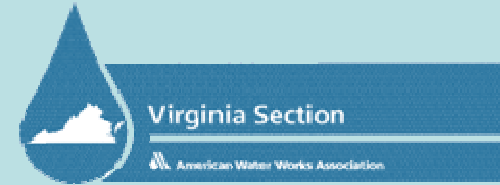


Water Supply Planning Requirements and Permitting Issues



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Unproductive History

- Lawsuits, lawsuits...
- 15-20 years to permit a project
- Differences in views among permitting agencies
- No major change in state water resource development policy in 30 years



Changes Since Fall of 2002

- New State-wide Water Supply Planning Regulation
- Amendments to the Virginia Water Protection Permit (Surface Water Withdrawals)



DEQ WSP Goals

- Provide adequate, reliable, and safe water to citizens in a way that balances the need for environmental protection and provides for future growth.
- Establish a comprehensive and continuous planning process for the wise use of our water resources.



DEQ WSP Goals

- Create a water planning partnership among state, local, and regional interests.
- Increase public involvement – and support - in resource decisions.



DEQ WSP Goals

- Improve our understanding of local water needs for the next 30 years or more .
- Improve our understanding of the resource and how it can be sustained in the future.



DEQ WSP Goals

- Encourage regional planning for water supplies.
- Encourage use of alternative sources.



WSP Implementation Roles - Local

- Localities are expected to take the lead role in planning for their future water needs



WSP Implementation Roles - State

- Provide policy guidance, resource information, staff technical assistance, and financial aid;
- Facilitate coordination of agency input on local and regional plans;
- Serve as an information clearinghouse for appropriate state data, model planning approaches, and program progress;



WSP Implementation Roles - State

- The state will make a determination on the consistency of these local and regional plans with the regulation.



Summary of Regulation

- **All counties, cities and towns will submit a plan to the board, individually or as part of a region.**
- **Local governments and community water systems will coordinate and cooperate with each other in the development of the plan.**



Summary of Regulation

- Local governments are **required** to submit their plan to the board **within 3 to 6 years** according to a staggered schedule based on population.
- Regional groups have **6 years** to submit a plan.



Summary of Regulation

- **DEQ will review all local and regional plans to determine compliance** with this regulation and consistency with the State Water Resources Plan.
- Localities to review their plans every **five years** to assess adequacy. Updates required every 10 years.
- Significant changes require DEQ review.



Summary of Regulation

- Required elements include:
 - A description of **existing water sources**;
 - A description of **existing water use**;
 - An assessment of **projected water demand**;
 - A statement of **future need**;
 - An analysis that identifies **potential alternatives to address projected deficits in supplies**;



Summary of Regulation

- Required elements include (cont.):
 - A description of **existing water resource conditions**;
 - A description of **water management actions**;



Summary of VWP Changes

- Clarification of water withdrawals excluded by statute from permit requirements and the conditions related to these exclusions;
- The institution of a new pre-application panel and public information meeting process for surface water projects;
- The creation of an Emergency Virginia Water Protection Permit for public water supplies during drought;



Summary of VWP Changes

- The inclusion of new language regarding permit conditions for withdrawals in the Potomac River consistent with the Potomac Low Flow Allocation Agreement;
- New language defining the evaluation of cumulative impacts to instream flow;
- Clarification of an applicant's requirement to conduct an alternatives analysis;



Summary of VWP Changes

- The creation of a new variance provision to address temporary relaxation of permit conditions during drought; and,
- Establishment of a new joint public notice process for surface water projects requiring both a VWPP and a Virginia Marine Resources Permit.



Summary of VWP Changes

- Create a reporting requirement for some surface water withdrawals excluded from VWPP requirements.
- Create a streamlined application process for new or expanded minor surface water withdrawals



Summary of VWP Changes

- Establish applicable permit standards for new or expanded minor surface water withdrawals; and,
- Clarify the requirements for evaluation of project alternatives for minor surface water withdrawals for public surface water supply withdrawal projects.



Why consider Regional Planning efforts?

- Public water supply projects are **expensive and difficult to permit**;
- Unlikely that everyone can meet all of their future water needs within their own localities;
- Alternative is a system of “haves and “have nots” leading to increased litigation among localities.



Make the Most of the Planning Process

- Embrace the process with an open mind- without historic preconceptions (i.e. don't simply try to justify your existing plan);
- Actively involve the public;
- Seriously evaluate regional solutions.



Plan for the Permit

- Be realistic in estimating future needs
- Choose the least environmentally damaging practicable alternative



How Can this Help You?

- Opportunity to obtain state support for project with other states and in federal permit process





Questions?

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