

ITEM # 72

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

Continued from the 11/7/06 BCC meeting

**SUBJECT:** WATER SUPPLY FACILITIES WORK PLAN 2006

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Dori L. DeBord **CONTACT:** Dick Boyer EXT. 7382

<b>Agenda Date:</b> <u>12/12/2006</u>	<b>Regular</b> <input type="checkbox"/>	<b>Consent</b> <input type="checkbox"/>	<b>Work Session</b> <input type="checkbox"/>	<b>Briefing</b> <input type="checkbox"/>
	<b>Public Hearing – 1:30</b> <input checked="" type="checkbox"/>		<b>Public Hearing – 7:00</b> <input type="checkbox"/>	

**MOTION/RECOMMENDATION:**

1. **CONTINUE** the Water Supply Facilities Work Plan amendment hearing process to a future date to be advertised; and  
NOT ADOPT in its current form, the Water Supply Facilities Work Plan amendment; and  
AUTHORIZE the Chairman to execute a letter responding to the Department of Community Affairs' Objections, Recommendations, and Comments Report dated October 20, 2006; indicating the ongoing effort to address the objections and complete the amendment adoption in a timely manner; or

2. **NOT ADOPT** the Water Supply Facilities Work Plan amendment.

District: Countywide

Dick Boyer, Senior Planner

**BACKGROUND:**

On October 20, 2006, the Florida Department of Community Affairs (Department) issued its Objections, Recommendations and Comments Report (ORC) addressing the County's proposed Water Supply Facilities Plan (WSP) transmitted by the Board for review on August 8, 2006.

The adoption hearing for the WSP had been scheduled for October 24, 2006 to meet the Florida Statutes requirement that a WSP be submitted by all jurisdictions within the Wekiva Study Area by December 1, 2006. Because the ORC (see attached) contained an objection to the WSP and made recommendations to address the objection, staff requested the Board continue the October 24, 2006 adoption hearing to December 12, 2006, to allow staff time to address the objection and recommendations and still adopt the WSP in a timely manner. To ensure an acceptable resolution to the

<b>Reviewed by:</b> <u>KRT</u>
<b>Co Atty:</b> _____
<b>DFS:</b> _____
<b>OTHER:</b> <u>AB</u>
<b>DCM:</b> _____
<b>CM:</b> <u>Dee</u>
<b>File No.</b> <u>ph130pdp08</u>

objection, staff requested a meeting with the Department and the St Johns River Water Management District (District).

On November 8, 2006, County staff met with the Department and the District to discuss the recommendations and District comments. The Department commented that Seminole County was the first jurisdiction in the State to submit a WSP and the first of the Wekiva Study Area jurisdictions to submit and was complementary of the County's work effort. The meeting focused on identifying text and issues that needed to be clarified, revised, added to or repositioned.

Pursuant to Florida Statutes, the Board has 60 days from issuance of the ORC to take one of the following actions regarding the amendment: choose to adopt, adopt with changes or not adopt the proposed amendment. All parties at the meeting concluded that the scheduled Dec 12, 2006 hearing date was not feasible given the time needed to complete the revisions and allow for a courtesy review by the Department and District. In addition, a continuance of this item will provide opportunity for an expedited timeline as opposed to a withdrawal and restart of the review process which would require another LPA meeting, BCC transmittal hearing and an adoption hearing.

A letter is included in this agenda package for the Board to consider authorizing the Chairman to sign. If the Board continues the item and authorizes the Chairman to sign, the letter will be sent to DCA explaining that the Board did not adopt the amendment at this time but continued it to enable adequate time so that the amendment can be adopted with changes in early 2007.

#### **STAFF RECOMMENDATION:**

Continue this item to a future date to be advertised, not adopt the amendment in its current form, and authorize the Chairman to sign a letter responding to the Objections, Recommendations and Comments Report (ORC) noting the County's ongoing effort to work with the staff of the Department of Community Affairs and complete this amendment adoption in a timely manner.

#### **HISTORY OF BOARD ACTIONS:**

***July 12, 2006      Local Planning Agency (LPA) Hearing***

Recommended adoption of the proposed amendments (6-0).

***July 18, 2006      Board of County Commissioners Work Session***

Environmental Services Water and Sewer Capital Improvement Program and Water and Sewer Rates

***August 8, 2006      Board of County Commissioners – Transmittal Hearing***

Board voted 5-0 to transmit proposed amendments to DCA and agencies.

***August - October   Department of Community Affairs (DCA) Review***

DCA and other State agencies, including the St. Johns River Water Management District (District), are currently reviewing the transmittal document.

**October 24, 2006 Board of County Commissioners – Adoption Hearing**

The DCA's Objections, Recommendations, Comments (ORC) Report was received by staff on October 20, 2006. Although commending the County for its timely update, the ORC Report objected to the Water Supply Plan and made several recommendations to address the objection. Staff requested a continuance to 12/12/2006.

**ATTACHMENTS:**

- Letter to DCA for Chairman's signature
- DCA's Objections, Recommendations and Comments Report

## **ATTACHED EXHIBITS**

- Letter to DCA for Chairman's signature
- Department of Community Affairs Objections, Recommendations, and Comments Report

*BCC Letterhead*

Florida Department of Community Affairs  
Dear Mr. Stansbury:

On October 20, 2006, the County received the Department's Objections, Recommendations and Comments Report (ORC), regarding the County's proposed Water Supply Facilities Work Plan (WSP) amendment to the Comprehensive Plan transmitted on August 8<sup>th</sup>, 2006. The ORC transmittal letter notes that "within the next 60 days, the County should act by choosing to adopt, adopt with changes or not adopt the proposed amendment".

