

Current Mitigation Program Requirements	Proposed Changes to Mitigation Program
Division 505	
<p>Allocation Cap:</p> <ul style="list-style-type: none"> Total quantity (cfs) proposed deducted from 200 cfs allocation cap at time of final order and permit issuance. No clear way to add water back into the cap if something happens to the proposed use before the permit is issued or if the permit and/or certificate is later cancelled or reduced. 	<p>Allocation Cap:</p> <ul style="list-style-type: none"> Total quantity (cfs) proposed deducted from 200 cfs allocation cap at time of final order and permit issuance. Add back into the allocation cap the quantity (cfs) associated with any modification (reduction) made to the proposed use after the final order is issued or if the final order expires. Add back into the allocation cap the quantity (cfs) associated with any portion of the proposed use that is “offset” by the cancellation of an existing ground water right. Add back into the allocation cap the quantity (cfs) associated with any reduction made to the ground water use after the permit is issued, including cancellation.
<p>Incremental Development Plans:</p> <ul style="list-style-type: none"> Municipal and quasi-municipal permit holders must provide mitigation in advance of each step in an incremental development plan. Annually report on the progress of developing the ground water use under the incremental development plan. “Offset” may not be used as part of an incremental development plan once the permit has been issued. 	<p>Incremental Development Plans:</p> <ul style="list-style-type: none"> Municipal and quasi-municipal permit holders may “grow” into each increment and provide mitigation during each incremental step provided that use does not increase without mitigation being provided. The annual report on the progress of developing the ground water use and include the annual volume of water use and the source of mitigation and/or “offset.” “Offset” may be used as part of the development of an incremental development plan.
Division 521	
<p>Mitigation Credits:</p> <ul style="list-style-type: none"> Mitigation credits are considered used and no longer valid once assigned to a ground water permit application. 	<p>Mitigation Credits:</p> <ul style="list-style-type: none"> Mitigation credits are considered used and no longer valid once assigned to a ground water permit application, however: Credits may be reassigned if the proposed use is reduced, denied, withdrawn or the final order expires. Or if the permit and/or certificate are cancelled or reduced. For municipal and quasi-municipal permit holders, credits may be reassigned between permits if the water user holds more than one permit and the mitigation requirements are consistent.