

MEMORANDUM

TO: Governing Board Members

FROM: Deena M. Reppen, Chief of Staff

DATE: June 14, 2012

SUBJECT: A Resolution of the Governing Board of the South Florida Water Management District approving the July 1, 2012 Regulatory Plan as summarized on the attached Appendix A and authorizing staff to finalize and submit the detailed 2012 Regulatory Plan to the Office of Fiscal Accountability and Regulatory Reform, in accordance with Executive Order 11-211, and to the Speaker of the House, President of the Senate, and Joint Administrative Procedures Committee, in accordance with Section 120.74,(3), F.S., effective immediately.

Background: The Governor's Executive Order 11-211 requires each agency under the direction of the Governor to submit to the Office of Fiscal Accountability and Regulatory Reform (OFARR) by July 1 of each year, an annual regulatory plan that identifies and describes each rule the agency expects to begin promulgating during the next twelve-month period. OFARR has provided all agencies with a detailed form that, when completed, constitutes the agency's regulatory plan. Section 120.74(3), Florida Statutes, requires each agency to file their regulatory plan with the President of the Senate, the Speaker of the House of Representatives, and the Joint Administrative Procedures Committee on or before July 1 of each year, beginning in 2012.

A summary table identifying the topics and providing a brief description of proposed rule changes to be included in the 2012 Regulatory Plan is attached as Appendix A. The vast majority of proposed 2012 rule development activities relate to the Department of Environmental Protection's (DEP) statewide consistency efforts for both the Environmental Resource Permit and Consumptive Use Permit programs; many rule provisions and Basis of Review criteria are expected to be impacted by this effort. Other proposed District rulemaking topics are also identified.

A Resolution approving the July 1, 2012 Regulatory Plan, as summarized on the attached Appendix A, is also attached for Board consideration. Going forward, each proposed rule will be submitted, in detail, to the Governing Board in accordance with the District's routine process and statutory requirements. Moreover, staff will continue to comply with all OFARR requirements and, as to the statewide consistency topics, will closely coordinate with DEP and other water management districts.

How this helps meet the District's 10-Year Strategic Plan: The 2012 Regulatory Plan helps the District's 10-Year Strategic Plan by providing a detailed list of topics and anticipated effect of rule development efforts. Additionally, the 2012 Regulatory Plan complies with statutory and Executive Order requirements.

