

MEMORANDUM

TO: Governing Board Members

FROM: Sharon Trost, P.G., AICP, Director, Regulation Division

DATE: March 19, 2012

SUBJECT: Approve an updated operating agreement between the Jacksonville District of the U.S. Army Corps of Engineers (Corps), the Florida Department of Environmental Protection (DEP), the Northwest Florida Water Management District, the South Florida Water Management District, the St. Johns River Water Management District, the Southwest Florida Water Management District and the Suwannee River Water Management District (collectively "Agencies") concerning regulatory programs for activities in wetlands and other surface waters, including waters of the United States.

RECOMMENDATION

Approve an updated Operating Agreement between the Jacksonville District of the U.S. Army Corps of Engineers, DEP, Northwest Florida WMD, South Florida WMD, St. John's River WMD, Southwest Florida WMD and Suwannee River WMD concerning regulatory programs for activities in wetlands and other surface waters, including waters of the United States.

BACKGROUND

The Agencies currently operate under a similar operating agreement dated November 30, 1998. The purpose of the operating agreement is to coordinate the permitting, compliance and enforcement programs of the Agencies concerning regulation of activities that affect waters of the United States under jurisdiction of the Corps, and wetlands and other surface waters under the jurisdiction of DEP and the water management districts.

The operating agreement includes provisions for permit application coordination, state water quality certification, state determination of consistency with the federally approved state Coastal Management Program, mitigation bank and in-lieu-fee coordination, financial assurance documents and conservation easement or restrictive covenant protections.

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