

NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Division of Resource Regulation

DATE: May 22, 2013

SUBJECT: Submittal of Rulemaking Regulatory Plan for July 1, 2013 – June 30, 2014

Program:

General and Procedural, Chapter 40A-1, F.A.C.; Consumptive Uses of Water, Chapter 40A-2, F.A.C.; Water Shortage Plan, Chapter 40A-21, F.A.C.; Regulation of Wells, Chapter 40A-3, F.A.C.; Management and Storage of Surface Waters, Chapter 40A-4, F.A.C.; Regulation of Agricultural and Forestry Surface Water Management Projects, Chapter 40A-44, F.A.C.; Works of the District, Chapter 40A-6, F.A.C.

Issue:

Pursuant to section 120.74(3), Florida Statutes, “[b]eginning in 2012, and no later than July 1 of each year, [the District] shall file with the President of the Senate, the Speaker of the House of Representatives, and the [Joint Administrative Procedures Committee] a regulatory plan identifying and describing each rule the agency proposes to adopt for the 12-month period beginning on the July 1 reporting date and ending on the subsequent June 30, excluding emergency rules.”

Discussion:

Several of the District’s rules are undergoing rulemaking, including Chapters 40A-1, 40A-2, 40A-4, 40A-44, and 40A-6, F.A.C. Chapter 40A-2, F.A.C., Consumptive Uses of Water will be re-opened after the date of November 1, 2013, to incorporate proposed changes being made to Chapter 62-40, F.A.C., by the Department of Environmental Protection. Staff has developed the District’s 2013-2014 Regulatory Plan to be submitted to Office of Fiscal Accountability and Regulatory Reform (Attachment I). The Plan is comprised of a letter and a summary of the rules proposed for revision. Rules currently undergoing rulemaking were listed in a previous Regulatory Plan, so they are not included in the 2013-2014 Regulatory Plan.

Recommendation:

Staff recommends that the Governing Board approve the NFWFMD 2013-2014 Regulatory Plan and authorize staff to submit the plan to the required parties.



Jonathan P. Steverson
Executive Director

Northwest Florida Water Management District

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

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June 30, 2013

Mr. Kenneth J. Plante, Coordinator
Joint Administrative Procedures Committee
680 Pepper Building
111 W. Madison Street
Tallahassee, FL 32399-1400

RE: NFWFMD Regulatory Plan for July 1, 2013 – June 30, 2014

Dear Mr. Plante:

Attached, pursuant to section 120.74(3), Florida Statutes, is the Northwest Florida Water Management District's Regulatory Plan for July 1, 2013, to June 30, 2014. Several of the District's rules are currently undergoing rulemaking, including Chapters 40A-1, 40A-2, 40A-4, 40A-44, and 40A-6, F.A.C. Those rulemaking efforts began before July 1, 2013, and will be completed in early summer; however, Chapter 40A-2, F.A.C., Consumptive Uses of Water will be re-opened after the date of November 1, 2013, to incorporate proposed changes being made by the Department of Environmental Protection to Chapter 62-40, F.A.C. The rules that are currently undergoing rulemaking were listed in a previous Regulatory Plan, so they are not included in the 2013-2014 Regulatory Plan. If the District determines other rulemaking efforts will be necessary in the coming year, we will request authorization before proceeding.

Sincerely,

Jean Whitten
Accountability and Regulatory Affairs Officer

Attachment

Cc: The Honorable Don Gaetz, President of the Senate
The Honorable Will Weatherford, Speaker of the House of Representatives
Ms. Patricia Nelson, Deputy Director, Office of Fiscal Accountability and Regulatory Reform

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