



# SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

7601 Highway 301 North • Tampa, FL 33637-6759 • (812) 985-7481 • 1-800-836-0797 (FL only); Suncom 628-4150 • TDD only: 1-800-231-6103 (FL only) • <http://www.swfwmd.state.fl.us>

## SUPPLEMENTAL FORM SOUTHERN WATER USE CAUTION AREA

This form must be completed by any water use permit (WUP) applicant who has at least one withdrawal point located in the Southern Water Use Caution Area (SWUCA), pursuant to rule 40D-2.801(3)(b)1. and 5., Florida Administrative Code (F.A.C.).

The information required on this form is requested in accordance with Chapter 373, Florida Statutes (F.S.) and Rules 40D-2.091, 40D-2.101 and 40D-2.301, F.A.C.

Please answer all questions. If a question is not applicable to your situation, enter N/A. If more space is needed, attach additional sheets and refer to the application question number. Provide documentation and references where appropriate.

*Guidance and information to assist the applicant in the completion of this form are shown in italics.*

**Quantities** referred to in this Form are standard annual average daily quantities. These are total gallons permitted or pumped (as appropriate for the context) in a calendar year divided by 365. All quantities should be shown in gallons per day (gpd).

Please complete the **Water Use Permit (WUP) Application Form**, and if required, complete the Use Type category (see below) Supplemental Forms before completing this form in order to determine demand. There are five Use Type categories: (1) Agriculture, (2) Public Supply, (3) Mining or Dewatering, (4) Industrial or Commercial, and (5) Recreation or Aesthetic.

**Applicant:** \_\_\_\_\_  
(Same as shown on WUP application)

**WUP Number :** \_\_\_\_\_  
(If this application is to renew or modify an existing WUP)

### PART I. SELF-RELOCATION

**Self-Relocation:** This is a process that allows new or increased withdrawals in an area where a water body or aquifer is below its minimum flow or level in the SWUCA. A permittee can move all or a portion of their permitted quantities to a new location or locations owned or controlled by the same permittee provided withdrawal of the quantities at the new location(s) meets all permitting rule criteria, and the net impacts to the MFL are not increased. There cannot be a change in ownership, control, Use Type category or an increase in quantities. Any change in Use Type category or increase in quantities becomes New Quantities (explained in Part III) and is not a Self-Relocation.

- 1. Is this application for Self-Relocation?  Yes  No
- 2. If Yes, what is the WUP Number of the originating permit? \_\_\_\_\_

An application for self-relocation involves the originating WUP and a new or modified WUP at the new site. Because of this relationship, if this application is approved, the originating WUP will be modified by the District to reflect the self-relocation at the same time this WUP is issued. **As such, this application is deemed to include a request to modify the originating WUP if the Self-Relocation is authorized. Do you agree?**  Yes  No

*For applications for Self-Relocation, answer the questions in Part II with respect to the originating WUP and with respect to the self-relocation site in Part III.*

**PART II. DEMONSTRATION OF HISTORIC REASONABLE WATER NEEDS**

*Because of the existing impacts to the water resources in the SWUCA, the historic reasonable-beneficial water use for all applicants for WUP renewals, New Quantities and Self-Relocation is closely evaluated by the District.*

**SECTION A – EXCLUSION**

Skip to **PART III, NEW QUANTITIES** if any of the following apply:

- This is an application for less than 100,000 gpd demand (including ground water, non-alternative water supply surface water, and alternative water supplies) on an average annual basis;
- This is an application for a new WUP; or
- This is an application for a Partial Transfer from an existing WUP.

**SECTION B – HISTORICAL USE OF PERMITTED QUANTITIES**

For all questions in this Section, the evaluation period is the previous permit term or the previous six years, whichever is greater.

**1. Meter readings for renewals, modifications to increase quantities, and Self-Relocations:** *The District will use the meter readings and pumpage data currently in the regulatory database to evaluate your historical use. It is advised that you review your historic pumpage data and check the appropriate box below. Upon request, historical meter readings and pumpage data are available from the District.*

- I have reviewed the meter readings and pumpage in the District’s regulatory database and agree to have the District utilize that data as it currently exists in the evaluation of historical use.
- I have reviewed the data in the District regulatory database, and propose edits. The edited data is provided on a CD in electronic format compatible with Excel. An explanation for each edit is provided.

