

**PINELLAS COUNTY
BOARD OF COUNTY COMMISSIONERS**

PRINCIPLES AND POSITION STATEMENTS

ON

WATER RESOURCES

ADOPTED

November 19, 2002

INTRODUCTION

Management of the State's water resources has been the subject over the years of an extensive body of legislation, plans, rules, and multi-jurisdictional agreements. However, the number, scope, and complexity of water initiatives, along with their potential impact on Pinellas County government and residents, has increased as the desired management and use of water receives more attention throughout Florida. Pinellas County has had to be vigilant in monitoring and responding to water resource initiatives to ensure that direction taken at the State and regional levels is not contrary to the welfare and the quality of life of residents and property owners of Pinellas County and the Tampa Bay region. At this time, there are numerous efforts underway that affect, or will affect, how water is managed throughout the State and within the various water management districts. For this reason, a Pinellas County multi-departmental task team comprised of staff from County Administration, Utilities, Planning, Environmental Management, Public Works, and the County Attorney's Office has been reviewing and developing responses to proposed changes to regulations and other initiatives that would affect the philosophy and practice of water resource management in Florida, the Tampa Bay Area, and Pinellas County. For example, the Pinellas County task team has had to respond recently to draft amendments to the State's Water Resource Implementation Rule and to the final draft of the Tampa Bay/Anclote River Comprehensive Watershed Management Plan prepared by the Southwest Florida Water Management District (SWFWMD). In addition, the SWFWMD has initiated rulemaking to introduce a Wholesale Water Use Permit that would require Pinellas County, which is a recipient of potable water from another agency (Tampa Bay Water), to obtain a consumptive use permit from the District which would allow the District to have more control over the County's water management programs. It is also anticipated that water resource legislation will be a major subject of the 2003 Legislature.

The following *Principles and Position Statements* allow for a coordinated and consistent response by Pinellas County to the specific water resource proposals that have been proposed and are currently under review, or that are anticipated to arise shortly. Due to the range of issues being considered, a set of general Principles are identified that provide a basic foundation for developing the more detailed Position Statements. The Position Statements respond to those issues and initiatives requiring immediate County attention.

Proposed changes to the collection of legislation, plans, and implementing rules that comprise the legal and regulatory framework for managing Florida's water resources can occur quickly. The following *Principles and Position Statements* not only express Pinellas County's positions on fundamental issues affecting how water resources are managed, but also provide the County with clear direction when participating in, and responding in a timely manner to, the numerous legislative and agency initiatives that are under review or are expected to be introduced in the near future. The *Principles and Position Statements* also include proactive proposals to improve the management of the State's water resources. Staff has compared these positions with the 2003 legislative positions of Tampa Bay Water and finds that they are consistent. The principles are also consistent with those of other urbanized communities around the State.

BOARD PRINCIPLES

Principle: Florida's waters are a statewide resource; they should be managed to benefit the entire State, to the maximum economic benefit of the entire State, and not in a manner that is detrimental to individual communities or regions, and ultimately the State as a whole.

Principle: There is ample scientific evidence to support the position that, with effective management, Florida's freshwater resources are adequate to meet existing and future consumptive use and natural system demands.

Principle: Application of State Water Policy should be consistent statewide to avoid the creation of local and regional disparities, including the cost of water.

Principle: The cost of producing water should be an important public policy consideration and is key to determining the feasibility of water projects, as increased costs directly affect individual quality of life, as well as the ability of counties, regions and the State to compete economically with other regions and states where the cost of water is lower.

Principle: Artificial boundaries to water supply development need to be eliminated as they lead to increased competition for the resource and inhibit development of the natural resource in a manner that benefits, and is fair to, the entire State and its citizens.

Principle: Local governments shall continue to have sole responsibility under Chapter 163, F.S. (the Growth Management Act), for making land use decisions, and for deciding which particular State comprehensive plan goals and policies will be furthered by the expenditure of a local government's finances.

Principle: The regulated community, including local governments and consumptive use permit holders, are capable of meeting reasonable water conservation targets and permit conditions effectively and creatively, without overly prescriptive and restrictive regulatory direction, which inhibits innovation.

Principle: Public health and safety need to be paramount in all State and regional water management policy, rules and decisions.

