### **South Florida Water Management District**

## **Annual Regulatory Plan 2015/2016**

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	Listing of each law not otherwise listed pursuant to paragraph (a) which the agency expects to implement by rulemaking before July 1 (120.74(1)(b))		
Part III	Update to the prior year's regulatory plan or supplement (120.74(1)(c))		
Part IV	Certification (120.74(1)(d))		

# 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))

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?	If rulemaking is not required to implement the law, explain why
Ch. 2015-26, Laws of Fla. – section 934.50, Fla. Stat.	Surveillance by drone	No	The law is self-implementing
Ch. 2015-30, Laws of Fla. – section 163.3245, Fla. Stat.	Community development – compensatory mitigation under certain circumstances	No	The law is self-implementing
Ch. 2015-63, Laws of Fla. – section 255.0991, Fla. Stat.	Local government construction preferences	No	The law is self-implementing
Ch. 2015-141, Laws of Fla. – 373.41492, Fla. Stat.	Miami-Dade County Lakebelt Area	No	The law is self-implementing
Ch. 2015-155, Laws of Fla. – sections 119.021, 120.53, 120.533, 213.22, Fla. Stat.	Maintenance of agency final orders	No	The law is generally self-implementing, however rulemaking authorized by the law is to be done by the Department of State
Ch. 2015-162, Laws of Fla. – sections 120.54. 120.74, 120.7455, Fla. Stat.	Administrative Procedures – rulemaking and completion of Regulatory Plans	No	The law is self-implementing

### Part II

Listing of each law not otherwise listed pursuant to paragraph (a) which the agency expects to implement by rulemaking before July 1 (120.74(1)(b))

Law Implemented	Rule Number & Title	Reason for the rule i.e. simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary or redundant rules
668.003(4), F.S.	40E-1.021 Definitions	Delete redundant rules
373.085(1&2), 373.086(1), 373.106(1&2), 373.116(1), 373.118(1 & 2), 373.216, 373.219(1), 373.309, 373.323(1-5), 373.413(1), 373.414, 373.416(1), 373.453(1)(b& c),(2 & 4), 373.4592(3) and (4)(f)2., and 373.4595(3) & (4), F.S.	40E-1.602 Permits Required	Delete obsolete rule provisions
373.083, 373.171, 373.219(1), 373.309, 373.413(2), 373.414(1&2), 373.416(2), 373.426, 373.429, 373.436(1), 668.003(4), 668.004, 668.50, F.S.	40E-1.6107 Transfer of Environmental Resource, Surface Water Management, or Water Use or Wetland Resource Permit	Correction
373.4131(1)(b), 380.051, F.S.	40E-1.615 Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern	Clarify
218.075, 373.113, 373.4135(1), 373.4136(1), 373.416(1), 704.06(3), F.S.	40E-1.702 Environmental Resource, Surface Water Management Permit and Consumptive Use Enforcement Guidelines	Response to JAPC comments
373.610, F.S.	40E-7.214 Policy	Response to JAPC comments
373.610, F.S.	40E-7.215 Definitions	Response to JAPC comments
373.610, F.S.	40E-7.216 Cure Notice	Response to JAPC comments
373.610, F.S.	40E-7.217 Termination for Default Notice	Response to JAPC comments
373.610, F.S.	40E-7.218 Factors to Determine Whether a Contracting Entity Should be Placed on the Temporary or Permanent Suspension List	Response to JAPC comments
373.610, F.S.	40E-7.219 Administrative Hearings	Response to JAPC comments
373.413(1), 373.4131, 373.416(1), F.S.	40E-41.023 Western Canal 9 Basin Boundary	Update

### Part II

Listing of each law not otherwise listed pursuant to paragraph (a) which the agency expects to implement by rulemaking before July 1 (120.74(1)(b))

