

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In re:

APPROVAL OF THE WACCASASSA WATER AND
WASTEWATER COOPERATIVE AS A REGIONAL
WATER SUPPLY AUTHORITY

OGC NO. 25-1922

FINAL ORDER

Under the Florida Department of Environmental Protection’s (“Department”) authority and duty prescribed to the Secretary in Section 373.713, Florida Statutes (Fla. Stat.), to approve agreements creating regional water supply authorities, the Department hereby enters this Final Order, including the findings of fact and conclusions of law, finding the Waccasassa Water and Wastewater Cooperative (“Cooperative”) is approved as a Regional Water Supply Authority.

FINDINGS OF FACT

1. In 2023, the Town of Bronson, the Town of Otter Creek, and the Cedar Key Water and Sewer District entered into the Interlocal Agreement Relating to the Establishment of the Waccasassa Water and Wastewater Cooperative (“Interlocal Agreement”) (Exhibit A) pursuant to Section 163.01 and Chapter 189, Fla. Stat. Pursuant to its terms, the Interlocal Agreement became effective June 13, 2023.

2. The parties entered into the Interlocal Agreement in order to plan for, develop, finance, construct, improve, own, operate, maintain, manage, acquire, and dispose of Cooperative Facilities for the purpose of providing Wholesale Water Service and/or Wholesale Wastewater Service. The Cooperative is a regional mechanism for the provision of potable water, production, treatment and transmission, and wastewater transmission, treatment and disposal services which

can be made available to the Cooperative members on a wholesale basis.

3. The Cooperative has identified benefits to its communities including: securing a reliable system for residents; ensuring a sustainable source of water; creating dependable infrastructure to attract businesses and services; making available additional funding opportunities; and providing for continued local control of rates and operation.

4. Section 373.713, Fla. Stat., provides for the creation of regional water supply authorities (RWSAs). RWSAs must be by interlocal agreement between local governmental units and must be approved by the Secretary of the Department to assure that the authority will be in the public interest and will comply with the intent and purpose of Chapter 373, Fla. Stat. In approving a RWSA, the Secretary shall consider the below minimum criteria:

(a) Whether the geographic territory of the proposed authority is of sufficient size and character to reduce the environmental effects of improper or excessive withdrawals of water from concentrated areas.

(b) The maximization of economic development of the water resources within the territory of the proposed authority.

(c) The availability of a dependable and adequate water supply.

(d) The ability of any proposed authority to design, construct, operate, and maintain water supply facilities in the locations, and at the times necessary, to ensure that an adequate water supply will be available to all citizens within the authority.

(e) The effect or impact of any proposed authority on any municipality, county, or existing authority or authorities.

(f) The existing needs of the water users within the area of the authority.

CONCLUSIONS OF LAW

5. Upon review of the Interlocal Agreement and upon due consideration of the criteria set forth in Section 373.713, Fla. Stat., the Department finds that the Interlocal Agreement is in the public interest and complies with the intent and purpose of Chapter 373, Fla. Stat.

THEREFORE, IT IS ORDERED:

The Waccasassa Water and Wastewater Cooperative is approved as a Regional Water Supply Authority.

NOTICE OF RIGHTS

This agency action is final and effective unless a timely petition for an administrative hearing is filed under §§ 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed agency action may petition for an administrative proceeding (hearing) under §§ 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions by the applicant or any of the parties listed below must be filed within 21 days of receipt of the written notice. Petitions filed by other persons must be filed within 21 days of publication of the notice or receipt of the written notice, whichever occurs first. The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of the person's right to request an administrative determination (hearing) under §§120.569 and 120.57, F.S. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

a) The name and address of each agency affected and each agency's file or identification number, if known;

b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

c) A statement of when and how the petitioner received notice of the agency decision;

d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and

g) A statement of the relief sought by the petitioner, precisely stating the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action,

the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

Any party to this order has the right to seek judicial review of it under § 120.68, F.S., by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days after this order is filed with the clerk of the Department.

DONE AND ORDERED this 21st day of November 2025.

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION



Alexis A. Lambert, Secretary
3900 Commonwealth Blvd.
Tallahassee, FL 32399

FILED on this date, pursuant to
§120.52 Florida Statutes, with the
designated Department Clerk,
receipt of which is hereby
acknowledged.

Lea Crandall Digitally signed by Lea Crandall
Date: 2025.12.04 10:27:33 -05'00'

Clerk

December 4, 2025

Date