



## The Legislature Could Consider Several Options for Establishing More Uniform Regional Boundaries

### *at a glance*

State entities use a number of different regional structures that were developed over time and for different purposes. Consequently, the boundaries of the state's regional planning councils, water management districts, and Department of Transportation districts are not coterminous. Some stakeholders believe this makes it difficult for individuals and businesses to navigate the state's regulatory and planning processes.

As a starting point for the Legislature's deliberations, this report presents three options for adjusting regional boundaries. These options would entail minimal, moderate, and substantial changes to the boundaries of the regional entities. If the Legislature wishes to pursue mandating boundary changes, it should consider establishing a workgroup of state agencies, local governments, and other stakeholders to consider these and other options and their implications for state and local governments.

### Scope

As directed by the Legislature, this report examines potential adjustments to the boundaries of Florida's regional planning councils, water management districts, and Department of Transportation districts.<sup>1</sup>

<sup>1</sup> Chapter 2005-290, *Laws of Florida*.

### Background

Florida uses a variety of regional district structures to implement their programs.<sup>2</sup> These district structures have been developed over time to achieve different policy aims. As a result, regional boundaries are frequently overlapping and are not coterminous.

Some stakeholders have expressed concern with the regional structures of entities that are involved in regulating and planning the state's development. As directed by law, we focused our assessment on the boundaries of the state's regional planning councils, water management districts, and Department of Transportation districts.

<sup>2</sup> For example, the Department of Environmental Protection has six districts, the Department of Transportation has seven districts and, the Florida Turnpike Enterprise, and the Fish and Wildlife Conservation Commission has five regional offices. Florida also has 11 regional planning councils and five water management districts. Further, Enterprise Florida, Inc., the state's economic development agency, has established eight regions that are used in developing its statewide strategic plan for economic development. These regions also are used by the Department of Transportation in designating planning areas for the state's Strategic Intermodal System. The Strategic Intermodal System is a statewide system of high-priority transportation facilities. It includes the state's largest and most significant commercial service airports, spaceport, deepwater seaports, freight rail terminals, passenger rail and intercity bus terminals, rail corridors, waterways, and highways.

### ***Regional planning councils***

Florida has 11 regional planning councils (RPCs). The councils are multipurpose entities that support local governments by providing planning, intergovernmental coordination, and technical assistance services. All of the councils perform certain activities, such as

- developing strategic plans containing goals and strategies for addressing regional issues such as affordable housing, economic development, emergency preparedness, natural resources, and transportation;
- reviewing local government comprehensive plan amendments for consistency with the councils' strategic regional policy plans and local government comprehensive plans; and
- reviewing and commenting on plans for Developments of Regional Impacts, which are large developments that because of their character, size, or location would substantially affect the health, safety, and welfare of residents in more than one county.

However, the RPCs vary in the focus of their efforts. For example, in 2004, the East Central Regional Planning Council reported spending all of its funds on regional planning while the Northeast Regional Planning Council reported spending the majority of its funds providing human and community services.

The boundaries of the 11 RPCs were created along county borders in the 1960s and 1970s. The councils' boundaries were based on factors such as areas of common interest and population and economic growth. While the boundaries of RPCs occasionally have been changed over the years, there has not been a boundary change to a regional planning council in the last 23 years.

The councils had a combined budget of \$36.8 million in Fiscal Year 2004-05.

### ***Water management districts***

Florida has five water management districts (WMD) that are responsible for managing and protecting water resources of their regions by balancing and improving water quality, flood protection and control, natural systems, and water supply. Water management districts are

responsible for several major water resource regulatory activities, including

- issuing consumptive use permits to help safeguard surface and ground water supplies;
- issuing environmental resource permits for projects affecting flooding, stormwater management, and wetlands or other surface waters; and
- issuing well construction permits.

The WMDs also regulate the construction and repair of dams, artificial recharge projects, and agricultural, forestry, and wetland projects relating to the management, storage, and drainage of surface waters. They also purchase land for water resource protection and develop long term water supply plans.

The boundaries of the five WMDs were created in 1976. Their boundaries are generally based on surface water hydrologic features and watersheds rather than county boundaries.<sup>3</sup> The boundaries of two WMDs were modified in 2003.<sup>4</sup> The districts had a combined budget of \$1.4 billion in Fiscal Year 2004-05.

### ***Department of Transportation***

The Florida Department of Transportation's (DOT) mission is to provide a safe statewide transportation system that ensures the mobility of people and goods, enhances economic prosperity, and preserves the quality of the environment and communities.

DOT is a decentralized agency. Its central office in Tallahassee is responsible for developing policies and procedures, for state transportation programs, and performing planning and quality assurance activities. The department's seven district offices are responsible for

- administering contracts for roadway and bridge construction;
- selecting and monitoring consultant engineering services for project development studies, and roadways and bridge structure designs;

<sup>3</sup> There are 13 counties that are divided by more than one water management district.

<sup>4</sup> In 2003, the Legislature transferred a portion of Polk County from the St. John's Water Management District to the Southwest Florida Water Management District.

- maintaining the State Highway System; and
- providing appraisal and acquisition services for property needed for highway projects.