BOARD POSITIONS

RESOURCE AVAILABILITY/INVENTORY

- A. A Statewide inventory of water availability needs to be conducted.**
- B. Human and environmental needs for water must be equitably balanced.**

RESOURCE DEVELOPMENT

- A. The “local sources first” concept must be managed on the fundamental premise that Florida’s waters are a Statewide resource.**
- B. Resource development and water transport decisions must not deprive any one government of the water it needs for future growth.**
- C. A Statewide water supply entity should be established, separate from existing regulatory agencies, that is responsible for the development of the State’s water resources in a manner that ensures the future water needs of the State are met. This is vital to the residents and the economy of the entire State.**

MITIGATING IMPACTS

- A. Mitigation of environmental impacts caused by water supply facilities, implemented consistent with public health and EPA requirements, is both necessary and beneficial.**
- B. Shallow wells for landscape irrigation should be exempt from water use regulation.**

PER CAPITA USE

- A. The development of per capita use guidelines for planning and comparative purposes is appropriate, but such guidelines must not be used to support water use rationing.**

CONSERVATION

- A. Conservation is an important part of a water resource management program that can reduce potable demand, but is not a future source of water supply.**
- B. Local governments must make the final decision on the economic and technical feasibility of water conservation programs.**
- C. Statewide conservation targets should be set, and water users should be allowed to develop realistic conservation measures that work for their community to achieve these targets.**
- D. It is a local government, not a State or water management district, responsibility to determine appropriate water conserving rates and rate structures for its community.**

TECHNICAL AND ECONOMIC JUSTIFICATION

- A. Water policy and regulations must be based on analysis of sound technical and economic data, and produce a net benefit that achieves the anticipated results.**
- B. Realistic feasibility studies must be conducted before new water management regulations are enacted, and must include a comprehensive cost-benefit analysis, a comparative assessment of alternatives, and evaluation of the anticipated net benefit.**

LEGISLATIVE AND REGULATORY OPPORTUNITIES

- A. Local governments and local utilities must be allowed the flexibility to creatively and efficiently meet water resource management goals.**
- B. Customer needs, including the cost of water and the quality of potable water, must be a priority when devising water policy and regulations.**
- C. Technical peer review must be required of all water resource regulations, plans and programs that can affect cost, efficiency, or public health.**
- D. A Statewide multidisciplinary committee on State water policy needs to be established by the Legislature to evaluate the finding that the State is in a water crisis, and to determine an appropriate Statewide response to such a finding.**
- E. The Committee's evaluation and assessment must include requirements for development of a Statewide water resources inventory. must address the**

- reasonableness of water transfers, and must include realistic consideration of the Statewide economic impact of being promoted as a water deficient State.
- F. Fair and equitable implementation of water resource regulations is required throughout the State and among all user groups.**
 - G. Oppose wholesale consumptive use permits.**
 - H. State and regional regulation must not attempt to infringe on the growth management responsibilities of local government.**
 - I. Day-to-day water policy should be based on typical weather patterns and historical trends, not extreme events (e.g., drought).**
 - J. The effectiveness of existing regulations needs to be assessed, and definable targets related to those regulations need to be established, before additional regulations are put in place.**

INTERAGENCY COORDINATION

- A. Redundancies in water resource management and regulation need to be eliminated.**
- B. Advisory boards to the governing boards of the water management districts need to be established. These boards should be comprised of representatives of elected officials and others; to review district policies, rules and programs; to assess their cost effectiveness; and to offer alternative approaches when appropriate. This would increase the accountability of non-elected governing boards that collect ad valorem taxes.**
- C. As with the minimum flows and levels peer review, the actions of these advisory boards could be used in any challenge to a district rule or program.**

PUBLIC HEALTH

- A. Consideration of health risk impacts must be integral to State water policy, and all water management district plans.**
- B. Adequate quantities of high quality water must be developed and allocated for public supply.**

REUSE

- A. Management, operations, planning and funding decisions related to the reuse of reclaimed water are a local government responsibility.**
- B. It is a local government, or local utility, responsibility to set rates, determine utility rate structures and to control decisions on metering and use of reclaimed water.**
- C. The County will complete build-out and full utilization of its reuse/reclaimed water system in accordance with the Reclaimed Water Master Plan approved by the Board of County Commissioners.**
- D. Oppose any linkage between consumptive use permitting and the disposition of local reclaimed water resources; utilization of reclaimed water by communities shall not require a consumptive use permit.**
- E. Reclaimed water can be used to offset potable water demand, but it is not a potable water supply source and should not be used as a means to recharge or augment potable supplies.**

