

## 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*, (F.S.) and chapter 28-101, *Florida Administrative Code* (F.A.C.). It contains the following sections:

- (1) District Organization
- (2) General Information and Contacts
- (3) Public Records
- (4) District Clerk
- (5) Filing Requirements
- (6) Final Order Index

#### (1) DISTRICT ORGANIZATION.

The St. Johns River Water Management District functions through the following units. The units carry out the District's duties and responsibilities under chapter 373, F.S., and certain delegated portions of chapter 403, F.S. 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 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-year terms, as set forth in section 373.073, F.S. The Governing Board meets the second Tuesday of each month, unless otherwise announced. The Governing Board is responsible for governing the District as authorized by law.

The Governing Board has generally delegated the authority to make those administrative decisions necessary for the day-to-day management of the District to the Executive Director. In addition, the Governing Board has transferred a variety of specific regulatory, real property, financial, and other delegations to the Executive Director and other staff. The delegations are included in [Policy 120, Governing Board Delegations](#).

- (b) **The Executive Office.** This office contains the Executive Director, Inspector General, and Office of General Counsel. 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, F.S. The Executive Office is responsible for the overall management of the District and implementation of District policies, rules, plans, and programs. This office provides legal support to all divisions and offices.
- (c) **The Office of Chief of Staff.** This office contains the Office of Financial Services, Office of Information Technology, Office of Human Resources, Office of Business

and Administrative Services, Office of Transportation, Facilities and Safety Services, Office of Communications, and the Governmental Affairs Program. This office is responsible for providing administrative and support services districtwide for budgeting, finance, accounting and procurement. It is responsible for human resources support, the computing hardware, software and databases used by the District; and planning and providing solutions for the District's information technology needs. The office is responsible for maintaining all regulatory and other official records for the District. It is responsible for internal and external communications with the public, stakeholders, and local and state government. The office is responsible for the intergovernmental relations program and advocating the District's position with government officials, representative and legislative staff. Additionally, the office is responsible for operating and maintaining buildings and grounds; coordinating usage and maintenance of vehicles and equipment; and districtwide safety services.

- (d) **The Division of Water and Land Resources.** This division contains the bureaus of Water Resources, Water Resource Information, Land Resources, and Real Estate Services. This division is responsible for the following environmental services related to water management: surface water basin management planning, environmental planning and assessment, water resource and environmental restoration, administration and management of Surface Water Improvement and Management (SWIM) program, administration and management of other surface water projects, the collection and management of hydrologic and water quality data, groundwater investigations, and laboratory services. The division's land management responsibilities include upland habitat restoration, prescribed fire and wildfire response, invasive plant management, and support of the District's emergency management program. The division is responsible for the acquisition of real property and interests in real property, as well as agreements for the use of District lands. Additionally, it is responsible for managing the Indian River Lagoon Protection, Northern Coastal Basins, and Springs Protection Initiatives.
- (e) **The Division of Regulatory Services.** This division contains the bureaus of Environmental Resource Regulation and Water Use Regulation. This division reviews applications for the following: environmental resource permits, management and storage of surface water permits, wetland resource permits, consumptive use permits, water well construction permits, and water well contractor licenses. It monitors these permitted and licensed activities and implements and enforces related District permit rules in Title 40C and chapters 62-330, and 62-342, F.A.C.
- (f) **The Division of Water Supply Planning and Assessment.** This division contains the bureaus of Watershed Management and Modeling, Resource Evaluation and Modeling, and Water Supply Planning. It is responsible for developing the water supply plans for each of the District's water supply planning regions. It is responsible for developing Minimum Flows and Levels (MFLs) for water bodies and any necessary associated Prevention and Recovery Strategies. Division staff perform surface water and groundwater modeling in support of MFL development, District

projects, and the District's regulatory programs. The District's Agricultural Assistance Team is also housed within this division. The Agricultural Assistance Team acts as a liaison with the agricultural industry and other state agencies regarding agricultural issues. The team also administers the District's Agricultural Cost-Share Program to support water conservation and nutrient loading reductions.

- (g) **The Division of Projects.** This division contains the bureaus of Project Management, Operations and Maintenance, and District Projects and Construction. This division is responsible for initiating, planning, executing, monitoring, controlling and closing complex projects, including surveying, engineering, and construction management. The division is responsible for operating and maintaining levees and water control structures. The division is responsible for the District's general cost-share program.
- (h) **The Office of Process Excellence and Special Projects.** This office is responsible for the implementation of the District's results-oriented framework that includes strategic and business planning, the allocation of resources; establishing guidance for managerial accountability, performance measurement, monitoring and developing systems to track the District's progress in achieving its value-added goals.

