



Agriculture & Natural Resources Subcommittee

**Tuesday, February 18, 2014
1:00 PM
Reed Hall (102 HOB)**

MEETING PACKET

**Will Weatherford
Speaker**

**Matthew H. "Matt" Caldwell
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Agriculture & Natural Resources Subcommittee

Start Date and Time: Tuesday, February 18, 2014 01:00 pm
End Date and Time: Tuesday, February 18, 2014 03:00 pm
Location: Reed Hall (102 HOB)
Duration: 2.00 hrs

Presentation by the Department of Agriculture and Consumer Services on their Legislative Proposals

Presentation by the Department of Environmental Protection on the New Petroleum Restoration Program Rules

Presentation by the Peace River Manasota Regional Water Supply Authority Regarding the Cooperative Efforts of Public Utilities and Agricultural Landowners in Developing Alternative Water Supplies

Presentation by Southeast Renewable Fuels on Agricultural Based Renewable Fuel Production in Florida

NOTICE FINALIZED on 02/11/2014 16:15 by Sims-Davis.Linda



Florida Department of Agriculture and Consumer Services

Mission

Safeguard the Public and Support Florida Agriculture

Goals

- Increase production and sale of Florida's agricultural products
- Ensure the safety and wholesomeness of food and other consumer products
- Conserve and steward the state's agricultural and natural resources
- Protect consumers from potential health and financial risks and unfair and deceptive trade practices



Chapter 570 Re-Org

- Chapter 570 is the department's authorizing chapter
- Proposal will add clarity and organizational structure to the chapter by reorganizing the chapter into 5 distinct parts:
 - General Provisions
 - Program Services
 - Agricultural Development
 - Agricultural Water Policy
 - Penalties
- Will allow the public to more easily find the authority of the department and its duties and responsibilities



Agricultural Environmental Services

Propose to:

- Add online registration options for feed, seed and fertilizer companies
- Add process for companies to be in compliance if a discontinued a pesticide product is found in commerce
- Make no distinction between a pesticide applicator who supervises 15 persons or two persons
- Remove the requirement that persons file a claim with the department within 48 hours if they had crop damage from a pesticide application
- Add language in the feed statutes that make our feed laws consistent with national standards
- Add a lower fee category for those businesses that sell the least amount of seed
- Repeal education programs that are no longer relevant



Agricultural Environmental Services Continued

Specific to fertilizer statutes FDACS proposes to:

- Eliminate the requirement for surety bonds in the fertilizer registration process
- Because we have authority elsewhere in the statute,
 - eliminate the \$100 penalty assessed when a fertilizer company is found to be distributing fertilizer that hasn't been licensed or registered
 - remove the probationary status the department can place on a licensee for any violation of the fertilizer statutes
- Survey the industry in order for the department to determine the commercial value in assessing penalties for fertilizer deficiencies
- Reduce the number of days the department is required to hold a fertilizer sample from 90 to 60 days
- Require only two labels when distributing bulk fertilizer



Florida Forest Service

Propose to:

- Combine two statutes dealing with payments from forest revenues to fiscally constrained counties
- Clarify how FFS sets usage fees on state forests
- Repeal designation of railroad right-of-ways as wildfire hazard areas
- Add language that treats both certified and non-certified burns consistently
- Extend limited liability protection to those who lease/sub-lease land in state forests
- Provide authority to pay real estate transaction expenses related to conservation easements



Food Safety

Propose to:

- Allow FDACS to close a food facility if there is an imminent health threat



Food Safety Continued

Propose to:

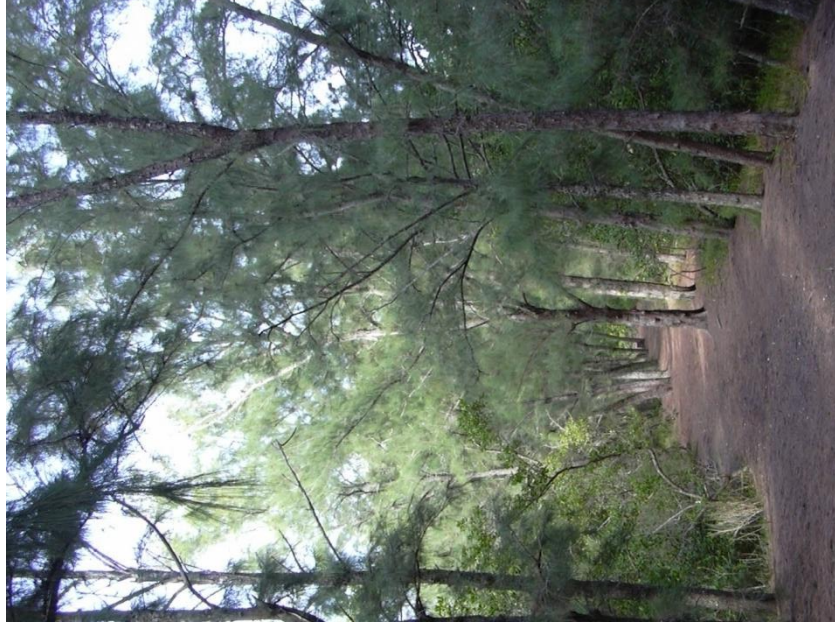
- Repeal language in the Food Safety statutes which cover programs that are no longer a function of the department
- Add additional businesses that can be considered low risk and therefore not permitted.
- Make clear a food permit is tied to a physical location, type of operation, and specific owner
- Allow the division to enforce aquaculture regulations (inspection of seafood processing plants)
- Add to the list of reasons FDACS should have access to food establishments, records and vehicles
- Provide a level of economic and regulatory relief relative to production and sale of limited poultry products



Plant Industry

Propose to:

- Scale down the regulatory process to plant Australian pine as wind-breaks for citrus groves
- Repeal the Pest Control Compact



Miscellaneous

Propose to:

- Add Office of Ag Law to the Joint Task Force of State Agency Law Enforcement Communications
- Remove a misdemeanor penalty for dealers of agriculture products when they don't provide certain records to the department
- Repeal the equestrian education sports program
- Delete the provision that the department establish specific requirements for antisiphon devices



Summary

This bill:

- Is comprised of common sense regulation!
- Reduces fines!
- Helps the department meet its mission to safeguard the public and support Florida agriculture!

QUESTIONS?



Florida Department of Environmental Protection



Petroleum Restoration Program

Jorge Caspary, P.G.
Director, Division of Waste Management

House Agriculture and Natural Resources Subcommittee
February 18, 2014





Program Status and Total Expenditure

- As of February 2014:

Eligible sites cleaned up	7,258
Eligible sites underway	3,167
Eligible sites awaiting clean up	6,911
	=====

Approximate number of total sites eligible for state funding 17,336

- Approximately \$2B spent on site cleanup since program inception in 1986.
- FY 2013-14 appropriation is \$125M



Proviso and Implementing Bill

- The Proviso and Implementing Bill provided up to \$50 million to fund task assignments, work orders and contracts entered into prior to June 30, 2013.
- After June 30, 2013, the Department could only enter into competitively procured contracts.
- The balance of appropriation (\$75M) would be subject to approval by the Legislative Budget Commission.



LBC Approval

- The LBC met on September 12, 2013, and approved our plan to move forward which included a transition to:
 - Continue to procure work competitively using the \$50M initially appropriated.
 - Adopt rules.
 - Divest the Department from ownership of remedial systems whose maintenance was costing >\$250,000 per year.
 - Secure Agency Term Contractors.



Current Program Status

- Obligated the totality of \$50M.
- Completed rulemaking.
- Completed the first phase of equipment divestiture.
- Entered into contract negotiations with Agency Term Contractors (“Contractors”).
- Worked very closely with House staff on a draft Petroleum Bill that codifies our reforms by removing any reference to the former “pre-approval” program.



Rulemaking

- Two new rules: 62-771 and 62-772.
- 62-771: revises site scoring.
- 62-772: codifies procurement.
- Both adopted on 12/27/2013.
- These rules do not reduce standards of protection.
- Worked in close coordination with all stakeholders and adopted without protest.



Procurement of Contractors

- 10/3/2013: Invitation to Negotiate (ITN) issued.
- 1/14/2013: 70 vendors qualified for negotiations.
- 2/3/2014 to 3/1/2014: Contract negotiations.
- 3/1/2014: All contracts executed.
- **Approximate average savings of 20% in unit rates for most activities.**



Contractor Task Assignment

- Contractors will be assigned tasks without staff bias for or against any contractor.
- Work assignment follows an algorithm based on three variables: **Bonding Capacity, Encumbered Balance, and Schedule Rank.**
- Contractor performance is key to reduce their encumbered balance so it can be assigned additional tasks.



Conclusions

- The Department has completed the transition phase.
- It has addressed all aspects of the Proviso and Implementation Bill.
- Program is focused on achieving aggressive procurement and performance goals
- It has worked collaboratively with all stakeholders.



