

Works of the District Basins Chapter 40E-61, F.A.C. Request for Notice of Rule Development

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October 10, 2019

Purpose of Today's Presentation

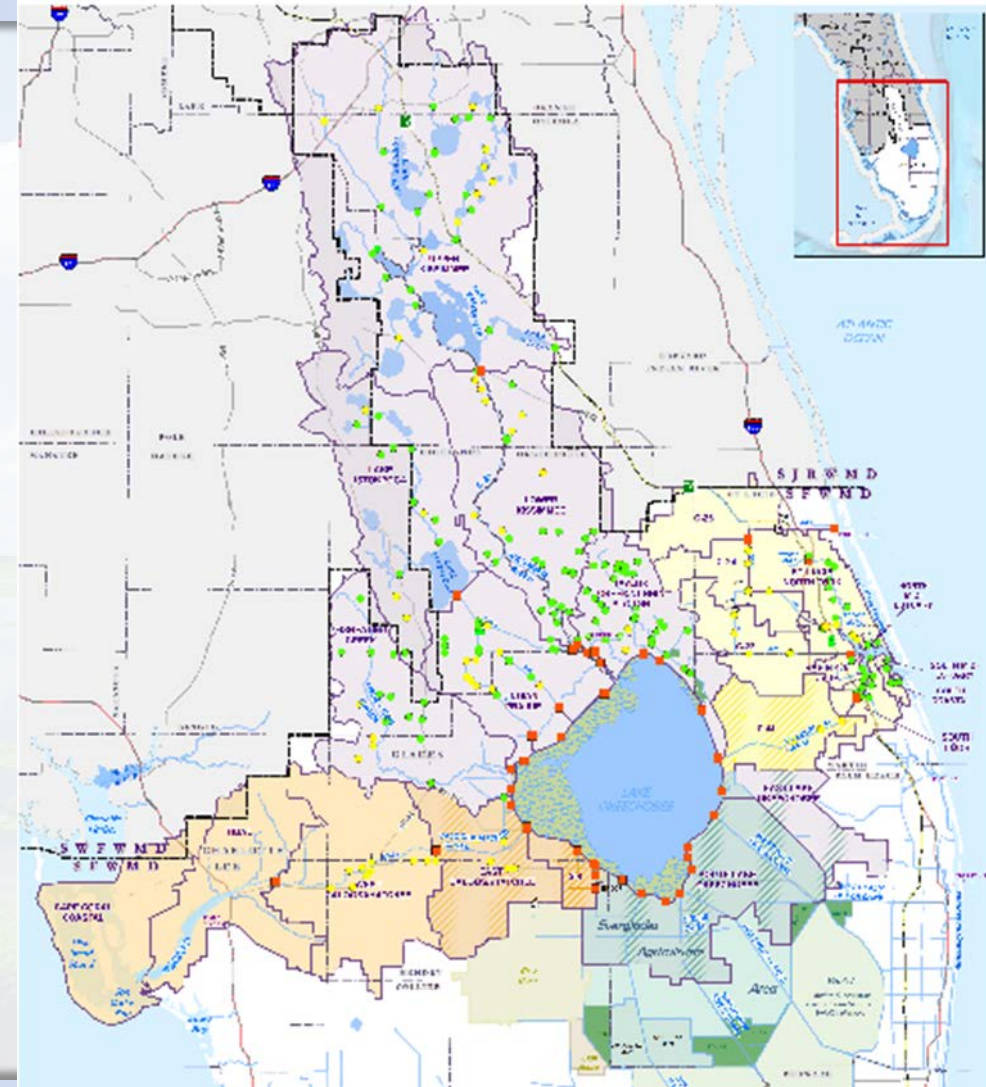


Freddie playing kickball

- Follow up from August Governing Board
- Request permission to publish a Notice of Rule Development
- Kickoff public rulemaking process to revise Chapter 40E-61, F.A.C.

