Application No. 16 TEXT AMENDMENT

APPLICATION SUMMARY

Miami-Dade County Department of Planning and Zoning / Applicant/Representative:

Subrata Basu, AIA, AICP, Interim Director

Element(s) to be Amended Water, Sewer and Solid Waste Element, Conservation,

Aguifer Recharge and Drainage Element, Intergovernmental Coordination Element, and Capital Improvements Element

Requested Text Changes The following proposed modifications are based on the

> requirements made to Section 163.3177(5), Florida Statutes, regarding water supply planning. These changes include:

Part A – Modifications and additions to the text, figures and

tables of the Water and Sewer Subelement of the Water, Sewer and Solid Waste Element, including the addition of a 20-year Water Supply Facilities

Workplan:

Part B - Modifications to the Conservation, Aquifer

Recharge and Drainage Element;

Part C – Modifications to the Intergovernmental Coordination

Element; and,

Part D – Modifications to the Capital Improvements Element.

Amendment Type Standard Text Amendment

RECOMMENDATIONS

Staff: **TRANSMIT and ADOPT** (August 25, 2007)

Community Council: NOT APPLICABLE

Local Planning Agency:

Planning Advisory Board (PAB) acting as **ADOPT AND TRANSMIT** (October 15, 2007)

Board of County Commissioners: TRANSMIT WITH RECOMMENDATION TO

ADOPT (November 27, 2007)

Revised Staff Recommendation ADOPT AS TRANSMITTED WITH ADDITIONAL

CHANGES (March 24, 2008)

Final Recommendation of PAB acting as

Local Planning Agency:

To Be Determined (March 31, 2008)

Final Action of Board of County To Be Determined (April 24, 2008)

Commissioners:

April 2007 Cycle March 24, 2008

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Application No. 16

Initial Recommendation

In the Initial Recommendations Report published on August 25, 2007, the Staff recommended: **TRANSMITTAL AND ADOPTION** of the proposed text amendments to the 1) Water, Sewer and Solid Waste Element; 2) Conservation, Aquifer Recharge, and Drainage Element; 3) Intergovernmental Coordination Element; and, 4) Capital Improvements Element of the Comprehensive Development Master Plan (CDMP). The background of this application and the principal reasons for the proposed changes were as follows.

<u>Background</u>

The 2005 Florida Legislature enacted legislation with regard to water supply that amended Chapter 163 Florida Statutes and required a new Water Supply Facilities Work Plan be incorporated into the County's Comprehensive Development Master Plan (CDMP). The purpose of the legislation, with regard to water supply, was to:

- Better coordinate local government comprehensive planning with water management districts' regional water supply plans.
- Establish a closer link between development decisions and the availability of water by requiring local government to determine whether adequate water supplies will be available no later than issuance of a certificate of occupancy.
- Provide for more comprehensive regional water supply plans, permitting incentives for development of alternative water supplies.

The purpose of water supply planning is to develop strategies to meet future water demands of urban and agricultural uses, while meeting the needs of the environment. This process identifies areas where historically used sources of water will not be adequate to meet future demands, and evaluates several water source options to meet those demands.

Under the new legislation, local governments subject to a regional water supply plan must identify alternative water supply projects necessary to meet existing and future development needs. By working with the South Florida Water Management District (SFWMD) during the update of the Lower East Coast Regional Water Supply Plan (LEC Plan) Miami-Dade County had an opportunity to provide input on water supply projects to be included in the LEC plan. As mandated by Florida water law, each regional water supply plan is based on at least a 20-year future planning horizon, and a complete update of each plan is required every five years. The LEC Plan was adopted by the SFWMD Governing Board in February 2007. Local governments have, by statute, 18 months to incorporate the alternative water supply projects applicable to that jurisdiction into their comprehensive plans. Other updates to maintain consistency between elements of the comprehensive plan are also required by statute.

