

AGENDA

Central Florida Water Initiative Rule Development Workshop

62-41.300 - 62-41.305

April 4, 2019, 9:30 am

Orlando, FL

All times are approximate

1.	Harmful Saline Water Intrusion	9:30 – 10:15
2.	Annual Conservation Goal	10:15 – 11:00
	Break	11:00 – 11:15
3.	Lowest Quality Water Source	11:15 – 11:45
4.	Public Supply Demands	11:45 – 12:30
5.	CII/MD Demands	
6.	Uniform Process for MFLs	
7.	Variances	
8.	Applicability of Rule	
9.	Conditions for Issuance	
10.	Supplemental Applicant's Handbook incorporation	
11.	SWUCA & Dover Plant City WUCA	
12.	ERP/CUP Concurrency	

Deadlines to submit comments on language proposed at the April 4 workshop is **May 1**.

Comments may be submitted to Kristine.P.Morris@floridadep.gov.

1 **CFWI – 3.3. Harmful saline water intrusion or harmful upconing resulting from fresh and**
2 **brackish water withdrawals**

3
4 Saline water intrusion means the movement of water caused by withdrawals resulting in
5 increases in total dissolved solids (TDS) or chloride concentrations. Saline water intrusion can
6 occur laterally or vertically (the latter of which is termed “upconing”). Nothing in this section
7 shall be used to determine whether a source qualifies as an alternative water supply, as defined in
8 section 373.019, F.S., or qualifies for funding by a District. A withdrawal must not cause
9 harmful saline water intrusion or upconing.

10
11 **3.3.1 Harmful saline water intrusion resulting from fresh and brackish water withdrawals**

12
13 The District shall not consider saline water intrusion as harmful if it is the result of seasonal
14 fluctuations; climatic conditions, such as a drought; or operation of the Central and Southern
15 Flood Control Project, secondary canals or stormwater systems. The Districts encourage the use
16 of the lowest water quality for the use intended, while also providing for the long-term protection
17 of the water resources.

18
19 To satisfy the requirements of this section, an applicant shall provide reasonable assurance that
20 the applicant’s proposed use will not cause harmful saline water intrusion or upconing. The
21 following factors must be considered:

- 22
- 23 (a) Whether saline water intrusion will detrimentally affect the applicant or other existing
24 legal uses of water.
 - 25
 - 26 (b) Whether there is a movement of more saline water to a greater distance inland or towards
27 a withdrawal point than has occurred as a result of seasonal fluctuations or drought.
 - 28
 - 29 (c) Whether there is a sustained amount and rate of increase of TDS or chloride
30 concentrations at the base of the aquifer(s) or producing zone(s) within the area of
31 influence of the withdrawal point from that existing prior to the proposed withdrawal.
 - 32
 - 33 (d) Whether other documented evidence demonstrates that the proposed use will cause
34 harmful saline water intrusion or upconing.
 - 35
 - 36 (e) If, based on evaluation of (a) - (d), above, there is evidence that harm to the water
37 resources would be reasonably anticipated to occur, the applicant may further evaluate
38 whether the harm can be avoided. A determination of whether the reasonably anticipated
39 saline water intrusion is lateral or vertical can be assessed through an evaluation of
40 whether there has been a detrimental change in the geochemistry of the groundwater at
41 the base of the aquifer(s) or producing zone(s) within the area of influence of the
42 wellfield towards a saline water composition.
 - 43
 - 44
 - 45
 - 46

47 **3.3.2. Technical Assistance**
48

49 A. The Supplemental Applicant’s Handbook Design Aid 3, titled “Calculation of the
50 Maximum Safe Yield of Well for the Prevention of Upconing” and dated [Rule Adoption
51 Date], is available solely to provide applicants with useful tools that may assist in
52 presenting reasonable assurance that the withdrawal will not cause harmful upconing
53 during the applicant’s preparation of for consumptive use permits under Chapter 62-41,
54 F.A.C. This calculation may not be appropriate for every well – applicants should
55 consult the Design Aid 3 for more information. The Design Aid 3 is not incorporated by
56 reference in Chapter 62-41, F.A.C., and applicants are not required to use the tools or
57 suggestions of this Design Aid when preparing its reasonable assurance nor is the district
58 required to rely on its submittal as reasonable assurance.

59
60 B. Agricultural users under 100,000 gpd are encouraged to seek technical assistance from
61 the Districts.
62

DESIGN AID 3

Calculation of the Maximum Safe Yield of Well for the Prevention of Upconing

This Design Aid 3 is intended solely to provide applicants with useful tools that may assist in presenting reasonable assurance that the withdrawal will not cause harmful upconing during the applicant's preparation of for consumptive use permits under Chapter 62-41, F.A.C. The equation presented here is from Schmorak, S. and A. Mercado. 1969. "Upconing of Fresh Water-Sea Water Interface Below Pumping Wells, Field Study." Water Resources Research, Vol. 5, No. 6, pp 1290 – 1311, and is based on a number of assumptions about the aquifer. The absence of applicable conditions may render the equation less relevant to an applicant's well. Therefore, an applicant is cautioned on relying on the equation as the sole basis for demonstrating reasonable assurance that its water withdrawal will not cause harmful saline water intrusion due to upconing, especially in cases where the assumptions do not reflect the conditions at the well site. It is recommended the applicant consult the publication and assumptions to determine its applicability.

When those assumptions have been met, there is evidence of reasonable assurance that the maximum amount of pumpage from any well is constrained as follows:

$$Q = \left(\frac{2\pi}{3}\right)(b - l)^2 \left(\frac{\Delta\rho}{\rho}\right) K$$

Where:

- Q is the maximum safe yield of well
- b is the thickness of freshwater
- l is the distance between top of aquifer and well screen
- ρ is the density of freshwater
- $\Delta\rho$ is the change in density of freshwater
- K is the hydraulic conductivity of the aquifer

2.7 Annual Conservation Goal Within the CFWI

As part of an application for renewal of an existing consumptive use permit, a modification of an existing consumptive use permit with an increased allocation, or an application for a new consumptive use permit, the permit applicant shall provide an annual conservation goal that is consistent with the Central Florida Water Initiative regional water supply plan. These annual conservation goal requirements are in addition to any other conservation requirements of the permit. An annual conservation goal is consistent with the CFWI regional water supply plan, if it includes an activity or action which reduces the demand for water including those that prevent or reduce wasteful or unnecessary uses and those that improve efficiency of use.

2.7.1. Options for meeting the Annual Conservation Goal

A. Public Supply

Public suppliers shall meet the requirements of an annual conservation goal by developing and implementing an Annual Conservation Goal Implementation Plan (ACGIP) as set forth in section 2.7.2. and report in accordance with that section. In lieu of an ACGIP, the following satisfy the requirements for an annual conservation goals for public suppliers who meet any one of the criteria presented below.

1. The public supplier annually maintains its Gross Per Capita Daily Water Use identified in its permit and calculated as set forth in 2.2.3.2. at or below 100 gpcd.

Or

2. The public supplier annually maintains a five-year average functional per capita for the most recent five years at or below 100. The annual five-year average functional per capita, as calculated pursuant to section 2.2.3.4., must be published on the public supplier's website and updated on an annual basis. Additionally, each annual five-year average functional per capita must be submitted to the district during any applicable 10-year compliance review and at permit renewal.

Or

3. The public supplier annually maintains a five-year average *adjusted* functional per capita for the most recent five years at or below 100 and (a) develops a conservation plan for each use type for which the public supplier deducts a significant use (e.g., golf courses, commercial, industrial, etc.) and (b) complies with all permit conditions relating to leak detection or water loss if the public supplier deducts water loss as part of its five-year average adjusted functional per capita. The annual five-year average adjusted functional per capita, as calculated pursuant to section 2.2.3.3., must be published on the public supplier's website and updated on an annual basis. Additionally, each annual five-year average adjusted functional per capita must be submitted to the district during any applicable 10-year compliance review and at permit renewal.

47 B. Agriculture

48

49 Agricultural users shall meet the requirements of an annual conservation goal by developing and
50 implementing an Annual Conservation Goal Implementation Plan (ACGIP) as set forth in section
51 2.7.2. and report in accordance with that section. In lieu of an ACGIP, the following satisfy the
52 requirements for an annual conservation goals for agricultural users who meet either of the criteria
53 presented below.

54

55 1. The agricultural user is enrolled in a Florida Department of Agricultural and Consumer
56 Services (FDACS) BMP program applicable to their commodity; annually implements
57 operation and maintenance activities in accordance with those BMPs; and either (1) has the
58 most efficient irrigation system available for their crop type or (2) presents documents
59 supporting a plan to convert its irrigation system to a more efficient system within 5 years.

60

61 Or

62

63 2. The agricultural user is enrolled in a FDACS BMP program applicable to their commodity,
64 implements the BMPs annually, and has a total allocation less than 100,000 gpd. Districts
65 shall include the user's selected BMPs as permit conditions.

66

67 C. Other

68

69 Other users, including industrial, commercial, and institutional users as well as
70 landscape/recreational users, must meet the requirements of an annual conservation goal by
71 developing and implementing an Annual Conservation Goal Implementation Plan as set forth in
72 section 2.7.2. and report in accordance with that section.

73

74 2.7.2 Annual Conservation Goal Implementation Plan

75

76 If required pursuant to the above, an Annual Conservation Goal Implementation Plan (ACGIP)
77 must be developed. The ACGIP must contain annual conservation goals, the person(s) responsible
78 for implementing that goal, and a record of whether each listed annual goal was met and must be
79 kept current. An ACGIP is iterative and may be modified by the user without the need to modify
80 the permit; however, all versions of the ACGIP must be kept, signed, and dated and maintained at
81 the permittee's principal place of business for at least five years after the expiration date of the
82 permit. For public suppliers, the latest version must be posted online.

