Second-Third Draft Concept Document

(1) "Central Florida Water Initiative Area" or "CFWI Area" is as defined in section 373.0465037(12)(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]. - This item to be further discussed as applicant's handbook language is further along on all reg team topics.
- (3) Within the CFWI Area, "harmful to the water resources," as used in section 373.219(1), F.S., means an adverse impact resulting from a consumptive use of water that would not meet 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) Significant harm is more severe than harm and is the fundamental adverse alteration of ecosystem structure, ecosystem functions, or important environmental values recognized in the State Water Resources Implementation Rule (Rule 62-40.473, F.A.C.). - This item to be further discussed in the future when discussing MFLs -

62-41.301 Uniform Conditions for Issuance of Permits within the Central Florida Water Initiative Area.

• The following conditions for issuance of permits shall apply, without the need for further rulemaking, within the CFWI Area.

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

(a) Is a reasonable-beneficial use:

(b) Will not interfere with any presently existing legal use of water; and

(c) Is consistent with the public interest.

- (2) In order to provide reasonable assurances that the consumptive use is reasonable-beneficial, an applicant shall demonstrate that the consumptive use:
- (a) Is a quantity that is necessary for economic and efficient use.
- (b) Is for a purpose and occurs in a manner that is both reasonable and consistent with the public interest;
- (c) Will utilize a water source that is suitable for the consumptive use;
- (d) Will utilize a water source that is capable of producing the requested amount;

(e) Except when the use is for human food preparation or direct human consumption, will utilize the lowest quality water source that is suitable for the purpose and is technically, environmentally, and economically feasible;

- (f) Will not cause harm to existing offsite land uses resulting from hydrologic alterations;
- (g) Will not cause harm to the water resources of the area in any of the following ways:
- 1. Will not cause harmful water quality impacts to the water source resulting from the withdrawal or diversion; 2. Will not cause harmful water quality impacts from dewatering discharge to receiving waters;
- 3. Will not cause harmful saline water intrusion or harmful upconing;
- 4. Will not cause harmful hydrologic alterations to natural systems, including wetlands or other surface waters; and
- 5. Will not otherwise cause harmful hydrologic alterations to the water resources of the area;
- (h) Is in accordance with any minimum flow or level and implementation strategy established pursuant to Sections 373.042 and 373.0421, F.S.; and
- (i) Will not use water reserved pursuant to Subsection 373.223(4), F.S.

Commented [KPM1]: A number of comments, and significant discussion was devoted to whether or not to move g.1-.5. to the definition. We discussed eliminating 1-5 in the COI as well as duplicating it both there and here. Ultimately, I would recommend we only reference g.1.-5. My reasoning is that (1) in the future, I want to it to be painfully clear when someone tries to amend the COI and for it not to get lost in amending "just a definition"; (2) I want to make it very clear to all users exactly what they have to do, and spelling it out in one location does that; (3) it would not be consistent with the consistent COI that existing in 4 of the districts, but (4) I believe the language I have stuck may have given rise to some of the concern (what does that additional language mean?) and so now it is a more clear, and simpler, cross reference.

CFWI – 1. Harmful water quality impacts to the water source resulting from the withdrawal or diversion

SFWMD	SWFWMD	SJRWMD	Concepts for CFWI
3.5 Pollution of the Water Resources	3.5 POLLUTION OF THE WATER RESOURCES.	3.3.1	The issuance of a consumptive use permit shall be der
The issuance of a water use permit shall	A WUP application shall be denied if a water withdrawal		withdrawals would cause harmful water quality impact
be denied if the withdrawals would cause	would cause harmful water quality impacts to the water	A site-specific determination of available water	source resulting from the withdrawal or diversion through
significant degradation of surface water or	sources resulting from the withdrawal or diversion, causing	will involve evaluation of the following: (d)	induced movement of a contamination plume; or (b) the
groundwater quality through the induced	pollutants to migrate in the aquifer. Generally, movement of	Proximity of pollution or contamination sources	the rate or direction of the movement of a contaminati
movement of pollutants into a water	a contamination plume is considered harmful if the	and potential for significant pollutant or	evidenced by the predicted influence the water withdr
resource that is not polluted. Significant	withdrawal would cause violations to water	contaminant transport towards wellfields	on inducing movement of the contamination plume or
water quality degradation may result from	quality standards in areas that previously would have been	(Section 2.3(g)1.).	sustained increase in background levels in contaminar
altering the rate or direction of movement	unaffected. In evaluating this criterion, the District will		
of pollutants, as evidenced by the	consider:	Pollution or contamination of wellfields is	
predicted influence the water withdrawals	A. Whether the withdrawal would alter the rate or direction	inconsistent with the public interest as well as	
would have on inducing movement of the	of movement of a plume (horizontally or vertically) that has	not reasonable-beneficial. Additionally, staff will	
pollutants or as indicated by a sustained	been defined by the DEP or the EPA.	recommend denial of an application for any one	
increase in background levels in pollutant	B. Whether the withdrawal would increase the potential for	of the following reasons: first, the occurrence of	
concentrations.	harm to the public health and safety.	water resource shortages in the applicant's area	
		does not allow the permitting of additional	
		quantities of water beyond those allocated in	
		existing permits; second, no available water is	
		available on a site-specific basis; or third, the	
		Governing Board had indicated that no	
		additional water is presently available on a	
		regional basis for use within the aquifer or basin.	

enied if the acts to the water rough: (a) the the alteration of tion plume, as drawals would have or as indicated by a ant concentrations. Within the Central Florida Water Initiative Area as defined in 373.037(1)(a), F.S., the following section "CFWI – 2." shall supersede in its entirety section 2.3.2.B.2.d.i. of the SFWMD; section 2.4.6. of the SWFWMD handbook; and section 2.3(g)2. of the SJRWMD handbook.

CFWI – 2. Harmful water quality impacts from dewatering discharge to receiving waters

SFWMD	SWFWMD	SJRWMD	Concepts for CFWI
2.3.2.B.2. Criteria for Use Classes; Applicants for all individual dewatering permits must satisfy the	2.4.6 MINING OR	2.3 Reasonable-Beneficial Use	The use must not cause harmful v
conditions of issuance (Rule 40E-2.301, F.A.C.) In order to provide reasonable assurances that	DEWATERING. Applicants who	Criteria (g)(2) The use must not	from dewatering discharge to rec
water reserved in Rule 40E-10.041, F.A.C., will not be withdrawn, all water from	have obtained and are in	cause harmful water quality	Applicants who have obtained an
the dewatering activity shall be retained onsite. If the applicant demonstrates that retaining the water	compliance with a National	impacts from dewatering	with a National Pollutant Dischar
onsite is not feasible, the project shall be modified to demonstrate, pursuant to Subsection 3.11, that	Pollutant Discharge Elimination	discharge to receiving waters.	System (NPDES) or Environmen
reserved water will not be withdrawn Permit applications for a dewatering permit must:	System (NPDES) or	Applicants who have obtained	for dewatering shall be considere
a. Provide reasonable assurances that the project will not cause harm to the resource, existing legal	Environmental Resource Permit	and are in compliance with a	water quality impacts from deway
uses, offsite land uses, and wetland environments or cause harmful saline water intrusion or movement	for dewatering shall be found to	National Pollutant Discharge	receiving waters.
of pollutants, as described in Chapter 3 of this Applicant's Handbook	not cause harmful water quality	Elimination System (NPDES) or	
d. Provide reasonable assurances that all dewatering water will be retained on the project site, unless	impacts from dewatering discharge	Environmental Resource Permit	
the applicant demonstrates that it is not technically feasible to retain the dewatering water onsite. If	to receiving waters.	for dewatering shall be	
any offsite discharge is requested due to demonstrated technical infeasibility of onsite retention, the		considered to not cause harmful	
applicant must provide the following information with the permit application:		water quality impacts from	
i. Documentation of authorization that allows the applicant to discharge directly into the receiving		dewatering discharge to receiving	
water body and/or adjacent lands (e.g., NPDES or ERP permit), and a demonstration that the receiving		waters.	
water body or adjacent lands are capable of accepting the dewatering discharge;			
ii. An operational plan which demonstrates that the discharge to the receiving water body will meet all			
applicable State Water Quality standards prior to discharge;			
iii. An operational plan which demonstrates that the discharge to protected wetlands will not contain			
turbidity levels in violation of State Water Quality standards (must be less than 29 NTU above			
background levels) prior to discharge;			
f. Provide reasonable assurances that fresh dewatering water will not be discharged to saline tidal			
waters, unless the applicant demonstrates that it is not technically feasible to prevent discharge to			
saline water and requests specific authority from the District for discharge. Saline dewatering water, as			
defined in this Applicant's Handbook, may be discharged to tidewater;			
		•	

water quality impacts ceiving waters. and are in compliance arge Elimination ntal Resource Permit red to not cause harmful atering discharge to