To help meet the legislative requirements, the Water and Sewer Department developed a Water Supply Facilities Work Plan (Work Plan), which is incorporated by reference

into the CDMP. This Work Plan identifies the projects listed in the SFWMD's Lower East Coast Regional Water Supply Plan

Principal Reasons for Change

1. Section 163.3177, (6)(c), F.S. relating to sanitary sewer, solid waste drainage, potable water and natural groundwater aquifer recharge element, as amended in 2005, requires all local governments to adopt a work plan that identifies the alternative water supply projects that were selected by the local government for inclusion into the regional water supply plan. The Work Plan is to be updated, at a minimum, every five years within 18-months of an adopted update to the regional water supply plan. The Lower East Coast Regional Water Supply Plan, prepared by the South Florida Water Management District (SFWMD), was adopted in February 2007. The development and inclusion of a Water Supply Facilities Work Plan into the Water and Sewer Subelement is in response to these mandated requirements.

Additional changes were made to various policies of the Water and Sewer Subelement to reflect new mandates of the SFWMD, which have capped the quantity of Biscayne Aquifer withdrawals. In order to meet future growth needs, Miami-Dade County must identify and develop new alternative water sources into its water strategies. New water withdrawals from the Biscayne, above the base water use conditions, will only be permitted in conjunction with the use of "make-up" water generated by alternative sources.

- 2. Section 163.3177, (6)(d), F.S., requires local governments to assess their current and projected water needs and available water supply sources for at least a 10 year period. (Miami-Dade County is using a 20-year period). Although the projected needs and anticipated sources are addressed in the Water and Sewer Subelement, language regarding source protection and a restatement of the County's commitment to developing reclaimed water and wastewater reuse projects was added to the Conservation Element to maintain consistency between elements.
- 3. Section 163.3177, (6)(h)1, F.S., relating to the intergovernmental coordination element, was amended to strengthen the relationship between the County and the regional water supply authority with regards to water resource planning. Therefore, language has been added regarding the County's Water Supply Facilities Work Plan and it's relationship with the SFWMD's Lower East Coast Water Supply Plan.
- 4. As per Section 163.3177, (6)(h)1, F.S., the Capital Improvements Element must be "financially feasible" for the full planning horizon. In the April 2006 Amendment Cycle, the Miami-Dade County Board of County Commissioners adopted over \$1.6 billion in water supply and water reuse projects into the Capital Improvements Element to fund water supply projects between 2007 and 2028.

The Work Plan is a 20-year plan, which must be adopted within 18 months of the update of the SFWMD's Lower East Coast Water Supply Plan and will be updated

every five years. This timing corresponds to the County's 20-year water use permit, which must also be updated on a 5-year basis. The proposed amendments tie the Work Plan and the CIE together, and add language to direct the County to develop and maintain an allocation system to track water supply demands. In accordance with Chapter 163, Florida Statutes, language is also included that forbids the issuance of a building permit unless WASD issues a letter stating that adequate water supply is available for the proposed development. Through the proposed water allocation tracking system, the County can better time the development of new water supply projects to meet the water demands generated by the County's future growth.

New Information

Since the BCC transmittal public hearing on November 27, 2007 and the publication date of the Initial Recommendations Report (August 25, 2007), additional information has been received that impacts this application. First, the County has received information from the Florida Department of Community Affairs (DCA) concerning the application. Secondly, the South Florida Water Management District's (SFWMD) issued a 20-year Water Use Permit (WUP) for Miami-Dade County.

DCA in the Objections, Comments and Recommendations (ORC) Report for the April 2007-08 Cycle CDMP applications has objected to this application "because the proposed Water Supply Facilities Work Plan (Work Plan) does not identify and evaluate the potable water utilities serving the unincorporated areas of the County, other than the Miami-Dade County Water and Sewer Department (WASD)." Other objections from DCA included concerns that 1) the "...Capital Improvements Element (CIE) are not consistent with the projects, programs, and other requirements of the County's Consumptive Use Permit," and 2) "The County has not adopted potable water level of service standards for non-residential users such as office, industrial, and mixed use." These issues are addressed in the Department's Response to the ORC attached as Exhibit B and summarized below.

As stated in the Staff response to the ORC Report (Exhibit B), WASD has been working with the other four utilities (Florida City, Homestead, North Miami and North Miami Beach) that supply water to unincorporated Miami-Dade County in order to evaluate the ability of these utilities to provide water to the County in the future. A new section has been added to the *Miami-Dade County Water Supply Facilities Work Plan, Support Document, revised March* 2008 (herein referred to as Revised Support Document), to identify the amount of water obtained from these additional utilities. Furthermore, the Revised Support Document evaluated these utility's proposed alternative water supply and reuse projects and has determined that their proposed projects will provide sufficient additional water to meet the projected growth in these unincorporated areas. Due to the size of the Revised Support Document, this new information is included at the end of the Revised Recommendations Report on an attached CD.

