

MEMORANDUM

Agenda Item No. 8(O)(1)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: April 1, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving and authorizing the County Mayor to execute a Settlement Agreement between Miami-Dade County and the state of Florida Department of Environmental Protection ("FDEP") for OGC Case No. 20-1298/DOAH Case No. 23-2931 related to an exemption the County sought from a requirement by FDEP to provide high level disinfection ("HLD") at the Miami-Dade Water and Sewer Department's Central District Wastewater Treatment Plant; and authorizing the County Mayor to exercise any rights contained within the Settlement Agreement and to carry out the multi-agency science plan ("MASP") at an estimated cost to the County of \$50,000,000.00

Resolution No. R-319-25

The accompanying resolution was prepared by the Water and Sewer Department and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/uw

Memorandum



Date: April 1, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Resolution Authorizing the Execution of a Settlement Agreement for the Miami-Dade Water and Sewer Department Central District Wastewater Treatment Plant

Executive Summary

This item seeks approval from the Board of County Commissioners (Board) to authorize the execution of a Settlement Agreement between Miami-Dade County (County) and the State of Florida Department of Environmental Protection (FDEP) for OGC Case No. 20-1298/DOAH Case No. 23-2931 related to an exemption the County sought from a requirement by FDEP to provide high level disinfection (HLD) at the Miami-Dade Water and Sewer Department's (WASD) Central District Wastewater Treatment Plant (CDWWTP).

Under the Settlement Agreement, the County will have up to six (6) years to work on a Multi-Agency Science Plan (MASP) to determine whether, when the CDWWTP's Injection Well System is operating at full injection capacity, there is sufficient pathogenic micro-organism inactivation before any fluid migration occurs that could impact drinking water and, therefore, necessitate the need for HLD at the plant. If the County establishes that there is, in fact, sufficient pathogen micro-organism inactivation, it can seek removal of any HLD requirement in the permits for the CDWWTP. The Settlement Agreement is attached hereto as Exhibit 1.

Recommendation

It is recommended that the Board authorize the execution of the Settlement Agreement between the County and FDEP and direct the County Mayor or the County Mayor's designee to prepare and implement the MASP within the designated timeframes as required in the Settlement Agreement.

Scope

The CDWWTP is located at 3989 Rickenbacker Causeway, Miami, Florida 33160 in Commission District 7, which is represented by Commissioner Raquel A. Regalado.

Delegation of Authority

Upon approval of this item, the County Mayor or County Mayor's designee shall have the authority to execute the Settlement Agreement on behalf of the County and to exercise all provisions contained therein.

Fiscal Impact / Funding Source:

The fiscal impact to the County includes an estimated \$50,000,000 to complete the MASP. Assuming the MASP successfully demonstrates that pathogens are inactivated without the need for HLD, the County will not have to build HLD facilities at CDWWTP at a **cost savings of over \$250,000,000**.

The funding source for preparation of the MASP will be a combination of WASD's Sewer Renewal and Replacement Fund and Operating Revenues.

Track Record/Monitor:

Marisela Aranguiz-Cueto, P.E., Deputy Director of Planning, Regulatory Compliance, and Capital Infrastructure for WASD, will oversee the implementation of the Settlement Agreement.

Background:

The CDWWTP is a 143 million gallon per day treatment facility discharging treated effluent through an existing ocean outfall. To dispose of wastewater from the CDWWTP in compliance with section 403.086, Florida Statutes, the County has constructed nine (CDIW-3 – CDIW-11) Class I municipal injection wells on Virginia Key. These wells are being augmented by two existing Class I non-municipal non-hazardous (industrial) injection wells (CDIIW-1, CDIIW-2). Collectively, this injection well system is designed to dispose of treated wastewater approximately 3,000 feet below land surface (bls) into the confined saline Lower Floridan Aquifer.

