



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## New Business - Development and Environmental Services Group

J.2.

5/21/2024

### Subject:

Florida Department of Environmental Protection Petroleum Restoration Program Contract Amendment

### Fiscal Impact:

FY 23-24 approximately \$337,497 increased revenue from the Florida Department of Environmental Protection and startup costs; No General Fund Impact

FY 24-25 approximately \$1,349,989 in annually recurring, increased revenue from the Florida Department of Environmental Protection; No General Fund Impact

### Dept/Office:

Natural Resources Management Department (NRM)

### Requested Action:

It is requested that the Board of County Commissioners 1) authorize the County Manager to execute a contract amendment for the Florida Department of Environmental Protection Petroleum Restoration Program to include Volusia County after review by Purchasing, Risk Management, and the County Attorney's Office; 2) authorize the County Manager to execute future contract amendments and annual renewals; 3) authorize the Local Program Manager to execute task assignments consistent with the contract; 4) authorize any necessary budget change requests to provide adequate staffing, operating budget, and acquisition of necessary capital items to meet contractual obligations.

### Summary Explanation and Background:

Since 1987, Brevard County's Natural Resources Management (NRM) Department has been contracted by the Florida Department of Environmental Protection (DEP) to implement the State Underground Petroleum Environmental Response (SUPER) Act program to protect surface and drinking water from petroleum contamination. In FY04/05, Brevard County's contract was amended to cover program implementation in both Brevard County and Indian River County. In FY15/16, St. Lucie, Martin, and Okeechobee Counties were added for oversight by Brevard County staff. Currently, ten staff oversee approximately 287 clean-up sites for the five counties. The 23/24 Task Assignment for these 287 sites is \$956,811, or \$3,650 per site base rate. Sites are prorated based on level of difficulty with some valued at more or less than others.

DEP has asked that Brevard County consider expanding its Petroleum Restoration Program implementation to include Volusia County. If approved, staff anticipates overseeing approximately 632 clean-up sites in FY24-25, 343 for the current five counties and 289 for Volusia County, more than doubling the current Task Assignment. This would allow Brevard County to administer petroleum remediation to protect surface and drinking water along the entirety of the Indian River Lagoon.

DEP provides all the funding for program implementation, including start-up costs necessary to expand the

program. DEP's fiscal year starts July 1, prior to the next Board meeting. Subject to this Board action, the contract will be negotiated and executed in time for DEP's fiscal year.

**Clerk to the Board Instructions:**

Provide Clerk memorandum to NRM



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May 22, 2024

**M E M O R A N D U M**

**TO:** Virginia Barker, Natural Resources Management Director

**RE:** Item J.2., Florida Department of Environmental Protection Petroleum Restoration Program Contract Amendment

The Board of County Commissioners, in regular session on May 21, 2024, authorized the County Manager to execute a Contract Amendment for the Florida Department of Environmental Protection Petroleum Restoration Program to include Volusia County after review by Purchasing Services, Risk Management, and the County Attorney's Office; authorized the County Manager to execute future contract amendments and annual renewals; authorized the Local Program Manager to execute task assignments consistent with the contract; and authorized any necessary Budget Change Requests to provide adequate staffing, operating budget, and acquisition of necessary capital items to meet contractual obligations.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

*Kimberly Powell*  
Kimberly Powell, Clerk to the Board

**cc:** County Manager  
Finance  
Budget