Questions?

Jorge Caspary, P.G.

Director, Division of Waste Management

Jorge.Caspary@dep.state.fl.us

(850) 245-8697

Valerie Huegel

Administrator, Petroleum Restoration
Program

Valerie.Huegel@dep.state.fl.us

(850) 245-8821





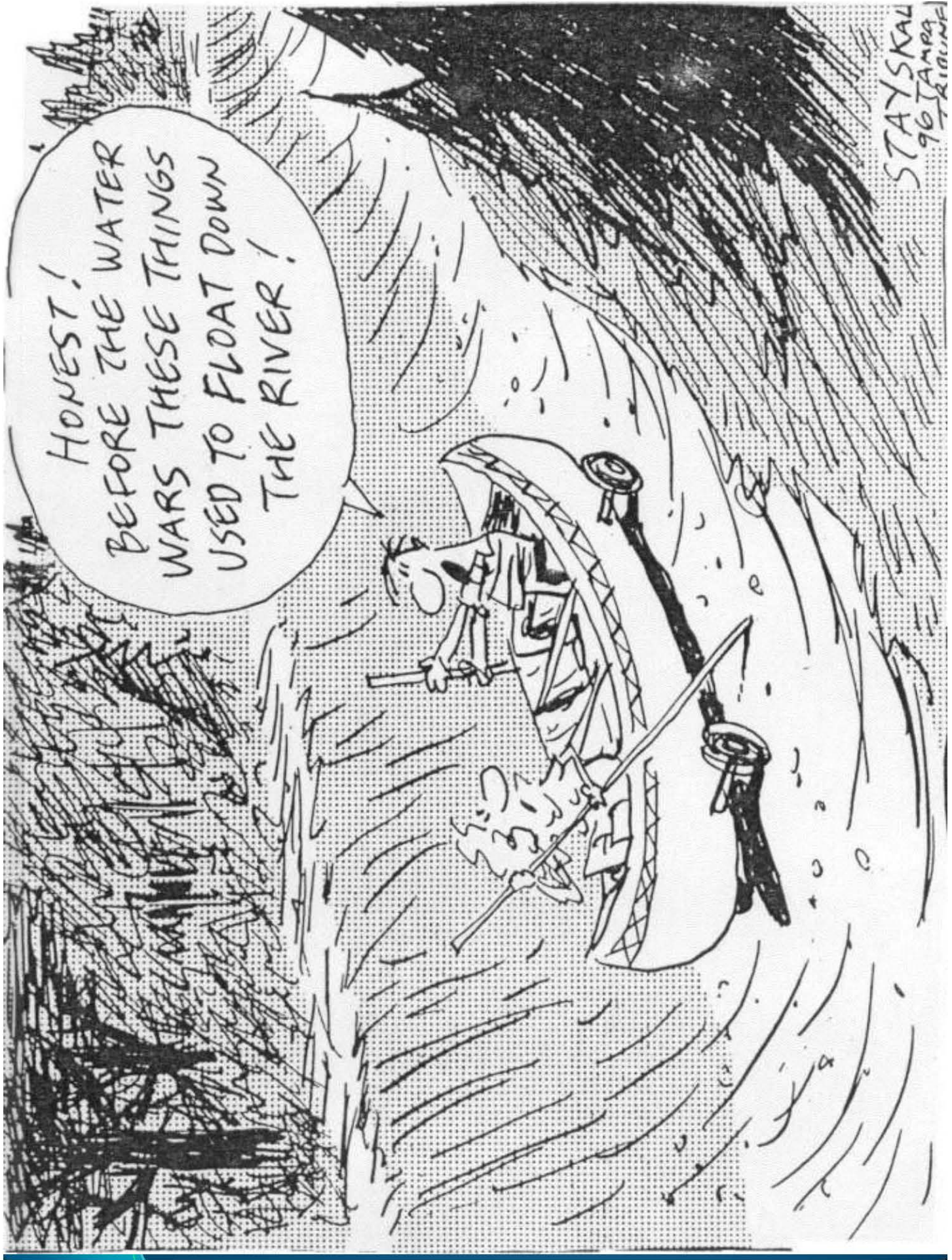
*‘COOPERATIVE EFFORTS OF PUBLIC UTILITIES AND
AGRICULTURAL LANDOWNERS IN DEVELOPING
ALTERNATIVE WATER SUPPLIES’*

HOUSE AGRICULTURE & NATURAL RESOURCES SUBCOMMITTEE

FEBRUARY 18, 2014

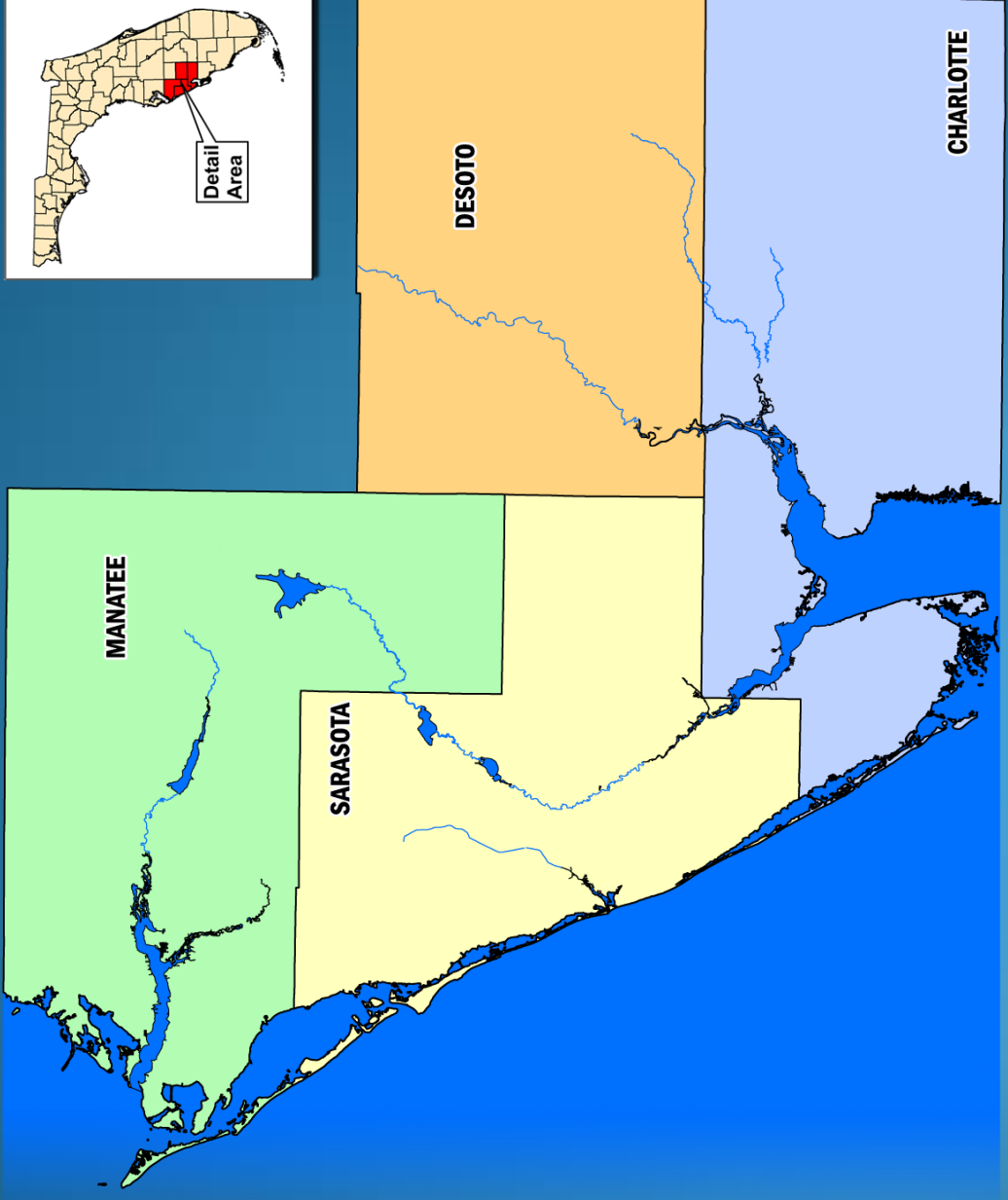
PATRICK J. LEHMAN, EXECUTIVE DIRECTOR
PEACE RIVER MANASOTA REGIONAL WATER SUPPLY AUTHORITY
LAKEWOOD RANCH, FLORIDA

STAY SKAL
96 TAMPA
FLORIDA



HONEST!
BEFORE THE WATER
WARS THESE THINGS
USED TO FLOAT DOWN
THE RIVER!