Law Implemented	Rule Number & Title	Reason for the rule i.e. simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary or redundant rules
373.413(1), 373.4131, 373.416(1), F.S.	40E-41.033 Implementation	Repeal
373.413(1), 373.4131, 373.416(1), F.S.	40E-41.063 Conditions for Issuance of Permits in the Western Canal 9 Basin	Update
120.54(8), 373.046, 373.403, 373.413, 373.414, 373.416, 373.429 F.S.	40E-41.091 Publications, Rules and Interagency Agreements Incorporated by Reference	Repeal
373.413(1), 373.4131, 373.416(1), F.S.	40E-41.121 Definitions	Update
373.413(1), 373.4131, 373.416(1), F.S.	40E-41.123 Kissimmee River Boundary	Update
373.413(1), 373.4131, 373.416(1), F.S.	40E-41.133 Implementation	Repeal
373.413(1), 373.4131, 373.416(1), F.S.	40E-41.160 Content of Application	Response to JAPC comments
373.413(1), 373.4131, 373.416(1), F.S.	40E-41.233 Implementation	Repeal
373.413(1), 373.4131, 373.416(1), F.S.	40E-41.321 Definitions	Update
373.413(1), 373.4131, 373.416(1), F.S.	40E-41.323 Water Preserve Area & Water Preserve Area Basin Boundaries	Update
373.413(1), 373.4131, 373.416(1), F.S.	40E-41.333 Implementation	Repeal
373.413(1), 373.4131, 373.416(1), F.S.	40E-41.363 Conditions for Issuance of Permits in the Water Preserve Area, Water Preserve Area Basin, or Adjacent to the Protective Levees	Update

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Rule Number & If a Notice of Proposed Rule has Law Implemented Is the rule If determined that rulemaking is no longer necessary, Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan 40E-1.607 Permit N/A 218.075, 373.109(1), Yes Notice of Rule Development was **Application** published November 25, 2014 (Vol 373.4131(1)(b)7., 373.421(6)(b), **Processing Fees** 40/No 229) 403.201(4), F.S. 218.075, 373.113, 40E-1.659 Forms Yes Notice of Rule Development was N/A and Instructions 373.4135(1), published November 25, 2014 (Vol 373.4136(1), 40/No 229) 373.416(1), 704.06(3), F.S. 40E-2.091 N/A 373.042(1&4). Yes Notice of Rule Development was **Publications** 373.0421, 373.083(5), published July 16, 2014 (Vol 40/No 373.109, 373.219(1), Incorporated by 137) 373.223, 373.224, Reference 373.227, 373.229(1,3&4), 373.232, 373.233, 373.236, 373.239, 373.250 F.S. N/A 40E-4.091 Notice of Rule Development was 120.60, 373.016(2), Yes 373.042, 372.0421, Publications. published November 25, 2014 (Vol 373.046, 373.085, Rules and 40/No 229) 373.086, 373.103, Interagency 373.117, 373.129, Agreements 373.413(1), 373.4131, Incorporated by 373.4135, Reference

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Is the rule Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan N/A 373.4136(6)(b), Rulemaking is not required because revisions are being 373.414, 373.4142, addressed through other rulemaking 373.415, 373.416, 373.418, 373.419, 373.423, 373.426, 373.441, 373.461, 373.0877, F.S. 40E-6.601 Permit No N/A Rulemaking is not required at this time because the law 373.044, 373.085(1)(b), 373.086(1), 373.109, **Application** implemented has not changed since the program was adopted 373.113, F.S. or last amended Processing Fees 40E-10.011 Policy Yes Notice of Rule Development was N/A 373.016(1,2,3&5), 373.026(1,2&8), and Purpose published July 16, 2014 (Vol 40/No 373.036(2&3), 137) 373.1501(2-6), 373.1502, 373.219(1), 373.223(1&4), 373.4592 (1-4), 373.4595 (1,2,4&8), 373.470 (1-3), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** Is the rule If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan 40E-10.021 N/A 373.016(1,2,3&5), Yes Notice of Rule Development was 373.026(1,2&8), **Definitions** published July 16, 2014 (Vol 40/No 373.036(2&3), 137) 373.1501(2-6), 373.1502, 373.219(1), 373.223(1&4), 373.4592 (1-4), 373.4595 (1,2,4&8), 373.470 (1-3), F.S. 373.016(1,2,3&5), 40E-10.031 Water Notice of Rule Development was N/A Yes Reservations published July 16, 2014 (Vol 40/No 373.026(1,2&8), 373.036(2&3), Implementation 137) 373.1501(2-6), 373.1502, 373.219(1), 373.223(1&4), 373.4592 (1-4), 373.4595 (1,2,4&8), 373.470 (1-3), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** Is the rule If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan 40E-10.041 Water N/A N/A 373.016(1,2,3&5), Yes 373.026(1,2&8), Reservation 373.036(2&3), Areas: Lower West 373.1501(2-6), **Coast Planning** 373.1502, 373.219(1), Area 373.223(1&4), 373.4592 (1-4), 373.4595 (1,2,4&8), 373.470 (1-3), F.S. 373.016(1,2,3&5), 40E-10.051 Water Yes N/A N/A 373.026(1,2&8), Reservation 373.036(2&3), Areas: Upper East 373.1501(2-6), Coast Planning 373.1502, 373.219(1), Area 373.223(1&4), 373.4592 (1-4), 373.4595 (1,2,4&8), 373.470 (1-3), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Rule Number & If a Notice of Proposed Rule has Law Implemented Is the rule If determined that rulemaking is no longer necessary, Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan N/A 373.016(1-3&5), 40E-10.061 Water N/A Yes 373.026(1,2&8), Reservations 373.036(2&3), **Implementation** 373.1501(2-6), 373.1502, 373.219(1), 373.223(1&4), 373.4592 (1-4), 373.4595 (1,2,4&8), 373.470 (1-3), F.S. 40E-10.071 Water N/A 373.016(1-3&5), Yes Notice of Rule Development was 373.026(1,2&8), Reservation published July 16, 2014 (Vol 40/No 373.036(2&3), Areas: Kissimmee 137) 373.1501(2-6), Basin 373.1502, 373.219(1), 373.223(1&4), 373.4592 (1-4), 373.4595 (1,2,4&8), 373.470 (1-3), F.S. 40E-41.220 Scope 373.413(1), 373.4131, No N/A Rulemaking is not required because revisions are being 373.416(1), F.S. and Policy of Part addressed through other rulemaking

