INTRODUCTION TO

CHAPTER 40E-61

Northern Everglades Basins

Dear Stakeholders,

The Northern Everglades and Estuaries Protection Program (373.4595, Florida Statutes) directs the Florida Department of Environmental Protection, the Florida Department of Agriculture and Consumer Services, and the South Florida Water Management District to work together to reduce pollutants and achieve water quality standards in the Lake Okeechobee, St. Lucie River, and Caloosahatchee River watersheds through Basin Management Action Plans and the Total Maximum Daily Loads program (403.067, Florida Statutes).

State law adopted in 2016 directed the District to revise Rule 40E-61. Since that time, both state and local governments have implemented actions to reduce harmful pollutants and improve water quality, but more work remains. District staff presented rule concepts in November 2019 to the public at five workshops throughout the District's jurisdiction after the District's Governing Board authorized rule development to update the 40E-61 rule. Staff used this important public input from workshops in addition to comments submitted directly to staff to develop the attached draft rule text for additional public review.

The draft rules are crafted in two parts that describe the following District actions as one of three Coordinating Agencies (with the Florida Departments of Environmental Protection and Agriculture and Consumer Services):

> (1) The District processes for collecting and assessing data to identify necessary projects, actions, and programs to improve the quality, quantity, timing, and distribution of water in the Northern Everglades watersheds; and
>
> (2) The permitting requirement for those landowners who conduct water quality monitoring in lieu of implementing Best Management Practices.

Public and stakeholder engagement remains a critical component of drafting this rule and improving water quality for the Northern Everglades and Estuaries. The District seeks the public's feedback on the draft rule through workshops that will be announced for May and June 2020 and through the submission of written comments at the District's rulemaking website https://www.sfwmd.gov/doing-business-with-us/rules.

During the 2020 regular lawmaking session, the Florida Legislature passed the Clean Waterways Act which included additional authorities and practices to improve water quality. The Legislature also passed Section 85 of House Bill 5003 which appears to limit the 40E-61 rulemaking to the contents of Part II of this draft. However, that does not necessarily mean the contents of Part I cannot be implemented through other means. The full results of the 2020 Session are pending, but the District wanted to make the public aware of those potential legislative changes as they consider their comments on both parts of the draft rule.

We rely on your engagement on this draft rule and all the other important work the District is doing.

Thank you,

Your Team at the South Florida Water Management District

CHAPTER 40E-61
Northern Everglades Basins

40E61.010 Policy and Purpose.

(1) The State of Florida enacted the Northern Everglades and Estuaries Protection Program (NEEPP) to protect and restore surface water resources and achieve and maintain compliance with water quality standards in the Lake Okeechobee watershed, the Caloosahatchee River watershed, and the St. Lucie River watershed (collectively the Northern Everglades watersheds), and downstream receiving waters through phased, comprehensive, and innovative protection programs, which include long-term solutions based upon the total maximum daily loads (TMDLs) established by Florida Department of Environmental Protection (FDEP) in accordance with Section 403.067, Florida Statutes (F.S.).

(2) NEEPP requires watershed protection programs to improve the quality, quantity, timing, and distribution of water in the northern Everglades ecosystem. The programs are comprised of research and monitoring, development and implementation of best management practices (BMPs), refinement of existing regulations, and structural and nonstructural projects, including public works. The programs include Basin Management Action Plans (BMAPs) to address reduction of pollutant loading to achieve TMDLs. The BMAPs take into consideration Watershed Protection Plans developed by the South Florida Water Management District (District).

(3) The rules in this chapter establish criteria to ensure the District's ability to carry out the objectives of the legislative declarations of policy in Sections 373.016 and 403.067 F.S.; the state water policy in Chapter 62-40, Florida Administrative Code (F.A.C.); and NEEPP in Section 373.4595, F.S., including directives for the District to:

(a) Complete a Watershed Protection Plan, which includes a Watershed Construction Project strategy and a Research and Water Quality Monitoring Program, for each of the Northern Everglades watersheds and provide for 5-year updates;
(b) Implement a monitoring program within each of the Northern Everglades watersheds;
(c) Conduct monitoring at representative sites to verify the effectiveness of nonpoint source BMPs;
(d) Provide for a monitoring program for nonpoint source dischargers that are required to monitor water quality under Section 403.067, F.S., and provide for the results of such monitoring to be reported to the FDEP and the Florida Department of Agriculture and Consumer Services (FDACS); and
(e) Institute a reevaluation of rule-adopted BMPs or other measures where water quality problems have been demonstrated despite the appropriate implementation, operation, and maintenance of these activities.

(4) This chapter is consistent with and supports the directives under NEEPP, Section 403.067, F.S., and the BMAPs by ensuring the availability of appropriate surface water quality data and providing scientific data-driven methods and approaches to prioritize areas of focus and inform decisions for reducing pollutant loadings to receiving waterbodies.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented – 373.4595, 403.067 FS. History—New .

40E-61.020 Scope

(1) The effective date of this chapter is _____.

(2) This chapter describes District processes for collecting and assessing data to identify necessary projects, actions, and programs to improve the quality, quantity, timing, and distribution of water in the Northern Everglades watersheds. District assessments will address the reduction of BMAP-targeted pollutant loads in the Northern Everglades watersheds. This chapter describes methods and criteria for characterizing pollutant sources and recommending and expediting tailored pollutant reduction activities in areas the District identifies as having the greatest potential for impact by:

(a) Implementing monitoring networks to measure stormwater runoff volume and pollutant levels, identify pollutant sources, and quantify their relative contributions within and from each of the Northern Everglades watersheds;
(b) Prioritizing areas to evaluate water quality and quantity data to ensure the appropriate projects and programs are implemented, expedite the implementation of appropriate water resource restoration and protection projects and programs, ensure reasonable progress is made toward achieving pollutant level targets, and consider alternative nutrient reduction technologies;
(c) Conducting studies to support the District's science-based adaptive management recommendations for updates to Watershed Protection Plans which support BMAPs; and
(d) Collecting and assessing data from representative monitoring sites to verify the effectiveness of nonpoint source BMPs, interim measures, and projects.

(3) The rules in this chapter describe landowner permitting requirements. All lands within the Northern Everglades watersheds must comply with the provisions of this chapter.

Rulemaking Authority 373.044, 373.113, 373.4595FS. Law Implemented 373.4595, 403.067 FS. History—New 11-1-89, Amended 10-1-06, _____.

40E-61.030 Definitions.

When used in this chapter:

(1) "Basin Management Action Plan" or "BMAP" means FDEP's comprehensive set of strategies developed for restoring impaired waters by reducing pollutant loadings to meet the allowable loadings established in a Total Maximum Daily Load.

(2) "Caloosahatchee River watershed" means the Caloosahatchee River, its tributaries, its estuary, and the area within which surface water flow is directed or drains, naturally or by constructed works, to the river, its tributaries, or its estuary.

(3) "Coordinating Agencies" means the Florida Department of Environmental Protection, the Florida Department of Agriculture and Consumer Services, and the South Florida Water Management District.

(4) "Lake Okeechobee watershed" means Lake Okeechobee, its tributaries, and the area within which surface water flow is directed or drains, naturally or by constructed works, to the lake or its tributaries.

(5) "Northern Everglades watersheds" means the combined areas of the Lake Okeechobee watershed, Caloosahatchee River watershed and St. Lucie River watershed.

(6) "Parcel" means total contiguous land area such as a tract or plot under single ownership, typically consistent with county tax identification numbers.

(7) "Pollutant" means, for the purposes of this chapter, a constituent monitored by the District in surface water runoff, contributing to an impaired water body identified in a BMAP.

(8) "St. Lucie River watershed" means the St. Lucie River, its tributaries, its estuary, and the area within which surface water flow is directed or drains, naturally or by constructed works to the river, its tributaries, or its estuary.

(9) "Total Maximum Daily Load" or "TMDL" means the water quality targets designed to address verified impairments for specific pollutants.

(10) "Watershed Protection Plan" or "WPP" means the plan specific to each of the watersheds consisting of the Watershed Construction Project, which includes projects and programs to improve the watershed's hydrology and water quality, and the Research and Water Quality Monitoring Program.

(11) "Water Quality Monitoring Plan" or "WQMP" means a permittee's approved plan to implement monitoring, as described in Appendix B, "Permittee Water Quality Monitoring Plan Criteria," incorporated by reference in Rule 40E-61.040(4) F.A.C., to verify that discharges from permitted lands comply with state water quality standards.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented – 373.4595, 403.067 FS. History—New .

40E-61.040 Forms, Instructions, and References

(1) South Florida Water Management District Form XXXX, dated [To be determined] [http://www.flrules.org/Gateway/reference.asp?No=Ref-TBD], entitled "Application for Individual Permittee Water Quality Monitoring in the Northern Everglades watersheds."

(2) "South Florida Water Management District Guidebook for Preparing an Application for Individual Permittee Water Quality Monitoring pursuant to Chapter 40E-61, Florida Administrative Code," dated [To be determined], [http://www.flrules.org/Gateway/reference.asp?No=Ref-TBD].

(3) "Appendix A – Watershed Data Sources and Assessments" dated [To be determined], [http://www.flrules.org/Gateway/reference.asp?No=Ref-TBD]

(4) "Appendix B – Permittee Water Quality Monitoring Plan Criteria," dated [To be determined], [http://www.flrules.org/Gateway/reference.asp?No=Ref-TBD]

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented – 373.4595, 403.067 FS. History—New .

PART I: Watershed Assessments for Protection Plan Updates

40E-61.100 Assessments.

The rules in this Part describe the watershed monitoring and assessment process for updating the WPPs. The WPPs, which provide the

basis for the BMAPs, are developed and updated by the District to identify additional measures needed to increase the certainty that the overall objectives for improving water quality and quantity are met. WPP updates are based on the most current available information and recommendations.

(1) Monitoring watershed runoff and assessing the data are the primary methods for identifying pollutant sources, relative contributions, activities potentially impacting contributions, parameters for design of implemented measures, and the effectiveness of activities, projects, and programs. The District will utilize data collected in the following manner:

(a) The District will collect data at monitored sites described in Appendix A, incorporated by reference in Rule 40E-61.040(3), F.A.C. The District has determined that data collected at sites described in Appendix A, incorporated by reference in Rule 40E-61.040(3), F.A.C.**,** are representative of hydrology, water quality, and stormwater runoff volume.

(b) Samples collected will be analyzed for total phosphorus, ortho-phosphate, total nitrogen, ammonium, and nitrite/nitrate.

(c) The District may consider data from other monitoring sites if the District determines the monitoring methods and data meet the criteria specified in Appendix A, incorporated by reference in Rule 40E-61.040(3), F.A.C.

