

1/26/82

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In Re: Authorization to the South Florida)
Water Management District to Admin-)
ister, Enforce and Defend Chapter) Order No.
17-25, Florida Administrative Code)

ORDER

In an effort to develop a more effective program to control the pollution caused by stormwater discharges, the Department of Environmental Regulation ("Department"), pursuant to Sections 403.021(4), 403.061(27), and 403.812, Florida Statutes, hereby exercises its discretion to authorize the South Florida Water Management District ("District"), to administer, enforce and defend Chapter 17-25, Florida Administrative Code, as set forth herein.

1. Beginning February 1, 1982, the District is delegated the authority to regulate water quality impacts of stormwater discharges pursuant to Chapter 403, Florida Statutes, and Chapter 17-25, Florida Administrative Code, throughout the District's geographic jurisdiction.

2. The District shall administer all aspects of the water quality regulatory program for stormwater discharges, including review of permit applications, issuance or denial of permits, and the enforcement and defense of District actions taken pursuant to Chapter 17-25.09.

3. This delegation shall not apply to stormwater discharge facilities constructed by the District. The water quality impacts of such facilities shall continue to be regulated by

the Department.

4. This delegation is contingent upon adoption by the District of Chapter 40E-4, as amended and set forth in Section 17-25.09.

5. The review of applications to construct stormwater discharge facilities received by the Department prior to February 1, 1982, shall be completed by the Department, unless the permit applicant provides a written waiver of the time requirements of Chapter 120, Florida Statutes, and requests that the application be forwarded to the District for review and action. Permit applications that were received by the Department fewer than thirty days prior to February 1, 1982, must be formally withdrawn and a new application must be submitted to the District, if the applicant wishes to have the District issue the permit.

6. The Department and District will execute an operating agreement to coordinate the review of applications to construct stormwater discharge facilities that will require a dredge and fill permit from the Department. The agreement will simplify the procedural requirements imposed on permit applicants.


7. In order that the Department may evaluate this delegation of water quality regulation of stormwater discharges to the District, information regarding permits and the permitting program shall be provided to the Department upon request.

8. This delegation shall continue from year to year unless and until the Department or the District provides

written notice of termination, signed by the head of the agency, at least ninety (90) days prior to the proposed termination date.

DONE AND ORDERED this 6th day of January, 1982, in Tallahassee, Leon County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION


Victoria J. Tschinkel
Secretary

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