

1.5.C.2 - Brief Assessment of Successes & Shortcomings – Public Facilities Element – Potable Water Subelement

A. Introduction & Background:

The purpose of the Potable Water Subelement is defined within its single Goal (Goal 1), which reads as follows:

“TO PROTECT THE HEALTH AND SAFETY OF THE PUBLIC BY ENSURING ACCESS TO ENVIRONMENTALLY SOUND, COST EFFECTIVE AND IMPLEMENTABLE POTABLE WATER FACILITIES AND SERVICES.”

As currently formatted, this Subelement consists entirely of a Goal (Goal 1), Objectives and Policies. As part of the EAR-based amendments, Comprehensive Planning staff is recommending formatting changes consisting of the addition of a brief introductory statement for the Subelement and removal of the “1” from the Goal, so that it is simply the Goal of the Subelement. The Objective and Policy numbering should be simplified. Also, the Subelement contains a number of references to the County’s Water & Sewer District. The District’s official name is the “Collier County Water-Sewer District,” and the Subelement text needs to reflect this.

B. Objectives Analysis:

OBJECTIVE 1.1:

The County will locate and develop potable water supply sources to meet the future needs of the County owned and operated systems, said supply sources meeting the minimum Level of Service Standards established by this Plan.

Objective Achievement Analysis:

Section 3.2 of this EAR contains an analysis of the Collier County Growth Management Plan, including the Potable Water Subelement, relative to compliance with the South Florida Water Management District’s (SFWMD’s) Lower West Coast Water Supply Plan. Additionally, the staff of the Collier County Public Utilities Division has prepared a Ten-Year Water Supply Facilities Work Plan. This Work Plan is to be transmitted to the Florida Department of Community Affairs at the conclusion of the SFWMD’s update of the Lower West Coast Water Supply Plan. Along with the Work Plan, County staff will be transmitting related amendments to the Potable Water Subelement and the Capital Improvement Element.

Both the Work Plan and the Subelement are based upon the County’s adopted 2002 Water Master Plan Update. The Master Plan Update provides for an integrated approach to meeting the projected water system demands of unincorporated Collier County up to the year 2020. The Board of County Commissioners has requested that the Master Plan be updated annually. The Master Plan utilizes population projections prepared by the

Collier County Comprehensive Planning Department, approved by the Florida Department of Community Affairs (DCA) and accepted by the South Florida Water Management District (SFWMD). The Master Plan Update contains water demands that are provided at five-year increments in order to be consistent with the Lower West Coast Regional Water Supply Plan.

As part of the EAR-based amendments, Objective 1.1 should be revised to reference the Lower West Coast Water Supply Plan, the County Master Plan and the Ten-Year Water Supply Facilities Work Plan.

Policy Relevance:

There are currently three policies within this Objective. Policy 1.1.1 calls for the continued expansion of the County's Aquifer Storage & Recovery (ASR) Program. This Policy should be retained as written.

Policy 1.1.2 calls for continuation of a County program for protecting existing and potential water supply sources. Protection of existing and potential water supply sources is under the jurisdiction of the County's Pollution Control Department. Therefore, this Policy should be retained as written.

Policy 1.1.3 requires the County to identify sufficient water supply sources to address future needs. This Policy should be revised to reflect seeking supply from other permissible sources of raw water cited in the Lower West Coast Water Supply Plan in addition to brackish water.

OBJECTIVE 1.2:

The County will implement the following policies to make certain that public and private sector potable water service utilities provide, repair and/or replace potable water supply, treatment and distribution facilities to correct existing deficiencies in their respective service areas as may be required to meet or exceed the Level of Service Standards established in this Plan. In addition, public sector potable water service utilities will be expanded as necessary to provide for future growth, as provided for in the following policies.

