

Beckie Cato

From: Wallis Mahute [wmahute@bellsouth.net]
Sent: Wednesday, February 13, 2013 11:25 AM
To: Beckie Cato; Allan Bell; Allan Peterson; Allen Ates; Barbara Albrecht; Bob Moulton; Bobby Cooley; Carolyn Kolb; Charlie Donald; Daniel Hahn; Don Radomski; Dr. Jeff Mullahey; Water Utility - East Milton; Edin Sisskin; Elandme3@aol.com; Etta Lawlor; Frances Dunham; Holly Kimberl; iramaeBruce@gmail.com; J. Dan Gilmore; Jack Bonney; Jan Percell; Jeff Ates; Jeffrey Fanto; jwalters@teamsantarosa.com; Jerald Ward; Jim Moulton; Jim Young; Jody Hoodless; John Grant; Jonathan Arneault; Julian Cooley; June & Jeff Ates; Justyn MacFarland; Water Utility - Holley-Navarre; gotuffygo@yahoo.com; Larry Fisher; Linda Young; Martha Moulton; Mary Gutierrez; Mike Robertson; Pat Swanson; Phil Phillips; Randy.Roy@navy.mil; Richard Delp; Roy Andrews; Seegar Swanson Jr.; Shannon Ogletree; Sherry Starling; Steve Baker; brownhaul@aol.com; Thomas Lambert; Tom Kurth; Tony Countryman
Cc: Board of County Commissioners; Ryan Arvay
Subject: Re: Proposed Wellfield Protection Ordinance

Becky, thank you for providing this information to the recipients of this e-mail and the BOCC. Will this information also be available in the backup documents for the general public? I realize that the AGI analysis would be a large file, but could you include just a link so that the public can access the AGI Study? The notes from the Wellfield Protection Group, though, could easily be added to the backup documents.

As far as the recommended ordinance on the Agenda for February 28th. I would like to ask that Coal Ash Pits be mentioned in the Prohibited Uses category as far as Wellhead 500' and whatever is decided on the Wellfield Protection area. The state of Florida does not consider Coal Ash to be a hazardous substance. I would like to see it placed into these ordinances, so that there is no doubt that Coal Ash Pits will not be permitted. I think that the distance from the Wellheads should be increased from 500' to 1,000'.

Also, Large Quantity Generators has been removed from the Prohibited Uses. I realize you state the reason for the removal is that Small Quantity Generators can become Large Quantity Generators. To me, this is not a good reason. These are called Episodic Generators, which means once a year, they clean out their tanks and this pushes them into the "large quantity" category, but only for a short time. At that short time period, they must comply with all rules relating to large quantity generators. A facility which is in the Large Quantity Generator category will **always** be in that category, so prohibiting them makes sense. To allow a constant hazardous waste facility to be in our Wellhead or Wellfield areas because a small quantity generator (episodic generator) is only in the large quantity generator category for a short time and during that time, must comply with regulations, to me is not a valid reason to allow on-going Large Quantity Generators in our protected areas.

Thank you, Wallis Mahute

----- Original Message -----

From: [Beckie Cato](#)
To: ['Wallis Mahute'](#); [Allan Bell](#); [Allan Peterson](#); [Allen Ates](#); [Barbara Albrecht](#); [Bob Moulton](#); [Bobby Cooley](#); [Carolyn Kolb](#); [Charlie Donald](#); [Daniel Hahn](#); [Don Radomski](#); [Dr. Jeff Mullahey](#); [Water Utility - East Milton](#); [Edin Sisskin](#); [Elandme3@aol.com](#); [Etta Lawlor](#); [Frances Dunham](#); [Holly Kimberl](#); [iramaeBruce@gmail.com](#); [J. Dan Gilmore](#); [Jack Bonney](#); [Jan Percell](#); [Jeff Ates](#); [Jeffrey Fanto](#); [jwalters@teamsantarosa.com](#); [Jerald Ward](#); [Jim Moulton](#); [Jim Young](#); [Jody Hoodless](#); [John Grant](#); [Jonathan Arneault](#); [Julian Cooley](#); [June & Jeff Ates](#); [Justyn MacFarland](#); [Water Utility - Holley-Navarre](#); [gotuffygo@yahoo.com](#); [Larry Fisher](#); [Linda Young](#); [Martha Moulton](#); [Mary Gutierrez](#); [Mike Robertson](#); [Pat Swanson](#); [Phil Phillips](#); [Randy.Roy@navy.mil](#); [Richard Delp](#); [Roy Andrews](#); [Seegar Swanson Jr.](#); [Shannon Ogletree](#); [Sherry Starling](#); [Steve Baker](#); [brownhaul@aol.com](#); [Thomas Lambert](#); [Tom Kurth](#); [Tony Countryman](#)
Cc: [Board of County Commissioners](#)
Sent: Wednesday, February 13, 2013 10:02 AM
Subject: RE: Proposed Wellfield Protection Ordinance

Wallis,

Attached are the AGI report and the notes from the workgroup meeting where the AGI recommendations were voted on.