Based on discussion with Department staff (Scott Rogers) and St Johns River Water Management District staff (Peter Brown) on November 8, 2006, which identified the extent of revision needed to meet the recommendations, County staff believes that this cannot be accomplished in an adequate manner by December 12, 2006, the Board's last hearing date in 2006.

Due to the above mentioned circumstances, the County did not adopt the proposed amendment at this time, but continued this item at our December 12, 2006 hearing to a date to be advertised in early Spring 2007. We wish to assure the Department and District that we are working to accomplish this task with all due speed and effectiveness and ask for your consideration of our efforts during this time period. We will continue to be in contact with and work with Department and District staff.

Should you have any questions or concerns, please contact Dick Boyer, Senior Planner, by phone at 407-665-7382 or by email at [dboyer@seminolecountyfl.gov](mailto:dboyer@seminolecountyfl.gov).

Sincerely,

BOARD OF COUNTY COMMISSIONERS

CARLTON D. HENLEY, Chairman

c: *Cynthia A. Coto, County Manager*  
*Donald S. Fisher, Deputy County Manager*  
*John Cirello, Environmental Services Director*  
*Dori L. DeBord, Planning and Development Director*  
*April Boswell, Planning Manger*  
*Sheryl Stolzenberg, Principal Coordinator*



STATE OF FLORIDA

# DEPARTMENT OF COMMUNITY AFFAIRS

*"Dedicated to making Florida a better place to call home"*

JEB BUSH  
Governor

THADDEUS L. COHEN, AIA  
Secretary

October 20, 2006

The Honorable Carlton D. Henley, Chairman  
Seminole County Board of County Commissioners  
1101 East First Street  
Sanford, Florida 32771-1468

Dear Chairman Henley:

The Department has completed its review of the proposed Comprehensive Plan Amendment for Seminole County (DCA 06-RWSP1), which was received on August 15, 2006. Based on Chapter 163, F.S., we have prepared the attached report, which outlines our findings concerning the amendment. It is particularly important that the County address the objections set forth in our review report so that these issues can be successfully resolved prior to adoption. We have also included a copy of local, regional and state agency comments for your consideration. Within the next 60 days, the County should act by choosing to adopt, adopt with changes or not adopt the proposed amendment. For your assistance, our report outlines procedures for final adoption and transmittal.

The County's proposed Amendment 06-RWSP1 consists of amendments to four plan elements (Potable Water Element; Conservation Element; Capital Improvements Element; and Intergovernmental Coordination Element) to address the requirements of the Wekiva Parkway and Protection Act for a 10 Year Water Supply Facility Work Plan. The Department commends the County for this timely update to the Comprehensive Plan to address water supply planning.

In order to assist the County as it moves towards the adoption of the amendment, the Department has identified specific issues that should be addressed. The Department has concerns that the amendment lacks appropriate supporting data and analysis addressing the projected demand for potable water, coordination of the projected demand with the St. Johns River Water Management District, and appropriate quantification of water conservation and water reuse offsets to potable water demand. The Department is concerned that the amendment does not include appropriate policies addressing water supply concurrency management requirements and appropriate policies articulating the water conservation program and water reuse program. The proposed amendment intends to incorporate by reference the water supply work plan into the Comprehensive Plan; however, the amendment does not appropriately accomplish this reference through plan policies. The water supply work plan does not identify the funding sources for each project, and the data and analysis of the Capital Improvements Element is not revised to include an inventory of the capital projects identified in the water

2555 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA 32399-2100  
Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781  
Internet address: <http://www.dca.state.fl.us>

CRITICAL STATE CONCERN FIELD OFFICE  
2796 Overseas Highway, Suite 212  
Marathon, FL 33050-2227  
(305) 289-2402

COMMUNITY PLANNING  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100  
(850) 488-2356

EMERGENCY MANAGEMENT  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100  
(850) 413-9969

HOUSING & COMMUNITY DEVELOPMENT  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100  
(850) 488-7956

The Honorable Carlton D. Henley, Chairman  
October 20, 2006  
Page Two

supply work plan. The Amendment is not supported by data and analysis demonstrating that the water supply projects listed in the first five years of the 10 year work plan are included in the Capital Improvements Element Five-Year Schedule. We recommend the County coordinate with the St. Johns River Water Management District and the Department in formulating a response to the report.

If you, or your staff, have any questions or if we may be of further assistance, please contact Scott Rogers, Principal Planner, at (850) 922-1809.

Sincerely yours,

James D. Stansbury  
Regional Planning Administrator

Enclosures: Objections, Recommendations and Comments Report  
Review Agency Comments

cc: Mr. Don Fisher, Director, Planning and Development Services, Seminole County  
Mr. Phil Laurien, Executive Director, East Central Florida Regional Planning Council

## TRANSMITTAL PROCEDURES

The process for adoption of local comprehensive plan amendments is outlined in s. 163.3184, Florida Statutes, and Rule 9J-11.011, Florida Administrative Code.

Within ten working days of the date of adoption, the County must submit the following to the Department:

- Three copies of the adopted comprehensive plan amendment;
- A copy of the adoption ordinance;
- A listing of additional changes not previously reviewed;
- A listing of findings by the local governing body, if any, which were not included in the ordinance; and
- A statement indicating the relationship of the additional changes to the Department's Objections, Recommendations and Comments Report.