On November 15, 2007, the Governing Board of the SFWMD approved a 20-year WUP for the County. Through this permit, MDWASD committed to implement a total of 170 mgd of reuse, through County projects developed between 2007 and 2030 and listed in the WUP, to provide an adequate water supply for the County's future population. These projects, which total over \$1.6 billion were adopted into the County's Capital Improvements Element on June 5, 2007. Unfortunately, in the month prior to the issuance of the permit, but after the issuance of the Initial Recommendations Report by this Department, several of the projects were renamed with some of the construction dates and finished water amounts being adjusted by the SFWMD. Additionally, a major wastewater reuse project, South District wastewater reclamation project, which consisted of 3 phases, was modified to require a new wastewater treatment plant in western Miami-Dade County. This new water reclamation plant project includes the construction of a new wastewater plant incorporating technologies capable of achieving those treatment levels required for canal recharge or any other alternative discharge that may be approved.

As noted in Objection 2 of the ORC report, several of the project names and dates are inconsistent with their permit counterparts. This is due to the modifications made to the permit prior to its issuance. Tables 8 and 12 of the CIE, as addressed in the ORC response and modified in Application 13 of this report, have been revised to reflect the new project names consistent with those identified in the WUP. Additionally, these proposed revisions were included in both the text and tables of the Revised Support Document, (enclosed on CD), and in the proposed amendment to add Table 1 to the Water and Sewer Subelement as shown below in the Revised Recommendations section of this application.

The comment regarding the Level of Service for non-residential uses is addressed in the Objection 2 of the ORC response. In short, the County does not have an LOS for non-residential uses, nor is it required to have one. However, through the allocation system being developed by WASD, each service agreement and water reservation will be based upon the water demand and sewer generation rates codified in the Chapter 24, Miami-Dade County Code. These rates were developed by the County in the 1970s to help ensure maintain adequate water and sewer facility capacities. Evaluation of potential water demands for land use plan amendment applications are based upon these rates as they apply to the maximum development scenario of the application. Additional information on the allocation system and how it will be implemented can be found in the response to Objection 1 of the ORC.

Revised Recommendation

The staff's revised recommendation for this application is to **Adopt as Transmitted** with **Additional Changes.** The recommended revisions to the text are as follows:

Requested Text Amendments:

Part A: Revisions to the Water and Sewer Sub-element of the Water Sewer and Solid Waste Element¹:

- 1. Revise Policy WS-2C on Page V-5 as follows:
 - WS-2C. Miami-Dade County shall maintain procedures and programs to monitor levels of service of each water supply, water treatment and wastewater treatment facility for use by agencies that issue development orders or permits. Such procedures may include the establishment of water and wastewater allocation processes to assure that adequate water supply, and water and wastewater transmission and treatment capacity is available prior to issuance of development orders or permits.
- 2. Revise Policy WS-5A on Page V-6 as follows:
 - WS-5A. All potable water distribution systems shall reduce unaccounted for water loss to less than 45 10 percent of the water entering the system.
- 3. Revise Objective WS-6 on Page V-9 as follows:

Objective WS-6

Miami-Dade County shall undertake timely efforts to expand traditional sources of raw water and develop new <u>alternative</u> raw water sources <u>and projects</u> to meet the County's <u>level of service standards for</u> water supply needs.

- 4. Revise Policy WS-6A on Page V-9 as follows:
 - WS-6A. Miami-Dade County shall continue to utilize, expand and pursue the development of new potable water wellfields and alternative water supplies to meet the County's existing and future water supply needs. After 2013, Miami-Dade County will meet all future water supply demands associated with new growth from alternative water supply sources, which may include: withdrawals from the Floridan Aquifer, implementation of water conservation methods, and development of reclaimed and wastewater reuse strategies.

