



City of North Port

RESOLUTION NO. 2018-R-34

A RESOLUTION OF THE CITY OF NORTH PORT, FLORIDA, REQUESTING THAT THE GOVERNOR REINITIATE THE PUBLIC HEARING AND ADOPTION PROCESS FOR THE STATEWIDE STORMWATER TREATMENT RULE; INCORPORATING RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State of Florida's Waters continue to experience severe and prolonged harmful algae blooms associated with red tide and blue-green algae; and

WHEREAS, these harmful algae blooms have had and continue to have an adverse impact on both the State of Florida's economy and natural ecology; and

WHEREAS, these harmful algae blooms are fueled by nitrogen and phosphorus nutrients which have been increasing in Florida's waterways; and

WHEREAS, a significant source for these nitrogen and phosphorus nutrients is stormwater runoff from suburban and urban landscapes; and

WHEREAS, stormwater best management practices (*i.e.*, stormwater ponds) are required to intercept this stormwater runoff and reduce these pollutants prior to their discharge to waters of the State of Florida (*i.e.*, bays, estuaries, rivers, etc.); and

WHEREAS, it has been assumed that such stormwater best management practices reduce pollutant loads, including nitrogen and phosphorus nutrients, by 80% based upon the State of Florida's presumptive criteria; and

WHEREAS, the State of Florida through the Department of Environmental Protection and the water management districts, collected water quality data which led to a recognition that this presumptive criteria was inadequate to assure that state water quality standards were being mitigated with respect to nitrogen and phosphorus nutrient pollutant loads; and

WHEREAS, in response to this recognition, the State of Florida embarked on a multi-year process that engaged Florida's academic research institutions, stormwater experts, and water quality stakeholders, culminating in 2010 with an updated Statewide Stormwater Treatment Rule and a design manual to specifically address nitrogen and phosphorus nutrient runoff; and

WHEREAS, this Statewide Stormwater Treatment Rule was scheduled for public hearings and adoption in 2011 but was abandoned by the incoming governor of the State of Florida.

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

SECTION 1 – INCORPORATION OF RECITALS

- 1.01 The above recitals are hereby ratified and confirmed as being true and correct and are incorporated herein by reference.

SECTION 2 – RESOLUTION

- 2.01 The City of North Port, Florida requests that the governor of the State of Florida immediately direct the Florida Department of Environmental Regulation, in association with all the State Water Management Districts, to reinstate the public hearing and adoption process for the Statewide Stormwater Treatment Rule.

SECTION 3 – CONFLICTS

- 3.01 In the event of any conflict between the provisions of this Resolution and any other resolution or portions thereof, the provisions of this Resolution shall prevail to the extent of such conflict.

SECTION 4 – SEVERABILITY

- 4.01 If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

SECTION 5 – EFFECTIVE DATE

- 5.01 This Resolution shall take effect immediately upon adoption by the City Commission of the City of North Port, Florida.

PASSED and DULY ADOPTED by the City Commission of the City of North Port this ____ day of December 2018.

CITY OF NORTH PORT, FLORIDA

CHRISTOPHER HANKS
MAYOR

ATTEST:

KATHRYN PETO
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

AMBER L. SLAYTON
CITY ATTORNEY