

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

CHAPTER 40C-21, F.A.C.

THE WATER SHORTAGE PLAN

**Revised
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CHAPTER 40C-21 THE WATER SHORTAGE PLAN

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40C-21.001 Policy and Purpose.

(1) The rules in this chapter comprise the District's water shortage plan required under Section 373.246(1), F.S. The purposes of the plan are to protect the water resources of the District from serious harm; to assure equitable distribution of available water resources among all water users during times of shortage, consistent with the goals of minimizing adverse economic, social and health related impacts; to provide advance knowledge of the means by which water apportionments and reductions will be made during times of shortage; and to promote greater security for water use permittees.

(2) These rules apply to all water users including those exempt from permitting pursuant to Rule 40C-2.0051, F.A.C. However, these rules will not apply to users whose source of water is treated effluent or seawater. Thus, it is the policy of the District to restrict uses in a fair and equitable manner during periods of a water shortage, regardless of whether those uses are under permit, below the thresholds specified in Rule 40C-2.0041, F.A.C., or otherwise exempt from Chapter 40C-2, F.A.C., permitting.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.

40C-21.031 Elements of the Plan.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40C-21.051 Definitions.

When used in this chapter:

(1) "Water shortage" means that situation within all or a specifically defined geographic area of the District when insufficient water is available to meet the needs of the users, or when conditions are such as to require temporary reduction in total use within a particular area to protect water resources from serious harm. A water shortage usually occurs due to drought.

(2) "Water shortage emergency" means that water shortage situation so sudden or severe that water shortage procedures which can be exercised under Part II of Chapter 40C-21, F.A.C., are not sufficient to protect the public health, safety, or welfare, or the health of animals, fish or aquatic life, or a public water supply, or meet the needs of commercial, industrial, agricultural, recreational or other reasonable uses.

(3) “User” means any person, natural or artificial, individual, firm, association, organization, partnership, business trust, corporation, company, agent, employee or other legal entity, the United States of America, and the State, any political subdivision, region, district, municipality, or public agency thereof, which directly or indirectly takes water from the water resource, including but not limited to uses from private or public utility systems, uses whether or not under consumptive use permits issued pursuant to Chapter 40C-2, F.A.C., or uses from individual wells or pumps for domestic or individual home use or other use. The term does not include persons who use only treated effluent or seawater.

(4) “Water resource” means any and all water on or beneath the surface of the ground, including but not limited to water in natural or artificial water courses, impoundments, streams or diffused surface water and water percolating, standing or flowing beneath the surface of the ground.

(5) “Source class” means the water resource from which a user is obtaining water either directly or indirectly. Source classes within the District are specified in Rule 40C-21.531, F.A.C.

(6) “Use class” means the category describing the purpose for which the user is utilizing water. Use classes within the District are specified in Rule 40C-21.551 and subsection 40C-2.0501(2), F.A.C.

(7) “Method of extraction or diversion class” means the type of facility or means of withdrawal from the water resource employed by the user. Method of extraction or diversion classes within the District are specified in Rule 40C-21.571, F.A.C.

(8) “Surface water source” means a source class within which a user obtains water from surface waters. Surface water sources are a type of source class and are identified in subsections 40C-21.531(1) and 40C-2.0501(3), F.A.C.

(9) “Ground water source” means a source class within which users obtain water from beneath the surface of the ground. Ground water sources are a type of source class and are identified in subsections 40C-21.531(1) and 40C-2.0501(3), F.A.C.

(10) “Anticipated percent reduction in overall demand” means the weighted average reduction in all water uses within a source class, regardless of the type of use or method of withdrawal, which is necessary to reduce estimated present and anticipated demand to estimated present and anticipated available water supply.

(11) “Plan” means the water shortage plan authorized in Section 373.246, F.S., and contained in this chapter.

(12) “Low-volume irrigation” means the use of equipment and devices specifically designed to allow the volume of water delivered to be limited to a level consistent with the water requirement of the plant being irrigated and to allow that water to be placed with a high degree of efficiency in the root zone of the plant. The term also includes water use in mist houses and similar establishments for plant propagation.

(13) “Overhead irrigation” means the use of equipment and devices which deliver water under pressure, through the air, above the level of the plant being irrigated.

(14) “Flood irrigation” means the delivery of plant or crop irrigation water by the design and practice of flowing water over the ground surface to saturate the root zone or in specific applications raising the level of groundwater through the root zone or to the soil surface.

(15) “Low-volume hand watering” means the low-volume irrigation of plants or crops with one hose attended by one person, fitted with a self-cancelling or automatic shutoff nozzle.

(16) “Low-volume mobile equipment washing” means the washing of mobile equipment with a bucket and sponge or a hose with a self-cancelling or automatic shutoff nozzle or both.

(17) “Low-volume pressure cleaning” means pressure cleaning by means of equipment which is specifically designed to reduce the inflow volume as accepted by industry standards.

(18) “Nursery stock” means all plants, trees, shrubs, vines, bulbs, cuttings, grafts, scions, buds, flowering annual plants, aquatic plants, seeds, corns, or tubers, grown or kept for propagation, distribution or sale.

(19) “Mobile equipment” means any public, private or commercial automobile, truck, trailer, railroad car, camper, boat, or any other type of similar equipment. The term shall not include sanitation or sludge vehicles or food vending or transporting vehicles.

(20) “Portable pump” means a portable facility capable of moving water from one source location to another.

(21) “Even numbered address” means the house address, box number or rural route ending in the numbers 0, 2, 4, 6, 8 or the letters A-M. Post office box numbers are not included.

(22) “Odd numbered address” means the house address, box number or rural route ending in the numbers, 1, 3, 5, 7, 9 or the letters N-Z. Post office box numbers are not included.

(23) “Odd numbered days” means the days whose dates end in the numbers 1, 3, 5, 7, or 9. For purposes of this chapter, the date shall be determined by the day during which a watering period ends.

(24) "Infiltration gallery" means any ditch, pond, pit or other excavation dug or otherwise constructed for the purpose of, or used for a source of water.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.

40C-21.221 Evaluating Water Conditions.

(1) This rule sets forth the manner in which the District will periodically evaluate water conditions within the District. Data thereby generated assists the District in determining whether and to what extent a water shortage should be declared.

(2) The District will monitor the condition of the water resources in the District as provided in Rule 40C-21.401, F.A.C.

(3) Current data will be compared to historical data to determine whether estimated present and anticipated available water supply within any source class will be insufficient to meet the estimated present and anticipated demands of the users from the source class, or whether serious harm to the water resources can be expected.

