

PREFACE

The purpose of this manual is to provide information and guidance to applicants in the process of obtaining a Water Use Permit from the Southwest Florida Water Management District (hereinafter referred to as the District). It consists of the following sections:

Part A contains the rules governing water use permitting requirements and exemptions, Chapter 40D-2, Florida Administrative Code, (F.A.C.). Other District rules that apply to Water Use Permits are set forth in Chapter 40D, F.A.C., and include Chapter 40D-8 governing minimum water levels and rates of flow and Chapter 40D-21 governing water shortage procedures which may limit the withdrawal quantities permitted.

Part B is entitled "Basis of Review for Water Use Permit Applications" and is incorporated by reference as part of Chapter 40D-2, F.A.C. The "Basis of Review" is organized in seven sections and explains procedures and technical criteria involved in the evaluation of a Water Use Permit Application. Each section explains the sequence as follows:

1. Section 1.0 describes the procedures and time frames for filing a Water Use Permit Application.
2. Section 2.0 describes other administrative information, which may apply to certain water users.
3. Section 3.0 describes how the District evaluates the appropriateness of the withdrawal quantities requested based on historical information or best available data.
4. Section 4.0 describes the technical considerations employed in assessing compliance with the conditions for issuance.
5. Section 5.0 identifies the types of water-use monitoring that may be required under various circumstances.
6. Section 6.0 presents a list of Permit Conditions, which the District may include on a permit.
7. Section 7.0 provides special conditions applying to Water Use Caution Areas.

Part C contains design aids that are not adopted as part of Chapter 40D-2, F.A.C. These design aids describe various procedures relevant to water-use permitting and are provided in this manual for the Applicant's convenience.

Applicants may provide and the District may consider information using methods or procedures other than those described in Part C. However, Part C contains material most commonly relied on by the District in permit evaluation.

Part D is entitled "Requirements for the Estimation of Permanent and Temporal Service Area Populations in the Southern Water Use Caution Area." Part D explains the methodology to be used to calculate the functional population of a retail water service area for purposes of determining per capita water use.

The District may periodically update this manual and will provide public notice prior to implementing any revisions. The District maintains a mailing list of interested persons who use this manual and will provide updates as they occur. Users should contact the District to obtain the most current version of this manual. Information from the manual can also be viewed or downloaded from the District website at <http://www.swfwmd.state.fl.us/permits/wup/>

Southwest Florida Water Management District Authority

The District was created by Chapter 61-691, Laws of Florida, for purposes of flood control and water conservation. In 1972, the Florida Legislature enacted Chapter 373, Florida Statutes (F.S.), the Florida Water Resources Act of 1972 (Act), which greatly expanded the District's responsibilities from flood control to a full range of water management activities. The Act establishes an eleven member Governing Board that is responsible for the administration of all District programs.

The Act governs the regulation of all waters in the state, unless exempted by law. Waters in the state are defined to include all water on or beneath the surface of the ground or in the atmosphere.

Generally, the objectives of the Act are:

1. To provide for management of water and related land resources;
2. To promote the conservation, development, and proper utilization of surface and ground water;
3. To provide water storage for beneficial purposes;
4. To prevent damage from floods, soil erosion, and excessive drainage;
5. To preserve natural resources, fish, and wildlife; and
6. To promote recreational development.

The Act provides for the establishment of permit programs for the regulation of consumptive use of water, well construction, surface water management systems, artificial recharge, and management of District lands and structures.

The District has implemented all the permitting programs authorized by the Act by adopting rules that are published as Chapter 40D, F.A.C.