

**ST. JOHNS RIVER WATER MANAGEMENT DISTRICT  
STATEMENT OF AGENCY ORGANIZATION AND OPERATION**

This statement is issued and maintained under the authority of section 120.54, Florida Statutes, and chapter 28-101, Florida Administrative Code.

**1. District Organization.** The District functions through the following units. The units carry out the District's duties and responsibilities under chapter 373, Florida Statutes, and certain delegated portions of chapter 403, Florida Statutes. These duties and functions encompass four general areas of subject matter responsibility: water supply, water quality, flood protection and floodplain management, and natural systems. The St. Johns River Water Management District serves all or part of the following 18 Florida counties: Alachua, Baker, Bradford, Brevard, Clay, Duval, Flagler, Indian River, Lake, Marion, Nassau, Okeechobee, Orange, Osceola, Putnam, Seminole, St. Johns, and Volusia.

(A) Governing Board: The Governing Board is the agency head. Governing Board members are selected by the Governor, subject to confirmation by the Florida Senate. They serve staggered four years terms, as set forth in section 373.073, Florida Statutes. The Governing Board meets the second Tuesday of each month, unless otherwise announced, and the meeting may continue through Wednesday if additional time is needed to conclude business. The Governing Board is responsible for governing the District as authorized by law.

(B) The Executive Office: This office contains the Office of the Executive Director, Office of General Counsel, Office of Human Resources, Office of Communications and Governmental Affairs, Office of Inspector General, and Office of Budget and Management Reporting. The Executive Director is selected by the Governing Board, subject to approval by the Governor and confirmation by the Senate, as set forth in section 373.073, Florida Statutes. The Executive Office is responsible for the overall management of the District and implementation of District policy, rules, plans, studies, and programs. It also provides communication and information services to the public and District employees, and human resource and legal support to all Departments. Additionally, the Executive Office conducts planning and budgeting activities, and monitors activities of the Legislature and governmental agencies.

(C) The Department of Resource Management: This department contains the Division of Regulatory Information Management, Division of Resource Management Support and Environmental Management, Division of Hydrologic Data Services, Division of Water Use Regulation, Division of Ground Water Programs, and the Division of Water Supply Management. The Department of Resource Management reviews water well contractor license applications, water well construction permit applications, and consumptive use permit applications; monitors these permitted activities; implements and enforces related District permit rules in chapters 40C-1, 40C-2, 40C-3, 40C-5, 40C-8, 40C-21, 40C-22, 40C-23, 40C-24, and Rule 62-531, Florida Administrative Code; maintains all regulatory records for the District; and collects and manages hydrologic data for the District. This department is also responsible for groundwater investigations, development of minimum flows and levels, water supply planning, investigation of alternative water supplies, development and implementation of water resource development projects to enhance water supplies, and water supply development assistance.

- (D) The Department of Water Resources: This department contains the Division of Project Management, the Division of Environmental Sciences, the Division of Engineering, Division of Environmental Resource Compliance, Division of Environmental Resource Management, Division of Surface Water Management, Division of Laboratory Services, and the Division of Survey. The Department of Water Resources reviews environmental resource permit applications, management and storage of surface water permit applications, and wetland resource permit applications; monitors these permitted activities, and implements and enforces related District permit rules in chapters 40C-1, 40C-4, 40C-40, 40C-41, 40C-42, 40C-44, and 40C-400, Florida Administrative Code. This department is responsible for engineering; hydrologic and hydraulic investigations; surface water basin management planning; environmental planning and assessment; water resource and environmental restoration; administration and management of Surface Water Improvement and Management (SWIM) programs; administration and management of other surface water projects; and certain laboratory and surveying services.
- (E) The Department of Operations and Land Resources: This department contains the Division of Land Acquisition, Division of Land Management, Division of Facilities and Transportation Management, and the Division of Public Works (Northern and Southern Regions). The Department of Operations and Land Resources is responsible for acquisition and management of District lands; implementing and enforcing District rules in chapter 40C-9, Florida Administrative Code; operating and maintaining buildings, grounds, levees and water control structures; coordinating usage and maintenance of vehicles and equipment; performing invasive plant management; prescribed fire and wildfire response; and overseeing the District's emergency management program and implementation of the Governor's greenhouse gas initiative.
- (F) The Department of Information Resources: This department contains the Division of Enterprise Technology Services, the Division of Integrated Application Services, and the Division of Business Application Services. The Department of Information Resources is responsible for providing support for the District's computer systems and developing, building, and maintaining information system services for the District.
- (G) The Department of Finance and Administration: This department contains the Division of Financial Management and the Division of General Services. The Department of Finance and Administration is responsible for providing administrative support for the District in areas of finance and accounting and general services. This department provides fiscal responses, accountability, and guidance related to revenue, expenditures, encumbrances and investment activities of the District, and implements part VII, chapter 40C-1, Florida Administrative Code. It maintains the District's capital asset inventory and District records.