## **(2) GENERAL INFORMATION AND CONTACTS.**

### **(a) Office Locations.**

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

St. Johns River Water Management District  
Maitland Service Center  
601 South Lake Destiny Road, Suite 200  
Maitland, FL 32751  
(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, FL 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, S.E.  
Palm Bay, FL 32909  
(321) 984-4950 or (800) 295-3264 (Florida only)  
Hearing Impaired: 7-1-1 (Florida Relay Service)

- (b) **Regular Business Hours.** District offices are open to the public between the hours of 8 a.m.–5 p.m., Monday through Friday, excluding holidays.
- (c) **Person to Contact Regarding Variances and Waivers.** The person to contact at the District to obtain information about variances and waivers is the District Clerk, whose phone number is (386) 329-4127, and whose address is 4049 Reid St., Palatka, FL 32177. The District Clerk’s email address is *clerk@sjrwmd.com*.
- (d) **Ombudsman.** The responsibility of the District’s Ombudsman is to help the public navigate the regulatory process and mediate disputes the public may have with the District. The Ombudsman’s telephone number is (904) 224-2958. The Ombudsman’s mailing address is 7775 Baymeadows Way, Suite 102, Jacksonville, FL 32256. The Ombudsman’s email address is *jpeluso@sjrwmd.com*.
- (e) **Person to Contact Regarding Civil Rights.** The District does not discriminate based on race, color, national origin, sex, or disability in any of its activities or programs, including any activity or program receiving assistance from the U.S. Environmental Protection Agency or programs covered by section 13 of the Federal Water Pollution Control Act Amendments of 1972. The District has designated the following individual as its Civil Rights Coordinator:

Robin W. Hudson, Director, Office of Human Resources  
Civil Rights Coordinator  
4049 Reid St.  
Palatka, FL 32177  
Phone: (386) 329-4500 or (800) 451-7106 (Florida only)  
Fax: (386) 329-4801  
Hearing or speech impaired: 7-1-1 (Florida Relay Service)

The District has a procedure for addressing concerns of non-employment related complaints of discrimination based on race, color, national origin, sex, or disability in any District activity or program.

- (f) **Lobbyist Registration.** Pursuant to section 112.3261, F.S., a person may not lobby the District until he or she has registered with the District. Completed lobbyist registration forms must be filed with the District Clerk. Registration forms, information regarding registering, and a list of registered lobbyists can be found at the following web page: [www.sjrwmd.com/lobbyist](http://www.sjrwmd.com/lobbyist).
- (g) **Website.** The District’s official website address is [www.sjrwmd.com](http://www.sjrwmd.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 online.

### **(3) PUBLIC INFORMATION AND INSPECTION OF RECORDS.**

- (a) Publications, documents, forms, applications for licenses and permits, and all other District records that are public records within the meaning of chapter 119, F.S., and not otherwise exempt from inspection and copying by law, may be inspected or copied at reasonable times and under reasonable conditions. Any member of the public wishing to inspect and copy most District public records should contact the District Clerk at (386) 329-4127. Generally, inspection and copying of District records must be done at the District's headquarters, 4049 Reid St., Palatka, FL 32177; however, if the records are available at one of the District's service centers, the District Clerk may arrange 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 emailed request. Additionally, a person may send a written request to the District Clerk at 4049 Reid St., 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 Administrative Directive 2005-01, 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 Administrative Directive, and published at [http://www.sjrwmd.com/public\\_records.pdf](http://www.sjrwmd.com/public_records.pdf)

### **(4) DISTRICT CLERK.**

- (a) The District Clerk is Sandy Bertram. The Clerk compiles and stores the District's official records in compliance with Florida's public records laws. The Clerk's telephone number is (386) 329-4127. The District Clerk's mailing address is 4049 Reid St., Palatka, FL 32177. The District Clerk's email address is *clerk@sjrwmd.com*.

- (b) 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, F.S.
  2. Filing the original of any administrative petition, notice, or pleading required to be filed with the District pursuant to chapters 28-106, 28-110, 62-330, 62-342, and title 40C, F.A.C., and chapter 120, F.S.
  3. Overseeing the maintenance of official files of record.
  4. In appeals of District orders and rules pursuant to sections 120.68 and 373.114, F.S., 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, F.S. 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 [www.sjrwmd.com](http://www.sjrwmd.com).
2. Permit applications, license applications, petitions for formal determination of wetlands and other surface waters, and supporting information are filed online using the District's website at [www.sjrwmd.com/permitting](http://www.sjrwmd.com/permitting) or by hand delivery or mail with the Office of Business and Administrative Services in Palatka, or with the Regulatory Support representative at the District service center servicing the county where the proposed activity is located.
3. Compliance data submittals required by permit condition are filed online using the District's website at [www.sjrwmd.com/permitting](http://www.sjrwmd.com/permitting) or by hand delivery or mail with the Office of Business and Administrative Services in Palatka, unless otherwise specified in the permit condition.
4. Online 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 online.

