



CUPcon Overview

Updated May 2015

Craig Freeman, Hydrologist II



Consumptive Use Permitting Consistency (CUPcon)

- **Collaborative effort by the water management districts and FDEP to improve consistency and streamline the permitting process.**
 - Includes CUP, MFLs, and water supply-related programs.



Why CUPcon?

- **Each WMD has CUP rules based on the same statute, but have developed differently.**
- **This can make it confusing for applicants and inconsistent across the state.**
- **It can also be a problem at the border between Districts.**



Rule Change

- **Amendments to NFWFMD 40A-2, F.A.C. to address goals of FDEP and WMDs**
 - Make CUP rules less confusing for applicants.
 - Treating applicants equally statewide.
 - Consistent protection of the environment.
 - Streamline the application and permitting process.
 - Incentivizing behavior that protects water resources, including conservation.
- **NFWFMD is revising**
 - water use permit application thresholds.
 - application procedures and supporting documentation to meet the conditions for issuance, with attention paid to areas of resource concern.



Effect of Threshold Changes in NFWFMD

Net reduction in regulatory burden

- 153 Individual Water Use Permits will transition to General Permits by Rule.
- 112 General Permits by Rule – Permittees will be required to obtain an Individual Water Use Permit.



Easing the Process

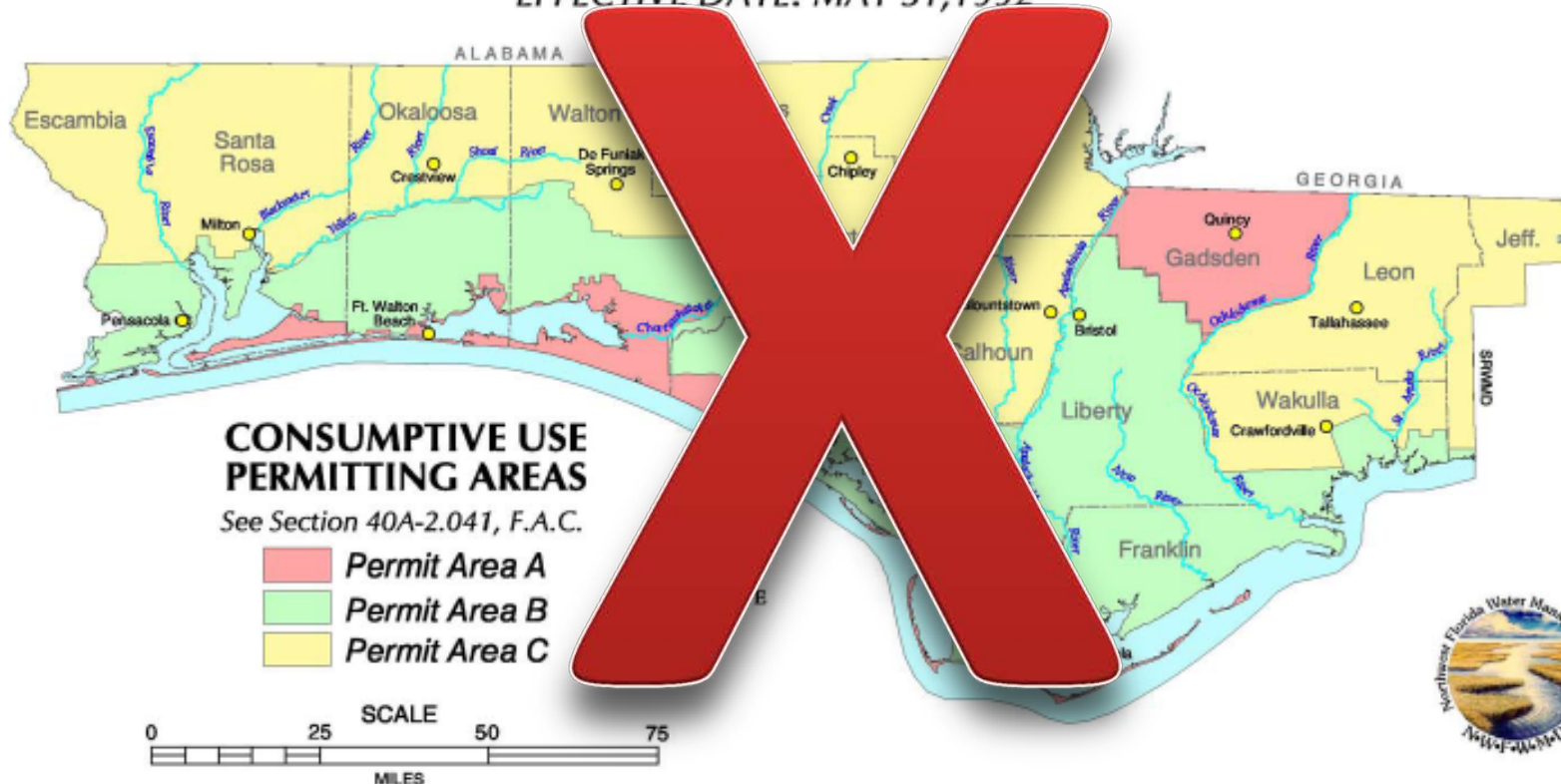
- No Fee.
- Minimum data requested.
- District-assisted applications.
- Up to 20-year permit duration.
- Most require no reporting.
- Phase-in period.
- FDACS assistance for Ag.

