

# Suwannee River Water Management District 2020-2021 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; and changes resulting from adopting statewide stormwater requirements and ACOE Section 404 program	Update rule	None	No
40B-1.703, F.A.C.	Procedures for Consideration of Permit Applications	Rule Amendment	Describes permit types and noticing	Correct rule citation	Update rule	None	No
40B-1.706, F.A.C.	Fees	Rule Amendment	Establishes a fee schedule for permits	Provide for reduced application fee for ERP minor modifications	Update rule	Reduction in cost of doing business	No
40B-2		New Rule		To address LSFR/I P&R strategy			
40B-2.041, F.A.C.	Permits Required	Rule Amendment	Implements Part II, Chapter 373, F.S.	Update forms and clarify rule language	Update rule	None	No
40B-2.301, F.A.C.	Conditions for Issuance of Permits	Rule Amendment	Implements Part II, Chapter 373, F.S.	Revise Applicant Handbook to reflect implementation of impact offsets, substitution credits, reservation of water	Update rule	None	No

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				resource/ supply development project benefits, and any new MFL prevention or recovery strategies			
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-2.501, F.A.C.	Classification of Permits	Rule Amendment	Implements Part II, Chapter 373, F.S.	Revise groundwater sources and organize water use types	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 to address JAPC recommendations	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 to incorporate approved bank stabilization exemptions, clarify rule language, provide for minor permit modifications, and revise flood maps	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 definitions as new MFLs are established	Update rule	None	No
40B-8.031, F.A.C.	Minimum Surfacewater Levels and Flows for	Rule Amendment	Implements Sections 373.042 and 373.0421, F.S.	Re-evaluate MFL for Madison Blue Spring	Update rule	Dependent on MFL status	Yes

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	Madison Blue Spring						
New Rules 40B-8.121 through 40B-8.161, F.A.C.	Minimum flows or minimum water levels for Hampton Lake, Lake Butler, Lakes Santa Fe and Alto, and Cherry Lake	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
40B-400, F.A.C.	Environmental Resource Permits	Rule Amendments	Implements Part IV, Chapter 373, F.S.	Amend rules to reflect changes resulting from adopting statewide stormwater requirements and ACOE Section 404	Update rules	Some reduction in cost of doing business	No

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				program; and to revise flood maps			

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 101	Revises amounts of retainage that local governmental entities and contractors may withhold from progress payments for construction services contracts; revises requirements for DMS rules governing certain contracts; revises amounts of retainage that public entities and contractors may withhold from progress payments for construction services contracts	Amendment	No	
HB 115	Prohibits state authority from denying a license, refusing to renew a license, or suspending or revoking a license on the basis of delinquency or default in payment of student loans; provides exception to requirement that certain entities prohibit candidate from being examined for or issued, or having renewed license, certificate, or registration to practice health care profession if candidate is on the federal list of excluded individuals and entities; repeals provisions relating to health care practitioners in default on student loan or scholarship obligations	New	No	
SB 178	Prohibits state-financed constructors from commencing construction of certain structures in coastal areas after a specified date without first taking certain steps regarding a sea level impact projection study	New	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 441	Revises maximum dollar amount for continuing construction contracts from \$2 million to \$5 million, and for studies from \$200,000 to \$500,000	Amendment	No	
HB 549	Provides exemption from public records requirements for site-specific location information of endangered and threatened species	New	No	
SB 664	Creates 448.095 F.S., which, in part, requires licensing agencies to permanently revoke all licenses held by a private employer should that employer is found to be found to employ unauthorized aliens	New	Yes	TBD*
SB 712	Amends multiple parts of Chapters 373 and 403, F.S., notably, the list of recipients for the District's Consolidated Annual Report, a study of the bottled water industry coordinated by FDEP, and District adoption of rules regarding stormwater design and operations	Amendment	Yes	1/1/2021
HB 971	Provides for rights and privileges of electric bicycles and operators; provides that electric bicycles are vehicles to same extent as bicycles; exempts electric bicycles and operators from specified provisions; requires labeling of electric bicycles; requires electric bicycles to comply with specified provisions and operate in certain manner; authorizes operators to ride electric bicycles where bicycles are allowed	New	No	
HB 1050	Provides direction for paid administrative leave for employees volunteering in response to a declared disaster up to 120 hours in a 12-month period	Amendment	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 1091	Amends 373.129, F.S., raising the fine relating to stormwater permitting and surface water management from \$10,000 to \$15,000	Amendment	No	
SB 1466	Affects the posting of the District's audit reports on their website and the ethics requirements of Board members	Amendment	No	
<b>Carry Over from 2016-2017 Laws Enacted Requiring Rulemaking</b>				
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*
HB 7043	FDEP assumption of Army Corps of Engineers Section 404 permitting program	Amendment	Yes – 40B-4 and 40B-400, F.A.C.	Upon delegation*
HB 767	Right of entry/ mineral rights	New	No	
SB7014	Government accountability (removes WMDs from local gov't definition)	Amendment	No	

\* Awaiting FDEP guidance on rulemaking

We hereby certify that we have reviewed the Suwannee River Water Management District's (District) 2020-2021 Annual Regulatory Plan, pursuant to paragraph 120.74(1)(d), F.S. All District rules have been reviewed as of August 11, 2020, to determine if they remain consistent with the District's rulemaking authority and the laws implemented.

  
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 Virginia H. Johns  
 Chair

8-11-2020  
 Date

  
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 George T. Reeves  
 Legal Counsel

8-11-2020  
 Date