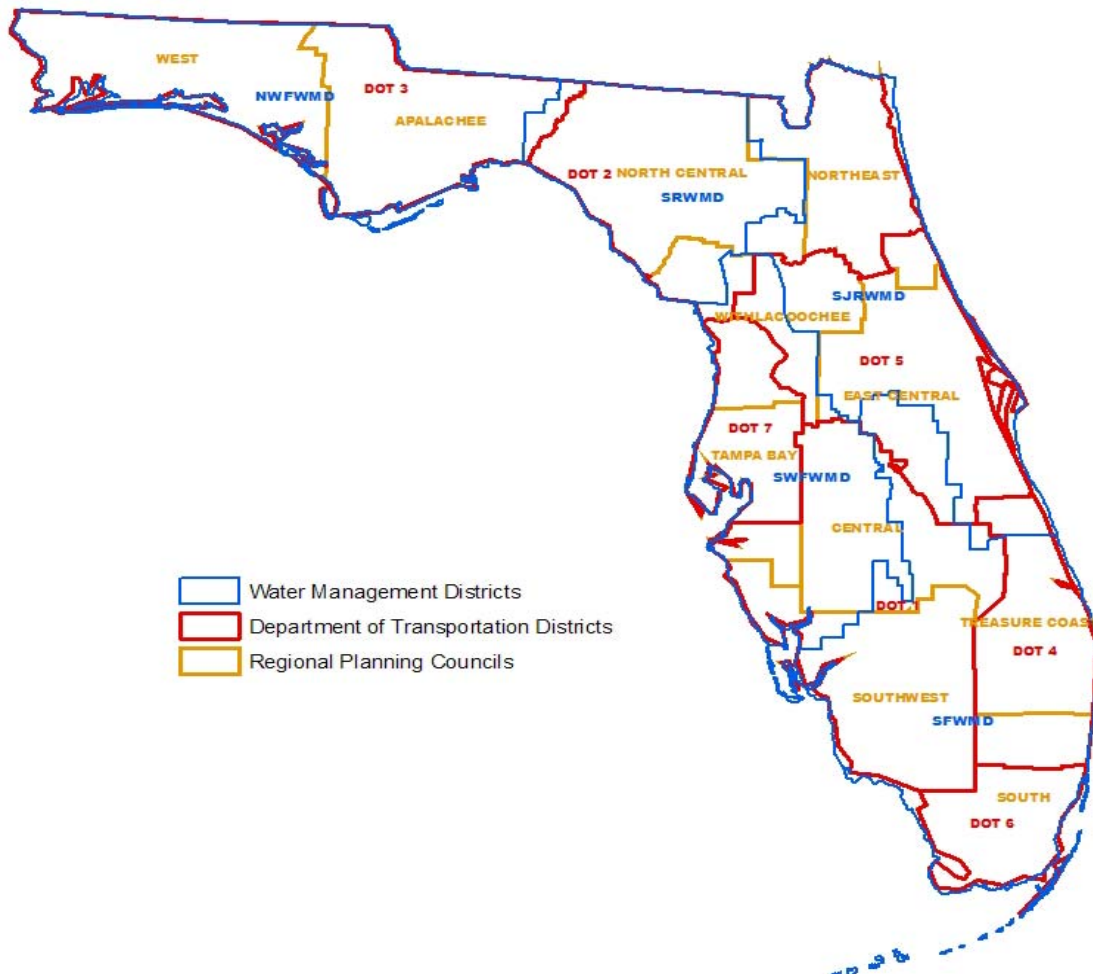
DOT's district boundaries were initially created along county borders in 1940.<sup>5</sup> While the districts' boundaries have been modified over time (most notably in the late 1980s when two additional districts were created), the boundaries have been relatively stable and were last modified in Fiscal Year 1993-94. The department was appropriated \$6.5 billion in Fiscal Year 2004-05.

<sup>5</sup>In 1940, the department established five districts whose boundaries corresponded to the state's five congressional districts that existed as of 1937.

## Regional Boundary Issues –

Because various state and regional entities have developed their district structures to pursue different goals (such as managing various hydrological conditions and responding to growth patterns) the boundaries of the entities often overlap and are not coterminous. As shown in Exhibit 1, regional planning councils often fall within multiple DOT districts. For example, the Withlacoochee Regional Planning Council's boundaries overlaps the boundaries of three DOT districts. RPCs and DOT districts both generally overlap with multiple water management districts.

**Exhibit 1**  
**The Boundaries of the Three Regional Entities Are Not Coterminous**



Source: Water Management Districts, Department of Transportation districts, and the Regional Planning Councils.

Some stakeholders have expressed concern that the overlapping regional structure of the three state entities makes it difficult and confusing for individuals and businesses to navigate the state’s many regulatory and planning processes. As the district offices of the three entities are generally headquartered in different cities and counties, individuals needing to obtain permits or reviews from the entities often need to travel to different locations to work with entity staff. Also, as water management districts are based on geographical rather than political boundaries, businesses must often work with different water management districts depending on what part of a county a proposed project is located.

Some stakeholders contended that making the regional entities’ boundaries coterminous may produce potential benefits including creating more consistency in the entities’ policies and goals, and reviews of projects; improving communication and coordination among entity staff; improving the efficiency of services; and improving citizen and business access, especially if the entities’ offices were co-located.

There is no data available on the extent to which the lack of coterminous boundaries is a substantial problem. Representatives from the entities told us they believed such problems are minimal and noted that the entities have developed procedures to coordinate their activities when development projects cross their boundaries. The entities have established interagency agreements that specify which entity will take the lead responsibility for such projects. For example, recent highway construction projects on Interstate 4 and State Road 25 and 35 in Polk County crossed the boundaries of the Southwest and St. Johns River Water Management Districts. Under the terms of an interagency agreement between the two districts, the Southwest Florida WMD took the lead role in issuing permits for each of the projects.

## Options for Adjusting Regional Boundaries

We examined three options the Legislature may wish to consider if it determined to pursue adjusting regional boundaries of the DOT, the

RPCs, and the WMDs. There are many possible options that could be considered, and the scenarios we examined are intended to be illustrative of potential approaches to this issue. If the Legislature wishes to pursue adjusting regional boundaries, it should consider establishing a workgroup composed of representatives of the affected entities, local governments, and other interests that would be affected by boundary changes.

We analyzed three options for modifying regional entity boundaries to make them more coterminous.

- Option 1 would require minimal changes to make DOT and RPC boundaries more coterminous.
- Option 2 would require moderate changes to make many of the DOT and RPC boundaries more coterminous.
- Option 3 would require substantial changes to make the DOT, RPC, and WMD boundaries more coterminous.

We developed these options based on stakeholder input, statistical data on the state’s urbanized areas, and current RPC, DOT, and WMD boundaries.

### *Option 1: Minimal boundary changes*

Under this option, the Legislature would modify the boundaries of two DOT districts and one regional planning council to make them more coterminous. (See Exhibit 2.) These boundary changes would

- move Broward County from DOT District 4 to DOT District 6;
- move Flagler County from DOT District 5 to DOT District 2; and
- move Manatee County from the Tampa Bay Regional Planning Council to the Southwest Florida Regional Planning Council.

This option would place Broward County along with Miami-Dade County in a single DOT district. These are among the most heavily urbanized counties in the state, are within the same Enterprise Florida Inc., economic region, and are members of a regional transportation authority that was created to develop and implement a transportation system for South

Florida. Moving Broward County into DOT District 6 may help to integrate transportation, land use, economic development planning within the region.

Moving Flagler County from DOT District 5 into DOT District 2 could help align the region's transportation and economic development interests. It would place Flagler County in the same DOT district with the other six counties that are members of the Cornerstone Regional Partnership for Economic Development.<sup>6</sup> It would also place Flagler County in the same Enterprise Florida, Inc., economic region, as these counties.

