

**ADMINISTRATIVE DIRECTIVE
EXECUTIVE DIRECTOR DELEGATIONS**

Number: 210

District Policy 120 delegates to the Executive Director and in certain cases, other District staff, specific duties related to the District's regulatory programs. However, unless expressly limited in the policy, the Executive Director may sub-delegate any duty to additional District staff through administrative directive. This administrative directive sets forth the Executive Director's sub-delegations under and summaries provided in District Policy 120. For ease of use, this directive tracks the numbering and headings used in the policy, and, thus, in some instances reflects that no sub-delegations have been made.

- (1) **Construction.** The Executive Director retains the right to withdraw any of these sub-delegations on a case-by-case basis in advance of District action upon a determination that the action to be taken under a sub-delegation either is controversial or has garnered significant public interest, or when resolution of a matter necessarily requires policy formation.

For purposes of this directive, the term "Division Director" means the director of a division, the General Counsel, the Inspector General, or the Assistant Chief of Staff.

If none of the above listed persons are available and able to carry out his or her responsibility as Acting Executive Director, then the Governing Board Chair shall select one of the District's Division Directors to serve as Acting Executive Director.

If the Executive Director position is vacated prior to the appointment of a new Executive Director, any person who is a candidate for the position shall be considered unavailable to serve as Acting Executive Director unless otherwise authorized by the Governing Board.

- (2) **Omnibus Delegation.** In the event that the Executive Director is temporarily absent, becomes incapacitated and unable to manage the operations and affairs of the District, or the Executive Director position is vacated prior to the appointment of a new Executive Director, all of the authority delegated to the Executive Director in any District policy shall automatically transfer to the Assistant Executive Director or, in the event the Assistant Executive Director is unable to manage the operations and affairs of the District, the Acting Executive Director until the Executive Director returns or a new Executive Director is appointed. The following order of people are designated as Acting Executive Director. Each successive person's designation is contingent upon those above his or her name being also unavailable or unable to carry out his or her responsibility as Acting Executive Director.

Bradley Purcell
Mary Ellen Winkler

- (3) **Execution of Documents.** The Assistant Executive Director and Chief of Staff are delegated the authority to execute by signature any document which has been approved by the Governing Board. Any required attestation may be performed by the General Counsel or Acting General Counsel.

- (4) *Reserved.*

- (5) **Consumptive Use Permitting.** The Assistant Executive Director and Chief of Staff are delegated the authority to approve applications at the limits described in District Policy 120(5)(a).
 - (a) The Director of the Division of Regulatory Services and the Bureau Chief of Water Use Regulation are delegated authority to approve applications pursuant to Chapter 40C-2, F.A.C., for new permits, renewals of permits, and modifications to permits in the following circumstances:
 - 1. Applications for new permits, renewals of permits, and modifications to permits that authorize up to 300,000 gallons per day on an annual average basis;
 - 2. Applications for renewal of existing permits that authorize up to 2,500,000 gallons per day on an annual average basis where the applicant is requesting no increase in allocation;
 - 3. Applications for renewal or modification of existing permits that authorize greater than 300,000 gallons per day and less than or equal to 2,500,000 gallons per day on an annual average basis where the applicant is requesting an allocation increase of no greater than 10% more than its existing permitted allocation.
 - 4. Applications for modification of existing permits that authorize greater than 2,500,000 gallons per day and less than or equal to 5,000,000 gallons per day on an annual average basis and where the applicant is not requesting either an increase in permitted allocation or an increase in duration of the permit.
 - 5. The Director of the Division of Regulatory Services and the Bureau Chief of Water Use Regulation are delegated authority to approve anything delegated under (5)(b) below.

 - (b) Supervising Hydrologists are delegated authority to approve applications pursuant to Chapter 40C-2, F.A.C., for renewals of permits and modifications to permits in the following circumstances:

1. Applications for renewal or modification of existing permits that authorize up to 500,000 gallons per day on an annual average basis where the application is requesting no increase in allocation;
2. Permit modifications that qualify for submittal by letter, except for requests that extend the permit duration; and
3. Requests by the permittee to permanently rescind its Consumptive Use Permit.

At the discretion of designated staff, any consumptive use permit application may be presented to the Executive Director for action.

- (6) **General CUP and Water Well Consent Orders.** The Assistant Executive Director, the Chief of Staff, the Director of the Division of Regulatory Services, and the Bureau Chief of Water Use Regulation are authorized to enter into general consent orders described in District Policy 120(6).

At the discretion of designated staff, any general consent order under this part may be presented to the Executive Director for action.

- (7) **Water Shortage Consent Orders.** The Assistant Executive Director, the Chief of Staff, the Director of the Division of Water Supply Planning and Assessment, and the Director of the Division of Regulatory Services are authorized to enter into consent orders described in District Policy 120(7).

At the discretion of designated staff, any general consent order under this part may be presented to the Executive Director for action.

- (8) **Environmental Resource Permitting.** The Assistant Executive Director, the Chief of Staff, the Director of the Division of Regulatory Services, and the Bureau Chief of Environmental Resource Regulation are delegated the authority to approve matters described in District Policy 120(8)(a) through (g). Environmental Resource Program Managers are delegated the authority to approve matters described in District Policy 120(8)(a) through (c) and (e) through (g). Supervising Engineers and Supervising Regulatory Scientists are delegated the authority to approve matters described in District Policy 120(8)(a) through (c), (e), and (f).