2/13/2013

Beckie

From: Wallis Mahute [mailto:wmahute@bellsouth.net]

Sent: Tuesday, February 12, 2013 3:20 PM

To: Beckie Cato; Allan Bell; Allan Peterson; Allen Ates; Barbara Albrecht; Bob Moulton; Bobby Cooley; Carolyn Kolb; Charlie Donald; Daniel Hahn; Don Radomski; Dr. Jeff Mullahey; Water Utility - East Milton; Edin Sisskin; Elandme3@aol.com; Etta Lawlor; Frances Dunham; Holly Kimberl; iramaeBruce@gmail.com; J. Dan Gilmore; Jack Bonney; Jan Percell; Jeff Ates; Jeffrey Fanto; jwalters@teamsantarosa.com; Jerald Ward; Jim Moulton; Jim Young; Jody Hoodless; John Grant; Jonathan Arneault; Julian Coeey; June & Jeff Ates; Justyn MacFarland; Water Utility - Holley-Navarre; gotuffygo@yahoo.com; Larry Fisher; Linda Young; Martha Moulton; Mary Gutierrez; Mike Robertson; Pat Swanson; Phil Phillips; Randy.Roy@navy.mil; Richard Delp; Roy Andrews; Seegar Swanson Jr.; Shannon Ogletree; Sherry Starling; Steve Baker; brownhaul@aol.com; Thomas Lambert; Tom Kurth; Tony Countryman

Cc: Board of County Commissioners

Subject: Re: Proposed Wellfield Protection Ordinance

I would like to see all recommendations by Alan Baker in the Advanced Geospatial Analysis and results of the public voting done on the issues of what is allowed and prohibited put in these backup documents. The public has a right to see all reports and feedback, which has taken so much time to develop in the interest of public participation which was a requirement of receiving the Environmental Justice Grant money award. Thank you, Wallis Mahute

----- Original Message -----

From: [Beckie Cato](#)

To: [Allan Bell](#) ; [Allan Peterson](#) ; [Allen Ates](#) ; [Barbara Albrecht](#) ; [Beckie Cato](#) ; [Bill Lee](#) ; [Bob Moulton](#) ; [Bobby Cooley](#) ; [Carolyn Kolb](#) ; [Charlie Donald](#) ; [Daniel Hahn](#) ; [Don Radomski](#) ; [Dr. Jeff Mullahey](#) ; [Water Utility - East Milton](#) ; [Edin Sisskin](#) ; [Eleneor Williams \(Elandme3@aol.com\)](#) ; [Etta Lawlor](#) ; [Frances Dunham](#) ; [Holly Kimberl](#) ; [Ira Mae Bruce \(iramaeBruce@gmail.com\)](#) ; [J. Dan Gilmore](#) ; [Jack Bonney](#) ; [Jan Percell](#) ; [Jeff Ates](#) ; [Jeffrey Fanto](#) ; [Jenifer Walters \(jwalters@teamsantarosa.com\)](#) ; [Jerald Ward](#) ; [Jim Moulton](#) ; [Jim Young](#) ; [Jody Hoodless](#) ; [John Grant](#) ; [Jonathan Arneault](#) ; [Julian Coeey](#) ; [June & Jeff Ates](#) ; [Justyn MacFarland](#) ; [Water Utility - Holley-Navarre](#) ; [Kyle Holley \(gotuffygo@yahoo.com\)](#) ; [Larry Fisher](#) ; [Linda Young](#) ; [Martha Moulton](#) ; [Mary Gutierrez](#) ; [Mike Robertson](#) ; [Pat Swanson](#) ; [Phil Phillips](#) ; [Randy Roy \(LT\) \(Randy.Roy@navy.mil\)](#) ; [Richard Delp](#) ; [Roy Andrews](#) ; [Seegar Swanson Jr.](#) ; [Shannon Ogletree](#) ; [Sherry Starling](#) ; [Steve Baker](#) ; [Tammy Brown \(brownhaul@aol.com\)](#) ; [Thomas Lambert](#) ; [Tom Kurth](#) ; [Tony Countryman](#) ; wmahute@bellsouth.net

Sent: Monday, February 11, 2013 1:14 PM

Subject: Proposed Wellfield Protection Ordinance

The proposed wellfield protection ordinance is schedule for public hearing with the Board of County Commissioners on Thursday, February 28th, at 6:00 p.m. A draft agenda has been posted on-line at http://www.santarosa.fl.gov/agendas/02.28.13%20BOCC_Pre%20ZB.pdf. That page includes links to the proposed ordinance, the Water Management District's capture zone report, and other background information.

Please let me know if you have any questions, concerns, or suggestions.

Thank you for your continued interest and participation in this project.

Beckie

Rebecca Cato, AICP

Director

Community Planning, Zoning and Development

Development Services Center

6051 Old Bagdad Hwy, Suite 202

Milton, FL 32583

Office: (850) 981-7077

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How is our customer service?

<http://www.santarosa.fl.gov/customerservice/survey.html>

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From: Etta [mailto:ettalawlor@mediacombb.net]
Sent: Friday, February 15, 2013 10:22 AM
To: Beckie Cato
Cc: Wallis Mahute
Subject: Backup Documentation

The attached "Additional Uses Suggested for Prohibition by the Consultant and the Public" should also be in the backup documentation.
Etta

Appendix "C"