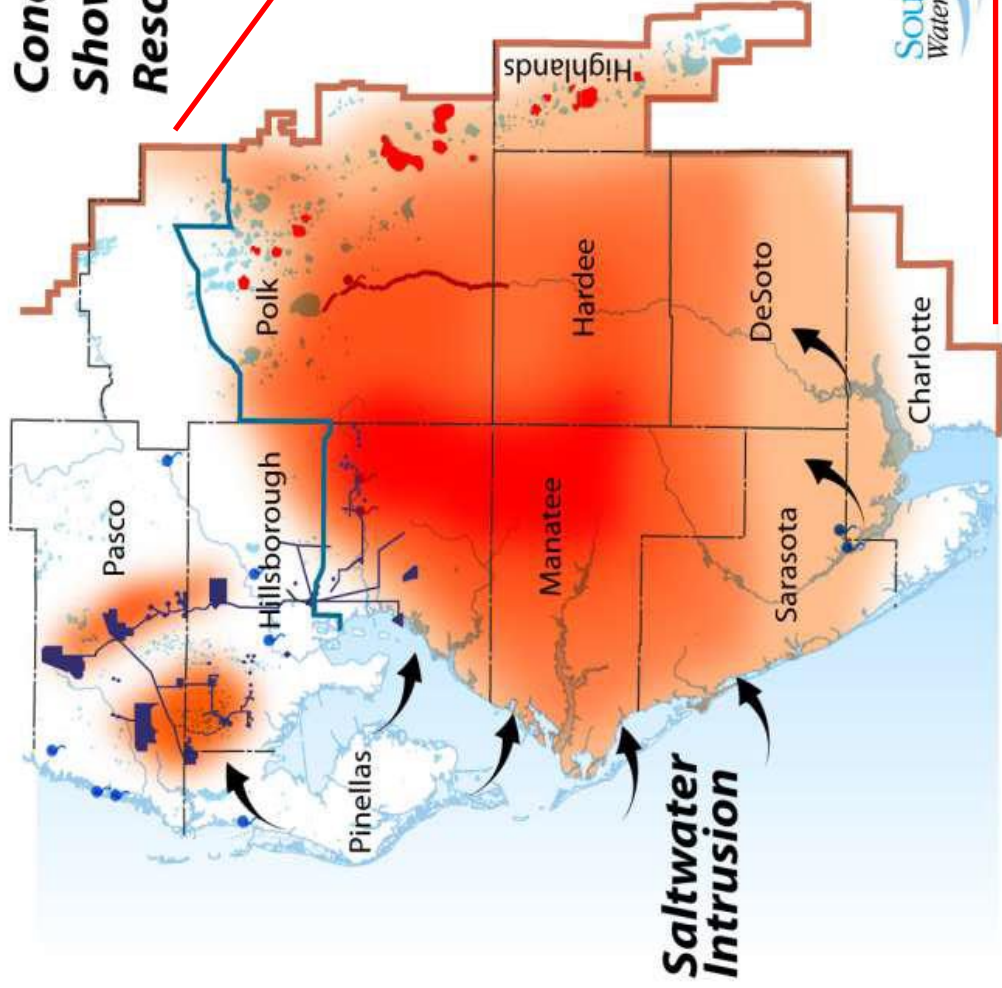
Peace River Manasota Regional Water Supply Authority



Southern Water Use Caution Area

Southwest Florida Water Management District

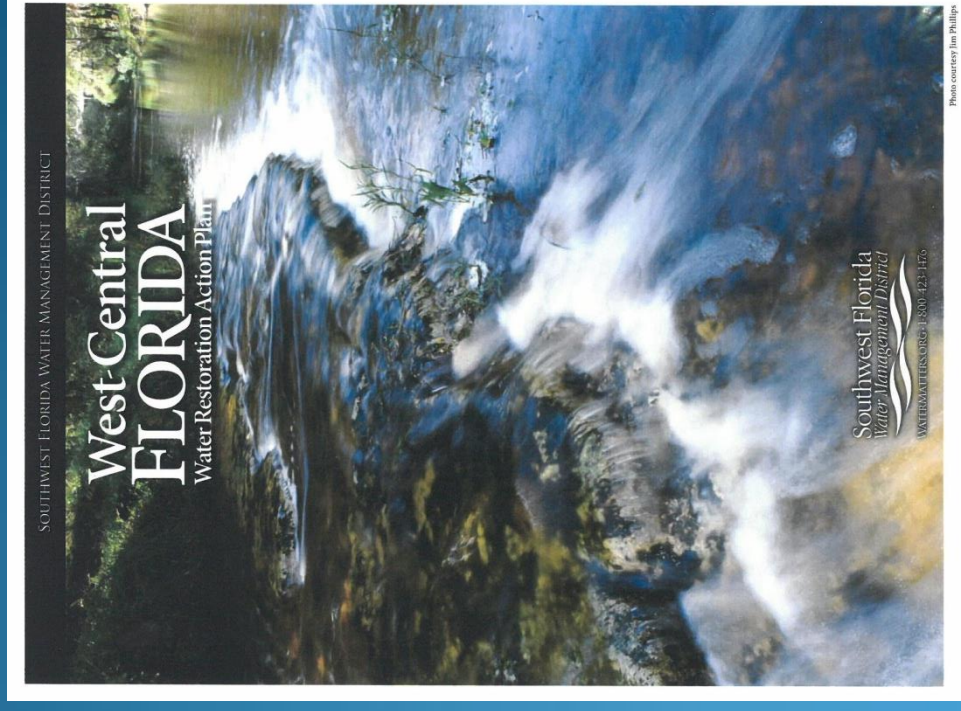
**Conceptual Map
Showing Areas of
Resource Concern**



Water Restoration Action Plan

West-Central Florida Water
Restoration Action Plan
established by Chapter
373.0363(4)

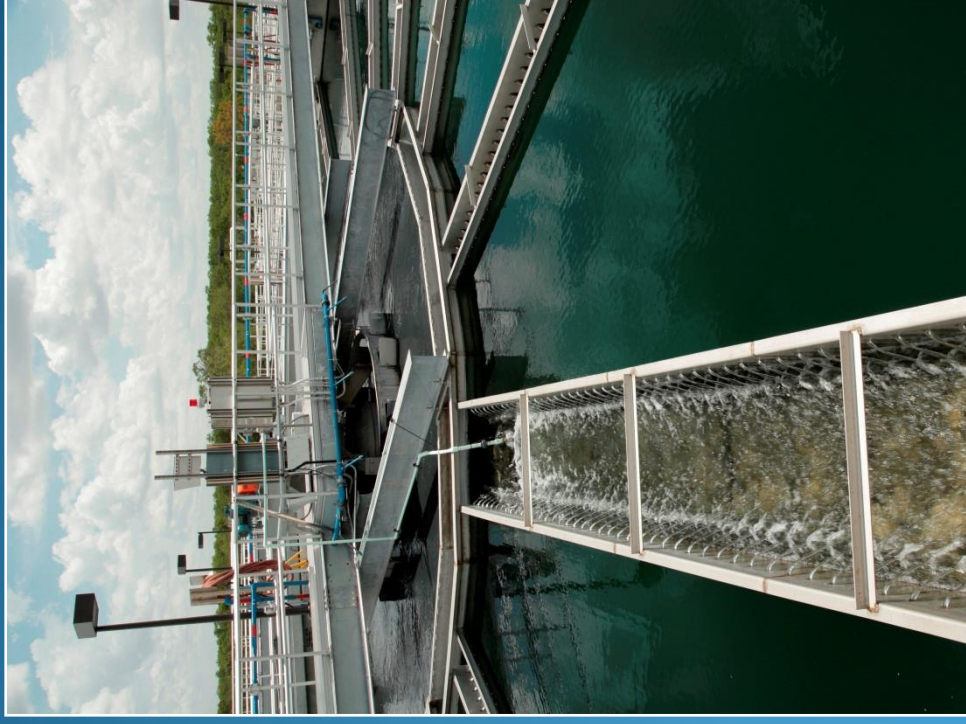
- Supporting a regional approach
- Reduction of groundwater withdrawals in the Southern Water Use Caution Area
- Developing Regional Alternative Water Supplies



Why Alternative Water Supplies

Chapter 373.707(1)(b):

“There is a need for development of alternative water supplies for Florida to sustain its economic growth, economic viability, and natural resource.”



