



Central Florida Water Initiative Rule Development Workshop

April 4, 2019

Orlando, FL



Legislative Direction

(373.0465(2)(d))

The rulemaking will provide for uniform rules for application within the CFWI on:

- **A single, uniform definition of the term “harmful to the water resources”**
- **A single method for calculating residential per capita water use**
- **A single process for permit reviews**
- **A single, consistent process, as appropriate, to set minimum flows and minimum water levels and water reservations**
- **A goal for residential per capita water use**
- **An annual conservation goal**
- **A variance process**
- **Adoption of existing recovery strategies within the CFWI adopted before July 1, 2016. (This includes only the Dover/Plant City and Southern Water Use Caution Area Recovery Strategies.)**



Harmful Saline Water Intrusion



Harmful Saline Water Intrusion

Not harmful if resulting from seasonal fluctuations, drought, or operation of flood control systems. Consider:

- Whether there are detrimental effects on applicant or existing legal users**
- Whether there is a movement of saline water inland/towards withdrawal**
- Whether there is a sustained increase of TDS or chlorides**
- Other evidence documents intrusion/upconing**
- If there is potential for intrusion, applicant may do further analysis to see if it can be avoided**



Harmful Saline Water Intrusion

Technical assistance

- **Provides for a design aid with an upcoming equation**
 - **Equation may be useful in some locations**
- **Encourages small ag to seek technical assistance from the districts**



Annual Conservation Goal



Annual Conservation Goal

An Amended Approach...

What is an annual conservation goal under the draft language?

- **Develop and implement an Annual Conservation Goal Implementation Plan (ACGIP) or**
- **For certain use categories, have annual goal *in lieu of* completion of an ACGIP**



Annual Conservation Goal

Agriculture Alternative Goals

You do not have to do the ACGIP if you:

- **Have an allocation below 100,000 gpd and**
- **Are enrolled in FDACS BMPs**

You do not have to do the ACGIP if you:

- **Have the most efficient irrigation system for their crop and soil (or plan to convert to the most efficient within 5 years) and**
- **Are enrolled in FDACS BMPs**



Annual Conservation Goal

Public Supply Alternative Goals

Annually meets 100 gpd gross per capita

Annually meets a 100 gpd five-year average functional per capita

- **Allows deduction for treatment losses and divided by functional population, not residential population**

Annually meets a 100 gpd adjusted functional per capita

- **Allows additional reductions for significant uses, golf courses, environmental mitigation and certain water loss**



Annual Conservation Goal

Public Supply Alternative Goals

What if you do not meet the 100 per capita figure?

- You do the ACGIP
- This is not an enforceable per capita

What if you meet the 100 per capita figure when you get your permit, but you no longer do after 5 years?

- You would have to see if you qualify under one of the other per capita calculations
- If you do not, you would do an ACGIP.



Annual Conservation Goal

ACGIP

- **Is iterative and adaptable to maximize conservation practices**
- **Contains goals, person responsible for implementation goal, and record of whether goal was met**
- **Can be amended any time without modification of permit**
 - **Record of all changes must be kept, signed and dated**



Annual Conservation Goal

ACGIP

Goal = Conservation BMPs and conservation programs (including device replacements, maintenance, etc.) or other metrics

- **Must state a strategy for their implementation**

Recognizances that single year implementation has multi-year benefit.

For public suppliers, ACGIP must:

- **Be placed on the user's webpage and,**
- **Be designed to achieve a 16% reduction in its five-year avg. functional or adjusted functional capita water use over 20 years (or get below 100).**



Annual Conservation Goal

ACGIP Reporting

- **Less than 100,000 gpd @ compliance report or modification/renewal**
- **100,000-500,000 gpd - every 10 years and @ compliance report or modification/renewal**
- **Greater than 500,000 gpd - every 5 years and @ compliance report or modification/renewal**



Annual Conservation Goal

Public Supply Thresholds

Where did the per capita of 100 gpd come from?

- **SWFWMD PSAR data both within the CFWI and District-wide converge around 100 gpd**

Where did the design criteria for a 16% reduction in per capita come from?

- **USGS Statewide per capita averages -0.77% annually ($0.77\% \times 20 = 15.4\%$)**
- **CFWI specific per capita averages -0.81% annually. ($0.81\% \times 20 = 16.12\%$)**



Lowest Quality Water Source



Lowest Quality Water Source

No language distributed

Condition for Issuance:

- **Except when the use is for human food preparation or direct human consumption, [the applicant] will utilize the lowest quality water source that is suitable for the purpose and is technically, environmentally, and economically feasible**



Public Supply Demands



Public Supply Demands

- **Changes based on comments received previously**
- **Adds previously workshopped residential per capita water use goal**
- **Attempts to address conflicting service areas**



Residential Per Capita Water Use Goal

Uniform method for calculating:

$$\text{Residential Per Capita} = \frac{\text{Water Use by Dwelling Units (or Total Residential Water Use)}}{\text{Service Area Residential Population}}$$

Per Capita Goal

- End-of-permit
- Associated with projected demand and allocation
- Must track progress towards achieving it
- Must report during compliance report or at renewal



CII/MD Demands



CII/MD Demands

- **Changes based off comments received on personal use water**



Minimum Flows and Levels



Minimum Flows and Levels

- **Priority Lists**
 - **Still provide for a workshop and discussions between Districts**
- **Consistent method for expression**
- **Status of the Waterbody**
 - **Additional and amended criteria**



Variations



Variances

- **Latest draft includes petition information in lieu of incorporating 62-110**



Miscellaneous



Applicability of Rule, Conditions for Issuance, Supp. Applicant's Handbook

- **Applicability: Minor changes to language based on comments received**
- **Conditions for Issuance: No substantive changes**
- **Supp. A.H.: Added sentence stating that if there's a conflict, the Supp. A.H. controls**



SWUCA & Dover / Plant City WUCA

- **A number of new incorporations included in the draft rule**



ERP/CUP Concurrency

- **Relates to concurrent review of ERP and CUP, where CUP apps will not be complete until ERP is complete**
- **Edits to further explain concurrency where:**
 - **District can take final agency action for denials rather than wait for the ERP before denial**



**Submit Comments to
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By May 1, 2019**