

## County Response to Florida Department of Environmental Protection (FDEP) Comment

**State Review Number: Alachua County 24-01ESR**

**Local Amendment Number: Z24-000004 (House Bill 1379)**

FDEP provided the following technical assistance comment on the proposed comprehensive plan amendment in its November 22, 2024 letter to Alachua County:

*The County's proposed Policy 2.1.8(d) appears to be inconsistent with the statute as it conditions the inclusion of the required information (listed in the policy as items 1-4) on additional factors (e.g. potential costs to the County and property owners, other applicable goals, objectives and policies of the County's Comprehensive Plan).*

County staff agrees with this assessment by FDEP and has revised the language in proposed Policy 2.1.8 to address this issue. The additional factors mentioned in the FDEP comment under Policy 2.1.8(d) 1-4 (e.g. potential costs to the County and property owners, water quality risks from continued use of septic, and other applicable goals, objectives and policies of the County's Comprehensive Plan) are local factors that the County wishes to include as part of its feasibility analysis. Those local factors are still included in the policy as factors to be considered in the feasibility analysis, however, the policy structure has been revised to make it clear that the inclusion of the statutorily-required information in Section 163.3177(6)(c)3, Florida Statutes is not conditioned on any of the other local factors.

The following page compares the language in Policy 2.1.8 as transmitted to the language as proposed for adoption. Items 1-4 in Policy 2.1.8(d) of the transmitted version have been combined and relocated into 2.1.8(a) of the version proposed for adoption.

## Comparison of Policy as Transmitted to Policy as Revised for Adoption

### Policy as Transmitted:

Policy 2.1.8. Alachua County shall, in coordination with utility providers, consider the feasibility of providing sanitary sewer services to developments of more than 50 residential lots in the unincorporated area, whether built or unbuilt, with more than one onsite sewage treatment and disposal system per acre, within a 10-year planning horizon. By April 2026, and every ten (10) years thereafter, Alachua County will conduct a feasibility analysis identifying applicable developments and assessing the feasibility of providing sanitary sewer service to those developments. The feasibility analysis will include consideration of the following:

- (a) Potential costs to the County and property owners associated with infrastructure improvements and right of way acquisition necessary to convert lots to sanitary sewer.
- (b) Water quality risks associated with the continued use of septic systems.
- (c) All other applicable goals, objectives and policies of this Comprehensive Plan.
- (d) If the analysis determines that it is feasible and otherwise consistent with the Comprehensive Plan to provide sanitary sewer services to an applicable development within a 10-year planning horizon, then it shall also identify the following information:
  - 1. The name and location of the wastewater facility that could receive sanitary sewer flows after connection;
  - 2. The current capacity of the facility and any associated transmission facilities;
  - 3. The projected wastewater flow at that facility for the next 20 years, including expected future new construction and connections of onsite sewage treatment and disposal systems to sanitary sewer, and
  - 4. An estimated timeline for the potential construction of any improvements necessary for connection to the sanitary sewer system.
- (e) If the analysis determines that it is feasible to provide sanitary sewer services to an applicable development, this shall not obligate the County or utility provider to undertake or fund any improvements necessary to connect the development to the sanitary sewer system. Such improvements may be considered on a case-by-case basis by the utility provider in coordination with the County with input from the residents of the area that would potentially be served by sanitary sewer.

### Policy as Revised for Adoption:

Policy 2.1.8. Alachua County shall, in coordination with utility providers, consider the feasibility of providing sanitary sewer services to developments of more than 50 residential lots in the unincorporated area, whether built or unbuilt, with more than one onsite sewage treatment and disposal system per acre, within a 10-year planning horizon. By April 2026, and every ten (10) years thereafter, Alachua County will conduct a feasibility analysis identifying applicable developments and assessing the feasibility of providing sanitary sewer service to those developments. The feasibility analysis will include consideration of the following:

- (a) The name and location of the wastewater facility that could receive sanitary sewer flows after connection; the current capacity of the facility and any associated transmission facilities; the projected wastewater flow at that facility for the next 20 years, including expected future new construction and connections of onsite sewage treatment and disposal systems to sanitary sewer; and an estimated timeline for the potential construction of any improvements necessary for connection to the sanitary sewer system.
- (b) Estimate of potential costs to the County and property owners.
- (c) Water quality risks associated with the continued use of septic systems.
- (d) Other applicable goals, objectives and policies of this Comprehensive Plan.

If the analysis determines that it is feasible to provide sanitary sewer services to an applicable development, this shall not obligate the County or utility provider to undertake or fund any improvements necessary to connect the development to the sanitary sewer system. Such improvements may be considered on a case-by-case basis by the utility provider in coordination with the County with input from the residents of the area that would potentially be served by sanitary sewer.