



Lyle Seigler  
Executive Director

## Northwest Florida Water Management District

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September 10, 2025

Joint Administrative Procedures Committee  
Room 680 Pepper Building  
111 W. Madison Street  
Tallahassee, FL 32399-1400

RE: Amended Annual Regulatory Plan

To Whom It May Concern:

As required by section 120.74, F.S., the Northwest Florida Water Management District (District) has reviewed its rules to ensure compliance with statutory requirements. The following laws were enacted or amended during the previous twelve (12) months which create or modify the duties or authority of the District. Unless noted, the following laws do not require the District to adopt new or amend current administrative rules for proper implementation.

On August 15, 2025, the District submitted its Annual Regulatory Plan (ARP) to the Office of Fiscal Accountability and Regulatory Reform (OFARR) and to the Joint Administrative Procedures Committee (JAPC), and published same on its website, [www.nwfwater.com](http://www.nwfwater.com). After doing so, additional laws (2025-003: Florida Statutes/Adoption, 2025-157: Geoengineering and Weather Modification Activities, 2025-177: Local Government Land Regulation, and 2025-199: Implementing the General Appropriations Act) were identified that required inclusion in the ARP. Thus, the District is publishing this Amended ARP in accordance with section 120.74, F.S. The District will also publish notice in the Florida Administrative Registrar identifying the date of publication of the Amended ARP, along with a hyperlink to the plan. The District is also submitting its Amended ARP to OFARR and JAPC.

Each of the Laws of Florida identified below is being implemented by complying with the statutory requirements therein. No rulemaking is required by the District for all laws except for Chapter 2025-007, Gulf of America, which requires the District to update maps incorporated into Rule Chapter 40A-2, F.A.C.

- Chapter 2025-003: Florida Statutes/Adoption
- Chapter 2025-006: Florida Statutes/Reviser's Bill
- Chapter 2025-007: Gulf of America (Requires Rulemaking)
- Chapter 2025-008: Designation of the Gulf of Mexico
- Chapter 2025-021: Amendments to the State Constitution
- Chapter 2025-022: Department of Agriculture and Consumer Services
- Chapter 2025-025: OGSR/Site-specific Location Information for Endangered and Threatened Species
- Chapter 2025-027: OGSR/Agency Cybersecurity Information
- Chapter 2025-085: Ethics
- Chapter 2025-090: Public Records/Meetings; 911, E911, NG911 Systems
- Chapter 2025-100: Legal Tender
- Chapter 2025-155: Transportation

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- Chapter 2025-157: Geoengineering and Weather Modification Activities
- Chapter 2025-177: Local Government Land Regulation
- Chapter 2025-189: Administrative Procedures
- Chapter 2025-190: Emergencies
- Chapter 2025-191: Mitigation Banks
- Chapter 2025-192: Entities that Boycott Israel
- Chapter 2025-195: Public Records/Congressional Members and Public Officers
- Chapter 2025-198: General Appropriations Act
- Chapter 2025-199 Implementing the General Appropriations Act
- Chapter 2025-201: Natural Resources
- Chapter 2025-205: Retirement

For Chapter 2025-007: Gulf of America, a notice of rule development has not been published. The District expects to publish a notice of proposed rule by December 31, 2025.

Before July 1, 2026, the District expects to undergo rulemaking to implement changes to the rules outlined in **Attachment A**.

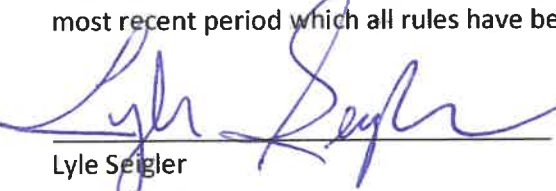
#### Mandatory Review of Existing Rules


As required by Laws of Florida Chapter 2025-189, the District plans to review all rules by July 1, 2030. As identified below, the District has eight rule chapters with a total of 126 rules to which twenty percent will be reviewed by year until all have been reviewed. Please refer to **Attachment B** for the NFWFMD List of Existing Rules and Yearly Review Schedule.

Chapter No.	Chapter Title	Number of Rules
40A-1	General and Procedural Rules	13
40A-2	Regulation of Consumptive Uses of Water	21
40A-3	Regulation of Wells	28
40A-6	Works of the District	14
40A-7	Contractor Suspension	5
40A-8	Minimum Flows and Minimum Water Levels	5
40A-21	Water Shortage Plan	22
40A-44	Regulation of Agricultural and Forestry Surface Water Management Projects	18
<b>Total:</b>		<b>126</b>

As required, the Annual Regulatory Plan will be available on our website homepage [www.nfwfwater.com](http://www.nfwfwater.com) for ten (10) years after publishing. By October 1, the District will publish in the Florida Administrative Register a notice identifying the date of publication of the Annual Regulatory Plan along with a hyperlink to the plan.

