
Appendix G. Federal and State Agencies with Management and Restoration Responsibilities in South Florida.**FEDERAL AGENCIES**

UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)

Created by Congress in 1862 to acquire and disseminate “useful” information on subjects connected with agriculture in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants. Today, in addition to managing the national forests and grasslands, USDA manages a variety of research, regulatory, domestic and foreign marketing, food and nutrition, and many other programs.

Animal and Plant Health Inspection Service

Animal Damage Control - Provides operational and technical assistance to states, individuals, public and private organizations, and institutions in the resolution of human and wildlife conflicts deemed injurious to agriculture, horticulture, animal husbandry, human health and safety, forest and range resources, and wildlife. One example of their efforts involves controlling aggregations of migratory birds at Southwest Florida International Airport that are perceived as hazardous to air traffic.

Plant Protection and Quarantine - This USDA program regulates the importation of plants, plant products, and animal products from foreign countries. It regulates the movement of such products between U.S. possessions and the mainland and the importation and interstate movement of plant pests. Inspects and certifies plants and plant products for export. Administers cooperative programs with states to control and eradicate insects, diseases, weeds, and nematodes of economic importance. USDA Plant Protection and Quarantine personnel are responsible for regulating ornamental nursery stock that may have a detrimental effect on native plant species and ecosystems. Approval for release of the melalueca snout weevil was authorized through this bureau.

Regulatory Enforcement and Animal Care - Investigates and prosecutes violations of Federal laws governing the movement of animals and plants between states or into and out of the United States and regulates the humane care and treatment of warm-blooded animals used for purposes of research or exhibition, for sales as pets at the wholesale level, or transported in commerce. USDA Regulatory Enforcement and Animal Care personnel administer and monitor permits issued to facilities like Sea World to rehabilitate manatees.

Farm Service Agency

Administers the following nationwide or regional programs: Conservation Reserve Program, Emergency Conservation Program, Livestock Feed Program, and various commodity programs, including feed grains, wheat, cotton, rice, wool, *etc.*

Forest Service

Administers National Forests and National Grasslands and is responsible for the management of their resources. Cooperates with Federal and state officials in the enforcement of game laws on the National Forests and in the development and maintenance of wildlife resources; cooperates with the state and private owners in the application of sound forest management practices, in protection of forest lands against fire, insects, diseases, and in the distribution of planting stock. Conducts research in the entire field of forestry and wildland management.

Natural Resources Conservation Service (NRCS)

NRCS has national responsibility for helping America's farmers, ranchers, and other private landowners develop and carry out voluntary efforts to conserve and protect our natural resources. NRCS is the technical delivery arm for conservation programs of the USDA. It provides technical assistance and conservation programs through a unique partnership with America's soil and water conservation districts and state conservation agencies.

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration (NOAA)**

NOAA was created within the Department of Commerce to promote global environmental stewardship and to describe and predict changes in the earth's environment. NOAA conducts oceanic and atmospheric research; maintains environmental databases and disseminates environmental information products; manages living marine resources and the marine environment; and operates environmental satellites, ships, aircraft, and buoys. NOAA provides the environmental information, science, technology, and resource management expertise necessary for our nation to build a future sustained by both environmental stewardship and economic growth.

National Marine Fisheries Service (NMFS) - A component of NOAA, NMFS provides management, research, and services for the protection and rational use of living marine resources for their aesthetic, economic, and recreational value. They have protected species responsibilities for sea turtles. NMFS also determines the consequences of the natural environment and human activities on living marine resources and provides knowledge and services to achieve efficient and judicious domestic and international management use, and conservation of the resources.

National Ocean Service (NOS) - A component of NOAA with a mission to serve as the nation's principal advocate for coastal and ocean stewardship. NOS sets the foundation for coastal and ocean science, management, response, restoration, and navigation. In South Florida, NOS manages the Florida Keys National Marine Sanctuary, and provides funding for the Rookery Bay National Estuarine Research Reserve and the Florida Coastal Zone Management Program.

DEPARTMENT OF DEFENSE

U.S. Air Force

A comprehensive natural resources conservation program focusing on fish and wildlife management, forestry, outdoor recreation, and soil and water conservation has been conducted on Air Force lands since the mid-1950s. Current policy requires all installations with significant land and water resources to develop integrated natural resource management plans as part of the base comprehensive planning process.

