



Lower Santa Fe and Ichetucknee River MFL Rulemaking Workshop Regulatory Strategy

December 10, 2021



Workshop Agenda

- 1. Welcome**
- 2. Draft Regulatory Strategy – Part I**
- 3. Water Conservation**
- 4. Public Comment**

Link to LSFIR Rulemaking:

<https://floridadep.gov/water-policy/water-policy/content/office-water-policy-rulemaking>



Draft Regulatory Strategy Summary – Part 1

- **Goal of Workshopping Part 1 of Draft Language:**
 - To introduce offsets as one regulatory component of a larger strategy
 - To introduce language for review and comment
 - To introduce and invite comment on water conservation concepts
- **Goals of Future Workshops:**
 - To identify projects with which to offset impacts
 - To introduce additional regulatory components of a larger strategy



Draft Regulatory Strategy Summary – Part I

- **Evaluation of Impacts to the Lower Santa Fe and Ichetucknee Rivers**
- **Base Condition Water Use**
- **Recovery Strategy Requirements**
- **Method for Calculating Proportionate Share**
- **Prevention of Impacts to LSFIR**
- **Plan Submittal Requirements**
- **New Uses**



Impacts to the LSFIR

- **Assessment of impacts to flow will be based on best available information**
 - When using groundwater model, applicant must provide reasonable assurance that the model accurately simulates potential impacts to MFL Compliance Points



Base Condition Water Use

- **Average annual quantity withdrawn from January 1, 2014 to December 31, 2018**
 - Authorizes adjustments if the average is not representative of normal operations
 - If water use is unmetered during that time, applicant must submit withdrawal information
 - May use FSAID estimates if there is no supporting evidence during that time frame.



Recovery and Prevention of the MFL

- **Permittees to offset their proportionate share of their Base Condition Water Use and 100 % of their water use in excess of the Base Condition Water Use**
 - Benefits associated with an offset must be calculated and incorporated into the water use permit
 - If any offset ceases operation or does not achieve the anticipated benefit, a replacement offset, or allocation reduction is required
 - Must submit a plan that addresses their proportionate share/water use in excess of the base condition



Method for Calculating Proportionate Share

$$\text{Proportionate Share} = \frac{\text{Impact from Permittee's Base Condition Water Use}}{\text{Total Impact from All Floridan Aquifer Withdrawals (within delineated area)}} \times \text{Recovery Amount}$$



Plans for offsetting impacts

- Permittees must submit a plan to identify their proposed offsets
- Plans would be due in phases

Impact	Plan Due Date
0.1 cfs or greater at any MFL Compliance Points	No later than July 1, 2025, or Upon modification, renewal, or 10-year compliance review, whichever is sooner
Less than 0.1 cfs at an MFL Compliance Points	Upon modification, renewal, 10-year compliance review, or within 10 years of the effective date of this rule, whichever is sooner



Plans for offsetting impacts

- **Must include:**
 - Description of projects to offset impacts required by rule for recovery
 - Estimate of benefits and supporting calculations/information
 - Schedule for implementation
 - Completion of projects within the plan as soon as practicable and not more than 20 years from the rule effective date



New Uses

- **Must provide reasonable assurance of the elimination or complete offset of potential impacts to the MFL waterbodies for the requested allocation.**



Water Conservation

- **Agricultural water use**
- **Public Supply water use**
- **Other Use Types**



Next Steps

- **Review and consider all comments received through December 31, 2021**
- **Draft Water Conservation Requirements (Part II of Regulatory Strategy)**
- **Schedule workshop to review Part II**



Public Comment

Participants will be given 3 minutes to make their comments.

Written comments may be submitted to the email address below.

www.floridadep.gov/water-policy
OWP_rulemaking@floridadep.gov

Please submit public comments by December 31