**2. Non-meter reading documentation:** In the absence of a complete record of historical pumpage data for the evaluation period specified above, attach documentation of actual use for the time when meter data is missing. Such documentation can be dated aerial photography; receipts for supplies, equipment and services; property appraiser’s records; and other methods. Multiple documentation is preferred for cross-checks. If meter readings were required by the terms of your permit, but they were not submitted, these other methods of proving use will not suffice as a substitute.

a. Please indicate the types of documentation provided:

---



---

b. If meter readings were required by the terms of your permit but they were not submitted, on a separate page, please explain why.

- Attached
- N/A

**SECTION C – LACK OF HISTORICAL USE OF FULL ALLOCATION**

*Permittees who have not utilized the full previously permitted allocation of water are required to demonstrate that the need for the full allocation of water will occur within the next permit term.*

**1.** If requested annual average quantities are only those documented to have been previously used, check here and **skip to PART III, NEW QUANTITIES.**

- All allocated quantities are documented as used.



2. If during the previous permit term or the previous six years, whichever is greater, the full permitted annual average water quantities were not used, additional documentation is required if this application is for any of the following (check all that apply to your situation):
- Renewal of any unused quantities;
  - Modification to increase quantities; or
  - Self-Relocation of unused quantities.
3. Please provide the following:
- a. Substantive reasons, supported by documentation, why the previously unused allocation was not used.
    - Attached
  - b. An operation plan or business analysis that clearly demonstrates that the need for the previously unused quantities will occur within the next permit term for renewals and Self-Relocations, or remaining permit term for modifications to increase quantities. Substantive documentation that the unused quantities will be used during this time is required. Plans for incremental use of previously unused quantities or proposed New Quantities must document intentions year by year.
    - Attached

<b>PART III. NEW QUANTITIES</b>
---------------------------------

*"New Quantities" means water that is not currently authorized to be withdrawn by the applicant or not currently authorized to be used for the intended use by the applicant. This includes applications to modify existing permits to increase quantities, and/or change the Permit Use Type category (affecting only the modified portion), and applications for an initial permit. A modification to change crops or plants grown under an Agricultural Permit or to change a withdrawal location or Use Type category that is authorized by the terms of the permit or site certification at the time of issuance, is not a change in Permit Use Type category, provided that the quantities do not increase. In addition, when land is mined and the land will be returned to the Use Type category operation authorized under the Water Use Permit that existed prior to mining, such activity does not constitute a change in Use Type category or New Quantity, provided the former use is not increased such that additional quantities are needed. (Rule 40D-2.021, F.A.C.)*

*Note: Previously unused permitted quantities are not considered New Quantities. This section is designed to assist the applicant to recognize if any quantities on this application are considered New Quantities.*

#### SECTION A – EXCLUSIONS

1. **Application for a straight renewal** – For the purposes of this form, if all of the following situations pertain to this application, the application is considered a straight renewal and does not include New Quantities.
- a. There is to be no increase in annual average quantities;
  - b. There will be no change in water use withdrawal location(s); and
  - c. There will be no increase in water quantities per Use Type category.
- Yes, all the above conditions pertain to this application. **Skip to PART V, IMPACTS TO STRESSED LAKES.**
- No. **Continue to question 2.**
2. **Irrigation allocation rate increase** – Is the basis for a requested increase in quantities due solely to an increase in the inch/acre application rate\* as calculated by the District's irrigation water allotment program, AGMOD\*\*?
- \* The crop type, soil type, irrigation method and all other input parameters must be the same as was input for the current permit.
- \*\* The District's AGMOD program as constructed by the District with no user-modifications made to any parameters used in the calculations.
- Yes. These additional quantities are not New Quantities. **Skip to PART V, IMPACTS TO STRESSED LAKES.**
- No. **Continue to SECTION B.**

**SECTION B – CALCULATION OF NEW QUANTITIES**

Completion of this section requires that the application form and pertinent Use Type category Supplemental Form(s) be completed in order for the applicant to have calculated proposed annual average quantities for all proposed Use Type categories.

