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: Basin Management Action Plan for the Lower St. Johns River Basin - Main Stem
b. Target Problem: Several segments of main stem of River are impaired for nutrients.
c. Program Goals: Implement load reductions to achieve the nutrient TMDLs for the Lower St. Johns River Basin.
d. Program Tools: Projects to reduce pollutant discharges: • Wastewater treatment plant upgrades • Redirecting wastewater discharges to beneficial reuse for irrigation and other purposes • Stormwater retrofits • Urban structural BMPs • Urban nonstructural BMPs such as cleaning and maintenance activities • Agricultural BMPs Regulatory: • Aggregating permits • Water quality credit trading (Initially authorized by statute only in the St. Johns River BMAP as a pilot project - statute later revised to authorize a statewide credit trading rule.)
e. Performance Measures: • Tracking of implementation of BMAP measures • Water quality trend monitoring • Implementation and monitoring summarized in an annual report • Executive Committee holds annual meetings to discuss implementation issues, consider new information, and determine need for additional management strategies if monitoring indicates nutrient reductions not occurring or implementation schedule not being met.
f. Timetables/deadlines: • Plan includes specific projects/actions with associated nutrient reduction goals and timetables for completion. • Five year rotating basin schedule for reevaluation of impaired status, TMDL, and any subsequent needed changes to BMAP.

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

a. Treatment of Existing & Proposed Uses:

- "Level the playing field" between point and non-point sources (require nonpoint sources to at minimum implement BMPs before additional reductions required of point sources).
- Prior investments in treatment technologies or reuse infrastructure taken into account in the allocation process
- Sources assigned load allocation and required reduction

b. Recovery/Restoration/Prevention:

Assignment of reductions among existing sources:

Step 1 – Assume 45% of non-point sources met "BMP", if more reduction needed,
Step 2 – Assume 95 % of non-point sources met "BMP", if more reduction needed,
Step 3 – Across the board reductions to all sources in 10% increments until TMDL   met.

c. Relief Mechanisms:

d. Funding:

- State cost share grants
- Legislative appropriations
- Sources remain responsible for reductions with or without public funding

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

a. Provision for New/Future Uses:
- Allocation set aside for growth/new facilities planning for next five years.

b. Funding:

4. How does the program achieve resource sustainability?

a. Regulatory Components:
   • BMAP is enforceable DEP order
   • Existing framework of NPDES permitting program - Requirements of BMAP incorporated into permit at next renewal (5-year permits).

b. Water Resource Development/Restoration:
c. Legislative Intent: Section 403.067, F.S. provides extensive direction for the establishment and implementation of total maximum daily loads, including the development and implementation of basin management action plans.
d. Adaptive Management: • Executive Committee holds annual meetings to discuss implementation issues, consider new information, and determine need for additional management strategies if monitoring indicates nutrient reductions not occurring or implementation schedule not being met.