

Board of Trustees of the Internal Improvement Trust Fund  
2016-17 Regulatory Plan Pursuant to s. 120.74(1)(a) (c), F.S.

| Agency       | Law enacted or modified that creates or modifies DEP authority or duties | Is rulemaking necessary to implement the law? | <i>If rulemaking is not necessary</i> , statement explaining reasons why the law may be implemented without rulemaking  | <i>If rulemaking is necessary</i> , has notice of rule development been published in the FAR? If yes, which FAR issue (include date, volume, and number). | When is notice of a proposed rule expected to be published?          | Rule Number | Rule Title                                      | Was the law listed in a previous regulatory plan as requiring rulemaking to implement a law? |
|--------------|--|---|---|---|--|-------------|---|--|
| BOT          | Ch. 2013-152, Laws Of Florida  | Yes   | N/A   | Notice of Rule Development was published on July 1, 2015; Vol. 41/127.  | Notice of Proposed Rule was published December 17, 2015; Vol. 41/243 | 18-2.019    | Procedures to Obtain Authorization              | Yes  |
| BOT          | Ch. 2015-229, Laws of Florida  | Yes   | N/A   | Notice of Rule Development was published on November 2, 2015; Vol. 41/213.  | Prior to April 2017  | Ch. 18-24   | Florida Forever Land Acquisition and Management | Yes  |
| BOT          | Ch. 2016-1, Laws of Florida  | No  | This act relating to environmental resources, including the requirement to establish a database of conservation lands can be implemented without the need for rulemaking.         | N/A   | N/A  | N/A         | N/A   | No   |
| All Agencies | Ch. 2016-6, Laws of Florida  | No  | This act relating to public records exemptions for trade secrets is self implementing, therefore rulemaking is not necessary.   | N/A   | N/A  | N/A         | N/A   | No   |
| BOT          | Ch. 2016-8, Laws of Florida  | No  | This act adopting the 2016 Florida Statutes and designating portions as the official law of the state is self implementing, therefore rulemaking is not necessary                 | N/A   | N/A  | N/A         | N/A   | No   |
| All Agencies | Ch. 2016-10, Laws of Florida   | No  | This act deleting provisions of law that have expired, become obsolete and correcting cross references and citations is self implementing, therefore rulemaking is not necessary. | N/A   | N/A  | N/A         | N/A   | No   |
| All Agencies | Ch. 2016-11, Laws of Florida   | No  | This act deleting provisions of law that have become inoperative is self implementing, therefore rulemaking is not necessary.   | N/A   | N/A  | N/A         | N/A   | No   |
| All Agencies | Ch. 2016-20, Laws of Florida   | No  | This act relating to public records and public agencies' contracts for services is self implementing, therefore rulemaking is not necessary.                                      | N/A   | N/A  | N/A         | N/A   | No   |

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| All Agencies | Ch. 2016-27, Laws of Florida   | No  | This act relating to a public records exemption for emergency notification information furnished by a person to an agency is self implementing, therefore rulemaking is not necessary. | N/A   | N/A   | N/A         | N/A        | No   |
| All Agencies | Ch. 2016-28, Laws of Florida   | No  | This act relating to a public records exemption for confidential or exempt information is self implementing, therefore rulemaking is not necessary.                                    | N/A   | N/A   | N/A         | N/A        | No   |
| All Agencies | Ch. 2016-36, Laws of Florida   | No  | This act relating to scrutinized companies is self implementing, therefore rulemaking is not necessary.  | N/A   | N/A   | N/A         | N/A        | No   |
| All Agencies | Ch. 2016-49, Laws of Florida   | No  | This act relating to a public records exemption for bids, proposals or replies submitted to an agency solicitation is self implementing, therefore rulemaking is not necessary.        | N/A   | N/A   | N/A         | N/A        | No   |
| All Agencies | Ch. 2016-62, Laws of Florida   | No  | This act relating to the implementation of the general appropriations act is self implementing, therefore rulemaking is not necessary.   | N/A   | N/A   | N/A         | N/A        | No   |
| All Agencies | Ch. 2016-63, Laws of Florida   | No  | This act relating to the state-administered retirement system is self implementing, therefore rulemaking is not necessary.   | N/A   | N/A   | N/A         | N/A        | No   |
| All Agencies | Ch. 2016-66, Laws of Florida   | No  | This law is the General Appropriations Act and therefore does not require rulemaking.  | N/A   | N/A   | N/A         | N/A        | No   |
| BOT          | Ch.2016-85, Laws of Florida  | No  | This act relating to the organizational structure of the Department of Environmental Protection is self implementing, therefore rulemaking is not necessary.                           | N/A   | N/A   | N/A         | N/A        | No   |
| BOT          | Ch. 2016-096, Laws of Florida  | No  | This act relating to anchoring limitation areas is self implementing, therefore rulemaking is not necessary.   | N/A   | N/A   | N/A         | N/A        | No   |
| All Agencies | Ch. 2016-102, Laws of Florida  | No  | This act requiring state agencies to develop and implement veterans' recruitment plans is self implementing, therefore rulemaking is not necessary.                                    | N/A   | N/A   | N/A         | N/A        | No   |

