

Notice of Development of Rulemaking

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-2.321 Duration of Permits

PURPOSE AND EFFECT: Chapter 2024-180, Laws of Florida, required water management districts to develop rules promoting reclaimed water use and encouraging quantifiable potable water offsets with specific requirements for such rules. The purpose and effect of the proposed amendments was to create rule amendments to allow for a water use permit (WUP) duration up to 30 years and WUP extensions up to 10 years if a water supply development or water resource development project using reclaimed water meets certain conditions under new subsection 373.250(9), F.S. (in Rules 40D-2.321 and 40D-2.331, F.A.C.) The District recently adopted rule amendments to comply with this statutory mandate. However, the District has discovered errors in its amendments to Rule 40D-2.321, F.A.C. This rulemaking is to correct those errors.

SUBJECT AREA TO BE ADDRESSED: This rule development will cover the amendment of a District rule concerning longer water use permit durations for certain projects using reclaimed water that meet subsection 373.250(9), F.S.

RULEMAKING AUTHORITY: 373.044, 373.103, 373.113, 373.171, 373.250 FS.

LAW IMPLEMENTED: 373.103, 373.171, 373.219, 373.223, 373.227, 373.236, 373.250 FS

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office, (352)796-7211, ext. 4706; 1(800)423-1476 (FL only), ext. 4706 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mike Bray, Assistant General Counsel, at (813)422-6509, or by email at mike.bray@swfwmd.state.fl.us.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.