

## **CHAPTER 40E-5 ARTIFICIAL RECHARGE**

### **40E-5.011 Policy and Purpose.**

(1) No Change.

(2) It is the intent of the District to consolidate permits issued pursuant to this chapter with consumptive uses regulated under Chapter 40E-2 ~~or 40E-20~~, F.A.C., when such permit is required. Thus, if water is obtained from a regulated surface or groundwater ~~ground-water~~ source, authorization under this Chapter shall be issued in conjunction with the associated consumptive use permit. If a consumptive use permit for the project is not required pursuant to Chapter 40E-2 ~~or 40E-20~~, F.A.C., (e.g., the recharge water is reclaimed waste water), a separate permit shall be obtained pursuant to this chapter.

(3) through (4) No Change.

*Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.106(1) FS. History—New 9-3-81, Amended 8-14-03, \_\_\_\_\_.*

### **40E-5.041 Permits Required.**

(1) Unless expressly exempt by law or District rule, a permit is required pursuant to this chapter to operate an artificial recharge system. The permit applicant shall provide reasonable assurances that the proposed activity meets the criteria set forth in Rule 40E-5.301, F.A.C. In the event the project also requires a consumptive use permit pursuant to Chapter 40E-2 ~~or 40E-20~~, F.A.C., demonstration of reasonable assurances required under Rule 40E-5.301, F.A.C., shall be made in conjunction with application for such permit and a consolidated permit will be issued.

(2) through (3) No Change.

*Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.106(1) FS. History—New 9-3-81, Formerly 16K-2.02(1), Amended 8-14-03, \_\_\_\_\_.*

### **40E-5.301 Conditions for Permit Issuance.**

In order to obtain a permit, permit renewal, or permit modification pursuant to this chapter, an applicant must give reasonable assurances that the proposed diversion of water to be introduced into an aquifer and the impact of introducing and recovering the water from an aquifer:

(1) through (2) No Change.

(3) Satisfies the criteria contained in the “Applicant’s Handbook ~~Basis of Review~~ for Water Consumptive Use Permit Applications within the South Florida Water Management District,” incorporated by reference in Rule 40E-2.091, F.A.C.; and

(4) No Change.

*Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.106(1) FS. History—New 8-14-03, \_\_\_\_\_.*