

REFERENCED EXEMPTIONS

DEP FILE NO: 0216012-009-EE

PROJECT: LAKE WORTH INLET SOUTH JETTY REPAIR

APPLICANT: U.S. ARMY CORPS OF ENGINEERS

Chapter 373.406(6), Florida Statutes

Any district or the department may exempt from regulation under this part those activities that the district or department determines will have only minimal or insignificant individual or cumulative adverse impacts on the water resources of the district. The district and the department are authorized to determine, on a case-by-case basis, whether a specific activity comes within this exemption. Requests to qualify for this exemption shall be submitted in writing to the district or department, and such activities shall not be commenced without a written determination from the district or department confirming that the activity qualifies for the exemption.

Rule 62B-41.004(2), Florida Administrative Code

The following coastal construction shall be exempt from the provisions of this Chapter when it is determined by the Department that it will not have an adverse impact:

...

(c) Structures having de minimus impacts as defined in paragraph 62B-41.002(21)(c), F.A.C.

Rule 62B-41.002(21)(c), Florida Administrative Code

“De Minimus Impacts” are impacts that have been determined by the Department to be insignificant and not of a substantial nature either individually or cumulatively.