

CONSENT AGENDA
October 20, 2020

General Counsel's Report

Rulemaking

Initiation of Rulemaking to Amend Chapter 40D-9, Florida Administrative Code,

Chapter 40D-9, Florida Administrative Code (F.A.C.), contains the District's Land Use Rules, which provide for the regulation of various activities conducted on District lands. Much of the chapter has not been modified since 2004 and District staff would like to update the rules to reflect current practices, to clarify certain provisions, and to address issues that have developed over the intervening sixteen years.

Pursuant to Section 373.1391, Florida Statutes, any amendments to the rules in Chapter 40D-9 must be reviewed by the Legislature. All proposed changes to the rules must be submitted to the Legislature no later than 30 days before the beginning of the next regular session. District staff is bringing this item for the Governing Board's consideration now in order to ensure that any proposed changes to the chapter are reviewed during the 2021 regular session.

Upon Governing Board authorization of the initiation of rulemaking, District staff will develop the proposed amendments to the rule provisions within Chapter 40D-9, F.A.C., and conduct workshops to allow the public to comment on the proposed rule amendments. Upon the conclusion of the rule development period, District staff will bring the proposed rule changes to the Governing Board for approval of the rule amendments.

Staff Recommendation:

Authorize the initiation of rulemaking to amend Chapter 40D-9, Florida Administrative Code, to modify the District's land use rules.

Presenter: Adrienne E. Vining, Assistant General Counsel