

South Florida Water Management District Annual Regulatory Plan 2019/2020

- Part I Each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the District. §120.74(1)(a), Florida Statutes;
- Part II Each law not otherwise listed in Part I which the agency expects to implement by rulemaking before July 1, 2020. §120.74(1)(b), Florida Statutes; and
- Part III Update to last year’s regulatory plan. §120.74(1)(c), Florida Statutes.

Attachment: 2019-2020 Regulatory Plan FINAL 2019-08-27.docx (Resolution No. 2019 - 0922 : Fiscal Year

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), F.S.)

			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	Date expected to publish Notice of Proposed Rule	If rulemaking is not required to implement the law, explain why	Division
Ch. 2019-76, Laws of Fla. (HB 475) – 328.001, 328.0015, 328.01, 328.015, 328.02, 328.03, 328.04, 328.045, 328.055, 328.06, 328.065, 328.09, 328.101, 328.11, 328.12, 328.125, 328.14, 328.145, 328.15, 328.16, 328.165, 328.215, 328.22, 328.23, 328.24, 328.25, 328.35, 409.2575, 705.103, 721.08, Fla. Stat.	Revises the future requirements vessel owners must follow pertaining to vessel certificates of title.	No			The law is applicable statewide to all vessel owners. Rulemaking by the District is not required.	Field Operations

Part II Each law not otherwise listed in Part I which the agency expects to implement by rulemaking before July 1, 2020 (§120.74(1)(b), F.S.)			
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 F.S.	40E-2.061, F.A.C.	Clarify the qualification criteria for linear dewatering projects to receive short-term dewatering permits by rule.	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, F.S.	40E-2.091, F.A.C.	<ol style="list-style-type: none"> 1) Establish Consumptive Use Permitting criteria corresponding to the water reservation for the Kissimmee River, its floodplain & Chain of Lakes. 2) Amend Applicant's Handbook, forms, and rule references to allow applicants/permittees to submit elevation data in North American Vertical Datum or National Geodetic Vertical Datum (NGVD). Currently, only NGVD is allowed. 	<ol style="list-style-type: none"> 1) Water Resources 2) Regulation
373.046, 373.413, 373.4131, 373.414, 373.4142, 373.416, 373.418, 373.426, 373.441, F.S.	40E-4.091, F.A.C.	Make minor clarifications to the operating agreement between the Department of Environmental Protection and SFWMD. This agreement designates which agency has the responsibility to review specific activities requiring an environmental resource permit pursuant to Part IV of Chapter 373, F.S. The agreement is incorporated by reference into the Florida Administrative Code.	Regulation

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Part II Each law not otherwise listed in Part I which the agency expects to implement by rulemaking before July 1, 2020 (§120.74(1)(b), F.S.)			
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
373.1135, F.S.	40E-7.668 through 40E-7.678, F.A.C.	<ol style="list-style-type: none"> 1) Refine definitions 2) Modify subcontracting requirements for work order proposals 3) Clarify language regarding type of license required from the applicant 4) Add registration requirement with the Florida Department of State, Division of Corporations 5) Clarify documentation required to demonstrate certification eligibility 6) Enhance certification review process 7) Make other changes determined to be necessary during rulemaking 	Administrative Services
373.016, 373.036, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246, 373.709 F.S.	40E-8.221(2), F.A.C.	Amend the minimum flows and levels, exceedance and violation criteria for the Caloosahatchee River.	Water Resources
373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470, F.S.	40E-10.011 – 40E-10.071, F.A.C.	Establish a water reservation for the Kissimmee River, its floodplain & the Chain of Lakes.	Water Resources

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Part II

Each law not otherwise listed in Part I which the agency expects to implement by rulemaking before July 1, 2020 (§120.74(1)(b), F.S.)

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
373.016, 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), F.S.	40E-63.500 -40E-63.520, F.A.C.	Include additional tributary basins and implement the Long-Term Plan and the Everglades Program strategies, including development of BMP programs as needed to achieve water quality goals in discharges.	Everglades Policy and Coordination

**Part III
Update to prior year's plan regulatory plan (§120.74(1)(c), F.S.)**

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?	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. 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, F.S.	Northern Everglades and Estuaries Protection Program	Yes 40E-61, F.A.C. Works of the District Basins	Nov. 1, 2016 The District anticipates publishing a new notice in October 2019.	Apr. 1, 2020		Everglades Policy and Coordination

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