

2023-2024 Annual Regulatory Plan

Suwannee River Water Management District

PART ONE: Rules the agency expects to implement rulemaking before July 1, 2024, pursuant to section 120.74(1)(b), F.S.

Rule Number	Rule Title	Rulemaking Action	Statute(s) Implemented	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
Chapter 40B-0, F.A.C.	Exceptions to the Uniform Rules of Procedure	New Rules	Section 120.54(5), F.S.	Establish exceptions from Chapters 28-101 through 28-110, F.A.C., for conducting Governing Board meetings and entering into proceedings	Provide exceptions to Uniform Rules	Reduction in cost of doing business	No
40B-1.1010	Point of Entry into Proceedings	Rule Repeal	Section 120.54(5), F.S.	File rule in separate Chapter (40B-0, F.A.C.) pursuant to section 120.54(5), F.S.	Rule filing correction	None	No
40B-1.706	Fees	Rule Amendment	Section 373.109, F.S.	Provide for nominal fee for processing variances from District rules	Update rule	Minor	No
40B-2.301	Conditions for Issuance of Permits	Rule Amendment	Part II, Chapter 373, F.S.	Revise Applicant Handbook to clarify water use reporting requirements and address impact offsets, substitution credits, and reservation of water resource/ supply development project benefits	Update rule	None	No
40B-2.331	Modification of Permits	Rule Amendment	Part II, Chapter 373, F.S.	Clarify letter modification criteria	Update rule	None	No
40B-2.351	Transfer of Permits	Rule Amendment	Part II, Chapter 373, F.S.	Incorporate Form 40B-2.351A by reference	Update rule	None	No
40B-2.361	Renewal of Permits	Rule Amendment	Part II, Chapter 373, F.S.	Clarify renewal application processing	Update rule	None	No
40B-3.021	Definitions	Rule Amendments	Part III, Chapter 373, F.S.	Define technical terms as rule language is amended	Update rule	None	No
40B-3.040	Scope of Part I	Rule Amendments	Part III, Chapter 373, F.S.	Recognize well modification as a permitted activity	Update rule	Reduction in cost of doing business	No
40B-3.041	Permits Required	Rule Amendments	Part III, Chapter 373, F.S.	Authorize certain well construction, repair, modification, and abandonment activities that can be done under a general permit by rule	Update rule	Reduction in cost of doing business	No

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40B-3.341	Suspension and Revocation of Permits	Rule Amendments	Part III, Chapter 373, F.S.	Clarify permit revocation criteria	Update rule	None	No
40B-3.451	Emergency Authorization	Rule Amendments	Part III, Chapter 373, F.S.	Remove ambiguous language from rule text	Update rule	None	No
40B-3.461	Inspection	Rule Amendments	Part III, Chapter 373, F.S.	Clarify well inspection criteria	Update rule	None	No
40B-3.492	Violations of Permits	Rule Amendments	Part III, Chapter 373, F.S.	Clarify permit violations criteria	Update rule	None	No
40B-3.502	Construction Methods	Rule Amendments	Part III, Chapter 373, F.S.	Authorize alternative well construction methods accepted by the well drilling industry	Update rule	None	Yes
40B-3.512	Well Construction Requirements	Rule Amendments	Part III, Chapter 373, F.S.	Remove ambiguous language from rule text	Update rule	None	No
40B-3.531	Abandoned Well Plugging	Rule Amendments	Part III, Chapter 373, F.S.	Authorize alternative abandonment methods accepted by the well drilling industry	Update rules	Reduction in cost of doing business	Yes
40B-4.1020	Definitions	Rule Amendments	Sections 373.085 and 373.086, F.S.	Clarify "100-Year Flood" and "Regulatory Floodway"; and define additional terms as rule language is amended	Update rule	None	No
40B-4.1090	Documents, Publications and Agreements Incorporated by Reference	Rule Amendments	Sections 373.085 and 373.086, F.S.	Incorporate riverbank stabilization guide and remove outdated flood maps	Update rule	Reduction in cost of doing business	No
40B-4.1130	Transfer of Permits	Rule Amendments	Sections 373.085 and 373.086, F.S.	Update rule citations and clarify permit transfer criteria	Update rule	None	No
40B-4.1140	Limiting Conditions on Permits	Rule Amendments	Sections 373.085 and 373.086, F.S.	Update rule citations and clarify limiting condition criteria	Update rule	None	No
40B-4.3010	Works of the District Permits	Rule Amendments	Sections 373.085 and 373.086, F.S.	Reorganize rule to only contain WOD permit types	Clarification	None	No

