



# Broward County

## Legislation Details (With Text)

<b>File #:</b>	22-038	<b>Version:</b>	1
		<b>Status:</b>	Agenda Ready
		<b>In control:</b>	Resilient Environment - Environmental Permitting Division
<b>On agenda:</b>	1/25/2022	<b>Final action:</b>	1/25/2022
<b>Title:</b>	MOTION TO APPROVE Coordination Agreement (Agreement) with the U.S. Army Corps of Engineers (Corps) for the delegation of the State Programmatic General Permit (SPGP), and authorize Mayor and Clerk to execute same.		
<b>Sponsors:</b>			
<b>Indexes:</b>	Established Commission Goals		
<b>Code sections:</b>			
<b>Attachments:</b>	1. Exhibit 1 - SPGP VI 35 pages, 2. Exhibit 2 - SPGP VI ACOE Coordination Agreement - 7 pages		

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** Leonard Vialpando

**Department:** Resilient Environment      **Division:** Environmental Permitting Division

### Information

#### **Requested Action**

MOTION TO APPROVE Coordination Agreement (Agreement) with the U.S. Army Corps of Engineers (Corps) for the delegation of the State Programmatic General Permit (SPGP), and authorize Mayor and Clerk to execute same.

#### **Why Action is Necessary**

Board action is necessary to approve an Agreement with the Corps.

#### **What Action Accomplishes**

Authorizes the County to issue SPGP approvals for certain projects on behalf of the Corps.

#### **Is this Action Goal Related**

Yes

#### **Previous Action Taken**

None.

#### **Summary Explanation/Background**

THE RESILIENT ENVIRONMENT DEPARTMENT AND THE ENVIRONMENTAL PERMITTING DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

This item supports the Board's Value of "Consistently delivering responsive, efficient, quality services

to the public and internal customers.” Specifically, Goal 4: “Build into every process and service effective checks and balances that do not cause inefficiency, but rather ensure consistency, continuity, and quality.”

The Corps and the Florida Department of Environmental Protection developed a State Programmatic General Permit (Exhibit 1) for use throughout the State for specific activities in navigable waters of the United States. Under this delegation, the activities include: 1) shoreline stabilization, 2) pile supported structures, 3) scientific studies, 4) boat ramps, 5) aquatic habitat enhancement, and 6) marine debris removal.

Upon implementation of the Agreement (Exhibit 2), Broward County will be responsible for reviewing documents related to the issuance of the Corps SPGP approvals, conducting inspections, initiating enforcement actions as necessary, providing application notifications to the National Marine Fisheries Service, and submitting quarterly reports related to those activities to the Corps. Approximately 300 applications are anticipated annually. Inspections are required for 10% of the approvals issued annually. Projects that do not meet the requirements for a SPGP will be referred to the Corps for processing.

This delegation will provide “one-stop-shop” licensing/permitting services to the regulated community by allowing the County to issue SPGP approvals in addition to County Environmental Resource Licenses and State delegated Environmental Resource Permits (delegated in 2001).

This Agreement references the Environmental Protection and Growth Management Department, which is now known as the Resilient Environment Department, and has been approved as to form by the Office of the County Attorney. The Corps will execute this Agreement after execution by the County. The Agreement provides for a 90-day termination by either party upon written notice. Federal authorization of SPGP VI expires July 27, 2026 but may be replaced with a new SPGP program. The Agreement was developed by the Corps and thus does not include many of the County’s standard terms.

### **Source of Additional Information**

David Vanlandingham, Director, Environmental Permitting Division, 954-519-1478

### **Fiscal Impact**

#### **Fiscal Impact/Cost Summary**

There are no application fees associated with the applications for SPGP approvals; however, there will be additional concurrent applications for State delegated ERP permits and exemptions with fees ranging from \$100 to \$250 each. The County will realize estimated revenue between \$30,000 - \$40,000 per year from these application fees.