CFWI – 3.1. Harmful saline water intrusion or harmful upconing, definitions

SFWMD	SWFWMD	SJRWMD	Concepts for CFWI
Upconing - Upward migration of mineralized or	upconing – process by which saline water, which underlies fresh water in the same or different aquifers, rises	?	(a) "Upconing" means the process
saline water as a result of pressure variation	up into the fresh water zone as a result of pumping water from the fresh water zone (U.S.G.S., August 1989).		saline water underlying a fresh <u>er</u> wate
caused by withdrawals.			different aquifers, rises into the freshe
	saline water interface – any plane or surface within the transition zone between fresh water and saline water		result of pressure variations caused by
Saline Water Interface - Hypothetical surface of	that is defined by a specific concentration of total dissolved solids.		(b) "Saline water interface" means
chloride concentration between freshwater and			within the transition zone between free
saline water where the chloride concentration is	(p) fresh water – water that contains less than 3,000 milligrams per liter (mg/l) of total dissolved solids		saline water that is defined by a specif
250 mg/L at each point on the surface.	(TDS). Also, water having a TDS concentration between 1,000 mg/l and 3,000 mg/l can be termed slightly		total dissolved solids.
	saline fresh water; and, generally, water having a TDS concentration greater than 500 mg/l TDS is		(a) "Calling material interview" and
Saline Water - An aqueous solution with a	undesirable for drinking		(c) Saline water intrusion mean
chloride concentration greater than 250 mg/L	and many industrial uses.		more same water laterally inland into
and less than that of seawater.			aquifer from coastal areas, the movem
	(kk) saline water – water that generally is considered unsuitable for human consumption or for irrigation		other movement of more soline surface
Freshwater - An aqueous solution with a	because of its high content of dissolved solids. Commonly expressed as milligrams per liter (mg/l) of		water aquifer: or any movement of mo
chloride concentration equal to or less than 250 millignees non-liter (mg/L)	dissolved solids, with moderately saline as $3,000-10,000$ mg/l; very saline as $10,000-35,000$ mg/l, and brine		water or ground water into a fresher w
mingrams per itter (mg/L).	as more than 55,000 mg/1 (U.S.G.S., August, 1989).		body
	(mm) soling water intrucion the movement of more soling water laterally inlend into a freeher water equifar		body.
	(min) same water intrusion – the movement of more saline water vertically upward into a fresher water aquifer		
	Also, any movement of more saline surface or ground water into a fresher water surface water body		
	Also, any movement of more same surface of ground water into a resider-water sufface water body.		

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er zone in the same or er water zone as a y withdrawals.

ns any plane or surface esh<u>er</u> water and <u>more</u> ific concentration of

ns the movement of o a fresher water ment of more saline r water aquifer; any ce water into a fresher <u>nore</u> saline surface water surface water **Commented [KPM2]:** There are some suggested edits to these definitions and to the salinity section. However, I am looking forward to continuing the salinity discussion with the subgroup, whose recommendation(s) should be in soon. Once we see their recommendation, we can discuss the pros and cons as a group and continue to provide edits to this section.

