STAFF REPORT

TO: COLLIER COUNTY PLANNING COMMISSION (CCPC)

FROM: COMPREHENSIVE PLANNING SECTION, 
ZONING DIVISION, 
GROWTH MANAGEMENT DEPARTMENT

HEARING DATE: December 6, 2018


NOTE: This petition also requires a recommendation by the CCPC sitting as the Environmental Advisory Council.

AGENT/APPLICANT:

Public Utilities Department
Engineering and Project Management Division
Collier County Government
3339 East Tamiami Trail, Suite 303
Naples, FL 34112

GEOGRAPHIC LOCATION:

The proposed Growth Management Plan (GMP) amendment is not specific to a certain location.

REQUESTED ACTION:

The proposed text change seeks to amend the Potable Water Sub-Element of the Public Facilities Element to update the reference to our next Ten-Year Water Supply Facilities Work Plan, as required of Collier County government by Section 163.3177(6)(c), Florida Statutes. Policy 1.7 is proposed to be amended as follows:

[Note: Current Potable Water Sub-Element language appears below in plain text, the proposed amendment is shown in strike-through/underline format. Objective 1 of the Sub-Element is included for background/clarity purposes]
Proposed Potable Water Sub-Element Text Amendment:  

OBJECTIVE 1:
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. The development and utilization of new potable water supply sources and the acquisition of land necessary for such development shall be based upon the information, guidelines and procedures identified within the County’s Ten-Year Water Supply Facilities Work Plan (as updated) and the Lower West Coast Water Supply Plan prepared by the South Florida Water Management District.

[Note: No revisions to Policies 1.1 through 1.6 are proposed.]

Policy 1.7:
The County has developed the Ten-Year Water Supply Facilities Work Plan, dated October 2013, in accordance with the water supply guidelines of the most current version of the South Florida Water Management District’s Lower West Coast Water Supply Plan. The County’s Ten-Year Water Supply Facilities Work Plan is incorporated herein by reference.

STAFF ANALYSIS:

As indicated in Policy 1.7 of the Public Facilities Element, Potable Water Sub-Element, the County has developed the Ten-Year Water Supply Facilities Work Plan (Appendix A). The proposed text amendment seeks to adopt the updated version of the County’s plan, which has been prepared in accordance with the most current version of the South Florida Water Management District’s Lower West Coast Water Supply Plan. The updated version of the Ten-Year Water Supply Facilities Work Plan is proposed for incorporation into the County’s GMP by reference.

Regional Planning:

In December 2017, the Governing Board of the South Florida Water Management District (SFWMD) approved the 2017 Lower West Coast Water Supply Plan (LWCWSP) Update. Under Florida law (section 163.3177(6)(c), Florida Statutes) Collier County must adopt amendments to its comprehensive plan within 18 months of the SFWMD approval of the update. These amendments include the development of an updated 10-Year Water Supply Facilities Work Plan and amendments to the Growth Management Plan (GMP). The LWCWSP amendment required the five water management districts to initiate regional water supply planning in all areas of the State.

The purpose of regional water supply planning is to develop strategies to meet future water demands of urban and agricultural uses, while meeting the needs of the environment. This process identifies historical uses of water and water source options to meet potential shortfall. Each regional water supply plan is based on at least a 10-year future planning horizon, and a complete update of each plan is required every five years.
The Lower West Coast Water Supply Planning Area includes Lee County and portions of Charlotte, Collier, Glades, Hendry and Monroe counties. The 2017 Lower West Coast Water Supply Plan Update (LWC Update) was approved by the SFWMD Governing Board in December 2017. The LWC Update assesses projected water demands and potential sources of water for the period through 2040.

Source: 2017 Lower West Coast Water Supply Plan Update
Local Planning:

On February 25, 2003 the Board of County Commissioners adopted an update to the County’s 2001 Water Master Plan, to provide an integrated approach for meeting the projected water system demands up to the year 2022. The “2002 Water Master Plan Update” provided for comprehensive overview of the entire water system, including emergency systems, water demand projections and demands and proposed conservation and reclaimed water projects, and provided a plan for future water supply and infrastructure needs to meet the requirements of growth, infrastructure renewal, replacement and enhancement over a course of five years. Water demands were provided at five-year increments to be consistent with the 2000 Lower West Coast Regional Water Supply Plan.