What are Alternative Water Supplies

Alternative water supplies include sources such as:

- Seawater
- Brackish groundwater
- Surface Water
- Stormwater
- Reclaimed water
- Conservation



Who Pays for Alternative Water Supplies

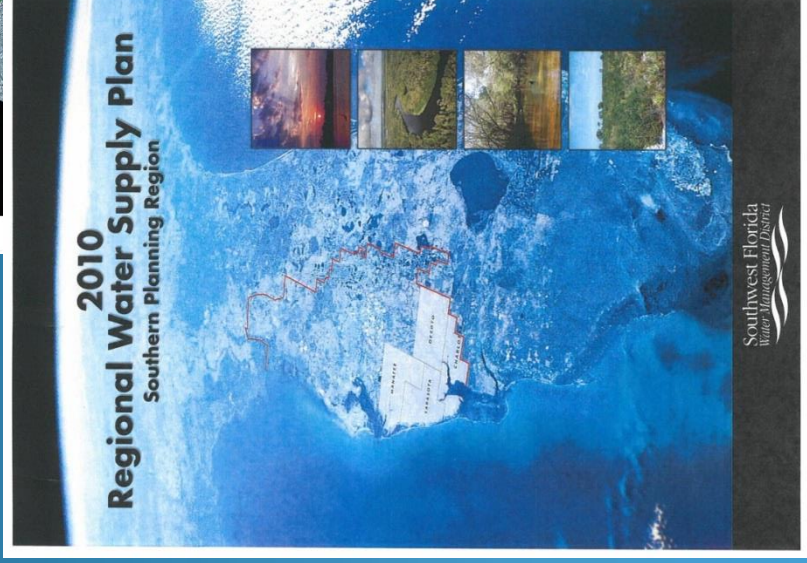
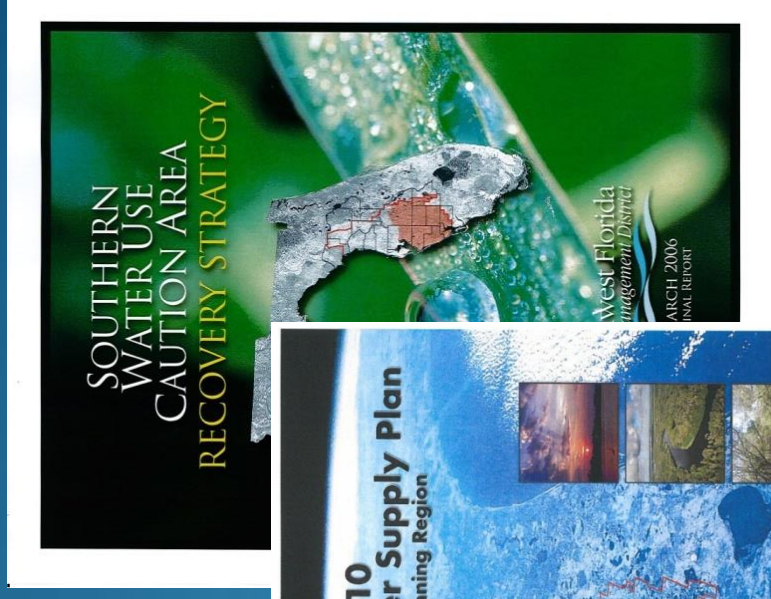
Chapter 373.707(2)(c):

“Funding for development of alternative water supplies shall be a shared responsibility of water suppliers and users, the State of Florida, and the water management districts...”



Regional Water Supply Plans

“The Recovery Strategy focuses on supplying the majority of the water needs of the residential and commercial land uses with surface water (mostly captured high flows of rivers), reclaimed water and desalinated seawater.”



