**2.7 Annual Conservation Goal Within the CFWI**

As part of an application for renewal of an existing consumptive use permit, a modification of an existing consumptive use permit with an increased allocation, or an application for a new consumptive use permit, the permit applicant shall provide an annual conservation goal that is consistent with the Central Florida Water Initiative regional water supply plan. These annual conservation goal requirements are in addition to any other conservation requirements of the permit. An annual conservation goal is consistent with the CFWI regional water supply plan, if it includes an activity or action which reduces the demand for water including those that prevent or reduce wasteful or unnecessary uses and those that improve efficiency of use.

2.7.1. Options for meeting the Annual Conservation Goal

A. Public Supply

Public suppliers shall meet the requirements of an annual conservation goal by developing and implementing an Annual Conservation Goal Implementation Plan (ACGIP) as set forth in section 2.7.2. and report in accordance with that section. In lieu of an ACGIP, the following satisfy the requirements for an annual conservation goals for public suppliers who meet any one of the criteria presented below.

1. The public supplier annually maintains its Gross Per Capita Daily Water Use identified in its permit and calculated as set forth in 2.2.3.2. at or below 100 gpcd.

Or

1. The public supplier annually maintains a five-year average functional per capita for the most recent five years at or below 100. The annual five-year average functional per capita, as calculated pursuant to section 2.2.3.4., must be published on the public supplier’s website and updated on an annual basis. Additionally, each annual five-year average functional per capita must be submitted to the district during any applicable 10-year compliance review and at permit renewal.

Or

1. The public supplier annually maintains a five-year average *adjusted* functional per capita for the most recent five years at or below 100 and (a) develops a conservation plan for each use type for which the public supplier deducts a significant use (e.g., golf courses, commercial, industrial, etc.) and (b) complies with all permit conditions relating to leak detection or water loss if the public supplier deducts water loss as part of its five-year average adjusted functional per capita. The annual five-year average adjusted functional per capita, as calculated pursuant to section 2.2.3.3., must be published on the public supplier’s website and updated on an annual basis. Additionally, each annual five-year average adjusted functional per capita must be submitted to the district during any applicable 10-year compliance review and at permit renewal.

B. Agriculture

Agricultural users shall meet the requirements of an annual conservation goal by developing and implementing an Annual Conservation Goal Implementation Plan (ACGIP) as set forth in section 2.7.2. and report in accordance with that section. In lieu of an ACGIP, the following satisfy the requirements for an annual conservation goals for agricultural users who meet either of the criteria presented below.

1. The agricultural user is enrolled in a Florida Department of Agricultural and Consumer Services (FDACS) BMP program applicable to their commodity; annually implements operation and maintenance activities in accordance with those BMPs; and either (1) has the most efficient irrigation system available for their crop type or (2) presents documents supporting a plan to convert its irrigation system to a more efficient system within 5 years.

Or

1. The agricultural user is enrolled in a FDACS BMP program applicable to their commodity, implements the BMPs annually, and has a total allocation less than 100,000 gpd. Districts shall include the user’s selected BMPs as permit conditions.

C. Other

Other users, including industrial, commercial, and institutional users as well as landscape/recreational users, must meet the requirements of an annual conservation goal by developing and implementing an Annual Conservation Goal Implementation Plan as set forth in section 2.7.2. and report in accordance with that section.

2.7.2 Annual Conservation Goal Implementation Plan

If required pursuant to the above, an Annual Conservation Goal Implementation Plan (ACGIP) must be developed. The ACGIP must contain annual conservation goals, the person(s) responsible for implementing that goal, and a record of whether each listed annual goal was met and must be kept current. An ACGIP is iterative and may be modified by the user without the need to modify the permit; however, all versions of the ACGIP must be kept, signed, and dated and maintained at the permittee’s principal place of business for at least five years after the expiration date of the permit. For public suppliers, the latest version must be posted online.

