

It is the intent of this Agency Operating Agreement (AOA) to implement the ETDM process for all transportation projects in the State of Florida that require coordination, consultation, and compliance with the following agency's laws, regulations, orders, and statutes.

Agency	Citation
Florida Department of Transportation & Federal Highway Administration	<ul style="list-style-type: none"> National Environmental Policy Act (NEPA) of 1969 40 CFR 1500-1508 Section 334.044(2) Florida Statutes USDOT Order 5610.1C USDOT Order 5650.2 E.O. 11990/USDOT Order 5660.1A Technical Advisory 6640.8A Title 6, 7 of the US Civil Rights Act of 1964 and ADA Compliance Title 23, CFR 771 Federal Aid Policy Guide Section 4(f) of the USDOT Act of 1966 16 USC 470(f), Public Laws 89-665, 91-243, 93-54, 94-422, 94-458, 96-515 National Historic Preservation Act EO 11990 EO 11988 23 CFR 650A
US Army Corps of Engineers	<p>Regulatory Authority</p> <ul style="list-style-type: none"> Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) Section 404 of the Clean Water Act (33 U.S.C. 1344) <p>Related Laws</p> <ul style="list-style-type: none"> Section 401 of the Clean Water Act (33 U.S.C. 1341) Section 307 (c) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456(c)) The National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347)
US Fish and Wildlife Service	<ul style="list-style-type: none"> 16 USC 661, Fish and Wildlife Coordination Act of 1956 16 USC 742f(a)(4), Fish and Wildlife Act of 1956 16 USC 662, Section 2 Fish and Wildlife Coordination Act 16 USC 1531, Coastal Zone Management Act of 1972 16 USC 1536, Section 7, 9 & 10 Endangered Species Act of 1973, as amended 16 USC 1536, (a)-(d) Endangered Species Act, as amended Federal Coastal Barriers Resource Act (COBRA) 16 USC 703-711, Migratory Bird Treaty Act

Agency	Citation
National Marine Fisheries	<ul style="list-style-type: none"> • 16 USC 1536, (a)-(d) Endangered Species Act, as amended • 16 USC 1531, Coastal Zone Management Act of 1972 • 16 USC 1855 (b), Magnuson-Stevens Fishery Conservation and Management Act
Natural Resource Conservation Service	<ul style="list-style-type: none"> • Farmlands Protection Policy Act of 1981 (7USC 4201)
U.S. Environmental Protection Agency	<ul style="list-style-type: none"> • 36 Code of Federal Regulations Parts 60 and 63 • 40 Code of Federal Regulations 81 • 40 Code of Federal Regulations 93, Subpart T • 40 Code of Federal Regulations Part 93, Title 1 • EPA NPDES Permit for Stormwater from Construction Activities • NPDES General Permit for Stormwater Discharge from Construction Sites • Safe Drinking Water Act • Resource Conservation and Recovery Act (RCRA) • Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) • Clean Water Act of 1977 (33 U.S.C. 1251)
US Coast Guard	<ul style="list-style-type: none"> • Section 9 of the Rivers and Harbors Act of 1899 • General Bridge Act of 1946: Delegation of Authority (49CFR 1.46) • National Environmental Policy Act of 1969 • Section 4(f) of the USDOT Act of 1966
Federal Transit Administration	<ul style="list-style-type: none"> • National Environmental Policy Act of 1969 • FTA Section 5309 New Starts Funding • 23 CFR • Section 4(f) of the USDOT Act of 1966 • National Historic Preservation Act of 1966 (36 CFR Part 800) • Council of Environmental Quality (CEQ) Regulations
Advisory Council on Historic Preservation	<ul style="list-style-type: none"> • National Historic Preservation Act of 1966 • 36 Code of Federal Regulations Part 800
National Park Service	<ul style="list-style-type: none"> • Wild and Scenic Rivers and National Trails Presidential Directive (8/2/79) • Section 6(f) • Director's Order #12