The above amendment and documentation are required for the Department to conduct a compliance review, make a compliance determination and issue the appropriate notice of intent.

In order to expedite the regional planning council's review of the amendment, and pursuant to Rule 9J-11.011(5), F.A.C., please provide a copy of the adopted amendment directly to Mr. Phil Laurien, Executive Director of the East Central Florida Regional Planning Council.

Please be advised that the Florida legislature amended Section 163.3184(8)(b), F.S., requiring the Department to provide a courtesy information statement regarding the Department's Notice of Intent to citizens who furnish their names and addresses at the local government's plan amendment transmittal (proposed) or adoption hearings. In order to provide this courtesy information statement, local governments are required by the law to furnish to the Department the names and addresses of the citizens requesting this information. This list is to be submitted at the time of transmittal of the adopted plan amendment (a sample Information Sheet is attached for your use).



**DEPARTMENT OF COMMUNITY AFFAIRS**  
**OBJECTIONS, RECOMMENDATIONS AND COMMENTS**  
**FOR**  
**SEMINOLE COUNTY**  
**AMENDMENT 06-RWSP1**

October 20, 2006  
Division of Community Planning  
Bureau of Local Planning

This report is prepared pursuant to Rule 9J-11.010, F.A.C.

**OBJECTIONS, RECOMMENDATIONS AND COMMENTS  
FOR  
SEMINOLE COUNTY  
AMENDMENT 06-RWSP1**

**I. CONSISTENCY WITH CHAPTER 163, PART II, F.S.; and RULE 9J-5, F.A.C.**

The proposed Amendment 06-RWSP1 consists of amendments to four plan elements (Conservation Element; Capital Improvements Element; Intergovernmental Coordination Element; and Potable Water Element) to address the requirements of the Wekiva Parkway and Protection Act (Chapter 369, Part III, Florida Statutes) for a 10 Year Water Supply Facility Work Plan. The Wekiva Parkway and Protection Act requires local governments within the Wekiva Study Area to amend (by December 1, 2006) their comprehensive plans to include an up-to-date 10-year water supply facility work plan for building potable water facilities necessary to serve existing and new development and for which the local government is responsible as required by Section 163.3177(6)(c), Florida Statutes. The Department raises the following objections to proposed Amendment 06-RWSP1:

1. Objection: The Amendment 06-RWSP1 does not amend the Comprehensive Plan, supported by appropriate data and analysis, to adequately include a 10 Year Water Supply Facility Work Plan consistent with the requirements of the Wekiva Parkway and Protection Act and coordinated and consistent with the District Water Supply Plan of the St. Johns River Water Management District.

The amendment lacks appropriate supporting data and analysis addressing the projected demand for potable water and demonstrating coordination and consistency of the projected demand with the St. Johns River Water Management District Regional Water Supply Plan and Water Supply Assessment. For example, the County's Work Plan (Table 3-3) shows the total demand for the four major service areas in year 2015 as 28.550 million gallons per day which is greater than the year 2025 projected demand of 28.09 million provided in District's Water Supply Assessment plan.

The amendment does not include appropriate policies articulating the County's water conservation program and water reuse program. In addition, the proposed Comprehensive Plan policies do not address the water supply concurrency management requirements of Section 163.3180(2)(a), F.S., that went into effect July 1, 2005. Section 163.3180(2)(a), F.S., requires the County's Comprehensive Plan and land development regulations address the following: (1) ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the County anticipates issuing a certificate of occupancy; and (2) consultation with the applicable water supplier during the permit review process and prior to the approval of a building permit, to determine if adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy. These requirements were not appropriately addressed in the proposed amendment.

The proposed amendment (Potable Water Element Policy 5.1) intends to incorporate by reference the water supply work plan into the Comprehensive Plan. However, the amendment does not appropriately accomplish this incorporation (adoption) by reference because Policy 5.1 does not appropriately identify the title and author of the document to be incorporated by reference and clearly indicate what provisions and edition of the document is being adopted.

The water supply work plan does not identify the funding sources for each water supply work plan project. The data and analysis of the Capital Improvements Element is not revised to include an inventory of the capital projects identified in the water supply work plan that the County is currently seeking to implement. The amendment is not supported by data and analysis demonstrating that the water supply projects listed in the first five years of the 10 year water supply work plan are included in the Capital Improvements Element Five-Year Schedule of Capital Improvements.

The County's Water Supply Work Plan does not appropriately identify the amounts of water associated with each water conservation practice and then identify the amount of potable water demand that will be reduced (offset) by water conservation. The County's Water Supply Work Plan does not appropriately identify the amounts of potable water demand that will be reduced (offset) from water reuse.

The County's Water Supply Work Plan does not appropriately consider and include the alternative water supply projects identified in the District Water Supply Plan of the St. Johns River Water Management District (SJRWMD) as a means to meet the projected water demand rather than relying on increased groundwater withdrawal.

The County's Water Supply Work Plan does not include the county planning process that is being undertaken with other local governments regarding alternative water sources and indicate the decision-making steps and timeframes relative to the planning process.

