Regulatory

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Guiding Principle three for the CFWI is to “establish consistent rules and regulations for the three water management district that meet the Collaborative Process Goals and implement the results of this Central Florida Water Initiative.”
Regulatory Team Objectives

- Develop options for consistent regulations (including Legislative) to implement the solution strategies identified in the CFWI process.
- Assist with resource recovery strategies.
- Provide for equitable and predictable review of consumptive use permit applications among the districts.
Path Forward

Building upon the planning process.

- Solutions Planning Team
  - Meeting future water supply demands
  - Resource protection

- Regulatory Team
  - Consistent rules and regulations
  - Balance public interest, permitted user rights, and sustainability of water resources
Regulatory Team

Scope of Work

- Develop sustainability, demands, and strategy options
- Regulatory alignment options
Regulatory Team

■ Scope of Work
  ■ Regulatory and statutory options to support Solutions Planning
  ■ Review management activities
  ■ Implementation consistency
  ■ Reasonable-beneficial demand options
Interim Steps

- Per FDEP Memo (12/13/13), coordinated process for:
  - Application decisions
  - Conservation
  - Permit duration
  - Limiting conditions added all CUPs issued
Regulatory Team

Reporting consumptive use data
Issue Identification

Chapter 5 of the Solutions Plan

- Water use per capita
- Water shortage criteria comparison
- Aquifer recharge and impact offset sources and programs
- Resource redistribution
- Caution areas
- Interdistrict transfers of ground and / or surface water
- Public interest
- Permitting Thresholds / Domestic Self Supply
- Conservation
Consistent themes and programmatic goals that should be considered when developing consistent regulations (Chapter 7):

- **Overall Program Description**
  - The program’s approach / regulatory tools need to be matched the problem.
  - Performance measures are established to gauge success in achieving the program goals.
  - Establish time tables, interim milestones, and deadlines to achieve program goals
Themes and Goals

Consistent themes and programmatic goals that should be considered when developing consistent regulations (Chapter 7):

- **Resource Sustainability**
  - Define the role of regulation and integration with other programs in achieving sustainability of the water resources
  - Incorporate water resource development and restoration projects in achieving sustainability
  - The program follows Legislative direction in addressing sustainability
  - The program provides for adaptive management
Themes and Goals

Consistent themes and programmatic goals that should be considered when developing consistent regulations (Chapter 7):

- **Existing Legal User Rights**
  - Defines existing legal uses (e.g., actual use, permitted use or projected use)
  - Program considers implementation timing in regards to permit renewal
  - Regulatory components of prevention and recovery are apportioned among the existing legal uses
  - Programs establish waivers, variances, or other forms of relief based on hardship
  - Programs provide funding to implement changes to existing legal uses
Themes and Goals

Consistent themes and programmatic goals that should be considered when developing consistent regulations (Chapter 7):

- **Future Projected Uses**
  - The program provides pathways for all projected reasonable-beneficial uses of water (e.g., optimization, efficiency, conservation, preferred sources, alternative water supplies, water resource development)
  - Programs provide funding for future new water supply projects
Central Florida Water Initiative

Regulation Options

- Additional progress can be made prior to any legislation coming back next session.

- Three areas of focus:
  - Memorandum of Understanding (MOU)
    - Existing 3-District MOU (2000)
    - Relevant topics include water supply planning, water use regulation, and water shortage management
    - Opportunities to update MOU considering CFWI
  - Consumptive Use Permitting
    - Identify priority topics
    - Build on CUPcon process
  - Minimum Flows and Levels
    - Review existing criteria
    - Investigate water body selection and performance measures