CFWI – 3.2. Harmful saline water intrusion or harmful upconing

3.4 Salke Water Iutrasion 3.4 Salke Water Iutrasion 3.4 Salke Water Iutrasion A vid/nawa/mast naplication values for the application requests for symmetry in the application requests for symmetry in the further movement of a saline water intrasion or the further movement of a saline water intrasion or the further movement of a saline water intrasion or the further movement of a saline water intrasion or the further movement of a saline water intrasion or the further movement of a saline water intrasion or the further movement of a saline water intrasion or the central and Southern Hood further water intrasion or the saline water intrasion or the saline water intrasion or the central movement is the level of movement that persists when the withdrawal, the maximum annual persister intrasion, or the saline water intrasion or the central movement of the saline water intrasion or the central movement of the saline water intrasion or the central movement is the level of movement that persiste water intrasion or the saline water intrusion or intrasion will noto	SFWMD	SWFWMD	SJRWMD	Concepts for CFWI
A water use permit application requests freshwater windrawals har would cause harm to the water resources as a result of saline water intrusion. Iterritud saline water intrusion cocurs when:INTRUSION.Iter use must not cause harmful saline water intrusion or harmful upconing. It due application requests quint set intrusion. Thereful saline water intrusion or harmful upconing. It due application requests quint set intrusion. Thereful saline water intrusion or harmful upconing. It due application requests quint set intrusion. Thereful saline water intrusion or harmful upconing. It due application requests quint set intrusion. Thereful saline water intrusion or harmful upconing. It due to the saline interface to a second and or town the application or the center intrusion. The Daviet shall be contained as follows: IEQUATION LA groundwater that.Inter use must not cause harmful saline water intrusion or harmful queconing is in the saline water intrusion. (a) Movement of a particular saline water interface to a greater distance at intrusion cocurs if the Application to introduce as a concease from how information as dongly. comparison of the saline water interface or special distance water interface to a greater distance water interface to a greater with and water interface to a special distance water interface is an suble water interface is in water interface is in water interface is must be solice interface in special distance water interface is must be solice interface in special distance water interface is must be solice interface in special distance water interface is must be solice interface in special distance water interface	3.4 Saline Water Intrusion	3.4 SALINE WATER	3.4 Saline Water Intrusion	A withdrawal must not cause harm
would cause harm to the vater resources as a result of saline water intrusion. Harmful saline water intrusion or harmful upcoming is defined as saline intreface or a scoaseque code seasonal A. Wild application requests the ap	A water use permit application will be denied if the application requests freshwater withdrawals that	INTRUSION.	The use must not cause harmful saline water intrusion or harmful upconing.	in the further movement of a saline
 intrasion occurs when: Withdrawals evalu in the further movement of a saline water interface to a greater distance induct function of a saline water interface to a greater distance induct intrasion. Charmful saline water intrusion or operation of the Central and Southern Flod Control Project, secondary canal systems, or stormwater systems. Withdrawals eval in the subine dimension of withdrawal, the maximum namour of pumger from any wells hall be constrained as follows: Pay Control Project, secondary canal systems, or stormwater systems, on the subine represent the point of withdrawal, the maximum namour of the saline water intrusion or the saline water intrusion water than the optic the provide maximum and the saline water intrusion or the saline water intrusion water than the provide maximum and the saline water intrusion water intrusion	would cause harm to the water resources as a result of saline water intrusion. Harmful saline water	A WUP application shall be denied	Harmful saline water intrusion or harmful upconing is defined as saline	source. The District shall not cons
A. Withdrawals result in the further movement of a saline water interface to a greater distance influt toward a fessiwater source score) seasonal fuctuations; climatic conductions, such as drought; or operation of the Central and Souther Plod Courcel Project, secondary canal systems, or stormwater systems. B. Withdrawals result in the sustained upward movement of suline water. Sustained upward movement is the level of movement mut the presists whet intrusion or target in the saline water intrusion or the core interface or the producing grow within the arcs of influence of the well field. Background levels in chloride complements with the arget interface in the saline water intrusion or the coll the saline water intrusion will not cause than water resources. The use of the saline water intrusion will not cause than adversely affect, oir is prodicated on a saline water intrusion water intrusion or the coll the saline water intrusion or the coll the saline water intrusion or the coll the saline or the saline water source defined in the saline water source defined in the saline water intrusion water intrusion or the coll the saline water intrusion or the coll the saline water intrusion or the coll the saline water intrusion or the coll the	intrusion occurs when:	if the application requests	water encroachment which detrimentally affects the applicant or other	from take into consideration season
treated reshwater source except as a consequence of seasonal fluctuations; climatic conditions, such as drought, or operation of the Central and Southern Flood Awater Tour Sustained Upward Tour S	A. Withdrawals result in the further movement of a saline water interface to a greater distance inland	quantities that would cause	existing legal users of water, or is otherwise detrimental to the public	such as a drought; or operation of t
 flactuations: climatic conditions, such as drought: or operation of the Contral and Southern Flood Control Project, secondary canal systems, or stormwater systems. Withdrawals result in the sustained upward movement of saline water. Sustained upward movement is the level of movement that persists when the withdrawal, the maximum amount of pumpage from any well saline bare coarse have may well saline bare coarse have many of the Applicant shall demonstrate that: (a) Movement of a particular saline water interface to a greater distance interface interent introm of the unumber of the contratin on the wellfreint a	toward a freshwater source except as a consequence of seasonal	harmful saline	interest as defined in Section 3.10. The District shall consider the following	Control Project, secondary canals of
Control Project, secondary canal systems, or stormwater systems. B. Withdrawals reall in the sustemined upward movement of a line water. Sustained upward movement is the level of movement the theresties when the withdrawals may have causes. (When the sulline interface cours beauch the point or withdrawal, the maximum anon- to pumpage from any well shall be constrained as follows: [EQUATION] In order to provide reasonable assurances that harmfol saline water intrusion out of freshwarer greater than one foot higher than the potentioner and the saline water source (defined by the location of the 250 mg/L isochlor); or, 2. A hydrologic analysis of groundwater for outcomstrates that there will be no further not inflow of groundwater from the saline water intrusion on the wellfield and water resource, if pumpage is allowed or increased. Should the applicant shall demonstrate that the proposed withdrawal point, 2. Other vidence shows allow water intrusion or the pumpicant shall demonstrate that the proposed withdrawal will not cause harmful saline intrusion of the systems, or stormwater systems, or 3. Other vidence shows allow water intrusion will not cause harmful saline intrusion of the permittice, that a data be admine water source (defined by the location of the 250 mg/L isochlor); or, 3. A hydrologic and origin the source and or downater systems, or stormwater system, or stormwater systems, or st	fluctuations; climatic conditions, such as drought; or operation of the Central and Southern Flood	water intrusion, or harmful	factors for determining whether saline water intrusion or upconing is	A withdrawal must not cause e har
 B. Withdrawals result in the sustained upward movement to fashine water. Sustained upward movement subjects when the withdrawal, the maximum amout of pumpage from any well shall be constrained as follows: [FQUATION] In order to provide reasonable assurances that harmful saline water intrusion will not occurs, the applicant shull demonstrate that: I. A groundwater drived (mound of freshward) groat rotation of the 250 mg/L isochlor); or. [2. A hydrologic analysis of groandwater flow demonstrate that there will be no further net inflow of states show saline water source of subject than to the wellfield and water resources. If pumpage is allowed or increase. Should the applicant should determinite the saline water source of the state and the saline water source of the wellfield and water resources. If pumpage is allowed or increase. Should the applicant should determinite the cause of the saline water source of the saline water source of the wellfield and water resources. The use of saline water intrusion of the 250 mg/L isochlor); or. [3. Other vellence shows saline water source toward the withdrawal point. [4. Compliance with the performances. The should there are in formed by the location of the 250 mg/L isochlor); or. [5. A hydrologic analysis of groandwater flow demonstrates that there will be no further net inflow of inflexes as the should and therease. The use of saline water intrusion of the 250 mg/L isochlor); or. [5. A hydrologic analysis of groandwater flow demonstrate that there shows allow eads resources. The use of saline water intrusion in the second the wall field mater intrusion of the 250 mg/L isochlor); or. [6. A hydrologic analysis of groandwater intrusion or the 250 mg/L isochlor); or. [7. A hydrologic analysis of groandwater intrusion in the isoch adverse in the saline water intrusion of the 250 mg/L isochlor); or. [7. A hydrologic analysis of groandwater is the motin the there as in lea	Control Project, secondary canal systems, or stormwater systems.	upconing. Harmful saline water	harmful:	withdrawals of water that results in
movement is the level of movement that persists when the withdrawals maximum amout of pumpage from any well shall be constrained as follows: [EQUATION] In odder to provide ransonable assumances that harmful saline water intractions of dresses from any well shall be constrained as follows: [EQUATION] I. A groundwater divide (mound of freshwater) greater than one foot higher than the potentiometric head the saline water source cost subs harmful saline water intractions of the 250 mg/L isochhor); or. 2. A hydrologic analysis of groundwater flow demonstrate that: 3. A hydrologic analysis of groundwater flow demonstrate that there will be no further rul inflow of seasonal fluctuations; collinatic conditions, such as drought, or operation of the 250 mg/L isochhor); or. 3. Other evidence shows saline water source (based) the wellfield and water resource, if pumpage is allowed to increases. from sourced well may boint; seeept as a consequence of the cause of the saline water interface or uppoying that and should here applicated that the wellfield and water resource, if pumpage is allowed to increases. from sourced well may be addressed in such Rule, blord control project, secondard the withfrawal will not cause harmful saline intraction of the 250 mg/L isochhor); or. 3. Other evidence shows saline water interface or uppoyed in the wellfield and water resource, if pumpage is allowed or increases. (Bould the applicit expect as a consequence of the cause of the saline water interface or our protocing zone within the dimension of the 250 mg/L isochhor); or. 3. Other evidence shows saline water interface or our protocing zone within the dimension of the 250 mg/L isochhor); or. 3. Other evidence shows saline water interface or our protocing zone within the dimension and the well field and water resource, if pumpage is allowed to increase. (Bould the applicit as source of the proposed withdrawal will not cause harmful saline intrusion of saline water interfacie or upposed withdrawal interface or upposed w	B. Withdrawals result in the sustained upward movement of saline water. Sustained upward	intrusion occurs if the Applicant's	(a) Movement of a particular saline water interface to a greater distance	water that persists when the withd