83

84 For public suppliers, the ACGIP must be designed to achieve:

85 (a) An 16% reduction in its five-year average functional per capita or a five-year average
86 *adjusted* functional per capita as soon as practicable and no later than twenty years after
87 permit issuance with measurable progress every 5 years (percentage may be adjusted
88 downward proportional to permit duration for permits less than 20 years); or

89 (b) A five-year average functional per capita or a five-year average *adjusted* functional per
90 capita of 100 as soon as practicable and no later than twenty years after permit issuance
91 with measurable progress every 5 years.

92

93 The annual conservation goals in an ACGIP must include either of the following:
 94

- 95 A. Conservation Best Management Practices (BMPs) and conservation programs. The permittee
 96 shall list any practice, measure, program, device replacement, or other action that maintains or
 97 improves expected water use efficiency that it intends to implement annually. The applicant
 98 shall propose to maintain and operate installed water conserving designs or features as part of
 99 this approach.

100
 101 For each conservation BMP and conservation program listed, the applicant must include a brief
 102 statement of the applicant’s implementation strategy. Examples of brief statements include,
 103 but need not be limited to, FDACS BMP program being implemented, geographic target areas,
 104 use sectors targeting (residential, commercial, irrigation customers, etc.), media strategies, and
 105 other similar factors in developing a conservation BMP.
 106

107 For each conservation BMP and conservation program, the applicant must list components of
 108 the permittee’s implementation strategy for the BMP or program. The applicant may include
 109 an estimated water savings based on best available information from appropriate data sources.
 110

- 111 B. Other metrics. Alternatively, a permittee shall identify other annual measurable conservation
 112 benefits that demonstrate an improvement or maintenance of the permittee’s projected water
 113 use efficiency due to the permittee’s conservation program. This may includes benefits
 114 associated with facility or manufacturing designs that improve or maintain the permittee’s
 115 water use efficiency.
 116

117 For many conservation efforts, a single year’s conservation implementation results in multi-year
 118 annual water savings with proper maintenance and operation that may extend beyond the permit
 119 term. Facility design, certain device or irrigation infrastructure replacement, and similar
 120 conservation activities typically do not occur on an annual basis. However, these designs and
 121 activities will produce benefits over multiple years and may produce benefits over multiple permit
 122 terms. In such a situation, this section 2.7 shall not be interpreted to require a permittee to
 123 implement new practices in each year; rather, the permittee may continue or carry over and
 124 maintain practices from a prior permit term, implement practices in the initial year, or implement
 125 practices for other periods that are not all the years of the goal term, that will provide conservation
 126 for the entire goal term, and, in such case, the goal shall be fulfilled for the full goal term by
 127 maintaining such practices.
 128

129 The permittee shall track implementation of ACGIP. The Permittee shall submit a copy of the
 130 ACGIP to the District, including all iterations, in accordance with the below schedule:
 131

Allocation	Reporting Frequency
Less than 100,000 gpd	During any compliance reporting or, if no compliance reporting required, at permit renewal or modification with increase in allocation
100,000 gpd or greater, but less than 500,000 gpd	Every 10 years or sooner if renewing or at permit renewal or modification with increase in allocation

500,000 gpd or greater	Every 5 years or sooner if renewing or at permit renewal or modification with increase in allocation
------------------------	------------------------------------------------------------------------------------------------------

132
133
134
135
136

Public suppliers with an ACGIP must additionally submit to the district their five-year average functional per capita or a five-year average *adjusted* functional per capita, whichever is lower, using *Form XYZ* in accordance with the below schedule:

Allocation	Reporting Frequency
Less than 100,000 gpd	During any compliance reporting or, if no compliance reporting required, at permit renewal
100,000 gpd or greater, but less than 500,000 gpd	Every 5 years
500,000 gpd or greater	Annually

137
138

DRAFT

139 **2.2.3.2. Uniform Method for Calculating Gross Per Capita Daily Water Use**

140

141 Gross Per Capita means:

142

$$143 \frac{(WD + IM - EX)}{RP}$$

144 Where:

145

- 146 • WD = ground water, surface water and stormwater withdrawals.
- 147 • IM = water imported/purchased from other supplier(s). Irrigation water, excluding
- 148 Reclaimed Water, provided to the applicant's service area by a separate utility shall
- 149 be counted as imported water
- 150 • EX = water exported/sold to other supplier(s)
- 151 • RP = Residential Population (for a Utility Service Area) is based upon total
- 152 residential dwelling units served, which include Single Family Residential, Multi-
- 153 Family Residential (apartments, townhomes, condos, duplexes) and Mobile
- 154 Homes, multiplied by a utility-specific estimate of persons per household. The
- 155 applicant shall provide reasonable assurance that the utility specific persons per
- 156 household figure used demonstrates a reasonable method for determining persons
- 157 per household within its service area. Examples of reliable data include census-
- 158 based averages, BEBR persons per household estimates, and utility documented
- 159 surveys.

160

161 **2.2.3.3. Uniform Method for Calculating Residential Per Capita Daily Water Use**

162

163 Residential Per Capita is defined as Water Use by Dwelling Units (or Total Residential Water Use)

164 divided by Service Area Residential Population.

165

166 **2.2.3.4. Five-Year Average Functional Per Capita**

167

168 For the purposes of calculating an Five-Year Average Functional Per Capita in accordance with

169 this rule, Functional Per Capita means:

170

$$171 \frac{(WD + IM - EX - TL)}{FP}$$

172

173 Where:

174

- 175 • WD = water withdrawals.
- 176 • IM = water imported/purchased from other supplier(s). Irrigation water provided to
- 177 the applicant's service area by a separate utility shall be counted as imported water.
- 178 • EX = water exported/sold to other supplier(s)
- 179 • TL = treatment loss (typically R/O or sand filtration) and no more than 1% of the
- 180 treated water volume for flushing distribution lines for potability

- FP = Functional Population Served is the served permanent population as adjusted by the seasonal resident, tourist, group quarters and net commuter population within a utility's service area

A Five-Year Average Functional Per Capita is calculated using the average of the past five calendar years of Functional Per Capita as calculated above.

2.2.3.5. Five-Year Average *Adjusted* Functional Per Capita

If an applicant/permittee does not meet or does not believe it can meet the Five-Year Average Functional Per Capita established in 2.2.3.4 within the timeframes provided, the applicant may use a Five-Year Average Adjusted Functional Per Capita calculated as follows:

$$\frac{(WD + IM - EX - TL - SU - GC - EM - WL)}{FP}$$

Where:

- SU = Significant Use is as described in 2.2.3.5.1.
- GC = Golf Course Deduction may be used only for separately metered golf course irrigation quantities provided to golf courses inside the service area. The GC withdrawal quantities deducted shall not exceed those actually provided whichever is less.
- EM = Environmental mitigation means quantities permitted and used for environmental mitigation as a condition of the water use permit.
- WL = For REDI communities only, water loss (not associated with treatment losses) may be deducted.

A Five-Year Average Adjusted Functional Per Capita is calculated using the average of the past five calendar years of Adjusted Functional Per Capita as calculated above.

2.2.3.5.1. Significant Use

Public supply utilities often supply water for non-residential customers. If this non-residential use complies with any of the following criteria (listed below), the use may be termed a significant use by the applicant and be deducted to calculate the utility's Functional Per Capita Use. Golf course and multi-family residential use (whether classified by the utility as commercial customer or not) do not qualify as significant use.

A. Single Significant Uses.

A single significant use is an Industrial/Commercial facility or other non-residential, non-governmental facility (which may consist of one or more buildings under common ownership, maintenance and management control at a single site or campus) that is supplied with greater than or equal to 25,000 gpd of water on an annual average basis (calculated for a calendar year), or whose water use comprises more than 5% of the utility's annual water use (calculated for a calendar year). Facilities that are not related under common ownership, maintenance and management

226 control shall not be combined to meet a single significant use threshold. If the 25,000 gpd criteria
227 is used for a facility, the 5% criteria may not also be used, and vice-versa.

228
229 This significant use deduction can be used in conjunction with the significant use deductions
230 associated with regional government, higher education, and regional health care facilities as
231 described in Sections B. and C. below. All of the water provided to businesses where water itself
232 is the primary ingredient in the product can be added to these deductions. Such businesses are
233 described in Section D. below.

234
235 This single significant use deduction shall not be used if the Permittee:

- 236 1. Uses the District-Wide Percent Industrial/Commercial Use method described in B. below, or
- 237 2. Includes net commuter population estimates in their service area population estimates.

238
239 B. District-Wide Percent Industrial/Commercial Use.

240
241 Utilities with a large number of Industrial/Commercial accounts, which fall below the 25,000 gpd
242 single significant use threshold or the 5% of total utility use threshold may combine these smaller
243 uses and deduct the percent of their I/C use that is greater than the District-wide three-year average
244 percent I/C use which will be available annually from the District.

245
246 The deduction shall be calculated as follows:

- 247 1. Sum the total actual use for these accounts and divide by the total Gross Water Use of to
248 determine the utility's percent I/C use.
- 249 2. From the Public Supply residential water use tables in the District's three most recently
250 published Estimated Water Use reports, add the total for each of the three year's Public Supply
251 District Gross Use and add each of the three year's District I/C Use.
- 252 3. Divide the summed I/C Use by the summed Gross Use to derive the District-wide three-
253 year average percent I/C use (to be referred to as the District-Wide Percent I/C Use).
- 254 4. Compare the Permittee's percent I/C Use to the District-Wide Percent I/C Use. If the
255 Permittees' percent is equal to or less than the District-Wide Percent I/C Use, no deduction may
256 be taken. If the Permittee's percent I/C use is higher, subtract the District-wide Percent I/C Use
257 from the Permittee's percent I/C use to find the difference in percentages.
- 258 5. Multiply the Permittee's Gross Use by the difference in percentages.

