

M E M O R A N D U M

TO: Governing Board Members

FROM: Chip Merriam, Deputy Executive Director, Water Resources

DATE: September 15, 2008

SUBJECT: **Authorize publication of a Notice of Rule Development in the Florida Administrative Weekly to delete section 2(c) of Rule 40E-400.315 F.A.C. regarding Thresholds and Additional Conditions within Collier County**

RECOMMENDATION

Staff recommends approval of the Notice of Rule Development to delete section 2(b) of Rule 40E-400.315 F.A.C regarding Thresholds and Additional Conditions within Collier County.

BACKGROUND

The District's existing Rule 40E-400.315, F.A.C. contains a partial delegation to Collier County (County). On February 9, 2006, Collier County submitted a request to pursue a delegation agreement pursuant to subsection 62-344.300(l) F.A.C. for a formal delegation of a portion of the District's Environmental Resource Permitting responsibilities. However, on July 22, 2008 the Collier County Board of County Commissioners voted to withdraw that request and relinquish their existing water management district delegated permitting authority. The County considered the following factors in their decision to relinquish their existing delegated permitting authority:

- 1) The District has opened a local permit review office in Collier County.
- 2) The District has implemented e-Permitting on a large scale, has posted their existing files online and sends electronic notifications to interested parties.
- 3) The remaining undeveloped portions of the County would either continue to be permitted by the District under any proposed agreement or are already in the process of being built.
- 4) Workload and permit activity in the County has decreased

Staff Contacts: Robert M. Brown, Director, Environmental Resource Regulation Department, (561) 682-6283

**Susan Martin, Sr. Specialist Attorney,
Office of Counsel, (561) 682-6251**