Agency	Citation
US Forest Service	<ul style="list-style-type: none"> • Organic Administrative Act of 1897 • Forest Highway Act of 1958 • Multiple Use-Sustained Yield Act of 1960 • Wilderness Act of 1964 • National Forest Roads and Trails Act of 1964 • National Historic Preservation Act of 1966 • Wild and Scenic Rivers Act of 1968 • National Environmental Policy Act of 1969 • Endangered Species Act of 1973 • Forest and Rangeland Renewable Resources Planning Act of 1974 • National Forest Management Act of 1976 • Clean Air Act of 1977 • Clean Water Act of 1977 • 36 Code of Federal Regulations Part 200
Florida Department of Environmental Protection	<p>Statutes Common to All Water Management Districts and the Department</p> <ul style="list-style-type: none"> • Chapter 120, F.S., Administrative Procedure Act • Chapter 253, F.S.,¹ State Lands • Chapter 258, F.S.,¹ State Parks and Preserves • Chapter 373, F.S., Water Resources • Chapter 403, F.S., Environmental Control <p>Rules Common to All Water Management Districts and the Department</p> <p><i>Procedural</i></p> <ul style="list-style-type: none"> • Chapter 28, Uniform Rules <p><i>Wetland Delineation</i></p> <ul style="list-style-type: none"> • Chapter 62-340, F.A.C., Delineation of the Landward Extent of Wetlands and Surface Waters Water Quality • Sections 62-4.242 and .244 (sections dealing with Outstanding Florida Waters, anti-degradation and mixing zones) • Chapter 62-302, Surface Water Quality Standards • Chapter 62-312, Dredge and Fill Activities (regarding dredging and filling within the Northwest Florida Water Management District, grandfathered activities under Part IV of Chapter 373, and activities in the Florida Keys) • Chapter 62-520, Groundwater Classes, Standards, and Exemptions • Chapter 62-522, Groundwater Permitting and Monitoring Requirements • Chapter 62-550, Drinking Water Standards, Monitoring, and Reporting

¹ Not currently used by the Northwest Florida Water Management District

Agency	Citation
Florida Department of Environmental Protection, Continued	<p><i>Delegations</i></p> <ul style="list-style-type: none"> Chapter 62-344, Delegation of the Environmental Resource Permit Program to Local Governments <p><i>Sovereign Submerged Lands¹</i></p> <ul style="list-style-type: none"> Chapter 18-14, Administrative Fines for Damaging State Lands or Products Thereof Chapter 18-18, Biscayne Bay Aquatic Preserve Chapter 18-20, Florida Aquatic Preserves Chapter 18-21, Sovereignty Submerged Lands Management <p><i>Application and Notice Forms¹</i></p> <ul style="list-style-type: none"> Joint Application for: Environmental Resource Permit, Authorization to Use State Owned Submerged Lands, Federal Dredge and Fill Permit (Form No. varies by District and Department) Petition for a Formal Wetland and Surface Water Determination (Form No. varies by District and Department) Construction Commencement Notice (Form No. varies by District and Department) Annual Status Report for Surface Water Management Systems Construction (Form No. varies by District and Department) Mitigation Bank Performance Bond (Form No. varies by District and Department) Mitigation Bank Irrevocable Letter of Credit (Form No. varies by District and Department) Mitigation Bank Standby Trust Fund Agreement (Construction and Implementation) (Form No. varies by District and Department) Mitigation Bank Trust Fund Agreement (Construction and Implementation) (Form No. varies by District and Department) Mitigation Bank Trust Fund Agreement (Perpetual Management) (Form No. varies by District and Department) Mitigation Bank Standby Trust Fund Agreement (Perpetual Management) (Form No. varies by District and Department)

Agency	Citation
Florida Department of Environmental Protection, Continued	<p><i>Noticed General Permits Related to Transportation Activities¹</i></p> <ul style="list-style-type: none"> • 40X²-400.439 & 62-341.439 General Permit for the Construction or Maintenance of Culverted Driveways, Road Crossings and Bridges of Artificial Waterways. • 40X-400.443 & 62-341.443 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation. • 40X-400.447 & 62-341.447 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements. • 40X-400.453 & 62-341.453 General Permit for Installation, Maintenance, Repair and Removal of Underground Cable, Conduit, or Pipeline. <p>Rules Specific to the Florida Department of Environmental Protection</p> <ul style="list-style-type: none"> • Chapter 62-4, Permits (sections dealing with permit fees statewide, and processing permits within the Northwest Florida Water Management District) • Chapter 62-25, Regulation of Stormwater Discharge (only within the limits of the Northwest Florida Water Management District) • Chapter 62-40, Water Resource Implementation Rule • Chapter 62-103, Rules of Administrative Procedure-Final Agency Action (Non Rulemaking and Appeal) • Chapter 62-110, Exceptions to the Uniform Rule of Procedure • Chapter 62-113, Delegations • Chapter 62-330, Environmental Resource Permitting (adopts by reference specific water management rules used in the ERP program) • Chapter 62-341, Noticed General Environmental Resource Permits • Chapter 62-342, Mitigation Banks • Chapter 62B-33, Coastal Construction Excavation • Chapter 62-B41, Application for Coastal Construction Permit • DEP Document No. 62-621.300(4)(A), General Permit for Stormwater Discharge <p>Florida's Coastal Zone Management Program (Chapter 163 of Florida Statutes)</p>