In August 2020, the County submitted an Aquifer Exemption Application to FDEP seeking an exemption from an FDEP requirement that WASD implement HLD on its injection well system at the CDWWTP. The County's Aquifer Exemption Application provided detailed technical justification to support a substantial aquifer exemption for the Floridan Aquifer within a 3-mile radius of the CDWWTP. The Aquifer Exemption, which requires the approval of both FDEP and the US Environmental Protection Agency (EPA), was requested for the sole purpose of removing the HLD treatment requirement for the injection well system, which would have cost upwards of \$250,000,000 and, from the County's perspective, provided no benefits to the health of the County's residents, safety of the drinking water supply or condition of the surrounding environment. Once an aquifer is exempted, it is no longer an Underground Source of Drinking Water (USDW) and is no longer governed by the Underground Injection Control program, which requires the HLD treatment. Thus, if the FDEP and EPA were to approve the County's Aquifer Exemption Application, the HLD rule would no longer apply, and the associated HLD treatment requirements could be removed through a FDEP permit modification.

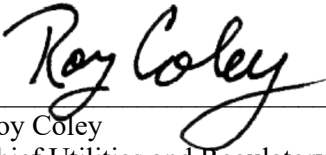
On August 29, 2022, FDEP issued a Notice of Denial in response to the County's Aquifer Exemption Application. FDEP's Denial alleged that the County had not met certain substantial aquifer exemption criteria set forth in Rule 62-528.300(3), Florida Administrative Code (F.A.C.).

In response to FDEP's Denial, on January 20, 2023, the County filed a Petition for an administrative hearing before the Department of Administrative Hearings (DOAH) on FDEP's Denial, which was later amended on March 17, 2023. The County's Petition set forth the reasons why the County should not be required to utilize HLD at the CDWWTP for the injection well system and why the criterion for an aquifer exemption were met by the County. Specifically, the County's Petition explained that the Floridan Aquifer in the vicinity of the CDWWTP does not serve, and is not expected to serve, as a source of drinking water because, among other things, the total dissolved solids (TDS) content of the ground water is more than 3,000 and less than 10,000 mg/L.

After over a year of negotiations, the County and FDEP have resolved the County's DOAH proceeding through the proposed Settlement Agreement. The Settlement Agreement provides a science-based alternative to the Aquifer Exemption. If the MASP demonstrates that injection activities do not cause a primary drinking water standard violation in a USDW, the County may apply to remove the HLD treatment requirement for the facility. **In the event the HLD requirement is removed, the County will recognize a cost savings of over \$250,000,000 as well as a significant environmental benefit.** The energy consumption savings realized by removing the HLD treatment has been estimated as equivalent to almost 5,300 passenger vehicles driven for 1 year; over 4,400 homes' electricity use for 1 year; or almost 3 trillion smartphones charged.

Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners
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Attachments

A handwritten signature in black ink, reading "Roy Coley". The signature is written in a cursive style with a horizontal line underneath it.

Roy Coley
Chief Utilities and Regulatory Services Officer

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MIAMI-DADE COUNTY,

Petitioner,

vs.

OGC CASE NO.: 20-1298
DOAH CASE NO.: 23-2931

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION,

Respondent.

_____ /

SETTLEMENT AGREEMENT

1. The Florida Department of Environmental Protection ("Department") is the administrative agency of the State of Florida having the power and duty to administer and enforce the provisions of Chapter 403, Florida Statutes, ("F.S."), and Chapter 62-528, Florida Administrative Code, ("F.A.C."), applicable to the regulation of Class I underground injection wells. The Department has jurisdiction over the matters addressed in this Agreement.

2. Miami-Dade County ("County") owns and operates the Central District Wastewater Treatment Plant ("CDWWTP") located on Virginia Key in Miami, Florida. The CDWWTP is a 143 million gallon per day treatment facility discharging treated effluent through an existing ocean outfall. The County also operates two other wastewater treatment plants, the South District Wastewater Treatment Plant ("SDWWTP") and the North District Wastewater Treatment Plant ("NDWWTP").