During the State of Florida’s 2005 legislative session, lawmakers revised state water law to include a new statutory provision. Local governments within the Lower West Coast Planning Area are required to prepare a Ten-Year Water Supply Facilities Work Plan that identifies water supply projects and adopt revisions to comprehensive plans within 18 months following the approval of the most current version of the Lower West Coast Water Supply Plan Update.

On January 25, 2007, as part of the 2004 Evaluation and Appraisal Report (EAR) based amendments, and in preparation of the anticipated Ten-Year Water Supply Facilities Work Plan, Collier County adopted language to coordinate water supply planning with SFWMD. Modifications of various Goals, Objectives and Policies (GOPs), as required by these legislative actions, were addressed through the GMP amendment to the Potable Water Sub-Element, the Conservation and Coastal Management Element and the Intergovernmental Coordination Element. The amendments referenced the 2002 Water Master Plan Update and any updates as the County’s water supply planning document. During the County’s 2011 EAR-based amendments, references to the County’s 2002 Water Master Plan document were further revised to note the adopted Ten-Year Water Supply Facilities Work Plan (dated October 2008) as the County’s appropriate document for water supply planning.

On February 24, 2009, the County adopted its first Ten-Year Water Supply Facilities Work Plan, by Ordinance No. 09-04. It was based on the guidelines of the 2005-2006 Lower West Coast Plan Update, subsequently adopted.

In December 2017, the SFWMD’s Governing Board approved the 2017 Lower West Coast Water Supply Plan Update. Therefore, Collier County must adopt the proposed GMP text amendment that references the proposed Ten-Year Water Supply Facilities Work Plan by May 15, 2019 (or 18 months after the District Governing Board approved each regional water supply plan) [s. 163.3177(6)(c), F.S.].
Proposed 10-Year Water Supply Facilities Work Plan update:

As noted in the attached 10-Year Water Supply Facilities Work Plan, the updated document addresses the following objectives:

- Identifies population and water demands of the County and each utility for the planning period, 2019 to 2028.
- Presents existing and planned potable and reclaimed water facilities that will be utilized to meet demand projections.
- Identifies sources of raw water needed for potable water and irrigation water supply to meet demands through the year 2028.
- Identifies the steps necessary to develop additional potable and reclaimed water supplies and specifies when they must occur and how they will be funded.
- Demonstrates that the water supply plans for each utility within the County are feasible with respect to facility capacity to be developed and consumptive use permit allocations required.
- Describes the conservation practices and regulations utilized by each utility to meet water supply demand.

The population methodology used for the 10-Year Water Supply Facilities Work Plan is based on the County’s latest adopted Annual Update Inventory Report and Capital Improvement Element (AUIR-CIE) available at the time the plan was created (2018 AUIR-CIE). Please note that because of updates to data, the proposed Ten-Year Water Supply Facilities Work Plan will differ from the 2017 Lower West Coast Plan Update, as well as the most recent AUIR-CIE documents. These variances have been vetted with SFWMD staff, who agrees that the population methodology is appropriate.

This 10-Year Water Supply Facilities Work Plan was prepared by the County’s consultant, CDM Smith, in coordination with Public Utilities Department and Growth Management Department staff, as well as representatives from various private utilities, and includes the areas of the County served by the Collier County Water and Sewer District, the Ave Maria Utility Company (AMUC), and the Immokalee Water and Sewer District (IWSD).

Also referenced in the plan are the Lee Cypress Water and Sewer Co-Op, Inc, and the Port of The Islands Community Improvement District, as well as a number of small capacity water systems regulated by the Florida Department of Environmental Protection (FDEP) (see pages 2-6 and 2-7 of the attached plan). These did not meet the minimum size requirements to be included.