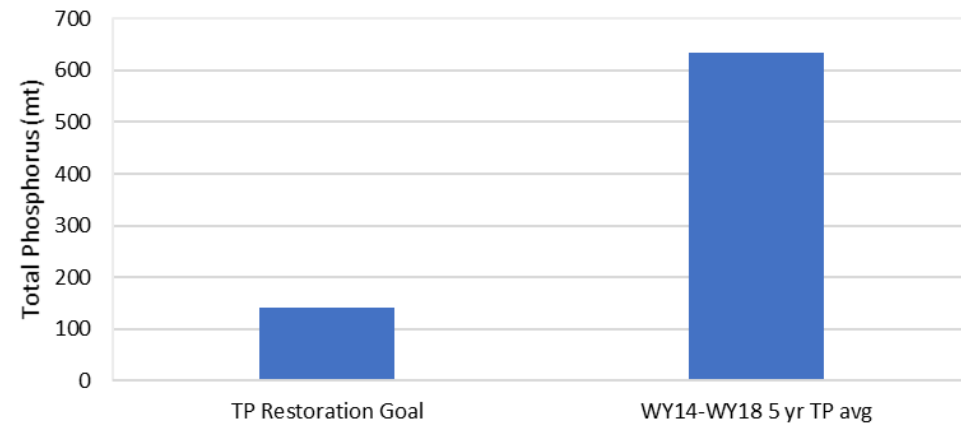
Background

- Governor's Executive Order 19-12
 - Provide data and information to FDEP to support key water quality efforts
- Governing Board approved expanded Northern Everglades monitoring network
- Chapter 40E-61 to support monitoring initiatives
 - Basin Management Action Plans (FDEP)
 - Research and Water Quality Monitoring Program (SFWMD)



Current Water Quality Conditions

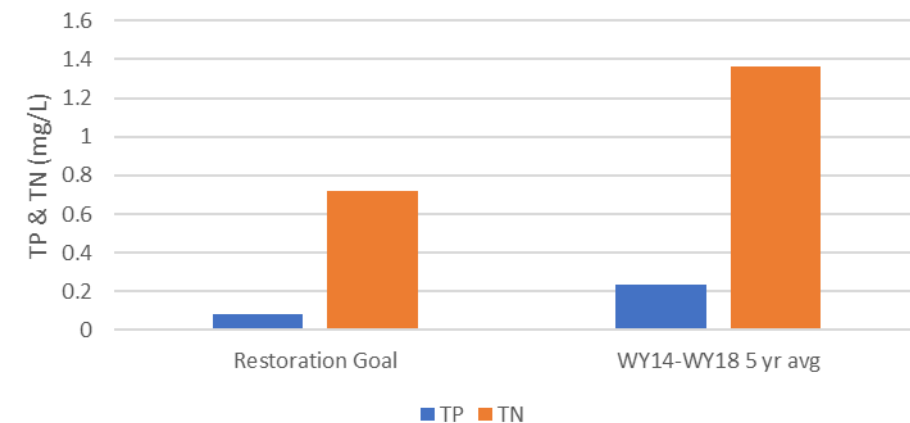
Total Phosphorus Restoration Goal & Result for Lake Okeechobee BMAP Adopted 2014



Restoration Goal & Result for Caloosahatchee River BMAP Adopted 2012



Total Phosphorus and Nitrogen Restoration Goals & Results for St. Lucie River BMAP Adopted 2013



Structure of Agency Roles

Northern Everglades and Estuaries Protection Program (F.S. 373.4595)

Lake Okeechobee (LO) Watershed Protection Program

Caloosahatchee River Estuary and St. Lucie River Watershed Protection Programs

LO Internal Phosphorus Management Program (SFWMD)

Watershed Protection Plans (SFWMD)

BMAPS (FDEP)

Exotic Species Control Program (Coordinating Agencies)

Research & Monitoring Program (LO: Coordinating Agencies) (Rivers: SFWMD)

