

Southwest Florida Water Management District  
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-1.002	Delegation of Authority	Rule Amendment	Establishes delegations of authority from the Executive Director to other Executive Officers of the District and incorporates well construction delegations between the District and various local governments	Amend to reflect the latest changes to the District's organizational structure	Update Rule	SERC	No
40D-1.1001	Variances from Water Well Construction Rules (Chapter 40D-3, F.A.C.)	Rule Amendment	Criteria for the issuance of variances from Chapter 40D-3	Amend to update circumstances under which variances from the District's Water Well Construction Rules will be granted	Update Rule	SERC	No
40D-1.1002	Variances from Water Shortage Rules (Chapter 40D-21, F.A.C.)	Rule Amendment	Criteria for the issuance of variances from Chapter 40D-21	Amend to update circumstances under which variances from the District's Water Shortage Rules will be granted	Update Rule	SERC	No
40D-1.1003	Time for Consideration of a Petition for an Emergency Variance of Waiver	Rule Amendment	Requires the District to grant or deny petitions for variance within 45 days of receipt	Amend to clarify the time in which the District is required to grant or deny petitions for variance	Update Rule	SERC	No
40D-1.1010	Point of Entry Into Proceedings	Rule Amendment	Provides provisions for the noticing of District decisions on permitting matters	Amend to update noticing requirements for applicants	Update Rule	SERC	No

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40D-1.102	Definitions	Rule Amendment	Defines terms utilized throughout District Rules	Amend pursuant to the statewide environmental resource permitting (ERP), consumptive use consistency, and well construction consistency efforts undertaken by the Department of Environmental Protection and the Water Management Districts; amend to add or clarify definitions pursuant to other changes made in District rules	Update Rule	SERC	No
40D-1.1021	Emergency Authorizations for Activities Regulated under Part IV of Chapter 373, F.S.	Rule Amendment	Provides for the authorization of activities related to the management and storage of surface waters in the event of an emergency	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-1.1022	Emergency Authorization for Well Construction Permits	Rule Amendment	Provides for the authorization of well construction activities in the event of emergency conditions as defined by rule	Amend to reflect changes in District policy regarding emergency authorization for well construction	Update Rule	SERC	No
40D-1.140	District Funds	Rule Amendment	Establishes the procedures via which District funds are disbursed	Amend to reflect changes in how District funds are disbursed	Update Rule	SERC	No
40D-1.602	Permits Required	Rule Amendment	Defines activities that require permits from the District	Amend procedural requirements pursuant to amendments made to other District rules regarding permitting	Update Rule	SERC	No
40D-1.603	Permit Application Procedures	Rule Amendment	Establishes procedural requirements for submittal of a permit application to the District	Amend permit application procedures to clarify noticing requirements and update permit application requirements	Update Rule	SERC	No

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40D-1.604	Bonds	Rule Amendment	Provides that the District may require bonds or liability insurance and establishes conditions for provision	Amend to reflect changes in the financial assurance required by the District of permit applicants	Update Rule	SERC	No
40D-1.6051	Timeframe for Providing Requested Information and Denial of Incomplete Applications	Rule Amendment	Establishes specific timeframes for an applicant to respond to requests for additional information and for the District to act on those responses; also provides for denial of incomplete applications if additional information is not provided by the applicant	Amend timeframes for providing requested information pursuant to changes in the District's permitting procedures	Update Rule	SERC	No
40D-1.607	Permit Processing Fee	Rule Amendment	Requires permit application processing fees	Amend fee schedules pursuant to the statewide environmental resource permitting (ERP), consumptive use consistency, and well construction consistency efforts undertaken by the Department of Environmental Protection and the Water Management Districts	Update Rule	SERC	No
40D-1.608	Permit Fee Reduction for Certain Counties and Municipalities	Rule Amendment	Establishes reduced permitting fees for Counties and Municipalities that meet specific population thresholds	Amend pursuant to changes in statute, to eliminate repetition of statutory language, and to incorporate any additional reductions adopted by the District	Update Rule	SERC	No
40D-1.6105	Limiting Conditions	Rule Amendment	Conditions the issuance of a permit to parties with legal control of the subject property and provides for transfer of a permit to a subsequent owner	Amend to reflect changes in District policy regarding limiting conditions for parties seeking to assign or transfer a permit to a subsequent party with legal control of the subject property	Update Rule	SERC	No