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¹ <u>Underlined</u> words and <u>strikethrough</u> words were proposed additions or deletions to the CDMP language as of the November 27, 2007 Board of County Commissioners transmittal hearing. Double <u>underlined</u> words or double <u>strikethrough</u> words are recommended additions or deletions to the proposed CDMP language subsequent to the November 27, 2007 Board of County Commissioners transmittal hearing. All other words existing remain unchanged.

- 5. Revise Policy WS-6D on Page V-10 as follows:
 - WS-6D. In the development of its future potable water supplies, Miami-Dade County shall, to the maximum extent feasible, utilize methods which preserve the integrity of the Biscayne Aquifer, protect the quality of surface water and related ecosystems, consider and are compatible with the South Florida Water Management District's Lower East Coast Regional Water Supply Plan and the current Water Use Permit, and comply with the land use and environmental protection policies of the Miami-Dade County CDMP, the Strategic Regional Policy Plan for South Florida, and the State Comprehensive Plan.
- 6. Revise Policy WS-6E on Page V-10 as follows:
 - WS-6E. Miami-Dade County shall <u>develop and</u> implement reclaimed water use strategies to augment the water supplies of the Biscayne Aquifer. when feasible and where appropriate. The Miami-Dade Water and Sewer Department shall be responsible for implementing any reuse that is deemed by the County to be economically feasible. Miami-Dade County may also will continue to participate in pilot projects that are a part of the Comprehensive Everglades Restoration Plan (CERP) and explore the utilization of reuse as a way to augment water flows to Biscayne Bay and also to meet the demands for: (1) the Bird Drive Recharge Area; (2) the South Dade Conveyance System; and (3) the Northeast Shark River Slough. <u>If feasible, the County, in cooperation with state and federal agencies, will utilize the results of these pilot programs to develop future large-scale water reuse projects.</u>
- 7. Add a new Objective WS-7 and related policies, tables and figures beginning on Page V-10 as follows:

Objective WS-7

Miami-Dade County shall create a Water Supply Facilities Work Plan that identifies and develops those water supply projects necessary to meet the County's projected water demands for a 20-year period.

Policies

WS-7A The Miami-Dade County Water Supply Facilities Work Plan (Work Plan), as prepared by the Miami-Dade County Department of Water and Sewer and dated July 2007 March 2008, is incorporated by reference into the CDMP. This document is designed to: assess current and projected potable water demands; evaluate the sources and capacities of available water supplies; and, identify those water

supply projects, using all available technologies, necessary to meet the County's water demands for a 20-year period. The Work Plan shall remain consistent with the County's Water Use Permit renewals and with projects as listed in the goals of the South Florida Water Management District's Lower East Coast Regional Water Supply Plan. The Work Plan will be updated, at a minimum, every 5-years and within 18 months after the South Florida Water Management District's approval of an updated Lower East Coast Regional Water Supply Plan. The potable water supply facilities necessary to satisfy projected water demands during the 2007-2030 period are shown in Table 1, below.

- WS-7B The County shall consider the current most recent approved version of South Florida Water Management District's Lower East Coast Regional Water Supply Plan in developing and updating its 20-Year Work Plan.
- 8. Add a new Monitoring Measure for Objective 7 on Page V-12 as follows:

Objective WS-7. Development and maintenance of a Water Supply Facilities Plan.

Recommended measurements include: Consistency between the water supply projects identified in the Water Supply Facilities Work Plan and those listed in Miami-Dade County's Consumptive Water Use Permit(s), the Lower East Coast Regional Water Supply Plan, and the Capital Improvements Element of the CDMP. A second measure would be to a comparison of the projected 20-year water demands with the projected water supplies produced by the supply projects identified in the Work Plan.

