A GUIDE FOR LOCAL GOVERNMENTS IN PREPARING

WATER SUPPLY COMPREHENSIVE PLAN AMENDMENTS

AND WATER SUPPLY FACILITIES WORK PLANS

Florida Department of Community Affairs
Division of Community Planning

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ATTACHMENTS

A. INTRODUCTION

Four of Florida's five water management districts have determined that traditional water supply sources currently used in their districts will not be sufficient to meet the demands of the growing population and the needs of the environment, agriculture and industry over the next twenty years. Only the Suwannee River Water Management District has concluded that its traditional water supplies will be sufficient to serve the district's needs over the next twenty years. As potential limitations on the continued use of traditional water supplies became increasingly apparent in recent years, the Florida Legislature enacted bills in 2002, 2004 and 2005 to more effectively address the state's water supply needs by improving the coordination between local land use planning and water supply planning.

The focus of the 2002 legislation was to add requirements to Chapter 163, Florida Statutes (F.S.), for local governments to prepare 10-year water supply facilities work plans and to incorporate the work plans into their comprehensive plans. This legislative change emphasized the need for local comprehensive plans to consider the applicable regional water supply plans prepared by the water management districts. In 2004, the Legislature further amended Chapter 163 to give local governments until December 1, 2006, to prepare the 10-year water supply facilities work plans.

In 2005, the Florida Legislature significantly changed Chapters 163 and 373, F.S., to improve the coordination of water supply and land use planning. Senate Bills 360 and 444 strengthened the statutory linkage between the regional water supply plans prepared by the water management districts and comprehensive plans prepared by the local governments. Implementation of the new water supply planning requirements will ensure that adequate water supplies and public facilities are available to serve the water supply demands of Florida's growing population.

This Guide has been prepared to help local governments understand their responsibilities under current law with regard to water supply planning. It addresses the scope and content of the comprehensive plan amendments required to comply with the current provisions of Chapter 163, F.S., the data and analysis that local governments must provide to support the amendments, the sources of information available to local governments, and the deadlines for adopting the required amendments.

In addition to this Guide, a second technical assistance document (*Recommendations for Preparing Water Supply and Facility Data and Analysis to Support Local Comprehensive Plan Amendments)* has been prepared to explain the water supply and facilities data and analysis that should be included with comprehensive plan amendments submitted for review to the Department of Community Affairs (Department). The *Recommendations* will soon be available from the Division of Community Planning and will be posted on the Department's website (www.dca.state.fl.us).

B. STATUTORY REQUIREMENTS

With regard to water supply, current statutory provisions direct each local government to:

1. Coordinate appropriate aspects of its comprehensive plan with the appropriate water management district's regional water supply plan. [s. 163.3177(4)(a), F.S.]

2. Ensure that its future land use plan is based upon the availability of adequate water supplies and public facilities and services. [s. 163.3177(6)(a), F.S., effective July 1, 2005.] Data and analysis demonstrating that adequate water supplies and associated public facilities will be available to meet projected growth demands must accompany all proposed Future Land Use Map amendments submitted to the Department for review. The submitted package must also include an amendment to the Capital Improvements Element, if necessary, to demonstrate that adequate public facilities will be available to serve the proposed Future Land Use Map modification.

3. Ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the local government anticipates issuing a certificate of occupancy and consult with the applicable water supplier prior to approving a building permit, to determine whether adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy. [s. 163.3180(2)(a), F.S., effective July 1, 2005.] This "water supply concurrency" is now in effect, and local governments should be complying with the requirement for all new development proposals. In addition, local governments should update their comprehensive plans and land development regulations as soon as possible to address these statutory requirements. The latest point at which the comprehensive plan must be revised to reflect the concurrency requirements is at the time the local government adopts plan amendments to implement the recommendations of the Evaluation and Appraisal Report.

4. For local governments subject to a regional water supply plan, revise the General Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element (the "Infrastructure Element"), within 18 months after the water management district approves an updated regional water supply plan, to:

    a. Identify and incorporate the alternative water supply project(s) selected by the local government from projects identified in the updated regional water supply plan, or the alternative project proposed by the local government under s. 373.0361(7), F.S. [s. 163.3177(6)(c), F.S.];

    b. Identify the traditional and alternative water supply projects, bulk sales agreements, and the conservation and reuse programs necessary to meet current and future water use demands within the local government's jurisdiction [s. 163.3177(6)(c), F.S.]; and

    c. Include a water supply facilities work plan for at least a 10-year planning period for constructing the public, private, and regional water supply facilities identified in the element as necessary to serve existing and new

development. [s. 163.3177(6)(c), F.S.] Amendments to incorporate the water supply facilities work plan into the comprehensive plan are exempt from the twice-a-year amendment limitation. [s. 163.3177(6)(c), F.S.]

5. Revise the Five-Year Schedule of Capital Improvements to include any water supply, reuse, and conservation projects and programs to be implemented during the five-year period.

6. To the extent necessary to maintain internal consistency after making changes described in Paragraphs 1 through 5 above, revise the Conservation Element to assess projected water needs and sources for at least a 10-year planning period, considering the appropriate regional water supply plan(s) or, in the absence of an approved regional water supply plan, the applicable District Water Management Plan, as well as applicable consumptive use permit(s). [s. 163.3177(6)(d), F.S.]

   If the established planning period of a comprehensive plan is greater than ten years, the plan must address the water supply sources necessary to meet and achieve the existing and projected water use demand *for the established planning period*, considering the appropriate regional water supply plan. [s. 163.3167(13), F.S.]

7. To the extent necessary to maintain internal consistency after making changes described in Paragraphs 1 through 5 above, revise the Intergovernmental Coordination Element to ensure coordination of the comprehensive plan with applicable regional water supply plans and regional water supply authorities' plans. [s. 163.3177(6)(h)1., F.S.]

8. Address in the Evaluation and Appraisal Report (EAR), the extent to which the local government has implemented the 10-year water supply facilities work plan, including the development of alternative water supplies, and determine whether the identified alternative water supply projects, traditional water supply projects, bulk sales agreements, and conservation and reuse programs are meeting local water use demands. [s. 163.3191(2)(l), F.S.]