Objective Achievement Analysis:

Collier County's private water and wastewater utilities are regulated through the Utility & Franchise Regulation Section of the Community Development & Environmental Services (CDES) Operations Department. This agency serves as staff for the Collier County Water and Wastewater Authority. The Utility & Franchise Regulation Section is the County entity responsible for monitoring compliance with County regulations by the various private utilities located in Collier County. In addition to managing the operations of the Department and Section, the CDES Operations Director is also the Executive

Director for the Water and Wastewater Authority. The Authority is the regulatory entity for the four (4) utility franchises operating in Collier County.

In regulating the operations of the County's private utilities the Authority, which is appointed by the Board of County Commissioners, exercises considerable power. They may set rates, adjust franchise boundaries, set quality of service standards and intervene in disputes between utilities and customers.

The publicly owned (as opposed to privately-owned) water supply system is operated by Collier County as the Collier County Water District. The District is responsible for developing, operating and maintaining all of the County's public facilities related to potable water treatment and distribution.

The above Objective should be retained as written.

Policy Relevance:

There are six (6) policies within this Objective. Policy 1.2.1 calls for the County to continue development of a Regional Potable Water Utility System. The EAR-based amendments should include a revision to this policy that recognizes the existence of the County Water-Sewer District.

Policy 1.2.2 references several geographic areas of the County, relative to the Countywide Future Land Use Map (FLUM) and with respect to areas served by, or planned for future service by, the Collier County Water-Sewer District. The Policy also allows and/or requires (depending on size) future developments within the County to be served by centralized potable water systems. As this Policy was recently updated to reflect creation of the FLUM's Rural Fringe Mixed Use District (RFMUD) and Rural Lands Stewardship Area (RLSA) Overlay, this Policy should be retained as written.

Policy 1.2.3 requires, to the extent of County authority, private water utilities to report proposed expansions or system modifications to the County, including a statement as to how the proposed activity is consistent with the County's Growth Management Plan. This Policy should be retained as written.

Policy 1.2.4 allows development of new or expanded potable water systems in certain portions of unincorporated Collier County. It also allows the use of individual water supply wells in areas where County or other central water supply service is unavailable. This Policy should be retained as written.

Policy 1.2.5 calls for the County to continue enforcing mandatory connection to a central water supply system, when such is available. The Policy is worded in a convoluted manner. The EAR-based amendments should include a revision to this policy to simply state the County's mandatory connection policy.

Policy 1.2.6 requires Community Development Districts, or other Special Districts to connect to County water facilities when such are available. This Policy should be retained as written.

OBJECTIVE 1.3:

By the time mandated for the adoption of land development regulations pursuant to Chapter 163.3202, F.S., including any amendments thereto, implement procedures to ensure that at the time a development order is issued, potable water facility capacity that meets or exceeds the minimum Level of Service Standards established herein is available or will be available to serve the development under the guidelines established for concurrency in the Capital Improvement Element of this Plan.

Objective Achievement Analysis:

This Objective is the County’s potable water concurrency provision. The Collier County Water-Sewer District achieves concurrency of its stated LOS standard. The disclosure of this achievement is reported within the periodic updates of the County’s Water Master Plan. As such, this Objective should be retained as written.

Policy Relevance:

There are four (4) policies within this Objective. Policy 1.3.1 lists the Level of Service (LOS) Standards for the various Collier County potable water utilities, both public and private. The policy should receive the following revisions: A revision to the 1st statement of the 2nd paragraph should be revised to state “Review of water usage data for the Collier County Water-Sewer District since 1989 indicated the LOS standard for finished water should be increased to 185 gpcd.” In addition, the policy should be revised to indicate the LOS standard for Orangetree Utility, the Immokalee Water and Sewer District and the Florida Governmental Utility Authority, all of which are in Collier County.

Policy 1.3.2 requires that public and private utility methodologies for determining available capacity and demand must incorporate appropriate peak demand coefficients for each facility and for the type of development proposed. The EAR-based amendments should include revision to the CIE table for potable water and capital projects because the currently cite out-of-date treatment plant expansions.

Policy 1.3.3 states that the LOS Standards contained in Policy 1.3.1 “are the minimum criteria for replacement, expansion or increase in capacity of potable water supply facilities.” This Policy should be retained as written.

