

**Interim CFWI Consumptive Use Permit
Limiting Condition Draft for Review and Comment**

Guiding Principle for Interim CUP Program Implementation:

The Central Florida Water Initiative (CFWI) is an on-going effort geared toward achieving the goals identified in the CFWI Guidance Document. To date, substantial technical work has been generated concerning groundwater availability in this region; this information represents the best available technical information concerning current and projected water resource conditions. Of particular interest in this regard and as documented through field work, adverse impacts to wetlands and other water resources are currently occurring in several areas in the CFWI. Some impacts are, most probably, the result of multiple factors, including groundwater withdrawals.

The districts are expected to utilize this information during review of applications for consumptive use permits and pay particular attention to the reasonable assurances provided such that the conditions for permit issuance will be met for the duration of the permit in accordance with Section 373.236, Fla. Stat. While Section 373.236, Fla. Stat., indicates permits shall be granted for 20 years, this statute also indicates the potential for shorter permit durations which reflect the period for which reasonable assurances can be provided. Given the circumstances existing in the CFWI, a case by case analysis of whether or not a shorter permit duration should be issued is warranted. Moreover, there is an immediate need for the three water management districts to closely coordinate agency action on consumptive permit applications.

Staff report language:

This application satisfies existing conditions for permit issuance because – insert reasoning regarding: water resources, existing legal users, demand, etc.

The recommended permit duration is commensurate with the applicant's ability to satisfy conditions of permit issuance.

The proposed water use is located within the area of the Central Florida Water Initiative (CFWI). The CFWI effort is underway and working to accomplish the goals presented in the Central Florida Water Initiative Guidance Document. These goals include crafting long-term water supply solutions for the Central Florida region. The CFWI effort may also result in specific regulatory requirements. While the scope and content of these regulatory requirements are

unknown at this time, it is possible they may include requirements that are related to the permittee's relative contribution to the water resource impact being addressed, the timing of permit issuance compared to other existing legal users, , and/or include other considerations identified by the CFWI Solutions Planning and Regulatory Teams. Therefore, this permit includes Limiting Condition ## that provides specific notification that the permit may be modified during the term of the permit to address unanticipated harm or impacts to existing legal users that is occurring or is projected to occur from the permittee's authorized withdrawal over the permit duration.

Additionally, as part of the application review, existing legal users have been identified and the applicant has provided reasonable assurances that the proposed withdrawals will not interfere with existing legal uses.

In the interim, it is, therefore, necessary for the applicant to implement the heightened water conservation requirements defined in Limiting Condition ##.

The applicant is advised to carefully consider its infrastructure investments in light of the on-going Central Florida Water Initiative.

1. Limiting conditions for new, modified to increase, and / or renewals:

This project is located in the Central Florida region, an area with on-going impacts to water resources which are being addressed by the Central Florida Water Initiative. This permit is subject to modification during the term of the permit, upon reasonable notice by the District to the permittee, as necessary to address or otherwise abate harm to the water resource or adverse effects on existing legal users that is occurring or is projected to occur because of the Permittee's authorized withdrawals over the permit duration. Such modification, if any, will consider such factors as the permittee's relative contribution to the water resource impact being addressed, the potential for heightened responsibility of subsequent permittees as compared to prior permittees, among other considerations identified by the CFWI Solutions Planning and Regulatory Teams. Modifications may include mitigation of impacts and / or termination or reduction of allocations or requirements to timely implement required actions that are consistent with the long-term, regional water supply solutions as implemented by rules. Such actions may include the development of alternative water supplies, the implementation of water resource and / or water supply development projects, the application of impact offsets or substitution credits, operating plans, heightened water conservation or other appropriate actions.

2. The Central Florida Water Initiative had documented existing water resource environmental impacts within its boundaries. This Initiative remains underway and is, in part, crafting long-term water supply solutions for the region. As a part

of immediate, interim measures, the permittee is required to implement the following, heightened water conservation public education program to address the following required elements: (Jane to provide input.)

- A. Water conservation public service announcements;
- B. Water conservation speakers, posters, literature, videos, and/or other information provided to schools and community organizations;
- C. Public water conservation exhibits;
- D. Water conservation articles and/or reports provided to local news media;
- E. A water audit customer assistance program to address indoor and outdoor water use;
- F. Water conservation information provided to customers regarding year-round landscape irrigation conservation measures;
- G. Water conservation information posted on the supplier's website;
- H. The construction, maintenance, and publication of water efficient landscape demonstration projects;
- I. Water conservation information provided in customer bills or separate mailings; and,
- J. Other means of communication proposed by the applicant.