

Environmental Protection and Growth Management Department
ADOPTION STAFF REPORT
Amendment 20-T1: Water Supply Planning

I. Item Summary.

Commission District	1,2, 3, 4, 5, 7, 9
Applicant/Agent	Environmental Protection and Growth Management Department (EPGMD) Planning and Development Management Division (PDMD)
Proposed modifications	<ul style="list-style-type: none"> • Updates Water Management Element Policy 2.1. • Updates Water Management Element Policy 3.1.
Effect of Proposed Change	Achieves consistency with Chapter 163.3167, 163.3177, 163.3180, 163.3191, 373.709, Florida Statutes.
Comprehensive Plan Consistency	<p>Consistent:</p> <p>A. BrowardNext→2017 Broward County Land Use Plan Policies 2.1.1, 2.11.1, 2.11.2, 2.11.3</p> <p>B. BrowardNext Broward County Comprehensive Plan <u>Broward Municipal Services District Element:</u></p> <ul style="list-style-type: none"> • Objective BMSD 1.2 and Policies BMSD 1.2.1, BMSD 1.2.2 • Policy BMSD 1.1.5 <p><u>Capital Improvements Element:</u></p> <ul style="list-style-type: none"> • Objective CI1- Evaluate and Proactively Plan for the County's Infrastructure Needs and Policies CI 1.1, CI 1.2, CI 1.8 • Objective CI3- Implement and Regulate in a Sustainable Manner and Policies CI 3.1, CI 3.2, CI 3.3, CI 3.5, CI 3.6 <p><u>Climate Change Element:</u></p> <ul style="list-style-type: none"> • Policies CC 2.7, CC 2.17, CC 2.19, CC 3.3, CC 3.7, CC 3.9, CC 4.8, CC 5.9 <p><u>Coastal Management Element:</u></p> <ul style="list-style-type: none"> • Policy CM 1.1 <p><u>Water Management Element:</u></p> <ul style="list-style-type: none"> • Goal WM • Objective WM1-Water and Wastewater Services and Policies: WM 1.1, WM 1.2, WM 1.3, WM 1.4, WM 1.5, WM 1.6, WM 1.8, WM 1.9, WM 1.11 • Objective WM2-Planning for Water Resources and Infrastructure and Policies: WM 2.1, WM 2.2, WM 2.3, WM 2.5, WM 2.6, WM 2.7, WM 2.8 • Policies: WM 3.1, WM 3.2, WM 3.4, WM 3.5, WM 3.6, WM 3.7, WM 3.25, WM 3.26, WM 3.27, WM 3.32, WM 3.33, WM 4.7, WM 4.8, WM 4.17 <p><u>Intergovernmental Coordination Element:</u></p> <ul style="list-style-type: none"> • Objective IC 5: Ensure Adequate Water Supply and Maintain Natural Systems and Policy: IC 5.1

	<ul style="list-style-type: none"> • Objective IC 8: Coordinate the Establishment, Maintenance, and Implementation of Capacity and Quality Level of Service Standards and Policy IC 8.4 • Policies IC 1.1, IC 4.2, IC 7.8 <p><u>Conservation Element:</u></p> <ul style="list-style-type: none"> • Objectives C 3-Protect and Maintain Water Quality and Policy C 3.5 • Policies C 6.12, C 6.13, C 8.2
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II. EPGMD Local Planning Agency (LPA) / Staff Recommendation. On September 18, 2019, the Broward County EPGMD LPA accepted the staff recommendation, found the proposed Broward County Comprehensive Plan amendments consistent with the Broward County Comprehensive Plan, and recommended that the Broward County Board of County Commissioners (Board) transmit the proposed amendment to state review agencies.

III. State and Regional Agency Expedited Review Process. On November 5, 2019 the Board voted to transmit the proposed amendment to the designated state and regional review agencies for expedited review, which requires responding within 30 days. With the exception of the South Florida Water Management District (SFWMD), no other agency commented on the proposed amendment. The SFWMD listed comments to be addressed, which were successfully resolved. Changes include updates to the WSFWP and edits to the proposed amendment of Policy WM2.1 as well as new proposed amendments to Policy WM3.1 of Water Management Element. Also, several maps and related service area tables were updated, in addition to recommended edits throughout the WSFWP. Regarding some of the comments discussed with SFWMD staff, County staff concluded that related changes will not be necessary at this time but will be taken under advisement for future updates of the County’s comprehensive plan. See correspondence under Attachment B.

