

**RESOLUTION NO. 2009-06**

**RESOLUTION OF NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT, 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 AN EFFECTIVE DATE.**

**WHEREAS**, Northern Palm Beach County Improvement District (“Northern”) is an independent special district established in 1959 for flood control, drainage, comprehensive water management and other public purposes; and

**WHEREAS**, Northern operates and maintains an extensive system of lakes, canals, waterways, pumps, dikes and other water management facilities for the benefit of property, residents and development within Northern; and

**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 the State of Florida through the use of five (5) Designated Uses; and

**WHEREAS**, the existing water body classification system was created by the State’s Pollution Control Board 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 State’s 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 State’s water body classification system accurately reflect the actual purpose of each classified 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 State's 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 actual urgent water quality problems; and

**WHEREAS**, the cost to local governments statewide to implement the TMDL program is estimated by the Florida Stormwater Association to be approximately \$50 billion; and

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

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

**WHEREAS**, in 2007 the PAC developed a proposed new State 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 new State 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 proposed new State water body classification system is believed to adequately address 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 attached 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 BOARD OF SUPERVISORS OF THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT AS FOLLOWS:**

**Section 1.** Northern supports the attached 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.

**Section 2.** Northern urges the Florida Department of Environmental Protection to establish a new State water body classification system similar to the proposed water body classification system outlined in the attached Petition for Rule-Making.

**Section 3.** This Resolution shall take effect immediately upon its adoption.

THIS RESOLUTION PASSED AND WAS UNANIMOUSLY ADOPTED THIS 26<sup>TH</sup>  
DAY OF AUGUST, 2009.

[SEAL]

BY: Deborah A. Diaz  
Deborah A. Diaz, President

ATTEST:

O'Neal Bardin, Jr.  
O'Neal Bardin, Jr., Secretary