

RESOLUTION 18-05

A RESOLUTION OF THE CITY OF ALACHUA, FLORIDA; SUPPORTING A LOCAL BILL AMENDING SECTION 403.0891, FLORIDA STATUTES REQUIRING THAT ALACHUA COUNTY'S STORMWATER MANAGEMENT PLAN AND PROGRAM INCORPORATE THE BEST MANAGEMENT PRACTICES ADOPTED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION; SPECIFYING THAT APPLICATIONS FOR DEVELOPMENT APPROVAL WHICH IMPLEMENT THE BEST MANAGEMENT PRACTICES ARE PRESUMED TO BE IN COMPLIANCE WITH CERTAIN LOCAL GOVERNMENT WATER QUALITY STANDARDS; PROHIBITING ALACHUA COUNTY FROM ADOPTING OR ENFORCING MORE STRINGENT WATER QUALITY STANDARDS FOR STORMWATER DISCHARGES TO SURFACE WATERS, WETLANDS OR GROUNDWATER; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Alachua County Board of County Commissioners has proposed to adopt a Stormwater Manual potentially applicable in both the unincorporated portions of the County and the municipalities; and

WHEREAS, the County has identified the municipalities within the County as stakeholders in this project; and

WHEREAS, the County has asserted authority to implement such an Ordinance pursuant to the authority of Charter Amendment 1 (adopted in 2000); and

WHEREAS, regulating the effects of stormwater on Florida's rivers and groundwater is a complex job, requiring scientific expertise and financial resources of state government; and

WHEREAS, all communities in Florida benefit from a uniform state-wide approach to environmental regulation; and

WHEREAS, The Florida legislature has the authority to draft a bill to amend Section 403.0891, Florida Statutes, prohibiting Alachua County from adopting or enforcing more stringent water quality standards for stormwater discharges than those best management practices adopted by the Florida Department of Environmental Protection; and

WHEREAS, Florida maintains a rigorous best management practices program to evaluate and promulgate successful technologies; and

WHEREAS, it is in the best interest of the State of Florida and the City of Alachua to avoid duplication of effort, or inconsistencies between state and local regulation by implementing a statewide approach; and

WHEREAS, it is in the best interest of the City of Alachua to support the proposed legislation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ALACHUA COMMISSION OF THE CITY OF ALACHUA, FLORIDA AS FOLLOWS:

Section 1. RECITALS

The above Recitals are true and correct and are incorporated into this resolution by reference.

Section 2. SUPPORT OF STATE LEGISLATION

The City Commission of the City of Alachua finds and determines its support and approval of the proposed legislation effecting environmental regulation in Alachua County that requires Alachua County's stormwater management plan to incorporate the best practices adopted by the Department of Environmental Protection and prohibits the County from adopting more stringent water quality standards for stormwater.

Section 3. SEVERABILITY

It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this resolution is for any reason held or declared to be unconstitutional, void, or inoperative by a court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this resolution, and the remainder of this resolution after the exclusion of such part or parts shall be deemed to be valid.

Section 4. REPEALING CLAUSE

All resolutions or parts of resolutions in conflict with this Resolution, are hereby repealed to the extent of the conflict.

Section 5. EFFECTIVE DATE

This Resolution shall be effective as of the date of its passage and adoption.

DULY ADOPTED in regular session, this 13th day of November, 2017.

**CITY COMMISSION OF THE CITY
OF ALACHUA, FLORIDA**

Gib Coerper, Mayor

SEAL

ATTEST:

Traci L. Gresham, City Manager/Clerk