

# **NORTHWEST FLORIDA 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.).

### **I. District Mission and Service Area**

#### **A. Mission**

The mission of the Northwest Florida Water Management District is to implement the provisions of Chapter 373, F.S., in a manner that best ensures the continued welfare of the residents and water resources of northwest Florida. The District focuses on its core missions of water supply, water quality, flood protection and natural resource protection through a variety of activities, including water quality and quantity monitoring, research and planning, regulatory activities and permitting, and land acquisition and management.

#### **B. Service Area**

The Northwest Florida Water Management District stretches from the St. Marks River watershed in Jefferson County to the Perdido River in Escambia County. The District is one of five water management districts in Florida created by the WRA of 1972. Sixteen counties lie within the Northwest Florida Water Management District, including the counties of: Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Leon, Liberty, Okaloosa, Santa Rosa, Wakulla, Walton, Washington, and the westernmost portion of Jefferson County.

Within the District's 11,305-square mile area lie several major hydrologic (or drainage) basins: Perdido River and Bay System, Pensacola Bay System (Escambia, Blackwater, and Yellow rivers), Choctawhatchee River and Bay System, St. Andrew Bay System, Apalachicola River and Bay System, Ochlockonee River and Bay System, and St. Marks River Watershed (St. Marks and Wakulla rivers and Apalachee Bay). With approximately 1.4 million residents, the northwest region represents approximately seven percent of the state's population and approximately 17 percent of its land area.

### **II. District Organization**

#### **A. Governing Board**

The Governing Board of the District is the agency head. As set forth in section 373.073, F.S., nine Board members are appointed by the Governor, confirmed by the Florida Senate, and serve staggered four-year terms. Its duties include directing a wide-range of programs, initiatives, and actions, to carry out the District's duties and responsibilities under Chapter 373, F.S., and several delegated portions of Chapter 403, F.S. Pursuant to section 373.079 (3), F.S., the chair and members of the board shall receive no compensation, except for related travel expenses.

As part of its efforts to manage and protect water resources, the District implements a variety of programs that include, but are not limited to, structural and non-structural flood control, regulatory 2 programs, water conservation, water resource planning and water supply development, associated data collection and analysis efforts, land acquisition, and education.

The Governing Board employs an Executive Director who is charged with overseeing the day-to-day activities of the District. The Executive Director is subject to approval by the Governor and confirmation by the Florida Senate. The Governing Board also contracts for Inspector General duties and legal

counsel. The Inspector General and legal representative report functionally to the Board and administratively (i.e., day to day operations) to the Executive Director.

The Governing Board meets monthly at the District's Headquarters in Havana, unless otherwise noticed, and its meetings are open to the public. The Governing Board's meeting agendas and supporting documentation are posted to the District website.

## B. Office of Executive Director

The **Office of Executive Director** consists of the Executive Director, Chief of Staff, and Executive Assistant. This Office is responsible for monitoring legislation related to District areas of concern and is responsible for the overall management of the District and implementation of District policy, rules, plans, studies, and programs. This Office also offers support to all divisions, information services to the public, and communication with local governments and other governmental agencies. The District's ombudsman program operates out of this Office and is the responsibility of the Communications Program Manager. The District ombudsman is responsible for assisting the public in its dealings with the District. The following operations report to this Office:

- Office of Communications coordinates a program of public information, education and public outreach programs for the District.
- Office of External Affairs serves as the liaison between the District and local governments, agencies, state and federal elected and appointed officials to communicate information on programs and services of the District.

## C. Division of Administration

The **Division of Administration** provides services for the following areas: Budget, Human Resources, and Front Lobby support. This includes budget monitoring, recruitment/hiring, and employee benefits. The Bureau of Finance & Accounting falls under this Division and administers: accounts payable, accounts receivable, payroll, bank transactions, contract administration, and fixed assets.