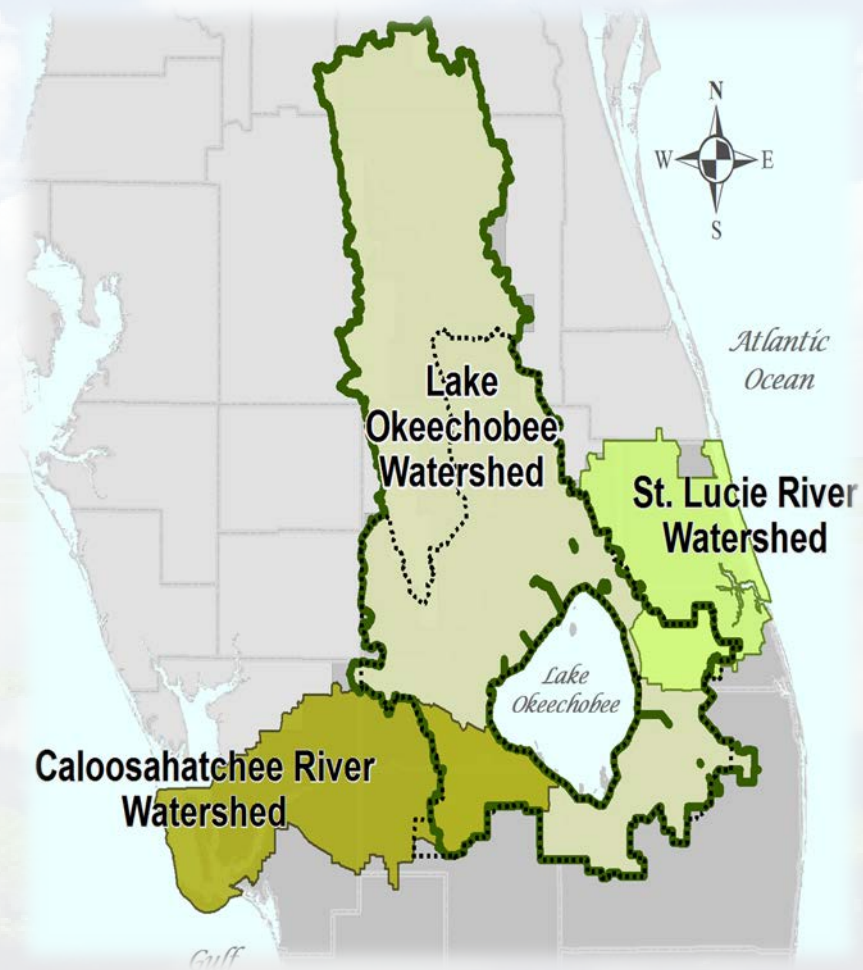
Watershed Construction Projects (SFWMD)

- Water storage projects
- Water treatment projects
- Wetland restoration
- Hydrologic restoration
- Works of the District Rule

Why revise Chapter 40E-61, F.A.C.

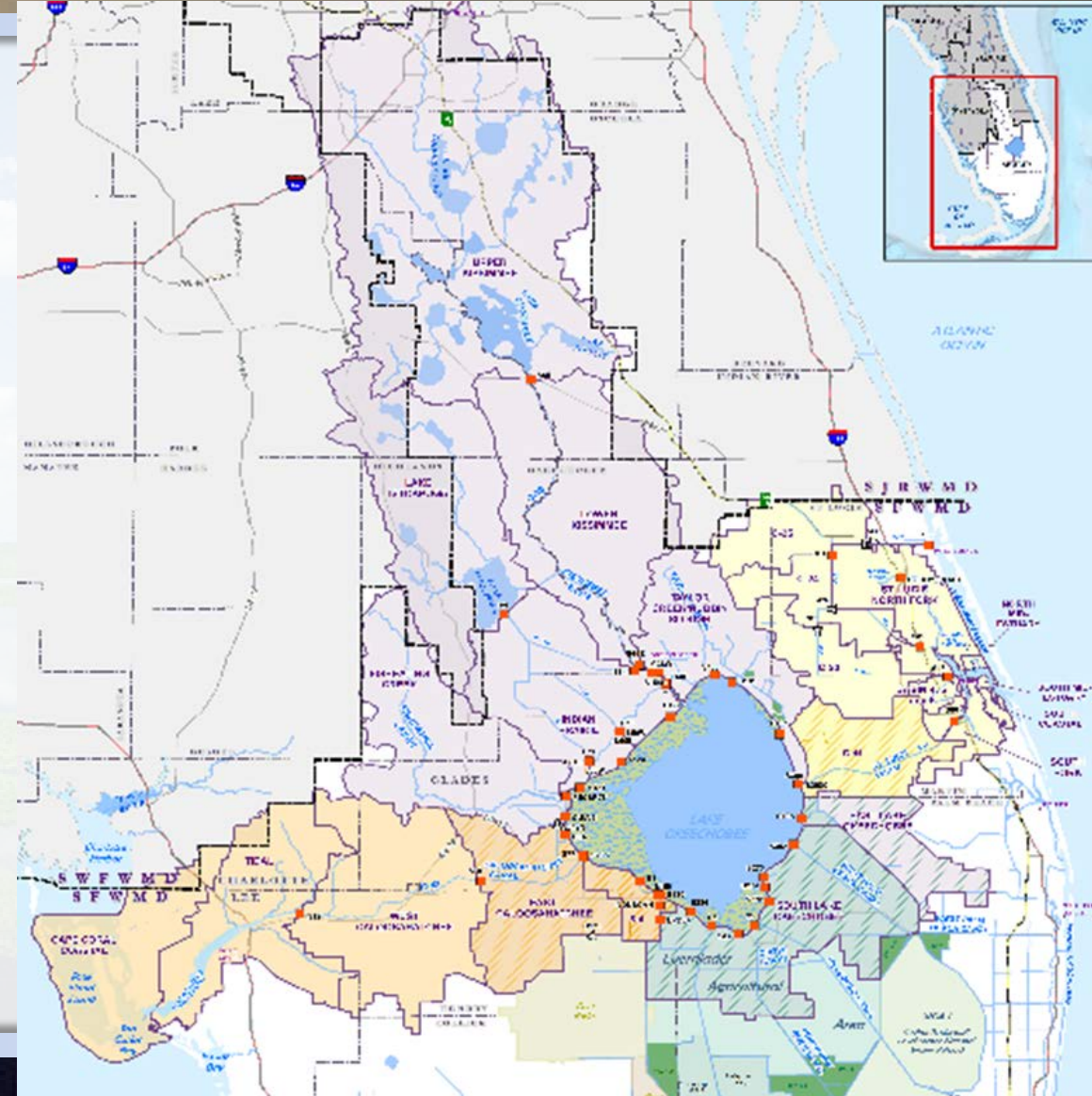
2016 Northern Everglades and Estuaries Protection Program (NEEPP) requires:

