

South Florida Water Management District Annual Regulatory Plan 2018/2019

- 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, 2019 (120.74(1)(b))

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

Attachment: 20182019 compiled regulatory plan FINAL 2018-09-04 (Resolution No. 2018 - 0915 : Fiscal

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)) and update to the prior year's regulatory plan or supplement (120.74(1)(c))						
			Rulemaking Required		Rulemaking Not Required	
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?	Date Notice of Rule Development published ¹	Date expected to publish Notice of Proposed Rule ²	If rulemaking is not required to implement the law, explain why	Division
Ch. 2018-155, Laws of Fla. (HB703) – Section 373.089, Fla. Stat.	Water Management District Surplus Lands	No			Self-implementing	Real Estate
Ch. 2018-156 (HB 705) – Section 373.089, Fla. Stat.	Sales Related to Surplus Lands	No			Self-implementing	Real Estate
Ch. 2018-94, Laws of Fla. (HB 631) – Section 163.035, Fla. Stat.	Possession of Real Property	No			Self-implementing	Land Stewardship

¹ Must be published before November 1; cite to FAR by Volume and Number

² Must be published before April 1

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	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 FS.	40E-2.061	Clarify language regarding linear dewatering qualifications	Regulation
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	1) Establish CUP criteria corresponding to the water reservation for the Kissimmee River, its floodplain & Chain of Lakes; 2) Clarify rule regarding multiple reuse permits; and 3) Revise forms and rule references to allow for NAVD	1) Water Resources 2) Regulation 3) Regulation
373.046, 373.413, 373.4131, 373.414, 373.4142, 373.416, 373.418, 373.426, 373.441 FS	40E-4.091	Incorporate amended operating agreement between DEP and SFWMD	Regulation
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	Establish water reservation for the Kissimmee River, its floodplain & the Chain of Lakes	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-63.500 -40E-63.520	Implement portions of Long-Term Plan for portions of Everglades Program	Everglades Policy & Coordination

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Part III						
Update to prior year's plan regulatory plan or supplement (120.74(1)(c))						
			Rulemaking Required		Rulemaking Not Required	
Each law in previous year's plan as a law requiring rulemaking to implement but 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 published³	Date expected to publish Notice of Proposed Rule⁴	If rulemaking is not required to implement the law, explain why	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	Apr. 1, 2019		Everglades Policy & Coordination

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⁴ Must be published before April 1