I hereby certify that I have reviewed the plan. The District reviews its rules regularly with 2025 being the most recent period which all rules have been reviewed.

  
Lyle Seigler  
Executive Director

  
J. Breck Brannen  
Legal Counsel

Enclosure: **Attachment A** NFWFMD List of Rules Undergoing Rulemaking In Next 12 Months  
**Attachment B** NFWFMD List of Existing Rules and Yearly Review Schedule

**Attachment A**

<b>NFWFMD List of Rules Undergoing Rulemaking In Next 12 Months</b>		
<b>Rule Number</b>	<b>Rule Title</b>	<b>Rulemaking Justification</b>
40A-2.011	Policy and Purpose	Amend and clarify rule to include implementation of Chapter 62-41, F.A.C.
40A-2.061	General Water Use Permit - Criteria, Limitations and Conditions	Amend and clarify rule to incorporate an update Water Use Applicant's Handbook to comply with and include implementation of Chapter 62-41, F.A.C., to comply with Subsection 373.219(3), F.S., to comply with Subsection 373.250(9), F.S., to update maps to reflect Gulf of America per Laws of Florida Chapter 2025-007, prohibit increases to permitted allocations in a Water Resource Caution Area or Area of Resource Concern through use of a letter modification, and to update District office addresses.
40A-2.101	Content of Application	Amend and clarify rule to comply with Subsection 373.219(3), F.S., and to be consistent with DEP Rules 62-41.400 and 62-41.401, F.A.C., effective June 12, 2025. Update rule numbering on Form No. 160A. Correct reference to incorporated material.
40A-2.223	Reservation of Water	Amend and clarify rule to include exemptions for any prevention or recovery strategies established pursuant to Section 373.0421, F.S., and to include an additional exemption for surface water withdrawal.
40A-2.301	Conditions for Issuance of Permits	Amend and clarify rule to comply with Subsection 373.219(3), F.S., and to be consistent with DEP Rules 62-41.400 and 62-41.402, F.A.C., effective June 12, 2025.
40A-2.321	Duration of Permits	Amend and clarify rule to comply with Subsection 373.250(9), F.S., and update incorrect reference.
40A-2.331	Modification of Permits	Amend and clarify rule and update letter modification form to comply with Subsection 373.250(9), F.S. Amend rule to prohibit increases to permitted allocations in a Water Resource Caution Area or Area of Resource Concern through use of a letter modification.
40A-2.902	Areal Boundary Maps for Water Use Permitting	Clarify rule by updating maps to reflect Gulf of America per Laws of Florida Chapter 2025-007.
40A-2.904	Areal Boundary Maps for Water Resource Caution Areas.	Clarify rule by updating maps to reflect Gulf of America per Laws of Florida Chapter 2025-007.
40A-8.021	Definitions	Amend and clarify rule to include necessary definitions for establishing the Minimum Flow(s) for Jackson Blue Spring to comply with sections 373.042 and 373.0421, F.S.
40A-8.061	Minimum Flow for Jackson Blue Spring	Create rule establishing the Minimum Flow(s) for the Jackson Blue Spring to comply with sections 373.042 and 373.0421, F.S.

