



# Consumptive Use Permitting Consistency (CUPcon)

Governing Board  
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# SFWMD Participation

- **Active membership in all workgroups**
- **Conference calls and periodic face-to-face meetings**
- **Participated in seven Rule Development Workshops**
  - CUPcon – Tampa, Kissimmee, Fort Myers, West Palm Beach, Tallahassee
  - Rule 62-40, F.A.C. – West Palm Beach & Orlando
- **Presented to September WRAC**



# What does WCYPCB mean for us?

- Consumptive Use Permitting rules based on the same statute and rules, developed differently over time
- What is changing? for applicants
- When will it change? at borders between water management districts



# First Phase of WMD Rulemaking

- **Types of permits/thresholds**
- **Conditions for Issuance (40X-2.301, F.A.C.)**
- **Water conservation for PWS and agriculture**
- **Standard “limiting conditions” for permits**
- **Common structure of Applicant’s Handbook**
- **Reuse supplementation, credits, offsets**
- **10–year compliance reports**
- **Pumpage reporting form**

# Permit Thresholds

- **Create a common permitting framework in each district**
- **Link the potential for harm with the permit threshold or level of permit review**



# Thresholds – August Proposal

- **No Notice General Permits**
  - <100,000 gallons per day
  - Facility size restrictions
  - Consistent with mandatory reuse zones
  - Lower thresholds in resource limited areas
- **Individual Permit – proposed withdrawals that do not meet the above criteria**

# Thresholds – August Proposal

- **Public comment:**

- Where, when, and how much water is used?
- Difficult to cumulatively assess impacts
- Mitigation the responsibility of only large users
- No means to compete for water
- Not protective of existing MFLs or reservations
- Inconsistent with reclaimed water criteria
- Encourages user to subdivide projects to avoid regulation

# Thresholds - Considerations

- **Protect the resource**
  - Avoid unanticipated harm
- **Protect the users**
  - Certainty in permitting
- **Reduce the regulatory burden**
  - Additional opportunities in dewatering and closed-loop systems
- **Working with DEP and districts towards a solution based on stakeholder input**

# Conditions

## Conditions for Issuance

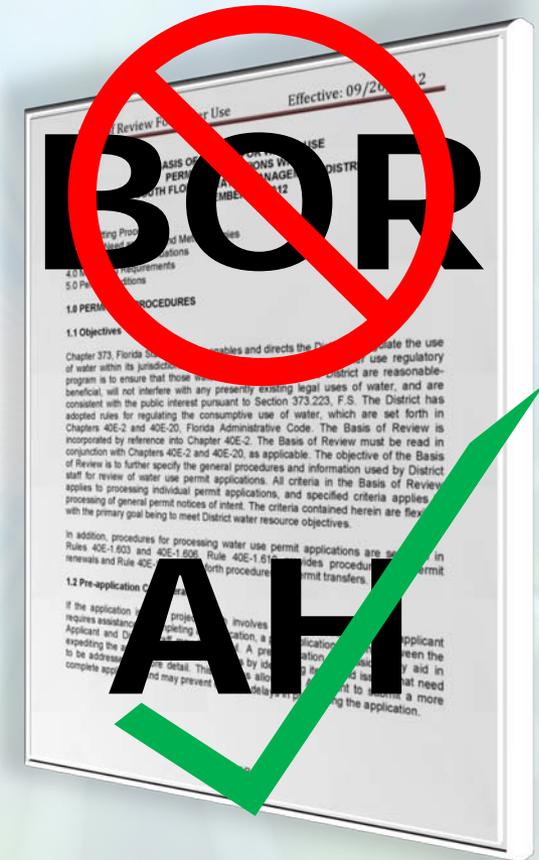
- Foundation of the permitting program
- Make rules 40E-2.301, Conditions for Issuance of Permits, consistent for all water management districts

## Permit Conditions

- Develop a set of standard permit conditions to be included in all consumptive use permits issued by all water management districts
- Additional conditions may be added based on specific issues such as use class or region

# Applicant's Handbook

- Supports Conditions for Issuance
- Total reorganization
- Not a rewrite
- Incorporate CUPcon changes to date
- Uniform order of criteria
- Easier for both applicants and staff



# 10-Year Compliance Reports

- **Align with statutory authority and guidance memo**
- **Modification to current language and limiting conditions:**
  - Water conservation audit
  - Comparison to current allocation criteria, not the criteria at the time of issuance
  - Requirements for permit modifications

# Schedule

## ● 62-40

- Public Workshops held in November
- Comments received
- Tight schedule to make legislative session

## ● CUPcon - First Phase

- February – May 2013
  - Rule drafts
  - Public workshops
  - Revisions
- July – August 2013
  - Rule adoption



**Thank you.**