**2. Delegations of Authority That May Affect the Public.** The Governing Board has delegated the following duties to the indicated District staff:

(A) Regulatory Delegations:

1. Environmental Resource Permitting

a. The Executive Director and other District staff designated by the Executive Director are delegated the authority to approve:

- (1) Applications for conceptual approval permits, individual permits, standard permits, general permits, mitigation bank permits, and mitigation bank conceptual permits, pursuant to chapters 40C-4, 40C-40, 40C-42, and 40C-44, Florida Administrative Code;
- (2) Applications for wetland resource permits;
- (3) Requests to use sovereign submerged lands for activities that also require a District permit under part IV of chapter 373;
- (4) Applications for modifications of permits referenced in 2(A)1a(1) above; and
- (5) Petitions for variance or waiver of any permitting requirements adopted pursuant to part IV of chapter 373.

Any application, request or petition described above in 2(A)1(a)(1)-(5) shall be presented to the Governing Board for final action if the Executive Director, or other District staff designated by the Executive Director, recommend that it be denied. In the event any matter described in 2(A)1(a)(1)-(5) is the subject of an administrative proceeding pursuant to sections 120.569 or 120.57, Florida Statutes, the matter shall be presented to the Governing Board for final action if the proposed final order prepared by the designated Board advisor recommends that the application, request or petition be denied. Pursuant to section 373.083(5), Florida Statutes, no Governing Board member shall intervene in any manner during the review of an application prior to such application being referred to the Board for final action.

- b. Noticed General Permits: Notification to an applicant that a proposed system does not qualify for a noticed general permit under chapter 40C-400, Florida Administrative Code, may be made by the Executive Director, Assistant Executive Director, Deputy Assistant Executive Director, the Director or Assistant Directors of the Department of Water Resources, or the Directors and Assistant Directors of the Service Centers. (40C-400.201, F.A.C.)
- c. General Consent Orders: Certain General Consent Orders may be entered into on behalf of the District by the Executive Director, Assistant Executive Director, Director or Assistant Director of the Department of Water Resources, Environmental Resource Compliance Division Director, or any Director of a Service Center within the Department of Water Resources. (District Policy 07-01, Section IV)
- d. Special Case Agreements: Special case agreements concerning the division of responsibility between the District and the Department of Environmental Protection for permitting or enforcement in certain circumstances may be entered into by the Executive Director, Assistant Executive Director, Director or Assistant Director of the

Department of Water Resources, or any Director of a Service Center within the Department of Water Resources. (District Policy 07-01, Section IV)

- e. Mitigation Project Agreements: Memoranda of agreement with the Department of Environmental Protection or local governments for the establishment and operation of mitigation projects, as provided in section 373.4135, Florida Statutes, may be entered into by the Executive Director, Assistant Executive Director, or the District staff member designated as Acting Executive Director. (District Policy 07-01, Section IV)
- f. Interagency Agreements under subsection 373.046(6), Florida Statutes: Interagency agreements under subsection 373.046(6), Florida Statutes, between water management districts regarding regulatory responsibilities for a project or local government that crosses district boundaries may be entered into by the Executive Director, Assistant Executive Director, or the District staff member designated as Acting Executive Director. (District Policy 07-01, Section IV)
- g. Water Shortage Consent Orders and Declarations: Water shortage consent orders may be entered into on behalf of the District by the Executive Director, Assistant Executive Director, Director of the Department of Resource Management, Assistant Director of the Department of Resource Management, Director of Water Use Regulation, or Assistant Director of Water Use Regulation. (District Policy 07-01, Section IV)

## 2. Consumptive Use Permitting

- a. The Executive Director and any other District staff designated by the Executive Director are delegated the authority to approve:
  - (1) Applications for individual permits and standard general permits pursuant to chapters 40C-2 and 40C-20 Florida Administrative Code;
  - (2) Applications for modifications of permits referenced above in 2(A)2(a)(1);
  - (3) Applications for temporary consumptive use permits;
  - (4) Petitions for variance or waiver of any permitting requirements adopted pursuant to part II of chapter 373;
  - (5) Five-year compliance reports submitted pursuant to section 373.236, Florida Statutes , and
  - (6) Agency reports required by the Florida Electrical Power Plant Siting Act, the Florida Electric Transmission Line Siting Act, and the Natural Gas Transmission Pipeline Siting Act, regarding the District's non-procedural requirements under part II and part III of chapter 373.

