

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

NOTICE OF PROPOSED RULE DEVELOPMENT

RULE NO.:	RULE TITLE:
40C-20.042	General Permit for Water Use
40C-20.900	Forms and Instructions

**PURPOSE AND EFFECT:** The purposes and effects of the proposed rule amendments are to: (1) require that when a CUP application is requesting authorization to use water to irrigate landscape, golf course, or recreational areas for a project that will require a 40C-4 or 40C-40 environmental resource permit (ERP) that such applicant must also apply concurrently for the ERP; (2) require that such concurrent CUP and ERP applications will be reviewed by the District in a consolidated manner, with the CUP application not being considered complete until the ERP application is also complete, and if either application fails to meet the conditions for issuance then both the CUP and ERP applications will be denied; (3) clarify that at a preapplication conference, the District will also be available to discuss consolidated review of any related ERP application; (4) establish that a CUP application must either be submitted electronically via the District's website or delivered to the address indicated on the application form and clarify the content and processing of CUP applications; (5) require that when a CUP application requires a concurrent ERP application submittal that the applicant must submit the required ERP application and all appropriate permit processing fees; (6) amend the conditions for issuance in 40C-2.301, F.A.C., to reflect the new requirements regarding consolidated review of CUP and ERP applications (no text is available yet for the proposed change to 40C-2.301); (7) revise the CUP application form to update the contents and include the concurrent application requirements.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule amendment would: (1) require, for a CUP application to irrigate landscape, golf course, or recreational areas for a project that will require a 40C-4 or 40C-40 ERP to construct a system, a concurrent ERP application and concurrent review and processing of both applications; (2) clarify application processing requirements; and (3) clarify preapplication conferencing.

**RULEMAKING AUTHORITY:** 369.318, 373.044, 373.113, 373.118, 373.171, F.S.

**LAW IMPLEMENTED:** 369.318, 373.116, 373.1131, 373.219, 373.223, 373.229, F.S.

**RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:**

**TIME AND DATE:** 1:00 p.m. till 5:00 p.m., September 16, 2010.

PLACE: East Central Florida Regional Planning Council, 309 Cranes Roost Blvd., Altamonte Springs, Florida 32701.

TIME AND DATE: 1:00 p.m. till 5:00 p.m., September 17, 2010.

PLACE: Florida Department of Environmental Protection, 7825 Baymeadows Way, Jacksonville, Florida 32256.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Wendy Gaylord, Rules Coordinator, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386) 326-3026, or [wgaylord@sjrwmd.com](mailto:wgaylord@sjrwmd.com).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

**40C-20.042 General Permit for Water Use.**

(1) No change.

(2) When a consumptive use permit applicant is requesting authorization to irrigate landscape, golf course, or recreational areas for a project that requires an individual or standard environmental resource permit to construct surface water management system under paragraph 40C-4.041(2)(b), F.A.C., the consumptive use permit applicant must also concurrently submit an environmental resource permit for the system.

Re-number (2) and (3) to (3) and (4) No change.

*Rulemaking Authority 369.318 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 369.318, 373.1131, 373.219, 373.223 FS. History—New 7-23-91, Amended 4-25-96,*

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**40C-20.900 Forms and Instructions.**

District form no. 40C-2-1082-1, Individual and Standard General Consumptive Use Permit Application, and the accompanying instructions are incorporated by reference and are available from:

District Headquarters  
St. Johns River Water Management District  
4049 Reid Street  
Palatka, Florida 32177-2529  
(386) 329-4500

St. Johns River Water Management District  
7775 Baymeadows Way, Suite 102  
Jacksonville, Florida 32256  
(904) 730-6270

St. Johns River Water Management District  
975 Keller Road  
Altamonte Springs, Florida 32714-1618

(407) 659-4800

St. Johns River Water Management District  
525 Community College Pkwy., S.E.  
Palm Bay, Florida 32909  
(321) 984-4940

*Rulemaking Authority ~~120.53(1)~~, 369.318, 373.044, 373.113, 373.118, 373.171 FS. Law  
Implemented ~~120.52(16)~~, 369.318, 373.116, 373.1131, 373.219, 373.223, 373.229 FS. History–  
New 7-23-91, Amended 4-25-96, 10-2-96, \_\_\_\_\_.*