**Attachment B**

<b>NFWFMD List of Existing Rules and Yearly Review Schedule</b>				
<b>Chapter No.</b>	<b>Rule Number</b>	<b>Rule Title</b>	<b>Effective Date</b>	<b>Year to be Reviewed</b>
40A-1	40A-1.0045	District Funds	8/6/2013	2026
40A-1	40A-1.021	Definitions	4/5/2014	2026
40A-1	40A-1.1003	Variance and Emergency Variance or Authorization Procedures	3/2/2000	2026
40A-1	40A-1.1010	Point of Entry Into Proceedings	3/2/2000	2026
40A-1	40A-1.2025	Fees	4/15/2014	2026
40A-1	40A-1.2026	Easements Across District Owned Lands to Privately-Owned Lands	8/21/2023	2026
40A-1	40A-1.203	Permit Application Procedure	4/7/2015	2026
40A-1	40A-1.205	Suspension, Revocation, Cancellation and Modification of District	4/15/2014	2026
40A-1	40A-1.207	Complaints	4/17/2018	2026
40A-1	40A-1.208	Administrative Enforcement Action	3/2/2000	2026
40A-1	40A-1.209	Emergency Action	10/1/1984	2026
40A-1	40A-1.510	District Investigations and Probable Cause Determination	3/2/2000	2026
40A-1	40A-1.600	Lobbyist Registration Procedures	4/7/2015	2026
40A-2	40A-2.011	Policy and Purpose	5/29/2014	2025
40A-2	40A-2.021	Definitions	4/29/2015	2025
40A-2	40A-2.041	Permits Required	5/29/2014	2025
40A-2	40A-2.051	Exemptions	5/29/2014	2025
40A-2	40A-2.061	General Water Use Permits by Rule	4/29/2015	2025
40A-2	40A-2.101	Content of Application	4/29/2015	2025
40A-2	40A-2.201	Fees	5/29/2014	2025
40A-2	40A-2.223	Reservation of Water	5/29/2014	2025
40A-2	40A-2.301	Conditions for Issuance	5/29/2014	2025
40A-2	40A-2.321	Duration of Permits	5/29/2014	2025
40A-2	40A-2.331	Modification of Permits	4/29/2015	2025
40A-2	40A-2.351	Transfer of Permits	5/29/2014	2025
40A-2	40A-2.361	Renewal of Permits	4/29/2015	2025
40A-2	40A-2.381	Limiting Conditions	4/29/2015	2025
40A-2	40A-2.501	Permit Classification	5/29/2014	2025
40A-2	40A-2.511	Declaration of Water Shortage	5/31/1992	2025
40A-2	40A-2.801	Declaration of Water Resource Caution Areas	5/29/2014	2025
40A-2	40A-2.802	Water Resource Caution Areas	5/29/2014	2025
40A-2	40A-2.901	Forms	4/29/2015	2025
40A-2	40A-2.902	Areal Boundary Maps for Water Use Permitting	4/29/2015	2025
40A-2	40A-2.904	Areal Boundary Maps for Water Resource Caution Areas	5/29/2014	2025
40A-3	40A-3.011	Policy and Purpose	8/15/2018	2027
40A-3	40A-3.021	Definitions	8/15/2018	2027
40A-3	40A-3.037	Water Well Contractor Licensing	5/20/2020	2027
40A-3	40A-3.041	Permits Required	5/20/2020	2027
40A-3	40A-3.051	Exemptions	8/15/2018	2027
40A-3	40A-3.201	Permit Application Fees	11/1/1993	2027
40A-3	40A-3.301	Conditions for Issuance of Permits	8/15/2018	2027
40A-3	40A-3.321	Duration of Permits	11/1/1995	2027
40A-3	40A-3.341	Disapproval of Wells	8/15/2018	2027
40A-3	40A-3.342	Permit Denial	7/1/1998	2027

40A-3	40A-3.411	Completion Reports	8/15/2018	2027
40A-3	40A-3.451	Emergency Authorization	5/20/2020	2027
40A-3	40A-3.461	Inspections	3/2/2000	2027
40A-3	40A-3.492	Violations of Permits	11/1/1995	2027
40A-3	40A-3.502	Construction Methods	8/15/2018	2027
40A-3	40A-3.504	Location	8/15/2018	2027
40A-3	40A-3.507	Casing and Liner Pipe Standards	8/15/2018	2027
40A-3	40A-3.512	Standard Well Construction Methods	11/1/1992	2027
40A-3	40A-3.517	Grouting and Sealing	8/15/2018	2027
40A-3	40A-3.521	Well Seals	1/9/1986	2027
40A-3	40A-3.525	Explosives	4/5/1988	2027
40A-3	40A-3.529	Flowing Wells	1/9/1986	2027
40A-3	40A-3.531	Abandoned Well Plugging	8/1/1989	2027
40A-3	40A-3.550	Violations of Construction Standards	11/1/1992	2027
40A-3	40A-3.901	Forms and Instructions	8/15/2018	2027
40A-3	40A-3.951	Introduction	11/1/1993	2027
40A-3	40A-3.952	Violations	8/1/1989	2027
40A-3	40A-3.980	Enforcement and Penalties	8/1/1989	2027
40A-6	40A-6.011	Policy and Purpose	8/6/2013	2026
40A-6	40A-6.021	Definitions	10/29/1980	2026
40A-6	40A-6.041	Permit Required	4/17/2018	2026
40A-6	40A-6.091	Works of the District	7/1/1998	2026
40A-6	40A-6.101	Content of Applications	8/6/2013	2026
40A-6	40A-6.201	Permit Processing Fee	4/17/2018	2026
40A-6	40A-6.301	Conditions for Issuance of Permits	4/17/2018	2026
40A-6	40A-6.331	Revocation and Modification of Permits	8/6/2013	2026
40A-6	40A-6.351	Transfer of Permits	8/6/2013	2026
40A-6	40A-6.381	Limiting Conditions	4/14/1980	2026
40A-6	40A-6.411	Completion Reports	4/14/1980	2026
40A-6	40A-6.451	Emergency Authorization	4/17/2018	2026
40A-6	40A-6.481	Remedial and Emergency Measures	8/6/2013	2026
40A-6	40A-6.901	Forms and Instructions	8/6/2013	2026
40A-7	40A-7.001	Policy	8/13/2020	2025
40A-7	40A-7.002	Definitions	8/13/2020	2025
40A-7	40A-7.003	Determination and Notice of a Material Breach of a Contract with t	8/13/2020	2025
40A-7	40A-7.004	Determination and Notice of a Contractor Suspension	8/13/2020	2025
40A-7	40A-7.005	Administrative Hearings	8/13/2020	2025
40A-8	40A-8.011	Policy and Purpose	6/12/2019	2029
40A-8	40A-8.021	Definitions	6/29/2025	2029
40A-8	40A-8.031	Minimum Flows for the St. Marks River Rise	6/12/2019	2029
40A-8	40A-8.041	Minimum Flow for Wakulla Spring and Sally Ward Spring	5/18/2021	2029
40A-8	40A-8.051	Minimum Flow for Middle Econfina Creek, Including the Gainer Sp	6/29/2025	2029
40A-21	40A-21.001	Policy and Purpose	3/29/1992	2028
40A-21	40A-21.031	Elements of the Plan	3/29/1992	2028
40A-21	40A-21.051	Definitions	3/29/1992	2028
40A-21	40A-21.221	Evaluating Water Conditions	3/29/1992	2028
40A-21	40A-21.231	Declaring a Water Shortage	3/29/1992	2028
40A-21	40A-21.251	Water Shortage Phases	3/29/1992	2028