Any application, petition, or report described above in 2(A)2(a)(1)-(6) shall be presented to the Governing Board for final action if the Executive Director, or other district staff designated by the Executive Director, recommends that it be denied. In the event, any matter described in 2(A)2(a)(1)-(6) is the subject of an administrative proceeding pursuant to sections 120.569 or 120.57, Florida Statutes, the matter shall be presented to the Governing Board for final action if the proposed final order prepared by the designated Board advisor recommends that the application, request or petition be denied. Pursuant to section 373.083(5), Florida Statutes, no Governing Board member shall intervene in any

manner during the review of an application prior to such application being referred to the Board for final action.

- b. Noticed General Permits: Notification to an applicant that a proposed consumptive use does not qualify for a noticed general permit under chapter 40C-22, Florida Administrative Code, may be made by the Executive Director, Assistant Executive Director, Deputy Executive Director, the Director or Assistant Directors of the Department of Resource Management, the Directors of the Service Centers, or the Director of the Division of Water Use Regulation. (40C-22.001, F.A.C.)
    - c. Consent Orders: Certain General Consent Orders for violations of permitting programs under Part II or Part III, chapter 373, Florida Statutes, may be entered into on behalf of the District by the Executive Director, Assistant Executive Director, the Director or Assistant Director of the Department of Resource Management, or the Director or Assistant Director of the Division of Water Use Regulation. (District Policy 07-01, Section IV)
3. Water Well Construction and Licensing
  - a. Water Well Contractor Licenses: Water well contractor licenses may be issued by the Executive Director, Assistant Executive Director, Department Director or Assistant Department Director of the Department of Resource Management, or the Director of the Division of Water Use Regulation. (40C-3.0321 and 40C-3.037, F.A.C.)
  - b. Water Well Permits: Well construction permits may be issued by the Executive Director, Assistant Executive Director, Director or Assistant Director of the Department of Resource Management, or the Director of the Division of Water Use Regulation. (40C-3.0321 and 40C-3.041, F.A.C.)
  - c. Variances from Water Well Construction Requirements: Requests for variances from specific requirements of chapter 40C-3, Florida Administrative Code, for a water well prior to the construction of the well may be granted by the Executive Director, Assistant Executive Director, Director or Assistant Director of the Department of Resource Management, or the Director of the Division of Water Use Regulation. (40C-1.1003 and 40C-3.0321, F.A.C.)
4. Variances from Water Shortage Rules: Requests for variances from the District's water shortage rules under chapter 40C-21, Florida Administrative Code, which require immediate action and comply with the provisions of Rule 40C-1.1004(2) through (4), may be temporarily granted by the Executive Director. (40C-1.1004, F.A.C.)
5. Xeriscape Landscaping Incentive Program: Compliance with Rule 40C-24.030, Florida Administrative Code, regarding application letters and draft xeriscape landscape ordinances submitted by local governments to qualify for the District's Xeriscape Landscaping Incentive Program may be determined by the Executive Director.

(B) Land Management/Acquisition Delegations:

