



FWEA Utility Council

Protecting Florida's Clean Water Environment

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Memorandum

Date: November 10, 2016
To: FWEA Board
From: FWEAUC
RE: Report of FWEAUC Activities

1. Senator Simpson is expected to introduce reclaimed water legislation this session and as a result, he has directed FDEP to conduct a workgroup process to vet concepts and develop legislation that has stakeholder buy-in. The FWEAUC remains actively engaged in this workgroup process and participated in the final workgroup webinar meeting on October 4th. FDEP plans to meet with Senator Simpson in the very near future to discuss legislative language to be drafted.
2. The AIF 2016 Water Forum was held at the Loews Pacific Resort in Orlando on September 22nd and 23rd. The FWEAUC had three Board members that attended as panelist and give presentations: Lisa Wilson-Davis (Reclaimed Water Panel), Brian Wheeler (Central Florida Regional Panel), and Paul Steinbrecher (Energy/Water Nexus Panel).
3. On September 21, 2016, the FWEAUC held a joint meeting with the Florida Section of the American Water Works Association Utility Council in Orlando at the OCU offices. There were approximately 40 people who attended this meeting in person and about 5 who attended via conference call. Tom Bane of the FDEP gave a presentation on the Utility Accommodation Manual and the topic of utility relocations in DOT right-of-ways. Other topics members discussed were preparation for the November 3rd FWEAUC/DEP Day, reclaimed water workgroup activities, Quality Assurance Rule Development, Sunshine On-Call proposed legislation, and funding. Updates regarding litigation surrounding the FDEP's Human Health Based Criteria and Class I Treated Waters as well as discussion of the September 20th Office of Agricultural Water Policy Meeting.

4. The Utility Council also held a board meeting on Thursday, November 3, 2016 in Tallahassee which was immediately followed by a the Annual FDEP Day meeting with FDEP senior staff. At the board meeting, Jo Ann Jackson was announced as the person selected to fill the board member vacancy. The majority of the board meeting time was used to prepare for the meeting with the FDEP. Topics discussed at the board meeting and with FDEP were reclaimed water, the Pollution Notification Rule, utility preparation and response to sanitary sewer overflows – including preparation and response during hurricanes, funding, and septic tanks/septage. The information shared/discussed during the meeting with FDEP was well received and mutually beneficial.
5. Since the announcement of the Emergency Pollution Notification Rule across the state by the Florida Department of Environmental Protection (FDEP) on September 26, 2016 and the subsequent “permanent” rule making notice on September 27, 2016; the Utility Council has been actively engaged in this unprecedented and expedited rule process. On September 28, 2016 we held a joint FWEAUC/FSAWWAUC/SEFLUC utility council conference call with over 150 members to discuss the direct impact of this rule to all utilities across the state. Talking points were developed and disseminated to members for the FDEP workshops. We have also provided comments including a lower cost regulatory alternative directly to the FDEP. The FDEP held a rule hearing on Monday, November 7, 2016 which was extended for comments on the final rule until 5:00pm on November 9, 2016. The Utility Council took advantage of this opportunity to provide additional/final comments during the hearing extension and anticipates FDEP will publish the final rule soon. More information about this FDEP rule can be found on their website at: <http://dep.state.fl.us/pollutionnotice/>.
6. Fiscal Year 2016-2017 Annual FWEA Utility Council Dues Invoices and cover letter from the UC President were sent out to members in October. This year’s invoice included a credit from the remaining NNC Special Assessment balance to those utilities who contributed to that special assessment.
7. The next Utility Council meeting is a joint FWEAUC – SEFLUC meeting on December 12, 2016 being held from 9:00am – 2:00pm at the City of Boca Raton 6500 Building in Boca Raton.