² Where "X" = "A" for Northwest Florida Water Management District
 "B" for Suwannee River Water Management District
 "C" for St. Johns River Water Management District
 "D" for Southwest Florida Water Management District
 "E" for South Florida Water Management District

Agency	Citation
Water Management Districts	<p>Rules Applicable to Specific Water Management Districts</p> <p><i>Northwest Florida Water Management District</i></p> <ul style="list-style-type: none"> • Chapter 40A-1, General and Procedural • Chapter 40A-4, Management and Storage of Surface Water • Chapter 40A-6, Works of the District <p><i>Suwannee River Water Management District</i></p> <ul style="list-style-type: none"> • Chapter 40B-1, General and Procedural Rules • Chapter 40B-4, Regulations • Chapter 40B-400, Environmental Resource Permits • Applicant's Handbook: Environmental Resource Permits <p><i>St. Johns River Water Management District</i></p> <ul style="list-style-type: none"> • Chapter 40C-1, Organization and Procedures • Chapter 40C-4: Environmental Resource Permits: Surface Water Management Systems • Chapter 40C-8: Minimum Flows and Levels • Chapter 40C-40: Standard Environmental Resource Permits • Chapter 40C-41: Environmental Resource Permits: Surface Water Management Basin Criteria • Chapter 40C-42: Environmental Resource Permits: Regulation of Stormwater Management Systems • Chapter 40C-400: Noticed General Environmental Resource Permits • Applicant's Handbook: Management and Storage of Surface Waters • Applicant's Handbook: Regulation of Stormwater Management Systems <p><i>Southwest Florida Water Management District</i></p> <ul style="list-style-type: none"> • Chapter 40D-4, Individual Environmental Resource Permits • Chapter 40D-6, Works of the District • Chapter 40D-40, Standard General Environmental Resource Permits • Chapter 40D-400, Environmental Resource Permit • Basis of Review for Environmental Resource Permits <p><i>South Florida Water Management District</i></p> <ul style="list-style-type: none"> • Chapter 40E-0, Exceptions to the Uniform Rules of Procedure • Chapter 40E-1, General and Procedural • Chapter 40E-4, Surface Water Management • Chapter 40E-40, General Surface Water Management Permits • Chapter 40E-41, Surface Water Management Basin and Related Criteria • Chapter 40E-400, No Notice and Noticed General Environmental Resource Permits • Basis of Review for Environmental Resource Permit Applications

Agency	Citation
Florida Fish and Wildlife Conservation Commission	<ul style="list-style-type: none"> • 16 USC 661, Fish and Wildlife Coordination Act of 1956 • 16 USC 1536, Section 7 of Endangered Species Act of 1973, as amended • 16 USC 703-711, Migratory Bird Treaty Act
State Historic Preservation Office	<ul style="list-style-type: none"> • National Historic Preservation Act of 1966 • 36 Code of Federal Regulations Part 800 • Florida Statutes, Chapters 253 and 267
Metropolitan Planning Organizations	<ul style="list-style-type: none"> • Florida Statutes, Chapter 339 • 23 USC 134 and citation for Clean Air Act
Florida Department of Community Affairs	<ul style="list-style-type: none"> • Organization, Powers, Duties and Functions (Section 20.18, F.S.) • Growth Policy, County and Municipal Planning, Land Development Regulations (Chapter 163, Part II, F.S.) • Community Redevelopment (Chapter 163, Part III, F.S.) • Emergency Management (Chapter 252, F.S.) • Energy Resources (Chapter 377, F.S.) • Land and Water Management (Chapter 380, F.S.) • Housing (Chapter 420, F.S.) • Flood Insurance (National Flood Insurance Reform Act) • Growth Management (Chapter 187) • Rule 9J-5 F.A.C.
Florida Department of Agriculture and Consumer Services	<ul style="list-style-type: none"> • Florida Constitution, Article 10, Section 18 Disposition of Conservation Lands (Division of Forestry) • Florida Statutes, Chapter 253 State Lands, Chapter 259 Land Acquisitions for Conservation or Recreation, Chapter 589 Forestry (Division of Forestry) • Board of Trustees Linear Facilities Policy (Division of Forestry) • Florida Statute Chapter 597 Florida Aquaculture Policy Act (Division of Aquaculture) • Florida Statute Chapter 581.185 and 581.186 Preservation of Native Flora of Florida (Division of Plant Industry)
Department of State	<ul style="list-style-type: none"> • Section 106 of the NHPA (Florida Statutes 253 and 267) • Section 110(f)