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40D-1.659	Forms and Instructions	Rule Amendment	Incorporates Forms and Instructions adopted by the District in implementing various regulatory programs	Amend required forms and instructions pursuant to the statewide environmental resource permitting (ERP), consumptive use consistency, and well construction consistency efforts undertaken by the Department of Environmental Protection and the Water Management Districts; amend to incorporate forms and instructions that required updates pursuant to the District's re-organization, amendment of certain legal boundaries and maps, or changes in District policy	Update Incorporated Material	SERC	No
40D-2.011	Policy and Purpose	Rule Amendment	Articulates the purpose of the Chapter; to implement the provisions of Part II of Chapter 373, F.S.	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.021	Definitions	Rule Amendment	Defines terms utilized throughout District Rules	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No

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40D-2.031	Implementation	Rule Amendment	Provides the historical dates of implementation of the Water Use Permitting rules	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.041	Permits Required	Rule Amendment	Establishes the conditions under which a party is required to obtain a Water Use Permit from the District	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.051	Exemptions	Rule Amendment	Defines those uses that are exempt from Consumptive Use Permitting	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.091	Publications and Forms Incorporated by Reference	Rule Amendment	Incorporates publications and forms utilized by the District in consumptive use permitting	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Incorporated Material	SERC	No

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40D-2.101	Content of Application	Rule Amendment	Establishes requirements for filing a Water Use Permit application with the District	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.301	Conditions for Issuance of Permits	Rule Amendment	Establishes the requirements that must be met prior to issuance of a Water Use Permit	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.302	Reservations from Use	Rule Amendment	Reserves quantities of water, pursuant to s. 373.223(4), F.S., for the protection of fish and wildlife or the protection of public health and safety and provides for future reservations	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.321	Duration of Permits	Rule Amendment	Establishes the requirements for obtaining Water Use Permits of various durations	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No

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40D-2.322	Population and Impact Analysis and Verification of 10-year Requirements	Rule Amendment	Requires new and renewal Water Use Permits issued after June 30, 2010, to provide the District with population and impact analyses and requires additional analysis to be performed under certain conditions	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.331	Modification of Permits	Rule Amendment	Provides for the modification of Water Use Permits and establishes the procedures for requesting a modification	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.341	Revocation and Cancellation of Permits	Rule Amendment	Provides for the revocation and cancellation of Water Use Permits and establishes the conditions under which revocation or cancellation can occur	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.351	Transfer of Permits	Rule Amendment	Provides for the transfer of Water Use Permits and establishes the conditions under which transfers can occur	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No

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40D-2.361	Renewal of Permits	Rule Amendment	Provides for the renewal of Water Use Permits	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.381	Standard Permit Conditions	Rule Amendment	Establishes standard conditions to be included in any Water Use Permit issued pursuant to Chapter 40D-2, F.A.C.	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.401	Identification Tags	Rule Amendment	Provides for the issuance of an identification tag to each withdrawal facility that is required to meter its withdrawals, requires permittees to prominently display the identification tag, and establishes penalties for failure to display the identification tag	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.501	Permit Use Types	Rule Amendment	Establishes specific water use types	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No



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40D-2.621	Water-Conserving Credits	Rule Amendment	Establishes Water-Conserving Credits for water withdrawals within the Southern Water Use Caution Area	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-2.801	Water Use Caution Areas	Rule Amendment	Establishes the legal definitions and boundaries of the Water Use Caution Areas within the District	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-3.021	Definitions	Rule Amendment	Defines terms utilized throughout District Rules	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No

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40D-3.037	Rules, Publications and Agreements Incorporated by Reference	Rule Amendment	Incorporates rules and publications promulgated by the Department of Environmental Protection, a Memorandum of Agreement between the District and the United States Environmental Protection Agency, and documents adopted by the District for implementation of well construction permitting requirements	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Incorporated Material	SERC	No
40D-3.041	Permits Required	Rule Amendment	Establishes the conditions under which a party is required to obtain a Well Construction Permit from the District	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-3.042	Multiple Wells Under a Single Permit	Rule Amendment	Establishes the conditions under which multiple wells can be regulated under a single well construction permit	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No

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40D-3.045	Water Use Permit Required	Rule Amendment	Provides that the District will not issue a well construction permit prior to the issuance of a water use permit, if one is required, subject to certain exceptions	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-3.051	Exemptions	Rule Amendment	Defines those uses that are exempt from Well Construction Permitting	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-3.101	Content of Application	Rule Amendment	Establishes the requirements for filing a permit application to construct, repair, modify or abandon a well	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-3.301	Conditions for Issuance of Permits	Rule Amendment	Establishes the requirements that must be met prior to issuance of a permit to construct, repair, modify, or abandon a well	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No

