

**Hillsborough County Wellhead and Resource Protection Study
Technical Advisory Committee (TAC)
Surface and Ground Water Protection for Hillsborough County
Meeting 15 Minutes
Draft**

**July 24, 2003
9:00 AM**

**University Area Community Center Complex
14013 North 22nd Street
Tampa, Florida 33613**

Meeting Objectives

- Review TAC Recommended Changes from Meeting #14;
 - Continued Discussion and Review of Comments from TAC and Public;
 - Finalize Ordinance Reviewing All Recommended Changes Including Items that did not Gain Consensus from the TAC;
 - TAC Review of Remaining Project Schedule for Planning Commission and Board of County Commission Adoption; and
 - Take Public Comment.
1. Hubbell had all TAC members introduce themselves.
 2. Hubbell reviewed the minutes from TAC meeting 14. There were no changes to the TAC 14 Meeting Minutes.
 3. Hubbell reviewed the updated maps. There was a discussion about the old and new zones (Zone 1 and Zone 2). A question was asked whether the old zone (Zone 1) would stay in effect throughout the county or just in the northwest section of the county. Zone 1 will stay in effect throughout the county.
 4. Jim Selvey asked what we are protecting against. He is concerned about the restriction of the use of agriculture chemicals in the resource protection areas (RPA) – specifically the 17 wells in Lithia. The County bought an acre around each well when the wells were purchased. Now land use is being restricted in a much larger zone around each well. The ordinance has a general exemption for the application of pesticides, herbicides, fungicides, and rodenticides.
 5. Marvin Travis stated that FAC 62-521.200(7) requires that there be a 500 foot radial wellhead protection area from a potable water well. FAC 62-521.200(60) defines public water system as one that serves at least 25 people for at least six months of the year. These smaller wells are not being protected by the Hillsborough County wellhead ordinance. Florida law to protect the smaller wells is imposed by the Health Department and FDEP. The question was asked if the threshold of 100,000 gpd is appropriate? The rationale to use the 100,000 gpd threshold is that it covers public wells and franchises, it has a large drawdown area and that is the EPA recommendation. The smaller wells have a smaller drawdown effect that might result in a protection zone of less than 500 feet. The TAC may want to examine the protection zones for smaller wells such as 25,000 or 50,000 gpd. **Dan Blood said he will research this and provide a report on the wellhead definitions. The TAC came to a consensus to keep the threshold of 100,000 gpd for the size of the well to be protected.**

6. Marvin Travis requested that the proposed restrictions and prohibitions for Zone 2 also apply throughout Zone 1 (there would simply be one wellhead protection zone that includes all the area of Zone 1 and Zone 2). ***The TAC came to a consensus to keep the two zones.***
7. Jan Smith suggested that a letter be attached with the report to the Board that notes the potential outstanding issues – issues where the TAC had consensus yet some TAC members still have strong individual concerns. ***Mr. Travis wants the FAC law pointed out to the BOCC in the board report. Staff will follow up on this point in the August BOCC Report.***
8. Chip Hinton felt that the surface water map may give Tampa Bay Water a vested right to a certain quantity of water to be taken from the surface water protection zones. He feels that this is a violation of the spirit of the 1997 consent agreement with TBW restricting new supply wells in the area bounded by Knights Griffin Road, SR 60, the Hillsborough/Polk County line, and Valrico Road until 2008. He would like to see language put in the ordinance that says that TBW cannot use the surface water protection zones as justification for a consumptive use permit. ***The TAC came to a consensus that language be added that clarifies that the ordinance is protecting water quality not water quantity – the ordinance is not to be construed to convey rights or impose any restriction relative to consumptive use permitting.***
9. Steve Morris suggested that **default language be added to the ordinance that states that the setback distance for petroleum underground storage tanks will be 500 feet or the 10 year travel time (if approved by FDEP), whichever is greater.**
10. Dan Blood discussed the ordinance's consistency with community based plans. The size and shapes of the zones were restored. The horse and intensive agriculture issues were resolved by using Animal Production Units as a Restricted Activity. Staff needs to restate wellfield interactions. TAC members need to get their comments on this report to Dan so that the information can be included in the Board Report.
11. Rebecca Kert discussed the legal issues. The process to have Special Use appeals heard by the BOCC is not in the Code now. The BOCC has indicated that they don't want to hear appeals. Notice requirements are in the Code. Appeal status is in the Code. You must be the applicant or a party of record to have standing to appeal. ***The TAC wants to have the prohibited uses appealed to the BOCC. Denise Layne requested that the county attorney draft the language necessary to have decisions by the Land Use Hearing Officer appealed to the BOCC. She also wants to have an estimate of the number of cases that the BOCC might hear on appeal.***
12. Lindsey Mineer presented the proposal to add golf courses as a Restricted Activity. ***The TAC agreed to add golf courses as a Restricted Activity in Zone 2 and the Surface Water Protection Zones.***
13. Dave Slonena of Pinellas County proposed a 500 foot setback for reclaimed water applications from a wellhead, slow rate applications in Zone 2 and meet drinking water standards at the end of the pipe where the application will occur. Anthony Andrade of SWFWMD recommended using the FDEP standards regarding reclaimed water. For slow rate applications, EPA recommends a 50 foot setback, FDEP recommends 75 feet and Pinellas County uses 500 feet. FDEP restricts high rate applications to 500 feet. There was discussion about unknown carcinogens; using impaired water to recharge a ground water source; and reclaimed water is cleaner than surface runoff for most constituents of concern. ***The TAC agrees to prohibit***

