



Brett J. Cyphers
Executive Director

Northwest Florida Water Management District

152 Water Management Drive, Havana, Florida 32333-4712
(U.S. Highway 90, 10 miles west of Tallahassee)

Phone: (850) 539-5999 • Fax: (850) 539-2693

May 26, 2017

The Honorable Joe Negron
President, Florida Senate
409 The Capitol
404 S. Monroe St.
Tallahassee, FL 32399

RE: REVISED - Compliance with Section 120.695, F.S., Designation of Minor Violation of Rules

Dear Representative Corcoran:

The Northwest Florida Water Management District (the "District") is submitting this REVISED letter of compliance with Section 120.695, Florida Statutes (F.S.), which removes two previously identified rules designated as minor violations: 62-532.500(4)(c), Florida Administrative Code (F.A.C.); and 40A-3.521(2), F.A.C.

As required by Section 120.695, Florida Statutes, the District has reviewed its rules to ensure compliance with statutory requirements. The District has updated the designation of minor violation of rules which was originally submitted on April 28, 2017. District rules include Chapter 40A-1, F.A.C., General and Procedural Rules; Chapter 40A-2, F.A.C., Regulation of Consumptive Uses of Water; Chapter 40A-3, F.A.C., Regulation of Wells; Chapter 40A-6, F.A.C., Works of the District; Chapter 40A-21, F.A.C., Water Shortage Plan; and Chapter 40A-44, F.A.C., Regulation of Agricultural and Forestry Surface Water Management Projects.

The District has one rule within Chapter 40A-3, F.A.C., Regulation of Wells, that regulates a business, occupation, or profession, or regulates a person operating a business, occupation, or profession, and that, if not complied with, may result in a disciplinary penalty. Within Chapter 40A-3, F.A.C., rule 40A-3.037, F.A.C., adopts by reference Chapter 62-531, F.A.C., Water Well Contractor Licensing Requirements, which regulates the licensing of water well contractors. Rule 62-531.450, F.A.C., Unlawful Acts, Grounds for Disciplinary Actions, and Penalties, within Chapter 62-531, F.A.C., adopts and incorporates the Water Well Construction Disciplinary Guidelines and Citations Dictionary, effective 6-22-14. The Water Well Construction Disciplinary Guidelines and Citations Dictionary identifies citations and subsequent District rules within Chapter 40A-3, F.A.C., Regulation of Wells, that are minor violations that result in penalties and points against water well contractor licenses. Within that incorporated document, disciplinary guidelines and citations include the following minor violations as that term is defined in Section 120.695, F.S., for first offenses by water well contractors:

GEORGE ROBERTS
Chair
Panama City

JERRY PATE
Vice Chair
Pensacola

JOHN W. ALTER
Secretary-Treasurer
Malone

GUS ANDREWS
DeFuniak Springs

JON COSTELLO
Tallahassee

MARC DUNBAR
Tallahassee

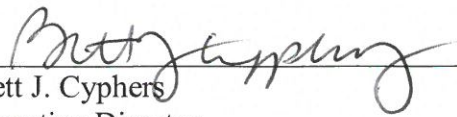
TED EVERETT
Chipley

NICK PATRONIS
Panama City Beach

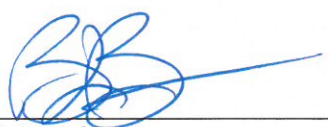
BO SPRING
Port St. Joe

Citation Number (violation)	Applicable Rule (F.A.C.)	Requirement
8	62-531.380(2)	Failure to display a contractor license number on both sides of each piece of drilling equipment owned, leased, or operated by the contractor.
18	62-531.420(2)	Failure to submit a permit application in writing within 10 days after an emergency permit application is granted.
18	40A-3.451(3)	Failure to submit the \$25 emergency telephone authorization permit fee and the standard permit fee for all emergency permit applications.
18	40A-3.451(4)	Failure to submit a permit application and written explanation within 24 hours of an emergency permit authorization.
20	62-532.400(2)(b) 40A-3.301(2)(a) 40A-3.411(5)	Failure to supply additional information as requested.
21	62-532.400(5) 40A-3.041(9)	Failure to apply for an amended permit prior to changing well location.
23	62-532.400(4) 40A-3.041(8)	Failure to make the permit available for inspection at the site during construction, repair, or abandonment of a well.
26	62-532.400(6) 40A-3.321	Failure to request an extension prior to expiration of a permit in the event construction, repair, or abandonment is not complete.
27	40A-3.492(1)(b)	Failure to provide accurate information when applying for a permit.
32	62-532.410	Failure to submit a completion report within 30 days after well completion.
32	40A-3.411(1)	Failure to submit a completion report within 30 days after permit expiration.
32	40A-3.492(1)(g)	Failure to notify the Permitting Authority that work was not performed or completed within 30 days of the expiration of the permit.
33	62-532.400(1) 40A-3.411(3)	Failure to use the appropriate completion report form.
33	62-532.400(1) 40A-3.411(5) 40A-3.492(1)(f)	Failure to file an accurate completion report.
33	40A-3.411(4)	Failure of the water well contractor to provide a copy of the completion report to the well owner.
82	40A-3.512(7)	Failure to construct a well, which prevents the entrance of sand into the well.

I hereby certify that I have reviewed the District rules and certify that the rules that have been designated as rules the violation of which would be a minor violation, consistent with the legislative intent, are identified above. A copy of these rules that the agency has designated as rules the violation of which would be a minor violation will be published on the District's website prior to July 1, 2017.



Brett J. Cyphers
Executive Director



J. Breck Brannen
Legal Counsel

cc: The Honorable Richard Corcoran, Speaker, Florida House
Kenneth J. Plante, Joint Administrative Procedures Committee
Alexandra Phillips, Rules Ombudsman, Executive Office of the Governor

The Honorable Richard Corcoran
Speaker, Florida House of Representatives
420 The Capitol
402 S. Monroe St.
Tallahassee, FL 32399

Joint Administrative Procedures Committee
Attention: Kenneth J. Plante
680 Pepper Building
111 W. Madison St.
Tallahassee, FL 32399

Office of Governor Rick Scott
Attn: Alexandra Phillips, Rules Ombudsman
The Capitol, Suite 209
Tallahassee, FL 32399