## D. Division of Asset Management

The **Division of Asset Management** manages more than 211,000 acres of mostly floodplain, wetland and groundwater aquifer recharge property for water resource protection. The Division manages and maintains District lands, to the extent practicable, to ensure a balance between public access and recreation with the restoration and protection of District lands. The Division is tasked with providing recreation opportunities such as camping, hunting, fishing, swimming, hiking, bird watching. On 99 percent of the 211,000 acres, Division land management and maintenance activities include, but are not limited to reforestation, timber management, and prescribed burning activities on primarily the upland portions of this acreage, or approximately 50,000 acres. The Division's conservation land acquisition program acquires property in fee simple or less-than-fee (conservation easements) interests, conducts property exchanges, accepts donations of property, and sells selected surplus properties.

- The Bureau of Land Management Operations is within this Division and oversees the day-to-day operation of the District's land management program. Bureau activities consist of timber management, prescribed burning, reforestation, offsite species eradication, vegetation management, including exotics management, management of recreation facilities and operations, in-house shoreline restoration and protection projects, and maintenance activities.

- Bureau of Information Technology provides database administration, network infrastructure, data center operations, IT security, IT compliance, IT vendor management, application development and web development and supports all technical needs of District operations.
- Facilities are within this Division and oversee the day-to-day operation of all building maintenance and repair, pool vehicle management, and housekeeping.

### **E. Division of Resource Management**

The **Division of Resource Management** manages water resource planning, resource protection and restoration projects, including wetland mitigation activities, grant programs, hydrologic and water quality data collection and monitoring, and minimum flow and level development. The Division coordinates multi-disciplinary surface and ground water resource programs in close partnership with local, state, and federal agencies. The following three bureaus report to this Division:

- Bureau of Environmental and Resource Planning manages water supply planning, water resource and supply development, watershed planning, grant administration, and wetland mitigation planning and implementation. The Bureau is responsible for: Regional Water Supply Plans, Strategic Water Management Plan, Consolidated Annual Report, Water Resource Development Work Program, Continuity of Operations Plan, Annual Water Use Report, and other District programmatic reports.
- Bureau of Hydrology and Engineering implements groundwater, hydrologic and water quality collection and monitoring programs, develops surface water hydrologic and hydraulic models for resource assessment, administers the Flood Hazard and LIDAR programs for public use, and manages and implements water resource restoration and protection projects.
- Bureau of Water Resource Evaluation implements the Minimum Flows and Levels Program, develops, applies, and maintains regional groundwater flow and transport models, manages springs restoration projects, and conducts water resource monitoring and assessment activities.

### **F. Division of Regulatory Services**

The **Division of Regulatory Services** implements programs with the goal of helping the District better manage and protect the water resources of northwest Florida. The programs include the permitting of water use; water well construction, repair and abandonment; and environmental resource projects for stormwater and flood management. The Division works under the direction of the Governing Board during times of water shortage to protect the water resources of the district from serious harm, assure equitable distribution of available water resources among all users, and minimize adverse economic, health, and social impacts. The Division also has a robust performance evaluation program to ensure permits are processed timely and permit conditions are met, all with the least burden possible to the public. These three bureaus report to this Division:

- Bureau of Groundwater Regulation issues water use permits, also known as consumptive use permits, which authorize the withdrawal of a specified amount of water from surface and/or groundwater sources for such reasonable and beneficial uses as public supply (drinking water), agricultural irrigation, landscape irrigation, industry, and power generation. The Bureau also licenses water well contractors and issues water well permits to ensure that wells are constructed, repaired and abandoned by qualified contractors and meet rigid safety standards.

- Bureau of Environmental Resource Permitting provides required Environmental Resource Permits (ERPs) to prevent stormwater pollution to Florida's rivers, lakes and streams, and to help provide flood protection. ERPs regulate the management and storage of surface waters and provide protection for the vital functions of wetlands and other surface waters. The Bureau also encourages sound agricultural and forestry water management practices through regulation of these projects to protect water resources and provide for the safety of life and property.
- Bureau of Performance and Compliance Improvement investigates public complaints, conducts water use audits, and works to improve performance metrics and regulatory compliance by assessing permit application processing times and streamlining business practices and procedures.