[Rules 9J-5.005(2, 5, and 6); 9J-5.006(1, 2, and 3); 9J-5.011(1 and 2); and 9J-5.013(1, 2, and 3); 9J-5.015(1, 2, and 3); 9J-5.016(1, 2, 3, and 4), Florida Administrative Code (F.A.C.); and Sections 163.3177(6)(a, c, d, e, and h); 163.3177(2, 3, 4, 8, and 10); and 369.321, Florida Statutes]

Recommendation: Revise the amendment to include the water supply facilities plan (by Reiss Environmental, August 2006) as supporting data and analysis and demonstrate that the water supply facilities plan meets the requirements of the Wekiva Parkway and Protection Act and is appropriately coordinated and consistent with the District Water Supply Plan of the St. Johns River Water Management District. Coordinate with the St. Johns River Water Management District and revise the analysis of the projected demand for potable water to be coordinated with St. Johns River Water Management District Water Supply Plan and Water Supply Assessment. Revise the supporting analysis and the 10 Year Water Supply Facility Work Plan to identify the amounts of water associated with each water conservation practice and the amount of potable water demand that will be reduced (offset) by water conservation. Revise the supporting data and analysis and the 10 Year Water Supply Facility Work Plan to identify the

amounts of potable water demand that will be reduced (offset) from water reuse. Revise the supporting data and analysis and the 10 Year Water Supply Facility Work Plan to appropriately consider and include the alternative water supply projects identified in the District Water Supply Plan of the St. Johns River Water Management District as a means to meet the projected water demands rather than relying on increased groundwater withdrawal. Revise the adopted portion of the Potable Water Element to include the 10 Year Water Supply Facility Work Plan (Work Plan) and clearly identify the documents that comprise the Work Plan. Revise the Work Plan to identify the funding sources for each project. Revise the data and analysis of the Comprehensive Plan Capital Improvements Element to include (inventory) the capital improvement projects recommended by the Work Plan. Revise the amendment to include a financially feasible Capital Improvements Element Five-Year Schedule of Capital Improvements which includes the first five years of the water supply facilities improvement projects recommended by the Work Plan and coordinated with the Potable Water Element. Include plan policies to appropriately address the water supply facilities requirements of the Wekiva Parkway and Protection Act. Include plan policies addressing the concurrency requirements of Section 163.3180(2)(a), F.S. We recommend the County coordinate with the St. Johns River Water Management District and the Department while formulating a response to this report.

## **II. CONSISTENCY WITH STATE COMPREHENSIVE PLAN**

**Objection:** The proposed Comprehensive Plan Amendment 06-RWSP1 is not consistent with and does not further the following provisions of the State Comprehensive Plan (Chapter 187, Florida Statutes) for the reasons noted in the objections raised above in Section I:

- (a) Goal 7.a (Water Resources); Policies 7.b.1, 7.b.5, 7.b.9, 7.b.10, and 7.b.11;
- (b) Goal 9.a (Natural Systems and Recreational Lands); Policies 9.b.1, 9.b.2, and 9.b.10.
- (c) Goal 15.a (Land Use); Policies 15.b.1, 15.b.2, 15.b.6;
- (d) Goal 17.a (Public Facilities); Policy 17.b.1; and
- (e) Goal 25.a (Plan Implementation); Policy 25.b.7.

**Recommendation:** Revise the plan amendment as recommended for the objections raised above.



# ST. JOHNS RIVER Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

10/19/06

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500  
On the Internet at [www.sjrwm.com](http://www.sjrwm.com).

October 16, 2006

D. Ray Eubanks, Administrator  
Plan Review and Processing  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

Re: Seminole County Proposed Comprehensive Plan Amendment  
DCA Amendment #06RWSP-1

Dear Mr. Eubanks:

St. Johns River Water Management District (District) planning staff have reviewed the above-referenced proposed comprehensive plan amendment. The proposed amendment consists of text changes to the adopted sections of the Conservation, Capital Improvements, Future Land Use, Implementation, Intergovernmental Coordination, and Potable Water elements. The County's cover letter indicates that the text changes are intended to implement and support the water supply facilities work plan (work plan), which is proposed as an addition to the Potable Water Element. The County also submitted a work plan background document prepared by Reiss Environmental. The District staff review focuses on water supply availability and related water resource issues in an effort to link land use planning and water supply planning. The text changes were reviewed relative to the *District Water Supply Plan 2005 (DWSP 2005)*, the District's *Water Supply Assessment 2003 (WSA 2003)*, the District's consumptive use permitting files, and other related District records. District staff comments are provided below.

### Scope of the proposed text changes

The County has two sets of requirements and deadlines to comply with, relative to work plans. The County is required to comply with the Wekiva Parkway and Protection Act (Wekiva Act) provisions, relative to work plans, because it is located in the Wekiva Study Area. The Wekiva Act requires the County to amend its comprehensive plan by December 1, 2006, to include a 10-year work plan that addresses improvements to the County's water supply facilities that are necessary to serve existing and new development. The County is also required to address the full set of work plan related requirements provided in Chapter 163, *Florida Statutes (F.S.)*, by August 7, 2007, to meet the deadline established in Chapter 163, F.S. The deadline is 18 months after the District's Governing Board approved *DWSP 2005* on February 7, 2006.