have ceased. When the saline interface occurs beneath the point of withdrawal, the maximum amount of pumpage from any wells hall be constrained as follows: [EQUATION] In order to provide reasonable assurances that harmful saline water intrusion will not occure, the applicant shall demonstrate that: 1. A groundwater divide (mound of freshwater) greater than one foot higher than the potentionet or the public health, safety, and grean water is how about the constrained as for the saline water intrusion will not cause harm to the 250 mg/L isochlor); or, 2. A hydrologi canadysis of groundwater divide (mound of freshwater) greater than one forther net inflow of groundwater divide (mound of the 250 mg/L isochlor); or, 2. A hydrologi canadysis of groundwater divide (mound of the 250 mg/L isochlor); or, 3. Other evidence shows saline water intrusion, will not cause harm to the well field and water groundwater divide or increases. Should the applicant shall determine the cause of the saline water interface of the repressed within the flex cause of the saline water intrusion, ethicated or increases. Should the applicant should the	movement is the level of movement that persists when the withdrawals	withdrawals are projected to cause	inland or towards a wellfield than has historically occurred as a	water that persists when the withd
of pumpage from any well shall be constrained as follows: inerfrace, or upconing that [EQUATION] inerfrace, or upconing that no dor to provide reasonable assurances that harmful saline water intrusion will not occur, the inerfrace, or upconing that adversely affect, other existing inguine inguine water source (defined by the location of the 250 mg/L isochlor); or, infuence of the well field, Background levels in chloride infuence of the solitor or optications at the base of the aquifer or producing zone within the area of Compliance with the priormase; infuence of the well field background levels in chloride (towards a saline water source) within the area of Compliance with the upplicant shall be determined infuence of the well field background levels in chloride (towards a saline water source) Compliance with the upplicant shall be determined insuch charge is an Bod Courtor optices, scondade or increases (1, beground avater the salin	have ceased. When the saline interface occurs beneath the point of withdrawal, the maximum amount	movement of the saline water	consequence of seasonal fluctuations or drought. A saline water interface is	The Department encourages the us
(EQUATION) In order to provide reasonable assurances that harmful saline water intrusion will not occur, the applicant shall demonstrate that: (1) A groundwater divide (mound of freshwater) greater than one foot higher than the potentiometric and the saline water source exists between the withdrawal point and the saline water source (defined by the location of the 250 mg/L isochlor); or, (2) A hydrologic analysis of groundwater for operation of the Central and Souther Flood Control Project, secondary canal systems, or stormwater systems, or, (3) Other evidences shows saline water interface is unstable (as demonstrated by increases in measured chloride concentrations within the attemption will not cause harm to the wellfield awater (c) Wether there has been a detirmental change in the geochemistry of the groundwater from the saline water interface is unstable (as demonstrated by increases in measured chloride concentration (set) within the interces of the saline movement and the extent of future movement through the duration of the saline intrusion through the duration of the same time through the duration of the saline intrusion through the duration of the same time set install demonstrate that the proposed withdrawal will not cause harmful saline intrusion through the duration of the semined in the asso providing for the long-term protection of the water my cause himited by the saline saline that the proposed withdrawal will not cause harmful saline intrusion through the duration of the same time interfaces in salinity but not to the extent of future movement indue that the proposed withdrawal indice the interfaces in salinity but not to the extent of interfring with any presently existing legal use of water, otherwise harming water resources, or rendering the resources on longer usable by the permitted. With the influence of the water movement is permitted by the source of supply by read uses. The use of saline water or poorting to the use of saline water or poorting to t	of pumpage from any well shall be constrained as follows:	interface, or upconing that	defined as a zone of dispersion between two geochemical types of	use intended, while also providing
In order to provide reasonable assurances that harmful saline water intrusion will not occur, the applicant shall demonstrate that: a populant shall demonstrate that: a deversely affect, other existing the saline water source exists between the withdrawal point and the saline water source exists between the withdrawal point and the saline water source (defined by the location of the 250 mg/L isochlor); or, 2. A hydrologic analysis of groundwater flow demonstrates that there will be no further net inflow of reporting cone within the area of influence of the well field. Background levels are the chloride concentrations at the base of the aquifer or producing zone within the area of influence of the well field. Background levels are the chloride concentrations at the base of the aquifer or producing zone within the area of influence of the well field and water mater source exerts and and store the saline water intersion will not cause harm to the wellfield and water resources, if pumpage is allowed or increases time used be addressed in such Rule. All . Use of Saline Water The District accourages the use of the lowest water quality for the use intended, while also providing for the lowest water quality for the use intended, while also providing for the lowest water quality for the use intended, while also providing for the lowest water quality for the use intended, while also providing for the lowest water quality for the use intended, while also providing for the lowest water quality for the use intended, while also providing for the lowest of the water may cause limited increases in salinity is a source of supply for all uses. The use of saline water may cause limited increases in salinity is the resources, or mediating by the permited by	[EQUATION]	adversely affects, or is predicted to	groundwater or a zone of change between areas of groundwater with	water resources. The use of saline
applicant shall demonstrate that: 1. A groundwater divide (mound of freshwater) greater than one foot higher than the potentiometric head at the saline water source exists between the withdrawal point and the saline water source (defined by the location of the 250 mg/L isochlor); or, Ise and the saline water source (defined by the location of the 250 mg/L isochlor); or, 2. A hydrologic analysis of groundwater flow demonstrates that there will be no further net inflow of groundwater from the saline water source toward the withdrawal point, except as a consequence of 3. Other eviduations; climatic conditions, such as drought; or operation of the Central and Souther Flood Control Project, secondary canal systems, or stormwater systems, or, 3. Other evidence shows saline water interface is unstable (as demonstrated by increases in measured chloride concentration levels within the influence of the proposed withdrawals coru in an area where the saline movement and the extent of future movement through the duration of the permit and shall demonstrate that the proposed withfrawal will not cause harmful saline intrusion of the saline water resources. The use of saline water is used hild water is ensiting by the posting for the long-term protection of the water is used hild by the District as a conce of suble for the use intended, while also providing for the long-term protection of the extent of interfering with any presently existing legal use of water, otherwise harming water resources, or rendering the resource source of water is therease in salinity but not to the extent of interfering with any presently existing legal use of water, otherwise harming water resources, or rendering the resource source of saline water or postem suble by the permittee. See also 2.3(g)3, Reasonable-Beneficial Use Criteria	In order to provide reasonable assurances that harmful saline water intrusion will not occur, the	adversely affect, other existing	significantly different chloride concentrations.	a source of supply for all uses. The
 I. A groundwater divide (mound of freshwater) greater than one foot higher than the potentiometric head at the saline water source exists between the withdrawal point I. A groundwater divide (mound of freshwater) greater than one foot higher than the potentiometric and the saline water source (defined by the location of the 250 mg/L isochlor); or, I. A hydrologic analysis of groundwater from the saline water source toward the withdrawal point; except as a consequence of seasonal fluctuations; climatic conditions, such as drought; or operation of the Central and Southern Science in the well field. Background levels are the chloride or concentration shat existed before withdrawals commenced. (c) Whether there has been a detrimental change in the geochemistry of the groondwater at the base of the aquifer or producing zone within the area of influence of the well field and water increases in such and the applicant's proposed withdrawals occur in an area where the saline water increase. Should the applicant's proposed withdrawals of uncreases in measured chloride concentration levels within the influence of the proposed withdrawal solil on cause harmful saline water increases in such and the demonstrate that the proposed withdrawal will not cause harmful saline water spermitted by the ground of the water resources, or rendering the resources, or rendering the resource on longer usable by the permittee. complicate as a source of supply for all uses. The use of saline water is permitted by the primittee. complicate as a source of supply for all uses. The use of saline water is permitted by the permittee. complicate as a source of supply for all uses. The use of saline water is permitted by the permittee. complicate as a source of supply for all uses. The use of saline water is permitted by the permittee. complicate as a source of supply for all uses. The use of saline water is permittee. co	applicant shall demonstrate that:	legal uses of water; the Applicant;	(b) The amount and rate of increase from background levels in chloride	limited increases in salinity but not
head at the saline water source (defined by the location of the 250 mg/L isochlor); or, 2. A hydrologic analysis of groundwater flow demonstrates that there will be no further net inflow of groundwater from the saline water source toward the withdrawal point; except as a consequence of seasonal fluctuations; climatic conditions, such as drought; or operation of the Cartal and Southern Flood Control Project, secondary canal systems, or, sornwater systems, or, 3. Other evidence shows saline water intrusion will not cause harm to the wellfield and water resource, if pumpage is allowed or increased. Should the applicant's proposed withdrawals occur in an area where the saline movement and the extent of future movement through the duration of the permitt and shall demonstrate that the proposed use), the applicant shall determined chloride concentration soft he well indice motion the event of future movement through the duration of the permitt and shall demonstrate that the proposed withdrawal point 34.1. Use of Saline Water The District as a source of supply for all uses. The use of saline water intersion of the well mide increases in salinity but not to the extent of interfering with any presently existing legal use of water, otherwise harming water resources, or rendering the permitte. 	1. A groundwater divide (mound of freshwater) greater than one foot higher than the potentiometric	or the public health, safety, and	concentrations at the base of the aquifer or producing zone within the area	presently existing legal use of wate
and the saline water source (defined by the location of the 250 mg/L isochlor); or, 2. A hydrologic analysis of groundwater flow demonstrates that there will be no further net inflow of genostrates that there will be no further net inflow of seasonal fluctuations; climatic conditions, such as drought; or operation of the Central and Southern Flood Control Project, secondary canal systems, or stormwater systems, or, 3. Other evidence shows saline water intrusion will not cause harm to the wellfield and water resource, if pumpage is allowed or increased. Should the applicant's proposed withdrawals occur in an area where the saline water interface is unstable (as demonstrated by increases in measured chloride concentration levels within the influence of the proposed use), the applicant shall determine the cause of the saline movement and the extent of future movement through the duration of the permit and shall demonstrate that the proposed withdrawal so providing for the long-term prodection of the water resources. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water is permitted by the permitte. 	head at the saline water source exists between the withdrawal point	general welfare.	of influence of the well field. Background levels are the chloride	resources, or rendering the resourc
