



Adopt amendments to Chapters 40E-0, 40E-1, 40E-2, 40E-5, 40E-8, & 40E-20, F.A.C., to update & correct rules in accordance with Section 120.74(1), F.S.

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Background

- **Subsection 120.74(1), F.S.**
 - Agencies to review & revise its rules to ensure rules are correct & comply with statutes
- **Staff reviewed CUP rules**
- **Propose correction of references to:**
 - Repealed rules
 - Delete permit basin expiration criteria
 - Update rules to reflect statutory & rule amendments
 - Xeriscape → Florida-Friendly
 - 5 yr compliance reports → 10 yr compliance reports

Rulemaking Process

- **Notice of Proposed Rule published in FAW**
- **Comments received from JAPC & members of the public**
- **Notice of Change to be published to address comments & to make additional minor changes**

Additional Changes to Rule

Rule/Criteria	Purpose
40E-1.659	Change cross-references to Forms 0645-W01, 0645-G60, 0645-G61-1, 0645-G61-2, 0645-G65, 0645-G74, 0645-G69, 0645-G70, 0645-G71, 0645-G72, & 0645-G73 to 40E-2.101(1)(a) through (k), F.A.C., and delete reference to guidance document listed for Form 1045
40E-2.091	Delete Form No. 0188-QMMQF
40E-20.091	BOR to be incorporated in Rule 40E-2.091, F.A.C.
40E-20.101(2)	Strike “file the following parts of Form 0645-Water Use Permit Application” because text was replaced with new underlined text before it
40E-20.101(3)	Incorporate Form 0445 in Rule 40E-2.101, F.A.C.
§1.6 of BOR	Change to reflect certification means signing & sealing
§§ 4.1 & 5.2.3 of BOR	Change to reflect Forms 0188-QMQ, 0188-QASR, 0188-QMQF, 0188-QBWDR and 0188-QCROP are incorporated in Rule 40E-2.091, F.A.C.

Additional Comment

- Section 1.6 of the BOR: plans, calculations, or other geologic/engineering documents to be signed & sealed by a professional engineer or geologist
- Comment: landscape architects excluded
- Recommendation:
 - Keep proposed text
 - Address issue through statewide consistency CUP rulemaking effort

Recommendation

Adopt amendments with changes to Rules 40E-0.102, 40E-0.109, 40E-0.113, 40E-1.021, 40E-1.603, 40E-1.6065, 40E-1.607, 40E-1.6107, 40E-1.615, 40E-1.659, 40E-1.711, 40E-1.715, 40E-2.010, 40E-2.011, 40E-2.031, 40E-2.041, 40E-2.091, 40E-2.101, 40E-2.331, 40E-2.341, 40E-2.381, 40E-2.451, 40E-2.501, 40E-5.101, 40E-5.381, 40E-8.011, 40E-8.021, 40E-8.221, 40E-8.321, 40E-8.341, 40E-8.421, 40E-20.010, 40E-20.061, 40E-20.091, 40E-20.101, 40E-20.301, 40E-20.321, F.A.C., & the Basis of Review for Water Use Permit Applications within the South Florida Water Management District to update & correct the District's rules to comply with statutory requirements in accordance with Section 120.74(1), F.S.