Additional Uses Suggested for Prohibition by the Consultant and the Public

1. Underground fuel storage facilities
2. Project with impervious cover of 50% or more
3. Wastewater/reclaimed water sprayfields, land application sites, percolation ponds, and similar facilities
4. Mines or mining activities
5. Excavation of waterways or drainage facilities which intersect the water table
6. Onsite septic systems for residential developments with greater than 100 planned housing units
7. Drilling oil and gas wells
8. Underground storage of hazardous materials
9. Land divisions resulting in residential density greater than one unit per acre.
10. Hazardous Waste Transporter (TRA) facility
11. Used Oil Processor (UOP) facility
12. Used Oil Transporter (UOT) facility
13. Treatment, Storage or Disposal facility for hazardous waste (TSD)
14. Pharmaceutical and Medical waste transfer/transport facility
15. Transporter/Handler/Transfer Facility mercury containing lamps and devices
16. Asphalt plants
17. Wood preserving/treating facility
18. Junk yard, scrap yard, salvage yard and solid waste recycling facility
19. Dry cleaning facilities
20. Large and Medium Concentrated Animal Feeding Operation (CAFO). As defined in Title 40: Protection of Environment § 122.23 Concentrated animal feeding operations
21. Concentrated Aquatic Animal Production (CAAP), or farm raised fish facilities
22. Injection wells and dry wells. Exception geothermal heat exchange systems that do not use chemicals or antifreeze and roof gutter downspouts to a drywell.
23. Waste holding pond, percolation ponds, and similar facilities. Exception stormwater holding ponds.
24. Spreading of sewer sludge or septic tank waste on the land
25. Industrial ash spreading

Beckie Cato

From: Etta [ettalawlor@mediacombb.net]
Sent: Wednesday, February 20, 2013 7:24 AM
To: Beckie Cato
Cc: Wallis Mahute; Tony Gomillion
Subject: Amending Article 12.13.02 Comments

Beckie,

The comments in this email focuses on amending Article 12.13.02 Countywide Wellhead Protection. Please include this email in your posted on-line comments for the 2/28/13 Commission Special Meeting agenda item 1 amending LDC Article 6.05.25 and Article 12.13.02.

At the meeting I recommend you first discuss the Countywide Wellhead Protection amending Article 12.13.02 then discuss second amending Article 6.05.25 Wellfield Protection Overlay District. The outcome of the discussion on amending Article 12.13.02 may influence options and decisions for Article 6.05.25 Wellfield Protection Overlay District.

February 2008 letter Wallis Mahute received from the Florida Department of Environmental Protection (DEP) in response to her inquiry on a C&D solid waste facility application stated "*our permitting standards do not address local zoning and land use compatibility*". This letter caught my attention on the need for better local government wellhead and wellfield protection.

Santa Rosa County current 500' radius Wellhead Protection mirrors the DEP 500' radius Wellhead Protection. The DEP recognizes the 500' radius is a minimum protection area and supports larger local areas of protection as advisable where the need is indicated. DEP F.A.C. Chapter 62-521 Wellhead Protection is reflective on the major source of water in Florida the Floridan Aquifer which is a more confined aquifer system than the Sand-and-Gravel Aquifer which is not as confined and a leaky aquifer system. F.A.C. Chapter 62-521 Wellhead Protection is not intended to discourage local governments from establishing more comprehensive or more stringent protection measures where the need is indicated.

The Sand-and-Gravel Aquifer is Santa Rosa County's primary drinking water source; it provides about 85 percent of Santa Rosa County's tap water. The need for increased area of protection throughout the County for the Sand-and-Gravel Aquifer Public Water System wellheads is well documented by scientific evidence. Northwest Florida Water Management District has emphasized the need for development of protection strategies because of the County's dependence on the Sand-and-Gravel Aquifer and its susceptibility to contamination from surface pollution. The leaky nature of the Sand-and-Gravel Aquifer system makes it vulnerable to contamination associated with activities occurring at the land surface.

It is the County's responsibility to protect source water by restricting or prohibiting activities known to adversely affect the quality or quantity of identified water sources. The current 500' radius Wellhead Protection does not provide adequate protection for Public Water System wellheads in the Sand-and-Gravel Aquifer; 500' radius protection does not allow adequate time for groundwater contamination cleanup and installation of filtration treatment at a wellhead. The biggest risk to a wellhead is poorly managed development around the wellhead.

When Tim Haag with Emerald Coast Utilities Authority (ECUA) spoke at the September 10, 2012 Board of Commissioners meeting he stated ECUA has 32 wells and 11 of ECUA wells have Granular Activated Carbon (GAC) Filtration. He explained for a 2,000 gallon per minute production well it takes four GAC filter vessels and the capital cost of four GAC filter vessels is \$600,000 to \$650,000. Each GAC filter vessels has 20,000 pounds of granular activated carbon and it costs \$100,000 to \$115,000 for carbon change out per well.

I do not agree with the draft prepared by staff subsections B and D allowing the replacement of existing underground storage tanks with an underground storage tank; replacement tank should be aboveground with secondary containment.

I recommend increasing the Sand-and-Gravel Aquifer Critical Impact Zone the Wellhead Protection Zone for Public Water Systems wells in the Sand-and-Gravel Aquifer. Increasing the protection area for Sand-and-Gravel Aquifer Wellheads will reduce the risk of contamination. I also recommend better clarification and additions to the list of prohibited uses, adding the definition of a Public Water System and a special exception process. Just take a peek at our neighboring county Escambia and it will show Santa Rosa needs to get with the times.

2/20/2013

Attached below is my draft suggestion on amending Countywide Wellhead Protection LDC 12.13.02 Potable Water Wells and Wellfields.

Sincerely,
Etta Lawlor

12.13.02 Public Water System Wellhead Protection

A. PUBLIC WATER SYSTEM or PWS means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year. Such term includes: any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Such term does not include any "special irrigation district." A public water system is either a "community water system" or a "non-community water system." See the Code of Federal Regulations (C.F.R.), title 40, part 141, section 2.