C. OVERVIEW OF WATER SUPPLY PLANNING REQUIREMENTS

1. Effective July 1, 2005, **all local governments** must meet water supply concurrency requirements and ensure that their future land use plans (the Future Land Use Element and Future Land Use Map) are based upon the availability of adequate water supplies and associated public facilities. [*See* Paragraphs B.2.-3. above.] All local governments are advised to update their comprehensive plans and land development regulations as soon as possible to address the water supply concurrency requirement. [*See* Section E below.] Data and analysis to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet projected growth demands must accompany all proposed Future Land Use Map amendments submitted to the Department for review. [*See Recommendations for Preparing Water Supply and Facility Data and Analysis to Support Local Comprehensive Plan Amendments.]*

2. **<u>Local governments subject to a regional water supply plan</u>** must revise their comprehensive plans within 18 months after the water management district approves a regional water supply plan or its update, to ensure that:

   a. The Infrastructure Element identifies alternative and traditional water supply projects, and conservation and reuse programs necessary to meet the projected water demands identified within the local government's jurisdiction; incorporates the alternative water supply project(s) the local government has selected from the regional water supply plan or proposed as an alternative under s. 373.0361(7)(b), F.S.; and includes a minimum 10-year work plan for building public, private, and regional water supply facilities necessary to serve existing and new development.

   b. The Capital Improvements Element addresses the need for and location of public facilities, including those identified in the 10-year water facilities work plan. The financially feasible Five-Year Schedule of Capital Improvements must describe projects listed in the 10-year work plan that are to be implemented in the first five years of the plan, including both publicly and privately funded water supply projects that are necessary to ensure that adopted level-of-service standards are achieved and maintained. [s. 163.3177(3)(a)5., F.S.]

   c. The Conservation Element includes an assessment of current and projected water needs and sources for a minimum 10-year period, considering the appropriate regional water supply plan and consumptive use permit. If the established planning period of the comprehensive plan is greater than ten years, the assessment must address the water supply needs and sources *for the longer planning period.*

   d. The Intergovernmental Coordination Element addresses coordination of the comprehensive plan with the applicable regional water supply plan(s) and regional water supply authorities' plans.

   For local governments that lie within more than one water management district, the due date for adopting the amendments is 18 months from the approval date of the last regional water supply plan (or update) applicable to the local government.

   See Attachment A for a map depicting areas that are subject to regional water supply plans. Attachment B identifies the dates by which amendments to local comprehensive plans must be adopted to incorporate the 10-year water supply facilities work plans. See Attachment C for an overview of regional water supply plans.

3. **<u>Local governments that are *not* subject to a regional water supply plan</u>** (*see* Attachment A) must address the following in their next Evaluation and Appraisal Reports (EARs) and adopt the necessary EAR-based amendments to ensure that:

a. The Conservation Element identifies the current and projected water needs and sources for a minimum 10-year period, considering the appropriate district water management plan, consumptive use permit and associated water supply assessment reports. If the established planning period of a comprehensive plan is greater than ten years, the assessment must address the water supply needs and sources *for the longer planning period.*

b. The Intergovernmental Coordination Element addresses coordination with regional water supply authorities, where the local government is served by a regional water supply authority.

See Section F for additional information about addressing water supply issues in Evaluation and Appraisal Reports.

D. PREPARING THE WORK PLAN

1. **Work Plan Objective:** Local governments *subject to a regional water supply plan* must prepare a minimum 10-year work plan for building public, private, and regional water supply facilities to serve existing and new development within the local government's jurisdiction and adopt the work plan into the comprehensive plan within 18 months after the water management district approves a regional water supply plan or its update. The work plan and the comprehensive plan amendment must address the development of traditional and alternative water supplies, bulk sales agreements, and conservation and reuse programs that are necessary to serve existing and new development for at least a 10-year planning period. In areas where local governments rely on regional water supply authorities or other public or private water suppliers to provide all or a portion of the community's water supply, the work plan must contain information about the provider's water supply and infrastructure plans and the local government's own water supply and infrastructure needs (*i.e.*, address each utility that provides water and infrastructure within the local government's jurisdiction).

2. **Adoption Deadlines:** Each local government must determine the date by which its work plan and comprehensive plan amendment must be adopted (*see* Section C and Attachment B of this Guide). The local government must then determine the date by which it must transmit the *proposed* work plan and plan amendment in order to adopt the final work plan and amendment by the scheduled due date. The work plan amendment is exempt from the twice-per-year amendment limitation. [s.163.3177(6)(c), F.S.]

3. **Coordination with Water Management Districts:** When preparing the work plan, the local government should coordinate with the water management district regarding population and water supply demand projections, areas to be served, the use of traditional and alternative water supplies, bulk sales agreements, and water conservation and reuse strategies necessary to meet projected demand. Local governments must base their population projections on the mid-range population projections prepared by the University of Florida, Bureau of Economic and Busi-

ness Research, unless the local government has been specifically approved by the Department of Community Affairs to use an alternative professionally approved methodology. Projections of water demand must be based upon a professionally accepted and applied methodology.

The local government should identify one person at the water management district as a point-of-contact for information and assistance. A single point-of-contact will greatly facilitate coordination between the local government and the district. Close coordination between the parties can help avoid questions or concerns that could otherwise surface when the district reviews the proposed work plan and the comprehensive plan amendment.

Districts' regional water supply plans are prepared for 20-year planning horizons and include water use demand projections for 5-year increments, such as 2010, 2015, 2020, and 2025. In developing the work plan, the local government should consult with the appropriate water management district(s) to determine the feasibility of using compatible planning increments to facilitate the sharing of consistent data.

4. **Coordination with Water Suppliers:** In addition to coordinating with the water management district, each local government should also work closely with local water utilities that supply water to the community. This could be a city or county water department, the water utility of another local government, a private water supplier, a regional water supply authority or some combination thereof. After identifying the water supplier(s) that serve the community, the local government should request the designation of a single point-of-contact to assist with preparation of the work plan amendment.

   Section 163.3177(6)(c), F.S., encourages local governments, public and private utilities, regional water supply authorities, special districts, and water management districts to cooperatively plan for multijurisdictional water supply facilities, including the development of alternative water sources to supplement traditional sources of ground and surface water. Planning for the use of multijurisdictional water supply facilities on a countywide or multi-county basis is recommended, especially for the development of alternative water supply sources. Cooperative water supply planning can avoid non-productive competition for limited water resources and conflicts over future service areas; promote equitable cost-sharing in the development of alternative water supply projects; and promote water reuse programs between local governments.