373.413(1), 373.4131,

373.413(1), 373.4131,

373.416(1), F.S.

373.416(1), F.S.

40E-41.221

**Definitions** 

40E-41.223 C-51

**Basin Boundary** 

Yes

No

N/A

N/A

N/A

Rulemaking is not required because revisions are being

addressed through other rulemaking

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Rule Number & If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Law Implemented Is the rule Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan 40E-41.243 N/A 373.085(1)(b), No Rulemaking is not required because revisions are being **Application of Part** addressed through other rulemaking 373.086(1)& (2), 373.413(1), 373.4131, 373.416(1), F.S. 373.085(1)(b), 40E-41.260 No N/A Rulemaking is not required because revisions are being 373.086(1)& (2); Content of addressed through other rulemaking 373.413(1), 373.4131, **Application** 373.416(1), F.S. 40E-41.263 N/A N/A 373.413(1), 373.4131, Yes 373.416(1), F.S. Conditions for Issuance of Permits in the C-51 Basin 373.413(1), 373.4131, 40E-41.265 No N/A Rulemaking is not required because revisions are being 373.416(1), F.S. Conditions for addressed through other rulemaking Issuance of Rightof-Way Permits in the C-51 Basin 373.016(4)(a), (4)(b), 40E-61.011 Policy Yes Notice of Rule Development was N/A and Purpose published March 23, 2007 (Vol. and (5), 373.451(6) and (7), 373.453(1)(b) and 33/No. 12) (c), (2) and (4), 373.4592(4)(f)2., and 373.4595(3), (4) and (5), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Is the rule Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan N/A 373.016(4)(a), (4)(b), 40E-61.020 Scope Notice of Rule Development was Yes of Part I. Lake published March 23, 2007 (Vol. and (5), 373.085(1)(b) and (2), 373.086(1), Okeechobee 33/No. 12) 373.451(6) and (7), Drainage Basin 373.453(1)(b), (1)(c), (2) and (4), 373.4595(3), (4) and (5), 668.003, 668.004, 668.50, F.S. N/A 373.085(1)(b) and (2), 40E-61.021 Yes Notice of Rule Development was 373.086(1), 373.451(6) **Definitions** published March 23, 2007 (Vol. and (7), 373.453(1)(b), 33/No. 12) (1)(c), (2) and (4), 373.4595(3), (4) and (5), F.S. 40E-61.023 Basin N/A 373.085(1)(b) and (2), Yes Notice of Rule Development was 373.086(1), 373.451(6) and Sub-Basin published March 23, 2007 (Vol. Boundaries and (7), 373.453(1)(b), 33/No. 12) (1)(c), (2) and (4), 373.4595(3), (4) and (5), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Is the rule Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan N/A 373.085(1)(b) and (2), 40E-61.024 Works Notice of Rule Development was Yes 373.086(1), 373.451(6) of the District published March 23, 2007 (Vol. and (7), 373.453(1)(b), within the Lake 33/No. 12) (1)(c), (2) and (4), Okeechobee Basin 373.4595(3), (4) and (5), F.S. 373.085(1)(b) and 40E-61.031 Yes Notice of Rule Development was N/A **Implementation** published March 23, 2007 (Vol. (2),373.086(1),373.451(6) and (7), 33/No. 12) 373.453(1)(b) and (c), (2) and (4), 373.4595(3), (4) and (5),668.003(4), 668.004, 668.50, F.S. 40E-61.041 N/A 373.085(1)(b) and Yes Notice of Rule Development was (2),373.086(1),Permits Required published March 23, 2007 (Vol. 373.451(6) and (7), 33/No. 12) 373.453(1)(b) and (c), (2) and (4), 373.4595(3), (4) and (5), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) **Rule Number &** If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Law Implemented Is the rule Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan Notice of Rule Development was N/A 373.016(2), 40E-61.042 Yes 373.085(1)(b) and **General Permits** published March 23, 2007 (Vol. (2),373.086(1),for Use of Works 33/No. 12); 373.451(6) and (7); of the District 373.453(1)(b), (1)(c), (2) Within the Lake and (4), 373.4595(3), Okeechobee Basin (4) and (5), 668.003(4), 668.004, 668.50, F.S. N/A 373.016(2), 40E-61.051 Yes Notice of Rule Development was 373.085(1)(b) and Exemptions published March 23, 2007 (Vol. (2),373.086(1),33/No. 12); 373.451(6) and (7); 373.453(1)(b), (1)(c), (2) and (4), 373.4595(3), (4) and (5), F.S. N/A 373.016(2). 