- Amendments to 40E-61, F.A.C., for Lake Okeechobee Watershed
- New rules for Caloosahatchee and St. Lucie River Watersheds
- Consistency with NEEPP and 403.067, F.S.
- A monitoring program for Non-point Source dischargers required to monitor
- Research and Water Quality Monitoring Program



40E-61 Draft Concept

- Establish monitoring to
 - Represent nutrient levels in contributing areas
 - Provide data for research and to evaluate effectiveness of Nutrient Reduction Technologies
 - Provide requirements for monitoring in lieu of BMP's
- Establish methods to evaluate and assess data to track progress
- Take action where data shows more reduction is needed



Workshop Input

- Seek input on overall Draft Concept and components:
- Monitoring
 - Areas to focus
 - Individual requirements
- Methods to Evaluate Monitoring
 - Watershed Data Evaluations
 - Statistical Approaches
- Action where data show more reduction is needed
 - Project types
 - Source Control Programs



Public Workshop Structure

- Purpose – Engage the public in providing input
- Presentation
- Public Comments
- Open house with staff



Presentation



Public Comments



Open house with staff

SFWMD Rulemaking Web Board

➤ Interactive Web Board

- Purpose of the rules
- Public Workshop schedule
- Status of rule amendments
- Link to request to be added to stakeholder list
- Link to leave a comment

➤ Link

- <https://www.sfwmd.gov/doing-business-with-us/rules>



Summary of Rulemaking Process

Process	Conceptual Schedule
Governing Board approves & Notice of Rule Development published	October 2019
Workshops for public participation	Without new text: November 2019 - February 2020
	With new text: January 2020 - September 2020
Updates to Governing Board on workshops	March 2020 October 2020
Governing Board approval/Publish Notice of Proposed Rule/Publish Statement of Economic Regulatory Costs/File Proposed Rule with JAPC	November 2020
File proposed rule with the Legislature for Ratification	December 2020
Legislative Ratification	April 2021

Public Workshop Schedule

City	Date	Time	Address
Okeechobee	Nov. 5, 2019	10:00 AM	Indian River State College Dixon-Hendry Campus Williamson Conference & Education Center 2229 NW 9th Avenue Okeechobee, FL 34972
Stuart	Specific date, time and location to be announced		
Ft. Myers	Specific date, time and location to be announced		
Kissimmee	Specific date, time and location to be announced		
West Palm Beach	Specific date, time and location to be announced		

Recommended Action:

**Initiate Rule Development to Revise Chapter 40E-61,
Florida Administrative Code, Works of the District.**