

Contract



FILE DIVISION BARCODED
TARGETS

INTERAGENCY AGREEMENT BETWEEN
SUWANNEE RIVER WATER MANAGEMENT DISTRICT
AND
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
CONCERNING
APPLICATIONS FOR PROJECTS INVOLVING THE CONSTRUCTION
AND OPERATION OF UNDERGROUND INJECTION OF WATER FACILITIES

THIS INTERAGENCY AGREEMENT (this "Agreement"), by and between SUWANNEE RIVER WATER MANAGEMENT DISTRICT, (the "SRWMD") and FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, f/k/a the Florida Department of Environmental Regulation, (the "Department") (the SRWMD and the Department may be referred to collectively as the "Parties"), is entered into this 29th day of February, 2016.

WITNESSETH:

WHEREAS, the Parties entered into an Interagency Agreement on September 16, 1982, a copy of which is attached hereto as Exhibit "A", (the "Original Interagency Agreement"); and,

WHEREAS, the Original Interagency Agreement concerned public drinking water well applications, applications for projects involving the construction and operation of artificial recharge facilities, and applications for projects utilizing land disposal of treated wastewaters; and,

WHEREAS, the Parties wish to terminate the Original Interagency Agreement and replace it with this Agreement; and,

WHEREAS, Section 373.106(1), Florida Statutes (2015), requires that "[n]o construction may be begun on a project involving artificial recharge or the intentional introduction of water into any underground formation except as permitted in chapter 377, without the written permission of the governing board of any water management district within which the construction will take place. Such application shall contain the detailed plans and specifications for the construction of the project;" and,

WHEREAS, Section 373.106(2), Florida Statutes (2015), provides each water management district with the exclusive authority to process and issue permits involving artificial recharge or the intentional introduction of water into any underground formation, except permits required by the Department pursuant to 42 U.S.C. s. 300h (the Underground Injection Control Program); and,

WHEREAS, the Department regulates artificial recharge projects and projects relating to the intentional introduction of water into underground formations under its State Underground

Injection Control (UIC) Program in Chapter 62-528, Florida Administrative Code, and does not delegate that authority to SRWMD by this Agreement;


WHEREAS, the Parties wish to minimize duplication of effort and permitting requirements by providing that only the Department will review those applications and approve those permits which are covered by Chapter 62-528, Florida Administrative Code.

THEREFORE, THE PARTIES AGREE TO THE FOLLOWING:

- A) The above recitals are incorporated herein by reference as an integral part hereof.
- B) The Original Interagency Agreement is hereby terminated in its entirety.
- C) The following shall apply to all projects for which written permission is required pursuant to Section 373.106(1), Florida Statutes, and which fall within the geographic boundaries of SRWMD:
 - 1. The Department shall continue to be responsible for reviewing all applications under Chapter 62-528, Florida Administrative Code.
 - 2. The Department's approval of a permit under Chapter 62-528, Florida Administrative Code, shall also be considered written permission by the SRWMD Governing Board under Section 373.106, Florida Statutes.
- D) This Agreement shall take effect upon execution by both of the Parties and SRWMD's adoption of a rule amendment that incorporates this Agreement by reference.


SUWANNEE RIVER WATER MANAGEMENT DISTRICT

By:

 Date: 2/9/10
Noah Valenstein
Executive Director

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By:

 Date: 2-29-10
Jonathan P. Steverson
Secretary