

MEMORANDUM

TO: Governing Board

FROM: Warren Zwanka, P.G., Director, Division of Resource Management

THRU: Steve Minnis, Deputy Executive Director, Business and Community Services

DATE: March 2, 2020

RE: Authorization to Deny Water Use Permit Renewal Application 2-041-218202-3 Seven Springs Water Company Project, Gilchrist County

Staff recommends the Governing Board deny Water Use Permit renewal application number 2-041-218202-3 for failure to provide reasonable assurance that the requested water use will meet the conditions for issuance set forth in rule 40B-2.301, Florida Administrative Code and the Water Use Permit Applicant's Handbook.

BACKGROUND

The Seven Springs Water Use Permit was originally issued on September 11, 1995 and modified on June 25, 1999. A timely application to renew this permit was received by the District on March 18, 2019. Responses to requests for additional information (RAI) with amended applications to renew this permit were received by the District on June 27, 2019 and November 1, 2019. On January 14, 2020, the applicant provided the third and final RAI response and, in the response, directed the District to deem the application complete pursuant to section 120.60(1), Florida Statutes (F.S.). Section 120.60(1), F.S. provides that, upon the applicant's request, the District shall deem the application complete and process the application based on the materials submitted at that time.

Section 40B-2.361(2), Florida Administrative Code (F.A.C.) provides that all permit renewal applications shall be processed as new permits, and shall contain reasonable assurances that the proposed water use meets all of the conditions for issuance in rule 40B-2.301, F.A.C., and the Water Use Permit Applicant's Handbook (Handbook). Section 2.3.4.1 of the Handbook contains factors that must be considered for beverage processing water uses. The definition of "beverage processing use" set out in section 1.1 of the Handbook specially includes the sealing of drinkable liquids (including bottled water, as defined in section 500.03(1)(d), F.S.) in bottles, packages, or other containers and offered for sale for human consumption.

The application as submitted does not provide reasonable assurances that the proposed beverage processing use is reasonable-beneficial and consistent with the public interest as described in the attached staff report.

WZ/tm