   Many small developments, such as trailer parks and condominiums, are self-supplied or serviced by small public supply systems. These small utilities should be inventoried and reported in the data and analysis submitted with the proposed work plan, but need not be considered part of the local government's 10-year water supply work plan due to their limited development potential.

5. **Define Extent of Responsibility:** Each local government should determine the

extent to which it plans to be involved in the planning, financing, construction and operation of the water supply facilities that will serve the community, whether the facilities will be provided by a local government utility, a regional water supply authority, or another public or private water supplier. Local government involvement can range from none to total control of the withdrawal, treatment and distribution of potable water and reclaimed water. The local government must address all of the water supply, treatment, distribution facilities, and bulk sales agreements that are planned by all entities providing service within its jurisdiction, regardless of ownership or responsibility for the individual facilities. It must also address any infrastructure or water supply, including bulk sales, that it will provide outside its own jurisdiction and any current and future water conservation activities.

6. **Information to Obtain from Water Suppliers:** The following information should be obtained from all water suppliers serving the local government:

   a. The current consumptive use permit (CUP) number, authorized average and maximum daily water withdrawals under the CUP by source, any applicable source limitations, required alternative water supply projects and/or conservation and reuse projects, and the CUP expiration date for the listed sources, as well as water supply commitments made through bulk sales agreements.

   b. Projected demand for each applicable water use category for at least a 10-year planning period. The local government's projected demand, the water suppliers' projected demand, and the water management district's projections for areas served should be in agreement.

   c. A map that shows existing and future areas to be served by each water supplier.

   d. Identification of existing and planned future water sources. The source(s) of water identified by each supplier should correlate with those described in the regional water supply plan, including the alternative water supply projects to be implemented. Each local government should coordinate with the water management district regarding the ability of the water supplier to meet the projected need, particularly with respect to water sources, source limitations, and the use of appropriate water conservation and reuse strategies.

   e. Identification of water supply facilities needed to serve the agreed-upon projected need.

   f. If another local government is a water supplier, verify that its 10-year work plan identifies the sources and facilities needed to meet the recipient government's projected needs – in addition to the supplier's other water supply commitments – for the area served.

7. **<u>Information to Include in the Work Plan</u>:** The work plan should be a planning document based upon information relevant to each local government's unique circumstances. The recommended format and level of detail for the work plan should be similar to the Potable Water, Sanitary Sewer, Solid Waste, and Storm-water Management Sub-Elements that currently comprise the local government's Infrastructure Element. Data and analysis; goals, objectives, and policies; and a financially feasible five-year schedule of capital improvements should be included. The work plan should address the following water supply and water supply facility issues:

    - Water supply projections for at least the next 10 years; if the comprehensive plan has a longer planning horizon, projections should cover that time frame;

    - An assessment of the traditional (current) water sources and whether they will be adequate to meet the projected demand;

    - If alternative water sources will be needed to meet projected demand, coordination with the water management district to identify and include the alternative water supply projects the local government will implement;

    - An identification of the water conservation and reuse programs that the local government will expand or implement and a determination of how much of the future water demand will be offset by those programs;

    - A determination of when alternative water supply projects, water conservation and reuse programs will be implemented and how much they will cost;

    - An identification of the capital improvements projects to be implemented in the first five years of the plan, including both publicly and privately funded water supply projects necessary to achieve and maintain adopted level-of-service standards, and a financially feasible Five-Year Schedule of Capital Improvements. The financial feasibility of privately funded projects must be demonstrated by enforceable development or interlocal agreements. The work plan should also include a general description of the water supply projects and infrastructure needs for the long-term planning time frame;

    - If the local government relies on a service provider, a demonstration (by data and analysis) that the local government has coordinated with the service provider to ensure that its short- and long-term water supply needs will be met (*i.e.*, reserved capacity, CUP allocations, source limitations, bulk sales, interlocal agreements, timing of capital improvements, periodic updates, and concurrency coordination); and

    - An identification of the goals, objectives, and policies that will be needed to implement the work plan and water supply concurrency requirements.

To address the water supply and water supply facility issues described above, the work plan should include the following specific information:

a. **Data and Analysis**

(1) An inventory of all potable and reuse water service providers within the jurisdiction of the local government, including small public supply systems, reuse providers, and significant non-potable (*e.g.*, commercial and industrial users, golf courses, etc.) water service providers. Describe the extent to which the local government is (or plans to be) involved in the planning, financing, construction or operation of the facilities that will supply water within its jurisdiction, even if the facilities will be provided by regional water supply authorities or other public or private water suppliers. The local government's involvement can range from none to total responsibility for the withdrawal, treatment and distribution of potable water and reuse water.

(2) Geographic service area maps for the potable and reuse water service providers and indications of whether the areas depicted are different from the actual area(s) currently served. Composite maps of potable and reuse service providers should be provided, if possible. Self-supplied and similar small public supply systems can be shown as points, if necessary. To evaluate areas for future water service expansion and reuse, indicate where private wells and septic systems are used and will continue to be used.

(3) The term "water supply facilities" includes all infrastructure necessary to withdraw water from its source and to transport, treat and distribute the water, together with any associated storage facilities. For each potable water service area, other than those of the self-supplied and similar small public supply systems, identify the existing facilities, including the general location of existing and planned water wells and intake points from surface water sources, treatment and storage facilities, and distribution mains. For each reuse service area, identify treatment and storage facilities and distribution mains.

(4) Information on the design capacity of the production and treatment facilities, the current demand on the facilities, the geographic area served, and relevant consumptive use permit conditions and duration. If the local government is not responsible for all the listed water supply facilities, identify the responsible entities by service area and describe existing and proposed agreements for any aspect of potable or reuse water service delivery, including agreements with other local governments, public and private utilities, regional water supply authorities, special districts, and water management districts.

(5) An identification of conservation and reuse practices and regulations, including those that apply only to particular service areas.

(6) A determination of future needs for each service area, other than those of the self-supplied and similar small public supply systems. Provide the following information for the base planning year and for the next 5-year and 10-year increments, plus any additional increments necessary to cover the entire planning period established in the comprehensive plan:

(a) Population and water demand projection figures for all water use categories, comparable to those used in the development of the applicable regional water supply plan, for that portion of its jurisdiction located in the service area.