IV. Background. In accordance with Florida Statutes (Section 163.3177(6)(c)3), Broward County must adopt a water supply facilities work plan (WSFWP) into its comprehensive plan within eighteen (18) months after the South Florida Water Management District (SFWMD) approves a regional water supply plan update. The SFWMD approved the 2018 Lower East Coast Regional Water Supply Plan update on November 8, 2018 and the final administrative order was issued on January 11, 2019. Consequently, Broward County must adopt its WSFWP by May 2020.

V. Description of Amendments. The proposed Amendments:

- Deletes and replaces Water Management Element Policy 2.1. The current policy addresses adoption of the Broward County Water Supply Facilities Work Plan (BCWSFWP) within 18 months of adoption of the South Florida Water Management District’s (SFWMD) Lower East Coast Water Supply Plan (LECWSP). The new policy:
 - adopts the BCWSFWP by reference ,
 - provides for the BCWSFWP to be included in the Water Management Element,
 - requires the BCWSFWP to be updated at least every five (5) years within eighteen (18) months of an update to the SFWMD LECWSP,
 - requires any changes that occur within the first 5 years of BCWSFWP to be included in the annual updates to the Capital Improvements Plan.
- Adds text to Water Management Element Policy 3.1 regarding level of service standards (LOSS) based on comments from the SFWMD regarding consistency with SS. 163.3164(28) which contains the definition of LOSS.

VI. Data & Analysis.
Broward County is both a water service provider and customer. The Broward County Water and Wastewater Services Division (BCWWS) provides water to its customers, including unincorporated Broward County, through their own wells and treatment facilities and through city of Fort Lauderdale

and Hollywood utilities. Collectively, these entities are responsible for ensuring adequate water supply.

The Broward County Water Supply Facilities Work Plan (2020 Work Plan) addresses the following:

- Existing and projected water use demand.
- Traditional and alternative water supply (AWS) sources.
- Infrastructure development, including considerations for service delivery, improved treatment technologies, and diversification of water supply sources.
- Conservation and reuse programs.
- Climate impacts on water supply, including sea level rise, saltwater intrusion, and extreme weather events.
- Impact of regulations on water supply.

VII. Attachments

Attachment A: Proposed Amendments

Attachment B: South Florida Water Management District comments and County responses

ATTACHMENT A

POLICY WM2.1 ~~Within eighteen (18) months of the adoption of an update to the SFWMD LECWSP, utilities located within Broward County will update and adopt their 10-Year Water Supply Facilities Work Plans, pursuant to Chapters 163 and 373 of the Florida Statutes, to incorporate the Regional Alternative Supply Plan and to evaluate water resource needs, identify water supply deficiencies, and plan for alternative water supply sources and projects to serve existing and new development within the County. Broward County hereby adopts by reference the Broward County Water Supply Facilities Work Plan (WSFWP), dated April 21, 2020 (see Attachment A of the Water Management Element), for a planning period of not less than 10 years. The WSFWP addresses issues that pertain to water supply facilities and requirements needed to serve current and future development within the County's water service area. The County shall review and update the WSFWP at least every 5 years, within eighteen (18) months after the adoption of an update to the SFWMD LECRWSWP. Any changes to occur within the first 5 years of the WSFWP shall be included in the annual Capital Improvements Plan update to ensure consistency between the Water Management Element and the Capital Improvements Element.~~

POLICY WM3.1 LOS standards for potable water and sanitary sewer facilities will be the FDEP permitted capacity of the facilities. The LOS standard for water treatment plants will be expressed as maximum monthly flow and the LOS standard for wastewater treatment plants will be expressed as average daily flow. Facility per person levels of service standards (LOSS) may vary due to water treatment type, demographics, irrigation acreage, and age and condition of the system. For planning purposes, the maximum LOSS for any County facility shall be 150 gallons/person/day.

