

## **STATEMENT OF AGENCY ORGANIZATION AND OPERATION**

*Initially created in 1949 as the Central and Southern Florida Flood Control District, the agency has evolved at the direction of the Florida Legislature into the multi-faceted South Florida Water Management District of today. With its long history and unique expertise, the agency has demonstrated its ability to adapt and change to best meet the needs of South Florida's environment and citizens.*

Headquartered in West Palm Beach, the South Florida Water Management District (SFWMD) is a regional governmental agency that oversees the water resources in the southern half of Florida – 16 counties from Orlando to the Florida Keys – and serves a population of more than 7.5 million. The SFWMD is the oldest and largest of the state's five water management districts.

Charged with safeguarding the region's water resources, the SFWMD is responsible for managing and protecting water quality, flood control, natural systems and water supply. A primary role is to operate and maintain an extensive water management network of canals and levees, water storage areas, pump stations and other water control structures. The SFWMD is also the lead agency in the federal-state initiative to restore America's Everglades – the largest environmental project in North America.

Direct links and strong working relationships with all levels of government, organizations, communities and public/private stakeholders are vital to carrying out shared water resource stewardship obligations.

### **Agency Head – Governing Board**

The Governing Board is the agency head of the South Florida Water Management District. The Governing Board sets policy and direction for the agency. The Governing Board comprises nine individuals each representing specific geographic areas within the District pursuant to Subsection 373.073(2)(d), Florida Statutes (F.S.). The Governing Board members are appointed by Florida's Governor and confirmed by the Florida Senate. Board members serve without pay, generally for staggered four-year terms. The Board elects its own officers, including a chair and vice-chair. The Governing Board also serves as the basin board of the area designated in Section 373.0693(10), F.S., known as the Okeechobee Basin. In addition to the powers and duties given to the Governing Board in Chapter 373, F.S., the Governing Board may exercise powers delegated to it by the Florida Department of Environmental Protection. The Governing Board also appoints the agency's Executive Director, subject to the Governor's approval and confirmation by the Florida Senate. The Executive Director, Assistant Executive Director, Deputy Executive Directors and a staff of approximately 1842 employees carry out the Board's directives. Current Board members are:

**Eric Buermann, Chair**, Current term: April 5, 2007 to March 1, 2011; Area: Miami-Dade County

**Jerry Montgomery, Vice-Chair**, Current term: April 7, 2008 to March 1, 2012; Area: Glades, Highlands, Okeechobee, Orange, Osceola and Polk Counties

**Anne 'Sandy' Batchelor-Robjohns**, Current term: February 24, 2010 to March 1, 2012; Area: Miami-Dade County

**Joe Collins** - Current term: July 20, 2009 to March 1, 2013; At-Large Member for an area which includes Charlotte, Collier, Glades, Hendry, Highlands, Lee, Okeechobee, Orange, Osceola and Polk Counties

**Charles Dauray**, Current term: April 5, 2007 to March 1, 2011; Areas: Collier, Lee, Hendry and Charlotte Counties

**Shannon Estenoz**, Initially appointed April 27, 2007; Current term: March 1, 2010 to March 1, 2014; Area: Broward County

**Kevin Powers**, Current term: July 20, 2009 to March 1, 2013; At-Large Member for an area which includes St. Lucie, Martin, Palm Beach, Broward, Miami-Dade and Monroe Counties

**Glenn Waldman**, Current term: February 24, 2010 to March 1, 2014; At-Large Member for an area which includes St. Lucie, Martin, Palm Beach, Broward, Miami-Dade and Monroe Counties

**Vacancy**, Current term: Vacancy occurred June 18, 2010 and remaining term ends March 1, 2011; Area: Palm Beach County

The South Florida Water Management District's Governing Board meets on the second Wednesday and Thursday of each month, unless otherwise announced. Occasionally, the Board schedules additional special meetings. Notice of Governing Board meetings is published in the Florida Administrative Weekly. Governing Board Agendas are posted one week prior to scheduled meetings and can be viewed on the District's website: [www.sfwmd.gov](http://www.sfwmd.gov) or are available upon request seven (7) days in advance of the date of the Governing Board meeting from the District Clerk.

