

40D-2.331 Modification of Permits.

(2) Modifications:

(b) Letter Modification – A Letter Modification may be requested through use of a Modification Short Form Application, Form No. LEG-R.035.02 (5/14), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-03747>), incorporated herein by reference and available at any District office or through the District’s website at www.WaterMatters.org. A Modification Short Form Application may be submitted, provided the annual average quantities will not increase by more than 100,000 gpd or more than 10% of the total permitted quantity, the use of the water will not change, the modification does not cause the total annual average quantities to equal or exceed 500,000 gpd, the proposed changes would not cause impacts beyond those considered in the initial permit and is not a request to extend a permit term unless pursuant to subsection 40D-2.321(5), F.A.C. Within the SWUCA, except to reactivate standby quantities as provided in Section 2.2.4 of the WUP Applicant’s Handbook, a Modification Short Form Application shall not be used for modifications that include a request to Self-Relocate or to increase water withdrawals that impact or are projected to impact a water body with an established Minimum Flow or Level.

A Modification Short Form may be submitted to modify the permit to include or remove a project funded pursuant to Chapter 40D-26, F.A.C., and, if requested by permittee, extend the term of the permit for twenty years. The District shall not reduce permitted quantities conserved by the project funded pursuant to Chapter 40D-26, F.A.C., as long as the permittee operates the project and the conditions for issuance provided for in Chapter 373, F.S. and Chapter 40D-2, F.A.C., are met.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171, 373.216, 373.249 FS. Law Implemented 373.079(4)(a), 373.083(5), 373.171, 373.219, 373.236, 373.239 FS. History—New 10-5-74, Formerly 16J-2.14(1), Amended 10-1-89, 2-10-93, 7-29-93, 1-1-07, 8-23-07, 7-1-09, 11-2-09, 7-10-13, 5-19-14, 9-29-15.