

49B-3.005 Well Mitigation Policy.

Tampa Bay Water shall mitigate on a priority basis all eligible water level and related complaints regarding domestic wells for existing legal users, as well as other eligible domestic wells constructed with a minimum of 147 feet (210 feet in the case of the South Central Hillsborough Regional Wellfield) of 4 or 5-inch galvanized steel or PVC casing, except in those instances of well failure due to an Act of God (i.e., lightning strikes, power failure, and flooding). Mitigation under this policy shall be without a determination of the cause of the well failure. This procedure shall not limit the authority of the Southwest Florida Water Management District to require additional mitigation by rule or applicable water use permit condition. To be eligible for mitigation, a domestic well must be located within the mitigation area established for each wellfield in the current water use permit. In those cases where the current water use permit does not prescribe a mitigation area, the boundary of the mitigation area shall be the five (5) foot drawdown contour in the Floridan Aquifer caused by permitted peak month withdrawals from the wellfield, or a circle(s) whose radius extends two (2) miles from each active production well, whichever is greater; provided, however, that for facilities permitted for 3.5 mgd or less on an annual average basis the mitigation area shall be the five (5) foot drawdown contour in the Floridan Aquifer caused by permitted peak month withdrawals from said facility, or a circle whose radius is 1,760 feet from each active production well, whichever is greater.

Rulemaking Authority 163.01, 373.713, 373.715 FS. Law Implemented 163.01, 373.223(1)(b), 373.713, 373.715 FS. History—New 5-24-93, Amended 4-16-95, Formerly 16M-3.005, Amended 5-20-01, 12-21-04.