## **G. Office Locations**

The District has three public office facilities strategically located to provide convenient access to citizens within its 16-county area. Three more field offices are for District staff only to help conduct operations more effectively across the service area. The locations of these offices are:

<b>HEADQUARTERS</b>	<b>PUBLIC SERVICE OFFICE</b>	<b>FIELD OFFICES FOR STAFF ONLY</b>
81 Water Management Drive Havana, Florida 32333-4712 (850) 539-5999	700 U.S. Highway 331 South DeFuniak Springs, FL 32435 (850) 951-4661	5453 Davisson Road Milton, Florida 32583 (850) 623-3110
		6418 E. Highway 20 Youngstown, Florida 32466 (850) 722-9919 (Forestry) or (850) 722-9357 (Land Management)
		4765 Pelt Street Marianna, Florida 32446

## **III. General Information**

### **A. Permit and License Application and Information**

Chapter 373, F.S., provides statutory authority to the water management districts to manage the water resources of the State of Florida and take necessary civil and administrative action to ensure compliance with Florida Statutes and Florida Administrative Codes. The District manages the water resources through application of Florida Administrative Code Chapters 40A-1, General and Procedural; 40A-2, Regulation of Consumptive Uses of Water; 40A-3, Regulation of Wells; 40A-6, Works of the District; 40A-21, Water Shortage Plan; 40A-44, Regulation of Agricultural and Forestry Surface Water Management Projects; 62-531 Water Well Contractor Licensing Requirements; 62-532, Water Well Permitting and Construction Requirements; and 62-330, Environmental Resource Permitting through an Operating Agreement between the District and Florida Department of Environmental Protection.

### **B. Variances From and Waivers of Rules**

A person who is subject to regulation by an agency rule may file a petition with that agency requesting a variance or waiver from the agency's rule by following the procedures outlined in section 120.542, F.S., and 40A-1.1003, F.A.C. Requests for variances to the District's Water Shortage Plan shall follow the procedures in section 40A-1.1002, F.A.C.

The appropriate contact person for obtaining information about variances from or waivers of Chapters 40A-1, 40A-2, 40A-3, 40A-21, 40A-6, 40A-44, and 62-330, 62-531, and 62-532, F.A.C., is Lyle Seigler at (850) 539-5999, [lyle.seigler@nfwwater.com](mailto:lyle.seigler@nfwwater.com), or attention: Director of Division of Regulatory Services, NFWFMD, 152 Water Management Drive, Havana, FL 32333.

### **C. Delegations of Authority**

The primary signatory authority for permits and the delegations thereof is found in section 373.083(5), F.S. Issuance of permits, excluding denials, under Chapters 40A-6, 40A-44, and 62-330, F.A.C., is delegated to the Bureau Chief of Environmental Resource Permitting. Issuance of water use permits less than one million gallons average daily use is delegated to the Executive Director. Issuances of water use permit application denials and permits equal to or greater than one million gallons average daily use goes before the Governing Board for final action. Water well permits and issuances of water well contractor licenses are issued through the Well Regulation Program Manager. Suspension, revocation, cancellation, and modification of permits are administered in accordance with Rule 40A-1.205, F.A.C.

### **D. Publications and Documents**

District publications and documents are available online at [www.nfwwater.com/data-publications/](http://www.nfwwater.com/data-publications/) or by contacting the Office of Communications at (850) 539-5999.

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

It is the District's policy to provide full access to all public records of the District including documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or in connection with the transaction of official business by the District.

The Agency Clerk, or designee, serves as the custodian of public records.

Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records. The custodian of public records shall furnish a copy or a certified copy of the record upon payment of the fee prescribed by law. If a fee is not prescribed by law, the following fees are authorized:

- Up to \$.15 per one-sided copy for duplicated copies of not more than 14 inches by 8 1/2 inches;
- No more than an additional \$.05 for each two-sided copy;
- For all other copies, the actual cost of duplication of the public record. Actual cost of duplication means the cost of the material and supplies used to duplicate the public record, but does not include labor cost or overhead cost associated with such duplication;
- The District may charge up to \$1 per copy for a certified copy of a public record.