FIGURE 2-1

GENERAL MAP FOR WATER USE PERMITTING

REF. SECTION 40A-2.902, F.A.C.

EFFECTIVE DATE: MAY 31, 1992

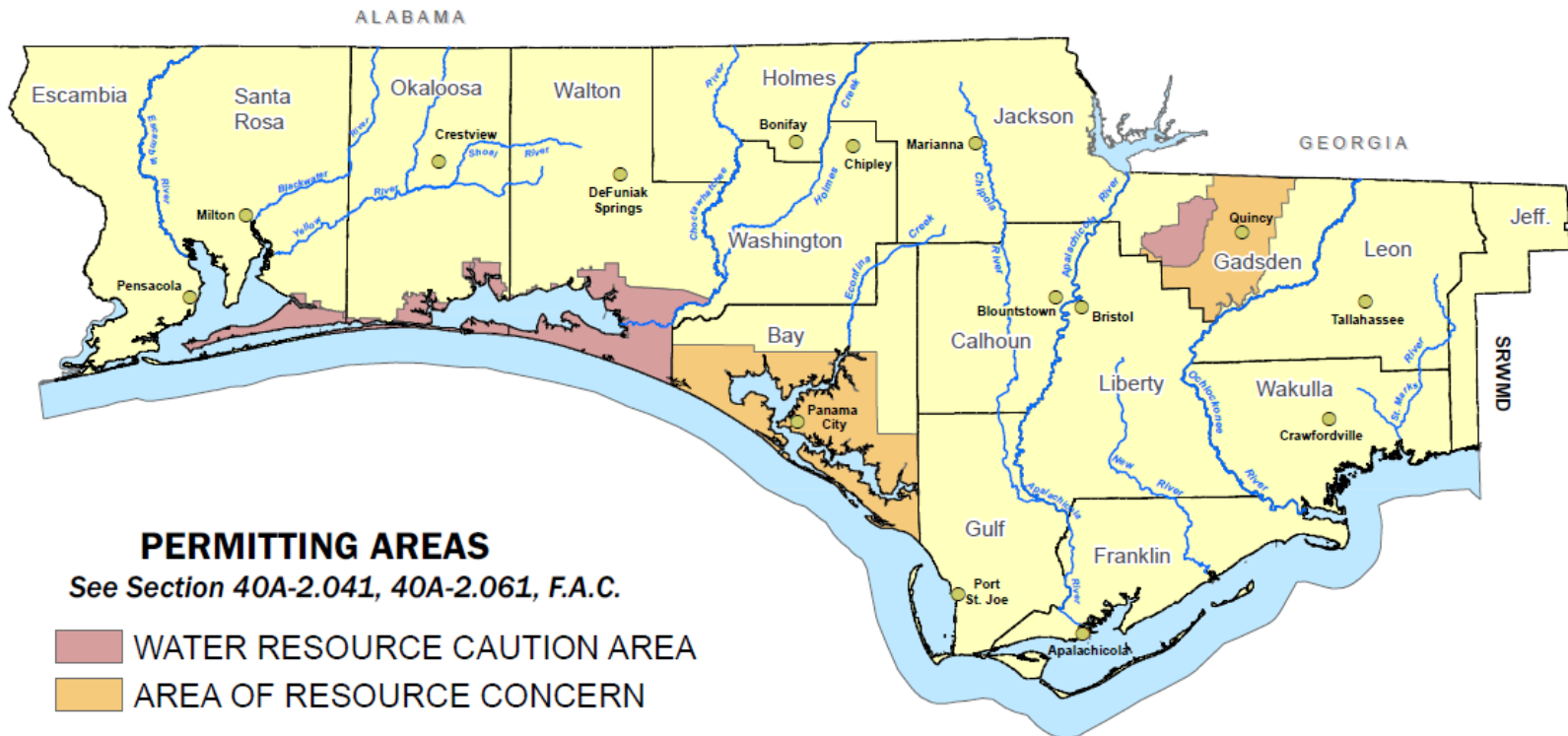


INDIVIDUAL WATER USE PERMIT THRESHOLDS

GROUND WATER PERMIT AREA	PUBLIC SUPPLY AND BOTTLED WATER USES	ALL OTHER USES
A	ALL PUBLIC SUPPLY AND BOTTLED WATER USES	ALL NON-EXEMPT WITHDRAWALS
B		AVERAGE DAILY USE >0.1 MGAL; PUMP CAPACITY >1.0 MGAL OR WELL DIAMETER 6-INCHES OR GREATER
C		MAXIMUM DAILY USE >1.44 MGAL OR WELL DIAMETER 10-INCHES OR GREATER
SURFACE WATER - ALL AREAS		AVERAGE DAILY USE >0.1 MGAL; MAXIMUM DAILY >1.0 MGAL OR >10% OF THE BASE FLOW