40E-61.101 Yes Notice of Rule Development was 373.085(1)(b) and Content of published March 23, 2007 (Vol. (2),373.086(1),Application for 33/No. 12); 373.451(6) and (7); Individual and **Collective Permits** 373.453(1)(b), (1)(c), (2) and (4), 373.4595(3), (4) and (5), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) **Rule Number &** If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Law Implemented Is the rule Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan Notice of Rule Development was N/A 373.085(1)(b) and 40E-61.201 Permit Yes (2),373.086(1), 373.109, **Application** published March 23, 2007 (Vol. 373.451(6) and (7), Processing Fee 33/No. 12); ) 373.453(1)(b) and (c), (2) and (4), 373.4592(4)(f)2., and 373.4595(3), (4) and (5), F.S. 40E-61.301 N/A 373.016(4)(a), (4)(b) Yes Notice of Rule Development was Conditions for and (5), 373.085(1)(b) published March 23, 2007 (Vol. and (2),373.086(1), Issuance for 33/No. 12); 373.451(6) and (7), Individual and 373.453(1)(b) and (c), Collective Permits (2) and (4), 373.4595(3), (4) and (5), F.S. 40E-61.321 Yes Notice of Rule Development was N/A 373.451(4)(a), (4)(b) and (5), 373.453(1)(b) **Duration** of published March 23, 2007 (Vol. and (c), (2) and (4), Permits 33/No. 12); 373.4595(3), (4) and (5), 668.003(4),668.004, 668.50, F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) **Rule Number &** If a Notice of Proposed Rule has Law Implemented Is the rule If determined that rulemaking is no longer necessary, Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan Notice of Rule Development was N/A 373.016(4)(a), (4)(b) 40E-61.331 Yes Modification published March 23, 2007 (Vol. and (5), 373.085(1)(b) and (2),373.086(1), 33/No. 12); 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), 373.4595(3), (4) and (5), F.S. 40E-61.351 N/A 373.016(4)(a), (4)(b) Yes Notice of Rule Development was and (5), 373.085(1)(b) Transfer published March 23, 2007 (Vol. and (2),373.086(1), 33/No. 12); ) 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), 373.4595(3), (4) and (5), F.S. 40E-61.381 Yes Notice of Rule Development was N/A 373.016(4)(a), (4)(b) and (5), 373.085(1)(b) **Limiting Conditions** published March 23, 2007 (Vol. and (2),373.086(1), 33/No. 12); 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), 373.4595(3), (4) and (5), 668.003(4), 668.004, 668.50, F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) **Rule Number &** If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Law Implemented Is the rule Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan 40E-61.XXX Notice of Rule Development was N/A 373.016(4)(a), (4)(b) Yes Forms, published March 23, 2007 (Vol. and (5), 373.085(1)(b) and (2),373.086(1), Instructions and 33/No. 12); 373.451(6) and (7), References 373.453(1)(b) and (c), (2) and (4), 373.4595(3), (4) and (5), F.S. 40E-61.XXX Water Yes N/A 373.016(4)(a), (4)(b) Notice of Rule Development was and (5), 373.085(1)(b) **Quality Monitoring** published March 23, 2007 (Vol. and (2),373.086(1), 33/No. 12); 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), 373.4595(3), (4) and (5), F.S. 40E-61.XXX Yes Notice of Rule Development was N/A 373.016(4)(a), (4)(b) and (5), 373.085(1)(b) **Permit Compliance** published March 23, 2007 (Vol. and (2),373.086(1), 33/No. 12); 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), 373.4595(3), (4) and (5), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** Is the rule If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan 373.016, 373.085(1)(b) 40E-63.011 Policy N/A N/A Yes and (2), 373.086(1), and Purpose 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.091 Yes N/A N/A **Publications** and (2), 373.086(1), 373.451(6) and (7), Incorporated by Reference 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.101 Scope N/A N/A Yes 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.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** Is the rule If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan 373.016, 373.085(1)(b) 40E-63.102 N/A N/A Yes and (2), 373.086(1), **Definitions** 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.104 EAA Yes N/A N/A and (2), 373.086(1), **Basin Boundaries** 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.106 Works N/A N/A Yes and (2), 373.086(1), of the District 373.451(6) and (7), within the 373.453(1)(b) and (c), Everglades (2) and (4), and 373.4592(3), (4) and (10), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** Is the rule If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan 373.016, 373.085(1)(b) 40E-63.108 N/A N/A Yes and (2), 373.086(1), **Implementation** 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.110 EAA Yes N/A N/A Basin-Permits and (2), 373.086(1), 373.451(6) and (7), Required 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.120 N/A N/A Yes and (2), 373.086(1), **General Permits** for Use of Works 373.451(6) and (7), 373.453(1)(b) and (c), of the District (2) and (4), and Within the 373.4592(3), (4) and Everglades (10), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Is the