Policy 1.3.4 requires an annual review of potable water demand records, with adjustment of the LOS Standards, as necessary, based upon the findings of the annual review. This Policy should be retained as written.

OBJECTIVE 1.4:

The County will continue to promote conservation of potable water supplies by developing and implementing an integrated, comprehensive conservation strategy which will identify specific consumption per capita goals.

Objective Achievement Analysis:

This Objective commits the County to implementation of a water conservation program. As such, it should be retained as written.

Policy Relevance:

There are currently seven (7) policies within this Objective. However, the text for Policy 1.4.7 states that it has been deleted. Staff recommends, therefore, that all reference to this Policy be deleted.

Policy 1.4.1 requires the County to negotiate with area golf courses toward having these land uses accept treated wastewater as an irrigation source. A similar policy also occurs in the Sanitary Sewer Subelement (see Section 1.5.C.1 of this report). This Policy should be retained as written.

Policy 1.4.2 calls for publicly owned lands to be connected to treated-effluent irrigation systems when economically feasible. This Policy should be retained as written.

Policy 1.4.3 calls for suitable private lands to be connected to treated-effluent irrigation systems when economically feasible. This Policy should be retained as written.

Policy 1.4.4 requires the County to promote the use of xeriscape techniques so as to reduce irrigation requirements. This policy has a cited suspense date for meeting an accomplishment. In addition, xeriscaping is not one of Public Utilities' responsibilities. However, the County's CDES landscaping review staff continues to promote the use of xeriscape techniques so as to reduce irrigation requirements. Therefore, this policy should be revised to continue the effort to use xeriscaping techniques, but to omit the cited 1992 date.

Policy 1.4.5 references the County's irrigation reduction Ordinance. This policy has a cited suspense date for meeting an accomplishment. Collier County has established a conservation program with regard to irrigation reduction. Therefore, this policy should be revised to continue the irrigation reduction effort, but to omit the cited 1998 date.

Policy 1.4.6 requires the County to establish a dual water irrigation system at such time as feasible. This policy should be retained as written.

Policy 1.4.7 has been deleted by a previous amendment. Therefore, all references to this Policy should be deleted.

OBJECTIVE 1.5:

The County will discourage urban sprawl and the proliferation of private sector potable water service suppliers in an effort to maximize the use of existing public facilities through the development order approval process by implementing the following policies.

Objective Achievement Analysis:

This Objective seeks to discourage urban sprawl through maximization of existing public water supply utilities. Further, the Objective states that this action will be achieved through the local development review process. The Public Utilities Engineering Department coordinates with the Zoning & Land Development Review Department in the review of development order applications to ensure that the requirements of this Objective are met. This Objective should be retained as written.

Policy Relevance:

Policy 1.5.1 states that “universal availability of central potable water systems” will only be permitted in certain specific areas of the County. This policy is a restatement of Policy 1.2.2, but with an emphasis on limiting urban sprawl. The policy was amended during 2003. Therefore, the County recommends retention of this Policy as written.

Policy 1.5.2 seeks to limit the ability of private or public utilities to add customers. “No existing private sector or potable water treatment systems will be permitted to add customers unless all Levels of Service Standards are met, and operations are in conformance with all FDEP permits. The policy was amended during 2003. Therefore, this policy should be retained as written.

Policy 1.5.3 contains the conditions for connection of development within the RLSA to a central water system. Specifically, the policy states that “no properties designated other than as a Town, Village, Hamlet or Compact Rural Development” are permitted to connect to central potable water distribution lines. The policy was created during 2003. However, the District boundaries were modified to allow the connection to central potable water distribution lines along a 400-foot corridor of specifically designated roadways. Therefore, this policy should be revised to incorporate a reference to the 400-foot corridor of specifically designated roadways.

Policy 1.5.4 creates the Rural Transition Water & Sewer District. This District corresponds to the County’s Rural Fringe Mixed Use District. The policy was created during 2003. Therefore, staff recommends retention of this Policy as written.