

# ATTACHMENT C



FLORIDA'S SPACE COAST



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October 13, 2021

## MEMORANDUM

TO: Edward Fontanin, Utilities Services Director

Attn: Rose Lyons

RE: Item J.2., Submittal to Florida Department of Environmental Protection (FDEP)  
Plan for Eliminating Non-Beneficial Surface Water Discharge per 403.064(17),  
F.S.

The Board of County Commissioners, in regular session on October 12, 2021, approved the Utilities Services Department to submit a Non-Beneficial Surface Water Discharge Elimination Plan to the South Beaches Water Reclamation Facility, Barefoot Bay Water Reclamation Facility, and the South Central Water Reclamation Facility to the FDEP.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script, appearing to read "Kimberly Powell".

Kimberly Powell, Clerk to the Board

/cld

cc: Finance  
Budget



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 3385, **Version:** 1

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### **Subject:**

Submittal to Florida Department of Environmental Protection (FDEP) plan for eliminating nonbeneficial surface water discharge per 403.064(17), F.S.

### **Fiscal Impact:**

Approval of the plan will commit this Department to have the improvements completed by January 1, 2032. Currently, cost estimation for the improvements of the three (3) facilities which are designated by the FDEP are: South Central Water Reclamation Facility: \$5M; South Beaches Water Reclamation Facility: \$18M; and Barefoot Bay Water Reclamation Facility: \$40M.

### **Dept/Office:**

Utility Services Department

### **Requested Action:**

Request approval of the Board for Utility Services Department to submit the attached plans for the three (3) above mentioned facilities to the FDEP.

### **Summary Explanation and Background:**

On June 29, 2021, the State of Florida passed 403.064, F.S. for the purpose of "those wastewater treatment plants permitted and operated under an approved reuse program by the department, the reclaimed water shall be considered environmentally acceptable and not a threat to public health and safety."

Section 17 of the F.S. states "By November 1, 2021, domestic wastewater utilities that dispose of effluent, reclaimed water, or reuse water by surface water discharge shall submit to the department for review and approval a plan for eliminating nonbeneficial surface water discharge by January 1, 2032, subject to the requirements of this section. The plan must include the average gallons per day of effluent, reclaimed water, or reuse water that will no longer be discharged into surface waters and the date of such elimination, the average gallons per day of surface water discharge which will continue in accordance with the alternatives provided for in subparagraphs (a)2. and 3., and the level of treatment that the effluent, reclaimed water, or reuse water will receive before being discharged into a surface water by each alternative."

Per the attached e-mail sent to the Utility Services Director by the FDEP, the FDEP has designated the following water reclamation facilities within our Department meeting the requirements of the above mentioned F.S.:

- South Beaches Water Reclamation Facility (D3)
- Barefoot Bay Water Reclamation Facility (D3)
- South Central Water Reclamation Facility (D4)

This Department, through the support of our engineering consultant CPH, Inc., have developed a plan for each

of the three facilities that meet the requirements set forth per the F.S. Since these three facilities have been designated by the FDEP as requiring such improvements, the benefit of submitting them prior to November 1, 2021 is that the approved improvements can be completed by January 1, 2032. If no plan is submitted or is late of the November 1 date, then the FDEP will still require such improvements to comply with the F.S. however the completion date will be by January 1, 2028, refer to 403.064(17)(d).

### **Clerk to the Board Instructions:**

E-mail Clerk Memo and mail originals to Utility Services Department, Attention: Rose Lyons