1. COMMUNITY WATER SYSTEM (CWS) means a public water system that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.
 2. NON-COMMUNITY WATER SYSTEM means a public water system that is not a community water system. A non-community water system is either a "transient non-community water system" (TWS) or a "non-transient non-community water system" (NTNCWS).
 - a. TRANSIENT NON-COMMUNITY WATER SYSTEM means a non-community water system that does not regularly serve at least 25 of the same persons over six months per year.
 - b. NON-TRANSIENT NON-COMMUNITY WATER SYSTEM means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over 6 months per year.
- B. WELLHEAD PROTECTION ZONES
1. Floridian Aquifer a 500-foot radius circle protection zone measured from the center of the wellhead for all Public Water System wells.
 2. Sand-and-Gravel Aquifer
 - a. Community Water Systems serving populations greater than 1000 year-round residents a 1000-foot radius circle measured from the center of the wellhead combined with the five-year ground water travel times protection zone. Community Water Systems serving populations less than 1000 year-round residents a 1000-foot radius circle measured from the center of the wellhead.
 - b. Non-Community Water Systems a 1000-foot radius circle measured from the center of the wellhead.

C. PROHIBITED USES

The following uses are prohibited within the Wellhead Protection Zones

- Class I Landfill, Class II Landfill, Class III Landfill, Construction & Demolition Disposal Facility, Land Clearing Debris Facility, Waste Disposal Facility, Waste Management Facility, Waste Recycling Facility, Transfer Stations, Composting Facility, Material Recycling Facility, Waste-to-Energy Plants, Waste Tire Collection Centers, Waste Tire Processing Facility, Resource Recovery Facility, Waste Incinerators, Coal Combustion Residuals Facility and Phosphogypsum Stack Systems
- Resource Extraction Activities, Borrow Pits, Excavation Pits, Mines or Mining Activities, Oil and Gas Extraction
- Underground fuel, substance and material storage
- Projects with impervious cover of 50% or more
- The bulk storage, handling or processing of materials listed as Hazardous and Extremely Hazardous on Table 302.4 of 40 CFR and Appendix A to 40 CFR part 355 respectively
- Projects that require the outside storage or bulk transportation of regulated substances, hazardous materials, hazardous wastes, toxic chemicals, agricultural chemicals, fertilizers, pesticides, petroleum products, industrial chemicals, medical wastes and the like (this section is not intended to prohibit the continuous transit through the wellhead protection zones)
- Wastewater treatment plants, onsite sewage treatment & disposal systems (OSTD) for commercial and industrial uses, wastewater effluent percolation ponds, wastewater reclaimed water land application sites, wastewater reclaimed water sprayfields and similar facilities
- Excavation of waterways, drainage wells, drainage facilities, stormwater ponds which intersect the water table or provide for the disposal of stormwater directly into the aquifer absent normal percolation
- Industrial waste holding ponds, discharges to ground water of industrial wastewater, injection wells, dry wells and sumps
- Industrial ash, sewer sludge or septic sludge waste spreading on the land
- Land divisions resulting in residential density greater than one unit per acre using onsite sewage treatment

& disposal systems (OSTD); residential land divisions resulting in density greater than one unit per acre allowed on sanitary sewer

- Asphalt plants
- Automobile, truck or fleet equipment repair shop
- Cemetery
- Chemical processing or storage facility
- Concentrated Animal Feeding Operation (CAFO)
- Concentrated Aquatic Animal Production or farm raised fish facility
- Dry cleaning facility
- Electrical or electronic manufacturing facility
- Fertilizer handling or storage facility
- Fleet trucking or bus terminal
- Gas station or fueling facility
- Golf courses
- Hazardous Waste Large Quantity Generator (LQG) Facility
- Hazardous Waste Small Quantity Generator (SQG) Facility
- Hazardous Waste Conditionally Exempt Small Quantity Generator (CES) Facility
- Hazardous Waste Transporter (TRA) Facility
- Hazardous Waste Treatment/Storage/Disposal Facility (TSD) Facility
- Hazardous Waste Used Oil Processor (UOP) Facility
- Hazardous Waste Used Oil Transporter (UOT) Facility
- Irrigated nursery or commercial greenhouse
- Junk yard, scrap yard or salvage yard
- Machine shop
- Mercury Containing Lamps and Devices Transporter/Handler/Transfer Facility
- Metal plating, finishing or fabricating facility
- Pesticide handling or storage facility
- Pharmaceutical and medical waste transfer or transport facility
- Wood preserving or wood treating facility
- All uses not permitted in the underlying zone district

D. Replacement of an existing Underground Storage Tank (UST) and Aboveground Storage Tank (AST) for petroleum products, fuel, regulated substances, regulated material or regulated wastes tank allowed provided that the replacement tank system is Aboveground Storage Tank (AST) installed with secondary containment.

E. Special Exceptions may be granted by the Board of County Commissioners, subject to the following requirements:

1. The applicant must provide substantial scientific evidence that special or unusual circumstances and adequate technology exist to isolate the facility or activity from the Public Water System wellhead critical recharge area.
2. In granting the special exception, the Board of County Commissioners may prescribe additional appropriate conditions and safeguards which are necessary to protect the Public Water System wellhead.

F. Additional protection in the form of a Wellfield Protection Overlay District is found in Article 6.05.25 of this code.

G. Each plan for development approval shall be reviewed to determine that construction pursuant to the plan, if approved, will not degrade or impact any potable water well, wellfield or cone of influence (see section 12.13.01 above).

Email scanned by Check Point

February 21, 2013

To: Beckie Cato

Director Community Planning, Zoning and Development

From: Etta Lawlor

The comments in this email focuses on amending Article 6.05.25 Wellfield Protection Area Overlay District. Please include this email in your posted on-line comments for the 2/28/13 Commission Special Meeting agenda item 1 amending LDC Article 6.05.25 and Article 12.13.02.