3. To dispose of wastewater from the CDWWTP, in compliance with section 403.086, Florida Statutes, the County is in the process of constructing nine (CDIW-3 – CDIW-11) Class I municipal injection wells on Virginia Key. These wells are being augmented by two existing Class I non-municipal non-hazardous (industrial) injection wells (CDIIW-1, CDIIW-2). Collectively, these Class I injection wells and the associated monitoring wells comprise the “System”. The System is designed to dispose of treated wastewater approximately 3,000 feet below land surface (bls) into the Lower Floridan Aquifer.

4. On December 17, 2015, the Department issued a Construction Permit (0317749-003-004-UC/1X) for the construction and operational testing of CDIIW-1 and CDIIW-2. On September 24, 2018, the Department issued a Construction and Testing Permit (0317749-006-012-UC/1M and 0317749-017-018-UC/1M) for CDIW-3 through CDIW-11 (cumulatively “Municipal Construction Permits”).

5. Rule 62-528.440(2)(c), F.A.C., prohibits the authorization of any underground injection activity where a Class I well causes or may cause movement of fluid into underground sources of drinking water (“USDW”), if such fluid may cause a violation of any primary drinking water standard under 40 CFR 141 (1994), or may otherwise adversely affect the health of persons.

6. Pursuant to Rule 62-528.200(66), F.A.C., USDW means an “aquifer” or its portion: (a) Which supplies drinking water for human consumption, is classified by Rule 62-520.410(1), F.A.C., as Class F-I, G-I or G-II ground water, or contains a total dissolved solids concentration of less than 10,000 mg/L. For the purposes of this Agreement the

USDW beneath Virginia Key lies within the Suwannee Limestone and Avon Park Formation. The base of the USDW below Virginia Key has been identified as 1,300 feet bls.

7. 40 CFR 146.16 allows for Class I municipal disposal wells in certain parts of Florida, including Miami-Dade County, when the injectate is treated to high-level disinfection (“HLD”) standards before injection. HLD is an additional treatment and disinfection requirement aimed at the reduction of pathogenic micro-organisms under Rule 62-600.440(6), F.A.C. Pursuant to 40 CFR 146.16, the Municipal Construction Permits only authorize disposal of secondary treated domestic wastewater treated with HLD. The underground injection control permits for the SDWWTP injection systems and the NDWWTP injection well system UIC Permit No. 057792-025-029-UC/1M also include the requirement for HLD treatment prior to injection. The NDWWTP injection well system UIC Permit 057792-021-024-UO/1M does not require HLD prior to injection.

8. On August 25, 2020, the County filed an application with the Department to designate a 3-mile portion of the Floridan Aquifer System (“FAS”) as an exempted aquifer (“Application”) to eliminate the HLD treatment requirement for the System.

9. On August 29, 2022, the Department issued a Notice of Denial, which denied the County’s Application (“Denial”). On January 20, 2023, the County timely filed a Petition for Formal Administrative Hearing (OGC 20-1298) (“Petition”) challenging the Denial.

In order to settle the matters raised in the Petition, the Parties have agreed to the following:

10. Within 10 days of the Effective Date of this Agreement, the County shall withdraw its Petition, and the Parties will submit a Joint Motion to Relinquish Jurisdiction to the Division of Administrative Hearings.

11. Within 10 days of an Order Closing File from the Administrative Law Judge, the Department will withdraw its Denial. The Parties agree that the Application will be held in abeyance pending the outcome of this Agreement.

12. Within 365 days of the Effective Date of this Agreement, the County will submit a Multi-Agency Science Plan ("MASP") to the Department for approval. The MASP will, at a minimum, include:

- a. A peer review panel to review and provide recommendations for the development of and execution of activities under the MASP. The Parties will seek the participation of at least three (3) individuals from at least three (3) different agencies from the following list:
 - i. Miami-Dade Water and Sewer Department
 - ii. Miami-Dade Regulatory and Economic Resources Department of Environmental Resource Management
 - iii. Florida Department of Environmental Protection Underground Injection Control Program
 - iv. Florida Geological Survey
 - v. South Florida Water Management District
 - vi. U.S. Geological Survey
 - vii. U.S. Environmental Protection Agency
 - viii. Florida International University Department of Department of Earth and Environment
- b. Siting, design, permitting, construction and testing of distal (at or beyond 3 miles of the CDWWTP), and intermediate (within 3 miles of the CDWWTP) monitoring wells in the FAS at depths within the Avon Park Formation

and/or in other formations within the FAS USDW to improve the hydrogeologic characterization of the FAS and better understand the fate and transport of injected effluent at the permitted injection capacity of the System. The MASP will also include the siting, drilling, testing, and construction of wells, test borings and/or evaluation of existing data sufficient to determine the presence and extent of the USDW below Virginia Key and unsubmerged land within, at least, the 3-mile radius.

- c. Refinement or updating of the United States Geological Survey Miami-Dade Floridan Aquifer System Model (USGS MDFAS Model) using the data obtained. The update and refinement of the USGS MDFAS Model should utilize existing hydraulic and concentration data taken from Virginia Key as well as additional data collected under the MASP.
- d. A proposal for the modeling study of the vertical, horizontal, and temporal inactivation of pathogenic micro-organisms in the FAS at full injection capacity of the System. The study should show attenuation and potential inactivation of concentrations of pathogens at 1, 5, and 20 years from the western-most point of injection based on hydrogeologic modeling and data collected during the initial phases of the MASP.
- e. A timeline for completion of all activities from the date of the Department's approval of the MASP, not to exceed 6 years. The activities and timelines in the approved MASP are enforceable by this Agreement.

13. Within 180 days of completion of all of the activities in the approved MASP, the County will submit a Final Report, for Department approval, which includes all data, interpretations, findings, and conclusions from the studies described in paragraph 12 and will provide the following:

- a. Demonstration of whether pathogenic micro-organism inactivation, equivalent to HLD treatment as provided in Rule 62-528.440, F.A.C., occurs at or before any fluid movement into the USDW beneath Virginia Key with operation of the System at full injection capacity at the 1, 5, and 20 year intervals;
- b. Demonstration of whether pathogenic micro-organism inactivation, equivalent to HLD treatment as provided in Rule 62-528.440, F.A.C., occurs at or before any fluid movement into any USDW within the Upper Floridan Aquifer ("UFA") outside a three-mile radius of Virginia Key at operation of the System at full injection capacity at the 1, 5, and 20 year intervals;
- c. Demonstration of whether operation of the System at full injection capacity causes or allows for movement of fluid into the USDW beneath Virginia Key, which may cause a violation, other than pathogenic micro-organisms, of any primary drinking water maximum contaminant limit ("MCL"); and
- d. Demonstration of whether operation of the System at full injection capacity causes or allows for movement of fluid into a USDW within the UFA outside a three-mile radius of Virginia Key, which may cause a violation,

other than pathogenic micro-organisms, of any primary drinking water MCL.

14. The Final Report shall also include a proposal and schedule for corrective actions, if necessary, for the following scenarios:

- a. If the Final Report demonstrates that the System's injection activities cause or allow movement of fluid into a USDW, which may cause a violation of a primary drinking water standard relating only to pathogenic micro-organisms under 40 CFR 141, then, within five (5) years from the date of the Department's approval of the Final Report, the County must construct and put into operation a facility that is able to treat the injectant to HLD standards or, within one (1) year of the Final Report, provide an alternative method of demonstrating reasonable assurance that migration of injection fluids into an USDW will not cause a violation relating to pathogenic micro-organisms under 40 CFR 141. In such a circumstance, the County may continue to operate the System without HLD treatment for a period not exceeding five (5) years, from the approval of the Final Report by the Department.
- b. If the Final Report demonstrates that the System's injection activities causes allows for movement of fluid into a USDW, which may cause a violation, other than pathogenic micro-organisms, of any primary drinking water standard under 40 CFR 141, within two years of the Department's approval of the Final Report, the County shall re-route non-municipal wastes

through the CDWWTP headworks or discontinue its injection and apply to reclassify the Class I non-municipal non-hazardous wells to Class I municipal injection wells in accordance with Rule 62-528.200(45), F.A.C.