 2. A hydrologic analysis of groundwater flow demonstrates that there will be no further rel inflow of groundwater flow demonstrates that there will be no further rel inflow of groundwater from the saine water source toward the withdrawal point; except as a consequence of supply for all uses. The use of saline water is permitted by the permitted. 2. A hydrologic analysis of groundwater flow demonstrates that there will be no further rel inflow of groundwater from the saline influence of the supply for all uses. The use of saline water is permitted by the permitted. 	and the saline water source (defined by the location of the 250 mg/L isochlor); or,	Compliance with the performance	concentrations that existed before withdrawals commenced.	
groundwater from the salme water source toward the withdrawal point; except as a consequence of seasonal fluctuations; climatic conditions, such as drought; or operation of the Central and Souther Flood Control Project; secondary canal systems, or, 3. Other evidence shows saline water intrusion will not cause harm to the wellfield and water resources, if pumpage is allowed or increased. Should the applicant's proposed withdrawals occur in an area where the saline water interface is unstable (as demonstrated by increases in measured chloride concentration levels within the influence of the proposed use), the applicant shall determine the cause of the saline movement and the extent of future movement through the duration of the permit. 3.4.1. Use of Saline Water The District encourages the use of the lowest water quality for the use intended, while also providing for the long-term protection of the water may cause limited increases in salinity but not to the extent of future movement through the permitted by the premitted	2. A hydrologic analysis of groundwater flow demonstrates that there will be no further net inflow of	standards for Permittees	(c) Whether there has been a detrimental change in the geochemistry of the	
seasonal fluctuations; climatic conditions, such as drought; or operation of the Central and Southern Flood Control Project, secondary canal systems, or stormwater systems, or, 3. Other evidence shows saline water intrusion will not cause harm to the wellfield and water resource, if pumpage is allowed or increased. Should the applicant's proposed withdrawals occur in an area where the saline movement and the extent of theure proposed use), the applicant shall determine the cause of the saline movement and the extent of future movement through the duration of the permit and shall demonstrate that the proposed withdrawal will not cause harmful saline intrusion through the duration of the permit. 3.4.1. Use of Saline Water The District encourages the use of the lowest water quality for the use intended, while also providing for the long-term protection of the water resources. The use of saline water may cause limited by the District as a source of supply for all uses. The use of saline water may cause limited increases in salinity but not to the extent of interfering with any presently existing legal use of water, otherwise harming water resources, or rendering the resource no longer usable by the permittee. 	groundwater from the saline water source toward the withdrawal point; except as a consequence of	encompassed within the	groundwater at the base of the aquifer or producing zone within the area of	
Pload Control Project, secondary canal systems, or stormwater systems, or, of such a change in geochemistry is where a newly constructed well may 3. Other evidence shows saline water intrusion will not cause harm to the wellfield and water shall be addressed in such Rule. solute evidence shows saline water intrusion to future movement through the duration of the permit and shall demonstrate that the proposed withdrawal will not cause harmful saline intrusion through the duration of the permit. 3.4.1. Use of Saline Water The District encourages the use of the lowest water quality for the use intended, while also providing for the long-term protection of the water resources. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water may cause limited increases in asalinity by the permittee. See also 2.3(g)3, Reasonable-Beneficial Use Criteria	seasonal fluctuations; climatic conditions, such as drought; or operation of the Central and Southern	Comprehensive Plan set	influence of the wellfield towards a saline water composition. An example	
 3. Other evidence shows saline water intrusion will not cause harm to the wellfield and water resource, if pumpage is allowed or increased. Should the applicant's proposed withdrawals occur in an area where the saline water interface is unstable (as demonstrated by increases in measured chloride concentration levels within the influence of the proposed use), the applicant shall determine the cause of the saline movement and the extent of future movement through the duration of the permit. 3.4.1. Use of Saline Water The log-term protection of the lowest water quality for the use intended, while also providing for the long-term protection of the water resources. The use of saline water is presently existing legal use of water, otherwise harming water resources, or rendering the resource no longer usable by the permittee. 	Flood Control Project, secondary canal systems, or stormwater systems, or,	forth in Rule 40D-80.073, F.A.C.,	of such a change in geochemistry is where a newly constructed well may	
resource, if pumpage is allowed or increased. Should the applicant's proposed withdrawals occur in an area where the saline water interface is unstable (as demonstrated by increases in measured chloride concentration levels within the influence of the proposed use), the applicant shall determine the cause of the saline movement and the extent of future movement through the duration of the permit and shall demonstrate that the proposed withdrawal will not cause harmful saline intrusion through the duration of the permit. 3.4.1. Use of Saline Water The District encourages the use of the lowest water quality for the use intended, while also providing for the long-term protection of the water resources. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water may cause limited increases in salinity but not to the extent of interfering with any presently existing legal use of water, otherwise harming water resources, or rendering the resource no longer usable by the permittee.	3. Other evidence shows saline water intrusion will not cause harm to the wellfield and water	shall be addressed in such Rule.	yield a bicarbonate type water initially, but after withdrawals begin the well	
an area where the saine water interface is unstable (as demonstrated by increases in measured chloride concentration levels within the influence of the proposed use), the applicant shall determine the cause of the saline movement and the extent of future movement through the duration of the permit and shall demonstrate that the proposed withdrawal will not cause harmful saline intrusion through the duration of the permit. 3.4.1. Use of Saline Water The District encourages the use of the lowest water quality for the use intended, while also providing for the long-term protection of the water resources. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water may cause limited increases in salinity but not to the extent of interfering with any presently existing legal use of water, otherwise harming water resources, or rendering the resource no longer usable by the permittee. 	resource, if pumpage is allowed or increased. Should the applicant's proposed withdrawals occur in		(or nearby wells) yield a sodium chloride type water. This change is an	
the concentration levels within the influence of the proposed use), the applicant shall determine the cause of the saline movement and the extent of future movement through the duration of the permit and shall demonstrate that the proposed withdrawal will not cause harmful saline intrusion through the duration of the permit. 3.4.1. Use of Saline Water The District encourages the use of the lowest water quality for the use intended, while also providing for the long-term protection of the water resources. The use of saline water may cause limited increases in salinity but not to the extent of interfering with any presently existing legal use of water, otherwise harming water resources, or rendering the resource no longer usable by the permittee.	an area where the saline water interface is unstable (as demonstrated by increases in measured		indication that intrusion of saline water or upconing has taken place during	
the cause of the saline movement and the extent of ruture movement through the duration of the permit and shall demonstrate that the proposed withdrawal will not cause harmful saline water intrusion of harmful saline water intrusion of harmful saline water intrusion of the permit. 3.4.1. Use of Saline Water The District encourages the use of the lowest water quality for the use intended, while also providing for the long-term protection of the water resources. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water may cause limited increases in salinity but not to the extent of interfering with any presently existing legal use of water, otherwise harming water resources, or rendering the resource no longer usable by the permittee.	chloride concentration levels within the influence of the proposed use), the applicant shall determine		the withdrawal of water.	
permit and shart demonstrate that the proposed withdrawal will not cause harmful saline intrusion through the duration of the permit. 3.4.1. Use of Saline Water The District encourages the use of the lowest water quality for the use intended, while also providing for the long-term protection of the water resources. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water may cause limited increases in salinity but not to the extent of interfering with any presently existing legal use of water, otherwise harming water resources, or rendering the resource no longer usable by the permittee.	the cause of the saline movement and the extent of future movement through the duration of the		In each situation, the determination of harmful saline water intrusion or	
Same intrusion through the duration of the permit. 3.4.1. Use of Saline Water The District encourages the use of the lowest water quality for the use intended, while also providing for the long-term protection of the water resources. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water may cause limited increases in salinity but not to the extent of interfering with any presently existing legal use of water, otherwise harming water resources, or rendering the resource no longer usable by the permittee. 	permit and shall demonstrate that the proposed withdrawal will not cause narmful		narmiul upcoming will be made on a case-by-case basis.	
See also 2.3(g)3, Reasonable-Beneficial Use Criteria See also 2.3(g)3, Reasonable-Beneficial Use Criteria	same intrusion intrough the duration of the permit.		See the 2.2(c)2 Decemble Development of the Criteria	
for the long-term protection of the water resources. The use of saline water is permitted by the District as a source of supply for all uses. The use of saline water may cause limited increases in salinity but not to the extent of interfering with any presently existing legal use of water, otherwise harming water resources, or rendering the resource no longer usable by the permittee.	5.4.1. Use of Saline water The District encourages the use of the lowest water quality for the use intended, while also providing		See diso 2.5(g)5., Reasonable-Beneficial Use Criteria	
District as a source of supply for all uses. The use of saline water is permitted by the salinity but not to the extent of interfering with any presently existing legal use of water, otherwise harming water resources, or rendering the resource no longer usable by the permittee.	for the long term protocol and the works recommended, while also providing for the long term protocol of the works recommended.			
salinity but not to the extent of interfering with any presently existing legal use of water, otherwise harming water resources, or rendering the resource no longer usable by the permittee.	District as a source of supply for all uses. The use of saline water may cause limited increases in			
harming water resources, or rendering the resource no longer usable by the permittee.	calinity but not to the actent of interfering with any presently existing lead use of water, otherwise			
	barming water resources or rendering the resource no longer usable by the permittee			
	naming water resources, or rendering the resource no longer usable by the permittee.			