1. Special Use Authorizations: Authorizations to use District Lands in a manner not otherwise provided for in Rule 40C-9, Florida Administrative Code, may be issued by the Executive Director, Assistant Executive Director, Director or Assistant Director of the Department of Operations and Land Resources, or Director of the Division of Land Management. (40C-9.320 and 40C-9.360, F.A.C.)
2. Leases: Certain leases of District lands may be entered into on behalf of the District by the Executive Director, Assistant Executive Director, Director or Assistant Director of the Department of Operations and Land Resources, or Director of the Division of Land Management. (40C-9.370, F.A.C.)
3. Real Property Donations, Conservation Easements, Monitoring Well Agreements or Licenses: Certain real property donations conveyed to the District; amendments, releases, or conveyances of all or part of a conservation easement conveyed to the District for compliance with District, state, federal or local permitting requirements; and agreements or licenses for securing sites for monitoring wells, water level gauges, telemetry, or other monitoring devised for District programs or projects may be accepted or rejected by the Executive Director, Assistant Executive Director, or the District staff member designated as Acting Executive Director. (District Policy 07-01, Section IV)
4. Utility Easements: Grants of easements, or other property interests, over District property to obtain utility services for District facilities may be executed by the Executive Director, Assistant Executive Director, the District staff member designated as Acting Executive Director, or the Director or Assistant Director of the Department of Operations and Land Resources. (District Policy 84-02)
5. Releases of Canal and Drainage Reservations: Certain applications for release of canal and drainage reservations may be approved and executed by the Executive Director, Assistant Executive Director, or the District staff member designated as Acting Executive Director. (District Policy 07-01, Section IV)
6. Timber Sale Agreements: Agreements for sale of timber on District lands may be approved and executed by the Executive Director, Assistant Executive Director, or the District staff member designated as Acting Executive Director. (District Policy 96-02)
7. Appraisals:
  - a. Authorizations to Obtain Appraisals: Appraisal assignments under biennial appraisal contracts may be authorized in accordance with the procurement delegations described in section 2(C) Procurement Delegations, below. In determining the level of delegated authority, each Notice to Proceed for an appraisal assignment is treated as a separate procurement action. (District Policy 82-02)
  - b. Appraisals When Time is of the Essence: When time is of the essence in securing appraisal services, the Director or Assistant Director of the Department of Operations and Land Resources may approve the selection of an appraiser from the District's short

list of appraisers or one or two appraisers uniquely qualified to undertake the work.  
(District Policy 82-02)

- c. Additional Appraisals: When additional appraisal work beyond the original scope of an appraisal assignment is needed, the Director or Assistant Director of the Department of Operations and Land Resources, may approve the use of the original appraisers for the additional work without seeking other quotes. (District Policy 82-02)
8. Title Services: Title services costing greater than \$500, but less than \$5,000, may be approved by the Executive Director, Assistant Executive Director, the District staff member designated as Acting Executive Director, or the Director of the Division of Land Acquisition. (District Policy 82-03)
9. Cooperative Agreements: Cooperative agreements with governmental entities relating to the management of District lands may be approved by the Executive Director, Assistant Executive Director, or the District staff member designated as Acting Executive Director. (District Policy 90-16)

(C) Procurement Delegations:

1. Procurement actions of \$100,000 or less per fiscal year, or as authorized in Rules 40C-1.701 – 1.719, Florida Administrative Code: With the exception of the hiring of an external auditor to conduct the annual financial audit required by section 218.39, Florida Statutes, Governing Board Counsel, or Real Estate Counsel, procurement actions of \$100,000 or less, or as authorized in Rules 40C-1.701 – 1.719, Florida Administrative Code, may be approved and executed by the Executive Director, Assistant Executive Director, or the District staff member designated to serve as Acting Executive Director. In addition, when the procurement action is not in excess of \$50,000 per fiscal year or subject to section 287.055, Florida Statutes, procurement actions may be approved and executed by Department and Office Directors and, upon written approval by the Department or Office Director, by Assistant Department and Office Directors, Division Directors, and Assistant Division Directors. (District Policy 88-05, Administrative Directive 88-06)
2. Change Orders and Amendments: Change orders or other amendments to a contract, which will cost no more than \$100,000 or 10% of the original contract amount, whichever is greater, may be approved and executed by the Executive Director, Assistant Executive Director, or the staff member designated to serve as Acting Executive Director. In addition, Department or Office Directors, or, upon written approval by the Department or Office Director, the Assistant Department or Office Directors, may approve and execute change orders and amendments under the following circumstances:
  - a. To extend the term of the contract for no more than 90 days, but in no case past the end of the fiscal year in which performance of the contract is to be completed. This 90-day limit shall include the cumulative total of all change orders.
  - b. To modify the Statement of Work, provided the not-to-exceed amount of the contract is not cumulatively increased above the execution authorization limit of \$50,000 and the basic objective of the contract is not altered.

