

Suwannee River Water Management District 2018-2019 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	Fix rule citation	Update rule	None	No
40B-1.706, F.A.C.	Fees	Rule Amendment	Establishes a fee schedule for permits	Reduce fees for 'minor subdivision' ERP	Update rule	Reduction in cost of doing business	No
40B-2.021, F.A.C.	Definitions	Rule Amendment	Implements Part II, Chapter 373, F.S.	Clarify the terms 'common enterprise', 'harm', and 'physically proximate'	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 Applicant's Handbook; revise Water Resource Caution Areas in Applicant's Handbook	Update rule	None	No

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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 forms, remove elevation survey requirement in floodplain, and authorize alternative grouting/ construction methods	Update rules	Reduction in cost of doing business	Yes
40B-4, F.A.C.	Works of the District Permits	Rule Amendments	Implements Part IV, Chapter 373, F.S.	Amendments pursuant to new SWERP statewide rule consistency efforts 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

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40B-8.031, F.A.C.	Minimum Surface Water Levels and Flows for Madison Blue Spring	Rule Amendment	Implements Sections 373.042 and 373.0421, F.S.	Revise MFL for Madison Blue Spring	Update rule	Dependent on MFL status	Yes
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
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

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40B-400, F.A.C.	Environmental Resource Permits	Rule Amendments	Implements Part IV, Chapter 373, F.S.	Amendments pursuant to new SWERP statewide rule consistency efforts, revisions/ corrections to Applicant's Handbook Vol. II, and removal of FEMA Risk MAP references	Update rules	Some reduction in cost of doing business	No

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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
HB 7043	FDEP assumption of Army Corps of Engineers Section 404 permitting	Amendment	Yes – 40B-4 and 40B-400, F.A.C.	Upon delegation*
	Carry Over from 2016-2017 Laws Enacted Requiring Rulemaking			
Subsection 373.219(3), F.S.	Development of unified definition of “harmful to the water resources” for Outstanding Florida Springs	Amendment	Yes – 40B-2, F.A.C.	5/1/2019*

* Awaiting FDEP guidance on rulemaking

We hereby certify that we have reviewed the Suwannee River Water Management District’s (District) 2018-2019 Annual Regulatory Plan, pursuant to paragraph 120.74(1)(d), F.S. All District rules have been reviewed as of July 15, 2018, to determine if they remain consistent with the District’s rulemaking authority and the laws implemented.



 Virginia H. Johns
 Chair

Date

 8-14-2018

 George T. Reeves
 Legal Counsel

Date