Please complete the chart below with existing and proposed annual average quantities for each existing and proposed Use Type category.

1. **Column A – Quantities for Existing Use Type(s):** Show permitted annual average quantities for all Use Type categories that are currently permitted on this WUP. Put a zero (0) if quantities are not currently permitted for a particular Use Type category.
  - If this is an application for Self-Relocation, show the Use Type category quantities on the originating WUP.
  - If this is an application for a partial transfer, show the Use Type category quantities currently permitted on the parcel of land to be transferred.
  - If this is an application for a new WUP (including new WUPs issued because the former WUP expired), input zeros for all Use Type categories.
  - If this is an application to consolidate several WUPs into this WUP, sum the annual average quantities for each Use Type category on each of the WUPs to be consolidated.
2. **Column B – Quantities for Proposed Use Type(s):** Specify annual average quantities for all proposed Use Type categories.
  - If this is an application for Self-Relocation, show the proposed annual average quantities and proposed Use Type categories at the new site. Note, if they are different from Column A, this is not a Self-Relocation situation.
3. **Column C – Difference in Use Type Quantities:** Subtract existing quantities from proposed quantities for each Use Type category.
4. **Column D – New Quantities:** For each row, where the number in Column C is **positive**, input that quantity into Column D. Sum the values in Column D for Total New Quantities.

	A	B	C	D
Use Type Category	Existing Quantities	Proposed Quantities	Proposed Minus Existing Quantities (B – A)	New Quantities (Positive Values in Column C)
Agriculture				
Recreation or Aesthetic				
Industrial or Commercial				
Public Supply				
Mining or Dewatering				
			<b>Total New Quantities:</b>	

These are the New Quantities that are pertinent to the Minimum Flows and Levels Impact Assessment, addressed in **PART IV** on the next page.



## PART IV. MINIMUM FLOWS AND LEVELS IMPACT ASSESSMENT

See Section 3.9.2 of the Water Use Permit Applicant's Handbook Part B.

*In addition to evaluating water use impacts with respect to Rule 40D-2.301, F.A.C. (addressed in the "Impacts" section of the application form), all applicants for New Quantities must address the potential individual and cumulative impacts that withdrawal of those New Quantities have on Minimum Flows and Levels (MFLs) as established in Chapter 40D-8, F.A.C.*

### SECTION A – MFLs IN THE SWUCA

*Three MFLs were established in the SWUCA on January 1, 2007, and the established minimums are given in Chapter 40D-8, F.A.C.*

1. **Salt Water Intrusion Minimum Aquifer Level (SWIMAL)** – *The Minimum Aquifer Level for the Floridan Aquifer potentiometric surface is 13.1 feet, National Geodetic Vertical Datum (NGVD) in the Most Impacted Area (MIA) of the SWUCA (Rule 40D-8.626, F.A.C.)*
2. **Upper Peace River** – *The upper Peace River is defined as that portion of the Peace River beginning at the confluence of Saddle Creek and the Peace Creek Canal, and extending southerly to the United States Geological Survey Zolfo Springs River gauge number 02295637 and including the watershed contributing to that portion of the Peace River (Rule 40D-2.021(11), F.A.C.). The minimum flow of the upper Peace River is described in Rule 40D-8.041(5), F.A.C.*
3. **Ridge Lakes** – *The Ridge Lakes are all lakes in the area of the District described in Rule 40D-2.801(3)(b)(3), F.A.C. Specific minimum levels are set in Table 8-2 in Rule 40D-8.624(13), F.A.C. Because the District's MFL program sets minimum levels for lakes in an ongoing manner, the applicant is also referred to the District's website for the latest list of lakes with established minimum levels.*

### SECTION B – EXCLUSION

**Check if one of the statements below applies and skip to PART V, IMPACTS TO STRESSED LAKES**

1.  This application does not include New Quantities;
2.  The total demand is less than 100,000 gpd on an annual average basis (counting all sources of water including alternative water supplies), and withdrawals of New Quantities do not impact a MFL. Contact Water Use Regulation staff in the Service Office that manages your permit to determine this.