nful saline water intrusion that results the water interface toward a freshwater sider saline water intrusion resulting onal fluctuations, climatic conditions, the Central and Southern Flood or stormwater systems.

rmful upconing caused by in the upward movement of saline lrawals have ceased.

ase of the lowest water quality for the g for the long-term protection of the e water is permitted by the District as as use of saline water may cause of to the extent of interfering with any ter, otherwise harming water ce no longer usable by the permittee.

Harmful hydrologic alterations to natural systems, including wetlands or other surface waters

EVALUATION OF IMPACTS TO THE WATER RESOURCES:

SFWMD	SWFWMD	SJRWMD	Concepts for CFWI
3.3 Evaluation of Impacts to Water Resources	3.3 EVALUATION OF IMPACTS TO WATER RESOURCES. The	3.7 Otherwise Harmful	This Section establishes the standards and thresholds for
This Section establishes the standards and thresholds for protection of	withdrawal of water must not cause adverse impacts to environmental features.	(d)	other surface waters from harm pursuant to the condition
wetlands and other surface waters from harm pursuant to the condition for	Where appropriate, District staff will review the Applicant's submittal and	The use must not cause harmful	Rule 62-41.301, F.A.C. The standards and thresholds sp
permit issuance in Rule 40E-2.301, F.A.C., including ensuring a water use	identify the environmental features that are directly related to the water	hydrologic alterations to natural	all water uses, including applications for the initial use of
shall not be harmful to the water resources of the area and is otherwise	resources of the District and evaluate the impact of the Applicant's withdrawal,	systems, including wetlands or	and renewals of consumptive use permits, and authorize
consistent with the overall objectives of the District. The standards and	combined with other withdrawals, on those environmental features.	other surface waters (on site or	referred to as the "water use". In its evaluation of the ap
thresholds specified herein shall apply to all water uses, including	District staff may inspect the site to delineate environmental features and	off-site). A proposed use will be	extent of hydrologic alterations caused by the applicant
applications for the initial use of water and modifications and renewals of	evaluate the effects of withdrawal. If withdrawals are determined by the	denied as not reasonable-	considered, except as otherwise provided herein.
consumptive use permits, and authorized water uses, herein referred to as the	District to have impacted or anticipated to impact environmental features, an	beneficial if the use would alter	
"water use". In its evaluation of the applicant's water use, the District shall	Applicant shall supply additional information regarding the existing status and	the existing hydrology and cause	To provide reasonable assurances of compliance with the
consider the extent of hydrologic alterations caused by the applicant's water	condition of associated environmental features. This information may consist	an unmitigated adverse impact to	Rule 62-41.301, F.A.C., an applicant must demonstrate
use, except as otherwise provided herein.	of aerial photographs, topographic maps, hydrologic data, environmental	natural systems, including	caused by the water use shall not adversely impact the w
To provide reasonable assurances of compliance with the condition of	assessments or other relevant information. Baseline hydrologic and/or	wetlands or other surface waters.	surface water functions so as to cause harm to the:
issuance in Rule 40E-2.301, F.A.C., an applicant must demonstrate that	environmental data collected	Methods for avoiding harm	A. Abundance and diversity of fish, wildlife and listed s
hydrologic alterations caused by the water use shall not adversely impact the	prior to permit application shall be provided if available and requested by the	include: reducing the amount of	B. Habitat of fish, wildlife, and listed species.
values of wetland and other surface water functions so as to cause harm to	District.	water withdrawn, modifying the	
the:	Environmental features that will be evaluated by District staff when	method or schedule of	In reviewing impacts to wetlands and other surface water
A. Abundance and diversity of fish, wildlife and listed species; and,	determining impacts include:	withdrawal, mitigating the	wetland enhancement, restoration, creation, preservation
B. Habitat of fish, wildlife, and listed species.	1. Surface water bodies such as lakes, ponds, impoundments, sinks, springs,	damages caused, or not increasing	permitted pursuant to Part IV of Chapter 373, F.S., or ot
For the purposes of this Section, an adverse impact to the value of wetland	streams, canals, estuaries, or other watercourses.	the potential for flooding. An	program implemented by a local, regional, or federal go
and other surface water functions in violation of the above shall constitute	2. Wetland habitats.	applicant must avoid or mitigate	District shall take into account the functional loss associated
"harm." This Section requires assessment of whether impacts of a water use	3. On-site environmental features and their relationship to local and regional	impacts to wetlands or other	other surface water and its role in mitigating other losse
constitute harm. If a water use would cause harm, then the applicant must	landscape patterns.	surface waters wherever they are	
comply with the elimination or reduction of harm provisions pursuant to	4. Habitat for threatened or endangered species.	located.	Districts shall not consider impacts to wetlands and other
Subsection 3.3.5, and mitigation requirements of Subsection 3.3.6.	5. Other environmental features which are dependent upon the water resources	(e) The use must not otherwise	by the water use, including, but not limited to, impacts of
Impacts to wetlands and surface water bodies associated with wetland	of the District.	cause harmful hydrologic	water management activities, drainage, water table lowe
enhancement, restoration, creation, preservation or other mitigation permitted	Potential environmental impacts will be evaluated by comparing the existing	alterations to the water resources	adjacent land uses.
pursuant to Part IV of Chapter 373, F.S., or other wetland regulatory program	natural system to the predicted post withdrawal conditions. Previous physical	of the area.	
implemented by a local, regional, or federal governmental entity, shall be	alterations to environmental features, such as drainage systems or water		Potential environmental impacts will be evaluated by co
considered under this Section.	control structures will be considered. The District's objective is to achieve a		natural system to the predicted post withdrawal condition
Impacts on wetlands and other surface waters not caused by the water use,	reasonable degree of protection for environmental features consistent with the		alterations to environmental features, such as drainage s
including, but not limited to, impacts caused by existing surface water	overall protection of the water resources of the District.		structures will be considered.
management activities, drainage, water table lowering, roads, levees and	Listed below are the performance standards District staff will use to ensure that		Areas impacted by activities in violation of an Agency r
adjacent land uses, are not considered under this Section.	adverse impacts to		adopted or issued pursuant to Chapter 373, F.S., or Part
The hydrologic characteristics resulting from construction or alterations	environmental features do not occur. Impacts to canals, springs, and estuaries		(1984 Supp.) as amended, will be evaluated as if the act
undertaken in violation of Chapter 373, F.S., or District rule, order or permit	are considered under the streams criteria. Impacts to ponds, sinks, and		
shall be evaluated based on historic, pre-violation conditions, as if the	impoundments are considered under the lakes criteria.		
unauthorized hydrologic alteration had not occurred.	Compliance with the performance standards shall be addressed as specified in		
	Rule 40D-80.073, F.A.C. for Permittees encompassed within the		
	Comprehensive Plan.		1

DELINEATION, WETLANDS EVALUATED

I

SFWMD	SWFWMD	SJRW MD	Concepts for CFWI
A. Delineation	3.3.1.1.1 WETLANDS EVALUATED.	?	A. Delineation
Wetlands and other surface waters within the area of influence of the water use, delineated pursuant	In reviewing an application for a WUP,		For any wetlands and other surface waters within the area of influence of the water use, the wetland
to Rules 62-340.100 through 62-340.600, F.A.C., as ratified by Section 373.4211, F.S., are subject to	the District evaluates impacts to		will be delineated pursuant to Rules-Chapter 62-340.100 through 62-340.600, F.A.C., as ratified by
this subsection, except as provided in Subsection 3.3.1.B, below.	wetlands that are predicted to occur as a		subject to this subsection, except as provided in the exclusions in B, below.
In accordance with Subsection 62-340.300(1), F.A.C., reasonable scientific judgment shall be used to	result of water withdrawals for those		In accordance with Subsection 62-340.300(1), F.A.C., reasonable scientific judgment shall be used
evaluate the existence and extent of a wetland or other surface water, including all reliable	wetlands defined in section 373.019(27),		extent of a wetland or other surface water, including all reliable information, such as visual site insp
information, such as visual site inspection and aerial photo interpretation, in combination with ground	F.S. and Rule 62-340, F.A.C.		interpretation, in combination with ground truthing. In addition, relevant information submitted pur
truthing. In addition, relevant information submitted pursuant to Chapter 62-340, F.A.C, in support of	3.3.1.1.2 WETLANDS NOT		F.A.C, in support of an ERP/SWM Permit shall be considered. Field delineations of wetlands and o
an ERP/SWM Permit shall be considered. Field delineations of wetlands and other surface waters	EVALUATED.		boundaries shall be required if such boundaries are in dispute.
boundaries shall be required if such boundaries are in dispute.			

or protection of wetlands and ons for permit issuance in pecified herein shall apply to of water and modifications ed water uses, herein oplicant's water use, the i's water use shall be

he condition of issuance in e that hydrologic alterations values of wetland and other

species; and,

ter bodies associated with on or other mitigation other wetland regulatory overnmental entity, the ciated with the wetland or ses.

er surface waters not caused caused by existing surface ering, roads, levees and

omparing the existing ons. Previous physical systems or water control

rule, order, or permit t VIII of Chapter 403, F.S. tivity had not occurred

ds and other surface waters y Section 373.4211, F.S., are

d to evaluate the existence and spection and aerial photo ursuant to Chapter 62-340, other surface waters In determining the location and category of wetlands and other surface waters, the applicant may consult several sources of information for guidance, as part of the information identified in Subsection 3.3.2. This includes the staff reports of previously issued ERP and SWM Permits for the site and adjacent sites, NWI Maps, Land Use/Land Cover maps, NRCS soils maps, formal and informal wetland determinations conducted by the District, and wetland maps produced by local governments. District staff may inspect the site to confirm the location, categorization and delineation of wetlands and surface waters, and other site specific information. Site specific topographical data including elevations of hydrologic indicators, wetland boundary and bottom elevations shall be required in the event that the categorization of a wetland or other surface water is in question. In the event that access to offsite wetlands or other surface waters. **B**. **Exclusions**

Harm to the following wetlands and other surface waters shall not require elimination or reduction of harm and mitigation, under this Section:

1. Isolated wetlands one half (1/2) acre or less in size unless:

- a. The wetland or other surface water is used by threatened or endangered species; [Nothing herein is intended to relieve an applicant of the obligation to comply with the Florida Fish and Wildlife Conservation Commission (FWC) rules pertaining to listed species, and with the Federal Endangered Species Act.]
- b.The wetland or other surface water is located in an area of critical state concern designated pursuant to Chapter 380, F.S.; or,
- c. The wetland **or other surface water** is connected by standing or flowing surface water at seasonal high water level to one or more wetlands, where the combined wetland acreage is greater than one half acre.

2. Wetlands or other surface waters which have been authorized to be impacted to the extent established in a construction approval through an ERP or a SWM Permit issued under Part IV of Chapter 373, F.S.