(District Policy 88-05, Administrative Directive 88-06)

3. Annual Contracts:

- a. Work orders and change orders to work orders, inclusive of time extensions, for annual contracts approved by the Governing Board may be approved and executed by the Executive Director, Assistant Executive Director, the District staff member designated to serve as Acting Executive Director, and Department Directors. (District Policy 88-05)
  - b. Renewals of annual contracts for a renewal amount of \$100,000 or less per fiscal year may be approved and executed by the Executive Director, Assistant Executive Director, or the District staff member designated to serve as Acting Executive Director. (District Policy 88-05)
4. Revenue Agreements: Revenue agreements up to the amount approved by the Governing Board in its budget may be approved and executed by the Executive Director, Assistant Executive Director, or the District staff member designated to serve as Acting Executive Director. (District Policy 88-05)
5. Pass-Through Funding Agreements: Pass-through funding agreements, up to the amount approved by the Governing Board in its budget, may be approved and executed by the Executive Director, Assistant Executive Director, or the District staff member designated to serve as Acting Executive Director. (District Policy 88-05)
6. Purchase Orders: Purchase orders up to \$100,000 may be executed by the Executive Director, Assistant Executive Director, the District staff member designated to serve as Acting Executive Director, or any other District employee so authorized by administrative directive. (District Policy 88-05)

(D) Other Delegations:

1. Water Control Plans and Amendments: Recommendations for changes to proposed water control plans, or plan amendments submitted pursuant to section 298.225, Florida Statutes, may be made by the Executive Director or designee. (District Policy 07-01, Section IV)
2. Time Sensitive Actions: With the exceptions of executing deeds of conveyance of real property owned by the District and expenditures exceeding \$500,000.00, the Executive Director may execute any power otherwise vested in the Governing Board, in accordance with subsection 373.083(5), Florida Statutes, when the Executive Director determines that time is of the essence and it would not be in the best interest of the District to delay the exercise of that power until the next Governing Board meeting. (District Policy 07-01, Section IV)
3. Loaning of District Equipment. The loaning of District tangible personal property to public entities may be approved by the Executive Director, Assistant Executive Director, or the District staff member designated as Acting Executive Director. (District Policy 2000-06)
4. Volunteer Service Agreements. Agreements for volunteer services may be approved and executed by the Department or Office supervisor directly overseeing the volunteer services. (District Policy 97-02)

5. Petitions for Administrative Hearings. The following types of actions are delegated to the General Counsel or Deputy General Counsel:
  - a. referrals of petitions for administrative hearing in substantial compliance with the Uniform Rules of Procedure to the Division of Administrative Hearing for the assignment of an administrative law judge; (District Policy 88-04)
  - b. orders granting or denying requests for an extension of time to file a petition for administrative hearing; (District Policy 88-04)
  - c. orders determining whether a petition for administrative hearing is in substantial compliance with the Uniform Rules of Procedure; (District Policy 88-04) and
  - d. orders determining whether a petition for administrative hearing has been timely filed. (District Policy 88-04)
6. Statement of Agency Organization and Operation. The Executive Director may amend the District's Statement of Agency of Organization and Operation. (District Policy 07-01, Section IV)
7. Workforce Management. The Executive Director may establish and implement policies and procedures to manage the District's workforce. (District Policy 07-01, Section IV)
8. Execution of Documents. Except for deeds conveying District real property, the Executive Director or designee may execute any document that has been approved by the Governing Board. (District Policy 07-01, Section IV)

### 3. General Information and Contacts.

(A) District Office Information: The District has offices in the following locations:

District Headquarters  
 St. Johns River Water Management District  
 4049 Reid Street  
 Palatka, Florida 32177  
 386-329-4500 or 800-451-7106 (Florida only)  
 Hearing Impaired: 7-1-1 (Florida Relay Service)

St. Johns River Water Management District  
 Altamonte Springs Service Center  
 975 Keller Road  
 Altamonte Springs, Florida 32714-1618  
 407-659-4800 or 877-228-1658 (Florida only)  
 Hearing Impaired: 7-1-1 (Florida Relay Service)

St. Johns River Water Management District  
 Jacksonville Service Center  
 7775 Baymeadows Way

Suite 102  
Jacksonville, Florida 32256  
904-730-6270 or 800-852-1563 (Florida only)  
Hearing Impaired: 7-1-1 (Florida Relay Service)

St. Johns River Water Management District  
Palm Bay Service Center  
525 Community College Parkway  
Palm Bay, Florida 32909  
Water Resources: 321-409-2011 or 800-295-3264 (Florida only)  
Indian River Lagoon: 407-984-4950 or 800-226-3747 (Florida only)  
Hearing Impaired: 7-1-1 (Florida Relay Service)

