

Notice of Development of Rulemaking

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

RULE NO.: RULE TITLE:

[40E-61.011](#): Policy and Purpose

[40E-61.020](#): Scope of Part I

[40E-61.021](#): Definitions

[40E-61.023](#): Basin and Sub-Basin Boundaries

[40E-61.024](#): Works of the District within the Lake Okeechobee Basin

[40E-61.031](#): Implementation

[40E-61.041](#): Permits Required

[40E-61.042](#): General Permits for Use of Works of the District Within the Lake Okeechobee Basin

[40E-61.051](#): Exemptions

[40E-61.101](#): Content of Application for Individual and Collective Permits

[40E-61.201](#): Permit Application Processing Fee

[40E-61.301](#): Conditions for Issuance for Individual and Collective Permits

[40E-61.321](#): Duration of Permits

[40E-61.331](#): Modification

[40E-61.351](#): Transfer

[40E-61.381](#): Limiting Conditions

PURPOSE AND EFFECT: By November 1 of each year, the District is required by statute to publish a notice of rule development for items in its Regulatory Plan resulting from new laws. In 2016, the Florida Legislature amended Section 373.4595, Florida Statutes (F.S.), the Northern Everglades and Estuaries Protection Program (NEEPP), directing the District and FDEP to provide a water quality monitoring program for nonpoint source dischargers not implementing Best Management Practices in the Northern Everglades Watersheds, as required by Section 403.067, F.S. Specifically, NEEPP directs the District to amend Chapter 40E-61, Florida Administrative Code (F.A.C.) and to adopt new rules. The existing rules govern specified basins within the District which are integral to operation, maintenance, and protection of District water resources. The rules name and adopt “Works of the District” canals, water control structures, rights-of-way, lakes and streams, and other water resources for which the District has responsibility or owns. The rules establish criteria to ensure that use of or connection to the named works or lands are compatible with the District’s ability to carry out the objectives of legislative declarations of policy in Sections 373.016 and 373.451 - 373.4595, F.S. The rules will be amended to be consistent with FDEP’s rulemaking efforts resulting from NEEPP directives.

As this will be a multi-agency coordination effort with multiple aligning procedural steps, formal activities associated with this effort are anticipated to begin no earlier than January 2017.

SUBJECT AREA TO BE ADDRESSED: Northern Everglades and Estuaries Protection Program

RULEMAKING AUTHORITY: [373.044](#), [373.113](#), [373.118](#), [668.003](#), [668.004](#), [668.50](#), F.S.

LAW IMPLEMENTED: [373.016](#), [373.085](#), [373.086](#), [373.109](#), [373.451](#), [373.453](#), [373.4595](#), [668.003](#), [668.004](#), [668.50](#), F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE

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

Steffany Olson, Supervisor Environmental Analyst, South Florida Water Management District, Everglades Regulation Bureau, 3301 Gun Club Road West Palm Beach, FL 33406, telephone: 800-432-2045 ext. 2759 or 561-682-2759, email: solson@sfwmd.gov. For procedural questions, contact Jan Sluth, Sr. Paralegal, Office of Counsel, South Florida Water Management District 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, telephone: 800-432-2045 ext. 6299 or 561-682-6299, email: jsluth@sfwmd.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.