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40D-3.310	Conditions for Transfer of Permits	Rule Amendment	Establishes the requirements that must be met prior to the transfer of a permit to construct, repair, modify, or abandon a well from one well contractor to another or from one well to another	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-3.321	Duration of Permits	Rule Amendment	Establishes a 90 day permit duration for permits for well construction, modification, repair or abandonment, and conditions for extension of those permits	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-3.341	Suspension, Revocation and Cancellation of Permits	Rule Amendment	Establishes the requirements under which a permit for well construction, modification, repair or abandonment can be suspended, cancelled or revoked	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency; also, amend to allow parties in legal control of the subject property to revoke a permit if work has not been initiated under that permit	Update Rule	SERC	No

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40D-3.411	Well Completion Report	Rule Amendment	Requires permittees to file well completion reports for the construction, modification, repair or abandonment of all wells and incorporates the required report	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-3.461	Inspection	Rule Amendment	Requires permittees to allow the District to inspect any well to ensure conformity with applicable standards; additionally, the permittee is required to notify the District within 24 hours when undertaking certain activities and is required to have a District representative onsite under certain conditions	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-3.502	Construction Methods	Rule Amendment	Establishes required construction methods for the construction, modification, repair or maintenance of a well	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No

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40D-3.505	Location	Rule Amendment	Specifies those areas in which wells are to be located	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-3.507	Casing and Liner Pipe Standards	Rule Amendment	Establishes standards for casing and liner piping	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-3.517	Grouting and Sealing	Rule Amendment	Establishes standards for grouting and sealing	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-3.521	Well Seals	Rule Amendment	Requires wells to be properly sealed and establishes standards for temporary and permanent well seals	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No

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40D-3.531	Abandoned Well Plugging	Rule Amendment	Establishes the requirements for the plugging of an abandoned well	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-3.600	Special Well Construction Standards	Rule Amendment	Establishes well construction standards specific to the North and South Dover areas of the District	Amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-4.021	Definitions	Rule Repeal	Defines terms utilized throughout District Rules	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-4.041	Permits Required	Rule Repeal	Establishes the activities for which a party is required to obtain an Environmental Resource Permit from the District	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-4.042	Formal Determination of Wetlands and Other Surface Waters	Rule Repeal	Establishes the requirements to submit a request for a formal determination of wetlands and other surface waters and a 5-year binding timeframe on formal determinations issued by the District	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No

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40D-4.051	Exemptions	Rule Repeal	Defines those uses that are exempt from Environmental Resource Permitting	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-4.053	Conditions for Exemptions	Rule Repeal	Establishes conditions for the exemption of phosphate mining and related activities as provided in subsection 40D-4.051(5), F.A.C.	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-4.091	Publications, Forms and Agreements Incorporated by Reference	Rule Repeal	Incorporates by reference the publications, forms and references relevant to the Chapter	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-4.101	Content of Application	Rule Repeal	Establishes requirements for filing an application for an Environmental Resource Permit	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-4.301	Conditions for Issuance of Permits	Rule Repeal	Establishes the requirements that must be met prior to issuance of an Environmental Resource Permit	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-4.302	Additional Conditions for Issuance of Permits	Rule Repeal	Requires an applicant for an Environmental Resource Permit to provide reasonable assurance that certain conditions are met prior to issuance of the permit	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No



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40D-4.321	Duration of Permit	Rule Repeal	Establishes the durations for which an Environmental Resource Permit can be issued	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-4.331	Modification of Permits	Rule Repeal	Establishes the circumstances under which an Environmental Resource Permit can be modified and the conditions necessary to modify the permit	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-4.341	Revocation and Cancellation of Permits	Rule Repeal	Establishes the circumstances under which an Environmental Resource Permit can be revoked or cancelled	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-4.351	Transfer of Permits	Rule Repeal	Establishes the requirements necessary to transfer an Environmental Resource Permit	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-4.381	General Conditions	Rule Repeal	Establishes the general conditions to be included in all permits issued by the District pursuant to Chapter 40D-4, F.A.C. and Chapter 40D-40, F.A.C.	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No