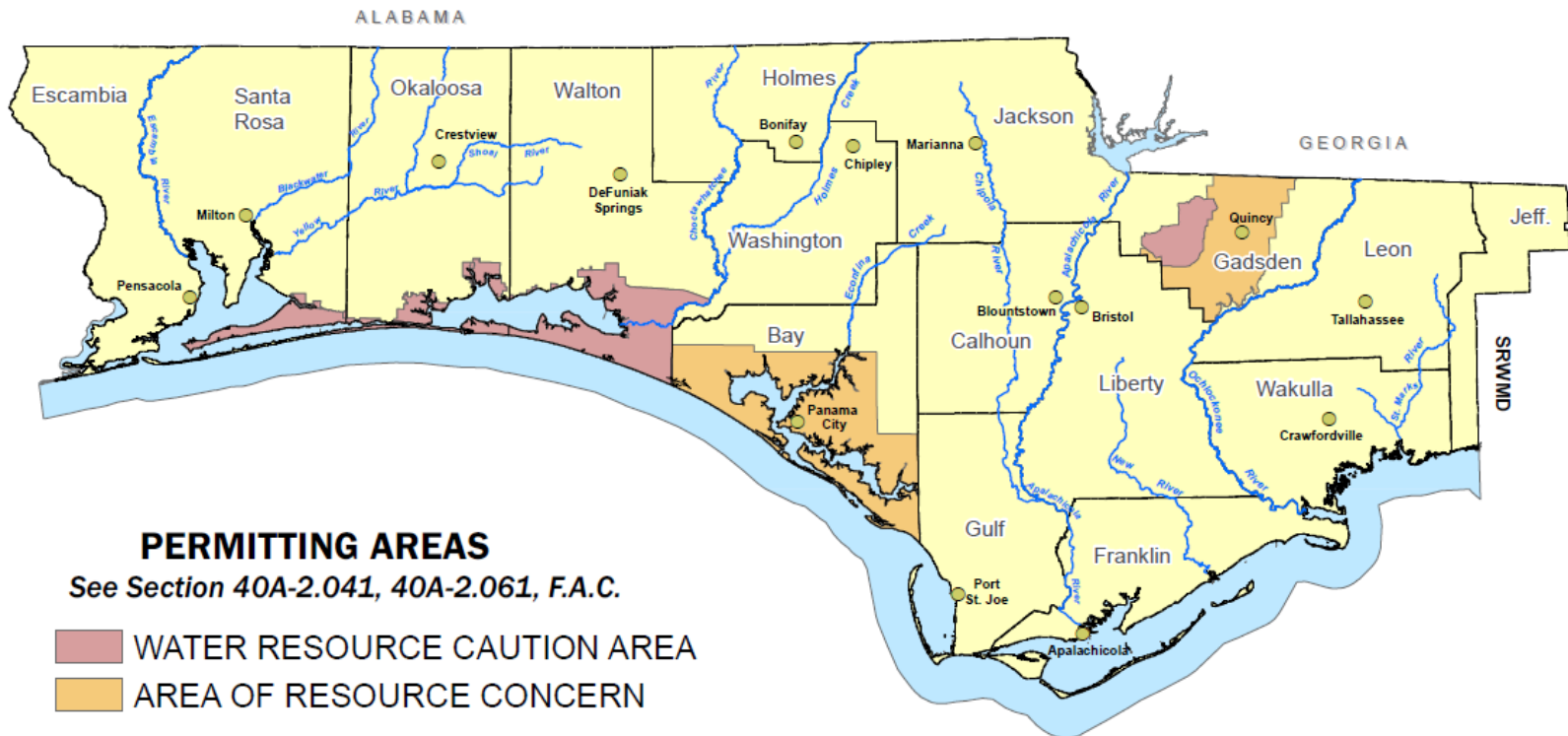
Area of Resource Concern

- Areas delineated on the map contained in section 40A-2.902, F.A.C., where resource concerns exist related to water availability, water quality, high anticipated growth in demand or other factors.



Water Resource Caution Area

- A geographic area, designated by the Governing Board by rule, that is experiencing, or is anticipated to experience within the next 20 years, critical water resource problems as provided by the criteria identified in section 40A-2.801(1), F.A.C.





Exempt Uses

- No permit is required under section 40A-2.041, F.A.C., for **water used strictly for domestic use which occurs in a private residence, and includes no more than one rental residence or no more than four non-rental residences served by one well.**



General Water Use Permits

- **Have a cumulative average annual daily withdrawal less than 100,000 gallons per day on an annual basis;**
- **Are from facilities having a cumulative withdrawal capacity of less than 1,000,000 gallons per day;**
- **Are from groundwater wells less than eight (8) inches in diameter;**
- **Are from surface water facilities which have a cumulative intake diameter less than six (6) inches;**
- **Are consistent with requirements of any applicable mandatory reuse zones; and**
- **Are not within a Water Resource Caution Area or Area of Resource Concern as delineated in section 40A-2.902, F.A.C.**



General Use Permits for Short-Term Projects

- **Dewatering operations as described in section 40A-2.501, F.A.C., for purposes such as:**
 - **utility construction and foundation installation;**
 - **lake drawdown for construction or repair;**
 - **hydrostatic pipeline testing;**
 - **exploratory groundwater testing; and**
 - **aquifer performance tests.**



General Water Use Permits for Short-Term Projects

- Has a duration of 180 days or less;
- Has a maximum daily withdrawal of less than five (5) million gallons;
- Has a maximum total project withdrawal or diversion of:
 - less than 100 million gallons for dewatering operations if all discharge is retained on the project site;
 - less than 100 million gallons for lake drawdown; or
 - less than 35 million gallons for projects other than dewatering or lake drawdown.
- Dewatering is occurring only in the uppermost, water table aquifer;
- Will not dewater to a depth below 0.0 feet NGVD within 1,000 feet of saline water laterally, except when dewatering water with a chloride concentration of greater than 1,000 milligrams per liter;
- Will not occur within 500 feet of a wastewater treatment plant rapid-rate land application system permitted under Part IV of Chapter 62-610, F.A.C.; and
- Will not occur within 1,000 feet of any known contamination in the water bearing zone being dewatered.



