

MEMORANDUM

TO: Governing Board Members

FROM: Sheryl G. Wood, General Counsel

DATE: April 28, 2009

SUBJECT: Action Required
Authorization to enter into an Interagency Agreement with the SWFWMD concerning permitting a project in Polk County

Background

The Lake Marion Development Group, LLC, has submitted an environmental resource permit application for conceptual permitting of the master surface water management system to serve the 827 acre Lake Marion MUPUD/RPUD development located in Sections 25 and 36 of Township 27S, Range 27E, Section 6 of Township 28S, Range 28E, Section 1 of Township 28Sm Range 27E, and Section 31 of Township 27S, Range 28E, Polk County. The property on which the project is located is within the jurisdictional boundaries of both the SFWMD and the SWFWMD. There is an existing formal determination of wetlands (No. 42032268.000) for the project issued by the SWFWMD. Section 373.046(6), Fla. Stat., authorizes a water management district to designate, through an interagency agreement, regulatory responsibility to another water management district over a project which crosses the jurisdictional boundary of both districts. Staff for the SFWMD and SWFWMD have met and agreed it would be most effective for the SWFWMD to be responsible for reviewing and taking appropriate actions on the environmental resource permit application for this project.

How this helps meet the District's 10 year Strategic Plan

This agreement helps save District expenditures while assuring protection of water resources by allowing the SWFWMD to effectively regulate this activity.

Funding Source

No funding is necessary as a result of entering into this agreement.

This Board item impacts what areas of the District, both resource areas and geography?

The subject property is located in Polk County.

What concerns could this Board item raise?

This matter should not raise any concerns.

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Why should the Governing Board approve this item?

The Governing Board should approve this item because the agreement most effectively provides for regulatory protection of water resources while at the same time preserving district funds.

If you have any questions, please do not hesitate to call me at extension 6976.

SGW/dm