

NOTICE OF RULE DEVELOPMENT

BOARD OF INTERNAL IMPROVEMENT TRUST FUND

RULE NUMBER(S): RULE TITLE(S):
18-21.022 Payments and Fees for Aquacultural Activities.

PURPOSE AND EFFECT: The proposed rule would remove the requirement for a fee change each year.

SUBJECT AREA TO BE ADDRESSED: Addresses the requirement for a fee change each year.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS (SERC) 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 its economic analysis of the adverse impact and potential regulatory costs of the proposed rule not exceeding any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department reviewed existing aquaculture management agreement criteria and have made exemptions to allow restoration activities as an eligible purpose. The proposed rule changes do not require additional fees. No interested party submitted supplementary information regarding the economic impact.

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 of this notice.

RULEMAKING AUTHORITY: 253.03, 253.73 F.S.

LAW IMPLEMENTED: 253.002, 253.04, 253.67-.75, 253.77, 597.010 F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Portia Sapp, Division of Aquaculture, 600 S Calhoun Street, Suite 217, Tallahassee, FL, 32301, Phone: (850) 617-7600, Portia.Sapp@FDACS.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

18-21.022 Payments and Fees for Aquacultural Activities.

(1) through (3) No change.

(4) The annual fee ~~may shall~~ be revised ~~March 1 of each year~~ and increased or decreased based on the average change over time in the price paid by all urban consumers for a market basket of consumer goods and services. In determining the change, the Board will annually consult the Consumer Price Index figures established for the previous five years by the Bureau of Labor Statistics, computed as provided in the BLS Publication "Handbook of Methods," Chapter 17, June 2007, which is hereby adopted and incorporated by reference and may be obtained on the Internet at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10655> or by writing to the Division of Aquaculture at 600 S. Calhoun Street, Suite 217, Tallahassee, Florida 32399. There shall be a 10 percent cap on any annual increase.

(5) through (8) No change.

*Rulemaking Authority 253.03(7), (11), 253.73 FS. Law Implemented 253.002, 253.04, 253.67-.75, 253.77, 597.010 FS. History—
New 9-1-09, Amended 7-10-19.*