At the meeting I recommend you first discuss the Countywide Wellhead Protection amending Article 12.13.02 then discuss second amending Article 6.05.25 Wellfield Protection Overlay District. The outcome of the discussion on amending Article 12.13.02 may influence options and decisions for Article 6.05.25 Wellfield Protection Overlay District.

The Inland Sand-and-Gravel Aquifer located between the Yellow and Blackwater Rivers has a high recharge rate and is capable of providing regionally-significant quantities of water. Approximately 50% of Santa Rosa Residents depend on this Aquifer for safe drinking water. The Aquifer is Santa Rosa's #1 source of water to meet current and future water demands.

The Aquifer is vulnerable to contamination associated with activities at the land surface. Rain recharges the aquifer if surface or near surface contamination is present it will flow down with the rain to the potable water production zone. Remediating and cleaning up contamination would be difficult, very expensive and may even be impossible in this leaky vulnerable aquifer.

Protection is an economic survival issue because the economic future and the ability to grow and prosper is dependent on an abundant supply of tap water. Planning and protection is the key to a supply of water for current and increasing future demands. The biggest risk to this water supply is poorly managed development.

SCS Engineers support replacing current wellfield protection area with this 5-year travel time area option around all wells. Wellfield protection should not be engineered because this approach lacks the understanding of issues and how they relate to each other; such as industry recruitment is dependent on having an abundant and clean supply of water. Engineering wellfield protection would be a costly mistake.

Attached below are my suggestions and comments on the proposed draft to amend Article 6.05.25 Wellfield Protection Area Overlay District.

Sincerely,
Etta Lawlor

Suggestions for additions to proposed draft to amend Section 6.05.25 **show in red** and suggested deletions shown by strikethrough.

6.05.25 East Milton Area **Inland Sand-and-Gravel Aquifer** Wellfield Protection Overlay District

Name change would coincide with Northwest Florida Water Management District and Department of Environment Protection references. Also folks from Floridale and Harold identify their community as Floridale and Harold not East Milton.

A. Purpose

~~A. Purpose: The purpose of this overlay district, as shown on the map in Exhibit A, is to provide an added degree of protection for the aquifer recharge area in the vicinity of the Fairpoint Regional Utility System and East Milton Water System wellfield which is an important resource in providing potable water for the Fairpoint peninsula and the East Milton Area. It is the intent of this overlay district to protect present and future public potable water supply wells and wellfields from water quality degradation by contamination from regulated substances.~~

A. Purpose: The purpose of this overlay district, as shown on the map in Exhibit A, is to provide an added degree of protection for the Inland Sand-and-Gravel Aquifer located between the Yellow River and Blackwater Rivers. It is the intent of this overlay district to protect existing Fairpoint Regional Utility System and East Milton Water System wells and future public water system wells

from degradation by contamination from hazardous materials, hazardous wastes and regulated substances.

B. Wellfield Protection Overlay District Boundaries:

Option River to River - My #1 choice

I strongly urge the Board to consider the Option River to River that is not included in proposed draft. Holly Kimberl initially raised this option when this issue was going through the Zoning Board process.

As Fairpoint Regional Utilities System expands to the east the current overlay and Option 1 area protection will not provide adequate protection for the future wells recharge areas. Because of the drawdown impacts in the vicinity of the current cluster of wellheads future expansion will be to the east of the existing wells and spacing management will minimize the drawdown impacts. If you look at Exhibit A -Option 4 20-year time-of-travel capture zone map, particularly FRUS well #7 you can see that the future production well expansion eastward along the Hwy 90 corridor to meet the increasing future demands of the coastal area will not be protected by the current and Option 1 area protection.

For the River to River option use Option 1 boundary on the west because expansion to the southwestern portion of the peninsula between the rivers probably will be avoided because of the potential of saltwater intrusion from Blackwater Bay; at the northeast corner of section 29-2N-27W follow the western section line of 21-2N-27W to the Blackwater River; follow the Blackwater River to the Santa Rosa-Okaloosa County line then south along the County line to the Yellow River west along the Yellow River to State Highway 87 South; then North along State Highway 87 South to the Point of Beginning intersection of State Highway 87 South and Hickory Hammock Road.

The advantage Option River to River is that it provides long-term protection for the existing wells and even more significant is the fact that it also protects future well sites that will be needed to meet future water supply demands.

!!! ADD TWO ZONE PROTECTION !!!

- Zone 1 having more prohibited uses than Zone 2.
- Zone 2 land uses less prohibitive than Zone 1.
- Development Standards apply to both Zone 1 and Zone 2 new developments.
- Two Zones provides protection but not restraining overprotection
- Two Zones would right the current LDC 6.05.25 lock down of the area

If the County adopts my suggested enhanced 12.13.02 Public Water System Wellhead Protection with additions to the list of prohibited uses and increased Wellhead Protection Zone for Sand-and-Gravel Aquifer Wellheads.

- 1. Zone 1 - Drinking Water Critical Impact Zone is the Public Water System Wellhead Protection Zone section 12.13.02.**
- 2. Zone 2 Drinking Water Potential Impact Zone**
Zone 2 is established as the remainder of the Wellfield Protection Overlay District not included in Zone 1, but deemed necessary to ensure adequate protection of current and future public drinking water supplies.