259
260 Example:

- 261
262 1. A Permittee's Gross Use is 5 MGD, and their combined I/C Use is 1.5 MGD. Their percent
263 I/C Use is $(1.5 \text{ MGD} / 5 \text{ MGD}) = 30\%$.
- 264 2. The sum of all Public Supply Permittees' Gross Use for 2000, 2001, and 2002, as published
265 in the District's 2000, 2001, and 2002 Estimated Water Use Reports, is 1,218 MGD, and the sum
266 of all Public Supply Permittees' I/C Use for the same three years is 283 MGD.
- 267 3. The District-wide Percent I/C Use is $(283 \text{ MGD} / 1,218 \text{ MGD}) = 23.2\%$.
- 268 4. The Permittee's percent is higher, so $30\% - 23.2\% = 6.8\%$.
- 269 5. $6.8\% \text{ times } 5 \text{ MGD} = 0.340 \text{ MGD}$.

270

271 The Permittee may deduct 340,000 gpd from their total gross water use when calculating the
272 functional per capita water use.

273

274 This method of significant use calculation may not be used if the Permittee:

275

- 276 1. Uses any other significant use deduction method, or
- 277 2. Includes net commuter population in its estimate of service area FP.

278

279 C. Combined Regional Government And Higher Education Facilities.

280

281 Some of the water provided to regional governmental or higher educational facilities (which may
282 consist of one or more buildings under common ownership, maintenance and management) that
283 are located inside the utility's service area but also serve persons who live outside of the utility's
284 service area may be deducted. The name and use for each facility deducted must be provided. The
285 deduction shall be calculated as follows:

286

- 287 1. Add the gpd of water provided to all of these facilities.
- 288 2. Using the most recent U.S. Census for the county, determine the percent of the permanent
289 county population not living in the utility's service area.
- 290 3. Multiply the percent of county residents who do not live within the utility's service area
291 times the combined use of the facilities. The amount calculated can be deducted.

292

293 Note: City parks, recreation centers, public and private K-12 schools, city or town governmental
294 facilities, local vocational-technological schools and other facilities which generally only serve the
295 service area population shall be excluded. However, water use for K-12 schools that do not serve
296 any of the service area population may be deducted by the applicant. The following are examples
297 of facilities for which the water provided may be partially deducted:

298

- 299 a. Community colleges, colleges and universities (public or private), and
- 300 b. County, state, and federal regional administrative and maintenance facilities.

301

302 The water use of these facilities may not be deducted under the provisions of this section if the
303 Permittee:

304

- 305 1. Uses the District-Wide Percent I/C Use method, or
- 306 2. Includes net commuter population estimates in service area population estimates.

307

308 D. Individual Regional Health Facilities.

309

310 Some of the water provided to health care facilities such as regional hospitals or specialty clinics
311 (which may consist of one or more buildings at a single site or campus under common ownership,
312 maintenance and management) that are inside the utility's service area but also serve persons living
313 outside the utility service area boundaries may be deducted. The allowable deduction is calculated
314 individually for each health care facility. It is the ratio of annual admissions with patient zip codes
315 outside the service area to the total number of annual admissions times the water provided to the
316 health care facility. The name and water use for each facility must be provided.

317
318 The water use of these facilities may not be deducted as an individual significant use under the
319 provisions of this section if the Permittee:

- 320
- 321 1. Uses the District-Wide Percent I/C Use method.
 - 322 2. Includes commuter population estimates in service area population estimates.
- 323

324 E. Individual Industrial/Commercial Facilities Where Water Is The Primary Ingredient Of The
325 Final Product.

326
327 Individual facilities such as brewers, soft-drink bottlers, and juice reconstitution plants (which may
328 consist of one or more buildings at a single site or campus under common ownership, maintenance
329 and management) where water is the primary ingredient of the final product may deduct 100% of
330 the water in the product.

331
332 The Permittee may choose to also take single significant use deductions described in Section
333 2.4.8.3.1 above or use commuter population in its estimate of the FP, but not both.

334
335 The water use of such facilities cannot be deducted if the Permittee uses the District-Wide Percent
336 I/C Use method.

Public Supply Demands
THIRD DRAFT

CFWI - 2.0 Demonstration of Water Demand, Allocations, and Source Identification

Within the CFWI Area, sections, CFWI - 2.0, excluding subsections, and CFWI - 2.1, inclusive of subsections, shall supersede it their entirety, section ____ of the SJRWMD Applicant's Handbook; sections ____ of the SWFWMD Applicant's Handbook; and sections ____ of the SFWMD Applicant's Handbook.

To receive a permit, an applicant must demonstrate that the proposed water use is a reasonable-beneficial use of water, as required by Section 373.223, F.S., including meeting the conditions of issuance. The proposed withdrawal of water must be supported with information that provides reasonable assurance that the withdrawal quantities are necessary to supply a certain reasonable demand. Only the portion of demand for which an applicant is able to provide such reasonable assurance will be permitted. Additional or alternative provisions ~~to the below~~ are required for uses within the Southern and Dover/Plant City Water Use Caution Areas in accordance with Rule 62-42.500, F.A.C.

An Applicant's allocation reflects a consideration of factors including demands and, as applicable, treatment losses, other sources of water (such as reclaimed water), conservation, and water purchased, sold, or transferred. When necessary to prevent water resource impacts, allocations can be expressed in increments over the permit term.

In no case, however, will the allocation be greater than the total rated capacity of all existing and proposed withdrawal facilities.

Applicants using reclaimed water to meet their total water needs are not required to obtain water use permits except as otherwise provided in section 373.250, F.S. However, if reclaimed water is utilized to meet any part of the applicant's water demand, the applicant shall identify the quantities from these sources used to meet the demand.

Each permit issued by the District shall identify the source of withdrawal, the use type, and the location of the withdrawal.

~~A water user shall obtain one permit for all withdrawals that are intended to serve contiguous property. Two or more properties represented to be separate properties shall be aggregated and treated as a single property for permitting purposes when the District determines that the properties are physically proximate and (a) either share the same irrigation infrastructure or (b) are operated as a common enterprise. However, when multiple use types, as defined in Rule 40C-2.501, F.A.C., are served by separate withdrawal facilities, the District is authorized to issue separate individual permits. For example, a farm on contiguous property which has four wells must apply for one permit; the application will include information about each of the wells, the intended use for the water from each well, or pump, and a general indication of when the water will be withdrawn. This requirement to aggregate two or more properties shall not apply when~~

~~the separate properties have existing permits that require metering for all withdrawals or the water user requests a permit modification to the permits to require metering for all withdrawals.~~

CFWI - 2.1 Allocation Expression

Applicants shall request quantities in gallons per day for each component of demand according to the demand components listed for each use type.

CFWI - 2.1.1. Annual Quantity

The annual quantity is determined by calculating the total quantity of water to be withdrawn over a 12-month period. A daily average is calculated by dividing the annual quantity by ~~the days in the year~~³⁶⁵. The annual quantity must equal the quantities required by each demand component for the particular use.

CFWI - 2.1.2. Peak Month

The peak month allocation represents the greatest quantity permitted to be used in any single month. The peak month allocation is determined by identifying the peak month demand for the associated use type.

CFWI - 2.2 Public Supply Use Type

Within the CFWI Area, this section, CFWI-2.2, inclusive of subsections, shall supersede their entirety, section ____ of the SJRWMD Applicant's Handbook, sections ____ of the SWFWMD Applicant's Handbook, and sections ____ of the SFWMD Applicant's Handbook.

CFWI - 2.2.1. Public Supply Demand Calculation and Components

An amount of water required for reasonable-beneficial uses must be demonstrated by the applicant. Generally, public supply demand will be calculated using the average gross per capita rate for the most recent 5-years as applied to the applicants' service areas' residential population served. See section 2.2.3.2.

Alternative methodologies can be used if there is reasonable assurance that the methodology is appropriate for the service area and that the withdrawal quantities requested are necessary to supply the proposed demand. Examples of alternative methodologies include, but need not be limited to, utility-level growth rates for applicants with a large number of dwelling units occupied by non-residents or reasonable design per capita for new developments.

Applicants ~~must identify the~~ shall request total water quantities in gallons per day (gpd) for each demand component, as defined below, in order to justify the quantities requested in the application. ~~Applicants shall request total water quantities in gallons per day (gpd) for each demand component according to the terms listed below.~~

91 Applicants for public supply use must identify the demand for the following demand
92 components:

- 93
- 94 A. Residential use shall be divided into single-family residential use (including
95 mobile homes) and multi-family residential use.
- 96 B. Non-Residential or Other Metered use shall include all uses other than residential
97 accounted for by meter.
- 98 C. Estimated Unmetered Use shall include estimates of unmetered uses that are
99 tracked by the applicant.
- 100 D. Treatment losses shall include significant treatment process losses associated with
101 making the water potable, such as reject water in desalination, membrane cleaning
102 or back-flush quantities associated with sand filtration systems. Treatment losses
103 are calculated as raw water into the plant minus treated water out of the plant.
- 104 E. Water losses are equal to the total water plant inoutput minus all accounted uses
105 described in A. through D. above. ~~Water losses include leaks, unauthorized
106 consumption, flushing of distribution lines for potability, unmeasured flows
107 associated with fire suppression, unmetered system testing, under registration of
108 meters, and other discrepancies between the metered amount of finished water
109 output from the treatment plant less the metered amounts specified in A. Through
110 C., above.~~ Water losses shall not exceed 10% of total distribution quantities.
111 Greater than 10% water losses will not be considered in allocation of permitted
112 quantities.
- 113 F. Exports / Imports shall include the quantity of water delivered to other entities
114 through agreements or contracts and the duration of the water service delivery.
115 For those utilities which purchase supplemental water from another utility, the
116 volume of water historically purchased (or contracted to be purchased for
117 proposed uses) and the duration of the agreement / contract shall be provided.