(b) A facility capacity analysis noting capacity surpluses and deficiencies and consumptive use allocations for each facility, and including relevant information for each facility, such as capacity in average daily flow and maximum daily flow, and relationship to permitted flows, treatment and distribution losses, and current commitments for water supply.

The following tables illustrate a convenient format for comparing projected demand, facility capacity and permit conditions. Table 1 reveals the need to increase permitted withdrawals to accommodate anticipated growth and system expansion. Table 2 shows one way to portray a situation where the permitted allocation is unlikely to be expanded due to source limitations and a deficit is avoided by planning to purchase raw water from an adjacent supplier.

Please note that additional information relevant to each local government's situation may need to be included in the calculations, such as bulk sales, treatment and distribution losses, and currently committed water supplies.

TABLE 1

	2005	2008	2010	2015
Population Served	1,722	3,073	3,598	3,955
Avg. Daily Demand (GPD)	268,632	479,388	546,896	593,250
Demand per Capita (GPD)	156	156	152	150
Available Facility Capacity (GPD)	350,000	700,000	700,000	700,000
Facility Capacity Surplus (Deficit)[1]	81,368	220,612	153,104	106,750
Permitted Amount (GPD Annual Avg.)	300,000	300,000	300,000	300,000
Permitted Surplus (Deficit)[2]	31,368	(179,388)	(246,896)	(293,250)

GPD = Gallons Per Day

[1] Calculated by subtracting Average Daily Demand from Available Facility Capacity

[2] Calculated by subtracting Average Daily Demand from Permitted Amount

TABLE 2

	2005	2008	2010	2015
Population Served	21,935	28,733	29,867	32,828
Avg. Daily Demand (MGD)	3.40	4.31	4.48	4.76
Demand per Capita (GPD)	155	150	150	145
Available Facility Capacity (MGD)	8.712	9.360	9.360	10.152
Facility Capacity Surplus (Deficit)[3]	5.312	5.05	4.88	5.392
Permitted Amount (MGD Annual Avg.)	3.46[1]	5.88[2]	5.88[2]	5.88[2]
Permitted Surplus (Deficit)[4]	0.06	1.57	1.40	1.12

MGD=Million Gallons Per Day; GPD=Gallons Per Day
[1]CUP for 3.46 MGD annual average expires September 2006
[2]Includes CUP for 3.46 MGD and 2.42 MGD wholesale purchase from XYZ Utility
[3]Calculated by subtracting Average Daily Demand from Available Facility Capacity
[4]Calculated by subtracting Average Daily Demand from Permitted Amount

(c) Identification of potable and reuse water supply sources and facilities needed to serve projected growth and development, including relevant information for each facility, such as capacity and consumptive use allocations in average daily flow and maximum daily flow. Include any reuse, conservation, traditional, or alternative water supply projects, and conservation and reuse measures, selected from the regional water supply plan or stipulated in the CUP. Provide general planning-level detail for projects proposed as alternatives to the projects identified in the regional water supply plan. Identify the amount and timing of water supply expected to be produced by each project.

(d) Identification of current and prospective conservation and reuse practices and regulations that will be utilized to meet projected demand. Identify those that apply jurisdiction-wide and those that apply only to particular service areas or specific water users. Provide an estimate of the reduction in water use attributable to conservation and reuse allowed as an offset in the CUP.

(e) Identification of current or prospective participation in any county-wide or other multijurisdictional planning initiatives to meet future water supply needs, including the development of alternative water supplies.

(f) Facilities maps showing the location of water sources (wells and surface waters), storage facilities (in-ground and above-ground), and the extent of the distribution system. The maps should be at a scale and level of detail appropriate to the local government's situation. For example, it would be impractical to depict the smallest lines serving individual customers in a county. For a small city, however, that information may be readily available and easily displayed. Maps depicting the location of water distribution mains should be included.

b. **Capital Improvements**

(1) The work plan's data and analysis should identify and discuss the capital improvements required to build all public, private, and regional water supply facilities to serve the existing and new development within the local government, even if the local government is not responsible for the improvements. If a local government is a service provider, the data and analysis should identify the capital improvements that will be needed to serve existing and planned development within the utility's service area.

(2) All capital improvements that will be provided by a water supplier other than the recipient local government should be identified in the data and analysis, but only those publicly and privately funded projects necessary to serve development in the next five years must be included in the recipient local government's Five-Year Schedule of Capital Improvements.

(3) A local government that is a water supply provider will need to identify (in its financially feasible Five-Year Schedule of Capital Improvements) the capital improvements for water supply projects and other water supply infrastructure needed in the next five years. Funding provided through an interlocal agreement, or by private contributions through an enforceable development agreement, must be referenced in the schedule of capital improvements to demonstrate financial feasibility. Interlocal and development agreements should address the cost of the capital improvement, the funding source, the entity responsible for funding and constructing the improvement, the populations to be served, and the construction time line.

Privately funded projects must also be included in the schedule if the local government intends to rely on those projects to achieve and maintain adopted level-of-service standards when approving new development.

To demonstrate financial feasibility, committed funding sources must be identified for the first three years of the Five-Year Schedule of Capital Improvements. Committed or planned revenue sources can be identified for years four and five. If the local government intends to use planned revenue sources that require referenda or other actions to secure the revenue source, the plan must (in the event the referenda are not passed or required actions do not occur) identify other existing revenue sources that will be used to fund the capital projects or otherwise amend the schedule to ensure financial feasibility [see Sections 163.3164(32) and 163.3177(3)(a)5, F.S.].

(4) Local governments do not need to demonstrate that funding is currently available or will be available through planned revenue sources to address water supply projects needed *beyond* the Five-Year Schedule of Capital Improvements. Instead, strategies should be included in the comprehensive plan policies that identify the funding programs that the local government intends to utilize to address those future needs. The programs may include a plan for new funding sources.

(5) For more information about capital improvements planning, interested readers are referred to the Department's technical assistance report, *A Guide to the Annual Update of the Capital Improvements Element.* The report is available from the Division of Community Planning and posted on the Department's website (www.dca.state.fl.us).

c. **Goals, Objectives, and Policies**

Local governments should review their comprehensive plans to identify the goals, objectives and policies (GOPs) that address water supply sources and facilities, as well as conservation and reuse programs. Typically, these GOPs will be located in the following plan elements: Future Land Use, Infrastructure (particularly the Potable Water and Sanitary Sewer Sub-Elements), Conservation, Capital Improvements, and Intergovernmental Coordination.