The County's proposed introduction, issue 7, and work plan sections in the Potable Water Element indicate that the text changes address the cumulative legislative changes made in 2002, 2004, and 2005 to Chapter 163, F.S., relative to work plans. According to County staff, the work

#### GOVERNING BOARD

David G. Graham, CHAIRMAN JACKSONVILLE	John G. Sowinski, VICE CHAIRMAN ORLANDO	Ann T. Moore, SECRETARY BUNNELL	Duane L. Ottenstroer, TREASURER JACKSONVILLE
R. Clay Albright CCALA	Susan N. Hughes PCATONEDA	William W. Kerr MELBOURNE BEACH	Ometrias D. Long APOPKA
			W. Leonard Wood FERNANDINA BEACH

plan is intended to meet the requirements of the Wekiva Act because it covers only the major water supply facilities owned by the County. Although the work plan submitted by the County, to comply with the Wekiva Act may address some of the work plan requirements of Chapter 163, F.S., the County still must complete updates of several elements and adopt related amendments by August 7, 2007, to address the full set of work plan related requirements of Chapter 163, F.S. Those updates will include, at a minimum, revising

- The Potable Water Element to
  - Incorporate the alternative water supply project or projects the local government has selected from *DWSP 2005* or proposed to the District as an alternative under section 373.0361(7)(b), F.S.
  - Identify the traditional and alternative water supply projects and the conservation and reuse programs necessary to meet current and future water use demands within the County's jurisdiction
  - Include a water supply facilities work plan for at least a 10-year planning period for construction of public, private, and regional water supply facilities that are identified in the element as necessary to serve existing and new development within the County's jurisdiction (if the planning period in the comprehensive plan is longer than 10 years, the work plan should cover the longer planning period)
- The Capital Improvements Element to include, in the financially feasible 5-year schedule of capital improvements, any projects identified as needed in the first 5 years of the 10-year work plan and to ensure consistency with changes made in the Potable Water Element
- The Conservation Element to assess current and projected water needs and sources for at least a 10-year planning period, considering *DWSP 2005* (if the established planning period of the comprehensive plan is greater than 10 years, the assessment must address the water supply needs and sources for the longer planning period) and to ensure consistency with changes made in the Potable Water Element
- The Intergovernmental Coordination Element to ensure coordination of the comprehensive plan with *DWSP 2005* and subsequent updates and to ensure consistency with changes made in the Potable Water Element

The introduction, issue 7, and work plan sections in the Potable Water Element should be revised to indicate how the County will comply with the Wekiva Act requirements and the cumulative legislative changes made in 2002, 2004, and 2005 to Chapter 163, F.S., relative to work plans.

#### **Work plan to be adopted**

The work plan and exhibits sections in the Potable Water Element appear to be what the County intends to adopt as a work plan, but Potable Water Policy 5.1 indicates that the work plan background document is adopted by reference. The background document should not be adopted, but it should be used to update the data and analysis and the adopted sections of the Potable Water, Conservation, Intergovernmental, and Capital Improvements elements. The County should delete the last two sentences of proposed Policy 5.1.

Potable Water policies 5.2 and 5.5, Conservation Policy 1.18, and Intergovernmental Coordination Policy 3.3 address annual updates to the work plan and coordination with the

District's regional water supply plan (*DWSP 2005* and subsequent updates). Annual updates of the work plan are not required. The County is required to update its work plan within 18 months of any update to *DWSP 2005* that affects the County.

### **Projected water demand**

Because the County is addressing the Wekiva Act requirements, it is not necessary to account for all suppliers within the County's jurisdiction, although that must be done in the updates to be completed by August 7, 2007. In order to comply with the Wekiva Act, the work plan in the Potable Water Element should address improvements to the County's potable and reuse facilities to meet the water demands projected in the District's *WSA 2003*.

Table 3-3 in the work plan background document, which is also a proposed exhibit in the Potable Water Element, provides demand projections for 2010, 2015, and 2020 relative to the County's four major service areas (not including the six satellite systems in the southwest service area) and the Black Hammock service area, which is served through a wholesale contract with the City of Oviedo. A replacement Table 3-3 was provided to DCA by the County in a letter dated August 30, 2006. In the replacement table, the total demand for the four major service areas in 2015 is 28.550 million gallons per day (mgd), which is greater than the 2025 projected demand of 28.09 mgd provided in Table 5 of *WSA 2003*.

Section 4 of the work plan background document provides the methodology used for projecting demand and indicates that the methodology was used to derive the demand calculations in the County's consumptive use permit (CUP) application. The demand calculations are under review in the consumptive use permitting process and the District's request for additional information, dated July 28, 2006, includes several items that need clarification. If changes are made to the County's projections in the permitting process, the work plan should be revised accordingly.

### **Identification of traditional and alternative water supply projects**

The work plan in the Potable Water Element provides general information regarding certain projects that will be undertaken over the next 10 years to meet the potable water demands in the County's service areas. Other projects and project details are provided in the exhibits proposed to be added to the Potable Water and Capital Improvements elements and in the work plan background document. The work plan in the Potable Water Element should be revised to identify the major tasks required to build water supply facilities, including alternative water supply projects that are identified in the work plan background document as necessary to serve existing and new development. The tasks should be placed in priority order by fiscal year, and for each capital improvement, the funding source should be identified. Tasks may include agreements with other water supply entities (if needed), feasibility studies, water resource development projects (if needed), facilities and financial plans, and facilities design, permitting, and construction.

The County informed DCA in a letter dated August 30, 2006, that one component of the County's plan for meeting potable water demand in 2010 and 2015 is requesting increased groundwater withdrawal in its CUP renewal application and that 25.64 mgd of the 28.55 mgd

projected need for 2015 will be met by the use of groundwater. The use of 25.64 mgd of groundwater is 3.866 mgd more than the permitted withdrawal of 21.774 mgd for 2015 identified in Potable Water Table 3-3. *DWSP 2005* includes a water supply development component that identifies water supply development project options available to water supply entities to help meet their projected needs. Traditional water supply development projects that rely on fresh groundwater as a source of water supply are not identified. *DWSP 2005* indicates that traditional-source projects are projected to supply a significant portion of the total water use through 2025, but most new water supply development to support increased demands is expected to come from alternative water supply sources.