118

119 CFWI - 2.2.2. Public Water Supply Population Projections for the Residential Demand
120 Component

121

122 Population projections for those who will be served by the public supply system shall be
123 provided in the consumptive use permit application as part of the demonstration of reasonable
124 assurance that the withdrawal quantities are necessary to supply a certain reasonable demand.

125

126 To determine future population to be served, population data should be derived from the county-
127 level/parcel level forecast of population based on published University of Florida, Bureau of
128 Economic and Business Research (BEBR) - Medium projections for target year(s). Other
129 accepted sources of population data to evaluate the population projections include:

- 130
- 131 • The prevailing Comprehensive Land Use Plan developed under Part II, Chapter 163, F.S.;
 - 132 • Historic growth rate at utility-level based on average of ~~five~~5 years of historic population
133 times the base year served dwelling unit population (estimate of total residential dwelling
134 units multiplied by the estimate of persons per household). ~~(The base-year would be~~
135 defined as the last full year ~~and a~~ average of five years historic population would
136 include the base year and ~~prior~~ four years prior);
 - The prevailing Regional Water Supply Plan; and

- Regional Planning Council Data and Special population studies.

If an applicant proposes an adjustment to the BEBR-medium projection or utility level growth rate, the applicant must provide reasonable assurance that the adjustment better predicts population growth rate due to significant changes in factors affecting the applicant's service area's population growth rates (either up or down) in the most recent ~~five~~5 years that would render a ~~five~~-year average not representative for projecting over the requested permit duration.

Public supply entities that provide water supply for predominantly commercial uses that do not support a permanent population are excluded from these calculations and demand projections shall be evaluated on using best available information.

For all methods, seasonal service area population may be used, if applicable, and, if used, shall be estimated using methods recommended by either the Department of Economic Opportunity or proposed by the utility and approved by the District. Applicants may also identify tourist population, if known. In addition, the population to be served can be a mixture of permanent and non-permanent population as long as it is consistently used.

CFWI - 2.2.3. Per Capita Daily Water Use

CFWI - 2.2.3.1. Uniform Method for Calculating Gross Per Capita Daily Water Use

Gross Per Capita is defined as: $(WD + IM - EX) / RP$ Where:

- WD = ground water, surface water and stormwater withdrawals.
- IM = water imported/purchased from other supplier(s). Irrigation water, excluding Reclaimed Water, provided to the applicant's service area by a separate utility shall be counted as imported water
- EX = water exported/sold to other supplier(s)
- RP = Residential Population (for a Utility Service Area) is based upon total residential dwelling units served, which include Single Family Residential, Multi-Family Residential (apartments, townhomes, condos, duplexes) and Mobile Homes, multiplied by a utility-specific estimate of persons per household. The applicant shall provide reasonable assurance that the utility specific persons per household figure used demonstrates a reasonable method for determining persons per household within its service area. Examples of reliable data include census-based averages, BEBR persons per household estimates, and utility documented surveys.

CFWI - 2.2.3.2. Uniform Method for Calculating Residential Per Capita Daily Water Use

Residential Per Capita is defined as Water Use by Dwelling Units (or Total Residential Water Use) divided by Service Area Residential Population.

CFWI - 2.2.3.3. Residential Per Capita Water Use Goal

182 As part of an application for renewal of an existing permit or an application for a new consumptive
 183 use permit, the permit application shall provide an end-of-permit residential per capita water use
 184 goal. Residential per capita water use shall be calculated using the formula(s) set forth in Section
 185 2.2.3.2.

186
 187 A permittee shall track its progress toward achieving the end-of-permit residential per capita water
 188 use goal. The permittee shall report to the District its progress toward achieving the end-of-permit
 189 residential per capita water use goal in any compliance report required pursuant to section 373.236,
 190 F.S., or, if a compliance report is not required pursuant to section 373.236, F.S., then as part of any
 191 application to renew the permit.

192 193 CFWI - 2.2.4. Defining the Public Water Supply Service Area

194 195 A. Public Service Commission Service Territory

196
 197 If the applicant is regulated by the Public Service Commission (PSC), the service area
 198 should be that area for which the utility has obtained a certificate from the PSC that the
 199 applicant intends to serve during the requested permit duration. If the projected future
 200 service area is larger than the area certificated at the time of application, the applicant
 201 will solicit the opinion of the PSC as to the ability of the applicant to serve the area and
 202 provide the response to the District. If the PSC determines that the applicant is capable of
 203 serving the area, the projected service area will be used in the demand calculation. If
 204 used, a special condition to the permit shall require the permittee receive a certificate
 205 from the PSC for the expansion within two years of permit issuance. If a permittee will
 206 not serve a new demand located within either the existing or proposed service area, the
 207 permitted allocation is subject to modification.

208 209 B. Local Government Franchise

210
 211 If the applicant is regulated by local government, the service territory should be that area
 212 for which the applicant has obtained a franchise that the applicant intends to serve during
 213 the requested permit duration.

214
 215 If the projected future service area is larger than the area franchised at the time of
 216 application, the applicant will solicit the opinion of local government as to the ability of
 217 the applicant to serve the area and provide the response to the District.

218
 219 If local government determines that the applicant is capable of serving the area the
 220 projected service area will be used in the demand calculation. If used, a special condition
 221 to the permit shall require the permittee receive a franchise from local government for
 222 expansion within two years.

223 224 C. Unregulated Service Territory

225
 226 If the applicant is not regulated by either local government or the PSC, the projected
 227 service area must conform to the area that the utility can reasonably serve within the

228 permit duration. If the applicant is a municipality, service areas outside of municipal
 229 boundaries must be explained by attachment of agreements or contracts to the
 230 application. The applicant may solicit the assistance of the PSC in determining whether
 231 the PSC has certificated the area outside of municipal boundaries to any other utility.
 232

233 D. Conflicting Service Territories

234
 235 If conflicting service area claims arise between applicants or between an applicant and
 236 ~~public another water suppliersupplier permittee whose service areas are not regulated~~, the
 237 users must resolve the dispute between themselves, ~~or seek resolution before the PSC, the~~
 238 ~~local government, or through a body with substantive jurisdiction to resolve the conflict,~~
 239 ~~whichever is applicable to the applicant. or staff will recommend~~ An applicant may
 240 ~~either amend its application to either remove the services areas in dispute remove the~~
 241 ~~conflict in service areas or to include~~ an allocation based only on the non-disputed
 242 portions of the projected service areas. ~~If service claims arise between users whose~~
 243 ~~service areas are regulated by local government, local government must resolve the~~
 244 ~~service area dispute~~; otherwise, ~~the Districtstaff will recommend will~~ an allocation based
 245 on the non-disputed portions of the projected service area.
 246

247 **CFWI - 2.3 I/C/I Use Type**

248 249 **CFWI - 2.4 Mining/Dewatering Use Type**

250 251 **CFWI - 2.5 Agricultural Use Type**

252 253 **CFWI - 2.6 Landscape/Recreation Use Type**

254

**I/C/I and Mining/Dewatering Demands
THIRD DRAFT**

CFWI - 2.0 Demonstration of Water Demand, Allocations, and Source Identification

Within the CFWI Area, sections, CFWI - 2.0, excluding subsections, and CFWI - 2.1, inclusive of subsections, shall supersede it their entirety, section ____ of the SJRWMD Applicant's Handbook; sections ____ of the SWFWMD Applicant's Handbook; and sections ____ of the SWFWMD Applicant's Handbook.

To receive a permit, an applicant must demonstrate that the proposed water use is a reasonable-beneficial use of water, as required by Section 373.223, F.S., including meeting the conditions of issuance. The proposed withdrawal of water must be supported with information that provides reasonable assurance that the withdrawal quantities are necessary to supply a certain reasonable demand. Only the portion of demand for which an applicant is able to provide such reasonable assurance will be permitted. Additional or alternative provisions to the below are required for uses within the Southern and Dover/Plant City Water Use Caution Areas in accordance with Rule 62-42.500, F.A.C.

An Applicant's allocation reflects a consideration of factors including demands and, as applicable, treatment losses, other sources of water (such as reclaimed water), conservation, and water purchased, sold, or transferred. When necessary to prevent water resource impacts, allocations can be expressed in increments over the permit term.

In no case, however, will the allocation be greater than the total rated capacity of all existing and proposed withdrawal facilities.

Applicants using reclaimed water to meet their total water needs are not required to obtain water use permits except as otherwise provided in section 373.250, F.S. However, if reclaimed water is utilized to meet any part of the applicant's water demand, the applicant shall identify the quantities from these sources used to meet the demand.

Each permit issued by the District shall identify the source of withdrawal, the use type, and the location of the withdrawal.

~~A water user shall obtain one permit for all withdrawals that are intended to serve contiguous property. Two or more properties represented to be separate properties shall be aggregated and treated as a single property for permitting purposes when the District determines that the properties are physically proximate and (a) either share the same irrigation infrastructure or (b) are operated as a common enterprise. However, when multiple use types, as defined in Rule 40C-2.501, F.A.C., are served by separate withdrawal facilities, the District is authorized to issue separate individual permits. For example, a farm on contiguous property which has four wells must apply for one permit; the application will include information about each of the wells, the intended use for the water from each well, or pump, and a general indication of when the water will be withdrawn. This requirement to aggregate two or more properties shall not apply when~~

~~the separate properties have existing permits that require metering for all withdrawals or the water user requests a permit modification to the permits to require metering for all withdrawals.~~

CFWI - 2.1 Allocation Expression

Applicants shall request quantities in gallons per day for each component of demand according to the demand components listed for each use type.

