

**MEMORANDUM OF AGREEMENT**  
**Between**  
**The Florida Department of Environmental Protection**  
**Florida Sea Grant College Program**  
**and**  
**West Coast Inland Navigation District**  
**Relating To**  
**Management of Public Waterways**  
**In Southwest Florida**

Article I

WHEREAS, a foundational Memorandum of Agreement was entered into by the Florida Department of Environmental Protection (FDEP), the Florida Sea Grant College Program (Florida Sea Grant), and the West Coast Inland Navigation District (WCIND or the District) on September 26, 1997, whereby the parties agreed to work together in implementing a regional approach to waterway planning and permitting; and

WHEREAS, the 1997 Agreement has been successful in creating awareness of the mutual goals and objectives of the parties regarding the condition of the natural resources, and strategies for maintaining sensitive access through these resources, while preserving the viability and sustainability of these resources; and

WHEREAS, the close collaboration of the parties resulted in strategic and meaningful waterway improvements within the District including the development of Rule 62-341.490, F.A.C., granting a noticed general permit to WCIND to maintain public navigation channels and canals within trafficsheds located in Manatee County and Sarasota County, Florida, and the development of Rule 62.341.494, F.A.C., granting a noticed general permit to WCIND to maintain public navigation channels and canals within trafficsheds located in Lee County, Florida, and

WHEREAS, the public costs associated with waterway improvements conducted in a regional fashion reflect a favorable cost to benefit ratio regarding the expenditure of public funds; and

WHEREAS, the Florida Sea Grant College Program has been recognized and commended for its activities, projects, and products using the four county WCIND jurisdiction (Manatee, Sarasota, Charlotte, and Lee) as a "laboratory" for the invention of an atmosphere for balancing recreational boating and resource protection; and these collaborative principles have been published in Volume 43:962-97 of the Journal of Environmental Management (2009) which includes co-author representatives of the parties to this agreement; and

WHEREAS, in Section 374.975(1), Florida Statutes, The Florida Legislature confirms that it is in the public interest for inland navigation districts to operate and maintain the

intracoastal waterway and other public navigation channels authorized by the Board of Trustees of the Internal Improvement Trust Fund; and

WHEREAS, Subsection 403.061(39), Florida Statutes, authorizes the Department to enter into a memorandum of agreement with the WCIND to provide a supplemental process for issuance of Joint Coastal Permits under Section 161.055, Florida Statutes, or environmental resource permits under Part IV of Chapter 373, Florida Statutes, for regional waterway management activities, including maintenance dredging, spoil disposal, public recreation, inlet management, beach nourishment, and environmental protection directly related to public navigation and the construction, maintenance, and operation of Florida's inland waterways, and to adopt rules to implement this process;

NOW THEREFORE, in accordance with the purposes of this Memorandum of Agreement, the parties hereto agree:

#### Goal 1

To continue working together to implement a regional approach to waterway planning, the tools of which can have far-reaching benefits not only for development of rules and long-term planning, but also in assisting in the evaluation of cumulative impacts.

#### Goal 2

To continue development and adoption of streamlined processes for permit applications and reviews and state-owned submerged lands processes, including additional noticed general permits, utilizing methodologies developed by Florida Sea Grant and WCIND, and incorporating partnerships with governmental and non-governmental organizations to facilitate waterway planning and management.

#### Goal 3

Collaboratively develop and implement plans for effective disposal of dredged materials and restoration of submerged lands resources in a manner that provides for beneficial uses of dredged materials to the maximum extent practicable, full protection of water quality and submerged lands resources, and protection of public health, safety, and welfare. This includes developing long-term plans for dredged material disposal sites and rejuvenation of such sites so that they may be reused as conditions warrant.

#### Goal 4

To collaboratively develop and ensure consistent and uniform reviews of applications for permits or other authorizations, in recognition of the fact that the WCIND's area of jurisdiction overlaps two FDEP District offices. To meet these objectives the WCIND shall continue to work with FDEP's District and Tallahassee offices.

Article II.

- A. This agreement shall become effective upon execution by all parties.
- B. This agreement may be terminated at any time by mutual consent, or any party may withdraw by providing 60 days written notice to the other parties.
- C. This agreement includes the waterways of Manatee, Sarasota, Charlotte and Lee.
- D. This agreement provides an effective avenue for pursuing changes to existing laws, rules or policies that are determined to be problematic. Although encouraging appropriate changes in support of the foregoing principles, this agreement in and of itself in no way waives or modifies any existing laws, rules, or policies governing the activities of any party.
- E. Local governments and local waterfront community organizations are recognized as critical players and the parties to this agreement will actively seek their input and participation.

IN WITNESS WHEREOF, this memorandum of agreement has been executed by authorized representatives of each party on the respective dates shown below.

Department of Environmental Protection *Mimi Drew*  
Date: 7-1-10

Florida Sea Grant College Program *Karl Haween*  
Date: June 4, 2010

West Coast Inland Navigation District *Charles W. Little*  
Date: JUNE 11, 2010