3. Constructed water bodies including borrow pits, mining pits, canals, ditches, lakes, ponds, and water management systems, not part of a permitted wetland creation, preservation, restoration or enhancement program. However, consideration of the design functions of water management systems shall be considered by Section 3.6, Existing Offsite Land Uses.

4. Wetlands or other surface waters to the extent they have been specifically authorized to be impacted or mitigated pursuant to Subsections 3.3.5, 3.3.6, or 3.3.7 in a consumptive use permit, unless the applicant proposes additional impacts.

The District will not consider impacts to isolated wetlands less than 0.5 acres, unless:

a. A wetland is used by endangered or threatened species designated in Rules 68A-27.003 and 68A-27.005,
F.A.C. The District considers that a wetland is used by designated endangered or threatened species if reasonable scientific judgment indicates that the wetland provides a habitat function including, but not limited to, nesting, reproduction, food source, or cover for such species.
b. A wetland is located in an area of

critical state concern designated pursuant to Chapter 380, F.S. c. Two or more wetlands regardless of property boundaries have a combined area greater than 0.5 acre and are connected by standing or flowing surface water during average wet season high water levels. This connection can be established by water elevation indicators such as lichens, adventitious roots, water stains, soil profiles, aerial photos or other acceptable measures. In determining the location and category of wetlands and other surface waters, the applicant may coninformation for guidance, as part of the information identified in Subsection 3.3.2. This includes the issued ERP and SWM Permits for the site and adjacent sites, NWI Maps, Land Use/Land Cover may and informal wetland determinations conducted by the District, and wetland maps produced by local sources of information. District staff may inspect the site to confirm the location, categorization and surface waters, and other site specific information. Site specific topographical data including elevation wetland boundary and bottom elevations shall be required in the event that the categorization of a wis in question. In the event that access to offsite wetlands or other surface waters has been denied by District and the applicant shall mutually agree on a method of establishing the locations, categorization offsite wetlands or other surface waters.

B. Exclusions

Harm to the following wetlands and other surface waters shall not require elimination or reductionunder this Section:

1. For the purposes of this subparagraph 1. only, "isolated wetland" means any area that is determine accordance with Chapter 62-340, F.A.C., but that does not have any connection via wetlands or other determined using Rule 62-340.600, F.A.C. The District will not consider impacts to Hisolated wetlat less in size unless:

a. The wetland is used by threatened or endangered species; For the purposes of this section only species means those species listed in Table 10.2.7-1, Listed Wildlife Species That Are Aquatic Or That Use Upland Habitats For Nesting Or Denning, of the Environmental Resource Permit Application incorporated by reference in subsection 62-330.010(4), F.A.C. The District considers that a wetlatendangered or threatened species if reasonable scientific judgment indicates that the wetland proincluding, but not limited to, nesting, reproduction, food source, or cover for such species. [Noth relieve an applicant of the obligation to comply with the Florida Fish and Wildlife Conservation pertaining to listed species, and with the Federal Endangered Species Act.]

b. The wetland is located in an area of critical state concern designated pursuant to Chapter 380, c. The wetland is connected by standing or flowing surface water at seasonal high water level to and the combined wetland acreage so connected is greater than one half (0.5) acre. Wetland con delineation methods set forth in Chapter 62-340, F.A.C. This connection can be established by such as lichens, adventitious roots, water stains, soil profiles, aerial photos or other acceptable methods.

d. The wetland to be impacted is, or several such isolated wetlands to be impacted are, cumulativalue to fish and wildlife.

2. The District will not consider impacts to wWetlands or other surface waters which have been aut extent established in a construction approval through an ERP or a SWM Permit issued under Part IV exemption listed or promulgated under Part IV of Chapter 373, F.S. or Chapter 403, F.S.
 3. Constructed water bodies including borrow pits, mining pits, canals, ditches, lakes, ponds, and we approximate the surface statement of the surface statement

not part of a permitted wetland creation, preservation, restoration or enhancement program. Howev design functions of water management systems shall be considered by Section 3.6, Existing Offsite 4. The District will not consider impacts to $\frac{W}{W}$ etlands or other surface waters to the extent they ha authorized to be impacted or mitigated pursuant to Subsections 3.3.5, 3.3.6, or 3.3.7 in a separate co unless the applicant proposes additional impacts.

onsult several sources of	Commented [KPM3]: To be discussed further after
e-staff reports of previously	hearing from the WRAT.
aps, NRCS soils maps, formal	
al governmentsother reliable	
d delineation of wetlands and	Commented [KPM4]: To be discussed further after
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ater management systems	
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Land Uses	
ve been specifically	Commented [KPM5]: Request discussion on whether this
onsumptivo uso permit	is important for the CFWI or if it would be handled by the
onsumptive use permit,	edits made to number 2., above.