The work plan should include an assessment of current GOPs and identify any new or revised GOPs needed to implement the work plan. The following list of issue areas where new or revised GOPs may be appropriate is based on the comprehensive plan requirements in Chapter 9J-5, Florida Administrative Code (F.A.C.). The list is provided as an example of issues that may need to be considered. Each local government will need to develop its own list of issues to be addressed through new or revised GOPs, based on the work plan and its supporting data and analysis.

(1) Coordination of land uses and future land use changes with the availability of water supplies and water supply facilities;

(2) Revision of potable water level-of-service standards for residential and non-residential users;

(3) Provision for the protection of water quality in the traditional and new alternative water supply sources;

(4) Revision of priorities for the replacement of facilities, correction of existing water supply and facility deficiencies, and provision for future water supply and facility needs;

(5) Provision for conserving potable water resources, including the implementation of reuse programs and potable water conservation strategies and techniques;

(6) Provisions for improved or additional coordination between a water supply provider and the recipient local government concerning the sharing and updating of information to meet ongoing water supply needs;

(7) Coordination between local governments and the water supply provider in the implementation of alternative water supply projects, establishment of level-of-service standards and resource allocations, changes in service areas, and potential for annexation;

(8) Coordination of land uses with available and projected fiscal resources and a financially feasible schedule of capital improvements for water supply and facility projects; and

(9) The need for additional revenue sources to fund water supply and facility projects.

8. **Adopting the Work Plan Into the Comprehensive Plan**

As described in Section 7 above, the format of the work plan is like that of a "sub-element," similar to the Potable Water and Sanitary Sewer Sub-Elements included in the Infrastructure Element of most local comprehensive plans. The sub-element format – with its data and analysis, list of capital improvements, and GOPs incorporated as sub-sections within the Infrastructure Element – is the recommended format for the work plan. A five-year schedule of capital improvements for water supply and infrastructure projects could be adopted as part of the Infrastructure Element, or those projects could be included in the Capital Improvements Element's Five-Year Schedule of Capital Improvements.

Other alternatives for incorporating the work plan into the comprehensive plan include:

a. Incorporating the work plan as a set of GOPs, exhibits or attachments in the Infrastructure Element and making related GOP changes in other elements, with a five-year schedule of capital improvements either as part of the Infrastructure Element or incorporated in the Five-Year Schedule of Capital Improvements located in the Capital Improvements Element;

b. Including the work plan data and analysis, GOPs, and five-year schedule of capital improvements in the various elements of the comprehensive plan (*e.g.*, Future Land Use, Infrastructure, Conservation, Coastal Management, Inter-governmental Coordination, and Capital Improvements Elements). If this option is utilized, the local government should identify where the various portions of the work plan are located in the comprehensive plan; or

c. Adopting the work plan by reference in a policy of the Infrastructure Element. This option is not recommended, however, because the comprehensive plan would have to be amended each time the work plan is revised, including any revision to sections that would not otherwise require an amendment to the comprehensive plan.

E. ADDITIONAL AMENDMENTS TO THE COMPREHENSIVE PLAN

All local governments must revise their comprehensive plans to address water supply concurrency and to ensure their Five-Year Schedules of Capital Improvements are financially feasible. In 2005, s. 163.3180(2)(a), F.S., was amended to add water supply as a concurrency requirement. The 2005 legislation also revised s.163.3177(6)(a), F.S., to require the future land use plan be based on the availability of water supplies and public facilities, and added a definition of "financial feasibility" [s.163.3164(32), F.S.]. The following section provides guidance for addressing requirements associated with concurrency and the financial feasibility of the Five-Year Schedule of Capital Improvements. See Paragraphs B.2. and C.1. for requirements associated with changes to the Future Land Use Element.

1. **Water Supply Concurrency:** The local government's concurrency management system will require revision to formalize the consultative process between the local government and the water supplier. The GOPs that establish the local government's concurrency management system and the land development regulations that implement the concurrency management system could, for example, be revised to require the local permitting entity to request and obtain from the water supplier a written statement regarding the availability of water to serve a proposed project. Such a statement should clearly identify the available water supply for all existing and proposed water demands, consistent with the supplier's consumptive use permit and the applicable regional water supply plan.

2. **Annual Updates to the Five-Year Schedule of Capital Improvements:** All local governments must annually update their Five-Year Schedules of Capital Improvements to maintain financial feasibility. Annual updates should include water supply development projects for which the local government is responsible, including reuse facilities and the development of any alternative water supply projects; new potable water facilities and upgrades; and all other publicly and privately funded capital improvement projects needed to achieve and maintain adopted level-of-service standards for the next five years. For any privately funded project that will be paid for through individual developer contributions, an executed (and enforceable) agreement must be provided as data and analysis and referenced in the Five-Year Schedule of Capital Improvements to demonstrate that financial feasibility requirements have been met. An amendment to the comprehensive plan is required to update the schedule on an annual basis or to eliminate, defer, or delay the construction of any facility listed in the five-year schedule.

F. EVALUATION AND APPRAISAL REPORTS

All local governments, including those within the Suwannee River Water Management District, must address water supply planning in the Evaluation and Appraisal Report (EAR) process and subsequently adopt amendments based on the EAR findings. In addition, local governments subject to a regional water supply plan must also address the extent to which they have implemented their 10-year water supply facilities work

plans and identified water supply projects necessary to address the water needs identified in the applicable regional water supply plan. The two sets of requirements are described below. For additional guidance regarding EAR requirements, please see the Department's website at http://www.dca.state.fl.us/fdcp/dcp/EAR/index.cfm.

