

SEFLUC
Regulatory Update
January 8, 2018

- **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 - February 2017 rule was repealed; now engaged in second step notice and comment rulemaking for definition of WOTUS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**

- **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/ceqp-project-planning/eea-reservoir>
 - December 21, 2017 – meeting re: modeling results
 - Public comment opportunities still available
<http://www.sfwmd.gov/EAAreservoir>
 - NEXT STEPS:
 - Submit report to Legislature on or before January 9, 2018
 - Prepare Draft Post Authorization Change Report/Feasibility Report
 - Submit Post Authorization Change Report to ASA – March 30, 2018

- **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
 - 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.
 - **Meeting on January 8, 2018** 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**
 - Launching in early 2018
 - Purpose is to showcase examples of water systems working together collaboratively to provide improved and more cost-effective service.

CONTINUING TO MONITOR:

- **CFWI Rulemaking – No change**
 - No rule development scheduled yet.
- **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 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) – 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.