The work plan should be revised to indicate the portion of demand that will be met through the use of groundwater and to identify the related projects. If the County does not obtain an increased groundwater allocation in the consumptive use permitting process, then the well and treatment facility projects related to the increased use of groundwater will need to be replaced by projects related to the development and use of alternative water supplies.

The work plan in the Potable Water Element indicates that the County is proceeding with the implementation of the Yankee Lake reclaimed water system augmentation project, and the work plan background document indicates the County is proceeding with other jurisdictions in the implementation of the eastern Orange and Seminole counties regional reclaimed water reuse project and the north Seminole regional reclaimed water and surface water augmentation system expansion and optimization project. In addition, the County is involved in two planning processes relative to selecting alternative water supply projects to help meet water demands.

*DWSP 2005* identifies alternative water supply project options that the County should implement. In May 2006, the District sent the County a notification that listed those projects. The County is required to provide a response to the District within one year (May 2007) to indicate which projects have been selected, or to identify other proposed projects, for meeting the needs identified in *DWSP 2005*. The other planning process is a county-level planning effort. The work plan background document indicates that the County is participating in a county-level water supply planning effort with the District and the seven municipalities in the County. It is anticipated that the county-level plan will be completed in 2007 and will identify water supply development projects that are suitable to be included in a future update or amendment of *DWSP 2005*. The County should include the decision-making time frames relative to the planning processes in the work plan and indicate whether or not the processes are related. The projects selected by the County should be included in the comprehensive plan updates completed by August 7, 2007.

#### **Water conservation**

The work plan in the Potable Water Element provides general information regarding existing water conservation practices and indicates that water conservation plans will be completed for each service area in 2007 and, later, incorporated into the comprehensive plan. The work plan does not identify the specific conservation practices that will result in a reduction of potable water demand. The County informed DCA in a letter dated August 30, 2006, that offsetting groundwater demand by implementing water conservation initiatives is one component of the



plan for meeting potable water demand in 2010 and 2015 and that implementation of reuse projects and conservation measures will reduce the projected potable water demand by 2.91 mgd in 2015 from 28.55 mgd to 25.64 mgd. The work plan should be revised to identify the existing and proposed conservation practices that will result in a reduction of potable water demand. In addition, the County should revise policies as needed to articulate its conservation program. When the 2007 conservation plans are completed, the County should make appropriate revisions to the policies in conjunction with the comprehensive plan updates to be completed by August 7, 2007.

#### **Reuse**

The work plan in the Potable Water Element provides general information regarding reuse retrofits in existing service areas. The work plan background document indicates that the County is committed to several reuse projects. The work plan does not identify the specific reuse practices that will result in a reduction of potable water demand. The County informed DCA in a letter dated August 30, 2006, that offsetting groundwater demand by implementing reuse initiatives is one component of the plan for meeting potable water demand in 2010 and 2015 and that implementation of reuse projects and conservation measures will reduce the projected potable water demand by 2.91 mgd in 2015 from 28.55 mgd to 25.64 mgd. The work plan should be revised to identify the existing and proposed reuse practices that will result in a reduction of potable water demand. In addition, the County should revise policies as needed to articulate its reuse program.

#### **Water supply and facility concurrency**

The work plan background document indicates that Implementation Element Policy 2.5 currently provides the County's concurrency management requirements. The County should revise the policy to address the water supply concurrency requirements in Section 163.3180(2)(a), F.S., that went into effect on July 1, 2005. To meet the requirements, the County's comprehensive plan and land development regulations must ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the County anticipates issuing a certificate of occupancy. Additionally, the County must include consultation with the applicable water supplier during the permit review process and prior to the approval of a building permit to determine if adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy.

#### **Evaluation and appraisal report**

Potable Water Policy 5.8 requires the County to assess the work plan as part of its evaluation and appraisal report process for coordination with the District. The policy should be revised to indicate that the assessment will address

- The extent to which the local government has implemented the work plan for building public, private, and regional water supply facilities, including the development of alternative water supplies, to meet local water use needs identified in the Infrastructure Element

- The extent to which the local government has been successful in identifying alternative water supply projects, traditional water supply projects, and conservation and reuse programs to meet the water needs identified in the District's regional water supply plan (DWSP 2005 or subsequent update)

We appreciate the opportunity to provide comments. District staff is available to meet with County staff to discuss how to address the District's comments and to provide other technical assistance as needed. If you need additional information, please contact District Policy Analyst Peter Brown at (386) 329-4311/Suncom 860-4311 or [pbrown@sjrwmd.com](mailto:pbrown@sjrwmd.com).

