

## **ENHANCED BIENNIAL REVIEW AND REPORT**

The Withlacoochee Regional Water Supply Authority, (WRWSA), hereinafter referred to as "WRWSA", does hereby submit, pursuant to Sections 120.74 and 120.745(2), Florida Statutes, its Enhanced Biennial Review and Report. The rules of WRWSA contained in Chapter 49C of the Florida Administrative Code pre-date the creation of the Office of Fiscal Accountability and Regulatory Reform, (OFARR). The rules adopted in said Chapter are purely organizational for the Authority's operation and in no way regulate any business or profession. More particularly, these rules: a.) do not unnecessarily restrict entry into a profession or occupation; b.) do not adversely affect the availability of professional and occupational services to the public; c.) do not unreasonably affect job creation or job retention; d.) do not place unreasonable restrictions on individuals attempting to find employment; e.) do not impose burdens or cost on business; and, f.) are justifiable on the overall cost effectiveness and economic impact of the regulation, including indirect cost to consumers, is considered.

The WRWSA is an Independent Special District within the meaning of Chapter 189.403, Florida Statutes, and is not a regulatory agency as contemplated by Section 120.745(2).

The mission statement of the Authority is as follows:

**Withlacoochee Regional Water Supply Authority**

**Mission Statement**

## General

Regional Water Supply Authorities (RWSA) are created pursuant to s. 373.1962, Florida Statutes. The Secretary of the Department of Environmental Protection (DEP) reviews an application for designation of the Authority. As part of the application for designation, the local governments seeking creation of the RWSA must execute an Interlocal agreement setting forth their proposed organizational bylaws. The statutory requirements and the bylaws of the RWSA provide the basic mission statement for the Authority. In summary, the statutory mission of the Authority is as follows:

s. 373.1962 (1) – “. . . regional water supply authorities may be created for the purpose of developing, recovering, storing, and supplying water for county or municipal purposes in such a manner as will give priority to reducing adverse environmental effects of excessive or improper withdrawals of water from concentrated areas.”

In support of the above objective, the Authority may:

s. 373.1962 (2)(a) – “. . . Upon approval of the electors residing in each county or municipality within the territory to be included in any authority, levy ad valorem taxes, not to exceed 0.5 mill, . . .”

s. 373.1962 (2)(b) – “. . . Acquire water and water rights; develop, store, and transport water, provided, sell and deliver water for county or municipal uses and purposes;. . .”

s. 373.1962 (2)(c) – “Collect, treat and recover wastewater.”

s. 373.1962 (2)(d) – “Not engage in local distribution.”

s. 373.1962 (2)(e) – “Exercise the power of eminent domain . . . . for public use . . . . to exercise the powers granted herein . . . .”

s. 373.1962 (2)(f) – “Issue revenue bonds . . . . to be payable solely from funds derived from the sale of water by the authority . . . .”

s. 373.1962 (2)(g) – “Sue and be sued in its own name.”

s. 373.1962 (2)(h) – “Borrow money and incur indebtedness . . . .”

#### Withlacoochee Regional Water Supply Authority Mission

The WRWSA was formed in 1977 in response to a direct threat from the Tampa Bay area to transfer water from this region into the Tampa Bay area to solve their continuing water supply problems related to spiraling growth and development. The WRWSA did not necessarily seek to fulfill the role of being the same type of regional water supplier as the West Coast Regional Water Supply Authority serving Tampa Bay. To fulfill the statutory mission set forth in Chapter 373.1962, the WRWSA has assumed the following functions:

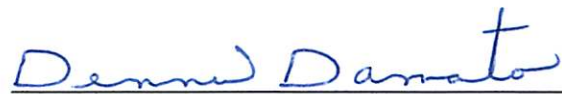
1. To provide a forum for discussion and to act on behalf of the member local governments in issues related to regional water resources.
2. Provide a vehicle to prepare and analyze studies and feasibility reports regarding water supply development.
3. Provide an organization to focus federal, state and water management district funds into water supply and resource projects within the region.
4. To work with local governments in developing and funding wellfields, treatment facilities, storage facilities and bulk water transmission lines within Counties.