### **The Big Cypress Basin Board**

The Big Cypress Basin was established by the 1976 Florida Legislature (Chapter 76-243, Laws of Florida) and is codified in subsection (9) of Section 373.0693, F.S. The Big Cypress Basin includes Collier County and part of Monroe County.

The operations of the basin are conducted by a six-member basin board. Members of the Big Cypress Basin Board are appointed by the Governor and confirmed by the Senate for a period of 3 years or until a successor is appointed, serving without pay. The Governing Board member appointed to serve the areas of Collier, Lee, Hendry and Charlotte counties is the Chair of the Big Cypress Basin Board and serves as the liaison officer to the District. Basin Board members elect their own vice-chair and secretary to serve for a period of one year. The Big Cypress Basin Board members are:

**Charles Dauray, Chair**, Current term: Current term: April 5, 2007 to March 1, 2011; Area: Collier, Lee, Hendry and Charlotte Counties

**John Sorey, Vice-Chair**, Initially appointed May 2001; Current term: June 19, 2009 to March 1, 2012; Area: Collier County

**Noah Standridge, Secretary**, Current term: June 19, 2009 to March 1, 2012; Area: Collier County

**Pamela Mac'Kie**, Current term: June 19, 2009 to March 1, 2011; Area: Collier County

**Fred Thomas**, Current term: June 19, 2009 to March 1, 2011; Area: Collier County

**John Vaughn**, Current term: March 22, 2010 to March 1, 2013; Area: Collier County

The Big Cypress Basin Board usually meets every other month unless otherwise announced. Agendas for the meetings are available seven days before the meetings on the District's website under the Big Cypress Basin location or by calling the Big Cypress Basin Service Center.

### **General Description of District Organization and Operations**

The District is a public corporation in the state of Florida existing by virtue of Chapter 25270, Laws of Florida, 1949, and operating pursuant to Chapter 373, F.S., and Title 40E, Florida Administrative Code (F.A.C.) as a multi-purpose water management district, with its principal office in West Palm Beach, Florida.

The District's annual budget is funded by a combination of property taxes and other sources such as federal, state and local revenue; licenses; permit fees; grants; agricultural taxes; investment income; and bond proceeds. The agency is a special taxing district with the authority to collect ad valorem (property) taxes from landowners within its 16-county jurisdiction. The Fiscal Year (FY) starts October 1 and ends September 30 of the following year.

Organizationally, the District is composed of the Executive Office, the Office of the Inspector General, the Office of Counsel, the Office of Budget Management and Enterprise Solutions and four Resource Areas. Each of these units carries out the District's duties and responsibilities under Chapter 373, F.S., and certain delegated portions of Chapter 403, F.S.

### **Office of Inspector General**

The Office of Inspector General provides an independent review of the agency's operations – through objective and professional audits, investigations, reviews, and evaluations of the economy, efficiency or effectiveness of taxpayer-financed programs. Any allegations of fraud, financial abuse or gross mismanagement are also investigated by this unit. The Inspector General reports directly to the Governing Board.

### **Executive Office**

The Executive Office directs and manages the agency according to the policy direction set by the Governing Board, and facilitates new initiatives and agency-wide policy coordination. The Executive Office is composed of the Executive Director, the Assistant Executive Director, the General Counsel, the Chief Financial Officer and the Deputy Executive Directors for the four Resource Areas. The Executive Director reports directly to the Governing Board. The Assistant Executive Director and the General Counsel report to the Executive Director. The Chief Financial Officer and the Resource Area Deputy Executive Directors report to the Assistant Executive Director.

## **General Counsel & Office of Counsel**

The General Counsel oversees the Office of Counsel, which provides legal counseling and research, preventive law, litigation and rulemaking services. The Office of Counsel consists of the General Counsel, the Deputy General Counsel, two Practice Groups and Office Management. The General Counsel is responsible for legal advice and services to the Governing Board and the Executive Office on all matters, and specifically those with policy implications. The Practice Groups are responsible for the delivery of business and environmental legal services areas across the agency.