(2) Priority Targeted Restoration Areas (PTRAs) are identified by the District, in consultation with FDEP. PTRAs are areas with demonstrated water quality issues based on Targeted Restoration Area designations in a BMAP, coupled with monitoring data collected by the District as described in Appendix A, incorporated by reference in Rule 40E-61.040(3), F.A.C., or data from other sources that meet the District's criteria specified in Appendix A, incorporated by reference in Rule 40E-61.040(3), F.A.C. For identifying PRTAs, the District will consider the BMAP-targeted pollutant(s), an area's load contribution, average pollutant concentrations, area runoff, data trends, potential for impact to the impaired water body, and other relevant information.

(3) The District will conduct a detailed assessment of PTRAs as follows:

(a) The District shall consider the data collected and information described in Appendix A**,** incorporated by reference in Rule 40E-61.040(3), F.A.C., and the results shall be the basis for recommendations provided to the Coordinating Agencies and included in the District's updates to the Watershed Protection Plan(s). Recommendations resulting from the District's detailed assessments will include nutrient or other pollutant reduction activities consistent with the BMAPs, including new or refined programs and projects.

(b) District detailed assessments will:

1. Evaluate available water quality data that meets the criteria outlined in Appendix A, incorporated by reference in Rule 40E-61.040(3), F.A.C., concerning pollutants identified in the BMAPs;
2. Identify source(s) of pollutants and their relative contribution to pollutant levels in discharges to the Northern Everglades watersheds;
3. Identify the dominant mechanisms and factors impacting pollutant levels in the PTRA, to ensure appropriately designed and located water treatment and storage facilities, and to assess whether additional source controls are needed to enhance performance of the WPP facilities;
4. Consider current water management practices within the PTRA for tailored structural and operational improvements as needed;
5. Evaluate the effectiveness of completed projects;
6. Identify areas where water quality problems from nonpoint sources have been detected or demonstrated, despite the appropriate implementation, operation, and maintenance of rule-adopted BMPs or other measures;
7. Evaluate the effectiveness of rule-adopted nonpoint source BMPs and other measures;
8. Evaluate the feasibility of alternative nutrient reduction technologies;
9. Identify gaps in monitoring and modeling and where optimization is needed;
10. Identify scientific studies and research necessary to support the design of improved programs; and
11. Measure subsequent changes to water quality resulting from implemented District recommendations for source controls, projects, and programs.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented – 373.4595, 403.067 FS. History—New .

40E-61.110 Assessment Findings.

The success of strategies described under the BMAPs relies on implementing a combination of effective source controls to the maximum extent practicable together with regional watershed projects. The District will identify source control activities and watershed projects

based on the dominant factors determined by the District to be influencing pollutant levels in a PTRA, as shown in the District's detailed assessment. Activities and projects will focus on additional measures needed to increase the certainty that the overall objectives of the BMAPs will be met. Activities and projects may include modifications to existing facilities, new facilities, and additional source controls needed to improve water quality in the regional system and enhance performance of existing facilities.

(1) Watershed projects may include:
   (a) Refinements to existing projects to optimize performance;
   (b) New projects based on dominant factors affecting water quality in a PTRA; and
   (c) Subregional and regional structural, nonstructural, and operational improvements of public or private stormwater management systems.

(2) Source control programs may include:
   (a) Instituting a reevaluation of the BMPs and other measures implemented within a PTRA at the time of the detailed assessment. The District will consult with the Coordinating Agencies to collect information associated with the BMP implementation, the frequency and methods for BMP implementation verification, the results of the verifications, the content of BMP manuals, and water quality monitoring network optimization needs. The District shall provide the scientific and technical basis for identifying this activity.
   (b) Implementing programs to enhance source controls that target water management to minimize the entry and transport of pollutants to the regional system, including structural, nonstructural, and operational improvements of public or private secondary and tertiary stormwater management systems.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented – 373.4595, 403.067 FS. History—New .

40E-61.120 Reporting and Accountability

(1) The District shall annually:
   (a) Publish a report with the detailed assessment findings and identified activities and projects, and incorporate them into the Watershed Protection Plan updates, as the District deems appropriate. The report shall also include water quality trends for pollutants in each PTRA; the implementation status of each activity or project identified in Rule 40E-61.110 F.A.C.; and an assessment of whether their implementation has caused changes in water quality trends.
   (b) Update a public webpage to track its assessment findings, assessments, activities, projects, and outcomes.
   (c) Hold a public meeting to discuss the progress of programs, projects, and other actions and the resulting water quality trends.

(2) If a watershed project identified by the District pursuant to Rule 40E-61.110(1) F.A.C., or a source control program identified by the District pursuant to Rule 40E-61.110(2)(b) F.A.C., is incorporated into a BMAP and is not meeting its timeframe for implementation, the District shall convene a public meeting with the Coordinating Agencies within the boundary of the applicable geographic area (i.e. PTRA, watershed, or basin) to discuss the obstacles to implementation, seek public input, and refine District findings to ensure a project or program progresses to achieve water quality improvement.

(3) If a reevaluation of BMPs identified by the District pursuant to Rule 40E-61.110(2)(a) F.A.C., is incorporated into a BMAP and is not meeting its timeframe for reevaluation, the District will hold a public meeting with the Coordinating Agencies to discuss the progress of the reevaluation, seek public input, and refine District findings, which may include actions to:
   (a) Adjust frequency of onsite inspections in a PTRA;
   (b) Verify that all required BMPs are being implemented within a PTRA, properly and optimally, by reviewing records and through field observations as applicable;
   (c) Institute BMP plans with an emphasis on implementing specific rule-adopted BMPs or other measures that are responsive to the District's assessment results identifying the dominant factors affecting pollutant loads in a PTRA (For example, water management BMPs or cost-shared, enhanced source controls to address discharge volumes and transport of pollutants.);
   (d) Review BMP manuals to identify opportunities for optimizing the selection of BMPs, implementation methods, and documentation of implementation;
   (e) Propose revisions to BMP manuals and amendments to the rule-adopted BMPs to include more specific requirements relative to optimizing BMP effectiveness if the assessment concludes that results within the PTRA are typical of a larger

scale problem; and

(f) Recommend additional monitoring of discharges to identify dominant factors affecting water quality if needed to tailor the BMPs implemented.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented – 373.4595, 403.067 FS. History—New .

PART II: Implementation of Individual Landowner Requirements

40E-61.200 Implementation of Individual Landowner Requirements.

(1) A nonpoint source discharger that discharges to, or within the Northern Everglades watersheds, and is not implementing BMPs as required under a BMAP, must obtain an Individual Permit for an approved Water Quality Monitoring Plan (WQMP).

(2) All lands located within a BMAP are presumed to discharge surface water runoff into the Northern Everglades watersheds. Lands for which a landowner contests this presumption may submit evidence demonstrating that the land does not discharge surface water runoff into the Northern Everglades watersheds. At a minimum, the landowner's evidence must include the location of the lands in relation to the watershed, a description and site plan for stormwater drainage, applicable hydrologic boundaries, and information described under Rule 40E-61.220, F.A.C. The District will review the evidence submitted and other information available to the District and issue a written statement of final determination within 90 days of the submittal date.

(3) An entity in compliance with the permit(s) set forth in the Everglades Program under Chapter 40E-63, F.A.C. may elect to use that permit in lieu of the requirements of this Part.

(4) Applications for initial Individual Permits must be received by the District within 90 days of the effective date of the adoption of this Chapter. Subsequently, applications must be received by the District within 90 days of the date of written notification by a Coordinating Agency of the requirement to implement BMPs or monitor.

(5) The procedures specified in Rules 40E-1.602 and 40E-603, F.A.C., shall apply to applications for Individual Permits required by this Chapter.

(6) Lake Okeechobee Drainage Basin Works of the District Permits issued prior to the effective date of this chapter are rescinded.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented – 373.4595, 403.067 FS. History—New .

40E-61.210 Delegation.

(1) The District's Governing Board delegates to and appoints the Division Director responsible for implementing the Northern Everglades Basins Program under this chapter to review and take final action on applications for permits issued under Chapter 40E-61, F.A.C.

(2) If the District intends to deny an application for permit under this Part, the applicant may request review by the Governing Board prior to final action. The applicant must make this request within 7 days of receiving notice of the intended denial.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented 373.4595, 403.067 FS. History–New .

40E-61.220 Content of Application for Individual Permits.

The application shall include:

(1) Date and signature of the applicant(s) submitting the application, and the name of the owner(s) of all parcels included in the permit application;

(2) Form XXX entitled "Application for Individual Permittee Water Quality Monitoring in the Northern Everglades watersheds," or the equivalent electronic permitting application (e.g. ePermitting) tool, completed in accordance with the "South Florida Water Management District Guidebook for Preparing an Application for Individual Permittee Water Quality Monitoring pursuant to Chapter 40E-61, Florida Administrative Code," incorporated by reference in Rule 40E-61.040(1) and (2), F.A.C., respectively;

(3) Permit application processing fee pursuant to Rule 40E-61.230, F.A.C.;

(4) General description, site plan, and map of the application area, including a clear delineation of the boundaries and acreage contained in the permit application and associated county parcel tax identification numbers and acreages; surface water system layout and drainage features showing direction of flow, surface water flow onto the property from other landowners, areas or points of surface water flow off-site; and available data on existing water quality;

(5) A WQMP as described in the "Guidebook for Preparing an Application for an Individual Permit in the Northern Everglades

watersheds", incorporated by reference in Rule 40E-61.040(1) and (2), F.A.C., respectively;

(6) A list of all District permits for the application area and their status;

(7) All the information necessary to satisfy the conditions for issuance for Individual Permits as described in Rule 40E-61.240, F.A.C.; and

(8) Applications to modify or renew Individual Permits must contain the same information as required for a new Individual Permit.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented 373.4595, 403.067 FS. History–New .

40E-61.230 Permit Application Processing Fee.

A permit processing fee shall be paid to the District at the time a permit application is filed pursuant to Rule 40E-61.200, F.A.C. The fee for an application for a new, modified, transferred, or renewed Individual Permit under this Part is $150. An application shall remain incomplete until the proper fee has been paid.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented 373.4595, 403.067 FS. History–New .

40E-61.240 Conditions for Issuance for Individual Permits.

In order to obtain and comply with an Individual Permit under this Part, an applicant must satisfy all of the following conditions:

(1) Submit and implement a WQMP pursuant to the "South Florida Water Management District Guidebook for Preparing an Application for Individual Permittee Water Quality Monitoring pursuant to Chapter 40E-61, Florida Administrative Code" and Appendix B "Permittee Water Quality Monitoring Plan Criteria," incorporated by reference in Rule 40E-61.040(2) and (4), F.A.C., that provides reasonable assurance the data collected represents stormwater runoff water quality, and

(2) Comply with all applicable Limiting Conditions under Rule 40E-61.280, F.A.C.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented 373.4595, 403.067 FS. History–New .

40E-61.250 Duration of Permits.