1. In the EAR process, local governments that are not subject to a regional water supply plan, including those in the Suwannee River Water Management District, must:

    a. Update the comprehensive plan to identify the capital improvement projects needed within the next five years and within the minimum ten-year planning horizon to ensure the availability of potable water supplies and infrastructure to meet the anticipated residential and non-residential demands for those two planning periods. The identification of capital improvements should include the water supply projects, the infrastructure improvements for the treatment and delivery of potable water, and the water conservation and reuse projects to be implemented to meet projected demands. Any capital improvements projects needed in the first five-year period must be included in the financially feasible Five-Year Schedule of Capital Improvements.

    b. Update the Conservation Element to include an assessment of current and projected water needs and sources for at least a ten-year period, considering the applicable District Water Management Plan and consumptive use permit. If the established planning period of a comprehensive plan is greater than ten years, the plan must address the water supply sources necessary to meet and achieve the existing and projected water use demand *for the established planning period*. [s. 163.3167(13), F.S.]

    c. Update the Intergovernmental Coordination Element to address cooperative efforts with other local governments, public and private utilities, regional water supply authorities, special districts, and water management districts with regard to potable and reuse water service delivery. Any local government that relies on a regional water supply authority for its water supply must review this element to determine if coordination with the regional water supply authority has been addressed. If not, the comprehensive plan must be revised to address this requirement. The requirements for data and analysis and goals, objectives, and policies outlined in Rule 9J-5.015, F.A.C., for the preparation of the Intergovernmental Coordination Element can be used to address this requirement.

2. In the EAR process, local governments that are subject to a regional water supply plan must:

    a. Address items 1.a. through 1.c., above.

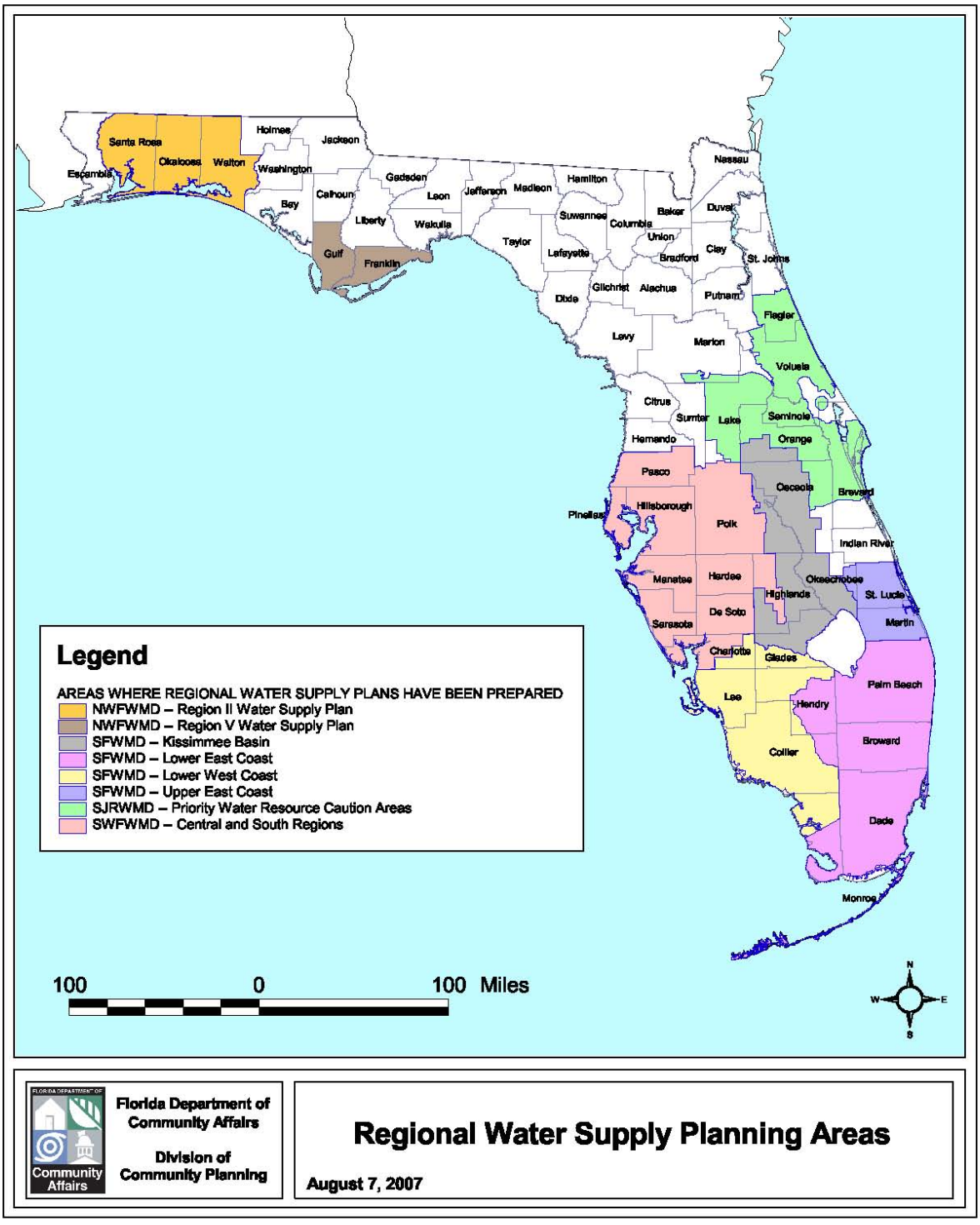
    b. Indicate the extent to which the local government has implemented the work plan for building public, private and regional water supply facilities, including the development of alternative water supplies, to meet local water use needs identified in the Infrastructure Element.

c. Indicate the extent to which the local government has been successful in identifying alternative water supply projects, traditional water supply projects, bulk sales agreements, and conservation and reuse programs to meet the water needs identified in the applicable regional water supply plan.

d. Based on the evaluations described in paragraphs b. and c. above, update the comprehensive plan to include new or revised programs and activities to address any shortcomings in the implementation of the water supply facilities work plan, including the development of alternative water supplies, bulk sales agreements, and the implementation of conservation and reuse programs to meet current and future needs.

