



RECEIVED

SEP 22 2009

Water
098-ENV
cc: Kathy M.
DEP

OFFICE OF THE GOVERNOR
CITIZEN SERVICES
09 SEP -8 AM 11:45

DEP SECRETARY

RESOLUTION NO. 09-009 R

A RESOLUTION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, SUPPORTING THE PETITION FOR RULE-MAKING TO AMEND FLORIDA WATER QUALITY STANDARDS BY REVISING EXISTING WATER BODY CLASSIFICATIONS TO PROVIDE NEW AND MORE APPROPRIATE BENEFICIAL USES AND USE EXPECTATIONS, FILED BY THE FLORIDA STORMWATER ASSOCIATION, INC., WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, all surface waters of the State of Florida, including fresh, marine, wetland, flowing or intermittent, natural or manmade, pristine or impacted, are classified by only five (5) Designated Uses; and

WHEREAS, the existing water body classification system was created in 1968 and has not been amended since; and

WHEREAS, the Florida Department of Environmental Protection recognized in a report filed with the Florida Legislature in February 2005 that the current water body classification system, developed to address point source pollution, is too narrow to apply to the wide variety of water bodies existing throughout the State of Florida, the natural conditions of which fluctuate over time; and

WHEREAS, the Deputy Secretary for the Florida Department of Environmental Protection stated in an April 2007 letter to the media that it is crucial that the water body classification system accurately reflect the actual purpose of each water body; and

WHEREAS, the success of the Total Maximum Daily Loads ("TMDL") program, which utilizes water quality standards to determine water body impairment, depends upon appropriate use designations and expectations of water bodies; and

WHEREAS, the present water body classification system is ineffective to accurately measure water quality such that some water bodies have been mistakenly classified as impaired, leading to the adoption of unnecessary TMDLs and the diversion of limited resources from urgent water quality problems; and

WHEREAS, the costs to local governments statewide to implement the TMDL program are estimated to be approximately \$50 billion; and

WHEREAS, in this time of great economic hardship, tax revenue must be used in the most efficient and effective manner; and

WHEREAS, the Designated Uses and Classification Refinement Policy Advisory Committee ("PAC"), and expert policy advisory committee, was previously convened by the Florida Department of Environmental Protection study and make recommendations regarding the water body classification system; and

WHEREAS, in 2007 the PAC developed a proposed water body classification system, combining Beneficial Use Designations and Beneficial Use Expectations, which comprise the goals and expectations to be attained in each water body and provide a basis for deriving water quality criteria and other protections to maintain each Beneficial Use; and

WHEREAS, the proposed water body classification system consists of seven Human Use Designations and four Aquatic Life Use Designations as well as corresponding Beneficial Use Expectations; and

WHEREAS, this classification system adequately addresses the goals and concerns expressed by the Florida Department of Environmental Protection; and

WHEREAS, the Florida Stormwater Association, Inc., has filed with the Florida Department of Environmental Protection its Petition for Rule-Making to Amend Florida Water Quality Standards by Revising Existing Water Body Classifications to Provide New and More Appropriate Beneficial Uses and Use Expectations.

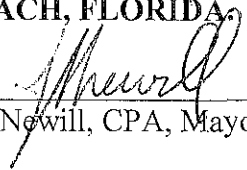
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AS FOLLOWS:

Section 1. The Town of Highland Beach supports the Petition for Rule-Making to Amend Florida Water Quality Standards by Revising Existing Water Body Classifications to Provide New and More Appropriate Beneficial Uses and Use Expectations, filed by the Florida Stormwater Association with the Florida Department of Environmental Protection.

Section 2. The Town of Highland Beach urges the Florida Department of the Environmental Protection to establish a water body classification system similar to the proposed water body classification system outlined in the Petition for Rule-Making.

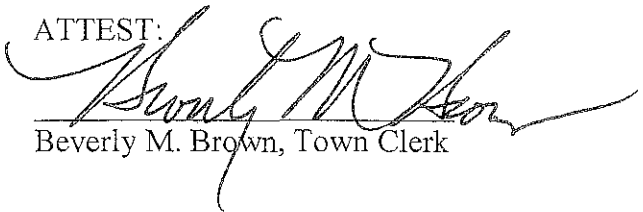
Section 3. Effective Date. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 1st day of September, 2009 BY THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA.



Jim Newill, CPA, Mayor

ATTEST:



Beverly M. Brown, Town Clerk