(a) Present and anticipated available water supply will be periodically estimated for each source class. Factors considered in estimating present and anticipated available supply within a source class may include:

1. Historic, current and anticipated levels in surface and ground waters, including potentiometric surfaces in confined and semiconfined aquifers;

2. Historic, current and anticipated flows in surface waters;

3. The extent to which water may be transferred from one source class to another, including the time required for transfer;

4. The extent to which present water use restrictions may enhance future supplies, or postpone more stringent restrictions;

5. Historic, current and anticipated demand of natural systems, including losses due to evapotranspiration and seepage;

6. Historic, current and anticipated seasonal fluctuation in rainfall; and

7. Other water quantity and quality factors affecting present and anticipated available water supply.

(b) Present and anticipated user demands for each use and method-of-withdrawal class will be periodically estimated for each source class. Factors considered in estimating the present and anticipated demands of the users within a source class may include:

1. Historical and estimated current and anticipated demands of permitted users;

2. Historical and estimated current and anticipated demands of users exempt from permitting, but subject to the provisions of the water shortage plan;

3. Historical and anticipated seasonal fluctuations in user demands;

4. The extent to which user demands may be met from other source classes; and

5. Other factors affecting present and anticipated water demands.

(c) Estimated present and anticipated available water supply will be periodically compared to estimated present and anticipated user demands to determine impact on the water resource. Factors that shall be considered in determining whether serious harm to the water resource may occur include:

1. Potential for increased saltwater intrusion or other ground water contamination;

2. Potential for significant adverse impacts on fish and wildlife, and the ecology of the area;

3. Potential for lowering surface water levels or flows or ground water levels below any minimum level set forth in Rule 40C-8.031, F.A.C.; and

4. Other site specific factors adversely impacting the water resource.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Amended 9-16-92, 6-7-93.

40C-21.231 Declaring a Water Shortage.

(1) The Board may issue a water shortage warning when it finds that there is an increased likelihood that there will be an insufficient amount of water to meet the estimated anticipated user demands within a source class or to protect the water resource from serious harm. Such warning period will provide an opportunity for increased data monitoring and analysis, increased communication with water users and units of local government regarding hydrologic conditions, and may include a call for voluntary reductions in demand.

(2) If the District determines there is a likelihood that insufficient water will be available within a source class to meet the user demands from that source, to meet the requirements of the permit system, or to protect the water resource from serious harm, the Board may declare a water shortage for the affected source class or classes. The Board may declare that a water shortage exists within all or parts of the District. When the affected source extends beyond the District's boundaries, the District will coordinate water shortage declarations with the appropriate water management districts to the extent practicable. When the affected source extends beyond the State's boundaries, the District will attempt to coordinate water shortage declarations with the appropriate

agencies in Georgia or elsewhere to the extent practicable.

(3) A water shortage may also be declared for those source classes not presently experiencing a water shortage if usage from such sources can be reasonably expected to impact the present or anticipated available water supply in those source classes identified in subsection (2).

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.026(4), (5), 373.175, 373.246 FS. History—New 1-1-84.

40C-21.251 Water Shortage Phases.

(1) This rule establishes four phases of water shortage as a function of the estimated reduction in overall demand required to reduce estimated present and anticipated demand to estimated present and anticipated available water supply. The water shortage phase determines the type of water use restrictions which will be ordered in a declared water shortage.

(2) The following water shortage phases are established:

Water Shortage Phase	Color	Anticipated
		% reduction in overall demand
(a) Moderate Water Shortage	Yellow	15%
(b) Severe Water Shortage	Orange	30%
(c) Extreme Water Shortage	Red	45%
(d) Critical Water Shortage	Purple	60%

(3) Each source class for which a water shortage has been declared will be assigned a specific water shortage phase. The water shortage phase selected for a source class will be based upon:

(a) The anticipated percent reduction required in overall demand; and

(b) For areas with multiple sources, the extent to which users have the capability to obtain water from a source or sources other than the source class for which a water shortage has been declared.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.

40C-21.271 General Water Use Restrictions.

(1) This rule specifies general water use restrictions for all users for each water shortage phase. Specific restrictions by user class are presented in Part VI of this chapter. Users desiring detailed information about the specific restrictions applying to their use should refer to Part VI.

(2) The Board may order use of general water use restrictions and the water use restrictions specified in Part VI for the appropriate water shortage phase for each affected source class. Further, the Board may order any combination in lieu of or in addition to the restrictions specified in Part VI of the restrictions described in subsection (3), by use or method of withdrawal class, within each source class, if necessary to achieve the necessary percent reduction in overall demand.

(3) General water use restrictions which may be imposed include:

(a) Provisions that facilitate the right of water users in an area to make voluntary agreements among themselves, with the concurrence of the Board or the Executive Director, providing for the mutual reduction, sharing, or rotation of use;

(b) Provisions for the metering and reporting of all water used, diverted, impounded, extracted or withdrawn;

(c) Provisions designed to maintain minimum flows and minimum levels, established pursuant to Section 373.042, F.S.;

(d) Provisions which recognize the extent to which users can satisfy water demands from sources for which a water shortage has not been declared;

(e) Provisions for monitoring water levels and determining chloride concentrations in order to protect against salt water intrusion or other deterioration or water quality including the closing and plugging of wells;

(f) Restrictions on the total amount of water that may be used, diverted, impounded, extracted, or withdrawn during any day, month, or year during the declared shortage;

(g) Restrictions on the timing of use, diversion, impoundment, extraction, or withdrawal of water;

(h) Restrictions on pumping rates and schedules or diversion rates and schedules; or

(i) Such other provisions or restrictions as are necessary to protect the water resources from serious harm.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.

40C-21.275 Variances.

Specific Authority: 373.044, 373.113 F.S. Law Implemented: 373.175, 373.246, F.S. History--New 1-1-84.(Transferred)

40C-21.291 Implementing a Water Shortage Declaration.

(1) When a water shortage is declared, or if already declared when more severe restrictions are imposed, the District will publish notice of the declaration or restrictions at least once in a prominent place in newspapers of general circulation in the areas affected. In addition, the District will inform the general public of the restrictions in effect and the sources of supply which are affected.

(2) The District will notify each consumptive use permittee within the affected source class of any changes in the conditions of permits within his affected source class, any suspension of permits within his affected source class, or any other restriction on uses of water within his affected source class. Notice will be by regular mail.

(3) The District will notify local governments of any water shortage declaration. In addition local law enforcement officials will be notified as soon as possible of any water shortage declaration or change of restrictions in effect within their areas of responsibility.

(4) A declaration of water shortage and any provision or restriction adopted pursuant thereto under the water shortage plan may be modified or rescinded by the Board.

(5) An order declaring a water shortage or imposing more severe restrictions will become effective on the day after any notice required in subsection (1) is published. An order declaring a water shortage will remain in effect until modified or rescinded by the Board.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History--New 1-1-84.

40C-21.331 Declaring a Water Shortage Emergency.

(1) This rule sets forth the steps the District will take to evaluate water conditions within the District in order to determine whether a water shortage emergency exists.

(2) The District will monitor the condition of the water resources of the District and the needs of the users as provided in Rule 40C-21.401, F.A.C.

(3) Current data shall be evaluated to determine whether any user's estimated present and anticipated available water supply will be insufficient to protect the public health, safety or welfare, or the health of animals, fish or aquatic life, a public water supply, or meet the minimum needs of commercial, industrial, agricultural, recreational, or other reasonable beneficial use.

(a) The present and anticipated water supply available will be estimated. Factors that may be considered include:

1. Those factors listed in paragraph 40C-21.221(3)(a), F.A.C.;
2. The ability to obtain water from other users;
3. The ability to obtain water from another source class; and
4. Other factors affecting the present and anticipated available water supply.