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40D-8.011	Policy and Purpose	Rule Amendment	Defines the purpose of the Chapter as the establishment of Minimum Flows and Levels, their utilization, and the utilization of the best available science in setting Minimum Flows and Levels	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	Yes
40D-8.021	Definitions	Rule Amendment	Defines terms utilized throughout District Rules	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	Yes
40D-8.031	Implementation	Rule Amendment	Provides implementation requirements for Minimum Flows and Levels	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	Yes
40D-8.041	Minimum Flows	Rule Amendment	Establishes minimum flows for specific flowing waters	Adopt minimum flows for the Chassahowitzka River Systems and Springs as required by Section 373.042, F.S.	Update Rule	SERC	Yes
40D-8.041	Minimum Flows	Rule Amendment	Establishes minimum flows for specific flowing waters	Adopt minimum flows for the Homosassa River Systems and Springs as required by Section 373.042, F.S.	Update Rule	SERC	Yes

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40D-8.041	Minimum Flows	Rule Amendment	Establishes minimum flows for specific flowing waters	Adopt minimum flows for the Upper and Middle Withlacoochee River System as required by Section 373.042, F.S.	Update Rule	SERC	Yes
40D-8.041	Minimum Flows	Rule Amendment	Establishes minimum flows for specific flowing waters	Adopt minimum flows for the Little Manatee River System as required by Section 373.042, F.S.	Update Rule	SERC	Yes
40D-8.041	Minimum Flows	Rule Amendment	Establishes minimum flows for specific flowing waters	Adopt minimum flows for the Lower Withlacoochee River System as required by Section 373.042, F.S.	Update Rule	SERC	Yes
40D-8.041	Minimum Flows	Rule Amendment	Establishes minimum flows for specific flowing waters	Adopt minimum flows for the Crystal River System and Kings Bay Springs as required by Section 373.042, F.S.	Update Rule	SERC	Yes
40D-8.041	Minimum Flows	Rule Amendment	Establishes minimum flows for specific flowing waters	Adopt minimum flows for the Gum Springs Group as required by Section 373.042, F.S.	Update Rule	SERC	Yes
40D-8.041	Minimum Flows	Rule Amendment	Establishes minimum flows for specific flowing waters	Adopt minimum flows for Rainbow River and Springs as required by Section 373.042, F.S.	Update Rule	SERC	Yes
40D-8.041	Minimum Flows	Rule Amendment	Establishes minimum flows for specific flowing waters	Adopt "middle" and "high" flows for the Upper Peace River as required by Section 373.042, F.S.	Update Rule	SERC	Yes
40D-8.041	Minimum Flows	Rule Amendment	Establishes minimum flows for specific flowing waters	Adopt minimum flows for Brooker Creek as required by Section 373.042, F.S.	Update Rule	SERC	Yes
40D-8.041	Minimum Flows	Rule Amendment	Establishes minimum flows for specific flowing waters	Adopt minimum flows for the Lower Myakka River as required by Section 373.042, F.S.	Update Rule	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-8.041	Minimum Flows	Rule Amendment	Establishes minimum flows for specific flowing waters	Adopt minimum flows for the Pithlaschascotee River System as required by Section 373.042, F.S.	Update Rule	SERC	Yes
40D-8.041	Minimum Flows	Rule Amendment	Establishes minimum flows for specific flowing waters	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	Yes
40D-8.621	Operating Levels for Lakes with District Owned Management Structures	Rule Amendment	Establishes the process through which the District sets operating levels for lakes with District-owned management structures	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	Yes
40D-8.623	Minimum Wetland Levels	Rule Amendment	Establishes minimum wetland levels for certain isolated, cypress dominated wetlands	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	Yes
40D-8.624	Guidance and Minimum Levels for Lakes	Rule Amendment	Establishes guidance levels and minimum levels for specific lakes	Adopt Minimum Levels for Polk County Lakes Lowery and Hancock as required by Section 373.042, F.S.	Update Rule	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-8.624	Guidance and Minimum Levels for Lakes	Rule Amendment	Establishes guidance levels and minimum levels for specific lakes	Adopt Minimum Levels for Hillsborough County Lakes Hooker, Raleigh, Rogers, and Starvation as required by Section 373.042, F.S.	Update Rule	SERC	Yes
40D-8.624	Guidance and Minimum Levels for Lakes	Rule Amendment	Establishes guidance levels and minimum levels for specific lakes	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	Yes
40D-8.626	Minimum Aquifer Levels	Rule Amendment	Establishes Minimum Aquifer Levels for the Southern Water Use Caution Area and the Dover/Plant City Water Use Caution Area	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	Yes
40D-9.021	Definitions	Rule Amendment	Defines terms utilized throughout District Rules	Amend to adopt new definitions or amend existing definitions	Update Rule	None	No
40D-9.111	Scope and Applicability	Rule Amendment	Provides that District Lands are available to the public for general recreational purposes except as otherwise limited, restricted or prohibited by the rules of the Chapter	Amend to clarify rule language and provide access to District Lands during select hours; rule amendments will have to be submitted to the Legislature for review pursuant to the requirements of Section 373.1391(6), F.S.	Update Rule	None	No

