

South Florida Water Management District Annual Regulatory Plan 2017/2018

- Part I Each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency (120.74(1)(a))

- Part II Each law not otherwise listed in Part I which the agency expects to implement by rulemaking before July 1, 2018 (120.74(1)(b))

- Part III Update to last year’s regulatory plan (120.74(1)(c))

Attachment: 2017-2018 Regulatory Plan DRAFT 2017-08-31_X (Resolution No. 2017 - 1018 : Approve

Part I
Each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency (120.74(1)(a))

Law enacted or amended during prior 12 months that creates or modifies the District's authority or duties	Topic of the law	Does new law require rulemaking?	Rulemaking Required		Rulemaking Not Required	Division
			Date Notice of Rule Development published	Date expected to publish Notice of Proposed Rule	If rulemaking is not required to implement the law, explain why	
Ch. 2017-10, Laws of Fla., s.3, 373.4598(3), F.S. (SB10)	Everglades Agricultural Area (EAA) Lease Amendments and Termination	No			Self-implementing	Real Estate
Ch. 2017-10, Laws of Fla., s. 3, 373.4598(4), F.S. (SB10)	EAA Land Acquisition	No			Self-implementing	Real Estate
Ch. 2017-10, Laws of Fla., s.3, 373.4598(5), F.S. (SB10)	Post-Authorization Change Report for Central Everglades Planning Project	No			Self-implementing	Everglades Policy and Coordination
Ch. 2017-10, Laws of Fla., s.3, 373.4598(6), F.S. (SB10)	U.S. Sugar Option Agreement	No			Self-implementing	Real Estate
Ch. 2017-10, Laws of Fla., s.3, 373.4598(7) (SB10)	Project Implementation Report for the EAA Reservoir Project	No			Self-implementing	Everglades Policy and Coordination
Ch. 2017-10, Laws of Fla., s. 3, 373.4598(8) (SB10)	Hiring Preferences to EAA Agricultural Workers	No			Self-implementing	Administrative Services

Attachment: 2017-2018 Regulatory Plan DRAFT 2017-08-31_X (Resolution No. 2017 - 1018 : Approve

Part I
Each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency (120.74(1)(a))

Law enacted or amended during prior 12 months that creates or modifies the District's authority or duties	Topic of the law	Does new law require rulemaking?	Rulemaking Required		Rulemaking Not Required	Division
			Date Notice of Rule Development published	Date expected to publish Notice of Proposed Rule	If rulemaking is not required to implement the law, explain why	
Ch. 2017-10, Laws of Fla., s. 3, 373.4598(9) (SB10)	C-51 Reservoir Project	No			Self-implementing	Everglades Policy and Coordination
Ch. 2017-10, Laws of Fla., s.3 373.4598(10) (SB10)	Florida Forever Bond Funding of the Reservoir Projects	No			Self-implementing	Administrative Services
Ch. 2017-10, Laws of Fla., s.3, 373.4598(11) (SB10)	Lake Okeechobee Regulation Schedule	No			Self-implementing	Everglades Policy and Coordination
Ch. 2017-10, Laws of Fla., s.5, 375.041 (SB10)	Land Acquisition Trust Fund	No			Self-implementing	Administrative Services
Ch. 2017-10, Laws of Fla., s.10, 11, and 12, (SB10)	Funding for Negotiating Leases, Land Acquisition, Development of Post Authorization Change Report, negotiating C-51 Reservoir Agreement	No			Self-implementing	Administrative Services

Attachment: 2017-2018 Regulatory Plan DRAFT 2017-08-31_X (Resolution No. 2017 - 1018 : Approve

Part I
Each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency (120.74(1)(a))

