

Memo



Date: October 14, 2009

To: The Honorable Mayor and City Commission

VIA: Russ Blackburn, City Manager

From: Teresa Scott, Public Works Director

Subject: Proposed Rule Making by FDEP on Florida's Surface Water Classifications

Since my memo of October 6, 2009, subject as above, an opposing point of view was received from the Clean Water Network of Florida. This view maintains that DEP is under pressure from many sources, including major polluters, to change the classification system for Florida's waters that has been on the books for more than forty (40) years. Their worry is that many of the State's waters would be reclassified to something that is less than what the classification is now, generally Class III (recreation and fish habitat). The reason that staff recommended that the Commission back the resolution that was put forward was because it was promoted by the Florida League of Cities and the Florida Stormwater Association who have supported the work done by the DEP's advisory committee of experts known as the Designated Uses and Classification Refinement Policy Advisory Committee. This committee studied the classification system and developed several reports which included a new, science-based system of uses and classifications for water bodies but did not recommend any revisions to existing waters on a statewide basis. The proposed classification system would not automatically change any classification, but would allow, on a case by case basis, waterways, such as drainage ditches, to be classified to a lower standard if proper documentation can be provided to warrant the change in classification.

In summary, staff agrees with the Clean Water Network that Florida's rivers, lakes, ponds and estuaries should be able to support recreation and fish habitat, or at least be brought up to that level if possible; staff does not share the opinion that all stormwater facilities should be held to that standard.