(b) The potential for adverse impacts on the public health, safety or welfare, or the health of animals, fish or aquatic life, or a public water supply, or commercial, industrial, agricultural, recreational, or other reasonable beneficial use will be evaluated. Factors that may be considered include:

1. Those factors listed in paragraphs 40C-21.221(3)(b) and (c), F.A.C.;
2. The extent to which adverse impacts can be reduced by imposing additional restrictions on other users from the same source class;
3. The extent to which restricting other users from the same source class will create other adverse impacts; and
4. Other factors relating to public health, safety and welfare.

(4) If, in the opinion of the Executive Director, the provisions in Part II are not sufficient to protect the public health, safety, or welfare, the health of animals, fish or aquatic life, a public water supply, or commercial, industrial, agricultural, recreational, or other reasonable beneficial uses, then the Executive Director, with the concurrence of the Board, may declare a water shortage emergency for the affected users.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.119, 373.175, 373.246 FS. History--New 1-1-84, Amended 11-11-03.

40C-21.371 Water Use Restrictions in a Water Shortage Emergency.

(1) When a water shortage emergency has been declared, the Executive Director may issue orders imposing restrictions deemed

necessary to meet the emergency. Such restrictions may include, but are not limited to apportioning, rotating, limiting, or prohibiting the use of the water resources of the District.

(2) All restrictions ordered pursuant to the declaration of a water shortage emergency will be in addition to, and enforced in combination with, any and all restrictions imposed under Part II of this plan, unless specifically stated otherwise within the orders. *Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.*

40C-21.391 Implementing a Water Shortage Emergency Declaration.

(1) When the Executive Director, with the concurrence of the Board, determines that an emergency condition exists due to a water shortage within any area of the District, the Executive Director may, without prior notice, issue orders reciting the existence of such an emergency pursuant to the provisions of Chapter 120, F.S.

(a) Such orders will identify all restrictions deemed necessary by the Executive Director, with the concurrence of the Board, to meet the emergency;

(b) All users to whom an emergency order is directed will comply immediately, but may petition the Board for a hearing as set forth in Section 373.119, F.S.

(2) The District will inform all users to whom an emergency order is directed of the existence of such order, and all associated restrictions, by the best practicable means available under the circumstances. Particular attention will be given to presenting this information in a form which is easily understood and applied by the citizens of the affected areas.

(3) The District will notify local government officials of any water shortage emergency declaration. Notice will be by the best practicable means under the circumstances. In addition, local law enforcement officials will be notified as soon as possible of any water shortage emergency declaration or change of restrictions affecting their areas of responsibility.

(4) The declaration of a water shortage emergency and any measures adopted pursuant thereto may be modified or rescinded by the Executive Director or by order of the Board.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Amended 11-11-03.

40C-21.401 Monitoring.

(1) This rule generally describes the data collection and analysis the District may undertake in anticipation of and during a declared water shortage or water shortage emergency. Monitoring data may be used to determine:

(a) Whether a water shortage or water shortage emergency should be declared;

(b) Whether the restrictions in effect are sufficient to protect the water resources and users within the affected area, in light of existing and anticipated climatological conditions; and

(c) Whether the restrictions in effect require additional enforcement efforts.

(2) Data may be obtained from any source available, including but not limited to:

(a) The District;

(b) Other water management districts;

(c) Permittees who are required to submit data as a condition of their permit;

(d) Any local, state or federal agency; and

(e) Any other source available.

(3) Resource Monitoring – When appropriate the District will collect and analyze data concerning any aspect of the water resource. Data which may be collected include but are not limited to:

(a) Levels in surface and ground waters, including potentiometric surfaces;

(b) Water quality in surface and ground waters;

(c) Flows in surface waters;

(d) Transfers of water from one source class to another;

(e) Demand of natural systems, including but not limited to losses due to evapotranspiration and seepage;

(f) Rainfall;

(g) Impacts on fish and wildlife; and

(h) Other data required to evaluate the status of the water resources of the District.

(4) Demand Monitoring – When appropriate the District will collect and analyze data concerning any aspect of user demand upon the water resources. Data which may be collected include but are not limited to:

(a) Demands of permitted users;

(b) Demands of users exempt from permitting, but subject to the provisions of the water shortage plan;

(c) Needs of natural systems;

(d) Other data required to evaluate demands on the water resources of the District.

(5) When appropriate, the District may prepare a drought management report summarizing data gathered pursuant to this rule.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.026, 373.103, 373.175, 373.246 FS. History—New 1-1-84.

40C-21.421 Enforcement.

(1) It is the policy of the District to seek the cooperation and assistance of the State, county and municipal governmental officials, law enforcement officials and police officers in the enforcement of the water shortage plan or any water shortage order issued pursuant thereto. Counties and municipalities throughout the jurisdiction of the District are authorized and encouraged to adopt ordinances which substantially incorporate the provisions of this chapter and which provide for local enforcement, or any order adopted pursuant thereto. It will be the policy of the District to encourage local law enforcement officials to provide violators of the water use restrictions with no more than one written warning during the initial phases of a water shortage or water shortage emergency.

(2) In enforcing the provisions of any water shortage order issued pursuant to this chapter, the District may utilize any of the enforcement remedies available pursuant to Chapter 120 or 373, F.S., or Chapter 40C-1, F.A.C.

(3) Enforcement action may be initiated by the Executive Director pursuant to Section 373.603, F.S., against an individual violator or class of violators or all of the violators of a particular water shortage or water shortage emergency rule or order.

(4) The Executive Director may assign District personnel for the purpose of initiating enforcement action pursuant to Section 373.603, F.S., against an individual violator or class of violators of any water shortage or water shortage emergency rule or order.

(5) In the event that a water shortage or water shortage emergency has been declared by the Board and the provisions of this chapter have been invoked, the Executive Director may thereafter take appropriate emergency action pursuant to Sections 373.119, 373.175(4), 373.246(7) and 120.69, F.S., to enforce the provisions of this chapter or any order issued pursuant thereto, or alleviate any emergency conditions which might thereafter occur. Such action will be subject to subsequent ratification by the Board at its next regular meeting.

(6) In the event a water user is in violation of the water shortage plan or any water shortage order issued pursuant thereto, it will be presumed that the person present at the premises who has a possessory interest in those premises where such unauthorized use is occurring, is responsible therefor. In the event that no one is present at the premises while such unauthorized use is occurring, it will be presumed that the owner of the premises is responsible for such use. These presumptions will not affect the burden of proof of the District to present a prima facie case as to each violation, and will be rebuttable by the presentation of evidence to indicate that another person was responsible for the unauthorized water use.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.119, 373.175, 373.246, 373.603, 373.609 FS. History—New 1-1-84.

40C-21.511 Classification System.

Unless the emergency provisions of Part III of this chapter are invoked, water users are regulated by class under the provisions of this water shortage plan. The rules in this part establish the classification system which provides the basis for distinguishing among different use classes. Under the system, each water use is classified according to source, type of use, and method of extraction or diversion.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.

40C-21.531 Source Classes.

(1) Each use may be classified according to one or more of the following sources of water:

(a) Streams or other water courses;

(b) Lakes or other impoundments;

(c) Unconfined aquifers;

(d) Confined or semi-confined aquifers.

(2) Those users who are required to obtain a Consumptive Use Permit under the provisions of Chapter 40C-2, F.A.C., will be assigned a source classification at the time the permit is issued.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.

40C-21.551 Use Classes.