For public suppliers, the ACGIP must be designed to achieve:

1. An 16% reduction in its five-year average functional per capita or a five-year average *adjusted* functional per capita as soon as practicable and no later than twenty years after permit issuance with measurable progress every 5 years (percentage may be adjusted downward proportional to permit duration for permits less than 20 years); or
2. A five-year average functional per capita or a five-year average *adjusted* functional per capita of 100 as soon as practicable and no later than twenty years after permit issuance with measurable progress every 5 years.

The annual conservation goals in an ACGIP must include either of the following:

1. Conservation Best Management Practices (BMPs) and conservation programs. The permittee shall list any practice, measure, program, device replacement, or other action that maintains or improves expected water use efficiency that it intends to implement annually. The applicant shall propose to maintain and operate installed water conserving designs or features as part of this approach.

For each conservation BMP and conservation program listed, the applicant must include a brief statement of the applicant’s implementation strategy. Examples of brief statements include, but need not be limited to, FDACS BMP program being implemented, geographic target areas, use sectors targeting (residential, commercial, irrigation customers, etc.), media strategies, and other similar factors in developing a conservation BMP.

For each conservation BMP and conservation program, the applicant must list components of the permittee’s implementation strategy for the BMP or program. The applicant may include an estimated water savings based on best available information from appropriate data sources.

1. Other metrics. Alternatively, a permittee shall identify other annual measurable conservation benefits that demonstrate an improvement or maintenance of the permittee’s projected water use efficiency due to the permittee’s conservation program. This may includes benefits associated with facility or manufacturing designs that improve or maintain the permittee’s water use efficiency.

For many conservation efforts, a single year’s conservation implementation results in multi-year annual water savings with proper maintenance and operation that may extend beyond the permit term. Facility design, certain device or irrigation infrastructure replacement, and similar conservation activities typically do not occur on an annual basis. However, these designs and activities will produce benefits over multiple years and may produce benefits over multiple permit terms. In such a situation, this section 2.7 shall not be interpreted to require a permittee to implement new practices in each year; rather, the permittee may continue or carry over and maintain practices from a prior permit term, implement practices in the initial year, or implement practices for other periods that are not all the years of the goal term, that will provide conservation for the entire goal term, and, in such case, the goal shall be fulfilled for the full goal term by maintaining such practices.

The permittee shall track implementation of ACGIP. The Permittee shall submit a copy of the ACGIP to the District, including all iterations, in accordance with the below schedule:

|  |  |
| --- | --- |
| Allocation | Reporting Frequency |
| Less than 100,000 gpd | During any compliance reporting or, if no compliance reporting required, at permit renewal or modification with increase in allocation |
| 100,000 gpd or greater, but less than 500,000 gpd | Every 10 years or sooner if renewing or at permit renewal or modification with increase in allocation |
| 500,000 gpd or greater | Every 5 years or sooner if renewing or at permit renewal or modification with increase in allocation |

Public suppliers with an ACGIP must additionally submit to the district their five-year average functional per capita or a five-year average *adjusted* functional per capita, whichever is lower, using *Form XYZ* in accordance with the below schedule:

|  |  |
| --- | --- |
| Allocation | Reporting Frequency |
| Less than 100,000 gpd | During any compliance reporting or, if no compliance reporting required, at permit renewal |
| 100,000 gpd or greater, but less than 500,000 gpd | Every 5 years |
| 500,000 gpd or greater | Annually |

**2.2.3.2. Uniform Method for Calculating** **Gross Per Capita Daily Water Use**

Gross Per Capita means:

Where:

* WD = ground water, surface water and stormwater withdrawals.
* IM = water imported/purchased from other supplier(s). Irrigation water, excluding Reclaimed Water, provided to the applicant’s service area by a separate utility shall be counted as imported water
* EX = water exported/sold to other supplier(s)
* RP = Residential Population (for a Utility Service Area) is based upon total residential dwelling units served, which include Single Family Residential, Multi-Family Residential (apartments, townhomes, condos, duplexes) and Mobile Homes, multiplied by a utility-specific estimate of persons per household. The applicant shall provide reasonable assurance that the utility specific persons per household figure used demonstrates a reasonable method for determining persons per household within its service area. Examples of reliable data include census-based averages, BEBR persons per household estimates, and utility documented surveys.