rule Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan N/A N/A 373.016, 373.085(1)(b) 40E-63.130 Yes and (2), 373.086(1), Individual Permit 373.451(6) and (7), **Application** 373.453(1)(b) and (c), Requirements in (2) and (4), and the EAA Basin 373.4592(3) and (4), F.S. 373.016, 373.085(1)(b) 40E-63.132 Yes N/A N/A and (2), 373.086(1), Content of 373.451(6) and (7), Application for **Individual Permits** 373.453(1)(b) and (c), (2) and (4), and in the EAA Basin 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.134 Permit Yes N/A N/A and (2), 373.086(1), Application Processing Fee for 373.451(6) and (7), 373.453(1)(b) and (c), **Individual Permits** (2) and (4), and in the EAA Basin 373.4592(3), (4) and (10), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Is the rule Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan N/A N/A 373.016, 373.085(1)(b) 40E-63.136 Yes and (2), 373.086(1), Conditions for 373.451(6) and (7), Issuance of 373.453(1)(b) and (c), **Individual Permits** (2) and (4), and in the EAA Basin 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.138 Yes N/A N/A and (2), 373.086(1), **Duration** of 373.451(6) and (7), **Individual Permits** in the EAA Basin 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.140 N/A N/A Yes and (2), 373.086(1), Modification of **Individual Permits** 373.451(6) and (7), 373.453(1)(b) and (c), in the EAA Basin (2) and (4), and 373.4592(3), (4) and (10), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Is the rule Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan N/A N/A 373.016, 373.085(1)(b) 40E-63.143 Yes and (2), 373.086(1), **Limiting Conditions** 373.451(6) and (7), for Individual 373.453(1)(b) and (c), Permits in the EAA (2) and (4), and Basin 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.145 Yes N/A N/A and (2), 373.086(1), Compliance and 373.119(1) and (2), Enforcement of **Individual Permits** 373.129(6) and (7), 373.136(1), 373.451(6) in the EAA Basin and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4), and (10), 373.603, F.S. 40E-63.500 Policy Yes N/A N/A 373.016, 373.085(1)(b) and (2), 373.086(1), and Purpose 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** Is the rule If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan 373.016, 373.085(1)(b) 40E-63.501 Scope N/A N/A Yes and (2), 373.086(1), of Program 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.502 Yes N/A N/A and (2), 373.086(1), Definitions 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.504 N/A N/A Yes and (2), 373.086(1), Forms, Instructions and 373.451(6) and (7), 373.453(1)(b) and (c), References (2) and (4), and 373.4592(3), (4) and (10), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Is the rule Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan 40E-63.506 N/A N/A 373.016, 373.085(1)(b) Yes and (2), 373.086(1), Delegation 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S. 373.085(1)(b) and (2), 40E-63.510 Yes N/A N/A 373.4592(3), (4) and Waivers (10), F.S. 373.016, 373.085(1)(b) 40E-63.515 No Yes N/A N/A Notice General and (2), 373.086(1), 373.451(6) and (7), Permits 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.520 BMP Yes N/A N/A Plan Preand (2), 373.086(1), 373.451(6) and (7), **Approvals** 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** Is the rule If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan 40E-63.530 N/A N/A 373.016, 373.085(1)(b) Yes and (2), 373.086(1), **General Permit** 373.451(6) and (7), **Applications** 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.535 BMP Yes N/A N/A Plans 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. 373.016, 373.085(1)(b) 40E-63.536 Permit N/A N/A Yes and (2), 373.086(1), **Application Processing Fees** 373.109, 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented **Rule Number &** Is the rule If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, Title still not been published, cite to Notice provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan 373.016, 373.085(1)(b) 40E-63.544 N/A N/A Yes and (2), 373.086(1), **Limiting Conditions** 373.451(6) and (7), for General 373.453(1)(b) and (c), Permits in the (2) and (4), and Feeder Canal 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.546 Yes N/A N/A Feeder Canal and (2), 373.086(1), 373.451(6) and (7), **Basin Compliance** 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S. 373.016, 373.085(1)(b) 40E-63.561 N/A N/A Yes and (2), 373.086(1), Feeder Canal Permit Basin 373.451(6) and (7), 373.453(1)(b) and (c), Compliance (2) and (4), and 373.4592(3), (4) and (10), F.S.

