

86-3 (10)  
03/24/86

BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

In Re: Delegation to the Suwannee River )  
Water Management District to )  
Administer, Enforce and Defend ) OGC No. 86-0257  
Chapter 17-25, Florida )  
Administrative Code )  
\_\_\_\_\_)

ORDER

Pursuant to Section 403.812(1), Florida Statutes (Section 68 of Chapter 83-310, Laws of Florida 1983) the Department of Environmental Regulation (Department), hereby delegates its powers and duties pertaining to the administration of the Department's "Regulation of Stormwater Rule," Chapter 17-25, Florida Administrative Code, to the Suwannee River Water Management District (District).

1. Beginning April 1, 1986, the District is delegated the powers and duties pertaining to the administration of Chapter 17-25, Florida Administrative Code, "Regulation of Stormwater Discharge," with full power to administer the rule's requirements through implementation of Chapter 40B-4, F.A.C. This includes but is not limited to, procedural and substantive licensing and water quality rules and standards set forth in Chapters 17-103, 17-3, and 17-4, Florida Administrative Code; and including full power pursuant to Sections 403.121 through 403.161, Florida Statutes, to enforce such rules, throughout the District's geographic jurisdiction.

2. The District shall administer all aspects of the regulation of stormwater discharges relative to construction of stormwater discharge facilities, including processing of general permits, review of individual permit applications, issuance or denial of permits, and the enforcement and defense of District actions taken pursuant to delegated Chapter 403, Florida Statutes, and Chapter 17-25 Florida Administrative Code, authority as implemented by Chapter 40B-4, F.A.C.

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. The processing of permit applications to construct stormwater discharge facilities received by the Department prior to April 1, 1986, shall be completed by the Department, unless the applicant provides a written waiver of the time requirement of Chapter 120, Florida Statutes, and requests that the application be forwarded to the District for review and action. New notices and permit applications that are received by the Department after April 1, 1986, will be immediately returned to the applicant with instructions to apply to the District for processing in accordance with this delegation.

5. The Department and District shall execute an operating agreement to coordinate the review of applications to construct stormwater discharge facilities that will require a dredge and fill, industrial waste, hazardous waste or solid waste permit from the Department.

6. In order that the Department may be periodically informed regarding regulation of stormwater discharge facilities by the District, information regarding permits and the permitting program shall be provided to the Department upon request.

7. This delegation may be rescinded by the Department only if the Secretary determines that such delegation is not being carried out in accordance with the provisions of Section 403.812, Florida Statutes.

DONE AND ORDERED this 21 day of March, 1986, in Tallahassee, Leon County, Florida.

FILING AND ACKNOWLEDGEMENT  
FILED, on this date, pursuant to S120.52 (9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Peggy L. Brown      3-21-86  
Clerk      Date

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

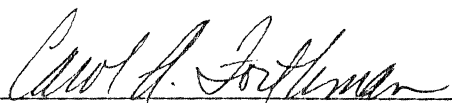
Victoria J. Tschinkel  
VICTORIA J. TSCHINKEL  
Secretary

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32301  
Telephone: (904) 488-4805

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing ORDER has been furnished by United States Mail to Donald O. Morgan, Executive Director, Suwannee River Water Management District, Route 3, Box 64, Live Oak, Florida 32060 on this 24<sup>th</sup> day of March, 1986, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

  
CAROL A. FORTHMAN  
Assistant General Counsel

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