In substance, the CCWSD portions of the Plan update provide detail behind the following broad subject areas:

(a) **Existing Facilities (Section 4):** The CCWSD is served by three water treatment plants, the North County Regional Water Treatment Plant, the South County Regional Water Treatment Plant, and the Orange Tree Water Treatment Plant, with maximum finished water production capacities of 20 MGD, 32 MGD, and 0.75 MGD respectively. Four wellfields provide raw water for the plants, drawing from both brackish and non-brackish
sources. Collier County has been a leader in the use of brackish water source production. Along with these production and wellfield facilities, the CCWSD contains over 1,000 miles of transmission and distribution pipelines, water storage tanks, pumping facilities, an aquifer storage and recover (ASR) system and approximately 56,000 individual service connections. In addition, the CCWSD operates one of the largest irrigation quality (IQ) water systems in south Florida. With contractual commitments of over 23 MGD to golf courses communities, parks and roadway medians, there is additional potential demand of over 28.5 MGD represented by communities that have been dual-piped.

(b) **Planned Water Supply Facilities (Section 5):** Based on the 2018 AUIR population and Level of Service (LOS) standard, the Plan update indicates 2027 as the optimal first production year for the new Northeast Regional Water Treatment Plant Wellfield Phase 1. Components of this regional improvement include the Phase 1 Water Treatment Plant, the Phase 1 wellfield, and all associated transmission pipelines, pumps and water storage tanks. The District’s IQ water system will be enhanced by the development of 5 ASR wells that will allow storage of IQ water in the wet season for use in the dry season. Additional sources of IQ supply will be addressed, through permit allocations of groundwater and capture and storage of surface water.

(c) **Facilities Capacity Analysis (Chapter 6):** Plans to bring online a new potable water treatment facility and associated wellfield during the 10-year period will allow CCWSD to stay ahead of the demand curve during the 10-year planning period.

(d) **Conservation (Section 7):** Conservation measures have been an important element in CCWSD planning for many years. Local regulations on domestic irrigation, low flow devices, Florida Friendly landscape principles, Fridays are Dry Days, and a block rate structure have been employed and will be continually improved. A meter replacement program is now underway, and efficiency gains at the Regional Plants and throughout the Distribution system are being realized.

(e) **Capital Improvement Projects (Section 8):** Subsections present the capital improvement projects planned by each utility, including the funding source, project number, project name, and cost estimate for each project.

A depiction of the District boundaries for each of the covered utilities follows.
Collier County Water-Sewer District
Current and Future Potable Water Service Areas

Legend
- Regional Water Service Area
- Northwest Water Service Area
- Served by Others
- Excluded From COWSD by Special Act
- Stewardship District
- Jurisdictional Boundary

Source: Collier County 10 Year Water Supply Plan Update (Draft), October 2018
Statutory Requirements:

The Department of Economic Opportunity (DEO) has published “A guide to Preparation of the Water Supply Facilities Work Plan”. Local governments must comply with the following statutory requirements for water supply and facility planning (Each requirement followed by staff comment in bold and italics):

1. Coordinate appropriate aspects of their comprehensive plan with the appropriate water management district's regional water supply plan. [Section 163.3177(4)(a), F.S.] The current GMP contains Goals, Objectives, and Policies (GOPs) that had been adopted with the purpose of maintaining coordination with the SFWMD’s water supply plan.

2. Revise the Potable Water Sub-Element to adopt a water supply facilities work plan covering at least a 10-year planning period to meet existing and projected demand. The work plan should address those water supply facilities for which the local government has responsibility and include the facilities needed to develop alternative water supplies. The work plan should also identify conservation and reuse measures to meet future needs. [Section 163.3177(6)(c), F.S.] Policy 1.7 of the Potable Water Sub-Element was amended by Ordinance 09-04 to incorporate by reference the County’s 10-Year Water Supply Facilities Work Plan. This proposed GMP amendment seeks to adopt the revised update to the plan, which identifies: the County’s traditional and alternative water supply sources to meet existing and projected needs for the a 10-year period; the capital improvements that will be needed to develop, treat, and deliver those alternative supplies; and the conservation measures and reuse supplies utilized to offset demand for new water. The County also updates its Capital Improvement Element on a yearly basis through the AUIR-CIE to include the capital improvements needed in the first five years of the 10-Year Water Supply Facilities Work Plan.

