

SEFLUC
Regulatory Update
December 11, 2017

- **CFWI Rulemaking**
 - No rule development scheduled yet.

- **Chapter 62-554 Rulemaking**
 - 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

- **EPA - Waters of the United States (WOTUS)**
 - February 2017 rule was repealed; now engaged in second step notice and comment rulemaking for definition of WOTUS
 - On November 14, 2017 from 1:00 -3:00 pm, the EPA will be conducting a stakeholder session with stormwater, wastewater management and drinking water agencies regarding the revised definition of the “waters of the United States” rule.
 - Additional information, including dates for other stakeholder sessions, including a general public session on November 21, and a link to register for the webinars

is available at the following link: <https://www.epa.gov/newsreleases/epa-and-army-seek-input-review-waters-us-rule>

- The agencies accepted written recommendations on this second phase of the rulemaking process through November 28, 2017.
 - FWEAUC did provide comments on November 27th.
 - <https://www.epa.gov/wotus-rule>
- **Lower East Coast Water Supply Plan (LECWSP)**
 - SFWMD is beginning effort to update LEWSP – a presentation will be made at September or October meeting.
 - Currently working on demand projections
 - Modelling to follow
 - Expected to be completed in early 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)**
 - 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.
 - **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/cecp-project-planning/eea-reservoir>
 - **Federal Lead and Copper Rule Revisions**
 - Publication of revisions delayed until January 2018.
 - Current issues include:
 - Full lead service line replacement programs
 - Sampling method revisions
 - Filter mandates

- Public notification
- “Health Based” criteria development