If the County does not adopt my suggested enhanced 12.13.02 Public Water System Wellhead Protection and decides to keeps the current 12.13.02 or adopts Staff's draft to amend 12.13.02

- 1. Zone 1 - Drinking Water Critical Impact Zone.**
 - a. Floridan Aquifer - 500-foot radius circle protection zone measured from the center of the wellhead for all Public Water System wells**
 - b. Sand-and-Gravel Aquifer**
 - (1) Community Water Systems**
 - (a) Community Water Systems serving populations greater than 1000 year-round residents a 1000-foot radius circle measured from the center of the wellhead combined with the five-year ground water travel times protection zone**
 - (b) Community Water Systems serving populations less than 1000 year-round residents a 1000-foot radius circle measured from the center of the wellhead**

(2) Non-Community Water Systems a 1000-foot radius circle measured from the center of the wellhead

2. Zone 2 Drinking Water Potential Impact Zone

Zone 2 is established as the remainder of the Wellfield Protection Overlay District not included in Zone 1, but deemed necessary to ensure adequate protection of current and future public drinking water supplies.

Option 1 - My #2 choice - Expand current wellfield overlay district to include the area recommended by Advanced Geospacial, Inc. Option 1 applies long-term protection to an area where there is existing wellhead clustering but it does not adequately protect future well sites. Option 1 was recommend January 30, 2012 by the Wellfield Workgroup by vote of 5 to 1, public guests at the January 30, 2012 workgroup meeting by vote of 13 to 5 and June 14, 2012 by the Zoning Board by vote of 6-2. The Option River to River was not presented for vote.

!!! Two Zone the Protection !!!

As described in Option River to River above

C. Definitions

Modify Community Water System definition in proposed draft as follows to coincide with EPA and DEP.

PUBLIC WATER SYSTEM (PWS) means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year. Such term includes: any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Such term does not include any "special irrigation district." A public water system is either a "community water system" or a "non-community water system." See the Code of Federal Regulations (C.F.R.), title 40, part 141, section 2.

1. **COMMUNITY WATER SYSTEM (CWS)** means a public water system that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.
2. **NON-COMMUNITY WATER SYSTEM** means a public water system that is not a community water system. A non-community water system is either a "transient non-community water system" (TWS) or a "non-transient non-community water system" (NTNCWS).
 - a. **TRANSIENT NON-COMMUNITY WATER SYSTEM** means a non-community water system that does not regularly serve at least 25 of the same persons over six months per year.
 - b. **NON-TRANSIENT NON-COMMUNITY WATER SYSTEM** means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over 6 months per year.
 - c.

Modify Regulated substances section 1 definition in proposed draft as follows to coincide with EPA.

Regulated substances.

1. Any liquid or water soluble substance or material that, by reason of its toxic, caustic, corrosive, **abrasive, or otherwise injurious properties, may cause harm to human health and the environment.** ~~or other properties may degrade the water quality of public potable water supply wells and wellfields.~~

Item such a distance reference to other LDC section should be avoided because when the County amends a section the amendment does not get reflected through the whole LDC.

Wellhead Protection Zone: 500-foot radius around public supply potable water wells, measured from the center of the wellhead. See Article 12.13.02

Add definition for Hazardous Material

Hazardous Material is defined in one or more of the following categories:

1. **Ignitable:** A gas, liquid or solid which may cause fires through friction, absorption of moisture, or which has low flash points. Examples: white phosphorous and gasoline.
2. **Carcinogenic:** A gas, liquid, or solid which is normally considered to be cancer causing or mutagenic. Examples: PCB's in some waste oils.
3. **Explosive:** A reactive gas, liquid or solid which will vigorously and energetically react uncontrollably if exposed to heat, shock, pressure or combinations thereof. Examples: dynamite, organic peroxides and ammonium nitrate.
4. **Highly Toxic:** A gas, liquid, or solid so dangerous to man as to afford an unusual hazard to life. Example: chlorine gas.
5. **Moderately Toxic:** A gas, liquid or solid which through repeated exposure or in a single large dose can be hazardous to man.
6. **Corrosive:** Any material, whether acid or alkaline, which will cause severe damage to human tissue, or in case of leakage might damage or destroy other containers of hazardous materials and cause the release of their contents. Examples: battery acid and phosphoric acid.

Add definition for Hazardous waste

Hazardous waste means solid waste, or a combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed.

D. Applicability:

Modify section 2 in proposed draft deleting 500' reference. Item such a distance reference to other LDC section should be avoided because when the County amends a section the amendment does not get reflected through the whole LDC.

2. In addition, the provisions of Section 12.13.02 shall apply to all new development within Wellhead Protection Zones, which are the 500-foot radius around public supply potable water wells, measured from the center of the wellhead. Where there is a conflict between Section 12.13.02 and this section, the more restrictive regulation applies.

F. Prohibited uses: Uses prohibited within the overlay district include:

I do not agree with the removal of Hazardous Waste Large Quantity Generators from the list of prohibited uses that took place in-between two public meetings based on feedback from a zoning board member, staff, and Commissioners that this may be too restrictive. The Wellfield Workgroup recommendation to the Zoning Board and the Board of Commissioners was to prohibit Large Quantity Generators.

Santa Rosa has only three Large Quantity Generators; Air Products, Whiting Field and Taminco. Prohibiting Large Quantity Generators that conduct activities considered most offensive to groundwater is not being too restrictive. Large Quantity Generators have no limit to the amount of hazardous waste accumulated on site.

The statement that has been made *"The difficulty in prohibiting large quantity generators is that a company could qualify as a Small Quantity Generator one month, but as a Large Quantity Generator the next"* to support the removal I feel is misleading.