IF YOU'VE PRAYED
FOR RAIN, YOU
CAN STOP NOW

NOW ENROLLING
LEARNING TREE
PRESCHOOL
FREE - Y P K - FREE
737-8842



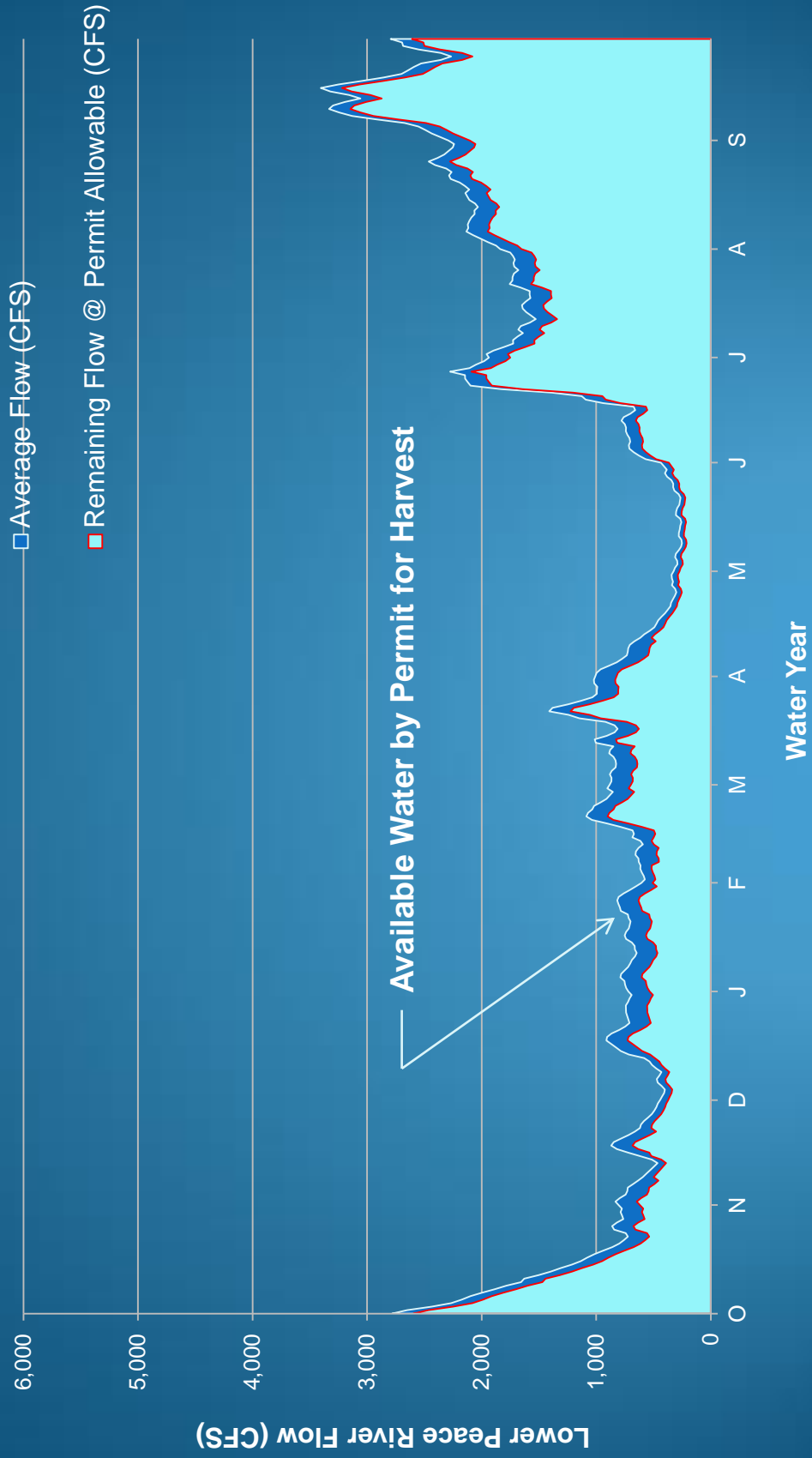
Lower Peace River MFL

Water Available vs Long Term Avg. River Flow



Seasonal Withdrawal Schedule

Permitted Withdrawal vs Long Term Avg. River Flow



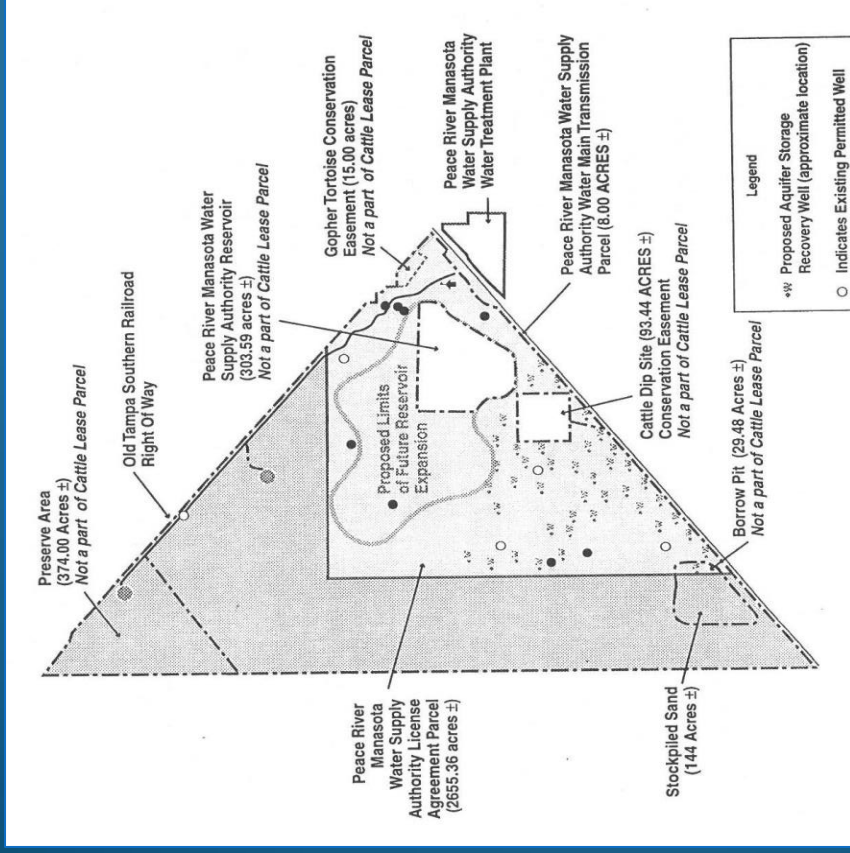
Actual Water Withdrawal

Actual Peace River Withdrawal for FY 2013



Reservoir

Concept to Reality

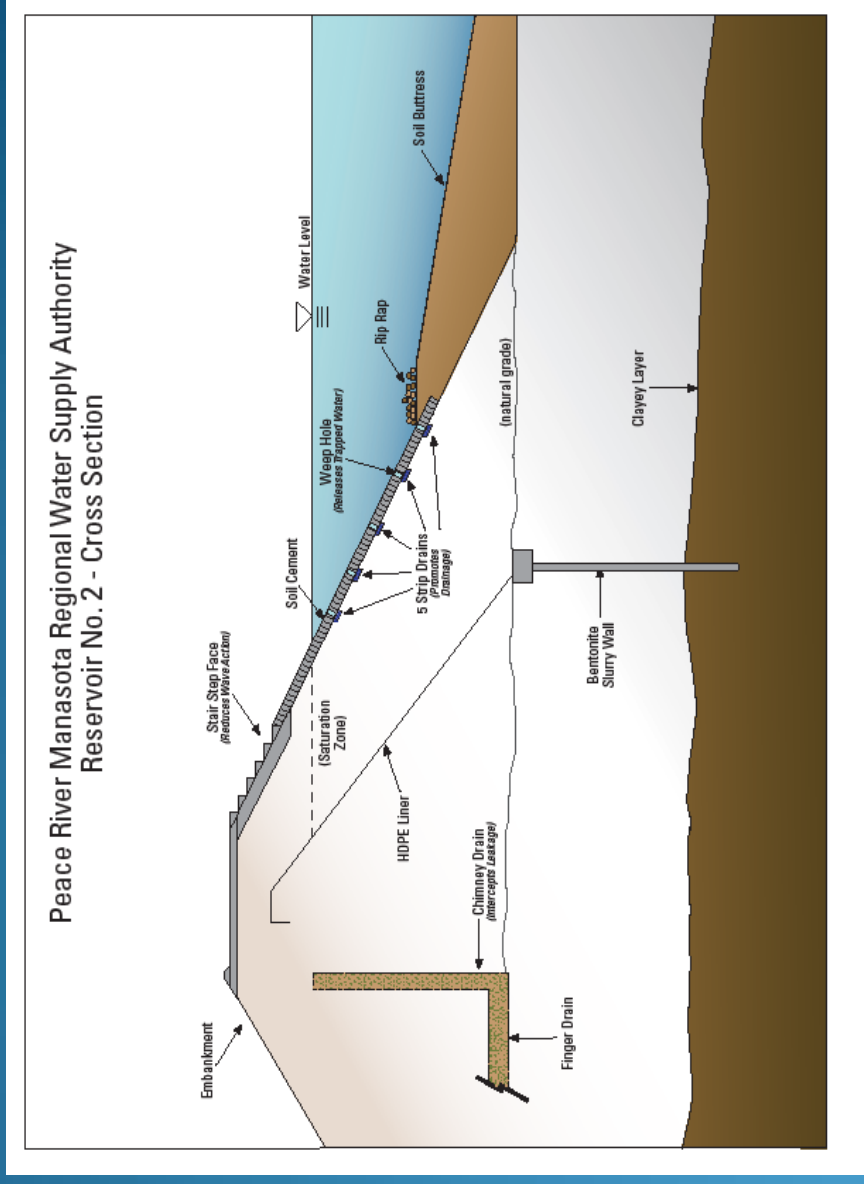


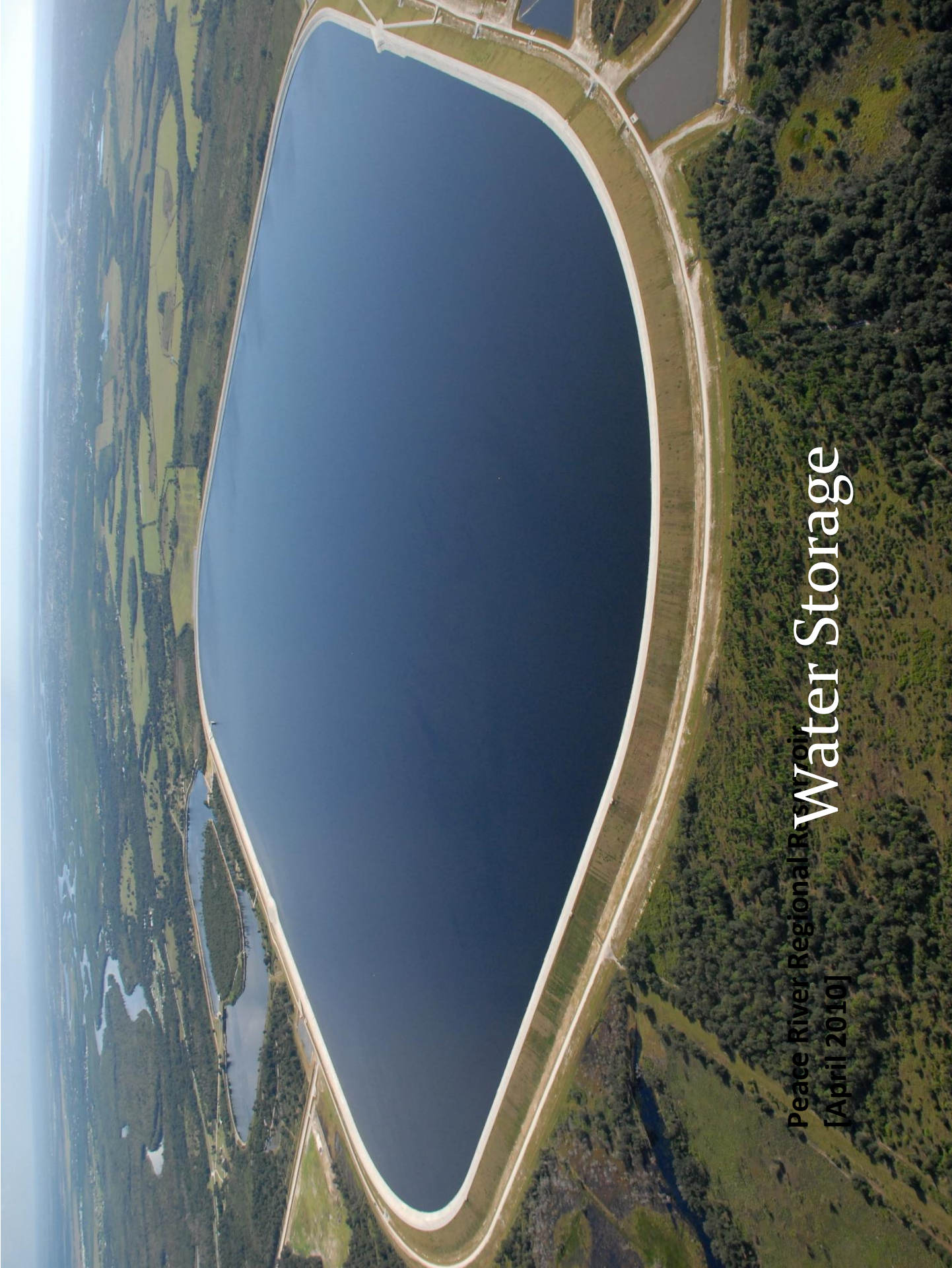
1992 SWFWMD Purchases RV Griffin Reserve – 9 Square Miles in DeSoto Co.