## **Chief Financial Officer & Office of Budget Management and Enterprise Solutions**

In addition to managing the District's overall financial affairs, the Chief Financial Officer oversees the Office of Budget Management and Enterprise Solutions. This office is responsible for facilitating the annual strategic planning and budget development process, as well as leading District-wide efforts toward efficient and effective program, project and process management improvements.

## **RESOURCE AREAS**

The District's **Resource Areas** work hand-in-hand to ensure that all areas of major responsibility as mandated by Florida Statutes or federal law or directed by the Governing Board are met. Deputy Executive Directors manage the Resource Areas and the units within these areas are as follows:

### **EVERGLADES RESTORATION & CAPITAL PROJECTS RESOURCE AREA**

Everglades Restoration & Capital Projects provides the resources to identify, plan, coordinate, implement and adapt solutions to restore the South Florida ecosystem, including the Everglades. The overarching goal is to restore, preserve and protect the ecosystem by implementing science-based projects that improve the quality, quantity, timing and distribution of water deliveries. Additionally, this area is responsible for the capital refurbishment of the Central and Southern Florida flood control system.

This Resource Area consists of six departments: Restoration Sciences; Land Acquisition; Policy & Coordination; Hydrologic & Environmental System Modeling; Engineering; and Construction.

#### *Restoration Sciences Department*

This department performs applied research that provides the scientific basis for water management decisions, restoration project development and policy formulation. It is also responsible for conducting long-term water quality monitoring/testing and preparing required technical reports in fulfillment of legal mandates, restoration performance tracking and water quality trends assessments.

#### *Land Acquisition Department*

This department is responsible for acquiring the land necessary to build the projects to restore the South Florida ecosystem, while protecting the public's interest. This includes performing all required real estate services; the management of lease contracts on

District-owned lands; the surplusing of lands not needed for District purposes; and partnerships with other governments/organizations to leverage taxpayer dollars in the acquisition of needed lands.

#### *Policy & Coordination Department*

This department manages District involvement with State and Federal policies to ensure restoration success while protecting the interests of the District. Other partner agencies include the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, U.S. Department of Interior and the Florida Department of Environmental Protection as well as local governments.

#### *Hydrologic & Environmental Systems Modeling Department*

This department provides technically sound modeling and scientific services in support of District water resource programs. Key initiatives include the development of computer modeling tools, as well as climatic and hydrologic projections.

#### *Engineering Department*

This department manages and coordinates the engineering design of large-scale restoration and flood control infrastructure projects. Strict engineering technical review ensures that facilities are designed for public health and safety and that taxpayers receive the best value on public investments.

#### *Construction Department*

When design is complete, this department manages and coordinates the construction of restoration and flood control infrastructure projects. It is responsible for all aspects of construction, from pre-bid activities to final completion/transfer to operations and maintenance.

### **OPERATIONS & MAINTENANCE RESOURCE AREA**

Operations and Maintenance is responsible for overseeing South Florida's primary water management system – the Central and Southern Florida project built by the U.S. Army Corps of Engineers, the works of the Big Cypress Basin and the state of Florida's network of stormwater treatment areas constructed to improve Everglades water quality – and the stewardship of associated lands. The combined water management system is one of the world's largest public works projects.

This Resource Area consists of five departments: Field Operations North; Field Operations Central; Field Operations South; Operations Control & Hydro Data Management; and Vegetation & Land Management.

#### *Field Operations: North, Central and South*

There are eight field stations within the 16 counties served by the District: Big Cypress Basin (Naples), Clewiston, Ft. Lauderdale, Homestead, Kissimmee, Miami, Okeechobee and West Palm Beach. Together, these departments oversee more than 2,600 miles of canals and levees, 66 pump stations, about 1,300 water control structures and more than 25 weather stations. They operate and maintain water control

structures and pump stations, and have the specialized expertise needed to keep this vast system operating at peak efficiency.