Table 1 Alternative Water Supply and Wastewater Reuse Projects 2007- 2030						
Project No/ CIE Table. ¹	Project Name ²	Project Description	Construction Timeframe	Estimated Cost (\$million)		
Alternative Wat	er Supply Projects					
17, Table 12	South Miami Heights Water Treatment Plant WTP and Wellfield (20 mgd)	Reverse osmosis and ultra-filtration membranes provide treatment of 20 mgd of Biscayne aquifer water from 10 wells.	2007-2012	158.7		
20D, Tablo 12	New Upper <u>Hialeah</u> Floridan Aquifer Reverse Osmesis (RO) R.O. WTP	A new upper Floridan aquifer reverse osmosis water treatment plant is to be constructed in the northern part of the County (i.e., Hialeah). The WTP will directly utilize the Floridan Aquifer as the alternative water supply using the RO treatment to remove salt.				
20D, Table 12	Phase 1 (10 MGD)		2007-2012	93		
22, Table 12	Phase 2 (5 MGD)		2015-2018	25		
23, Table 12	Phase 3 (2.5 MGD)		2025-2028	9.7		
20A, Table 12	Floridan Aquifer Blending (and ASR) at Alexander Orr, Jr. Water Treatment Plant (7.4 MGD)	This project uses the brackish Floridan Aquifer water to blend with the fresh Biscayne Aquifer raw water. Also these wells will be used for storage of fresh Biscayne Aquifer water in the Floridan Aquifer during the wet season for extraction and use in the dry season.	2007-2007	6.4		
20C, Table 12	Floridan Aquifer Blending Wellfield at Hialeah-Preston Water Treatment Plant WTP (4.8 7 MGD)	Construction of two Floridan Aquifer blending wells to supply raw water to the Hialeah-Preston WTP complex. This project will blend Floridan Aquifer water with the raw water supply.	2006-2010	10.3		
Wastewater Reclamation Projects						
2 <u>8</u> 9, Table 8	North District Wastewater Treatment Plant <u>WWTP</u> Reuse Projects (7.0 MGD)	Five MGD of this reclaimed water (e.g. purple pipe) irrigation project will be pumped to the City of North Miami Beach and 2 MGD will be used to replace current potable water irrigation in the service area.	2007-2012	26.8		
30 29, Table 8	Central District Wastewater Treatment Plant <u>WWTP Reuse</u> Project (1.0 MGD)	This reclaimed water (e.g. purple pipe) irrigation project will replace potable water irrigation at Crandon Park and certain areas of Key Biscayne.	2007-201 <u>+2</u>	15.3		
	South District Wastewater	This Groundwater Replenishment project provides advanced treatment to				
24 Toble 0	Treatment Plant (SDWWTP) — Phase 1 (18 MGD)	secondary effluent. Technologies include micro-filtration, reverse esmosis and UV light for disinfection. The highly treated reclaimed water would be	2007-2014	357.5		
31, Table 8 32, Table 8	— Phase 2 (20 MGD)	piped to areas upgradient of the South Miami Heights wellfield and	2007-2014 2015-2021	357.5 208		
33, Table 8	— Phase 3 (15 MGD)	discharged into the groundwater through underground trenches.	2010-2021 2021-2026	200 217.5		
30, Table 8	South District WRP Groundwater Recharge Phase 1 (18.6 mgd)	This Groundwater Replenishment project provides advanced treatment to secondary effluent. Technologies include micro-filtration, reverse osmosis and UV light for disinfection. The highly treated reclaimed water would be piped to areas upgradient of the South Miami Heights wellfield and discharged into the groundwater through underground trenches.	2007-2013	<u>357.5</u>		

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April 2007 Cycle March 24, 2008

¹ CIE Table References are per CIE adopted on March 28, 2007 and revised by Ordinance No 07-73 adopted on June 5, 2007.
² Project Names are per Concumptive <u>Water</u> Use Permit approved November 15, 2007.

Table 1 Alternative Water Supply and Wastewater Reuse Projects 2007- 2030							
Project No/ CIE Table. ¹	Project Name ²	Project Description	Construction Timeframe	Estimated Cost (\$million)			
31, Table 8	West District W.R.P. Canal Recharge Phase 2 (21 mgd)	treatment levels required for canal recharge or any other alternative	2015-2020	<u>298</u>			
32, Table 8	West District W.R.P. Canal Recharge Phase 3 (16 mgd)		<u>2021-2025</u>	<u>217.5</u>			
2 <u>6</u> 7 , Table 8	Biscayne Bay Coastal Wetlands Rehydration Demonstration Project (1 mgd)	The <u>Biscayne Bay Coastal Wetland Rehydration program and Aquifer Recharge Pilot studies are projects that will help the County reach its effluent reuse goals. The wetland rehydration process requires thorough</u>	2006-20 09 <u>11</u>	19.2			
2 <u>7</u> €, Table 8	Aquifer Recharge Pilot Study (20,000 gpd)	biological and ecological response of typical wetlands to highly treated	2006-20 09 <u>10</u>	1.02			
3 <u>3</u> 4, Table 8	Biscayne Bay Coastal Wetlands Rehydration Demonstration Project (52/75.7 mgd)	effluent, will help to optimize the treatment system and the preferred areas for rehydration to maximize the benefits to the wetlands and to the Bay. The pilot project will lay the foundation for the full scale rehydration project.	2010-2021	621			