2009 Authority completes Reservoir

Reservoir is Highly Engineered Structure

- Reservoir Embankment
- Withstand Category 5 hurricane
- Freeboard to retain 60-inches of 72 hour rainfall storm event
- Soil cement erosion protection
- Strip drains to enhance drainage of trapped water
- Soil buttress berm to support soil cement
- Additional drainage features: chimney drain, blanket drain, and toe drains





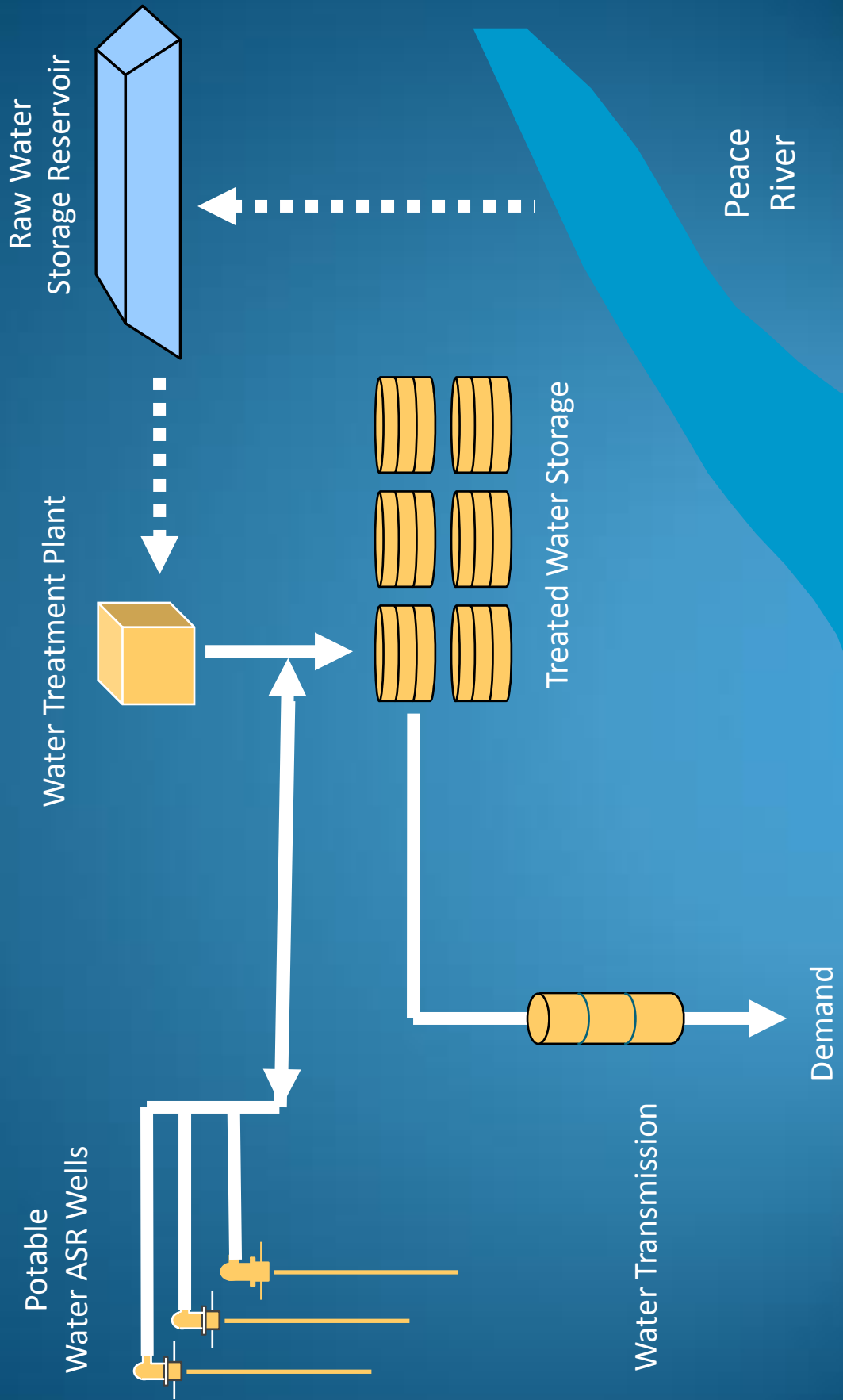
Peace River Regional Reservoir
Water Storage

[April 2010]