#### *Operations Control & Hydro Data Management*

This department provides 24-hour operational control and monitoring of District water structures and water bodies from agency headquarters to provide flood protection, water supply and environmental enhancement. Decisions are coordinated with the U.S. Army Corps of Engineers involving water storage areas controlled by the Corps (Lake Okeechobee, Water Conservation Area 1, 2A and 3A outflow structures). Specialized expertise, equipment and instrumentation ensure accurate operational and hydrometeorological data.

#### *Vegetation & Land Management*

This department provides environmental stewardship and management of District-owned conservation and project lands, including public recreation opportunities. It also manages and permits allowable uses of all District rights-of-way along canals and levees. In addition, the department provides year-round management of invasive exotic and nuisance vegetation, which includes herbicide application, mechanical removal and biological controls to ensure efficient water flow through the interconnected system and to preserve natural areas.

### **REGULATORY & PUBLIC AFFAIRS RESOURCE AREA**

Regulatory & Public Affairs is responsible for carrying out the District's regulatory responsibilities and ensuring the agency's long-standing commitment to open government, public involvement and providing the highest level of service to South Florida taxpayers. Key regulatory and communication efforts include environmental resource and consumptive use permitting; water supply planning; state, federal, tribal and local interactions; media relations; community and public awareness (including District employees); citizen services and intergovernmental program coordination, including the operation of nine service centers located throughout the District's 16-county region.

This Resource Area manages local, state, federal and Tribal coordination, constituent services and Governing Board services, and consists of three major departments: Water Resource Regulation, Intergovernmental Programs and Public Information.

#### *Water Resource Regulation Department*

This department manages and protects the region's water resources through the analysis and issuance of environmental resource, consumptive use and Works of the District permits; compliance activities associated with these permits; and enforcement actions, where necessary. By implementing the District's major regulatory programs, the department provides for the current and future reasonable and beneficial uses of water for agricultural and urban demands while protecting and restoring the environment and water resources of the region. An online ePermitting system allows the submittal of environmental resource and consumptive use permit applications and fees, compliance reporting and public access to an extensive database of current and historic regulatory files.

### *Intergovernmental Programs Department*

This department enables proactive interaction and coordination with local, state and federal governments on water supply and land use planning and local project implementation, growth management, water resource and climate change issues and policies.

Located throughout its 16-county jurisdiction, the District's nine Service Centers provide a critical link between the agency's West Palm Beach headquarters and South Florida's diverse local communities. Key responsibilities include assisting in the delivery of the District's regulatory and water supply programs; providing direct/indirect financial and/or technical assistance to local governments; serving as a communication link between the District and the local community; implementing and promoting water resource education programs; local water resource project management; intergovernmental relations and constituent services.

### **District Service Center Locations**

|   |  |
|---|--|
| <b>Broward</b><br>8751 West Broward Blvd, Suite 500<br>Plantation, FL 33324<br>954-713-3200             | <b>Florida Keys</b><br>102050 Overseas Hwy, Suite 225<br>Key Largo, FL 33070<br>305-453-1275     |
| <b>Lower West Coast*</b><br>2301 McGregor Blvd<br>Fort Myers, FL 33901<br>239-338-2929                  | <b>Martin/St. Lucie*</b><br>780 SE Indian Street<br>Stuart, FL 34997<br>772-223-2600             |
| <b>Miami-Dade</b><br>2121 SW 3rd Ave<br>Miami, FL 33129<br>305-377-7274                                 | <b>Okeechobee*</b><br>205 North Parrot Avenue, Suite 201<br>Okeechobee, FL 34972<br>863-462-5260 |
| <b>Orlando*</b><br>1707 Orlando Central Pkwy, Suite 200<br>Orlando, FL 32809<br>407-858-6100            | <b>Big Cypress Basin*</b><br>2660 Horseshoe Drive North<br>Naples, FL 34104<br>239-263-7615      |
| <b>Palm Beach County</b><br>3301 Gun Club Rd, Building B-2<br>West Palm Beach, FL 33406<br>561-682-6000 | <i>* indicates regulatory services and support are available at these locations</i>              |

### *Public Information Department*

This department is responsible for promoting agency-wide initiatives, policies and programs through a variety of products and services including publications, displays, public service announcements, websites, social media, outreach and education programs. The department also serves as the primary point of contact for the news media, sharing information with the public through local, state and national media outlets.