Law enacted or amended during prior 12 months that creates or modifies the District's authority or duties	Topic of the law	Does new law require rulemaking?	Rulemaking Required		Rulemaking Not Required	Division
			Date Notice of Rule Development published	Date expected to publish Notice of Proposed Rule	If rulemaking is not required to implement the law, explain why	
Ch. 2017-113, Laws of Fla., s. 1 (HB 599)	Public Works Projects	No			Self-implementing	Administrative Services
Ch. 2017-048, Laws of Fla. (HB 181)	Natural Hazards Interagency Work Group	No			Self-implementing	Operations & Maintenance

Attachment: 2017-2018 Regulatory Plan DRAFT 2017-08-31_X (Resolution No. 2017 - 1018 : Approve

Part II Each law not otherwise listed in Part I which the agency expects to implement by rulemaking before July 1 (120.74(1)(b))			
Law Implemented	Rule Number & Title	Reason for the rule i.e., to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary or redundant rules	Division
373.042, 373.0421, 373.083, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250, Fla. Stat.	40E-2.091 Publications Incorporated by Reference Applicant's Handbook for Water Use Permit Applications, section 3.11	Establish CUP criteria corresponding to the water reservation for the Kissimmee River, its floodplain, the headwater lakes & Upper Chain of Lakes Notice of rule development published July 16, 2014, Vol. 40 No. 137	Water Resources
373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470, Fla. Stat.	40E-10.011 – 40E-10.071 Water Reservation Areas: Upper and Lower Kissimmee Basin	Establish a water reservation for the Kissimmee River, its floodplain, the headwater lakes & Upper Chain of Lakes Notice of rule development published July 16, 2014, Vol. 40 No. 137	Water Resources
373.036, 373.042, 373.0421, 373.709, Fla. Stat.	40E-8.011 – 40E-8.421 Minimum Flows and Levels	Revise minimum flows criteria for the Caloosahatchee River	Water Resources
373.016, 373.085(1)(b) and (2), 373.086(1), 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), Fla. Stat.	40E-63.091-40E-63.148 Everglades Program	Continue rulemaking process to update the existing rule-adopted compliance methodology to include structures from completed construction projects, e.g. A1-FEB, STA expansions, Diversion Projects, within the Everglades Agricultural Area Basin Notice of rule development published July 28, 2017, Vol. 43 No. 146	Everglades Policy & Coordination

Attachment: 2017-2018 Regulatory Plan DRAFT 2017-08-31_X (Resolution No. 2017 - 1018 : Approve

Part II

Each law not otherwise listed in Part I which the agency expects to implement by rulemaking before July 1 (120.74(1)(b))

Law Implemented	Rule Number & Title	Reason for the rule i.e., to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary or redundant rules	Division
373.016, 373.085(1)(b) and (2), 373.086(1), 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), Fla. Stat.	40E-63.500 -40E-63.520 Everglades Program Feeder Canal Basin	Incorporate BMP implementation and record keeping requirements for landowners within the Feeder Canal Basin as described in the Long-Term Plan	Everglades Policy & Coordination

Attachment: 2017-2018 Regulatory Plan DRAFT 2017-08-31_X (Resolution No. 2017 - 1018 : Approve

Part III Update to last year's plan regulatory plan (120.74(1)(c))				
			Rulemaking Required	
Law in last year's plan requiring rulemaking for which a notice of proposed rule has not been published (120.74(a)(c))	Topic of the law	Does law require rulemaking?	Date Notice of Rule Development published (120.74(1)(c)1.)	Division
Ch. 2016-1 s. 15, Laws of Fla. 373.4595(3)(b)7 373.4595(3)(b)10 373.4595(3)(b)21 373.4595(4)(b)8 373.4595(4)(c)8 373.4595(4)(d)8, Fla. Stat. (SB 0552)	Northern Everglades and Estuaries Protection Program	Yes 40E-61 Works of the District Basins	Nov. 1, 2016, Vol. 42/No. 213	Everglades Policy & Coordination

Attachment: 2017-2018 Regulatory Plan DRAFT 2017-08-31_X (Resolution No. 2017 - 1018 : Approve