



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

February 5, 2016

Subject: Use of District Rights of Way on the Hillsboro Canal

Dear Resident:

Your property is near or adjacent to a major waterway operated and maintained by the South Florida Water Management District (SFWMD), a regional governmental agency that manages the water resources in the southern part of the state. It is the oldest and largest of the state's five water management districts. Our mission is to manage and protect water resources of the region by balancing and improving flood control, water supply, water quality and natural systems.

To ensure continued flood protection for your community and surrounding areas, the SFWMD undertook a multi-year effort to stabilize the Hillsboro Canal bank. This work extended from the G-56 water control structure (just west of Military Trail) and then west for 10.5-miles, on both the north and south sides of the canal. This project work has been completed or is nearing completion adjacent to your property.

If you are interested in using the SFWMD right of way, here's what you need to know: The agency is now accepting and reviewing applications for property improvements or facilities (e.g. fences, landscaping, docks, etc.) that may potentially be installed within the right of way on the Hillsboro Canal. Attached please find information and frequently asked questions in reference to SFWMD's the right of way permitting criteria and procedures.

If you have any questions or concerns regarding this permitting process, you may contact Right of Way staff directly at (561) 682-6035, or you can also contact me at (561) 682-6012 or (561) 906-4641 or my email at lcorry@sfwmd.gov.

Sincerely,

Laura R. H. Corry
Intergovernmental Representative

Enclosures



SOUTH FLORIDA WATER MANAGEMENT DISTRICT
Operations and Maintenance, South Field Operations
Right of Way Section

HILLSBORO CANAL

(from U.S. 441/S.R. 7 to the G-56 Structure (Locks))

USE OF DISTRICT RIGHTS OF WAY PERMITTING CRITERIA AND PROCEDURES

With the completion of the Hillsboro Canal Bank Stabilization Project adjacent to your property, the South Florida Water Management District (the "District") has established the following permitting criteria and procedures for improvements or facilities (e.g., fences, landscaping, docks, etc.) that may be installed within the Hillsboro Canal right of way. This notice is being sent to provide you with the specific criteria that apply to your property and answers to frequently asked questions. **Accordingly, it is important that you take time to review this entire notice.**

[Para los hispanohablantes que reciben este mensaje, el Distrito le puede proveer esta información en español. Favor de llamar (561) 682-6035 para recibir ayuda.]

FREQUENTLY ASKED QUESTIONS

WHAT IS THE DISTRICT'S RIGHT OF WAY?

The District's right of way may be land owned by the District that lies between your property and the Hillsboro Canal, or it may be an easement that lies over a portion of your property and runs parallel to the canal. If the right of way is an easement, it should be depicted on a survey of your property (if you have one). It is important that you know if you are proposing private improvements on your own property or the District's publicly-owned property because the criteria for permitting is different for each. If you have questions about the District's right of way in relationship with your property, you may contact District right of way staff at (561) 682-6035.

IS A PERMIT REQUIRED FROM THE DISTRICT?

Yes. Any person seeking to install or construct improvements in the Hillsboro Canal right of way must first obtain a Right of Way Occupancy Permit ("ROW Permit") from the District. Applications and instructions are available online at www.sfwmd.gov. Click on the "Permitting Services" link and then proceed to the "Right of Way" homepage under Related Links. Our contact information is available on the Right of Way homepage.

IS THERE A PERMIT APPLICATION FEE?

In most cases, the answer is no. However, if improvements are installed before you obtain a ROW Permit, a fee is required (\$75.00 and up, depending on the scope of work). Applications for a dock or any structure that encroaches into the canal or canal bank requires a five thousand dollar (\$5,000.00) refundable cash deposit. The purpose of this deposit is described later in this notice.



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WHAT WILL HAPPEN IF I INSTALL IMPROVEMENTS WITHOUT OBTAINING A ROW PERMIT?

If the improvements obstruct District necessary access or emergency maintenance and operations activities, they will be removed by the District without notice. Otherwise, the District will provide you with a 7-day written notice to remove the improvements. If they are not removed within 7 days, the District will remove the improvements without further notice. If this occurs, you may be subject to the imposition of fines and administrative costs incurred by the District for the removal and disposal of the unpermitted improvements. In addition, you will no longer be eligible to obtain a ROW Permit to utilize the District's right of way in the future.

IS A BUILDING PERMIT ALSO REQUIRED?

Yes. If your local jurisdiction (city or county) requires a building permit, you are required to obtain a building permit which demonstrates that your proposed improvements comply with the Florida Building Code. You must present a copy of your building permit to District staff prior to starting any work. In addition, you must demonstrate that the local jurisdiction has completed all of its inspections and closed out the building permit prior to final inspection by the District. Failure to contact the District for a final inspection immediately upon completion constitutes a ROW Permit violation, subject to enforcement, including demolition, and the imposition of fines.