### *Federal and Tribal Coordination; Legislative Coordination*

The Director of Federal and Tribal Coordination serves as the District's primary liaison with congressional members, federal agencies and the Sovereign Seminole and Miccosukee Nations. The Legislative Director serves as the District's representative before the Florida Legislature and the Governor and Cabinet.

### *Office of Ombuds and Open Government*

Underscoring the State's commitment to transparent and open government, this office provides an accessible and neutral point of contact for the public regarding District policies, practices, operations and governance. Citizen correspondence, inquiries and concerns are coordinated, tracked, monitored and resolved here, including formal Public Record requests.

### *Office of Governing Board and Executive Services*

This office is responsible for facilitating Governing Board and Water Resources Advisory Commission meetings and is the primary point of contact for Governing Board member support and communications. The District Clerk coordinates the repository of all records for the agency and all clerked items are held by the Clerk. This group also assists with public meeting notice requirements and coordinates the District's forms and records management program.

## **CORPORATE RESOURCES RESOURCE AREA**

Corporate Resources comprises most of the internal business functions of the agency and is responsible for providing the high-quality and cost-effective, human resource, business, and technical services necessary for the agency to carry out its mission.

This Resource Area consists of four departments and one office: Finance and Administration; Information Technology; HR Solutions; Procurement; and Safety, Security and Emergency Management.

### *Finance and Administration Department*

This department provides critical business and administrative support services. As stewards of the District's financial resources and administrative policies and procedures, this department provides checks and balances within the agency to help safeguard District assets. The production of the District's Comprehensive Annual Financial Report, maintenance of the District's office facilities, flight operations and risk management are included in the responsibilities of this department.

### *Information Technology Department*

Led by the District's Chief Information Officer, this department is responsible for managing, maintaining and enhancing the District's computer applications and infrastructure. This infrastructure includes a substantial computing network that ties together all remote offices throughout the District's 16-county jurisdiction. The department consists of GIS and web development, technology solutions, applications development, infrastructure systems network architecture and online security systems.

### *HR (Human Resources) Solutions Department*

This department manages employee benefits, development, compensation and agency staffing. All serve to enable the District to achieve its mission by attracting and retaining a high-quality, diverse workforce and to provide guidance, service and development that enables employee success.

### *Procurement Department*

This department consists of contract administration and purchasing to acquire goods and services, and to establish other contractual relationships, in support of District programs, projects and operations in the most effective and efficient manner possible. The Small Business Enterprise program offers additional consideration to small businesses in the District solicitation process.

### *Safety, Security and Emergency Management Office*

This office is responsible for preparing for, responding to, mitigating and recovering from natural and technological emergencies that threaten life or property within the boundaries of the South Florida Water Management District. Responsibilities include ensuring the safety and security of the District's employees, work environment, facilities, critical infrastructure and natural resources to better ensure the District can accomplish its mission.

## **Obtaining District Publications, Applications and Other Information**

The District's website [www.sfwmd.gov](http://www.sfwmd.gov) provides a one-stop source for information about the agency, including Governing Board members and meetings, agency organization, publications, major projects, permitting, rules and statutes, current events, career opportunities and much more. A state-wide toll-free number is also available for requests or inquiries at (800) 432-2045. Listed below are items of general interest.

### **District Rules**

The District rules are codified in Title 40E, Florida Administrative Code. The Florida Administrative Code is maintained by the Department of State at the website: <https://www.flrules.org/> The District also maintains its rules online at [www.sfwmd.gov/permitting](http://www.sfwmd.gov/permitting).

### **District Policies and Procedures**

In accordance with Rule 28-101, Florida Administrative Code, "the agency head shall maintain a current Statement of Agency Organization and Operation. The statement shall describe the organization of the agency and outline the general course of the agency's operations." This statement, along with agency policies and procedures, is available at <http://www.municode.com/Library/clientCodePage.aspx?clientID=12813>.