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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-9.170	Hunting	Rule Amendment	Allows hunting on District Lands and provides conditions	Amend to address changes in cooperative agreements or hunting restrictions on various District Lands; rule amendments will have to be submitted to the Legislature for review pursuant to the requirements of Section 373.1391(6), F.S.	Update Rule	None	No
40D-9.171	Trapping	Rule Amendment	Prohibiting trapping on District Lands except by Special Use Authorization	Amend to clarify rule language and possibly expand circumstances under which trapping on District Lands would be permitted; rule amendments will have to be submitted to the Legislature for review pursuant to the requirements of Section 373.1391(6), F.S.	Update Rule	None	No
40D-9.191	Plant or Animal Removal, Destruction, or Harassment	Rule Amendment	Provides protection for all plants and animals on District Lands and prohibits removal, destruction, or harassment of animals or plants on District Lands except under special conditions	Amend to clarify and specify circumstances when the removal, destruction, or harassment of animals and plants on District Lands would be permitted; rule amendments will have to be submitted to the Legislature for review pursuant to the requirements of Section 373.1391(6), F.S.	Update Rule	None	No

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40D-9.230	Potentially Dangerous Equipment	Rule Amendment	Defines and prohibits the use of potentially dangerous equipment on District Lands	Amend or repeal to reflect current District policies regarding potentially dangerous equipment on District Lands; rule amendments will have to be submitted to the Legislature for review pursuant to the requirements of Section 373.1391(6), F.S.	Update Rule	None	No
40D-9.260	Camping	Rule Amendment	Allows camping on District Lands subject to certain requirements and conditions	Amend for clarity and consistency with existing District policies regarding camping on District Lands; rule amendments will have to be submitted to the Legislature for review pursuant to the requirements of Section 373.1391(6), F.S.	Update Rule	None	No
40D-9.270	Use of Motorized Vehicles, Recreational Vehicles, Boats, and Aircraft	Rule Amendment	Allows the use of motorized vehicles and boats on District Lands, subject to certain conditions, and prohibits the use of off road, all terrain, or other motorized vehicles not authorized for highway use and aircraft on District Lands unless authorized by a Special Use Authorization	Amend to clarify when use of motorized vehicles, recreational vehicles, boats and aircraft are allowed on District Lands to reflect current District policy; rule amendments will have to be submitted to the Legislature for review pursuant to the requirements of Section 373.1391(6), F.S.	Update Rule	None	No
40D-9.330	Special Use Authorization	Rule Amendment	Provides conditions for the issuance of a Special Use Authorization for activities on District Lands	Amend to clarify conditions under which a Special Use Authorization may be issued; rule amendments will have to be submitted to the Legislature for review pursuant to the requirements of Section 373.1391(6), F.S.	Update Rule	None	No

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40D-21.011	Policy and Purpose	Rule Amendment	Identifies the purpose of the Chapter as establishing the District's Water Shortage Plan as required under Section 373.246(1), F.S.	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.051	Definitions	Rule Amendment	Defines terms utilized throughout District Rules	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.211	Monitoring Conditions	Rule Amendment	Describes the data collection and analyses undertaken by the District in anticipation of and during a Water Shortage or Water Shortage Emergency	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.221	Evaluating Water Conditions	Rule Amendment	Describes the evaluation process undertaken by the District in determining whether to declare a Water Shortage or Water Shortage Emergency	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No



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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-21.231	Declaring a Water Shortage	Rule Amendment	Establishes the conditions under which the Governing Board of the District will declare a Water Shortage	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.251	Water Shortage Phases	Rule Amendment	Establishes the four (4) phases of Water Shortages	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.275	Implementing a Water Shortage Declaration	Rule Amendment	Describes the process for the implementation of a Water Shortage Declaration	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.281	Modifying or Rescinding a Water Shortage Declaration	Rule Amendment	Establishes the conditions under which a Water Shortage Declaration can be modified or rescinded	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No