Reclaimed ASR wells within Zone 2 and the Surface Water Protection Zones and to use the FDEP standard of 500 feet setback for rapid infiltration. There was no consensus on the setback for slow rate application. Chip Hinton made a motion to accept the FDEP standards (a 75 foot setback for slow rate) which had 5 “yes” votes and 8 “no” votes. A motion was then made to use a setback of 500 feet from a wellhead for slow rate applications. There were 8 “yes” votes and 5 “no” votes. **The TAC asked staff to get an official opinion from the Hillsborough County Water Department on the issue. The TAC agreed that existing systems would be permitted as existing uses.** There was a motion to prohibit rapid rate applications within Zone 2. There were 6 “yes” votes, 4 “no” votes and 1 abstained.

14. Lindsey Mineer presented the changes made to the ordinance. **Tampa Bay Water requested that the language on page 9 reflect the TAC’s consensus to use the 10 year travel time for underground storage tanks containing regulated substances other than petroleum.** On page 7, the language that addresses new underground storage facilities within Zone 1 is inconsistent with the state law. There should be a prohibition for reclaimed ASR. **Steve Gran requested that the language on page 18 regarding no long term storage of agricultural chemicals be corrected to reflect the TAC consensus to not exempt the permanent storage of agricultural chemicals.**
15. Dan Blood presented the issues that will be changed in the Development Review Procedures Manual. These include adding Tampa Bay Water to the review process for both minor and major application; the requirements for standing to appeal; who is a Party of Record; the process for appeals of Special Uses to the BOCC; Operating Permits are valid for 5 years; and that water contamination is the basis for any appeal, not zoning issues.
16. Dan Blood reviewed the remaining project schedule for the Board Report, and Planning Commission and Board of County Commission Adoption. The report will go to the Board on August 20, 2003. The filing deadline for the next Comp Plan Amendment is in September. The Comp Plan Amendment process takes a year. There is one Planning Commission Public Hearing and two BOCC Public Hearings. Adoption should be in September 2004. The Land Development Code amendments will be filed in February 2004. Public hearings will be held in the spring and summer. Adoption should be in August 2004.
17. Chip Hinton recommended that staff hold more outreach meetings. **Staff agreed that they were available and would attend meetings.**
18. No additional public comment was heard. The public present participated at the meeting.
19. The TAC adjourned at approximately 1:00 PM.

*** Note: Action items are highlighted in bold font.
The TAC consensus is italicized and bolded.**