If the nature or volume of public records requested to be inspected or copied pursuant to this subsection requires the use of information technology, clerical, supervisory, or other assistance by personnel of the District, the District may charge, in addition to the actual cost of duplication, a special service charge, which shall be no more than the actual cost incurred for the use of information technology resources or the labor cost of the personnel providing the service that is incurred by the agency or attributable to the agency for the clerical and supervisory assistance required, or both.

## **V. Agency Clerk**

The Agency Clerk is responsible for compiling and storing the District's official records in compliance with Florida's public records laws. The duties of the Agency Clerk include, but are not limited to, the following:

- Maintaining and indexing orders pursuant to Chapter 120, including, but not limited to, Written Complaint and Orders, Final Orders, Consent Orders, and Settlement Agreements.
- Serving as the Records Management Liaison Officer whose responsibilities include: coordinating the District's records inventory; maintaining retention/disposition forms; approving the disposal of District records; assisting in establishing individual retention schedules for the District, if necessary; and submitting the District's Annual Compliance Statement to the Department of State, Division of Library and Information Services.
- Presiding over the formal opening of competitive procurement solicitations and is responsible for posting required notices regarding competitive procurement solicitations on the District website and the State Vendor Bid System, as requested. The Agency Clerk receives all sealed bids/proposals prior to the opening and maintains a master file for all competitive procurement solicitations.
- Processing and updating Lobbyist Registration Forms.
- Appointing deputy clerks as necessary to perform any of the duties of the Agency Clerk.

The District's Agency Clerk contact information is:

Toni Devencenzi  
Fiscal Assistant I  
81 Water Management Drive  
Havana, Florida 32333-4712  
(850)539-5999  
[Agency.clerk@nwfwater.com](mailto:Agency.clerk@nwfwater.com)

## **VI. Filing Requirements**

The hours of operation at all District offices are 8 a.m. to 5 p.m., local time, Monday through Friday, except for District holidays and emergency closings. Legal documents to be filed with the District will be accepted during these hours.

Any legal document required to be filed with the District may be filed by hand delivery, U.S. Mail or other delivery service addressed and sent or delivered to the District Agency Clerk at the District's headquarters, 81 Water Management Drive, Havana, Florida 32333-4712, or sent by facsimile transmission (fax) to the Agency Clerk at (850) 539-2777. Documents filed with the Agency Clerk by electronic transmission (facsimile) are subject to the following requirements:

- The filing party must represent that the original physically 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 that the party will produce it upon the request of other parties; and
- The filing party is responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk.

The filing date for an electronically transmitted document is the date the Agency Clerk receives the complete document. Any document received by the Agency Clerk after 5 p.m. shall be filed as of 8 a.m.

on the next regular business day. If transmission of a facsimile-transmitted document is begun prior to 5 p.m. but not complete until after 5 p.m., the document shall be considered as received after 5 p.m.

## **VII. Final Order Index**

Pursuant to section 120.53(5), F.S., a subject matter index of Agency Final Orders is located at one of the following locations:

Final orders issued prior to July 1, 2015                   <http://fblr.com/default.shtml>

Upon visiting the FALR site above, click on the “Search” link to the left of the screen. Choose “1. Supercumulative Indexes (Free).” Instructions for using this site are located here. A search bar is located in the middle of the page in which you can enter the subject matter, party, or keyword you are looking for. Below the search bar there is a list of indices compiled by a range of years that you may reference as well. These indices are searchable by Agency name.

Final orders issued on or after July 1, 2015                   <https://www.doah.state.fl.us/FLAIO/>

The link above will take you to the State of Florida Division of Administrative Hearings “Florida Agency Indexed Orders Search” page. You may enter information into any of the empty fields or choose from the available drop downs to choose an agency, type of order, or order subject