CFWI - 2.1.1. Annual Quantity

The annual quantity is determined by calculating the total quantity of water to be withdrawn over a 12-month period. A daily average is calculated by dividing the annual quantity by the days in the year. The annual quantity must equal the quantities required by each demand component for the particular use.

CFWI - 2.1.2. Peak Month

The peak month allocation represents the greatest quantity permitted to be used in any single month. The peak month allocation is determined by identifying the peak month demand for the associated use type.

CFWI - 2.2 Public Supply Use Type

CFWI - 2.3 Industrial/Commercial/Institutional/Electric Power Generation (ICI)

Within the CFWI Area, this section, CFWI – 2.3, shall supersede in its entirety sections _____ of the SJRWMD Applicant’s Handbook; sections _____ of the SWFWMD Applicant’s Handbook and sections _____ of the SFWMD Handbook.

CFWI - 2.3.1 ICI Demand Components

Reasonable demand is based on the amount of water needed to perform an ICI process in an efficient, non-wasteful and economic manner. To demonstrate the quantities applied for are reasonable, applicants must identify the quantities needed for each demand component listed below. Applicants shall request quantities in gallons per day (gpd) for each demand component.

Applicants for ICI use must identify the demand for the following demand components:

- a. Processing and manufacturing, which includes water lost in processing and manufacturing where water is an input in the process.
- b. Office and personnel uses, which includes personal and sanitary use. This demand component shall receive a distinct allocation.
- c. Landscaping and irrigation, which shall receive a distinct allocation.
- d. Other needs, which shall be reasonable and which shall include the total requested withdrawal quantity minus the quantity for the demand components identified above. All “other needs” shall be specified in the application along with a statement supporting the need for such quantity.

92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128

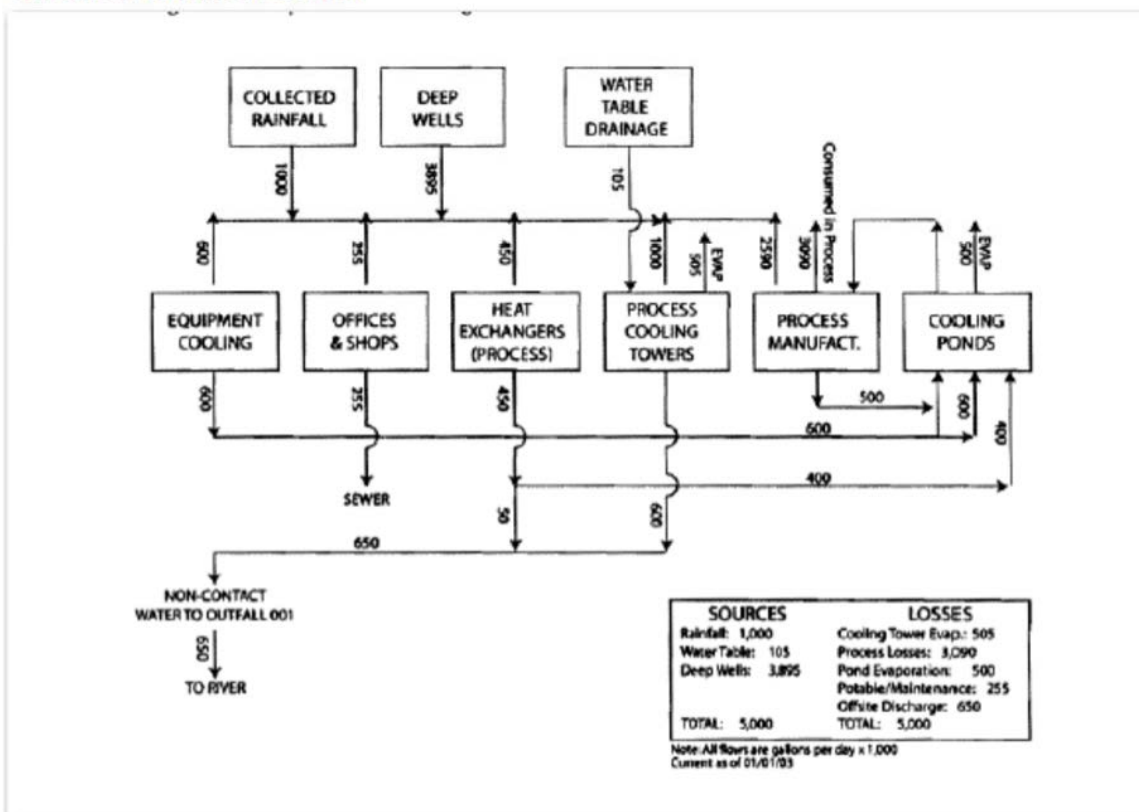
CFWI - 2.3.2 ICI Demand Calculation by Demand Component

CFWI - 2.3.2.1 Processing, manufacturing, and power generation

Demands for processing, manufacturing, and power generation will be calculated by preparing a water balance for the types of activities associated with the application. The water balance may be in the form of a spreadsheet or flow diagram indicating all sources and losses. An example water balance diagram is provided in Figure 2-1. The water balance shall include all of the below information.

- a. The Applicant shall provide a written account of where water is used in manufacturing or processing; where and in what quantities water is lost in manufacturing or processing; and where and in what quantities water is disposed in the manufacturing or processing.
 1. All water sources that input to activity must be listed – e.g. groundwater from wells, groundwater from dewatering, surface water withdrawals, collected rainfall, recycled or reused water.
 2. The amount of water used from all sources should equal the sum of the water used, lost and disposed.
- b. The Applicant shall list all uses and losses including, as applicable:
 1. Water used to wash product.
 2. Evaporation from settling/recirculation ponds.
 3. Water retained and shipped with product.
 4. Water used to separate or beneficiate the product.
 5. Water used to transport the product (slurry).
 6. Animal needs.
 7. Draining or filling augmentation of ponds, pools, flumes and aquatic habitats necessary for processing and manufacturing.
- c. The Applicant shall identify the final disposal of all water including, as applicable:
 1. Off-site discharges.
 2. Disposal/recharge through percolation ponds.
 3. Disposal by spray irrigation.
 4. Water entrained in clay materials.
 5. Recycling of wastewater.

Figure 2-1 Example Water Balance Diagram



129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152

CFWI - 2.3.2.2 Office and personnel Personal use

Office and personnel Personal water use is exemplified by water needed for personal use such as restroom facilities and for drinking, bathing, cooking, sanitation, and cleaning office areas. ~~If water is requested for such purposes, the applicant shall identify whether the water for office and personnel is to be used predominately by employees or visitors, or if it will serve both.~~ Based on the information provided, demands for office and personnel personal use shall then be calculated using gallons per employee/contractor or visitor needed based on best available information from appropriate data sources such as US Department of Energy, AWWA Research Foundation, Pacific Institute, Conserve Florida on-line library, or EPA.

- a. In determining the number of employees/contractors, if applicable, the applicant shall use the average number of employees/contractors per shift, number of shifts per work day, and number of work days per year.
- b. If an applicant is requesting an allocation for this demand component for visitors, ~~In determining the number of visitors, if applicable,~~ the applicant shall use the annual average number of visitors for the most recent 5 years. Alternative methodologies can be used if an applicant presents reasonable assurance that the methodology is appropriate for the use and that the withdrawal quantities requested are necessary to supply the proposed need or demand.

CFWI - 2.3.2.3 Landscaping and irrigation

153 Demands for landscaping and irrigation will be calculated by providing information utilizing the
154 application of supplemental irrigation demands set forth in section 2.6.1.A.

155

156 CFWI - 2.3.2.4 Other needs

157

158 An applicant shall provide reasonable assurance for demands relating to other needs, if
159 requested, such as outside use, air conditioning, and unaccounted uses.

160

161

162 This section, CFWI – 2.3.5, shall supersede in its entirety sections 2.2.4. of the SJRWMD
 163 Applicant’s Handbook; sections 2.4.4 (excluding subsections) and 2.4.5 (excluding subsections)
 164 of the SWFWMD Applicant’s Handbook and sections 2.3.2.D (excluding subsections) and
 165 2.3.2.D.2 of the SFWMD Handbook.

166
 167 **CFWI - 2.4 Mining/Dewatering Use Type**

168
 169 CFWI - 2.4.1 Mining/Dewatering Demand Components

170
 171 The reasonable-beneficial need for a requested allocation must be based on the amount of water
 172 needed to extract subsurface materials or control surface water or groundwater when performing
 173 activities such as excavation or construction as well as moving, handling and processing the
 174 extracted material. Applicants must demonstrate that the quantities applied for relate to
 175 reasonable mining, processing, and dewatering needs.

176
 177 To demonstrate the quantities applied for are reasonable, an applicant must identify the quantities
 178 needed for each demand component. Typically, requested quantities are based on historical
 179 information or comparable uses or projected future use, where available. Applicants shall
 180 request quantities in gallons per day (gpd) for each demand component.

181
 182 Applicants for mining/dewatering use must identify the demand for the following demand
 183 components:

- 184
- 185 1. Mining, dewatering, and processing
 - 186 2. Office and personnel use, including water for personal needs such as drinking,
 187 bathing, cooking, sanitation, or cleaning.
 - 188 3. Landscaping and irrigation, which shall receive a distinct allocation.
 - 189 4. Other needs, which are reasonable and which shall include the total requested
 190 withdrawal quantity minus the quantity for the demand components identified
 191 above. All “other needs” shall be specified in the application along with a
 192 statement supporting the need for such quantity.

193
 194 CFWI - 2.4.2. Mining/Dewatering Demand Calculation

195
 196
 197 The Applicant must prepare a water balance to calculate the proposed demands. The water
 198 balance shall include all four demand components, if applicable, listed in 2.4.1, above. The water
 199 balance may be in the form of a spreadsheet or flow diagram indicating all sources and losses.