ATTACHMENT B

Attachment E: South Florida Water Management District Comments and County Response

Archived: Friday, December 20, 2019 1:14:57 PM

From: Manning, Terese

Sent: Friday, December 20, 2019 10:59:00 AM

To: Josie P. Sesodia - (JSESODIA@broward.org)

Cc: Barbara Blake Boy (BBLAKEBOY@broward.org); SARA L. FORELLE (SForelle@Broward.Org); Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com); 'kelly.corvin@deo.myflorida.com'; Isabel Cosio Carballo (isabelc@sfrpc.com); Isabel Moreno (imoreno@sfrpc.com)

Bcc: Elsner, Mark; Cooley, Sean; Harmon, Gloria; Mayers, Lorraine; Smith, Karin; Corry, Laura; Steiner, Andrew

Subject: Broward County, DEO #19-8ESR Comments on Proposed Comprehensive Plan Amendment Package

Sensitivity: Normal

Dear Ms. Sesodia:

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by Broward County (County). The package includes the County's Water Supply Facilities Work Plan Update. The District provides the following comments under Section 163.3184(3)(4)(g), Florida Statutes, (F.S.). The important state resource impacted by this amendment is regional water supply. These comments need to be addressed before final adoption of this amendment. If these comments are not addressed prior to adoption, the District may recommend the state land planning agency, the Department of Economic Opportunity, challenge the amendment. The comments are arranged by the sections of the document.

Section 1 - Introduction

A. Statutory History

- Revise the Section to include the years 2012, 2015 and 2016 that the Florida Legislature enacted bills to address water supply needs.

Section 2 – Regional Issues

B. Water Use Limitation

- Revise the Section to include information on the Biscayne Aquifer Minimum Flows and Minimum Water Levels (MFL) and how it impacts Broward County.

C. Alternative Water Supply

1. Reclaimed Water

- Revise the Section to include information that Broward County operates one of the ocean outfalls.

3. C-51 Reservoir

- Revise the Section concerning the information that the reservoir will mitigate saltwater intrusion by maintaining higher canal stages and recharging coastal wellfields to reflect that neither of these conditions has been verified as actually being planned or effective. The analysis is occurring now.

D. Comprehensive Everglades Restoration

- Revise the Section to reflect the EAA Reservoir has no direct effect on water supply in Broward County.
- Revise the Section to discuss the Broward Water Preserve Areas Project, which did identify some potential water for water supply.

Section 3 – Broward County

1. Water Reuse In Broward

- Revise the Section to review the County's existing reuse efforts to determine whether they need to be

updated or revised based on how they have been implemented or because of changes in statutory requirements. The updated information should address the following, as applicable:

- An analysis of the existing levels of water reuse and the applicable policies and programs of the County and the 2018 Lower East Coast Water Supply Plan Update (2018 LEC Plan).
 - New reuse efforts to be studied and/or implemented by the County.
2. **C-51 Reservoir; Section Special Recommendations and Actions, B. C-51 Reservoir Project, Section BCWWS Capital Improvements A. Work Plan Projects, C-51 Reservoir Phase 1-Souith Regional Wellfield**
 - The Sections referenced above should be updated to provide the current status and reflect that as of this date portions of the construction for the C-51 Reservoir Project have not yet commenced and a new completion date has not been estimated.
 3. **Floridan Aquifer**
 - Revise the Section to include information regarding the Floridan Aquifer modelling done as part of the 2018 LEC Plan and the conclusions for Broward County.
 4. **Hillsboro Aquifer Storage & Recovery (ASR)**
 - This section should be revised to include information on the Broward ASR Well, the experience with the technology and the reasons for plugging the well. This would support other data and analysis in other sections of the Work Plan that ASR is a beneficial tool for water supply. The data and analysis should explain when ASR is considered to be beneficial.

Section 4 – Data and Analysis

A. County Wide Population Analysis

- Revise the Section to identify and provide by service area and water provider separate population projections for each municipality served and for the unincorporated areas, and not just system wide projections.
- Describe how the County has coordinated with the Cities of Fort Lauderdale and Hollywood on population and water supply issues.