Part B: Revisions to the Conservation, Aquifer Recharge and Drainage Element:¹

- 1. Add a new CON-2L Policy to page IV-5 as follows:
 - CON-2L. By 2020, Miami-Dade County shall prepare a management plan for the protection and proper utilization of the Floridan Aquifer. This management plan should identify potential areas of water withdrawals, potential sources of contamination, the impact of potential withdrawals to other legal users, and the development of practices that will maintain this aquifer as a viable water supply source.
- 2. Add a new CON-4G Policy to page IV-7 as follows:
 - CON-4E. In accordance with the goals of the South Florida Water Management District's Lower East Coast Regional Water Supply Plan and Objective WS-7, and its related policies, Miami-Dade County shall develop alternative water supply sources to supplement withdrawals from the Biscayne Aquifer. Such sources may include withdrawals from the Floridan Aquifer, implementation of water conservation methods and projects, and development of reclaimed and wastewater reuse strategies and projects.

Part C: Revisions to the Intergovernmental Coordination Element:¹

- 1. Revise Policy ICE-4F on page VII-12 as follows:
 - It is the policy of Miami-Dade County to coordinate with that the South Florida Water Management District (SFWMD) shall recognize in its water supply and management planning and permitting processes, Miami-Dade County's adopted population projections, spatial characteristics of the CDMP Land Use Plan map, and policies of the CDMP Land Use, Water, Sewer and Solid Waste, Conservation, and Coastal Management Elements. It is further County policy to accommodate future projected population and economic growth by utilizing the range of alternative water supply technologies outlined under CDMP Water and Sewer Subelement Objective WS-6 and identified in the current Water Use

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<u>Permit</u>, including <u>traditional</u>—sources from expanded and/or new <u>Biscayne Aquifer and Floridan Aquifer</u> wellfields, Floridian Aquifer storage and recover (ASR) techniques, <u>and other alternatives including water conservation methods</u>, <u>water reclamation</u>, <u>water and wastewater reuse and other advanced technologies</u>.

2. Add new ICE-5E Policy to page VIII-13 as follows:

ICE-5E. In its development of future potable water supplies and the County's Water Supply Facilities Work Plan as outlined in Objective WS-7, Miami-Dade County shall consider, and be compatible, with the goals of the South Florida Water Management District's Lower East Coast Regional Water Supply Plan.

Part D: Revisions to the Capital Improvements Element:¹

- 1. Add a new Policy CIE-5E on page IX-11 as follows:
 - CIE-5E Appropriate mechanisms will be developed and adopted by Miami-Dade County in order to assure that adequate water supplies are available to all water users of the Miami-Dade County Water and Sewer Department. Furthermore, the Miami-Dade County Water and Sewer Department shall be responsible for monitoring the availability of water supplies for all water users of the Miami-Dade County Water and Sewer Department and for implementing a system that links water supplies to the permitting of new development.
- 2. Revise the text of the **Concurrency Management Program** 1(a) on page IX-15 as follows:
 - Except as provided in paragraphs 3, 4, 5 and 6 below, in no instance shall a building permit be issued authorizing construction of a new building or expansion of an existing building unless <u>adequate water supply is</u> <u>available and</u> the facilities necessary to maintain LOS standards are existing and available or are assured to be existing and available within

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the following timeframes relative to the date of issuance of a certificate of use and occupancy (CO):

- Necessary <u>water supply and</u> water, sewer, solid waste and drainage facilities must be in place and available at the time of issuance of a CO.
- 3. Table 8, Sewer Facilities, and Table 12, Water Facilities, have been corrected to address issues raised in DCA's ORC report, to clarify all proposed alternative water supply and re-use projects and to ensure that project titles and construction dates correspond to the projects and dates identified in the Miami-Dade County Water Use Permit. These modifications are attached in Application 13 of this Report.

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