**2.2.3.3. Uniform Method for Calculating Residential Per Capita Daily Water Use**

Residential Per Capita is defined as Water Use by Dwelling Units (or Total Residential Water Use) divided by Service Area Residential Population.

**2.2.3.4. Five-Year Average Functional Per Capita**

For the purposes of calculating an Five-Year Average Functional Per Capita in accordance with this rule, Functional Per Capita means:

Where:

* WD = water withdrawals.
* IM = water imported/purchased from other supplier(s). Irrigation water provided to the applicant’s service area by a separate utility shall be counted as imported water.
* EX = water exported/sold to other supplier(s)
* TL = treatment loss (typically R/O or sand filtration) and no more than 1% of the treated water volume for flushing distribution lines for potability
* FP = Functional Population Served is the served permanent population as adjusted by the seasonal resident, tourist, group quarters and net commuter population within a utility's service area

A Five-Year Average Functional Per Capita is calculated using the average of the past five calendar years of Functional Per Capita as calculated above.

**2.2.3.5. Five-Year Average** ***Adjusted* Functional Per Capita**

If an applicant/permittee does not meet or does not believe it can meet the Five-Year Average Functional Per Capita established in 2.2.3.4 within the timeframes provided, the applicant may use a Five-Year Average Adjusted Functional Per Capita calculated as follows:

Where:

* SU = Significant Use is as described in 2.2.3.5.1.
* GC = Golf Course Deduction may be used only for separately metered golf course irrigation quantities provided to golf courses inside the service area. The GC withdrawal quantities deducted shall not exceed those actually provided whichever is less.
* EM = Environmental mitigation means quantities permitted and used for environmental mitigation as a condition of the water use permit.
* WL = For REDI communities only, water loss (not associated with treatment losses) may be deducted.

A Five-Year Average Adjusted Functional Per Capita is calculated using the average of the past five calendar years of Adjusted Functional Per Capita as calculated above.

**2.2.3.5.1. Significant Use**

Public supply utilities often supply water for non-residential customers. If this non-residential use complies with any of the following criteria (listed below), the use may be termed a significant use by the applicant and be deducted to calculate the utility’s Functional Per Capita Use. Golf course and multi-family residential use (whether classified by the utility as commercial customer or not) do not qualify as significant use.

A. Single Significant Uses.

A single significant use is an Industrial/Commercial facility or other non-residential, non-governmental facility (which may consist of one or more buildings under common ownership, maintenance and management control at a single site or campus) that is supplied with greater than or equal to 25,000 gpd of water on an annual average basis (calculated for a calendar year), or whose water use comprises more than 5% of the utility's annual water use (calculated for a calendar year). Facilities that are not related under common ownership, maintenance and management control shall not be combined to meet a single significant use threshold. If the 25,000 gpd criteria is used for a facility, the 5% criteria may not also be used, and vice-versa.

This significant use deduction can be used in conjunction with the significant use deductions associated with regional government, higher education, and regional health care facilities as described in Sections B. and C. below. All of the water provided to businesses where water itself is the primary ingredient in the product can be added to these deductions. Such businesses are described in Section D. below.

This single significant use deduction shall not be used if the Permittee:

1. Uses the District-Wide Percent Industrial/Commercial Use method described in B. below, or

2. Includes net commuter population estimates in their service area population estimates.

B. District-Wide Percent Industrial/Commercial Use.

Utilities with a large number of Industrial/Commercial accounts, which fall below the 25,000 gpd single significant use threshold or the 5% of total utility use threshold may combine these smaller uses and deduct the percent of their I/C use that is greater than the District-wide three-year average percent I/C use which will be available annually from the District.

The deduction shall be calculated as follows:

1. Sum the total actual use for these accounts and divide by the total Gross Water Use of to determine the utility's percent I/C use.

2. From the Public Supply residential water use tables in the District's three most recently published Estimated Water Use reports, add the total for each of the three year's Public Supply District Gross Use and add each of the three year's District I/C Use.