(1) Unless revoked, initial Individual Permits issued under this chapter expire 5 years from the effective date of this Chapter. All subsequent new and existing permits and permit renewals expire 5 years from the previous expiration date such that permits, depending on when they are issued within the 5-year cycle, may be valid for less than 5 years, but no longer than 5 years.

(2) Permit expiration will not be affected by permit transfer or modification.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented 373.4595, 403.067 FS. History–New .

40E-61.260 Modification.

A permit modification will be required for any changes to the permit conditions or approved WQMP. A permittee may apply for a modification to a permit issued under this Part by written application using the same criteria as new applications unless the permit has expired or has been otherwise revoked or suspended. The District shall not modify a permit unless the permit is in compliance with all applicable permit conditions. Modifications will be evaluated based on the criteria in effect at the time the application to modify is submitted. The same review time and informational requirements that apply to new permit applications shall apply to all applications to modify an existing valid permit.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented 373.4595, 403.067 FS. History–New .

40E-61.270 Transfer

A permittee with a valid permit under this Part, must notify the District in writing within 30 days of a change in ownership or control of the land or onsite works covered by the permit, and shall request that the permit be voided or complete a permit transfer form as a co-applicant with the new owner. A permit is not transferred until the District approves the transfer. The permittee remains responsible for the requirements of the permit until the District transfers or voids the permit at the request of the permittee. If an application for permit transfer is not received within 30 days of a change in ownership, the permit will become nontransferable and voided and the new owner will be required to apply for a new permit. The District will transfer the permit if:

(1) The permit transfer application is complete, including payment of the transfer application fee pursuant to Rule 40E-61.230, F.A.C;

(2) The land uses, onsite practices and operations, total acreage, and approved plans remain the same;

(3) The permittee is in compliance with all conditions of the permit; and

(4) No changes or additions to the permit and limiting conditions are requested. Changes and additions will require a permit modification in accordance with Rule 40E-61.260, F.A.C., under which a change in ownership may be addressed concurrently.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented 373.4595, 403.067 FS. History–New .

40E-61.280 Limiting Conditions.

The District shall impose on any Individual Permit granted under this Part such special conditions as necessary to ensure that the permitted discharge will be consistent with the overall objectives of the District and will not be harmful to the water resources of the District.

(1) In addition to special conditions, the following conditions shall be attached to all Individual Permits. The term 'Plan' in the following conditions refers to the WQMP.

(a) The permittee shall implement all elements and requirements of the approved Plan according to schedule, including documentation of implementation, operation, and rationale where applicable. The Plan must be implemented within 180 days of issuance of the permit.

(b) The permittee shall allow District staff and designated agents reasonable access to the permitted property at any time to verify compliance with the permit, monitor water quality, and collect data, as applicable. The District will provide advance notice at least 48 hours prior to a site visit.

(c) The lands within the permit fall within the Northern Everglades watersheds. The permitted discharge must not cause adverse water quality impacts to receiving waters or adjacent lands regulated pursuant to Chapter 373, F.S.; cause adverse environmental impacts; and be inconsistent with the State Water Policy, Chapter 62-40, F.A.C. If the District determines that the permitted lands are contributing to a violation of state water quality standards, the District will notify the permittee(s) in writing that additional measures are required pursuant to Rule 40E-61.290, F.A.C.

(d) The surface water management system shall be effectively operated and maintained in accordance with the Environmental Resource/Surface Water Management Permit, if applicable. The permittee shall notify the District by electronic mail or in writing within 30 days after any changes to the surface water management system, permitted area acreage, or land use. A land use change is described as any change that may affect the permitted Plan or the pollutant loads in offsite discharges.

(e) The permit does not relieve the permittee of the responsibility to comply with all laws or regulations applicable to use of or discharges from the land.

(f) The permit does not convey to the permittee any property right nor any rights or privileges other than those specified in the permit.

(g) This permit does not relieve the permittee from liability from harm or injury to human health or welfare; animal, plant or aquatic life; or property.

(h) The permittee shall hold the District harmless from any and all damages, claims, or liabilities that may arise by reason of the discharge authorized by the permit.

(i) Legal entities responsible for implementing a Plan submitted on behalf of more than one landowner under an Individual Permit shall remain viable and capable of performing their responsibilities required by permits issued pursuant to Chapter 40E-61, F.A.C.

(j) The permittee shall submit any proposed modifications to the Plan for District review and prior approval. The permittee shall continue to implement the permitted Plan under an existing permit until receiving District approval for the modification.

(k) The permittee shall notify the District by electronic mail or in writing within 30 days of a change in ownership or control of the land or onsite works covered by the permit, and shall request that the permit be voided or complete the permit transfer form as a co-applicant with the new owner. The permittee remains responsible for the requirements of the permit until the District transfers or voids the permit. If an application for permit transfer is not received within 30 days of a change in ownership, the permit will become nontransferable and voided.

(l) If the District determines that any permittee within a permit is not complying with the specific terms and conditions of the permit, the District will implement enforcement proceedings against the permittee. For permits issued to more than one landowner, each landowner is a co-permittee and is jointly and severally liable for implementing the requirements of the

permit. This includes non-compliance with permit conditions caused by lessees or operators that are not co-permittees.

(m) Permittee shall submit the data collected in accordance with the approved Plan monthly in a District-approved electronic format no later than 60 days from the last day of the sampling period being reported.

(n) The District will provide at least a one-week notice to the permittee of its intent to conduct a Quality Assurance (QA) field audit of sample collection procedures. The District will also provide the results of the QA field audit to the permittee.

(o) The permittee's data will be used to assess compliance annually with state water quality standards. The permittee shall submit a water quality monitoring summary report by August 1 each year that includes all of the raw data. When water quality problems are demonstrated as determined by the District, the District will notify permittees of the requirement for remedial actions in accordance with Rule 40E-61.290, F.A.C.

(p) The monitoring results provided by the permittee shall be shared with the Coordinating Agencies.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented 373.4595, 403.067 FS. History–New .

40E-61.290 Permit Compliance.

The District is authorized to seek any enforcement or corrective action available under Florida law for any permittee(s) out of compliance with the provisions of this Part, pursuant to Chapter 373, F.S., and the rules adopted thereunder. Compliance with the permit includes adherence to the rules under this Part and all permit conditions, such as implementation of the permitted WQMP and timely submittal of required reports.

(1) If a permittee is determined to be out of compliance with their permit:

(a) The permittee will be subject to notification and enforcement actions by the District.

(b) All permittees shall respond in writing to a notice of non-compliance from the District, within 30 business days of the date of the notice, and include a plan and schedule for achieving permit compliance within 90 days of the date of the District's notice. An alternate implementation schedule may be approved by the District with justification based on the scope of the proposed activities. The plan may require submittal of a permit modification application as described in Rule 40E-61.260, F.A.C.

(2) When water quality problems are demonstrated based on data collected under a permitted WQMP or District collected data, the permittee shall implement appropriate rule-adopted BMPs or other measures as established under the applicable BMAP. The District may refer the permittee to FDEP for enforcement of the applicable rule-adopted BMPs under the BMAP. In coordination with FDEP's action, the District may void the permit issued under this Part.

Rulemaking Authority 373.044, 373.113, 373.4595 FS. Law Implemented 373.4595, 403.067 FS. History–New .

Chapter 40E-61 Appendix A
Watershed Data Sources and Assessments

1.0 INTRODUCTION

This appendix describes monitoring networks implemented to reasonably represent water quality in stormwater runoff within the Lake Okeechobee watershed, Caloosahatchee River watershed, and St. Lucie River watershed (collectively the Northern Everglades watersheds), and the South Florida Water Management District's (District) criteria for considering other data sources for the purposes described under this chapter. The District will use the resultant measured data to perform detailed assessments of Priority Targeted Restoration Areas (PTRAs). District assessments will inform decisions and support science-based technical and cost-effective recommendations for pollutant reductions. The recommendations from the assessments will prioritize tailored pollutant reduction activities, programs, projects, and funding opportunities to expeditiously implement interim and long-term solutions to restore and protect the associated impaired water body. District detailed assessments will also evaluate the effectiveness of implemented activities, programs, and projects, and support the District's Watershed Protection Plan recommendations.

2.0 DATA SOURCES

2.1 District Monitoring Networks

The Northern Everglades and Estuaries Protection Program (NEEPP), Section 373.4595, Florida Statutes, requires the District to conduct monitoring at representative sites. Representative sites under this chapter refer to monitoring locations that typify one or more conditions associated with hydrology, water quality in surface water discharges, and quantity (stormwater runoff volume for an area).

Tables A1, A2, and A3 describe the District's monitoring locations by basin, structure name, if applicable, DBHydro database designation, sample collection method, and whether the site is a Level 1 or 2 site. The primary data used for assessing nutrient sources and relative contributions will be from the Level 1 and Level 2 monitoring sites. Changes to the monitoring network, and the basis for such, will be at the discretion of the District and will be reported by the District annually.

Level 1 monitoring sites typically provide data to represent nutrient loads from associated hydrologic areas passing through District structures. These are usually located at the downstream edge of the hydrologic area, also referred to as a basin, and are at sites where flow and nutrient concentration data are collected.

Level 2 monitoring sites are upstream of Level 1 sites and typically only provide data to represent nutrient concentration of tributary discharges. The District will maintain an appropriate number of Level 2 sites within each watershed upstream of the basin loading stations to provide additional information for PTRA assessments and recommendations. The appropriate number of sites depends on the size of the area, the levels of pollutants, and the relative priority of demonstrated water quality problems. Sites within each of the Northern Everglades watersheds may be redistributed based on recommendations for optimization.

2.2 Other Data Sources and Methods

Sources of District data from networks not described in Section 2.1 "District Monitoring Networks", estimated data where District measured data are not available, or data from non-District sources may be used at the discretion of the District based on the data meeting the criteria presented in this Appendix. Other sources of data may include the U.S. Army Corps of Engineers, the U.S. Geological Survey (USGS), counties, municipalities, and other entities. The District will report data sources and estimates annually.

For the District to use other data sources, all sample collection, preservation, handling, transport, laboratory analysis, and chain-of-custody documentation must be conducted in accordance with the Florida Department of Environmental Protection Standard Operating Procedures for Field Activities (DEP-SOP-001/01), as defined in Chapter 62-160, Florida Administrative Code (F.A.C.), and the District's Field Sampling, Field Quality, and Chemistry Laboratory Quality Manuals.

The laboratory that performs the analyses must have the appropriate certification in accordance with the Florida Department of Environmental Protection Standard Operating Procedures and as defined in Chapter 62-160, F.A.C.

Where flow data are collected, discharge flow volume is calculated using equations developed for site specific conditions based on standard engineering flow methods.

