



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.1.

10/11/2022

Subject:

Septic Upgrade Program Retroactive Payment Requests

Fiscal Impact:

Up to \$100,000 of Save Our Indian River Lagoon Surtax already allocated for Septic Upgrades

Dept/Office:

Natural Resources Management

Requested Action:

It is requested that the Board of County Commissioners authorize staff to retroactively reimburse property owners in accordance with the program criteria below, as recommended by the Citizens Oversight Committee. Adapted program language (underlined), revised from current program criteria, will allow retroactive reimbursements and provide appropriate program parameters. Property owners will be reimbursed if they have installed advanced treatment septic systems and meet the following conditions:

1. Upgrade must have been voluntary, not required by local or state code.
2. Upgrade must have followed all Save Our Indian River Lagoon program guidelines other than grant approval prior to construction.
3. Upgrade must have been properly permitted and certified by the Florida Department of Health/Florida Department of Environmental Protection.
4. Operation and maintenance permits for the advanced system must be current, with no gaps in the owner's compliance.
5. Retro-pay amount shall not exceed the sum of costs documented with proof of payment.
6. Work must have been completed after inception of the septic upgrade homeowner grant program.
7. Work had to be completed before 6/1/2022 (several weeks after the last grant program eligibility notifications were mailed to owners of priority sites).
8. Eligible funding will be (up to \$6000) pro-rated at \$1200/lb based on septic loading estimated in the 2018 county-wide septic loading model for conventional septic at the site.
9. Retro-pay amount shall be up to \$6,000, representing the typical difference in cost, or the voluntary upgrade, between conventional (\$12,000) and advanced systems (\$18,000) and equal to the typical cost share of \$1,200/pound times 5 pounds of load reduction.
10. The sum of Retroactive Payments to be processed by staff shall not exceed \$100,000 without specific authorization by the County Commission.

Summary Explanation and Background:

Five property owners are currently seeking retroactive reimbursement from the Save Our Lagoon Program for voluntarily upgrading their old conventional septic systems to advanced systems. The current requests are

from Brevard County property owners who have upgraded to advanced treatment septic systems in the last three years, independent from the Save Our Indian River Lagoon Septic Upgrade Program which provides cost-share agreements with homeowners that upgrade to advanced septic and abandon their existing, conventional septic system.

The first homeowner payment made through the Save Our Indian River Lagoon Septic Upgrade Program was in September 2020. Postcards were sent to 1,625 properties that were deemed the highest priority for an upgrade and for which funds were specifically allocated in the Save Our Indian River Lagoon Project Plan. Properties were prioritized based on the amount of nitrogen load reduction benefit for the lagoon from each individual address, based on a state-approved septic impact model run county-wide for Brevard in 2018.

In 2021, the Save Our Indian River Lagoon Septic Upgrade Program expanded the number of eligible grantees by offering pro-rated grants at \$700/lb to property owners based on their property's modeled nitrogen loading. In 2022, the pro-rated cost share was increased from \$700/pound to \$1200/pound of nitrogen loading to increase the number of participants who were eligible for significant economic incentive to upgrade to advanced septic.

In the spring of 2022, staff sent over 5,000 postcards targeting a larger pool of priority septic locations compared to when the program was initially limited to the 1,625 highest priority sites. A few of the new postcard recipients had inquired about cost share earlier, at a time when their property was not eligible for cost-share, yet decided to proceed with upgrading their system on their own. A few postcard recipients were not aware of the cost-share program's existence but had completed septic upgrades voluntarily. On February 22, 2022, when the County Commission approved the 2022 Save Our Indian River Lagoon Project Plan update, they also authorized staff to apply the increased cost-share of \$1,200 per pound to the three "early adopters" who had already received cost-share at the previous \$700 per pound cost share rate. A new round of retroactive payment requests would expand the prior number of "early adopters" reimbursed for leading the community in reducing the impact of conventional septic systems on Indian River Lagoon water quality.

On September 16, 2022, the Save Our Indian River Lagoon Citizen Oversight Committee considered citizen requests for retroactive payments for upgrading to advanced septic and recommended that the County Commission consider authorizing retropay for owners who meet the 10 conditions listed above in the requested action. The recommended criteria would result in four of the five requesting homeowner, requesting retroactive payment as of the meeting date, to receive payment. One of the five homes is located within a septic to sewer conversion area, therefore they are eligible receive funding assistance to connect to sewer, not to upgrade a septic system that will be abandoned soon. As of October 3, 2022, SOIRL has not received any additional retroactive reimbursement requests.

The total reimbursement cost for the four homeowners who qualify is \$23,646. If additional qualifying homeowners contact staff or County Commission offices, reimbursements would be processed for no more than a total of \$100,000 without further Board direction.

Clerk to the Board Instructions:

None



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October 12, 2022

M E M O R A N D U M

TO: Virginia Barker, Natural Resources Management Director

RE: Item F.1., Septic Upgrade Program Retroactive Payment Requests

The Board of County Commissioners, in regular session on October 11, 2022, authorized staff to retroactively reimburse property owners that have installed advanced treatment septic systems, in accordance with the program criteria listed in the Agenda Report, as recommended by the Citizen Oversight Committee (COC); and authorized adapting program language as underlined in the Agenda Report, revised from the current program criteria which will allow retroactive reimbursements and provide appropriate program parameters. Enclosed is the Agenda Report.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

Encl. (1)

cc: Finance
Budget