

MEMORANDUM

TO: Governing Board Members

FROM: Deena Reppen, Deputy Executive Director, Regulation and Public Affairs

DATE: February 2, 2011

SUBJECT: A Resolution of the Governing Board of the South Florida Water Management District to authorize the District to enter into a Memorandum of Understanding with the State of Florida Department of Agriculture and Consumer Services and the State of Florida Department of Environmental Protection regarding “Northern Everglades Payment for Environmental Services”, pursuant to the Northern Everglades and Estuaries Protection Program, providing an effective date. (Agreement Number 4600002370)

Background: The Governing Board of the South Florida Water Management District approved the initial Memorandum of Understanding (MOU) with the Florida Department of Agriculture and Consumer Services (FDACS) and Florida Department of Environmental Protection (FDEP) dated August 23, 2006 for the voluntary creation or restoration of wetlands under the Florida Ranchlands Environmental Services Project (FRESP) and the subsequent re-conversion of the created or restored wetlands to agricultural activities or practices that are compatible with the maintenance of applicable state water quality standards in receiving or adjacent waters of the state shall qualify for a “de minimis” exemption under Section 373.406(6) F. S. The initial MOU needed to be updated in concert with the Dispersed Water Management Program Northern Everglades – Payment for Environmental Services (NE-PES) solicitation which has been recently released. The updated MOU acknowledges the voluntary program to restore hydrology to drained agricultural lands and allows for the hydrologic reversion to a baseline condition (equivalent to a typical water management practice) after the NE-PES contracts have expired, providing that all Environmental Resource Permitting or exemption (Section 373.406(9), F.S. requirements have been met.

How this helps meet the District’s 10-year Strategic Plan:

The agreement will support the projects listed in the District’s Annual Work Plan that are linked to the 10-Year Strategic Plan and is the most efficient utilization of resources to achieve program goals.

Funding Source: Not applicable

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

The Resource Areas impacted by the referenced amendment are Everglades Restoration, Operations and Regulation and Public Affairs.

What concerns could this Board item raise?

This MOU is a component of the streamlined permitting process developed for the Dispersed Water Management Program Northern Everglades - Payment for Environmental Services Program. Should this updated MOU not be approved, the success of the program in providing collaborative water and nutrient retention projects will be negatively impacted.

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Why should the Governing Board approve this item?

The approval of the referenced amendment is critical to continuing the established Northern Everglades agency collaboration in the most efficient manner to achieve the Northern Everglades water quality improvement and water retention goals, which is critical to the health of the watersheds.

If you have any questions, please do not hesitate to call me at ext. 6232.

DR/bw