- 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 online 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 email 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.* Any email correspondence regarding the submittal of compliance data must be addressed to:  
*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 Portable Document Format (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, F.S., and therefore made available to the public and media upon request. Under Florida law, email addresses contained in emails sent to the District are public records. To avoid the release of an email 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) **Positions and Comments or Objections to Interdistrict Groundwater Transfers.** Written notification of positions and comments or objections to a preliminary intended District decision on an application for a consumptive use permit involving an interdistrict transfer of groundwater pursuant to section 373.2295, F.S., may be submitted to the District in three ways. The notice may be submitted by hand delivery or mail to the District Clerk, St. Johns River Water Management District, 4049 Reid St., Palatka, FL 32177. The notice may also be submitted pursuant to the procedures for email filing provided in section (5)(d).
- (c) **Other Documents.** Except for the documents described above in section (5)(a), and (5)(b), unless otherwise provided for in section (5)(d), 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.
- (d) **Email Filing.**
1. Only the following list of documents may be filed by email with the District Clerk at *clerk@sjrwmd.com*. If not filed by email, these documents shall be filed as set forth in sections (5)(b) and (5)(c), 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
  - h. Submittals of Notifications of Positions and Comments or Objections pursuant to section 373.2295, F.S.
2. The documents identified in section (5)(d)1., which are filed with the District Clerk by email, are subject to the following conditions:
- a. A party who elects to file a document by email 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 email accepts full risk that the District's email filters may prevent their email from being received. A party may contact the District Clerk at (386) 329-4127 to verify that the District has received an emailed document. Additionally, a party may send a written request to the District Clerk at 4049 Reid St., Palatka, FL 32177, to add their email address to the District's list of "safe senders" before emailing a document.
  - b. The filing date for a document filed by email shall be the date the District Clerk receives the complete document. A document filed by email will not be considered complete until it is received by the District in a manner capable of being stored and printed by the District. Emailed documents received after regular business hours will be deemed received the next regular business day.
  - c. Emailed documents must be in the form of either a TIFF or PDF file.
  - d. 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 five days after the filing date of the email.
  - e. Email 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), F.S., and Rule 28-110.005, F.A.C.
  - f. If filing a petition for variance by email, the associated fee must be submitted by U.S. mail or hand delivery.

**(6) FINAL ORDER INDEX.**

- (a) The District uses an index organized by subject matter and an official reporter file to search and locate its final orders. The District Clerk maintains the official reporter and the final order 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 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 final order index and locating District final orders.
  
- (b) The District's final order index is alphabetically arranged by main subject headings taken from the General Index to the *Florida Statutes*, when applicable. The applicable titles of citations of 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 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 cumulative, and updated and made accessible to the public at least every 120 days. New main subject headings are added when necessary.
  
- (d) The District maintains and stores its final orders and order index at the District Clerk's office, District Headquarters, 4049 Reid St., Palatka, FL 32177.
  
- (e) All District final orders are sequentially numbered as rendered, using a two-part number separated by a dash, with the first part before the dash indicating the year, and the second part indicating the numerical sequence of the order issued for that year, beginning with number one each new calendar year. The District's designated prefix, which is "SJR," precedes the two-part number.
  
- (f) The District uses a format substantially similar to the following format for its final orders:

**ST. JOHNS RIVER WATER MANAGEMENT DISTRICT**

\_\_\_\_\_  
Petitioner,

File of Record No.: \_\_\_\_\_

vs.

\_\_\_\_\_  
Respondent,

Statement of the Case and Statement of Recommended Order if Applicable

Findings of Fact

Conclusions of Law

Statement of Order

Done and ordered this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

St. Johns River Water  
Management District

By: \_\_\_\_\_ /s/  
Chairman, Governing Board

Rendered this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
District Clerk

Copies furnished to:

*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, 05/27/10 ED, 06/08/10 GB, 10/08/10 ED, 12/27/10 GB, 1/14/11 ED, 6/24/11 ED, 8/15/11 ED, 10/24/11 ED, 2/28/12 ED, 10/04/12 ED, 12/19/12 ED, 02/27 /13 ED, 08/15/13, 11/18/13 ED 11/4/14, ED 1/25/16.*