

RULES AND CRITERIA CHRONOLOGY

16K-1* (General and Procedural), F.A.C.

Notes

First-time and infrequent users of the materials which follow should first read both these Notes and the Introduction which begins *The Rules and Criteria Chronology Series*.

03/02/74 - 07/19/74 - What eventually became Rule Chapter 16K-1 (General and Procedural), F.A.C. (hereinafter "16K-1"), was adopted as Chapters 16CA-0 and 16CA-1 by the District Board on December 14, 1973. Shortly after mailing the chapter texts to Florida Department of State (FDOS), the District determined that all of 16CA-0 was (possibly by statewide convention regarding use of "-O") officially an emergency rule chapter good for no more than 90 days.

So, in a letter dated March 22, 1974, the District submitted to FDOS a request to make the 16CA-0 text the first part of 16CA-1 (numbered as 16CA-1.01 through 16CA-1.07), to be followed with the existing 16CA-1 text (renumbered as 16CA-1.08 through 16CA-1.12). Included with the request were text sheets with handwritten section renumberings. The resulting 16K-1 title would become "General and Procedural." The *Chronology* text in the section is, with the exception of 16CA-1.01, a copy of that handmarked March 22, 1974, submittal.

At some time, the March 22 handmarked 16CA-1.01 (Policy, Objectives and Implementation Date) text became lost. I have inserted the text of 16CA-0.01 (Policy, Objectives and Implementation Date) which the Board adopted in December 1973. Outside of not having a handwritten "1" in the section number, the text should not have changed.

The "History" line of "New 12-14-73" (the date the Board adopted the rules) at the end of each section will be changed to what became the accepted effective date - 3-02-74 - as the sections are amended.

Notice, between Sections 16CA-1.07 and 16CA-1.08, the manually marked sheet which originally was the title page of original Chapter 16CA-1 (Procedures).

*Originally, 16CA-0 and 16CA-1.

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07/20/74 - 12/19/74 - On July 12, 1974, the District added three more terms to Section 16CA-1.05 (Definitions). The last page of the section - copied from the materials sent to FDOS - shows the adoption date as the effective amended date. Later, official printings of the chapter show an effective date of 7-20-74.

12/20/74 - 11/17/75 - In an 11/14/74 letter to FDOS, the District discusses marking up rules and includes several sheets showing rules sections numbers and titles, with each 16CA manually marked as 16K. Perhaps the official switch occurred on October 1, 1974 - the beginning of a fiscal year - or would occur on January 1, 1975.

In an undated District notice which refers to Board actions on December 13, 1974 as in the past, both 16CA (called "old") and the equivalent 16K (called "new") section numbers are listed. All future amendments will be listed as "to Rule Chapter 16K-[whatever]."

Several sections copied from materials sent to FDOS, bear the District date of 12-13-74 (adoption). Other sections - copied from later official printings of Chapter 16K-1, bear the date 12-20-74, used for this *Chronology*. Two sections - 16K-1.08 and 16K-1.11 - have no listed effective date, but are part of the same submittal package and treated here as also becoming effective on 12-20-74.

Sections 16K-1.08 and 16K-1.11 also are presented in the underline/strike-through format - the only version which could be found.

11/18/75 - 05/11/76 - Several sections were either amended or repealed. While the texts of a few sections of 16K-1 were available in earlier time periods in an official printing version, a great deal of the text from (and including) this time period and forward will be "official." However, due to the "patchwork quilt" nature of available documents, the text formats will continue to vary greatly.

05/12/76 - 01/11/77 - One section - 16K-1.062 (Reapplying with Permits) - was repealed. The title is supposed to be "Reapplying for Permits." (See period 11/18/75 - 05/11/76.)

01/12/77 - 04/10/78 - One section - 16K-1.01 (Policy, Objectives and Implementation Date) - was amended to account for District annexation of certain lands. The only known version is in underline/strike-through format.

04/11/78 - 01/18/79 - For the period 04/11/78 - 09/02/81, my present (spring, 1995) confidence that *Chronology* presents all changes to 16K-1 wanes just a little. The most recent version of the Chapter appears with amendments dated as recently as

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04/11/78 in a *Volume II* dated January 1980. An unsuspecting reader would believe that such a version would be current through, say, December, 1979.

However, there was at least one 16K-1 amendment, albeit a minor one, which became effective 01/19/79 - almost a whole year earlier - which was not in the 01/80 edition of *Volume II*.

There is some logic to the idea that no other changes were made after 04/11/78. The 09/02/81 date is the last one for 16K-1. On 09/03/81, a new Chapter, 40E-1, went into effect. The process of revising the 16K's in anticipation of converting to 40E's was part of a statewide F.A.C. update action which must have extended over some period of time and taken considerable effort. An agency involved in, or even anticipating, rewriting rules would not be inclined to do much formal amending of the existing, soon-to-be-repealed texts.

For now, we simply present what is available. One section - 16K-1.90 (Forms and Instructions) - was added. It cites Form 627, "Application to South Florida Water Management District." A copy of the Form follows the Section text.

01/19/79 - - This is not a typical change via rulemaking. In a letter (a copy precedes Section 16K-1.01) dated 01/19/77, is an explanation of how two dates in 16K-1.01 need to be changed.

- R.L.F.
Spring, 1995

Chapter 16K-1*, F.A.C.
Chronology Summary

Section	03/02 74	07/20 74	12/20 74	11/18 75	05/12 76	01/12 77	04/11 78	01/19 79
16K-1.01	N					A		A
16K-1.02	N							
16K-1.03	N			R	--	--	--	--
16K-1.04	N							
16K-1.05	N	A		A				
16K-1.06	N			A				
16K-1.061			N					
16K-1.062			N		R	--	--	--
16K-1.07	N			R	--	--	--	--
16K-1.08	N		A	A				
16K-1.09	N							
16K-1.10	N			R	--	--	--	--
16K-1.11	N		A	A				
16K-1.111			N	A				
16K-1.112			N	A				
16K-1.113			N	R	--	--	--	--
16K-1.12	N		A					
16K-1.13			N	A				
16K-1.14			N	R	--	--	--	--
16K-1.15			N	A				
16K-1.16			N					
16K-1.17			N					
16K-1.18			N					
16K-1.90							N	

*Originally 16CA-0 and 16CA-1.

A = amended, N = new, R = repealed, T = transferred