ATTACHMENT A

Map of Regional Water Supply Planning Areas



ATTACHMENT B

Due Dates for Work Plan Amendments

1. The following local governments are located in the **Northwest Florida Water Management District**'s Region II Water Supply Planning Area. An update of the area's regional water supply plan was approved by the District's Governing Board on October 26, 2006. The following local governments must therefore prepare their 10-year water supply facilities work plans and update their comprehensive plans by April 26, 2008 (18 months after the District Governing Board approved the updated regional water supply plan) [s. 163.3177(6)(c), *F.S.*]:

    a. Okaloosa County and all municipalities located in the county

    b. Santa Rosa County and all municipalities located in the county

    c. Walton County and all municipalities located in the county

    The following local governments are located in the **Northwest Florida Water Management District**'s Region V Water Supply Planning Area. A regional water supply plan for Region V was approved by the District's Governing Board on January 25, 2007. The following local governments must therefore prepare their 10-year water supply facilities work plans and update their comprehensive plans by July 25, 2008 (18 months after the District Governing Board approved the regional water supply plan) [s. 163.3177(6)(c), *F.S.*]:

    d. Franklin County and the municipalities of Apalachicola and Carrabelle

    e. Gulf County and the municipalities of Port St. Joe and Wewahitchka

2. The following local governments are located in the **St. Johns River Water Management District**'s Priority Water Resource Caution Area (PWRCA), a water supply planning region where existing and reasonably anticipated sources of water may not be adequate to supply water for all existing legal uses and anticipated future needs while sustaining water resources and related natural systems. The regional water supply plan for the PWRCA area (District Water Supply Plan 2005) was approved by the District Governing Board on February 7, 2006, and an addendum affecting some local governments was approved on October 10, 2006. The following local governments located within the PWRCA must therefore prepare their 10-year water supply facilities work plans and update their comprehensive plans by August 7, 2007, except as noted [s. 163.3177(6)(c), *F.S.*]:

    a. Brevard County and the municipalities of Cape Canaveral, Cocoa, Cocoa Beach, Indialantic, Indian Harbour Beach, Melbourne, Melbourne Beach, Melbourne Village, Palm Shores, Rockledge, Satellite Beach and West Melbourne; the municipality of Titusville has a deadline of April 10, 2008.

    b. Flagler County and all municipalities located in the county

c. Lake County and the municipalities of Astatula, Clermont, Eustis, Groveland, Howey-in-the-Hills, Lady Lake, Leesburg, Mascotte, Minneola, Montverde, Mount Dora and Tavares; the municipalities of Fruitland Park and Umatilla have a deadline of April 10, 2008.

d. Marion County (part of the County – but no municipalities – is in the PWRCA) has a deadline of April 10, 2008.

e. Orange County municipalities of Apopka, Belle Isle, Eatonville, Edgewood, Maitland, and Winter Park; the municipality of Oakland has a deadline of April 10, 2008. Note: the unincorporated area of the County and the municipalities of Ocoee, Orlando and Winter Garden are split with the SFWMD – see item 4 below for the applicable deadline).

f. Osceola County is split with SFWMD – see item 4 below for deadline

g. Seminole County and all municipalities located in the county

h. Volusia County and the municipalities of Daytona Beach Shores, DeBary, DeLand, Deltona, Edgewater, Holly Hill, Lake Helen, Oak Hill, Orange City, Ormond Beach, Pierson, Ponce Inlet, Port Orange and South Daytona; the municipalities of Daytona Beach and New Smyrna Beach have a deadline of April 10, 2008.

3. The following local governments are located in the **Southwest Florida Water Management District**'s Central and Southern Region, a regional water supply planning area. An updated regional water supply plan for the Central and Southern Region was approved by the District Governing Board on November 30, 2006. The following local governments located in the Central and Southern Region must therefore prepare their 10-year water supply facilities work plans and update their comprehensive plans by May 30, 2008 (18 months after the District Governing Board approves the updated regional water supply plan) [s. 163.3177(6)(c), *F.S.*]:

   a. Charlotte County and its municipality

   b. DeSoto County and its municipality

   c. Hardee County and all municipalities located in the county

   d. Avon Park, Lake Placid, and Sebring

   e. Hillsborough County and all municipalities located in the county

   f. Manatee County and all municipalities located in the county

   g. Pasco County and all municipalities located in the county

   h. Pinellas County and all municipalities located in the county

   i. All municipalities located in Polk County

   j. Sarasota County and all municipalities located in the county

4. Two of the four regional water supply plans for the **South Florida Water Management District** (the Upper East Coast plan and the Lower West Coast plan) were approved by the District's Governing Board on July 12, 2006. The following local governments located in those planning regions must prepare their 10-year water supply facilities work plans and update their comprehensive plans by January 12, 2008 (18 months after the District Governing Board approved each regional water supply plan) [s. 163.3177(6)(c), *F.S.*]:

    a. Collier County and all municipalities located in the county

    b. Hendry County and all municipalities located in the county

    c. Lee County and all municipalities located in the county

    d. Martin County and all municipalities located in the county

    e. St. Lucie County and all municipalities located in the county

    The regional water supply plan for the Kissimmee Basin was approved by the District's Governing Board on December 14, 2006. The following local governments located in the Kissimmee Basin planning region must prepare their 10-year water supply facilities work plans and update their comprehensive plans by June 14, 2008 (18 months after the District Governing Board approved the regional water supply plan). [s. 163.3177(6)(c), *F.S.*]:

    f. Glades County and its municipality

    g. Highlands County

    h. Okeechobee County and its municipality

    i. Orange County, Bay Lake, Lake Buena Vista, Ocoee, Orlando, Reedy Creek, Windermere, and Winter Garden

    j. Osceola County and all municipalities located in the county

    k. Polk County

    The regional water supply plan for the Lower East Coast was approved by the District's Governing Board on February 15, 2007. The following local governments located in the Lower East Coast planning region must prepare their 10-year water supply facilities work plans and update their comprehensive plans by August 15, 2008 (18 months after the District Governing Board approved the regional water supply plan). [s. 163.3177(6)(c), *F.S.*]:

    n. Broward County and all municipalities located in the county

    o. Miami-Dade County and all municipalities located in the county

    p. Monroe County and all municipalities located in the county

    q. Palm Beach County and all municipalities located in the county

ATTACHMENT C

Overview of Regional Water Supply Plans

The following briefly summarizes the content and application of regional water supply plans (RWSPs) and describes the types of information and assistance that are available from the water management districts. The map in Attachment A depicts the areas of the state for which RWSPs have been prepared.

A RWSP includes a 20-year projection of future population and associated water supply demands, as well as an identification of water supply projects that could meet those demands. The RWSP is intended to provide the framework for future water supply decisions in areas where existing and reasonably anticipated sources of water and conservation efforts may not be adequate to provide for all existing legal users and reasonably anticipated future needs, while sustaining water resources and related natural systems.

