

TO: Southwest Florida Water Management District

Subject: Limited Waiver of 90-Day Time Limit

Environmental Resource Permit Application No. _____
Sections 120.60(1) and 373.4141, Florida Statutes

Management and Storage of Surface Water Permit Application No. _____
Sections 120.60(1) and 373.4141, Florida Statutes

Water Use Permit Application No. _____
Sections 120.60(1), Florida Statutes

The undersigned has read the applicable Florida Statutes referenced above and fully understands the applicant's rights under those sections. The sections provide that the District shall approve or deny a permit within ninety (90) days from the date the application becomes complete.

With regard to the above-referenced permit application, the applicant hereby agrees to waive the ninety (90) day time period prescribed by the applicable Florida Statutes so that the time period for Agency Action is continued until the _____ day of _____, _____. This waiver is made freely and voluntarily by the applicant.

Signature

Date

Typed or Printed Name of Applicant

Address

City, State, Zip Code

Telephone

See reverse side for statutory references

120.60 Licensing.

(1) Upon receipt of a license application, an agency shall examine the application and, within 30 days after such receipt, notify the applicant of any apparent errors or omissions and request any additional information the agency is permitted by law to require. An agency may not deny a license for failure to correct an error or omission or to supply additional information unless the agency timely notified the applicant within this 30-day period. The agency may establish by rule the time period for submitting any additional information requested by the agency. For good cause shown, the agency shall grant a request for an extension of time for submitting the additional information. If the applicant believes the agency's request for additional information is not authorized by law or rule, the agency, at the applicant's request, shall proceed to process the application. An application is complete upon receipt of all requested information and correction of any error or omission for which the applicant was timely notified or when the time for such notification has expired. An application for a license must be approved or denied within 90 days after receipt of a completed application unless a shorter period of time for agency action is provided by law. The 90-day time period is tolled by the initiation of a proceeding under ss. 120.569 and 120.57. Any application for a license which is not approved or denied within the 90-day or shorter time period, within 15 days after conclusion of a public hearing held on the application, or within 45 days after a recommended order is submitted to the agency and the parties, whichever action and timeframe is latest and applicable, is considered approved unless the recommended order recommends that the agency deny the license. Subject to the satisfactory completion of an examination if required as a prerequisite to licensure, any license that is considered approved shall be issued and may include such reasonable conditions as are authorized by law. Any applicant for licensure seeking to claim licensure by default under this subsection shall notify the agency clerk of the licensing agency, in writing, of the intent to rely upon the default license provision of this subsection, and may not take any action based upon the default license until after receipt of such notice by the agency clerk.

373.4141 Permits; processing.

(1) Within 30 days after receipt of an application for a permit under this part, the department or the water management district shall review the application and shall request submittal of all additional information the department or the water management district is permitted by law to require. If the applicant believes any request for additional information is not authorized by law or rule, the applicant may request a hearing pursuant to s. 120.57. Within 30 days after receipt of such additional information, the department or water management district shall review it and may request only that information needed to clarify such additional information or to answer new questions raised by or directly related to such additional information. If the applicant believes the request of the department or water management district for such additional information is not authorized by law or rule, the department or water management district, at the applicant's request, shall proceed to process the permit application.

(2) A permit shall be approved or denied within 90 days after receipt of the original application, the last item of timely requested additional material, or the applicant's written request to begin processing the permit application.