

RESOLUTION

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ST. JOHNS IMPROVEMENT DISTRICT AMENDING THE POLICY OF THE ST. JOHNS IMPROVEMENT DISTRICT TO DECLARE LANDS WITHIN ITS LEGAL BOUNDARIES TO BE AN ENVIRONMENTALLY SENSITIVE AREA; PROVIDING FOR NOTICE, PUBLIC HEARING, OPERATIONAL REQUIREMENTS, AND OTHER PROVISIONS IN COMPLIANCE WITH FLORIDA STATUTES, ADMINISTRATIVE CODE, AND INDIAN RIVER COUNTY LAND DEVELOPMENT REGULATIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the St Johns Improvement District ("District") is a local special district duly organized and existing under the laws of the State of Florida pursuant to Chapter 189, Florida Statutes and its enabling legislation; and

WHEREAS, the Board of Supervisors of the District (the "Board") finds that it is in the public interest and necessary for the protection of water quality, wetlands, natural systems, and the public health, safety, and welfare that lands within the legal boundaries of the District be designated and managed as an Environmentally Sensitive Area ("ESA"); and

WHEREAS, under applicable Florida Statutes and Florida Administrative Code — including but not limited to Section 381.0065, Florida Statutes (Onsite Sewage Treatment and Disposal Systems); Section 403.0855, Florida Statutes (Biosolids Management); Florida Administrative Code Chapter 62-640 (Biosolids); Florida Administrative Code Chapter 64E-6 (Standards for Onsite Sewage Treatment and Disposal Systems); and setback rules in Florida Administrative Code 62-610.521 and 62-610.471 concerning reuse, reclaimed water, and land application systems — the District has authority and obligation to ensure that its operations comply with state law governing septic systems, biosolids, and water quality. For example, Florida Administrative Code Rule 62-610.521 provides for setback distances in certain cases to potable water supply wells, surface waters etc.; and

WHEREAS, Indian River County's Land Development Regulations and Code of Ordinances include regulations relevant to protection of surface waters, wetlands, shoreline protection buffers, zoning, setbacks, tree and wetland protection, and utilities; and

WHEREAS, notice of a meeting of the Board to consider changing the District policy to operate as an Environmentally Sensitive Area was published in accordance with applicable Florida Law on August 1, 2025, and again on August 22, 2025; and

WHEREAS, the proposed policy change was read into the record during a Board meeting on August 11, 2025, and again on September 8, 2025, and public comments on the proposed policy were heard and discussed at both meetings; and

WHEREAS, after a full reading of the publication on August 11, 2025, and again on September 8, 2025, and after hearing and discussing public comments, a vote was held on September 11, 2025, with a quorum of District Supervisors present; and

WHEREAS, the Board passed the policy change without opposition; and

WHEREAS, the content of the new policy is attached hereto as Exhibit A and made a part hereof; and

WHEREAS, the new policy includes among its provisions: prohibition on the installation of septic systems within 250 feet of any District water body or improvement; prohibition of introduction of biosolids into District waterways; and requirement that sewage treatment within the District comply with Florida law, Florida Administrative Code, Florida Department of Environmental Protection regulations, Indian River County Health Department policies, and applicable Indian River County Code of Ordinances / Land Development Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ST. JOHNS IMPROVEMENT DISTRICT, IN SESSION ASSEMBLED ON SEPTEMBER 8, 2025, THAT:

1. Designation as Environmentally Sensitive Area. Lands within the legal boundaries of the District are declared to be an Environmentally Sensitive Area, subject to the policies, restrictions, and regulatory compliance set forth in Exhibit A.
2. Policy Adoption. The Policy attached as Exhibit A is adopted as the official policy of the District regarding ESA operations, and supersedes any conflicting policies, rules, or practices of the District.
3. Compliance with Statutes, Rules, and County Codes. All District operations, permitting, inspections, enforcement, and other relevant functions shall be carried out in compliance with:
 - a. Florida Statutes §381.0065 (Onsite Sewage Treatment and Disposal Systems)
 - b. Florida Statutes §403.0855 (Biosolids Management)
 - c. Florida Administrative Code Chapter 62-640 (Biosolids)
 - d. Florida Administrative Code Chapter 64E-6 (Standards for Onsite Sewage Treatment and Disposal Systems)
 - e. Florida Administrative Code Rule 62-610.521 (Setback Distances for rapid infiltration basins / absorption fields / reclaimed water etc.)
 - f. Florida Administrative Code Rule 62-610.471 (Setback Distances for unlined storage ponds and other reuse land application systems)

4. Specific Restrictions. The District's ESA policy (Exhibit A) shall include:
 - a. Prohibition on new installation of septic systems within 250 feet of any District water body or improvement.
 - b. Prohibition on introduction of biosolids into any District waterway or improvement.
 - c. Requirement that sewage treatment systems within the District satisfy Florida state law; rules of the Florida Department of Environmental Protection; Florida Administrative Code; the policies of the Indian River County Health Department; and relevant Indian River County Code of Ordinances and Land Development Regulations, including design, permitting, inspection, maintenance, repair, etc. Any variation to the SJID Policy must be compliant with Florida Administrative Code Rule 62-610.471 and/or 62-610.521.
5. Monitoring, Compliance, and Enforcement. The District shall report to and coordinate with Indian River County and Florida state authorities, to initiate corrective or enforcement actions as needed for violations.
6. Severability. If any provision of this Resolution or Exhibit A is held invalid, that invalidity shall not affect the remaining provisions or applications thereof.
7. Effective Date. This Resolution shall become effective immediately upon adoption.

DULY ADOPTED this 8th day of September 2025, by the Board of Supervisors of the St. Johns Improvement District.

ATTEST: ST. JOHNS IMPROVEMENT DISTRICT BOARD OF SUPERVISORS

Paul R. Amos, Esq., Secretary

Cody Estes, Chairman

STATE OF FLORIDA

COUNTY OF INDIAN RIVER

I, Paul R. Amos, as Secretary of the ST. JOHNS IMPROVEMENT DISTRICT, certify the foregoing to be a true copy of Resolution duly adopted by the St. Johns Improvement District at a meeting thereof held on the 8th day of September, 2025.

(SEAL)

Paul R. Amos, Esq., Secretary