SPECIFIC PERMITTING CRITERIA AND PROCEDURES FOR DOCKS AND RELATED STRUCTURES

Specific permitting criteria and procedures applicable to docks are as follows for properties abutting the Hillsboro Canal between U.S. 441/S.R. 7 and the G-56 coastal structure (locks):

- All drawings and/or plans included with an application for the installation of a dock and/or other related improvements within the canal or within the bank of the canal (*e.g., decks, platforms, piers, pilings, stairs, landings, etc.*) must be prepared by a professional engineer licensed by the State of Florida. Drawings are required to demonstrate that penetration of the canal bank and bottom complies with the specification on the next page. The specification must also be depicted on the drawings/plans. Professional engineers and/or property owners may obtain an electronic version of the specification via email by contacting the Section's Right of Way Information Specialist at ecueto@sfwmd.gov.
- All applications must be accompanied by a refundable cash deposit of five thousand dollars (\$5,000.00) in the form of a certified bank check made payable to the South Florida Water Management District. Funds received will be deposited in a non-interest bearing account and will be returned in full provided that the work is completed in compliance with the approved plans, including approval of the final inspection by the District and submission of your professional engineer's as-built drawings and certification stating that all work complies with the District's specification and permit conditions.
- In the event that the work fails inspection and requires modification or removal by the District, causes damage to the District's bank stabilization project in the Hillsboro Canal, or is not supported by the required professional engineer's as-built drawings or



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certification, the District may utilize any or all of the funds on deposit, as needed, to correct deficiencies, to retain its own professional engineer to certify the work, to remove the dock or related structure and/or to restore the canal bank and/or bottom. Use of the deposit will be limited to actual out-of-pocket and administrative costs incurred by the District. In the event that costs incurred by the District exceed \$5,000.00, you will be liable to reimburse the District.

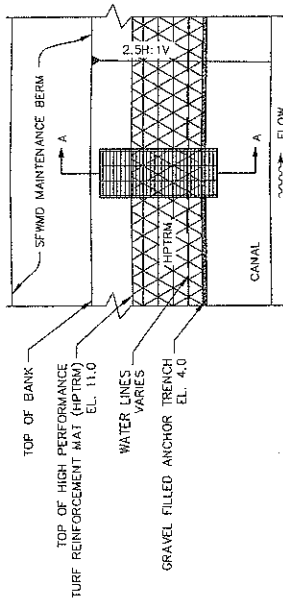
SPECIFICATIONS FOR DOCKS AND RELATED STRUCTURES

All applications for docks and related structures proposed for properties abutting the Hillsboro Canal between U.S. 441/S.R. 7 and the G-56 coastal structure (locks) must be constructed in compliance with the specifications enclosed with this notice. The specifications must be depicted on the drawings/plans prepared by a professional engineer licensed in the State of Florida.

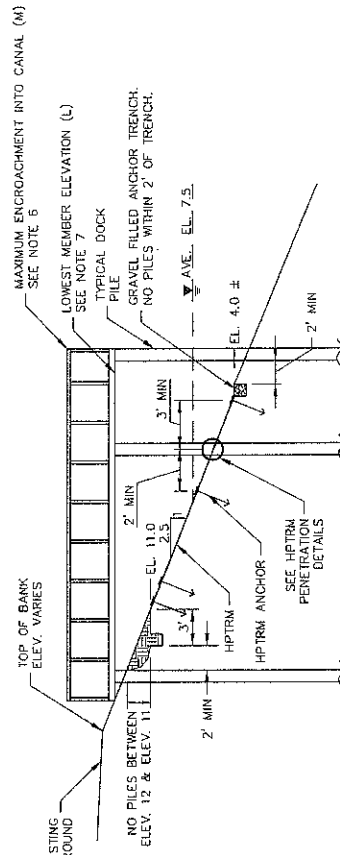
SPECIFIC PERMITTING CRITERIA

Specific criteria applicable to improvements (excluding docks and other improvements within the canal or on the canal bank) proposed for properties abutting the Hillsboro Canal from U.S. 441/S.R. 7 to the G-56 coastal structure (locks) are as follows:

- All proposed improvements must be setback a minimum of 40 feet from the top of bank, as measured perpendicular to the canal. No waivers to allow any improvements closer than 40 feet will be supported by the District.
- If you propose to install a fence, it must be installed along your side property lines and along the line running parallel to the canal at the 40 foot setback line. As a condition of permit approval, you will be responsible for maintaining the area within the fence enclosure.
- For all applications to install improvements in the District's right of way, a condition of permit approval will require that you maintain that portion of the right of way situated from the rear of your property to the 40 foot setback line. The area of maintenance must be depicted on the drawings included with your ROW permit application.
- Sheds, gazebos and other similar enclosed or partially enclosed building structures will only be permitted on right of way consisting of an easement to the District over private property (as in the case of Hillsboro Pines, for example). No such structures will be authorized for construction on publicly-owned rights of way.
- Applications will be accepted from individuals whose property directly abuts the District's right of way. If your property is separated from the right of way by common area, the application must be submitted by the applicable homeowners' or property owners' association.
- No permits will be issued for the south right of way between Powerline Road and Florida's Turnpike (*i.e.*, *Coquina Lakes A/K/A Harbors at River Glen, Deer Chase Apartments, River Glen East, Villages of Hillsboro and Villa Portofino*) as this right of way is reserved for development of a linear park by the City of Deerfield Beach in the future.