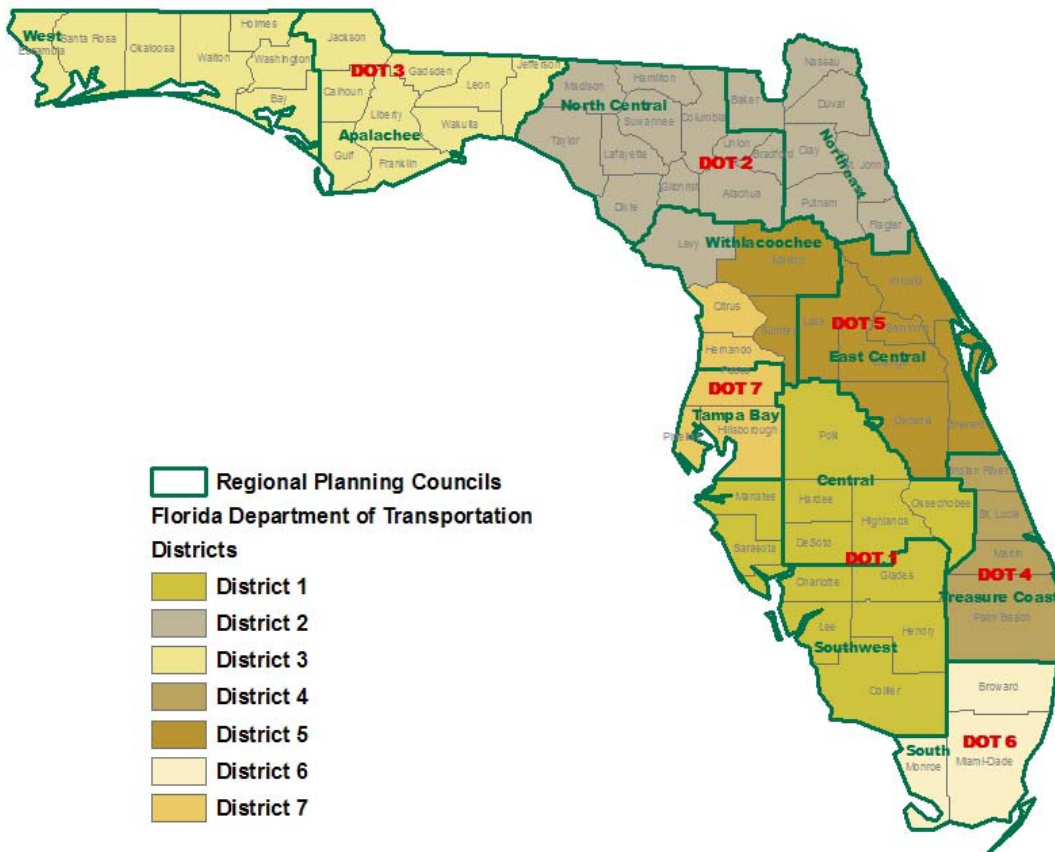
Moving Manatee County from the Tampa Bay Regional Planning Council to the Southwest Florida Regional Planning Council would place Sarasota and Manatee counties in the same council. These counties have a joint metropolitan planning organization and have joined with Charlotte County to establish a transportation region.<sup>7</sup>

However, as with any of the options, such boundary changes would require the affected entities and their stakeholders to develop new working relationships that could disrupt their activities in the short run. Also, the entities would incur staff and equipment costs in establishing operations in their new locations.

<sup>6</sup> Counties included in the partnership are Baker, Clay, Duval, Flagler, Nassau, Putnam, and St. Johns counties.

<sup>7</sup> Metropolitan planning organizations (MPOs) are responsible for developing long-range and five-year transportation plans and identifying priority projects for funding. Some of the MPOs represent two or more counties.

## Exhibit 2 Minimal Changes Would Result in More Coterminous Boundaries Between RPC and DOT Districts



Source: OPPAGA.



**Option 2: Moderate boundary changes**

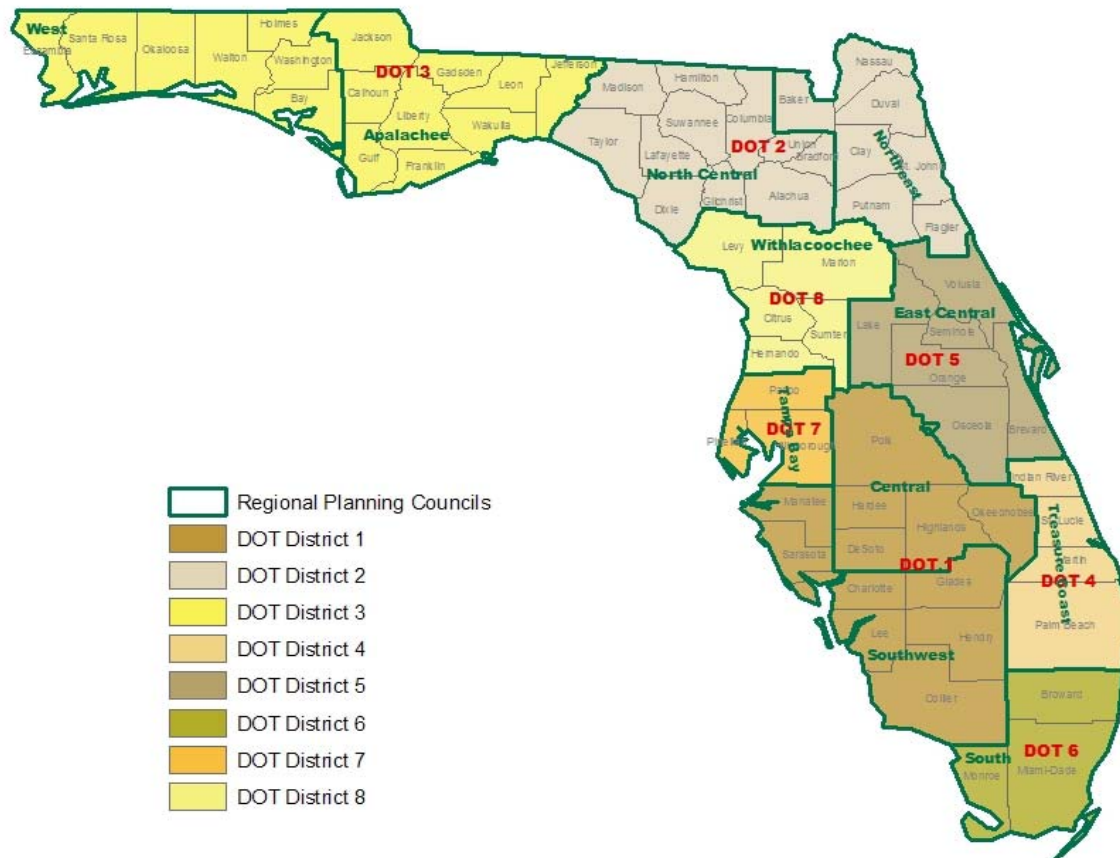
Under this option, the Legislature would incorporate the boundary changes of Option 1 and also adjust the boundaries of the Withlacoochee Regional Planning Council, which currently overlap three DOT districts.

This could be accomplished by either creating a new DOT district that would include the five counties composing the Withlacoochee Regional Planning Council (Levy, Marion, Citrus, Hernando, and Sumter counties), or by eliminating the Withlacoochee Regional Planning Council and transferring its member counties to adjacent regional planning councils. (See Exhibits 3 and 4.) This change would move Levy County into the North Central Regional Planning Council, move Marion and Sumter counties into the East Central Regional Planning Council, and move Citrus and Hernando counties into the Tampa Bay Regional Planning

Council. This would place the counties in their respective Enterprise Florida, Inc.'s economic regions.

