

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ANNUAL REGULATORY PLAN 2016-2017

Law Implemented	Rule Number & Title (No Chapters or subsections)	Law enacted/ amended during past 12 months?	If NEW law requires rulemaking to implement, cite to Notice of Rule Development in F.A.R. and date agency expects to publish Notice of Proposed Rule	If NEW law does NOT require rulemaking to implement, explain concisely why law may be implemented without rulemaking	If law is not NEW, state reason for rulemaking (i.e. simplify, clarify, increase efficiency, delete obsolete, unnecessary or redundant rules)	If law identified on previous regulatory plan as requiring rulemaking, cite to Notice of Rule Development in F.A.R.	If later determined that rulemaking no longer necessary, cite to Notice of Rule Development in F.A.R. and provide concise explanation why no longer necessary	Summary Changes
Section 373.553, F.S.	40D-1.140 -- District Funds	No	Not Applicable	Not Applicable	Increase efficiency	Not Applicable	Not Applicable	Slight rule change allowing designee of ED to provide written instructions for wire transfers.
Sections 373.079, 373.083, 373.114, 373.116, 373.171, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.403, 373.413, 373.4131, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.419, 373.421, 373.429, 373.441, 373.705, 373.707, 668.50 FS.	40D-1.659 -- Forms and Instructions	Yes, but not applicable to this potential rulemaking	Not Applicable	Not Applicable	Simplify or clarify	Not Applicable	Not Applicable	Update/amend forms incorporated by reference. Relocate the publications, forms and agreements incorporated by reference in 40D-4.091, F.A.C., into Rule 40D-1.659 F.A.C.
Sections 373.079, 373.083, 373.114, 373.116, 373.171, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.403, 373.413, 373.4131, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.419, 373.421, 373.429, 373.441, 373.705, 373.707, 668.50 FS	40D-1.659 -- Forms and Instructions	Yes, but not applicable to this potential rulemaking	Not Applicable	Not Applicable	Simplify, clarify, and increase efficiency	Not Applicable	Not Applicable	Incorporate revisions to ERP Applicant's Handbook Vol II and conform rules as necessary to implement SWERP rules adopted by FDEP in Chapter 62-330, F.A.C., pursuant to Section 373.4131, F.S.

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Sections 373.036, 373.042, 373.0421, 373.0465, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243, 373.709, F.S.	40D-2.021 -- Definitions	Yes, but not applicable to this potential rulemaking	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.
Sections 373.0465, 373.079(4)(a), 373.083(5), 373.219, 373.223, 373.224, 373.226, F.S.	40D-2.041 -- Permits Required	No	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.
Sections 373.0465, 373.219, 373.223, 373.224, 373.226, F.S.; 76-243, Laws of Florida	40D-2.051 -- Exemptions	No	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs.	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.

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Sections 373.036, 373.0363, 373.042, 373.0421, 373.0465, 373.079(4)(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715, F.S.	40D-2.091 -- Publications and Forms Incorporated by Reference	Yes, but not applicable to this potential rulemaking	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs	Not Applicable	Not Applicable	Update/amend Part B, Water Use Permit Applicant's Handbook. Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.
Sections 373.0363, 373.0465, 373.116, 373.117, 373.1175, 373.216, 373.229, 373.236, 403.0877, F.S.	40D-2.101 -- Content of Application	No	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.
Sections 373.0465, 373.219, 373.223, 373.229, F.S.	40D-2.301 -- Conditions for Issuance of Permits	Yes, but not applicable to this potential rulemaking	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.

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Sections 373.0421, 373.223(4), F.S.	40D-2.302 -- Reservations from Use	No	Not Applicable	Not Applicable	Simplify, clarify, delete unnecessary, and in some cases may reduce regulatory costs.	Not Applicable	Not Applicable	Adopt reservation for Lake Hancock and repeal reservation for Morris Bridge Sink.
Sections 373.0465, 373.103, 373.171, 373.219, 373.223, 373.227, 373.236, 373.250, F.S.	40D-2.321 -- Duration of Permits	Yes, but not applicable to this potential rulemaking	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.
Sections 373.0465, 373.079(4)(a), 373.083(5), 373.171, 373.219, 373.236, 373.239, F.S.	40D-2.331 -- Modification of Permits	Yes, but not applicable to this potential rulemaking	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.