Department of the Army

The **U.S. Army Corps of Engineers (COE)** administers a program that regulates the discharge of dredged or fill material into waters of the United States (which include wetlands) under Section 404 of the Clean Water Act. Under the section 404 program, the COE reviews projects to ensure that authorizing the discharge of fill into waters of the United States is in the public interest. When an individual, agency, or organization wants to place fill into waters of the U.S. (including wetlands), they apply to the COE for a permit. Although there are some exceptions, the COE generally issues notices that are distributed for public review and comment, then determines if the project is in the public interest before issuing the permit.

It is COE policy to carry out its civil works missions in full compliance with the National Environmental Policy Act (NEPA) and with other Federal statutes and guidelines for environmental protection such as the Endangered Species Act. The Corps strives to maintain and create conditions under which the human and natural environments can exist in productive harmony and to preserve important historic and archeological resources.

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs (BIA)

An agency charged with carrying out the major portion of the trust responsibility of the U.S. to Indian tribes. This trust includes the protection and enhancement of Indian lands and the conservation and development of natural resources, including fish, wildlife, and outdoor recreation resources. BIA provides financial assistance and other services to South Florida tribal members.

Bureau of Land Management (BLM)

Administers the public lands which are located primarily in the western states and which amount to about 48 percent (over 272 million acres) of all federally owned lands. These lands and resources are managed under multiple-use principles, including outdoor recreation, fish and wildlife production, livestock grazing, timber, industrial development, watershed protection, and onshore mineral production. BLM provides ecosystem management implementation support. The Wildlife, Fisheries, Rangelands, and Forestland Group assists states in implementing the BLM's Fish and Wildlife 2000 initiatives, coordinating achievement of objectives of the National Fish and Wildlife 2000 Strategic Plan components: anadromous fisheries and aquatic ecosystem monitoring, landscape ecosystem modeling and analysis, nongame (neotropical) migratory birds, watchable wildlife, and waterfowl/wetlands.

National Park Service (NPS)

Administers parks, monuments, and other administrative classifications of national significance for their recreational, historic, and natural values. Manages landmark programs for natural and historic values. Manages landmarks programs for natural and historic properties; coordinates Wild and Scenic Rivers System and National Trail System; administers study and grants programs.

U.S. Fish and Wildlife Service (FWS)

The FWS is the lead Federal agency in the conservation of the nation's migratory birds, threatened and endangered species, certain marine mammals, and interjurisdictional fisheries. This includes the management of national wildlife refuges and fish hatcheries; management of migratory birds through habitat conservation and hunting regulations; listing and recovery actions for endangered and threatened species; conservation and enhancement of wetlands; biological review of the environmental impacts of certain development projects; and enforcement of Federal wildlife laws such as the Endangered Species Act, the Lacey Act, the Marine Mammal Protection Act, and the Migratory Bird Treaty Act. The FWS administers fish and wildlife restoration and endangered species grant programs to state governments, provides technical assistance to state and foreign governments, participates on regional fishery management councils and commissions, serves as lead Federal agency in international conventions on wildlife conservation, and operates a program of public affairs and education to enhance the public's understanding and appreciation of America's fish and wildlife resources.

The FWS provides technical assistance to other Federal agencies to help them comply with the Fish and Wildlife Coordination Act and the Endangered Species Act. In the latter capacity, the FWS provides comments and recommendations to the COE when it reviews applications for permits to dredge or fill in waters of the United States (which includes wetlands). The FWS consults with all Federal agencies to ensure that their actions are not likely to jeopardize the continued existence of threatened or endangered species, or destroy or adversely modify designated critical habitat. The FWS has issued biological opinions on residential

housing, commercial construction, road construction, marinas, boat docks, and canal dredging projects throughout South Florida. Since 1982, the FWS has issued permits to “take” threatened or endangered species incidental to activities that are authorized by other laws. The FWS also has an innovative Private lands Program that seeks to partner with land owners to conserve fish and wildlife species.

U.S. Geological Survey (USGS)

This research agency of the Interior Department publishes and distributes maps and reports covering our nation’s physical features and mineral, fuel, and water resources. Responsibilities include activities in topographic mapping, geology, water, energy and mineral resources, and natural hazards. Personnel are stationed in Reston, Virginia, and at more than 300 field offices and two major regional centers in Denver, Colorado, and Menlo Park, California.

The **Biological Resources Division** -this division works with others to provide the scientific understanding and technologies needed to manage the nation’s biological resources.

