

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO AUTHORIZE DISTRICT STAFF TO INTERVENE OR APPEAR AS AMICUS CURIAE, PURSUE ANY AND ALL APPROPRIATE DEFENSES OR RELIEF, AND TAKE ALL APPROPRIATE ACTION STAFF DEEMS NECESSARY TO PROTECT THE DISTRICT'S INTERESTS, SUBJECT TO APPROVAL OF THE EXECUTIVE DIRECTOR, IN THE MATTER OF *FLORIDA WILDLIFE FEDERATION, INC., ET AL. V. STEPHEN L. JOHNSON, ADMINISTRATOR OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA, CASE NO. 4:08-CV-00324-RH-WCS; PROVIDING AN EFFECTIVE DATE.*

WHEREAS, Section 373.083(1) and 373.129, Florida Statutes, authorizes the South Florida Water Management District to sue and be sued.

WHEREAS, on July 17, 2008, the Florida Wildlife Federation, joined by several other environmental groups (Plaintiffs) filed suit in the Northern District of Florida against Stephen Johnson in his official capacity as Administrator of the Environmental Protection Agency ("EPA") and the EPA itself.

WHEREAS, the Plaintiffs seek to compel the EPA to establish numeric nutrient criteria for the State of Florida.

WHEREAS, the District's operations and restoration goals will be altered were the remedies requested by the Plaintiffs be granted by the Court.

WHEREAS, the District's participation in the lawsuit as an intervenor party or amicus curiae will assist in the defense of the District's interests in the case.

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes District staff to intervene or appear as amicus curiae, pursue any and all appropriate defenses or relief, and take all appropriate action staff deems necessary to protect the District's interests, subject to approval of the Executive Director, in the matter of *Florida Wildlife Federation, Inc., et al. v.*

Stephen L. Johnson, Administrator of the United States Environmental Protection Agency; and the United States Environmental Protection Agency, United States District Court for the Northern District of Florida, Case No. 4:08-cv-00324-RH-WCS.

Section 2. This Resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this _____ day of November 2008.

SOUTH FLORIDA WATER MANAGEMENT
DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

ATTEST:

District Clerk

Approved as to form:

By:

Office of Counsel