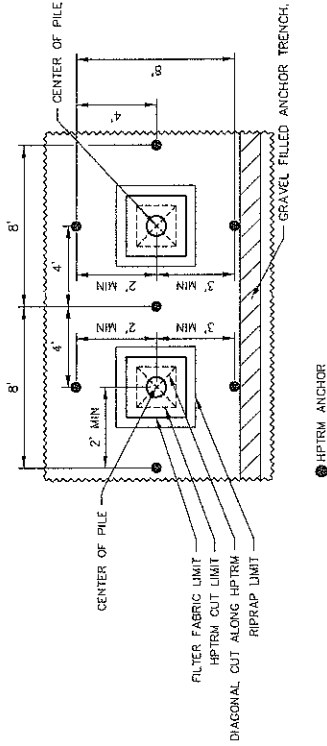
PLAN VIEW - TYPICAL DOCK LOCATION - NORTH BANK.
SCALE: N.T.S.



SECTION A-A : TYPICAL DOCK
SCALE: N.T.S.

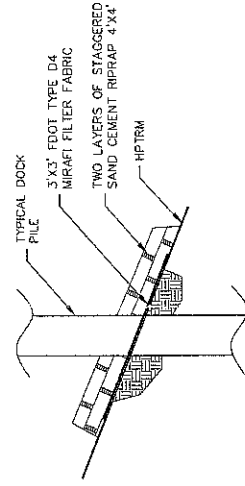
GENERAL NOTES:

- 1) ALL ELEVATIONS SHOWN ARE NGVD 29.
- 2) CONVERSION: NAVD 88 = NGVD 29 - 1.53 FEET
- 3) ALL PILES ARE TO BE DRIVEN. JETTING PILE IS NOT ALLOWED.
- 4) PILE DIAMETER NOT TO EXCEED 1' DIA. PILE SHOWN IN THIS DETAIL IS 1' DIA.
- 5) LOCATE HIGH PERFORMANCE TURF REINFORCEMENT MAT (HPTRM) ANCHOR NEAR WATER LINE TO ESTABLISH HPTRM ANCHOR LOCATIONS. ANCHORS ARE PATTERNED AS SHOWN ON DETAIL 1.
- 6) NOTIFY THE DISTRICT IMMEDIATELY OF HPTRM DAMAGE AS A RESULT OF DOCK INSTALLATION. PRIOR TO REPAIR ACTIVITIES A HPTRM REPAIR PLAN SHALL BE SUBMITTED TO THE DISTRICT FOR APPROVAL.
- 7) M = IN ADDITION TO OTHER CRITERIA, THE DOCKING FACILITIES, INCLUDING ASSOCIATED MOORING FACILITIES AND VESSELS MOORED TO DOCK MUST NOT EXTEND MORE THAN 25% OF THE ENTIRE WIDTH OF THE CANAL (AS MEASURED AT THE AVERAGE MEAN HIGH WATER LINE).
- 8) L = IN ADDITION TO OTHER CRITERIA, THE LOW MEMBER ELEVATION (THE ELEVATION OF THE LOWEST MEMBER OF THE DOCK OR CONNECTING WALKWAY, INCLUDING CROSS BRACING THAT IS PERPENDICULAR TO THE FLOW OF WATER), SHALL BE TWO (2) FEET ABOVE DESIGN HIGH WATER OR TWO (2) FEET ABOVE SEASONAL HIGH OPTIMUM WATER ELEVATION (WHICHEVER IS HIGHER). CONTACT THE DISTRICT FOR ELEVATIONS.



HPTRM PENETRATION DETAIL 1
SCALE: N.T.S.

- NOTES:
- 1) ALL PILES SHALL BE A MINIMUM DISTANCE OF 3" ABOVE, 2' BELOW, AND 2' HORIZONTAL TO HPTRM ANCHORS. NO ANCHORS ARE TO BE DISTURBED.
 - 2) CUT HPTRM ALONG DIAGONAL OF A SQUARE WITH SIDES AT LEAST TWICE THE LENGTH OF THE DIAMETER OF THE PILE.
 - 3) PEEL BACK HPTRM, REMOVE PINS AS NECESSARY.
 - 4) AUGER TYPE PENETRATION NOT ALLOWED.



HPTRM PENETRATION DETAIL 2
SCALE: N.T.S.

- NOTES:
- 1) CUT EXCESS HPTRM FLUSH WITH PILE.
 - 2) COVER CUT HPTRM WITH 3/4" X 3/4" FILTER FABRIC (FDOT TYPE D4).
 - 3) PLACE TWO LAYERS OF SAND CEMENT BAGS ANCHORED USING #4 REINFORCEMENT BARS A MINIMUM OF 24" LONG. TWO BARS PER BAG SHALL BE USED. ANCHOR BARS SHALL BE DRIVEN A MINIMUM ONE-INCH BELOW THE SURFACE OF THE BAG.

The quantities, materials or other details associated with this project shall comply with Florida Statute Chapter 61A. There shall be no property of the District and no incident or liability shall be assumed by the District for any work performed by the contractor or subcontractor/other party not performing work necessary for this project in accordance with the contract documents.