- c. If the Final Report demonstrates that the System's injection activities do not cause or allow for movement of fluid into a USDW, which may cause a violation of any primary drinking water standard under 40 CFR 141, in accordance with 40 CFR 146.15(a), the additional treatment required under 40 CFR 146.15(d)(2), will not apply, and the County may apply to the Department to remove the requirement from its permits.

15. Unless otherwise specified herein, the County has the right to challenge any determination by the Department with regards to the approval of the MASP or Final Report, pursuant to Chapter 120, F.S. At the election of either the County or the Department, the County and the Department shall schedule an informal meeting to attempt a good faith resolution of any disputes that may arise under decisions made hereunder; thereafter, to the extent the County or the Department remains aggrieved, the aggrieved party may elect mediation proceedings before a neutral arbitrator selected by the County and the Department. Should mediation not result in resolution of any such dispute, the County reserves the right to proceed pursuant to Chapter 120, F.S.

16. Every calendar quarter until all activities under this Agreement are completed, the County shall submit to the Department a written report regarding the status and progress of the activities being completed. The Quarterly Report shall also include a projection of the activities the County expects to complete over the next 12-

month period. The County shall submit the Quarterly Report to the Department within 30 days of the end of each quarter.

17. During the implementation of this Agreement, the Department and the County agree to the use of secondarily treated wastewater for the purposes of operational testing of the System. This does not relieve the County from obtaining written approval from the Department to conduct operational testing as required by Rule 62-528.450(3)(b), F.A.C., or providing the documentation required by Rule 62-528.450(3)(a), F.A.C. The two-year time limitation under Rule 62-528.450, F.A.C., for operational testing will be waived to provide for the implementation of this Agreement. The Parties agree to hold any future operational permit applications by the County for the System in abeyance until the submission of the Final Report as required by Paragraph 13.

18. Nothing in this Agreement shall be construed to relieve the County from any obligation to acquire permits, licenses, certificates, or other authorizations for the System from any applicable local, state or federal regulatory agencies, including but not limited to, any authorization under Chapter 62-520, F.A.C.

19. The current underground injection control permits at the SDWWTP and the NDWWTP Permit No. 057792-025-029-UC/1M, and subsequent operation permit, require implementation of HLD prior to injection. The County agrees that it will not seek to remove the HLD requirement for these systems, excluding a change in law or regulation.

20. If any event, including administrative or judicial challenges by third parties unrelated to the County, occurs which causes delay or the reasonable likelihood of delay,

in complying with the requirements of this Agreement, the County shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of the County and could not have been or cannot be overcome by the County's due diligence. Economic circumstances shall not be considered circumstances beyond the control of the County, nor shall the failure of a contractor, subcontractor, materialman or other agency (collectively referred to as "Contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines, be a cause beyond the control of the County, unless the cause of the Contractor's late performance was also beyond the Contractor's control. Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, the County shall notify the Department orally or via email, within 48 hours and shall, within seven (7) calendar days of oral or email notification to the Department, notify the Department in writing of the anticipated length and cause of the delay, the measures taken or to be taken to prevent or minimize the delay, and the timetable by which the County intends to implement these measures. If the County demonstrates that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of the County, the time for performance hereunder shall be extended for a period equal to the agreed delay resulting from such circumstances or other period agreed upon by the Department. The Parties agree to use good faith efforts to informally negotiate such issues. Such agreement shall adopt all reasonable measures necessary to avoid or minimize delay. Failure of the County to comply with the notice requirements of this Paragraph in a timely manner shall constitute

a waiver of the County's right to request an extension of time for compliance with the requirements of this Agreement.

21. This Agreement may not be modified, amended, waived or terminated orally, but only by an instrument in writing signed by both the County and the Department.

22. Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Agreement will be effective until reduced to writing, executed by both the County and the Department, and filed with the clerk of the Department.

23. This Agreement is a final order of the Department pursuant to section 120.52(7), F.S., and is subject to the provisions of Chapter 120, F.S.