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| All Agencies | Ch. 2016-114, Laws of Florida  | No  | This act creating public records exemptions for records identifying detection, investigation, or response practices for suspected or confirmed information technology security incidents is self implementing, therefore rulemaking is not necessary.                        | N/A   | N/A   | N/A         | N/A        | No   |
| All Agencies | Ch. 2016-116, Laws of Florida  | No  | This act amending the administrative rulemaking process and procedures for challenges to agency actions is self implementing, therefore rulemaking is not necessary.   | N/A   | N/A   | N/A         | N/A        | No   |
| All Agencies | Ch. 2016-154, Laws of Florida  | No  | This act relating to exemptions for public records and meetings for competitive solicitations is self implementing, therefore rulemaking is not necessary.   | N/A   | N/A   | N/A         | N/A        | No   |
| All Agencies | Ch. 2016-159, Laws of Florida  | No  | This act providing an exemption from public records requirements for personal information for investigative personnel is self implementing, therefore rulemaking is not necessary.   | N/A   | N/A   | N/A         | N/A        | No   |
| All Agencies | Ch. 2016-164, Laws of Florida  | No  | This act providing a public records exemption for certain identifying and location information of current and former personnel employed in an agency's office of inspector general or internal audit department is self implementing, therefore rulemaking is not necessary. | N/A   | N/A   | N/A         | N/A        | No   |
| All Agencies | Ch. 2016-178, Laws of Florida  | No  | This act regarding a public records exemption for security system plans is self implementing, therefore rulemaking is not necessary.   | N/A   | N/A   | N/A         | N/A        | No   |
| BOT          | Ch. 2016-200, Laws of Florida  | No  | This act related to shellfish harvesting is self implementing, therefore rulemaking is not necessary.  | N/A   | N/A   | N/A         | N/A        | No   |
| BOT          | Ch. 2016-225, Laws of Florida  | No  | This act related to local government environmental financing and requiring DEP to annually consider certain recommendations to buy specific lands within and outside an area of critical state concern is self implementing, therefore rulemaking is not necessary.          | N/A   | N/A   | N/A         | N/A        | No   |

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| All Agencies | Ch. 2016-232, Laws of Florida  | No  | This act relating to rulemaking procedures for calculating regulatory costs is self implementing, therefore rulemaking is not necessary.   | N/A   | N/A   | N/A         | N/A        | No   |
| BOT          | Ch. 2016-233, Laws of Florida  | No  | This act relating to state owned lands largely reorganizes previously existing statutory language and does not create or modify the duties or authority of the Board of Trustees in such a manner that would require rulemaking. | N/A   | N/A   | N/A         | N/A        | No   |
| BOT          | Ch. 2016-243, Laws of Florida  | No  | This act providing an honorary designation of a state park in Broward County is self implementing, therefore rulemaking is not necessary.  | N/A   | N/A   | N/A         | N/A        | No   |

**Board of Trustees of the Internal Improvement Trust Fund  
2016-17 Regulatory Plan Pursuant to s. 120.74(1)(b)**

| <b>Division</b> | <b>Law Implemented</b>   | <b>Rule Number</b> | <b>Rule Title</b>  | <b>Explain whether the rule is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.</b>        |
|-----------------|--|--------------------|--|---|
| DSL             | 253.03, 253.034, 253.42, 253.51-.54, 253.571, 270.11 F.S.  | 18-2.020           | Payments and Consideration   | This proposed rule revision will clarify rule language to be consistent with statute. Additional changes are proposed to increase efficiency and make the process easier for compliance.                              |
| DSL             | 253.001, 253.03, 253.68, 253.77 FS.  | 18-21.003          | Definitions  | This proposed rule revision will delete unnecessary definitions and add others for clarification.   |
| DSL             | 253.001, 253.03, 253.141, 253.0347, 253.665, 253.71, 253.68, 253.72, 253.74, 253.75, 253.77 FS.                              | 18-21.004          | Management Policies, Standards and Criteria  | This proposed rule revision will clarify the process and reduce regulatory costs.   |
| DSL             | 120.60, 161.041, 161.055, 253.03, 253.77, 258.42, 258.43, 373.026, 373.413, 373.414(11)-(16), 373.416, 373.427, 373.4275 FS. | 18-21.00401        | Additional Requirements and Procedures for Concurrent Review of Related Authorizations | This proposed rule revision deletes obsolete requirements and will increase efficiency by aligning this rule with other Board of Trustees' rules.   |
| DSL             | 253.03 FS.   | 18-21.0041         | Florida Keys Marina and Dock Siting Policies and Criteria                              | This proposed rule revision will clarify rule language to better reflect statutory provisions and current processes.  |
| DSL             | 253.001, 253.68, 253.77 FS   | 18-21.005          | Forms of Authorization   | This proposed rule revision will clarify the possible forms of authorizations for use of state lands that may be used in certain circumstances.   |
| DSL             | 253.002, 253.67-.75, 597.010 FS.   | 18-21.0051         | Delegation of Authority  | This proposed rule revision will reduce regulatory costs and increase efficiency by reducing the process for obtaining approval for use of state lands.   |
| DSL             | 253.03, 253.12, 253.77 FS.   | 18-21.007          | Applications for Letter of Consent   | This proposed rule revision will reduce regulatory costs associated with submitting site plan drawing(s) for letters of consent to use state lands.   |
| DSL             | 253.03, 253.04, 253.115, 253.12, 253.47, 253.512, 253.52-.54, 253.61, 253.67-.75 FS.   | 18-21.008          | Applications for Lease   | This proposed rule revision will clarify the rule to align with statutory provision changes. The proposed amendments will also reduce regulatory costs and simplify application procedures associated with surveying. |
| DSL             | 253.03, 253.0345, 253.04, 253.115, 253.141, 253.77 FS.   | 18-21.0082         | Applications for Special Event Authorizations  | This proposed rule revision will simplify and clarify the rule to align with statutory provisions.  |
| DSL             | 253.03, 253.115, 253.12 FS.  | 18-21.009          | Applications for Public Easements  | This proposed rule revision will reduce regulatory costs involved in obtaining a survey for easements less than 3,000 square feet.  |
| DSL             | 253.03, 253.115, 253.12 FS.  | 18-21.010          | Applications for Private Easements   | This proposed rule revision will reduce regulatory costs involved in obtaining a survey for easements less than 3,000 square feet.  |
| DSL             | 253.03, 253.71 FS.   | 18-21.011          | Payments and Fees  | This proposed rule revision will clarify this rule to align with statutory provisions. The proposed changes will also reduce regulatory costs and simplify procedures.  |