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Sections 373.0465, 373.171, 373.243, F.S.	40D-2.341 -- Revocation and Cancellation of Permits	No	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs.	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.
Sections 373.0465, 373.219, F.S.	40D-2.351 -- Transfer of Permits	Yes, but not applicable to this potential rulemaking	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.
Sections 373.0465, 373.103, 373.239, F.S.	40D-2.361 -- Renewal of Permits	No	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.

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Section 373.236, F.S.	40D-2.371 -- Ten Year Compliance Reporting	No	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs.	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.
Sections 373.0465, 373.079(4)(a), 373.083(5), 373.219, 373.223, 373.244, F.S.	40D-2.381 -- Standard Permit Conditions	No	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.
Section 373.0465, 373.219, 373.223, 373.224, 373.226, F.S.	40D-2.401 -- Identification Tags	No	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.

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Sections 373.216, 373.219, 373.246, F.S.	40D-2.501 -- Permit Use Types	No	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs.	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.
Sections 373.171, 373.216, 373.219, 373.223, 373.239, F.S.	40D-2.621 -- Water Conserving Credits	No	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.
Sections 373.042, 373.0421, 373.0465, 373.171, 373.216, 373.219, 373.223, F.S.	40D-2.801 -- Water Use Caution Areas	No	Not Applicable	Not Applicable	Update, simplify, clarify, and reduce regulatory costs	Not Applicable	Not Applicable	Conform rule as necessary to implement the Central Florida Water Initiative (CFWI) uniform rules adopted by the Florida Department of Environmental Protection (FDEP) pursuant to section 373.0465(2)(d), F.S.
Sections 373.0361, 373.079(4)(a), 373.083(5), 373.114, 373.171, 373.403, 373.413, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.429, 373.441, F.S.	40D-4.091 -- Publications, forms and Agreements Incorporated by Reference	No	Not Applicable	Not Applicable	Unnecessary or redundant	Not Applicable	Not Applicable	Rule will be repealed after completion of rulemaking to amend 40D-1.659 to incorporate the items currently in this rule.

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Sections 373.036, 373.0361, 373.042, 373.0421, 373.086, 373.216, 373.219, 373.223, 373.229, 373.413, 373.414, 373.416, F.S.	40D-8.021 -- Definitions	No	Not Applicable	Not Applicable	Clarify and increase efficiency	Not Applicable	Not Applicable	Vertical datum upgrade.
Sections 373.036, 373.0361, 373.042, 373.0421, F.S.	40D-8.041 -- Minimum Flows	Yes, but not applicable to this potential rulemaking	Not Applicable	Not Applicable	Clarify and increase efficiency	Not Applicable	Not Applicable	Vertical datum upgrade.
Sections 373.036, 373.0361, 373.0395, 373.042, 373.0421, F.S.	40D-8.623 -- Minimum Wetland Levels	No	Not Applicable	Not Applicable	Clarify and increase efficiency	Not Applicable	Not Applicable	Vertical datum upgrade.
Sections 373.036, 373.042, 373.0421, 373.086, 373.709, F.S.	40D-8.624 -- Guidance and Minimum Levels for Lakes	Yes, but not applicable to this potential rulemaking	Not Applicable	Not Applicable	Clarify and increase efficiency	Not Applicable	Not Applicable	Vertical datum upgrade.
Sections 373.036, 373.042, 373.0421, 373.709, F.S.	40D-8.626 -- Minimum Aquifer Levels	No	Not Applicable	Not Applicable	Clarify, increase efficiency, and delete obsolete/unneces sary	Not Applicable	Not Applicable	Vertical datum upgrade.