- (B) Regular Business Hours. The District offices are open to the public between the hours of 8:00 a.m. – 5:00 p.m., Monday through Friday, excluding holidays.
- (C) Ombudsman. The District has an Ombudsman to assist the public with navigating through the regulatory process and mediating disputes they may have with the District. The Ombudsman’s telephone number is (386) 329-4147. The Ombudsman’s mailing address is 4049 Reid St., Palatka, FL 32177. The Ombudsman’s e-mail address is [Ombudsman@sjrwmd.com](mailto:Ombudsman@sjrwmd.com).
- (D) Website. The District’s official website address is <http://www.floridaswater.com>. The website contains a variety of information regarding the District, its organizational structure, programs, rules, Governing Board meetings, project-specific permits, as well as other public information. Additionally, most District permit applications and permit compliance data may be filed on-line.

#### **4. District Clerk.**

- (A) The District Clerk is Ms. Sandra Bertram. Her telephone number is 386-329-4127. The District Clerk’s mailing address is 4049 Reid St., Palatka, FL 32177. The District Clerk has two email addresses. The e-mail address to be used exclusively for filing of those documents set forth in section 5(C), below, is [Clerk@sjrwmd.com](mailto:Clerk@sjrwmd.com). Any other e-mail communication to the District Clerk should be sent to [sbertram@sjrwmd.com](mailto:sbertram@sjrwmd.com).
- (B) When necessary, the Executive Director may appoint a deputy or deputies to perform the duties of the District Clerk.
- (C) The duties of the District Clerk or deputy include, but are not limited to, the following:
1. Rendition and filing all final orders entered by the Governing Board or Executive Director, consistent with section 120.53, Florida Statutes.
  2. Acting as the records management liaison officer for the purposes of section 257.36, Florida Statutes.

3. Filing the original of any administrative petition, notice, or pleading required to be filed with the District pursuant to chapters 28-106, 28-110, and 40C, Florida Administrative Code, and chapter 120, Florida Statutes.
4. Overseeing the maintenance of official files of record.
5. In appeals of District orders and rules pursuant to sections 120.68 and 373.114, Florida Statutes, the District Clerk acts as clerk of the lower tribunal for the purposes of the Florida Rules of Appellate Procedure. The Clerk prepares and transmits the record on appeal. The District charges for preparation, numbering, indexing, and copying services rendered by the District Clerk's office, as provided for in section 28.24, Florida Statutes. The cost of preparation is the responsibility of the party appealing the order or rule.

## 5. Filing Requirements.

### (A) Permit and License Applications and Compliance Data Submittals:

1. Forms for permit applications, license applications, and Petitions for Formal Determination of Wetlands and Other Surface Waters may be obtained from the District's headquarters in Palatka, any of the District's three service centers, and from the District's website at <http://www.floridaswater.com>.
2. Generally, the following District offices serve the counties listed. District headquarters in Palatka processes permit applications for activities in Putnam, Alachua, Marion, and Flagler counties. The Altamonte Springs service center processes permit applications for activities in Volusia, Lake, Seminole, and Orange counties. The Jacksonville service center processes permit applications for activities in Nassau, Baker, Bradford, Duval, Clay, and St. Johns counties. The Palm Bay service center processes permit applications for activities in Brevard, Indian River, Okeechobee, and Osceola counties.
3. Permit applications, license applications, petitions for formal determination of wetlands and other surface waters, and supporting information are filed by hand delivery or mail with the Division of Regulatory Information Management in Palatka, or with the Regulatory Information Management representative at the District service center servicing the county where the proposed activity is located.
4. Compliance data submittals required by permit condition are filed by hand delivery or mail with the Division of Regulatory Information Management in Palatka, unless otherwise specified in the permit condition.
5. Most permit applications, license applications, and compliance data submittals may also be filed on-line at <http://www.floridaswater.com>. However, on-line applications and compliance data submittals are subject to the applicant's/submitter's agreement of the following terms and conditions, as well as any additional terms and conditions set forth on-line.
  - a. Required Information and Fee Payment. All required fields in the electronic permit application or compliance form must be filled in for the application or compliance

form to be submitted (received). Electronic attachments must be in the format specified on the District's E-permitting on-line application and compliance submittal forms. Additionally, the electronic permit application will not be submitted without concurrent payment of the electronic fee.