CATEGORIZATION, PERFORMANCE STANDARDS

SFWMD	SWFWMD	SJRWMD	Concepts for CFWI
3.3.3 Categorization of Wetlands and Other Surface Waters	3.3.1.1.4 PERFORMANCE STANDARDS.	?	Categorization
Wetlands and other surface waters subject to consideration under this Subsection are grouped into three	a. Wet season water levels shall not deviate from their		
categories based on their normal hydrologic characteristics and their susceptibility to harm as a result of	normal range.		• Categorization is on hold until we receive a response from the
hydrologic alteration from water use withdrawals. Normal hydrologic characteristics are defined as the	b. Wetland hydroperiods shall not deviate from their		seeing their response, we will consider whether we would like
hydropattern that would occur without the impact of any authorized or unauthorized water uses. In cases	normal range and duration to the extent that wetlands		
where existing surface water management "works" have permanently altered the normal hydrologic	plant species composition and community zonation are		Numeric Threshold
characteristics of the wetland or other surface water, the categorization shall be based on the resulting	adversely impacted.		
hydrology caused by the permanent alteration. Alterations that can effect wetland hydrology include canals,	c. Wetland habitat functions, such as providing cover,		Numeric threshold is on hold until we receive a response from
ditches, roads, structures or levees. The hydrologic characteristics resulting from construction or alterations	breeding, and feeding areas for obligate and facultative		seeing their response, we will consider whether we would like t
undertaken in violation of Chapter 373, F.S., or District rule, order or permit, shall be evaluated based on	wetland animals shall be temporally and spatially		
historic, pre-violation conditions, as if the unauthorized hydrologic alteration had not occurred. Wetlands and	maintained, and not adversely impacted as a result of		Narrative Standards
other surface waters are subject to evaluation under this Section, in accordance with the following:	withdrawals.		
Category 1: Natural lakes, deep ponds, rivers, streams, deepwater slougn systems, coastal intertidal wetlands,	d. Habitat for threatened or endangered species shall not		• Narrative standard would apply even if there is a threshold.
and cypress strands that are permanently flooded inroughout the year, except in cases of extreme drought.	be altered to the extent that utilization by those species		• This subsection shall be applied on a case by case basis to wetle
These include permanently nooded and merinitering exposed surface waters in the worth aps.	3 3 1 2 I AKES DEREORMANCE STANDARDS		based on their normal hydrologic characteristics and susceptibil
Category 2. Seasonally mundated wetlands including cypress dones, unregent matsites, cypress stands, mixed bardwood summs, or shrink swamps and exhibit standing water conditions throughout most of the year	Water levels in lakes shall not deviate from the normal		hydrologic alterations from water use withdrawals.
These include "semi-nermanently flooded" or "seasonally flooded" wetlands in the NWI mans	rate and range of fluctuation to the extent that:		• The analysis for determining harm in accordance with the below
Category 3: Temporarily flooded and saturated wetlands including wet prairies and shallow emergent	a Water quality, vegetation, or animal populations are		of the projected hydrologic alterations caused by the water with
marshes, as well as seenage slopes, bayheads, hydric hammocks, and hydric flatwoods. These include	adversely impacted:		assessment encompassing surface waters. In circumstances of c
"temporarily flooded" and "saturated" wetlands in the NWI maps.	b. Flows to downgradient watercourses are adversely		narm, an applicant shall only be required to address its relative
This subsection shall be applied on a case by case basis to categorize wetlands and other surface waters based	impacted; and/or		wettands and other sufface waters.
on their normal hydrologic characteristics and susceptibility to harm as a result of hydrologic alterations from	c. Recreational use or aesthetic qualities of the water		Wetlands
water use withdrawals.	resource are adversely impacted.		wenands
3.3.4 "No Harm" Standards and Thresholds	3.3.1.3 STREAMS PERFORMANCE STANDARDS.		• Wetland hydroperiods and wet season water levels shall no
To demonstrate that no harm will occur to wetlands and other surface waters, reasonable assurances must be	a. Flow rates shall not deviate from the normal rate and		range and duration to the extent that wetlands plant species
provided by the applicant that the narrative standard for Category 1, 2 and 3 wetlands and other surface waters	range of fluctuation to the extent that water quality,		zonation are adversely impacted.
in Subsection 3.3.4.A is met.	vegetation, and animal populations are adversely		Wetland habitat functions for obligate and facultative wetla
For Category 2 wetlands, demonstration that the narrative standard is met shall be achieved through	impacted in streams and estuaries.		temporally and spatially maintained, and not adversely imp
complying with the numeric threshold set forth in Subsection 3.3.4.B, unless such threshold is deemed by the	b. Flow rates shall not be reduced from the existing level		withdrawals. These functions include, but are not limited t
District to be inapplicable due to the site specific considerations identified in Subsection 3.3.4.C. Site specific	of flow to the extent that salinity distributions in tidal		breeding, nesting, denning, and nursery areas; corridors for
considerations may render the numeric threshold inapplicable. In these cases, the applicant shall demonstrate	streams and estuaries are significantly altered as a result		chain support; and natural water storage, natural flow atten
that harm as defined in the narrative standard in Subsection 3.5.4.A will not occur, notwithstanding the	of withdrawals.		improvement, which enhances fish, wildlife, and listed spec
numeric intestion.	c. Flow rates shall not deviate from the normal rate and		• Habitat for threatened or endangered species shall not be al
The analysis to determining name share include an assessment of the projected hydrologic aneratoris caused	angle of fluctuation to the extent that recreational use of		utilization by those species is impaired. For the purposes of
by the water use and a cumulative assessment encompassing surface waters, in circumstances of cumulative contributions to hearn an applicant shall only be required to address its relative contribution of hearn to the	impacted		and endangered species means those species listed in Table
wetlands and other surface waters. In the evaluation of the applicant's water use the District shall consider the	impacted.		Species That Are Aquatic Or Wetland Dependent And That
extent of hydrologic alterations to we lands and other surface waters caused by the applicant's water use based			Nesting Or Denning, of the Environmental Resource Permit
upon analytical or numerical modeling, or monitoring data as required by Subsection 3.1.1 and this			Volume 1, incorporated by reference in subsection 62-330.0
subsection.			• Request for Reg Team to discuss whether work completed by
The determination of harm shall consider the temporary nature of water use drawdowns and seasonal			indicates that soils should be added here for the CFWI as a
application of certain water uses. Such consideration includes a determination of whether the hydrologic			
alteration is constant or if it recovers seasonally.			Streams and rivers
A. Narrative Standard			The second s
For Category 1, 2, and 3 wetlands and other surface waters, an applicant shall provide reasonable assurances			 Flow rates shall not deviate from the normal rate and range that water multiple wagetation and grinnel appulations are a
that hydrologic alteration caused by the water use shall not adversely impact the values of wetland and other			and estuaries
surface water functions so as to cause harm to the:			 Elow rotes shall not deviate from the normal rote and range of
1. Abundance and diversity of fish, wildlife and listed species; and,			 How rates shall not deviate from the normal rate and range of downgradient watercourses are adversaly impacted
2. Habitat of fish, wildlife, and listed species.		1	downgrautent watercourses are adversery impacted.
B. Numeric Thresholds for Category 2 Wetlands		1	Lakes
Unless site specific considerations identified pursuant to Subsection 3.3.4.C exist indicating the following		1	
numeric unreshold for Category 2 wetlands is not applicable, the water use shall not be considered harmful		1	• Water levels in lakes shall not deviate from the normal rate
when the modeled drawdown resulting from cumulative withdrawals in the unconfined aquifer beneath all nortions of the wetland is less than 1.0 feet. Water use withdrawals shall be modeled based on a merimum		1	the extent that:
portions of the wettahu is less than 1.0 reef, water use without recharge and as otherwise directed under Subsection 3.1.2			• Water quality, vegetation, or animal populations a
monthly anotation simulated for 70 days without reenarge and as otherwise directed under subsection 5.1.2.		1	 Flows to downgradient watercourses are adversely
	•	•	

June 17, 2016

WRAT. At that time, upon to include categories. the WRAT. At that time, upon to include numeric thresholds. lands and other surface waters ility to harm as a result of w shall include an assessment hdrawal and a cumulative cumulative contributions to e contribution of harm to the ot deviate from their normal s composition and community land animals shall be pacted as a result of to, providing cover and refuge; r wildlife movement; food nuation, and water quality ecies utilization. altered to the extent that of this section only, threatened le 10.2.7-1, Listed Wildlife t Use Upland Habitats For t Applicant's Handbook, 010(4)(a), F.A.C. by the DMIT or EMT teams an additional measure of harm. e of fluctuation to the extent adversely impacted in streams of fluctuation to the extent that e and range of fluctuation, to are adversely impacted; and/or y impacted

If the applicant chooses to use an alternative simulation condition, the narrative standard in Subsection 3.3.4.A shall apply

C. Site Specific Considerations

Site specific information shall be submitted by the applicant, if requested by the District or if otherwise deemed relevant by the applicant, for determining whether the narrative standard in Subsection 3.3.4.A is met, including whether the numeric threshold in Subsection 3.3.4.B is applicable. The applicant shall provide site specific information on the local hydrology, geology, actual water use or unique seasonality of water use, including, but not limited to:

1. Site specific hydrologic or geologic features that affect the projected drawdown shall be evaluated, including the existence of clay layers that impede the vertical movement of water under the wetland, preferential flow paths, seepage face wetlands that receive high rates of inflow, or the effects of soil depth and type on moisture retention, to the degree that actual field data support how these factors affect the potential for impacts of the water use on the wetland or other surface water.

2. If the applicant asserts that the actual water use has not caused harm to wetlands or other surface waters, site specific information on the condition of the wetlands or other surface waters in question must be provided in conjunction with pumpage records or other relevant evidence of actual water use to substantiate the assertion. Applicable monitoring data as described in Subsection 3.1.1 shall be submitted, if available. 3. Other relevant factors or information in assessing the potential for harm to wetlands and other surface waters, such as the condition, size, depth, uniqueness, location, and fish and wildlife utilization, including listed species, of the wetland or other surface water.

Springs

Please note: This is only a placeholder. DEP is initiating rulemaking on Outstanding Florida Springs per the water bill on November 1.

For initial discussions, NWFWMD and SRWMD A.H. language is provided below as these districts are the only two to explicitly address springs. The purple text below is intended to indicate language that is substantively different that the language you see above for other waterbodies. I highlight it only to spur discussion.

The NWFWMD A.H. has the following:

Factors to be considered in the assessment of harm to springs

- The potential for withdrawals to cause or contribute to a change in water levels or flows from the normal rate and range of fluctuation, to the extent that water quality, vegetation communities, or animal populations and their habitat are adversely impacted;
- The potential for withdrawals to cause or contribute to a change in water levels or flows from the normal rate and range of fluctuation, to the extent that flows to downgradient receiving watercourses are adversely impacted; and
- The potential for withdrawals to cause or contribute to a change in water levels or flows from the normal rate and range of fluctuation, to the extent that recreational use of the springs is adversely impacted.

The SRWMD A.H. has the following:

- Withdrawals must not cause a change in water levels or flows from the normal rate and range of fluctuation, to the extent that:
 - Water quality, vegetation, or animal populations and their habitat are adversely impacted;
 - Flows to downgradient watercourses are adversely impacted; Recreational use or aesthetic qualities of the water resource are adversely 0
 - impacted;
 - Frequency and/or duration of surface water flow back into the spring exceeds historical conditions.

Evaluation of Narrative Standards (Site-Specific Considerations)

Site specific information shall be submitted by the applicant, if requested by the District or if otherwise deemed relevant by the applicant, for determining whether the narrative standard has been met [additional language on numeric standard may be included pending response from WRAT and discussion at Reg Team]. The applicant shall provide site specific information on the local hydrology, geology, actual water use or unique seasonality of water use, including, but not limited to:

1. Site specific hydrologic or geologic features that affect the projected drawdown shall be evaluated, including the existence of clay layers that impede the vertical movement of water under the wetland, preferential flow paths, seepage face wetlands that receive high rates of inflow, or the effects of soil depth and type on moisture retention, to the degree that actual field data support how these factors affect the potential for impacts of the water use on the wetland or other surface water

2. If the applicant asserts that the actual water use has not caused harm to wetlands or other surface waters, site specific information on the condition of the wetlands or other surface waters in question must be provided in conjunction with pumpage records or other relevant evidence of actual water use to substantiate the assertion. Applicable monitoring data as described in Subsection 3.1.1 shall be submitted, if available.

3. Other relevant factors or information in assessing the potential for harm to wetlands and other surface waters, such as the condition, size, depth, uniqueness, location, and fish and wildlife utilization, including listed species, of the wetland or other surface water.