40A-21	40A-21.271	Water Use Restrictions	3/27/2019	2028
40A-21	40A-21.291	Implementing a Water Shortage Declaration	3/27/2019	2028
40A-21	40A-21.331	Declaring a Water Shortage Emergency	3/29/1992	2028
40A-21	40A-21.371	Water Use Restrictions in a Water Shortage Emergency	3/29/1992	2028
40A-21	40A-21.391	Implementing a Water Shortage Emergency Declaration	3/29/1992	2028
40A-21	40A-21.401	Monitoring	3/29/1992	2028
40A-21	40A-21.421	Enforcement	3/27/2019	2028
40A-21	40A-21.511	Classification System	3/29/1992	2028
40A-21	40A-21.531	Source Classes	3/29/1992	2028
40A-21	40A-21.551	Use Classes	3/27/2019	2028
40A-21	40A-21.571	Method of Extraction or Diversion Classes	3/27/2019	2028
40A-21	40A-21.601	Specific Restrictions	3/29/1992	2028
40A-21	40A-21.621	Phase I: Moderate Water Shortage	3/29/1992	2028
40A-21	40A-21.631	Phase II: Severe Water Shortage	3/29/1992	2028
40A-21	40A-21.641	Phase III: Extreme Water Shortage	3/29/1992	2028
40A-21	40A-21.651	Phase IV: Critical Water Shortage	3/29/1992	2028
40A-44	40A-44.011	Policy and Purpose	7/1/1992	2028
40A-44	40A-44.021	Definitions	8/6/2013	2028
40A-44	40A-44.041	Permits Required	3/27/2019	2028
40A-44	40A-44.051	Exemptions	3/27/2017	2028
40A-44	40A-44.052	Authorizations for Certain Forestry Projects	3/27/2017	2028
40A-44	40A-44.091	Processing of Permits	3/27/2019	2028
40A-44	40A-44.101	Content of Application	3/27/2017	2028
40A-44	40A-44.142	Headgates, Valves and Measuring Devices	8/6/2013	2028
40A-44	40A-44.201	Permit Processing Fee	3/27/2019	2028
40A-44	40A-44.301	Conditions for Issuance of Permits	3/27/2019	2028
40A-44	40A-44.321	Duration of Permit	3/27/2019	2028
40A-44	40A-44.331	Modification of Permits	3/27/2019	2028
40A-44	40A-44.341	Revocation of Permits	3/27/2017	2028
40A-44	40A-44.351	Transfer of Permits	3/27/2017	2028
40A-44	40A-44.381	Limiting Conditions	3/27/2019	2028
40A-44	40A-44.411	Completion Report	8/6/2013	2028
40A-44	40A-44.451	Emergency Authorization	8/6/2013	2028
40A-44	40A-44.901	Forms	8/6/2013	2028