Use classes are generally grouped by related uses. The four major groupings are: Essential/Domestic/Utility/Commercial, Agriculture, Nursery/Landscape Irrigation/Recreation and Miscellaneous. Neither the order of listing of the major groups nor the order of listing within each major grouping is intended to establish relative priorities of water use. A user may be assigned one or

more use classes regardless of the major groupings in this rule, which are used for classification and discussion. Each water use will be assigned one or more of the following use classes:

(1) Essential/Domestic/Utility/Commercial.

(a) “Essential use” means use of water strictly for fire fighting purposes, health and medical purposes and the use of water to satisfy federal, state or local public health and safety requirements.

(b) “Domestic type use” means any use of water for personal needs or for household purposes such as drinking, bathing, heating, cooking, sanitation or cleaning, whether the use occurs inside a residence or inside a commercial or industrial establishment.

(c) “Water utility use” means water used for withdrawal, treatment, transmission and distribution by potable water systems.

(d) “Power production use” means the use of water for power generation and the use of water for cooling and for replenishment of cooling reservoirs.

(e) “Commercial and industrial process use” means the use of water essential to the production of the goods or services provided by a business establishment.

(2) Agriculture.

(a) “Agricultural use” means the use of water for the commercial production of crops or the growing of farm products including but not limited to vegetables, citrus and other fruits, pasture, rice and sod.

(b) “Livestock use” means the use of water for watering or washing down of livestock.

(c) “Aquacultural use” means the use of water for the spawning, cultivating, harvesting or marketing of domesticated fin-fish, shellfish, crustaceans, frogs, turtles, alligators and other aquatic organisms that have a sport or other economic value.

(d) “Soil flooding” means use of water for raising of water levels on agricultural lands for purposes not directly related to crop growth including but not limited to soil preservation and pest control.

(e) “Freeze protection” means the periodic and infrequent use of water to protect agricultural and nursery crops from damage due to low temperatures.

(3) Nursery/Landscape Irrigation/Recreation.

(a) “Nursery use” means the use of water on premises or in which nursery stock is grown, propagated or held for sale or distribution or sold or reshipped.

(b) “Landscape irrigation – new installation” means the outside watering or sprinkling of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora which have been planted for less than 30 days and are situated in such diverse locations as residential landscaping, recreation areas, parks, cemeteries, public, commercial and industrial establishments, public medians and rights of way.

(c) “Landscape irrigation – existing installation” means the outside watering or sprinkling of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora which are planted and established and are situated in such diverse locations as residential landscapings, recreation areas, cemeteries, public, commercial and industrial establishments, public medians and rights of way.

(d) “Recreation area use” means the use of water for the maintenance and support of intensive recreational areas such as but not limited to playgrounds, football, baseball and soccer fields.

(e) “Golf course use” means water used to irrigate an establishment designed and used for playing golf.

(f) “Water based recreation use” means water used for public or private swimming and wading pools, including water slides. This term does not include pools specifically maintained to provide habitat for aquatic life.

(4) Miscellaneous.

(a) “Heating and air conditioning use” means the use of water for heating or cooling, or for air conditioning.

(b) “Dewatering use” means the removal of water from a specific area to facilitate mining or construction.

(c) “Other outside uses” means the use of water outdoors for the maintenance, cleaning and washing of structures and mobile equipment including automobiles and the washing of streets, driveways, sidewalks and similar areas.

(d) “Diversion and impoundment into non-District facilities” means the diversion or extraction of water into non-District impoundments and delivery systems designed for purposes including, but not limited to, maintaining structural integrity, providing agricultural water and other non-recreational, non-aesthetic uses.

(e) “Aesthetic use” means the use of water for fountains, waterfalls, and landscape lakes and ponds where such uses are entirely ornamental and decorative.

(5) The Board may establish such additional use classifications as it deems necessary.
Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.

40C-21.571 Method of Extraction or Diversion Classes.

Each water user may be identified with one or more of the following methods of extraction or diversion classes.

- (1) Surface waters:
 - (a) Pump.
 - (b) Gravity flow.
- (2) Ground waters:
 - (a) Artesian well.
 - (b) Pumped well.
 - (c) Infiltration gallery.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.

40C-21.601 Specific Restrictions.

(1) Upon declaration of a water shortage or water shortage emergency, use of water in a manner inconsistent with the restrictions specified in this Part and Part II is prohibited. It is the duty of each water user to stay informed as to the phase of water shortage and the applicable restrictions for the phase. Violations of the restrictions specified in this Part and Part II will be subject to enforcement action pursuant to Rule 40C-21.421, F.A.C. The restrictions specified in this Part are summarized in tabular form in Figure 21-1. The information presented in Figure 21-1 should sufficiently describe the required restrictions for most users.

(2) In addition to the restrictions specified in this Part and Part II, wasteful and unnecessary water use is prohibited regardless of the phase of water shortage. Such wasteful and unnecessary water use includes, but is not limited to:

- (a) Allowing water to be dispersed without any practical purpose to the water user, regardless of the type of water use.
- (b) Allowing water to be dispersed in a grossly inefficient manner, regardless of the type of water use.
- (c) Allowing water to be dispersed to accomplish a purpose for which water use is unnecessary or which can be readily accomplished through alternative methods of significantly less water use.

(3) In case of a conflict between Figure 21-1 and this Part, the specific restrictions in this Part shall control.

(4) Within each rule, use classes are grouped in the same sequence as in Rule 40C-21.551, F.A.C.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.

40C-21.621 Phase I Moderate Water Shortage.

The following restrictions will apply when a Phase I water shortage is declared by the District.

- (1) Essential/Domestic/Utility/Commercial.
 - (a) Essential Use.
 - 1. The use of water for firefighting and health or medical purposes will not be restricted.
 - 2. Fire hydrant flushing should be undertaken only on an emergency basis.
 - 3. Sanitary sewer line flushing and testing will not be restricted except on a voluntary basis.
 - (b) Household and Domestic Type Use.
 - 1. Residential type domestic use should be voluntarily reduced to achieve a per capita consumption of 60 gallons per person per day.
 - 2. Domestic type use in industrial and commercial establishments should be voluntarily reduced.
 - (c) Water Utility Use.
 - 1. Initial pressure at the point of use (meter) should be voluntarily reduced by 15% where it is operationally feasible to do so. Prior to the reduction of pressure, the utility will notify the appropriate firefighting agencies and make arrangements for direct communication when additional pressure is required.
 - 2. New water line flushing and disinfection will be restricted to the hours of 9:00 p.m. to 7:00 a.m., seven days per week.
 - 3. As appropriate the utility should institute additional voluntary conservation measures such as reclaiming of backwash water, improving and accelerating leak detection surveys and repair programs, installing and calibrating meters, and stabilizing and equalizing system pressures.
 - (d) Power Production Use. Water used for power production should be voluntarily reduced.
 - (e) Commercial and Industrial Process Use.