3. Revise the Conservation Element to assess current and projected water needs and sources for at least a 10-year planning period. The analysis must consider the existing levels of water conservation, use, and protection and the applicable policies of the water management district, and the district’s approved regional water supply plan. In the absence of an approved regional water supply plan, the analysis must consider the district’s approved water management plan. [Section 163.3177(6)(d)3, F.S.] The current Conservation and Coastal Management Element of the GMP contains Goals, Objectives, and Policies (GOPs) that consider the SFWMD’s levels of water conservation, use, and protection.

4. Revise the Capital Improvements Element to identify capital improvements projects to be implemented in the first 5 years of the work plan for which the local government is responsible, including both publicly and privately funded water supply projects necessary to achieve and maintain adopted level of service standards; and adopt a 5-year schedule of capital improvements to include those projects as either funded or unfunded, and if unfunded, given a level of priority for funding. [163.3177(3)(a)4, F.S.] The County
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updates its Capital Improvement Element on a yearly basis through the AUIR-CIE to include the capital improvements needed in the first five years of the 10-Year Water Supply Facilities Work Plan.

5. Revise the Intergovernmental Coordination Element to adopt principles and guidelines to be used to coordinate the comprehensive plan with the regional water supply authority (if applicable) and with the applicable regional water supply plan. [163.3177(6)(h)1, F.S.] The current Intergovernmental Coordination Element of the GMP contains Goals, Objectives, and Policies (GOPs) that provide principles and guidance for coordination with the SFWMD and other public and private utilities in regard to water supply planning.

6. During the Evaluation and Appraisal review, determine if comprehensive plan amendments are necessary to reflect statutory changes related to water supply and facilities planning since the last update to the comprehensive plan. If necessary, transmit the amendments to incorporate the statutory changes as appropriate. [Section 163.3191(1) and (2), F.S.] The recently adopted County’s EAR-based amendments included revisions to several of its Elements (not related to statutory changes) to revise references to the County’s 2014 Water and Wastewater Master Plan Update document and include the adopted Ten-Year Water Supply Facilities Work Plan, the Lower West Coast Water Supply Plan and the Water Master Plan as the County’s appropriate documents for water supply planning.

NEIGHBORHOOD INFORMATION MEETING (NIM) SYNOPSIS

The Collier County Land Development Code Chapter 10.03.00: Notice Requirements, establishes the required methods of providing public notice procedures and refers to Chapter 8 of the Collier County Administrative Code for Land Development (2018), which addresses information relating to public notice requirements for land use petitions (including when a Neighborhood Information Meeting is required.) The Administrative Code states, “The NIM is only for site-specific amendments.” This project is not a site-specific amendment, therefore no NIM was held.

LEGAL CONSIDERATIONS:

This staff report has been reviewed and approved by the Office of the County Attorney.

STAFF RECOMMENDATION:

That the Collier County Planning Commission, sitting as the Environmental Advisory Council under Ordinances 2013-50 and 2013-51, and in its capacity as the local planning agency under Ch. 163.3174, F.S., forward Petition PL20180002552/CPSP-2018-6 to the Board of County Commissioners with a recommendation to approve for Transmittal to the Florida Department of Economic Opportunity.
PREPARED BY:

SUE FAULKNER, PRINCIPAL PLANNER
COMPREHENSIVE PLANNING SECTION, ZONING DIVISION

DATE: 11-14-18

REVIEWED BY:

DAVID WEEKS, AICP, GROWTH MANAGEMENT MANAGER
COMPREHENSIVE PLANNING SECTION, ZONING DIVISION

DATE: 11-15-18

APPROVED BY:

MICHAEL BOSI, AICP, DIRECTOR
ZONING DIVISION

DATE: 11-15-18

DATE: 11-16-18