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40B-4.3030	Conditions for Issuance of Works of the District Permits	Rule Amendments	Sections 373.085 and 373.086, F.S.	Reorganize rule to only contain the conditions all WOD permits must meet for issuance	Clarification	None	No
40B-8.021	Definitions	Rule Amendment	Sections 373.042 and 373.0421, F.S	Add definitions as new MFLs are established	Update rule	None	No
40B-8.031	Minimum Flows and Levels for Madison Blue Spring	Rule Amendment	Sections 373.042 and 373.0421, F.S.	Re-evaluate MFL for Madison Blue Spring	Update rule	Dependent on MFL status	Yes
40B-8.121	Minimum water levels for Cherry Lake	Rule Amendments	Sections 373.042 and 373.0421, F.S.	Provide criteria for determining whether the minimum levels for certain lakes are being met and the accompanying prevention or recovery strategy if necessary	Update rule	Dependent on MFL status	Yes
40BER17-01	Minimum Flows for Falmouth, Lafayette Blue, Peacock, and Troy Springs	Transition from Emergency to Standard Rule	Section 373.042(2), F.S.	Transition emergency rule provisions to final Middle Suwannee MFL rule	Update rule	Dependent on MFL status	Yes
40B-9.131	Public Use of District Lands	Rule Amendment	Section 373.1401, F.S.	Revise to authorize ATV use on certain District properties	Update rule	Increased cost to agency	No
40B-21.631	Water Shortage Plan, Phase II	Rule Amendment	Sections 373.175 and 373.246, F.S.	Revise so that language for Phase II is at least as restrictive as current year-round lawn watering restrictions	Update rule	None	No
40B-21.641	Water Shortage Plan, Phase III	Rule Amendment	Sections 373.175 and 373.246, F.S.	Revise so that language for Phase III is at least as restrictive as current year-round lawn watering restrictions	Update rule	None	No
40B-400.091	Publications and Agreements Incorporated by Reference	Rule Amendments	Part IV, Chapter 373, F.S.	Revise ERP Applicant's Handbook to incorporate statewide stormwater design criteria pursuant to Section 373.4131, F.S.	Update rules	Yes. Requires legislative ratification	No

PART TWO: Addresses each law enacted or amended during the 2023 Legislative Session which creates or modifies the duties or authority of SRWMD, pursuant to section 120.74(1)(a), F.S.

Laws enacted or amended during the previous 12 months that affect the duties or authority of SRWMD	FL Statute modified Created	SRWMD Rule Impacted	Is Rulemaking Mandatory? (Yes/No)	If discretionary, is rulemaking necessary to implement? (Yes/No)	Proposed NORR date (Must be before Nov 1)	Proposed NOPR date	Description
2023-234	380.093, F.S.	N/A	No	No	N/A	N/A	<p>Flooding and Sea Level Rise Vulnerability Studies: Revises purposes for which FDEP may provide grants under Resilient Florida Grant Program to counties, municipalities, and water management districts; requires state-financed constructors to take specified actions before commencing construction; requires FDEP to develop specified sea level impact projection study standard; provides for civil actions, injunctive relief, recovery of certain funds, and enforcement; provides for future repeal of requirements for construction of certain structures in coastal building zone. Effective Date: July 1, 2023</p>
2023-304	252.363, F.S.	N/A	No	No	N/A	N/A	<p>Natural Emergencies; Prohibits counties and municipalities, respectively, from prohibiting temporary shelters on residential property for a specified timeframe under certain circumstances; requires FDEM to post a model contract for debris removal on its website by a specified date; requires the model contract to be annually updated by a specified date; requires FDEM to administer a revolving loan fund for certain local government projects; increases the timeframe to exercise rights under a permit or other authorization, etc. Appropriation: \$61,000,000. Effective Date: July 1, 2023</p>

2023-074	373.089, F.S.	N/A	No	No	N/A	N/A	OGSR/Water Management District Surplus Lands: Removes scheduled repeal of exemption from public record requirements for certain information relating to sale, disposal, or exchange of WMD surplus lands. Effective Date: October 1, 2023
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PART THREE: Updates to prior year's regulatory plan, pursuant to section 120.74(1)(c), F.S.

Rule Number	Law	NORD FAR Publication	If SRWMD determined rulemaking is unnecessary, explain why the law may be implemented without rulemaking	
40B-400.091 (ERP Stormwater)	2020-150 (373.4131, F.S.)	12/21/2020, Vol. 46/246	N/A	

We hereby certify that we have reviewed the Suwannee River Water Management District's (District) 2023-2024 Annual Regulatory Plan, pursuant to paragraph 120.74(1)(d), F.S. All District rules have been reviewed as of August 8, 2023, to determine if they remain consistent with the District's rulemaking authority and the laws implemented.


 Virginia H. Johns
 Governing Board Chair
 Date 8/8/23


 George T. Reeves
 Legal Counsel
 Date 8/8/23