### SECTION C – NO IMPACTS TO MFLs

If the proposed withdrawals of New Quantities are not predicted to impact established MFLs individually or cumulatively as described in SECTION E, the withdrawal can be authorized if all other conditions of issuance in Chapter 40D-2, F.A.C. are met. Substantive documentation of the total depth, casing depth and liner depth is required for all wells.

### SECTION D – IMPACTS TO WATER BODIES ABOVE AN ESTABLISHED MFL

If the water body is above its established MFL at the time this application is submitted, withdrawal of New Quantities can be authorized with the following provisions:

1. The New Quantity amount is limited to that which meets all the conditions of issuance in Rule 40D-2.301, F.A.C.; and
2. Withdrawal of the New Quantity does not cause the actual flow or level to fall below the Minimum Flow or Level on a long-term average basis or as compliance may be further specified in Chapter 40D-8, F.A.C.

Check the District's website or contact District staff to find the current level or flow of the three MFLs listed below.

### SECTION E – IMPACTS TO WATER BODIES BELOW AN ESTABLISHED MFL

If the proposed withdrawals of New Quantities are predicted to impact a water body that is currently below its established MFL, the withdrawal will not be authorized unless a Net Benefit is provided (see **PART VI**). However, the applicant has the option to reduce or redistribute the New Quantity withdrawals to achieve no impact. If this option is taken, it should be taken prior to submission of this application. The MFL water bodies and description of the impact assessment(s) necessary are given on page 6 for the applicant's convenience. However, please refer to Section 3.9.2 of the Water Use Permit Applicant's Handbook Part B for a full description of these water bodies and MFLs and the evaluation criteria, including the Floridan aquifer guidance levels mentioned below.



1. **Salt Water Intrusion Minimum Aquifer Level (SWIMAL)** – The submitted cumulative impact assessment must determine whether the proposed withdrawal of New Quantities causes any lowering (> 0.0 feet) of the Floridan aquifer potentiometric surface within the MIA as well as at the boundary of the MIA (see attached map). The output is to depict the MIA boundary.
2. **Upper Peace River** – The impact assessment must address impacts of withdrawing proposed New Quantities on the established Minimum Flows for the Peace River. For surface water withdrawals, the applicant must assess the proposed reduction in flow relative to the established MFLs for the river. For ground water withdrawals, an assessment must be made of the impact on Floridan aquifer levels below the upper Peace River as well as below any of its tributaries that are in hydrologic contact with the Floridan aquifer within the upper Peace River watershed depicted on the attached map. The impact analysis output must depict the watershed outline as shown on the attached map. The applicant may contact the District for a smaller scale map that shows the watershed outline with respect to geographic features and section-township-range. Cumulative impacts to ground water levels are assessed by comparing current aquifer levels with a guidance level, as described below.
  - a. If the Floridan aquifer potentiometric surface is impacted (> 0.0 feet decrease), but the current potentiometric level is above the guidance level of 53.3 feet NGVD (National Geodetic Vertical Datum), and the withdrawal individually meets the conditions of Rule 40D-2.301(1)(b) and (c), F.A.C., and Basis of Review Chapter 4, Section 4.2 C (impacts to streams), the withdrawal is deemed to not cumulatively impact the upper Peace River. If the withdrawal individually does not meet the conditions of Rule 40D-2.301(1)(b) and (c), F.A.C., and Section 3.9.2 of the Water Use Permit Applicant's Handbook Part B, further action is required to eliminate the impact or to provide a Net Benefit.
  - b. If the current Floridan aquifer level is below the guidance level of 53.3 feet NGVD, further action is required to eliminate the impact or to provide a Net Benefit.
3. **Ridge Lakes** – For ground water withdrawals, the impact assessment must determine whether the proposed withdrawal cumulatively or individually causes any lowering (> 0.0 feet) of the Floridan aquifer potentiometric surface below lakes (Ridge Lakes) located in the area described in Rule 40D-2.801(3)(b)(3), F.A.C. (see attached map). For surface water withdrawals, the impact assessment must evaluate the effects of the proposed lowering of lake levels with respect to the criteria in Section 3.9.2 of the Water Use Permit Applicant's Handbook Part B. Cumulative impacts to ground water levels are assessed by comparing current Floridan aquifer levels with the guidance level, as described below.
  - a. If the Floridan aquifer potentiometric surface is impacted (> 0.0 feet decrease), but the current surface is above the guidance level of 91.5 feet NGVD, and the withdrawal individually meets the conditions of Rule 40D-2.301(1)(b) and (c), F.A.C., and Section 3.9.2 of the Water Use Permit Applicant's Handbook Part B, the withdrawal is deemed to not cumulatively impact Ridge Lakes. If the withdrawal individually does not meet the conditions of Rule 40D-2.301(1)(b) and (c), F.A.C., and Section 3.9.2 of the Water Use Permit Applicant's Handbook Part B, further action is required to eliminate the impact or to provide a Net Benefit.
  - b. If the Floridan aquifer potentiometric surface is below the guidance level of 91.5 feet NGVD, further action is required to eliminate the impact or to provide a Net Benefit.
4. **Other MFLs** – *The withdrawal of New Quantities in the SWUCA must not adversely impact any MFLs in the District. Contact District staff to determine if there are other MFLs that must be evaluated for this application.*