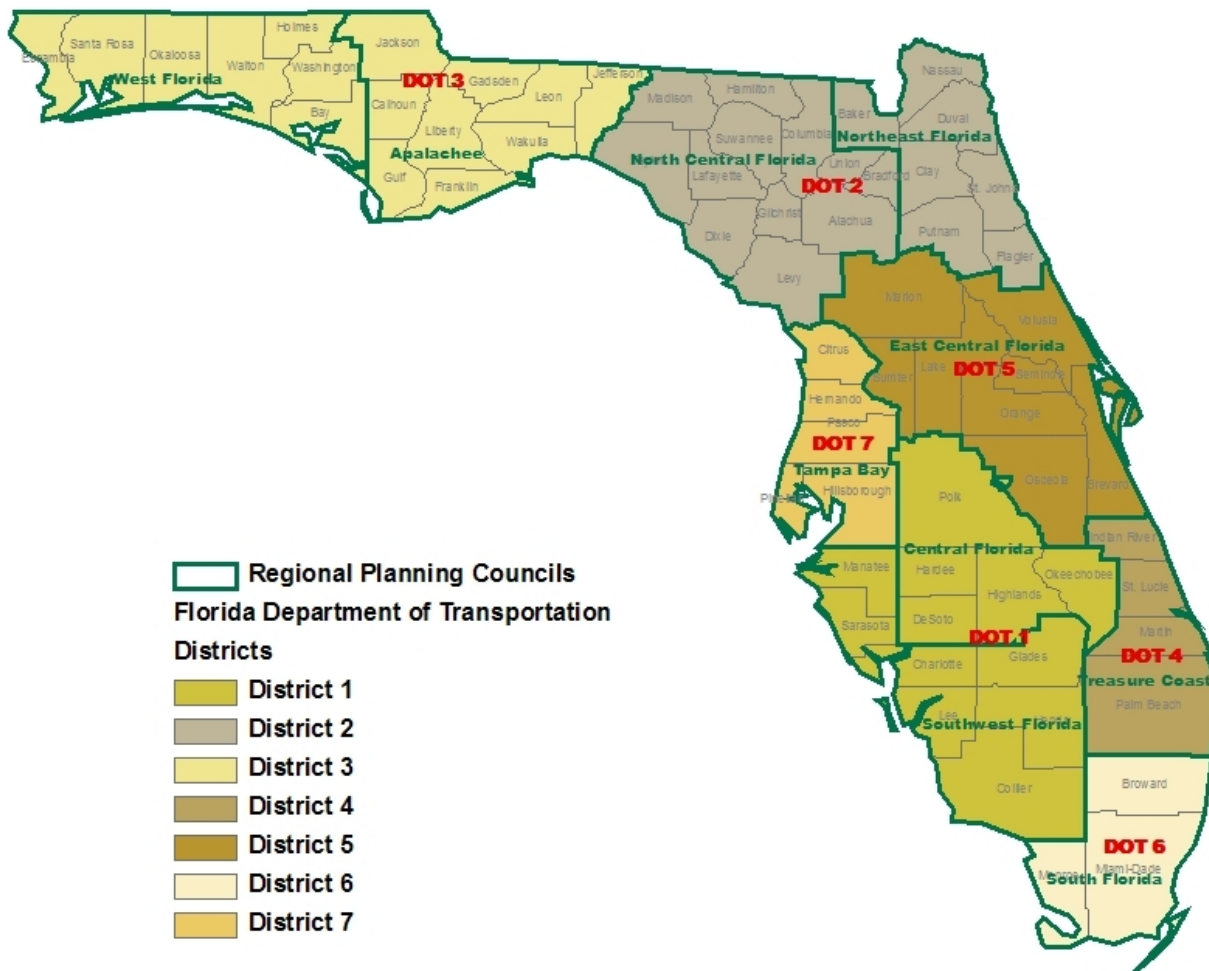
Creating a new DOT district could provide more consistency in transportation and land use policies, goals, and objectives for the region, while eliminating the Withlacoochee RPC could potentially better align land use, economic development, and transportation planning activities. However, the new DOT district would have limited funding due to the low gas tax revenues in these counties, and eliminating the Withlacoochee RPC would likely face strong opposition from the counties and many municipalities within the council's boundaries. All of these counties and some municipalities have adopted resolutions opposing any boundary changes involving the council. The option also would result in costs to move staff and operations to their new locations.

**Exhibit 3  
Creating a New DOT District Would Make Boundaries More Coterminous**



Source: OPPAGA.

**Exhibit 4**  
**Eliminating the Withlacoochee Regional Planning Council Would Make Boundaries More Coterminous**



Source: OPPAGA.

***Option 3: Substantial boundary changes***

Under this option, the Legislature would modify the boundaries of RPCs and DOT districts as described in Options 1 and 2, but would also make substantial modifications to the boundaries of regional entities including

- merging the West and Apalachee Regional Planning Councils;
- merging North Central Florida and Northeast Florida Regional Planning Councils;
- merging Central Florida and Southwest Florida Regional Planning Councils; and
- realigning the boundaries of water management districts along county lines.

This option would create more coterminous boundaries among DOT districts, the RPCs, and the WMDs.

As noted previously, some stakeholders believe that such coterminous boundaries could improve consistency in the entities’ policies and goals, and reviews of projects improve communication and coordination among entity staff; and improve citizen and business access to services, especially if the entities’ offices were co-located. However, this option also would produce the largest disruption to the work of the regional entities, and these entities may incur significant costs in implementing the changes including those associated with transferring personnel, equipment, office space, and titles to WMD land holdings.

This option also would require the Legislature to make a fundamental change in the criteria used to establish water management district boundaries, which are currently based on hydrological features and watersheds rather than county boundaries. Further, this option is likely to face strong opposition from the regional entities and local governments affected by these boundary changes.

A workgroup should consider proposals in depth. If the Legislature wishes to pursue the strategy of modifying regional structures to provide for more consistent district boundaries, we recommend that it establish a bottom-up, stakeholder-driven process for studying and developing proposals for these changes. This approach would take into consideration local concerns and provide an opportunity to develop stakeholder support for boundary change proposals. This could be done by establishing a workgroup consisting of representatives of the Legislature; the Governor’s Office; state agencies; regional entities; counties; municipalities; the business community; and environmental, economic, and planning organizations. This workgroup would need to consider what scale of changes are desired. For example, it could decide that the state should establish uniform district boundaries for all entities with field operations or only a selected subgroup of entities, such as those involved in regulatory permitting. The Legislature could establish criteria for the workgroup to use in evaluating options or assign this responsibility to the workgroup itself. For example, the workgroup could decide to propose only minor boundary changes to address specific local concerns, such as permitting, or to give primary

weight to align boundaries to match Enterprise Florida’s economic development regions. The workgroup would then consider pertinent demographic, economic, water resource, and transportation data, and hold public meetings to obtain public and stakeholder input. The workgroup would then submit its options for boundary changes to the Legislature for its consideration.

