

# Memorandum



**Date:** January 31, 2014

**To:** Honorable Chairwoman Rebeca Sosa and Members  
Board of County Commissioners

**From:** Carlos A. Gimenez   
Mayor

**Subject:** Identification of Water Projects for Funding by the Florida Legislature

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In response to your memo on January 17, 2014 regarding the identification of water projects for funding by the Florida Legislature, staff has reviewed both the criteria for funding and a number of possible water projects from various County departments. Staff has also discussed options strategically with the County Attorney's Office and the Office of Intergovernmental Affairs. The Governor and Legislature have indicated that priority consideration for funding will be given to projects that fulfill one of these six specific statewide goals:

- Significantly improving water quality in an impaired springshed.
- Significantly improving water quantity in a springshed that is currently below, or expected within 20 years to fall below, its established minimum flow or level.
- Developing regionally significant alternative water supplies to meet current or future needs in an environmentally sustainable manner; particularly those between two or more water management districts.
- Significantly reducing nutrient loading from domestic wastewater to a nutrient impaired water body.
- Accomplishing a task identified in an adopted Basin Management Action Plan.
- Assisting an Area of Critical State Concern in addressing water quality requirements

The Water and Sewer Department (WASD) has identified one project that meets one of these six statewide goals and also meets the other criteria provided in the FY 2014-15 Appropriations Act. There are several unfunded needs within the Public Works and Waste Management Department for both drainage and canal projects, unfortunately they do not meet both the "statewide goal" requirement and all of the criteria as delineated by the Governor's Office, the Senate and House.

The WASD project that meets the "statewide goal" requirement and the criteria for State funding is the construction of two industrial disposal wells at the Central District Wastewater Plant on Virginia Key. These wells are required for two purposes. One is to satisfy requirements of the State's Ocean Outfall legislation to reduce nutrient discharges from ocean outfalls prior to the outfalls being taken out of routine use in 2025. The other purpose is to dispose of contaminated ground water that will be removed from the site of the Virginia Key Landfill adjacent to the wastewater plant. The site of the Landfill is being restored by the City of Miami and the County to eliminate it as a potential source of contamination to Biscayne Bay and to provide recreational and environmental benefits to area residents and visitors. Total project costs are estimated to be \$45.6 million over a three year period, with \$8 million budgeted for the current year, \$25 million for FY 2015, and \$12.6 million for FY 2016. The project has received state permits and should begin construction this fiscal year that will continue into 2016. This project has statewide significance and is the direct result of a state mandate, as it involves reducing environmental risk to Biscayne Bay, an Outstanding Florida Water Body and a State Aquatic Preserve. Construction activity will be timely in terms of any State funding that might become available for FY 2014-15.

Honorable Chairwoman Rebeca Sosa and Members  
Board of County Commissioners  
Page Two

Staff will continue to work closely with the Office of Intergovernmental Affairs, along with our County Attorney's Office, to ensure we have a thorough proposal for this important statewide project. It is worth noting that most of the statewide goals identified by the Governor and Legislature relate to springsheds, alternative water supply, areas of critical state concern (as defined in statute), and basin management action plans, all of which do not particularly apply to Miami-Dade County. Moreover, while Miami-Dade County had a \$1.1 million canal improvement project that was funded by the Legislature last session, it was thereafter vetoed by the Governor. In reviewing water projects that were ultimately funded last session, the vast majority were for fiscally-constrained cities and counties. We would welcome the opportunity to work with you and our Miami-Dade Delegation to better educate the Governor and Legislature on the ocean outfalls state mandate and other important water infrastructure needs in Miami-Dade County.

c: R. A. Cuevas, Jr., County Attorney  
Jess McCarty, Assistant County Attorney  
Office of the Mayor Senior Staff  
John W. Renfrow, Director, Water and Sewer Department



**MEMORANDUM**  
**Rebeca Sosa**  
**Chairwoman**  
**BOARD OF COUNTY COMMISSIONERS**

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To: Honorable Carlos A. Gimenez, Mayor  
and Members, Board of County Commissioners

From: Rebeca Sosa, Chairwoman

Date: January 17, 2014

Re: Identification of Water  
Projects for Funding by the  
Florida Legislature

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The Florida Legislature recently announced that state funding may be available for local water projects during the 2014 session. I would respectfully request that your administration quickly identify a number of Miami-Dade County water projects that potentially qualify for funding.

On Thursday, January 9, Senator Alan Hays, Chairman of the Senate Appropriations Subcommittee on General Government, transmitted a memorandum to members of the Florida Senate related to water project funding requests. Included with Senator Hays memorandum was a list compiled by Governor Scott's office of the information requested and priority areas to be considered when identifying water projects for funding as part of the Fiscal Year 2014-15 General Appropriations Act.

The Governor's Office identified the following statewide goals as priorities for funding water projects:

- o Significantly improving water quality in an impaired springshed.
- o Significantly improving water quantity in a springshed that is currently below, or expected within 20 years to fall below, its established minimum flow or level.
- o Developing regionally significant alternative water supplies to meet current or future needs in an environmentally sustainable manner; particularly those between two or more water management districts.
- o Significantly reducing nutrient loading from domestic wastewater to a nutrient impaired water body.
- o Accomplishing a task identified in an adopted Basin Management Action Plan.
- o Assisting an Area of Critical State Concern in addressing water quality requirements.

On Tuesday, January 14, the House Agriculture & Natural Resources Appropriations Subcommittee held a workshop on water project funding, and also opened its website for submitting water projects for funding online. The House has set a deadline of February 21 for submitting water projects for funding.

The process for receiving state funding for water projects is likely to be highly competitive given that there are significant needs for water projects across the State of Florida. There are also significant needs for water projects by Miami-Dade County as well as the cities within Miami-Dade County.

Honorable Carlos A. Gimenez, Mayor  
and Members, Board of County Commissioners  
Page 2

I would respectfully request that the Administration identify three or four Miami-Dade County water projects that meet each and every one of the criteria that have been set by the Governor, Senate and House. The projects we submit should be projects that are immediately ready for construction and should be of statewide significance. They should vary in terms of type and requested amount, while being realistic in terms of the amount that the Legislature is willing to fund. They also should be projects for which we can identify strong advocates within our Delegation in both the House and Senate.

I intend to place a discussion item on the February 4 agenda for the Board of County Commissioners meeting related to state water project funding, and would respectfully request that the Administration provide the Board with an overview at that time of the three or four projects that your administration has identified as meeting all of the criteria for state funding.

Thank you for your attention to this matter.

cc: R.A. Cuevas, Jr., County Attorney  
Alina T. Hudak, Deputy Mayor  
Jack Osterholt, Deputy Mayor  
Christopher Agrippa, Director, Clerk of the Board