A Small Quantity Generator that for a short period of time generates hazardous waste at the higher category is referred to as an Episodic Generator. Episodic Generator is not a federal hazardous waste generator category, but rather a condition referring to an entity that for a short period of time (normally one or two calendar months) generates hazardous waste at a higher category due to non-routine activities (examples one-time tank cleanout or closure of a process lab). For this short timeframe of

increased generation, the entity is subject to the increased requirements of the appropriate higher generator category. All the Small Quantity Generator does when this episodic event happens is follow the higher generator category requirements; the Small Quantity Generator does not change its classification to the higher generator category when an episodic event happens.

!!! Add Two Zone Protection !!!

F. Prohibited uses: Uses prohibited within the overlay district include:

If the County adopts my suggested enhanced 12.13.02 Public Water System Wellhead Protection with additions to the list of prohibited uses and increased Wellhead Protection Zone for Sand-and-Gravel Aquifer Wellheads.

1. Zone 1 - Drinking Water Critical Impact Zone Prohibited Uses listed in Section 12.13.02 Public Water System Wellhead Protection Zone

If the County does not adopt my suggested enhanced 12.13.02 Public Water System Wellhead Protection and decides to keeps the current 12.13.02 or adopts Staff's draft to amend 12.13.02

1. Zone 1 - Drinking Water Critical Impact Zone Prohibited Uses

- Class I Landfill, Class II Landfill, Class III Landfill, Construction & Demolition Disposal Facility, Land Clearing Debris Facility, Waste Disposal Facility, Waste Management Facility, Waste Recycling Facility, Transfer Stations, Composting Facility, Material Recycling Facility, Waste-to-Energy Plants, Waste Tire Collection Centers, Waste Tire Processing Facility, Resource Recovery Facility, Waste Incinerators, Coal Combustion Residuals Facility and Phosphogypsum Stack Systems
- Resource Extraction Activities, Borrow Pits, Excavation Pits, Mines or Mining Activities, Oil and Gas Extraction
- Underground fuel, substance and material storage
- Projects with impervious cover of 50% or more
- The bulk storage, handling or processing of materials listed as Hazardous and Extremely Hazardous on Table 302.4 of 40 CFR and Appendix A to 40 CFR part 355 respectively
- Projects that require the outside storage or bulk transportation of regulated substances, hazardous materials, hazardous wastes, toxic chemicals, agricultural chemicals, fertilizers, pesticides, petroleum products, industrial chemicals, medical wastes and the like (this section is not intended to prohibit the continuous transit through the wellhead protection zones)
- Wastewater treatment plants, onsite sewage treatment & disposal systems (OSTD) for commercial and industrial uses, wastewater effluent percolation ponds, wastewater reclaimed water land application sites, wastewater reclaimed water sprayfields and similar facilities
- Excavation of waterways, drainage wells, drainage facilities, stormwater ponds which intersect the water table or provide for the disposal of stormwater directly into the aquifer absent normal percolation
- Industrial waste holding ponds, discharges to ground water of industrial wastewater, injection wells, dry wells and sumps
- Industrial ash, sewer sludge or septic sludge waste spreading on the land
- Land divisions resulting in residential density greater than one unit per acre using onsite sewage treatment & disposal systems (OSTD); residential land divisions resulting in density greater than one unit per acre allowed on sanitary sewer
- Asphalt plants
- Automobile, truck or fleet equipment repair shop
- Cemetery
- Chemical processing or storage facility
- Concentrated Animal Feeding Operation (CAFO)
- Concentrated Aquatic Animal Production or farm raised fish facility
- Dry cleaning facility

- Electrical or electronic manufacturing facility
- Fertilizer handling or storage facility
- Fleet trucking or bus terminal
- Gas station or fueling facility
- Golf courses
- Hazardous Waste Large Quantity Generator (LQG) Facility
- Hazardous Waste Small Quantity Generator (SQG) Facility
- Hazardous Waste Conditionally Exempt Small Quantity Generator (CES) Facility
- Hazardous Waste Transporter (TRA) Facility
- Hazardous Waste Treatment/Storage/Disposal Facility (TSD) Facility
- Hazardous Waste Used Oil Processor (UOP) Facility
- Hazardous Waste Used Oil Transporter (UOT) Facility
- Irrigated nursery or commercial greenhouse
- Junk yard, scrap yard or salvage yard
- Machine shop
- Mercury Containing Lamps and Devices Transporter/Handler/Transfer Facility
- Metal plating, finishing or fabricating facility
- Pesticide handling or storage facility
- Pharmaceutical and medical waste transfer or transport facility
- Wood preserving or wood treating facility
- All uses not permitted in the underlying zone district

2. Zone 2 Drinking Water Potential Impact Zone Prohibited Uses

- Class I Landfill, Class II Landfill, Class III Landfill, Construction & Demolition Disposal Facility, Waste Disposal Facility, Waste Management Facility, Waste Recycling Facility, Transfer Stations, Material Recycling Facility, Waste-to-Energy Plants, Waste Tire Collection Centers, Waste Tire Processing Facility, Resource Recovery Facility, Waste Incinerators, Coal Combustion Residuals Facility and Phosphogypsum Stack Systems
- Industrial waste holding ponds, injection wells used to inject industrial waste, discharges to ground water of industrial wastewater
- Industrial ash, sewer sludge or septic sludge waste spreading on the land
- Asphalt plants
- Concentrated Animal Feeding Operation (CAFO)
- Concentrated Aquatic Animal Production or farm raised fish facility
- Hazardous Waste Large Quantity Generator (LQG) Facility
- Hazardous Waste Transporter (TRA) Facility
- Hazardous Waste Treatment/Storage/Disposal Facility (TSD) Facility
- Hazardous Waste Used Oil Processor (UOP) Facility
- Hazardous Waste Used Oil Transporter (UOT) Facility
- Junk yard, scrap yard or salvage yard
- Wood preserving or wood treating facility
- All uses not permitted in the underlying zone district

G. Permitting Requirements

G. Permitting Requirements: An applicant for any permitted non-residential use that involves the use, storage, handling or disposal of **regulated hazardous materials, regulated hazardous wastes and regulated substances** is required to meet the development standards found in Section 6.05.25.