## Agency Response

In accordance with the provisions of s.11.45(7)(d), *Florida Statutes*, a draft of our report was submitted to the Secretary of the Department of Transportation, the executive directors of the Northwest Florida Water Management District, the St. Johns River Water Management District, the South Florida Water Management District, the Southwest Florida Water Management District, and the Suwannee River Water Management District, the Apalachee Regional Planning Council, the Central Florida Regional Planning Council, the East Central Regional Planning Council, the North Central Regional Planning Council, the Northeast Florida Regional Council, the South Florida Regional Planning Council, the Southwest Florida Regional Planning Council, the Tampa Bay Regional Planning Council, the Treasure Coast Regional Planning Council, the West Florida Regional Planning Council, and the Withlacoochee Regional Planning Council for their review and comment. Written responses that we received are available on our website, [www.oppaga.state.fl.us](http://www.oppaga.state.fl.us).

---

OPPAGA supports the Florida Legislature by providing evaluative research and objective analyses to promote government accountability and the efficient and effective use of public resources. This project was conducted in accordance with applicable evaluation standards. Copies of this report in print or alternate accessible format may be obtained by telephone (850/488-0021 or 800/531-2477), by FAX (850/487-3804), in person, or by mail (OPPAGA Report Production, Claude Pepper Building, Room 312, 111 W. Madison St., Tallahassee, FL 32399-1475). Cover photo by Mark Foley.

**Florida Monitor:** [www.oppaga.state.fl.us](http://www.oppaga.state.fl.us)

Project supervised by Tom Roth (850/488-1024)

Project conducted by Larry Novey (850/487-3768) and Alex Regalado (850/487-9234)

Gary R. VanLandingham, OPPAGA Director





## Florida Department of Transportation

JEB BUSH  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

DENVER J. STUTLER, JR.  
SECRETARY

January 5, 2006

Mr. Gary R. VanLandingham, Director  
Office of Program Policy Analysis and Governmental Accountability  
111 West Madison Street, Room 312  
Tallahassee, FL 32399-1475

Dear Mr. VanLandingham:

Thank you for the opportunity to review and respond to the preliminary findings and recommendations of your report entitled *The Legislature Could Consider Several Options for Establishing More Uniform Regional Boundaries*. The periodic evaluation of sub-state boundaries is an important legislative function and the options presented in the report should be given careful consideration, particularly in light of current and projected growth trends within the state.

Florida's transportation planning process is firmly based in both federal and state law. This process establishes a framework in which transportation, economic development, land use, and environmental issues are inextricably linked. Further, amendments to Florida's growth management laws this year (Chapter Law 2005-290) strengthens these linkages by giving increased emphasis to statewide and regional transportation planning efforts, while ensuring that these efforts are coordinated in a way that supports our community values.

Improved regional transportation coordination has been given priority in recent years by the Governor, Legislature, the Florida Transportation Commission, the Department of Transportation (DOT), and metropolitan planning organizations (MPOs). Although MPOs were not included in the legislative charge for this study, these entities have an important role in linking local land use decisions to transportation investment decisions. For instance, federal law requires that statewide transportation planning activities be coordinated with the MPO planning process. Accordingly, MPOs are responsible under state law to identify transportation priorities for metropolitan areas.<sup>1</sup> These priorities reflect the integration of land use and transportation planning in these areas by recognizing the projected growth of the metropolitan areas and travel patterns, and are used in developing the Department's 5-year work program.<sup>2</sup> Pursuant to the Governor's redesignation of Florida's MPOs following the 2000 Census, 15 MPOs with coterminous boundaries agreed to cooperatively develop and implement new regional transportation processes and products. In recent years we have seen new regional alliances and partnerships forming throughout the state. In addition to improving coordination at the regional level, these efforts have also enabled the Department's implementation of the recently created Transportation Regional Incentive Program (TRIP).

<sup>1</sup> Metropolitan planning areas include the urbanized area identified by the U.S. Census and the area expected to become urbanized over the next 20 years.

<sup>2</sup> State law requires that the District work programs fund the priorities of MPOs to the maximum extent feasible.

Mr. Gary R. VanLandingham  
January 5, 2006  
Page two

I would now like to share the Department's concerns about several of the options presented in the report. Option 1 transfers Flagler County from DOT's District 5 to District 2. While the report notes this could help align economic development interests, it would be inconsistent with the emerging growth patterns and could fragment transportation planning in this area of the state. For instance the 2000 Census "journey-to-work" data showed that 24 percent of Flagler County's workforce is employed in Volusia County, which is within District 5.<sup>3</sup> The urbanized area of Daytona Beach/Port Orange has extended into Flagler County and the population for the portion of this urbanized area located in Flagler County increased by nearly 40% between 2000 and 2004. Since the Volusia County MPO includes representation from Flagler County, option 1 would complicate the important and on-going coordination between Volusia and Flagler Counties and would split this MPO area between two DOT districts.

Option 1 also recommends that consideration be given to transferring Broward County from the Department's District 4 to District 6, which currently includes Miami-Dade and Monroe counties. Southeast Florida presents perhaps the greatest challenge to regional coordination on all levels of transportation, economic development, land use, and environmental planning. The Department has been actively involved in the ongoing efforts to improve regional transportation planning and coordination in this area, which includes the active participation of the MPOs in Miami-Dade, Broward, and Palm Beach Counties, the Tri-County Commuter Rail Authority, and the recently created South Florida Transportation Authority. We look forward to a continuing dialogue about ways in which the Department can become part of the solution to improving the critical coordination issues in this region of the state.

Option 2 would create a new DOT district composed of Citrus, Hernando, Levy, Marion, and Sumter counties. As acknowledged in the report, due to the statutory formula for allocating new arterial capacity funds, creating a new DOT district in this area would result in limited capacity funding in this area of the state.

We commend your staff for their work on this very challenging project. We appreciate the opportunity to review and comment on the draft report and ask for your consideration of the issues outlined in this letter. If you have any questions, please contact Bob Romig, Director of the Office of Policy Planning at 414-4800.

Sincerely,

/s/

Denver J. Stutler, Jr., P.E.  
Secretary

DS:kn

cc: Cecil Bragg, Inspector General  
Robert Romig, Director of Policy Planning

<sup>3</sup> In contrast, only 6% of Flagler's workforce commutes northward into St. John's County which is located in District 2.



