

SEFLUC
Regulatory Update
February 12, 2018

- **CFWI**
 - No rule development scheduled yet.
 - Steering Committees ongoing
 - SFWMD, SWFWMD, SJRWMD conducting peer review of work to expand East Central Florida Transient Groundwater Model in support of the 2020 Regional Water Supply Plan for CFWI area
 - January 25 Meeting

- **Cross Connection Control Annual Report – DUE MARCH 31**

- **Unregulated Contaminant Monitoring Rule**
 - **After December 31, 2017** – PWSs serving more than 10,000 people are required to notify EPA:
 - Of sampling location and inventory changes
 - If unable to sample according to established schedule.
 - Within 120 days from sample collection: Laboratories post monitoring results to EPA's electronic reporting system, SDWARS.
 - Within 60 days from lab posting of data: PWSs serving more than 10,000 people review and approve data.
 - Presentation overviewing Fourth UCMR for PWSs can be viewed at <https://www.epa.gov/sites/production/files/2018-01/documents/sdwars-presentation-pws-webinar-slides.pdf>

- **EPA - Waters of the United States (WOTUS)**
 - <https://www.epa.gov/wotus-rule>
 - February 2017 rule was repealed; now engaged in second step notice and comment rulemaking for definition of WOTUS
 - Workshops on Phase 2 of the rule throughout November and December
 - The agencies accepted written recommendations on this second phase of the rulemaking process through November 28, 2017.
 - FWEAUC provided comments on November 27th.
 - **Waiting for Draft Rule language**
 - **SUPREME COURT DECISION – says challenge belongs in district courts of appeal; 6th circuit, which issued stay, did not have jurisdiction**
 - **North Dakota district court had also issued a nationwide injunction which could go back into place;**
 - **May revive lawsuits in Federal District Courts that were stayed or withdrawn**

- **Trump administration issued order to repeal rule in February 2017 and delay effective date for another couple of years...as a result, will likely not be long term impact b/c Trump administration will move forward with revoking rules but some possible short term impact.**
- **Everglades Agricultural Area Storage Reservoir Project**
 - SFWMD conducted public meetings to discuss and answer questions relating to the project scope and schedule, plan formulation, baseline modeling, and alternatives for the Everglades Agricultural Area Storage Reservoir Project.
 - Modeling results are available at <https://www.sfwmd.gov/our-work/cerp-project-planning/ea-reservoir>
 - Public comment opportunities still available
<http://www.sfwmd.gov/EAAreservoir>
 - NEXT STEPS:
 - Submitted report to Legislature on or before January 9, 2018
 - Do not believe need to purchase more land – plenty of land already available to finish projects without taking more land out of ag production; one issue is linkage between Florida Bay and Everglades is not well supported so may be overselling benefits
 - Prepare Draft Post Authorization Change Report/Feasibility Report
 - Submit Post Authorization Change Report to ASA – March 30, 2018
- **SFWMD report on SB 10**
 - Do not believe need to purchase more land; sufficient land available to do the project
- **Federal Lead and Copper Rule Revisions**
 - Publication of revisions delayed until January 2018.
<https://www.epa.gov/dwstandardsregulations/lead-and-copper-rule-long-term-revisions>
 - Current issues include:
 - Full lead service line replacement programs
 - Sampling method revisions
 - Filter mandates
 - Public notification
 - “Health Based” criteria development
 - December 14, 2017 - Consistent with E.O. 13132, EPA issued letters seeking input from state and local government officials, or their representatives during the development of the proposed revisions to Lead and Copper Rule.
 - January 8, 2018 meeting_to discuss proposed revisions with intergovernmental stakeholders
 - EPA will post consultation materials, letters and comments at <https://www.epa.gov/ground-water-and-drinking-water/lcr-federalism-consultation> as they become available.
 -

- **Perchlorate in Drinking Water**
 - EPA announced a public peer review meeting and the final list of expert peer review panelists to participate in a two-day peer review meeting on January 29-30, 2018, to discuss the scientific basis of the perchlorate supporting documents.
 - The public may attend the meeting in-person or via teleconference and may request to make a brief oral statement by pre-registering by January 17, 2018, using the process described in the Federal Register Notice. <https://www.federalregister.gov/documents/2017/11/28/2017-25714/peer-review-to-inform-the-safe-drinking-water-act-decision-making-on-perchlorate-in-drinking-water>
 - The final charge questions for the panel may be viewed in Docket ID No. EPA-HQ-OW-2016-0439 (<https://www.regulations.gov/docket?D=EPA-HQ-OW-2016-0439>) . Following the peer review meeting, a peer review summary report will be prepared and will be made available to the public.
 - Proposed action expected by October 31, 2018

- **EPA – “Partnerships” website**
 - Recently launched! <https://epa.maps.arcgis.com/apps/Cascade/index.html?appid=cfccb8b4975d4d72869bd0770510c1b0>
 - Three featured locations (none in Florida)
 - Purpose is to showcase examples of water systems working together collaboratively to provide improved and more cost-effective service.

CONTINUING TO MONITOR:

- **Chapter 62-554 Rulemaking – No Change**
 - Required by Section 373.475, F.S.
 - Notice of rulemaking establishing procedures for providing loans to local governments or water supply entities for the development and construction of water storage facilities to increase the availability of sufficient water for all existing and future reasonable-beneficial uses and natural systems.
 - Requires DEP to solicit proposals at least once per year (in years which funding is appropriated) for loans of up to 75% of the costs of planning, designing, constructing, upgrading, or replacing water resource infrastructure or facilities, whether natural or man-made, including the acquisition of real property for water storage facilities. The loans are required to be a minimum of \$75,000.
 - Details the information that a project sponsor must submit as part of its proposal, including evidence of permitability or implementability, evidence that the purpose of the water storage facility is consistent with applicable water supply plans, the public participation process, and

financial feasibility. It also requires the project selection criteria to give special consideration of certain projects, as outlined in proposed Rule 62-554.300.

- Include substantive requirements relating to the loan applications and agreements and state audits.
- No workshop has been requested likely because there is currently no funding for this program
- **Lower East Coast Water Supply Plan (LECWSP) – No Change**
 - <https://www.sfwmd.gov/our-work/water-supply/lower-east-coast>
 - SFWMD began effort to update LECWSP.
 - Currently working on demand projections
 - Modelling to follow
 - Expected to be completed in late 2018.
 - Utilities will have to update their 10-year water supply plans within 18 months of the Governing Board approval/adoption of the updated plan.
 - Conducted its first meeting on Thursday, November 30, 2017 9:30 a.m.; North Regional/Broward College Library
- **Public Notice of Pollution (62-4.600) – No Change**
 - Published Notice of Rule Development on November 1, 2017 requiring all reportable pollution releases that must be submitted to the Department by completing online form 62-4.600 Notice of Reportable Pollution Release, hereby adopted and incorporated by reference, and available at (hyperlink) or www.floridadep.gov/pollutionnotice, and sending, by email to: pollution.notice@dep.state.fl.us.
 - No public workshop has been requested. FSAWWAUC did provide comments on December 5th to FDEP regarding the reporting.
 - Persons interested in receiving announcements of reportable pollution notices can subscribe to a mailing list at www.floridadep.gov/pollutionnotice.