

Notice of Proposed Rule

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.: RULE TITLES:

40C-2.051 Exemptions

40C-2.381 Permit Limiting Conditions

40C-2.900 Forms and Instructions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments will be to: (1) delete reference to the “Statewide Multipurpose Hazardous Waste Facility Siting Act” which has been repealed (in 40C-2.051(2)); (2) conform part of permit condition rule requiring a permanent identification tag at each withdrawal facility with recent changes to 40C-2.401(1), F.A.C. (in 40C-2.381(2)(a)8.); and (3) update address of one Service Center (in 40C-2.900(15)).

SUMMARY: This rule development will cover the revision of District rules on the following subjects: (1) permit exemptions, (2) standard limiting conditions (permit conditions); and (3) forms and instructions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendments, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District in preparing and completing those documents, the proposed rule amendments are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171, 373.227, 373.250, FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.079, 373.083(5), 373.109, 373.118, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.250, 373.609, 373.62, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tom Mayton, Deputy General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4108, tmayton@sjrwmd.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-2.051 Exemptions.

No permit shall be required under the provisions of this chapter for the following water uses:

(1) No change.

(2) Those uses for which certification has been obtained pursuant to the provisions of the Florida Electrical Power Plant Siting Act ~~or the Statewide Multipurpose Hazardous Waste Facility Siting Act (2013)~~.

(3) through (10) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103, 373.171, 373.216, 373.219, 373.250, 403.511 FS. History—New 1-1-83, Formerly 40C-2.051, 40C-2.0051, Amended 8-18-87, 11-19-87, 9-12-89, 12-6-93, 8-17-94, 4-25-96, 10-2-96, 11-11-03, 2-15-06, 8-14-14, 11-3-15, 7-1-18,_____.

40C-2.381 Permit Limiting Conditions.

(1) No change.

(2)(a) The Governing Board hereby determines and finds that the inclusion of the following standard limiting conditions on permits issued under this chapter are necessary in order to meet the requirements set forth in subsection 40C-2.381(1), F.A.C., and will be imposed at the time a consumptive use permit is issued or granted by rule:

1. through 7. No change.

8. The permittee ~~A District-issued identification tag shall be prominently display an identification tag displayed~~ at each withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility as provided by Rule 40C-2.401, F.A.C. If an identification tag is lost or becomes illegible, the permittee shall permanently affix ~~notify the District in the event that a replacement tag is needed.~~

9. through 15. No change.

(b) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.216, 373.219(1), 373.223, 373.239, 373.243 FS. History—New 1-1-83, Amended 5-31-84, Formerly 40C-2.381, 40C-2.0381, Amended 8-1-89, 7-23-91, 2-15-06, 2-2-12, 8-14-14, 11-3-15, 12-11-25,_____.

40C-2.900 Forms and Instructions.

(1) through (14) No change.

(15) Copies of these forms are available without charge at the District's website at sjrwmd.com and from the following District offices:

District Headquarters

St. Johns River Water Management District

4049 Reid Street

Palatka, Florida 32177-2529
(386)329-4500

St. Johns River Water Management District
7775 Baymeadows Way, Suite 102
Jacksonville, Florida 32256
(904)730-6270

St. Johns River Water Management District
2501 S. Binion Road,
Apopka, Florida 32703
~~601 South Lake Destiny Road, Suite 200~~
~~Maitland, Florida 32751~~
(407)659-4800

St. Johns River Water Management District
525 Community College Pkwy., S.E.
Palm Bay, Florida 32909
(321)984-4940

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.109, 373.116, 373.118, 373.219, 373.229 FS. History—New 5-30-90, Amended 7-21-91, 7-23-91, 1-20-93, 2-15-95, 4-25-96, 10-2-96, 1-7-99, 2-15-06, 3-8-09, 2-2-12, 8-14-14, 11-3-15, 7-1-18, 8-29-18,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Mayton, Deputy General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4108, tmayton@sjrwmd.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 14, 2026