

Suwannee River Water Management District 2021-2022 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-0.001	Scope	New Rule		Identify exceptions to Uniform Rules of Procedure	Required pursuant to S. 120.54(5), F.S.	None	No
40B-0.004	Governing Board	New Rule		Identify exceptions to Uniform Rules of Procedure	Required pursuant to S. 120.54(5), F.S.	None	No
40B-0.010	Point of Entry into Proceedings	New Rule		Identify exceptions to Uniform Rules of Procedure	Required pursuant to S. 120.54(5), F.S.	None	No
40B-1, F.A.C.	General and Procedural Rules	Rule Amendment	Implements District operational procedures	Reflect operational or procedural changes	Update rule	None	No
40B-1.706	Fees	Rule Amendment	Establishes a fee schedule for permits, exemptions, and variances	Provide for nominal fee for processing variances to District rules	Update rule	Minor	No
40B-2, F.A.C.	Permitting of Water Use	Rule Amendment	Implements Part II, Chapter 373, F.S. (Water Use Permitting)	Implement MFL prevention or recovery regulatory strategies specific to SRWMD	Update rule	Yes	No
40B-2.041	Permits Required	Rule Amendment	Implements Part II, Chapter 373, F.S.	Update forms and clarify rule language	Update rule	None	No
40B-2.301	Conditions for Issuance of Permits	Rule Amendment	Implements Part II, Chapter 373, F.S.	Revise Applicant Handbook to reflect implementation of impact offsets,	Update rule	None	No

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				substitution credits, reservation of water resource/ supply development project benefits, and any new MFL prevention or recovery strategies			
40B-2.331	Modification of Permits	Rule Amendment	Implements Part II, Chapter 373, F.S.	Clarify letter modification criteria	Update rule	None	No
40B-2.501	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.	Adopt current FDEP rules and 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.	Incorporate bank stabilization guide, clarify rule language, and revise flood maps	Update rules	Reduction in cost of doing business	Yes
40B-8.021	Definitions	Rule Amendment	Rules defines terms related to the establishment of minimum flows and levels	Add definitions as new MFLs are established	Update rule	None	No
40B-8.031	Minimum Flows and Levels for Madison Blue Spring	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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40B-8.121	Minimum water levels for Lakes (Hampton, Santa Fe, Alto, and Cherry)	Rule Amendments	Implements Sections 373.042 and 373.0421, F.S.	Provide criteria for determining whether the MFL for a water body is being met and the accompanying prevention or recovery strategy if necessary	Update rule	Dependent on MFL status	Yes
40B-21.631	Water Shortage Plan, Phase II	Rule Amendment	Rules provide for the conservation, protection, and management of water during periods of water shortage	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	Rules provide for the conservation, protection, and management of water during periods of water shortage	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	Implements Part IV, Chapter 373, F.S. (Environmental Resource Permitting)	Reflect changes resulting from adopting statewide stormwater requirements and ACOE Section 404 program; and to revise flood maps	Update rules	Under evaluation	Yes

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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 35	Amends publication requirements for legal notices for newspapers; authorizes the online publication of specific government agency notices on newspaper websites in lieu of print publication if certain requirements are met; requires the Florida Press Association to ensure equitable access for minority populations to legal notices and requires the association to publish and maintain certain reports on the statewide legal notice website	Amendment	No	N/A
SB 64	Requires certain new and existing domestic wastewater utilities to submit a plan to FDEP for eliminating nonbeneficial surface water discharge within a specified timeframe; recognizes potable reuse as an alternative water supply and authorizes AWS funding for projects relating to such reuse; incentivizes counties, municipalities, and special districts to implement graywater technologies	Amendment	No	N/A
HB 169	Authorizes WMDs to purchase commodities and contractual services from purchasing contracts of specified entities; provides conditions for such purchases	New	No	N/A
SB 912	Tolls and extends the expiration of specified consumptive use water permits, development permits, and agreements during a natural emergency declared by the Governor; extends the time period for local governments to administer local incentive programs for projects within certain enterprise zone boundaries	Amendment	No	N/A
SB 1954	Establishes the Resilient Florida Grant Program within FDEP; requiring a comprehensive statewide flood vulnerability and sea level rise data set and assessment by specified dates, an annual Statewide Flooding and Sea Level Rise Resilience Plan, and implementation of a scoring system for assessing projects eligible for inclusion in the plan	New	No	N/A
SB 2514	Creates the Resilient Florida Trust Fund within FDEP	New	No	N/A

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Previous Years Laws Enacted Requiring Rulemaking	Description	Rulemaking Action	Must SRWMD adopt rules to implement?	Proposed NOPR date
Subsection 373.219(3), F.S.	Developes unified definition of "harmful to the water resources" for Outstanding Florida Springs	Amendment	Yes – 40B-2, F.A.C.	5/1/2019*
SB 712	Implements statewide review of District rules regarding stormwater design and operations	Amendment	Yes	Upon completion

* Awaiting FDEP guidance on rulemaking

We hereby certify that we have reviewed the Suwannee River Water Management District's (District) 2021-2022 Annual Regulatory Plan, pursuant to paragraph 120.74(1)(d), F.S. All District rules have been reviewed as of August 10, 2021, to determine if they remain consistent with the District's rulemaking authority and the laws implemented.



 Virginia H. Johns
 Chair

8/10/21
 Date



 George T. Reeves
 Legal Counsel

8-10-2021
 Date