1. Commercial car washes will be restricted as follows:
 - a. For washes servicing passenger vehicles and mobile equipment weighing less than 10,000 pounds:
 - i. Use in excess of 75 gallons per wash will be prohibited, and
 - ii. Use equal to or less than 75 gallons per wash should be voluntarily reduced.
 - b. For washes servicing mobile equipment weighing 10,000 pounds or more:
 - i. Use in excess of 150 gallons per wash will be prohibited, and
 - ii. Use equal to or less than 150 gallons per wash should be voluntarily reduced.
 2. Water used for commercial and industrial processes should be voluntarily reduced.
- (2) Agriculture.
- (a) Agricultural Use.
1. Overhead irrigation, except by portable volume gun, will be restricted to the hours of 2:00 p.m. to 10:00 a.m.
 2. Flood and seepage irrigation will not discharge tail waters from the property provided, however, this restriction will not apply to agricultural uses in the production of watercress planted prior to the declaration of a water shortage.
 3. Low volume irrigation hours will not be restricted.
 4. All irrigation systems will be operated in a manner that will maximize the percentage of water withdrawn and held which is placed in the root zone of the crop and will minimize the amount of water which is withdrawn and released or lost to the user but is not immediately available for other users.
 5. Users having access to more than one source class will maximize the use of the lesser or least restricted source class.
- (b) Livestock Use. Livestock water use should be voluntarily reduced.
- (c) Aquacultural Use. Aquacultural water use should be voluntarily reduced.
- (d) Soil Flooding.
1. Soil flooding for pest control or soil preservation will be prohibited.
 2. Soil flooding to permit harvesting of sod should be voluntarily reduced.
- (e) Freeze Protection. Water use for freeze protection will be restricted to situations in which official weather forecasting services predict temperatures likely to cause permanent damage to crops and when the wet bulb temperature drops to 34° Fahrenheit or lower.
- (3) Nursery/Landscape Irrigation/Recreation.
- (a) Nursery Use.
1. Low volume irrigation uses and low volume hand watering should be voluntarily reduced.
 2. Overhead irrigation uses will be restricted as follows:
 - a. Inside – 8:00 a.m. to 8:00 p.m., seven days per week.
 - b. Outside – 7:00 p.m. to 7:00 a.m., seven days per week.
 3. Flood irrigation systems will be restricted to 8 days per month.
 4. Applications of fertilizers, herbicides and pesticides should be coordinated with irrigation schedules.
- (b) Landscape Irrigation – New Installation.
1. For installations which have been in place for less than 30 days and:
 - a. Less than 5 acres in size, water use for irrigation will be restricted to the hours of 2:00 a.m. to 8:00 a.m., Monday through Friday.
 - b. 5 acres or greater in size, water use for irrigation will be restricted to the hours of 12:01 a.m. to 8:00 a.m., Monday through Friday.
 2. Low volume hand watering of new landscaping should be voluntarily reduced.
 3. Cleaning and adjusting of new irrigation systems will be restricted to 10 minutes per zone on a one time basis.
- (c) Landscape Irrigation – Existing Installation.
1. For existing installations less than 5 acres in size, water use for irrigation will be restricted to the hours from 4:00 a.m. to 8:00 a.m. three days per week.
 - a. Installations with odd addresses will be permitted to irrigate on Monday, Wednesday and Saturday.
 - b. Installations with even addresses or no address will be permitted to irrigate on Tuesday, Thursday and Sunday.
 2. For existing installations 5 acres or greater in size, water use for irrigation will be restricted to the hours from 12:01 a.m. to 8:00 a.m., three days per week.

a. Installations with odd addresses will be permitted to irrigate on Monday, Wednesday and Saturday.
b. Installations with even addresses or no address will be permitted to irrigate on Tuesday, Thursday and Sunday.
3. Applications of fertilizers, herbicides and pesticides should be coordinated with irrigation schedules.
(d) Recreation Area Use. Existing and new recreation area water use will be restricted as provided in paragraphs (3)(b) and (c) respectively.

(e) Golf Course Use.

1. Irrigation of greens and tees should be voluntarily reduced and will be accomplished during non-daylight hours.
2. Irrigation of fairways, roughs and nonplaying areas on the first nine holes of the course will be restricted to the hours of 12:01 a.m. to 8:00 a.m. on Monday, Wednesday and Saturday.
3. Irrigation of fairways, roughs and nonplaying areas on the last nine holes of the course will be restricted to the hours of 12:01 a.m. to 8:00 a.m. on Tuesday, Thursday and Sunday.

4. Applications of fertilizers, herbicides and pesticides should be coordinated with irrigation schedules.

(f) Water Based Recreation Use.

1. Water based recreation water use should be voluntarily reduced.
2. Draining of facilities into sewers or onto impervious surfaces will be prohibited.

(4) Miscellaneous.

(a) Heating and Air Conditioning Use.

1. The use of water for heating will be restricted to that amount of water necessary to maintain a maximum temperature of 68 degrees Fahrenheit.

2. The use of water for cooling and air conditioning will be restricted to that amount of water necessary to maintain a minimum temperature of 78 degrees Fahrenheit.

(b) Dewatering Use. Discharge of fresh water to tide from dewatering will be prohibited.

(c) Other Outside Uses.

1. Washing and cleaning streets, driveways, sidewalks, or other impervious areas with water will be prohibited.
2. Mobile equipment washing with water will be restricted to the hours and days prescribed for existing landscape irrigation in paragraph (3)(c), using only low volume methods.
3. Outside pressure cleaning shall be restricted to only low volume methods, seven days per week.

(d) Diversion and Impoundment into non-District Facilities. Water used for diversion and impoundment into non-District facilities should be voluntarily reduced.

(e) Aesthetic Use.

1. Outside aesthetic uses of water will be prohibited.
2. Inside aesthetic uses of water should be voluntarily reduced.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.

40C-21.631 Phase II Severe Water Shortage.

The following restrictions shall apply when a Phase II water shortage is declared by the District.

(1) Essential/Domestic/Utility/Commercial.

(a) Essential Use.

1. The use of water for firefighting and health or medical purposes will not be restricted.
2. Fire hydrant flushing will be undertaken only on an emergency basis.
3. Sanitary sewer line flushing and testing will not be restricted except on a voluntary basis.

(b) Household and Domestic Type Use.

1. Residential type domestic use should be voluntarily reduced to 50 gallons per person per day.
2. Domestic type use in industrial and commercial establishments should be voluntarily reduced.

(c) Water Utility Use.

1. Initial pressure at the point of use (meter) will be reduced by 15% where it is operationally feasible to do so. Prior to the reduction of pressure, the utility will notify the appropriate firefighting agencies and make arrangements for direct communication when additional pressure is required.

2. New water line flushing and disinfection will be restricted to the hours of 9:00 p.m. to 7:00 a.m., seven days per week.

3. As appropriate the utility should institute additional voluntary conservation measures such as reclaiming of backwash water,

improving and accelerating leak detection surveys and repair programs, installing and calibrating meters, and stabilizing and equalizing system pressures.

(d) Power Production Use. Water used for power production should be voluntarily reduced.

(e) Commercial and Industrial Process Use.

1. Commercial car washes will be restricted as follows:

a. For washes servicing passenger vehicles and mobile equipment weighing less than 10,000 pounds:

i. Use in excess of 75 gallons per wash will be prohibited, and

ii. Use equal to or less than 75 gallons per wash should be voluntarily reduced.

b. For washes servicing mobile equipment weighing 10,000 pounds or more:

i. Use in excess of 150 gallons per wash will be prohibited, and

ii. Use equal to or less than 150 gallons per wash should be voluntarily reduced.