DEPARTMENT OF TRANSPORTATION

This department is composed of: U.S. Coast Guard, Federal Aviation Administration, Federal Highway Administration, Federal Railroad Administration, Maritime Administration, St. Lawrence Seaway Development Corporation, National Highway Traffic Safety Administration, Federal Transit Administration, and Research and Special Programs Administration. The major objectives are to develop and improve a coordinated national transportation system consistent with other national objectives, such as environmental protection, and to stimulate technological advances in the industry, preserving the nation’s free enterprise transportation network.

Federal Highway Administration (FHWA)

FHWA is charged with carrying out the Department of Transportation responsibilities concerned with the highway mode of land transport. It has primary missions of ensuring that the Nation’s highway transportation system is safe, economic, and efficient with respect to the movement of people and goods, while giving full consideration to the highway’s impact on the environment and social and economic conditions.

STATE AGENCIES

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

The Division of Agricultural Environmental Services administers various State and Federal regulatory programs concerning environmental issues that relate to

agriculture. These include mosquito control; pesticides; pest control; and feed, seed and fertilizer.

Division of Forestry

The Division of Forestry is responsible for the wildland fire protection of over 26 million acres of State and privately owned land located throughout Florida. There are 35 State forests covering more than 655,000 acres and another 488,000 acres of forest lands that the Division of Forestry helps other public agencies manage.

Division of Plant Industry

The Division of Plant Industry works to detect, intercept and control plant and honeybee pests that threaten Florida's agricultural and horticultural industries. Division efforts concentrate on the exclusion of exotic pests and the prevention of their spread through the regulation of plant and honeybee movement and through extensive survey programs designed for the early detection of new pests to mitigate the need for control activities.

FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS

The Department of Community Affairs (DCA) is responsible for planning and regulating land use by approving local government comprehensive plans and land development regulations. Planning activities are integrated on the regional, State, and local level. The DCA also administers the Florida Land Management Act, which provides the statewide framework for comprehensive plans developed by counties. The South Florida Ecosystem encompasses all or part of five regional planning councils.

The DCA administers the Florida Coastal Management Program, which is structured as a network of State agencies that improves the effectiveness and efficiency of implementing existing laws and programs in the coastal zone. The DCA also administers the Areas of Critical State Concern (ACSC) program that identifies certain regions of the State for special protection based on perceived threats to significant natural resources and the need to protect public investments in facilities. (Refer to the management and Conservation section for a description of South Florida's ACSCs).

The governor and cabinet can designate an area by rule, setting the boundaries of an ACSC and the principles to be used for guiding development activities. Once an area is designated, affected local governments have 180 days to submit land development regulations consistent with the principles set forth in the rule. If the local government fails to submit regulations, or if its proposals are insufficient, the State land planning agency may propose development regulations for the governor's and cabinet's approval.

Regional Programs

In addition to DCA requirements, individual regional planning councils (RPCs) may have specific species or habitat criteria and requirements set forth in comprehensive regional policy plans. Some plans consider specific types of

plant communities worthy of protection regardless of the presence or absence of listed plants or animals. Local governments ultimately approve or deny the development order prepared by the regional planning council, and may require further wildlife or habitat preservation.

Florida's five water management districts (WMDs) have become much more involved in wetlands permitting in recent years. In many cases, the districts perform more stringent reviews than those performed by the DEP or the COE. As part of their management and storage of surface waters regulatory programs, the water management district's permitting authority includes consideration of the impact of regulated activities on both isolated and non-isolated wetlands.

Local Programs

Local governments derive much of their authority from their police powers, and from powers designated by the State. Many local governments have ordinances addressing the protection of rare and listed species. Many more are in the process of developing such ordinances in accordance with comprehensive plans. However, few local governments in the State have the staffing, resources, or inclination to address the cumulative impacts of land use on regional or statewide biological diversity.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection (DEP) provides policy directives to State agencies and regional and local governments. It also supervises regional water management districts, and delegates the authority to carry out programs to these water management districts, other State agencies, and local government agencies. To achieve these goals, the DEP conducts regulatory programs to control or prohibit air and water pollution and to clean up or restore polluted land and water resources. It also supports research on environmental issues, and provides educational and technical assistance to the public for preventing environmental damage.

Several divisions of the DEP have natural resource management responsibilities in the South Florida Ecosystem: (1) Recreation and Parks; (2) Marine Resources; (3) State Lands, which acquires and manages State properties; (4) Law Enforcement; (5) Beaches and Shores, which has regulatory jurisdiction for construction and excavation activities on sovereign lands seaward of the high-water line in any State tidal waters or within 50 feet of the mean high water line; (6) Water Management, which manages changes in State surface water quality standards, and processes applications for dredge-and-fill permits for projects with more than 10 acres of dredging or filling; (7) Waste Management, which attempts to improve point sources of discharges that affect water quality and underground storage tanks; and (8) Water Facilities.