200 The water balance must identify the demand for each of the following components:

- 201 1. Mining, dewatering, and processing
 - 202 a. Provide a written account of where water is generated and used in the
 203 mining and dewatering processes; where and in what quantities water is
 204 lost in the mining and dewatering processes; where and in what quantities
 205 water is disposed of or reused in the mining and dewatering processes; and
 206 where and in what quantities water is used for processing extracted
 207 materials.

- 208 i. All water sources that input to activity must be listed – e.g.,
 209 groundwater from wells, groundwater from water table dewatering
 210 or drainage, surface water withdrawals, collected rainfall, recycled
 211 or reused water.
- 212 ii. The amount of water used from all sources should equal the sum of
 213 the water used, lost and disposed.
- 214 iii. If processing of materials is associated with the mining or
 215 dewatering, a water balance diagram combining these activities is
 216 preferred versus to separate water balances for each activity.
- 217 b. Uses and losses must be listed including as applicable:
- 218 i. Water used to wash the product.
- 219 ii. Evaporation from settling/recirculation ponds.
- 220 iii. Water retained and shipped with the product (product moisture).
- 221 iv. Water used to separate or beneficiate the product.
- 222 v. Water used to transport the product (slurry).
- 223 c. The final disposal of all water then must be identified. Disposals include,
 224 but are not limited to:
- 225 i. Off-site discharges.
- 226 ii. Disposal/recharge through percolation ponds.
- 227 iii. Disposal by spray irrigation.
- 228 iv. Water entrained in clay materials.
- 229 v. Recycling of wastewater. The amount of water withdrawn should
 230 equal the sum of the system losses and disposals.
- 231
- 232 2. ~~Office and personnel~~Personal water use is exemplified by water needed for
 233 personal use such as restroom facilities and for drinking, bathing, cooking,
 234 sanitation, and cleaning office areas. Demands for personal office and personnel
 235 use shall be calculated using gallons per employee/contractor needed based on
 236 best available information from appropriate data sources such as US Department
 237 of Energy, AWWA Research Foundation, Pacific Institute, Conserve Florida on-
 238 line library, or EPA.
- 239
- 240 In determining the number of employees/contractors, if applicable, the applicant
 241 shall use the average number of employees per shift, number of shifts per work
 242 day, and number of work days per year.
- 243
- 244 3. Landscaping and irrigation. Demands for landscaping and irrigation will be
 245 calculated by providing information utilizing the application of supplemental
 246 irrigation demands set forth in 2.5.1.A.
- 247 4. Other needs. An applicant may provide reasonable assurance for demands
 248 relating to other needs, such as outside use, air conditioning, and unaccounted for
 249 uses.

250

251 2.5 Agricultural Use Type

252

253 **2.6 Landscape/Recreation Use Type**
254

1 **62-41.300 Central Florida Water Initiative Area, Scope-Applicability of Rule**

2 (1) Rules 62-41.300 through 62-41.305 are established by the Department to implement
3 section 373.0465(2)(d), F.S. These rules shall only apply to the Central Florida Water Initiative
4 (CFWI) Area as defined in section 373.0465(2)(a), F.S.

5 (2) These rules supersede those portions of Chapters 40C-2, 40D-2 and 40E-2, F.A.C.,
6 relating to the regulation of consumptive uses of water that are explicitly identified in this
7 chapter. These rules shall supersede portions, but not all, of rules relating to the authorization of
8 the consumptive use of water within the Central Florida Water Initiative (CFWI) Area. No rules
9 of the Districts shall be superseded unless specifically provided in this Chapter.

10 (3) The South Florida, Southwest Florida, and St. Johns River Water Management
11 Districts shall implement these rules within the CFWI Area without the need for further
12 rulemaking.

13 (4) In all cases, the phrases “Consumptive Use Permit,” “Consumptive Use Permitting,”
14 or “Consumptive Use Applicants” as used in this Chapter shall be synonymous have the same
15 meaning as with “Water Use Permit,” “Water Use Permitting,” or “Water Use Applicants,”
16 respectively, as used in a district rule.

17 Rulemaking Authority 373.043, 373.0465, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421, 373.0465, 373.223,
18 373.229, FS. History—New _____.

19
20 **62-41.301 Central Florida Water Initiative Area, Uniform Conditions for Issuance of**
21 **Permits**

22 For consumptive use applicants within the CFWI Area, this rule shall supersede in their entity
23 entirety Paragraphs 40C-2.301(1) and (2); Paragraphs 40D-2.301(1) and (2); and Rule 40E-
24 2.301(1), F.A.C.

25 (1) To obtain a consumptive use permit, renewal, or modification within the CFWI Area,
26 an applicant must provide reasonable assurance that the proposed consumptive use of water, on
27 an individual and cumulative basis:

- 28 (a) Is a reasonable-beneficial use;
- 29 (b) Will not interfere with any presently existing legal use of water; and
- 30 (c) Is consistent with the public interest.

31 (2) In order to provide reasonable assurances that the consumptive use is reasonable-
32 beneficial, an applicant shall demonstrate that the consumptive use:

- 33 (a) Is a quantity that is necessary for economic and efficient use;-
- 34 (b) Is for a purpose and occurs in a manner that is both reasonable and consistent with the
35 public interest;
- 36 (c) Will utilize a water source that is suitable for the consumptive use;
- 37 (d) Will utilize a water source that is capable of producing the requested amount;
- 38 (e) Except when the use is for human food preparation or direct human consumption, will
39 utilize the lowest quality water source that is suitable for the purpose and is technically,
40 environmentally, and economically feasible;
- 41 (f) Will not cause harm to existing offsite land uses resulting from hydrologic alterations;
- 42 (g) Will not cause harm to the water resources of the area in any of the following ways:
43 1. Will not cause harmful water quality impacts to the water source resulting from the
44 withdrawal or diversion;

- 45 2. Will not cause harmful water quality impacts from dewatering discharge to receiving
 46 waters;
 47 3. Will not cause harmful saline water intrusion or harmful upconing;
 48 4. Will not cause harmful hydrologic alterations to natural systems, including wetlands or
 49 other surface waters; and
 50 5. Will not otherwise cause harmful hydrologic alterations to the water resources of the
 51 area;

52 (h) Is in accordance with any minimum flow or level and implementation strategy
 53 established pursuant to Sections 373.042 and 373.0421, F.S.; and

54 (i) Will not use water reserved pursuant to Subsection 373.223(4), F.S.

55 (3) The standards, criteria, and conditions in the Applicant's Handbooks referenced in
 56 Rule 62-41.302, F.A.C., shall be used in determining whether the requirements of subsections (1)
 57 and (2), above, are met.

58 Rulemaking Authority 373.043, 373.0465, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421, 373.0465, 373.223,
 59 373.229, FS. History--New _____.

60
 61 **62-41.302: Central Florida Water Initiative Area, Supplemental Applicant's Handbook**

62 (1) The Department hereby incorporates by reference the Central Florida Water Initiative
 63 Area Supplemental Applicant's Handbook, effective _____, 2017~~9~~, incorporated by reference
 64 herein and available at [gateway link] and [DEP website link]. Design Aids referenced within
 65 the Supplemental Applicant's Handbook are not incorporated by reference in this Chapter and
 66 are for information purposes only.

67 (2) Each section of the CFWI Area Supplemental Applicant's Handbook includes a
 68 statement clearly indicating what section(s) of the districts' Applicant's Handbook it supersedes.
 69 Any section of a district's Applicant's Handbook that is not explicitly superseded by the CFWI
 70 Area Supplemental Applicant's Handbook shall remain in full force and effect for all users
 71 within that district's jurisdiction, including the CFWI Area.
 72

73 Rulemaking Authority 373.043, 373.0465, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421, 373.0465, 373.223,
 74 373.229, FS. History--New _____.

75
 76 **SUBSTANTIAL RE-WRITE – Changes not in tracked changes.**

77 **62-41.303: Central Florida Water Initiative Area, Variances to the Uniform Rules**

78 (1) Scope. This variance provision shall be applicable only to variances from Rules 62-
 79 41.301 and 62-41.302, F.A.C., including the provisions of the CFWI Area Supplemental
 80 Applicant's Handbook. A variance under this rule shall mean a decision by an agency to grant a
 81 modification to all or part of the literal requirements of an agency rule to a person who is subject
 82 to the rule. Variances under this section shall not be granted for include any of the following:

83 (a) Water quality standards as established in Chapter 62-302, F.A.C.

84 (b) Any specific statutorily-mandated provisions in Chapter 373, F.S.

85 (c) Requirements relating to the Southern Water Use Caution Area or the Dover/Plant
 86 City Water Use Caution Area, provisions of which are incorporated by reference in Rule 62-
 87 41.305, F.A.C.

88 Nothing in this rule shall preclude an petitioner applicant from applying for variances or other
 89 relief mechanisms under other provisions of law.

90 (2) Delegation. The Department hereby delegates to the South Florida, Southwest
 91 Florida, and St. Johns River Water Management Districts ~~water management districts~~ the
 92 authority to grant or deny variances under this section to applicants/permittees within their
 93 district. ~~so long as a~~ At least 15 days prior to granting a request for variance, a district must
 94 notify the Executive Director of the South Florida, Southwest Florida, and St. Johns River
 95 other two Water Management Districts and the Director of the Department's Office of Water
 96 Policy that it intends to grant the variance.

97 (3) A applicant may apply for a variance from the rules set forth in Rules 62-41.301 –
 98 62-41.302 if there are unique circumstances or hydrogeological factors that make application of
 99 the uniform rules unrealistic or impractical.

100 (4) Variances shall only be granted when the applicant demonstrates that it has achieved
 101 or will achieve the purpose of the underlying statute by other means.