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Sections 373.036, 373.0361, 373.042, 373.0421, 373.805, F.S.	40D-8.041 -- Minimum Flows	Yes, but not for the following Outstanding Florida Springs, required by new Section 373.805, F.S. (2015): Rainbow River & Springs, Crystal River System, & Kings Bay Springs.	Not Applicable	Not Applicable	Clarify and in some cases, may reduce regulatory costs	Not Applicable	Not Applicable	Adopt or amend minimum flows pursuant to the legislative mandate of Section 373.042, F.S.
Sections 373.036, 373.042, 373.0421, 373.086, 373.709, F.S.	40D-8.624 -- Guidance and Minimum Levels for Lakes	Yes, but not applicable to this proposed rulemaking	Not Applicable	Not Applicable	Clarify, increase efficiency, delete obsolete/unnecessary, and in some cases may reduce regulatory costs	No	Not Applicable	Adopt or amend minimum levels pursuant to the legislative mandate of Section 373.042, F.S.
Sections 373.0363(4), 373.705(3), 373.707(1), 373.707(8), F.S.	40D-26.021 -- Definitions	No	Not Applicable	Not Applicable	Clarify	Not Applicable	Not Applicable	Change reference to incorporate updated FARMS Program Model Farms.
Sections 373.0363(4), 373.705(3), 373.707(1), 373.707(8), F.S.	40D-26.091 -- Publications Incorporated by Reference	No	Not Applicable	Not Applicable	Clarify and increase efficiency	Not Applicable	Not Applicable	Change reference to incorporate updated FARMS Program Model Farms.

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Sections 373.0363(4), 373.705(3), 373.707(1), 373.707(8), F.S.	40D-26.101 -- Conditions of Eligibility	No	Not Applicable	Not Applicable	Increase efficiency	Not Applicable	Not Applicable	Clarify language regarding retrofit or upgraded irrigation systems.
Sections 373.036, 373.0361, 373.171, 373.0421, 373.0831, 373.1963, F.S.	40D-80.073 -- Comprehensive Environmental Resources Recovery Plan for the Northern Tampa Bay Water Use Caution Area, and the Hillsborough River Strategy	No	Not Applicable	Not Applicable	Clarify and increase efficiency	Not Applicable	Not Applicable	Vertical datum upgrade.
Sections 373.016, 373.023, 373.036, 373.0395, 373.042, 373.0421, 373.171, F.S.	40D-80.074 -- Regulatory Portion of Recovery Strategy for the Southern Water Use Caution Area.	No	Not Applicable	Not Applicable	Clarify and increase efficiency	Not Applicable	Not Applicable	Vertical datum upgrade.
Sections 373.016, 373.023, 373.036, 373.042, 373.0421, 373.171, F.S.	40D-80.075 -- Regulatory Portion of Recovery Strategy for the Dover/Plant City Water Use Caution Area	No	Not Applicable	Not Applicable	Clarify and increase efficiency	Not Applicable	Not Applicable	Vertical datum upgrade.

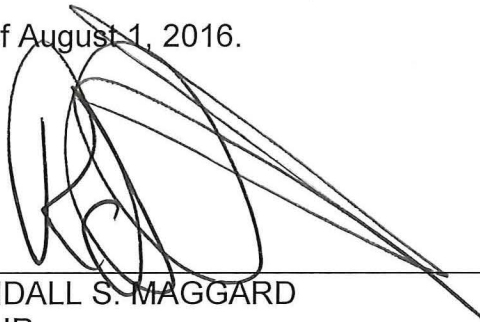
**CERTIFICATION OF ANNUAL REGULATORY PLAN FOR 2016-2017
FOR THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**

We hereby certify:

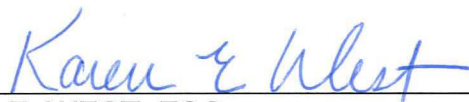
That we have reviewed the Southwest Florida Water Management District's (District) Annual Regulatory Plan for 2016-2017, prepared in compliance with Section 120.74, F.S.;

and

That the District regularly reviews all of its rules to determine if the rules remain consistent with the District's rulemaking authority and the laws implemented, and conducted such a review most recently as of August 1, 2016.



RANDALL S. MAGGARD
CHAIR



KAREN E. WEST, ESQ.
GENERAL COUNSEL

Date

9/28/16