### **Governing Board Meeting Agendas & Minutes**

Governing Board monthly meeting agendas and minutes can be viewed online at [www.sfwmd.gov/agenda](http://www.sfwmd.gov/agenda) or by contacting the District Clerk at (561) 682-2087 or (800) 432-2045, ext. 2087.

### **District Governing Board's Delegation of Authority**

Information relating to the District Governing Board's Delegation of Authority may be obtained by contacting the District Clerk at (561) 682-2087 or (800) 432-2045, ext. 2087.

### **Publications and Documents**

District publications and documents are available online at [www.sfwmd.gov](http://www.sfwmd.gov) or by contacting Public Information at (561) 682-2064 or (800) 432-2045, ext. 2064.

### **Career Opportunities**

Career Opportunities are available online at [www.sfwmd.gov/careers](http://www.sfwmd.gov/careers) or by calling HR Solutions at (561) 682-6365 or 1-800-432-2045 ext. 6365; for the disabled, (800) 547-2693 TDD within Florida to inquire about the status of your application or to request a copy of our "Job Opportunity Listing." Inquiries can also be mailed to the South Florida Water Management District, HR Solutions, P.O. Box 24680, West Palm Beach, FL 33416-4680.

### **Permitting Applications and Information**

Environmental Resource, Consumptive Water Use, Everglades Works of the District, Lake Okeechobee Works of the District, Right of Way and Well Construction Permit information is available online at [www.sfwmd.gov/permitting](http://www.sfwmd.gov/permitting). An online program [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting) allows customers to conduct a variety of business including submittal of environmental resource and consumptive use permit applications and fees, as well as compliance reporting. The tool also allows the public to search an extensive database of current and historic permit files.

Regulatory permit applications and other regulatory forms for Environmental Resource, Water Use and Well Construction Permits may also be obtained by stopping by the District's headquarters at 3301 Gun Club Road, West Palm Beach, or by calling (561) 682-6911 or (800) 432-2045, extension 6911. Permitting support is also available at five of the District's local service centers.

Everglades Works of the District applications and other information relating to the Everglades Works of the District program may be obtained by calling (561) 682-2932, or (800) 432-2045, ext. 2932.

Lake Okeechobee Works of the District applications and other information relating to the Lake Okeechobee Works of the District program may be obtained by calling (863) 462-5260, ext. 3041 or (800) 250-4200, ext. 3041.

Right of Way Permit applications and other information relating to the Right of Way program may also be obtained by contacting the Right of Way Division at (561) 682-6646 or (800) 432-2045, ext. 6646.

## **Public Information and Inspection of Records**

All District records as defined by Section 119.011(1), F.S., maintained by the District and not otherwise restricted by law, may be copied or inspected at reasonable times and under reasonable conditions. Public records requests may be made online at [www.sfwmd.gov/engov](http://www.sfwmd.gov/engov). Any member of the public wishing to inspect and copy District public records may contact the Public Records Coordinator at (561) 682-2729 or (800) 432-2045, extension 2729.

Fees for duplication of public records shall be in accordance with Section 119.07, Fla. Stat. and Rule 40E-1.125, Fla. Admin. Code. Fees may be paid in cash, money order, cashier's check, personal check, VISA or Mastercard. All fees must be paid before the requested copies will be released to the requester. As prescribed by Section 119.07(1)(b), Fla. Stat., when the nature or volume of records requires extensive clerical or supervisory assistance by District personnel, or extensive use of information technology resources, the District may charge, in addition to the actual cost of duplication, a reasonable charge based on the cost incurred by the District in providing the service.