102 (5) Petitions for variance must include the following information:

103 (a) A caption, which shall read:

104 Petition for (Variance from) or (Waiver of) Rule (Citation)

105 (b) The name, address, any e-mail address, telephone number, and any facsimile number
 106 of the petitioner, if the party is not represented by an attorney or a qualified representative;

107 (c) The name, address, e-mail address, telephone number, and any facsimile number of
 108 the attorney or qualified representative of the petitioner, if any;

109 (d) The applicable rule or portion of the rule;

110 (e) The citation to the statute the rule is implementing;

111 (f) The type of action requested;

112 (g) The specific facts that demonstrate a substantial hardship or a violation of principles
 113 of fairness that would justify a waiver or variance for the petitioner;

114 (h) The reason why the variance or the waiver requested would serve the purposes of the
 115 underlying statute; and

116 (i) A statement whether the variance or waiver is permanent or temporary. If the variance
 117 or waiver is temporary, the petition shall include the dates indicating the duration of the
 118 requested variance or waiver.

119 ~~(5) Petitions for variance shall comply with Rule 62-110.104, F.A.C., incorporated by~~
 120 ~~reference herein.~~

121 (6) The District shall review a petition for a variance under Section 373.0465(2)(d), F.S.,
 122 within thirty days after receipt to determine if the application is complete. If the petition is
 123 determined to be incomplete, the petitioner shall be afforded an opportunity to supply additional
 124 information before the District evaluates the merits of the request.

125 (7) The District shall ~~prepare and~~ publish in the Florida Administrative Register a notice
 126 of availability of the intended agency action on the petition for a variance under Section
 127 373.0465(2)(d), F.S. The petitioner shall publish notice of intended agency action on the petition
 128 once, at his own expense, in a newspaper of general circulation (as defined in Section 50.031,
 129 F.S.) in the county or counties in which its withdrawal ~~for which the variance is sought~~ is
 130 located.

131 (8) Renewals of variances shall be applied for in the same manner as the initial variance.
 132

133 Rulemaking Authority 373.016, 373.043, 373.0465, 373.171 FS. Law Implemented 373.016, 373.036, 373.042, 373.0421,
 134 373.0465, 373.223, 373.229, FS. History--New _____.

135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181

62-41.304: Central Florida Water Initiative Area, Uniform Process for Setting Minimum Flows and Minimum Water Levels and Water Reservations

(1) Priority List. Prior to submittal to the Department for approval pursuant to 373.042(3), F.S., each District proposing a Minimum Flow or Minimum Water Level (MFL) or Reservation in the CFWI Area shall:

(a) ~~Hold a meeting among staff of the Department, and the St. Johns River, Southwest Florida and South Florida Water Management Districts to discuss the CFWI waterbodies proposed for inclusion on the Priority List~~~~Hold a joint meeting between District staff and Department staff to discuss what MFL and Reservation Waterbodies are being proposed;~~

(b) Notice ~~and hold at least one~~ joint public workshop within the CFWI Area with all three districts to discuss ~~each Districts' proposed priority lists~~ applicable to the CFWI. Such notice shall affirmatively state that the Districts and the Department have held the meeting required by (1)(a), above.

(c) Priority Lists shall conform with the requirements set forth in section 373.042(3), F.S. and Paragraph 62-40.473(9), F.A.C.

(2) Consistent Method for Establishing MFLs.

(a) In establishing an MFL, the districts shall comply with the requirements of sections 373.042 and 373.0421, F.S., and Rule 62-40.473, F.A.C.

(b) MFLs shall be expressed consistently amongst the districts.

~~(e)~~ In establishing an MFL, the District shall consider the unique characteristics of the waterbody and basin as determined using the best available science and professional judgment. The adopting district shall provide the technical information supporting any proposed MFL to the non-adopting districts and the Department. Sharing of information shall take place prior to seeking independent scientific peer review or prior to publishing Notice of Proposed Rule, whichever comes first.

(3) Status of the MFL Waterbody. ~~In determining The purpose of this subsection is to provide the approach to determine~~ whether the flow(s) and/or level(s) of a specific MFL water body is/are below or projected to fall below the adopted MFL criteria, the District shall use the following status assessment approach. (along with the associated evaluations necessary to make such a determination). This status assessment is independent from and not a determination of consumptive use permit compliance or environmental resource permit compliance. Permit compliance is a regulatory function that is not within the scope of this subsection.

(a) A screening level analysis, which includes, but is not limited to, the incorporation of changes in rainfall trends, ~~and uncertainty in MFLs, will must~~ be performed for waterbodies in the CFWI area approximately every five years periodically following adoption to monitor the status of an adopted MFL, ~~as well as when permit applications are considered that may impact an MFL.~~

(b) If the screening level analysis shows that the MFL is being met based on the ~~rainfall-adjusted~~ flows or levels adjusted by rainfall trends, then no further actions are required beyond continued monitoring.

(c) If the analysis shows that the MFL is not being met, or is trending toward not being met based on the ~~rainfall-adjusted~~ flows and levels adjusted by rainfall trends, the District will conduct a causation analysis to independently evaluate the potential impacts of various stressors on the MFL water body being assessed.

1. It is recognized that factors other than consumptive uses of water (e.g., long-term

182 drought) can cause the flow or level of a surface watercourse, aquifer, surface water, or spring to
 183 drop below an adopted minimum flow or level. The factors to be considered in the determination
 184 of causation shall be based on the use of best professional judgment and ~~Factors to be considered~~
 185 ~~in the determination of causation~~ include, but are not limited to:

- 186 a. Rainfall or other climatic variables;
- 187 b. Consumptive use;
- 188 c. Land use changes or development;
- 189 d. Surface water drainage;
- 190 e. Changes in hydrology and hydraulics
- 191 ef. Geology/hydromorphology (e.g., sinkhole formation);
- 192 fg. Water levels/flows in other appropriate water resources (e.g., nearby wells, lakes,
 193 streams, wetlands); and,
- 194 gh. Ecological assessment information.

195 2. The tools to be used in the causation analysis shall be based on the use of best
 196 professional judgment and ~~The types of tools used in the causation analysis~~ include, but are
 197 not limited to:

- 198 a. Double-mass analyses;
- 199 b. Statistical analysis of climate variables and flow and/or water level~~Rainfall/flow~~
 200 ~~statistical analysis or flow regression;~~
- 201 c. Stage and/or flow duration and/ frequency analysis;
- 202 d. Modeling (~~regional,~~ groundwater/surface water, ecological or water budget models);
 203 and,
- 204 e. Ecological tools.

205 3. Based on the causation analysis, the District ~~will~~ shall develop or amend a recovery or
 206 prevention strategy, as appropriate, consistent with the provisions of section 373.0421(2),
 207 F.S., determine whether the status of the water body has changed since adoption or most recent
 208 status determination, whichever is later. If a waterbody status has changed, the District or
 209 Department, as applicable, shall expeditiously implement the appropriate rulemaking to adopt or
 210 amend a recovery or prevention strategy.

211 (4) Development of MFL Recovery and Prevention Strategies.

212 (a) Recovery and Prevention Strategies shall be developed when required pursuant to and
 213 consistent with section 373.0421, F.S., and Rule 62-40.473, F.A.C.

214 (b) When required, Recovery and Prevention Strategies shall either be developed for
 215 individual waterbodies or regionally, where the strategy is designed to recover all waterbodies in
 216 a region.

217 (c) Recovery and Prevention Strategies may contain regulatory and non-regulatory
 218 provisions, as appropriate.

219 (d) The Recovery or Prevention Strategy must address existing uses, renewals or
 220 modifications of existing uses, and new uses that may impact the subject MFL~~how it will address~~
 221 ~~consumptive use applications following the adoption of an MFL for a waterbody that is in~~
 222 ~~recovery or prevention.~~

223 (5) Consistent Method ~~for Establishing~~ to Set Reservations.

224 (a) Water reserved from use shall comply with the requirements of section 373.223(4),
 225 F.S., and Rule 62-40.474, F.S.

226 (b) A reservation adopted after the effective date of this rule shall specifically state, as
 227 applicable, whether the reservation is being used for the protection of fish and wildlife or public
 228 health and safety.

229 (c) Reservations shall be expressed consistently amongst the Districts.

230
 231 Rulemaking Authority 373.043, 373.0465, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421, 373.0465, 373.223,
 232 373.229, FS. History--New _____.

234 **62-41.305: Central Florida Water Initiative Area, Applicability of the Dover/Plant City and**
 235 **Southern Water Use Caution Area Recovery Strategies**

236 (1) Pursuant to section 373.0465(d), F.S., this rule adopts existing recovery strategies
 237 within the CFWI Area that were adopted before July 1, 2016. For the CFWI Area, that includes
 238 only the Southern Water Use Caution Area (SWUCA) and the Dover/Plant City Water Use
 239 Caution Area (Dover/Plant City WUCA) Recovery Strategies.

240 (2) By adoption, the Department ensures that these recovery strategies remain in effect in
 241 the areas currently covered by these strategies within the Southwest Florida Water Management
 242 District (SWFWMD). Nothing in this rule shall be interpreted to apply these recovery strategies
 243 to other areas within the CFWI Area.

244 (3) The Department hereby incorporates by reference the following:

245 (a) Sub-Paragraphs 40D-2.801(3)(b) and 40D-2.801(3)(c), F.A.C., effective date May
 246 19, 2014.

247 (b) Rules 40D-80.074 and 40D-80.073, F.A.C., effective date May 19, 2014.

248 (c) Section 2.1.1.4, inclusive of all subsections, of the SWFWMD Applicant's Handbook,
 249 effective date May 19, 2014, incorporated by reference herein.

250 (d) Section 2.2.4 of the SWFWMD Applicant's Handbook, effective date May 19, 2014,
 251 incorporated by reference herein.

