



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 5481, **Version:** 1

Subject:

Adoption of the Save Our Indian River Lagoon Project Plan 2023 Update as recommended by the Save Our Indian River Lagoon Citizens Oversight Committee

Fiscal Impact:

The recommended plan update recognizes a \$44.3 million increase in total revenues to be generated by the Save Our Indian River Lagoon Surtax over its 10-year life (increased from \$542.2 million to \$586.5 million) with \$27.7 million allocated to projects and \$16.6 million reserved for contingency and inflation. The net changes in allocation, broken down by project type, are as follows:

- \$18.1 million for stormwater treatments;
- \$5.2 million for environmental dredging of muck;
- \$2.3 million for wastewater - septic to sewer, package plant conversion to central sewer, and a wastewater plant upgrade for South Brevard;
- \$1.1 million for public education and outreach;
- \$1.0 million for vegetation harvesting;
- \$16.6 million reserved for a 5% contingency and increasing construction costs based on inflation of 2.6% for Plan Years 0-3, 7.8% for Year 4, and 12.1% for year 5, and 3.8% for years 6-10.

Dept/Office:

Natural Resources Management

Requested Action:

- 1) Adopt the Save Our Indian River Lagoon Project Plan 2023 Update, as recommended by the Save Our Indian River Lagoon Citizen Oversight Committee (Committee) on January 20, 2023;
- 2) authorize associated budget change requests;
- 3) approve continued signature authority to the Chair (or authorized representative, in accordance with the threshold limits provided for in Brevard County policies and administrative orders) to execute agreements, task orders, change orders, contract renewals, amendments, and other contract-related documents, subject to review and approval by the County Attorney, Risk Management and Purchasing, as appropriate, to provide cost share from the Save Our Indian River Lagoon Trust Fund for projects and programs approved in the Save Our Indian River Lagoon Project Plan;
- 4) approve continued authority for the Director of Natural Resources Management to execute up to two no-cost time extensions up to six months each;
- 5) grant permission to advertise formal solicitation of bids and proposals, and to award to the qualified bidder having the lowest, responsible and best response for tangible items, capital improvement projects, and/or equipment, when required and subject to available funding; and
- 6) authorize the Natural Resources Director to submit grant applications (subject to review and approval of the Administrative Order 75 Pre-Application Assessment) for leveraging cost share for projects and programs

approved in the Save Our Indian River Lagoon Project Plan.

Summary Explanation and Background:

Each year, in order to account for new information and opportunities, the Save Our Indian River Lagoon Citizen Oversight Committee is tasked with recommending an Update to the Save Our Indian River Lagoon Project Plan (S.O.I.R.L.P.P.). The Committee has held monthly public meetings throughout the year to keep informed, gather ideas from the community, review potential changes, and recommend an annual plan update to the County Commission. The Committee's annually recommended S.O.I.R.L.P.P. Updates are posted on the Committee's webpage for public access at least 15 days prior to being brought to the County Commission for consideration. The County Commission may adopt or modify the Committee's recommended Plan Update.

An intergovernmental coordination meeting was held on July 14th, 2022 to review the process for submitting project requests to be considered for addition in the 2023 plan update. Project requests were due September 30th. Project submissions listed in the summary table (attached) were reviewed by the Committee during a November 18th public meeting. New projects that were recommended in November, as well as other changes based on new information gathered, analyzed and discussed throughout the year, were incorporated into the attached Draft Save Our Indian River Lagoon Project Plan 2023 Update, as recommended by the Committee on January 20th.

The draft 2023 Update (attached) includes 14 new projects, bringing the total number of funded projects during the 10-year plan to 353, plus 876 individual quick connections to sewer, 1625 septic upgrades and 20 miles of filter feeding living shorelines. The plan also includes performance updates and refinements on a number of project types. To help readers find all areas of the S.O.I.R.L.P.P. that contain proposed updates or modifications, the attached Draft 2023 Update uses yellow highlighted text, table and figure captions to indicate additions and revisions.

Significant changes in the draft 2023 Update include:

- Adding 14 new projects (6 county, 4 city, and 4 private);
- Increasing the funding for public education and outreach on three existing topics (fertilizer, grass clippings and septic maintenance) and adding funds to address excess irrigation and stormwater pond maintenance;
- Adjusting homeowner cost share for septic upgrades due to the County securing state grants to match local sales tax funds;
- Creating reimbursement incentives to encourage homeowners to select the best available advanced nitrogen reducing septic systems;
- Authorizing cost share for sewer connections anywhere within the Lagoon watershed in Brevard by using state grants that were secured with sales tax as local match;
- Revising stormwater treatment cost estimates using recent construction bid results;
- Updating muck flux loading estimates based on latest field data;
- Linking to a new online site suitability/risk assessment mapping tool developed to identify the most promising sites to plant seagrass & test factors limiting establishment and survival;
- Reporting on the costs, benefits, successes and lessons learned from completed projects and resulting, data-driven plan modifications; and
- Revising the revenue projection and construction inflation contingencies in response to economic

fluctuations.

During fiscal year 21/22, tax collections were \$63.9 million instead of the budgeted estimate of \$48.8 million. In response, revenue estimates for the remaining life of the tax were increased and allocated to new projects or cost increases for existing projects. Recent revenue growth and construction inflation both called for adjusting estimates of future revenues and construction price index assumptions. Using actual revenues collected in 2016 through September 2022, inflation of 3.6% for revenue growth in 2023, 2.1% in 2024, and 1.9% in 2025 through 2026, the estimate of 10-year collections was increased from \$542.2 million to \$586.5 million. This \$44.3 million increase in revenue over the life of the tax was allocated to projects (\$27.7 million) or the contingency fund (\$16.6 million). The contingency fund is reserved to offset unexpected costs and construction inflation, which is estimated as 2.6% for Plan Years 0-3, 7.8% for Year 4, and 12.1% for year 5, and 3.8% for years 5-10. Revenue forecasting and construction inflation adjustments will continue to be considered as part of the annual Plan Update process.

Available funding is divided between projects that **reduce** the incoming load of new pollution, **remove** accumulations of old pollution, **restore** natural stabilization and filtration systems, or facilitate processes to **respond** to new information. The original distribution of funds between project types was guided by best available data in 2016 regarding major contributing sources of pollution to the Indian River Lagoon.

In the 2023 Update, \$193 million is directed to projects that improve the treatment of human wastewater through upgraded treatment of reclaimed water, connection of package treatment plants to central sewer, nutrient removal from treatment plant spray-fields and rapid infiltration basins, smoke testing to identify leaky sewer infrastructure coupled with funding to incentivize repairs, conversion of septic neighborhoods to sewer service, connection of septic homes to adjacent sewer lines, and upgrade of high-risk conventional septic to advanced septic systems. The 2023 Update allocates \$160 million for muck removal, including stripping nutrients from the dredge outflow water. The 2023 Update allocates \$68 million for stormwater treatment and vegetation harvesting, \$10 million for restoration and \$10 million for measuring project performance, and \$3.5 million for public outreach.

The recommended changes are consistent with the County Commission's 2019 shift in emphasis that reduced muck dredging down from 66% of the original allocation and increased human wastewater related projects up from 24% of the original allocation. Allocation to stormwater projects has increased over the years from 4% to 15%. These changes are illustrated in the cost allocation pie charts (below).



N/A