An Equal Opportunity Employer

# Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899  
(352) 796-7211 or 1-800-423-1476 (FL only)  
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)  
On the Internet at: WaterMatters.org

**Bartow Service Office**  
170 Century Boulevard  
Bartow, Florida 33830-7700  
(863) 534-1448 or  
1-800-492-7862 (FL only)  
SUNCOM 572-6200

**Lecanto Service Office**  
Suite 226  
3600 West Sovereign Path  
Lecanto, Florida 34461-8070  
(352) 527-8131  
SUNCOM 667-3271

**Sarasota Service Office**  
6750 Fruitville Road  
Sarasota, Florida 34240-9711  
(941) 377-3722 or  
1-800-320-3503 (FL only)  
SUNCOM 531-6900

**Tampa Service Office**  
7601 Highway 301 North  
Tampa, Florida 33637-6759  
(813) 985-7481 or  
1-800-836-0797 (FL only)  
SUNCOM 578-2070

- Heidi B. McCree**  
Chair, Hillsborough
- Talmadge G. "Jerry" Rice**  
Vice Chair, Pasco
- Patsy C. Symons**  
Secretary, DeSoto
- Judith C. Whitehead**  
Treasurer, Hernando
- Edward W. Chance**  
Manatee
- Jennifer E. Closshey**  
Hillsborough
- Neil Combee**  
Polk
- Thomas G. Dabney**  
Sarasota
- Watson L. Haynes II**  
Pinellas
- Janet D. Kovach**  
Hillsborough
- Todd Pressman**  
Pinellas
- David L. Moore**  
Executive Director
- Gene A. Heath**  
Assistant Executive Director
- William S. Bilenky**  
General Counsel

January 6, 2006

Mr. Gary R. VanLandingham, Director  
Office of Program Policy Analysis and Government Accountability  
111 West Madison Street, Room 312  
Tallahassee, Florida 32399-1475

Dear Mr. VanLandingham

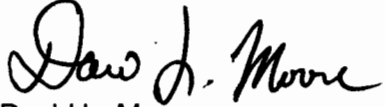
I am writing in response to the preliminary OPPAGA report entitled: *The Legislature Could Consider Several Options for Establishing More Uniform Regional Boundaries*. District staff have reviewed the preliminary report. Our most significant comment is in reference to Option 3: Substantial boundary changes, and the concept of "realigning the boundaries of the water management districts along county boundaries" to be consistent with the realigned regional planning council (RPCs) and Department of Transportation (FDOT) district boundaries. As stated in our response to OPPAGA's survey conducted as a part of this study, we are unaware of any benefits from making the WMD boundaries coterminous with the boundaries of the RPCs or FDOT districts. In fact, realigning the water management district boundaries to follow county boundaries, and to no longer be based upon natural hydrologic features, could be detrimental to sound water resource management. For example, management of a watershed, recharge area or lake that is divided by a county boundary may become the responsibility of two or more water management districts, resulting in the management of one natural resource feature by multiple water management districts.

The preliminary report states that "some stakeholders believe that such coterminous boundaries may improve consistency in the entities' policies and goals, and reviews of projects improve communication and coordination among entity staff; and improve citizen and business access to services, especially if the entities' offices were co-located." We believe that there are means to accomplish these improvements other than modifying the District boundaries to be coterminous with the RPCs and DOT districts. Our concern is that modifying the water management district boundaries will complicate water resource management and may result in losses in efficiency and effective management. Should the legislature choose to pursue improvements, we would be glad to work with the bottom-up stakeholder driven process and any workgroup established to address this issue.

Mr. Gary R. VanLandingham, Director  
January 6, 2006  
Page 2

Other District staff comments are included in the attached. I appreciate the opportunity to provide comments on this preliminary report and the greater opportunity OPPAGA afforded the District to provide input to your analysis.

Sincerely,

A handwritten signature in black ink that reads "David L. Moore". The signature is written in a cursive, flowing style.

David L. Moore  
Executive Director

cc: Governing Board  
Doug Barr, NFWFMD  
Kirby Green, SJRWMD  
Jerry Scarborough, SRWMD  
Carol Wehle, SFWMD  
Collen Castille, FDEP  
Janet Llewellyn, FDEP

OFFICE OF PROGRAM POLICY ANALYSIS AND  
GOVERNMENT ACCOUNTABILITY

Draft Report 06-00  
The Legislature Could Consider Several Options for  
Establishing More Uniform Regional Boundaries

Southwest Florida Water Management District  
Staff Review Comments

1. Page 2, Water management districts, first paragraph, first sentence, we suggest the following changes:

"Florida has five water management districts (WMD) that are responsible for managing and protecting water resources of their regions by balancing and improving water quality, flood protection and control, natural systems, and water supply."

Explanation: Chapter 373, F.S., references one of the water management districts' roles as both flood protection and flood control. The term flood protection is consistent with this District's nomenclature for its areas of responsibility (e.g., water supply, flood protection, water quality and natural systems). Other districts may define their responsibilities in this area as flood control.

2. Page 2, Water management districts, first paragraph, second sentence, we suggest the following changes:

"Water management districts are responsible for several major environmental water resource regulatory activities, including

- issuing consumptive use permits to help safeguard surface and ground water supplies, and
- issuing environmental resource permits for projects affecting flooding, stormwater management, and wetlands or other surface waters- and
- issuing well construction permits."

Explanation: the Districts' permitting programs are more accurately characterized as "water resource" rather than "environmental" programs. For instance, the water use permitting program also ensures uses are reasonable and beneficial and do not interfere with existing legal uses. The District's well construction permitting program is also a major permitting program of the District.

3. Page 2, Water management districts, third full paragraph, last sentence, we suggest the following changes:

"They also purchase land for water resource protection and develop five-year long-term water supply plans."

Explanation: the Districts' regional water supply plans and districtwide water supply assessments must address a minimum 20-year time horizon. The plans must be updated at least every five years.

4. Page 2, Water management districts, footnote 3, we suggest the following changes:

"There are ~~43~~ 12 counties that are divided by more than one water management district."

Explanation: to the best of our knowledge, there are 12 counties divided by District boundaries, including: Alachua, Baker, Charlotte, Highlands, Jefferson, Lake, Levy, Marion, Okeechobee, Orange, Osceola, and Polk.



5. Page 3, Regional Boundary Issues, first paragraph, first sentence, we suggest the following changes:

"Because various state and regional entities have developed their district structures to pursue different goals . . ."

Explanation: the water management districts are presumably included in this reference, yet the District's are not truly "state" entities.

6. Page 4, Regional Boundary Issues, the first paragraph states, in part, "As the district offices of the three entities are generally headquartered in different cities and counties, individuals needing to obtain permits or reviews from the entities often need to travel to different locations to work with entity staff." As noted in our response to the survey, the five water management districts have jointly funded and developed a one-stop permitting information website (<http://flwaterpermits.com>). This site contains general information on water management permitting requirements, links to each district's permitting web pages, and in Fiscal Year 2006 was enhanced to include interactive permit mapping tools. This is part of a broader initiative on the behalf of this District (as well as at least two other districts) to utilize the Internet as a means to enhance the efficiency of our permitting programs for both the regulated communities and the District. The SWFWMD already has developed on-line well construction permitting, water well contractor license renewal, and permit condition data submittals. Future plans call for expanding these on-line permitting capabilities to our water use and environmental resource permitting programs, and electronic records availability. Such capabilities may make it unnecessary for individuals in many circumstances to travel to this District's physical offices to conduct permitting business. In addition, at least the three largest water management districts have instituted the Service Office concept, whereby local permitting offices are distributed throughout the District area, eliminating the need for applicants to travel to the District Headquarters. This improvement has been very well received by the permitted public.