3.0 PRIORITY TARGET RESTORATION AREA ASSESSMENT

This section provides technical details on elements of the assessment process for PTRAs. The District will establish PTRAs in areas having a relatively higher priority for focused resources. The District will consult with FDEP to establish PTRAs based on an evaluation of TRAs identified in the BMAPs, considering the information indicated in Rule 40E-61.100(2), F.A.C. The results of the District's detailed assessment and recommendations for PTRAs will be reported annually and shall be the basis for the District's Watershed Protection Plan updates. Additional details on assessment recommendations and reporting are described in Rules 40E-61.110 and 40E-61.120, F.A.C.

3.1 ASSESSMENT OBJECTIVES

Key objectives in conducting the detailed assessments are:

1. Identify pollutant sources and their relative contributions;
2. Determine the portion of load associated with the different nutrient species, such as dissolved and particulate phosphorus and the organic and inorganic nitrogen fractions;
3. Identify the dominant factors influencing pollutant levels;
4. Assess baseline conditions;
5. Determine project design parameters based on pollutant inflow concentrations and flows to ensure long-term, consistent performance of projects;

6. Assess applicable secondary and tertiary water management practices affecting volume, timing, and distribution of discharges to the regional system;
7. Identify potential sites and projects for water treatment and storage facilities;
8. Improve modeling tools and input to supplement measured data where appropriate; and
9. Optimize the District's monitoring network as needed.

3.2 DETAILED ASSESSMENT CONSIDERATIONS

In addition to the information described in Rule 40E-61.100(3), F.A.C., the detailed assessment may also consider:

1. Land use;
2. Soil characteristics;
3. Topography;
4. Hydrology including rainfall variability and distinct meteorological events;
5. Land area;
6. Stormwater volume and timing of discharges;
7. Water management, including stormwater system configuration, regional stormwater management operations, landowner impacts via irrigation, and tailwater recovery systems, storage;
8. Secondary and tertiary stormwater management system design and operation;
9. Nutrient inputs;
10. Existing and proposed projects and programs and their effectiveness;
11. Proximity to the receiving water body; and
12. Other relevant information related to water quality, quantity, timing, and distribution.

TABLE A1
CALOOSAHATCHEE RIVER WATERSHED MONITORING NETWORK

Basin	Structure Name	DBHydro Water Quality Station Name	DBHydro Flow Station Name	Level	Sample Collection Method[a]
S4[b]	EPD07	EPD07	EPD07	1	G
	S169	S169	S169_C	1	G
	S310	INDUSCAN	INDUST	1	G
	S4	S4	S4_P	1	AS and G
	S235	S235	S235_C	1	AS and G
East Caloosahatchee[b]	S77	S77	S77_S	1	AS and G
	S78	S78	S78_S	1	AS and G
	-	CRFW01	-	2	G
	-	CRFW02	-	2	G
	-	CRFW03	-	2	G
	-	CRFW05	-	2	G
	-	CRFW30	-	2	G
	S47D	S47D	S47D_S	2	G
West Caloosahatchee	S79	S79	S79_S	1	AS and G
	S78[c]	S78	S78_S	1	AS and G
	-	CRFW 06	Canal 2 (Goodno)[d]	2	G
	-	CRFW07	-	2	G
	-	CRFW09	-	2	G
	-	CRFW11	-	2	G
	-	CRFW12	-	2	G
	-	CRFW15	Townsend[d]	2	G
	-	CRFW23	Jacks Branch[d]	2	G
	-	CRFW24	-	2	G
	-	CRFW25A	-	2	G
Tidal Caloosahatchee[e]	-	-	-	-	-
Coastal Caloosahatchee[e]	-	-	-	-	-

TABLE A1 FOOTNOTES

a. The sample collection method is indicated as either grab (G) or autosampler (AS).
b. The East Caloosahatchee and S-4 Basins may discharge either to the Caloosahatchee River or to Lake Okeechobee.
c. This is an inflow structure for the basin for which load is calculated.
d. Flow monitoring at these stations is conducted by USGS and the flow data are available in the USGS National Water Information System (NWIS) accessible at https://waterdata.usgs.gov/nwis.
e. The District has no monitoring sites in this basin; however, monitoring is conducted by other local governmental entities. The District may consider data collected by those entities per section 2.3 of this Appendix.

TABLE A2
LAKE OKEECHOBEE WATERSHED MONITORING NETWORK

Subwatershed	Basin	Structure Name	DBHydro Water Quality Station Name	DBHydro Flow Station Name	Level	Sample Collection Method[a]
Upper Kissimmee		S65	S65	S65_S	1	G
		-	ABOGGN	-	2	G
		S62	AJ33243122	S62_S	2	G
		-	AL11263113	-	2	G
		-	AL24263113	-	2	G
		-	AL34263113	-	2	G
		-	BNSHINGLE	-	2	G
		S59	BS-59	S59_S	2	G
		S63A	CL06283111	S63A_S	2	G
		-	CL06283112	-	2	G
		S61	CL18273011	S61_S	2	G
		S63	CL19273123	S63_S	2	G
		-	CO35253112	-	2	G
		-	CREEDYBR	-	2	G
		-	DLMARNCR	-	2	G
		-	DLONDNCR	-	2	G
		-	EC-37	-	2	G
		-	ET05253114	-	2	G
		-	ET06253113	-	2	G
		-	GENTRYDTCH	-	2	G
		-	HL08283014	-	2	G
		G103	KUB009	G103_W	2	G
		S60	LG32263124	S60_S	2	G
		-	LJACKDSCH	-	2	G
		-	LK04313114	-	2	G
		-	LR14302912	-	2	G
		-	LT32263013	-	2	G
		S57	MJ01253123	S57_C	2	G
		-	ML22303311	-	2	G
		-	ML22303313	-	2	G
		-	PA10313112	-	2	G
		-	ROMCUT	-	2	G
Lower Kissimmee		S65E	S65E	S65E_S	1	G
		S65[b]	S65	S65_S	1	G
		-	02272676	02272676	2	G
		-	AM22323213	-	2	G
		-	AM27323211	-	2	G

TABLE A2. Continued.

Subwatershed	Basin	Structure Name	DBHydro Water Quality Station Name	DBHydro Flow Station Name	Level	Sample Collection Method[a]
		-	BB16313214	-	2	G
		-	BM15313111	-	2	G
		-	CY05353444	-	2	G
Lower Kissimmee		-	CY06363411	-	2	G
		-	CY17353413	-	2	G
		-	IC35313112	-	2	G
		-	KR05373311	-	2	G
		-	KR23313113	-	2	G
		-	KR24353114	-	2	G
		-	KR29353334	-	2	G
		-	KR30353214	-	2	G
		-	KR30353312	-	2	G
		-	KR32343214	-	2	G
		-	KR36363312	-	2	G
		-	KREA 01	02272650	2	G
		-	KREA 04	-	2	G
		-	KREA 100	-	2	G
		-	KREA 14	-	2	G
		-	KREA 17A	-	2	G
		-	KREA 22	-	2	G
		-	KREA 23	-	2	G
		-	KREA 41A	-	2	G
		-	OK09353212	-	2	G
		S65A	S65A	S65A_S	2	G
		S65D	S65D	S65D_S	2	G
		-	SM21333314	-	2	G
Lake Istokpoga		S68	02273198	S68_S	1	AS and G
		-	02270500	ARBUCK	2	AS and G
		-	AB27343014	-	2	G
		-	AR06333013	-	2	G
		-	AR18343012	-	2	G
		-	AR21343013	-	2	G
		-	BN03332911	-	2	G
		-	BN08332912	-	2	G
		G90[c]	JO16362914	-	2	G
		-	JO33352914	-	2	G
		-	LI02362923	JOSEPHIN	2	G

TABLE A2. Continued.

Subwatershed	Basin	Structure Name	DBHydro Water Quality Station Name	DBHydro Flow Station Name	Level	Sample Collection Method[a]
Lake Istokpoga		-	LV14322813	-	2	G
		-	PL01382911	-	2	G
		-	RD01322813	-	2	G
		-	RD08322913	LIVINFROST	2	G
Indian Prairie	C-40	S72	S72	S72_S	1	G
		S68[b]	02273198	S68_S	1	AS and G
		S75	IP09383232	S75_S	2	G
		-	IP24383214	-	2	G
		-	IP29383313	-	2	G
	C-41	S71	S71	S71_S	1	AS and G
		-	02273230	02273230	2	G
		S70	HP06393242	S70_S	2	G
		-	HP09383151	-	2	G
		-	HP10383112	-	2	G
		-	HP15373112	-	2	G
		-	HP21383121	-	2	G
		-	HP22373112	-	2	G
		-	HP23373111	-	2	G
		-	HP24373013	-	2	G
		-	HP25373013	-	2	G
		-	HP27383124	-	2	G
		-	HP28383112	-	2	G
		-	HP34373124	-	2	G
		-	HP35373113	-	2	G
		-	HP36373013	-	2	G
		-	HP36383112	-	2	G
		-	IP01383122	-	2	G
	C-41A	S84	S84	S84_S	1	G
		S82	HP11373132	S82_S	2	G
		S83	SD13373111	S83_S	2	G
		-	SD28373312	-	2	G
		-	SD33373314	-	2	G
		-	SD34373313	-	2	G
	L-48	S127	S127	S127_C	1	G
	L-49	S129	S129	S129_C	1	G
	L-59E	G33	C38W	G33_C	1	G
		G34	L59E	G34_C	1	G

TABLE A2. Continued.

Subwatershed	Basin	Structure Name	DBHydro Water Quality Station Name	DBHydro Flow Station Name	Level	Sample Collection Method[a]
Indian Prairie	L-59W	G74	L59W	G74_C	1	G
	L-60E	G75	L60E	G75_C	1	G
	L-60W	G76	L60W	G76_C	1	G
	L-61E	L61COEHP5	L61E	C41H78	1	G
	S-131	S131	S131	S131_C	1	G
Fisheating Creek	Fisheating Creek	-	FECSR78	FISHCR	1	G
		-	02255600	02255600	2	G
		-	02256500	FISHP	2	G
		-	BH04392912	-	2	G
		-	BH32382914	-	2	G
		-	FE03382911	-	2	G
		-	FE20393013	-	2	G
		-	FE21392913	-	2	G
		-	FE21392914	-	2	G
		-	FE26362812	-	2	G
		FC1	FE29403212	-	2	G
		-	FE32372814	-	2	G
		-	GA09393011	-	2	G
		-	GG05403011	-	2	G
		-	GT07402911	-	2	G
		-	HS06402911	-	2	G
		-	PB24392912	-	2	G
		-	RS23402811	-	2	G
	Nicodemus Slough North	C5	CULV5	CV5	1	G
Taylor Creek/Nubbin Slough	S-133	S133	S133	S133_P	1	G
		-	LM29373514	-	2	G
		-	TC09373513	-	2	G
	S-135	S135	S135	S135_C	1	G
	S-154	S154	S154	S154_C	1	G
		-	KR16373414	-	2	G
		-	KR17373513	-	2	G
		-	KREA 20	-	2	G
		-	KREA 25	-	2	G
		-	KREA 28	-	2	G
		G80	KREA 30A	-	2	G

TABLE A2. Continued.