3. Divide the summed I/C Use by the summed Gross Use to derive the District-wide three-year average percent I/C use (to be referred to as the District-Wide Percent I/C Use).

4. Compare the Permittee's percent I/C Use to the District-Wide Percent I/C Use. If the Permittees' percent is equal to or less than the District-Wide Percent I/C Use, no deduction may be taken. If the Permittee's percent I/C use is higher, subtract the District-wide Percent I/C Use from the Permittee's percent I/C use to find the difference in percentages.

5. Multiply the Permittee's Gross Use by the difference in percentages.

Example:

1. A Permittee's Gross Use is 5 MGD, and their combined I/C Use is 1.5 MGD. Their percent I/C Use is (1.5 MGD / 5 MGD) = 30%.

2. The sum of all Public Supply Permittees' Gross Use for 2000, 2001, and 2002, as published in the District's 2000, 2001, and 2002 Estimated Water Use Reports, is 1,218 MGD, and the sum of all Public Supply Permittees' I/C Use for the same three years is 283 MGD.

3. The District-wide Percent I/C Use is (283 MGD / 1,218 MGD) = 23.2%.

4. The Permittee's percent is higher, so 30%-23.2% = 6.8%.

5. 6.8 % times 5 MGD = 0.340 MGD.

The Permittee may deduct 340,000 gpd from their total gross water use when calculating the functional per capita water use.

This method of significant use calculation may not be used if the Permittee:

1. Uses any other significant use deduction method, or

2. Includes net commuter population in its estimate of service area FP.

C. Combined Regional Government And Higher Education Facilities.

Some of the water provided to regional governmental or higher educational facilities (which may consist of one or more buildings under common ownership, maintenance and management) that are located inside the utility's service area but also serve persons who live outside of the utility's service area may be deducted. The name and use for each facility deducted must be provided. The deduction shall be calculated as follows:

1. Add the gpd of water provided to all of these facilities.

2. Using the most recent U.S. Census for the county, determine the percent of the permanent county population not living in the utility's service area.

3. Multiply the percent of county residents who do not live within the utility's service area times the combined use of the facilities. The amount calculated can be deducted.

Note: City parks, recreation centers, public and private K-12 schools, city or town governmental facilities, local vocational-technological schools and other facilities which generally only serve the service area population shall be excluded. However, water use for K-12 schools that do not serve any of the service area population may be deducted by the applicant. The following are examples of facilities for which the water provided may be partially deducted:

a. Community colleges, colleges and universities (public or private), and

b. County, state, and federal regional administrative and maintenance facilities.

The water use of these facilities may not be deducted under the provisions of this section if the Permittee:

1. Uses the District-Wide Percent I/C Use method, or

2. Includes net commuter population estimates in service area population estimates.

D. Individual Regional Health Facilities.

Some of the water provided to health care facilities such as regional hospitals or specialty clinics (which may consist of one or more buildings at a single site or campus under common ownership, maintenance and management) that are inside the utility's service area but also serve persons living outside the utility service area boundaries may be deducted. The allowable deduction is calculated individually for each health care facility. It is the ratio of annual admissions with patient zip codes outside the service area to the total number of annual admissions times the water provided to the health care facility. The name and water use for each facility must be provided.

The water use of these facilities may not be deducted as an individual significant use under the provisions of this section if the Permittee:

1. Uses the District-Wide Percent I/C Use method.

2. Includes commuter population estimates in service area population estimates.

E. Individual Industrial/Commercial Facilities Where Water Is The Primary Ingredient Of The Final Product.

Individual facilities such as brewers, soft-drink bottlers, and juice reconstitution plants (which may consist of one or more buildings at a single site or campus under common ownership, maintenance and management) where water is the primary ingredient of the final product may deduct 100% of the water in the product.

The Permittee may choose to also take single significant use deductions described in Section 2.4.8.3.1 above or use commuter population in its estimate of the FP, but not both.

The water use of such facilities cannot be deducted if the Permittee uses the District-Wide Percent I/C Use method.