

Suwannee River Water Management District
2017-2018 Amended Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40B-1, F.A.C.	General and Procedural Rules	Rule Amendment	Implements District operational procedures	Amend rules to reflect operational or procedural changes resulting from Statewide ERP rulemaking effort	Update rule	None	No
40B-1.703, F.A.C.	Procedures for Consideration of Permit Applications	Rule Amendment	Describes permit types and noticing	Update and simplify rule	Update rule	None	No
40B-2.021, F.A.C.	Definitions	Rule Amendment	Implements Part II, Chapter 373, F.S.	Clarify the terms "common enterprise" and "harm"	Update rule	None	No
40B-2.041, F.A.C.	Permits Required	Rule Amendment	Implements Part II, Chapter 373, F.S.	Update permitting criteria for permittees acting as a common enterprise	Update rule	None	No
40B-2.301, F.A.C.	Conditions for Issuance of Permits	Rule Amendment	Implements Part II, Chapter 373, F.S.	Update, simplify, clarify rule and Appliant's Handbook	Update rule	None	No
40B-2.331, F.A.C.	Modification of Permits	Rule Amendment	Implements Part II, Chapter 373, F.S.	Clarify letter modification criteria	Update rule	None	No
40B-3, F.A.C.	Permitting of Well Construction	Rule Amendments	Implements Part III, Chapter 373, F.S.	Comprehensive rule updates, simplification, and revision to definitions and to incorporate Ch. 62-531 and 62-532, F.A.C., add GPBR for 62-780, F.A.C. wells, incorporate the statewide application and completion report	Update rules	Reduction in cost of doing business	Yes

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				forms, remove elevation survey requirement in floodplain, and authorize alternative grouting/ construction methods			
40B-4, F.A.C.	Works of the District Permits	Rule Amendments	Implements Part IV, Chapter 373, F.S.	Amendments pursuant to the SWERP II statewide rule consistency effort and FEMA Risk MAP revisions	Update rules	None	No
40B-8.021, F.A.C.	Definitions	Rule Amendment	Rules defines terms related to the establishment of minimum flows and levels	Update, revise, and clarify definitions as new MFLs are established	Update rule	None	No
New Rules 40B-8.111 through 40B-8.151, F.A.C.	Minimum flows or minimum levels for Hampton Lake, Lake Butler, Lakes Santa Fe and Alto, Cherry Lake, and the Steinhatchee River	New Rules	Implements Sections 373.042 and 373.0421, F.S.	To provide criteria for determining whether the MFL for a water body is being met and the accompanying prevention or recovery strategy if necessary	New Rules	Dependent on MFL status	Yes
40B-21.631, F.A.C.	Water Shortage Plan, Phase II	Rule Amendment	These rules provide for the conservation, protection, and management of water during periods of water shortage	Revise language so that language in Phase II is at least as restrictive as current year-round lawn watering restrictions	Update rule	None	No

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40B-21.641, F.A.C.	Water Shortage Plan, Phase III	Rule Amendment	These rules provide for the conservation, protection, and management of water during periods of water shortage	Revise language so that language in Phase III is at least as restrictive as current year-round lawn watering restrictions	Update rule	None	No
40B-400, F.A.C.	Environmental Resource Permits	Rule Amendments	Implements Part IV, Chapter 373, F.S.	Remove references to 62-330, F.A.C., and Applicant's Handbook Volume I, and other amendments pursuant to the SWERP II statewide rule consistency effort and FEMA Risk MAP revisions	Update rules	None	No

We hereby certify that we have reviewed the Suwannee River Water Management District's (District) 2017-2018 Amended Annual Regulatory Plan, pursuant to paragraph 120.74(1)(d), F.S. All District rules have been reviewed as of August 24, 2017, to determine if they remain consistent with the District's rulemaking authority and the laws implemented.



Don Quincey, Jr.
Chair

9/26/17
Date



George T. Reeves
Legal Counsel

9/26/17
Date

Suwannee River Water Management District
Laws Enacted Requiring Rulemaking

Laws enacted or amended during the previous 12 months that affect the duties or authority of SRWMD	Description	Rulemaking Action	Must SRWMD adopt rules to implement?	Proposed NOPR date
SB 80	Agency posting of public records custodian contact information	None	No	N/A
HB 181	Participation on interagency workgroup	None	No	N/A
HB 599	Contracts for construction services	None	No	N/A
	Carry Over from 2016-2017 Laws Enacted Requiring Rulemaking			
Paragraph 373.042(2)(a), F.S.	Adoption of Outstanding Florida Spring (OFS) MFLs.	New Rules	Yes – 40B-8, F.A.C.	8/1/2018*
Subsection 373.219(3), F.S.	Development of unified definition of “harm.”	Amendment	Yes – 40B-2, F.A.C.	8/1/2018*

* Awaiting FDEP guidance on rulemaking

Other laws to be implemented by rulemaking before July 1, 2018: None