B. Current and Future Served Areas

1. BCWWS

- Revise the Section to include the South Regional Wellfield and that it provides bulk raw water to the Cities of Dania Beach, Hallandale Beach, and Hollywood.
- Revise the Section to identify current and future areas within the unincorporated areas of the County and areas the County serves that are served by domestic self-supply systems. If applicable, describe geographical areas and projected withdrawal amounts for existing and future domestic self-supply systems. Include details of future plans to provide regional water service to these areas within the planning period, if any. If not applicable, please include a statement clearly indicating the County has no areas of domestic self-supply.

2. City of Fort Lauderdale

- Revise the Section to identify and provide separate population projections for all municipalities served by Fort Lauderdale, not just major wholesale/retail areas, including all unincorporated areas.

3. City of Hollywood

- Revise the Section to identify and provide separate population projections for all municipalities served by Hollywood, including all the unincorporated areas.

C. Potable Water Level of Service Standard

1. BCWWS

- The Level of Service Standard (LOSS) that is being proposed is not supported by data and analysis, establishes a system-wide LOSS, and the LOSS is not consistent with the requirements of or definition of Section 163.3164(28), F.S. The definition of "Level of Service" is:

"Level of service" means an indicator of the extent or degree of service provided by, or proposed to be provided by, a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility."

A LOSS should be established for each water provider by municipality and potable water facility and be

based on a capacity per unit of demand.

D. Water Supply Provided by Local Governments

1. Sections BCWWS District 1; 2. BCWWS District 2; 3. BCWWS district 3A and 3BC; and 4. South System Regional Wellfield (SRW)

- Revise the Sections to provide separate water projections by District and/or Wellfield for each municipality or unincorporated area served by the County or include the proportional capacity of the County's system allocated to each municipality or area, as required by Section 163.3177(6)(c)1., F.S.

2. Section 1. BCWWS District 1

- Revise the third paragraph to show that the most recent District Consumptive Use Permit application (#130403-5) indicates an Upper Floridan Aquifer System Annual and Monthly allocation of 1,716 MG and 156 MG respectively.

2. Section 5. City of Fort Lauderdale

- Revise the Section to include separate water projections for each municipality or unincorporated area served by the City or include the proportional capacity of the City's system allocated to each municipality or area.

E. Conservation

1. Broward County

- Revise the Section to include an analysis of the existing levels of water conservation, use, protection and the applicable policies and programs of the County, the District and the 2018 LEC Plan. The analysis should focus on how the County is implementing or supporting specific policies and programs.
- Describe the County's implementation of the District's Mandatory Year-Round Landscape Irrigation Conservation Measures, as detailed in Chapter 40E-24, Florida Administrative Code, (F.A.C.). The Section mentions the County's service areas have been under water restrictions since 2005. However, the Section does not address the measures detailed in Chapter 40E-24, F.A.C.
- Revise the Section to describe how the County coordinates with the municipalities in the County concerning water conservation.

F. Reuse

1. Broward County

- Revise the Section to identify all referenced reuse ordinances, documents, initiatives, programs and/or activities the County has undertaken concerning water reuse to include the title and author of each document and indicate clearly what provisions and edition of the document is being referenced.
- Describe how the County has coordinated with the Cities of Fort Lauderdale and Hollywood on population and water supply issues.

Section 5 - Special Recommendations and Actions

A. Broward County Reuse Projects

- Include in the Section information on the North Regional WWTP capacity improvements and the reclaimed water main to North Springs Improvement District project.

Section 6 - BCWWs Capital Improvements

B. Capital Improvements Element (CIE)/Schedule

- Revise Table CI-F Water and Wastewater Capital to be for five years after adoption of the County's Comprehensive Plan.
- Revise Table CI-F to include a title, date, and source of information included in the item.