## **District Clerk**

The District Clerk is Jacqueline W. McGorty, District Clerk and Secretary to the Governing Board, and can be reached at (561) 682-2087 or (800) 432-2045, extension 2087 or at SFWMD, Office of the District Clerk, MSC 2114, 3301 Gun Club Road, West Palm Beach, FL 33406. The District Clerk's duties, include, but are not limited to, the following:

- Officially rendering and dating all District final orders entered by the Governing Board or the Executive Director consistent with Section 120.53, Fla. Stat.;
- Maintaining and indexing all Resolutions of the agency
- Maintaining and indexing all agency final orders
- Attending or being represented at all meetings of the Governing Board and commissions appointed by the Governing Board and preparing and maintaining accurate and complete minutes of all Governing Board meetings and commissions appointed by the Governing Board
- Ensuring that meetings of the Governing Board and commissions appointed by the Governing Board are recorded on video and/or audio tape and broadcasting the meeting as widely as possible
- Maintaining properly indexed and readily available accessible records of the rules, policies and all other actions taken by the District Governing Board or commissions appointed by the Governing Board
- Specifying the types or categories of agency final orders that are excluded from the indexing and public inspection requirements
- Specifying all systems in use by the agency to search and locate agency final orders that are required to be indexed or listed and specifying how assistance and information pertaining to final orders may be obtained
- Specifying the numbering system used to identify agency final orders
- Forwarding copies of all orders required to be indexed by Section 120.53, F.S., to the District's official reporter, the Florida Administrative Law Reports (FALR)

- Acting as the "clerk of the lower tribunal" for purposes of the Florida Rules of Appellate Procedure, including preparation of the index and record on appeal
- Transmitting all pertinent files to the Division of Administrative Hearings (D.O.A.H.) upon referral of a matter to the D.O.A.H.
- Receiving and recording all documents required to be filed with the District Clerk in legal proceedings and appointing such Deputy Clerks as are necessary to perform any of the duties of the District Clerk
- Acting as the custodian of all of the official records of the activities of the Governing Board and commissions appointed by the Governing Board, including, but not limited to, materials submitted by the public or interested parties at meetings of the body for inclusion into the record of the proceeding
- Ensuring that all documents and agreements approved by the Governing Board and/or to which the Governing Board or the agency is a party are properly executed and attested
- Performing such other duties as may be authorized by the Governing Board, Executive Office or District rules

The District Clerk has appointed Deputy Clerks to assist in carrying out many of the above duties. A list of Deputy Clerks may be obtained by writing or calling the District Clerk, (561) 682-2087 or (800) 432-2045, extension 2087.

### **Filing Requirements**

Documents must be filed with the District Clerk in accordance with Uniform Rule of Procedure, Section 28-106.104, F.A.C. A document, including a pleading in a legal proceeding initiated under Chapter 120, F.S., may be filed by hand delivery, U.S. Mail or electronic transmission (facsimile) to the District Clerk at 561-682-6010. Filings by e-mail are not permitted. Documents filed with the District Clerk by facsimile must meet the following requirements as set forth in Section 28-106.104, F.A.C.:

The party filing a document by facsimile represents that the original signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause and will be produced upon the request of other parties or the District Clerk.

A party who files a document by facsimile is responsible for any delay, disruption, or interruption of the electronic signals and accepts the risk that the document may not be properly filed with the District Clerk as a result.

The filing date for a document transmitted by facsimile is the date the District Clerk receives the complete document. Filings will be accepted between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday which are the normal hours of operation. Any document received after 5:00 p.m. will be deemed filed as of 8:00 a.m. the next business day.

### **Person to Contact Regarding Variance and Waiver Information**

For information regarding variances from and waivers of the South Florida Water Management District's agency rules, contact the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida, 33406, (561) 682-2087 or (800) 432-2045, extension 2087.

Section 120.542, F.S., contains the procedures and requirements for persons requesting a waiver or variance from any of the District's rules. Before a waiver or variance will be granted, the person seeking the waiver or variance must be able to demonstrate that the purpose of the underlying statute will be achieved by other means (120.542(2), F.S.). In addition, the petition must contain the requirements specified in Section 120.542(5), F.S., and Rule 28-104.002, F.A.C. which sets forth the uniform procedures for granting or denying petitions for variances from and waivers of agency rules.

*August 2010*