

**9-30-09 DRAFT**  
**Text for Notice of Change**  
**Consumptive Use**  
**40E-2**

1  
2 **40E-2.061 No-Notice General Permit by Rule.**

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

12 (2) No Change.

13 ~~(3) As a condition of this permit, each person issued pursuant to this rule,~~  
14 ~~each person shall comply with Chapters 40E-21 and 40E-24, F.A.C.~~

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

18 *Rulemaking Specific Authority 373.044, 373.113, 373.118, 373.171, FS. Law*  
19 *Implemented 373.118, 373.219, 373.223, History -- New \_\_\_\_\_.*

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

23  
24 **Section 2.6.1(A)**

25 All public water supply utilities applying for an individual permit are required to develop  
26 and implement a water conservation plan. The water conservation elements of each  
27 plan need to be identified as part of the application. A timetable outlining the  
28 implementation schedule of each of the required water conservation elements will be  
29 required to be submitted or shown to already exist prior to issuance or renewal of a  
30 public water supply water use permit. The conservation plan shall be prepared and  
31 implemented for the service area incorporating, at a minimum, the following mandatory  
32 components. For those components which require ordinance adoption, such ordinance  
33 should incorporate the entire boundary of the enacting jurisdiction. The Permittee shall  
34 provide a copy of the ordinances for each of the mandatory elements for which  
35 ordinances are adopted. The mandatory water conservation elements are as follows:

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

41 B. through I. no change.  
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43

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1 **40E-2.331 Modification of Permits.**

2 (1) through 4(b). No change.

3 Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.223,  
4 373.229, 373.239 FS. History—New 9-31-81, Formerly 16K-2.09(1), Amended 4-20-94,  
5 7-11-96, 4-9-97, 12-10-97, 8-1-02, 4-23-07, 2-13-08, \_\_\_\_\_.