Section 7 – Goals, Objectives and Policies

- Revise the first paragraph on page B-93 to identify and include the supporting goals, objectives and policies not included on pages B-93 to 107.
- As presented, Policies WM3.33, WM2.1, WM1.5, WM1.6, and WM3.6 are self-amending because the document, ordinance, or other item referred to do not identify the applicable title and author of the document and indicate clearly what provisions and edition of the document are being adopted by reference, consistent with the requirements of Section 163.3177(1)(b), F.S. Revise the policies to include the information.
- Policies WM3.1 and WM3.2 and Table WM-1 adopt Level of Service Standards (LOSS) to establish a system-wide LOSS, but do not include a per capita rate, which is not consistent with the requirements of or definition of Section 163.3164(28), F.S. The definition of “Level of Service” is:

“Level of service” means an indicator of the extent or degree of service provided by, or proposed to be provided by, a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility.

Establish a LOSS should be established for each water provider by municipality and unincorporated area served and potable water district facility, and to be based on a capacity per unit of demand.

General Comments

- Revise all maps, figures, charts and tables to include a title, date, and source of information.
- Revise the data and analysis to identify all County plans, ordinances, documents, initiatives, programs and/or activities the County has undertaken and is relying on and has been referenced to include the title and author of the documents and indicate clearly what provisions and edition of the documents are being referenced.
- Revise the references throughout the document from C-51 Project or C-51 Reservoir to C-51 Reservoir Project.
- Revise references throughout the document for “MFL” to mean Minimum Flow and Minimum Water Level.

The District offers its technical assistance to the County and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the County’s future water supply needs and to protect the region’s water resources. Please forward a copy of adopted amendments to the District. For assistance or additional information, please contact me.

Ms. Terry Manning, Policy and Planning Analyst
South Florida Water Management District
Water Supply Implementation Unit
3301 Gun Club Road
West Palm Beach, FL 33406
Phone: 561-682-6779
Fax: 561-681-6264
E-Mail: tmanning@sfwmd.gov

Forelle, Sara

From: Forelle, Sara
Sent: Tuesday, February 11, 2020 3:45 PM
To: 'Manning, Terese'
Cc: Sesodia, Josie; Carter, Kevin; Blake Boy, Barbara; Bodmann, Susan
Subject: RE: Broward County Informal Review Comments on the Revised Water Supply Facilities Work Plan Update, Comprehensive Plan Amendment #19-8ESR

Hi, Terry,

Thank you for the informal review and the additional assistance. As discussed previously, Policy WM2.1 is being amended to include the name of the WSFWP document and date of adoption to meet the statutory requirements. This policy will be amended each time the WSFWP is updated. As for the other policies listed, WM1.6, WM3.6 and WM3.33 reference one of our development codes. Each time our codes are updated, we review our policies for consistency, as required by state statute. The same applies to the development of agency master plans that are required to meet statutory requirements. Therefore, we are not planning on making any additional policy changes at this time. However, we appreciate your comments and will take them under advice as we consider future updates of our comprehensive plan policies.

Again, many thanks and best regards,



SARA L. FORELLE, AICP, PLANNING SECTION SUPERVISOR
Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
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From: Manning, Terese
Sent: Monday, February 10, 2020 10:32 AM
To: Bodmann, Susan ; Forelle, Sara
Cc: Sesodia, Josie ; Carter, Kevin ; Blake Boy, Barbara
Subject: Broward County Informal Review Comments on the Revised Water Supply Facilities Work Plan Update, Comprehensive Plan Amendment #19-8ESR

External Email

Dear Ms. Bodmann and Ms. Forelle:

Thank you for providing the draft Broward County (County) Revised Water Supply Facilities Work Plan Update, Comprehensive Plan Amendment #19-8ESR (Work Plan) for District review. The District offers the following technical guidance comments regarding Section 7 – Goals, Objectives, and Policies:

- As presented, Policies WM3.33, WM2.1, WM1.5, WM1.6, and WM3.6 are self-amending because the document, ordinance, or other item referred to do not identify the applicable title, author of the document and/or indicate clearly what provisions and edition of the document are being adopted by reference, consistent with the requirements of Section 163.3177(1)(b), F.S. Revise the policies to include the information.

The District offers its technical assistance to the County and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. Please forward a copy of adopted amendments to the District. For assistance or additional information, please contact me.

Sincerely,

Ms. Terry Manning, Policy and Planning Analyst
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