

AMENDED INTERAGENCY AGREEMENT BETWEEN
ST. JOHNS 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 ("Agreement"), by and between ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, hereinafter referred to as "SJRWMD" and FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, hereinafter referred to as the "Department" (collectively, "the Parties"), is entered into this 4th day of December, 2015.

WITNESSETH:

WHEREAS, the SJRWMD and the Department (formerly the Department of Environmental Regulation), entered into an Interagency Agreement on March 30, 1984, concerning applications for projects involving the construction and operation of underground injection of water facilities, hereinafter the "Original Interagency Agreement;"

WHEREAS, the Parties wish to replace in its entirety the Original Interagency Agreement with this Agreement;

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;"

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);

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 SJRWMD by this Agreement;

WHEREAS, both parties want to minimize duplication of effort and permitting requirements; and

THEREFORE, THE PARTIES AGREE TO THE FOLLOWING:

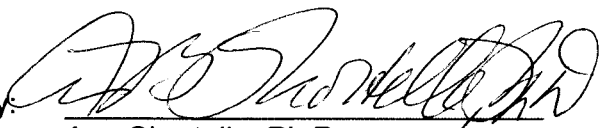
A) This Agreement replaces in its entirety the Original Interagency Agreement between the Parties entered into on March 30, 1984, (a copy of which is attached hereto as Exhibit A).

B) 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 SJRWMD:


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 SJRWMD Governing Board under Section 373.106, Florida Statutes.

C) This Agreement shall take effect upon execution by both parties and SJRWMD's adoption of a rule amendment that incorporates this Agreement by reference.

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

By:  Date: 12-4-15
Ann Shortelle, Ph.D.
Executive Director

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By:  Date: 12-4-15
Jonathan P. Steverson
Secretary

DER Contract No. ADM 126

APR 5 1984

AGREEMENT

Between

Office of
Executive Director

THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

And

THE DEPARTMENT OF ENVIRONMENTAL REGULATION

Concerning

APPLICATIONS FOR PROJECTS INVOLVING THE CONSTRUCTION
AND OPERATION OF UNDERGROUND INJECTION OF WATER FACILITIES

THIS AGREEMENT, made and entered into this 30 day of
March, 1984, by and between the St. Johns River
Water Management District, hereinafter referred to as "SJRWMD",
And the Department of Environmental Regulation, hereinafter
referred to as "DER" and to be effective April 5,
1984.

W I T N E S S E T H:

WHEREAS, SJRWMD is required by Chapter 373.106(1) to accept
and consider permit applications for projects involving artifi-
cial recharge or the intentional introduction of water into any
underground formation (with exceptions); and

WHEREAS, DER regulates projects involving underground injec-
tion under Chapter 17-28, Florida Administrative Code, and does
not delegate that authority to SJRWMD by this agreement; and

WHEREAS, both agencies want to minimize duplication of
effort and permitting requirements;

THEREFORE, SJRWMD and DER agree that the following proce-
dures shall apply to all artificial recharge and underground
injection of water systems which involve the intentional intro-
duction of fluids into any underground formation and for which a
permit is required under Chapter 17-28, Florida Administrative
Code, and which fall within the geographic boundaries of SJRWMD.

1. Application for an injection well permit may be received
at the Department of Environmental Regulation District offices,

or at SJRWMD headquarters in Palatka. The application shall be made on appropriate DER forms.

2. Not later than two (2) working days following receipt of an injection well application, DER or SJRWMD shall mail or deliver to the other a copy of the application and all applicable supporting documents. DER is to retain the original application and appropriate fee.

3. DER shall promptly review all applications and will request additional information as necessary from the applicants, providing copies of such requests to SJRWMD. DER shall coordinate its final review of application completeness with SJRWMD. SJRWMD will advise DER of necessary additional information within 15 days of receipt of the application. DER shall notify applicants of deficiencies within 30 days of receipt of the application. DER shall forward a copy of additional materials to SJRWMD upon receipt and shall inform SJRWMD when each application is complete.

4. SJRWMD shall take final District action pursuant to its rules within a reasonable time not to exceed 50 days after notification by DER of a completed application, and provide to the Department written authorization with conditions or denial with the reasons attached. Any authorization or denial by SJRWMD shall specifically state that any substantially affected person has the right to request a hearing pursuant to Chapter 120, Florida Statutes. SJRWMD shall apply the standards contained in Chapter 17-28, Florida Administrative Code, the policy contained in Chapter 17-40, Florida Administrative Code, and the policy and standards contained in Chapter 373, Florida Statutes, in rendering its decision. DER shall be promptly notified of such action and the authorization or denial shall be made part of the permit or official file as appropriate. DER shall not take final agency action on such applications within this time frame without notifying SJRWMD. No construction may begin on a project involving artificial recharge or the intentional introduction of fluids

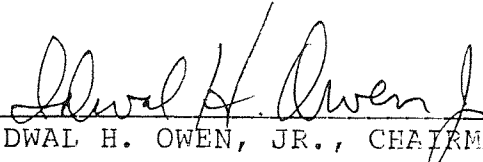
into any underground formation except as permitted by Chapter 373, Florida Statutes, without written authorization of the Governing Board of SJRWMD and a permit issued by DER under Chapter 17-28, Florida Administrative Code.

5. When a project involves a Class I or III injection well (as defined in Chapter 17-28, Florida Administrative Code), DER shall form a Technical Advisory Committee (TAC) to offer advice in the permitting process. DER may form a TAC for a Class V injection well at its discretion. Any TAC formed shall, at a minimum, consist of one DER and one SJRWMD representative and shall be chaired by DER. SJRWMD will notify DER of any preliminary contacts from potential injection well permit applicants so that the TAC may be formed prior to application submittal.

6. SJRWMD agrees to assist DER with Class V injection well owner notification procedures. By mutual consent, DER and SJRWMD may exchange computerized groundwater data.

IN WITNESS WHEREOF, the SJRWMD and DER have executed this Agreement as of the date first above written.

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT



IDWAL H. OWEN, JR., CHAIRMAN

Dated: 3/14/84

ATTEST:



LYNNE C. CAPEHART, SECRETARY

DEPARTMENT OF ENVIRONMENTAL REGULATION



VICTORIA J. TSCHINKEL, SECRETARY

Dated: March 30, 1984

ATTEST:

LEGAL FORM AND CONTENT APPROVED:

Paul G. Rosenthal

, BOARD COUNSEL