7. Page 7, Options for Adjusting Regional Boundaries, Option 3: Substantial boundary changes. District staff have serious reservations regarding realigning the water management district boundaries to follow county boundaries. We believe this could have detrimental effects on effective and efficient water resource management in the state. Further, we do not believe this would necessarily lead to the stated objectives of some stakeholders including improved consistency in policies and goals, and reviews of projects; improving communication and coordination among staff; improving the efficiency of services; and improving citizen and business access. There are a variety of mechanisms already in place to enhance coordination among the regional entities (e.g., coordination between FDOT and the water management district's through the Efficient Transportation Decision Making Process, and enhanced communication and coordination between the RPCs and water management districts by having ex-officio representatives from the Districts on the RPC boards). There are also other mechanisms that could be employed to achieve the desired objectives that are less disruptive of the various entities' missions and responsibilities than boundary changes would be. The missions, responsibilities and focus of the three regional entities are different and making the boundaries coterminous and offices collocated would only address the travel issue. Boundary changes will not change the fundamental differences in statutory responsibility and focus of each entity. It may be these differences that drive a perceived lack of coordination and communication among these entities.

8. Page 8, Options for Adjusting Regional Boundaries, A workgroup should consider proposals in depth. Should the Legislature choose to establish such a workgroup or otherwise pursue implementing changes to achieve the stated objectives of some stakeholders, the District would provide our expertise to fully evaluate and implement such constructive improvements.

# North Central Florida Regional Planning Council

2008 NW 67 PLACE, SUITE A, GAINESVILLE, FLORIDA 32653-1603  
[352]855-2200 SUN COM 625-2200 FAX [352] 855-2208



December 22, 2005

Mr. Gary R. VanLandingham, Director  
Office of Program Policy Analysis and Government Accountability  
The Florida Legislature  
111 West Madison Street, Room 312  
Tallahassee, FL 32399-1475

Dear Mr. VanLandingham:

Thank you for providing stakeholders with the opportunity to review and respond to the draft of your "Regional Boundaries" report. Given the importance of this issue to many agencies and individuals, your willingness to seek such participation is very much appreciated.

Unfortunately, our Council will not meet until January 26, 2006; however, as your staff has been previously advised, action was taken on this matter in July, the intent of which I am confident has not changed. The Council's position was stated as follows:

Commissioner Hatch made the motion, with a second by Commissioner Hersey, to leave the present north central region boundary as is, unless and until strong evidence is presented that this configuration is inappropriate and inefficient in providing services to our counties. The motion carried unanimously.

The facts presented in your report do not meet the test that the configuration of the boundaries of our region is either inappropriate or inefficient. Consequently, we wholeheartedly support the conclusion stated on the last page of your document, which recommends that, should the Legislature wish to pursue making changes in regional boundaries, a much more thorough evaluation of the reasons for and the consequences of such changes be undertaken. A workgroup composed as you suggest to be responsible for this task is essential to ensure a competent analysis of the issues, and the development of rational recommendations.

It is necessary to comment, however, that no evidence has been presented to justify such an extensive and expensive study. There has never been a complaint expressed in our region about the inability of agencies to work together or serve our citizens that boundary changes would resolve. Our Council has been providing high quality and necessary support to our local governments for nearly 40 years, and to disrupt this service without well documented reasons

Mr. Gary R. VanLandingham  
December 22, 2005  
Page 2

would be unconscionable, and a waste of public resources to accomplish the changes would be inexcusable. Perhaps your study should include a recommendation that at least some minimal evidence be publicly documented to justify an expanded study before it is initiated.

I want to again thank you for the opportunity to comment on your draft report. We will continue to monitor the deliberations of legislative committees as they discuss this matter, and provide additional comments as warranted.

Sincerely,

/s/  
Charles T. Maultsby  
Chairman



January 6, 2006

Mr. Gary R. VanLandingham  
Director  
Office of Program Policy Analysis and Government Accountability  
The Florida Legislature  
111 West Madison Street Room  
312 Claude Pepper Building  
Tallahassee, FL 32300-1475

Dear Mr. VanLandingham:

Thank you for the opportunity to review and comment on the Draft of OPPAGA Report No. 06-00, *The Legislature Could Consider Several Options for Establishing More Uniform Regional Boundaries*. The Northeast Florida Regional Council met on January 5, 2006 to discuss this issue and respectfully offers the following comments on the-draft report.

Pursuant to SB 360 (Chapter 2005-290, Laws of Florida) OPPAGA was charged with examination of the boundaries of Florida's Regional Planning Councils, Water Management Districts, and the Districts of the Florida Department of Transportation to determine if they could be made more coterminous with the goal being better communication and cooperation for the purpose of increasing efficiencies and effectiveness. Toward that end, the Draft Report analyzed three options for modifying regional entity boundaries to make them more coterminous and we offer the following specific comments:

1. Option 1. As it relates to Northeast Florida the movement of Flagler County from FDOT District 5, and as pointed out in the report, this would align the transportation interests with economic and other regional interests. However, it should be noted that part of Flagler County is contained in the Daytona MPO (Volusia County-FDOT District 5) and this move would effectively split that MPO between two different FDOT Districts.
2. Option 2. The sub-option of creating a new FDOT District, again as noted in your report; would be problematic from the perspective of a limited funding base from which to effectuate a meaningful transportation delivery program. Moreover, the cost of standing-up and maintaining a District office was not described.
3. Option 3. Combining six RPCs into three much larger Councils creates such large districts as to make them virtually unserviceable. This is particularly true due to four primary factors. First, with governing bodies representing the entire geographical area and with those bodies being made up of volunteers (local elected officials and gubernatorial appointees), meeting logistics would be untenable. Second, the new regions do not comprise any recognizable community of interest and do not lend themselves to the meaningful establishment of regional identities and resulting cooperation. Third, in areas with rapidly increasing populations (like Northeast Florida), more compact regions are more logical and provide for better opportunities to understand and manage the impacts of the dynamics of that growth. Finally, due to the limited dedicated funding received by RPCs, servicing of these large jurisdictions from a fiscal perspective would be virtually impossible.

Mr. Gary R. VanLandingham  
January 6, 2006  
Page 2

Regarding the above options, no information has been provided about the fiscal impact of any of those proposed. Any meaningful consideration of these recommendations must be accompanied by a complete analysis of the fiscal implications resulting from any implementation. Accordingly, it is our position that any further consideration of boundary changes must await such analysis.

While we and our constituents are quite satisfied with our present boundaries we recognize that well thought out selective boundary adjustments, in certain instances, might result in enhanced coordination and cooperation. Alternatively, OPPAGA and the Florida Legislature should consider an alternative approach to achieve the purpose of enhanced regional communication and cooperation through a process which would employ interagency agreements that are specific, manageable and enforceable. Such a construct should also include other entities not considered within the scope of the current report and could include the Department of Environmental Protection, the Metropolitan Planning Organizations, the Department of Community Affairs, the Florida Fish and Wildlife Conservation Commission, and others.