#### Part III Update to the prior year's regulatory plan or supplement (120.74(1)(c)) Law Implemented Rule Number & Is the rule If a Notice of Proposed Rule has If determined that rulemaking is no longer necessary, not been published, cite to Notice Title still provide concise explanation why no longer necessary of Rule Development in FAR by necessary? date, volume and number for laws identified on previous regulatory plan 373.016, 373.085(1)(b) 40E-63.562 Permit N/A N/A Yes and (2), 373.086(1), Basin Discharge 373.451(6) and (7), Monitoring 373.453(1)(b) and (c), Program (2) and (4), and 373.4592(3), (4) and (10), F.S. N/A 373.016, 373.085(1)(b) 40E-63.564 Yes N/A and (2), 373.086(1), Limiting Conditions 373.451(6) and (7), for the Permit 373.453(1)(b) and (c), Basin Discharge (2) and (4), and Monitoring 373.4592(3), (4) and Program (10), F.S.

### Part IV Certification (120.74(1)(d))



# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

October 9, 2015

Kenneth J. Plante, Esq. Joint Administrative Procedure Committee Room 680 Pepper Building 111 W. Madison Street Tallahassee, FL 32399-1400 plante.ken@leg.state.fl.us

RE: South Florida Water Management District's 2015-2016 Annual Regulatory Plan

Dear Mr. Plante:

The South Florida Water Management District (SFWMD) hereby submits its 2015-2016 Annual Regulatory Plan, pursuant to the recently amended Section 120.74, Florida Statutes. The SFWMD's 2015/2016 Annual Regulatory Plan and previous regulatory plans dating back to 2011 are posted on the District's homepage at www.sfwmd.gov. Please feel free to contact me at (561) 682-6546 if you have any questions regarding that document.

Pursuant to subsection 120.74(1)(d), Florida Statutes, the undersigned certify that: (1) we have reviewed the SFWMD's 2015/2016 Annual Regulatory Plan; and (2) the District regularly reviews all of its rules to determine if the rules remain consistent with the District's rulemaking authority and law implemented, and that District staff completed a comprehensive rule review prior to July 1, 2015.

Sincerely,

Daniel O'Keefe

Chair

General Counsel

KLB/ils Encl.

CC:

John MacIver, Esq. (john.maciver@eog.myflorida.com)