- b. Receipt of Application or Compliance Data. An electronic transaction will not be completed until the electronic permit application or compliance data is received by the District in a manner capable of being stored and printed by the District. If the District's ability to store or print the electronic application or compliance data is inhibited or if there is an error in its transmission, then the submittal will be considered to have not been received by the District. Submittals received after the District's regular business hours will be deemed received on the District's next regular business day.
- c. Errors in Submittals. A person who submits a permit application or compliance data electronically is responsible for any delay, disruption, or interruption of the electronic signals and readability of the document, and accepts the full risk that the District may not receive the submittal or may receive the submittal with errors. Additionally, such person is responsible for preventing and correcting all errors in the submittal and must promptly notify the District of all errors in the submittal.
- d. Change in Address Information. Persons who submit a permit application or license application are responsible for promptly updating their E-Permitting Account information to reflect any changes to their telephone number, mailing address, or e-mail address. Failure to update the E-Permitting Account information to reflect changes in the telephone number or address may subject the permit application or license application to denial.
- e. Email Correspondence Regarding Application or Compliance Data. Any email correspondence regarding the application, including, but not limited to, submittal of additional information, must be addressed to: [applicationsupport@sjrwmd.com](mailto:applicationsupport@sjrwmd.com). Any email correspondence regarding the submittal of compliance data must be addressed to: [compliancesupport@sjrwmd.com](mailto:compliancesupport@sjrwmd.com).
- f. Electronic Signature. Electronic signatures are legally valid and recognized by law. Typing the name in the signature block and clicking "submit" is the electronic equivalent of signing the name. When more than one signature is required on an application, the person electronically submitting the application must attach a PDF file of the scanned application form page, which contains the other required handwritten signatures.
- g. Public Records Warning. Anything submitted or saved on the District's E-Permitting website may be subject to a public records request under chapter 119, Florida Statutes, and therefore made available to the public and media upon request. Under Florida law, e-mail addresses contained in e-mails sent to the District are public records. To avoid the release of an e-mail address in response to a public records request, applicants and submitters should not send emails to the District. Instead, contact should be made by phone or in writing.

(B) Other Documents. Except for the documents described above in section 5(A), and unless otherwise provided for in section 5(C), below, all documents required to be filed with the District shall be filed by hand delivery or mail with the District Clerk, St. Johns River Water Management District, 4049 Reid St., Palatka, FL 32177. Filings will not be accepted at other District offices. No filings will be accepted by facsimile transmission. The filing date for a document filed by hand delivery or mail shall be the date the District Clerk receives the complete document. Documents received after regular business hours will be deemed received the next regular business day. No additional days shall be added for mailing, unless required by procedural rule in a civil or administrative legal proceeding.

(C) E-mail Filing

1. Only the following list of documents may be filed by e-mail with the District Clerk at [Clerk@sjrwmd.com](mailto:Clerk@sjrwmd.com). If not filed by e-mail, these documents shall be filed as set forth in section 5(B), above.
  - a. Requests for Extension of Time to File Petition for Administrative Hearing and responses thereto
  - b. Petitions for Administrative Hearing
  - c. Motions to Dismiss or Strike Petition for Administrative Hearing and responses thereto
  - d. Exceptions and other documents filed by parties to an administrative proceeding after issuance of a Recommended Order but prior to rendering of the Final Order
  - e. Notices of Protest (or Formal Protest) of Procurement Solicitation or Award
  - f. Petitions for Variance or Waiver
  - g. Requests for Emergency Order Authorizations
2. The documents identified in section 5(C), which are filed with the District Clerk by e-mail, are subject to the following conditions:
  - a. A party who files a document by e-mail is thereby representing that the original physically signed document will be retained by that party for the duration of the proceeding and any subsequent appeal or other proceeding in that cause, and that the party will produce it upon the request of any other party.
  - b. A party who elects to file a document by e-mail is responsible for any delay, disruption, or interruption of the electronic signals and readability of the document, and accepts the full risk that the document may not be properly filed with the District Clerk as a result. In addition, a party who files a document by e-mail accepts full risk that the District's e-mail filters may prevent their e-mail from being received. A party may contact the District Clerk at 386-329-4127 to verify that the District has received an e-mailed document. Additionally, a party may send a written request to the District Clerk at 4049 Reid Street, Palatka, FL 32177, to add their email address to the District's list of "safe senders" before emailing a document.