252 (e) Section 3.9.2, inclusive of all subsections, of the SWFWMD Applicant's Handbook,
 253 effective date May 19, 2014, incorporated by reference herein.

254 (f) Section 3.9.4, inclusive of all subsections, of the SWFWMD Applicant's Handbook,
 255 effective date May 19, 2014, incorporated by reference herein.

256 (g) Section 4.1.1 of the SWFWMD Applicant's Handbook, effective date May 19, 2014,
 257 incorporated by reference herein as applicable within the Dover/Plant City WUCA and SWUCA.

258 (gh) Section 4.4.1, inclusive of all subsections, of the SWFWMD Applicant's Handbook,
 259 effective date May 19, 2014, incorporated by reference herein.

260 (hi) Section 4.4.2, inclusive of all subsections, of the SWFWMD Applicant's Handbook,
 261 effective date May 19, 2014, incorporated by reference herein.

262 (ij) Section 4.4.13, inclusive of all subsections, of the SWFWMD Applicant's Handbook,
 263 effective date May 19, 2014, incorporated by reference herein.

264 (4) Additionally, the following provisions currently applicable to these recovery
 265 strategies shall apply to all applicants located within the SWUCA or Dover/Plant City WUCA,
 266 as applicable.

267 (a) Rule 40D-2.331(2)(b), F.A.C., effective date May 19, 2014, incorporated by reference
 268 herein, shall apply within the SWUCA to all requests to self-relocate or to increase withdrawals
 269 that impact or are projected to impact a water body with an established Minimum Flow or Level.

270 (b) Rule 40D-2.621, F.A.C., effective date May 19, 2014, incorporated by reference
 271 herein, shall apply within the SWUCA to all permittees with an individual consumptive use
 272 permit for irrigation, in addition to the requirements of Rule 62-41.301, F.A.C

273 (c) Section 2.1. of the SWFWMD Applicant's Handbook, effective date May 19, 2014,
 274 shall apply within the SWUCA and Dover/Plant City WUCA to all permittees, in addition to
 275 Section [Ag Demands cite to be added] of the CFWI Supplemental Applicant's Handbook.

276 (d) Section 2.3.7. of the SWFWMD Applicant's Handbook, effective date May 19, 2014,
 277 incorporated by reference herein, shall apply to all applicants located within the SWUCA, in
 278 addition to Section [Public Supply Demands cite to be added] of the CFWI Supplemental
 279 Applicant's Handbook. For the purposes of implementing that paragraph, the Department hereby
 280 also incorporates by reference SWFWMD's Applicant's Handbook, Part D, effective date May
 281 19, 2014.

282 (e) Section 2.4.8.4. of the SWFWMD Applicant's Handbook, effective date May 19,
 283 2014, incorporated by reference herein, shall apply to all applicants located within the SWUCA,
 284 in addition to Section [Public Supply Demands cite to be added] of the CFWI Supplemental
 285 Applicant's Handbook. For the purposes of implementing that paragraph, the Department hereby
 286 also incorporates by reference SWFWMD's Applicant's Handbook, Part D, effective date May
 287 19, 2014.

288 (f) Section 2.4.3.1.7 of the SWFWMD Applicant's Handbook, effective date May 19,
 289 2014, incorporated by reference herein, shall apply to all applicants located within the SWUCA,
 290 in addition to Section [Ag Demands cite to be added] of the CFWI Supplemental Applicant's
 291 Handbook. For the purposes of implementing that paragraph, the Department hereby also
 292 incorporates by reference SWFWMD's Applicant's Handbook, Part C, Design Aid 4, and the
 293 Agricultural Water Allotment Form, Form No. LEG-R.042.00, effective date May 19, 2014.

294 (g) Section 2.4.7.1.5.1. of the SWFWMD Applicant's Handbook, effective date May 19,
 295 2014, incorporated by reference herein, shall apply to all applicants located within the SWUCA.

296 (h) Section 2.4.8.5 of the SWFWMD Applicant's Handbook, effective date May 19,
 297 2014, incorporated by reference herein, shall apply to all wholesale public supply applicants
 298 located within the SWUCA.

299 ~~(b) In addition to Section [Ag Demands cite to be added] of the CFWI Supplemental~~
 300 ~~Applicant's Handbook, Section 2.4.3.1.7 of the SWFWMD Applicant's Handbook, effective date~~
 301 ~~May 19, 2014, incorporated by reference herein, shall apply to all applicants located within the~~
 302 ~~SWUCA. For the purposes of implementing that paragraph, the Department hereby also~~
 303 ~~incorporates by reference SWFWMD's Applicant's Handbook, Part C, Design Aid 4, and the~~
 304 ~~Agricultural Water Allotment Form, Form No. LEG-R.042.00, effective date May 19, 2014.~~

305 ~~(e) Consistent with section 2.1. of the SWFWMD Applicant's Handbook, the reasonable~~
 306 ~~water needs of all Applicants for new Water Use Permits and renewals, and those for New~~
 307 ~~Quantities and Self Relocation within the SWUCA or the Dover/Plant City WUCA for crop~~
 308 ~~protection will be closely evaluated by the SWFWMD. For Self Relocations in the SWUCA or~~
 309 ~~the Dover/Plant City WUCA for crop protection, the evaluation period will be the previous~~
 310 ~~permit term, taking into account climate variability, market conditions, and other factors that~~
 311 ~~influence water uses.~~

312 (di) Consistent with section 4.3.1. of the SWFWMD Applicant's Handbook, an permittee
 313 may be required to implement a groundwater level monitoring program when withdrawals are
 314 made from the Floridan Aquifer and such withdrawal is located in SWUCA where minimum
 315 levels for the Floridan Aquifer have been established in Chapter 40D-8, F.A.C.

316 (5) Application forms used by the SWFWMD to implement this strategy are hereby
317 incorporated by reference as below. These forms shall be in addition to the application and
318 forms otherwise provided as part of a consumptive use permit application.

319 (a) Within the SWUCA, an Applicant shall submit the forms required by Rule 40D-
320 2.101(5), F.A.C., effective date May 19, 2014.

321 (b) Within the Dover/Plant City WUCA, an Applicant shall submit the forms required by
322 Rule 40D-2.101(6), F.A.C., effective date May 19, 2014.

323 Rulemaking Authority 373.043, 373.0465, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421, 373.0465, 373.223,
324 373.229, FS. History--New _____.

CFWI – 1.0 General Provisions

CFWI - 1.1 Definitions

The following definitions shall be made applicable to the terms in this CFWI Supplemental Applicant’s Handbook for Consumptive Use Permitting. Where the same term is used in section 1.1 of the SJRWMD, SWFWMD, and SFWMD applicant’s handbooks, ~~section CFWI-1.0~~the terms below shall supersede the corresponding term in its entirety.

1. “Central Florida Water Initiative Area” or “CFWI Area” is as defined in section 373.0465(2)(a), F.S.
2. “CFWI Supplemental Applicant’s Handbook for Consumptive Use Permitting” means an applicant’s handbook that supplements, and in places supersedes, SFWMD’s, SWFWMD’s, and SJRWMD’s applicant’s handbooks for use within the CFWI Area and which is incorporated by reference and made available at [gateway] and [dep website].
3. Within the CFWI Area, “harmful to the water resources,” as used in section 373.219(1), F.S., means a determination of harm to the water resources following an evaluation of the conditions for issuance of permits set forth in 62-41.301(g)1.-5., as those conditions are evaluated in the CFWI Supplemental Applicant’s Handbook.
4. “Endangered or threatened species” means those animal species that are identified as endangered or threatened by the US Fish and Wildlife Service, the National Marine Fisheries Service, or the Florida Fish and Wildlife Conservation Commission, as well as those plant species identified as endangered or threatened by the US Fish and Wildlife Service or National Marine Fisheries Service, when such plants are located in a wetland or other surface water.
5. “Area of Influence” means:
 - a. For groundwater systems the area of influence is defined by the cone of depression
 - b. For surface water systems the area of influence is defined as the extent to which the withdrawal results in a measurable change in surface water levels or flows using the best available tools.
6. “Cone of Depression” means the conical shape taken by the potentiometric surface showing the variation of drawdown with distance due to pumping from a well or wellfield.

CFWI - 1.2 Environmental Resource and Consumptive Use Permitting Concurrency

Within the CFWI Area, this section, CFWI - 1.2, shall act as a new section in SJRWMD and shall supersede in its entirety section 1.3.5 and Rule 40D-2.301(3), F.A.C., of the SWFWMD Applicant’s handbook and section 1.4.6 of the SFWMD Applicant’s handbook.

If an individual CUP application includes either of the following two requests for a consumptive use of water, then the CUP application shall not be considered complete until the applicant has submitted a complete application for an ~~individual or general~~ environmental resource permit (ERP):

- 46 1. Requests to irrigate golf course areas, cemeteries, nursery plants, agriculture crops, or
- 47 landscaped areas, which are a part of an artificially-created surface water
- 48 management system that requires an individual or general ERP; or
- 49 2. Requests to dewater for a project that requires an individual or general ERP under
- 50 Chapter 373, F.S.

51
52 This requirement shall not apply to requests for a consumptive use of water associated with
53 phosphate mining authorized under Chapter 378, F.S., or associated with an ERP project that
54 qualifies for a general permit under Section 403.814(12), F.S.

55
56 As long as a CUP application does not meet the conditions for issuance in Rule 62-41.2.301,
57 F.A.C., the requirement for a complete ERP application will be waived so that the District is able
58 take final agency action on the CUP application without the need to wait for final agency action
59 on the ERP application.

60 **CFWI – 2.0 Demonstration of Water Demand, Allocations, and Source Identification**

61 **CFWI – 3.0 Harm to the Water Resources of the Area**

62 **CFWI – 4.0 Harm to Existing Offsite Land Uses**