Subwatershed	Basin	Structure Name	DBHydro Water Quality Station Name	DBHydro Flow Station Name	Level	Sample Collection Method[a]
Taylor Creek/Nubbin Slough	S-154	-	TS26363411	-	2	G
		-	TS36363411	-	2	G
	S-154C	S154C	S154C	S154C_C	1	G
		-	KR20373413	-	2	G
	S-191	S191	S191	S191_S	1	G
		-	02275197	02275197	2	G
		-	LB29353513	-	2	G
		-	MS05373613	-	2	G
		-	MS08373611	-	2	G
		-	MS08373624	-	2	G
		-	OT29353514	-	2	G
		-	OT32353511	-	2	G
		-	OT34353513	-	2	G
		-	TC03373511	-	2	G
		-	TC27353413	-	2	G
		-	TCNS 201	-	2	G
		-	TCNS 204	-	2	G
		-	TCNS 207	-	2	G
		-	TCNS 209	-	2	G
		-	TCNS 213	02274010	2	G
		-	TCNS 214	02274490	2	G
		-	TCNS 217	02274505	2	G
		-	TCNS 220	-	2	G
		-	TCNS 222	-	2	G
		-	TCNS 228	NUBBC_C	2	G
		-	TCNS 230	-	2	G
		-	TCNS 233	-	2	G
		-	TCNS 249	-	2	G
East Lake Okeechobee	C-44[d]/S-153/Basin 8	S308	S308C	S308_S	1	G
	L-8	C10A	CULV10A	L8.441	1	G
West Lake Okeechobee	East Caloosahatchee[e]	S77	S77	S77_S	1	G
	Nicodemus Slough South	C5A	CULV5A	CULV5A_C	1	G

TABLE A2. Continued.

Subwatershed	Basin	Structure Name	DBHydro Water Quality Station Name	DBHydro Flow Station Name	Level	Sample Collection Method[a]
South Lake Okeechobee[f]	715 Farms	S274 (C12A)	C12A[g]	C12A[g]	1	G
	East Beach Water Control District	S273 (C10)	C10[g]	C10[g]	1	G
	East Shore Water Control District	S275 (C12)	C12[g]	C12[g]	1	G
	Industrial Canal	S310	INDUSCAN	INDUST	1	G
	S-2	S2	S2	S2_P	1	AS and G
	S-3	S3	S3	S3_P	1	AS and G
	S-4[e]	S4	S4	S4_P	1	AS and G
	South Florida Conservancy District	S236	S236[g]	S236_P[g]	1	G
	South Shore Drainage District	C4A	C4A[g]	C4A[g]	1	G
	S-5A	S352	S352	S352_S	1	G

TABLE A2 FOOTNOTES

a. The sample collection method is indicated as either grab (G) or autosampler (AS).
b. These are inflow structures for which load is calculated in these subwatersheds.
c. This structure is operated by the Southwest Florida Water Management District (SWFWMD).
d. The C-44 Basin may discharge to Lake Okeechobee or the St. Lucie River.
e. The East Caloosahatchee and S-4 Basins may discharge to Lake Okeechobee or to the Caloosahatchee River.
f. The South Lake Okeechobee Subwatershed typically discharges south to the Everglades.
g. Discharge and water quality reporting at these stations are the responsibility of those entities described in the applicable 40E-63 Works of the District Permit.

TABLE A3
ST. LUCIE RIVER WATERSHED MONITORING NETWORK

Basin	Structure Name	DBHydro Water Quality Station Name	DBHydro Flow Station Name	Level	Sample Collection Method[a]
C-23	S48	C23S48	S48_S	1	AS and G
	-	PC49C23	-	2	G
	-	PC32C23	-	2	G
	-	ACRA1	-	2	G
C-24	S49	C24S49	S49_S	1	AS and G
	G79	G79	G79_C	2	G
	G81[b]	G81	G81_C	1	G
	-	PC38C24	-	2	G
	-	PC39C24	-	2	G
	-	PC54C23	-	2	G
C-25	G81	G81	G81_C	1	G
	S50	C25S50	S50_S	1	G
C-44	S80	C44S80	S80_S	1	AS and G
	S308	S308C	S308_S	1	G
	S153	S153	S153L_S	2	G
	-	C44SC2	-	2	G
	-	C44SC5	-	2	G
	-	C44SC14	-	2	G
	-	C44SC19	-	2	G
	-	C44SC23	-	2	G
	-	C44SC24	-	2	G
Ten Mile Creek[c]	GORDY_ROAD	GORDYRD	GORDY_S	1	AS and G
North Fork[c]	-	SLT-10A	-	2	G
	-	SLT-10B	-	2	G
	-	SLT-11	-	2	G
	-	SLT-17	-	2	G
	-	SLT-19	-	2	G
	-	SLT-21	-	2	G
	-	SLT-22A	-	2	G
	-	SLT-26	-	2	G
	-	SLT-39	-	2	G
	-	SLT-41	-	2	G
	-	SLT-42B	-	2	G
	-	SLT-45	-	2	G
North Mid-Estuary	-	SLT-29	-	2	G
	-	SLT-30A	-	2	G

TABLE A3. Continued.

Basin	Structure Name	DBHydro Water Quality Station Name	DBHydro Flow Station Name	Level	Sample Collection Method[a]
Basin 4, 5, and 6	-	SLT-7	-	2	G
	-	SLT-9	-	2	G
South Mid-Estuary	-	SLT-38	-	2	G
	-	SLT-38A	-	2	G
South Fork	-	SLT-1	-	2	G
	-	SLT-2A	-	2	G
	-	SLT-3	-	2	G
	-	SLT-4	-	2	G
	-	SLT-5	-	2	G
	-	SLT-6	-	2	G
	-	SLT-31	-	2	G
	-	SLT-34A	-	2	G
	-	SLT-40	-	2	G
	-	SLT-40A	-	2	G
South Coastal	-	SLT-35	-	2	G
	-	SLT-36	-	2	G
	-	SLT-37A	-	2	G
	-	SLT-44	-	2	G

TABLE A3 FOOTNOTES

a. The sample collection method is indicated as either grab (G) or autosampler (AS).

b. This structure is an inflow structure for which load is calculated in this basin.

c. Ten Mile Creek is a hydrologic area within the North Fork basin discharging to the North Fork of the St. Lucie River. It is listed separate from the North Fork basin, as this area can be divided by its water control structure Gordy Road.

Chapter 40E-61 Appendix B
Permittee Water Quality Monitoring Plan Criteria

1.0 INTRODUCTION

For entities that are required to monitor in accordance with Rule 40E-61.200(2), Florida Administrative Code (F.A.C.), this appendix sets forth the Water Quality Monitoring Plan (WQMP) requirements. It also describes a permittee's reporting requirements and the information needed for the South Florida Water Management District (District) to evaluate compliance with state water quality standards.

2.0 MONITORING REQUIREMENTS

A Permittee is required to demonstrate that discharges from permitted lands comply with state water quality standards for pollutants addressed by Florida Department of Environmental Protection (FDEP)-adopted Basin Management Action Plans (BMAPs). A proposed WQMP that includes the information described herein is expected to provide reasonable assurance that the pollutants of concern in permitted discharges will be accurately represented. Please refer to the "South Florida Water Management District Guidebook for Preparing an Application for Individual Permittee Water Quality Monitoring pursuant to Chapter 40E-61, Florida Administrative Code" (Guidebook) incorporated by reference under Rule 40E-61.040(2), F.A.C., for additional reference.

2.1 Constituents to be monitored. The WQMP shall include monitoring of the pollutants of concern in the Lake Okeechobee watershed, Caloosahatchee River watershed, and St. Lucie River watershed (collectively the Northern Everglades watersheds) and as indicated in the BMAPs. At a minimum, the permittee will be required to monitor their discharges for total phosphorus, ortho-phosphate, total nitrogen, ammonium, and nitrite/nitrate. Where data collection occurs in tidally influenced locations, specific conductance must be measured at the time of sample collection. Additionally, the applicant may propose supplementary constituents or data, as needed, to ensure data are representative of offsite stormwater runoff relative to pollutants of concern.

The permit will specify the water quality target, specific to the permitted lands, that must be achieved at the offsite discharge location. Examples of water quality standards that may be used as the basis for targets specific to the permitted lands are included in Tables B2-1, B2-2, B2-3, B2-4, and B2-5.

The permittee's discharges at the point of discharge from the permitted lands will be required to be less than or equal to a water quality target specific to their permitted lands as noted in the approved WQMP. The permittee may propose an alternate water quality target with technical justification based on the following:

1) Adjustment of the measured offsite discharge data to account for assimilation between the offsite discharge location of the permitted lands and the receiving water body where the water quality standard is applied;
2) Adjustment of the measured offsite discharge data to account for inflows into the permitted land area from adjacent lands; and
3) Pollutant speciation representing natural or background pollutant levels.

2.2 Monitoring locations. The WQMP shall propose a monitoring location or locations to represent all offsite stormwater runoff, including discharges through controlled structures, uncontrolled structures, or sheetflow. The applicant shall submit technical justification for all assumptions.

2.3 Pollutant Collection and Analyses Methods. Acceptable sample collection methods will depend on the type of discharge and pollutant being monitored and may be manual grab collection or use of automatic sampling equipment. In general, sample collection, processing, analysis, documentation, and related activities must be conducted in accordance with DEP SOP 001/01 or via alternate methods, if approved by the District. Include in the WQMP specific preservation, compositing (if applicable) and holding times. Collection entities and laboratories shall hold the industry-required standard certifications for the pollutants.

2.4 Flow Estimation. If the District's assessment for a Priority Targeted Restoration Area (PTRA) finds that flow volume is a dominant factor impacting pollutant levels and the District's annual report recommends the need to obtain Individual permittee flow monitoring data, the District shall provide written notification to the permittee within the PTRA to modify their permit to update the WQMP. The updated WQMP shall include methods to collect data to accurately calculate discharge flow volume. The method to determine flow through a structural device or hydrologic feature (sheetflow) must be proposed to the District for approval in a calibration methodology report by a Florida-registered Professional Engineer ("P.E.").

- For operable control structures (physical structures the permittee can operate/manipulate to start and stop discharges such as pumps, gates, or boarded culverts), it is expected that the calibration methodology will be based on field data collection representative of the full range of operating conditions and the development of a flow calibration equation, unless the permittee provides technical justification for an alternative method. The flow calibration equation is used to calculate flow volume during discharge events. Documentation requirements include operation logs indicating discharge start and stop times, water elevation readings upstream of the structure at least twice per day during discharge and at start and stop times, and pump speeds when applicable.
- For other types of discharges, when control structures do not exist or are not sufficient for an actual measurement of data necessary to calculate total runoff such as lands discharging via sheetflow, the calibration methodology may be estimated based on theoretical calculations or models. Selection of the methods for each site shall be proposed by a Florida-registered P.E.

