

Breezy Permits Cheat Sheet: Permitting ReefArches

ReefArches Overview

- Patented, honeycomb arch-shaped structures
 - Designed to restore shorelines & enhance habitats
 - Provides critical marine ecosystem benefits
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Permitting ReefArches

Under a Dock Structure

- Permit Type: Individual Permit required (does not fit exemption criteria).
- Cost: Approximately \$400 (case by case).
- Process: Submit an application to FDEP detailing site-specific conditions.

In Front of a Seawall

- Permit Type: Individual Permit (same process as under a dock).

In a Living Shoreline Project

- Potential Exemption: If the project meets exemption criteria, an individual permit may not be required.
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Permitting ReefArches Inserts / Tiles

- Likely Pathway: **“De Minimis” Exemption** under §373.406(6), F.S.
- Must be determined on a case-by-case basis by FDEP.
- Process:
 1. Submit a written exemption request before installation.
 2. Obtain written confirmation from FDEP prior to proceeding.



De Minimis Exemption: Key Points (Section 373.406(6), F.S.)

- Definition:
 - Allows FDEP or a Water Management District to exempt activities from regulation if they have “minimal or insignificant individual or cumulative adverse impacts” on water resources.
 - Case-by-Case Determination:
 - The agency reviews each request individually to ensure the activity qualifies as de minimis.
 - Written Request Required:
 - Applicants must submit a written request describing the proposed activity and demonstrating minimal impact.
 - The activity cannot commence until the agency issues written confirmation of exemption.
 - Examples of “Minimal Impact”:
 - Small-scale installations that do not alter water flow, harm protected vegetation, or significantly disturb benthic habitats.
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Living Shoreline Environmental Permitting Guidelines

Project Overview

- Small living shoreline projects in Florida may qualify for an exemption.
- Projects involving riprap or mangroves may require an Individual Permit if they do not meet exemption guidelines.

Recommended Permit Documents

1. Property deed
2. Site description (current conditions & planned activities)
3. Project plans (cross-sections & plan view drawings)
4. Seagrass/Benthic Resource Survey (recommended per FDEP)

Timeline



- FDEP typically reviews Verification of Exemption requests within ~30 days.
- If more details are needed, FDEP will request them & place us on the RAI list in which we typically have 60 - 90 days to respond.

FDEP Living Shoreline Exemption Guidelines: Projects meeting these criteria may be exempt from permitting, though separate authorization may still be required for state-owned submerged lands.

Shoreline Planting Exemption (F.A.C. 62-330.051(12)(e))

- Shoreline Length: ≤ 500 linear feet
- Planting Distance: ≤ 10 feet waterward of MHWL/OHWL
- Native Plants Only: Must be commercially grown stock
- Invasive Removal: Required where practicable
- Support Materials: Allowed if biodegradable & properly anchored

Breakwater & Fill Exemption

- Breakwater Placement: Toe ≤ 10 feet waterward of MHWL/OHWL
- Breakwater Height: Cannot exceed mean high water elevation
- Approved Materials:
 - Clean oyster shell (bagged or affixed to mats)
 - Reef balls, riprap, rock sills, boulders, or clean concrete rubble
- Anchoring Required: To prevent displacement
- Water Flow Gaps: Openings ≥ 5 feet wide every 75 feet