- c. The filing date for a document filed by e-mail shall be the date the District Clerk receives the complete document. A document filed by e-mail will not be considered complete until it is received by the District in a manner capable of being stored and printed by the District. E-mailed documents received after regular business hours will be deemed received the next regular business day.
- d. E-mailed documents must be in the form of either a TIFF or PDF file.
- e. If a document filed by email is required by rule to be accompanied by one or more copies, copies of the original filing must be filed by hand delivery or U.S. mail within 5 days after the filing date of the e-mail.
- f. E-mail filing procedures do not vary bond filing requirements. For example, if a bond must be filed along with a Formal Procurement Protest and the procurement protest document is filed electronically, the protest bond must still be physically filed with the District Clerk within the ten-day time period for filing a formal procurement protest, as required by sections 120.57(3)(b) and 287.042(2)(c), Florida Statutes, and Rule 28-110.005, Florida Administrative Code.
- g. If filing a petition for variance by e-mail, the associated fee must be submitted by U.S. mail or hand delivery.

## **6. Final Order Index.**

- (A) The District uses a subject matter index and an official reporter file to search and locate its final orders. The District Clerk maintains the official reporter and the subject matter index pursuant to the retention schedule approved by the Department of State, Division of Library and Informational Services. All final orders of the District and the subject matter index of these final orders are available for public inspection and copying. The District Clerk will assist the general public in using the District's subject matter index and locating District final orders.
- (B) The District's final order index is alphabetically arranged by main subject headings taken from the Florida Statutes index, when applicable. The applicable titles of citations of the Florida Statutes construed within the final order may determine the main subject headings and subheadings in the index. Main subject headings are all capital letters and are flush left on the page, followed by relevant subheadings, which are initial caps and lower case letters indented. Subheadings and sub-subheadings may be taken from the text of the Florida Statute being construed. Subheadings and sub-subheadings at equal indentations are alphabetized. The numbers of the final orders are listed sequentially in an indentation immediately below the applicable subheading. Cross-references are used to direct the user to subject headings that contain the relevant information. Related key words (specific words, terms, and phrases) and common and colloquial words are listed and cross-referenced to the appropriate main subject headings.
- (C) The main subject headings are consulted by the person preparing the District's index and subsequent similar entries are indexed under the existing appropriate heading. The index is



4127. However, requests to inspect and copy District regulatory records should be directed to the Director of the Division of Regulatory Information Management at (386) 329-4235. Generally, inspection and copying of District records must be done at the District's headquarters, 4049 Reid Street, Palatka, FL 32177; however, if the records are available at one of the District's service centers, the District Clerk may make arrangements for the inspection and copying of the records there.

- (B) A person who requests public records via email accepts full risk that the District's email filters may prevent his or her request from being received by the District. A person may contact the District Clerk at 386-329-4127 to verify that the District has received an e-mailed request. Additionally, a person may send a written request to the District Clerk at 4049 Reid Street, Palatka, FL 32177, to add his or her email address to the District's list of "safe senders" before emailing a public record request.
- (C) Forms, instructions, and rules used by the District in permitting activities are available without cost. Charges for copies of other public records are made at the rates prescribed in District Policy 79-17 and its implementing administrative directive, and must be paid in advance of the District making the copies.
- (D) When the nature or volume of records is such as to require extensive clerical or supervisory assistance by District personnel, extensive use of information technology resources, or review for documents that are exempt from disclosure, the District may charge, in addition to the cost of duplication, a special service charge based on the cost incurred by the District in providing the service. The special service charge must be paid in advance of the District Clerk gathering the requested information and shall be at the rate prescribed in District Policy 79-17 and its implementing administrative directive.

## **8. Person to Contact Regarding Variances and Waivers.**

The person to contact at the District to obtain information about variances and waivers is Sandra Bertram, District Clerk, whose phone number is 386-329-4127, and whose address is 4049 Reid Street, Palatka, FL 32177. The District Clerk has two email addresses. The e-mail address to be used exclusively for filing of those documents set forth in section 5(C), above, is [Clerk@sjrwmd.com](mailto:Clerk@sjrwmd.com). Any other e-mail communication to the District Clerk should be sent to [sbertram@sjrwmd.com](mailto:sbertram@sjrwmd.com).

History – New 05/98 GB, Amended 12/07/04 GB, 02/07/06 GB, 10/17/06 ED, 12/18/07 ED, 02/26/09 ED, 06/30/09 GB, 08/19/09 ED, 02/15/10 ED.