Environmental Regulation Commission

The Florida Environmental Regulation Commission is the rule-making arm of the Department for rules that establish environmental standards such as the

department's water body classifications, and its air and water quality standards. The Commission's membership is composed of seven citizens of the State appointed by the Governor for 4-year terms, subject to confirmation by the Senate. Members are selected from within the boundaries of the five water management districts, with no more than two members from any one district. Membership is representative of the many diverse economic and social interests in the state.

The Marine Fisheries Commission

The Marine Fisheries Commission prepares and adopts all rules relating to marine life, with the exception of endangered species. Its rules are subject to final approval by the Governor and Cabinet. The Commission is composed of seven members appointed by the Governor and confirmed by the Senate. The Commission employs its own executive director and staff.

Office of Ecosystem Management

Ecosystem Planning and Coordination - This office coordinates development of department and statewide strategies for implementing ecosystem management. It evaluates the need for ecosystem research and monitoring, and develops cooperative projects with universities and institutions. It coordinates the department's implementation of the Everglades Forever Act and is the main point of contact for Everglades issues. It evaluates the effects of department programs and management activities on resources and their consistency with ecosystem management goals and objectives.

Water Policy/SWIM - This office communicates and coordinates with the five water management districts on water policy and issues related to regulatory and nonregulatory (Surface Water Improvement and Management) environmental protection programs. Existing SWIM management plans in South Florida include: Indian River Lagoon/St. Lucie River/Loxahatchee River, Biscayne Bay, Caloosahatchee River, and Charlotte Harbor.

Division of Law Enforcement

The Office of Enforcement Planning and Policy Coordination handles boating safety education, fisheries coordination, rule development and waterway permitting and outreach; the Office of Environmental and Resource Crimes Investigations handles both criminal and civil environmental enforcement to enhance the protection of State-owned land managed by the Department; and the Bureau of Emergency Response is responsible for responding to any emergency incidents such as oil spills and hazardous material leaks that present an imminent hazard or threat to public health, welfare, safety, or the environment.

Division of Air Resources Management

This Division administers the State's air pollution control program, which implements the Federal Clean Air Act, and issues permits for sources of air pollution. It develops air quality standards, and monitors air quality all in

conjunction with eight local approved programs. The Division has two bureaus and an Office of Policy Analysis and Program Management.

Division of State Lands

This Division acquires, disposes of, administers, manages, and maintains the records for land held by the Board of Trustees of the Internal Improvement Trust Fund (The Governor and Cabinet). Florida has one of the largest and most extensive environmental land acquisition programs in the country. More than \$300 million is appropriated each year to purchase environmentally sensitive lands through the Conservation and Recreation Lands and Preservation 2000 programs. Lands are also acquired, by the Division, on behalf of other State agencies for uses such as universities, correctional, health and social services programs. The Division has five bureaus: Bureau of Land Acquisition, Appraisal, Land Management Services, Survey and Mapping, and Aquatic Plant Management, an Office of State Lands Record Modernization, and the Office of Environmental Services.

Division of Marine Resources

The Division of Marine Resources protects and manages for a diverse array of marine species--including endangered species such as the West Indian manatee and five species of sea turtles--and marine habitats in Florida. The Division includes the Florida Marine Research Institute, the Bureau of Marine Resource Regulation and Development, the Bureau of Coastal and Aquatic Managed Areas, Office of Fisheries Management and Assistance Services, and the Bureau of Protected Species Management.

Division of Recreation and Parks

This Division operates the more than 140 State Parks throughout Florida. The Florida Park Service includes parks, recreation areas, museums, gardens, and preserves in five districts throughout the State. The Division consists of eight bureaus, including five districts, and two offices.

Division of Water Facilities

The Division of Water Facilities administers programs to ensure that Florida's waters are fishable, swimmable, and drinkable. The Division oversees the construction and operation of drinking water treatment facilities and domestic and industrial wastewater treatment plants. The Division administers the State's reclaimed water, reuse, and groundwater protection programs, and oversees mined land reclamation, beach management and restoration, and environmental and wetlands permitting. The Division has six bureaus: Drinking Water and Ground Water Resources, Water Facilities Planning and Regulation, Water Facilities Funding, Mine Reclamation, Beaches and Coastal Systems, and Submerged Lands and Environmental Resources.