General Exception approval will be granted concurrent with Site Plan approval upon demonstration of compliance with Section 6.05.25.1.

Special Exception approval may be granted by the Zoning Board upon demonstration of compliance with Section 6.05.25.J. . **Needs modification so Special Exception approval comes before the Board of County Commissioners not the voluntary Zoning Board.**

H. Development Standards:

1. The use of secondary containment is required for all bulk storage of **regulated hazardous materials, regulated hazardous wastes** regulated substances. Such containment systems must be easy to inspect and designed to intercept any leak or release from the primary containment vessel or structure. Secondary containment must be sized to accommodate 110% of the largest primary container volume. Bulk storage does not include materials packaged for individual retail sale. Secondary containment does not apply to materials applied in an outdoor setting as part of an approved activity's landscaping maintenance plan.
2. No nonresidential facility shall discharge any regulated substance, either directly or indirectly, into the soil or groundwater.
3. New underground facilities for transportation of **hazardous materials, regulated hazardous wastes** **or** regulated substances within the Wellfield Protection Overlay District shall be constructed with double-walled pipe to ensure no leakage into the soil or groundwater.
4. All permitted facilities must adhere to appropriate federal and state standards for storage, handling, transportation and disposal of any hazardous materials, **regulated hazardous wastes and regulated substances**. Where there is a conflict between the federal and state standards and this section, the most restrictive regulation applies.
5. Areas where **hazardous materials, regulated hazardous wastes and/or** regulated substances are stored shall not drain to the soil, a stormwater system, water body, or a sewage disposal system. This does not apply to discharges to a public sewer utility system that are approved by the sewer utility, consistent with FDEP regulations.
6. The washing of vehicles used to transport unpackaged regulated substances and equipment used in processing of regulated substances must be done in a self contained area (e.g. with recycling system) designed to ensure that hazardous materials do not reach the soil, a water body or a sewage disposal system. This does not apply to discharges to a public sewer utility system that are approved by the sewer utility, consistent with FDEP regulations.
7. All new commercial and industrial land uses that involve the use, handling, or storage of regulated materials **regulated hazardous materials, regulated hazardous wastes and/or regulated substances** shall be required to prevent contact between the aforementioned materials and stormwater.
8. Sites where fuel is dispensed ~~from above-ground tanks~~ shall be designed to contain fuel spills on site without contaminating stormwater systems, sewage disposal systems, soil, surface water or groundwater.
9. Fuel tanks or storage as part of permanently installed equipment (such as generators) shall be placed in a secondary containment device such that a fuel spill or leak will not reach the soil or a water body.
10. Wastewater treatment plants must meet FDEP **Advanced Wastewater Treatment (AWT) standards and** requirements. Effluent or biosolids disposal cannot be located within the 5-year travel time area. Reuse of reclaimed water that has received high-level disinfection is allowed when permitted under Part III of Chapter 62-610, F.A.C.

Add to H. Development Standards:

- A contingency plan for all permitted facilities must be prepared for preventing regulated hazardous materials, regulated hazardous wastes and regulated substances from contaminating the surficial aquifer should fire or other natural catastrophes, equipment failure, or releases occur.
- For any hazardous release occurring, the owner and/or operator shall report release incident to the Santa Rosa County Environmental Department and Emergency Management Office.
- All abandoned wells should be properly plugged according to local and state regulations.
- New underground storage facilities for hazardous materials, regulated hazardous wastes or regulated substances within the Wellfield Protection District shall meet the following requirements:
 - a. Double-walled tank and piping with continuous leak detection system in between the walls; or
 - b. An impervious secondary containment having monitoring well(s) or detector located therein; and
 - c. For each of the above options, it is required that the facility install, maintain, and monitor a groundwater testing system.

I. General Exceptions:

J. Special Exceptions

Needs modification so Special Exception approval comes before the Board of County Commissioners not the voluntary Zoning Board.

J. Special Exceptions: Exemption from the requirements of Section 6.05.25.H may be granted by Special Exception, subject to the following requirements:

- a. Special Exception applications will be process as outlined in Section ~~2.04.00.C~~.
- b. The applicant must provide substantial scientific evidence that special or unusual circumstances and adequate technology exist to isolate the facility or activity from the potable water supply.
- c. In granting the special exception, the ~~Zoning Board~~ **Board of County Commissions** may prescribe any additional appropriate conditions and safeguards which are necessary to protect the wellfield.

Add to 6.05.25 Wellfield Protection Overlay District

- **Rail and highway transit of any hazardous materials, hazardous wastes and regulated substances through the Wellfield Protection District shall be exempt from requirements of Section 6.05.25.H.**
- **Nothing in this ordinance shall be construed to imply that Santa Rosa County has accepted any of an owner/developer's liability if a permitted facility or use contaminates groundwater.**