The Northeast Florida Regional Council stands ready to work and cooperate with OPPAGA, the Legislature and other interested parties to continue to work toward meaningful enhancements to regional coordination and cooperation that will lead to enhanced efficiencies and effectiveness.

Again, we appreciate the opportunity to provide these comments and we look forward to working with you and your staff as this process moves forward.

Sincerely,

/s/

Commissioner Karen Stem  
President

cc: Mr. Ron Book, FRCA Executive Director  
Mr. Larry Novey, OPPAGA



**From:** Manny Pumariega [mailto:manny@tbrpc.org] [Tampa Bay Regional Planning Council]

**Sent:** Thursday, December 22, 2005 2:25 PM

**To:** NOVEY.LARRY

**Cc:** avera wynne; gerald smelt; roger q tucker; wren g krahl; 'Brian Teeple'; Carolyn Dekle; 'Charles Blume'; 'Charles Justice'; 'David Burr'; Jeff Jones; 'Jessica'; 'Marcia Staszko-Interim ED'; 'Michael Busha'; 'Mike Moehlman'; 'Monique Cheek'; 'Ron Book'; Terry Joseph

**Subject: RE: OPPAGA Preliminary and Tentative (P & T) Report on Regional Boundaries**

Larry, thank you for providing us a copy of the draft report. As you are aware by now, the Council submitted a letter dated December 12th opposing the two Scenarios that were presented at the November 3rd workshop. You should also have received a letter from Manatee County opposing the transfer of the County from TBRPC to SWFRPC. We would like for you to reference this opposition in your final draft similar to the Withlacoochee opposition reflected on page six.

The reasons stated (integrated transportation, land use and economic development planning) for moving Broward and Flagler to other districts is the same reason for not moving manatee from the Tampa Bay region.

From a higher education perspective, The main campus of the University of South Florida resides in Hillsborough County( our largest county) with one of its satellite campus located in the Manatee/Sarasota County line.

With respect to transportation, Sarasota and manatee Counties are statutorily (FS339.175) and by interlocal agreements members of the West Central Florida Chair's Coordinating Committee (WCFCCC).

The report mentions the Charlotte and Sarasota coordination. This sort of dual alignment also occurs with Polk County which is a member of both the WCFCCC and the Central Florida MPO Alliance.

The statement "there is no data available to the extent to which the lack of coterminous boundaries is a substantial problem" is compelling. Generally, a preponderance of the evidence indicates that there really isn't a problem except for a few stakeholder "concerns" on some issues like "overlapping districts are confusing".

The comment in the second paragraph on page 2 regarding the varied activities of the RPCs I don't believe is totally correct. There is always a nomenclature issue with describing programs. One RPC may call something regional planning when the same activity is called transportation planning in another. NERPC and ECFRPC may need to respond to this but I believe that NECRPC has all of the regional planning activities that ECFRPC has but has many additional programs.

Finally, there should be a status quo option that discusses the fact that the boundaries have worked for a long time and generally the organizations that are impacted by the boundaries are happy for the most part. There is the occasional threat from a county to try and move from one region to another like Sarasota did recently, but these issues typically subside as the specific issue of contention dissipates. The status quo option should also discuss the costs and efforts that saved by not implementing any realignment options.

I want to again thank you for the opportunity to comment on your draft report.

Manny Pumariega  
Executive Director  
Tampa Bay Regional Planning Council  
<http://www.tbrpc.org>



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

---

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574  
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • [www.sfwmd.gov](http://www.sfwmd.gov)

January 6, 2006

Mr. Gary R. VanLandingham, Director  
Office of Program Policy Analysis and  
Government Accountability  
111 West Madison Street Room 312  
Tallahassee, FL 32399-1475

Dear Mr. VanLandingham:

Subject: Draft Report No. 06-00; Regional Boundaries

The South Florida Water Management District (District) appreciates the opportunity it was provided to complete the survey from the Office of Program Policy Analysis and Government Accountability (OPPAGA) addressing the issue of regional boundaries for the state's regional planning councils, water management districts and Department of Transportation districts. The draft OPPAGA report has incorporated our input describing the basis for establishing the five water management districts using surface water hydrologic boundaries rather than political boundaries.

We also appreciate recognition in the report that the water management districts have developed procedures to coordinate activities when projects cross district boundaries. It is certainly our practice to work closely with the other water management districts and the Department of Environmental Protection to resolve any issues that may arise along our common boundaries.

We agree with the report's findings that "Option 3: Substantial Boundary Changes" would *"produce the largest disruption to the work of the regional entities, and these entities may incur significant costs in implementing the changes including those associated with transferring personnel, equipment, office space and title to WMD land holdings"*.

It's noteworthy that the report also found *"There is no data available on the extent to which the lack of coterminous boundaries is a substantial problem"*. Given this finding, we would support OPPAGA's recommendation that if the Legislature wishes to pursue agency boundary changes, a workgroup be established and charged with clearly documenting where and what problems exist before making recommendations on boundary changes to the Legislature for consideration.

Thank you for the opportunity to comment on the draft report. Should you have any questions or wish to discuss this matter further, please don't hesitate to contact me at (561) 682-2893 or Ernie Barnett, Director, Office of Policy and Legislation at (561) 682-2110.

Sincerely,

/s/

Carol Ann Wehle  
Executive Director

Enclosure: Signed Receipt

c: Secretary Colleen Castille, DEP

---

### GOVERNING BOARD

Kevin McCarty, *Chair*  
Irela M. Bague, *Vice-Chair*  
Pamela Brooks-Thomas

Alice J. Carlson  
Michael Collins  
Nicolas J. Gutierrez, Jr., Esq.

Lennart E. Lindahl, P.E.  
Harkley R. Thornton  
Malcolm S. Wade, Jr.

### EXECUTIVE OFFICE

Carol Ann Wehle, *Executive Director*

**From:** Dave Fisk [mailto:dfisk@sjrwmd.com]  
[St. Johns River Water Management District]  
**Sent:** Wednesday, January 11, 2006 4:15 PM  
**To:** NOVEY.LARRY  
**Cc:** Kirby Green; Michael Slayton  
**Subject:** **Report No. 06-00 preliminary and tentative report: The Legislature  
Could consider Several Options for Establishing More Uniform  
Regional Boundaries**

Mr. Novey

It has just come to my attention that the preliminary and tentative report as submitted to us for review requested a return receipt that we had neglected to provide. The receipt is attached. We feel you have provided an accurate pro-con analysis of the options listed and specifically identified the significant costs and policy considerations of "Option 3: Substantial boundary changes". Accordingly, we have no other comments based on our review of the preliminary and tentative report findings. Thank you for the opportunity to provide input.

Dave Fisk  
Voice: (386) 312-2300  
Cellular: (386) 937-0437  
FAX: (386) 329-4125  
SJRWMD Direct Connect: 413

Attachments: OPPAGARceipt.pdf