

**11-04-09 FINAL Notice of Change
Consumptive Use
40E-2**

40E-2.051 Exemptions.

No permit is required under Rule 40E-2.041, F.A.C., for the following water uses:

(1) No change.

(2) Water used strictly for fire fighting purposes, ~~and~~
Rulemaking Specific Authority 373.044, 373.113, 373.171, FS. Law Implemented 11
373.219 FS. History – New 9-3-81, Formerly 16K-2.025, Amended 2-24-85, 4-20-94, 12
_____.

40E-2.061 No-Notice General Permit by Rule.

(1) The Board hereby grants a general water use permit by rule to each person that does not otherwise require a consumptive use permit, within the District to use, withdraw, or divert water at a single family dwelling or duplex including but not limited to home lawn and ornamental irrigation, car washing, and other incidental outdoor uses provided that water is obtained from a one single on-site withdrawal facility, such as a private irrigation well, utility connection, or surface water diversion, for each single family dwelling or duplex, provided that landscape irrigation is conducted in accordance with Chapters 40E-21 and 40E-24, F.A.C., or with any approved variance, and that the amount of water used is limited to only that necessary for efficient utilization.

(2) No Change.

~~(3) As a condition of this permit, each person issued pursuant to this rule, each person shall comply with Chapters 40E-21 and 40E-24, F.A.C. When reclaimed water is available, the use of a private irrigation well or surface water diversion for home lawn and ornamental irrigation is not authorized under this section. Reclaimed water is deemed available when reclaimed water is provided by a utility through a point of connection at the property boundary.~~

~~(4)(3) Persons using or proposing to use water in a manner that differs from the conditions imposed by Chapter 40E-24, F.A.C., shall apply for a modification of this permit pursuant to Rule 40E-2.331(4), F.A.C.~~

(5) This no notice general permit by rule does not apply to domestic uses of water, such as water used for household purposes of drinking, bathing, cooking, sanitation, or other indoor uses, at single family dwellings and duplexes, which are addressed by Rule 40E-2.051(1), F.A.C.

Rulemaking Specific Authority 373.044, 373.113, 373.118, 373.171, FS. Law Implemented 373.118, 373.219, 373.223, History -- New _____.

40E-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – _____ July 2, 2009”, is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.

Rulemaking Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.042, 373.0421, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233,

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1 373.236, 373.239, 373.250 FS. History—New 9-3-81, Formerly 16K-2.035(1), Amended
2 2-24-85, 11-21-89, 1-4-93, 4-20-94, 11-26-95, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 12-
3 19-01, 8-1-02, 6-9-03, 8-31-03, 4-23-07, 9-13-07, 2-13-08, 10-14,08, 7-2-09,_____.

4
5 **“Basis of Review for Water Use Permit Applications Within the South Florida**
6 **Water Management District”, incorporated by reference in Rule 40E-2.091, F.A.C.**

7
8 **Section 2.6.1(A)**

9 All public water supply utilities applying for an individual permit are required to develop
10 and implement a water conservation plan. The water conservation elements of each
11 plan need to be identified as part of the application. A timetable outlining the
12 implementation schedule of each of the required water conservation elements will be
13 required to be submitted or shown to already exist prior to issuance or renewal of a
14 public water supply water use permit. The conservation plan shall be prepared and
15 implemented for the service area incorporating, at a minimum, the following mandatory
16 components. For those components which require ordinance adoption, such ordinance
17 should incorporate the entire boundary of the enacting jurisdiction. The Permittee shall
18 provide a copy of the ordinances for each of the mandatory elements for which
19 ordinances are adopted. The mandatory water conservation elements are as follows:

20
21 A. The limitation of all lawn and ornamental irrigation to the hours and days
22 specified in Rule 40E-24.201, F.A.C., or alternative landscape irrigation conservation
23 measures ~~which have been approved by the District pursuant to Rule 40E-24.301,~~
24 F.A.C.

25 B. through I. no change.
26 7-11-96, 4-9-97, 12-10-97, 8-1-02, 4-23-07, 2-13-08, _____.