For planning purposes, water use is separated into six categories: agriculture; public supply; domestic self-supply (including small public supply systems); commercial/industrial and mining/dewatering; thermoelectric power production; and recreational irrigation. The RWSP identifies potential sources of water capable of meeting projected demand and options for developing those sources. Typical sources include (1) new groundwater wellfields; (2) increased use of reclaimed water; (3) storage reservoirs; (4) surface water withdrawals; (5) aquifer storage and recovery; (6) reverse osmosis/desalination; and (7) conservation. The RWSP includes planning-level analyses for each of these potential sources of water to quantify available water supplies, identify project development options, and estimate costs associated with water supply development.

The RWSP identifies potential water supply development projects, including conservation, reuse, traditional, and alternative water supply projects that will exceed the needs projected by the district. The RWSP also estimates the associated costs for developing the projects. The water supply projects identified in the RWSP represent a "menu" of possible options from which each identified local government, government-owned and privately owned utility, self-supplier or other entity may choose to address its water supply needs. The individualized project options are provided as reasonable concepts that water users in the region can pursue through water supply planning. Water users may also propose specific alternative water supply projects for inclusion in the regional water supply plan. If the water management district determines that the proposed projects meet the goals of the plan, they will be included in the approved regional water supply plan. Additionally, the plan provides information to assist water users in developing funding strategies to construct water supply development projects, and the inclusion of a specific *alternative* water supply project in the plan indicates that state and water management district funding assistance may be available for the project.

Each RWSP is to be updated at least every five years. Local governments should consult with their respective districts to obtain the latest and most detailed information available.

ATTACHMENT D

Sources of Information and Contacts

Data and Information Sources:

1. Water Management District publications, such as Regional Water Supply Plans, water supply assessments, and District Water Management Plans.

2. Monthly Public Supply Water Withdrawal tables, available from the USGS. Contact Richard Marella at (850) 942-9500, for Northwest Florida WMD, Suwannee River WMD and South Florida WMD. Contact St. Johns River WMD and Southwest Florida WMD for similar tables.

3. Regional Water Supply Authority plans and publications.

4. Comprehensive plans of adjacent local governments if they supply water to portions of your jurisdiction.

5. Plans or other documents from public or private utilities serving areas within your jurisdiction.

Agency and District Contacts:

Florida Department of Community Affairs

Bob Dennis, Regional Planning Administrator
(850) 922-1765; Suncom 292-1765
E-mail: bob.dennis@dca.state.fl.us

Website: www.dca.state.fl.us

Florida Department of Environmental Protection

Janet Llewellyn, Director
Division of Water Resources Management
(850) 245-8676; Suncom 205-8676
E-mail: janet.llewellyn@dep.state.fl.us

Website: www.dep.state.fl.us

Northwest Florida Water Management District

Paul Thorpe, AICP, Director, Resource Planning Section
(850) 539-5999; (800) 913-1518, ext. 254
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Website: www.nwfwmd.state.fl.us

St. Johns River Water Management District

Peter Brown, Policy Analyst
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Website: www.sjrwmd.com

Suwannee River Water Management District

David Still, Deputy Executive Director
(386) 362-1001 or (800) 226-1066
E-mail: still_d@srwmd.state.fl.us

Steven Minnis, Senior Resource Development Coordinator
(386) 362-1001 or (800) 226-1066
E-mail: minnis_s@srwmd.state.fl.us

Website: www.srwmd.state.fl.us

Southwest Florida Water Management District

Rand Frahm, AICP, Planning Manager
(352) 796-7211 or (800) 423-1476, ext. 4411
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Miki Renner, AICP, Planning Manager
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E-mail: Miki.Renner@watermaters.org

Website: www.watermatters.org

South Florida Water Management District

Jim Jackson, AICP, Senior Supervising Planner
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E-mail: jjackson@sfwmd.gov

Jane Bucca, Alternative Water Supply Program Manager
(561) 682-6791; (800) 432-2045, ext. 6791; Suncom 229-6791
E-mail: jbucca@sfwmd.gov

Henry Bittaker, AICP, Senior Planner
Comprehensive Planning Issues
(561) 682-6792; (800) 432-2045, ext. 6792; Suncom 229-6792
E-mail: hbittak@sfwmd.gov

Website: www.sfwmd.gov

Lower East Coast Regional Water Supply Plan

Barbara Powell, AICP, Plan Manager
(561) 682-2236 or (800) 432-2045, ext. 2236
E-mail: bpowell@sfwmd.gov

Kissimmee Basin Regional Water Supply Plan

Chris Sweazy, Plan Manager
(407) 858-6100 or (800) 432-2045, ext. 3822
E-mail: csweazy@sfwmd.gov

Upper East Coast Regional Water Supply Plan

Linda Hoppes, Plan Manager
(561) 682-2213 or (800) 432-2045, ext. 2213
E-mail: lhoppes@sfwmd.gov

Lower West Coast Regional Water Supply Plan

Terry Bengtsson, Regional Coordinator
(239) 338-2929 or (800) 432-2045, ext. 7740
E-mail: tbengts@sfwmd.gov

Regional Water Supply Authorities

Peace River/Manasota Regional Water Supply Authority

(Charlotte, DeSoto, Manatee and Sarasota Counties)

Patrick J. Lehman, Executive Director
(941) 316-1776
E-mail: peacemana@aol.com
Website: www.regionalwater.org

Tampa Bay Water

(Hillsborough, Pasco, and Pinellas Counties and the Cities of New Port Richey, Tampa and St. Petersburg)

Paula Dye, AICP, Chief Environmental Planner
(727) 796-2355
E-mail: pdye@tampabaywater.org
Website: www.tampabaywater.org

Walton/Okaloosa/Santa Rosa Regional Utility Authority

(Okaloosa, Santa Rosa and Walton Counties)

Terry A. Joseph, Executive Director
(850) 595-8910
E-mail: josepht@wfrpc.dst.fl.us
Website: www.wfrpc.dst.fl.us

Withlacoochee Regional Water Supply Authority

(Citrus, Hernando, and Sumter Counties and all municipalities in those Counties, and the City of Ocala)

Jackson E. Sullivan, Executive Director
(850) 385-0220
E-mail: jsullivan@carltonfields.com
Website: www.wrwsa.cc