

Notice of Development of Rulemaking

WATER MANAGEMENT DISTRICTS **South Florida Water Management District**

RULE NO.: RULE TITLE:

[40E-63.091](#): Publications Incorporated by Reference

[40E-63.104](#): EAA Basin Boundaries

[40E-63.106](#): Works of the District within the Everglades

PURPOSE AND EFFECT: These rules establish the methods used to measure the phosphorous discharge from the Everglades Agricultural Area (EAA), as required by the Everglades Forever Act, Section 373.4592, Florida Statutes. Under this statute the District assesses compliance with a 25% reduction in phosphorus load in discharges in comparison with the phosphorus levels measured during an established period prior to the Best Management Practices program being implemented. Since the rules were last amended the District has completed several projects, such as STA-3/4, the STA-2 Expansion, the A-1 Flow Equalization Basin, and the Lake Okeechobee Diversion Projects. These projects affect the boundary inflow and outflow points used in these calculations. Amendments to Rules 40E-63.091, 40E-63.104, and 40E-63.106, F.A.C., will update the calculations to account for these projects and include hyperlinks to incorporated materials in accordance with Section 120.54(1)(i)3., F.S., and Rule 1-1.013, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Everglades Construction Project diversion basins and Works of the District within the Everglades Agricultural Area Basin.

RULEMAKING AUTHORITY: [373.044](#), [373.113](#), F.S.

LAW IMPLEMENTED: [373.016](#), [373.085](#), [373.086](#), [373.451](#), [373.453](#), [373.4592](#), F.S.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: August 29, 2017, 2:00-3:00 p.m.

PLACE: South Florida Water Management District, Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406. The workshop is also available by teleconference and web conference. Go to <https://www.sfwmd.gov/doing-business-with-us/rules> for information regarding the web conference.

For the teleconference, please dial into the meeting using one of the telephone numbers listed below along with the meeting access code:

6800 (Internal Number)

(561) 682-6800 (WPB Local Number)

(855) 682-6800 (Toll Free Nationwide)

Access Code: 990 448 426

Password: This meeting does not require a password.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, telephone: (561) 682-6805, or email: clerk@sfwmd.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE

DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:

Carmela Bedregal, P.E., Section Lead, Bureau of Everglades Technical Support, Everglades Policy and Coordination Division, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: (561) 682-2737, email: cbedrega@sfwmd.gov.

For procedures regarding the rulemaking process, contact Jan Sluth, CP, FRP, Sr. Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: (561) 682-6299, email: jsluth@sfwmd.gov. The draft rule language and Appendices are also available on the District's website at <https://www.sfwmd.gov/doing-business-with-us/rules>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.