**APPENDIX A**

Comparison of procedures for the issuance of permits or concessions under the 1942 Costa Rica Ley de Aguas 276, Chapter 373, Florida Statutes and Costa Rican Bill for the Integrated Management of Water Resources popular initiative:

<table>
<thead>
<tr>
<th>Permit Required for</th>
<th>1942 Costa Rica Water Law 276</th>
<th>Florida Water Law – Ch. 373</th>
<th>Popular Initiative</th>
</tr>
</thead>
</table>
| Public and Private entities | • All withdrawals or diversions subject to Consumptive Use Permitting  
• Exception: Domestic indoor use for cooking, bathing, sanitation | • Any person or entity, public or private, will require a use permit for the use of water resources  
• Exception: To meet the needs of ordinary life, such as drinking, washing clothes, bathing, irrigation for subsistence cultivation, watering or to bathe horses and cattle, among others. | |
| Exception: To meet the needs of ordinary life, such as drinking, washing clothes, pots and any other objects or bathing and watering horses and livestock. |  |  | |

**Issued by**

| ICE/MINAET | WMDs/FDEP | Newly created Directorate of National Water Resources |

**Existing uses**

Person using public waters for twenty years of use, unchecked authority or third party shall be entitled to continue even when they cannot prove how he obtained the proper authorization, subject to the restrictions in Article 21 determines when the flow is not insufficient to supply the needs of the land below.

Existing users must apply for permit

Not explicitly mentioned

**Application Requirements**

Must specify use to which water will be put, amount that can be used for that purpose, and land to be irrigated by the water (if applicable)

Application must contain:
(a) The name of the applicant and his or her address or, in the case of a corporation, the address of its principal business office;
(b) The date of filing;
(c) The date set for a hearing, if any;

Any application for use of water resources must be submitted by the owner of the property and must contain at least the following requirements:
(a) the name and qualities of the person or entity requesting.
<p>| <strong>Duration</strong> | Maximum of 30 years | • 20 year period, if sufficient data to provide reasonable assurance that conditions for permit will be met for the duration; or&lt;br&gt;• shorter durations reflecting period for which such reasonable assurances can be provided&lt;br&gt;• 5 year compliance reports where necessary to maintain reasonable assurance | Concessions will be awarded for a term not exceeding 20 years |
| <strong>Modification/am</strong> | The water use for granted, may not be | Permittee may seek modification of permit&lt;br&gt; | Modified without any duty to |</p>
<table>
<thead>
<tr>
<th>Revocation of permits</th>
<th>apply to other different without the agreement, which will be awarded as if it were new concession.</th>
<th>any terms of an unexpired permit. If proposed modification involves water use &gt;100,000 gals/day, the application shall be treated in same manner as the initial permit application. Otherwise, the governing board or the department may at its discretion approve the proposed modification without a hearing, provided the permittee establishes that: (a) A change in conditions has resulted in the water allowed under the permit becoming inadequate for the permittee's need, or (b) The proposed modification would result in a more efficient utilization of water than is possible under the existing permit.</th>
<th>indemnify the State where: (a) Where it is decreasing the availability of natural water resources (b) Decreased flow concession at the request of the concessionaire (c) If the Executive has declared a national emergency (d) When the Hydrologic Water Units Plans stipulate it (e) Nonpayment of fee (f) Alteration or contamination of the resource, ecosystem and channels, when no remedial action is taken</th>
</tr>
</thead>
</table>
| • If purpose for which concession granted is no longer applicable  
• If ICE concludes that concessionaire has failed to use concession for period of three to five years, is using the water for a different purpose than for which concession granted, or unauthorized transfer of concession | The governing board or the department may revoke a permit as follows:  
(1) For any material false statement in an application to continue, initiate, or modify a use, or for any material false statement in any report or statement of fact required of the user pursuant to the provisions of this chapter, the governing board or the department may revoke the user's permit, in whole or in part, permanently.  
(2) For willful violation of the conditions of the permit, the governing board or the department may permanently or temporarily revoke the permit, in whole or in part. | The concessions will be revoked:  
(a) Change of the right holder of water use, without prior notice to the National Directorate of Water Resources.  
(b) Transfer, or tax administration all or part of the grant, directly or indirectly, on behalf of foreign states or governments.  
(c) Breach of the conditions imposed on the concession.  
(d) Termination and tested the activity for which they were granted.  
(e) serious or repeated breach of the rules on conservation and protection of the environment, its ecosystems and natural resources. |
Revocation of permits

- If purpose for which concession granted is no longer applicable
- If ICE concludes that concessionaire has failed to use concession for period of three to five years, is using the water for a different purpose than for which concession granted, or unauthorized transfer of concession

The governing board or the department may revoke a permit as follows:
1. For any material false statement in an application to continue, initiate, or modify a use, or for any material false statement in any report or statement of fact required of the user pursuant to the provisions of this chapter, the governing board or the department may revoke the user's permit, in whole or in part, permanently.
2. For willful violation of the conditions of the permit, the governing board or the department may permanently or temporarily revoke the permit, in whole or in part.
3. For violation of any provision of this chapter, the governing board or the department may revoke the permit, in whole or in part, for a period not to exceed 1 year.
4. For nonuse of the water supply allowed by the permit for a period of 2 years or more, the governing board or the department may revoke the permit permanently and in whole unless the user can prove that his or her nonuse was due to extreme hardship caused by factors beyond the user's control.
5. The governing board or the department may revoke a permit, permanently and in whole, with the written consent of the permittee.

The concessions will be revoked:
(a) Change of the right holder of water use, without prior notice to the National Directorate of Water Resources.
(b) Transfer, or tax administration all or part of the grant, directly or indirectly, on behalf of foreign states or governments.
(c) Breach of the conditions imposed on the concession.
(d) Termination and tested the activity for which they were granted.
(e) Serious or repeated breach of the rules on conservation and protection of the environment, its ecosystems and natural resources.
(f) Proven alteration or contamination of the resource without the corrective measures taken within the time allowed.
(g) Not paying the fee in accordance with this law.
(h) Derivation of a greater flow assigned.
(i) No use of water for two consecutive years, unless the nature of the project by the Department authorizes a longer period, in accordance with this Act and its regulations.
(j) Development of resource uses or buildings not permitted in the concession. The rules of this law shall determine the procedure for revocation, all in accordance with

Fees

Lump sum plus amount that varies with amount of water used for concession

Vary within each water district, but based on amount used

All natural or legal persons, public or private, which use and water use or discharge of wastewater into a water body shall pay the water fee

Amount will depend on type of activity and levels of pollution load discharged