3.0 DATA ASSESSMENT AND REPORTING

Data assessment methods appropriate for the permitted lands will be based on site-specific characteristics, applicable pollutants, and the water quality targets to be achieved. Thus, an applicant may propose data assessment methods for District approval. However, the following general criteria shall be met for all proposed methods.

3.1 Evaluation Period. At a minimum, the assessment method shall provide for evaluation and reporting on a water year basis (May 1st of one calendar year to April 30th of the next calendar year).

3.2 Representative Conditions. The datasets for the assessment shall encompass the range of potential conditions affecting pollutant levels in offsite stormwater runoff. These include hydrology (rainfall, flow)

and onsite activities. At least one water year representing typical seasonal conditions is expected to be necessary to capture representative conditions for compliance assessment.

3.3 Dataset Size. A statistical analysis must be completed to determine the number of data necessary to represent annual pollutant levels.

3.4 Uncertainty. Based upon the difference between the water quality target established under the permitted WQMP and the measured permittee data at each water year evaluation, the number of evaluation years to determine compliance with an acceptable degree of certainty may vary. The assessment method must describe how uncertainty will be considered, for example, by including an annual metric triggering immediate implementation of Best Management Practices or other measures adopted by rules, versus metrics that required various water year evaluations to assess compliance.

3.5 BMAP Consistency and Feedback. The permittee data assessment method shall consider BMAP assessment methods and pollutant load allocations, as applicable. The method proposed by the permittee must be consistent with BMAP considerations. Compliance assessment periods shall be based on water years.

3.6 Data Reporting and Assessment Schedule. The permittee shall submit a plan for the electronic submittal of water quality monitoring data on a monthly basis. The submittal must include data collected no later than 60 days from the last day of pollutant concentration collection. By August 1 each year, the permittee shall submit a water quality monitoring summary report which includes all of the raw data.

Table B2-1: Northern Everglades TMDLs

Watershed	Pollutant*	Basins	TMDL	
Lake Okeechobee	Total Phosphorus (TP)	All	105***	5-year Rolling Average Load (mt)
St Lucie	TP	All	0.081	5-year Rolling Average Concentrations Measured on a Monthly Basis at the Roosevelt Bridge compliance point (mg/L)
	Total Nitrogen (TN),		0.720	
Caloosahatchee	TN** (Estuary)	All	9,086,094	Load (lbs/year)
	TP (Tributary)	S4 Basin	28,622	Maximum 7-year Average Load (lbs)
		C-19 Canal	5,167	
		Lake Hicpochee	227,423	
		Long Hammock	25,384	
		Townsend Canal	28,749	

***** Pollutants indicated in the FDEP adopted BMAPs dated January 2020

** Tributary Maximum 7-year Average Load (lbs) TMDLs for TN have also been developed for these Caloosahatchee watershed basins but may not be as restrictive as the Estuary TN TMDL which applies watershed-wide. The tributary TMDLs based on a Maximum 7-year Average Load (lbs) are: S4 Basin 430,844 lbs, C-19 Canal 78,114 lbs, Lake Hicpochee 4,175,743 lbs, Long Hammock 330,381 lbs, and Townsend Canal 300,564 lbs TN.

*** TMDL is 140 mt TP, out of which 35 mt are estimated to fall directly on the lake through atmospheric deposition.

Table B2-2: Lake Okeechobee BMAP TMDL-based Subwatershed Targets

Subwatershed	TP Target (mt/yr)*
Fisheating Creek	12.7
Indian Prairie	18.0
Lake Istokpoga	8.4
Lower Kissimmee	22.1
Taylor Creek/Nubbin Slough	19.9
Upper Kissimmee	15.9
East Lake Okeechobee	2.9
South Lake Okeechobee	5.1
West Lake Okeechobee	0.0
Total	105.0

*Source: FDEP. 2020a. Table 21 Load reductions and targets by subwatershed

Table B2-3: FDEP Numeric Nutrient Criteria Benchmarks used in the Lake Okeechobee and Caloosahatchee River watershed BMAPs

Concentration Benchmarks	TP (mg/L)	TN (mg/L)
Numeric Nutrient Criteria	0.12	1.54

Table B2-4: St Lucie BMAP Receiving Waterbody TMDL-based Targets

Waterbody	TN Target (lb/yr)*	TP Target (lb/yr)*
North Fork St Lucie River	140,134	15,765
North Fork St Lucie Estuary	103,747	11,672
C-24 Canal	348,957	39,258
C-23 Canal	242,202	27,248
South Fork St Lucie Estuary	24,463	2,752
South Fork St Lucie River	90,471	10,178
Bessey Creek	29,981	3,373
C-44 Canal	242,929	27,330

*Source: FDEP. 2020b. Table 2 St Lucie River and Estuary TMDLs

Table B2-5: FDEP TMDL Benchmarks used in the St Lucie River watershed BMAP

Concentration Benchmarks	TP (mg/L)	TN (mg/L)
TMDL Concentration Criteria for the St Lucie Estuary	0.081	0.72

South Florida Water Management District

Guidebook for Preparing an Application for
Individual Permittee Water Quality Monitoring pursuant to
Chapter 40E-61, Florida Administrative Code (F.A.C.)

sfwmd.gov

April 27, 2020 (DRAFT)

TABLE OF CONTENTS

INTRODUCTION

Chapter 40E-61, F.A.C., establishes criteria to ensure the District's ability to carry out the objectives of the legislative declarations of policy in Section 373.016, F.S.; the state water policy in Chapter 62-40, F.A.C., and Northern Everglades and Estuaries Protection Program (NEEPP) in Sections 373.4595, F.S. Copies of Chapter 40E-61, F.A.C., are available at www.sfwmd.gov or by calling 561-686-8800.

APPLICATION INSTRUCTIONS

This Guidebook is to assist with completing an application for an Individual Permit for a Water Quality Monitoring Plan (WQMP) in the Lake Okeechobee watershed, St. Lucie watershed, and Caloosahatchee watershed (collectively referred to as the Northern Everglades watersheds) pursuant to Chapter 40E-61, F.A.C. An application is required from owners of lands or entities discharging to the Lake Okeechobee watershed, the Caloosahatchee River watershed, or the St. Lucie River watersheds, that are:

- A nonpoint source discharger that is not implementing BMPs established by either FDEP or FDACS as required under a BMAP pursuant to Rule 40E-61.200(1) F.A.C.

The application may be mailed or submitted electronically.

This Guidebook describes the items typically required for an application to be deemed complete. If your application does not contain all the items, or a valid explanation of why items are omitted, your application may be recommended for denial or deemed ineligible, as applicable, based on an incomplete application.

You may reproduce individual pages of the application form or add pages if required to submit additional information.

Initial Application Due Dates

WQMP Applications: Applications for new Individual Permits shall be submitted 90 days after the effective date of adoption of Chapter 40E-61, F.A.C., or as indicated in subsection 40E-61.200(4), F.A.C.

Relevant Parts of the Application Form

1. Part I, General Information, is required for all applications. However, for Individual Permits transfers only Section 1 of Part 1 needs to be completed.
2. Part II is required for applications for Individual Permits.
3. For Part III is used to request a transfer of an Individual Permit.

PART I. GENERAL INFORMATION

Section 1. Individual Permit Information

Please indicate the watershed(s) where the lands under this Individual Permit application are located. You may select one or more watersheds, if applicable:

- Lake Okeechobee watershed
- St Lucie watershed
- Caloosahatchee watershed

Please indicate the type of application:

- An application for a new, renewal, or modification of an Individual Permit for a WQMP (see detailed descriptions below)
- Transfer of an Individual Permit

New Individual Permit

Applications for new permits must be received by the District within 90 days of the effective date of the adoption of Chapter40E-61, F.A.C. Subsequently, applications must be received by the District within 90 days of the date of written notification by a Coordinating Agency of the requirement to implement BMPs or monitor.

Renewal of existing Individual Permit

Applications for permit renewal must be submitted prior to the expiration date of an existing permit. Your permit will indicate its expiration date. The permittee must be in compliance with the conditions of the permit. If an application for a permit renewal is not received, the permit will expire, and the landowner will be required to apply for a new Individual Permit.

Transfer of existing Individual Permit

Applications for transfer must be initiated within 30 days after any transfer, sale, or conveyance of the permitted property. Only administrative information within the Permit regarding ownership (such as name, address, or title) can be revised, and the transfer shall encompass the entire permitted land. The permittee must be in compliance with the conditions of the permit at the time of the transfer. If an application for a permit transfer is not received within 30 days of any transfer, sale, or conveyance of the permitted property, the permit will become void and the transferee will be required to apply for a new Individual Permit.

Modification of an existing Individual Permit

An application for a modification cannot be processed unless the permit is in compliance with rules and applicable permit conditions. For the application to be deemed complete the permittee is required to bring the permit into compliance. The application shall indicate the specific changes being requested. Modifications will be evaluated based on the criteria in effect at the time the application is submitted.

Applications to modify or renew Individual Permits must contain the same information required for new Individual Permits. However, when required information is already on file with the District, as submitted in a previous application, the applicant may refer to the information by providing the date of submittal, the previous application number, and a brief written explanation of how the information meets the current requirements.

Applicable fees
The application processing fee for all Individual Permit types is $150 and must be submitted for a permit application to be considered complete.

Associated District Permits

Please indicate if any District permit applications are being submitted concurrently and provide the permit numbers for existing active District permits. For example, if the Individual Permit application includes changes to the existing water management system, and it may be necessary to apply for new, or modify existing, District permits.

Permit types and their requirements are described at the website www.sfwmd.gov/permitting. For any questions please contact 561-686-8800 or one of the Service Centers shown on the District's website at www.sfwmd.gov.

Section 2. Individual Permit Applicant Information

All applicants should complete this section of the form. For Individual Permit applications, the landowner must be an applicant and is ultimately responsible for adherence with permit or contract requirements. For applications by public entities, local governments, or others, a designated representative can apply (e.g., Chairman of the Board, a Manager, etc.) However, additional entities may be co-applicants, as follows:

- An operator (e.g., a lessee) authorized by the landowner through a written contract or agreement, may also serve as a co-applicant.
- The landowner and the operator may each registered or authorized agents to assist in fulfilling the permit requirements on their behalf.
- An application can include multiple landowners and operators. Additional copies of page 2 can be used to provide all necessary information.

The name, title, company or public entity name, address, and phone number of both the applicant (and any co-applicants, if applicable) and the registered or authorized agent are required. The email of the applicant (and any co-applicants, if applicable) and the registered or authorized agent are not required, but are preferred.

See Section 6 of Part I for supporting documentation associated with this section of the form:

- When an applicant, co-applicant, or agent is a corporation, the person included in the application should be a responsible corporate officer, such as a president, vice president, secretary, or other person who has responsibility for principal business functions.