General Water Use Permit for Closed-Loop Systems

- **The Board hereby grants a General Permit for the use of water in closed-loop, cooling/heating systems for swimming pools and air conditioning units, provided the following criteria are met:**
- The system withdraws less than an annual daily average of 100,000 gallons;
- The withdrawal and discharge points are on property legally controlled by the permittee;
- The water is discharged to the same source, aquifer, or permeable zone from which it is withdrawn;
- The discharge or injection has been permitted by the Department or is exempt from such permitting;
- The water has no contact or mixing with other water sources, additives, and chemicals; and
- The use is not from the Floridan Aquifer within the Santa Rosa, Okaloosa, and Walton County Water Resource Caution Area.



General Water Use Permit by Rule for Aquifer Remediation Activities

The Board hereby grants a General Permit for the use of water for aquifer or groundwater remediation, provided the following criteria are met:

- The project is conducted according to a Remedial Action Plan approved by the federal, state or local agency having legal jurisdiction over such activities;**
- The treated effluent is returned via infiltration or direct injection into the same source, aquifer, or permeable zone from which it is withdrawn; and**
- The treated effluent meets applicable Department water quality standards.**



General Water Use Permits for Water Resource Caution Area

- **System has an annual average daily withdrawal of less than 15,000 gallons.**
- **Groundwater is withdrawn from wells that are 4 inches or less in diameter.**
 - **And have total depth \leq 100 feet (Santa Rosa).**
 - **And do not penetrate competent/continuous confining unit (Okaloosa and Walton).**
- **Surface water facilities have a cumulative diameter less than 4 inches.**
 - **And use does not exceed 10% of the base flow of the supplying water body (Gadsden).**



General Water Use Permits for Area of Resource Concern (Bay and Gadsden Counties)

- **Bay County:**
 - System has an annual average daily withdrawal less than 100,000 gallons;
 - Groundwater is withdrawn from a well less than 6 inches in diameter; and
 - Surface water facilities have a cumulative diameter less than 4 inches.
- **Gadsden County:**
 - Same requirements as WRCA.



Letter Modifications

By letter (via Letter Modification Request Form No.161 (Effective May 29, 2014)), including the Individual Water Use Permit Number and describing the proposed modification, provided that:

- The annual average daily withdrawal will not increase by more than 100,000 gallons per day or more than 10% of the total permitted quantity or cause the total permitted withdrawal to exceed 10% of the baseflow or storage volume of the waterbody;
- The use(s) of the water will not change;
- The source(s) of water will not change;
- The modification does not cause the permit to exceed any delegation limits set by the Governing Board for their approval;
- The proposed changes would not cause a significant increase in impacts beyond those considered in the initial permit;
- The proposed modification will not affect a Reservation of Water identified in section 40A-2.223, F.A.C. or affect an established minimum flow or level;
- The proposed modification will not extend a permit duration, with the exception of public water supply utilities which have demonstrated water savings achieved through implementation of a District-approved water conservation plan according to the methods in section 2.3.7.8.3 of this Applicant's Handbook; and
- Well replacements are constructed within the same aquifer unit, are located within 300 feet of the original well, are located at least 300 feet from wetlands, lakes, and springs, and have a pumping capacity less than or equal to the original well.



Permit Modification by Letter

- **Administrative changes, such as:**
 - Facility name;
 - Reduction in withdrawal amounts due to partial change in ownership; or
 - Changes to Specific Conditions of a permit such as monitoring or reporting requirements.
- **Technical or operational changes, such as:**
 - Minor changes in authorized withdrawal amounts; or
 - Minor changes in location of withdrawal.
- **Water conservation related changes, such as:**
 - Modifications to water conservation plans or extensions to deadlines.



Application Check-list

- General Items:
 - Proof of property control;
 - Application fee;
 - Location/ site map;
 - Complete contact information;
 - Appropriate supplemental form and associated supporting information;
 - Applicant and owner signature; and
 - Water conservation plan (as applicable).
- Items listed in supplemental forms based on use type.



Ex: Supplemental Form 160A

- Agricultural Use Supplemental Form:
 - Map delineating area to be irrigated and property boundary;
 - Map showing all existing and proposed withdrawal points;
 - List of crops to be grown;
 - Planting and harvesting dates for each crop;
 - Type of irrigation system; and
 - Number of livestock and type.



Questions?



Thank you

Craig Freeman

Hydrologist II

Craig.Freeman@nwfwater.com

(850) 539-5999