

## **MISCELLANEOUS ACTIVITIES IN WETLANDS**

### **Section 1-11.10**

Pursuant to Section 1-11.09(1)(c), Rules of the EPC, Miscellaneous Activities in Wetlands (MAIW) are those activities that constitute development under Section 1-11.02(2)(b) yet are considered to have minor impact on wetland or other surface water functions.

Applications for authorization of these types of impacts will be reviewed pursuant to Section 1-11.10, Rules of the EPC. Applicants do not need to demonstrate that the impact is necessary for reasonable use of a property but the impacts must be minimized to the greatest extent practicable and shall be conducted, located, designed and/or constructed so that they cause the least environmentally adverse impacts. Eligible MAIW impacts include but are not limited to the following activities:

#### **NON-CONSTRUCTION RELATED ACTIVITIES:**

##### **Nuisance Vegetation Control**

The EPC encourages property owners to remove or control nuisance and exotic plant species from wetlands and other surface waters on their property. An application listing the proposed activities must be submitted for review and approved by EPC staff. The application must list the plant species proposed for removal or control and the method to be used. A site drawing must accompany the application.

##### **Swimming Access:**

A swimming access of no more than 25 feet in width may be maintained clear of vegetation from the shoreline to open water. This 25-foot area should be considered to be the encumbered area of the shoreline and co-location of all facilities such as docks and boat ramps per each property is encouraged. If the facilities cannot be co-located, the widths of any docks and boat ramps must be subtracted from the total width.

##### **Mulched Paths:**

Mulched paths of no more than four (4) feet in width and six (6) inches in depth may be allowed through wetlands. The paths must be located to avoid impacts to existing trees and to minimize impacts to existing native herbaceous wetland vegetation. Slope and path design should be taken into consideration as part of the review.

##### **Mowing:**

Wetland mowing may only be conducted in those areas dominated by nuisance herbaceous species and only in areas where the activity will not cause harm to native tree and shrub species. No mowing or cutting of vegetation growing in the water or wet soils shall take place.

## **CONSTRUCTION RELATED ACTIVITIES**

The following MAIW are construction related activities and may be authorized in accordance to the guidelines described for each activity proposed. Fences, docks, boat ramps, rip-rap, and boardwalks located along floodways may require a Federal Emergency Management Agency "No-Rise Study." Any activity subject to the regulatory authority of the Tampa Port Authority (TPA) shall not qualify for a MAIW authorization. These proposed activities will require a separate permit issued by the TPA.

### **Boat Ramps:**

Single family residential boat ramps deemed eligible under the MAIW provisions shall be limited to a width of no greater than ten (10) ft and shall also be minimized to the greatest extent practicable. The above water portion of the ramp must be located landward of the mean or ordinary high water line. Excavation shall be limited to that amount of material necessary to construct the ramp surface. The ramp must be situated on the property so as avoid impacts to trees and to cause the least environmental impact. Appropriate erosion control may be necessary depending on the proposed impact. The width of the ramp will be subtracted from the maximum 25 foot vegetation clearing zone allowed per property.

### **Fences:**

All proposals to construct fences within wetlands will be evaluated on a case-by-case basis. Fences must also be minimized to any extent practicable. Several types of fence, including hog wire, wrought iron slats, split rail, 3-5 strand wire, wood privacy, and chain link fence with the bottom elevated off the substrate at least four (4) inches may be considered appropriate for construction within wetlands and other surface waters. Fences shall not be constructed to confine livestock or other animals solely within the wetland and shall not unreasonably impede the movement of wildlife. Fences shall not block navigation, create a navigational hazard, or impede the natural flow of water by itself or through the accumulation of debris.

### **Elevated Boardwalks:**

Boardwalks must be elevated above the surface water substrate at least three and a half (3.5) feet and must be routed to avoid impacts to existing trees. Boardwalks approved under this section shall be limited to a width no greater than four (4) feet for single family residences, 5 feet where the applicant requires ADA access, and six (6) feet for commercial facilities. No excavation is permitted within the wetland or surface water except for the placement of the support posts. Temporary disturbance to wetland vegetation during installation is limited to an area two (2) feet on either side of the boardwalk.

**Docks:**

Proposals to construct docks are reviewed under the same standards as boardwalks referenced above and shall be reviewed under the following additional criteria and conditions: A dock review will entail a detailed assessment of existing wetland and aquatic vegetation at the proposed site. If the proposed location results in wetland impacts, the site will be assessed for alternative locations which would serve to better minimize wetland impacts. Construction of the structure shall attempt to avoid the removal of any trees and shall be located to minimize vegetation disturbance or removal. All proposed vessel mooring slips or areas, including boatlifts, boathouses, and davits, must be located so that a minimum of two feet (2) of water depth exists under the slip area during Mean Low, Ordinary Low or Low Guidance Level elevation water conditions, whichever is appropriate. The structure's terminal platform must be located waterward of or beyond the vegetative littoral fringe of the lake over open water. No part of the structure shall be enclosed by walls or doors. No dredging, filling, clearing or scouring shall be allowed except for the settings of pilings. During the construction activities, the area of temporary disturbance to vegetation shall be limited to two (2) feet on either side of the structure. There shall be no fish cleaning facilities, boat repair facilities or equipment, or fueling facilities on any structure authorized through the permit. The structure shall be for recreational use only, with no more than one structure per single-family residence and shall be located within the applicant's area of submerged land ownership (within their property boundaries) or riparian limits. The applicant may construct a dock on other property provided they obtain written authorization from the property owner.