**Board of Trustees of the Internal Improvement Trust Fund  
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|     |                                     |           |   |   |
|-----|-------------------------------------|-----------|---|---|
| DSL | 253.115; 253.12, F.S.               | 18-21.013 | Applications to Purchase Filled Lands Adjacent to Riparian Uplands.   | Eliminates unnecessary information for an application.  |
| DSL | 253.03, 253.12, 253.43, 253.129 FS. | 18-21.019 | Applications for Disclaimers, Quitclaim Deeds or Certificates to Clear Title to Filled Formerly Sovereignty Lands and for Disclaimers for Lands Lost Due to Avulsion or to Reclaim Lands Lost Due to Artificial Erosion or Artificial Erosion and Avulsion. | This proposed rule revision will simplify procedure for quit claim disclaimers in certain circumstances.  |
| DSL | 253.03, 253.03, 253.77, 597.010 FS  | 18-21.900 | Forms   | This proposed rule revision will simplify this rule by incorporating forms where they are first referenced, and therefore delete this rule as obsolete and unnecessary. These proposed revisions were requested by the Joint Administrative Procedures Committee. |
| FCO | 253.86                              | 18-23.007 | State Buffer Preserves- Activities in Buffer Preserves  | Proposed rule change will clarify activities allowed within State Buffer Preserves.   |
| FCO | 253.86                              | 18-23.010 | State Buffer Preserves- Enforcement   | Proposed rule change will clarify the degree of violation of new activities added to Rule 18-23.007, F.A.C.   |
| FCO | 253.86                              | 18-23.011 | State Buffer Preserves  | Proposed rule change will clarify entrance expectations. Update the entrance expectations to Apalachicola National Estuarine Research Reserve to be consistent with other two Reserves.   |
| FCO | 258.397                             | 18-18.005 | General Management Criteria   | Proposed rule change will clarify language.   |
| FCO | 258.397                             | 18-18.006 | Uses, Sales, Leases, or Transfers of Interests in Lands or Materials Held by the Board  | Proposed rule change will clarify language.   |
| FCO | 258.397                             | 18-18.014 | Biscayne Bay Aquatic Preserve - Procedures  | Proposed rule change will clarify language. Updating the application form references which are no longer valid to reference to the ERP rule where up-to-date application forms are listed.  |
| FCO | 258.42                              | 18-20.004 | Management Policies, Standards and Criteria   | Proposed rule change will clarify language and to provide updated Aquatic Preserve management plans incorporated by reference.  |
| FCO | 258.43                              | 18-20.017 | Florida Aquatic Preserves - Lake Jackson Aquatic Preserve   | Proposed rule change will clarify language.   |



# Florida Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

Pursuant to Section 120.74, Florida Statutes, the undersigned hereby certify that they have reviewed the regulatory plan for the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and that the Department of Environmental Protection, as staff to the Board of Trustees, regularly reviews all of the rules of the Board of Trustees to determine if the rules remain consistent with the agency's rulemaking authority and the laws implemented. The Department of Environmental Protection, as staff to the Board of Trustees, completed its most recent review of its existing rules in June of 2015.

Dated this 30<sup>th</sup> day of September, 2016.



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GENERAL COUNSEL



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SECRETARY