

# Tactical Offensive Playbook Against DERM

*For landowners and farmers facing unlawful regulatory overreach by Miami-Dade County's Division of Environmental Resources Management (DERM). Use this playbook to expose violations, disrupt improper enforcement, and demand accountability.*

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## 1. File Simultaneous Legal and Administrative Complaints

- **FDEP:** Demand a formal review of DERM's enforcement abuses under §373.441, F.A.C., and Rule 62-344.
  - **SFWMD:** Request jurisdictional clarification and report DERM's interference with ERP authority.
  - **Miami-Dade & State OIG:** Submit complaints alleging abuse of office and public records violations.
  - **State Attorney:** Refer DERM for misuse of government power under color of law.
  - **USDA NRCS:** Report interference with federally protected agricultural practices.
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## 2. Launch a Massive Public Records Offensive

- File 10–20 public records requests under Chapter 119, F.S.
  - Demand documents: Class IV violations, wetland delineations, ERP files, DAT backups, enforcement memos, etc.
  - Use §119.11, F.S. to sue if records are delayed, denied, or redacted.
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## 3. File a Jurisdictional Challenge with the Clerk of Courts

- Cite laws: §373.441, Rule 62-344, Rule 62-340, §823.14, §163.3162.
  - Demand dismissal of citations and reversal of illegal wetland classifications.
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## 4. Use the Bert J. Harris Act Aggressively

- Submit a claim for property value loss caused by wrongful wetland designation.
- Attach appraisals, land use history, and economic impact evidence.
- Mark the claim “Submitted Under Protest – Without Waiving Jurisdictional Objection.”

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## 5. Submit to the U.S. Army Corps of Engineers (USACE)

- Request a **binding jurisdictional determination** under the 1987 Wetlands Delineation Manual and 2008 supplements.
- A federal non-wetland designation can undermine DERM's authority.

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## 6. Initiate State and Federal FOIA Requests

- FDEP & SFWMD: Demand all ERP-related communications for your area (e.g., Area 58) from 2021 to 2025.
- EPA & USACE: Confirm that DERM does **not** have federal permitting delegation.

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## 7. Media Blitz and Online Exposure

- Post DERM violations and evidence on platforms like [www.MiamiDade.watch](http://www.MiamiDade.watch).
- Distribute flyers and run public information campaigns.
- Name DERM officials publicly and demand accountability.

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## 8. Turn the Tables with Affidavits and Witness Statements

- Demand sworn affidavits from DERM staff proving delegated authority.
- Collect neighbor testimonies on coercion, threats, or selective enforcement.

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## 9. Submit a Legislative Complaint

- Notify your state senator and house representatives.
- Request formal legislative hearings on DERM abuse and preemption violations.

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## 10. Prepare a Lawsuit – Even If You Don't File Yet

- Draft claims for: constitutional takings, due process violations, ultra vires actions.
  - Compile all evidence: maps, expert reports, FOIA returns, affidavits.
  - Circulate your draft complaint publicly as leverage:  
*"This lawsuit will be filed if relief is not granted."*
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**"YOU MUST FOLLOW THROUGH — or nothing you have done will work"** means:

Even if you take bold first steps — filing complaints, sending letters, making demands, exposing corruption — **none of it will succeed** unless you **see it all the way through to the end**.

### **In other words:**

- Filing a complaint isn't enough **if you don't follow up** when it's ignored.
- Sending public records requests won't matter **if you don't act** when they delay or deny them.
- Assembling evidence is pointless **if you don't use it** to file, sue, or apply pressure.
- Making noise in the media is hollow **if you back down** when the agency pushes back.

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### **Why this matters in battles with agencies like DERM:**

These institutions **rely on people giving up halfway**.

They **stall, delay, and ignore**—waiting for you to burn out.

So unless you push every step until there's a result (a ruling, reversal, payout, or exposure)...

Your complaint disappears

Your evidence is ignored

Your rights are lost

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### **It's a warning and a motivator:**

*"If you want results, don't just start — finish."*

## **Final Note**

**This is not a protest. This is lawful warfare.**

Bureaucrats only back down when cornered — publicly, legally, and relentlessly.

Stay organized. Stay disciplined. The power is in your hands.

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

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