


MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Paul Johnson – Public Works Director 

DATE: August 26, 2008

SUBJECT: Opposition to proposed amendments to the Florida Administrative Code regarding landscape irrigation scheduling and the use of reclaimed water for irrigation.

AUG 19 2008

BY: 11:30 AM RBJ

STRATEGIC PLAN TRACKING NUMBER: G1-OB1

PURPOSE: To notify the St. Johns River Water Management District of Orange City's opposition to their proposed amendments to the Florida Administrative Code.

BACKGROUND: The St. Johns River Water Management Has proposed an amendment to Rule 40C-2.042 of the Florida Administrative Code and Section 17 of The Applicant's Handbook: Consumptive Uses of Water, regarding irrigation scheduling and the permitted use of reclaimed water for irrigation. Orange City and other utilities in Volusia County prepared a list of concerns regarding these changes. Those concerns were expressed to SJRWMD through WAV.

The main issue concerns the proposed limitation of the use of reclaimed water for irrigation to only two days per week with an additional day allowed if the providing utility applies for and receives a permit for that additional day. Staff believes these restrictions will cause an excess of unused reclaimed water and will cause that excess to be discharged to bodies of water such as the St. Johns and Halifax rivers. Additionally, Orange City has committed significant resources to the development of a "Stormwater to Reuse" system that would augment reclaimed water supplies. It is staffs belief these additional restrictions would be detrimental to our project and cause continued discharges of stormwater to the St. Johns River. Further, staff feels that the local utilities are better equipped to regulate the use of reclaimed water for irrigation by the implementation of SJRWMD required Best Management Practices.

RECOMMENDATION: Staff recommends City Council approve Resolution 493-08.

RESOLUTION NO. 493-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, EXPRESSING ITS CONCERNS AND OPPOSITION TO ST. JOHNS RIVER WATER MANAGEMENT DISTRICT'S PROPOSED AMENDMENTS TO RULE 40C - 2.042 OF THE FLORIDA ADMINISTRATIVE CODE, AND SECTION 17 OF THE APPLICANT'S HANDBOOK: CONSUMPTIVE USES OF WATER, REGARDING IRRIGATION SCHEDULING AND THE PERMITTED USE OF RECLAIMED WATER FOR IRRIGATION; DIRECTING THE CITY CLERK TO PROVIDE A COPY OF THIS RESOLUTION TO ST. JOHNS RIVER WATER MANAGEMENT DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, St. Johns Water Management District (SJRWMD) has proposed amendments to Rule 40C - 2.042 Florida Administrative Code (FAC), and Section 17 of the Applicant's Handbook: Consumptive Uses of Water, regarding landscape irrigation scheduling and the use of reclaimed water for irrigation; and

WHEREAS, said proposed amendments will revise the landscape irrigation schedule to reflect a 2-day per week landscape irrigation schedule when Daylight Savings Time is in effect, and a 1-day per week landscape irrigation schedule when Eastern Standard Time is in effect; and

WHEREAS, said proposed amendments include a provision allowing a user of reclaimed water to irrigate on a specified additional day when the provider obtains a District Permit allowing this additional day of irrigation, when needed to address the operational, disposal, or storage concerns of the user's reclaimed water provider; and

WHEREAS, the City of Orange City believes that each local wastewater treatment plant and companion effluent disposal system, including the associated reclaimed water distribution system, is unique to each utility, and therefore requires that the local reclaimed water utility establish its own Best Management Practices to effectively manage the resource as a steward of the environment; and

WHEREAS, the City of Orange City believes that each local wastewater treatment utility is better positioned to regulate reclaimed water usage for its customers by implementing (1) local ordinances regulating days, hours and usages of reclaimed water, (2) reclaimed water service agreements with its customers, (3) creative reclaimed water distribution system design that includes interruptible service to customers with augmentation from alternative supplies such as stormwater and (4) a reclaimed water conservation rate structure; and

WHEREAS, the City of Orange City has invested significant resources toward developing a stormwater to reuse system for the purpose of supplementing reclaimed water for irrigation purposes.

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA:

SECTION 1. The City Council of the city of Orange City, Florida opposes the proposed amendments by the St. Johns River Water Management District to Rule 40C-2.042 FAC, and Section 17 of the Applicant's Handbook: Consumptive Uses of Water that would reduce landscape irrigation schedules and restrict the use of reclaimed water for irrigation.

SECTION 2. The City Council of the City of Orange City, Florida strongly encourages other local governments in the jurisdiction of the St. Johns River Water Management District to formally express their concerns and opposition to the proposed amendments.

SECTION 3. The Orange City City Council directs the City Clerk to provide a copy of this Resolution to the St. Johns River Water Management District.

SECTION 4. That this resolution shall take effect immediately upon its adoption by the City Council of the City of Orange City, Florida.

ROLL CALL VOTE AS FOLLOWS (Resolution No. 479-08):

Jim Mahoney	_____	Donald C. Sherrill	_____
Donald Sandford	_____	Tom Abraham	_____
Tom Laputka	_____	Jeff H. Allebach, Vice Mayor	_____
Harley Strickland, Mayor	_____		

ADOPTED THIS _____ DAY OF _____, 2008.

ATTEST:

AUTHENTICATED:

Deborah J. Renner, CMC, City Clerk

Harley Strickland, Mayor

This Resolution approved
as to form and legal sufficiency:

W. E. Reischmann, City Attorney