Bureau of Beaches and Coastal Systems - The Bureau develops and implements the State's management plan for critically eroding areas, and

provides financial assistance to the Federal and local governments implementing this plan. The Bureau also regulates construction below mean high water in marine waters, and construction seaward of the Coastal Construction Control Line.

FLORIDA DEPARTMENT OF TRANSPORTATION

The DOT is responsible for planning, developing, operating, and maintaining a safe, cost effective and efficient statewide system of transportation facilities and services.

FLORIDA GAME AND FRESH WATER FISH COMMISSION

The Florida Game and Fresh Water Fish Commission's authority and responsibility are derived from the Florida constitution, State statutes, and executive orders of the Governor. The Commission, composed of five members appointed by the Governor and subject to Senate confirmation serves staggered 5-year terms, exercises the regulatory and executive powers of the State with respect to wild animal life and freshwater aquatic life.

The organizational structure includes; (1) an Office of the Executive Director responsible for appraising the Commission of current issues and executing Commission directives, (2) a Division of Law Enforcement responsible for enforcing State conservation laws, (3) a Division of Wildlife responsible for developing and implementing management practices that ensure the perpetuation of wildlife, (4) a Division of Fisheries responsible for maintaining and enhancing freshwater aquatic life, (5) a Division of Administrative Services responsible for providing support services to the agency, (6) an Office of Environmental Services responsible for implementing and coordinating habitat protection activities, especially those relating to the regulatory, land-use planning, and land acquisition programs of local, State, and Federal agencies, and (7) an Office of Informational Services responsible for informing and educating the public on resource and management issues, rules, and regulations.

Game, nongame, threatened and endangered wildlife and freshwater game, commercial, and non-consumptive fish under the jurisdiction of the GFC include 93 species of mammals, 428 species of birds, 208 species of freshwater fish, 53 species of amphibians, 98 species of reptiles (Stevenson 1976 in Anon. 1988), and an undetermined number of molluscs, invertebrates, and plants.

FLORIDA WATER MANAGEMENT DISTRICTS

The South Florida Ecosystem encompasses all of the South Florida Water Management District and portions of the Southwest Florida Water Management District and the St. Johns River Water Management District. All of the water management districts were created in 1972 and generally are instructed to: (1) ensure an adequate supply of water for all reasonable and beneficial uses, now and in the future, (2) minimize the potential for flood damage and restore the natural water storage and conveyance functions of flood prone areas preferably using non-structural surface water management

methods, (3) protect existing water quality and enhance water quality where appropriate, (4) preserve, protect and restore systems to support their natural hydrologic and ecologic functions, and (5) ensure support services effectively and efficiently contribute to the management and protection of water resources.

Since many of Florida's threatened and endangered species are wetland dependant, the authority for water management districts to utilize land acquisition in carrying out the mission of "flood control, water storage, water management, and preservation of wetlands, streams, and lakes" is coincidentally important to a multi-species recovery strategy.

South Florida Water Management District

The District is actively acquiring land in 42 projects totaling 855,777 acres. As of September 30, 1997 about 367,485 acres had been acquired (SFWMD 1998).

Southwest Florida Water Management District

Annual acquisition continuity is maintained by dividing projects into three groups. (1) A resource evaluation has been completed and acquisition authorized on 15 projects totaling 441,615 acres. As of October 1, 1996 about 32,397 acres had been acquired. (2) Three projects totaling 52,154 acres have been evaluated and await Governing Board approval. (3) Five projects totaling 56,225 acres scheduled for evaluation during 1998 (SWFWMD 1997).

St. Johns River Water Management District

The District, as of December 31, 1997, owns 113,206 acres located in the South Florida Ecosystem (SJWMD 1998).

Literature Cited

- Anon. 1988. A strategic plan for Florida's wildlife and freshwater fish: Third edition 1988-1993. Florida Game and Fresh Water Fish Commission; Tallahassee, Florida.
- South Florida Water Management District. 1998. Save Our Rivers: 1998 Land acquisition and management plan. [SFWMD]. West Palm Beach, Florida. (www.sfwmd.gov).
- Southwest Florida Water Management District. 1997. Water Management Lands Trust Fund, Save Our Rivers, Preservation 2000: Five Year Plan 1997. [SWFWMD]. Brooksville, Florida. (www.dep.state.fl.us/swfwmd).
- St. Johns River Water Management District. 1998. Land Acquisition and Management: 1998 Five Year Plan. [SJWMD]. Palatka, Florida. (www.sjr.state.fl.us).
- Stevenson, H.M. 1976. Vertebrates in Florida. University Presses of Florida. Gainesville, Florida.