Sincerely,



Linda Burnette, Director  
Office of Communications and Governmental Affairs

LB/PB

cc: Randy Morris, Seminole County Commission	Jim Quinn, FDEP
Bob Dallari, Seminole County Commission	Jeff Cole, SJRWMD
Carlton Henley, Seminole County Commission	Barbara Vergara, SJRWMD
Tony Walter, Seminole County	James Hollingshead, SJRWMD
Dick Boyer, Seminole County	Nancy Christman, SJRWMD
Dennis Westrick, Seminole County	Peter Brown, SJRWMD
Phil Laurien, ECFRPC	



6 JS  
9/14/06

FLORIDA DEPARTMENT OF STATE  
Sue M. Cobb  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

Mr. Ray Eubanks  
Department of Community Affairs  
Bureau of State Planning  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

September 12, 2006

Re: Historic Preservation Review of the Seminole County (06RWSP-1) Comprehensive Plan Amendment

Dear Mr. Eubanks:

According to this agency's responsibilities under Sections 163.3177 and 163.3178, *Florida Statutes*, and Chapter 9J-5, *Florida Administrative Code*, we reviewed the above document to determine if data regarding historic resources have been given sufficient consideration in the request to amend the Seminole County Comprehensive Plan.

We reviewed proposed text amendments to the Future Land Use, Capital Improvements, Conservation, Implementation, Intergovernmental Coordination, and Potable Water Elements of the Seminole County Comprehensive Plan regarding the Water Supply Facilities Work Plan, to consider the potential effects of these actions on historic resources. While our cursory review suggests that the proposed changes may have no adverse effects on historic resources, it is the county's responsibility to ensure that the proposed revisions will not have an adverse effect on significant archaeological or historic resources in Seminole County.

If you have any questions regarding our comments, please feel free to contact Susan M. Harp of the Division's Compliance Review staff at (850) 245-6333.

Sincerely,

Frederick P. Gaske, Director

Xc: Mr. James Stansbury

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

- Director's Office (850) 245-6300 • FAX: 245-6436
- Archaeological Research (850) 245-6444 • FAX: 245-6452
- Historic Preservation (850) 245-6333 • FAX: 245-6437
- Historical Museums (850) 245-6400 • FAX: 245-6433
- Southeast Regional Office (904) 467-1900 • FAX: 467-1901
- Northeast Regional Office (904) 875-5115 • FAX: 875-5114
- Central Florida Regional Office (813) 777-3813 • FAX: 777-2310

**REGIONAL  
PLANNING  
COUNCIL**

9/20/06

**M E M O R A N D U M**

Chairman  
Jon B. Rawlson  
Governor's Appointee  
Orange County

Vice Chairman  
Michael S. Blake  
Commissioner  
Tri-County League  
of Cities  
Winter Springs

Secretary/Treasurer  
Teresa Jacobs  
Orange County

Executive Director  
Phil Laurien, AICP

Serving  
Alachua, Lake,  
Orange, Osceola,  
Seminole and Volusia  
Counties.

601 W. Wynona Road  
Suite 100  
Maitland, Florida  
32751

Phone  
407.411.1075  
Fax 407.411.1084

Summer 334-1075  
Summer Fax  
334-1084

Website:  
www.rcfcpl.org

**TO:** D. Ray Eubanks, FDCA, Community Program Administrator  
James Stansbury, FDCA

**FROM:** Phil Laurien, AICP  
Executive Director

**DATE:** Wednesday, September 20, 2006

**SUBJECT:** Comprehensive Plan Amendment Review

**LOCAL GOVERNMENT:** Seminole County

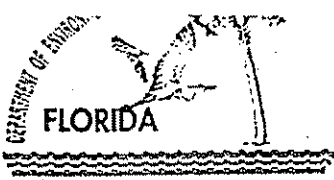
**LOCAL AMENDMENT #:** Policy DRG 2.9  
Policy DRG 4.5  
Policy DRG 6.3  
Policy TRA 14.25  
Policy TRA 14.26

**DCA AMENDMENT #:** Seminole County 06RWSP-1

Council staff has completed a technical review of the Seminole County's comprehensive plan amendments reference above. Due to direct relation to the Wekiva Parkway and Protection Act, Part III, Chapter 369, F.S., these amendments are exempt from the twice per year limitation on large scale plan amendment submittal for 2006.

The review was conducted in accordance with the provisions of the East Central Florida Regional Planning Council's current contract with the Florida Department of Community Affairs for Comprehensive Plan Amendment Reviews.

We have not identified any significant and adverse effects on regional resources or facilities, nor have any extra-jurisdictional impacts been identified that would adversely effect the ability of neighboring jurisdictions to implement their comprehensive plans.



# Department of Environmental Protection

9/25/06

Jeb Bush  
Governor

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Colleen M. Castille  
Secretary

September 20, 2006

Mr. Ray Eubanks  
Plan Review and DRI Processing Team  
Florida Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

**RE: Seminole 06RWSP-1, Comprehensive Plan Amendment ORC Review  
Preliminary Comments**

Dear Mr. Eubanks:

The Department is still in the process of reviewing the proposed amendment to Seminole County's comprehensive plan under the procedures of Chapter 163, *Florida Statutes (F.S.)*, and Chapters 9J-5 and 9J-11, *Florida Administrative Code (F.A.C.)*. Final comments will be submitted no later than September 21, 2006.

Thank you for the opportunity to comment on the proposed amendment package. Should you have any questions or require further assistance, please call me at (850) 245-2172.

Yours sincerely,

*SER*

Suzanne E. Ray  
Office of Intergovernmental Programs

/ser

*"More Protection. Less Process"*



# Environmental Protection

Jeb Bush  
Governor

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Colleen M. Castille  
Secretary

October 12, 2006

Mr. Ray Eubanks  
Plan Review and DRI Processing Team  
Florida Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

**RE: Seminole 06RWSP-1, Comprehensive Plan Amendment ORC Review**

Dear Mr. Eubanks:

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (FDEP) has reviewed the above-referenced amendment proposal under the procedures of Chapter 163, Florida Statutes, and Chapters 9J-5 and 9J-11, Florida Administrative Code, and we have the following comments and suggestions.