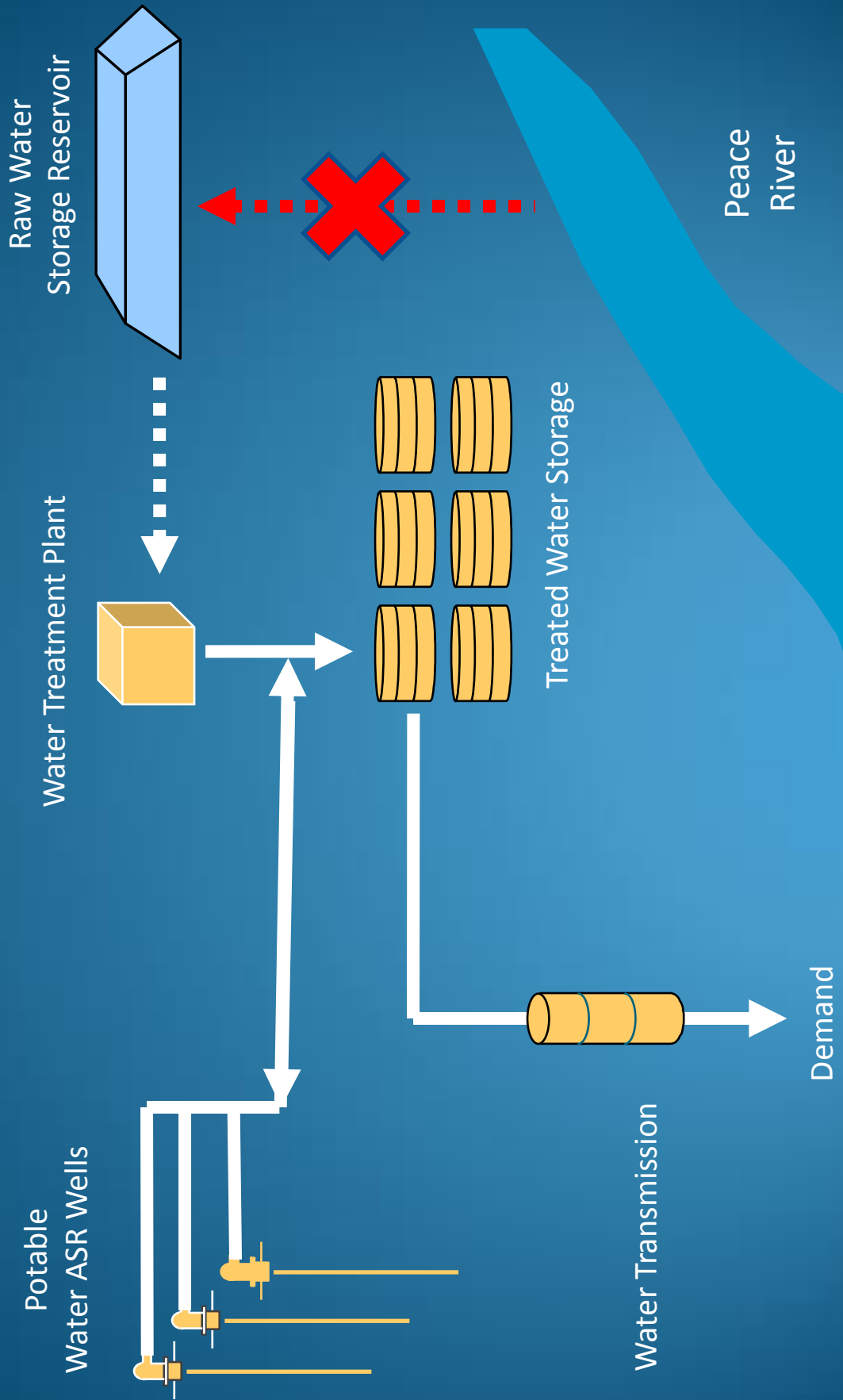


ASR Well

Process Flow Schematic



Process Flow Schematic

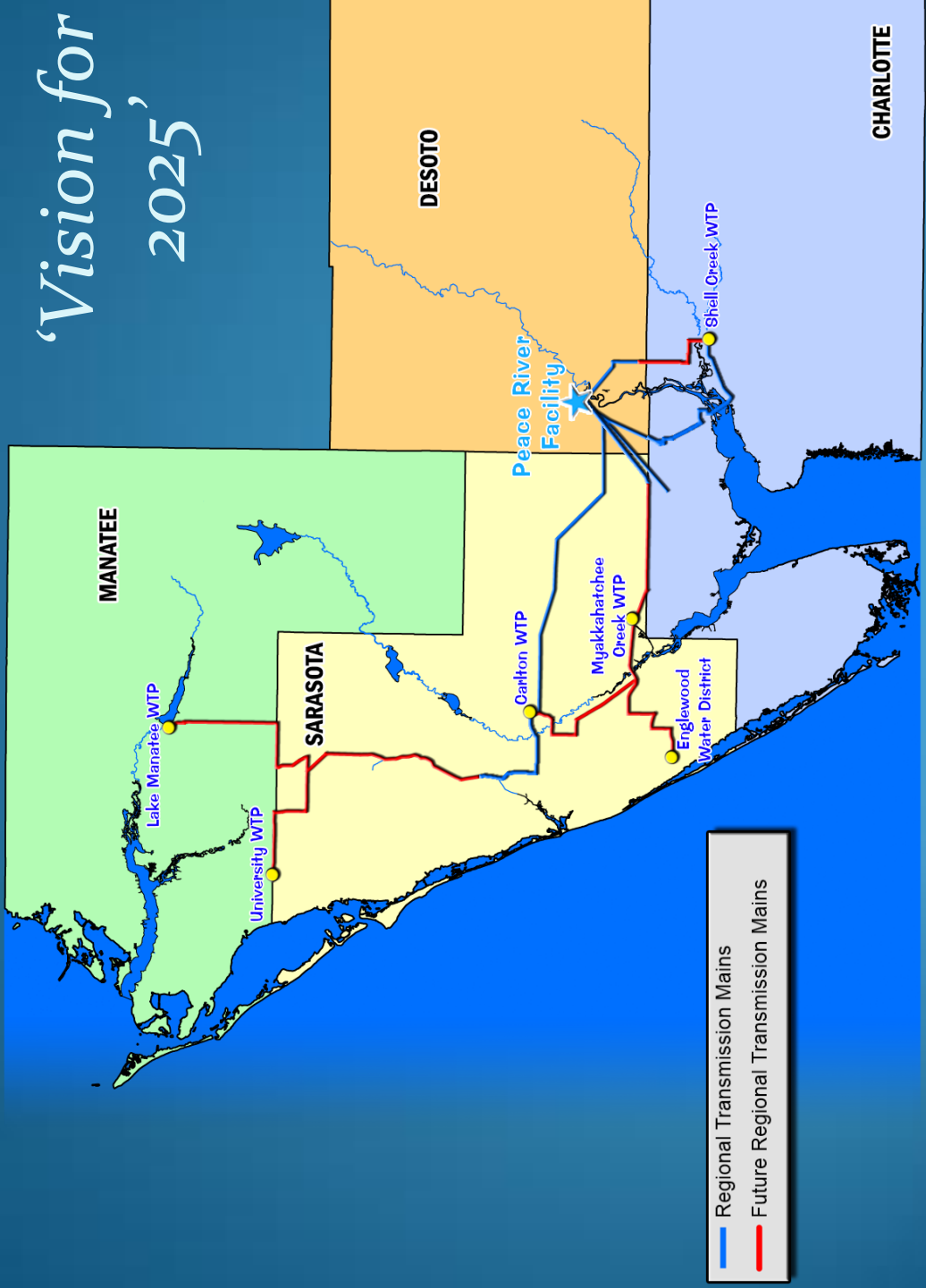




Peace River Facility

Peace River Manasota Regional Water Supply Authority

*'Vision for
2025'*



Peace River Manasota

Regional Water Supply Authority

Regional Interconnected Loop System:

- Optimize resource management 'Right Water at the Right Time'
- Diversity of sources
- Rotational capacity
- System reliability
- Reserve capacity
- Better match supply and demand
- Optimize financial investment



A safer water supply

Why a West Virginia-type crisis is unlikely in our region

Published: Thursday, January 16, 2014 at 1:00 a.m.

The chemical spill that left 300,000 people in West Virginia without safe potable water is a stark reminder of the need to vigorously protect supplies anywhere and everywhere.

The slow recovery -- safe potable water service was not fully restored yesterday, six days after the Elk River was polluted - underscores the value of having a diversified, well-connected supply system.

Fortunately, the region that includes Sarasota, Manatee, DeSoto and Charlotte counties has created such a system -- and is working on further improvements.



AP PHOTO / MICHAEL SWITZER

Employees of the South Charleston, W. Va., Public Works Department help residents fill water containers from a tank Sunday. A chemical spill Thursday in the Elk River has contaminated the public water supply in nine counties.

Peace River Manasota Regional Water Supply Authority

Expansion Program Source of Funds	Amount
Authority Funds	\$ 185 M
SWFWMD Grant Funds	\$ 110 M
SB444 Funds	\$ 26 M
WRAP Funds	\$ 5 M
U.S EPA Grant Funds	\$ 9 M
	\$ 335 M



Peace River Manasota Regional Water Supply Authority



An aerial photograph of a large, kidney-shaped reservoir with a concrete dam. The water is a deep blue, and the surrounding landscape is a mix of green fields and dense forest. The sky is clear and blue.

PEACE RIVER MANASOTA
REGIONAL WATER SUPPLY AUTHORITY

Regionalwater.org



Presentation to House Agriculture and Natural Resources Subcommittee

February 18, 2014



Florida's Food VS. Fuel Solution

Who Are We?

- Southeast Renewable Fuels, LLC (“SRF”) is a Florida based project developer, operator and owner.
- First Production Plant under construction now: Hendry County near Clewiston.
- Plans underway for the design, construction and start-up of three sweet sorghum to ethanol and green power generating facilities in Florida.
- SRF will operate the facilities.



Photo – L to R -SRF– A. Pepper , CEO –
D. Markley, Exec. VP & COO – C. Rionda , President

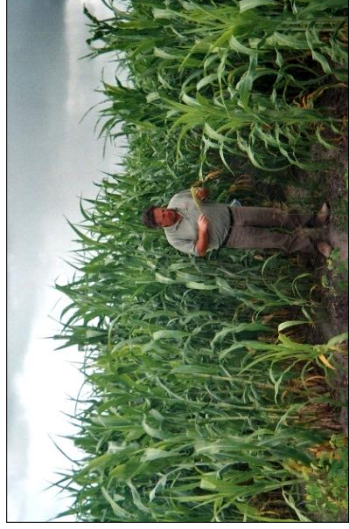


Southeast Renewable Fuels, LLC.

Construction of Sweet Sorghum to Ethanol Advanced Bio-Refinery

Sweet Sorghum Ethanol & Green Power from Biomass

- 20 Million Gal/Day (MMGPY) of ethanol in Florida from Florida Feedstock.
- 20 + MW of electrical power.
- 68,000 tons of CO₂ captured and sold as a bi-product of the fermentation process.
- Facility will employ 47 full-time employees with an annual payroll of approximately \$3.4 million dollars.
- Employment for 100 plus full-time craft workers on average, numerous equipment providers, four engineering firms and several contractors.
- Facility will support the creation of as many as 350 permanent new jobs in other sectors of the economy such as agriculture, transportation and maintenance/repairs.
- Plant requires 25,000 acres of sweet sorghum to be planted, harvested, and delivered to the plant at least two times per year.



Aaron Pepper – inspecting sweet sorghum agricultural site –
Hendry County, Florida 7/21/08



Southeast Renewable Fuels, LLC.

Construction of Sweet Sorghum to Ethanol Advanced Bio-Refinery

Sweet Sorghum Ethanol & Green Power from Biomass

- All Ethanol Produced under contract to Shell Trading US.
- Power Purchase Agreement to be negotiated with Seminole Electric.
- Sweet Sorghum as Florida Feedstock after research with IFAS and private agri-experts.
- Requires less water, less fertilizer, and grows in under-utilized soil conditions that are not in outfall of Lake Okeechobee/Everglades.





Sweet Sorghum Field Trials with Advanta Seed Co.