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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-21.331	Declaring a Water Shortage Emergency	Rule Amendment	Establishes the conditions under which the District may declare a Water Shortage Emergency	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.371	Response Mechanisms During a Water Shortage Emergency	Rule Amendment	Requires the Executive Director of the District to issue orders containing those response mechanisms necessary to address a Water Shortage Emergency	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.391	Implementing a Water Shortage Emergency Declaration	Rule Amendment	Establishes the process for implementing a Water Shortage Emergency Declaration	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.421	Enforcement	Rule Amendment	Requires the District to seek the cooperation and assistance of state, county, and municipal governmental officials in enforcing Water Shortage and Water Shortage Emergency Orders and authorizes counties and municipalities to adopt ordinances to provide for such enforcement	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No

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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-21.511	General	Rule Amendment	Describes the purpose of this section of the Chapter as establishing the basis for distinguishing among different users of water according to major classes	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.531	Source Classifications	Rule Amendment	Defines the classifications of different sources of water	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21-541	Use Classifications	Rule Amendment	Defines the classifications of different uses of water	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.571	Method of Withdrawal Classifications	Rule Amendment	Defines the classifications of methods of withdrawal of water	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No

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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-21.601	General	Rule Amendment	Describes the purpose of this section of the Chapter as establishing the specific restrictions and other response mechanisms available to the District for implementation of a Water Shortage or Water Shortage Emergency	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.621	Phase I: Moderate Water Shortage	Rule Amendment	Describes the conditions of a Phase I Moderate Water Shortage and the required restrictions associated with a declaration of Phase I	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.631	Phase II: Severe Water Shortage	Rule Amendment	Describes the conditions of a Phase II Severe Water Shortage and the required restrictions associated with a declaration of Phase II	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-21.641	Phase III: Extreme Water Shortage	Rule Amendment	Describes the conditions of a Phase III Extreme Water Shortage and the required restrictions associated with a declaration of Phase III	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No

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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-21.651	Phase IV: Critical Water Shortage	Rule Amendment	Describes the conditions of a Phase IV Critical Water Shortage and the required restrictions associated with a declaration of Phase IV	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-22.011	Policy and Purpose	Rule Amendment	Establishes the purpose of the Chapter as comprising the District's Year-Round Conservation Measures	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-22.101	Definitions	Rule Amendment	Defines terms utilized throughout District Rules	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-22.201	Year-Round Conservation Measures	Rule Amendment	Establishes required Year-Round Conservation Measures for the District	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No

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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-22.303	Variances and Waivers	Rule Amendment	Establishes procedures for requesting a variance from Water Shortage and Water Shortage Emergency Orders and provides conditions under which variances can be granted	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-22.401	Enforcement	Rule Amendment	Provides for enforcement of the provisions of the Chapter	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-26.011	Policy and Purpose	Rule Amendment	Defines the purpose of the Chapter as implementing the Facilitating Agricultural Resource Management Systems (FARMS) Program to expedite the implementation of water resource development and alternative water supply development projects by providing funding assistance for projects that will result in reductions of water use and improvements in water quality and to natural systems	Amend to clarify language and remove redundancies from the Section	Update Rule	SERC	No

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40D-26.021	Definitions	Rule Amendment	Defines terms utilized throughout District Rules	Amend to add definitions and include explanations for terms utilized within the Chapter including: "Cost Benefit," "Mineralized Groundwater" and "Natural System Improvement"	Update Rule	SERC	No
40D-26.091	Publications Incorporated by Reference	Rule Amendment	Incorporates the 2009 FARMS Program Model Farms Economic Update	Amend to delete the incorporation of the 2009 Model Farms Economic Update and to incorporate the Model Farms Cost-Benefit Criteria	Update Incorporated Material	SERC	No
40D-26.101	Conditions of Eligibility	Rule Amendment	Establishes the conditions of eligibility for participation in the FARMS Program	Amend to further clarify eligible projects and best management practice requirements, and to remove duplicative language regarding frost/freeze protection	Update Rule	SERC	No
40D-26.201	Program Application	Rule Amendment	Requires applicants to conduct a pre-application meeting and establishes application requirements	Amend to include language requiring the provision of a lease agreement with applications submitted by a lessee and allowing a new lessee to enter into the terms of a FARMS contract as long as the land owner or new lessee continues use of the existing FARMS project	Update Rule	SERC	No