At the discretion of designated staff, any matter delegated in this part may be presented to the Executive Director for action.

- (9) **Exemptions, General Environmental Resource Permits, and Denials of Petitions for Formal Determinations of Wetlands and Other Surface Waters.** The Assistant Executive Director, the Chief of Staff, the Director of the Division of Regulatory Services, and the Bureau Chief of Environmental Resource Regulation are delegated the authority to approve matters described in District Policy 120(9)(a) through (c).

Environmental Resource Program Managers, Supervising Engineers and Supervising Regulatory Scientists are delegated the authority to approve matters described in District Policy 120(9)(a) and (b).

At the discretion of designated staff, any matter delegated in this part may be presented to the Executive Director for action.

- (10) **Consent Orders to Resolve Matters under Chapter 373, Part IV.** The Assistant Executive Director, the Chief of Staff, and the Director of the Division of Regulatory Services are authorized to enter into general consent orders described in District Policy 120(10).

At the discretion of designated staff, any general consent order under this part may be presented to the Executive Director for action.

- (11) **Execution of Documents Related to Implementation of Permits Under Part IV of Chapter 373, F.S.** The Assistant Executive Director, the Chief of Staff, and the Director of the Division of Regulatory Services are delegated the authority to execute all documents described in District Policy 120(11).

- (12) **Special Case Agreements.** The Assistant Executive Director, the Chief of Staff, the Director of the Division of Regulatory Services, and the Bureau Chief of Environmental Resource Regulation are authorized to enter into Special Case Agreements described in District Policy 120(12).

- (13) **Mitigation Bank Permits.** The Assistant Executive Director, the Chief of Staff, the Director of the Division of Regulatory Services, and the Bureau Chief of Environmental Resource Regulation are delegated the authority to take all of the actions in District Policy 120(13)(a) through (e). The Technical Program Coordinator for Mitigation Banking is delegated the authority to take the actions in District Policy 120(13)(a) through (c) and (e).

- (14) **Mitigation Project Agreements.** The Assistant Executive Director, the Chief of Staff, and the Director of the Division of Regulatory Services are authorized to enter into any mitigation project agreement described in District policy 120(14).

- (15) **Amendments to Consent Orders and Settlement Agreements.** The Assistant Executive Director, the Chief of Staff, and the Director of the Division of Regulatory Services are authorized to conduct matters described in District Policy 120(15).

- (16) **Expedited Permitting Final Orders.** The Assistant Executive Director and Chief of Staff are delegated the authority to conduct matters described in District Policy 120(16).

- (17) **Partial Waiver of Penalties or Interest under Consent Orders.** The Assistant Executive Director, Chief of Staff, and the Director of the Division of Regulatory Services are authorized to conduct matters described in District Policy 120(17).
- (18) **Water Control District Water Control Plans.** The Assistant Executive Director and Chief of Staff are authorized to conduct matters described in District Policy 120(18).
- (19) **Interagency Agreements under Subsection 373.046(6), F.S.** The Assistant Executive Director and Chief of Staff are authorized to enter into any interagency agreement described in District Policy 120(19).
- (20) *Reserved.*
- (21) **Administrative Denials.** The Assistant Executive Director, the Chief of Staff, the Director of the Division of Regulatory Services, and the Bureau Chiefs of Water Use Regulation and Environmental Resource Regulation are authorized to deny those permit applications and petitions described in District Policy 120(21).
- (22) **Real Property Donations, Regulatory Conservation Easements, Monitoring Site Agreements and Project Related Permits.**
- (d) **Project Related Permits.** The Assistant Executive Director, the Chief of Staff, the Director of the Division of Regulatory Services, the Director of the Division of Water Supply Planning and Assessment, the Director of the Division of Land and Water Resources and the Director of the Division of Projects are authorized to apply for any regulatory or other governmental permit necessary for a District road, building, or other improvement or project on District property.
- (23) **Applications for Release of Canal and Drainage Reservations.** The Assistant Executive Director and Chief of Staff are authorized to conduct matters described in District Policy 120(23).
- (24) **Uncollectible Receivables.** The Assistant Executive Director and the Chief of Staff are authorized to write off uncollectible receivables that are \$2,500 or less as described in District Policy 120(24).
- (25) **Workforce and Workplace Management.** The Assistant Executive Director and Chief of Staff are delegated authority to take actions regarding workforce management as described in Administrative Directives 510, 515, 517, 520 and 525.
- (26) through (28) *Reserved.*
- (29) **Lawsuits Involving the District.** Upon specific prior written approval by the Executive Director, the Assistant Executive Director, Chief of Staff, Directors of Divisions and

Offices, and Chiefs of Bureaus are delegated the authority to participate in mediation, arbitration, or settlement conference and conduct matters described in District Policy 120(29).

History: New 02/25/14, 3/25/15, 5/7/15, 07/30/15, 09/24/15, 12/1/15, 12/09/15, 5/10/17, 9/4/18, 12/03/18, 10/26/20, 9/23/2021, 01/24/2022.