- A registered or authorized agent can be designated as a representative of an applicant or co-applicant through an original letter of authorization from the responsible corporate officer or by providing their registration information from https://dos.myflorida.com/sunbiz/.

- For an operator (e.g., a lessee) included as a co-applicant for an Individual Permit, submit a copy of written contracts, leases, or agreements with the landowners, or other relevant entities (e.g., a municipality or other local government), identifying formal responsibility for ensuring that all conditions of the permit are met. This would include implementation of the WQMP, record keeping, reporting requirements, and field verifications, as applicable. Provide the expiration date of the contract, lease, or agreement. Operators who become legally responsible for site operation, including implementation of the WQMP, after Individual Permit issuance must provide assurance that they possess the legal authority to carry out all acts necessary to implement the terms and conditions of the permit in accordance with Rule 40E-61.280, F.A.C. The applicant shall submit the certification form included in Appendix 1 of this Guidebook together with a description and documentation (e.g. enabling legislation, articles of incorporation, deeds, or contracts) authorizing that entity to conduct permit-required. This information is required regardless of whether the operator is also submitting an application for permit modification to become a co-permittee pursuant to Rule 40E-61.280(1)(i), F.A.C.

Section 3. Participants

If applicable, please also include information for Participants who are individuals that own or operate contiguous lands within an Individual Permit application area with a shared drainage system, but are not responsible for discharge or irrigation operations out of or /into the application area.

Section 4. Tax Parcel Information for Individual Permit Lands

This section includes the tax parcel information for the lands to be included in the Individual Permit application, and should be relative to the owners, operators, participants or other entities as indicated in Section 2 of Part I of the form. The applicant may submit additional reproduced pages of the application form or an electronic spreadsheet or table if the reproduced page(s) includes the same information and format as the application form. Where information is inconsistent with the county public tax records, proof of ownership shall be required.

County Tax Parcel Number: Identify all county tax parcels for all parcels located within the Individual Permit application boundaries. Please also indicate any areas for which there is no applicable tax parcel information (such as public roadways) by entering “n/a” for these areas. For any areas for which there are no tax identification numbers, please attach a description of the geographical boundary of the drainage areas included in the application.

Acres: Provide the associated acreage for each tax parcel identified and for any land for which there is no tax parcel information (i.e. the County Tax Parcel Number is “n/a”). The total acreage for all tax parcels listed must equal the total acreage of the application area.

Township, Range, Section(s), and County: Provide the township, range, section(s), and county for each tax parcel identified and for any land for which there is no tax parcel information (i.e. the County Tax Parcel Identification Number is "n/a").

Land Use(s): List all land uses for the Individual Permit application area as either existing or proposed change. Example land uses include: pasture, row crops, sugarcane, citrus, nursery, golf course, and urban.

See Section 6 of Part I for supporting documentation associated with this section of the form:

- Documentation verifying ownership of the parcels and/or structures.
- A map providing a clear delineation of the Individual Permit application boundaries which is correlated with the list of landowners, operators and lessees, as applicable.

Section 5. Drainage Information for Individual Permits and

Describe the drainage for the lands in the Individual Permit application by providing the following information:

Drainage Area: Identify drainage patterns across lands, including flow direction and where and how parcels included in the Individual Permit application are interconnected by swales, ditches, or other drainage features. Your application may include one or more drainage areas (e.g., North Grove, South Pasture). Indicate land uses, soil types, and other characteristics across drainage areas that may affect water quality and quantity.

Type of Discharge: List the type of each off-site discharge for each drainage area. Examples include open channel connections, overland flow, pump, gated spillway, and gated culvert. If the structure has a name (e.g., NW Pump, SE Culvert) please indicate it on the map included with the submittal. Structure information, including design flow rate, may be attached to the application in a format such as a spreadsheet or table to ensure all required information is included.

Owner or Operator: Indicate the owner and operator (e.g., a lessee), if different from the owner, of water control structures (such as pumps, gated spillways and gated culverts) who can start and stop storm water runoff in discharges to the regional surface water management system.

Geographic Coordinates: For each structure, identify the latitude and longitude in degrees, minutes and seconds (NAD83 datum) or X & Y coordinates in Florida State Plane (US feet) projection. Locations should be indicated on the map provided as well.

Acres Drained: Estimate the associated drainage acreage served by each structure.

Receiving Body: Identify the body of water into which the structure discharges from the property.

See Section 6 of Part I for supporting documentation associated with this section of the form:

- A map showing the proposed Individual Permit boundaries, land uses, direction of flow, drainage features, types of discharges and water control structures, and other information described above, as applicable.

Section 6. Items to include with Individual Permit Applications

1. A map and description of the lands included in the application with a clear delineation of the property boundaries. Maps can be aerial photographs, sketches or drawings. The map should be correlated with the owner, operator/lessees, and tax parcel information listed in Part I sections 2 and 4 of the application. Other features to include in the map, as applicable, are: land uses, drainage (inflows/outflows, surface water flow direction, canals and ditches), named discharge structure names, and water quality monitoring locations.

2. A WQMP (see Part II) as applicable

3. Description of the entity legally responsible for implementation of the WQMP. This may be the landowner and/or the operator (e.g. contractor or lessee). An operator may be an applicant or co-applicant for an Individual Permit with the landowner if there is a written agreement (lease or equivalent contract) and reasonable assurance is provided that the operator has the legal and financial capability of implementing and complying with the permit conditions. The lease or contract term must coincide with the duration of the permit that will be issued.

4. If an registered or authorized agent is representing the owner (or operator), the registration information must be provided from https://dos.myflorida.com/sunbiz/ or a letter of authorization must be signed by the owner (or operator) authorizing the agent to act on behalf of the owner (or operator).

5. Written contracts or agreements with landowners, operators/lessees, municipalities, or other local government entities, as applicable, describing authority and responsibility and operation of the parcels and structures, such as lease agreements, as applicable. The agreements must indicate the expiration date.

6. Documentation verifying ownership of the parcels and/or structures. A recorded deed or executed contract for purchase are example documents to satisfy this requirement.

Section 7. Certification by Applicant

This part identifies the responsible parties. Each applicant, co-applicant, and/or authorized agent must sign and date this section of the form.

PART II. WATER QUALITY MONITORING PLAN (WQMP)

Pursuant to Rule 40E-61.200(1), F.A.C., a WQMP is required for lands for nonpoint source dischargers that discharge to, or within the Northern Everglades watersheds, and are not implementing BMPs established by either FDEP or FDACS as required under a BMAP. Sample collection, processing, analysis, documentation, and related activities must be conducted in accordance with DEP SOP 001/01 or via alternate methods, if approved by the District. Appendix B of Chapter 40E-61, F.A.C., includes permittee WQMP requirements and criteria to be considered for assessment methods and reporting.

Section 1. Monitoring Information

A WQMP containing the following information generally provides reasonable assurance that the data collected represents pollutant levels in permittee discharges sufficient to verify compliance with state water quality standards. WQMPs with alternative information to what is described below may be proposed by the applicant and authorized by the District:

Monitoring Locations: Supplement the map provided in Part I, Section 6 Item 1 by indicating proposed monitoring locations on the upstream side of off-site discharge points (structures) in a manner that collectively represents all or a majority of runoff from each area.

Pollutant Collection Methods: Indicate the sample collection methods the permittee will use (i.e. grab samples or automatic samplers). At a minimum, the permittee will be required to monitor their discharges for total phosphorus, ortho-phosphate, total nitrogen, ammonium, and nitrite/nitrate. Where data collection occurs in tidally influenced locations, specific conductance must be measured at the time of sample collection. Include the sample collection frequency and preservation methods to be used. If using automatic samplers, indicate backup methods to be used. Include the water depth at which samples will be collected for each monitoring location.

Flow Measurement Methods: If required, the method to determine flow through a structural device or hydrologic feature (sheetflow) must be proposed to the District for approval in a calibration methodology report by a Florida-registered Professional Engineer ("P.E.").

- For operable control structures (physical structures the permittee can operate/manipulate to start and stop discharges such as pumps, gates, or boarded culverts), it is expected that the calibration methodology will be based on field data collection representative of the full range of operating conditions and the development of a flow calibration equation, unless the permittee provides technical justification for an alternative method. The flow calibration equation is used to calculate flow volume during discharge events. Documentation requirements include operation logs indicating discharge start and stop times, water elevation readings upstream of the structure at least twice per day during discharge and at start and stop times, and pump speeds when applicable.

- For other types of discharges, when control structures do not exist or are not sufficient for an actual measurement of data necessary to calculate total runoff such as lands discharging via sheetflow, the calibration methodology may be estimated based on theoretical calculations or models. Selection of the methods for each site shall be proposed by a Florida-registered P.E.

Sample Handling and Laboratory Analyses: Identify the laboratory (which must have an approved QA/QC Plan from a laboratory certified in accordance with Section 403.0625, F.S.) that will perform the sample chemical analyses. Include a schedule for processing samples, an example chain of custody documentation to be utilized and water quality sonde calibration/verification methods and records, if applicable.

Data Management Techniques: The WQMP shall include a schedule for the delivery of data from the analytical laboratory, the plan for record retention for applicable QA/QC results for all samples; and a description of the data delivery mechanism and schedule.

The water quality and quantity data must be transmitted to the District in an approved electronic format monthly unless another time period is authorized by the District. Data must be submitted no later than 60 days from the last day of the sampling period being reported. The following information must be included in each submittal:

- Date and time at which samples were retrieved from the sample location and processed;
- For grab samples, indicate presence and direction of flow at the sample location during the time of sample collection;
- For automatic samplers, the first trigger date and time the samples were collected via flow- or time-proportional methods;
- Date of sample analysis;
- Laboratory certification number and the sample identification number;
- Unit of concentration or measurement used in reporting. Nutrient concentration data must be reported as mg/L, and specific conductivity must be reported in µs/cm;
- Daily flow values reported in million gallons per day (MGD), if applicable;
- If daily rainfall measurements are proposed to be reported, they must be reported in one-tenth of inch (0.1”) increments; and
- The sample method used.

Quality Manual for Sample Collection: A quality manual for sample collection is required and must include the qualifications of the sample collector.

Section 2. Sampling Entity Information

Include information about the entity who will be collecting the samples, including the name and contact information. Any entity included in the application must provide a copy or reference the quality manual used for sample collection with this application.

Section 3. Sampling Laboratory Information

Include information about the laboratory used for sample analysis, including the name and contact information. Any proposed laboratory included in the application must have an approved QA/QC Plan in accordance with section 403.0625, F.S. The laboratory must hold a National Environmental Laboratory Accreditation Program certification from the Florida Department of Health's Environmental Laboratory Certification Program. The laboratory must be certified for the

test technology, analyte, and matrices that will be requested. The laboratory certification number must be provided on the application form.