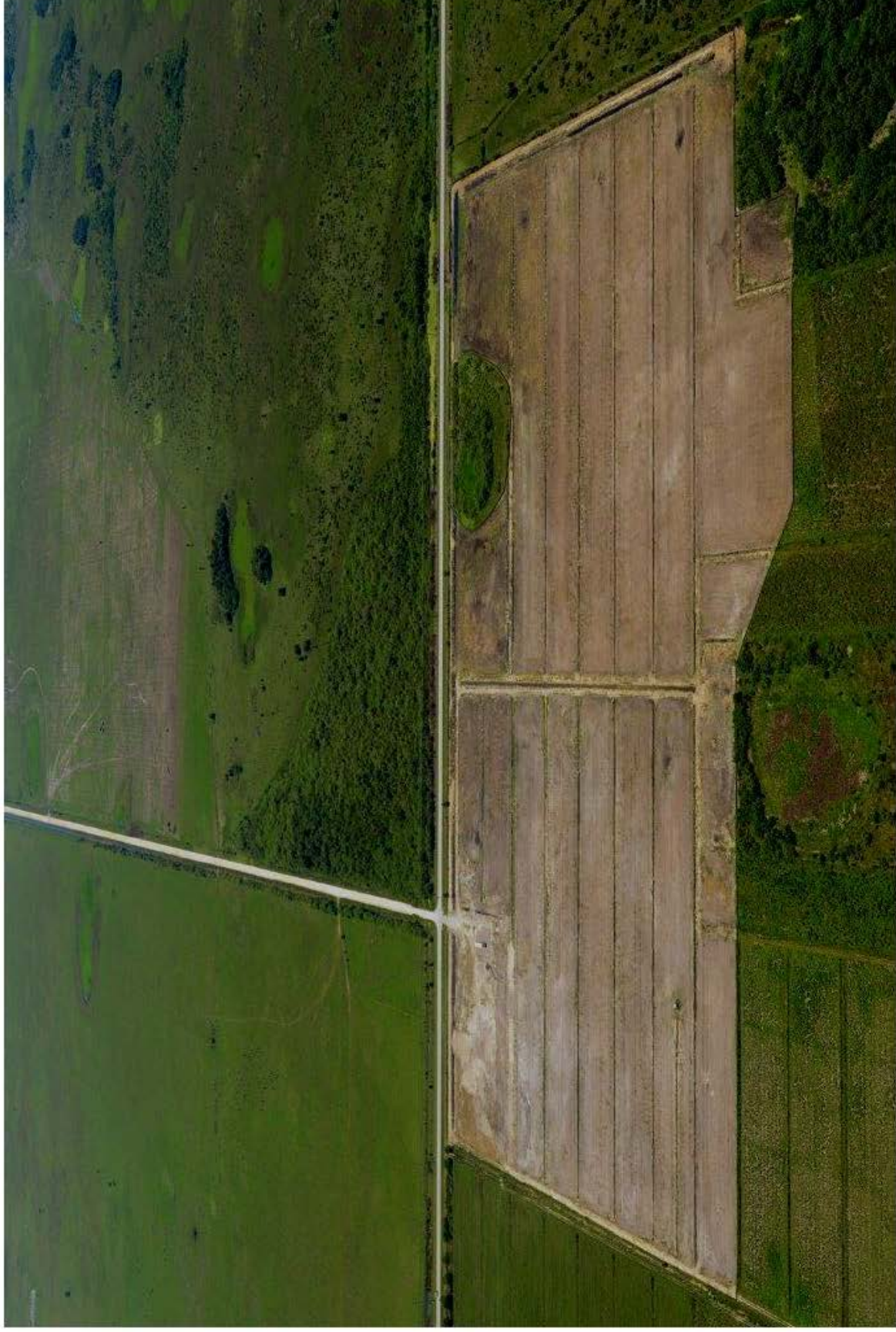


SRF/Ceres Seed Co. Sweet Sorghum Field Trials

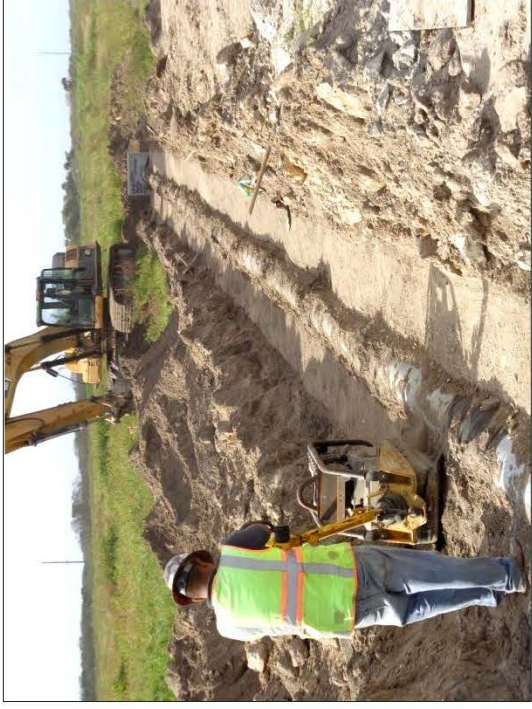
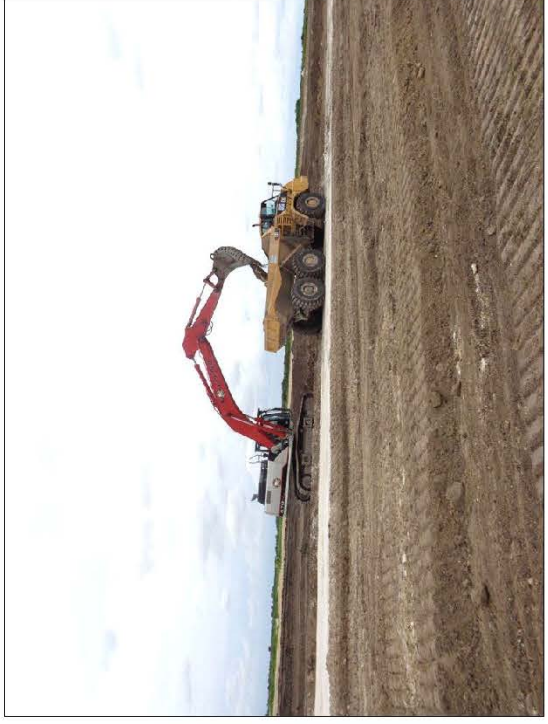


Sweet Sorghum Farming Activities

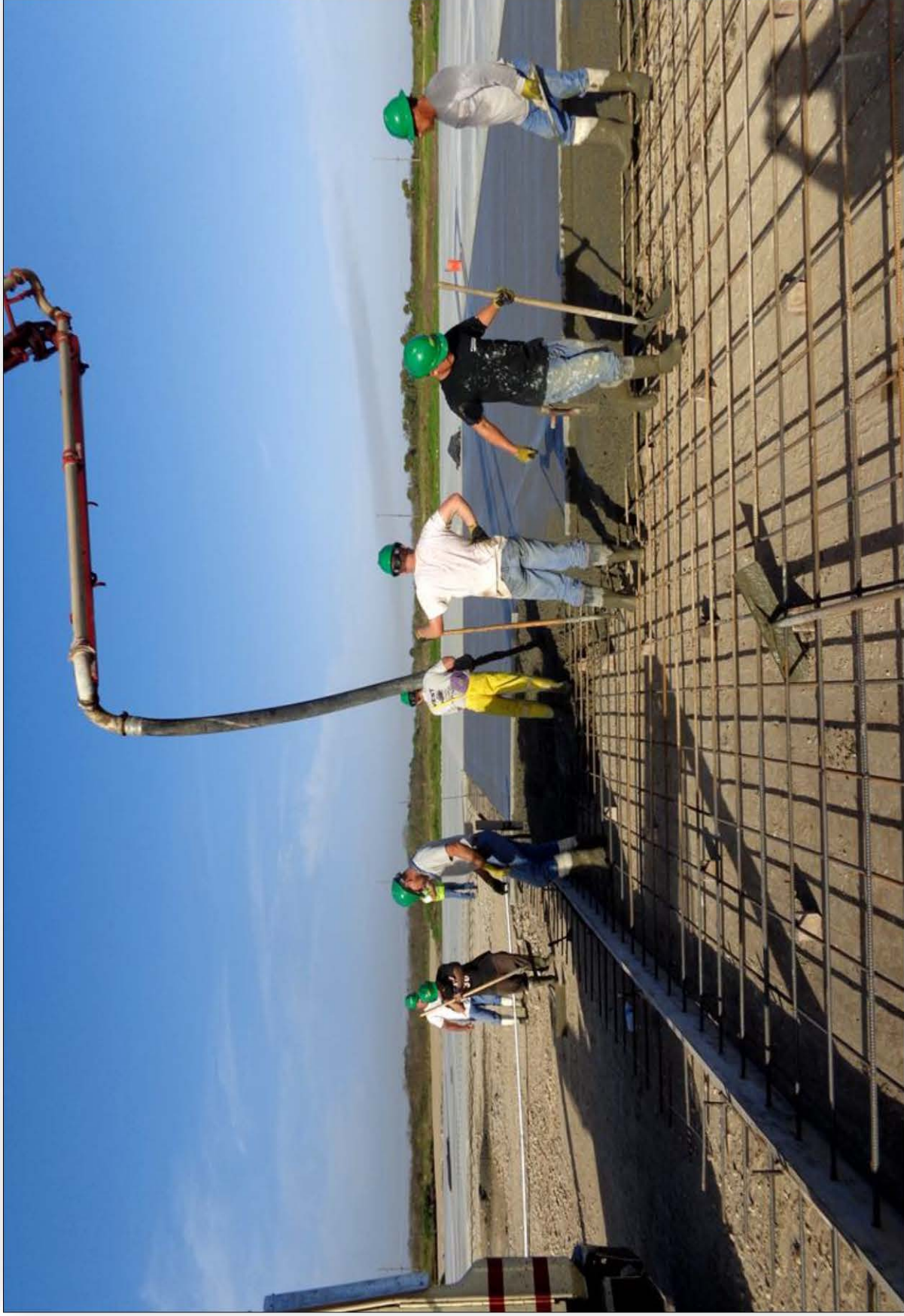




First Site Cleared July 2013



Construction Activities – Steady Progress



Concrete Placement for Sweet Sorghum Storage Pad



ETHANOL PLANT SITE 01/07/14





**FIRST PLANT WILL GO COMMERCIAL JULY 2015.
SRF WILL HAVE A GRAND OPENING, JOIN US!**



QUESTIONS?