

1 management district over a project which crosses the jurisdictional boundaries of both
2 districts; now therefore

3 **BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA**
4 **WATER MANAGEMENT DISTRICT:**

5 **Section 1.** The Governing Board of the South Florida Water Management District
6 hereby authorizes the execution of the Interagency Agreement with the Southwest Florida
7 Water Management District, which is attached hereto and incorporated herein.

8 **Section 2.** This resolution shall take effect immediately upon adoption.

9

10 **PASSED and ADOPTED** this ____ day of _____, 2012.

11 SOUTH FLORIDA WATER MANAGEMENT
12 DISTRICT, BY ITS GOVERNING BOARD

13

14 By: _____
15 Chair

16

17 ATTEST:

18

19 _____
20 District Clerk

21

22 BY: _____
23 Office of Counsel

24

**INTERAGENCY AGREEMENT BETWEEN
THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND
THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT FOR
DESIGNATION OF REGULATORY RESPONSIBILITY FOR THE
NEW DESTINY ASSEMBLY OF GOD, INC. EXPANSION IN POLK COUNTY, FLORIDA**

THIS INTERAGENCY AGREEMENT is made and entered into by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (hereinafter "SWFWMD") and the SOUTH FLORIDA WATER MANAGEMENT DISTRICT (hereinafter "SFWMMD").

WITNESSETH:

WHEREAS, New Destiny Assembly of God, Inc. is preparing design plans for the modification of an existing surface water management system to serve a planned expansion of its existing church building and associated parking in Sections 7 and 12, Township 26 South, Ranges 27 and 28 East in Polk County, Florida and as shown on the plans attached hereto as Exhibit "A" (the "Project"); and

WHEREAS, the Project and requested improvements subject to regulatory review are located within the jurisdictional boundaries of both the SWFWMD and SFWMMD; and

WHEREAS, the Project discharges into the Kissimmee River Basin within the SFWMMD; and

WHEREAS, if one agency is responsible for the permitting, it will greatly reduce the application review time and ensure consistency throughout the Kissimmee River Basin; and

WHEREAS, neither SWFWMD nor SFWMMD has prior permitting history for the Project; and

WHEREAS, Section 373.046(6), Florida Statutes ("F.S.") 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 boundaries of both districts; and

WHEREAS, the SWFWMD desire to designate the SFWMMD as the water management district with the regulatory responsibility for the construction and operation of a surface water management system for the Project.

WHEREAS, any Consumptive Use Permitting under Part II of Chapter 373, F.S., for the Project that falls within the jurisdictional boundaries of the SFWMMD, will be conducted by SFWMMD; and

NOW, THEREFORE, SWFWMD and SFWMMD, under the authority of Section 373.046(6), F.S., hereby agree as follows:

1. SWFWMD hereby designates to SFWMMD regulatory responsibilities under Part IV of Chapter 373, F.S., for those activities by New Destiny Assembly of God, Inc., its agents and assigns, which are associated with the construction and operation of a surface water management system and water quality for the Project.

2. The modifications of any permits issued for the Project pursuant to Part IV of Chapter 373, F.S., shall also be processed by the SFWMD.

3. This Agreement will commence upon execution by all parties and will remain in effect until all parties mutually agree in writing to terminate this Agreement.

IN WITNESS WHEREOF, each party, or its lawful representative, has executed this Agreement on the date set forth next to its signature below.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

Attest: _____
Douglas B. Tharp
Secretary

By: _____
H. Paul Senft, Jr.
Chair

Approved as to Legal Form and Content

Attorney

Date: _____

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT

Attest: _____
Secretary

By: _____
Joe Collins
Chair

Approved as to Legal Form and Content

Attorney

Date: _____