Message

From: Miller, Dee Ann [Dee.Ann.Miller@dep.state.fl.us]
Sent: 8/3/2020 11:20:59 PM
To: Jenkins, Brandi [Jenkins.Brandi@epa.gov]
Subject: RE: 404 News Release
Attachments: ATT00001.txt

Hey Brandi,

I talked with the Secretary again. Y'all are free to move forward on your end whenever you want to. We will not be doing anything on our end, however, until the letter is signed.

Thank you,

Dee Ann

From: Miller, Dee Ann
Sent: Monday, August 3, 2020 12:23 PM
To: Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: 404 News Release

Brandi,

Please see the approved quote for the Secretary. We still **do not** yet have confirmation regarding the letter signing. I will let you know just as soon as I hear.

Dee Ann

EPA Region 4 Administrator Mary S. Walker Signs Memorandum of Agreement to Help Advance Florida's Assumption of Clean Water Act Program

Media Contact: Allison Wise, (404) 562-8400 (Main), region4press@epa.gov

TALLAHASSEE, Fla. - (July 31, 2020) – Today, Mary S. Walker, Environmental Protection Agency (EPA) Region 4 Administrator, and Noah Valenstein, Secretary of the Florida Department of Environmental Protection (FDEP), signed a Memorandum of Agreement (MOA) representing the next step, and one of a number of required elements, for Florida to assume responsibility for issuing certain Clean Water Act permits. The state intends to include the MOA in its formal request to EPA for authorization to administer the Clean Water Act Section 404 program.

Today's action follows a complex rulemaking process at the state level, including years of discussions with EPA and constituency groups during the development process. The Clean Water Act provides for an interested state or tribe to administer its own program to regulate the discharge of dredged or fill material to certain waters of the United States in lieu of the U.S. Army Corps of Engineers.

"Florida is most familiar with its state aquatic resources and associated local conditions, issues and needs," **said Mary S. Walker, EPA Region 4 Administrator.** "This MOA represents a significant step forward in Florida's efforts to assume responsibility for issuing permits for the discharge of dredged or fill material to certain waters, and we look forward to working with FDEP as the process continues."

"We are proud to have reached this next phase in the assumption process," said FDEP Secretary Noah Valenstein. "State assumption of the 404 Program will enhance the protection of Florida's wetlands by affording the state greater control in guarding its natural resources while complying with federal law."

The Agreement sets forth the respective responsibilities of Florida and the EPA to administer and enforce the Clean Water Act Section 404 program and is a required component of any formal request to assume the program. The Agreement signed today is one of only three that has ever been executed by the EPA and a state or tribe, and no state or tribe has submitted a request to administer the Clean Water Act 404 program since 1994.

The EPA looks forward to receipt of the formal request from Florida and will work with the applicable government agencies to implement the review and consultation process set forth by the Clean Water Act and its implementing regulations. An assumed program must be consistent with and no less stringent than the requirements of the Clean Water Act and regulations. The EPA Regional Administrator has up to 120 days to review and determine whether the request for authorization meets all federal requirements. During the EPA's review, an opportunity will be provided for public input.

More information: https://www.epa.gov/cwa404g/basic-information-about-assumption-under-cwa-section-404

Dee Ann Miller
Communications Director
Florida Department of Environmental Protection
dee.ann.miller@FloridaDEP.gov
Office: 850.245.2114
Cell: Ex. 6 Personal Privacy (PP)