2. Water use for commercial and industrial processes should be voluntarily reduced.

(2) Agriculture.

(a) Agricultural Use.

1. Overhead irrigation, including portable volume guns, will be restricted to the hours of 2:00 p.m. to 10:00 a.m.

2. Low volume irrigation hours will not be restricted.

3. Flood and seepage irrigation will not discharge tailwaters from the property.

4. All irrigation systems will be operated in a manner that will maximize the percentage of water withdrawn and held which is placed in the root zone of the crop and will minimize the amount of water which is withdrawn and released or lost to the user but is not immediately available for other users.

5. Users having access to more than one source class will maximize the use of the lesser or least restricted source class.

(b) Livestock Use. Livestock water use should be voluntarily reduced.

(c) Aquacultural Use. Aquacultural water use should be voluntarily reduced.

(d) Soil Flooding.

1. Soil flooding for pest control or soil preservation will be prohibited.

2. Soil flooding to permit harvesting of sod should be voluntarily reduced.

(e) Freeze Protection. Water use for freeze protection will be restricted to situations in which official weather forecasting services predict temperatures likely to cause permanent damage to crops and when the wet bulb temperature drops to 34° Fahrenheit or lower.

(3) Nursery/Landscape Irrigation/Recreation.

(a) Nursery Use.

1. Low volume irrigation uses and low volume hand watering should be voluntarily reduced.

2. Overhead irrigation uses will be restricted as follows:

a. Inside – 8:00 a.m. to 8:00 p.m., seven days per week.

b. Outside – 7:00 p.m. to 7:00 a.m., on odd numbered days.

3. Flood irrigation systems will be restricted to 6 days per month.

4. Applications of fertilizers, herbicides and pesticides should be coordinated with irrigation schedules.

(b) Landscape Irrigation – New Installation.

1. For installations which have been in place for less than 30 days, and:

a. Less than 5 acres in size, water use for irrigation shall be restricted to the hours of 2:00 a.m. to 8:00 a.m., Monday, Wednesday and Friday.

b. 5 acres or greater in size, water use for irrigation shall be restricted to the hours of 12:01 a.m. to 8:00 a.m., Monday, Wednesday, Thursday and Friday.

2. Low volume hand watering of new landscaping should be voluntarily reduced.

3. Cleaning and adjusting of new irrigation systems will be restricted to 10 minutes per zone on a one time basis.

(c) Landscape Irrigation – Existing Installation.

1. For existing installations less than 5 acres in size, water use for irrigation will be restricted to the hours of 4:00 a.m. to 8:00 a.m., two days per week.

a. Installations with odd addresses will be permitted to irrigate on Wednesday and Saturday.

- b. Installations with even addresses or no address will be permitted to irrigate on Thursday and Sunday.
- 2. For existing installations 5 acres or greater in size, water use for irrigation will be restricted to the hours of 12:01 a.m. to 8:00 a.m., two days per week.
 - a. Installations with odd addresses will be permitted to irrigate on Wednesday and Saturday.
 - b. Installations with even addresses or no address will be permitted to irrigate on Thursday and Sunday.
- 3. Applications of fertilizers, herbicides and pesticides should be coordinated with irrigation schedules.
- (d) Recreation Area Use. Existing and new recreation area water use will be restricted as provided in paragraphs (3)(b) and (c) respectively.
 - (e) Golf Course Use.
 - 1. Irrigation of greens and tees should be voluntarily reduced and will be accomplished during non-daylight hours.
 - 2. Irrigation of fairways, roughs and nonplaying areas on the first nine holes of the course will be restricted to the hours of 12:01 a.m. to 8:00 a.m. on Wednesday and Saturday.
 - 3. Irrigation of fairways, roughs and nonplaying areas on the last nine holes of the course will be restricted to the hours of 12:01 a.m. to 8:00 a.m. on Thursday and Sunday.
 - 4. Applications of fertilizers, herbicides and pesticides should be coordinated with irrigation schedules.
 - (f) Water Based Recreation Use.
 - 1. Water based recreation water use should be voluntarily reduced.
 - 2. Draining of facilities into sewers or onto impervious surfaces will be prohibited.
 - 3. Existing facilities will not be refilled except for makeup water.
 - (4) Miscellaneous.
 - (a) Heating and Air Conditioning Use.
 - 1. The use of water for heating will be restricted to that amount of water necessary to maintain a maximum temperature of 68 degrees Fahrenheit.
 - 2. The use of water for air conditioning will be restricted to that amount of water necessary to maintain a minimum temperature of 78 degrees Fahrenheit.
 - (b) Dewatering Use. Discharge of fresh water to tide from dewatering will be prohibited.
 - (c) Other Outside Uses.
 - 1. Washing or cleaning streets, driveways, sidewalks, or other impervious areas with water will be prohibited.
 - 2. Mobile equipment washing with water will be restricted to the hours and days prescribed for existing landscape irrigation in paragraph (3)(c) using only low volume methods.
 - 3. Outside pressure cleaning will be restricted to only low volume methods, seven days per week.
 - (d) Diversion and Impoundment into non-District Facilities. Water used for diversion and impoundment into non-District facilities should be voluntarily reduced.
 - (e) Aesthetic Use.
 - 1. Outside aesthetic uses of water will be prohibited.
 - 2. Inside aesthetic uses of water should be voluntarily reduced.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.

40C-21.641 Phase III Extreme Water Shortage.

The following restrictions will apply when a Phase III shortage is declared by the District.

- (1) Essential/Domestic/Utility/Commercial.
 - (a) Essential Use.
 - 1. The use of water for firefighting and health or medical purposes will not be restricted.
 - 2. Fire hydrant flushing should be undertaken only on an emergency basis.
 - 3. Sanitary sewer line flushing and testing will not be restricted except on a voluntary basis.
 - (b) Household and Domestic Type Use.
 - 1. Residential type domestic use should be voluntarily reduced to 40 gallons per person per day.
 - 2. Domestic type use in industrial and commercial establishments should be voluntarily reduced.
 - (c) Water Utility Use.
 - 1. Initial pressure at the point of use (meter) will be reduced by at least 15% where it is operationally feasible to do so. Prior to

the reduction of pressure, the utility will notify the appropriate firefighting agencies and make arrangements for direct communication when additional pressure is required.

2. New water line flushing and disinfection will be restricted to the hours of 9:00 p.m. to 7:00 a.m., seven days per week.

3. As appropriate the utility should institute additional voluntary conservation measures such as reclaiming of backwash water, improving and accelerating leak detection surveys and repair programs, installing and calibrating meters, and stabilizing and equalizing system pressures.

(d) Power Production Use. Water used for power production should be voluntarily reduced.

(e) Commercial and Industrial Process Use.

1. Commercial car washes will be restricted as follows:

a. For washes servicing passenger vehicles and mobile equipment weighing less than 10,000 pounds:

i. Use in excess of 75 gallons per wash will be prohibited,

ii. Use equal to or less than 75 gallons but more than 50 gallons per wash will be restricted to the hours of 8:00 a.m. through 3:00 p.m., and

iii. Use equal to or less than 50 gallons per wash should be voluntarily reduced.

b. For washes servicing mobile equipment weighing 10,000 pounds or more:

i. Use in excess of 150 gallons per wash will be prohibited,

ii. Use equal to or less than 150 gallons but more than 100 gallons per wash will be restricted to the hours of 8:00 a.m. through 3:00 p.m., and

iii. Use equal to or less than 100 gallons per wash should be voluntarily reduced.