The statutory authority for the Authority and all its activities is contained in Section 373.1962, Florida Statutes.

Attached hereto is a table submitted in compliance with Section 120.745(3).

The Authority will be publishing this Enhanced Biennial Review and Report on its website requesting public comment as required by law. Any objections to the report and any of the Authority's rules shall be submitted no later than June 1, 2012.

Respectfully Submitted,



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DENNIS DAMATO, Chairman

Column 1: Agency	Column 2: F.A.C. Rule Number		Column 3: OFARR Reviewed <sup>1</sup>	Column 4: REVENUE RULE/Fund or Account <sup>2</sup>						Column 5: Data Collection Rule <sup>3</sup>	Column 6: Repeal <sup>4</sup>	Column 7: Amend <sup>4</sup>	Column 8: Effective after 11/16/2010	Column 9: Effective on or before 11/16/2010	
	2a: Title, Subtitle, Chapter	2b: Number		4a: Licensure fee	4b: Transport. Tolls	4c: Other Fees	4d: Fines	4e: Tax	4f: Other Revenue					Probable 120.541(2)(a) impact <sup>5</sup> (Group 1 or 2)	No probable impact
Possible Answers:			Exempt or blank	Y (G.R.) or N	Y or N	Y or N	Y or N	Y or N	Y or N	Y or N	Y or N	Y or N	Y or N	1 or 2 or blank	N
WRWSA <sup>6</sup>	Name	49C-1.001		N	N	N	N	N	N	N	N	N	N		N
WRWSA	Purpose	49C-1.002		N	N	N	N	N	N	N	N	N	N		N
WRWSA	Definitions	49C-1.003		N	N	N	N	N	N	N	N	N	N		N
WRWSA	Authority	49C-1.004		N	N	N	N	N	N	N	N	N	N		N
WRWSA	Organization	49C-1.005		N	N	N	N	N	N	N	N	N	N		N
WRWSA	Membership and Representation	49C-1.006		N	N	N	N	N	N	N	N	N	N		N
WRWSA	Term and Compensation of Governing Board Members	49C-1.007		N	N	N	N	N	N	N	N	N	N		N
WRWSA	Powers	49C-1.008		N	N	N	N	N	N	N	N	N	N		N
WRWSA	Officers	49C-1.009		N	N	N	N	N	N	N	N	N	N		N
WRWSA	Staff	49C-1.010		N	N	N	N	N	N	N	N	N	N		N
WRWSA	Meetings	49C-1.011		N	N	N	N	N	N	N	N	N	N		N
WRWSA	Committees	49C-1.012		N	N	N	N	N	N	N	N	N	N		N
WRWSA	Budget and Finance	49C-1.013		N	N	N	N	N	Y (G.R.) <sup>7</sup>	N	N	N	N		N
WRWSA	Amendments	49C-1.014		N	N	N	N	N	N	N	N	N	N		N

**Footnotes:**

- 1 - If OFARR Exempt, use "Exempt" for the following columns: Repeal, Amend, and Effective after 11/16/2010.
- 2 - For Revenue Rule, include fund or account name in which collections are deposited. "G.R." may be used for General Revenue.
- 3 - Provide notes indicating the statutory authority for data collection, the purpose for which the agency uses data, the purposes used by others, and policies reporting data collection and retention.
- 4 - Provide estimated timetable for repeal or amendment.
- 5 - 120.745(3)(i): Pursuant to 120.745(2)(g) the agency must identify whether the rule requires a compliance economic review. Enter "NA" if Column 6 is "Y" or Column 8 is "N", "NP" if result of s. 120.745(2)(g)3 shows the rule probably does not have an impact under s. 120.541(2)(a), and "1" or "2" if the rule is placed either in Group 1 or Group 2.
- 6 - WRWSA means Withlacoochee Regional Water Supply Authority.
- 7 - Other revenue consists of a per capita assessment paid by the member counties and large city members of the WRWSA and any interest income received from the State Board of Administration.