The amendment package consists of the 10-Year Water Supply Facilities Work Plan (Work Plan) required by 2005 growth management legislation, and the proposed text changes to the goals, objectives, and policies of the County's comprehensive plan to implement the Work Plan. The legislation requires that the County project water demands for at least a 10-year period, and demonstrate that the current and planned water supply facilities and sources of water will meet the projected demand. All local governments must also revise their comprehensive plans to address water supply concurrency and ensure that their 5-year schedules of capital improvements are financially feasible. The Department will focus its attention on the County's effectiveness in analyzing its ability to supply water to future growth over the next ten years and the efficacy of the strategies that the County has chosen to meet future water supply demands.

### Comments on the 10-year Work Plan

The Seminole County Work Plan includes an analysis of the current and future water demands, water treatment system design capacities, consumptive use permit (CUP) limitations, and the resulting water surplus or deficit for each of the four major service areas of the County. The analysis predicts deficits in the Northwest service area and the Southeast service area by 2010, a deficit in the Southwest service area by 2015, and deficits in all four service areas by 2020.

The Work Plan presents the planned improvements necessary over the next ten years to implement the County's strategy in meeting the water supply demand. These consist of the development and optimization of groundwater supplies, expansion of reuse water systems to residential areas, water conservation programs, and the evaluation of alternative water sources. The five- and ten-year Water Supply Projects Lists include the following items: construction of new wells; the development of a water quality master plan; five reclaimed water main retrofit projects; an update of the 2003 Sewer and Reclaimed Water Master Plan; a study of the Yankee Regional Surface Water Facility to augment upper Floridan groundwater sources; construction of Yankee Regional Surface Water Facility to augment reuse water;

*"More Protection, Less Process"*

Phone: 850/245-2061 ♦ Fax: 850/245-2089

and construction of the Markham Regional Water Treatment Plant Aquifer Storage and Recovery System. It appears that Seminole County has sufficiently analyzed its ability to meet potable water demands for growth over the next ten years and has formalized strategies to meet those demands. The Department recognizes that the County may have to meet requirements of the St. Johns River Water Management District (SJRWMD) to identify and incorporate the alternative water supply project(s) listed in the updated SJRWMD regional water supply plan.

One of the requirements of the Work Plan is to indicate the extent to which conservation and reuse will reduce the projected potable water demand. The County provides data that gives the implementation dates of the reuse retrofit projects, the flows projected for those projects, and the potential potable water deficit offset and thus, fulfills this requirement for reuse. The Department notes that according to analysis presented in the 2005 Reuse Inventory published in June of 2006, Seminole County does a commendable job utilizing reuse as a tool to offset potable water demand. The Department applauds the County for its success in providing reuse facility systems and for requiring that all development enter into effluent reuse agreements as a condition of sewer service (Policy 1.7, Potable Water Element). The County lists its current water conservation methods and includes a list of new methods to be evaluated for potential implementation. The County should, however, also indicate the extent to which these conservation efforts may reduce potable water demands.

**Comments on Amendments Addressing Water Supply Concurrency**

The 2005 growth management legislation requires that a local government's future land use plan be based on the availability of both water supplies and public facilities (water treatment and distribution). Concurrency requirements found in Policy 6.2 of the Future Land Use Element and in Policy 2.5 of the Implementation Element do not meet this requirement. The policies address the availability of public facility capacity, but do not address the availability of raw water supply. The policies should be changed to state that all development orders, permits and agreements are subject to the adopted concurrency management system and that the County will ensure the availability of both public facility capacity and water supply capacity. The concurrency management system should also include policies that formalize the consultation between the County and its water suppliers.

Thank you for the opportunity to comment on the proposed amendment package. Should you have any questions or require further assistance, please call me at (850) 245-2172.


Yours sincerely,

*SER*

Suzanne E. Ray  
Office of Intergovernmental Programs

/ser

4 JS  
9/11/06

  
**Florida Department of Transportation**

JEB BUSH  
GOVERNOR

Intermodal Systems Development  
133 South Semoran Boulevard  
Orlando, FL 32807-3230

DENVER J. STUTLER, JR.  
SECRETARY

September 11, 2006

Mr. Ray Eubanks, Community Program Administrator  
Department of Community Affairs, State of Florida  
Plan Review & DRI Processing Section  
2555 Shumard Oaks Boulevard  
Tallahassee, FL 32399-2100

**SUBJECT: PROPOSED COMPREHENSIVE PLAN AMENDMENT**  
**LOCAL GOVERNMENT: SEMINOLE COUNTY**  
**DCA #: 06RWSP-1**

Dear Mr. Eubanks:

The Department of Transportation has completed its review of the above proposed comprehensive plan amendment as requested in your memorandum dated, August 22, 2006. We appreciate the opportunity to participate in this review process.

Since the amendment does not appear to have significant adverse impacts to the State Highway System, the Florida Intrastate Highway System or the Strategic Intermodal System, the Department does not have any review comments.

If you have any questions, please contact me at 407-482-7856 (Suncom: 335-7856) or e-mail me at [betty.mckee@dot.state.fl.us](mailto:betty.mckee@dot.state.fl.us).

Sincerely,

*Betty McKee*

Betty McKee  
Systems Planner

BMck  
attachment

cc: Rob Magee, FDOT  
James Stansbury, DCA  
Tony Walter, Seminole County