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40D-26.301	Eligibility Determination	Rule Amendment	Describes the conditions under which the District will fund FARMS projects and requires the District to notify an applicant in writing whether a proposed project is eligible	Amend to include language specifying that, for competing projects in the same watershed, the project resulting in the greatest reduction of withdrawals from the Upper Floridan Aquifer will receive first priority and to add sub-lessees to the list of parties that are required to enter into legally binding agreements with the District in the event an application is funded	Update Rule	SERC	No
40D-26.401	Cost-Share Rates	Rule Amendment	Establishes the cost share rates employed by the District regarding FARMS Program projects	Amend to reduce funding to 50% for projects that offset 50% or greater of withdrawals from the Upper Florida Aquifer, remove language dictating the amount of excavation costs to be counted towards an applicant's match, and add clarifying language to further streamline the language of the Section	Update Rule	SERC	No
40D-40.021	Definitions	Rule Repeal	Defines terms utilized throughout District Rules	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-40.040	General Environmental Resource Permits	Rule Repeal	Describes the different types of Environmental Resource Permits issued pursuant to the Chapter and Chapter 40D-4, F.A.C.	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No



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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-40.044	General Permit for Site Conditions Assessment	Rule Repeal	Establishes the requirements and conditions for issuance of a General Permit for Site Conditions Assessment	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-40.112	Content of Application for General Permits	Rule Repeal	Establishes requirements for filing an application for a General Environmental Resource Permit	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-40.301	Conditions for Issuance of General Permits for Minor Surface Water Management Systems	Rule Repeal	Establishes the requirements that must be met prior to issuance of a General Environmental Resource Permit for Minor Surface Water Management Systems	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-40.302	Conditions for Issuance of General Permits	Rule Repeal	Establishes the requirements that must be met prior to issuance of a General Environmental Resource Permit	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-40.321	Duration of Permits	Rule Repeal	Establishes the timeframes for which a General Environmental Resource Permit can be issued	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-40.331	Modification of Permits	Rule Repeal	Establishes the circumstances under which a General Environmental Resource Permit can be modified and the requirements necessary to modify the permit	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No

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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-40.351	Transfer of Permits	Rule Repeal	Requires that the transfer of permits be made in accordance with 40D-4.351, F.A.C.	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-40.381	General Conditions	Rule Repeal	Establishes the general conditions to be included in all permits issued under the Chapter	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-80.011	Policy and Purpose	Rule Amendment	Establishes the purpose of the Chapter as setting forth portions of the recovery strategies to achieve or protect the Minimum Flows and Levels established for specific water bodies within the District	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	No
40D-80.073	Comprehensive Environmental Resources Recovery Plan for the Northern Tampa Bay Water Use Caution Area, and the Hillsborough River Strategy	Rule Amendment	Establishes the requirements of the Minimum Flows and Levels Recovery Strategy for the Northern Tampa Bay Water Use Caution Area	Amend pursuant to statewide consumptive use consistency effort between the Florida Department of Environmental Protection and the Water Management Districts or reassessment of the Recovery Strategy to meet the Minimum Flow for the Lower Hillsborough River	Update Rule	SERC	Yes

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40D-80.074	Regulatory Portion of the Recovery Strategy for the Southern Water Use Caution Area	Rule Amendment	Adopts the regulatory portion of the Recovery Strategy for the Southern Water Use Caution Area	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	Yes
40D-80.075	Regulatory Portion of the Recovery Strategy for the Dover/Plant City Water Use Caution Area	Rule Amendment	Adopts the regulatory portion of the Recovery Strategy for the Dover/Plant City Water Use Caution Area	Amend pursuant to the statewide consumptive use rulemaking effort being undertaken by the Florida Department of Environmental Protection and the Water Management Districts to reduce regulatory burdens and promote consistency	Update Rule	SERC	Yes
40D-400.021	Definitions	Rule Repeal	Defines terms utilized throughout District Rules	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.201	Policy and Purpose	Rule Repeal	Defines the purpose of the Chapter as to provide noticed general environmental resource permits for those activities that have been determined to have minimal impacts to the water resources of the District, both individually and cumulatively	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No

