. Ondercin,

As manager of the Brooker Creek Mitigation Bank located in Pinellas County, Florida, I hereby designate and authorize Ryan D. Deibler and Pamela E. Harris of GreenSource Environmental Professionals, Inc. (GreenSource) located at 15315 Indian Head Drive, Tampa, Florida 33618, to act as Agents in the processing of this application for the permit and submission of any documents related to the permits. In addition, I authorize the aforementioned Agents to perform any requirements that may be necessary in the support of the application. As Authorized Agents they will upon request, furnish any supplemental information in support of the application to permit Brooker Creek Mitigation Bank.

We also consent, after receiving prior notification, to any site visit on the property accompanied by GreenSource or other owner agent by agents or personnel from the Southwest Florida Water Management District necessary for the review and inspection of the proposed project. We further authorize these Agents or their personnel to enter the property as many times as may be necessary to conduct such a review and inspection. If you have any questions or concerns, please feel free to contact me.

Sincerely,

JR

J. Rand