



Northwest Florida Water Management District

81 Water Management Drive, Havana, Florida 32333-4712
(U.S. Highway 90, 10 miles west of Tallahassee)

Brett J. Cyphers
Executive Director

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September 13, 2018

Joint Administrative Procedures Committee
680 Pepper Building
111 W. Madison Street
Tallahassee, FL 32399-1400

RE: Compliance with Chapter 120.74, F.S., Annual Regulatory Plan

To Whom It May Concern:

As required by Section 120.74, F.S., the Northwest Florida Water Management District (District) has reviewed its rules to ensure compliance with statutory requirements. The following laws were enacted or amended during the previous twelve (12) months which create or modify the duties or authority of the agency. The following laws do not require the agency to adopt new or amend current administrative rules for proper implementation. Each of the laws identified below is being implemented by complying with the statutory requirements therein.

SB 186	Resign-to-run Law
SB 268	Public Records/Public Guardians/Employees with Fiduciary Responsibility
SB 740	Department of Agriculture and Consumer Services
SB 7024	Public Records/Victim of an Incident of Mass Violence
HB 411	Public Records and Public Meetings/Firesafety Systems
HB 417	Public Records/Child Advocacy Center Personnel and Child Protection Team Members
HB 545	Prohibition Against Contracting with Scrutinized Companies
HB 551	Public Records/Health Care Facilities
HB 631	Possession of Real Property
HB 651	State Employment
HB 703	Water Management District Surplus Lands
HB 705	Public Records/Water Management District Surplus Lands
HB 755	Public Records/Nationwide Public Safety Broadband Network
HB 1013	Daylight Saving Time
HB 1055	Public Records/Addiction Treatment Facility Personnel
HB 5001	General Appropriations Act
HB 5003	Implementing the 2018-2019 General Appropriations Act
HB 5005	Collective Bargaining
HB 7021	Florida Statutes
HB 7023	Florida Statutes/General
HB 7025	Florida Statutes/Non-current Repeals or Expiration
HB 7027	Florida Statutes/Rulemaking Repeals
HB 7043	State Assumption of Federal Section 404 Dredge and Fill Permitting Authority
HB 7045	The Legislature/Date for Convening 2020 Regular Session
HB 7053	Public Records/United States Census Bureau
HB 7077	Open Government Sunset Review/Agency Employee Misconduct Complaint

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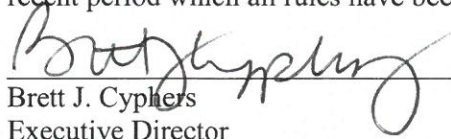
HB 1151, Developments of Regional Impact, requires the agency to amend current administrative rules for proper implementation of section 380.06, F.S., as reflected in the rulemaking changes below.


The agency expects to implement by rulemaking changes to Chapters 40A-21 40A-44, and 40A-8, F.A.C., before July 1, 2019, as indicated below.

<u>Rule</u>	<u>Rulemaking Justification</u>
40A-21.271	Revise rule to comply with section 120.52(8)(d), F.S.
40A-21.275	Repeal rule to comply with section 120.54(5), F.S.
40A-21.291	Revise rule to comply with section 120.52(8)(c), F.S.
40A-21.421	Revise rule to no longer appear to be an evidentiary presumption.
40A-21.551	Revise rule to no longer appear to constitute an invalid exercise of delegated authority.
40A-21.571	Revise rule to no longer appear to constitute an invalid exercise of delegated authority.
40A-44.041	Revise rule for consistency with section 380.06, F.S.
40A-44.091	Revise rule for consistency with section 380.06, F.S.
40A-44.201	Revise rule for consistency with section 373.109(1)(b), F.S., and section 380.06, F.S.
40A-44.301	Revise rule to reflect section 373.414, F.S., and delete an obsolete portion of the rule.
40A-44.321	Revise rule for consistency with section 380.06, F.S.
40A-44.331	Revise rule for consistency with section 380.06, F.S.
40A-44.381	Clarify rule by specifying criteria and procedure to comply with section 120.52(8)(d), F.S.
40A-8	Create Rule Chapter for the District's Minimum Flows and Minimum Water Levels, which will include relevant sections needed to establish the minimum flow for the St. Marks River Rise.

As required, the Annual Regulatory Plan will be available on our website homepage www.nfwwater.com for ten (10) years after publishing. By October 1, the District will publish in the Florida Administrative Registrar a notice identifying the date of publication of the Annual Regulatory Plan along with a hyperlink to the plan.

I hereby certify that I have reviewed the plan. The District reviews its rules regularly with 2018 being the most recent period which all rules have been reviewed.


Brett J. Cyphers
Executive Director


J. Breck Brannen
Legal Counsel