If the proposed withdrawal of New Quantities impacts an MFL other than the three listed above, indicate which water body is impacted.

No water bodies having an established MFL are impacted.

MFL water body is impacted (name): \_\_\_\_\_

MFL water body is impacted (name): \_\_\_\_\_

If you checked that water body with an established MFL is predicted to be impacted, this impact must be reduced to no impact as described in Chapter 40D-8, F.A.C.

### PART V. IMPACTS TO STRESSED LAKES

Permit applications that are for withdrawals that either directly or indirectly affect a lake on the stressed lakes list in the SWUCA must include a plan that clearly shows that both existing and proposed withdrawals can be ceased immediately when the lake level falls to or below the high minimum level or high guidance level, whichever level type is appropriate. If the lake is currently below the high minimum level or high guidance level, the withdrawal point(s) must not be used until the level is above the appropriate level. High minimum and high guidance levels are described in Rule 40D-8.626, F.A.C.

- Existing and proposed withdrawals do not directly or indirectly impact a stressed lake, as shown in the impact assessment.
- This application includes withdrawal(s) that are predicted to impact: \_\_\_\_\_  
(input name of lake(s))

Attach a plan that describes how the proposed activity will be altered to cease withdrawals from this lake if the lake level falls to or below the high minimum level or high guidance level, whichever is appropriate until such time as the lake rises above the appropriate level.

- Attached.

### PART VI. NET BENEFIT

*A **Net Benefit** is an activity or measure that results in an improvement to a MFL water body that offsets a predicted impact to the same MFL that is caused by the proposed withdrawal of New Quantities so that the resulting impact is at least a 10% reduction of the existing impact. If this application includes New Quantities that are predicted to cause impacts to an MFL as described in **PART IV**, the New Quantities shall not be permitted unless the applicant incorporates into this application actions or measures that are predicted to completely offset this impact plus provide at least a further 10% reduction of impacts.*

If impacts are predicted, a Net Benefit must be accomplished. If the Net Benefit type is a Ground Water Replacement Credit, attach the "Southern Water Use Caution Area Ground Water Replacement Credit Application (Form No. LEG-R.011.01)". If a different type of Net Benefit is proposed, attach the "Net Benefit Supplemental Form - Southern Water Use Caution Area" (Form No. LEG-R.010.01).

- SWUCA Ground Water Replacement Credit Application (Form LEG-R011.02) attached.
- Net Benefit Supplemental Form – SWUCA (Form LEG-R.010.02) attached.
- N/A – Impacts are not predicted.

### PART VII. SITE INFORMATION

**MAPS FOR ALL USE TYPE CATEGORIES** – In addition to the information required on the maps specified in the application form, please include the following:

1. Areas proposed to be irrigated referenced to the withdrawal points that are to withdraw the water.
2. Locations of the site of entry of water sources that are supplied by another entity.
3. Locations of above-ground or in-ground storage facilities for the off-site water sources.



### Minimum Flows and Levels in the Southern Water Use Caution Area