2. Water used for commercial and industrial processes should be voluntarily reduced by 15%. The 15% reduction will be based upon the permitted allocation of water for the process, or water used during a similar period from the previous year if the user is exempt from Chapter 40C-2, F.A.C., permitting.

(2) Agriculture.

(a) Agricultural Use.

1. Overhead irrigation, including portable volume guns, will be restricted to the hours of 7:00 p.m. to 9:00 a.m.

2. Low volume irrigation hours will not be restricted.

3. Flood and seepage irrigation will not discharge tail waters from the property.

4. All irrigation systems will be operated in a manner that will maximize the percentage of water withdrawn and held which is placed in the root zone of the crop and will minimize the amount of water which is withdrawn and released or lost to the user but is not immediately available for other users.

5. Users having access to more than one source class will maximize the use of the lesser or least restricted source class.

6. The District's allocation for agricultural irrigation will be determined based on its evaluation of the supply capabilities of the source class, the supply capabilities of other source classes available in the area, the needs of agriculture and all other users in the area and the District's overall management strategy for handling the uncertainties of future climatological events. The share of the total agricultural irrigation allocation available to each user will be based on any prioritization among crops the District establishes based on economic loss and equity considerations and the acreage and quantity of withdrawals for which the user has been permitted.

(b) Livestock Use. Livestock water use should be voluntarily reduced.

(c) Aquacultural Use. Aquacultural water use should be voluntarily reduced.

(d) Soil Flooding.

1. Soil flooding for pest control or soil preservation will be prohibited.

2. Soil flooding to permit harvesting of sod will be prohibited.

(e) Freeze Protection. Water use for freeze protection will be restricted to situations in which official weather forecasting services predict temperatures likely to cause permanent damage to crops and when the wet bulb temperature drops to 34 ° Fahrenheit or lower.

(3) Nursery/Landscape Irrigation/Recreation.

(a) Nursery Use.

1. Low volume irrigation uses and low volume hand watering should be voluntarily reduced.

2. Overhead irrigation uses will be restricted as follows:

- a. Inside – 8:00 a.m. to 8:00 p.m., on odd numbered days.
- b. Outside – 12:01 a.m. to 7:00 a.m., on odd numbered days.
- 3. Flood irrigation systems will be restricted to 4 days per month.
- 4. Applications of fertilizers, herbicides and pesticides should be coordinated with irrigation schedules.
- (b) Landscape Irrigation – New Installation.
 - 1. For installations which have been in place for less than 30 days, and:
 - a. Less than 5 acres in size, water use for irrigation will be restricted to the hours of 2:00 a.m. to 7:00 a.m., Monday, Wednesday and Friday.
 - b. 5 acres or greater in size, water use for irrigation will be restricted to the hours of 12:01 a.m. to 7:00 a.m., Monday, Wednesday and Friday.
 - 2. Low volume hand watering of new landscaping should be voluntarily reduced.
 - 3. Cleaning and adjusting of new irrigation systems will be restricted to 10 minutes per zone on a one time basis.
- (c) Landscape Irrigation – Existing Installation.
 - 1. For existing installations less than 5 acres in size, water use for irrigation will be restricted to the hours from 4:00 a.m. to 7:00 a.m., one day per week.
 - a. Installations with odd addresses will be permitted to irrigate on Saturday.
 - b. Installations with even addresses or no address will be permitted to irrigate on Sunday.
 - 2. For existing installations 5 acres or greater in size, water use for irrigation shall be restricted to the hours of 12:01 a.m. to 8:00 a.m., one day per week.
 - a. Installations with odd addresses will be permitted to irrigate on Saturday.
 - b. Installations with even addresses or no address will be permitted to irrigate on Sunday.
 - 3. Applications of fertilizers, herbicides and pesticides should be coordinated with irrigation schedules.
- (d) Recreation Area Use. Existing and new recreation area water use will be restricted as provided in paragraphs (3)(b) and (c) respectively.
- (e) Golf Course Use.
 - 1. Irrigation of greens should be voluntarily reduced and will be accomplished during non-daylight hours.
 - 2. Irrigation of tees will be restricted to non-daylight hours three days per week. The front nine holes will be restricted to Monday, Wednesday, and Saturday and the back nine holes will be restricted to Tuesday, Thursday and Sunday.
 - 3. Irrigation of fairways, roughs and nonplaying areas on the first nine holes of the course will be restricted to the hours of 12:01 a.m. to 7:00 a.m. on Saturday.
 - 4. Irrigation of fairways, roughs and nonplaying areas on the last nine holes of the course will be restricted to the hours of 12:01 a.m. to 7:00 a.m. on Sunday.
 - 5. Applications of fertilizers, herbicides and pesticides should be coordinated with irrigation schedules.
- (f) Water Based Recreation Use.
 - 1. Water based recreation water use should be voluntarily reduced.
 - 2. Draining of facilities into sewers or onto impervious surfaces will be prohibited.
 - 3. Existing facilities will not be refilled except for makeup water.
- (4) Miscellaneous.
 - (a) Heating and Air Conditioning Use.
 - 1. The use of water for heating will be restricted to that amount of water necessary to maintain a maximum temperature of 68 degrees Fahrenheit.
 - 2. The use of water for air conditioning will be restricted to that amount of water necessary to maintain a minimum temperature of 78 degrees Fahrenheit.
 - (b) Dewatering Use.
 - 1. Discharge of fresh water to tide from dewatering will be prohibited.
 - 2. Discharge offsite of fresh water from dewatering will be prohibited.
 - (c) Other Outside Uses.
 - 1. Washing or cleaning streets, driveways, sidewalks, or other impervious areas with water will be prohibited.
 - 2. Mobile equipment washing with water will be restricted to the hours and days prescribed for existing landscape irrigation in

paragraph (3)(c), using only low volume methods.

3. Outside pressure cleaning will be restricted to only low volume methods, Monday through Friday.

(d) Diversion and Impoundment into non-District facilities. Water used for diversion and impoundment into non-District facilities should be voluntarily reduced.

(e) Aesthetic Use.

1. Outside aesthetic uses of water will be prohibited.

2. Inside aesthetic uses of water will be prohibited.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.

40C-21.651 Phase IV Critical Water Shortage.

The following restrictions will apply when a Phase IV shortage is declared by the District.

(1) Essential/Domestic/Utility/Commercial.

(a) Essential Use.

1. The use of water for firefighting and health or medical purposes will not be restricted.

2. Fire hydrant flushing will be undertaken only on an emergency basis.

3. Sanitary sewer line flushing and testing will be undertaken only on an emergency basis.

(b) Household and Domestic Type Use.

1. Residential type domestic use will be voluntarily reduced to 30 gallons per person per day.

2. Domestic type use in industrial and commercial establishments will be voluntarily reduced to the minimum levels necessary to preserve public health and safety.

(c) Water Utility Use.

1. Initial pressure at the point of use (meter) will be reduced by at least 15% where it is operationally feasible to do so. Prior to the reduction of pressure, the utility will notify the appropriate firefighting agencies and make arrangements for direct communication when additional pressure is required.

