

**AGENDA REQUEST FOR  
GOVERNING BOARD MEETING  
February 8, 2022**

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**MEMORANDUM**

**TO:** Governing Board

**THROUGH:** Michael A. Register, P.E.  
Executive Director

**FROM:** Clay Coarsey, Director  
Division of Water Supply Planning and Assessment

**SUBJECT:** Approve the Central Springs/East Coast Regional Water Supply Plan (2020 – 2040) and Repeal of Rule 40C-23.001

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**RECOMMENDATION**

Approve the Central Springs/East Coast Regional Water Supply Plan (2020 – 2040) and associated appendices, and authorize publication of related Notice of Proposed Rule to repeal rule 40C-23.001, F.A.C..

**BACKGROUND**

The Central Springs/East Coast (CSEC) planning region is one of three planning regions in the St. Johns River Water Management District and covers all or part of six counties; Volusia, Marion, Lake, Brevard, Indian River, and Okeechobee. The CSEC planning region, located entirely within the District boundary, represents the last of three regions in the SJRWMD to be covered by an individual regional water supply plan since the last approved District Water Supply Plan. This planning effort was facilitated through the collaboration with numerous stakeholders in the region including neighboring water management districts, regional water supply authorities, water supply utilities, environmental groups, and other interested parties.

**DISCUSSION**

The CSEC Regional Water Supply Plan (RWSP) evaluates existing and future water demand and its potential impacts to water resources. The water resource assessment determined that traditional groundwater sources alone could not supply the 2040 increased water demand of 75 million gallons per day (mgd), while at the same time sustaining water resources and related natural systems. To address this potential deficit, the CSEC RWSP identifies over 220 mgd of water conservation potential, water supply and water resource development projects to meet the projected 2040 water demand, while protecting natural resources. The draft CSEC RWSP was posted online for public review and comment from July 12, 2021 through August 27, 2021. All submitted comments and the District's response to each comment are included in an appendix to the plan. Where appropriate, public comments were incorporated into the final draft of the CSEC RWSP.

In 1996, rule 40C-23.001, F.A.C., designated the entire District as a “Water Resource Caution Area.” With the approval of the CSEC RWSP, the District will have designated each part of the District as a “Water Resource Caution Area” by regional water supply plans. Thus, there is no longer a need to have a designation by rule, and rule 40C-23.001, F.A.C., can be repealed.

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## Notice of Proposed Rule

**WATER MANAGEMENT DISTRICTS****St. Johns River Water Management District**

RULE NOS.: RULE TITLES:

40C-23.001 Water Resource Caution Area

**PURPOSE AND EFFECT:** The purpose and effect will be to repeal this rule.

**SUMMARY:** This rule is being repealed because it was determined to be obsolete, unnecessary, or redundant. The rule designated the entire District as a “Water Resource Caution Area” under Rule 62-40.416, F.A.C. Since then, the District has approved three regional water supply plans, covering the entire District, that have designated the entire District as a “Water Resource Caution Area.” Thus, a designation by rule is no longer needed.

**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 FS.

**LAW IMPLEMENTED:** 373.026(10), 373.219, 373.223, 373.250, FS.

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

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 48 hours before the workshop/meeting by contacting: District Clerk (386) 329-4127. 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 IS:** Tom Mayton, Deputy General Counsel, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)326-4108, or tmayton@sjrwmd.com.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

**40C-23.001 Water Resource Caution Area.**

*Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.026(10), 373.219, 373.223, 373.250 FS. History—New 5-20-92, Amended 9-10-96, Repealed.*

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Tom Mayton, Deputy General Counsel, St. Johns River Water Management District, Office of General Counsel, 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:** February 8, 2022.