24. The County acknowledges and waives its right to an administrative hearing pursuant to sections 120.569 and 120.57, F.S., on the terms of this Agreement. The County acknowledges its right to appeal the terms of this Agreement pursuant to section 120.68, F.S., and waives that right upon signing this Agreement. Nothing in this paragraph waives the County's ability to challenge any agency action by the Department with regards to the approval of the MASP or Final Report in accordance with Paragraph 15.

25. The Parties agree that the terms and conditions of this Agreement will be enforceable by a court of competent jurisdiction pursuant to sections 120.69 and 403.121, F.S. The Department hereby expressly reserves the right to initiate appropriate administrative or legal action to address any violations of statutes or rules administered

by the Department that are not specifically resolved by this Agreement or to prevent a violation of a primary drinking water standards in a USDW.

26. In accordance with section 120.52, F.S., the effective date of this Agreement is the date filed with the Department's designated agency clerk.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.
SIGNATURES APPEAR ON THE NEXT PAGE.]

IN WITNESS WHEREOF, the Parties have executed this Agreement by their duly authorized representatives as of the date of year appearing by their respective signatures.

ATTEST:

**Juan Fernandez-Barquin,
Clerk of the Court and Comptroller**

**MIAMI-DADE COUNTY, a political
subdivision of the State of Florida**

By: _____
Deputy Clerk

By: _____
County Mayor

Print Name Date

Approved for form and legal sufficiency

Assistant County Attorney

**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

John A. Coates, P.E.
Director
Division of Water Resource Management

FILED ON THIS DATE PURSUANT TO § 120.52, FLORIDA STATUTES, WITH THE DESIGNATED DEPARTMENT CLERK, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED.

Deputy Clerk

Date



MEMORANDUM (Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: April 1, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(O)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) ____, CDMP 9 vote requirement per 2-116.1(4)(c) (2) ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved *Daniella Rene Caro* Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(1)
4-1-25

RESOLUTION NO. R-319-25

RESOLUTION APPROVING AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A SETTLEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ("FDEP") FOR OGC CASE NO. 20-1298/DOAH CASE NO. 23-2931 RELATED TO AN EXEMPTION THE COUNTY SOUGHT FROM A REQUIREMENT BY FDEP TO PROVIDE HIGH LEVEL DISINFECTION ("HLD") AT THE MIAMI-DADE WATER AND SEWER DEPARTMENT'S CENTRAL DISTRICT WASTEWATER TREATMENT PLANT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY RIGHTS CONTAINED WITHIN THE SETTLEMENT AGREEMENT AND TO CARRY OUT THE MULTI-AGENCY SCIENCE PLAN ("MASP") AT AN ESTIMATED COST TO THE COUNTY OF \$50,000,000.00

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA that this Board approves and authorizes the County Mayor or County Mayor's designee to execute a Settlement Agreement between Miami-Dade County (the "County") and FDEP related to the Miami-Dade Water and Sewer Department's Central District Wastewater Treatment Plant ("CDWWTP"), in substantially the form attached to the accompanying memorandum as Exhibit 1. Under the Settlement Agreement, the County has up to six years to develop the MASP to assess whether the CDWWTP's Injection Well System sufficiently inactivates pathogenic microorganisms before fluid migration impacts drinking water and, therefore, does not require HLD. The MASP is estimated to cost \$50,000,000.00 to complete; however, if, as anticipated, it demonstrates that

HLD is not needed at CDWWTP, it will result in a savings to the County of approximately \$250,000,000.00 because the County will not have to add HLD at the Plant. The Board further authorizes the County Mayor or County Mayor's designee to exercise any rights contained within the Settlement Agreement.

The foregoing resolution was offered by Commissioner **Danielle Cohen Higgins** , who moved its adoption. The motion was seconded by Commissioner **Roberto J. Gonzalez** and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman	aye		
Kionne L. McGhee, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Oliver G. Gilbert, III	aye	Roberto J. Gonzalez	aye
Keon Hardemon	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of April, 2025. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

SED

Sarah E. Davis