2. New water line flushing and disinfection will be restricted to the hours of 9:00 p.m. to 7:00 a.m., seven days per week.

3. As may be appropriate the utility will institute additional conservation measures such as reclaiming of backwash water, improving and accelerating leak detection surveys and repair programs, installing and calibrating meters, and stabilizing and equalizing system pressures.

(d) Power Production Use. Water used for power production will be voluntarily reduced.

(e) Commercial and Industrial Process Use.

1. Commercial car washes will be restricted as follows:

a. For washes servicing passenger vehicles and mobile equipment weighing less than 10,000 pounds:

i. Use in excess of 75 gallons per wash shall be prohibited,

ii. Use equal to or less than 75 gallons but more than 50 gallons per wash shall be restricted to the hours of 8:00 a.m. through 3:00 p.m., and

iii. Use equal to or less than 50 gallons per wash shall be voluntarily reduced.

b. For washes servicing mobile equipment weighing 10,000 pounds or more:

i. Use in excess of 150 gallons per wash shall be prohibited,

ii. Use equal to or less than 150 gallons but more than 100 gallons per wash will be restricted to the hours of 8:00 a.m. through 3:00 p.m., and

iii. Use equal to or less than 100 gallons per wash should be voluntarily reduced.

2. Water used for commercial and industrial processes should be voluntarily reduced by 15%. The 15% reduction will be based upon the permitted allocation of water for the process, or water used during a similar period from the previous year if the user is exempted from Chapter 40C-2, F.A.C. permitting.

(2) Agriculture.

(a) Agricultural Use.

1. Overhead irrigation, including portable volume guns, will be restricted to the hours of 7:00 p.m. to 9:00 a.m.

2. Low volume irrigation hours will not be restricted.

3. Flood and seepage irrigation will not discharge tailwaters from the property.

4. All irrigation systems will be operated in a manner that will maximize the percentage of water withdrawn and held which is

placed in the root zone of the crop and will minimize the amount of water which is withdrawn and released or lost to the user but is not immediately available for other users.

5. Users having access to more than one source class will maximize the use of the lesser or least restricted source class.

6. The District's allocation for agricultural irrigation will be determined based on its evaluation of the supply capabilities of the source class, the supply capabilities of other source classes available in the area, the needs of agriculture and all other users in the area and the District's overall management strategy for handling the uncertainties of future climatological events. The share of the total agricultural irrigation allocation available to each user will be based on any prioritization among crops the District establishes based on economic loss and equity considerations and the acreage and quantity of withdrawals for which the user has been permitted.

(b) Livestock Use. Livestock water use should be voluntarily reduced.

(c) Aquacultural Use. Aquacultural water use should be voluntarily reduced.

(d) Soil Flooding.

1. Soil flooding for pest control or soil preservation will be prohibited.

2. Soil flooding to permit harvesting of sod will be prohibited.

(e) Freeze Protection. Water use for freeze protection will be restricted to situations in which official weather forecasting services predict temperatures likely to cause permanent damage to crops and when the wet bulb temperature drops to 34° Fahrenheit or lower.

(3) Nursery/Landscape Irrigation/Recreation.

(a) Nursery Use.

1. Low volume irrigation uses and low volume hand watering will be voluntarily reduced.

2. Overhead irrigation uses will be restricted as follows:

a. Inside – 8:00 a.m. to 4:00 p.m., on odd numbered days.

b. Outside – 2:00 a.m. to 7:00 a.m., on odd numbered days.

3. Flood irrigation systems will be restricted to 2 days per month.

4. Applications of fertilizers, herbicides and pesticides should be coordinated with irrigation schedules.

(b) Landscape Irrigation – New Installation.

1. For installations which have been in place for less than 30 days, and:

a. Less than 5 acres in size, water use for irrigation will be restricted to the hours of 6:00 a.m. to 7:00 a.m., Saturday.

b. 5 acres or greater in size, water use for irrigation will be restricted to the hours of 4:00 a.m. to 7:00 a.m., Saturday.

2. Low volume hand watering of new landscaping will be restricted to Monday, Wednesday and Friday.

3. Cleaning and adjusting of new irrigation systems will be prohibited.

(c) Landscape Irrigation – Existing Installation.

1. For existing installations less than 5 acres in size, water use for irrigation will be restricted to the hours from 6:00 a.m. to 7:00 a.m., one day per week.

a. Installations with odd addresses will be permitted to irrigate on Saturday.

b. Installations with even addresses or no address will be permitted to irrigate on Sunday.

2. For existing installations 5 acres or greater in size, water use for irrigation will be restricted to the hours from 4:00 a.m. to 7:00 a.m., one day per week.

a. Installations with odd addresses will be permitted to irrigate on Saturday.

b. Installations with even addresses or no address will be permitted to irrigate on Sunday.

3. Applications of fertilizers, herbicides and pesticides should be coordinated with irrigation schedules.

(d) Recreation Area Use. Existing and new recreation area water use will be restricted as provided in paragraphs (3)(b) and (c) respectively.

(e) Golf Course Use.

1. Irrigation of greens should be voluntarily reduced and will be accomplished during non-daylight hours.

2. Irrigation of tees will be restricted to non- daylight hours one day per week. The front nine holes will be restricted to Saturday and the back nine holes will be restricted to Sunday.

3. Irrigation of fairways, roughs and nonplaying areas on the first nine holes of the course will be restricted to the hours of 4:00 a.m. to 7:00 a.m. on Saturday.

4. Irrigation of fairways, roughs and nonplaying areas on the last nine holes of the course will be restricted to the hours of 4:00 a.m. to 7:00 a.m. on Sunday.

5. Applications of fertilizers, herbicides and pesticides should be coordinated with irrigation schedules.

(f) Water Based Recreation Use. Water based recreation water use will be restricted as follows:

1. Draining of facilities into sewers or onto impervious surfaces will be prohibited.

2. Filling of new or existing facilities will be prohibited.

3. Use of makeup water will be prohibited.

(4) Miscellaneous.

(a) Heating and Air Conditioning Use.

1. The use of water for heating will be restricted to that amount of water necessary to maintain a maximum temperature of 68 degrees Fahrenheit.

2. The use of water for air conditioning will be restricted to that amount of water necessary to maintain a minimum temperature of 78 degrees Fahrenheit.

3. Heating and air conditioning systems will not discharge water to tide.

4. Reuse of water will be required.

(b) Dewatering Use.

1. Discharge of fresh water to tide from dewatering will be prohibited.

2. Discharge offsite of fresh water from dewatering will be prohibited.

(c) Other Outside Uses.

1. Washing and cleaning streets, driveways, sidewalks or other impervious areas with water will be prohibited.

2. Mobile equipment washing with water will be restricted to the hours and days prescribed for existing landscape irrigation in paragraph (3)(c), using only low volume methods.

3. Outside pressure cleaning will be restricted to only low volume methods, Monday and Wednesday.

(d) Diversion and Impoundment into non-District Facilities. Water used for diversion and impoundment into non-District facilities should be voluntarily reduced.

(e) Aesthetic Use.

1. Outside aesthetic uses of water will be prohibited.

2. Inside aesthetic uses of water will be prohibited.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84.