Notice of Proposed Rule

WATER MANAGEMENT DISTRICTS
Northwest Florida Water Management District
RULE NO.: RULE TITLE:
40A-2.331: Modification of Permits
40A-2.381: Limiting Conditions
40A-2.901: Forms
PURPOSE AND EFFECT: The overall purpose is to amend a letter modification form to delete contradicting requirements and reflect rule requirements and to amend rules to incorporate a change of address form and incorporate a form for agricultural permittees that combines the monthly pumpage and crop summary forms to increase efficiency for permittees.
SUMMARY: The proposed rule includes amending rules for Regulation of Consumptive Uses of Water to comply with established statutes and rules and make amendments as referenced in this notice's purpose and effect.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this rule 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: Upon review of the proposed changes to the rule, the District has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.
Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days after publication of this notice.
RULEMAKING AUTHORITY: 373.044, 373.113, 373.171, F.S.
LAW IMPLEMENTED: 373.042, 373.116, 373.171, 373.216, 373.219, 373.223, 373.229, 373.239, 373.250, F.S.
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: Selina Potter, Northwest Florida Water Management District, 152 Water Management Drive, Havana, FL 32333, selina.potter@nwfwater.com, (850) 539-5999.

THE TEXT OF THE PROPOSED RULE IS:

**40A-2.331 Modification of Permits.**

(1) through (2) no change.

(3) Modifications shall be requested by either:

(a) No change.

(b) Letter request, on the Water Use Permit Letter Modification Request Form, Form ~~No.~~ 161, effective March 15, 2027 ~~2026~~, (http://flrules.org/Gateway/reference.asp?No=Ref-20410 ~~http://flrules.org/Gateway/reference.asp?No=Ref-18999~~), which is hereby incorporated by reference into this section and available from the District's website (nwfwater.com) or from District offices, including a description of the proposed modification and the appropriate fees. Letter requests can be utilized provided that:

1. through 11. No change.

(c) through (f) no change.

(4) No change.

*Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171, 373.223, 373.239 FS. History–New 10-1-82, Amended 1-5-86, 10-1-95, 7-1-98, 5-29-14, 4-29-15, 3-5-26,_____.*

**40A-2.381 Limiting Conditions.**

(1) through (4) no change.

(5) If water use reporting is required, the permittee shall submit the data required on the form specified in the permit. The District forms described in this section are hereby incorporated by reference and are available from the District's website (nwfwater.com) or from District offices. The form specified shall be either:

(a) Water Use/Pumpage Report Form, ~~NWFWMD~~ Form ~~No.~~ 166, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03865);

(b) Periodic Water Use Reporting Form, ~~NWFWMD~~ Form ~~No.~~ 173, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03872); or

(c) Water Use Summary Reporting Form, ~~NWFWMD~~ Form ~~No.~~ 172, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03871).

(d) Annual Water Use and Crop Summary Reporting Form, Form 232, effective March 15, 2027, (http://flrules.org/Gateway/reference.asp?No=Ref-20404), which is hereby incorporated by reference.

(6) No change.

(7) If authorized water use is for agricultural or landscape/recreation irrigation, the permittee shall submit the data required on the form specified in the permit. The District forms described in this section are hereby incorporated by reference and are available from the District's website (nwfwater.com) or from District offices. The form(s) specified shall be:

(a) Annual Crop Summary Report Form, Form ~~No.~~ 168, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03867); ~~and/or~~

(b) Crop Protection Report Form, Form ~~No.~~ 169, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03868); and/or ~~.~~

(c) Annual Water Use and Crop Summary Reporting Form, Form 232.

(8) If water quality reporting is required, the permittee shall submit the data required on the Water Quality Report Form, Form ~~No.~~ 167, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03866), which is hereby incorporated by reference and available from the District's website (nwfwater.com) or from District offices.

(9) For permittee address changes, the permittee shall submit the data required on Change of Address, Form 164, effective March 15, 2027, (http://flrules.org/Gateway/reference.asp?No=Ref-20406), which is hereby incorporated by reference and available from the District's website (nwfwater.com) or from District offices.

*Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.216, 373.219, 373.223, 373.250 FS. History–New 1-5-86, Amended 5-31-92, 10-1-95, 1-4-10, 5-29-14, 4-29-15, Reviewed 10-7-26, Amended _____.*

**40A-2.901 Forms.**

(1) The following forms are used in the implementation of this chapter:

(a) Water Use Permit Application, Form ~~No.~~ 160, ~~effective May 29, 2014,~~ ~~(http://www.flrules.org/Gateway/reference.asp?No=Ref-03846), and~~ incorporated by reference in Rule 40A-2.101, F.A.C.;

(b) Agricultural Use Supplemental Form A ~~– Agricultural Use~~, Form ~~No.~~ 160A, ~~effective May 29, 2014,~~ ~~(http://www.flrules.org/Gateway/reference.asp?No=Ref-03847), and~~ incorporated by reference in Rule 40A-2.101, F.A.C.;

(c) Industrial/Commercial Use Supplemental Form B ~~– Industrial/Commercial Use~~, Form ~~No.~~ 160B, ~~effective May 29, 2014,~~ ~~(http://www.flrules.org/Gateway/reference.asp?No=Ref-03848), and~~ incorporated by reference in Rule 40A-2.101, F.A.C.;

(d) Landscape/Recreation Use Supplemental Form C ~~– Landscape/Recreation Use~~, Form ~~No.~~ 160C, ~~effective May 29, 2014,~~ ~~(http://www.flrules.org/Gateway/reference.asp?No=Ref-03849), and~~ incorporated by reference in Rule 40A-2.101, F.A.C.;

(e) Mining/Dewatering Use Supplemental Form D ~~– Mining/Dewatering Use~~, Form ~~No.~~ 160D, ~~effective May 29, 2014,~~

(http://www.flrules.org/Gateway/reference.asp?No=Ref-03850), and incorporated by reference in Rule 40A-2.101, F.A.C.;

(f) Public Supply Use Supplemental Form E – Public Supply Use, Form No. 160E, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03851), and incorporated by reference in Rule 40A-2.101, F.A.C.;

(g) Other Use Supplemental Form F – Other Use, Form No. 160F, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03852), and incorporated by reference in Rule 40A-2.101, F.A.C.;

(h) Institutional Use Supplemental Form G – Institutional Use, Form No. 160G, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03853), and incorporated by reference in Rule 40A-2.101, F.A.C.;

(i) Diversion and Impoundment Supplemental Form H – Diversion and Impoundment, Form No. 160H, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03854), and incorporated by reference in Rule 40A-2.101, F.A.C.;

(j) Water Use/Pumpage Water Use Permit Report Form, Form No. 166, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03865), and incorporated by reference in Rule 40A-2.381, F.A.C.;

(k) Periodic Water Use Reporting Form, NWFWMD Form No. 173, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03872), and incorporated by reference in Rule 40A-2.381, F.A.C.;

(l) Water Use Summary Reporting Form, NWFWMD Form No. 172, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03871), and incorporated by reference in Rule 40A-2.381, F.A.C.;

(m) Flow Meter Accuracy Report Form, Form No. 170, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03869), and incorporated by reference in Rule 40A-2.381, F.A.C.;

(n) Alternative Method Flow Verification Report Form, Form No. 171, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03870), and incorporated by reference in Rule 40A-2.381, F.A.C.;

(o) Annual Crop Summary Report Form, Form No. 168, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03867), and incorporated by reference in Rule 40A-2.381, F.A.C.;

(p) Crop Protection Report Form, Form No. 169, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03868), and incorporated by reference in Rule 40A-2.381, F.A.C.;

(q) If water quality reporting is required, the permittee shall submit the data required on the Water Quality Report Form, Form No. 167, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03866), and incorporated by reference in Rule 40A-2.381, F.A.C.;

(r) Water Use Permit Letter Modification Request Form, Form No. 161, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03863), and incorporated by reference in Rule 40A-2.331, F.A.C.;

(s) Water Use Permit Transfer Form, NWFWMD Form No. 163, effective May 29, 2014, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03864), and incorporated by reference in Rule 40A-2.351, F.A.C.; and,

(t) Reuse Feasibility Information, NWFWMD Form # No. 174, effective November 1, 2013, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03261), and incorporated by reference in Rule 40A-2.101, F.A.C.;

(u) Change of Address, Form 164, incorporated by reference in Rule 40A-2.381, F.A.C.; and,

(v) Annual Water Use and Crop Summary Reporting Form, Form 232, incorporated by reference in Rule 40A-2.381, F.A.C.

(2) No change.

*Rulemaking Authority 373.044, 373.171 FS. Law Implemented 373.116, 373.219, 373.229 FS. History–New 10-1-82, Amended 1-5-86, 8-1-89, 5-31-92, 10-1-95, 7-1-98, 1-4-10, 10-20-13, 1-15-14, 5-29-14, 4-29-15, Reviewed 10-7-26, Amended _____.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Selina Potter
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board, Northwest Florida Water Management District
DATE PROPOSED RULE WAS APPROVED BY AGENCY HEAD: September 9, 2026
DATE NOTICE OF RULE DEVELOPMENT WAS PUBLISHED IN FAR: October 26, 2026