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40D-400.205	Processing Permits for Noticed General Permits Under Chapter 40D-400, F.A.C.	Rule Repeal	Establishes the processing procedures for applications for Noticed General Permits under the Chapter	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.215	General Conditions for All Noticed General Permits	Rule Repeal	Establishes general conditions binding upon the permittee for all Noticed General Permits under the Chapter	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.417	General Permit for Installation, Alteration or Maintenance of Boat Ramps and Associated Accessory Decks	Rule Repeal	Provides for a General Permit for Installation, Alteration or Maintenance of Boat Ramps and Associated Accessory Decks, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.427	General Permit for Certain Piers and Associated Structures	Rule Repeal	Provides for a General Permit for Certain Piers and Associated Structures, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.431	General Permit for Installation of Riprap	Rule Repeal	Provides for a General Permit for Installation of Riprap, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.437	General Permit for the Installation of Fences	Rule Repeal	Provides for a General Permit for the Installation of Fences, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No

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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-400.439	General Permit for the Construction of Maintenance of Culverted Driveway or Roadway Corssings and Bridges of Artificial Waterways	Rule Repeal	Provides for a General Permit for the Construction of Maintenance of Culverted Driveway or Roadway Corssings and Bridges of Artificial Waterways, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.443	General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation	Rule Repeal	Provides for a General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.447	General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements	Rule Repeal	Provides for a General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.453	General Permit for Installation, Maintenance, Repair, and Removal of Underground Cable, Conduit, or Pipeline	Rule Repeal	Provides for a General Permit for Installation, Maintenance, Repair, and Removal of Underground Cable, Conduit, or Pipeline, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.455	General Permit for the Construction of Aerial Pipeline, Cable or Conduit Crossings of Certain Waters	Rule Repeal	Provides for a General Permit for the Construction of Aerial Pipeline, Cable or Conduit Crossings of Certain Waters, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No

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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-400.457	General Permit for Subaqueous Utility Crossings of Artificial Waterways	Rule Repeal	Provides for a General Permit for Subaqueous Utility Crossings of Artificial Waterways, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.463	General Permit for the Construction and Operation of Culverts and Associated Water Control Structures in Mosquito Control Impoundments by Governmental Mosquito Control Agencies	Rule Repeal	Provides for a General Permit for the Construction and Operation of Culverts and Associated Water Control Structures in Mosquito Control Impoundments by Governmental Mosquito Control Agencies, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.467	General Permit for Breaching Mosquito Control Impoundments by Governmental Mosquito Agencies	Rule Repeal	Provides for a General Permit for Breaching Mosquito Control Impoundments by Governmental Mosquito Agencies, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.475	General Permit for Minor Activities	Rule Repeal	Provides for a General Permit for Minor Activities, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.483	General Permit to the Department to Conduct Minor Activities	Rule Repeal	Provides for a General Permit to the Department to Conduct Minor Activities, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No

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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-400.485	General Permit to the Department for Environmental Restoration or Enhancement	Rule Repeal	Provides for a General Permit to the Department for Environmental Restoration or Enhancement, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.487	General Permit to the Department to Change Operating Schedules for Department Water Control Structures	Rule Repeal	Provides for a General Permit to the Department to Change Operating Schedules for Department Water Control Structures, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.491	Noticed General Permit for Raising the Height of Existing Earthen Embankments for Impoundments at Facilities for Mining Sand and Limestone	Rule Repeal	Provides for a Noticed General Permit for Raising the Height of Existing Earthen Embankments for Impoundments at Facilities for Mining Sand and Limestone, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.492	Noticed General Permit for Prospecting	Rule Repeal	Provides for a Noticed General Permit for Prospecting, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.495	General Permit to U.S. Forest Service for Minor Works within National Forests	Rule Repeal	Provides for a General Permit to U.S. Forest Service for Minor Works within National Forests, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No

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Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40D-400.500	General Permit for Construction, Operation, Maintenance, Alteration, Abandonment or Removal or Minor Silvicultural Surface Water Management Systems	Rule Repeal	Provides for a General Permit for Construction, Operation, Maintenance, Alteration, Abandonment or Removal or Minor Silvicultural Surface Water Management Systems, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.550	General Permit for Construction, Operation and Maintenance of Nonproduction-related Agricultural Facilities	Rule Repeal	Provides for a General Permit for Construction, Operation and Maintenance of Nonproduction-related Agricultural Facilities, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No
40D-400.550	General Permit for Construction, Operation and Maintenance of Nonproduction-related Agricultural Facilities	Rule Repeal	Provides for a General Permit for Construction, Operation and Maintenance of Nonproduction-related Agricultural Facilities, subject to certain conditions	Repeal or amend after Statewide ERP (Chapter 62-330, F.A.C.) amendments become effective; state statutory mandate pursuant to s. 373.4131, F.S.	Statutory Mandate (federal or state) (Include effective date)	SERC	No