

KNOW YOUR ENEMY: How the System Really Works

If you're wondering why it feels like you're always losing—**this is why**.
You're not imagining it. The system is rigged to protect itself.

FACT 1: DERM Breaks the Law. Nothing Happens.

Miami-Dade's Division of Environmental Resources Management (DERM) enforces **wetland rules without legal authority**.

- **No ERP delegation** from FDEP or SFWMD as required by §373.441, Florida Statutes, and Rule 62-344, Florida Administrative Code
- No jurisdiction = **no legal right to issue wetland violations**

And yet—DERM keeps sending cease-and-desist letters, fining farmers, and bulldozing rights.
No one stops them. Not the county. Not the state. Not the courts.

FACT 2: DERM Ignores Scientific Evidence. Nothing Happens.

- Landowners submit:
 - Soil studies
 - Groundwater data
 - USDA maps
 - Professional delineation reports (Rule 62-340 compliant)
- DERM's response? **Silence.**
- No technical review. No response. No corrections.
They move forward **as if your evidence doesn't exist**.

FACT 3: DERM Fabricates Wetlands. Nothing Happens.

DERM routinely declares land to be a “wetland” without doing a proper, site-specific analysis.

- No adherence to Rule 62-340, F.A.C.
- No use of the official wetland delineation manual
- No boots-on-the-ground science

Just bureaucrats drawing lines on outdated maps—then hitting you with violations.

FACT 4: Government Lawyers Lie in Court. Nothing Happens.

When DERM gets challenged in court, their attorneys:

- Misstate the law

- Falsely claim jurisdiction
- Deny the existence of valid scientific evidence
- Claim “authority” they clearly do not have

They lie to judges—and the judges let them.

FACT 5: Judges Refuse to Act. Nothing Happens.

Even when presented with:

- Clear violations of Florida law
- Scientific reports
- Public records proving DERM’s overreach

Judges still **side with the agency**.

- They defer to “expert discretion”
- They refuse to question the system
- They dismiss lawsuits instead of hearing the facts

FACT 6: The System Protects Itself.

No outside oversight.

No audits.

No reviews.

No political accountability.

DERM writes the report, enforces the rule, litigates the case, and gets the judge’s blessing.

One closed loop. No checks. No balance.

BOTTOM LINE:

You are not up against a fair system.

You are up against a **self-reinforcing machine**—and it only backs down when you learn its inner workings, expose its failures, and fight back strategically.

Learn the rules.

Document everything.

Educate your neighbors.

Use the law against them—**because they are not following it themselves.**

Disclaimer: This is not legal advice. Consult an attorney for guidance.

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