Regulatory Team Success Criteria Sub-group Evaluation

Instructions: *Enter the answers to the questions listed below in summary form on the following table. Use the "enter" key to add additional lines in each category, as needed.*

1. Overall Program Description:

    a. Program name
    b. What problem was the program intended to solve?
    c. Did the program establish goals? (e.g. water resource sustainability, future water supply, existing legal use protection) If so, describe the program goals.
    d. Describe the program's approach (i.e. "tools" to be used) to fix the problem. (e.g. Water resource development projects, water supply development projects, regulatory components, operational, water shortage plan, etc.)
    e. Describe performance measures, if any, established to gauge success in achieving the program goals?
    f. Were there time tables, interim milestones, and deadlines established for achieving the program goals? If so, describe.

2. How does the program address existing legal user rights?

    a. How were existing uses considered? (E.g. actual permitted, permitted, projected uses? Cutbacks proposed? Source shifts? Before or after permit renewal?)
    b. Did the program include recovery/restoration/prevention components that affected among existing legal users? If so, how were they apportioned among the existing legal uses?
    c. Did the program establish waivers, variances or other forms of relief for hardship cases? If so, what was the nature of the relief provided by the program?
    d. Does the program provide funding to implement changes to existing legal uses?

3. How does the program provide for future / new uses?

    a. Does the program provide for future / new uses? If so, how were future uses addressed (e.g. optimization, efficiency, preferred sources, alternative sources, water resource development projects)
    b. Does the program provide funding for future / new water supply projects?

4. How does the program achieve resource sustainability?

    a. Is sustainability achieved through regulatory components? If so, explain and include any integration with other programs.
    b. Is sustainability achieved through water resource development / restoration projects? If so, explain.
    c. Did the Legislature specifically address the program sustainability? (E.g.: provide for "trade-offs," program components, funding, reporting)
    d. Did the program provide for adaptive management? If so, what adaptive management procedures were included in this program?

1. Overall program description

a. Program Name:

St. Johns River Water Management District (SJRWMD) Prevention/Recovery Strategy for Implementation of Minimum Flows and Levels for Volusia Blue Spring and Big, Daugharty, Helen, Hires, Indian, and Three Island Lakes (VSA Strategy)

b. Target Problem:

Identifies measures needed to achieve the MFLs for these waterbodies.

c. Program Goals:

Establish and maintain actual and permitted groundwater withdrawals at or below the sustainable groundwater yield or mitigate the impact of withdrawals via recharge or other methods supported by the District that achieve equivalent water resource benefits.

d. Program Tools:

- Implement projects and measures that provide water resource benefits sufficient to achieve MFLs.
- Monitor trends in spring flow and aquifer levels at individual wells and across an appropriate regional network. Use this information to confirm benefits of implemented projects and adjust Strategy measures as necessary.
- Work with existing permittees to align permitted allocations with demonstrated need.
- If necessary, conduct rulemaking to address permitting of withdrawals, including new quantities of water, that affect waterbodies in recovery status.
- Establish standard permit condition and related language for integrating MFLs criteria with CUPs.
- Identify and obtain sufficient funding resources to facilitate Strategy implementation.
- Implement in a phased approach with a full Strategy revision at 5-year intervals.

e. Performance Measures:

The combination of spring flow, lake level, and aquifer level data will be used to evaluate progress toward achieving MFLs. Data assessments will include four primary components:

1. Volusia Blue Spring flow
2. Upper Floridan aquifer levels near each of the VSA lakes
3. Aquifer levels across a local Upper Floridan trend network
4. Quantitative relationship between lake levels and aquifer levels

f. Timetables/deadlines:

Strategy implementation will occur in 5-year phases. Actions to occur in subsequent phases will be determined during the Strategy revision process envisioned at the end of Phases 1 (years 1-5) and 2 (years 6-10), respectively. Phase 1 began upon Governing Board approval of the Strategy in November 2013.

2. How does the program address existing legal user rights?

a. Treatment of Existing & Proposed Uses:

When considering how to address impacts to MFLs, individual permittees may find that reducing their permitted allocation is preferable to implementing a capital project. Based on a comparison of maximum permitted allocations and 2030 projected demands for public supply utilities within Volusia County, the potential reduction in permitted allocations is relatively limited – approximately 1 mgd. Thus, the Strategy focuses on the following project types: conservation, reuse, aquifer recharge and water supply.

b. Recovery/Restoration/Prevention:

The purpose of calculating apportionment at the District is two-fold:

1. Focus the types of projects and measures that would be most appropriate and effective for individual waterbodies by clarifying the relative impact of user groups.
2. Provide a basis for quantifying the magnitude of responsibility for individual permittees through the combination of water resource impacts and permittee-specific apportionment values.

The approach relies on end-of-permit allocations for users that have a consumptive use permit and estimates of domestic self-supply withdrawals and other user groups that do not have permitted allocations. The apportionment methodology quantifies the proportional impact of users and user groups relative to each other for a specific waterbody.

For example, the apportionment by user group for Blue Spring is: public supply – 88%; agriculture - 5.3%; domestic self-supply – 3.1%; commercial/industrial – 1.7%; power generation – 1.2%; and recreation – 0.7%.

c. Relief Mechanisms:

No special relief mechanisms were provided.

d. Funding:

Projects implemented as part of this Strategy will likely be funded through cooperative cost-share among permittees and, in select cases, the District. Although not directly quantified, projects and measures funded by District ad valorem funds, either through District projects or via cost-share agreements with project partners, are intended to mitigate the water resource impact of domestic self-supply uses and uses authorized under a permit by rule. Under the assumption that permitted water users are only responsible for their proportion of the water resource impact, District cost-share may exceed the typical 40% threshold for projects if additional action is needed beyond mitigating the effect of permitted withdrawals in order to meet the MFLs.

3. How does the program provide for future/new uses?

a. Provision for New/Future Uses:

New/future uses were addressed by projects that can be divided into two categories: projects designed to avoid impacts from groundwater withdrawals on Blue Spring and the VSA lakes, and projects designed to meet future demand with alternative water supplies that minimize both water resource impacts and cost.

b. Funding:

See 2.d.

4. How does the program achieve resource sustainability?

a. Regulatory Components:

The only regulatory components which were included in Phase 1 of the Strategy were the incorporation of impact offsets and substitution credits into the District's CUP rules. This component of the Strategy was completed in August 2014. No further rulemaking is contemplated at this time.

b. Water Resource Development/Restoration:

No. As noted above, the Strategy focuses on the following project types: conservation, reuse, aquifer recharge and water supply.

c. Legislative Intent:

No.

d. Adaptive Management:

As noted above, Strategy implementation will occur in two phases. Annual status reports will be developed by the District. The status reports will contain an update on rule revisions, permit modifications, and projects implemented in the prior year. Upon the completion of each phase, a Five-Year Strategy Assessment report will be developed. The Assessment Report will likely include the following:

- Any newly adopted/re-evaluated MFLs
- Updated freeboard calculations (based on revised planning period)
- Updated assessment of prevention/recovery status
- Updated apportionment calculations
- Project implementation status, including alternative projects, if warranted
- Permit revisions
- Rule revision status
- Water resource data assessment
- Adjustment to sustainable groundwater yield, if needed

Based on findings in each Five-Year Assessment Report, the Strategy may be revised by the Governing Board.