PART III. REQUEST FOR INDIVIDUAL PERMIT TRANSFER

A permittee with a valid permit under Chapter 40E-61, F.A.C., must notify the District in writing within 30 days of a change in ownership or control of the land or onsite works covered by the permit, and shall request that the permit be voided or complete the permit transfer form as a co-applicant with the new owner for approval of transfer of the permit. The permittee remains responsible for the requirements of the permit for the period up to the date the permit is transferred or voided at the request of the permittee. If an application for permit transfer is not received within 30 days of a change in ownership, the permit will become void, and the new owner will be required to apply for a new permit.

Sections 1 and 2 may be completed and submitted separately; however, both sections are required prior to approving the application for transfer. The District will transfer the permit only if the application is complete, including payment of the transfer application fee; the land uses, onsite practices and operations, total acreage, and approved plans remain the same; and the permittee is in compliance with all conditions of the permit. Any changes or additions will require a permit modification in accordance with Rule 40E-61.260, F.A.C. Please indicate the permit number for which a transfer is being sought on the permit application.

Section 1. Permittee Information

This section is to be completed by the current permittee that is transferring the permit. Provide the name, title, company/entity name, address, and phone number, and, if applicable, the fax number and email address.

Indicate the reason for the permit transfer. Attach to the application a copy of the document(s) that effectuates the transfer of ownership, lease, interest, or control of the permitted land, such as deeds, leases, and/or contracts.

The current permittee must sign and date this section and provide proof of ownership.

Section 2. Transferee Information

This section is to be completed by the proposed transferee, to whom the current permit will be transferred.

A transferee must attach to the application a description and documentation (e.g. enabling legislation, articles of incorporation, deeds, or contracts) of the entity or entities that are to be legally responsible for site operation and permit compliance, including implementation of the approved WQMP.

A transferee must provide the name, title, company/entity name, address, and phone number, and, if applicable, the fax number and email address of each proposed transferee or their authorized agent. The transferee must sign and date this section.

APPENDIX 1: OPERATOR CERTIFICATION

CERTIFICATION BY OPERATOR

I hereby certify that I am the authorized operator and have received a copy of Individual Permit No._____with application No._____,dated _____ . I agree to comply with the permit and/or agreement and implement the terms and conditions. In addition, I agree to provide entry at any time to the area for South Florida Water Management District staff or their duly authorized agents, as provided for in subsection 40E-61.280(1)(i), F.A.C., or as otherwise provided by the issued permit.

_____
Type or print operator name

_____
Signature of operator/lessee of parcel/farm (if not the operator/lessee, certify below)

_____
Date

I hereby certify that I am the authorized agent of the lessee.

_____
Type or print name and title

_____
Signature

_____
Date

Application for Individual Permittee Water Quality Monitoring in the Northern Everglades watersheds

PART I. GENERAL INFORMATION

Please use the "South Florida Water Management District Guidebook for Preparing an Application for Individual Permittee Water Quality Monitoring pursuant to Chapter 40E-61, Florida Administrative Code (F.A.C.)" to complete the applicable sections of this form. Please discuss any questions you may have with District staff prior to application submittal.

Section 1. Individual Permit Information

WATERSHED(S) WHERE THE LANDS UNDER THIS APPLICATION ARE LOCATED:

☐ Lake Okeechobee ☐ St Lucie ☐ Caloosahatchee

THIS IS AN APPLICATION FOR:

	Existing Permit Number	Fee Required
☐ New Individual Permit (Complete Parts I and II)	n/a	☐ $150.00
☐ Renewal of Individual Permit (Complete Parts I and II)	_____	☐ $150.00
☐ Transfer of Individual Permit (Complete Part III)	_____	☐ $150.00
☐ Modification of Individual Permit* (Complete Parts I and II)	_____	☐ $150.00

*Describe the modifications being proposed:

ASSOCIATED DISTRICT PERMITS

If the application includes activities requiring a new or modified District permit, applications for other permits shall be submitted prior to or concurrently with this application. List all other permit applications below. Permit types include Environmental Resource/Surface Water Management (ERP), Consumptive Water Use, Right-of-Way (ROW), and Well Construction.

Permit Type	Application/Permit Number(s)	Submitted concurrently with this application
_____	_____	☐
_____	_____	☐

FOR DISTRICT USE ONLY

Application Number _____ Fee Code _____

Fee Paid _____ Receipt Number _____

Section 2. Individual Permit Applicant Information (Use additional sheets if necessary)			
Applicant (Owner)		**Registered (Requires proof from sunbiz.org) or Authorized Agent (Requires letter of authorization)**	
Name and Title		Name and Title	
Company Name		Company Name	
Address		Address	
City, state, zip		City, state, zip	
Phone	Fax	Phone	Fax
Email		Email	
Co-Applicant (if applicable)		**Registered (Requires proof from sunbiz.org) or Authorized Agent (Requires letter of authorization)**	
Name and Title		Name and Title	
Company Name		Company Name	
Address		Address	
City, state, zip		City, state, zip	
Phone	Fax	Phone	Fax
Email		Email	

Section 3. Participant (Use additional sheets if necessary)			
Participant (if applicable)		**Registered (Requires proof from sunbiz.org) or Authorized Agent (Requires letter of authorization)**	
Name and Title		Name and Title	
Entity Name		Company Name	
Address		Address	
City, state, zip		City, state, zip	
Phone	Fax	Phone	Fax
Email		Email	

Section 4. Individual Permit Application Area Tax Parcel Information

County Tax Parcel Number	Acres	Township	Range	Section(s)	County	Existing Land Use	Proposed Land Use
		S	E				
		S	E				
		S	E				
		S	E				
		S	E				
		S	E				
		S	E				
		S	E				
		S	E				
		S	E				
Total Acreage:							

Section 5. Drainage Information for Individual Permits (Use additional sheets if necessary)

The lands under this Individual Permit application may include one of more hydrologic drainage areas that can be reasonably represented by surface water monitoring. Please name or number the drainage areas. Each drainage area can discharge via one or more structures, or by overland sheetflow.

Please describe the types of discharges and drainage acreage. Examples of types of discharges include open channel connections, overland sheetflow, and water control structures.

"Water Control Structures" mean pumps, gated spillways and gated culverts for which an operator can start and stop stormwater runoff discharges to the regional surface water management system.

Drainage Area	Types of Discharge	Owner or Operator (if applicable)	Geographic Coordinates	Acres Drained	Receiving Body

Section 6. Items to include with Individual Permit Applications

Attach the following applicable items (see Guidebook for more details):

1. ☐ A map showing the location of the application area within the Okeechobee, St. Lucie, or Caloosahatchee watersheds and providing a clear delineation of the application boundaries which is correlated with the list of landowners, operators and lessees. The map must also include land uses, direction of flow, drainage features, types of discharges and water control structures.
2. ☐ A Water Quality Monitoring Plan (see Part II), as applicable
3. ☐ Description and documentation of legally responsible entities included in the application
4. ☐ Registration from Sunbiz.org or letter of authorization stating authorized agent and/or co-applicant as responsible (if applicable)
5. ☐ Written contracts, leases, or agreements with landowners, lessees or other entities (where applicable)
6. ☐ Documentation verifying ownership of the parcels and/or structures

Section 7. Certification (Responsible Entity)

I, hereby certify that, to the best of my knowledge, specific structures and project acreages identified in this application are owned or controlled by the applicant or participants, as applicable, and encompass the area referenced in this application. I also certify that, where applicable, the applicant or participants agree to participate in this application and to abide by the terms and conditions of the issued permit. In addition, I agree to provide entry at any time to the area which is included in this application for South Florida Water Management District staff or their duly authorized agents, pursuant to the conditions of the issued permit pursuant to Rule 40E-61.280(1)(b).

Applicant (Owner)	**Co-Applicant (☐ Lessee ☐ Operator) or Participant**
Type or print owner name	Type or print lessee or operator name
Signature (if not the owner, certify below)	Signature (if not the lessee/operator, certify below)
Date	Date
Authorized Agent *(Letter of authorization is attached)* I hereby certify that I am the authorized agent of the owner	**Authorized Agent** *(Letter of authorization is attached)* I hereby certify that I am the authorized agent of the lessee/operator
Type or print name and title	Type or print name and title
Signature	Signature
Date	Date

PART II. WATER QUALITY MONITORING PLAN (WQMP) (please use additional sheets if necessary)

Section 1. Monitoring Information

Please attach a proposed WQMP for the drainage areas and discharges indicated in Part I Section 5, including:

1. ☐ A description of the proposed monitoring locations.
   These locations shall be added to the map required in Part I, Section 6, Item 1.
2. ☐ Pollutant collection methods
3. ☐ Flow measurement methods (if applicable)
3. ☐ Description of the proposed sample handling and laboratory analyses
4. ☐ Description of data management techniques
5. ☐ Schedule for implementing the monitoring plan
6. ☐ Copy of the quality manual for sample collection
7. ☐ Proposed methods to assess compliance with state water quality standards

Section 2. Sampling Entity Information

Company Name	Contact
Address	Additional Sampling Information
City, State, Zip	
Phone	
Email	

Section 3. Sampling Laboratory Information

Company Name	Contact
Address	Laboratory Certification Number
City, State, Zip	Additional Laboratory Information
Phone	
Email	

PART III. REQUEST FOR AN INDIVIDUAL PERMIT TRANSFER

To qualify for a permit transfer, an action must be limited to changes in administrative information about a permittee. Any other changes or additions will require a permit modification.

Section 1. Permittee Information

Existing Individual Permit Number: _____

It is requested that the permit identified above be transferred:

FROM	Name and Title	**TO**	Name and Title
	Company Name		Company Name
	Address		Address
	City, state, zip		City, state, zip
	Phone		Phone
	Email		Email

The reason for this permit transfer:

☐ A copy of the document(s) effectuating the transfer of the permitted land is attached

Signature	Date

Section 2. Transferee Information (Entity receiving the permit)

☐ Description and documentation of the legally responsible entity are attached
☐ Applicable leases, contracts, and agreements are attached

I hereby certify that I understand and accept all terms and conditions of the permit and any subsequent modifications to date. I also certify that the land uses remain the same, and all conditions of the permit, including the legal and institutional capability to carry out all acts necessary to comply with the terms and conditions of the Permit, are applicable to me as the new Permittee. I agree to apply for and obtain approval pursuant to Chapter 40E-61, F.A.C., for any proposed modifications.

Owner	☐ **Lessee** ☐ **Operator**
Type or print owner name	Type of print lessee/operator name
Signature of new owner of property	Signature of new lessee/operator
Date	Date
Authorized Agent *(Letter of authorization is attached)* I hereby certify that I am the authorized agent of the owner	**Authorized Agent** *(Letter of authorization is attached)* I hereby certify that I am the authorized agent of the lessee/operator
Name and Title	Name and Title
Signature	Signature
Date	Date