

THE RULES AND CRITERIA CHRONOLOGY SERIES

Introduction

First-time and infrequent users of *The Rules and Criteria Chronology Series* should first read both this Introduction, and the Notes which begin each rule chapter of interest.

The rules and basis of review texts sheets which follow come from many sources, most of whom are either Regulation Department "pack rats" or keepers of various Office of Counsel files, both on- and off-site. I acknowledge a deep debt of gratitude to the many people who were so generous with their time, their ideas, their personal copies of documents, or, sometimes, all three.

Each rule chapter is presented as a series of tabbed sections. The tabbed page which begins each section shows the period of time during which the text that follows is applicable.

Because the typing equipment, personnel, copying capabilities, and formats which were involved in creating whatever filed texts were available, have varied greatly over the life of District rulemaking since 1973, this resulting *Chronology* is a patchwork of type sizes, formats, and legibility. In some instances, filed materials have suffered the various ravages of repeated handling.

Very little is actually missing, although it sometimes took combining of several partial sets to obtain a complete one. Instances of missing items will be clearly identified in the affected section(s). It is hoped that, as time goes by, copies of the missing materials will be located and will serve as sources for inclusions into this *Chronology*.

Once in a while, conflicting initial choices about what the date of implementation will be arise among: date of adoption, District-desired date of implementation, and Florida Department of State's date of implementation. In all cases, the tabbed dates are taken from those which appear in the "History" lines of later published editions of the texts.

The first *Chronology* volume (or volumes; as of this writing, document thickness is unknown) will cover the time periods between initial adoptions required by the Florida Water Resources Act of 1972, and September 2, 1982, the last day of 16K numbering. (The 40E's became effective on September 3, 1982.) A later, separate volume (?volumes?) will be devoted to the 40E's.

The question of the legality of these materials arises – it is best answered by other persons. Every reasonable effort has been made to assure that these documents are correct, but almost a quarter of a century has passed – plenty of time for disappearances, changes, and “corrections” – since original rule adoption occurred.

Any additions, corrections, and comments will be considered.

- R.L.F.
February, 1996

The words above were written for the Introduction to what became Volume 1, which was devoted to selected chapters of Title 16K, Florida Administrative Code (F.A.C.). Since then, Volume 2 (selected Water Use Chapters of Title 40E, F.A.C.), Volume 3 (selected Surface Water Management chapters of Title 40E, F.A.C.), Volume 4 (Water Use Basis of Review documents), and Volume 5 (Surface Water Management Basis of Review documents) have been published.

As of this writing, amendments to the various Water Use rules and criteria since February 1996 have been substantial, but have not created (nor been the result of) any major change in agency policy comparable to that which occurred in the Surface Water Management permitting program on October 3, 1995.

On that date, the District ceased issuing most Surface Water Management (SWM) permits (certain activities and existing permits remained - and will remain - governed by SWM rules and criteria) and began issuing Environmental Resource Permits (ERPs). It is not intended that this "Introduction" text contain a discussion of the SWM to ERP change processes. What is of interest is that the SWM-related Title 40E chapters and corresponding Basis of Review underwent substantial amending. The resulting revised documents provided not only change but also new criteria and rules for ERP processing, reviewing, and issuing; permit names changed, also.

These changes to the ways of issuing permits for surface water management systems have been substantial enough to warrant new Chronology Series Volumes for the related Title 40E and Basis of Review documents. As a result, **Volume 3 (the Surface Water Management chapters of Title 40E, F.A.C.) and Volume 5 (the Surface Water Management Basis of Review documents) will be closed with items in effect through and including October 2, 1995.**

Two new books, which begin with materials which became effective on October 3, 1995, are being opened:

- Volume 6, which contains Chapters 40E-4 and -40, F.A.C., relating to Environmental Resource Permits
- Volume 7, which contains the Environmental Resource Permits Basis of Review

The initial distribution of Volumes 6 and 7 is being made at this time.

Any additions, corrections, and comments will be considered.

- R.L.F.
March, 1998

A few months after the initial distribution of Volumes 6 and 7, Volume 6 is being expanded to include Chapter 40E-400, F.A.C., No Notice and Noticed General Environmental Resource Permits. Any additions, corrections, and comments will be considered.

- R.L.F.
October, 1998

