

January 2012

STATEMENT OF AGENCY ORGANIZATION AND OPERATION

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 7.7 million. Formed in 1949, 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, water supply, natural systems and flood control. 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 and 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 and a staff of approximately 1,630 employees carry out the Board's directives.

The South Florida Water Management District's Governing Board typically meets on the second Wednesday and Thursday of each month in West Palm Beach, unless otherwise announced. Occasionally, the Board schedules additional special meetings or meets at other locations around the District. 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 or are available upon request seven days in advance of the date of the Governing Board meeting from the District Clerk.

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 three 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 usually meets every other month unless otherwise announced. Agendas for the meetings are available seven days before the meetings on the District's website or by calling the Big Cypress Basin office in Naples.

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 and state 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 Director, the Assistant Executive Director, the Office of Counsel, the Office of the Chief of Staff, the Office of Everglades Policy and Coordination and four divisions – Operations, Maintenance and Construction; Water Resources; Regulation; and Administrative Services. 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. The Governing Board also appoints an Inspector General to conduct internal audits.

Office of Inspector General

The Office of Inspector General provides an independent review of the District'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 is appointed by, and reports directly to, the Governing Board.

Executive Director and Agency Management

Appointed by the Governing Board, the Executive Director oversees and manages the agency according to the policy direction set by the Governing Board, and facilitates new initiatives and agency-wide policy coordination. The Assistant Executive Director, General Counsel, Chief of Staff, Everglades Policy Director and Operations, Maintenance and Construction Director report to the Executive Director. The Division Directors for Water Resources, Regulation and Administrative Services report to the Assistant Executive Director.

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 and three Practice Groups. 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 legal services in the areas of business, lands, regulation, Everglades and litigation.

Office of the Chief of Staff

In addition to coordinating the Executive Director's daily activities, the Chief of Staff manages local, state, federal and tribal intergovernmental coordination; community and public involvement; water resource education; media relations; Ombuds and constituent services; official agency record-keeping; and Governing Board meeting facilitation and support. Underscoring the District's commitment to transparent and open government, this office ensures ready access to information regarding District policies, projects, operations and governance. The District Clerk, within the Office of the Chief of Staff, coordinates the repository of all records for the agency.

Office of Everglades Policy & Coordination

Everglades Policy and Coordination encompasses all aspects of the District's involvement and commitment regarding state and federal initiatives to implement Everglades restoration. This office is responsible for helping establish and carry out policy direction, technical planning, progress reporting and funding requests. Primary partner agencies include the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service and the U.S. Department of Interior, along with the Florida Department of Environmental Protection, the Florida Department of Agriculture and Consumer Services and the Florida Fish and Wildlife Conservation Commission.

Divisions

Operations, Maintenance and Construction Division

Operations, Maintenance and Construction 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, District-constructed facilities and the works of the Big Cypress Basin – including facility refurbishments, design and construction of restoration projects and the stewardship of public lands. There are eight field stations within the 16 counties served by the District: Big Cypress Basin (Naples), Clewiston, Fort Lauderdale, Homestead, Miami, Okeechobee, St. Cloud and West Palm Beach.

Together, these field stations oversee more than 1,600 miles of canals, 1,000 miles of levees/berms, 60 pump stations, 500 water control structures, 700 culverts and more than 25 weather stations. Through this extensive system of water control structures, the District moves and manages more than 5.5 trillion gallons of water annually for flood control and water supply purposes. This division consists of six bureaus: Field Operations North, Field Operations South, Water Control Operations, Land Resources, Infrastructure Management and Engineering and Construction. The responsibility for coordinating District-wide emergency preparedness and response efforts is also housed in this division.

Water Resources Division

This division utilizes numerous tools and methodologies in order to plan and implement effective strategies for restoring ecosystems, improving water quality and ensuring water supplies for both people and the environment. Developed through a collaborative effort with local governments and other stakeholders, this division updates 20-year water supply plans every five years. These plans include water demand estimates and projections; an evaluation of existing regional water resources; identification of water supply-related issues and options; water resource and water supply development components, including funding strategies; and recommendations for meeting projected demands. This division ensures technically sound modeling and scientific services in support of District water resource programs, including the development of computer models, as well as climatic and hydrologic projections. In addition, applied research provides the scientific basis for water management decisions, water quality improvement initiatives, restoration project development and policy formulation. To fulfill legal mandates and track restoration performance/water quality trends, rigorous long-term water quality monitoring and testing is conducted and technical reports are peer-reviewed by the scientific community. This division consists of three bureaus: Water Supply, Applied Science and Water Quality.

Regulation Division

This division 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. 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. This division consists of five bureaus: Water Use Permitting, Environmental Resource Permitting, Environmental Resource Compliance, Everglades Regulation and Regulatory Support. Coordination on agricultural water use is also housed in this division, including implementation of the District's dispersed water management program. In addition to staff located in West Palm Beach, three regulatory service centers in Fort Myers, Okeechobee and Orlando offer assistance to businesses and customers with permitting and regulatory matters.

Regulatory Service Center Locations

SFWMD Headquarters - 3301 Gun Club Road, West Palm Beach, FL 33406
800-432-2045

Lower West Coast - 2301 McGregor Blvd, Fort Myers, FL 33901
239-338-2929

Okeechobee - 205 North Parrot Avenue, Suite 201, Okeechobee, FL 34972
863-462-5260

Orlando - 1707 Orlando Central Pkwy, Suite 200, Orlando, FL 32809
407-858-6100

Administrative Services Division

Administrative Services is composed of the internal business functions of the agency and is responsible for providing high-quality and cost-effective human resource, information technology and business services necessary for the agency to carry out its mission. As stewards of the District's financial resources and administrative policies and procedures, this division provides checks and balances within the agency to help safeguard District assets and taxpayer dollars. The division consists of five bureaus: Finance, Budget, Information Technology, Human Resources and Procurement.

Obtaining District Publications, Applications and Other Information

The District's website 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.

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 at: http://www.municode.com/library/FL/South_Florida_Water_Management_District

Governing Board Meeting Agendas & Minutes

Governing Board monthly meeting agendas and minutes can be viewed online at 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 or by contacting the Office of Communications at (561) 682-2064 or (800) 432-2045, ext. 2064.

Career Opportunities

Career Opportunities are available online at www.sfwmd.gov/careers or by calling the Human Resources Bureau 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 an application or to request a copy of the District's "Job Opportunity Listing." Inquiries can also be mailed to the South Florida Water Management District, HR Bureau, P.O. Box 24680, West Palm Beach, FL 33416-4680.

Permitting Applications and Information

Permit information is available online at www.sfwmd.gov/permitting. In many instances, customers may submit applications using the District's online ePermitting system at www.sfwmd.gov/epermitting. ePermitting allows customers to conduct a variety of business including submittal of Environmental Resource, Consumptive Use and Works of the District 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, as well as subscribe to receive permit and application related notifications.

Additional information related to Environmental Resource, Water Use and Well Construction permitting programs may be obtained by contacting permits@sfwmd.gov or (561) 682-6911. Everglades Works of the District information may be obtained by calling (561) 682-2932. Lake Okeechobee Works of the District information may be obtained by calling (863) 462-5260, ext 3013 or 3019. In addition to agency headquarters, permit support is also available at three local service centers.

Right of Way permit information, forms and submittal instructions may be found [online](#) or obtained by contacting the Right of Way section at (561) 682-6646.

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/opengov. 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, F.S. and Rule 40E-1.125, F.A.C. 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), F.S., 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, who also serves as 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, 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, F.S.
- 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 District's 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.